

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Jamie Fox, Board Chairman
Veronique Hakim, Executive Director

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

February 13, 2015

Dear Governor Christie:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ Transit Rail Operations, Inc., NJ Transit Bus Operations, Inc., NJ Transit Mercer, Inc., and NJ Transit Morris, Inc., Board of Directors held on Wednesday, February 11, 2015.

Sincerely,

Original Signed By

Joyce J. Zuczek
Acting Board Secretary

Enclosures

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

Minutes of the actions taken at the Open Session of the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, February 11, 2015.

Present

Jamie Fox, Chairman
Amy Herbold, Governor's Representative
Steven Petrecca, Treasurer's Representative
James C. Finkle, Jr., Board Member
Flora M. Castillo, Board Member
Myron P. Shevell, Board Member (By Telephone)
Raymond W. Greaves, Board Member (Non-Voting) (By Telephone)

Absent

Bruce M. Meisel, Vice Chairman

Also Present

Veronique Hakim, Executive Director
Neil Yellin, Deputy Executive Director
Dennis J. Martin, Vice President/General Manager, Bus Operations
Robert Lavell, Vice President/General Manager, Rail Operations
John Squitieri, Chief, Light Rail and Contract Services
Christopher Trucillo, Chief of Police
Warren Hersh, Auditor General
Kathleen M. Sharman, Chief Financial Officer & Treasurer
Michael Slack, Chief Information Officer
Penelope Bassett, Assistant Executive Director, Communications & Customer Service
Alma Scott-Buczak, Assistant Executive Director, Succession Planning & Workforce Dev.
Steve Santoro, Assistant Executive Director, Capital Planning & Programs
Gardner Tabon, Chief, Office of System Safety
Michael Gonnella, Deputy Attorney General
Joyce J. Zuczek, Acting Board Secretary

Chairman Fox convened the Open Session at 9:09 a.m. in accordance with the Open Public Meetings Act.

Acting Board Secretary Zuczek announced that adequate notice of these 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 was provided in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975, and the meetings were occurring concurrently. Notices were mailed to newspapers of general distribution, forwarded to the Secretary of State,

Trenton, New Jersey, and mailed to each individual, agency and organization that requested such notice. In addition, notices of the meetings were posted in the main lobby of NJ TRANSIT's Headquarters in Newark, New Jersey. Acting Board Secretary Zuczek announced that the Board Meeting was being video recorded.

Chairman Fox asked for a motion to adopt the minutes of the December 12, 2014 Board meetings. A motion was made by Board Member Myron P. Shevell, seconded by Board Member Flora Castillo and unanimously adopted.

Public Comments on Agenda Items and Other Matters

There were four public comments. Acting Board Secretary Zuczek announced the public comments would be limited to five minutes in order to give everyone an opportunity to be heard.

Steve Thorpe requested a public salute to the flag at the beginning of the Board meetings in the future.

Speaking on behalf of the Lackawanna Coalition, Mr. Thorpe said there is an escalator in the northern part of Secaucus that has been out of service for a month or two and he would like to know when it will be repaired.

Mr. Thorpe expressed his appreciation for the extension of the quiet commute cars and requested the language in the timetables be simplified and clarified that there is no talking or noise allowed versus a request to be quiet.

Mr. Thorpe suggested clarification in the enhanced Saturday schedules for snow storms. He would like less ambiguity, using letters to designate which trains listed on the schedule are extra or less.

Mr. Thorpe said there is a gap in the schedule from Hackettstown between 5:09 a.m. and 6:42 a.m. He suggested trains from Mount Olive originate from Hackettstown to address it.

Mr. Thorpe believes the ALP45 dual mode diesel locomotives would be better utilized for Bayhead and the Morris & Essex Line, instead of the Northeast Corridor and Pascack Valley Line.

Mr. Thorpe requested quiet commute business cards that he can distribute.

Murray Bodin mentioned the Metro-North train accident and said the news reported that the engineer blew the train whistle four times. Mr. Bodin said the person in the car cannot hear the train whistle.

Mr. Bodin displayed a set of 12 volt lights that he believes should go on the railroad crossing bars. He believes the crossings should not only have red lights, but red and blue like the police car lights. He said NJ TRANSIT should obtain permission to

experiment with the 12 volt red and blue lights and asked Chairman Fox to assign a Board Member to follow-up on this issue. He said it is a dangerous pre-existing condition and a safety issue at crossings that can be alleviated with implementing his suggested experiment.

David Peter Alan requested the quiet commute business cards. As an advocate for better transit for more than 30 years, Mr. Alan believes there is the opportunity for legislative change.

Mr. Alan believes NJ TRANSIT should be reformed and restructured to give it full independence from the day-to-day political process in Trenton, regardless of whether the administration is Democrat or Republican. He said since the prior time Chairman Fox held his office, there has not been a single dissenting vote cast by any member of the Board on any issue. Mr. Alan said the Board only overruled management twice, in 1995 and 1996. He believes NJ TRANSIT's governance and management considers the Governor as the only constituent that matters, outweighing the interests of the riders who depend on NJ TRANSIT for their mobility needs.

Mr. Alan said the Governor has seven voting representatives on the Board and the riders do not have a single non-voting observer. He said labor has a non-voting representative, but union employees have not had a contract for years and non-union employees had their pay cut when they lost their riding privileges two years ago.

Mr. Alan said the Board approves multi-million dollar contracts for well-connected firms, while management pleads poverty when it comes to improving service. Mr. Alan said even peak-hour commuters are not happy with their service, as can be seen by those who follow Twitter.

Mr. Alan said, through the years, he has consistently fought for increased transparency and greater participation by the riders in making the decisions that affect their mobility. He proposed a number of initiatives in 2012 for improved transparency, including opening all Board Committees to the public. Mr. Alan noted two committees allow them to sit in the room when they meet, but they are limited to a two minute statement with no dialog. He said the Capital Planning, Policy and Privatization Committee, where decisions about money are made, remains closed.

In 2012, Mr. Alan said he complained about the North and South Jersey Transportation Advisory Committees being closed to the public, despite a requirement in their bylaws that all meetings be open to the public. He said management solved that problem by removing that provision from the bylaws.

Mr. Alan wants major reforms at NJ TRANSIT. He wants true open participation at all Board Committees, the two Advisory Committees open to non-members, the Executive Director's Roundtables to become a permanent practice, and more channels for true dialog between management and rider representatives. Mr. Alan said the change that is urgently needed is political independence of NJ TRANSIT from whichever

administration is in control of Trenton politics at any given time. Mr. Alan requested a meeting with Chairman Fox to discuss these issues.

Walter Jacobs said Essex County Senior Services monitors all benefits for senior citizens, including transit. Mr. Jacobs believes there are many good bus drivers, but some bypass passengers instead of stopping to pick them up. He observed a senior citizen walking around a snow bank to board a bus and the bus driver drove off. He said NJ TRANSIT has a training class and he thinks some drivers need a refresher course on how to treat passengers so they can become better drivers.

Board Member Comments

There were no Board Member comments.

Advisory Committee Report

Suzanne Mack presented the Advisory Committee Report. She thanked Executive Director Hakim and Board Member Finkle for attending the North Jersey Advisory Committee Meeting last week and providing an update on current events at NJ TRANSIT.

Ms. Mack said she was focused on a different tact than the public speakers. She believes the crux of NJ TRANSIT relies on the Governor's Office and federal officials. Ms. Mack said the problem is that transit is out of money.

Ms. Mack said NJ TRANSIT was formed in 1979 from a broken bus operation and dysfunctional rail and the public servants and employees worked hard to set policy. They are still recovering from Sandy several years ago. Ms. Mack said their reports this month focused on Sandy recovery, and what to do about renewing the Transportation Trust Fund. Ms. Mack stressed the importance of this financial report.

Ms. Mack takes exception to the comment about the Governor riding the bus or car. She said legislative support of transit as a priority has been positive and advisory committee members have connections on both sides of the aisle. She said the economy is not good, transportation is important to the economy, and they are starting to get jobs back. Ms. Mack said the weather affects service and impacts businesses that rely on transit.

Ms. Mack thanked staff for attending the Advisory Committee Meeting and said she looks forward to Board assignments. She noted last year they examined the Port Authority Bus Terminal situation affecting riders and she is pleased the operational improvements have helped the riders.

The South Jersey Advisory Committee will meet on February 27, 2015. They are concerned because Atlantic City has its own problems improving the economy and ridership. Ms. Mack is pleased NJ TRANSIT represents riders of South Jersey to ensure transit is supported.

Ms. Mack said the Transportation Trust Fund will be insolvent in June 2015 and they look forward to supporting efforts to address that and discussing long term financial strategies with representatives from the Board, Trenton and Washington D.C.

Board Customer Service Committee Report

Board Member Flora M. Castillo presented the report for the Customer Service Committee. The Committee was provided a report about the results of the Fiscal Year 2015 2nd Quarter Customer Satisfaction Survey. Additionally, the Committee received a Customer Service update and a report on the Social Media Dashboard for December 2014.

Board Capital Planning, Policy & Privatization Committee Report

Board Member Flora M. Castillo presented the report for the Capital Planning, Policy and Privatization Committee. The Committee discussed the proposed sale of property to Aberdeen Township to facilitate transit-oriented development. In addition, the Committee discussed the contract amendment to repair multilevel car 7028.

Board Administration Committee Report

Board Member James C. Finkle, Jr. presented the report for the Administration Committee. The Committee was provided a Financial Update for November 2014.

Executive Director's Monthly Report

Metro North

Executive Director Hakim said they all witnessed last week's tragic events in Westchester. She took a moment to extend their thoughts to the families of the victims and to salute the heroic efforts made by first responders. Executive Director Hakim also recognized their friends, colleagues and partners at the MTA and Metro-North for their efforts under the most difficult of circumstances.

In the wake of this tragedy, Executive Director Hakim reminded motorists to obey warning devices and signals, never stop on grade crossings, make sure there is enough distance with other vehicles to allow safe exiting the crossing, and pedestrians should never duck under gates. NJ TRANSIT will be paying close attention to any Federal Railroad Administration and National Transportation Safety Board findings as a result of their investigations.

Winter Storms

Executive Director Hakim noted the remarkable efforts put forth by NJ TRANSIT employees in navigating two severe winter storms within one week.

With reports of an impending blizzard on January 26, 2015, NJ TRANSIT employees worked around the clock to prepare the system for a complete shutdown by safely transporting customers to their final destination, securing facilities and relocating equipment to safe harbor locations. Their invaluable efforts allowed NJ TRANSIT to safely and efficiently resume service the next day.

Then, on February 2, 2015, the region again encountered severe snow and ice conditions and NJ TRANSIT employees once again answered the call to keep the system and region running safely.

NJ TRANSIT employees worked long shifts, and in some cases overnight, on behalf of NJ TRANSIT's customers and the citizens of New Jersey. All NJ TRANSIT employees played a significant role in keeping the transit system safe and protecting the extensive network of assets.

Executive Director Hakim offered a sincere thank you to them for their unmatched effort and unparalleled excellence. She also thanked Chairman Fox for his support and contact during the storms. Executive Director Hakim recognized some of NJ TRANSIT's colleagues in attendance, who went above and beyond in their efforts during the storm of January 26-27, 2015.

MyTix Expansion

Last month, NJ TRANSIT announced the expansion of the MyTix mobile ticketing app to interstate routes between New Jersey and New York City. Available on all rail lines and most South Jersey bus routes, MyTix now enables bus customers on routes serving Port Authority Bus Terminal, Lower Manhattan and George Washington Bridge to purchase and display monthly interstate bus passes on their mobile devices.

Since its 2013 introduction, MyTix has become very popular among NJ TRANSIT's customers. To date, customers have established nearly 400,000 accounts through MyTix and purchased over 3.7 million tickets.

Since sales began for interstate buses on January 28, 2015, NJ TRANSIT has sold 2,000 monthly passes. This will also help avoid lines at the Ticket Vending Machines. The next phase of the rollout will include monthly passes via MyTix for intrastate (local) bus customers.

Quiet Commute Expansion

As previously noted by the speakers, NJ TRANSIT expanded its Quiet Commute program. This expansion includes all trains departing/arriving Hoboken Terminal, Newark Penn Station, New York Penn Station, Atlantic City Station and Bay Head shuttle trains departing or arriving at Long Branch Station.

Chairman Fox commended NJ TRANSIT for doing a great job this winter through tough times.

Action Items

1502-01: ABERDEEN: SALE OF PROPERTY TO FACILITATE TRANSIT-ORIENTED DEVELOPMENT

Executive Director Hakim introduced Kathleen Sharman, Chief Financial Officer & Treasurer who presented Action Item 1502-01 for approval.

Kathleen Sharman recommended approval of Item #1502-01, Aberdeen: Sale of Property to Facilitate Transit-Oriented Development. Authorization was requested to sell approximately 1.7 acres of land and grant an access easement across NJ TRANSIT's property along the North Jersey Coast Line to Aberdeen Township's designated redeveloper to facilitate transit-oriented development. Conveying the property and granting the access easement will generate non-farebox revenue and, future farebox revenue from transit-oriented development residents who will have easy access to Aberdeen-Matawan Station.

Board Member Myron P. Shevell moved the resolution, Board Member Flora M. Castillo seconded it and it was unanimously adopted.

Roll Call Vote:

Fox	Meisel	Herbold	Petrecca	Shevell	Castillo	Finkle	Greaves
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Non-Voting Member

1502-02: MULTILEVEL CAR 7028

Executive Director Hakim introduced Robert Lavell, Vice President & General Manager, Rail Operations who presented Action Item 1502-02 for approval.

Robert Lavell recommended approval of Item #1502-02, Multilevel Car 7028. Authorization was requested to execute a change order to Contract No. 13-627 with Bombardier Transit Corporation, clarifying that the prior authorization to repair, perform scheduled routine maintenance, and make minor vehicle modifications to the multilevel fleet include multilevel car 7028, and to perform similar repairs to other multilevel vehicles if determined necessary.

Board Member Myron P. Shevell recused himself from voting on Item #1502-02. Board Member Flora M. Castillo moved the resolution, Board Member James C. Finkle, Jr. seconded it and it was adopted.

Roll Call Vote:

Fox	Meisel	Herbold	Petrecca	Shevell	Castillo	Finkle	Greaves
Yes	Absent	Yes	Yes	Recused	Yes	Yes	Non-Voting Member

Executive Session Authorization

Chairman Fox concluded the open session agenda items and requested a motion to enter Executive Session to discuss personnel matters, the status of pending and anticipated litigation and matters falling within the attorney-client privilege, including, but not limited to, the proposed settlement of a pending lawsuit at approximately 9:48 a.m.

Board Member James C. Finkle, Jr. moved the resolution, Board Member Myron P. Shevell seconded it and it was unanimously adopted.

Chairman Fox, Board Members Herbold, Petrecca, Finkle, Castillo and Shevell (by telephone) returned to open session at approximately 9:59 a.m.

1502-03: PROPOSED SETTLEMENT OF A PENDING LAWSUIT

Executive Director Hakim introduced Robert Lavell, Vice President & General Manager, Rail Operations who presented Action Item 1502-03 for approval.

Robert Lavell recommended approval of Item #1502-03, Proposed Settlement of a Pending Lawsuit. Authorization was requested to settle the claim of an NJ TRANSIT employee, through his attorney, at an amount discussed and considered in executive session Board Item 1502-03.

Board Member Myron P. Shevell moved the resolution, Board Member Flora M. Castillo seconded it and it was unanimously adopted.

Roll Call Vote:

Fox	Meisel	Herbold	Petrecca	Shevell	Castillo	Finkle	Greaves
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Non-Voting Member

Adjournment

Since there were no further comments or business, Chairman Fox called for adjournment and a motion to adjourn was made by Board Member Myron P. Shevell, seconded by Board Member Flora M. Castillo and unanimously adopted. The meeting was adjourned at approximately 10:00 a.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

FEBRUARY 11, 2015

MINUTES	PAGE
➤ CALL TO ORDER	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	47391
➤ PUBLIC COMMENTS ON AGENDA ITEMS AND OTHER MATTERS	-
➤ BOARD MEMBER COMMENTS	-
➤ ADVISORY COMMITTEE REPORT	-
➤ SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ADVISORY COMMITTEE REPORT (NEXT SCHEDULED REPORT JUNE 2015)	-
➤ BOARD COMMITTEE REPORTS	-
*Customer Service Committee	
*Administration Committee	
*Capital Planning, Policy and Privatization Committee	
➤ EXECUTIVE DIRECTOR'S MONTHLY REPORT	47392

ACTION ITEMS

1502-01 ABERDEEN: SALE OF PROPERTY TO FACILITATE TRANSIT-ORIENTED DEVELOPMENT 47413

Authorization to negotiate and execute the sale of approximately 74,109 square feet (1.7 acres) of excess, vacant land and to grant an access easement across approximately 12,296 square feet of additional excess vacant land, all of which is part of Aberdeen Township, Tax Block 259, Lot 8, along the eastbound right of way of NJ TRANSIT's North Jersey Coast Line, at Milepost 6.7, to Highview Homes at Aberdeen, LLC, of Red Bank.

The sale will enable the buyer to construct parking to support its transit-oriented development on adjacent land. The buyer will pay NJ TRANSIT an amount not less than \$500,000 at closing, which shall increase by three percent compounded annually if the buyer's efforts to obtain all unappealable land-use approvals for the adjacent land delay the closing date into a fourth or fifth year following execution of the contract of sale.

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
FEBRUARY 11, 2015
MINUTES
PAGE 2

In addition, prior to closing, NJ TRANSIT will be paid a nonrefundable fee of \$25,000 for each of a maximum of three six-month extension periods that the buyer needs for obtaining development approvals. The sale is subject to terms and conditions that ensure NJ TRANSIT's unimpeded access to its adjacent right of way. The buyer also is obligated to pay for any environmental remediation. The sale is contingent upon the buyer obtaining all unappealable land-use approvals for its proposed transit-oriented development.

1502-02 MULTILEVEL CAR 7028

47420

Authorization to execute a change order to NJ TRANSIT Contract No. 13-627 with Bombardier Transit Corporation of Bensalem, Pennsylvania, clarifying that the prior authorizations to repair previous damage, perform scheduled routine maintenance, and make minor vehicle modifications to the multilevel fleet include NJ TRANSIT multilevel car 7028, and to perform similar repairs to other multilevel vehicles if determined necessary.

- **EXECUTIVE SESSION AUTHORIZATION:** Discuss personnel matters, the status of pending and anticipated litigation and matters falling within the attorney-client privilege, including, but not limited to, the Proposed Settlement of a Pending Lawsuit. **47423**

1502-03 PROPOSED SETTLEMENT OF A PENDING LAWSUIT

47424

Authorization to settle the claim of an NJ TRANSIT employee, through his attorney, at an amount discussed and considered in executive session Board Item 1502-03.

- **ADJOURNMENT**

APPROVAL OF MINUTES


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

WHEREAS, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the December 10, 2014 Board meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on December 12, 2014;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the December 10, 2014 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
Jamie Fox, Board Chairman
Veronique Hakim, Executive Director

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

TO: BOARD OF DIRECTORS
FROM: VERONIQUE "RONNIE" HAKIM 
DATE: FEBRUARY 12, 2015
SUBJECT: EXECUTIVE DIRECTOR'S REPORT - FEBRUARY 2015

I would like to take a moment to extend our sympathies to the families of the victims in last week's tragic accident in Westchester, New York. The first responders on scene performed heroically, and I would be remiss in not also recognizing our friends, colleagues and partners at the MTA and Metro-North for their efforts under the most difficult of circumstances. In the wake of this tragedy, we want to remind motorists to obey warning devices and signals, never stop on grade crossings and make sure there is enough distance between vehicles so cars can safely exit the crossing. Rest assured, we will be paying close attention to any FRA and NTSB findings as a result of their investigations.

NJ TRANSIT employees put forth remarkable efforts in navigating two severe winter storms within one week. With reports of an impending blizzard on January 26, our team worked around the clock to prepare our system for a complete shutdown by safely transporting customers to their final destination, securing our facilities, and relocating equipment to safe locations. Their invaluable efforts allowed us to safely and efficiently resume service the next day. Then, on February 2nd, we again encountered severe snow and ice conditions across the region and our employees once again answered the call to keep our system and our region running safely.

NJ TRANSIT employees worked long shifts, and in some cases overnight, on behalf of our customers and the citizens of New Jersey. All our employees played a significant role in keeping our transit system safe and protecting our extensive network of assets. I offer a sincere thank you to them for their unmatched effort and unparalleled excellence.

Last month we announced the expansion of the *MyTix* mobile ticketing app to interstate routes between New Jersey and New York City. Available on all rail lines and most South Jersey bus routes, *MyTix* now enables bus customers on routes serving Port Authority Bus Terminal, Lower Manhattan and George Washington Bridge to purchase and display monthly interstate bus passes on their mobile devices.

Also in January, we unveiled the preliminary design for a \$55 million restoration of Elizabeth Station, one of the busiest facilities in our system. The reconstruction will provide a state-of-the-art facility for customers on the Northeast Corridor and North Jersey Coast lines, which reflects the character of the historic business district. We recognize the importance of this facility and are committed to providing a safe and innovative project.

In addition to our physical infrastructure, our most valuable asset is our ridership. Our customers are part of our eyes and ears network on the system and they have provided critical information through our customer surveys and at our board meetings. For example, we have heard the calls for an expansion of our Quiet Commute program, which last month was expanded to include the Atlantic City Rail Line and system-wide to the hours of 6:00 a.m. to 8:00 p.m., Monday through Friday.

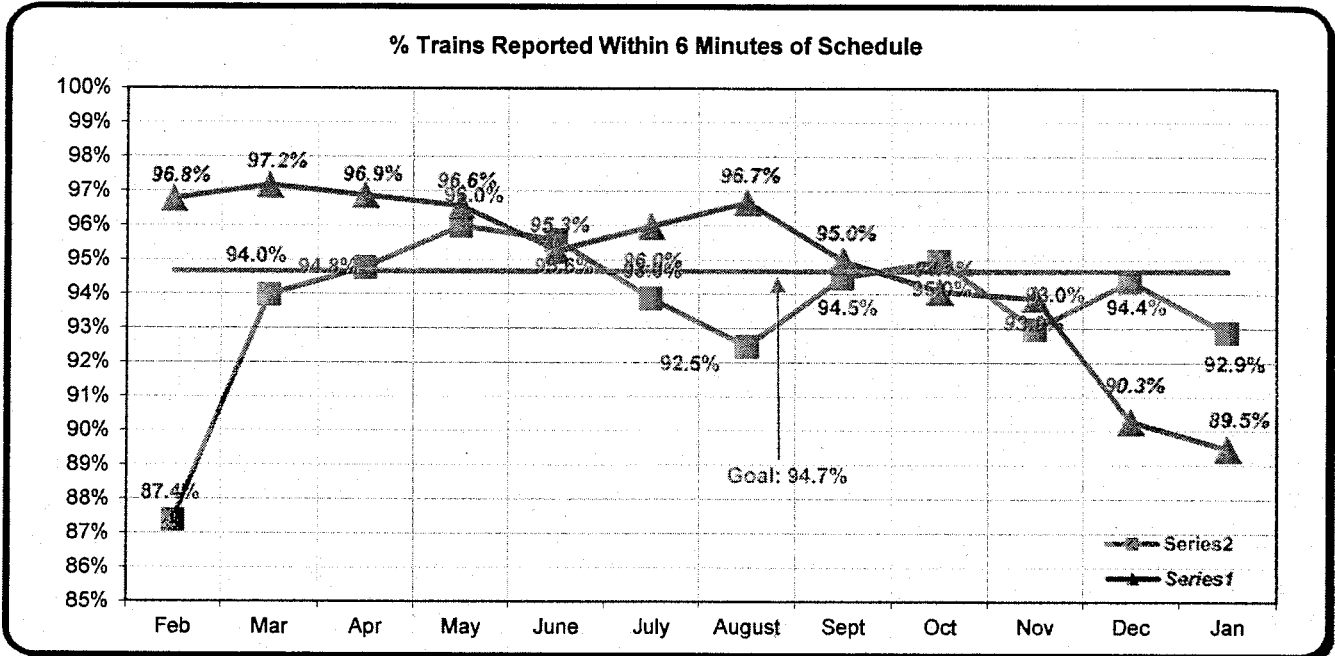
With customers as our partner, improvements to our system will be implemented quickly and expertly and will only serve to improve upon what is already a world-class transportation network.

EXECUTIVE DIRECTOR'S MONTHLY REPORT MONTH 2014

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

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL FEBRUARY 2013 - JANUARY 2015



	2014	2015	# Change
January Comparison	89.5%	92.9%	3.4%

	2013-2014	2014-2015	# Change
12-Month Average February-January	94.9%	93.7%	-1.2%

Analysis:

Rail On-Time Performance was 92.9% for January 2015. Of the 17,754 trains scheduled to operate, 16,493 were on time, while 1,261 trains (or 7.1%) were delayed. Key causes included:

- Amtrak overhead wire failure, Amtrak weather-related infrastructure problems, Amtrak track failure, and NJT equipment failure accounted for 90 delays for a total of 83.4% on January 8.
- Amtrak signal failure, Amtrak weather-related infrastructure problems, Amtrak switch failure, Amtrak Bridge Strike, and NJT equipment failure accounted for 76 delays for a total of 88.5% on January 22.
- Amtrak portal bridge open, NJT electric equipment failure, NJT trackside Interference, Amtrak portal bridge failure, NJT diesel equipment failure accounted for 58 delays for a total of 87.2% on January 29.

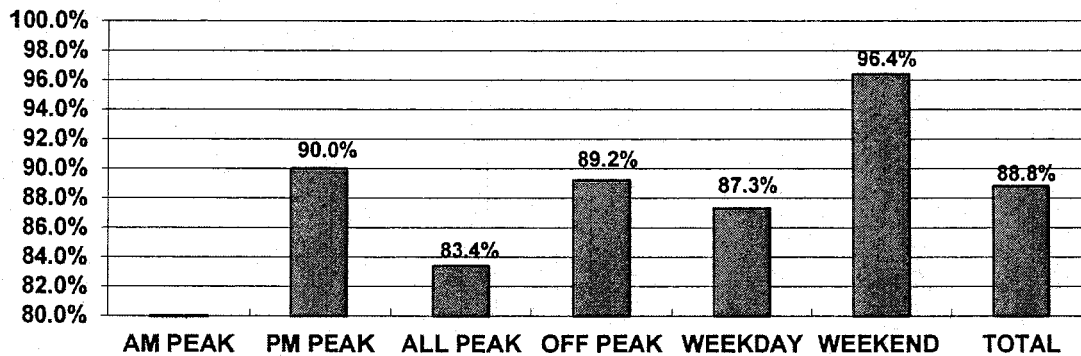
The 12-month average for Rail On-Time Performance for February 2014-January 2015 was 94.3%.

ON-TIME PERFORMANCE RAIL

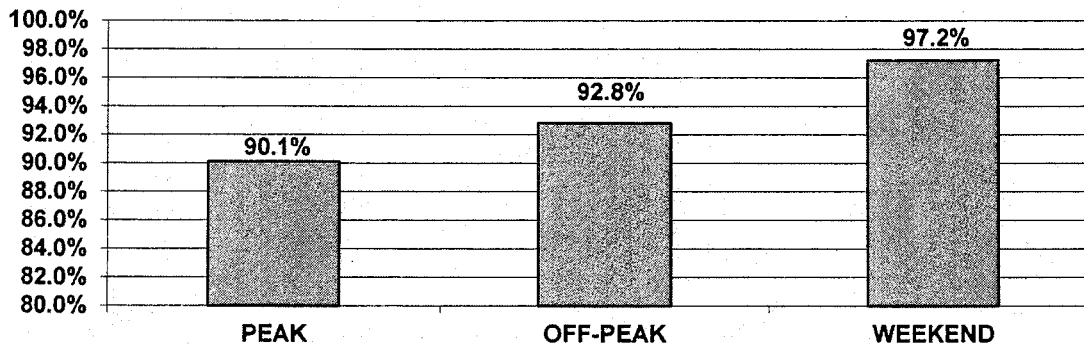
SUMMARY BY TIME PERIOD JANUARY 2015

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

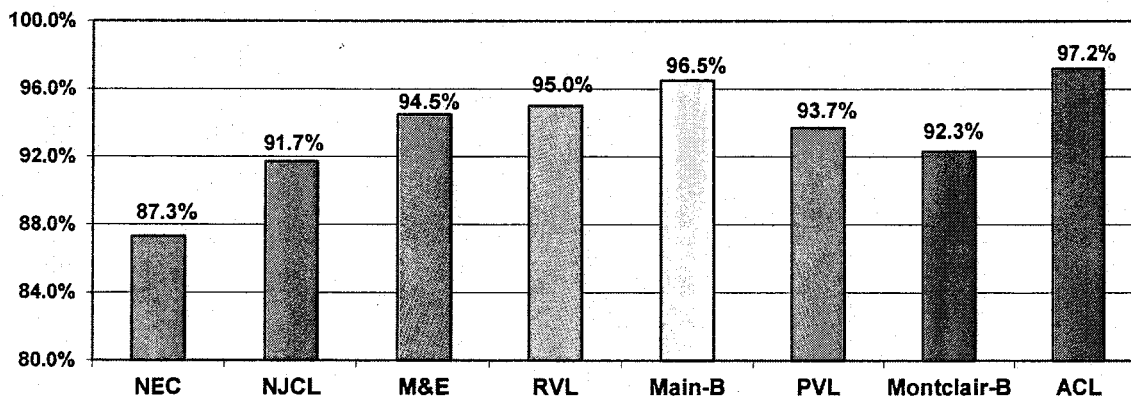
% NEW YORK PENN STATION Trains Reported On Time *



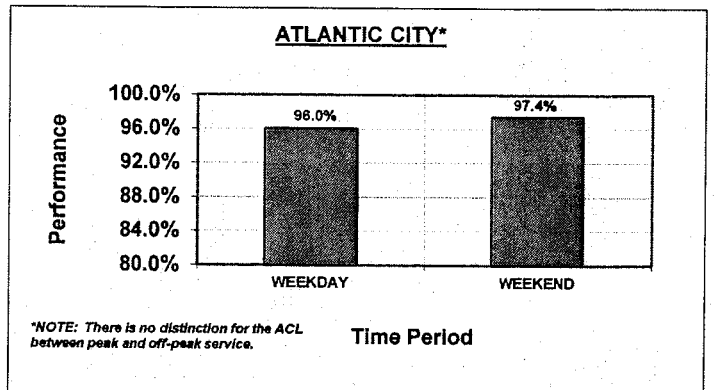
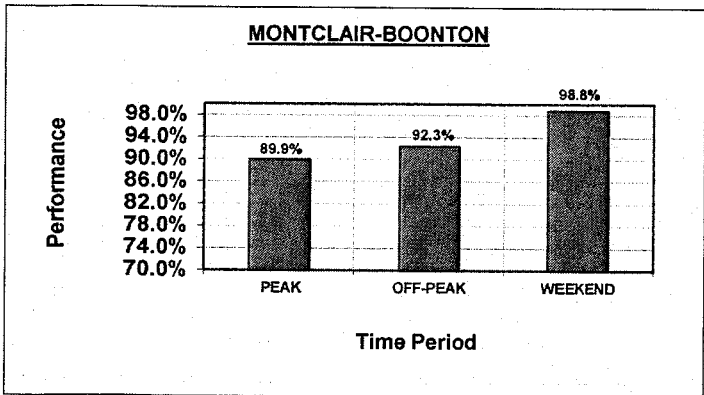
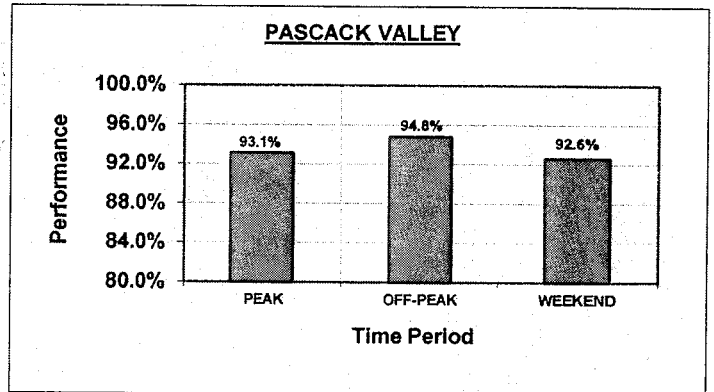
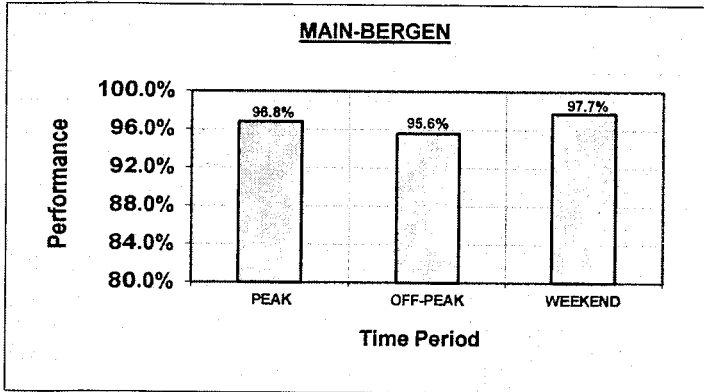
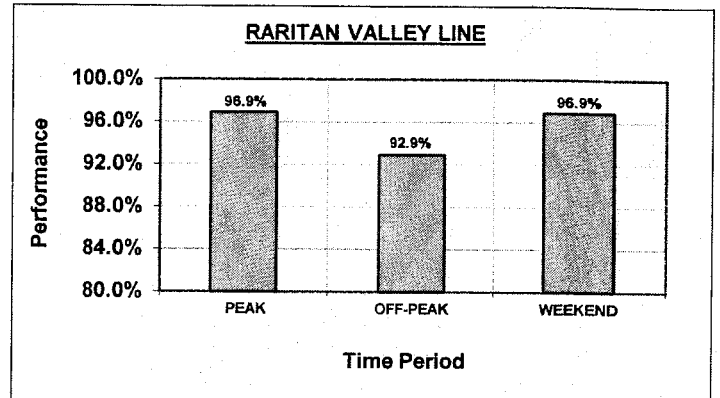
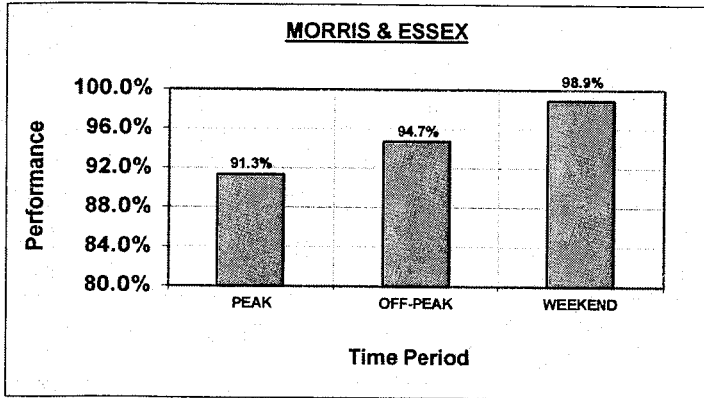
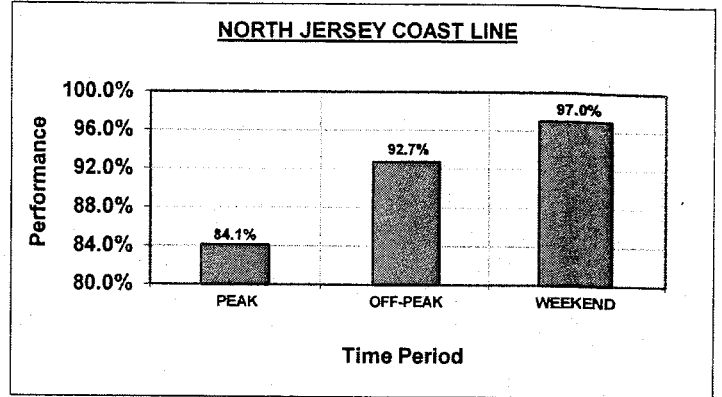
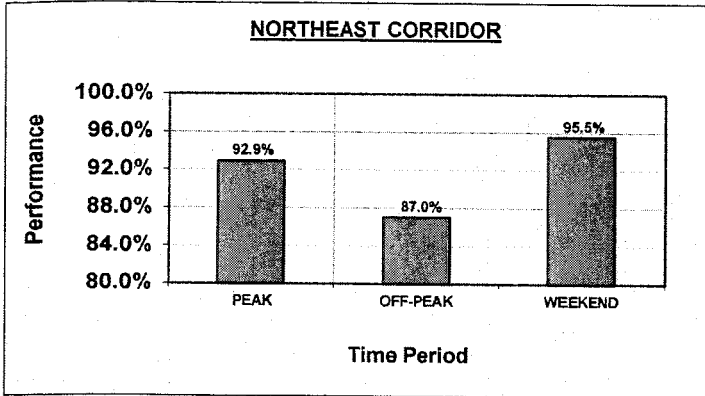
% SYSTEMWIDE Trains Reported On Time



% BY LINE Trains Reported On Time



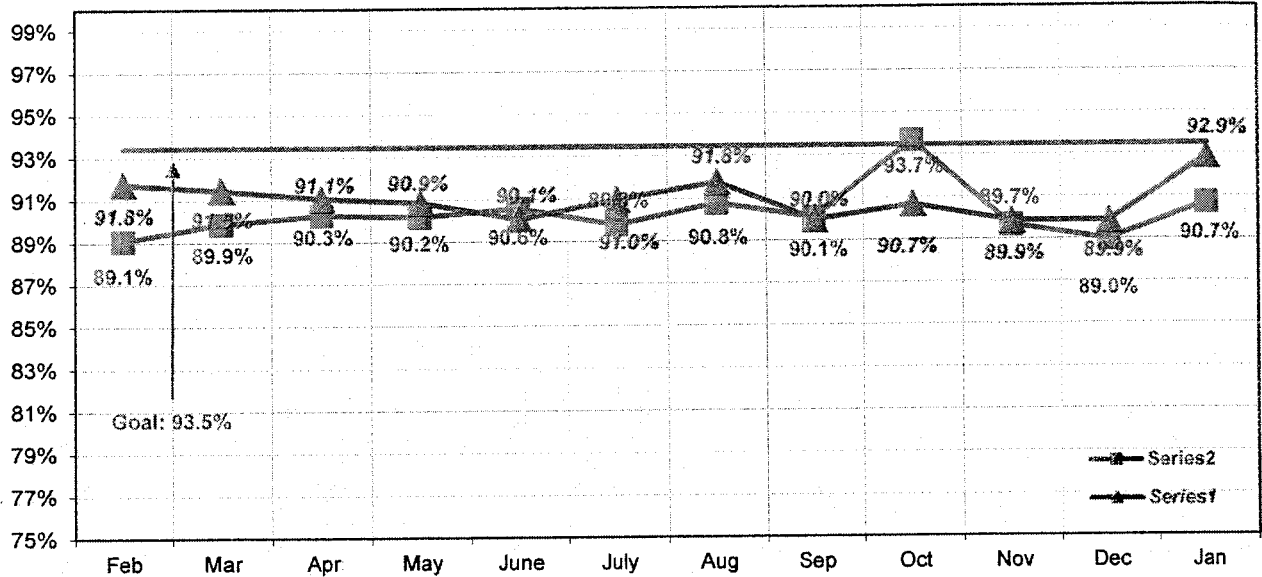
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD JANUARY 2015



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

NJ TRANSIT ON-TIME PERFORMANCE BUS FEBRUARY 2013 - JANUARY 2015

% Buses Departing Major Terminals Within 6 Minutes of Schedule



	2014	2015	% Change
January Comparison	90.7%	92.9%	2.2%

	2013-2014	2014-2015	% Change
12-Month Average February-January	91.0%	90.3%	-0.7%

Analysis:

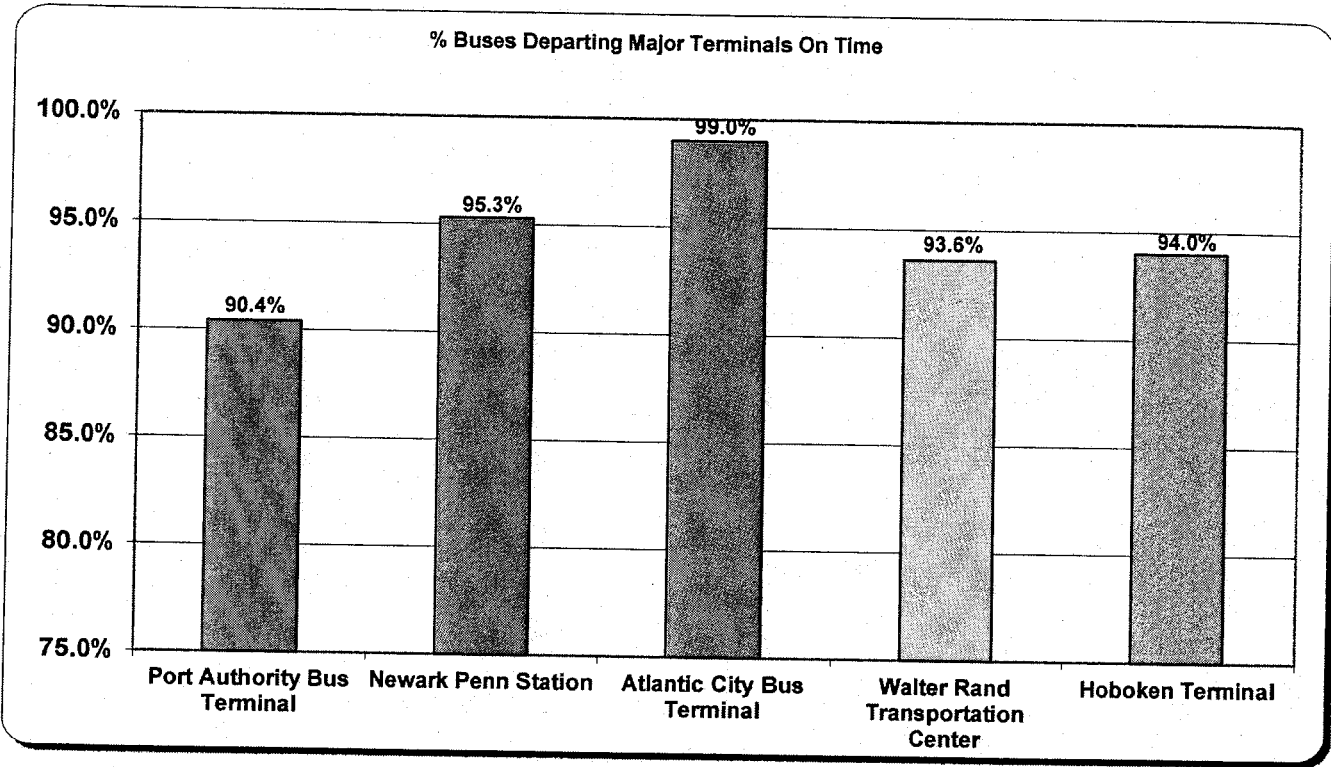
Bus On-Time Performance was 92.9% for January 2015. Of the 34,456 monitored departures, 2,461 (or 7.1%) experienced delays. Key causes included:

- A bicyclist in a tunnel on 1/13 and a disabled vehicle in south tube on 1/16 caused 30-minute delays, a bus accident on 1/20, which shut down the express bus lanes for an hour, affected Port Authority Bus Terminal service.
- Inclement weather-related road conditions on 1/12, a bus breakdown on 1/14 and a non-NJT accident on the Ben Franklin Bridge on 1/15 caused more than 30-minute delays affecting Walter Rand Transportation Center service.
- Wheelchair accommodations, an accident and police activity caused delays affecting Newark Penn Station service.
- Several detours and breakdowns along bus routes serving local shopping areas impacted Hoboken Terminal service.

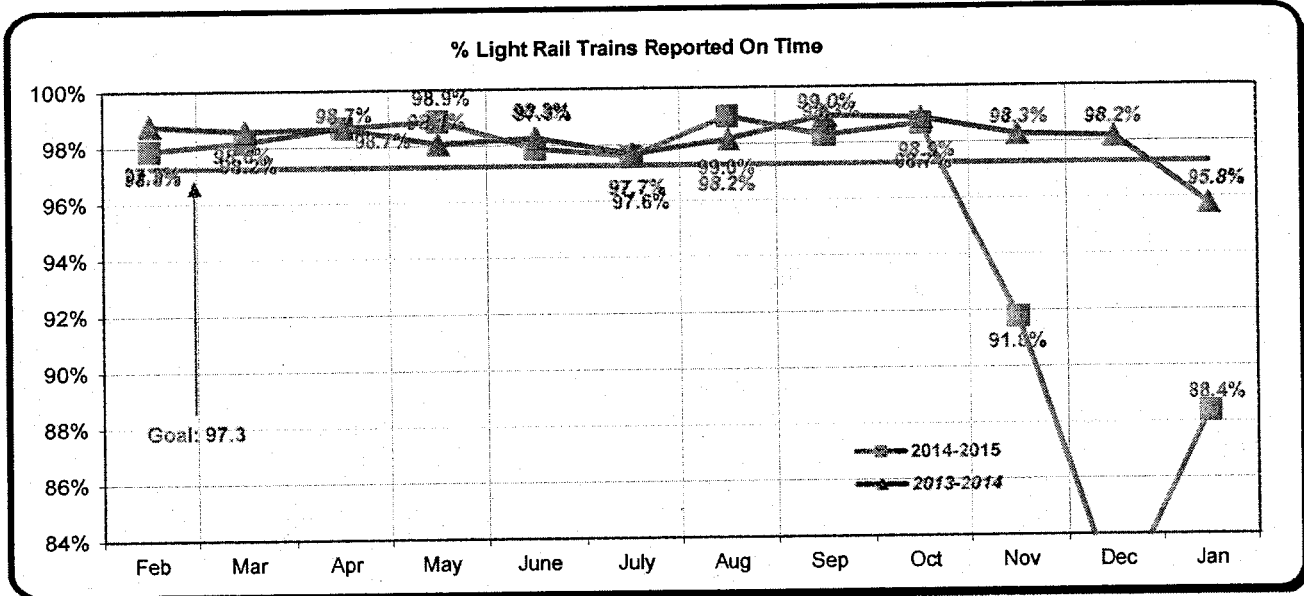
The 12-month average for Bus On-Time Performance for February 2014 - January 2015 was 90.6%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL JANUARY 2015



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL FEBRUARY 2013 - JANUARY 2015



	2014	2015	# Change
January Comparison	95.8%	88.4%	-7.4%

	2013-2014	2014-2015	# Change
12-Month Average February-January	98.2%	95.6%	-2.6%

Analysis:

Light Rail On-Time Performance systemwide was 88.4% for the month of January 2015. Of the 25,855 scheduled trains, 3,008 (or 11.6%) experienced delays. Key causes included:

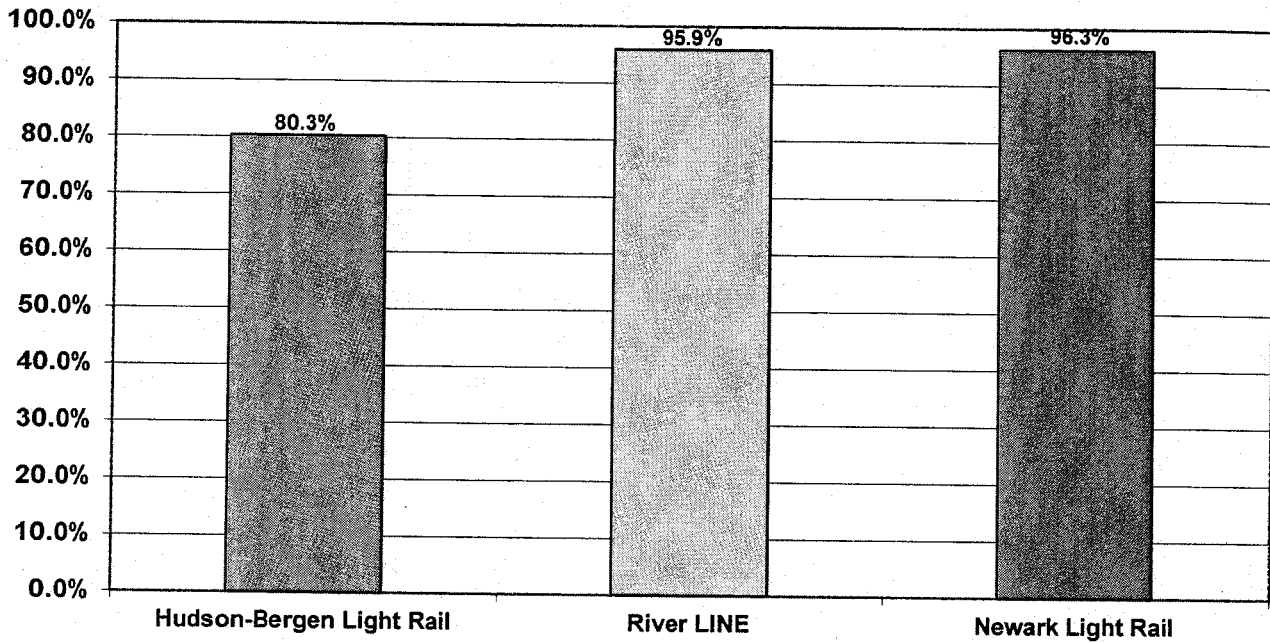
- Damaged sewer infrastructure near Garfield Station in Jersey City cancelled 1,693 Hudson-Bergen trains scheduled on the West Side Branch between January 1 and January 14.
- An automobile/light rail vehicle accident delayed 38 RiverLine trains on January 16.
- Winter storm-related conditions delayed 213 Newark Light Rail trains on January 27.

The 12-month average for Light Rail On-Time Performance for February 2013 - January 2015 was 96.9%.

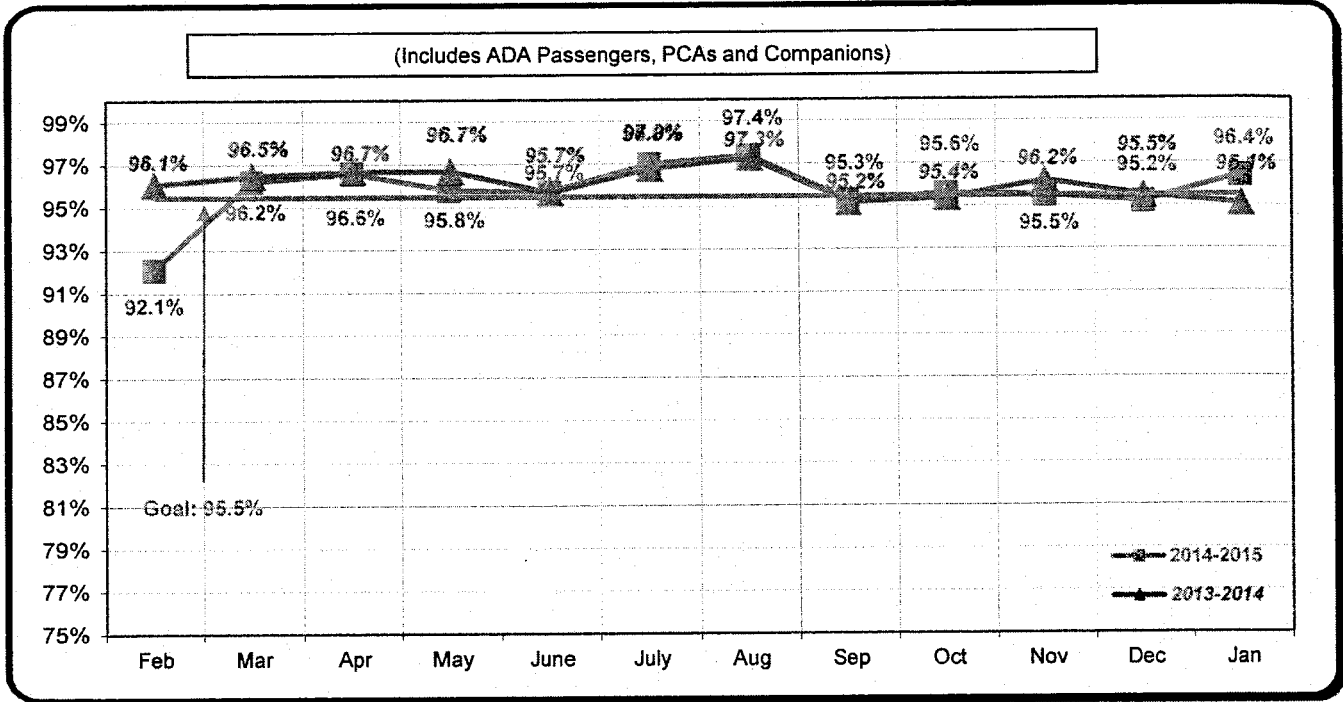
ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE JANUARY 2015

% Light Rail Trains Reported On Time



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK FEBRUARY 2013 - JANUARY 2015



	2014	2015	% Change
January Comparison	95.1%	96.4%	1.3%

	2014	2015	Change
January Ridership	115,407	103,259	-12,148

	2013-2014	2014-2015	% Change
12-Month Average February-January	96.1%	95.7%	-0.4%

Analysis:

Access Link On-Time Performance was 96.4% for January 2015. Of the 103,259 total trips, 3,764, or 3.6% experienced delays.

Key causes include:

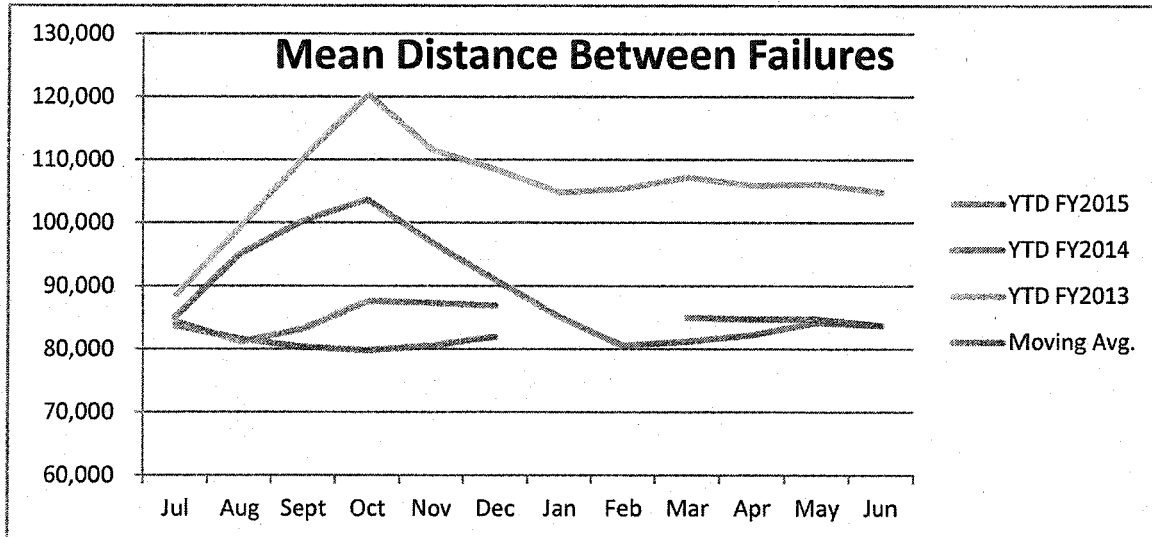
- * Holiday cancellations and customer no-shows.
- * Traffic congestion due to increased holiday travel.
- * Weather-related road closures.

The 12-month average for Access Link On-Time Performance for February 2013 - January 2015 was 95.9%.

MEAN DISTANCE BETWEEN FAILURES

NJ Transit Rail
Mean Distance Between Failures

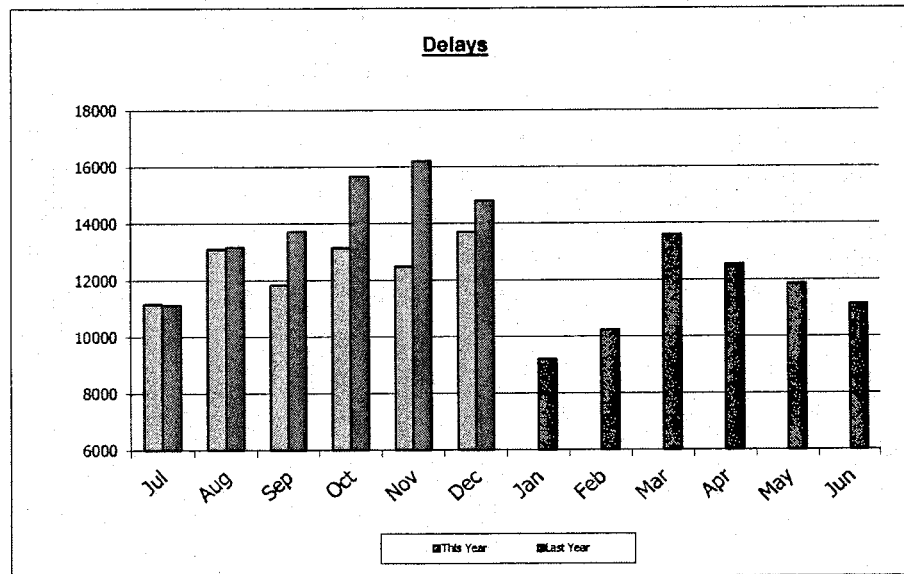
Month	YTD FY2015	YTD FY2014	YTD FY2013	YTD FY 2012	12 Month Moving Avg.
Jul	84,508	85,097	88,735	78,933	83,750
Aug	81,319	95,116	99,585	87,525	81,718
Sept	83,368	100,341	110,530	89,028	80,405
Oct	87,750	103,813	120,591	91,327	79,867
Nov	87,434	97,112	111,758	90,518	80,641
Dec	87,042	91,128	108,579	91,523	82,064
Jan		85,161	104,917	92,489	-
Feb		80,639	105,580	96,166	-
Mar		81,229	107,335	98,412	85,057
Apr		82,293	106,048	102,149	84,839
May		84,237	106,287	102,237	84,873
Jun		83,798	104,975	103,748	83,798



Garage Performance Parameters

December 2014

Location	Miles Between In-Service Delays			
	FY2015 Goal	This Month	FY2015 YTD	FY2014 YTD
Fairview	7,500	7,369	7,274	9,319
Greenville	10,000	11,181	8,681	10,020
Market Street	12,500	12,266	10,516	13,279
Meadowlands	11,800	10,023	9,292	9,934
Oradell	15,000	11,553	10,297	12,172
Wayne	14,000	10,431	11,576	12,095
Northern Division	-	10,531	9,940	11,371
Big Tree	9,600	13,696	10,244	15,048
Hilton	10,500	14,997	13,197	13,770
Howell	16,750	15,149	21,264	17,441
Ironbound	9,800	11,942	11,161	10,473
Orange	10,200	10,928	12,014	13,090
Morris	10,500	51,176	50,663	50,752
Central Division	-	14,402	13,887	13,705
Egg Harbor	16,000	17,153	15,326	21,749
Hamilton	24,500	29,107	18,976	24,150
Newton Avenue	14,650	18,470	15,085	15,610
Washington Twp.	15,000	22,509	14,438	18,328
Southern Division	-	20,122	15,336	19,262
Bus Operations	-	13,696	12,501	13,838

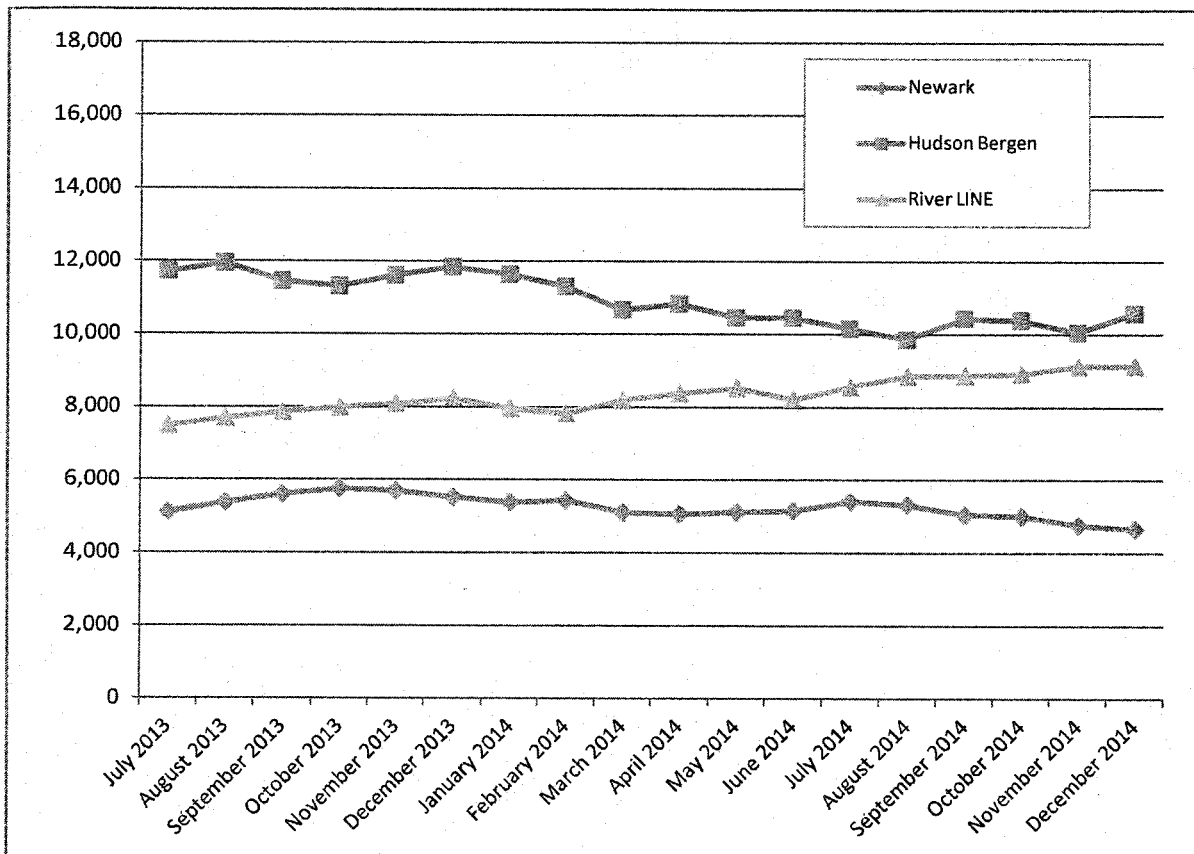


NJ TRANSIT - LIGHT RAIL, December 2014

Miles Between In-Service Delays (Mechanical Failures)

Light Rail System	December 2014 (Current Month)	12 Month Moving Average (Mean)
Newark Light Rail	3,883	4,683
Hudson Bergen	15,757	10,599
River LINE	9,374	9,160

MEAN DISTANCE MILES BETWEEN IN-SERVICE DELAYS (DELAYED TRAINS)



Notes: Newark Light Rail's totals are impacted by the short 5 mile alignment distance and single car consists.

DBE/MBE PROGRAM

NJ TRANSIT –Office of Business Development Additional DBE/SBE Participation for January 2015

State Funded Contracts

During the month of January 2015, NJ TRANSIT awarded **\$11,244,945.70** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$1,388,508.00** or **12.35%**.

During the State Fiscal Year **2015** (July 1, 2014 through June 30, 2015) NJ TRANSIT awarded **\$37,177,915.98** in state funded contracts. Of that total, SBEs received **\$6,637,278.25** or **17.85%**.

SBE Goal Attainment from July 1, 2014 through June 30, 2015 (FY 2015)

Category 1 SBEs received	\$157,201.47	or 0.42%
Category 2 SBEs received	\$484,733.62	or 1.30%
Category 3 SBEs received	\$1,428,343.00	or 3.84%
Category 4 SBEs received	\$2,539,214.16	or 6.83%
Category 5 SBEs received	\$1,858,136.00	or 5.00%
Category 6 SBEs received	\$169,650.00	or 0.46%

FTA Funded Contracts (updated Quarterly – next update will be available March 2015)

During the 1st Quarter (October 1, 2014 through December 31, 2014) of Federal Fiscal Year 2015 (October 1, 2014 through September 30, 2015), the FTA funded share of NJ TRANSIT’s federal contracts awarded was **\$7,641,757.77**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$2,507,431.14** or **32.81%**.

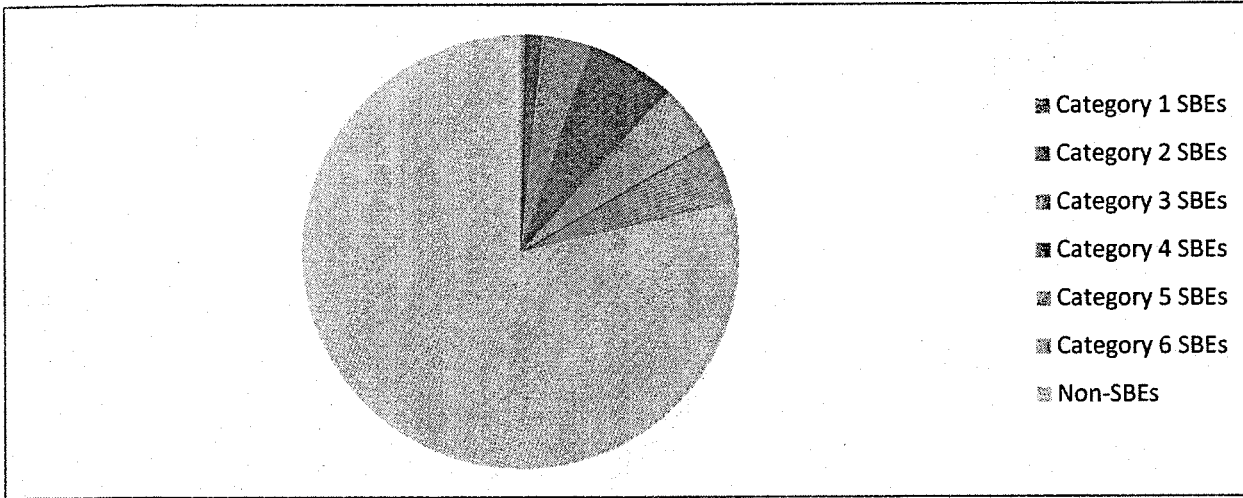
DBE Goal Attainment from October 1, 2013 (FFY 2014) - September 30, 2016 (FFY 2016)*

Contracts awarded	\$21,790,262.65
DBEs received	\$ 4,234,696.34 or 19.43%

*Numbers reflect federal share.

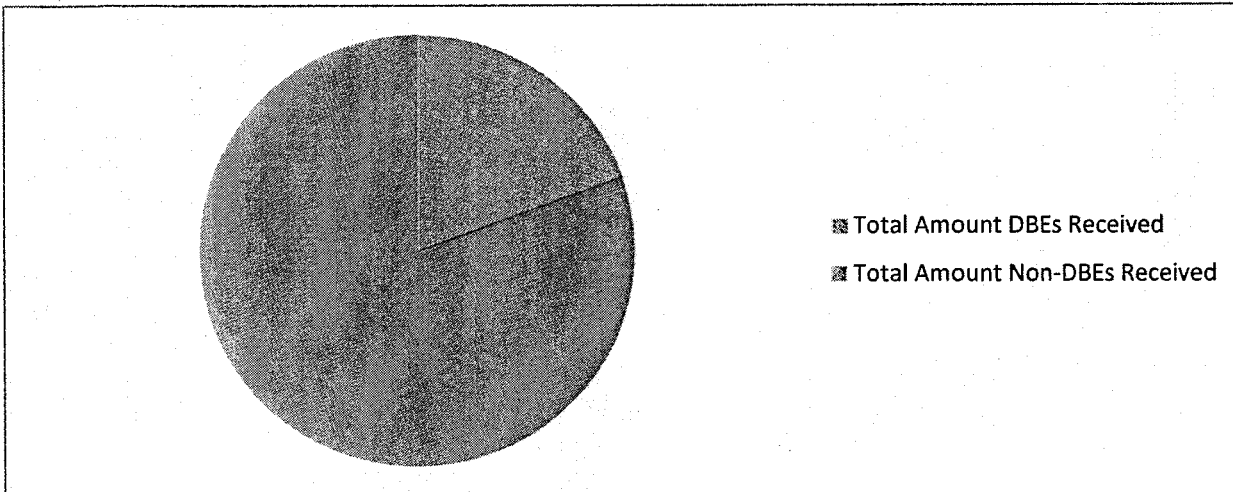
SBE PARTICIPATION
STATE CONTRACTS
STATE FYTD 2015

<i>Category 1 SBEs</i>	\$157,201.47	0.42%
<i>Category 2 SBEs</i>	\$484,733.62	1.30%
<i>Category 3 SBEs</i>	\$1,428,343.00	3.84%
<i>Category 4 SBEs</i>	\$2,539,214.16	6.83%
<i>Category 5 SBEs</i>	\$1,858,136.00	5.00%
<i>Category 6 SBEs</i>	\$1,858,136.00	0.46%
<i>Non-SBEs</i>	\$30,540,637.73	17.85%



DBE PARTICIPATION
FEDERAL CONTRACTS
TRIENNIAL YEARS 2014-2016

Total Amount DBEs Received	\$4,234,696.34	19.43%
Total Amount Non-DBEs Received	\$17,555,566.30	80.57%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

Fifteen NJ TRANSIT employees retired in January with careers ranging from 15 to 41 years of service:

1. Geraldine Cannon, Special Assistant VP – Penn Plaza – 38 years
2. John M. Lorenc, Dir. Fin. Ops. & Comp. – Penn Plaza – 35 years
3. Dave Nunamacher, Supt. Garage – Howell Garage - 34
4. Timothy P. Purcell, Sr. Dir. Infrastructure Engineering – 32 years
5. Stephen Knestaut, Depot Master (Union Rep) – Newton Ave Garage – 33 years
6. Mark Mattis, Dir. Training – Penn Plaza – 28 years
7. Donald J. Lichtfield, Rules Examiner – Hoboken Station – 26 years
8. Herman L. Marvel, Bus Operator – Washington Township Garage – 25 years
9. Jennifer R. Olius-Dudek, Inspector Class "A" – City Subway – 22 years
10. Lear K. Wiggins, Bus Operator – Ironbound Garage – 17 years
11. Gail A. Tholen, Sr. Customer Service Rep. – Penn Plaza – 16 years
12. Clyde W. Dunbar, Instructor – Ferry Street – 15 years
13. David H. Timmer, Principal Engineer – 15 years
14. Steven Padelski, Conductor – 41 years

ACTION ITEMS

ITEM 1502-01: ABERDEEN: SALE OF PROPERTY TO FACILITATE TRANSIT-ORIENTED DEVELOPMENT

BENEFITS

Selling approximately 1.7 acres of land along the North Jersey Coast Line to Aberdeen Township's designated redeveloper to facilitate transit-oriented development and granting an access easement across NJ TRANSIT's property to the sale parcel will generate non-farebox revenue and, future farebox revenue from transit-oriented development residents who will have easy access to Aberdeen-Matawan Station.

ACTION (Scorecard: Corporate Accountability, Financial Performance)

Staff seeks authorization to negotiate and execute the sale of approximately 74,109 square feet (1.7 acres) of excess, vacant land and to grant an access easement across approximately 12,296 square feet of additional excess vacant land, all of which is part of Aberdeen Township, Tax Block 259, Lot 8, along the eastbound right of way of NJ TRANSIT's North Jersey Coast Line, at Milepost 6.7, to Highview Homes at Aberdeen, LLC, of Red Bank.

The sale will enable the buyer to construct parking to support its transit-oriented development on adjacent land. The buyer will pay NJ TRANSIT an amount not less than \$500,000 at closing, which shall increase by three percent compounded annually if the buyer's efforts to obtain all unappealable land-use approvals for the adjacent land delay the closing date into a fourth or fifth year following execution of the contract of sale.

In addition, prior to closing, NJ TRANSIT will be paid a nonrefundable fee of \$25,000 for each of a maximum of three six-month extension periods that the buyer needs for obtaining development approvals. The sale is subject to terms and conditions that ensure NJ TRANSIT's unimpeded access to its adjacent right of way. The buyer also is obligated to pay for any environmental remediation. The sale is contingent upon the buyer obtaining all unappealable land-use approvals for its proposed transit-oriented development.

PURPOSE

Authorization of the sale and easement will benefit NJ TRANSIT, the buyer and the Township of Aberdeen. In 2012, the township designated Highview Homes' predecessor in interest, Silver Oak Properties, Inc., of Monroe Township, as redeveloper for the township's 13.5-acre Train Station Redevelopment Plan. NJ TRANSIT's authorization of the proposed sale to Highview Homes will advance NJ TRANSIT's efforts to increase farebox revenue from increased ridership and to increase non-farebox revenue, to lessen dependence on fares and taxpayer subsidies.

Transit-oriented development will maximize the value of NJ TRANSIT's assets to the benefit of customers and the Township of Aberdeen.

BACKGROUND

The subject property is located on Atlantic Avenue in Aberdeen Township, north of NJ TRANSIT's Aberdeen-Matawan Station. Now vacant, the property was used by NJ TRANSIT's predecessor owner of the North Jersey Coast Line for loading and unloading freight cars on the siding that once traversed the property.

Developer Interest

In 2010, NJ TRANSIT received a request from a developer, Silver Oak, to sell the subject property for transit-oriented development site assemblage. In 2012, Silver Oak, jointly with Highview Homes (then known as Chase Partners, LLC), sought to purchase the property for use as parking for the proposed development. NJ TRANSIT determined the property to be excess subject to various conditions.

Terms and Conditions of Sale

Key conditions of sale are that the use of the property not interfere with NJ TRANSIT's rail operations and that it provide NJ TRANSIT two ways to access its 925 feet of right of way adjacent to the excess property. To maintain access, NJ TRANSIT will reserve an easement upon the 1.7-acre sale property that enables NJ TRANSIT employees to cross the property and, if necessary, to use it as short-term staging for right-of-way maintenance. To the extent that NJ TRANSIT's use of the reserved easement area deprives the buyer of parking spaces, NJ TRANSIT will provide replacement parking for the buyer. Also, NJ TRANSIT will retain the 12,296-square foot portion of its property that fronts on Atlantic Avenue and grant the buyer an easement that allows the buyer access across that portion. By retaining that portion of its property, NJ TRANSIT will have another entry point to its right of way. The attached plan (Exhibit A) describes the property rights to be conveyed and to be retained.

Environmental Protections

The buyer will be responsible for all environmental cleanup costs or remediation that may be necessary to bring the property into compliance with all environmental laws, rules and regulations. The property will be paved and deed-restricted for use solely as parking. The paved cap and deed restriction will satisfy the environmental requirements for the buyer's use of the property. To protect NJ TRANSIT's environmental interests, the buyer will be required to maintain a \$500,000 letter of credit upon which NJ TRANSIT can draw if the buyer does not complete the required remediation.

Consideration

The buyer contemplates a three-year process for obtaining all approvals for developing NJ TRANSIT's sale property and adjoining properties. Accordingly, NJ TRANSIT and the buyer, on the basis of an appraisal, negotiated financial terms and conditions and a payment schedule that are intended to accommodate the anticipated pace of the

buyer's approval obligations. If the buyer's approval process extends into a fourth or fifth year beyond execution of the contract of sale, the purchase price will increase by three percent compounded annually. Any extension beyond the fifth year would require an amended agreement and NJ TRANSIT Board approval. In the event the buyer fails to obtain land-use approvals within the time periods specified in the contract of sale, the contract will terminate. If the property is not developed for transit-oriented development, or ceases to be used for transit-oriented development, the property will revert to NJ TRANSIT.

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

FISCAL IMPACTS

Requested Authorization:

Authorization to negotiate and execute the sale of approximately 74,109 square feet (1.7 acres) of excess, vacant land and to grant an access easement across approximately 12,296 square feet of additional excess vacant land, all of which is part of Aberdeen Township Tax Block 259, Lot 8, along the eastbound right of way of NJ TRANSIT's North Jersey Coast Line, at Milepost 6.7, to Highview Homes at Aberdeen, LLC, of Red Bank, the buyer, to enable the buyer's construction of parking to support transit-oriented development on adjacent land, for payment to NJ TRANSIT of (a) not less than \$500,000 at closing, which price shall increase by three percent compounded annually if the buyer's efforts obtain all unappealable land-use approvals for the adjacent land delay the closing date into a fourth or fifth year following execution of the contract of sale and (b) prior to closing, \$25,000, nonrefundable, for each of a maximum of three six-month extension periods that the buyer needs for obtaining development approvals, and subject to terms and conditions ensuring NJ TRANSIT's unimpeded access to its adjacent right of way and obligating the buyer to pay for any environmental remediation, altogether constituting a sale that is contingent upon the buyer obtaining all unappealable land-use approvals for its proposed transit-oriented development.

Past Authorizations:

None

Expenditures to Date:

\$3,500 for appraisal

Total Project Cost:

N/A

Projected Date of Completion:	TBD
Capital Program Amount:	N/A
Operating Budget Amount:	N/A
Anticipated Source of Funds:	N/A
Prints ID Number:	N/A
DBE/SBE Goal:	N/A
<i>NJ Build Amount:</i>	N/A
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets	Additional non-farebox revenue of not less than \$500,000 from sale of land upon closing. Increased farebox revenue when transit-oriented development increases ridership.

RESOLUTION

WHEREAS, NJ TRANSIT owns approximately 1.7 acres of excess vacant land in Aberdeen Township along the eastbound right of way of the North Jersey Coast Line at Milepost 6.7 near the Aberdeen-Matawan Station; and

WHEREAS, the Township of Aberdeen enacted the Train Station Redevelopment Plan for 13.5 acres of land near the Aberdeen-Matawan Station that encompasses the principles of transit-oriented development and includes NJ TRANSIT's property; and

WHEREAS, Highview Homes at Aberdeen, LLC, of Red Bank, is the municipality's designated redeveloper for the Train Station Redevelopment Plan; and

WHEREAS, NJ TRANSIT has determined that 1.7 acres of vacant land that it owns in Aberdeen Township along the North Jersey Coast Line is excess land available for assemblage in connection with the Train Station Redevelopment Plan; and

WHEREAS, NJ TRANSIT encourages transit-oriented development to lessen dependence on the taxpayer subsidy by increasing ridership and farebox revenue, and by generating non-farebox revenue in the form of land-sale proceeds;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to negotiate and execute the sale of approximately 74,109 square feet (1.7 acres) of excess, vacant land and to grant an access easement across approximately 12,296 square feet of additional excess vacant land, all of which is part of Aberdeen Township Tax Block 259, Lot 8, along the eastbound right of way of NJ TRANSIT's North Jersey Coast Line, at Milepost 6.7, to Highview Homes at Aberdeen, LLC, of Red Bank, the buyer, to enable the buyer's construction of parking to support transit-oriented development on adjacent land, for payment to NJ TRANSIT of (a) not less than \$500,000 at closing, which price shall increase by three percent compounded annually if the buyer's efforts to obtain all unappealable land-use approvals for the adjacent land

delay the closing date into a fourth or fifth year following execution of the contract of sale and (b) prior to closing, \$25,000, nonrefundable, for each of a maximum of three six-month extension periods that the buyer needs for obtaining development approvals, and subject to terms and conditions ensuring NJ TRANSIT's unimpeded access to its adjacent right of way and obligating the buyer to pay for any environmental remediation, altogether constituting a sale that is contingent upon the buyer obtaining land-use approvals for its proposed transit-oriented development.



2640 HIGHWAY 70, SUITE 10-B
MANASQUAN, NJ 08736
(TEL) 732.899.0898
(FAX) 888.712.4519

APPLICANT:
BUYER
280 HIGHWAY 35 SOUTH, SUITE 150
RED BANK, NJ 07701
732-530-9191

50 25 0 50 100
HORIZONTAL SCALE: 1"=50'-0"

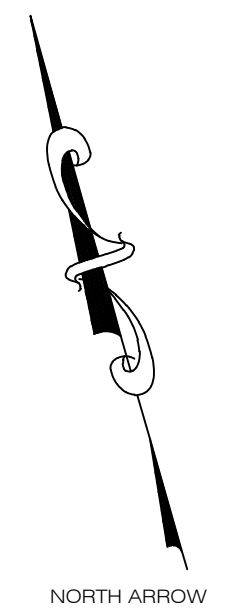
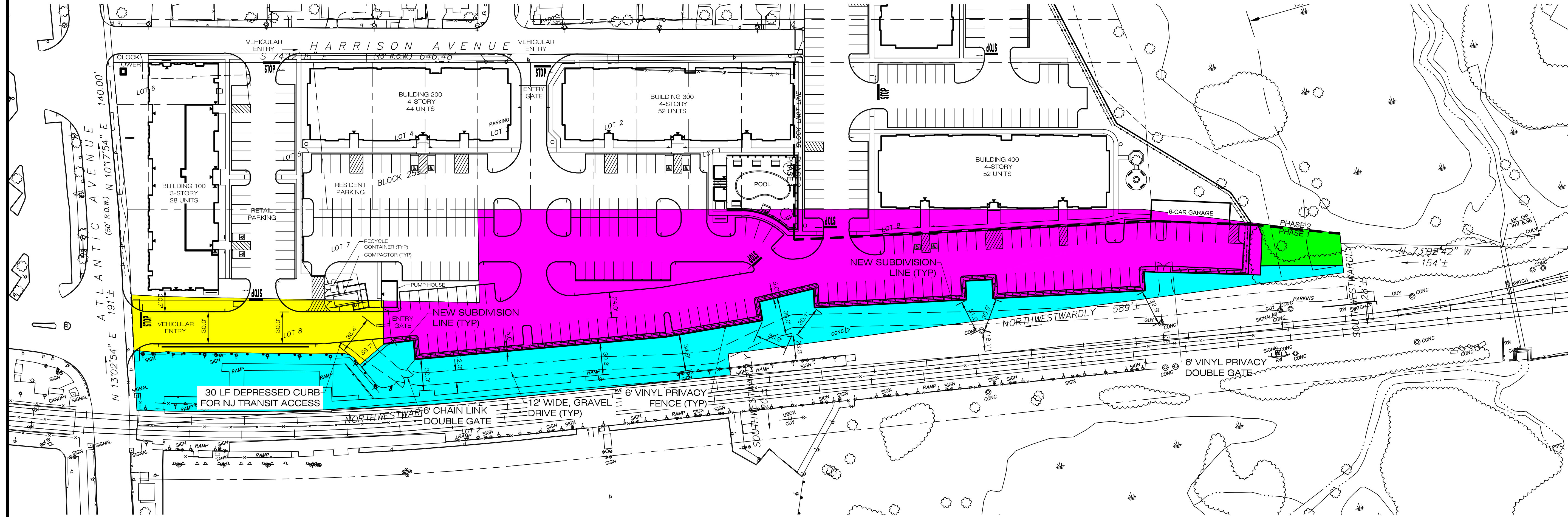


EXHIBIT 'A' - PROPERTY RIGHTS PLAN



LEGEND

- NJ TRANSIT PROPERTY TO BE SOLD TO BUYER, INCLUDING A RESERVED EASEMENT FOR NJ TRANSIT'S ACCESS TO ITS RIGHT-OF-WAY
AREA = 74,109 SF (1.70 AC.)
- NJ TRANSIT PROPERTY TO BE RETAINED BY NJ TRANSIT
AREA = 40,502 SF (0.93 AC.)
- NJ TRANSIT PROPERTY TO BE RETAINED BY NJ TRANSIT AND UPON WHICH NJ TRANSIT WILL GRANT AN ACCESS EASEMENT TO BUYER FOR ITS VEHICULAR ACCESS
AREA = 12,413 SF (0.29 AC.)
- NJ TRANSIT PROPERTY TO BE RETAINED BY NJ TRANSIT AND DESIGNATED FOR A POTENTIAL FUTURE NJ TRANSIT UTILITY PERMIT TO BUYER
AREA = 2,664 SF (0.06 AC.)

NO.	DATE	ISSUE OR REVISION	BY
REVISIONS			

PROJECT:
**PRELIMINARY MAJOR SITE PLAN
PLAZA STATION**

LOCATION:
BLOCK 259, LOTS 1-8
TAX MAP SHEETS #61 AND #65
TOWNSHIP OF ABERDEEN
MONMOUTH COUNTY, NJ

DRAWING TITLE:
**EXHIBIT 'A'
PROPERTY RIGHTS
PLAN**



2640 HIGHWAY 70, SUITE 10-B
MANASQUAN, NJ 08736
(TEL) 732.899.0898 (FAX) 888.712.4519
CERTIFICATE OF AUTHORIZATION #24GA28176300

JOSEPH D. HANRAHAN
PROFESSIONAL ENGINEER
NJ LICENSE NUMBER 40339
PA LICENSE NUMBER 76067

DRAWN BY: JCH	CHECKED BY: JDH	DRAWING NUMBER: SP-01
SCALE: 1" = 50'		
JOB NUMBER: 11583	DATE: 01.23.15	SHEET 1 OF 1

X:\11583 PLAZA STATION ABERDEEN\DRAWINGS\DC-COURT\SUBMIT A-PROPERTY RIGHTS PLAN\DWG LAYOUT 1/23/2015 2:44 PM JCH

ITEM 1502-02:

MULTILEVEL CAR 7028

BENEFITS

In March 2013, NJ TRANSIT's Board of Directors authorized NJ TRANSIT Contract No. 13-627 with Bombardier Transit Corporation of Bensalem, Pennsylvania, to repair multilevel rail cars damaged by Superstorm Sandy.

In November 2013, NJ TRANSIT's Board of Directors subsequently authorized a change order to NJ TRANSIT Contract No. 13-627 to perform scheduled routine maintenance and make minor vehicle modifications and repairs to the multilevel fleet. The proposed work at the time contemplated repairs to multilevel car 7028 damaged after being struck by a freight train in Suffern Yard in 2013.

This Board Item is to clarify that the prior authorizations to Bombardier Transit Corporation to repair, perform scheduled routine maintenance, and make minor vehicle modifications to the multilevel rail cars include NJ TRANSIT multilevel car 7028. In addition to repairs, additional vehicle modifications include, but are not limited to, installation of additional seats, upgrades to onboard digital signage, and the addition of a forward facing camera which can be used in a post-incident investigation.

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

Staff seeks authorization to execute a change order to NJ TRANSIT Contract No. 13-627 with Bombardier Transit Corporation of Bensalem, Pennsylvania, clarifying that the prior authorizations to repair previous damage, perform scheduled routine maintenance, and make minor vehicle modifications to the multilevel fleet include NJ TRANSIT multilevel car 7028, and to perform similar repairs to other multilevel vehicles if determined necessary.

PURPOSE

This Board Item authorizes repairs, schedule routine maintenance and minor vehicle modifications, recommended by customers and employees, to NJ TRANSIT multilevel car 7028 and to perform similar repairs if determined necessary to other multilevel vehicles as during the Reliability Program. The work will be performed in accordance with the manufacturer's recommended maintenance plan.

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

FISCAL IMPACTS

Requested Authorization:

Change order to Contract No. 13-627 for repairs, scheduled routine maintenance and

minor vehicle modifications to multilevel car 7028 and similar repairs to other multilevel vehicles if determined necessary.

Past Authorizations:

March 2013 Item 1303-06

\$16,000,000

November 2013 Item 1311-44

\$23,000,000 + 5% contingency

Total Past Authorization

\$40,150,000

Expenditures to Date:

None for Multilevel Car 7028

Capital Program Amount:

\$40,150,000

Operating Budget Amount;

None

Total Project Cost:

\$1,000,000 for Multilevel Car 7028

Projected Date of Completion:

December 2015

PRINTS ID Number:

NJT00673

Anticipated Source of Funds:

TTF

DBE/SBE Goal:

None (Specialized work)

***NJ Build* Amount:**

None

Related/Future Authorizations:

Multilevel truck maintenance every six years

**Impact on Subsequent
Operating Budgets:**

\$0

RESOLUTION

WHEREAS, NJ TRANSIT's Board of Directors previously authorized NJ TRANSIT Contract No. 13-627 with Bombardier Transit Corporation of Bensalem, Pennsylvania to repair multilevel rail cars damaged by Superstorm Sandy; and

WHEREAS, NJ TRANSIT's Board of Directors also previously authorized a change order to NJ TRANSIT Contract No. 13-627 to perform scheduled routine maintenance and make minor vehicle modifications to the multilevel fleet; and

WHEREAS, multilevel car 7028, previously damaged in a low-speed collision, requires repairs as well as scheduled routine maintenance, and other minor vehicle modifications, recommended by customers and employees; and

WHEREAS, it has been determined that Bombardier Transit Corporation is certified to be the sole/single source supplier for these maintenance activities, repairs and upgrades in accordance with N.J.A.C. 16:72-1.5 and Executive Order No. 37;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to execute a change order to NJ TRANSIT Contract No. 13-627 with Bombardier Transit Corporation of Bensalem, Pennsylvania, to execute a change order to NJ TRANSIT Contract No. 13-627 with Bombardier Transit Corporation of Bensalem, Pennsylvania, clarifying that the prior authorizations to repair previous damage, perform scheduled routine maintenance, and make minor vehicle modifications to the multilevel fleet include NJ TRANSIT multilevel car 7028, and to perform similar repairs to other multilevel vehicles if determined necessary.

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, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to, the Proposed Settlement of a Pending Lawsuit; and

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

ITEM 1502-03: PROPOSED SETTLEMENT OF A PENDING LAWSUIT

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

WHEREAS, an NJ TRANSIT Rail Operations employee has presented a claim under the Federal Rail Safety Act ("FRSA") with a probable settlement cost greater than \$500,000; and

WHEREAS, NJ TRANSIT's counsel and staff have reviewed the claim and recommend settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to settle the claim of an NJ TRANSIT employee, through his attorney, at an amount discussed and considered in executive session Board Item 1502-03. The Attorney General has approved the proposed settlement, subject to the availability of funds.