

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

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

July 24, 2019

Dear Governor Murphy:

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, July 17, 2019.

Sincerely,

Original Signed By

Joyce J. Zuczek
Board Secretary

Enclosures

Honorable Philip D. Murphy
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, July 17, 2019.

Board Members Present

Diane Gutierrez-Scaccetti, Chair
Edmund Caulfield, Governor's Representative
Dini Ajmani, Treasurer's Representative

Board Members Absent

Raymond W. Greaves, Board Member (Non-Voting)

Staff Present

Kevin S. Corbett, President and Chief Executive Officer (CEO)
Joyce J. Zuczek, Board Secretary and OPRA Officer
Jonathan B. Peitz, Deputy Attorney General
William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer
Eric R. Daleo, Senior Vice President, Capital Programs
Ronald E. Nichols, Chief, Light Rail and Contract Services
Raymond P. Kenny, Senior Vice President and General Manager, Rail Operations
Christopher Trucillo, Senior Vice President, Chief of Police and Emergency Mgmt.

Chair Gutierrez-Scaccetti convened the Open Session at 9:08 a.m. in accordance with the Open Public Meetings Act, noting it was NJ TRANSIT's 40th Anniversary. Mark Geisler, Office of System Safety, provided a public safety announcement. The pledge of allegiance to the flag was conducted and Board Secretary Zuczek conducted a roll call, noting Board Member Greaves was absent.

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 and Public Law 2018, Chapter 162, and the meetings were occurring concurrently. Notices were filed on July 11, 2019 with the Secretary of State. These notices were sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice. The meetings were viewable on the corporation's website in real time and were video recorded, archived, and made available to the public. Minutes will also be archived and published on the corporation's website.

Executive Session Authorization

At approximately 9:12 a.m., Chair Gutierrez-Scaccetti 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 Proposed Labor Agreement: NJ TRANSIT Police Department and Fraternal Order of Police (FOP) Local #37, Advanced Speed Enforcement System II – Positive Train Control: Contract Amendments for Implementation, NJ TRANSIT Resilience Program – Delco Lead Storage and Inspection Facility Project and County Yard Improvement Project Environmental Mitigation Credit Purchases – Additional Credits Required, the Personal Injury Claim of Jose Rodrigues-Marques, the Personal Injury Claim of Allan Oliveira-Silveira, and the Personal Injury Claim of Jason Gillespie and Christina Gillespie. Board Member Edmund Caulfield moved the resolution, Board Member Dini Ajmani seconded the motion, 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 returned to Open Session at approximately 10:28 a.m.

Approval of Minutes

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the June 12, 2019 Board meetings. A motion was made by Board Member Edmund Caulfield, seconded by Board Member Dini Ajmani, and it was unanimously adopted.

President and CEO's Monthly Report

President and CEO Corbett noted on this date 40 years ago, NJ TRANSIT was officially created by the Public Transportation Act of 1979. Since then this agency has been dedicated to serving the transportation needs of New Jersey. Over the past four decades, hardworking men and women have kept the transportation network moving providing billions of passenger trips. NJ TRANSIT would mark this milestone in a number of ways for both employees and customers. They will be observing the anniversary throughout the company as employees reflect on the past 40 years. Later in his report, they will pay tribute to the incredible hard work, dedication, teamwork, and commitment of employees at every level throughout the years.

President and CEO Corbett noted the operating and capital budgets for fiscal year 2020 were on the agenda. The spending plans reflect Governor Murphy's commitment to providing the additional, and necessary, resources as they continue to make improvements to restore the agency to national prominence while keeping fares stable. The process, which began last year, focused on the customer experience by prioritizing people, equipment, and infrastructure.

On the people side, they recently announced the graduation of NJ TRANSIT's 500th bus operator since January 2018. Strategic realignment of existing resources combined with bus operator hires and the continued delivery of new buses will allow NJ TRANSIT to provide 500,000 additional passenger trips annually. Starting this year, they have six engineer classes running concurrently, one class graduated last month, and they have another three classes expected to graduate over the next six months. President and CEO Corbett was pleased to report their training classes were full with the next generation of these critical front line employees, and that pipeline will remain full moving forward.

NJ TRANSIT is also continuing to invest in a modernized rail and bus fleet. New cruiser buses are being delivered each year. They are taking delivery of 182 new cruiser buses this year and 183 next year. Next year, they are also scheduled to begin taking delivery of 17 new dual-powered locomotives and 85 new articulated buses. He noted the dual-powered locomotives were so critical for service on lines requiring diesel, particularly the dual mode for the Raritan Valley Line and the North Jersey Coast Line. This allows them to start phasing out 50-year-old engines that are older than NJ TRANSIT. The 113 new multilevel rail cars were also on order and will replace the Arrow III rail cars, which were over 40 years old. All the new equipment is designed to improve the customer experience with new amenities such as USB charging ports at seats, more capacity, significantly greater reliability, and environmentally-friendly with reduced greenhouse gas emissions.

NJ TRANSIT is continuing to leverage technology to enhance the customer experience. More and more customers continue to enjoy the convenience of mobile ticketing through the MyTix feature of the mobile app. MyTix recently achieved two record-setting milestones. On July 1, 2019, more than 120,000 tickets were sold through MyTix, the most ever on a single day. With that record setting volume, NJ TRANSIT's IT infrastructure processed those transactions without issue. To add to the record sales volume on July 1, 2019, on that day, for the first time ever, MyTix sales surpassed traditional paper tickets with 55 percent of that day's revenue coming from mobile ticketing.

NJ TRANSIT is also committed to continuing to refine the new design of their website's home page based on customer feedback. Last Friday, they introduced a new system status tool that relies on individual line brands to provide service alert information for rail, bus, and light rail on the home page. This was in direct response to the feedback received from customers following the launch of the new home page last month.

On social media, this takes the form of rebranded line accounts on Twitter that feature real-time service updates for train, light rail, and bus services. This puts service information where it makes the most sense, on the individual line accounts on Twitter instead of the main NJ TRANSIT account. This should serve to strengthen the core NJ TRANSIT brand by associating the main NJ TRANSIT account primarily with strategic communications, and providing service information on line-specific social media accounts. If they were not already doing so, President and CEO Corbett

encouraged customers to follow the individual rail, bus, or light rail line account associated with their travel for the most current service information updates. These are the kinds of success that demonstrate they are modernizing this agency and doing it in a way that is responsive to customers' needs.

As part of NJ TRANSIT's back to basics approach, they are taking stock of their facilities and assets to better manage state-of-good-repair work. They are scheduling crews to go rail line by rail line to refresh stations, making repairs, power washing, and painting. The crews started at Union Station last week and they will be moving down the Raritan Valley Line throughout the summer. The customer experience begins before the customer boards their train, bus, or light rail vehicle. A clean, well-maintained station is essential to a positive overall experience.

The operating and capital budgets before the Board today recommit them to adding to all of the successes they have had over the past year, including the continued advancement of Positive Train Control. The budget also calls for additional bus and light rail operators, 19 additional police officers, and a brand new customer experience unit focused on listening and responding to customers' needs and proactively identifying opportunities for improvement throughout the system. They have the necessary funding to continue engineer and assistant conductor training programs. They are projecting six classes running this fiscal year as they continue to address the shortage that was allowed to develop in years past.

The budgets eliminate \$75 million in diversions from the TTF and the Turnpike Authority, a practice that they are committed to moving away from. This budget is a clear example they are on track to accomplishing that. President and CEO Corbett assured everyone that they will spend these budget dollars wisely and efficiently to maximize their return to the customer and justify the faith and investment of the public, elected officials, and the Governor who are providing those funds.

Over the past year and a half, they have been taking steps to improve the customer experience, but they have also taken steps to improve their employees' experience as well. One way they have done that is through the recent creation of the Employee Court Advocate position to support operational employees such as bus operators and train crews who, unfortunately, are sometimes victims of on-the-job assaults. Attorney Michael Rubin will fill this role.

Michael Rubin is very familiar with NJ TRANSIT, having previously served 15 years with the New Jersey Department of Law and Public Safety, representing this agency in a variety of legal matters. As Employee Court Advocate, he will help employees who are victims of assault to navigate the justice system, understand their legal rights, and ensure that prosecutors pursue appropriate charges and sentences.

NJ TRANSIT has zero tolerance for assaults on employees and will continue to pursue prosecution to the fullest extent of the law for any perpetrators. President and CEO Corbett is confident that Michael Rubin, in his new role, will make a real difference in the

lives of front-line employees as they continue to take actions to prevent assaults from happening in the first place.

President and CEO Corbett was pleased to report that they have not had any significant issues of note with the summer service adjustments to accommodate the Amtrak work at Penn Station New York. The repairs to the Hoboken Terminal roof and canopy were substantially finished prior to the service adjustments, which opened a larger section of the concourse to accommodate the additional customers and ease pedestrian flow through the terminal.

They are keeping customer service ambassadors deployed at key locations throughout the rail system to continue assisting customers. Outreach efforts and communication channels, which were activated in advance of the service impacts, proved successful in having customers informed prior to the changes so they could seamlessly make the transition to their alternate travel options. President and CEO Corbett thanked their customers for their understanding and patience while Amtrak completes these critical and necessary infrastructure repairs in Penn Station New York.

As referenced earlier, President and CEO Corbett noted today marks NJ TRANSIT's 40th anniversary. They put together a video saluting not just all of the accomplishments the agency has achieved over the years, but to recognize the many employees who have contributed to those successes. The video will be available on NJ TRANSIT's website as well as their YouTube channel.

President and CEO Corbett noted they still have many there today who were there on this date in 1979, and they would be recognizing them immediately following a video presentation. President and CEO Corbett asked everyone to turn their attention to the video on the monitors for an incredible trip back in time over the last 40 years highlighting the many milestones and advancements at NJ TRANSIT.

As mentioned earlier, President and CEO Corbett noted some of their longest tenured employees were with them today to help celebrate. He noted from Bus Operations, Luis Trujillo has 60 years; Rail Operations, Edward Joscelyn has 52 years; Light Rail, Andrew Mercogliano, has 46 years; Finance, Daisy Johnson has 50 years; Board Office, Joyce Zuczek has 43 years; and Police, Inspector Andrew Keelan has 34 years. President and CEO Corbett asked the employees to come up to the front for a presentation and pictures. President and CEO Corbett thanked American Express for partnering with them to sponsor the commemoration of this milestone.

Chair Gutierrez-Scaccetti expressed her appreciation and said they could get philosophical about the 40th anniversary and the struggles the past 17 to 18 months since becoming part of the NJ TRANSIT family. She noted she keeps a mug on her desk that says not every day is good but there is good in every day. Chair Gutierrez-Scaccetti thinks the good that comes from this agency is that through the trials the staff has continually worked hard to push the ball forward and get 10 yards every day. She noted it was not easy because they have lots of armchair quarterbacks who are constantly evaluating

them. Chair Gutierrez-Scaccetti said that is okay and is the way it is supposed to be, and they expect that and would want nothing less. She congratulated not just their long-term employees but all of their employees who every day have worked to make these 40 years very special. They have had far more successful years than not. They are working hard to make sure they get back to that place and she thinks it is on their horizon.

Chair Gutierrez-Scaccetti acknowledged Flora Castillo who was there today and was one of the longest serving Board members. Her service to the organization has been unparalleled and it was important to acknowledge that.

Chair Gutierrez-Scaccetti noted Suzanne Mack, the Chair of the North Jersey Passenger Advisory Council, was missing but she wanted to be there. She has been an integral part of the fabric of NJ TRANSIT from the beginning. Suzanne has been on the Advisory Council since the first day, and every year has worked tirelessly to support transit and make it better for the customers and the state. While so much has changed over the 40 years since 1979, Suzanne's commitment and leadership has not wavered. Chair Gutierrez-Scaccetti wished she could be there to celebrate with them, but she had family commitments. Chair Gutierrez-Scaccetti appreciates Suzanne Mack's insight and her perspective and knows that has been true of every Chair that has come before her. They will tell Suzanne this in person when she is back, at the next meeting, but the anniversary would not be complete without mention of her.

Chair Gutierrez-Scaccetti noted family was key and whether at DOT or NJ TRANSIT, they become a family. That doesn't mean they always get along, but it means at the end of the day they do what is right together. She thinks that is the key at any of the agencies she serves with. Today is a happy day for them and they continue to work to be better every day, regardless of which anniversary, and to be a better transit agency to all their riders regardless of mode. Chair Gutierrez-Scaccetti congratulated President and CEO Corbett and his staff for the extraordinary work they do every day.

Public Comments

There were 18 speakers. Board Secretary Zuczek announced in order to give everyone an opportunity to be heard, public comments would be limited to five minutes, and if there were several people speaking on the same topic, two speakers would have five minutes, and all others would have two minutes.

Brandan Cahill spoke on behalf of State Senator David Carlucci expressing his concerns on comments that came in to his office from residents. They represent Rockland County which has the Pascack Valley and Port Jervis lines.

Mr. Cahill read a letter from Senator Carlucci which was addressed to the Board. The letter state, a number of constituents reached out to his office regarding the level of service offered by NJ TRANSIT. Specifically, there is ongoing frustration among Rockland Commuters over frequently delayed and cancelled trains on the Pascack Valley and Port Jervis Lines. According to NJ TRANSIT's statistics from July 2018 to July 15, 2019, there

have been over 330 reported trains that were delayed by 10 minutes or more on the Pascack Valley Line, and in this same time period the line had over 103 reported cancellations. Additionally, there were over 600 reported delays and 100 reported cancellations on the Port Jervis Line. According to the Journal News, on the West of Hudson Line in 2018, 260 trains were cancelled, which was a 90 percent increase from 2017. Rockland Station still lacks adequate express trains which creates another detriment to its riders. The lack of adequate train service has left frustrated commuters to contact his office. One commuter from Rockland said that recently three trains were cancelled in a row during his commute and when these delays happen it can take residents hours to get to work or wherever they need to go, and this was unacceptable. Rockland commuters need and deserve the fastest and most reliable commute possible. Rockland residents are paying far more to Metro North, and NJ TRANSIT than they get back in service. He asked that NJ TRANSIT work to improve train service as soon as possible.

Randy Glucksman said he was hoping to see new board members but obviously that hasn't happened. The most important matter he wanted to discuss was Positive Train Control (PTC). This has been a really hot topic at the MTA and earlier this month due to serious manufacturing problems that have been openly discussed at LIRR and Metro North committee meetings, as well as full Board meetings. A number of his fellow Board members along with Metro North senior staff, including their presidents and PTC staff, traveled to Pittsburgh to meet with the executives of Bombardier and Siemens, firms that supply the PTC equipment to railroads.

Mr. Glucksman noted Action Item #1907-42 deals with PTC but doesn't include a dollar amount. He thinks the taxpayers and customers should know this amount. For accuracy, he asked the CFO of the MTA to provide the total they were spending for PTC and it was \$1.036 billion, with Metro North \$546.6 million, and LIRR \$489.9 million. For several years the committees have been receiving several monthly updates on the status of this PTC project, but they have received very little updates from NJ TRANSIT, and he thinks the lack of transparency is frightening.

Mr. Glucksman said the December 31, 2020 PTC deadline is only 17-months away, the federal law is very firm, and any railroad not in complete compliance is not permitted to operate trains beginning January 1, 2022. He suggested checking the FRA website for specific details, especially the monetary fines. Mr. Glucksman wants NJ TRANSIT to begin advising them regarding where it stands on its PTC installation as soon as possible.

Mr. Glucksman wished a happy 40th anniversary to NJ TRANSIT, and said he has been there for many of those years as an outsider.

Mr. Glucksman said last June, notices were issued cancelling nearly two-dozen trains system-wide including his two Metro North express trains on the Pascack Valley Line which they pay NJ TRANSIT to operate. He said they also lost their Friday-only trains, which Sabbath observers use to get home before sundown. Mr. Glucksman believes it was bad enough they have two-hour gaps in service in the morning and afternoon. He said these cancellations were said to be done in order to install PTC and that the trains would

be restored in the first quarter of 2019. Mr. Glucksman said they were in the third quarter and there was still no firm date when they will get these trains back. He requested that they don't sacrifice everyday train customers to provide rail service to the American Dream that is scheduled to open soon. He thinks they have waited long enough for their trains to be restored.

Orrin Getz said NJ TRANSIT must consider transferring the Suffern Station over to the MTA, noting NJ TRANSIT currently owns the station which is in New York State. He believes transferring Suffern Station will save NJ TRANSIT the cost of operating and maintaining this station and remove NJ TRANSIT liability for injuries there. Mr. Getz believes the MTA needs to fix Suffern Station as part of a transit-oriented development and it also needs to make it handicap accessible because paratransit vehicles from Rockland County can't cross the state lines and use Ramsey Route 17.

Mr. Getz believes NJ TRANSIT should be revisiting the Memorandum of Understanding that eliminated the construction of the Golf siding at Oradell and the Vale siding on the Pascack Valley Line in Park Ridge. He said there is a 14-mile section of the Pascack Valley Line that includes 10-station stops and not building these two passing sidings prevents them from having two-way peak hour service on the Pascack Valley Line.

Mr. Getz said they still have no information about restoring the second Metro-North train and this causes problems for Rockland County commuters and NJ TRANSIT Bergen County commuters as well. He said by the time the trains get down to the lower end of the Pascack Valley Line they are very crowded, and the trains have to miss the stations leaving the Bergen County commuters stranded. Also, if he is able to get on the train, it is so crowded crew members can't pass through the cars to collect the tickets.

Mr. Getz believes they also need more transparency on the PTC status, and they know NJ TRANSIT is going to spend more money as a result of the Board Meeting today.

Samuel Richter said the catalyst for his appearance was an incident that occurred 12 days ago on the River Line Light Rail. At one of the stops, a rider had his backpack stolen and unsuccessfully gave chase into a residential area, but located the backpack, and noted little was taken from it. NJ TRANSIT and municipal police responded very quickly although the perpetrator was not caught.

Mr. Richter knows they will never completely eliminate crime on light rail and transit generally but believes they can reduce it. More importantly, he believes they can reduce the everyday nuisances that occur on that light rail line. He noticed on the Northeast Corridor Line the passengers are more respectful and orderly than on the light rail line. Mr. Richter said the behavior of the passengers on light rail is not good and too frequently there is loud talking taking place between individuals at opposite ends of the train and often use profanity. He believes if this behavior keeps up it will endanger solvency of the light rail and discourage ridership.

Mr. Richter believes the easiest way to solve this would be to create a quiet car. He also believes it would be helpful to have an NJ TRANSIT employee present on the light rail which would discourage some of the obnoxious behavior. He also suggested having ticket collectors like there is on heavy rail so passengers would have to purchase tickets rather than just having tickets validated. He thinks this might discourage passengers from boarding the train because they would have to pay a penalty for not paying in advance. Mr. Richter also said the automated destination announcement is often inaccurate announcing stops that have already occurred.

Stephen Thorpe greeted everyone including the Board and long-standing employees like Joyce Zuczek. He said she was really hanging in there, he appreciates all she does on a daily basis, and he believes Joyce is an unsung hero. Mr. Thorpe also recognized all those that work in rail and bus that are not visible to the public but do a tremendous amount of work to make the agency better. He congratulated NJ TRANSIT on its 40th anniversary.

Mr. Thorpe said the gentlemen that just spoke before him hit a soft spot because he rides the River Line. He thinks the behavior of some of the passengers is revolting, with the profanity and loud yelling. Mr. Thorpe noted the police cannot be on every train. He believes the Hudson-Bergen Line can be annoying also. Mr. Thorpe noted the light rail he has had the least amount of problems on is the Newark Light Rail.

Mr. Thorpe suggested putting cameras on the River Line trains. While they only help after the fact, they may have helped identify the person who stole the backpack. He noted they don't prevent things from happening. Mr. Thorpe said it was very scary for seniors who ride these lines because some people are big, strong, and could take him out, so this is a grave concern he has.

Mr. Thorpe noted there was some lack of deportment by passengers on heavy rail also. He doesn't believe it is as bad but noted it happens. Mr. Thorpe likes the quiet cars but said half the time people get upset when someone notes it is a quiet car. Since the crews are not charged with enforcing this, he does not think anything will change.

Mr. Thorpe noted Larry Higgs and Stephen Stirling did a great article in the *Star-Ledger*, titled NJ TRANSIT Cancellation Alerts Soaring 1600 cancelled trains since January 1st to July 1st. He thinks this is ridiculous and noted he has said many times that they need a schedule that NJ TRANSIT can realistically operate, not a Cinderella schedule that they can't keep and results in cancellations.

Mr. Thorpe has a problem with the dual powered locomotives. He noted the Raritan Valley Line has no direct service into New York, the locomotives are not cheap, and NJ TRANSIT is not even going into New York now because of crew shortages. Mr. Thorpe noted looking at the Northeast Corridor timetable and the Raritan Valley timetable, size alone shows more can be done to get a couple of slots from Raritan Valley into New York.

Mr. Thorpe believes PTC should not be a secret item, this is a cash cow for Parsons, and he wants to know how much money is being spent. Lastly, he asked about his friend

Mr. Graddy. He would like to see something good being done for him and he has been waiting a very long time.

David Peter Alan spoke personally even though he is Chair of the Lackawanna Coalition. Forty years ago today, a momentous event took place in the annals of transit history. The Transportation Act of 1979 was passed and signed by Governor Brendan Byrne. It heralded the start of much-needed reform for mobility, and he was honored to have known the founders of NJ TRANSIT, who did so much to improve that mobility at that critical time.

Mr. Alan was going to law school then and commuting on the Morris & Essex Line. Their transit was terrible and so unreliable that they never knew whether their scheduled train would actually come. There was a chronic shortage of equipment. He said bureaucrats ran the trains through the Commuter Operating Agency at NJDOT, and they worked in concert with the managers at Conrail but they could do very little, even if they cared about the riders. There was never enough money to run the transit they needed, either. In short, Mr. Alan believes the situation was very much like it is today. To make matters worse, Public Service wanted to get rid of its vast bus network.

Mr. Alan believes there were differences, noting some reform-minded people who wanted better transit and fought hard to get it. The one he honors the most passionately is the late Senator Frank Herbert, who sponsored the original bill. Mr. Alan served with him for several years on the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC). Senator Herbert often told the story about how he fought relentlessly for transit reform, especially since Public Service wanted to abandon its bus business. Senator Herbert spoke of the strong support he received from Governor Byrne despite fierce opposition, especially from privately-owned bus companies. The bill passed by a single vote.

Mr. Alan also honored Louis J. Gambaccini, the Commissioner at the time, who got NJ TRANSIT started and assembled a team of managers who later became industry leaders. Some of them are still active, and Mr. Alan recognized them: D.C. Agrawal, who issued the check to Public Service to buy the bus company, Art Guzzetti, who today is Vice-President for Policy at the American Public Transportation Association (APTA), APTA staffers Rose Sheridan and Fran Hooper, Martin Robins, who was later Director of the Voorhees Center at Rutgers, Stanley Rosenblum, President of SYSTRA Consulting, and Joyce Zuczek, who is still with NJ TRANSIT as Board Secretary.

Mr. Alan said the crisis that gave rise to NJ TRANSIT also gave birth to the rider-advocacy movement as they know it. The Lackawanna Coalition was founded shortly before NJ TRANSIT and the New Jersey Association of Railroad Passengers (NJ-ARP) shortly after. Al Papp and Jack May have been on the scene since then and are still active. Bill Wright brought his advocacy to the Advisory Committees. Jeff Marinoff advocated so strongly for better transit in South Jersey that much of the rail transit that runs in that region would not exist without him. As a lawyer, John McGoldrick fought to save the Princeton Dinky in 1975 and was given a seat on the original NJ TRANSIT Board, which he held for 29 years.

Mr. Alan said there were more recent managers too: Jim Greller, the King of the BMT, Al Fazio from *Railway Age*, Stan Feinsod, who is still going strong in San Francisco, the first lady of American transit, the legendary Shirley DeLiberio, and Jeff Warsh, a man with a vision. He has been honored to know all of those people, and to know what they did. He said the mobility they have today is the legacy from them.

Mr. Alan said forty years ago, they also had press corps who asked probing questions and held the decision-makers' feet to the fire. He believes they need that level of inquiry now, more than at any time since then. Mr. Alan urged the journalists to ask questions such as what service improvements this year's budget increase at NJ TRANSIT will bring to them and said he will do his part at *Railway Age*.

Mr. Alan said when they needed reform for transit 40 years ago, people like Frank Herbert, Lou Gambaccini, and Brendan Byrne made sure they had it. He believes they need it again today, but this time their elected officials have let them down, at least so far. Mr. Alan said they still hope for improvement, as they celebrate with NJ TRANSIT on this special day.

Mr. Alan concluded with a presentation from the Lackawanna Coalition. Last month, they passed a resolution congratulating NJ TRANSIT on its 40th anniversary and the original employees who are still making their contributions to better mobility for all of them. He presented resolutions to Commissioner Diane Gutierrez-Scaccetti, President and CEO Kevin S. Corbett, and Board Secretary Joyce J. Zuczek as representing the original employees.

Paula Rogovin spoke on behalf of Don't Gas the Meadowlands Coalition and the Coalition to Ban Unsafe Oil Trains. She said Governor Murphy pledged to move New Jersey to 100 percent renewable energy sources. Ms. Rogovin spoke about the proposed NJ TRANSIT frack gas power plant. She wondered if any on the Board or in the audience have asthma, COPD, or any kind of lung problems. Ms. Rogovin said those who do suffer from asthma or lung problems probably noticed that there were several ozone and smog alerts recently. She noted the American Lung Association rated Bergen and Hudson Counties with an "F" for ozone.

Ms. Rogovin said they already have one power plant that PSE&G operates, a proposal by a private firm to have a power plant for the Meadowlands in North Bergen, and now this one proposed to be in Kearny. She believes approving a power plant with frack gas with all of the deadly emissions would be the equivalent to being an accessory to murder. Ms. Rogovin said approving this frack gas power plant with greenhouse gases and ozone emissions would be showing total disregard to families and other residents of Northern New Jersey. She believes they are in a climate emergency and it is not time to build even one fossil fuel powered infrastructure project in New Jersey. Ms. Rogovin said the NJ TRANSIT power plant would operate for 30 to 40 years, locking in a future of pollution. She said NJ TRANSIT would have to buy ozone credits from facilities that are closing, and as a result, they would get the ozone pollution in their lungs.

Ms. Rogovin believes another frightening thing about the proposed NJ TRANSIT power plant in the Meadowlands is the CSX trains that go through a lot of the communities in Bergen and Hudson County carry crude oil. On July 9th, they marked the sixth anniversary of the Lac-Megantic Quebec, where a train carrying the same type of crude oil derailed and exploded killing 46 people, leaving 25 children orphans. She said this crude oil explodes at a low temperature and any sparks would endanger people in an entire region. Ms. Rogovin said the Meadowlands is a flood zone and trains often derail during floods. She said the Trump Administration is rushing the approval of the transport of more liquefied natural gas and placing a power plant near the CSX trains could spell death.

Ms. Rogovin pleaded with the Board to save their lives and vote no for a frack gas power plant. She noted there were alternatives like solar, wind, and storage batteries, and there were probably several people there today who could help NJ TRANSIT come up with a better plan to provide electricity 24/7 that would keep them safe and healthy.

Cassandra Worthington is the North Jersey Organizer at Food and Water Watch. This organization has over 65,000 members in New Jersey and are part of Don't Gas the Meadowlands Coalition which is the coalition of over 50 organizations including the Sierra Club, Hackensack River Keeper, Clean Water Action, Environment New Jersey, the Coalition to Ban Unsafe Oil Trains, and more. Members of the Don't Gas the Meadowlands Coalition were there in opposition of the proposed NJ TRANSITGRID traction power system that would provide 140 megawatts to NJ TRANSIT in Kearny. Ms. Worthington said according to the Draft Environmental Impact Statement, this \$526 million taxpayer funded project would emit more than 500,000 tons of carbon dioxide equivalent emissions each year. She believes the project presents a wide range of serious negative public health, safety, economic, and environmental impacts and threatens the historic and ongoing recovery of the Hackensack River and the New Jersey Meadowlands. At a time when they must rapidly transition their grid off fossil fuel onto 100 percent clean renewable energy, Ms. Worthington believes approving a new power plant that would burn frack gas 24/7 for decades would reverse the progress this region's climate mitigation has accomplished.

Ms. Worthington believes building resilience against future extreme weather events like Superstorm Sandy should be a critical project for NJ TRANSIT, but they cannot build for resiliency by doubling down on fossil fuel. She believes approving a long-term source of greenhouse gas pollution will only accelerate climate change, increasing the frequency and severity of flooding, cause storm surges at sea level rise, and create risks to their environmentally sensitive communities.

They urge NJ TRANSIT to protect their health, safety, economy, and environment by rejecting this irresponsible and destructive project. They call on NJ TRANSIT to aggressively pursue grid resiliency for NJ TRANSIT and other critical public infrastructures with 100 percent clean renewable energy technology such as wind, solar, and battery storage. She said the proposed power plant would operate in an area of Hudson County that is already struggling with significant air pollution and Hudson County has a failing

grade from the American Lung Association for exceeding high levels of ground level ozone.

As someone with asthma, Ms. Worthington spoke personally. Based on the American Lung Association's State of the Air Report, Hudson County already has significant populations with pediatric and adult asthma, COPD and lung cancer. She said these conditions will only be exasperated by additional air pollution. Ms. Worthington believes if this plant is built, more residents from Hudson County will incur the physical and financial healthcare costs associated with increased pollution. She believes the only way they can end all of this is by stopping the expansion of all new fossil fuel infrastructure projects. They hope NJ TRANSIT heard the student leaders at their 500-person march in the street on May 18th against the first proposed Meadowlands power plant. Ms. Worthington recalled a statement by Clara Kim, a high school student at Palisades Park, stating today they live in a world where they have to fight for the privilege to breathe clean air. They asked NJ TRANSIT to fight along with them for clean air and a livable climate and do everything in their power to protect the public health, safety, economy, and environment of their New Jersey communities by opposing the second proposed power plant in the Meadowlands, the NJ TRANSITGRID project.

Jan Barry Crumb, who uses Jan Barry as his professional name, is a former reporter for the Bergen Record. He noted times were changing. He spoke about what he has learned and been researching regarding what can be done to go to 100 percent clean renewable energy. He is a member of the New Jersey Chapter Sierra Club and noted nationally the Sierra Club has been assisting cities and states to put together plans to go to 100 percent renewable energy. Mr. Crumb said Apple has already done it and as of one-year ago that corporation shifted everything they do in this country and internationally to power sources from 100 percent renewable energy. He said it was already there and he was asking NJ TRANSIT as one of the leading transit agencies in the State of New Jersey to start pulling this information together and start putting it into place. Mr. Crumb would be happy to assist in any way that he can to provide specific information.

Sally Gellert, Communications Director for the Lackawanna Coalition, congratulated NJ TRANSIT on the 40-year anniversary. She said there have been many ups and downs along the way, but hopes they are on the path of professionalism that marked the earlier days of NJ TRANSIT. Toward this end, they know the new home page which started with the alerts buried quickly have improved and are now front and center, and thanked NJ TRANSIT for this improvement. She hopes that the maps and tools menu will be repaired so that those on computers and not tablets or telephones will be able to reach them.

Ms. Gellert noted NJ TRANSIT was celebrating with new multilevel rail cars as reported by Bill Vantuono of *Railway Age*. They would also like to see two other lines honored, the Erie and their heritage line, the Lackawanna. She thanked President and CEO Corbett and his staff for the color graphics in the President's Report, making it legible for the first time. Ms. Gellert hopes Chair Diane-Gutierrez-Scaccetti's offer to Mr. Graddy will come to fruition and believes it would be an excellent way to mark this landmark anniversary.

They have been seeing coverage about the latest plans to open the large mall in Secaucus in October called the American Dream and speculations for transportation options. They are concerned about resources for new lines, engineers, conductors, and bus drivers given the ongoing cancellations and annulments and hope their constituents' travel will not be disrupted by a diversion of equipment or employees. Ms. Gellert said the distance between the Meadowlands Station to the major mall attraction seems to make the train service impractical. She noted the number of employees and visitors projected would seem to indicate a market but given the current status of NJ TRANSIT service, they are concerned and don't want NJ TRANSIT to start anything new until what's currently running is correct.

Ms. Gellert said it was the first day of hearings for the State's draft Energy Master Plan and they know the large proportion of greenhouse gases are attributable to the transportation sector of New Jersey. They encourage New Jersey to electrify as much as possible but are concerned about plans for the gas fired power plant in Kearny. Although there is FRA financing of the project for purposes of resiliency, they know the distribution, not a lack of generation capacity was the issue during Superstorm Sandy. After so much equipment being destroyed after Superstorm Sandy, they know the construction and the flood plain would have been off the table.

They believe NJ TRANSIT should not be creating an expensive NJ TRANSIT power and light complete with office buildings and numerous employees. If there is actually a need for new generation, they would prefer to see experienced experts from private utilities meet those needs without frack gas and see state agencies following administration-stated goals rather than going against by creating another frack gas power plant.

Ms. Gellert would like to see the buses run on Sunday in Paramus, so her mother has a way to get around. Lastly, living in Woodcliff Lakes, she has been frustrated hearing trains going by her house every two-hours during the weekend and never stopping. Ms. Gellert would like to see trains leave Spring Valley a minute or two earlier and include a stop at Woodcliff Lake.

Tim Sevener, a resident of the Village of Mount Tabor, congratulated NJ TRANSIT on its 40-year anniversary and said they now must think about the next 20-years, 2050 climate goals. He arrived at the meeting by electric transportation. Mr. Sevener noted a lot of people were talking about electric transportation and they already have it. He believes they need trains and the light rail to be renewably powered and Atlantic City Wind is the perfect coupling to electrify the Atlantic City Rail Line. Mr. Sevener said the Montclair-Boonton Line should be electrified from Montclair State to Denville.

Instead of building a frack gas power plant in the middle of the Meadowlands, which he says is the worst place to put a plant because it is vulnerable to flooding, he thinks they need to build solar micro-grids, and use the rail yards, rail stations, and transit oriented development with solar panels on the top put in energy storage. Mr. Sevener said one

megawatt of energy can be stored using Tesla Powerwall lithium ion batteries which is standard now in a container.

Mr. Sevenser said the Dutch already have 100 percent of their rail powered by wind energy and this should be the goal. He believes wasting \$400 million in federal money on a new natural gas plant is a total mistake and will be a stranded asset. Instead, he thinks they should ask Congressional delegates who are very much in favor of electrification and use this money to be like the Dutch and go to total renewable electric rail. He has had solar energy for seven years and pays no money for electric bills. He has a back-up battery that is a small size that would power his house for 48 hours in the event he lost power, and he makes money on his solar credits.

Mr. Sevenser believes this should be NJ TRANSIT's solution for NJ TRANSITGRID. He believes they need resilience and in the event of a disaster running the rail is probably the safest and most energy efficient. Mr. Sevenser has provided a report in the past from the International Energy Agency which documents how rail is the most energy efficient and ecological form of transportation. He believes this is key for their climate change goals. Mr. Sevenser believes they need green transit and electric rail is better than any other form of transportation. He suggested talking to the Sierra Club and other solar engineers to make solar micro grids which leaves no single point of failure.

Joseph Clift said the central power plant called NJ TRANSITGRID is hiding behind the renewable parts of it. His problem with this project is spending precious transit dollars on a power plant. Mr. Clift said nobody builds a power plant for themselves unless they get subsidized and, in this case, it is 100 percent subsidy since three quarters comes from the feds and one quarter comes from the TTF. He believes if NJ TRANSIT needs power, they should purchase it, not build it. Mr. Clift would like to know if it is possible to submit a digital copy of the record today to the DEIS folks. He noted the power plant comments were due Friday evening so if anyone was commenting to get it on the record today. Mr. Clift thinks it would be great if NJ TRANSIT could submit a copy of all the remarks today.

Mr. Clift said the 40th anniversary is great, but the anniversary present they were getting from this administration was one of opacity. He complained that a year ago they stopped providing information on action items. He referred to his handout, noting on the second and third pages that it has been a year since he said NJ TRANSIT does not qualify for the \$800 million grant for the Portal North Bridge because they don't have enough trains. However, he has not seen any reaction to this. Mr. Clift pleaded for NJ TRANSIT to look for an alternative that doesn't require money they don't have.

Mr. Clift hopes the media gets all over NJ TRANSIT about the Fiscal Year 2020 \$50 million in the Operating Budget. He said NJ TRANSIT didn't ask for the \$50 million, but they received it and asked what they were going to do with this money. Mr. Clift believes they have had time to think about this money and should be able to say where they are going to allocate these funds, i.e. trains, buses, etc. He asked if NJ TRANSIT does not have resources to run things, can they spend the money wisely and not just bury it.

Mr. Clift believes the Delco Lead project is more money wasted for a project that isn't needed and this money should go into another tunnel under the river. On PTC, he said they were giving more money to Parsons in private and there needs to be some transparency. Mr. Clift would like to know when NJ TRANSIT gives \$10 million in funds to Parsons, what exactly they are getting for it. He thinks the Capital Budget is a new high on opacity since there was no comparison with Fiscal Year 2019, which has always been done. Mr. Clift complained that there was not enough information provided and NJ TRANSIT was going in the wrong direction.

Mr. Clift thinks the Operating Budget reaches a new high in opacity. Looking at the handout, he said NJ TRANSIT gave out over \$2 billion in three little items, the numbers don't match, and the Fiscal Year 2019 dollars approved last year were not the same numbers discussed today. Mr. Clift also said they should not just compare to budget, and everyone else in the world compares to projected. He said NJ TRANSIT has 11 months of actual numbers and should be talking about projected numbers as well.

David Case represented the Hudson Group of the Sierra Club as the Chair. He also represents the Climate Coalition and various other coalitions. Together, he represents over 1,000 people in Hudson County and tens of thousands statewide. Mr. Case said there was going to be a lot of opposition to the gas fire plant. They salute the need for resiliency, and they need mass transit to succeed if they are going to have a livable and sustainable future for the people of New Jersey. However, he thinks the idea of building a fossil fuel plant is an oxymoron because they will create so much carbon that is exasperating the very climate they are trying to provide resiliency for.

Mr. Case submitted in his handout an article on Photovoltaics Plus Energy Storage System Costs. He said this will be much cheaper to do than spend a bunch of money on a fossil fuel project.

Mr. Case is also a resident of Jersey City Heights and he said they just got rid of a coal fire plant. He believes residents in this area would have to close their windows at night just to protect themselves from the toxins and fumes that come from the Essex incinerator. He questioned how they can add a new fossil fuel plant in Kearny to the toxins they are already dealing with.

Mr. Case said New Jersey historically has been a leader in innovation, they look to NJ TRANSIT for leadership, and the technologies and solutions are not things of the future but are there now. He wants to make New Jersey a leader in innovation and sustainability moving forward, and not plod forward with a 1970's mentality.

Errol Kerr congratulated NJ TRANSIT on 40 years of service to the commuting public. He is sure within these 40 years NJ TRANSIT has done many good things and improved the lives of many and a few things that were not so good. Mr. Kerr said one of the things not done well is the reason why they were there and that was the injustice that was done to Mr. Graddy.

Mr. Kerr said they were led to believe the last time that something was going to be done to settle this matter. He left the meeting with a good feeling and excitement, but underneath there was a feeling of ambivalence because there was nothing signed, and no statement was made Mr. Graddy concerning what he placed on the table in terms of what would have made him whole. They were called to a meeting last week and he believes what was presented by NJ TRANSIT was inadequate and insulting. Mr. Kerr said the losses that Mr. Graddy suffered were both financially and emotionally and he does not think NJ TRANSIT understands the gravity of what was done to Mr. Graddy.

Mr. Kerr said Mr. Graddy was not asking NJ TRANSIT for anything that he did not deserve. He said Mr. Graddy was asking NJ TRANSIT to be fair and reasonable, and they cannot take something that was put on the table 15 years ago in a negotiation today and say this is a starting point. Mr. Kerr asked how many would want to lose their salary today and push it back to what it was 15 years ago. He believes NJ TRANSIT must deal with the value of today's dollar and start there. Mr. Kerr believes what was presented to Mr. Graddy was insulting and a revictimization of Mr. Graddy. He said Mr. Graddy is not hungry so he is not going to take the pittance laid on the table and he has self-respect which is why he said no to what was presented to him. Mr. Kerr appealed to the Board to consider Mr. Graddy's suffering, losses, and the pain he has gone through and work around all of these things to present something which is reasonable.

Donna Nelson Ivy said she was surprised to be there and didn't think they would be. She thought negotiations were going to be concluded by now and Mr. Graddy would be happy. Ms. Ivy thought they would all be happy too because they would no longer have to see the orange shirts. She congratulated NJ TRANSIT on 40 years and said she was really pleased about this and glad to be there. Ms. Ivy also congratulated the people that made this happen because they worked those 40 years.

Ms. Ivy said Errol Kerr who spoke before her said everything she wanted to say. She emphasized that they need to finish this deal and make Mr. Graddy whole. Ms. Ivy knows that is not a reality because that was 15 years ago and NJ TRANSIT is not going to give him \$5 million which would make him whole. She wants closure to this matter because Mr. G has a big heart, takes care of Paterson, and his restaurants are absolutely marvelous. Ms. Ivy was saddened this all happened to him but hopes for a happy ending.

Winifred Harrison congratulated those employees who received awards for their years and to Ms. Daisy for 50 years of service. She spoke on behalf of Mr. Graddy, saying he is a wonderful man and she believes this will all be resolved because they believe in faith and God. Ms. Harrison believes a resolution is taking place and noted not only could NJ TRANSIT stop seeing their orange shirts, but they could come down and support other issues as well.

Ms. Harrison looked at all the budget money, \$400 million and \$811 million. She said if Mr. Graddy could get 0.1 percent of these millions they wouldn't be there. She knows this is not their fault, but their forefathers and they look at this as an insult to Mr. Graddy and

any businessman that has to go through something like this because of their nationality. She prays and believes in God that this will be resolved.

Ms. Harrison said when they left this meeting last time an apology was made, and this touched their hearts because they believed it was sincere. She thanked Chair Gutierrez-Scaccetti because she was sincere about getting this resolved. Ms. Harrison said Mr. Graddy is a heartfelt man and may not say all the things he would like, but they can. She wants to make this happen so maybe the next time they come down there they can wear white shirts saying justice and thank you.

Russell Graddy congratulated NJ TRANSIT for 40 years operating. He has been coming down there for two and a half years but feel like it has been 40. Mr. Graddy said he was standing there in awe and a little confused because they backslided. He said he met with Mr. Snow back in May before the Board meeting, there was a document he had put together, they discussed this document, and he asked Mr. Graddy what he would want to settle this. Mr. Graddy said he discussed this, wrote a number down, and Mr. Snow said he would take it back to the Board, but Mr. Graddy didn't think he seemed optimistic about it being settled. Mr. Graddy assumed he took this number back to the Board and was to hear from him. After a couple weeks went by and he did not hear from him, he called him. Mr. Graddy said Mr. Snow seemed angry and asked if NJ TRANSIT called him. Mr. Graddy recalled saying they did not, and Mr. Snow said he would call them, and they will in turn get in touch with him. Mr. Graddy said he did not hear from NJ TRANSIT a few days later so he called Mr. Snow back and he still seemed angry.

Mr. Graddy believed when the Chairperson said what was said, this Board's heart was in the right place. He was not sure the advice she was getting was good advice. When he left the last meeting, they were under the impression that this Board had been presented with all the documents including the document which stated the number that he would settle for. When she said what she said at the last meeting, Mr. Graddy was sure she had looked at these numbers and made a decision, but evidently that was not so.

Mr. Graddy said he was told that Mr. Snow would be talking to him and instead of this thing being settled, the thing has been unraveled. He knows this was not an easy decision to make, but a decision had to be made. Mr. Graddy said they left believing they had looked at all the documents and it was his duty to bring back the document that they talked about and they were acting on that document. He said he was told to talk with Mr. Snow and instead of reaching a settlement it had started all over again. He thought they had decided what to do.

Mr. Graddy said Mr. Snow came back happy to start negotiating again and Mr. Graddy told Mr. Snow he doesn't think Mr. Snow was capable of being fair to African Americans. Mr. Graddy said as long as NJ TRANSIT was going to give Mr. Snow to deal with this case, it will never be solved. He said he hoped that they could solve it at this junction. Mr. Graddy asked the Board to solve this problem so they can go forward. He said he knows as African Americans, people sometimes look at them and say they are not worth very much, and most are on welfare, don't have jobs, live in the gutter, and ask what they

can be worth. Mr. Graddy said some have this in their psyche, think why should they give them anything, and think they don't even have a right to be there.

Mr. Graddy said to go back and investigate how NJ TRANSIT treated him over the years. He said to go back not just to 2004, but 1987 and see all the things that were done to him. Mr. Graddy said he would bring this all out if he has to, and believes it is totally ridiculous how this state agency couldn't understand how an African American man could run a successful business and this was a tragedy. He said he believes the Board's hearts are in the right place and they will have courage to step up and do the right thing.

Chair Gutierrez-Scaccetti said they have sat there as a Board and listened to a lot today. She thinks the most important thing she was going to say was she takes extraordinary exception to the characterization of this Board and how it would go about making a decision on his matter. She said it has nothing to do with gender, race, ethnicity, or any other category that would be protected by their country or state. Chair Gutierrez-Scaccetti said she takes great exception to that.

Chair Gutierrez-Scaccetti noted at the last meeting she apologized to Mr. Graddy because no one had been back in touch with him, and that there had been a communications issue between the Attorney General's Office where Mr. Snow works and this agency, and they resolved it.

Chair Gutierrez-Scaccetti said what breaks her heart is that she has reviewed the documents and understands what transpired through the legal process all those 15 to 16 years ago. She noted this Board has a fiduciary responsibility to its riders and those who support them to be responsible in the way they adjudicate matters on behalf of this agency. He may not necessary like some of the board items, there might be folks that disagree with the microgrid, or someone might think they are not electrifying buses quickly enough. This is absolutely within the public's right to come there and express to them.

Chair Gutierrez-Scaccetti said this agency was ready to settle and she understands he has a number and appreciates that, but so do they and they have limitations. She noted when they come to Mr. Graddy, his number gets higher and there is no way for her to close that gap. Chair Gutierrez-Scaccetti appreciates a great deal what he feels was done to him in 2004 as being more than just beyond that of finances. She noted this was now a business decision for this organization and was no longer a legal matter. It has been adjudicated by the courts and he knows that, so what they were doing now to a large extent was out of the compassion of the situation he was in. Chair Gutierrez-Scaccetti said even if Mr. Graddy believes the dollar amount isn't what he believes he was entitled to after the 15 to 16 years he had to wait, it is what this agency can do, and she would suggest it was more than many who sat in this chair before her.

Chair Gutierrez-Scaccetti does not know if he came to the agency over the span of years from 2004. She, this Board, and the President and CEO cannot correct what happened to him in 2004; no one can. They can offer what they believe is a number that they can justify publicly that they are comfortable is right. Again, they are not a court, they are a business

and they believe they can go forward with and make certain that all those that they are responsible for do agree with them and that is how all this works.

Chair Gutierrez-Scaccetti suggested if Mr. Graddy would not like to come there in September, is that negotiations must be reasonable and be based in the facts which they have. They cannot just create a number and decide that is the number they should pay him. She heard his advocates talk about a number that was 15 years old that isn't valuable anymore. Personally, she does not actually agree with that. Chair Gutierrez-Scaccetti noted a lot of employees in the room went nine to 10 years without wage increases and she can't make this right for them either. Chair Gutierrez-Scaccetti said she can do as much as she can to make it right but it will not be right as it should have all those years ago. She can only do what's right with all the facts that she has in the time she exists. Chair Gutierrez-Scaccetti has great faith in God too and has to make sure when she puts her head on her pillow at night she has done as much right as she can, knowing that it will never be perfect. That is her goal every day.

Chair Gutierrez-Scaccetti said Joe Snow was not Mr. Graddy's problem and has no hidden agenda. Joe Snow has been his advocate and is as anxious as them to settle this matter and be as fair as they can. She noted they all work in government under constraints, and it's who they are and has always been this way.

Chair Gutierrez-Scaccetti said any number they come up with, they must be able to understand, explain, and stand behind. She appreciates this number may not be one that Mr. Graddy likes, but it's one that comes through compromise, is an acknowledgment by this agency that he has come there and asked for something, and whatever happened in 2004 didn't go the way it should have by the way of papers from the court or otherwise. She noted she was happily running a toll agency in 2004. They are doing the best that they can and she was sorry he doesn't like the numbers presented. They have yet to talk about the numbers in this public venue, but maybe one day they will. Chair Gutierrez-Scaccetti said she needs him to really reflect on where they are, reflect on bringing this to a close, and come to a settlement number they all can live with so he can move on with his good work in Paterson and they can move on so nothing like this ever repeats itself.

Russell Graddy said he appreciated the Chair taking this opportunity to explain and truly from the bottom of his heart if he has offended this Board in any way he was sorry and didn't mean that. He hopes they can recognize his frustration in this whole matter and hopefully can recognize the loss that he incurred. Mr. Graddy understands they were not around in 2004, but he has been fighting this thing since then because NJ TRANSIT destroyed his family, future, and income. He said he was a well-off man and was not just a person that was running a business but was worth a few million dollars. Mr. Graddy said he was naïve as an individual because he believed so deeply in his heart about fairness and justice that he would try to take on this organization and get some fairness out of it but didn't. He said he spent millions of dollars trying to protect his rights, respect, and dignity.

Mr. Graddy asked for forgiveness if he becomes a bit frustrated and put down numbers that might seem much too high. He hopes somewhere along the line they can justify it

because NJ TRANSIT destroyed his business. Mr. Graddy said he was 73 years old when 2004 came about and his life was over. He believes someone in the organization wanted to destroy him.

Mr. Graddy said NJ TRANSIT gave him money before. He said he had 1,200 square feet of space in the bus station and NJ TRANSIT had to remove asbestos from it. They allowed him to take his equipment out. He said they hauled it away and it was never returned. Mr. Graddy said he had to spend money to buy all new equipment and fix up the space and went to court to be reimbursed and did everything right. He said he paid his rent on time and was probably one of the best vendors NJ TRANSIT had. Mr. Graddy said his wife was devastated when they couldn't go back into their restaurant and it hastened her health issues. He hopes they offer something decent.

Advisory Committee Report

Tim O'Reilly provided the Advisory Committee Report. He is a member of the North Jersey Advisory Committee filling in for Suzanne Mack who could not be there today. It was such an honor to represent her at this meeting. Suzanne is an advocate for so many people. As many of their successes are seen in their children and families, Sue's son has excelled in and taken on a life of his own and made a tremendous response to her efforts. She is with him and they are an awesome family.

On behalf of the committee, they would like to honor and thank everyone over the course of their 40 years. The many years he has been on the committee, he met many dedicated and knowledgeable members of the NJ TRANSIT family, employees, and contractors. Their proposals, projects, diligence, and efforts in providing great explanations and in-depth analysis of what was going on really helped the Committee make some great decisions that moved a lot of projects forward.

They were very pleased at the influx of money that came from the State in the budget for NJ TRANSIT's Operating Expenses and the Capital Projects being voted on today. He said it was important to the continuance of the replacement of equipment that has been wearing out over time.

They appreciate the extra time and efforts that engineers are putting into overtime to cover a lot of the trips that weren't covered. They recognize and honor them for giving up time with their families to be at NJ TRANSIT providing great service to their residents and passengers of New Jersey and New York. Mr. O'Reilly congratulated everyone again on a fine job on 40 years of work.

Additional Public Comment

Scott Spencer appreciated the opportunity to speak before the board and wished NJ TRANSIT, citizens of New Jersey, and the passengers a happy birthday on the 40th anniversary. He was glad to be there because he was actually with NJ TRANSIT 40 years ago today when it started out. He was an Operations Assistant for Rail Operations as a

college intern and began his rail career with NJ TRANSIT. It was a sentimental day for him, and it was quite impressive to see how NJ TRANSIT has grown statewide. Back in his time, they didn't even have a maintenance facility for the trains. He congratulated NJ TRANSIT on their anniversary and looks forward to much greater things from NJ TRANSIT.

Mr. Spencer said he had a birthday present for NJ TRANSIT's consideration because of the debate over the tunnels. The debate has been going nowhere because no one seems to know how they are going to pay for them. He said there were three significant flaws. Even when the tunnels were to be built it would not add capacity, they would have no protection in terms of flood resiliency for the region because flooding would continue at Penn Station and the East River tunnels, and even if they have a financial solution for 100 percent of the project's costs, no one had a financial solution for the inevitable 100 percent cost overruns so this was a significant challenge for the region. Mr. Spencer is with Empire State Gateway and they can find information on the website.

Mr. Spencer said the solution is a Plan B for a Bridge with a capital B that soars above it all across the region. It connects New Jersey with Manhattan and Queens using a transit only twin suspension bridge to suspend above the air rights of 495 approaching the Lincoln Tunnel and the air rights eastbound on 38th Street and westbound on 39th Street into Queens. This would be a multi-purpose transit bridge because it provides two tracks in each direction on the first level and the next level provides a high capacity bus way which then pulls all the buses out of the congested Lincoln Tunnel. Residents of New Jersey would be able to have an increase in service that would be like replacing what the Port Authority would provide and on top of this would be the Skyline Trail so New Jersey residents could hike, bike, or commute into Manhattan, or even far as Queens.

Mr. Spencer said it was a remarkable iconic, bigger, bolder, and better solution for the region. He has had extensive discussions with major infrastructure investors and was happy to say that more than half of this \$20 billion project could be financed privately because there were multiple revenue generating streams of utility, conduit banks, trains, and buses generating revenue, as well as the skyline trail for commuters across the region, and remarkable real estate tie ins.

Senior Citizen and Disabled Resident Transportation Advisory Committee Report

Basil Giletto presented the Senior Citizen and Disabled Resident Transportation Advisory Committee Report. He noted he was now Chair of the Committee and this was his first time addressing the Board.

Mr. Giletto congratulated NJ TRANSIT on their 40th anniversary. He started using NJ TRANSIT to commute to New York City in 1986. Since becoming involved in this committee, he has been exposed to the panic and fear that seniors and disabled experience when they learn that they have to give up their cars. They wanted to age in place but were now disadvantaged with no obvious recourse. Mr. Giletto said the strategy implemented by Local Programs was a sound one. He said the needs of

seniors and disabled were so diverse throughout the state that their issues can only be addressed at a local level and what works so well in Essex County has no purpose in Cape May County. Local Programs stays involved, ensuring that best practices are implemented throughout the state. They support the annual item for 2020 funds the Board would be voting on.

Mr. Giletto said Local Programs works hard to provide improved accessibility and mobility for the state's senior citizens and persons with disabilities through the development of a coordinated and seamless statewide community network. He noted this was Local Programs' goal and he was proud to be involved in their efforts.

Currently, their committee has been visiting Community Transportation Providers throughout the state. What they were finding was that they were doing an incredible job but there were many challenges such as providing service beyond their service areas or beyond their normal hours of operations. Their funding is strained while demand is increasing so dramatically with the aging population. Mr. Giletto said something complicating this issue was that most of those he has met at SCDRTAP Meetings have no idea what is available to them even locally. They were incredibly appreciative when NJ TRANSIT's Office of Local Programs highlighted and assisted with transportation options. He said it was obvious that these people don't use public transportation only because they don't know how.

Mr. Giletto said this market was huge and will be growing exponentially for years. The Local Programs annual item assists with funding to teach seniors and disabled how using both community providers and NJ TRANSIT is a guaranteed way of increasing mobility for seniors, people with disabilities, and low-income residents. For that very same reason, Mr. Giletto supports and will work with their committee to incentivize community providers to integrate their systems with NJ TRANSIT's network. He believes it just makes financial sense.

Mr. Giletto has also been involved with the Greater Mercer Transportation Management Association (TMA). This last month, the Greater Mercer TMA's Executive Director, Cheryl Kastrenakes, partnered with NJTIP, to have a conference to train the social service providers within Mercer County regarding transportation options available to seniors and disabled. The response was incredible. Mr. Giletto said funding to ensure more of these types of meetings occur again will absolutely increase NJ TRANSIT ridership while providing the desired social benefit and enhancing mobility options. This was one of the programs funded through the Local Programs annual board item and it is very important.

Mr. Giletto was almost 68 years old. There will be a day when he will have to depend on NJ TRANSIT for his ability to remain independent. There will be many millions more who will have similar needs. Funding SCDRTAP is an investment into that future so he respectfully requests support in this very important future.

Board Operations and Customer Service Committee Report

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

Board Administration Committee Report

Board Member Ajmani presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included an update on fiscal year and year-over-year operating results, budget-to-actual comparisons of revenue and expenses, major operating results, and Real Estate and Economic Development activities. The Committee also received updates on Human Resources, Equal Opportunity and Affirmative Action, and DBE.

Capital Planning, Policy, and Privatization Committee Report

Board Member Caulfield presented the report for the Capital Planning, Policy and Privatization Committee. The Committee discussed the board items for the: Fiscal Year 2020 Operating Budget; Fiscal Year 2020 Capital Program; Fiscal Year 2020 Grant Programs; Hudson-Bergen Light Rail Contract Amendment for Operations and Maintenance; Rehabilitation/Replacement of the Franklin Avenue Bridge over NJ TRANSIT’s Morristown Line; Hudson-Bergen Light Rail System Caven Point Vehicle Base Facility Risk Assessment and Resilient Design Services; Proposed Labor Agreement with the Fraternal Order of Police; Positive Train Control Contract Amendments for Implementation; and Resilience Program Environmental Mitigation Credit Purchases.

Action Items

1907-35: FISCAL YEAR 2020 OPERATING BUDGET

President and CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer, and Treasurer, to present Action Item #1907-35.

William Viqueira recommended approval of Action Item #1907-35: Fiscal Year 2020 Operating Budget. He provided a presentation (attached) and requested approval of the item.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-35, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-36: FISCAL YEAR 2020 CAPITAL PROGRAM

President and CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1907-36.

Eric Daleo recommended approval of Action Item #1907-36: Fiscal Year 2020 Capital Program. He provided a presentation (attached) and requested approval of the item.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-36, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-37: NJ TRANSIT FISCAL YEAR 2020 GRANT PROGRAMS: LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL, AND LOW-INCOME RESIDENTS

President and CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1907-37.

Eric Daleo recommended approval of Action Item #1907-37: NJ TRANSIT Fiscal Year 2020 Grant Programs: Local Transportation for Senior Citizens, Persons with Disabilities, Rural, and Low-Income Residents.

Approval was requested to execute, extend, or modify all agreements and contracts and to take all other steps necessary to implement the Fiscal Year 2020 Grant Programs as set forth in the Board Item.

Mr. Daleo asked for approval of Item #1907-37.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-37, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-38: HUDSON-BERGEN LIGHT RAIL – AMENDMENT TO DESIGN, BUILD, OPERATE, AND MAINTAIN CONTRACT FOR OPERATIONS AND MAINTENANCE

President and CEO Corbett introduced Ronald Nichols, Chief, Light Rail and Contract Services, to present Action Item #1907-38.

Ronald Nichols recommended approval of Action Item #1907-38: Hudson-Bergen Light Rail – Amendment to Design, Build, Operate, and Maintain Contract for Operations and Maintenance.

Approval was requested to amend the design, build, operate, and maintain NJ TRANSIT Contract No. 96CT001 with 21st Century Rail Corporation of Lyndhurst, New Jersey, to operate and maintain Hudson-Bergen Light Rail service for an additional two years at a cost of \$52,578,996 for year one ending April 2021 and \$54,253,300 for year two ending April 2022, for a combined cost of \$106,832,296, based on projected escalation per the indices described in the contract, plus five percent for contingencies, for a total contract authorization of \$112,173,911, subject to the availability of funds, Board approval of NJ TRANSIT’s operating budget, and the Office of State Comptroller approval.

Approval was also requested to amend the design, build, operate, and maintain NJ TRANSIT Contract No. 96CT001 further with 21st Century Rail Corporation of Lyndhurst, New Jersey, to operate and maintain Hudson-Bergen Light Rail service after the ending period April 2022 for three separate one-year option periods to be exercised at NJ TRANSIT’s discretion through April 2025, at a cost of \$55,981,949 ending April 2023, \$57,766,740 ending April 2024, and \$59,609,528 ending April 2025 for a combined cost of 173,358,217, based on projected escalation per the indices described in the contract, plus five percent for contingencies, for a total contract authorization of \$182,026,128, subject to the availability of funds, Board approval of NJ TRANSIT’s operating budget, and the Office of State Comptroller approval. Staff will provide notification to the Board prior to implementing any of these individual option periods.

Mr. Nichols asked for approval of Item #1907-38.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-38, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-39: ENGINEERING AND CONSTRUCTION ASSISTANCE FOR THE REHABILITATION/REPLACEMENT OF THE FRANKLIN AVENUE BRIDGE OVER THE NJ TRANSIT MORRISTOWN LINE AT MP 35.93 DENVILLE, NEW JERSEY

President and CEO Corbett introduced Raymond Kenny, Senior Vice President and General Manager, Rail Operations, to present Action Item #1907-39.

Raymond Kenny recommended approval of Action Item #1907-39: Engineering and Construction Assistance for the Rehabilitation/Replacement of the Franklin Avenue Bridge Over the NJ TRANSIT Morristown Line at MP 35.93 Denville, New Jersey.

Approval was requested to enter into NJ TRANSIT Contract No. 19-008 with Dewberry Engineers, Inc, of Bloomfield, New Jersey, to perform Engineering Concept Development through Final Design for the Rehabilitation/Replacement of Franklin Avenue Overhead Bridge over NJ TRANSIT Morristown Line at MP 35.93 in Denville, New Jersey, at a negotiated cost not to exceed \$1,076,824.19, plus five percent for contingency for Tasks 1 through 5, subject to the availability of funds. Additional funding for Construction Assistance will be determined at a later date after the 100 percent design is completed.

Mr. Kenny asked for approval of Item #1907-39.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-39, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-40: HUDSON-BERGEN LIGHT RAIL SYSTEM – CAVEN POINT VEHICLE BASE FACILITY – RISK ASSESSMENT

President and CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1907-40.

Eric Daleo recommended approval of Action Item #1907-40: Hudson-Bergen Light Rail System – Caven Point Vehicle Base Facility – Risk Assessment and Resilient Design Services – Design Consultant Contract Award.

Approval was requested to enter into NJ TRANSIT Contract No. 17-049 with Systra Consulting Incorporated of Bloomfield, New Jersey, for providing consulting services for the Hudson-Bergen Light Rail Caven Point Vehicle Base Facility Project in the amount

not to exceed \$411,220.46, plus five percent for contingencies, subject to the availability of funds.

Mr. Daleo asked for approval of Item #1907-40.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-40, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-41: PROPOSED LABOR AGREEMENT: NJ TRANSIT POLICE DEPARTMENT AND FRATERNAL ORDER OF POLICE (FOP) LOCAL #37

President and CEO Corbett introduced Christopher Trucillo, Senior Vice President, Chief of Police and Emergency Management, to present Action Item #1907-41.

Christopher Trucillo recommended approval of Action Item #1907-41: Proposed Labor Agreement: NJ TRANSIT Police Department and Fraternal Order of Police (FOP) Local #37.

Approval was requested to approve and ratify the Memoranda of Agreement for Superior Officers; and authorizes the NJ TRANSIT President and CEO and/or Senior Vice President, Chief of Police and Emergency Management, to take all necessary steps to finalize and implement the same, as discussed in Executive Session.

Chief Trucillo asked for approval of Item #1907-41.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-41, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-42: ADVANCED SPEED ENFORCEMENT SYSTEM II – POSITIVE TRAIN CONTROL: CONTRACT AMENDMENTS FOR IMPLEMENTATION

President and CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1907-42.

Eric Daleo recommended approval of Action Item #1907-42: Advanced Speed Enforcement System II – Positive Train Control: Contract Amendments for Implementation.

Approval was requested to amend NJ TRANSIT Contract No. 10-099X with Parsons Transportation Group of New York, New York, at a cost not to exceed the amount discussed in Executive Session.

Mr. Daleo asked for approval of Item #1907-42.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-42, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-43: NJ TRANSIT RESILIENCE PROGRAM – DELCO LEAD STORAGE AND INSPECTION FACILITY PROJECT AND COUNTY YARD IMPROVEMENT PROJECT ENVIRONMENTAL MITIGATION CREDIT PURCHASES – ADDITIONAL CREDITS REQUIRED

President and CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #1907-43.

Eric Daleo recommended approval of Action Item #1907-43: NJ TRANSIT Resilience Program – Delco Lead Storage and Inspection Facility Project and County Yard Improvement Project Environmental Mitigation Credit Purchases – Additional Credits Required.

Approval was requested to enter into purchase agreements, and take any and all other actions necessary, to acquire environmental mitigation credits for the Delco Lead Storage and Inspection Facility Project and County Yard Improvement Project, in the amount discussed in Executive Session, subject to the availability of funds.

Mr. Daleo asked for approval of Item #1907-43.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-43, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-44: PERSONAL INJURY CLAIM OF JOSE RODRIGUES-MARQUES

President and CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer, and Treasurer, to present Action Item #1907-44.

William Viqueira recommended approval of Action Item #1907-44: Personal Injury Claim of Jose Rodrigues-Marques.

Approval was requested to settle the claim of Jose Rodrigues-Marques through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Mr. Viqueira asked for approval of Item #1907-44.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-44, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-45: PERSONAL INJURY CLAIM OF ALLAN OLIVEIRA-SILVEIRA

President and CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer, and Treasurer, to present Action Item #1907-45.

William Viqueira recommended approval of Action Item #1907-45: Personal Injury Claim of Allan Oliveira-Silveira.

Approval was requested to settle the claim of Allan Oliveira-Silveira through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Mr. Viqueira asked for approval of Item #1907-45.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-45, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

1907-46: PERSONAL INJURY CLAIM OF JASON GILLESPIE AND CHRISTINA GILLESPIE

President and CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer, and Treasurer, to present Action Item #1907-46.

William Viqueira recommended approval of Action Item #1907-46: Personal Injury Claim of Personal Injury Claim of Jason Gillespie and Christina Gillespie.

Approval was requested to settle the claims of Jason Gillespie and Christina Gillespie through their attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Mr. Viqueira asked for approval of Item #1907-46.

Board Member Edmund Caulfield made a motion to approve Action Item #1907-46, Board Member Dini Ajmani seconded it, and the item was unanimously adopted.

Roll Call Vote:

Gutierrez-Scaccetti	Caulfield	Ajmani	Greaves
Yes	Yes	Yes	Absent (Non-Voting Member)

Adjournment

Since there were no further comments or business, Chair Gutierrez-Scaccetti called for adjournment and a motion to adjourn was made by Board Member Edmund Caulfield, seconded by Board Member Dini Ajmani, and unanimously adopted. The meetings were adjourned at approximately 1:19 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**

JULY 17, 2019

MINUTES

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➤ CALL TO ORDER	-
➤ SAFETY ANNOUNCEMENT	-
➤ PLEDGE OF ALLEGIANCE TO THE FLAG	-
➤ EXECUTIVE SESSION AUTHORIZATION	54852
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	54853
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➤ PUBLIC COMMENTS	-
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➤ SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ADVISORY COMMITTEE REPORT	-
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ACTION ITEMS

1907-35	FISCAL YEAR 2020 OPERATING BUDGET – Authorization to adopt the Fiscal Year 2020 Operating Budget in the amount of \$2.391 billion.	54877
1907-36	FISCAL YEAR 2020 CAPITAL PROGRAM – Authorization to adopt the Fiscal Year 2020 Capital Program in the amount of \$1.423 billion	54894
1907-37	NJ TRANSIT FISCAL YEAR 2020 GRANT PROGRAMS: LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL, AND LOW INCOME RESIDENTS – Authorization to execute, extend, or modify contracts to implement the FY2020 Senior Citizen and Disabled Resident Transportation Assistance Program as set forth in Exhibit A for a total program amount of \$18,508,000, subject to the availability of funds.	54924

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
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Authorization to execute all appropriate agreements and contracts and to take all other steps necessary to implement the FY2020 FTA Section 5311 Rural and Small Urban Areas program, as set forth in Exhibit B, in the amount of \$5,488,315 which includes \$3,488,315 in Federal funds and \$2,000,000 as the NJ TRANSIT share of the local match, subject to the availability of funds.

Authorization to execute all appropriate agreements and contracts and to take all other steps necessary to implement the FY2020 Section 5311 Rural Intercity Program for a total program amount of \$657,663, subject to the availability of funds.

Authorization to execute all appropriate agreements and contracts and to take all other steps to implement the FY2020 FTA Section 5311(b)(3) Rural Transit Assistance Program in an amount up to \$130,339 Federal funds at no cost to NJ TRANSIT, subject to the availability of funds.

Authorization to execute all appropriate agreements and leases to implement the FY2020 FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program for \$9,400,000 which includes \$7,700,000 in Federal funds and \$1,700,000 as the NJ TRANSIT share of the local match, subject to the availability of funds.

Authorization to execute all appropriate agreements and contracts and to take all other steps to implement the FY2020 New Jersey Jobs Access and Reverse Commute (NJ-JARC) program for \$4,300,000 in NJ TRANSIT funds, subject to the availability of funds.

Authorization to execute all appropriate agreements and contracts and to take other steps to implement the FY2020 New Jersey Jobs Access and Reverse Commute (NJ-JARC) program for up to \$1,000,000 in additional funds from the State of New Jersey for a total NJ-JARC program cost of \$5,300,000, subject to the availability of funds.

Authorization to execute all appropriate agreements and contracts and to take all other steps to implement any specially-dedicated Congressional appropriations, FTA Section 5307 Small Urban Cities, FTA Section 5309 Major Capital Investments, Congestion Mitigation Air Quality (CMAQ), and other local projects including funds which will be flexed into ongoing FTA programs under the FY2020 budget for \$6,000,000, subject to the availability of funds.

1907-38 HUDSON-BERGEN LIGHT RAIL – AMENDMENT TO DESIGN, BUILD, OPERATE, AND MAINTAIN CONTRACT FOR OPERATIONS AND MAINTENANCE – Authorization to amend the design, build, operate, and maintain NJ TRANSIT Contract No. 96CT001 with 21st Century Rail Corporation of **54931**

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
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Lyndhurst, New Jersey, to operate and maintain Hudson-Bergen Light Rail service for an additional two years at a cost of \$52,578,996 for year one ending April 2021 and \$54,253,300 for year two ending April 2022, for a combined cost of \$106,832,296, based on projected escalation per the indices described in the contract, plus five percent for contingencies, for a total contract authorization of \$112,173,911, subject to the availability of funds, Board approval of NJ TRANSIT's operating budget, and the Office of State Comptroller approval.

Authorization to amend the design, build, operate, and maintain NJ TRANSIT Contract No. 96CT001 further with 21st Century Rail Corporation of Lyndhurst, New Jersey, to operate and maintain Hudson-Bergen Light Rail service after the ending period April 2022 for three separate one-year option periods to be exercised at NJ TRANSIT's discretion through April 2025, at a cost of \$55,981,949 ending April 2023, \$57,766,740 ending April 2024, and \$59,609,528 ending April 2025 for a combined cost of 173,358,217, based on projected escalation per the indices described in the contract, plus five percent for contingencies, for a total contract authorization of \$182,026,128, subject to the availability of funds, Board approval of NJ TRANSIT's operating budget, and the Office of State Comptroller approval. Staff will provide notification to the Board prior to implementing any of these individual option periods.

- 1907-39 ENGINEERING AND CONSTRUCTION ASSISTANCE FOR THE REHABILITATION/REPLACEMENT OF THE FRANKLIN AVENUE BRIDGE OVER THE NJ TRANSIT MORRISTOWN LINE AT MP 35.93, DENVILLE, NEW JERSEY** – Authorization to enter into NJ TRANSIT Contract No. 19-008 with Dewberry Engineers, Inc, of Bloomfield, New Jersey, to perform Engineering Concept Development through Final Design for the Rehabilitation/Replacement of Franklin Avenue Overhead Bridge over NJ TRANSIT Morristown Line at MP 35.93 in Denville, New Jersey, at a negotiated cost not to exceed \$1,076,824.19, plus five percent for contingency for Tasks 1 through 5, subject to the availability of funds. Additional funding for Construction Assistance will be determined at a later date after the 100 percent design is completed. **54933**

- 1907-40 HUDSON-BERGEN LIGHT RAIL SYSTEM – CAVEN POINT VEHICLE BASE FACILITY – RISK ASSESSMENT AND RESILIENT DESIGN SERVICES – DESIGN CONSULTANT CONTRACT AWARD** – Authorization to enter into NJ TRANSIT Contract No. 17-049 with Systra Consulting Incorporated of Bloomfield, New Jersey, for providing consulting services for the Hudson-Bergen Light Rail Caven Point Vehicle Base Facility Project in the amount not to exceed \$411,220.46, plus five percent for contingencies, subject to the availability of funds. **54936**

- 1907-41 PROPOSED LABOR AGREEMENT: NJ TRANSIT POLICE DEPARTMENT AND FRATERNAL ORDER OF POLICE (FOP) LOCAL #37** – Authorization to: (1) approve and ratify the Memoranda of Agreement for Superior Officers; and (2) **54941**

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
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authorize the President/CEO and/or Senior Vice President/Chief of Police of NJ TRANSIT, to take all necessary steps to finalize and implement the same, as discussed in executive session.

- 1907-42 ADVANCED SPEED ENFORCEMENT SYSTEM II – POSITIVE TRAIN CONTROL: CONTRACT AMENDMENTS FOR IMPLEMENTATION –** 54970
Authorization to amend NJ TRANSIT Contract No. 10-099X with Parsons Transportation Group of New York, New York, at a cost not to exceed the amount discussed in Executive Session.
- 1907-43 NJ TRANSIT RESILIENCE PROGRAM – DELCO LEAD STORAGE AND INSPECTION FACILITY PROJECT AND COUNTY YARD IMPROVEMENT PROJECT ENVIRONMENTAL MITIGATION CREDIT PURCHASES – ADDITIONAL CREDITS REQUIRED –** 54972
Authorization to enter into purchase agreements, and take any and all other actions necessary, to acquire environmental mitigation credits for the Delco Lead Storage and Inspection Facility Project and County Yard Improvement Project, in the amount discussed in executive session, subject to the availability of funds.
- 1907-44 PERSONAL INJURY CLAIM OF JOSE RODRIGUES-MARQUES –** 54973
Authorization to settle the claim of Jose Rodrigues-Marques through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.
- 1907-45 PERSONAL INJURY CLAIM OF ALLAN OLIVEIRA-SILVEIRA –** 54974
Authorization to settle the claim of Allan Oliveira-Silveira through his attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.
- 1907-46 PERSONAL INJURY CLAIM OF JASON GILLESPIE AND CHRISTINA GILLESPIE –** 54975
Authorization to settle the claims of Jason Gillespie and Christina Gillespie through their attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

➤ **ADJOURNMENT**

EXECUTIVE SESSION AUTHORIZATION

BE IT HEREBY RESOLVED pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to, the Proposed Labor Agreement: NJ TRANSIT Police Department and Fraternal Order of Police (FOP) Local #37, Advanced Speed Enforcement System II – Positive Train Control: Contract Amendments for Implementation, NJ TRANSIT Resilience Program – Delco Lead Storage and Inspection Facility Project and County Yard Improvement Project Environmental Mitigation Credit Purchases – Additional Credits Required, the Personal Injury Claim of Jose Rodrigues-Marques, the Personal Injury Claim of Allan Oliveira-Silveira, and the Personal Injury Claim of Jason Gillespie and Christina Gillespie; 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.

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 June 12, 2019 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 June 17, 2019;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the June 12, 2019 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

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

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

TO: BOARD OF DIRECTORS
FROM: KEVIN S. CORBETT 
DATE: JULY 17, 2019
SUBJECT: PRESIDENT & CEO'S REPORT – JULY 2019

On this date 40 years ago, NJ TRANSIT was officially created by the Public Transportation Act of 1979. Since then, this agency has been dedicated to serving the transportation needs of New Jersey. Over the past four decades, hard working men and women have kept our transportation network moving and providing billions of passenger trips. We will be marking this milestone in a number of ways for both employees and customers as we reflect on the past 40 years.

The operating and capital budgets for Fiscal Year 2020 are on the agenda today. The spending plans reflect Governor Murphy's commitment to providing additional resources as we continue to make improvements to restore this agency to national prominence while keeping fares stable. The process, which we began last year, focuses on the customer experience by prioritizing people, equipment and infrastructure. Whether it's the record-setting hiring of bus operators and locomotive engineer trainees or major equipment purchases to modernize the bus and rail fleets, we are taking concrete steps to improve the customer experience. The operating and capital budgets before you today recommit us to adding to all of the successes we've had over the past year, including the continued advancement of Positive Train Control.

The budget calls for additional bus and light rail operators, 19 additional police officers and a brand new customer experience unit focused on listening and responding to customers' needs and proactively identifying opportunities for improvement throughout the system. We have the necessary funding to continue our locomotive engineer and assistant conductor training programs. The budget also eliminates \$75-million in diversions from the TTF and the Turnpike Authority, a practice from which we are committed to moving away. This budget is a clear example we are accomplishing that. By changing public policy of the past, we are strengthening our state's overall transportation system. I assure you that we will spend these budget dollars wisely and efficiently to maximize their return on the customer experience.

We're leveraging technology to enhance the customer experience. Our mobile ticketing feature, MyTix, recently achieved two record-setting milestones. On July 1st, the more than 120,000 tickets sold through MyTix were the most ever on a single day. With that record-setting volume, our IT infrastructure processed those transactions without issue. To add to the record single-day sales volume, MyTix sales surpassed traditional paper tickets for the first time ever on July 1 with 55% of that day's revenue coming from mobile ticketing. We've also updated the new home page of the website to include service alert information based on customer feedback. These are the kinds of successes that demonstrate we are modernizing this agency, and doing it in a way that is responsive to our customers' needs.

Over the past 18 months, we've been taking steps to improve the customer experience, but we've also taken steps to improve our employee experience as well. One way we have done that is through the recent creation of the Employee Court Advocate position to support operational employees who, unfortunately, are sometimes victims of on-the-job assaults. Attorney Michael Rubin will fill this role. Michael is very familiar with NJ TRANSIT, having previously served 15 years with the New Jersey Department of Law and Public Safety representing this agency in a variety of legal matters. As Employee Court Advocate, Michael will help employees who are victims of assault to navigate the justice system, understand their legal rights and ensure prosecutors pursue appropriate charges and sentences.

I'm pleased to report that we have not had any issues of note with the summer service adjustments to accommodate the Amtrak work at Penn Station New York. Our outreach efforts and communication channels, which we activated in advance of the service impacts, proved successful in having our customers informed prior to the changes so they could seamlessly make the transition to their alternate travel options. I again want to thank our customers for their understanding and patience while Amtrak completes these critical infrastructure repairs in Penn Station New York.

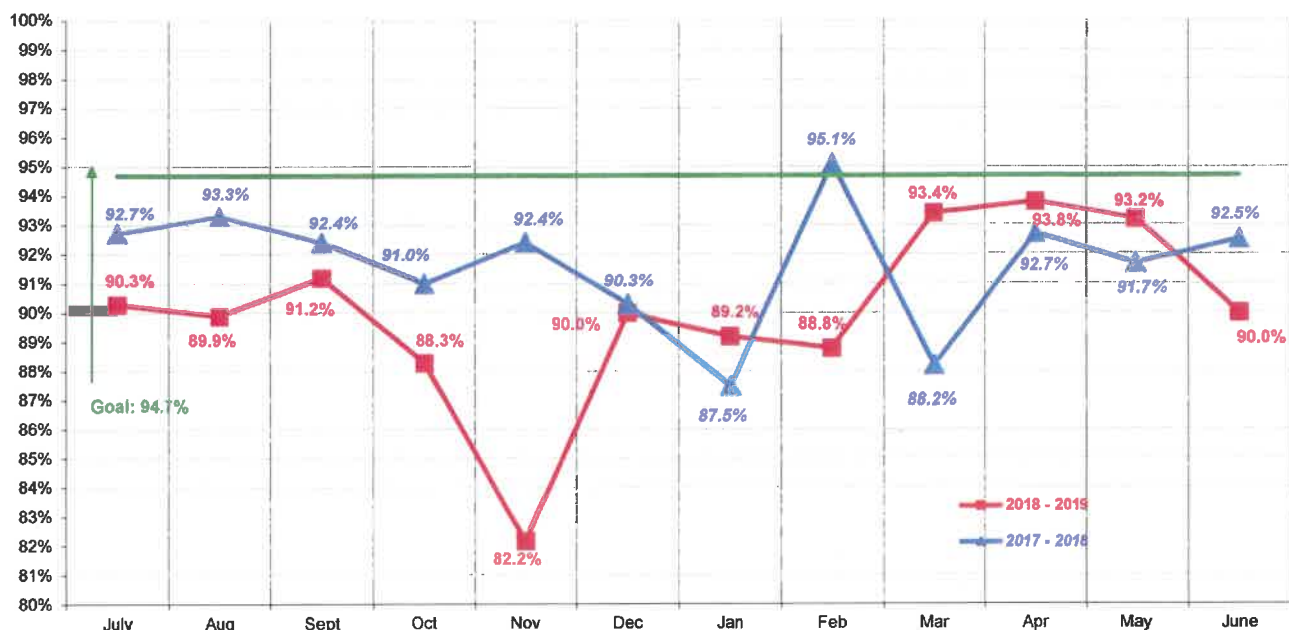
EXECUTIVE DIRECTOR'S MONTHLY REPORT JULY 17, 2019

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

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL JULY 2017 - JUNE 2019

% Trains Reported Within 6 Minutes of Schedule



	May. 2019	June. 2019	% Change
One-Month Comparison	93.2%	90.0%	-3.2%
June Comparison	2018 92.5%	2019 90.0%	# Change -2.5%
12-Month Average July, 2018- June, 2019	2017-2018 91.7%	2018-2019 90.0%	# Change -1.7%

Analysis:

Rail On-Time Performance was 90.0% for June, 2019. Of the 16,923 trains scheduled to operate, 15,230 were on time, while 1,693 trains (or 10%) were delayed. Key causes included:

- Amtrak Signal Failure, NJT Manpower Shortage and Electric Locomotive Issues contributed to 81 delays resulting in 83.7% OTP on June 14.
- Amtrak Signal Issues, NJT Shortage of Equipment, Manpower Shortage, Electric Locomotive Issues, Programmed Maintenance and a Fatality contributed to 104 delays resulting in 81.2% OTP on June 17.
- Amtrak Tracksides Interference and Signal Issues, NJT Signal Issues-Weather, Manpower Shortage and Electric Locomotive Issues contributed to 90 delays resulting in 83.0% OTP on June 20.

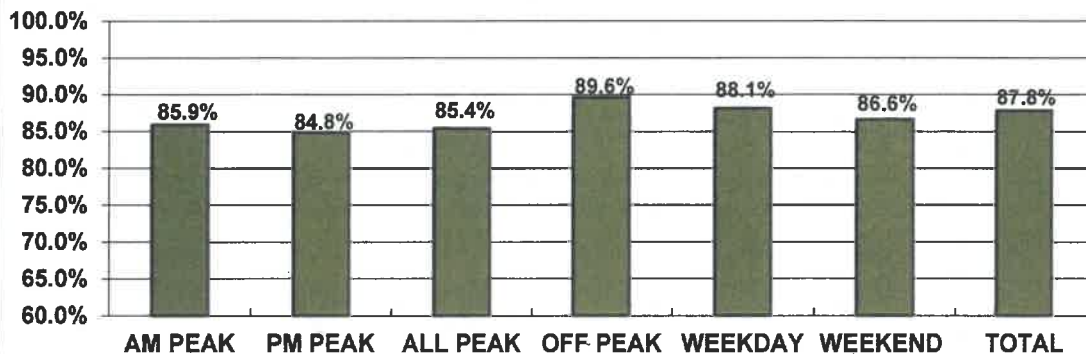
The 12-month average for Rail On-Time Performance July, 2018 - June, 2019 was 90.0%, which has decreased by 1.7%.

ON-TIME PERFORMANCE RAIL

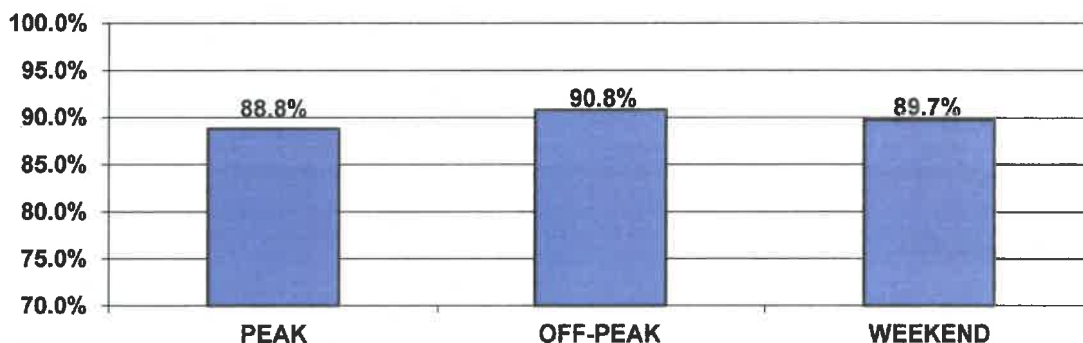
SUMMARY BY TIME PERIOD JUNE, 2019

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

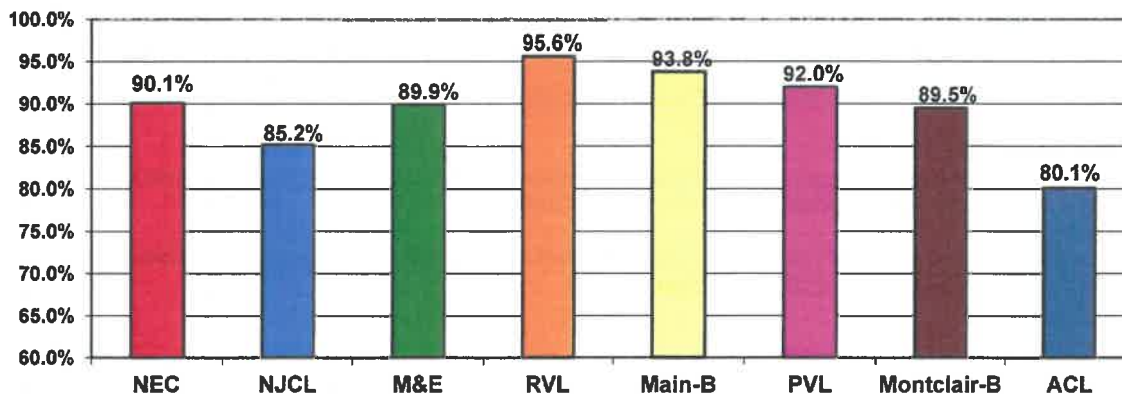
% NEW YORK PENN STATION Trains Reported On Time *



% SYSTEMWIDE Trains Reported On Time

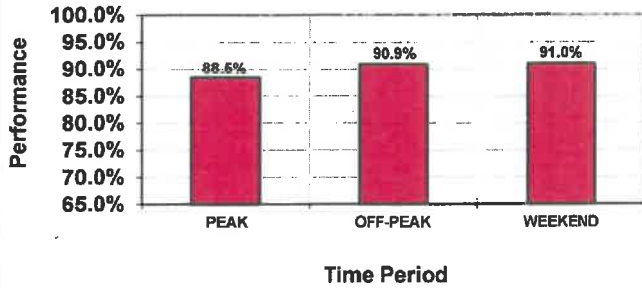


% BY LINE Trains Reported On Time

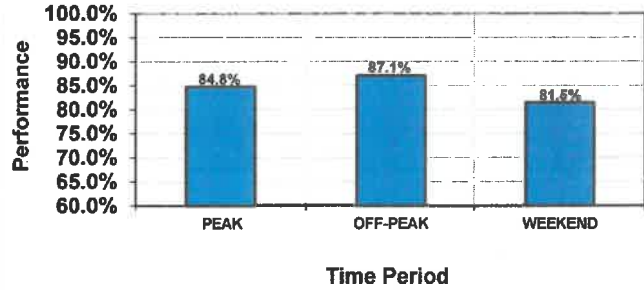


ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD JUNE 2019

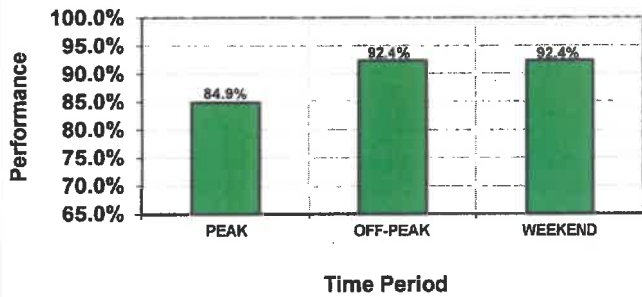
NORTHEAST CORRIDOR



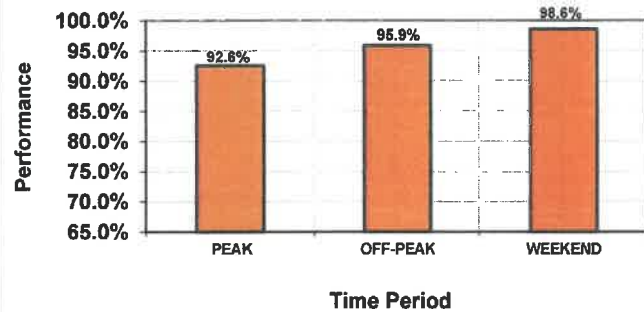
NORTH JERSEY COAST LINE



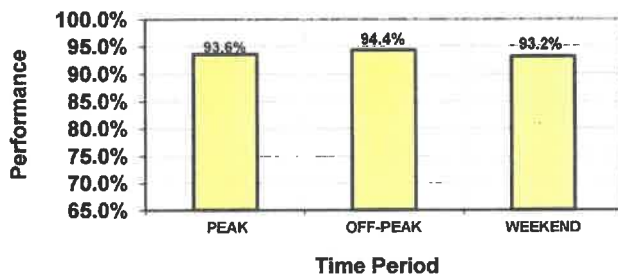
MORRIS & ESSEX



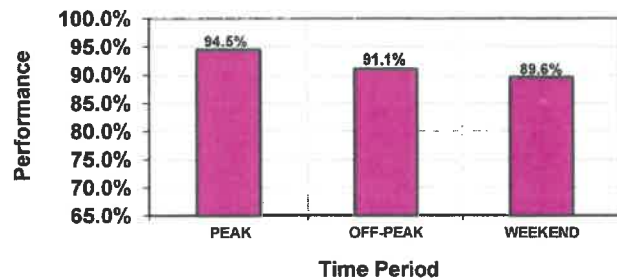
RARITAN VALLEY LINE



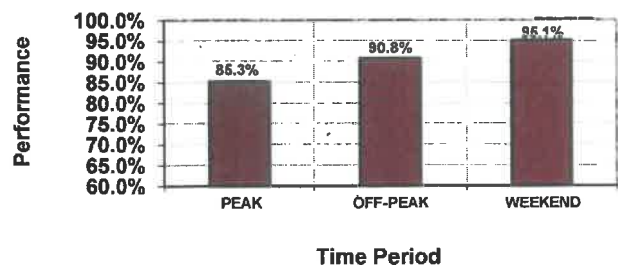
MAIN-BERGEN



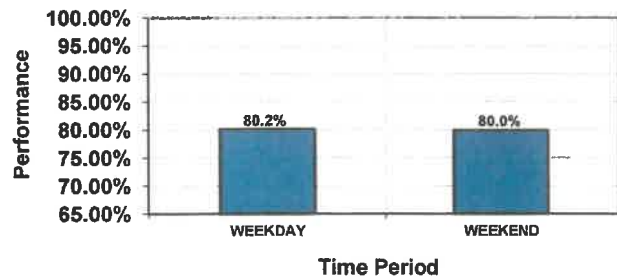
PASCACK VALLEY



MONTCLAIR-BOONTON



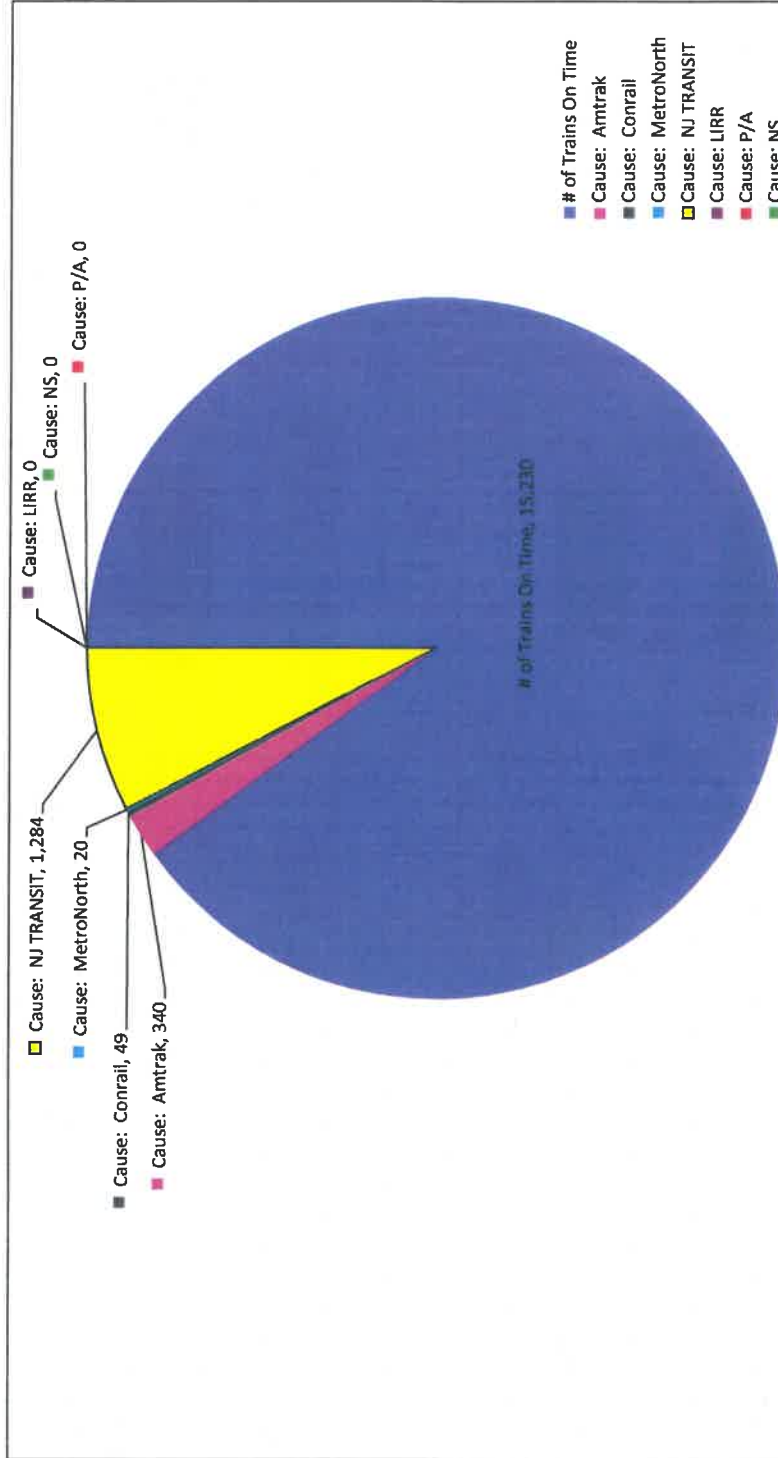
ATLANTIC CITY*



NJ TRANSIT Performance - JUNE, 2019

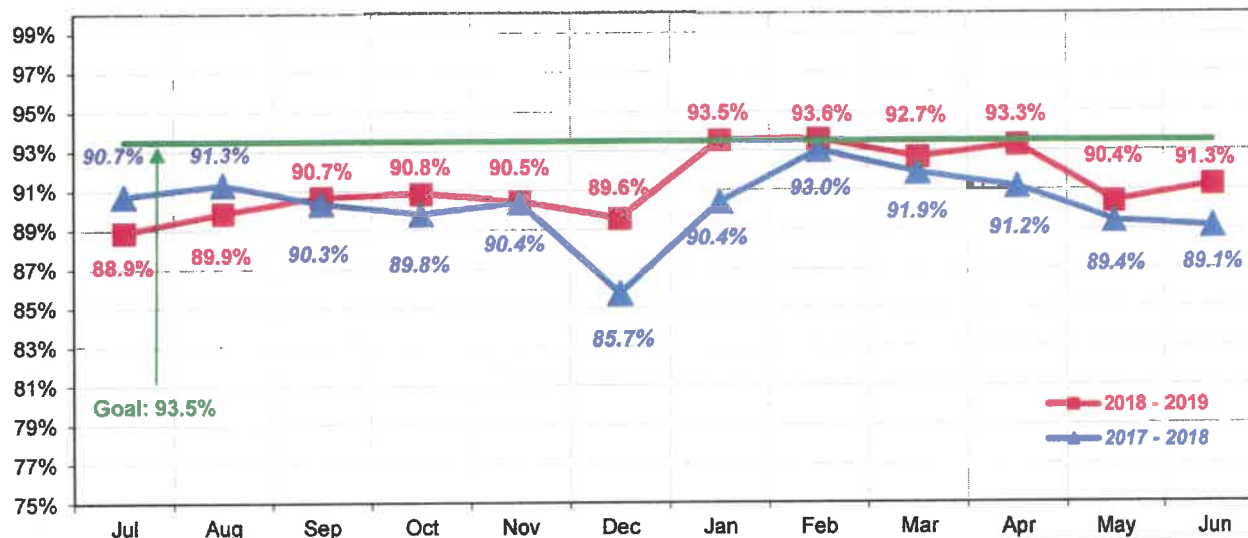
Late NJ TRANSIT Trains

# of Trains On		Cause: Amtrak		Cause: Conrail		Cause: MetroNorth		Cause: NJ TRANSIT		Cause: LIRR		Cause: P/A		Cause: NS	
# of Trains On Time	15,230	340	49	20	1,284	0	0	0	0	0	0	0	0	0	0
# of Late Trains	1,693	2.01%	0.29%	0.12%	7.59%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total # of Trains	16,923														
Percentage On Time	90.0%														



NJ TRANSIT ON-TIME PERFORMANCE BUS JULY 2017 - JUNE 2019

% Buses Departing Major Terminals Within 6 Minutes of Schedule



	2018	2019	% Change
June Comparison	89.1%	91.3%	2.2%

	2018	2019	% Change
12-Month July - June	90.3%	91.3%	1.0%

Analysis:

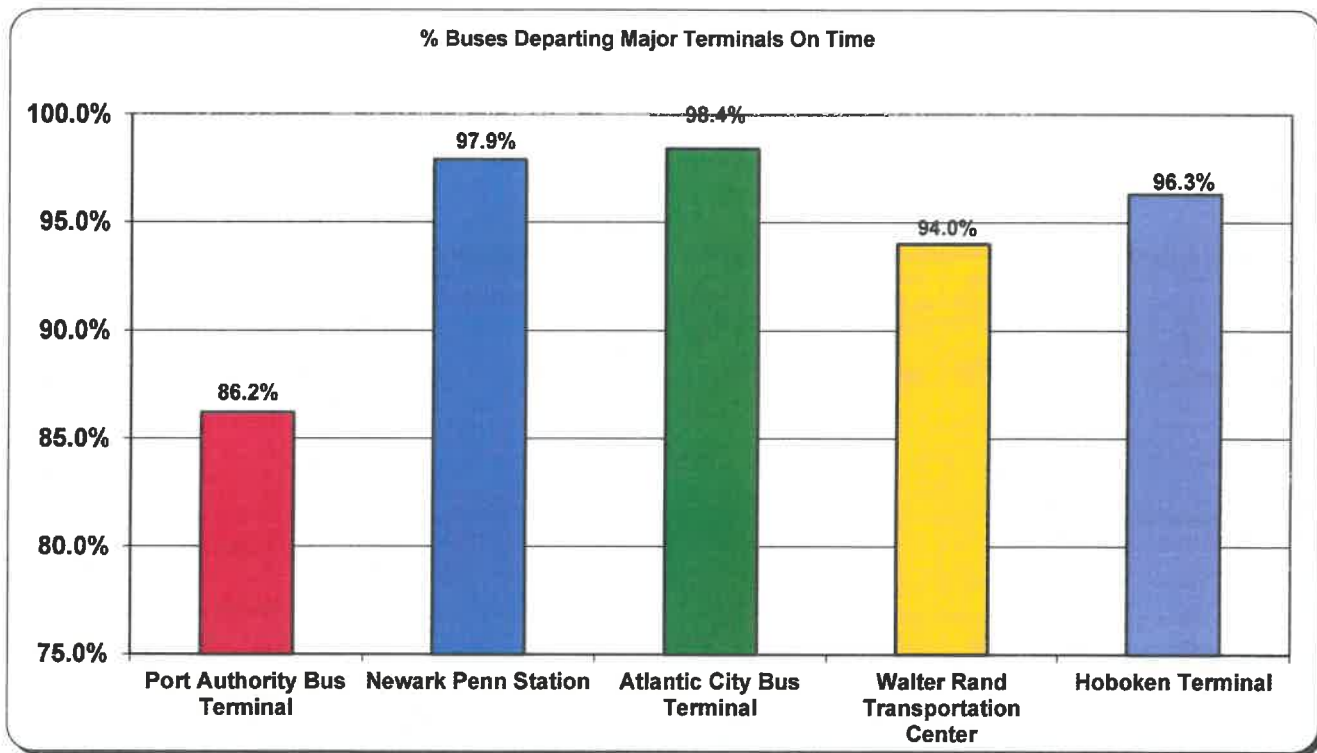
Bus On-Time Performance was 91.3% for June 2019. Of the 42,400 monitored departures 3,709 (or 8.7%) experienced delays. Key causes included:

- At Port Authority Bus Terminal, a helicopter crash in New York and the resulting police activity caused gridlock on June 7. Police activity also caused a shutdown of Rte. 495 on June 21.
- At Newark Penn, there were delays caused by construction in the bus lanes on several days. Delays caused by police activity near Newark Airport impacted service on June 6.

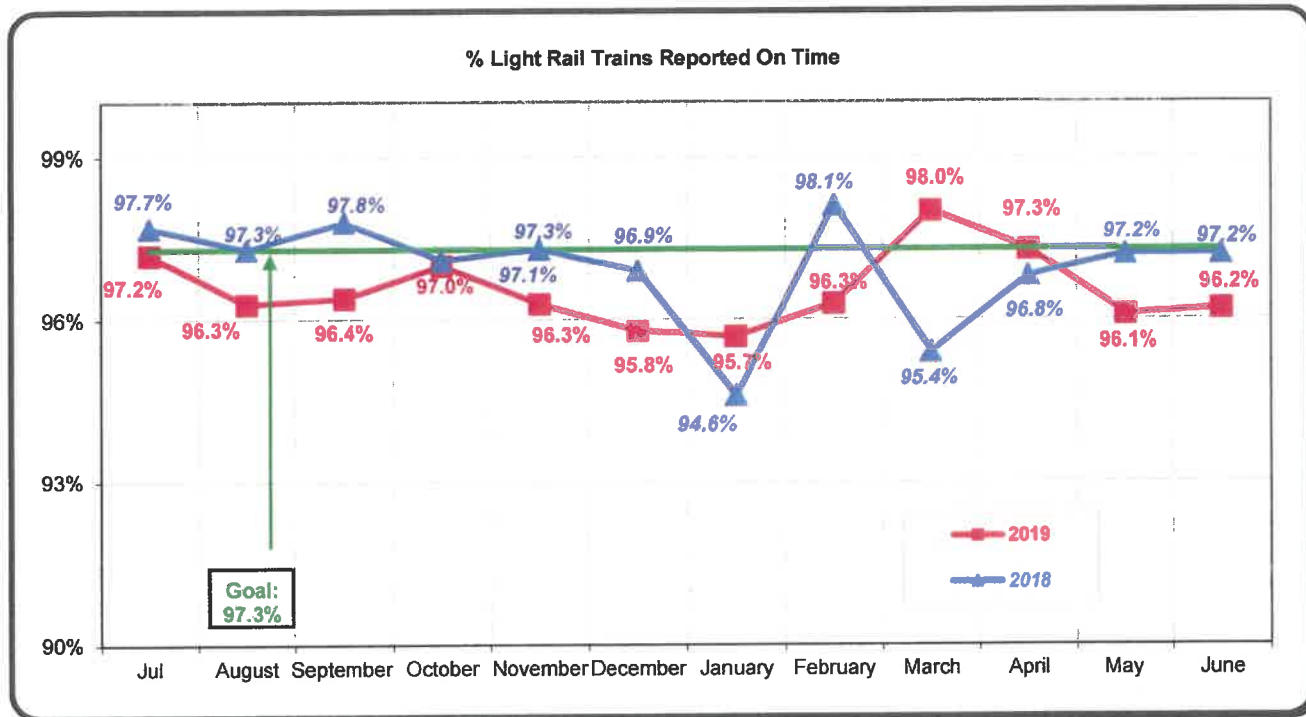
The 12-month average for Bus On-Time Performance for July - June was 91.3%, which was up by 1.0% from the previous year.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL JUNE 2019



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL JULY 2017 - JUNE 2019



	2018	2019	# Change
June Comparison	97.2%	96.2%	-1.00%

	2018	2019	# Change
12-Month Average Ended July 2018-June 2019	97.0%	96.6%	-0.40%

Analysis:

Light Rail On-Time Performance systemwide was 96.2% for the month of June 2019. Of the 25,784 scheduled departures, 856 experienced delays.

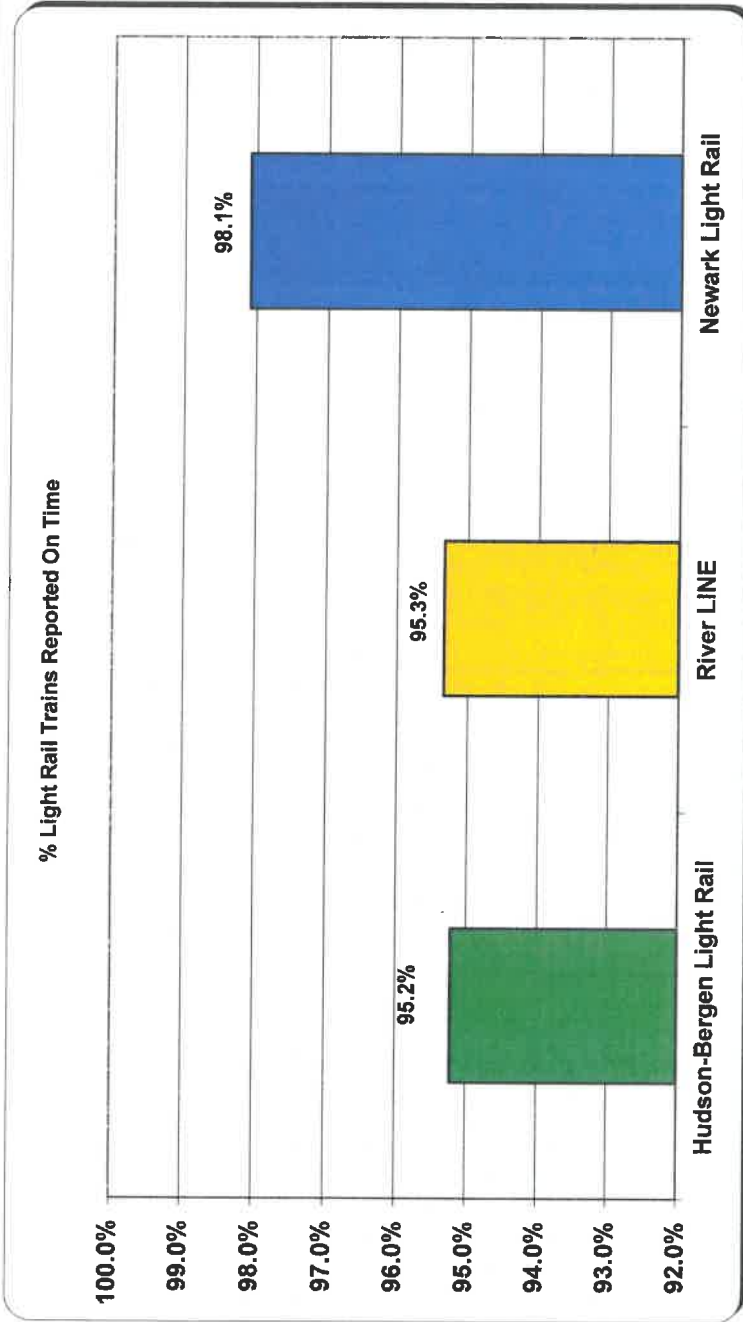
Key causes included:

- Track obstructions (auto and tree fouling tracks) and equipment issues on River LINE.
- Mechanical issues, police activity and switch issues on Hudson-Bergen Light Rail.
- Manpower issues, police activity and mechanical issues on Newark Light Rail.

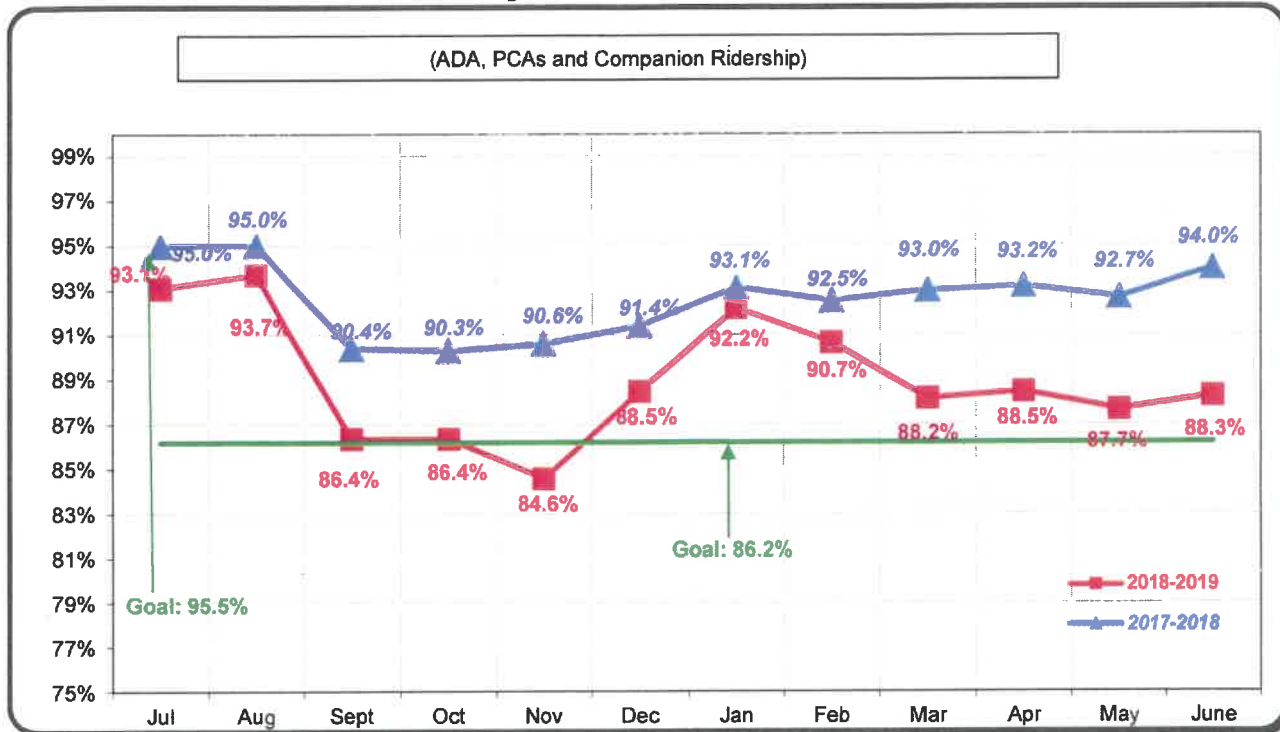
The 12-month average for Light Rail On-Time Performance for July 2018-June 2019 was 96.55%, which decreased by 0.4%.

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE June 2019



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK July 2017 - June 2019



	2018	2019	% Change
June Comparison	94.0%	88.3%	-5.7%

	2018	2019	Difference
June Ridership	127,821	131,378	3,557

	2017-2018	2018-2019	% Change
12-Month Average July-June	92.6%	89.0%	-3.6%

Analysis:

Access Link On-Time Performance was 88.3% for June, 2019. In serving 145,210 total riders, for 131,378 ADA customers trips, 15,401 (or 11.7%) experienced delays.

Key causes include:

- Driver shortages and issues retaining drivers in the larger regions
- Delays due to increased traffic volume and congestion
- Delays due to severe rain on June 20 causing localized flooding in Region 2, our second largest operating region.
- Scheduling impact from pick-up window reduction
- Scheduling and dispatch interrupted by temporary computer malfunctions on June 19-21

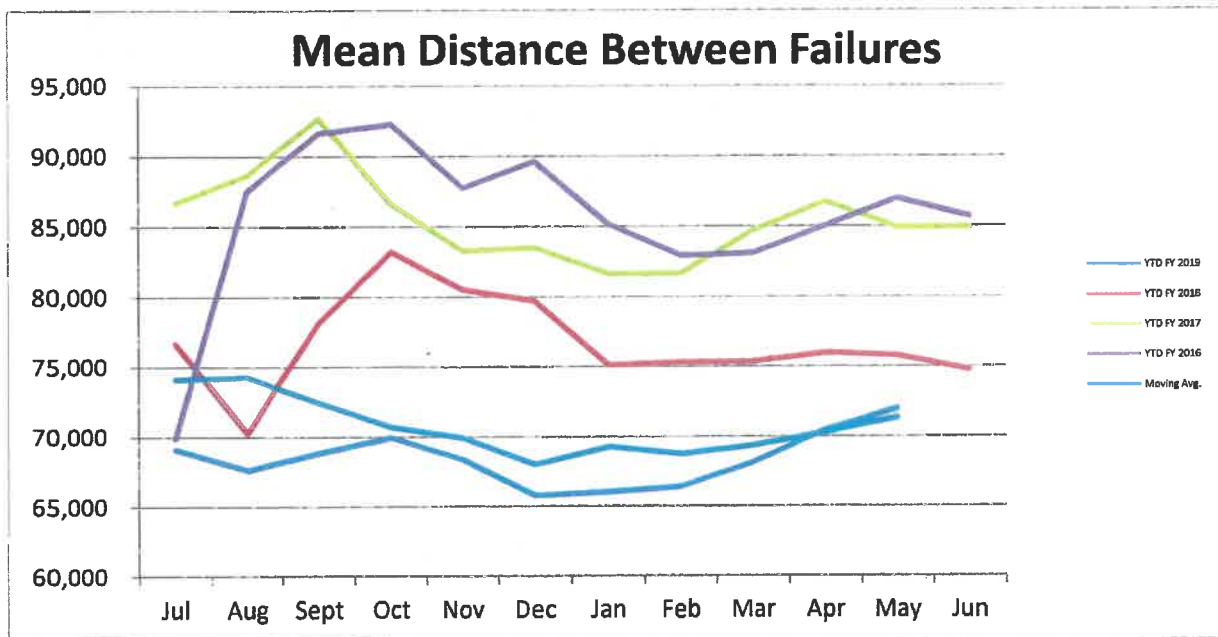
The 12-month average for Access Link On-Time Performance for July 2018 - June 2019 was 89.0%, which decreased by 3.6%.

MEAN DISTANCE BETWEEN FAILURES

May 2019

NJ TRANSIT Rail Operations
Mean Distance Between Failures

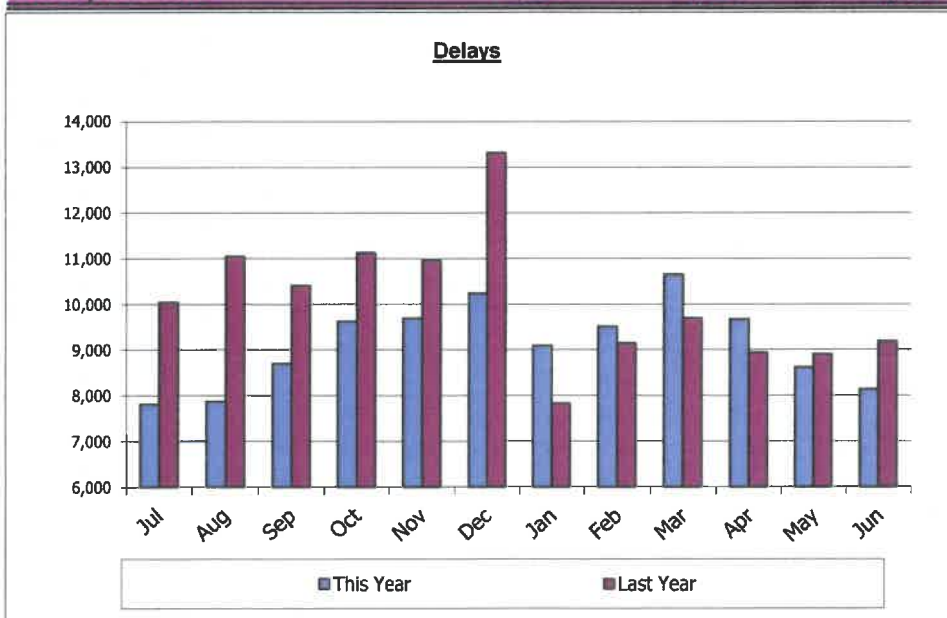
Month	YTD FY2019	YTD FY2018	YTD FY2017	YTD FY2016	12 Month Moving Avg.
Jul	69,055	76,674	86,683	69,926	74,107
Aug	67,612	70,263	88,680	87,565	74,238
Sept	68,823	78,151	92,705	91,669	72,424
Oct	69,913	83,213	86,626	92,329	70,679
Nov	68,356	80,523	83,272	87,756	69,908
Dec	65,796	79,711	83,501	89,655	67,997
Jan	66,025	75,139	81,633	85,167	69,249
Feb	66,391	75,324	81,639	82,949	68,717
Mar	68,141	75,376	84,715	83,112	69,344
Apr	70,447	75,968	86,771	85,060	70,258
May	71,986	75,787	84,920	87,022	71,342
Jun	-	74,776	84,936	85,722	-



Garage Performance Parameters

June 2019

Location	Miles Between In-Service Delays			
	FY2019 Goal	This Month	FY2019 YTD	FY2018 YTD
Fairview	6,000	3,736	3,931	5,014
Greenville	7,500	4,105	5,076	4,776
Market Street	8,500	5,863	6,739	7,597
Meadowlands	10,200	4,219	5,217	6,285
Oradell	10,500	6,125	7,311	8,211
Wayne	10,500	13,076	9,860	9,194
Northern Division	-	5,893	6,507	7,193
Big Tree	8,800	7,374	6,011	7,038
Hilton	10,200	5,010	7,432	9,156
Howell	16,750	24,958	25,101	29,760
Ironbound	9,600	6,601	7,845	9,701
Orange	9,250	6,014	6,673	8,515
Morris	10,500	45,347	25,757	43,833
Central Division	-	8,213	9,490	11,739
Egg Harbor	15,500	13,396	18,526	15,271
Hamilton	13,000	15,307	9,512	11,465
Newton Avenue	12,000	13,134	13,102	11,568
Washington Twp.	14,500	20,171	18,535	12,976
Southern Division	-	15,274	15,537	13,170
Bus Operations	-	8,134	9,036	9,880

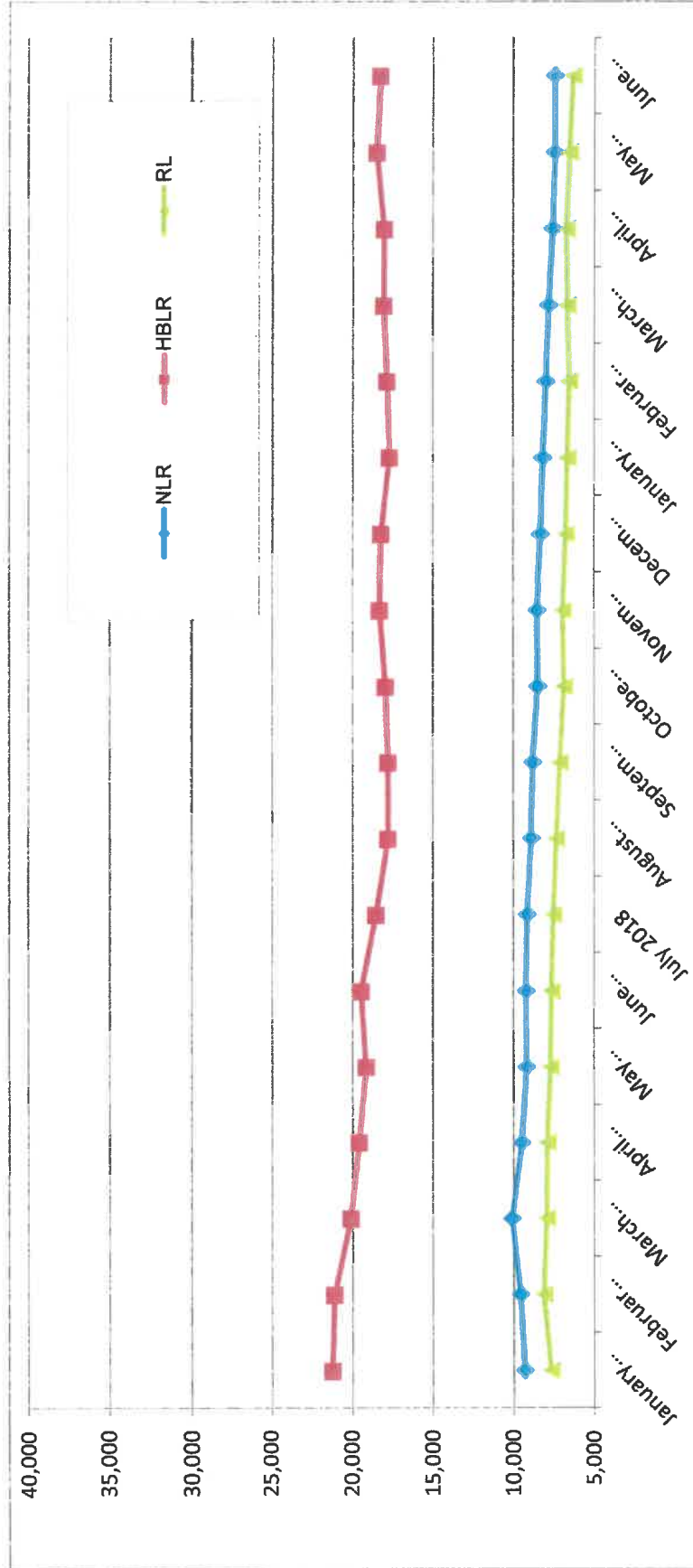


NJ TRANSIT - LIGHT RAIL, June 2019

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF *	
	June 2019	May 2019
Newark Light Rail	7,390	7,386
Hudson Bergen	18,260	18,488
River LINE	6,286	6,486

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT –Office of Business Development Additional DBE/SBE Participation for June 2019

State Funded Contracts

During the month June 2019, NJ TRANSIT awarded **\$12,176,242.58** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$435,859.93** or **3.58%**.

During the State Fiscal Year **2019** (July 1, 2018 through June 30, 2019) NJ TRANSIT awarded **\$796,021,889.59** in state funded contracts. Of that total, SBEs received **\$31,829,283.01** or **4.00%**.

Note: The above reflects the Procurement Report of Awards received July 3, 2019.

SBE Goal Attainment from July 1, 2018 through June 30, 2019 (FY 2019)

Category 1 SBEs received	\$5,373,897.71	or 0.68%
Category 2 SBEs received	\$17,701,840.68	or 2.22%
Category 3 SBEs received	\$806,321.54	or 0.10%
Category 4 SBEs received	\$1,193,695.18	or 0.15%
Category 5 SBEs received	\$6,684,906.10	or 0.84%
Category 6 SBEs received	\$68,621.80	or 0.009%

FTA Funded Contracts (updated Quarterly – next update will occur July 2019)

During the 3rd Quarter (April 1, 2019 – June 30, 2019) of Federal Fiscal Year 2019 (October 1, 2018 through September 30, 2019), the FTA funded share of NJ TRANSIT's federal contracts awarded was **\$8,535,559.00**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$2,235,928.00** or **26.20%**.

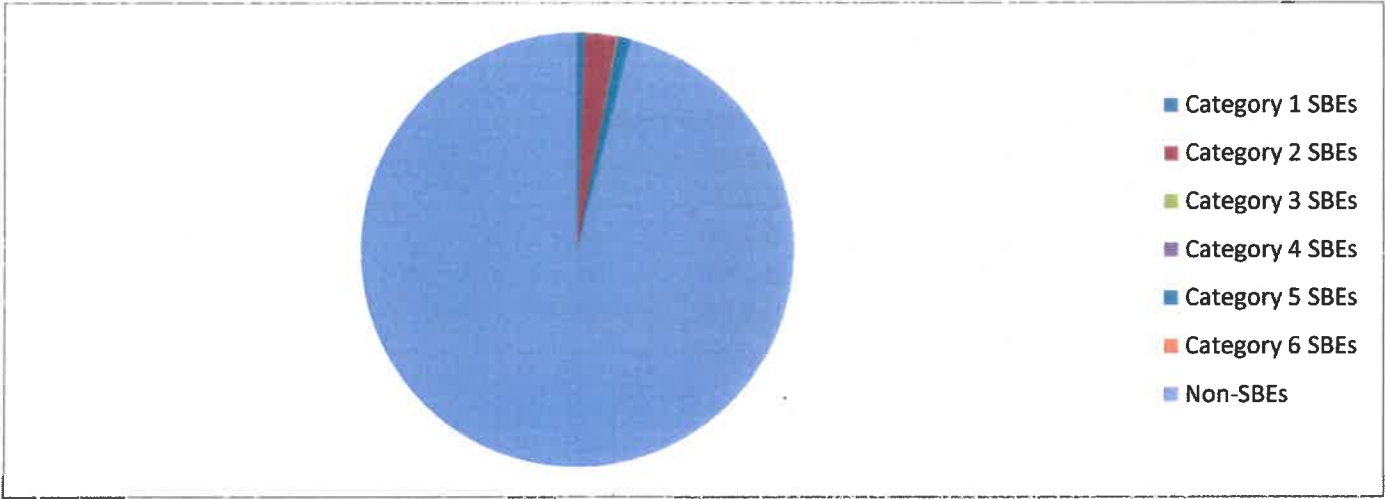
DBE Goal Attainment from April 1, 2019 – June 30, 2019 (FFY 2019)*

Contracts awarded	\$8,535,559.00
DBEs received	\$2,235,928.00 or 26.20%

**Numbers reflect federal share.*

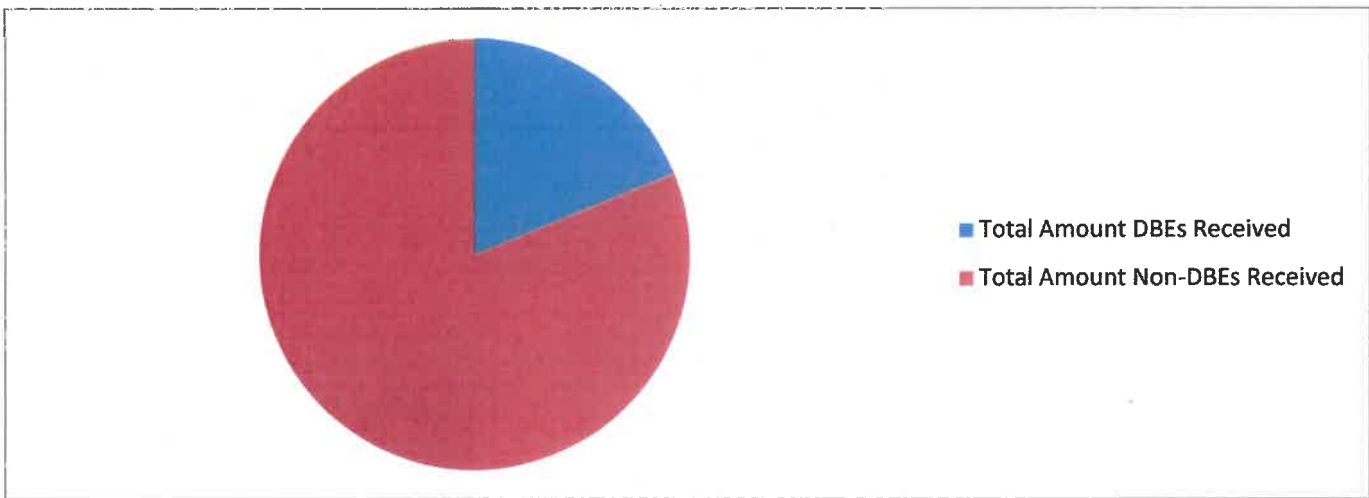
SBE PARTICIPATION
STATE CONTRACTS
STATE FYTD 2019

<i>Category 1 SBEs</i>	\$5,373,897.71	0.68%
<i>Category 2 SBEs</i>	\$17,701,840.68	2.22%
<i>Category 3 SBEs</i>	\$806,321.54	0.10%
<i>Category 4 SBEs</i>	\$1,193,695.18	0.15%
<i>Category 5 SBEs</i>	\$6,684,906.10	0.84%
<i>Category 6 SBEs</i>	\$68,621.80	3.17%
<i>Non-SBEs</i>	\$764,192,606.58	96.00%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FYTD 2018

Total Amount DBEs Received	\$28,300,272.54	18.86%
Total Amount Non-DBEs Received	\$121,748,976.72	81.14%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

These NJ TRANSIT employees retired recently with careers ranging 11 to 54 years of service:

1. Ricardo Carter, Operator – Wayne – 19 years
2. Prince Farrar, Operator – Ironbound – 21 years
3. Jon Baker, Operator – Market Street – 24 years
4. Barry Byers, Operator – Oradell – 21 years
5. Anthony Caruso, Spec Maintainer – Newton Avenue – 32 years
6. Rose Napoleons, Operator – Ironbound – 23 years
7. Rhonda Sherrill-Hood, Operator – Egg Harbor – 25 years
8. Emeka Akulezie, Operator – Hilton – 16 years
9. Reginald Bronson, Repairman – Wayne – 13 years
10. Sergio Wilson, Operator – Meadowlands – 20 years
11. Reginald Ababio, Regional – GOB – 18 years
12. Ezri Austin, Principle Accountant – GOB – 25 years
13. Patricia Rich, Supervisor Records Management – Penn Plaza – 28 years
14. Richard Anderson, Asst Superintendent Stations – PSNY – 25 years
15. Richard DeGraw Jr., Manager Rail Infrastructure – Penn Plaza – 44 years
16. Louis Gemo, Line Engineer – Hoboken – 36 years
17. Mark Lipsky, Principle Project Manager – MMC -- 26 years
18. Michael Rahilly, Rules Examiner – Hoboken – 19 years
19. Keisha Smith, Exec Secretary – Penn Plaza – 29 years
20. Kevin Tucker, Assistant Manager – Dover – 32 years
21. William Dugan, Car Appearance Maintainer – Hoboken – 36 years
22. Joseph Galanti, Car Appearance Maintainer – Hoboken – 40 years
23. Michael Hatala III, Carman – County Yard – 54 years
24. Kimberly Herbert, Conductor – Various – 11 years
25. David Krum, Conductor – Various – 48 years
26. Siegfried Moses, Foreman B&B – MMC – 32 years
27. David Puzio, Technician – Port Morris – 35 years
28. Teresa Tyler-Lemon, Manager Rail Field Ops Revenue – Various – 28 years
29. Patricia Meyer, Starter – AC Bus Terminal – 41 years
30. Rajnath Ramberan, Operator – Washington Township – 14 years
31. Joseph Ainslie, Mechanic A – Washington Township – 37 years
32. Rene Ashford, Operator – Washington Township – 19 years
33. Lancelot Cranshaw, Operator – Orange – 23 years

34. Bruce Kately, Operator – Howell – 18 years
35. Shaun McGarrigle, Depot Master – Newton Avenue – 22 years
36. Vincent Schipani, Maintenance – Newark Bus – 30 years
37. Doris West, Operator – Hilton – 21 years
38. Michael Wilson, Operator – Oradell – 18 years
39. Samlall Ramskishun, Mechanic A – Newark Bus – 16 years
40. Herminio DeJesus, General Foreman – Penn Plaza – 16 years
41. Felismina Ruela, Senior Exec Secretary – Penn Plaza – 18 years
42. John Wasilak, Director Contracts – Penn Plaza – 35 years
43. Charlie Boone, Ridership Survey – Penn Plaza – 34 years
44. Pablo Gonzalez, Foreman Garage – Hilton – 27 years
45. Ethel Johnson-Berry, Special Assistant – Penn Plaza – 25 years
46. William Larkin, Manager Fac Engineering Construction – Ferry Street – 26 years
47. Nicola Salerno, Supervisor Engineering/Architecture – Penn Plaza – 25 years
48. Betsy Stern, Manager Safety Compliance – Penn Plaza – 32 years

ACTION ITEMS

ITEM 1907-35: FISCAL YEAR 2020 OPERATING BUDGET

WHEREAS, Article II, Section 4(c) of the By-Laws requires the Board of Directors to adopt a final budget for NJ TRANSIT after the State of New Jersey has completed the process of appropriating funds for public transportation purposes; and

WHEREAS, the New Jersey Legislature has enacted a Fiscal Year 2020 State Budget which includes appropriations for public transportation purposes; and

WHEREAS, staff has recommended a Fiscal Year 2020 Operating Budget for NJ TRANSIT as detailed in the item and Exhibits A, B and C attached hereto; and

WHEREAS, NJ TRANSIT's \$2.391 billion Fiscal Year 2020 Operating Budget provides continued support and investment in the operations of NJ TRANSIT Bus, Rail, Light Rail and Access Link services; and

WHEREAS, this budget recommendation continues NJ TRANSIT's commitment to provide safe, reliable and efficient transportation services for its customers; and

WHEREAS, the Fiscal Year 2020 Operating Budget recognizes a State operating subsidy of \$457.5 million; and

WHEREAS, total resources of \$2.391 billion are estimated to be available from various sources without a fare increase or service cuts, representing a \$75 million increase from Fiscal Year 2019; and

WHEREAS, passenger and commercial revenue represent 46 percent of the total Fiscal Year 2020 budget and are estimated at \$1.103 billion; and

WHEREAS, when compared to Fiscal Year 2019, total State assistance increases by \$75 million to \$668.6 million; and

WHEREAS, total State assistance is comprised of a \$75 million net increase, made up of a \$150 million increase in the State operating subsidy and a \$75 million reduction in non-recurring diversions; and

WHEREAS, it is also necessary for NJ TRANSIT to enter into numerous agreements in order to advance and continue its Private Carrier Capital Improvement Program, bus maintenance, debit and credit card processing and settlement services, marketing programs, and provide substitute service in support of NJ TRANSIT's capital program and for service interruptions as described in the item attached hereto; and

WHEREAS, if the State's Fiscal Year 2021 Budget is not finalized prior to the June 2020 NJ TRANSIT Board meeting, the Board may defer adoption of the annual budget until the next special or regular Board meeting subsequent to the final actions by the State; and

WHEREAS, if the Board is unable to approve a Fiscal Year 2021 budget prior to July 2020, it will be necessary to expend funds after July 1, 2020, prior to the final adoption of the Fiscal Year 2021 budget;

NOW, THEREFORE, BE IT RESOLVED that the NJ TRANSIT Board of Directors adopts the Fiscal Year 2020 Operating Budget in the amount of \$2.391 billion; and

BE IT FURTHER RESOLVED that the Board of Directors acknowledges and accepts its responsibility to set fares, administer a single, unified NJ TRANSIT operating budget, and that the Board recognizes its responsibility to accept and manage State and Federal Transit Administration assistance; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is hereby authorized to continue or enter into any agreements and expend funds in order to continue NJ TRANSIT's Private Carrier Capital Improvement Program, bus maintenance, debit and credit card processing and settlement services, marketing programs, and provide substitute service in support of NJ TRANSIT's capital program and for service interruptions, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to provide local share and other in-kind services or act as a pass-through agency for Federal or State capital or operating funds subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to expend, in the normal course of business, the funds necessary to meet NJ TRANSIT's obligations, essentially in accordance with this Fiscal Year 2020 Operating Budget item, resolution and attachments and until the adoption and approval of the Fiscal Year 2021 Operating Budget.

EXHIBIT A**FISCAL YEAR 2020 – OPERATING BUDGET
RESOURCES****Total Resources** **\$2,391.0 million**

NJ TRANSIT resources are budgeted at \$2.391 billion, reflecting a net increase of \$75 million or 3.2 percent compared to the FY19 Operating Budget.

Specific assumptions are described below:

Farebox Revenue **\$985.8 million**

The FY20 Operating Budget includes passenger revenue of \$985.8 million, which is flat from the FY19 Operating Budget. Passenger fares are expected to stabilize after accounting for the rail discounts provided in FY19 as a result of service adjustments, which are also spilling into FY20 due to the Amtrak repairs at New York Penn Station.

Other Commercial Revenue **\$117.5 million**

Other commercial revenues are budgeted at \$117.5 million. This revenue includes advertising, parking and concessions, permit fees and other system generated revenue including transit-oriented development initiatives.

State Operating Subsidy **\$457.5 million**

The State's operating subsidy is budgeted at \$457.5 million in FY20, an increase of \$150.0 million over FY19. This level of support replaces \$75 million in non-recurring diversions and provides another \$75 million to make necessary investments in the workforce, training programs, and direct service to improve the customer experience.

Other Reimbursements **\$830.2 million**

Other reimbursements are budgeted at \$830.2 million in FY20. The largest component is comprised of \$460.8 million in capital maintenance funding (i.e., capital-to-operating transfer), which is \$50 million less than the FY19 amount. Capital maintenance supports major repair and rehabilitation projects including axle replacements, pantograph conversions, traction motor repairs, repairing engines, transmissions and alternators. These non-routine maintenance projects not only extend the useful life of the asset being repaired, but also help to keep those assets in a state of good repair.

Other sources of funding include \$129.0 million from the NJ Turnpike Authority, which is \$25 million less than the amount provided in FY19, and an allocation from the State's Clean Energy Fund of \$82.1 million. The remaining \$158.3 million includes other State, federal, and third-party funding primarily for planning and expense projects.

EXHIBIT B**FISCAL YEAR 2020 – OPERATING BUDGET
EXPENSES**

Total Expenses **\$2,391.0 million**
NJ TRANSIT expenses are budgeted at \$2.391 billion, an increase of \$75.0 million or 3.2 percent compared to the FY19 Operating Budget.

Labor and Fringe Benefits **\$1,466.4 million**
Labor and fringe benefits are budgeted at \$1.466 billion and represent approximately 61 percent of the total operating expenses. This increase includes incremental funding to support contractual labor costs, expansion of the locomotive engineer and assistant conductor training programs, and 157 new positions primarily for providing service enhancements that improve the customer experience.

The total labor and fringe benefits growth is slightly offset by \$10 million in health benefit reform savings, largely from new provider contracts, shifting to the National Preferred Formulary for drug medications, and implementing compound drug and opioid management controls.

Purchased Transportation **\$252.2 million**
Purchased transportation expenses are budgeted at \$252.2 million for existing Access Link, Light Rail, and Private Carrier Bus contracts. These costs represent 11 percent of the total operating expenses.

All Other Expenses **\$672.4 million**
All other expenses, which are mostly comprised of materials and supplies, outside services, fuel and power, utilities and tolls/trackage, are budgeted at \$672.4 million. These costs represent the remaining 28 percent of the total operating expenses. The breakout for these costs are: Services – \$155.3 million, Materials & Supplies – \$184.3 million, Fuel & Power – \$107.4 million, Utilities – \$46.6 million, Tolls & Trackage Fees – \$90.1 million, Claims & Insurance – \$35.2 million, and Other/Miscellaneous – \$53.5 million. Consistent with FY19, NJT's fuel and utility costs continue to be partially funded with an \$82.1 million reimbursement from the State's Clean Energy Fund.

EXHIBIT C

**NEW JERSEY TRANSIT CONSOLIDATED OPERATIONS
FISCAL YEAR 2020 Proposed Operating Budget
(\$ in millions)**

	FY 2019	FY 2020	Difference	
	Budget	Budget	\$	%
<u>REVENUES:</u>				
Farebox Revenue	\$985.8	\$985.8	\$0.0	0.0%
Other Commercial Revenue	\$117.5	\$117.5	\$0.0	0.0%
State Operating Subsidy	\$307.5	\$457.5	\$150.0	48.8%
Other Reimbursements	\$905.2	\$830.2	(\$75.0)	-8.3%
TOTAL RESOURCES	\$2,316.0	\$2,391.0	\$75.0	3.2%
<u>EXPENSES:</u>				
Labor and Fringe Benefits	\$1,394.4	\$1,466.4	\$72.0	5.2%
Purchased Transportation	\$252.2	\$252.2	\$0.0	0.0%
All Other Expenses	\$669.4	\$672.4	\$3.0	0.4%
TOTAL EXPENSES	\$2,316.0	\$2,391.0	\$75.0	3.2%



**FY20 OPERATING BUDGET
RECOMMENDATION**



OPERATING BUDGET HIGHLIGHTS

Governor Murphy signed a budget that provides a historic level of State Assistance to NJ TRANSIT, continuing the rebuilding process and reinvestment in mass transit through renewed customer focus and service reliability.



➤ **FY20 Budget – \$2.391 billion**

- \$75 million net increase, or 3.2%, over FY19
- No fare hike in FY20
- \$150 million increase in the State Operating Subsidy
- \$75 million reduction in non-recurring diversions
- Total State Assistance of \$668.6 million is up by \$241.6 million, or 57%, over the course of the Murphy administration

➤ **Budget Themes**

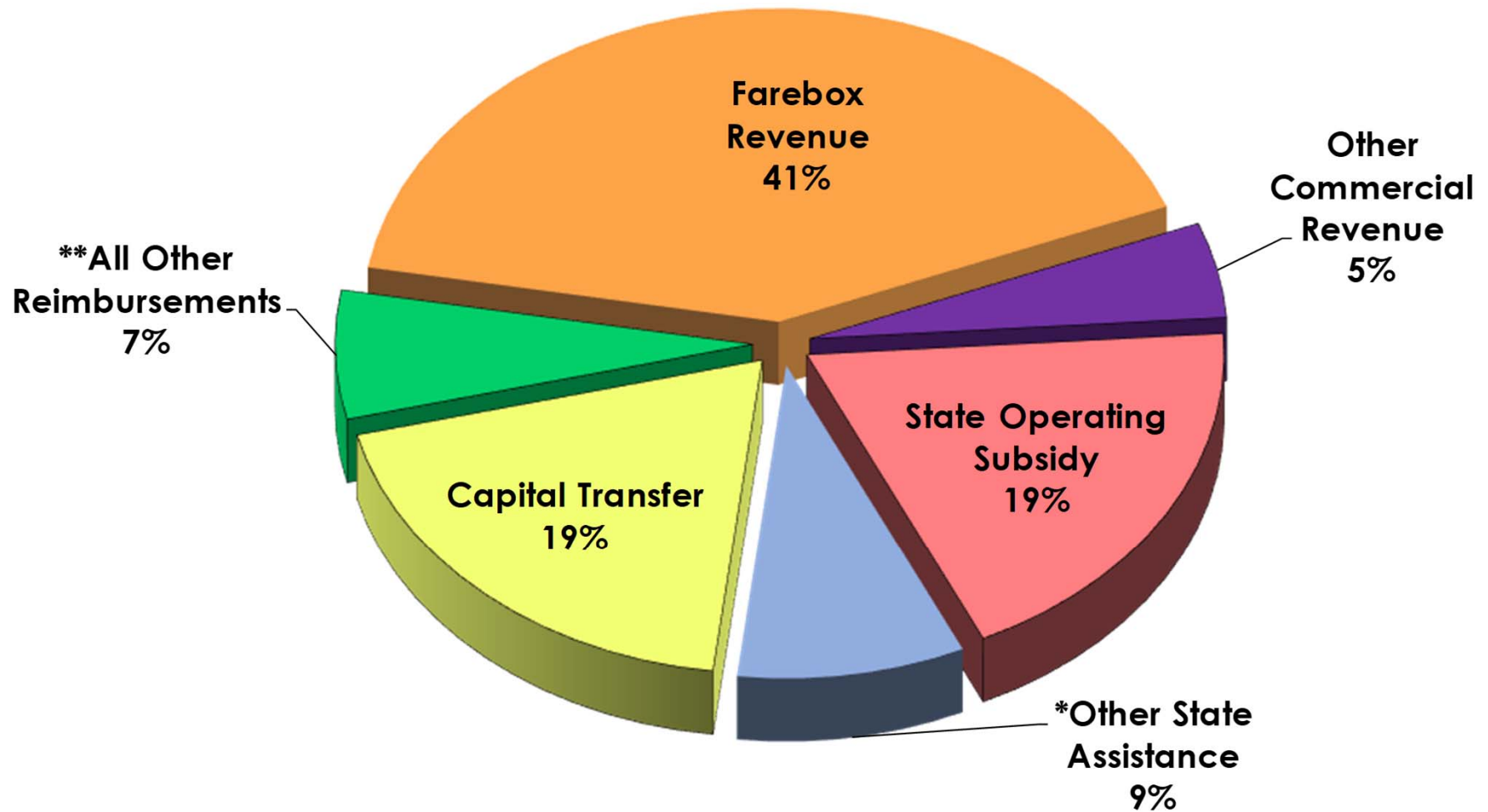
- Improving the customer experience
- Investing in the NJT workforce
- Meeting legal mandates
- Reducing reliance on diversions



OVERALL OPERATING BUDGET

<i>(\$ in millions)</i>	FY19 Budget	FY20 Budget	\$ Chg	% Chg
RESOURCES				
Farebox Revenue	\$ 985.8	\$ 985.8	\$--	--%
Other Commercial Revenue	117.5	117.5	--	--
State Operating Subsidy	307.5	457.5	150.0	48.8
Other Reimbursements	905.2	830.2	(75.0)	-8.3
TOTAL RESOURCES	\$ 2,316.0	\$2,391.0	\$75.0	3.2%
EXPENSES				
Labor & Fringe Benefits	\$1,394.4	\$1,466.4	\$72.0	5.2%
Purchased Transportation	252.2	252.2	--	--
All Other Expenses	669.4	672.4	3.0	0.4
TOTAL EXPENSES	\$2,316.0	\$2,391.0	\$75.0	3.2%

FY20 RESOURCES – BREAKDOWN



* "Other State Assistance" includes funding from the New Jersey Turnpike Authority and the State's Clean Energy Fund.

** "All Other Reimbursements" includes other State, federal and third-party funding primarily for planning and expense projects.

FY20 RESOURCES – HIGHLIGHTS

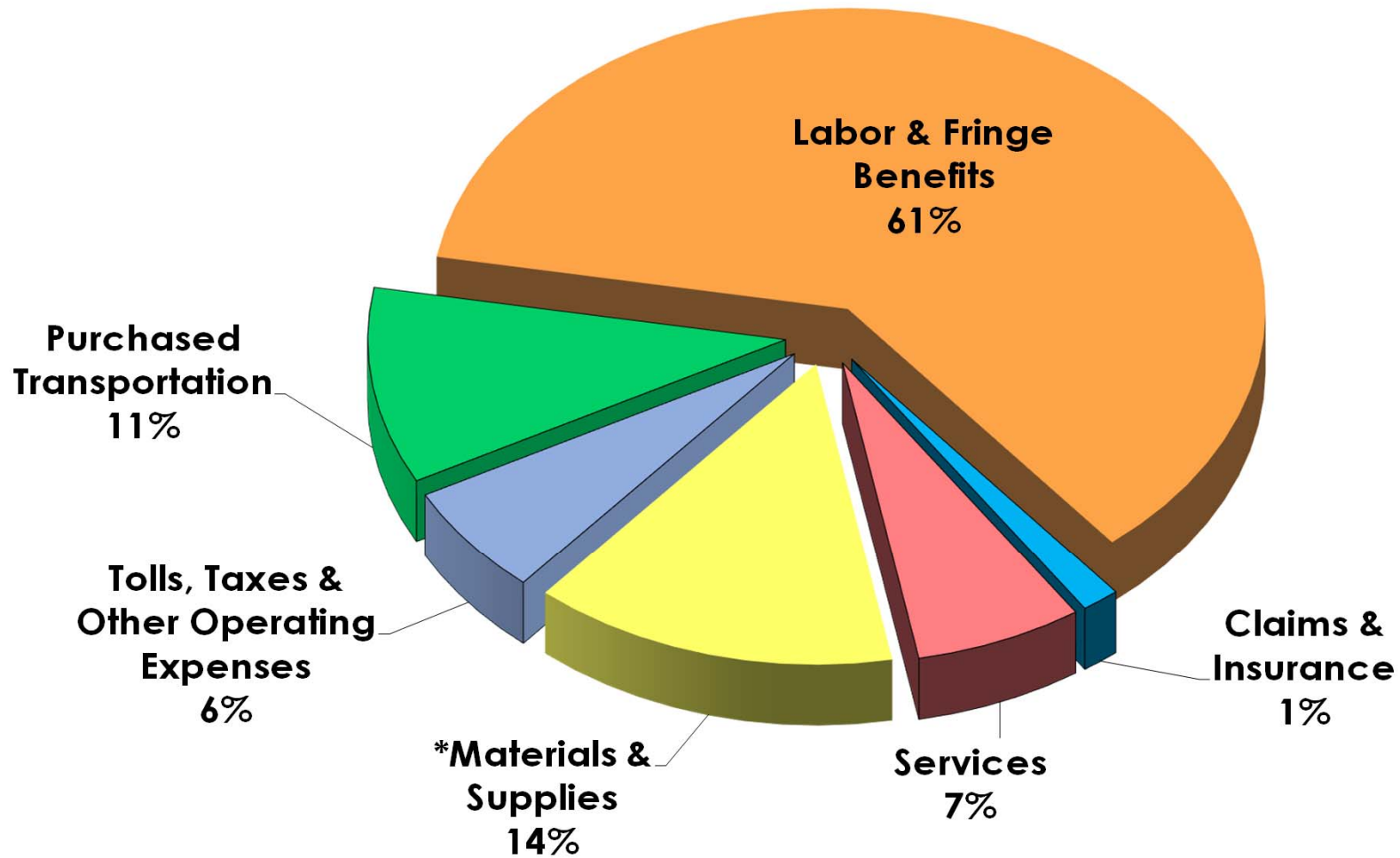
FAREBOX REVENUE <i>\$985.8 million</i>	<ul style="list-style-type: none"> ➤ <u>No fare increase in FY20</u> ➤ Flat from FY19 and expected to stabilize after significant Rail discounts in FY19
OTHER COMMERCIAL REVENUE <i>\$117.5 million</i>	<ul style="list-style-type: none"> ➤ Other system-generated revenue consistent ➤ Recent parking and transit-oriented development initiatives have helped in meeting the revenue budget
STATE OPERATING SUBSIDY <i>\$457.5 million</i>	<ul style="list-style-type: none"> ➤ Increase of \$150m over FY19, from \$307.5m to \$457.5m ➤ \$75m of the total increase replaces the reduction in Other Reimbursements outlined below
OTHER REIMBURSEMENTS <i>\$830.2 million</i>	<ul style="list-style-type: none"> ➤ \$75m total reduction in non-recurring diversions from FY19 ➤ Includes the elimination of a \$50m payment from the TTF and a \$25m reduction in funding from the Turnpike Authority

OPERATING BUDGET DIVERSIONS

<i>(\$ in millions)</i>	FY19 Budget	FY20 Budget	\$ Chg	% Chg
DIVERSIONS*				
Capital Transfer	\$ 510.8	\$460.8	(\$50.0)	-9.8%
Turnpike Funding	154.0	129.0	(25.0)	-16.2
Clean Energy Fund	82.1	82.1	--	--
TOTAL DIVERSIONS	\$746.9	\$671.9	(\$75.0)	-10.0%
<i>* All diversions are budgeted under "Other Reimbursements".</i>				

- Diversions make up \$671.9m, or 28% of the FY20 Operating Budget
- The FY20 reduction in diversions is offset by the increase in the State Operating Subsidy

FY20 EXPENSES – BREAKDOWN



* "Materials & Supplies" includes materials, fuel and propulsion, and utility costs.

FY20 EXPENSES – HIGHLIGHTS

<p>LABOR & FRINGE BENEFITS</p> <p><i>\$1,466.4 million</i></p>	<ul style="list-style-type: none"> ➤ 157 new staff, largely in the form of direct service enhancements ➤ Funding to support the expansion of Rail training programs in LETP and ACTP ➤ Total labor and fringe benefit growth, inclusive of \$35m in contractual labor costs, is offset by \$10m in health benefit reforms
<p>PURCHASED TRANSPORTATION</p> <p><i>\$252.2 million</i></p>	<ul style="list-style-type: none"> ➤ Includes funding for privately operated services such as Access Link, two Light Rail systems, and Private Carrier Bus contracts ➤ Escalation growth offset by recurring budget savings
<p>ALL OTHER EXPENSES</p> <p><i>\$672.4 million</i></p>	<ul style="list-style-type: none"> ➤ Includes materials/supplies, outside services, fuel & propulsion, utilities, claims & insurance, tolls & trackage ➤ Increase of \$3m over FY19 due to Amtrak PRIIA agreement ➤ Total Amtrak operating payments of \$107m in FY20

FY20 EXPENSES – NEW INITIATIVES



The \$75 million budget increase supports....

➤ Improving the Customer Experience

- Additional service and staff in the following areas:
 - Bus and Light Rail service enhancements to alleviate overcrowding and improve on-time performance
 - Special Service into the Meadowlands for American Dream
 - Additional Access Link call center support in order to reduce customer wait times and improve trip scheduling
 - Expansion of the “Customer Experience Unit”, committed to listening and responding to passenger needs
 - Establishing a dedicated General Counsel group that can respond quickly to legal needs

FY20 EXPENSES – NEW INITIATIVES *cont.*



➤ Investing in the Workforce

- Funding to support the expansion of Rail's LETP & ACTP training programs including several classes for each program, equating to nearly 200 trainee hires in FY20
- Police Department expansion for improved system patrol
- Staff to conduct more frequent random rides for improved system safety assessments

➤ Meeting Mandates

- Continual investment in PTC to meet the system implementation deadline
- Quinquennial study of financial management and budget reporting practices

FY20 OPERATING BUDGET RECAP



➤ Operating Budget – \$2.391 billion

- \$75 million net increase, or 3.2%, over FY19
- No fare hike in FY20
- State Operating Subsidy – \$150 million increase over FY19, from \$307.5 million to \$457.5 million
- Non-recurring diversions – \$75 million reduction over FY19, from \$746.9 million to \$671.9 million
- Total State Assistance – \$668.6 million in FY20, which is \$241.6 million or 57% higher under the Murphy administration

FY20 OPERATING BUDGET RECAP *cont.*



➤ **Budgeted Headcount – 11,870**

- An additional 157 staff, or 1.3% over FY19
- Headcount increases largely for direct service enhancements
- Significant strides in filling vacancies (vacancy rate of 4.9% in July 2018 vs 2.7% in June 2019) and reallocating vacancies across the organization to meet the most pressing needs

➤ **Continues the reinvestment and progress towards rebuilding mass transit through the customer's eyes**

ITEM 1907-36: NJ TRANSIT FISCAL YEAR 2020 CAPITAL PROGRAM

WHEREAS, the Fiscal Year 2020 Capital Program will address the needs of existing transit riders by ensuring system reliability and safety through state-of-good-repair investments, addressing system capacity demands, and investing in planned system expansion; and

WHEREAS, NJ TRANSIT's \$1.423 billion Fiscal Year 2020 Capital Program calls for continued investment in the State's transit infrastructure to maintain a state of good repair and provide reliable transit service; and

WHEREAS, the Capital Program includes comprehensive, sustainable, and measurable initiatives to ensure passenger and public safety for the system; and

WHEREAS, an emphasis on better preparing NJ TRANSIT to withstand, and recover from, future extreme weather events through building a more resilient system remains a key focus of the Capital Program; and

WHEREAS, NJ TRANSIT also looks to the future through system expansion that will improve access to mass transit and support continued economic development; and

WHEREAS, the Capital Program invests in railroad bridge rehabilitation, track replacement, signal upgrades, repairs to overhead power lines and electric substations, improvements to rail stations, and bus shelter upgrades; and

WHEREAS, funding also is provided to augment security; and

WHEREAS, the Capital Program continues its investment into the state of good repair of the Northeast Corridor for both infrastructure and station modernization; and

WHEREAS, each year NJ TRANSIT's Board of Directors adopts a Capital Program for the upcoming year to enable staff to take the actions necessary to seek and secure capital funding which advances established priorities; and

WHEREAS, \$19 million will be invested in Bus Infrastructure, which includes \$13 million for parking deck replacement and \$4 million for bus passenger facilities improvements; and

WHEREAS, \$107 million will be invested in Bus Rolling Stock including, \$7 million for Access Link Bus Replacement, and \$100 million for Cruiser Bus Replacement; and

WHEREAS, \$65 million will be invested in Capital Lease for Passenger Rail Investment & Improvement Act (PRIIA) payments to Amtrak; and

WHEREAS, \$19 million will be invested in Light Rail projects including, \$8 million for HBLR Westside Sewer Replacement, \$7.7 million for Newark Light Rail Improvements, and \$2 million for River Line Capital Asset replacement;

WHEREAS, \$48 million will be invested in Other capital improvements including \$8.6 million for Emergency Response, \$5.4 million for Study and Development, and \$21.1 million for Technology & Customer Service improvements; and

WHEREAS, \$44 million will be invested in Rail Expansion, including \$33 million for Hudson- Bergen LRT Northern Extension, and \$8.8 million for Lackawanna Cut-off-Port-Morris-Andover, and \$2 million for Transit Rail Initiatives such as engineering work to support the Glassboro to Camden Line; and

WHEREAS, \$326 million will be invested in Rail Infrastructure Improvement needs, including \$58 million for bridges – which includes \$41 million for Raritan River Bridge Replacement, \$24 million to fund electric traction and signal improvements on the railroad, \$95 million for the County Yard Extension, \$18 million to fund the Track Program, \$20 million for NJ TRANSITGRID, \$36 million for Mason Building 9 Substation Replacement, and \$51 million for Portal Bridge North; and

WHEREAS, \$94 million will be invested in Rail Rolling Stock including, \$17 million to continue funding for Fleet overhauls to maintain reliability, and \$75 million for the purchase of 113 Multilevel III vehicles;

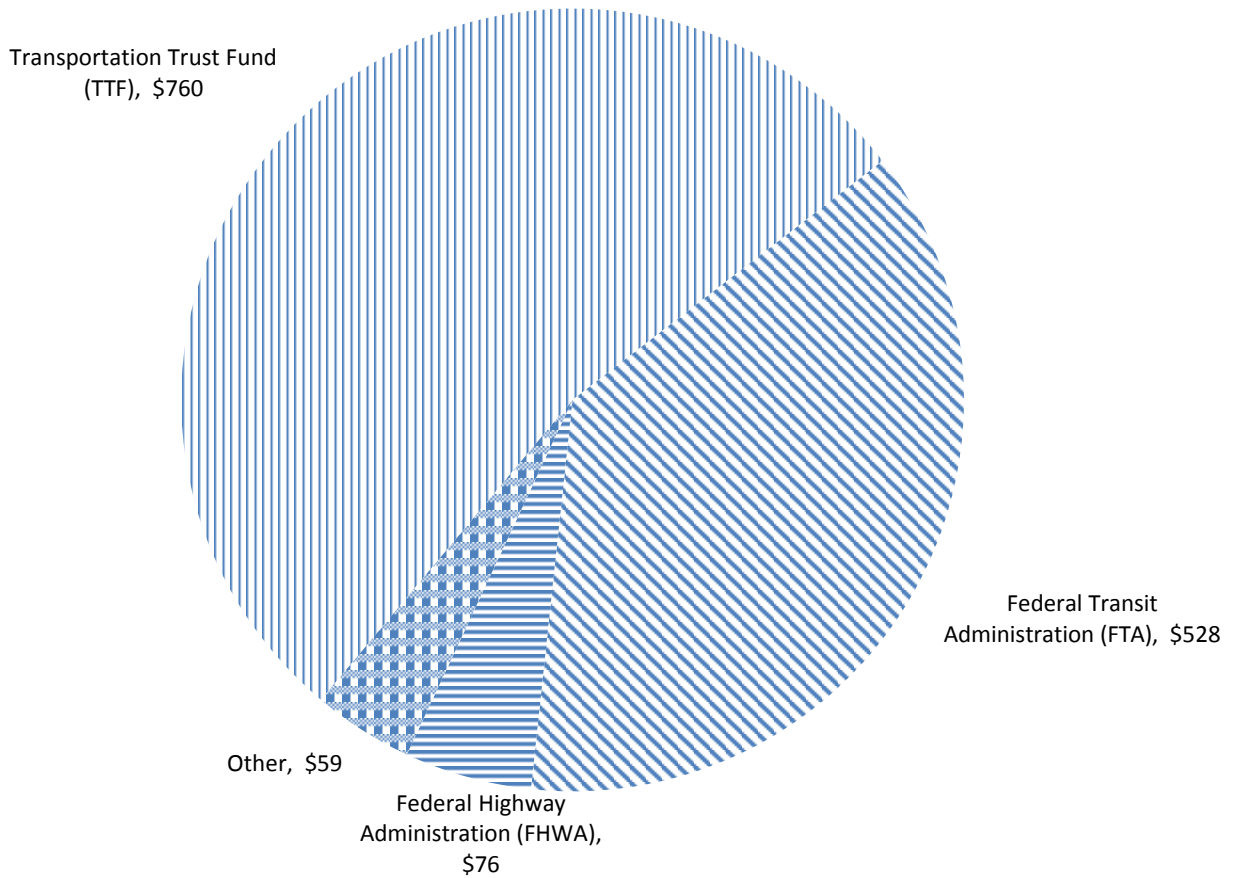
NOW, THEREFORE, BE IT RESOLVED that the NJ TRANSIT Board of Directors adopts the Fiscal Year 2020 Capital Program in the amount of \$1.423 billion; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to take whatever actions are necessary to seek and secure the funds envisioned by this program; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to transfer funding sources and amounts among programmed projects as circumstances require in compliance with the terms and conditions of the grants and other funding sources; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to make application, execute contracts or agreements, and take whatever other actions are necessary to seek and secure funds, consistent with the basic intent of this program, which may become available subsequent to its adoption.

ATTACHMENT 1
NJ TRANSIT
FY20 CAPITAL PROGRAM
Sources of Funds
\$1.423 Billion



DRAFT NJ TRANSIT CAPITAL PROGRAM
(\$ in Millions)

2020	PRINTSID	PROJECT NAME	----- FEDERAL FUNDING -----							----- OTHER -----			SANDY 5324	CMAQ LOCAL INITIATIVE	2020 TOTAL	
			URBAN 5307	SOGR 5337	BUS FAC 5339	ELDERLY/ DISABLED/ NF 5310	RURAL 5311	FFGA	FHWA	STP- TE	STATE	JARC/ OTHER/ DHS				METRO-N
		ADA - Platforms/Stations - T143	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.500	0.000	0.000	0.000	0.000	0.000	0.500
		Bridge and Tunnel Rehabilitation - T05	0.000	0.000	0.000	0.000	0.000	0.000	0.000	57.937	0.000	0.000	0.000	0.000	0.000	57.937
		Bus Acquisition Program - T111	0.000	0.000	0.000	0.000	0.000	0.000	0.000	120.754	0.000	0.000	0.000	0.000	0.000	120.754
		Bus Passenger Facilities/Park and Ride - T06	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.800	0.000	0.000	0.000	0.000	0.000	0.800
		Bus Support Facilities and Equipment - T08	0.000	0.000	12.540	0.000	0.000	0.000	0.000	4.930	0.000	0.000	0.000	0.000	0.000	17.470
		Camden-Glassboro Light Rail Line - T302	0.000	0.000	0.000	0.000	0.000	0.000	0.000	2.000	0.000	0.000	0.000	0.000	0.000	2.000
		Capital Ferry Improvement Program - T700	0.000	0.000	0.000	0.000	0.000	0.000	0.000	6.500	0.000	0.000	0.000	0.000	0.000	6.500
		Capital Program Implementation - T68	0.000	0.000	0.000	0.000	0.000	0.000	0.000	21.470	0.000	0.000	0.000	0.000	0.000	21.470
		Casino Revenue Fund - T515	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	18.508	0.000	0.000	18.508
		Cumberland County Bus Program - T170	1.020	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	1.020
		Environmental Compliance - T16	0.000	0.000	0.000	0.000	0.000	0.000	0.000	3.000	0.000	0.000	0.000	0.000	0.000	3.000
		High Speed Track Program - T43	0.000	0.000	0.000	0.000	0.000	0.000	0.000	1.000	0.000	0.000	0.000	0.000	0.000	1.000
		Hudson-Bergen and Newark LRT System - T87	0.000	0.000	0.000	0.000	0.000	0.000	0.000	1.270	0.000	0.000	0.000	0.000	0.000	1.270
		Hudson-Bergen LTR Northern Extension - T301	0.000	0.000	0.000	0.000	0.000	0.000	0.000	33.000	0.000	0.000	0.000	0.000	0.000	33.000
		Immediate Action Program - T20	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.659	0.000	0.000	0.000	0.000	0.000	7.659
		Lackawanna Cutoff MOS Project - T535	8.844	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	8.844
		Light Rail Infrastructure Improvements - T95	0.000	0.000	0.000	0.000	0.000	0.000	0.000	17.675	0.000	0.000	0.000	0.000	0.000	17.675
		Locomotive Overhaul - T53E	0.000	0.000	0.000	0.000	0.000	0.000	0.000	7.603	0.000	0.000	0.000	0.000	0.000	7.603
		Miscellaneous - T122	0.000	0.000	0.000	0.000	0.000	0.000	0.000	4.500	0.000	0.000	0.000	0.000	0.000	4.500
		NEC Elizabeth Rail Station Improvements - T600	0.000	0.000	0.082	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.082

2020 PRINTSID	PROJECT NAME	FEDERAL FUNDING								OTHER			SANDY 5324	CMAQ LOCAL INITIATIVE	2020 TOTAL	
		URBAN 5307	SOCR 5337	BUS FAC 5339	ELDERLY/ DISABLED/ NF 5310	RURAL 5311	FFGA	FHWA	STP- TE	STATE	JARC/ OTHER/ DHS	METRO-N				OTHER
NEC Improvements - T44		19.710	22.850	0.000	0.000	0.000	0.000	0.000	0.000	116.981	0.000	0.000	0.000	0.000	0.000	159.541
New Brunswick Station Platform Ext. and Elevator Imprvmts(Liberty Corridor) - T532		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
New CMAQ Bus and Rail Services - T126		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Other Rail Station/Terminal Improvements - T55		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	8.810	0.000	0.000	0.000	0.000	0.000	8.810
Physical Plant - T121		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	1.670	0.000	0.000	0.000	0.000	0.000	1.670
Portal Bridge North - T538		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	26.493	0.000	0.000	25.000	0.000	0.000	51.493
Preventive Maintenance-Bus - T135		112.690	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	112.690
Preventive Maintenance-Rail - T39		82.281	163.049	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	245.330
Private Carrier Equipment Program - T106		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	4.000	0.000	0.000	0.000	0.000	0.000	4.000
Rail Capital Maintenance - T34		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	98.800	0.000	0.000	0.000	0.000	0.000	98.800
Rail Fleet Overhaul - T53G		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	9.629	0.000	0.000	0.000	0.000	0.000	9.629
Rail Rolling Stock Procurement - T112		72.167	0.000	0.000	0.000	0.000	0.000	75.000	0.000	68.885	0.000	0.000	0.000	0.000	0.000	216.052
Rail Support Facilities and Equipment - T37		2.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	10.020	0.000	0.690	12.854	0.000	0.000	25.564
Safety Improvement - T509		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	1.000	0.000	0.000	0.000	0.000	0.000	1.000
Section 5310 Program - T150		0.000	0.000	0.000	7.300	0.000	0.000	0.000	0.000	1.500	0.000	0.000	0.000	0.000	0.000	8.800
Section 5311 Program - T151		0.000	0.000	0.000	0.000	4.300	0.000	0.000	0.000	0.100	0.000	0.000	1.900	0.000	0.000	6.300
Security Improvements - T508		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	2.610	0.000	0.000	0.000	0.000	0.000	2.610
Signals and Communications/Electric Traction Systems - T50		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	67.221	0.000	0.000	0.000	0.000	0.000	67.221
Small/Special Services Program - T120		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	1.473	0.000	0.000	0.000	0.000	0.000	1.473
Study and Development - T88		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	5.410	0.000	0.000	0.000	0.000	0.000	5.410
Technology Improvements - T500		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	23.550	0.000	0.000	0.000	0.000	0.000	23.550

2020 PRINTSID	PROJECT NAME	----- FEDERAL FUNDING -----								----- OTHER -----				SANDY 5324	CMAQ LOCAL INITIATIVE	2020 TOTAL
		URBAN 5307	SOCR 5337	BUS FAC 5339	ELDERLY/ DISABLED/ NF 5310	RURAL 5311	FFGA	FHWA	STP- TE	STATE	JARC/ OTHER/ DHS	METRO-N	OTHER			
Track Program - T42		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	18.000	0.000	0.000	0.000	0.000	0.000	18.000
Transit Enhancements - T210		9.548	6.049	3.078	0.000	0.000	0.000	0.000	1.000	0.000	0.000	0.000	0.000	0.000	0.000	19.675
Transit Rail Initiatives - T300		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	3.250	0.000	0.000	0.000	0.000	0.000	3.250
2020 Totals:		308.260	191.947	15.700	7.300	4.300	0.000	75.000	1.000	760.000	0.000	0.690	58.262	0.000	0.000	1,422.460



FY2020 PROPOSED
CAPITAL PROGRAM

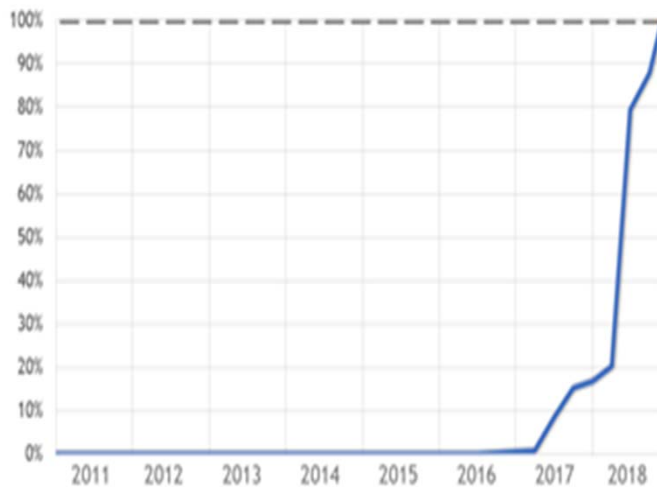


ROADMAP



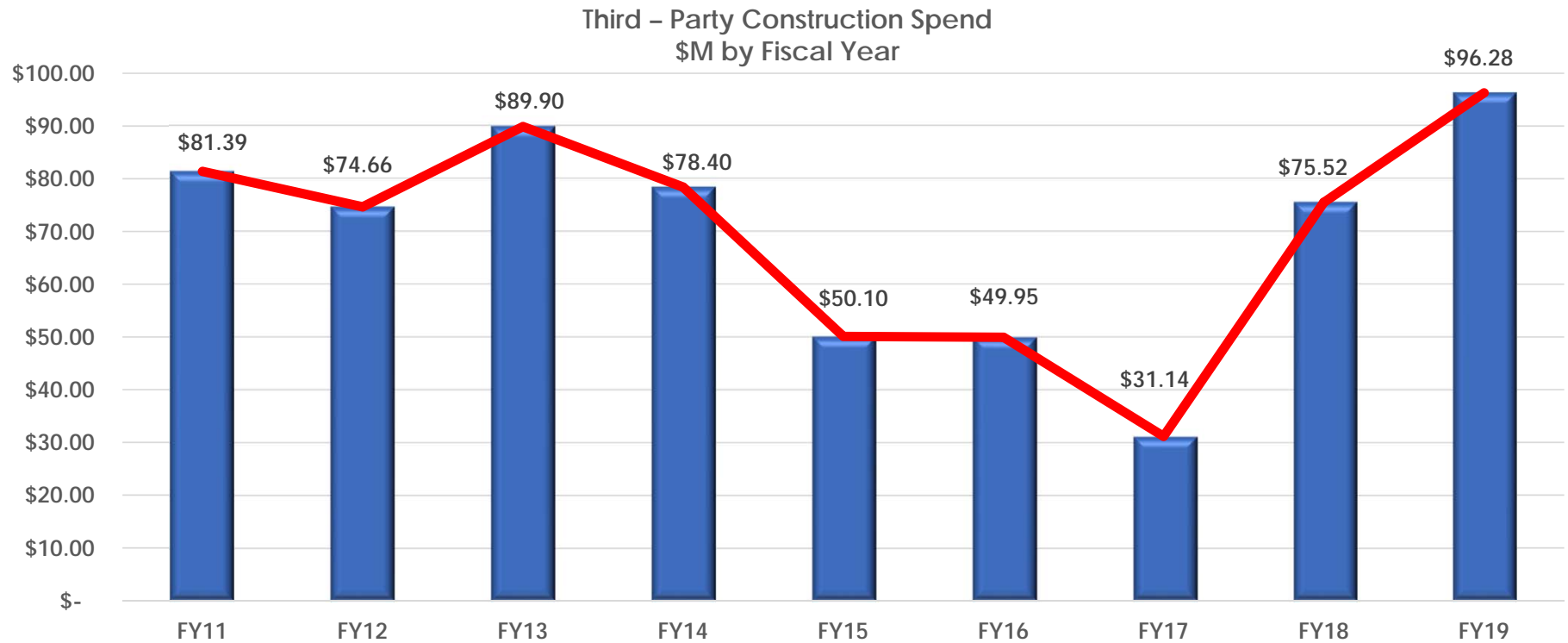
FY2019 ACCOMPLISHMENTS

NJ TRANSIT Positive Train Control Implementation Progress: 2011 - 2018



- Accelerated progress on **Positive Train Control (PTC)** implementation, and met the calendar 2018 year-end requirement.
- Continue moving forward with receipt of new rolling stock, reducing the age of the fleet and providing more customer-oriented amenities
 - Received 182 cruiser buses
 - Authorized 85 articulated buses
 - Under contract for the purchase of 113 next-generation Multilevel rail cars via Bombardier

FY2019 ACCOMPLISHMENTS



FY2019 Major Construction Milestones



- **Mason Substation**
 - The agency committed to a full replacement of this Sandy-damaged substation
 - Streamlined contracting, expedited process, and saved money on replacement costs through a partnership with PSE&G
 - 30% design milestone, estimated construction completion in 2021

FY2019 Major Construction Milestones



- **69th Street Bridge**
 - New grade crossing that will alleviate travel delays in North Bergen
 - Bridge opened in February 2019
 - \$59 million project expected to be completed by June 2019
 - Paves way for Northern Branch expansion of the HBLR

FY2019 Major Construction Milestones



- **Avandale Park and Ride**
 - Project projected to increase the number of parking spaces from 330 to 461 (131 increase)
 - Upgraded lighting and customer waiting areas
 - Improved bus circulation
 - \$7 million project

FY2019 Major Construction Milestones

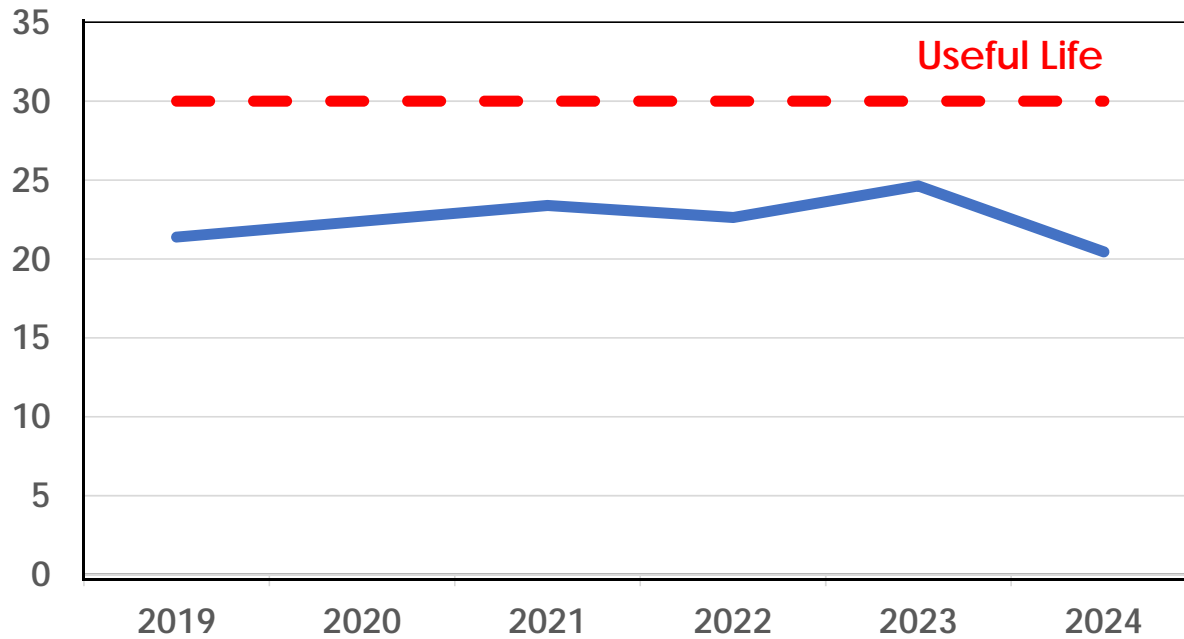


■ Hoboken Resiliency Project

- Replaced system damaged by Superstorm Sandy with 2 new boiler plants located above the base flood zone
- New system includes the replacement of the steam heating system, boilers, pumps, control equipment, piping, radiators and heater units
- New Ferry ticketing suite and employee facilities
- \$22 million dollar project

KEY PROJECTS & PROGRAMS: ENHANCE CUSTOMER EXPERIENCE

NJ TRANSIT Rail Fleet Average Age

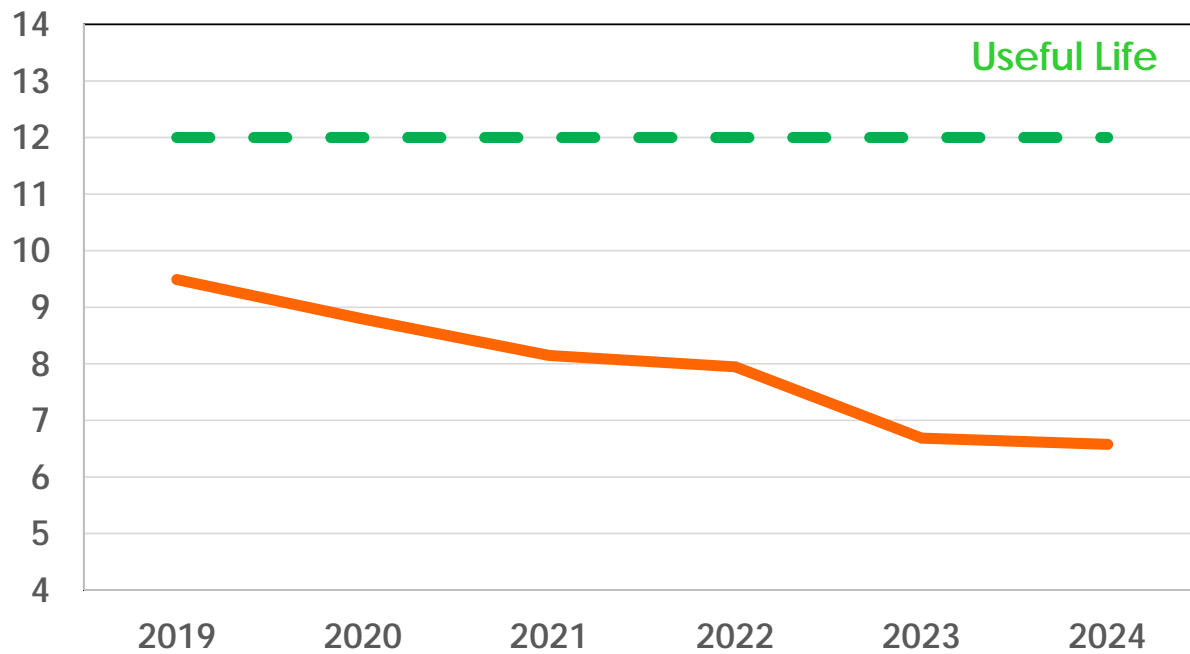


RAIL FLEET REPLACEMENT

- 113 Multilevel III Railcars
- 17 Dual-Powered Locomotives

KEY PROJECTS & PROGRAMS: ENHANCE CUSTOMER EXPERIENCE

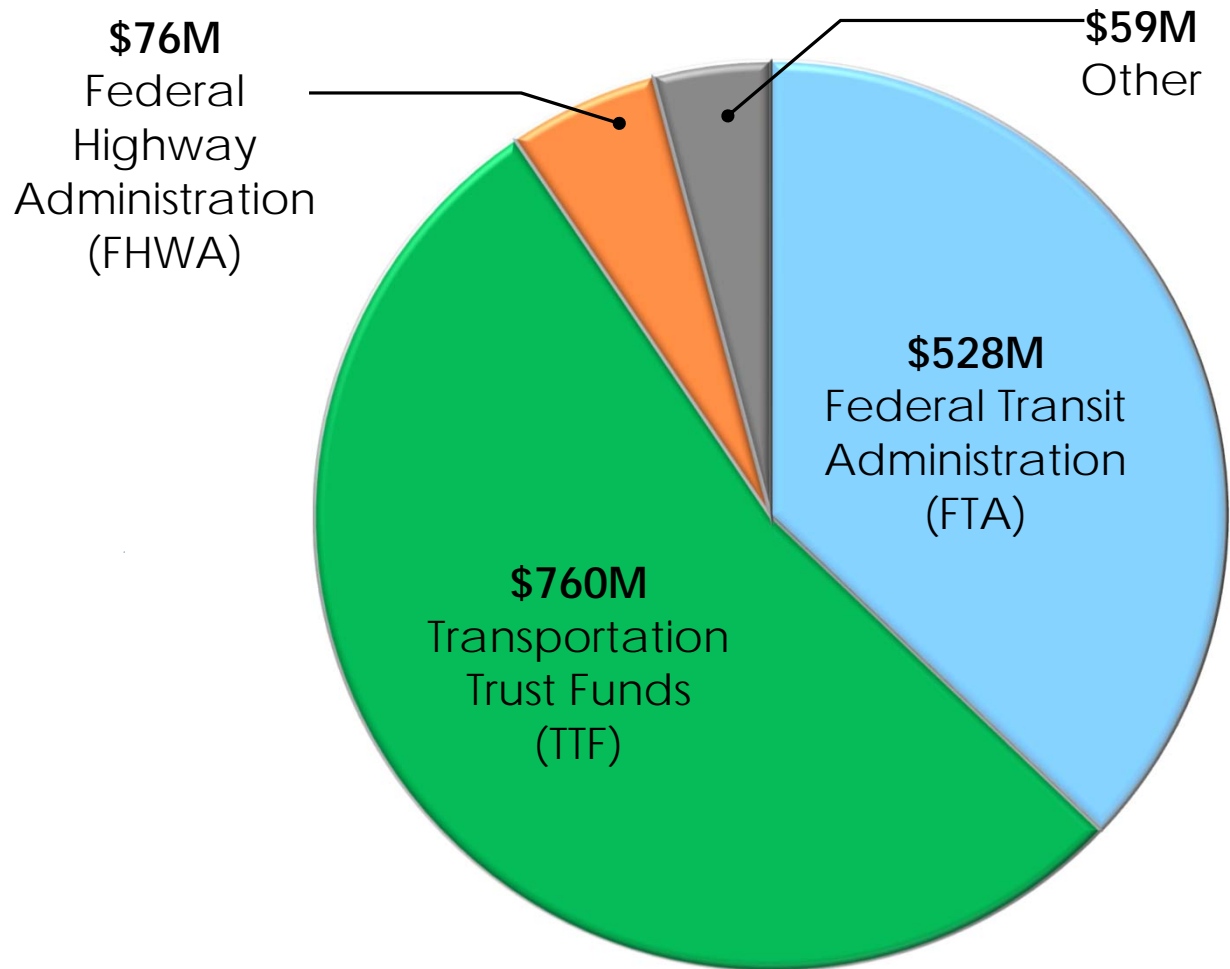
NJ TRANSIT Bus Fleet Average Age



BUS FLEET REPLACEMENT

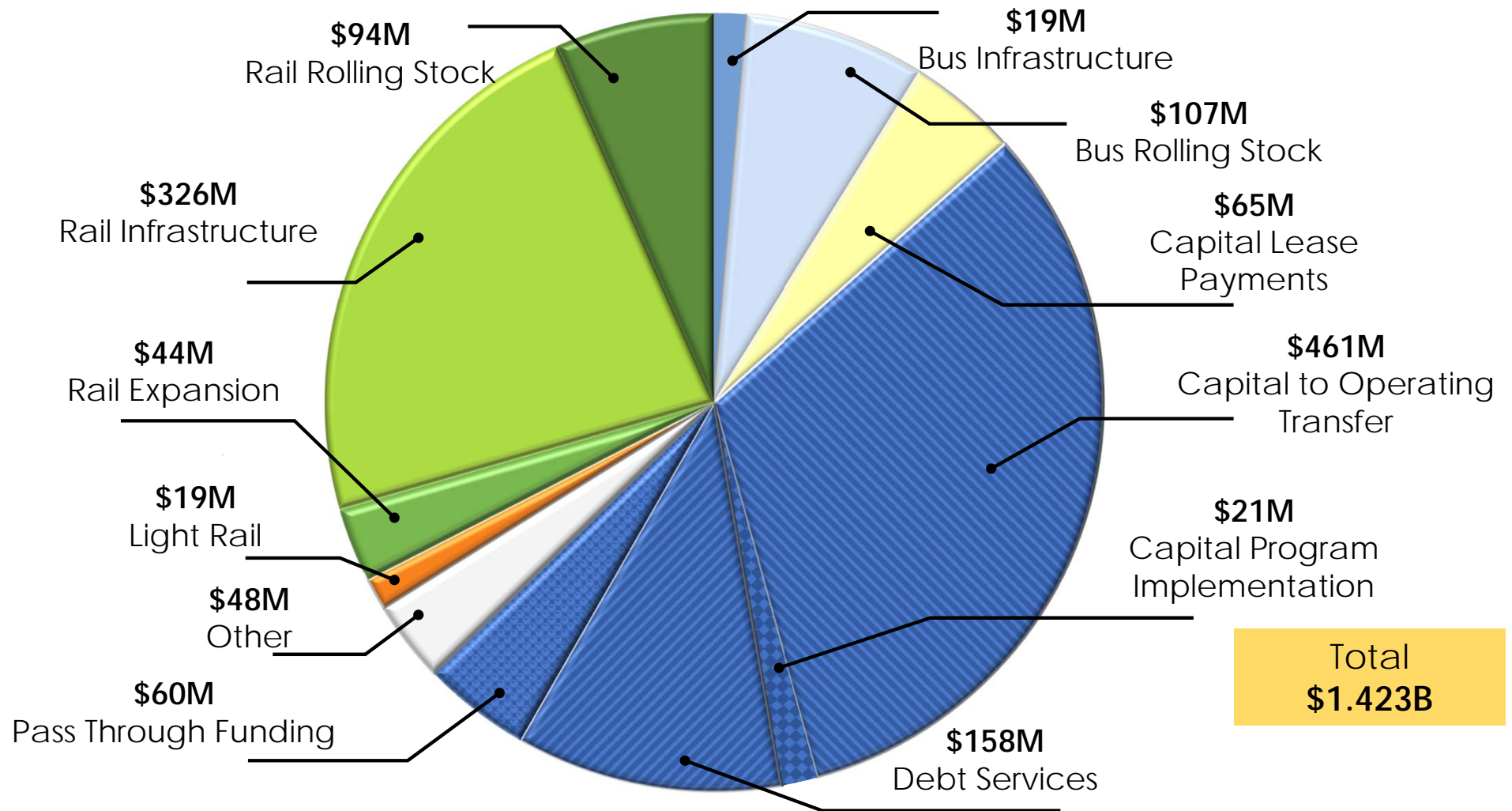
- 85 Articulated Buses
- 1,104 Cruiser Buses
- 8 Electric Buses

FY2020 CAPITAL PROGRAM SOURCE OF FUNDS



Total
\$1.423B

FY2020 CAPITAL PROGRAM PROPOSED USE OF FUNDS



FY 2020 STRATEGIC GOALS

- Protect the **Safety of Customers**
 - Enhance **Customer Experience**
 - Restore **Critical Infrastructure**
 - Prepare for the **Future**

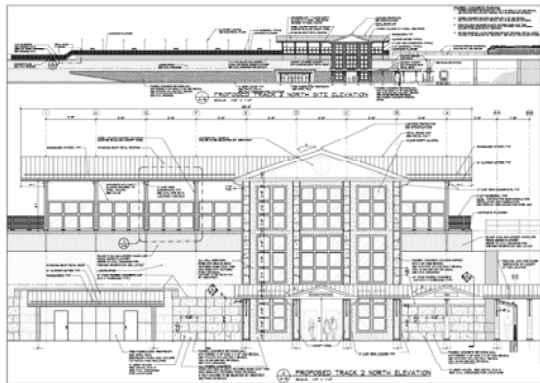
KEY PROJECTS & PROGRAMS: SAFETY OF CUSTOMERS

Station Revitalization



Construction Start	FY20 Authorization
Ongoing	\$4.000M

Capital Engineering & Design Services



Construction Start	FY20 Authorization
Ongoing	\$4.810M

KEY PROJECTS & PROGRAMS: ENHANCE CUSTOMER EXPERIENCE

Cruiser Bus Replacement



Notice to Proceed	FY20 Authorization	Total Project Cost
4Q15	\$99.716M	\$767.152M

Multilevel III Purchase



Notice to Proceed	FY20 Authorization	Total Project Cost
1Q19	\$75.000M	\$725.046M

KEY PROJECTS & PROGRAMS: ENHANCE CUSTOMER EXPERIENCE

Comet & Multilevel Vehicle HVAC Overhauls



Notice to Proceed

FY20
Authorization

Total
Project Cost

3Q19

\$9.629M

\$16.362M

KEY PROJECTS & PROGRAMS: ENHANCE CUSTOMER EXPERIENCE

Fare Modernization Project



Notice to Proceed	FY20 Authorization	Total Project Cost
1Q18	\$7.300M	\$37.085M

Elizabeth Intermodal Station Reconstruction



Notice to Proceed	FY20 Authorization	Total Project Cost
4Q18	\$.082M	\$71.178M

KEY PROJECTS & PROGRAMS: RESTORE CRITICAL INFRASTRUCTURE

Traction Power High Voltage Substation Circuit Breaker Replacement



Projected Notice to Proceed	FY20 Authorization	Total Project Cost
1Q21	\$12.854M	\$39.924M

Maplewood General Office Building Parking Deck Replacement



Projected Notice to Proceed	FY20 Authorization	Total Project Cost
2Q21	\$12.540M	\$35.515M

KEY PROJECTS & PROGRAMS: RESTORE CRITICAL INFRASTRUCTURE

Raritan River Bridge Replacement



Projected Notice to Proceed	FY20 Authorization	Total Project Cost
1Q20	\$41.307M	\$595.083M

KEY PROJECTS & PROGRAMS: PREPARE FOR THE FUTURE

Mason Substation



Notice to Proceed	FY20 Authorization	Total Project Cost
1Q19	\$35.806M	\$132.000M

County Yard Expansion



Projected Notice to Proceed	FY20 Authorization	Total Project Cost
2Q20	\$94.499M	\$125.000M

KEY PROJECTS & PROGRAMS: PREPARE FOR THE FUTURE

HBLR Northern Branch Extension



Projected Notice to Proceed	FY20 Authorization	Total Project Cost
Pending Record of Decision	\$33.000M	\$109.651M

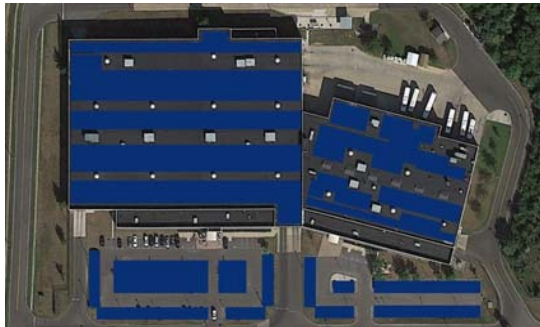
Glassboro to Camden Line Engineering



Projected Notice to Proceed	FY20 Authorization	Total Programmed Funding
Pending DEP Approval	\$2.000M	\$19.000M

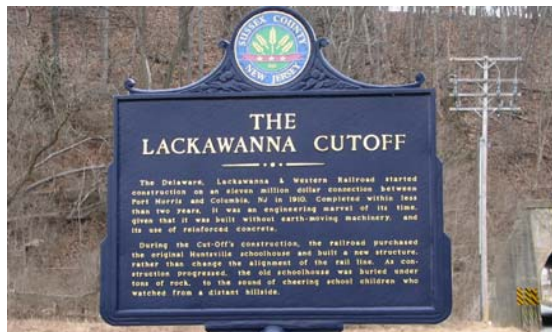
KEY PROJECTS & PROGRAMS: PREPARE FOR THE FUTURE

NJ TRANSITGRID



Projected Notice to Proceed	FY20 Authorization	Total Project Cost
1Q20	\$20.161M	\$577.353M

Lackawanna Cutoff — Port Morris-Andover



Projected Notice to Proceed	FY20 Authorization	Total Project Cost
2Q20	\$8.844M	\$61.624M

CAPITAL PROGRAMMING – DRIVEN BY NEED



Continue a multi-phased asset assessment of stations and facilities

Determine inventory, age and conditions of key assets for input into Facility Data Management System (FDMS)

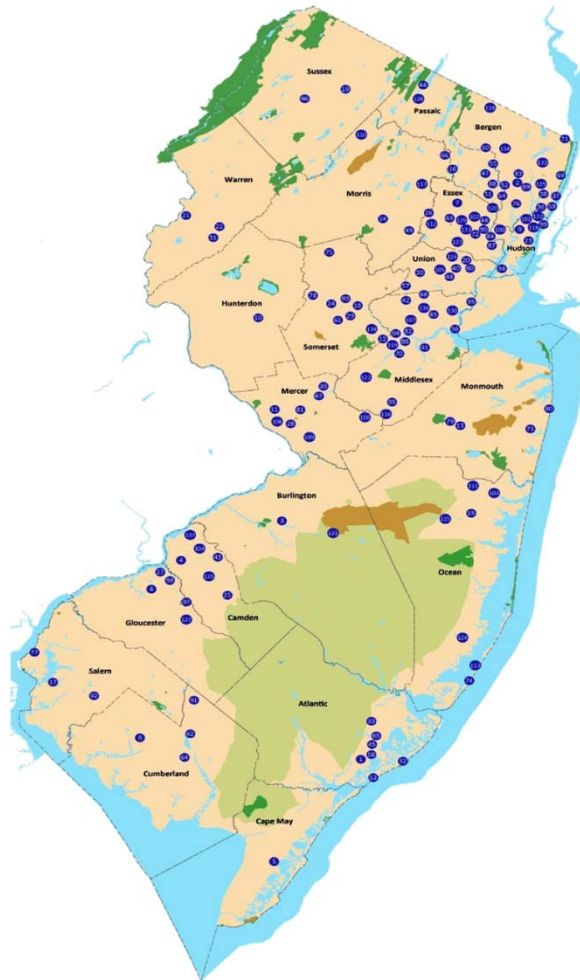
Formulate new prioritization methods to inform capital investment strategies and decisions

Allocate \$4 million to accelerate design and engineering of new capital projects

Award a program management organization contract to manage the deployment of an effective enterprise asset management system, as recommended by the North Highland Report

Build a robust internal management team to plan, design, manage and control future capital investments

LOCAL PROGRAM – ENHANCE CUSTOMER EXPERIENCE



Local Transportation

- More than 120 subrecipients statewide receive pass through grants under the SCDRTAP and FTA Section 5307, 5310, 5311 and CMAQ programs.
- Grants support specialized transportation services for senior citizens, persons with disabilities, rural and low-income residents.

ITEM 1907-37: NJ TRANSIT FISCAL YEAR 2020 GRANT PROGRAMS: LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL, AND LOW INCOME RESIDENTS

WHEREAS, NJ TRANSIT administers a variety of Federal and State grant programs dedicated to maintenance and development of coordinated community-based transportation services that benefit senior citizens, persons with disabilities, rural and small urban area residents; and

WHEREAS, the services funded through these grants provide non-emergency medical, employment, food shopping, education, and other life-enhancing transportation that include, but are not limited to, demand-responsive, route deviation services, and community shuttles; and

WHEREAS, NJ TRANSIT requires that grant subrecipients make every effort to coordinate services in order to maximize efficiency, and feed existing bus and rail services when possible; and

WHEREAS, NJ TRANSIT also monitors subrecipients for compliance with relevant Federal and State laws and regulations; and

WHEREAS, these programs assist a variety of private non-profit organizations, counties, municipalities, county improvement authorities, and NJ TRANSIT in meeting the mobility needs of New Jersey's senior citizens, person with disabilities, low income and rural residents; and

WHEREAS, the New Jersey Senior Citizen and Disabled Resident Transportation Assistance Act provides funding derived from casino revenue taxes for the counties or their designees to provide community-based transportation services, as well as for NJ TRANSIT to administer the program, to provide technical assistance to the counties, and accessible enhancement services or accessible improvements to fixed route systems; and

WHEREAS, the Federal Transit Administration (FTA) makes available, under the Section 5311 Rural and Small Urban Areas program, 80 percent of the non-operating assistance and 50 percent of the operating assistance to improve public transit services in rural areas, with NJ TRANSIT providing one-half of the local match; and

WHEREAS, the FTA requires 15 percent of a State's allocation of Section 5311 Rural Program to be spent for the development and support of rural intercity bus transportation unless the State certifies that such intercity bus needs of the State are adequately met; and

WHEREAS, the FTA makes available, under Section 5311(b)(3) Rural Transit Assistance Program (RTAP), funding without a matching fund requirement, for training and technical assistance to FTA Section 5311, FTA Section 5310, and Casino Revenue sub-recipients; and

WHEREAS, the FTA makes available, under Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program, 80 percent of funding for capital purchases for private non-profit organizations and/or designated public bodies to transport seniors and individuals with disabilities which includes vehicles and/ or mobility management projects, with NJ TRANSIT providing the 20 percent match, for vehicles and/or equipment; and

WHEREAS, up to 35 percent of the funds FTA makes available under Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program may be used for operating assistance, with 50 percent local match to be provided by the sub-recipient; and

WHEREAS, the New Jersey Department of Human Services has provided funding to address the needs of low income customers transitioning from welfare and/or seeking employment and this funding supplements NJ TRANSIT's New Jersey Job Access and Reverse Commute (NJ-JARC) program that has succeeded the Federal JARC program; and

WHEREAS, the FTA makes funds available under specially-dedicated Congressional appropriations, Congestion Mitigation Air Quality (CMAQ), Section 5307 Small Urban Cities, and Section 5309 Major Capital Investments, for the provision of operating, planning assistance and/or capital assistance with various matches provided by state, local agencies or toll credit for capital projects or equipment and/or local transit services that address the needs of community transit services; and

WHEREAS, the Senior Citizen and Disabled Resident Transportation Assistance Program Funding Distribution for the year 2020 is shown in Exhibit A; and

WHEREAS, the Section 5311 Rural and Small Urban Areas Program projected for the year 2020 is shown in Exhibit B; and

WHEREAS, the Grant Program totals for the year 2020 is shown in Exhibit C; and

WHEREAS, the Funding Sources for the year 2020 is shown in Exhibit D;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is hereby authorized to execute, extend, or modify contracts to implement the FY2020 Senior Citizen and Disabled Resident Transportation Assistance Program as set forth in Exhibit A for a total program amount of \$18,508,000, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to execute all appropriate agreements and contracts and to take all other steps necessary to implement the FY2020 FTA Section 5311 Rural and Small Urban Areas program, as set forth in Exhibit B, in the amount of \$5,488,315 which includes \$3,488,315 in Federal funds and \$2,000,000 as the NJ TRANSIT share of the local match, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to execute all appropriate agreements and contracts and to take all other steps necessary to implement the FY2020 Section 5311 Rural Intercity Program for a total program amount of \$657,663, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement the FY2020 FTA Section 5311(b)(3) Rural Transit Assistance Program in an amount up to \$130,339 Federal funds at no cost to NJ TRANSIT, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is hereby authorized to execute all appropriate agreements and leases to implement the FY2020 FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program for \$9,400,000 which includes \$7,700,000 in Federal funds and \$1,700,000 as the NJ TRANSIT share of the local match, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement the FY2020 New Jersey Jobs Access and Reverse Commute (NJ-JARC) program for \$4,300,000 in NJ TRANSIT funds, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is hereby authorized to execute all appropriate agreements and contracts and to take other steps to implement the FY2020 New Jersey Jobs Access and Reverse Commute (NJ-JARC) program for up to \$1,000,000 in additional funds from the State of New Jersey for a total NJ-JARC program cost of \$5,300,000, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement any specially-dedicated Congressional appropriations, FTA Section 5307 Small Urban Cities, FTA Section 5309 Major Capital Investments, Congestion Mitigation Air Quality (CMAQ), and other local projects including funds which will be flexed into ongoing FTA programs under the FY2020 budget for \$6,000,000, subject to the availability of funds.

Exhibit A
SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION
ASSITANCE PROGRAM FUNDING DISTRIBUTION, 2020

COUNTY	2019 BUDGET	2020 BUDGET
Atlantic	\$509,877	\$507,741
Bergen	\$1,384,360	\$1,378,526
Burlington	\$820,838	\$817,399
Camden	\$872,095	\$868,441
Cape May	\$346,318	\$344,859
Cumberland	\$346,318	\$344,859
Essex	\$1,204,305	\$1,199,260
Gloucester	\$479,497	\$477,489
Hudson	\$877,256	\$873,581
Hunterdon	\$346,318	\$344,859
Mercer	\$611,478	\$608,916
Middlesex	\$1,306,130	\$1,300,658
Monmouth	\$1,153,412	\$1,148,580
Morris	\$900,480	\$896,708
Ocean	\$1,384,360	\$1,378,526
Passaic	\$798,582	\$795,236
Salem	\$346,318	\$344,859
Somerset	\$531,500	\$529,273
Sussex	\$346,318	\$344,859
Union	\$886,022	\$882,310
Warren	<u>\$346,318</u>	<u>\$344,859</u>
Total County	\$15,798,100	\$15,731,800
NJ TRANSIT	<u>\$2,787,900</u>	<u>\$ 2,776,200</u>
TOTAL	\$18,586,000	\$ 18,508,000

100% State funds from the Casino Revenue Tax funds.

EXHIBIT B
Section 5311 Rural and Small Urban Areas Program
Projected FY 2020

	FEDERAL (A)	STATE (B)*	Total Budget (A+B)	LOCAL (C)**	TOTAL Program(A+B+C)
<u>NORTHERN REGION</u>					
Morris County	\$265,438	\$153,186	\$418,624	\$153,186	\$571,811
Passaic County 1 (West Milford)	\$0	\$0	\$0	\$0	\$0
Sussex County	\$571,817	\$327,662	\$899,479	\$327,662	\$1,227,141
Warren County	\$425,244	\$243,323	\$668,567	\$243,323	\$911,890
<u>CENTRAL REGION</u>					
Hunterdon County 2	\$456,972	\$260,287	\$717,259	\$260,287	\$977,546
Mercer County	\$65,241	\$37,098	\$102,339	\$37,098	\$139,436
Middlesex County 1	\$0	\$0	\$0	\$0	\$0
Monmouth County	\$120,899	\$68,739	\$189,638	\$68,739	\$258,377
Ocean County 1	\$0	\$0	\$0	\$0	\$0
Somerset County	\$95,766	\$54,458	\$150,224	\$54,458	\$204,682
<u>SOUTHERN REGION</u>					
Atlantic County 2	\$345,258	\$198,213	\$543,471	\$198,213	\$741,684
Burlington County	\$302,290	\$174,171	\$476,461	\$174,171	\$650,632
Camden County	\$42,843	\$24,082	\$66,925	\$24,082	\$91,008
Cape May County	\$86,775	\$51,063	\$137,838	\$51,063	\$188,901
Cumberland County	\$383,080	\$218,787	\$601,867	\$218,787	\$820,654
Gloucester County	\$122,979	\$71,723	\$194,702	\$71,723	\$266,425
Salem County	\$203,713	\$117,208	\$320,921	\$117,208	\$438,128
TOTAL	\$3,488,315	\$2,000,000	\$5,488,315	\$2,000,000	\$7,488,315
<u>CATEGORY</u>					
	FEDERAL	STATE *		LOCAL **	TOTAL
Operating	\$3,297,795	\$1,900,000		\$1,900,000	\$7,097,795
Non-Operating					
Administration	\$190,520	\$100,000		\$100,000	\$390,520
Capital	\$0	\$0		\$0	\$0
Total SFY 2018 Program	\$3,488,315	\$2,000,000		\$2,000,000	\$7,488,315

* Provided by NJ Transit Capital and operating budgets

** Provided by local recipient.

1. Middlesex, Passaic and Ocean Counties are currently inactive projects.
2. Atlantic and Hunterdon additional funds for innovation project

Exhibit C
2020 GRANT PROGRAM TOTALS

	FY2018 AUTHORIZATION	FY2019 AUTHORIZATION	FY2020 REQUESTED AUTHORIZATION
SCDRTAP/Casino Revenue	\$ 17,801,000	\$ 18,586,000	\$ 18,508,000
Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program	\$ 8,700,000	\$ 8,700,000	\$ 9,400,000
Section 5311 Rural and Small Urban Area Program	\$ 5,494,546	\$ 5,494,546	\$ 5,488,315
Section 5311 Intercity Program	\$ 585,024	\$ 609,411	\$ 657,663
Section 5311(b)(3) Rural Transit Assistance Program	\$ 120,430	\$ 123,359	\$ 130,339
NJ-JARC	\$ 5,300,000	\$ 5,300,000	\$ 5,300,000
Other (Small Urban, CMAQ) ¹	<u>\$ 6,000,000</u>	<u>\$ 6,000,000</u>	<u>\$ 6,000,000</u>
TOTAL	\$ 44,001,000	\$ 44,813,316	\$ 45,484,317

¹ Other includes CMAQ funding for both operating and capital expenditures, which is allocated by MPOs. For example, NJTPA has allocated funding for a "last mile shuttle" program that provides local entities with three years of operating assistance for shuttle service that connects with main line transit. Also included in this category is Section 5307 funding for on-going services in East Windsor and Cumberland County, and operating match for continuation of WHEELS route by Somerset County.

**Exhibit D
FUNDING SOURCES**

PROGRAM	FEDERAL	NJ TRANSIT MATCH – CAPITAL	NJ TRANSIT MATCH – OPERATING	OTHER FUNDING	CASINO REVENUE	TOTAL
Senior Citizen and Disabled Resident – Casino Rev.					\$ 18,508,000	\$ 18,508,000
Section 5310	\$ 7,700,000	\$ 1,700,000				\$ 9,400,000
Section 5311 Counties	\$ 3,488,315	\$ 100,000	\$ 1,900,000			\$ 5,488,315
Section 5311 Intercity	\$ 657,663					\$ 657,663
Section 5311(b)	\$ 130,339					\$ 130,339
NJ JARC			\$ 4,300,000	\$ 1,000,000		\$ 5,300,000
Other	\$ 5,350,000		\$ 650,000			\$ 6,000,000
TOTAL	\$ 17,326,317	\$ 1,800,000	\$ 6,850,000	\$ 1,000,000	\$ 18,508,000	\$ 45,484,317

ITEM 1907-38: HUDSON BERGEN LIGHT RAIL – AMENDMENT TO DESIGN BUILD, OPERATE, AND MAINTAIN CONTRACT FOR OPERATIONS AND MAINTENANCE

WHEREAS, the Hudson Bergen Light Rail (HBLR) service has been operating since April 15, 2000 and continued to expand with over 54,000 weekday customers and service in Bayonne, Jersey City, Hoboken, Weehawken and North Bergen; and

WHEREAS, September 22, 2005, the NJ TRANSIT Board of Directors authorized a contract amendment to the Design, Build, Operate, and Maintain (DBOM) contract with 21st Century Rail Corporation to operate and maintain Hudson-Bergen Light Rail service through April 2020; and

WHEREAS, 21st Century Rail Corporation's cost incurred to operate and maintain Hudson-Bergen Light Rail service for the last two years ending April 2018 and 2019 aggregated \$48,050,267 and \$49,482,016, respectively; and

WHEREAS, NJ TRANSIT staff is seeking to amend the existing operation and maintenance portion of the DBOM contract for a two-year base extension with three one-year options to provide additional time to continue the operations of the Hudson Bergen Light Rail system during which time NJ TRANSIT anticipates completion of the environmental and preliminary design phases of the Northern Branch Corridor and Route 440 Extensions and substantially advancing Superstorm Sandy recovery and resilience and state-of-good repair projects; and

WHEREAS, the extension of the operation and maintenance portion of the contract will include the continuation of the HBLR Capital Asset Replacement Program (CARP) and other authorized capital repairs; and

WHEREAS, the DBOM contractor, 21st Century Rail Corporation of Lyndhurst, New Jersey, was previously selected by a competitive procurement process;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to amend the design, build, operate, and maintain NJ TRANSIT Contract No. 96CT001 with 21st Century Rail Corporation of Lyndhurst, New Jersey, to operate and maintain Hudson-Bergen Light Rail service for an additional two years at a cost of \$52,578,996 for year one ending April 2021 and \$54,253,300 for year two ending April 2022, for a combined cost of \$106,832,296, based on projected escalation per the indices described in the contract, plus five percent for contingencies, for a total contract authorization of \$112,173,911, subject to the availability of funds, Board approval of NJ TRANSIT's operating budget, and the Office of State Comptroller approval; and

BE IT FUTHER RESOLVED that the Chair or President & CEO is authorized to amend the design, build, operate, and maintain NJ TRANSIT Contract No. 96CT001 further with 21st Century Rail Corporation of Lyndhurst, New Jersey, to operate and maintain Hudson-Bergen Light Rail service after the ending period April 2022 for three separate one-year option periods to be exercised at NJ TRANSIT's discretion through April 2025, at a cost of \$55,981,949 ending April 2023, \$57,766,740 ending April 2024, and \$59,609,528 ending April 2025 for a combined cost of 173,358,217, based on projected escalation per the indices described in the contract, plus five percent for contingencies, for a total contract authorization of \$182,026,128, subject to the availability of funds, Board approval of NJ TRANSIT's operating budget, and the Office of State Comptroller approval. Staff will provide notification to the Board prior to implementing any of these individual option periods.

ITEM 1907-39: ENGINEERING AND CONSTRUCTION ASSISTANCE FOR THE REHABILITATION/REPLACEMENT OF THE FRANKLIN AVE. BRIDGE OVER THE NJ TRANSIT MORRISTOWN LINE AT MP 35.93, DENVILLE, NJ



Staff is seeking authorization to enter into one contract with **Dewberry Engineers, Inc. of Bloomfield, NJ** to perform conceptual through 100% final design services (Tasks 1 through 5) for the Rehabilitation/Replacement of Franklin Ave Overhead Bridge over NJ TRANSIT Morristown Line at MP 35.93 in Denville, New Jersey, at a negotiated cost of \$1,076,824.19, plus five percent for contingencies.

ITEM 1907-39: ENGINEERING AND CONSTRUCTION ASSISTANCE FOR THE REHABILITATION/REPLACEMENT OF THE FRANKLIN AVE. BRIDGE OVER THE NJ TRANSIT MORRISTOWN LINE AT MP 35.93, DENVILLE, NJ

Quick Facts:

- **The existing bridge supports Franklin Ave which crosses over NJ Transit Morristown Line at MP 35.93, between the Denville and Dover train stations**
- **The existing reinforced concrete bridge was built in 1973, and has significant deterioration to its reinforcing structural steel, resulting in the bridge's reduced capacity to support truck loads.**
- **DBE/SBE Goal: 20% SBE Category 6**
- **Source of Funds: State – TTF (Transportation Trust Fund)**
- **Total cost of \$1.08M (Tasks 1 through 5 for 100% Design)**

ITEM 1907-39: ENGINEERING AND CONSTRUCTION ASSISTANCE FOR THE REHABILITATION/REPLACEMENT OF THE FRANKLIN AVENUE BRIDGE OVER THE NJ TRANSIT MORRISTOWN LINE AT MP 35.93, DENVILLE, NEW JERSEY

WHEREAS, NJ TRANSIT's Morristown Line provides more than 59,500 average weekday passenger trips in Morris, Somerset, and Essex Counties; and

WHEREAS, the Franklin Avenue Overhead Bridge over NJ TRANSIT Morristown Line at MP 35.93 has significant deterioration; and

WHEREAS, the future rehabilitation/replacement of Franklin Avenue Overhead Bridge over NJ TRANSIT Morristown Line will ensure long-term public safety and reliable train service; and

WHEREAS, Tasks 1 through 5 of this contract pertain to 100% design and bid package preparation, and Task 6, Construction Assistance, is separate and will be negotiated at a later date; and

WHEREAS, the assigned SBE goal from the Office of Business Development is 20.0 percent, Dewberry Engineers, Inc. submitted in their cost proposal a commitment of 20.4 percent; and

WHEREAS, following a competitive procurement process, Dewberry Engineers, Inc. of Bloomfield, New Jersey, was identified as the top technically ranked firm providing the best overall value in the interest of NJ TRANSIT;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 19-008 with Dewberry Engineers, Inc, of Bloomfield, New Jersey, to perform Engineering Concept Development through Final Design for the Rehabilitation/Replacement of Franklin Avenue Overhead Bridge over NJ TRANSIT Morristown Line at MP 35.93 in Denville, New Jersey, at a negotiated cost not to exceed \$1,076,824.19, plus five percent for contingency for Tasks 1 through 5, subject to the availability of funds. Additional funding for Construction Assistance will be determined at a later date after the 100 percent design is completed.

ITEM 1907-40
HUDSON-BERGEN LIGHT RAIL SYSTEM - CAVEN POINT
VEHICLE BASE FACILITY - RISK ASSESSMENT AND
RESILIENT DESIGN SERVICES

- Seeking authorization to contract (No. 17-049) with **Systra Consulting** of Bloomfield, New Jersey, for the construction of the Hudson-Bergen Light Rail System – Caven Point Vehicle Base Facility – Risk Assessment and Resilient Design Services, in the amount not to exceed **\$411,220**, plus five percent for contingencies, subject to the availability of funds.



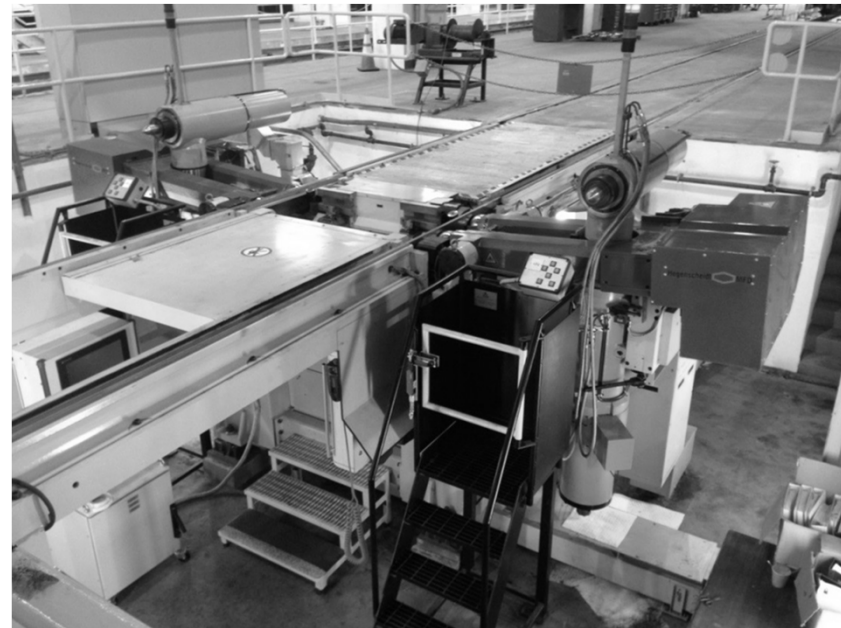
ITEM 1907-40 HUDSON-BERGEN LIGHT RAIL SYSTEM - CAVEN POINT VEHICLE BASE FACILITY - RISK ASSESSMENT AND RESILIENT DESIGN SERVICES

- Authorization of this Construction Contract will allow for an investigation of existing conditions at the Vehicle Base Facility (VBF), using a risk-based analysis of methods, and their effectiveness of protecting it from future storm events. This effort shall include the development of concepts to harden critical VBF systems and infrastructure, through a risk-based analysis. The upgrades will improve the resiliency of the facility.



ITEM 1907-40 HUDSON-BERGEN LIGHT RAIL SYSTEM - CAVEN POINT VEHICLE BASE FACILITY - RISK ASSESSMENT AND RESILIENT DESIGN SERVICES

- Damage from flood waters destroyed the wheel-truing-machine and rendered other maintenance equipment unusable.
- This project will examine ways to prevent inundation by flood waters and infiltration.
- Flood walls, backflow prevention and other methods will be examined and analyzed.
- The most effective and economically practical technologies will be recommended.



ITEM 1907-40: HUDSON-BERGEN LIGHT RAIL SYSTEM – CAVEN POINT VEHICLE BASE FACILITY – RISK ASSESSMENT AND RESILIENT DESIGN SERVICES DESIGN CONSULTANT CONTRACT AWARD

WHEREAS, the Hudson Bergen Light Rail (HBLR) Caven Point Vehicle Base Facility (VBF) was commissioned to support maintenance and train storage needs for the HBLR system; and

WHEREAS, the VBF, located in Jersey City is a critical NJ TRANSIT facility for light rail vehicle maintenance and parts and vehicle storage; and

WHEREAS, NJ TRANSIT seeks to enhance the capacity, reliability, and resiliency of its facilities and services, including the HBLR; and

WHEREAS, on October 29, 2012, the storm surge from Superstorm Sandy caused significant damage to NJ TRANSIT's commuter and light rail systems, including the HBLR system; and

WHEREAS, HBLR VBF damage was concentrated in the lower-lying yard area which was inundated with salt water covering the tracks, switches, switch heaters, and other infrastructure, and rendering most of these components inoperable until temporary and later, permanent repairs, could be made. The facility remains below the flood plain and additional study of short and long term mitigation options is warranted; and

WHEREAS, NJ TRANSIT is advancing an ambitious program to harden the HBLR system against future extreme weather events, including by elevating instrument houses and replacing cable in a resilient manner. Climate change and future extreme weather threats require that other potential flood conditions be evaluated; and

WHEREAS, authorization of this contract will provide design improvements to the HBLR VBF, located at Caven Point in Jersey City, New Jersey; and

WHEREAS, the measures identified by this project will enhance efforts to maintain and restore service to NJ TRANSIT customers; and

WHEREAS, this project, Phase I, Assessment of Existing Conditions and Development of Proposed Hardening, seeks to investigate, identify measures to prevent storm and flood damage, and develop and design individual improvements to produce a comprehensive resilience/hardening program for the main shop facility and its supporting infrastructure, including the building proper and the train storage shed; and

WHEREAS, subsequent phases of the project, Phase II and III, are dependent on the availability of funding, and a determination of the improvements to be made to the Vehicle Base Facility, and will consist of Phase II: Design of Improvements from Conceptual Design through 100 percent, and Phase III: Construction Assistance during

construction, will progress design and construction of resiliency enhancements to the Vehicle Base Facility; and

WHEREAS, on October 30, 2018, a Request for Proposals (RFP) was advertised in *The Star-Ledger* and *Trenton Times*. A Pre-Proposal Conference occurred on November 13, 2018; and

WHEREAS, proposals were received from four firms and opened on January 3, 2019, and oral presentations were made on March 6 and 8, 2019, at NJ TRANSIT Headquarters in Newark; and

WHEREAS, upon completion of a competitive procurement process, it was determined that Systra Consulting, Inc. of Bloomfield, New Jersey, submitted the most qualified responsive, responsible proposal; and

WHEREAS, a cost proposal was received from Systra Consulting Incorporated in the amount of \$411,220.46; and

WHEREAS, the NJ TRANSIT Office of Business Development established a Category 3 Small Business Enterprise (SBE) goal of 5 percent for this contract. Systra Consulting Inc. identified 5.5 percent SBE participation for this contract; and

WHEREAS, upon completion of a competitive procurement process, it was determined that Systra Consulting, Inc. submitted the most qualified responsive, responsible bid; and

WHEREAS, the Transportation Trust Fund is the anticipated source of funding for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 17-049 with Systra Consulting Incorporated of Bloomfield, New Jersey, for providing consulting services for the Hudson-Bergen Light Rail Caven Point Vehicle Base Facility Project in the amount not to exceed \$411,220.46, plus five percent for contingencies, subject to the availability of funds.

ITEM 1907-41: PROPOSED LABOR AGREEMENT: NJ TRANSIT POLICE DEPARTMENT AND FRATERNAL ORDER OF POLICE (FOP) LOCAL #37

WHEREAS, NJ TRANSIT and the Fraternal Order of Police (FOP) Local #37 have collectively negotiated labor agreement for the approximately 54 Lieutenants and Sergeants (Superior Officers) represented by the FOP NJ State Labor Council; and

WHEREAS, the terms and conditions of the Labor Agreements are set forth in the Memoranda of Agreement for Superior Officers (MOA) attached as Exhibit A; and

WHEREAS, on or about June 19, 2019, a majority of the Superior Officers represented by the FOP, ratified the terms of the MOA between NJ TRANSIT and the FOP, Superior Officers;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby: (1) approves and ratifies the Memoranda of Agreement for Superior Officers; and (2) authorizes the President/CEO and/or Senior Vice President/Chief of Police of NJ TRANSIT, to take all necessary steps to finalize and implement the same, as discussed in Executive Session.

EXHIBIT A

MEMORANDUM OF AGREEMENT
Between
NEW JERSEY TRANSIT AUTHORITY
and
THE FRATERNAL ORDER OF POLICE (LODGE 37)

This constitutes the Memorandum of Agreement made and entered into this 14 day of June, 2019 by and between New Jersey Transit Authority ("NJT") and the Fraternal Order of Police, Lodge 37 ("FOP").

It is understood and agreed that the Collective Negotiations Agreement covering the sergeants and lieutenants represented by the FOP that was in effect from July 1, 2011 through June 30, 2017 is hereby renewed for the term of July 1, 2017 until June 30, 2021, except as modified by the enclosed revisions to the following Articles:

- Article 5 – Physical Examinations
- Article 8 – Wages
- Article 13 – FOP Rights and Privileges
- Article 16 – Funeral Leave
- Article 18 – Sick Leave
- Article 22 – Advertisement and Selection of Positions
- Article 23 - Overtime
- Article 24 - Vacation
- Article 26 – Uniforms
- Article 31 – Insurance Benefits
- Article 46 – Optional Compensatory Time Bank

Any language in the parties' 2011-2017 Agreement not expressly modified by the enclosed revisions will remain unchanged in the parties' 2017-2021 Agreement, except to the extent that minor changes may need to be made because of changes to other provisions.

This Memorandum of Agreement is subject to ratification by FOP membership, and approval by New Jersey Transit's Board and the State of New Jersey.

All other proposals, not listed above, submitted by either party during the course of these negotiations are deemed withdrawn and without effect.

For NJT:

For the FOP:

Dated:

06-17-2019

Dated:

06/14/19

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

ARTICLE V

PHYSICAL EXAMINATIONS

SECTION 1. (a) When practicable, physical examinations or re-examination shall be given during the SO's regular tour of duty without loss of compensation to the SO. All physical examinations required by NJ TRANSIT under this agreement may include an appropriate psychological examination, upon the recommendation of a physician or as part of fitness for duty examination.

(b) NJ TRANSIT will cover the cost of any examination, test, or other medical procedure ordered or mandated by NJ TRANSIT, the NJ TRANSIT Police Department or any subdivision thereof. This shall include all costs and expenses incurred by the member. Employees taking physical examinations, tests or other medical procedures at the direction of a proper officer of NJ Transit at a time outside of their normal tour of duty will be paid for such time at their regular time and one half (1-1/2) rate of pay. This does not apply to any employee receiving sick benefits or Worker's Compensation.

SECTION 2. (a) When a SO has been removed from his position on account of his physical or mental condition and the Union desires the question of his physical or mental fitness to be decided before he/she is permanently removed from his position, the case shall be handled in the following manner:

(b) The President of the Union shall bring the case to the attention of the Director-Labor Relations. NJT and the employee shall each select a doctor (physician), each notifying the other of the name and address of the doctor (physician) selected. The two doctors (physicians) thus selected shall confer and appoint a third doctor (physician).

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(c) Such Board of Doctors shall then fix a time and place for employee to appear for a physical examination. After completion of the examination, they shall make a full report of their finding, sending copies of those findings to the Director-Labor Relations, the NJT Medical Director and the employee.

(d) A decision of a majority of doctors on the board as to the physical fitness of the employee to resume duty at the time examined shall be final and binding on the parties, but this does not mean that a change in the employee's physical condition shall preclude a re-examination at a later date.

(e) The neutral physician selected for such board shall be a specialist in the disease or disability from which the SO is alleged to be suffering.

(f) The fees and expenses of the third or neutral physician shall be borne equally by NJT and the Union. All other expenses shall be paid by the party incurring them, including the fees of the physician selected by the respective parties. At the time the board's report is made, a bill for the fee and traveling expenses, if any, of the third or neutral physician should be made in duplicate, one copy to be sent to NJT's Medical Director and one copy to the FOP.

Tentative Approval



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06-17-2019
Date

EXHIBIT A

Tentative Agreement
June 13, 2019

ARTICLE VIII

WAGES

SECTION 1: The wage rates at each rank and step of the salary guide shall be increased across-the-board as follows:

- Effective July 1, 2017 – 2%
- Effective July 1, 2018 – 2%
- Effective July 1, 2019 – 2%
- Effective July 1, 2020 – 2%

The July 1, 2017, July 1, 2018, and July 1, 2019 (if applicable) increases shall be retroactive.

SECTION 2: The following wage progression shall be adopted and implemented.

<u>Months of Service</u> <u>As Police Officers --</u> <u>At NJ Transit</u>	<u>% of Base Pay</u>
36-48	95%
49-60	100%
61-72	101%
73-84	102%
85-96	103%
97-108	104%
109-120	105%

Effective upon ratification and approval of this Agreement by NJ TRANSIT's Board, the following wage progression shall be adopted and implemented.


<u>Months of Service</u> <u>As Police Officers --</u> <u>At NJ Transit</u>	<u>% of Base Pay</u>
36-48	95%
49-60	100%
61-72	101%
73-84	102%
85-96	103%
97-108	104%
109-228	105%
229-278	105.5%
279+	106%

EXHIBIT A

Tentative Agreement
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Note: For exact pay rates based on years of service, see Attachment A.

Tentative Approval



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06-17-2019
Date

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

ARTICLE XVI

FUNERAL LEAVE

Funeral leave of three (3) working days shall be granted in the case of death of an employee's brother, sister, parent, child, spouse, civil union partner, in-laws and grandparents. Employees may be permitted to extend a bereavement leave by up to two (2) days by using accrued vacation time and personal days. NJT may require satisfactory documentation.

Tentative Approval



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06-17-2019
Date

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ARTICLE XVIII

SICK LEAVE

SECTION 1. Sick leave is the absences of a SO from work because of illness, accident, contagious disease, or necessity to care for a child, spouse or parent when he/she is ill.

SECTION 2. If a SO is absent for reasons that entitle him/her to sick leave, he/she shall promptly notify the Department Head or his/her designated representative two (2) hours in advance of his/her tour of duty. Absences without notice for three (3) consecutive workdays shall constitute a resignation, unless for good cause shown, such as an inability to notify due to unusual circumstances, the Employer may waive this provision.

SECTION 3. Sick leave shall be earned at the rate of ten (10) hours per month of service, up to a maximum of one hundred (100) hours per calendar year. Unused sick leave may be accumulated.

SECTION 4. A SO who is absent on sick leave for three (3) or more consecutive working days may be required to submit a physician's certificate as evidence substantiating their illness at the discretion of the Employer. The Employer may require a SO who has been absent because of personal illness, as a condition of his/her return to work, to be examined by a physician at the expense of the employer. Such examination shall establish whether the SO is capable of performing his/her normal duties and his/her return will not jeopardize the health of his/herself or of other employees.

SECTION 5. A SO upon death or retirement shall receive the benefit of payment for unused sick leave at the rate of 50% of accumulated unused sick leave to a maximum of \$15,000.

SECTION 6. If an employee sustains any job-related injury, which is recognized as such and covered by Worker's Compensation insurance, NJ TRANSIT shall insure payment of full salary


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for a period of up to nine (9) months, or until such employee is placed on disability or retirement, or dies, whichever first occurs. Any such payments made by NJ TRANSIT shall be reduced by all benefits received or which could have been received if proper applications were made in connection with such job-related injury. Employees understand and agree that they may be required to make reimbursement to NJ TRANSIT and/or its insurance carrier in the event of a third-party action recovery of such lost wages and that any such reimbursement will be in addition to the obligation to pay over to NJ TRANSIT all such benefits. There shall be no charge to any employee's sick leave in the event of any bona fide job-related injury. The Employer shall have the right to require periodic medical examinations of employees on leave due to job-related injuries, at the expense of the employer.

SECTION 7. The employing officer must be satisfied that the sickness is bona fide. Satisfactory evidence as to sickness, preferably in the form of a certificate from a reputable physician, may be required if abuse is indicated. An employee falsely claiming sick time will be subject to disciplinary action.

Tentative Approval



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06/17/2019
Date

EXHIBIT A

NJT Police Department Proposal
June 14, 2019

ARTICLE XXII

ADVERTISEMENT AND SELECTION OF POSITIONS

SECTION 1. (a) All shift assignments will be posted for selection from October 1st to October 31st of each year commencing October 1, 1991.

(b) The notice advertising shift assignment shall contain the reporting location, shift hours and regular days off. SO's are subject to assignments to any position for which they are qualified in the region of their reporting location according to the needs of the operation. There are two reporting regions, one Northern and one Southern divided by the "Plumstead Line" extending from Roebing on the Western side of New Jersey to Bayville on the Eastern side of New Jersey.

(c) Posted shift assignments will be awarded December 1st of the same year and will become effective the second payroll period in January the following year.

(d) All SO's, regardless of their status, except SO's holding appointed shift assignments, will be required to select posted shift assignments within his/her rank, and submit same to the Chief of Police.

SO's not making selections within the specified time period or those SO's failing to make a sufficient number of selections will be assigned to the remaining open shift assignments at the conclusion of the posted period.

(e) The Chief of Police shall make arrangements to furnish copies of the advertisements to SO's on leave.

SO's on leave will be required to submit their selection of shift assignments within the specified time period to the Chief of Police.

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NJT Police Department Proposal
June 14, 2019

(f) Copies of advertisements and notices of awards will be furnished to the President of the FOP.

(g) SO's holding appointed assignments may select on shift assignments.

SECTION 2. Shift Assignments awarded or assigned will be based on fitness, ability and seniority.

SECTION 3. (a) The regular workweek shall consist of four consecutive 10 hour days including a 30 minute meal period with three days off (this will provide two blocks of 3 day consecutive days off in a 14 day period.) The workweek will begin on Saturday and end on Friday for payroll purposes. On five occasions during the year Management reserves the right to change either the first day or last day of the SO's three days off. On those occasions Management will use its best efforts to provide two blocks of three consecutive days off during the ensuing 14 days period. If an officer's first or last regular day off is changed more than five times in a calendar year, the officer will receive for each changed day over the allotted five overtime for the hours worked plus compensatory time off in the amount of one hour for each hour worked.

On three occasions during the year, Management reserves the right to change an Officer's middle regular day off for emergencies or special events only. If an officer's middle regular day off is changed more than three in a calendar year, the officer will receive for each changed day over the allotted three overtime for the hours worked plus compensatory time off in the amount of one hour for each hour worked.

In lieu of having his/her regular day off changed, an officer may elect to work his/her regular day off overtime.

EXHIBIT A

NJT Police Department Proposal
June 14, 2019

NJT shall not change an officer's regular day off if doing so would interfere with a pre-planned vacation that was scheduled during the annual vacation pick.

~~If by June 30, 2003 sick time and overtime is not reduced by 35% from current levels, NJT will have the right to reopen this contract for the purpose of negotiating a different workweek~~ *EJG*

(b) The starting times for regular shifts shall be as follows:

- First Shift 7 a.m./8 a.m.
- Second Shift 3 p.m./4 p.m.
- Third Shift 11 p.m./12 midnight

(c) Shift Assignments will be scheduled to begin not more than two (2) hours in advance of, or not more than two (2) hours later than the times specified in the Paragraph (b) above.

(d) Where an independent assignment is worked, it shall be scheduled to begin to meet the requirements of service.

(e) An assignment starting in advance of midnight on any day, which includes working time after midnight, will be considered as work performed on the day the assignment begins.

(f) There may be rotating regular days off, however, there will be no rotating or revolving shifts.

(g) Relief assignments including vacation relief assignments, may incorporate different days, starting times, duties and work locations, provided said SO's assume the same starting time, duties and work locations of the SO whom they are relieving.

(h) The parties agree that, with respect to the Relief Lieutenant:

- i. There shall be single day coverage only when RDOs are not changed; and
- ii. If RDOs are changed there shall be four (4) day block coverage.

EXHIBIT A

NJT Police Department Proposal
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(i) A SO shall be assigned one reporting location where his/her uniform shall be maintained. All SO's shall start and complete their tour of duty at their assigned reporting location.

SECTION 4. All work in excess of ten (10) hours per day, or on RDO's, shall be paid at time and one-half (1-1/2) regular salary rates.

SECTION 5. A SO who is recalled to duty to work unscheduled overtime shall be guaranteed a minimum of four (4) hours overtime at the prevailing overtime rate. A SO who is called to duty (or early call-in) prior to his/her regular start of duty will be paid at the rate of time and one-half for those hours worked prior to his/her schedule tour of duty.

SECTION 6. (a) A temporary assignment may, at the discretion of the Chief of Police, be assigned to a SO for a period not to exceed 30 calendar days. The assignment must not violate the provisions of Section II.

(b) After a 30-day calendar period or less the assigned SO must return to his/her original shift assignment unless he/she agrees in writing to continue the temporary assignment or accept another 30-day assignment. Once an SO has been returned to his/her original shift assignment, he/she may not be reassigned again until he/she has completed 30 calendar days in his/her original shift assignment. The Chief of Police may elect to assign a second SO, then a third, etc.

(c) A SO will not be assigned to a shift assignment without at least five-calendar days' notice. A re-assigned SO will not suffer any loss in wages or RDO's as a result of this assignment.

(d) A SO wishing to volunteer to work a temporary assignment may do so by making his/her request in writing to the Chief of Police.

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NJT Police Department Proposal
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(e) A SO assigned to a supervisor's assignment other than his/her regular assignment shall be paid at 100% the rate of the assignment to which he/she is temporarily assigned, but if such rate is less than the rate of his/her regular assignment, he/she will be paid the rate of his/her regular assignment.

(f) When a Sergeant bears the responsibility of Lieutenant in a Lieutenant's absence, the Sergeant shall receive 100% of Lieutenant's pay. In arbitration proceedings addressing this issue, NJT shall bear the burden of proving that a Sergeant acting Lieutenant's absence was expressly relieved of responsibility for commanding the full system's patrol function either in writing or by general order.

SECTION 7. (a) When a SO is involuntarily removed from an appointed assignment, every effort will be made to assign the SO to an assignment comparable, in RDO's and hours, to the assignment in which he/she had been assigned.

(b) SO's in appointed assignments may request, in writing, to be removed from his/her assignment at which time he/she will be assigned to an assignment by the Chief of Police until the SO is able to select an assignment in accordance with Section 1 with this Article.

SECTION 8. There will be no involuntary assignments that would create a geographical hardship from the SO's normal assignment position unless there are exigent circumstances that would dictate such an assignment. However, every reasonable consideration will be made to avoid creating such hardship.

SECTION 9. All new assignments or open assignments shall be posted for selection twice a year. The first selection shall be consistent with section one of this article. The second selection shall be posted in ample time for awards to begin the second payroll period in June. The Chief

EXHIBIT A

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may additionally post new or open assignments at anytime during the year; there will be no obligation of more than two cycles for awards of these additional postings.

SECTION 10. SO's out on long term illness or injury will be able to return to his/her original assignment, if available, or be assigned to an assignment within the region of his/her last assignment. (For purposes of this section there are two regions, one Northern and one Southern, divided by the "Plumstead Line" extending from Roebling on the Western side of New Jersey to Bayville on the Eastern side of New Jersey.)

SECTION 11. A Lieutenant or Sergeant exercising seniority under this article must exhaust his/her seniority in the highest rank in which he/she holds seniority and successively in lower ranks.

An SO so reduced must, at the first opportunity, take an assignment in the higher rank if in the same region of his/her last reporting location. (Region is defined in the same manner as in Section 10).

A Lieutenant exercising seniority to a lower rank when a Lieutenant's assignment is available to him/her, he/she will forfeit his/her seniority in the Lieutenant's rank. A Sergeant exercising seniority to a lower rank when a Sergeant's assignment is available to him/her will forfeit his/her seniority in the Sergeant and Lieutenant ranks.

SECTION 12. SO's will be permitted to swap shifts or tours of duty subject to the following:

(a) SO's within the same seniority class will be permitted to swap shifts or days off, provided that such swaps will not involve any additional expense to NJT.

(b) Swapping will be arranged on the SO's own time and may not involve less than a 10 hour block. Four swaps will be permitted six (6) times per calendar year with no more than one

EXHIBIT A

NJT Police Department Proposal
June 14, 2019

(1) in any calendar month. Tour swaps must include one SO's RDO and cannot result in an SO working more than fifteen (15) consecutive hours.

(c) Request must be made in writing and advance approval must be obtained from the Chief of Police or such official as may be designated by him/her.

(d) Absence, tardiness, overtime and other activities during the time he/she is working will be the responsibility of the individual who is actually performing service and who has agreed to perform service.


(e) No SO may work more than twelve consecutive days as a result of a swap and no SO may swap more than five consecutive shifts or days.

(f) The entire arrangement must be completed in a thirty-day period.

(g) The SO responsible for performing service on a tour of duty but who does not fulfill his/her obligation, may be subject to losing his/her swapping privileges and to disciplinary action.

(h) Other details that are not in conflict with the above may be agreed upon by the President of the Union and the Chief of Police.

Tentative Approval



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06-17-2019
Date

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

ARTICLE XXIII

OVERTIME

SECTION 1. For the purpose of overtime, each respective rank Sergeant and Lieutenant will have their own master revolving overtime list.

SECTION 2. Police personnel working Districts 2, 3, and 4 will be combined according to their rank. Police personnel working at Districts 5, 6, and 7 will be combined according to their rank.

SECTION 3. In initially implementing the master Revolving Overtime List, each respective rank will begin by listing officers according to seniority.

SECTION 4. When overtime is to be filled, the following shall govern in determining officer to be used: (a) The senior qualified officer whose name appears on the list as designated as the first to be called for overtime will be offered the opportunity to work the scheduled overtime.

(b) If the Officer determined to work the overtime refused to, for whatever reason, the opportunity will be offered to the next qualified officer whose name appears on the list. The method will be repeated until the list of qualified officers is exhausted.

(c) If it is not possible to fill the overtime by use of the system referred to in "A" and "B", it must be filled by on-duty holdovers and/or early call in, based on the master Revolving Overtime List.

(d) If it is not possible to fill the overtime by use of the system referred to in "A", "B", and "C", the position may be filled without regard to the master Overtime List or rank with the permission of the unit's Commanding Officer,

(e) Police personnel assigned to Districts 2, 3, and 4 or Districts 5, 6, and 7 will have first choice to cover overtime at each location. The overtime will be offered to the senior qualified officer and subject to the rules set forth in Paragraphs "A", "B", "C", and "D".

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SECTION 5. This does not preclude officers assigned to Districts 5, 6, and 7 from being offered overtime at other locations. The policy would have the same effect on officers being offered at Districts 5, 6, and 7 who are not regularly assigned to other locations.

SECTION 6. Officers on vacation, other authorized leave of absence or training will be excluded from being called for available overtime. SO's on vacation may elect to be considered for overtime by submitting a written request to the Commanding Officer prior to the start of each vacation period. Such requests will subject the officer to the terms of Section 4 "A" and "B". Regular days off in conjunction with vacation will be considered part of the vacation period.

SECTION 7. Overtime for special details, events, i.e., concerts, New Year's Eve, St. Patrick's Day, Hoboken Festival, but not limited thereto, will be excluded from this Article.

SECTION 8. Officer on duty will be eligible and offered overtime outside their individual tours even though their starting and finishing time may differ up to and including one (1) hour.

SECTION 9. (a) Off-duty sick personnel will not be eligible for overtime in the calendar day.

(b) Personnel off on a Personal Day will not Be eligible for overtime during their normal Tour of Duty on that calendar day.

(c) Personnel off on a compensatory time off day will not be eligible for overtime during their normal tour of duty on that calendar day.


SECTION 10. Overtime lists will be made available on a daily basis.

SECTION 11. Where a different procedure for filing overtime is desired, the Chief of Police and the Union President will jointly submit their recommended procedure to Labor Relations for their approval. If such proposed procedure is approved, it shall supersede any conflict procedures in this article.

Tentative Approval

EXHIBIT A

NJT Police Department Proposal
June 6, 2019



FOP, Lodge 37

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Date



NJ Transit Police Department

06-17-2019
Date

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ARTICLE XXIV

VACATION

SECTION 1. Vacations may be taken from January 1st to December 31st consistent with the requirements of service.

(a) Vacation shall not be accumulated or carried over from one vacation year to another.

(b) A calendar month of service as referred to herein shall mean any month during which the employee worked more than 15 days.

SECTION 2. An annual vacation with pay will be granted to Sergeants as per the following schedule:

<u>Length of Service with NJT</u>	<u>Vacation Allowance</u>
After completion of 5 years	120 hours
After completion of 10 years	160 hours
After completion of 15 years	200 hours

Although vacation allowance is expressed in hours, it must be taken in whole workday increments.

SECTION 3: An annual vacation with pay will be granted to Lieutenants as per the following schedule:

<u>Length of Service with NJT</u>	<u>Vacation Allowance</u>
After completion of 5 years service	120 hours
After completion of 10 years service	160 hours
After completion of 15 years service	200 hours

Although vacation allowance is expressed in hours, it must be taken in whole work day increments.

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

SECTION 4. Vacation Selection.

- (a) Vacation selection will be done during the months of October and November for each upcoming year.
- (b) The selections will be according to SO's seniority in their present rank regardless of reporting station.
- (c) Officers may split their vacation into blocks of not less than four (4) days.
- (d) Vacation selections will be separated by Transit District/Command. The Department will establish criteria to determine how many officers in each District/Command may be off at the same time based on rank and location.

SECTION 5. Vacation - Other

- (a) A SO will be paid for each working day of his/her vacation at the rate of the straight time hourly rate equivalent (excluding casual or unassigned overtime) of the position occupied when entitled to vacation.
- (b) Vacation time may be rescheduled consistent with the requirements of service.
- (c) A SO may volunteer to perform services as a SO on any day of his/her assigned vacation period. A SO who voluntarily performs services as a SO on any such day will be paid for such service at the straight hourly rate of the position occupied when entitled to a vacation, such pay to be in addition to his/her vacation pay.
- (d) A SO who involuntarily performs service in an emergency situation as a SO on any day of his/her assigned vacation period will be paid for such service at time and one-half in addition to vacation pay.

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

(e) Vacations, or allowances thereof, under two or more schedules held by different organizations of the Company shall not be applied to create a vacation, or allowance thereof, of more than the maximum number of days provided for in either of such schedules.

(f) The vacation provided for in this agreement shall be considered to have been earned when the SO has qualified under Section 2 or 3 hereof. If his/her employment status is terminated for any reason whatsoever, including, but not limited to, retirement, resignation, discharge, non-compliance with the union-shop agreement, or failure to return after furlough, he/she shall at the time of such termination be granted full vacation earned in the preceding year. If a SO thus entitled to vacation or vacation pay shall die, the vacation pay earned and not received shall be paid to such beneficiary as may have been designated, or in the absence of such designation, the surviving spouse or children of his/her estate, in that order of preference.

(g) Requests for split vacations must be made at the time SO submits his/her choice for vacation period and after vacation assignments have been made, no further changes in vacation schedules will be made. The election to do so will be made in accordance with paragraph (b) of this section and the request for such specific day(s) must be a minimum of one week in advance. Such request will be granted when the requirements of service permit; however, if there are used or unassigned single days of vacation on the first of November of any year, the Chief of Police, after consultation with the FOP President or his designated representative, will assign such days consistent with the requirements of service.

(h) Nothing in this article shall be construed to prohibit NJT from not filling a position when the incumbent thereof is absent on vacation or from requiring other SO's to assist in the performance of the duties of the position to the extent deemed essential.

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

(i) When necessary, such positions may be filled by other SO's in rank, in tour or by the establishment of vacation relief positions.

(j) Carry-over of unused vacation or payment for same shall be subject to approval by the Chief of Police.

Tentative Approval



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06-17-2019
Date

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

ARTICLE XXVI

UNIFORMS

SECTION 1. NJT shall designate the uniform to be worn by certain employees at all times while on duty unless otherwise directed. Said uniform shall be subject to change from time to time as required by NJT, but shall for the present consist of cap, jacket, shirt, necktie, trousers and outer coat. NJT will provide rain cap or cover, raincoat and boots to those SO's normally requiring such equipment in the exercise of their duties.

SECTION 2. Uniform equipment shall be worn only when SO's are on duty, except the uniform may be worn while SO's are actually traveling to and from work, are required to attend court, or when otherwise so directed or permitted by a Commanding Officer or designee.

SECTION 3. When it becomes necessary for a SO subject to this Agreement to acquire a new uniform or part thereof as set forth in Section 1, an order shall be obtained from the appropriate official designated by NJT, and the uniform (or part) shall be ordered from clothier approved by NJT.

SECTION 4. (a) In order to ensure that the uniform will present an appropriate appearance, the SO's agree to keep their uniform properly cleaned-and neatly pressed at all times.

(b) Beginning upon ratification and approval of this Agreement by NJ TRANSIT's Board, all SO's shall receive an annual six hundred fifty dollar (\$650.00) payment as a uniform, equipment and maintenance allowance. Said payments shall be made annually in July of each year.

SECTION 5. In cases where a uniform or any part thereof is lost, stolen, damaged or destroyed as a result of carelessness on the part of the SO, the SO will repair such damage or replace such uniform (or part) at his/her own expense entirely.

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

Tentative Approval



FOP, Lodge 37

06/04/19
Date



NJ Transit Police Department

06-17-2019
Date

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

ARTICLE XXXI

INSURANCE BENEFITS

SECTION 1. New Jersey Transit will provide the Blue Select Plan, including dental and prescription benefits to active eligible employees covered by the Agreement. New Jersey Transit will also offer the HMO Blue Option if it is made available to other employees of New Jersey Transit. No other plans will be offered under this Agreement. If an SO elects to enroll in any plan offered by NJ Transit other than the Blue Select Plan, the SO will be responsible for the difference in cost between the Blue Select Plan and such other plan, in addition to the employee contributions set forth in Section 2 below.

SECTION 2.

(a) Effective January 1, 2016, or as soon thereafter as NJ Transit completes the necessary administrative actions for collections, all SOs shall contribute, through withholding of the contribution from the pay, salary, or other compensation of the SO, towards the cost of health care benefits coverage for the employee and any dependent in an amount of fifteen percent (15%) of premium.

(b) An employee on leave who is eligible to receive health and prescription benefits provided by NJ Transit shall be required to pay the above-outlined contributions and shall be billed by NJ Transit for these contributions. Health and prescription benefit coverage will cease if the employee fails to make timely payment of these contributions.

(c) All contributions will be by deductions from pay.


SECTION 3. (b) Eye Care Package

EXHIBIT A

NJT Police Department Proposal
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1. It is agreed that NJT will provide negotiations unit members with the same Eye Care Program that is provided to members of the negotiations unit of NJ TRANSIT bus drivers represented by the ATU.

Tentative Approval



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06-17-2019
Date

EXHIBIT A

NJT Police Department Proposal
June 6, 2019

ARTICLE XLVI

OPTIONAL COMPENSATORY TIME BANK

SECTION 1: In lieu of receiving payment for overtime a SO may elect to take compensatory time off. Such compensatory time will be accumulated at the rate of time and one half (1 1/2) for each .5 hour worked in excess of 10 hours on any work day and for each .5 hour worked on SO's day off. Compensatory time will not be accumulated more than once for the same working time.


SECTION 2: NJ TRANSIT shall allow SO's use of the compensatory time within a reasonable period after a written request is submitted. Compensatory time may only be taken after forty-eight (48) hours notice to the Chief of Police or her designee, so as to prevent undue disruption of NJT's operation.

SECTION 3: When an SO accumulates ten (10) hours or more compensatory time, he/she may request compensatory time off in ten (10) hour increments. The maximum amount of compensatory time a SO may accumulate in his/her bank is one hundred twenty (120) hours. However, Officers whose bank currently is over 120 hours will not lose those hours but may not accumulate any more hours until the bank is below 120. At the end of each calendar year, negotiations unit members who have used fewer than forty (40) hours of sick leave during the calendar year will be entitled to cash out up to forty (40) hours of their unused earned comp time.

Tentative Approval

EXHIBIT A

NJT Police Department Proposal
June 6, 2019



FOP, Lodge 37

06/14/19
Date



NJ Transit Police Department

06-17-2019
Date

ITEM 1907-42: ADVANCED SPEED ENFORCEMENT SYSTEM II – POSITIVE TRAIN CONTROL: CONTRACT AMENDMENTS FOR IMPLEMENTATION

WHEREAS, the Rail Safety Improvement Act of 2008 (RSIA 2008), Positive Train Control Enforcement and Implementation Act of 2015 (PTCEI 2015), and subsequent Federal Railroad Administration (FRA) regulations require commuter rail systems to implement Positive Train Control (PTC); and

WHEREAS, NJ TRANSIT is required to implement PTC along all its commuter rail line right-of-way and on rail rolling stock; and

WHEREAS, this PTC system, known as the Advanced Speed Enforcement System II (ASES II PTC), is also required to provide interoperability with Amtrak's Northeast Corridor (NEC) Advanced Civil Speed Enforcement System II (ACSES II) technology and the freight-based Interoperable Electronic Train Management System (I-ETMS); and

WHEREAS, implementation of PTC will enhance the safety of customers and employees on NJ TRANSIT rail services and permit compliance with Federal law; and

WHEREAS, the Positive Train Control Enforcement and Implementation Act of 2015 required that Class I railroads and certain commuter railroads, including NJ TRANSIT, implement PTC systems by December 31, 2018; and

WHEREAS, the law permits a railroad to request the FRA's approval of an "alternative schedule" with a deadline extending beyond December 31, 2018, but no later than December 31, 2020, for PTC system implementation; and

WHEREAS, to qualify for an alternative schedule, a railroad must demonstrate that certain statutory criteria were met on or before December 31, 2018; and

WHEREAS, NJ TRANSIT took a series of steps to position the railroad to meet the statutory compliance requirements of the Positive Train Control Enforcement and Implementation Act of 2015; and

WHEREAS, on June 26, 2018 the Federal Railroad Administration approved NJ TRANSIT's request for "substitute criteria" which clarified the requirements NJ TRANSIT must meet by December 31, 2018 in order to qualify for an alternative schedule; and

WHEREAS, NJ TRANSIT met those requirements, and qualified for an alternative schedule; and

WHEREAS, on February 22, 2019 the Federal Railroad Administration approved NJ TRANSIT's alternative schedule providing for a two-year extension for project completion to December 31, 2020; and

WHEREAS, to meet the December 31, 2020 Positive Train Control project deadline, certain interim milestones in the alternative schedule must be met; and

WHEREAS, NJ TRANSIT previously contracted with Parsons Transportation Group to design, furnish, construct, test, and commission the Advanced Speed Enforcement System II – Positive Train Control (ASES II PTC) system for NJ TRANSIT;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to amend NJ TRANSIT Contract No. 10-099X with Parsons Transportation Group of New York, New York, at a cost not to exceed the amount discussed in Executive Session.

ITEM 1907-43: NJ TRANSIT RESILIENCE PROGRAM – DELCO LEAD STORAGE AND INSPECTION FACILITY PROJECT AND COUNTY YARD IMPROVEMENT PROJECT ENVIRONMENTAL MITIGATION CREDIT PURCHASES – ADDITIONAL CREDITS REQUIRED

WHEREAS, the Federal Transit Administration selected the Delco Lead Storage and Inspection Facility Project to receive Disaster Relief Appropriations Act of 2013 funding through a competitive grant process; and

WHEREAS, once constructed, the Delco Lead Project will reduce the risk of damage to rail equipment resulting from extreme weather events, and facilitate the rapid resumption of service after storms have passed; and

WHEREAS, in the aftermath of Superstorm Sandy, the County Yard and associated 4-mile long Delco Lead along the Northeast Corridor were identified as safe-haven storage locations for commuter rail coaches and locomotives; and

WHEREAS, the Service and Inspection Facility, which is included as part of the Delco Lead Project, will allow the rapid inspection of rail equipment and its return to revenue service; and

WHEREAS, through a separate project (County Yard Improvement Project), NJ TRANSIT also is expanding County Yard, which is adjacent to the Delco Lead, to provide additional resilient storage for rail cars, and

WHEREAS, together, these project elements will allow safe-haven storage rail cars and locomotives, permitting the evacuation of rolling stock from both the Meadows Maintenance Complex and Morrisville Yard when extreme weather threatens service; and

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

WHEREAS, in April 2018, the NJ TRANSIT Board of Directors authorized the purchase of mitigation credits consistent with the New Jersey Department of Environmental Protection (NJDEP) permit. NJDEP subsequently required additional study to the impacted area which resulted in an increase to the amount of mitigation credits required;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into purchase agreements, and take any and all other actions necessary, to acquire environmental mitigation credits for the Delco Lead Storage and Inspection Facility Project and County Yard Improvement Project, in the amount discussed in Executive Session, subject to the availability of funds.

ITEM 1907-44: PERSONAL INJURY CLAIM OF JOSE RODRIGUES-MARQUES

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

WHEREAS, Jose Rodrigues-Marques 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 Chair or President & CEO is authorized to settle the claim of Jose Rodrigues-Marques 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 1907-45: PERSONAL INJURY CLAIM OF ALLAN OLIVEIRA-SILVEIRA

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

WHEREAS, Allan Oliveira-Silveira 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 Chair or President & CEO is authorized to settle the claim of Allan Oliveira-Silveira 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 1907-46: PERSONAL INJURY CLAIM OF JASON GILLESPIE AND CHRISTINA GILLESPIE

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

WHEREAS, Jason Gillespie and Christina Gillespie have presented claims 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 Chair or President & CEO is authorized to settle the claims of Jason Gillespie and Christina Gillespie through their attorney, at an amount discussed in executive session. The Attorney General has approved the proposed settlement, subject to the availability of funds.