

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

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June 22, 2023

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

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, June 14, 2023.

Sincerely,

*Meghan Clark Umukoro*

Meghan Clark Umukoro  
Board Secretary

Enclosures

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Open Session Minutes of the actions taken at the Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, June 14, 2023. The meetings occurred concurrently.

### **Board Members**

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

### **Staff**

Kevin S. Corbett, President & Chief Executive Officer (CEO)  
Meghan Clark Umukoro, Board Secretary  
Brian T. Wilton, Senior Vice President, Chief Legal Officer & General Counsel  
Justin P. Davis, Senior Vice President Regulatory & Government Affairs & Chief of Staff  
Richard Schaefer, Acting Senior Vice President, Capital Programs  
James Sincaglia, Senior Vice President & General Manager, Rail Operations  
Jacqueline Stamford, Acting Senior Vice President, Chief Financial Officer and Treasurer  
Ronald Hovey, Acting Chief Procurement & Logistics Officer

Chair Gutierrez-Scaccetti convened the Open Session at 10:04 a.m. in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Board Secretary Umukoro asked everyone to mute their phones and turn their attention to the Public Safety Announcement. The pledge of allegiance to the flag was recited.

Board Secretary Umukoro conducted Roll Call and noted that Board Member Giblin was currently participating remotely and would participate in person soon, Board Member Maroko would participate a little later, and Board Members Doshi and Maroko were participating remotely.

Board Secretary Umukoro announced that adequate notice of the meetings of the Board of Directors of the New Jersey Transit Corporation and its affiliates and subsidiaries was provided in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Notices were filed on June 8, 2023, with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT

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headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

### **Approval of Minutes**

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the May 10, 2023 Board meetings. Board Member Shanti Narra made the motion and Board Member Michael Kanef seconded the motion. The minutes were adopted.

### **Roll Call Vote:**

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

Chair Gutierrez asked Board Secretary Umukoro to note for the record there was a quorum without Board Member Giblin's vote, since she was having audio issues.

### **President & CEO's Monthly Report**

President & CEO Corbett began discussing ridership. Overall systemwide ridership on bus, rail, and light rail was approximately up to 80 percent of pre-COVID levels. Looking at specific modes, they remained relatively steady on their rail system, Newark Light Rail, and River LINE, with encouraging increases on their bus system and Hudson-Bergen Light Rail. Overall weekday rail ridership was at approximately 65 percent of pre-COVID levels, still fluctuating between 55 to 75 percent, depending on the day of the week, with many mid-week, peak-hour trains at or near 100 percent. President & CEO Corbett said it was worth noting that on Wednesday, May 31, 2023, they recorded a post-COVID weekday rail ridership high, exceeding the 76 percent mark of pre-COVID levels and knew that as of yesterday that record was broken as well. Overall weekend rail ridership remained at approximately 80-90 percent of pre-COVID levels, with many trains also at 100 percent.

Overall systemwide bus ridership has increased from approximately 80 percent of pre-COVID levels to approximately 85 percent of pre-COVID levels. Interstate bus ridership into New York was up from approximately 76 percent of pre-COVID levels to approximately 82 percent of pre-COVID levels, and intrastate bus ridership was up from approximately 85 percent of pre-COVID levels to approximately 89 percent of pre-COVID levels. Many peak period bus trips were still at or near capacity, with some even above pre-COVID ridership levels. Newark and River LINE rail systems were holding steady at approximately 80 percent of pre-COVID levels, and Hudson-Bergen Light Rail ridership has increased from approximately 80 percent of pre-COVID levels to approximately 85 percent of pre-COVID levels.

President & CEO Corbett noted that the increasing ridership reflected the fact that customers were clearly comfortable riding their system especially on weekends and holidays, or to get to sporting events and concerts at MetLife Stadium. He said two perfect

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examples were the recent MetLife concerts by world-renowned artists Taylor Swift and Ed Sheeran. Since the last Board meeting, NJ TRANSIT has provided rail transportation to and from the stadium for five blockbuster concerts by those artists, three by Taylor Swift over Memorial Day weekend, and two by Ed Sheeran this past weekend, seamlessly moving customers on their BetMGM Meadowlands Rail Line.

For the three Taylor Swift concerts, they successfully moved approximately 80,000 customers to and from the stadium, and it could not have gone better. They took more than 14,000 out of the stadium on rail and bus each of the three nights, in approximately one hour on Friday, and in under an hour on Saturday and Sunday. For the two Ed Sheeran concerts, they moved approximately 45,000 customers to and from the stadium, with nearly 13,000 out of the stadium on rail and bus on Saturday night, and more than 13,000 out on Sunday night, in approximately the same time frame as with the Taylor Swift concerts.

MetLife reported that Sunday night's Ed Sheeran concert set an all-time concert record, with more than 89,000 fans in attendance. President & CEO Corbett noted that five years ago, NJ TRANSIT would have never been able to provide this level of reliable and seamless transportation for events of that magnitude. These events were all-out organizational efforts, combining not only bus and rail operations, but security, customer service, finance, and other aspects of the NJ TRANSIT operation. The success they had for those mega events also clearly showed what they have been able to accomplish over the past five years with healthy state funding, a focus on restoring the ranks of locomotive engineers, hiring bus operators, and building a strong management team. It also underscored just how important NJ TRANSIT is to our state, region, and most importantly, the customers who rely on their service every day.

President & CEO Corbett said as many have heard him say before, NJ TRANSIT ridership was bouncing back stronger, on a relative basis, than many of their peer agencies across the country. They credited this largely to improved reliability and to the strong safety protocols they implemented during the pandemic, both of which were aided and informed by their close collaboration with APTA on the national level, and UITP or the International Association of Public Transport on the international level. This close collaboration continued to benefit them to this day.

Last week, President & CEO Corbett attended and spoke at the UITP Global Transport Summit, the world's largest event dedicated to public transit. After four years, his term as North American Representative to UITP's Executive Board has come to an end, and he was honored to have been selected to serve as U.S. Representative to UITP's Executive Board. President & CEO Corbett said this was a new seat created due to significantly increased North American participation with UITP, as UITP now has approximately 120 transit organizations as members in North America, and they were still growing. He was particularly pleased to see a large delegation from APTA, including APTA President & CEO Paul Skoutelas. The close collaboration they see today between APTA and UITP bodes well for all North American transit systems, including NJ TRANSIT, enabling them to benefit from global best practices, as well as share their own experiences.

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While at the Summit, President & CEO Corbett was also honored to serve as UITP representative in a meeting with key transit executives and government officials from Ukraine's major cities, including Kiev, Kharkiv, Odesa, and Dnipro, together with key officials from the World Bank, and the European Infrastructure Bank. President & CEO Corbett said while it was inspirational to hear how Ukrainian cities were keeping their transit systems running, as critical lifelines to their economies under the most difficult of circumstances, it was nice to be able to show them how agencies like NJ TRANSIT could help them, not just with current exigencies, but in planning to hit the ground running for rebuilding once the conflict there ended.

President & CEO Corbett said although Ukraine may seem far away, America's involvement in Europe was long indeed, which, on a personal note, was reflected and reinforced by his son's recent deployment to Poland and Latvia, as a First Lieutenant Marine Corps fighter pilot in Marine Air Group 14, which was much appreciated by the Ukrainian delegation.

President & CEO Corbett said speaking of their military, and as a part of their summer marketing promotions, NJ TRANSIT was proud to honor the brave men and women serving in the United States Armed Forces, with complimentary rides throughout their system during Fleet Week. From May 24, 2023 through May 30, 2023, active-duty and reserve members of the military and National Guard rode free on NJ TRANSIT while in uniform or by displaying military identification.

This year, they were increasing the appeal of NJ TRANSIT by reintroducing their comprehensive summer promotional campaign, again asking customers to make NJ TRANSIT "Your Ride to Summer Vibes" as Anthony Grieco and Marketing has described it. This began on May 23 and would be running throughout the summer. New and returning customers could save on summer travel by using various promotional codes in the NJ TRANSIT mobile app, including beach excursion fare discounts for low-cost, roundtrip, weekday tickets to some of New Jersey's most popular shore destinations.

Also, on May 27, 2023, NJ TRANSIT resumed service to Six Flags Great Adventure from the Port Authority Bus Terminal via the number 308 express bus, and were offering some great discount packages to the park. NJ TRANSIT customers could save up to \$50.00 off round-trip bus tickets and admission passes to the Theme Park or Hurricane Harbor. In addition, for the first time ever, customers could purchase their entire Great Adventure package right in the NJ TRANSIT mobile app, making it more convenient than ever. For more information, customers could visit [njtransit.com/summer](https://njtransit.com/summer).

President & CEO Corbett was pleased to announce that NJ TRANSIT was launching another type of campaign, this one encouraging customers to develop backup travel plans, and providing new resources to help them do so. They were calling it "Know Your ABCs," and in this case, "ABCs" stood for "alternates, backups, and contingencies." While, thankfully, major service disruptions were an infrequent occurrence, their "Know Your ABCs" campaign empowered customers to proactively navigate an unplanned disruption to their commute. For example, if a customer normally took the train from New Jersey to Penn Station New York, they were encouraged to also know which bus route

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from the Port Authority Bus Terminal in New York would be an alternative. They have made it as easy as possible for customers to learn their ABCs. All they needed to do was visit [njtransit.com/ABC](http://njtransit.com/ABC), click on their specific line, and it would show alternate travel options to, or near, their destination. They were also promoting the campaign on posters and signs inside stations, onboard buses and trains, and on social media.

In addition to their focus on innovative ways to improve the customer experience, President & CEO Corbett said he regularly presented updates to the Board that aligned with their “back to basics” approach since 2018, and fell within their three core focus areas: people, infrastructure, and technology. That day they also had updates in two of these focus areas, people and technology, along with important developments in two equally crucial aspects of the NJ TRANSIT operation that were also aligned with two overarching goals in their Ten-Year Strategic Plan, NJT2030.

President & CEO Corbett said accessibility was key in recognizing their commitment to a fully inclusive and accessible transit system, and sustainability, recognizing their commitment to promoting a more sustainable future for their planet.

NJ TRANSIT was also seeking local transportation partners to enhance Access Link Service. President & CEO Corbett was pleased to note that NJ TRANSIT was seeking to partner with local, eligible transportation organizations in a pilot program to explore the possibility of those organizations providing select Access Link trips, in accordance with the State’s Paratransit Improvement Act. This effort looked to build on the momentum of their new pilot partnerships with Uber and Lyft, by continuing to expand options for Access Link customers, and further improving reliability and the customer experience. Under the pilot program, one eligible transportation organization from each of the six Access Link regions would be selected to receive upgraded technology and training, to potentially serve recurring trips currently provided by Access Link. Eligible organizations were invited to learn more by attending a hybrid informational session which was held last week on June 8, 2023, at 10:00 a.m., at NJ TRANSIT, or by registering to attend online, by visiting [njtransit.com/AccessLinkPilot](http://njtransit.com/AccessLinkPilot).

President & CEO Corbett said speaking of their Uber/Lyft Rider’s Choice Pilot Program, he would like to provide an update on their program’s auspicious beginning. He said since launching the program on May 10, 2023, more than 2,600 Access Link customers have opted in, and they have provided more than 11,500 rides through the program. Customer feedback has been overwhelmingly positive, with many noticing reduced wait and trip times, and an appreciation that there has been no change to Access Link prices. He also noted that while improving service and the customer experience, they anticipate this program would have a positive budget impact when fully implemented.

As they work to further enhance their Access Link service, President & CEO Corbett said NJ TRANSIT was doing everything they could to maximize accessibility on their bus, rail, and light rail systems. Toward that end, and aligned with one of the five overarching goals in *NJT2030* to “power a stronger and fairer economy for all communities in the region,” NJ TRANSIT would hold its third Accessibility Forum on June 27, 2023. The forum was designed to educate the public on the many services and features that make their system

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as accessible and inclusive as possible, and to provide an opportunity for public feedback. For more details on how to participate, please visit [njtransit.com/accessibility](https://njtransit.com/accessibility).

NJ TRANSIT released a draft of their first-ever Sustainability Plan. In conjunction with the release, they were asking for public comments on the Plan from June 1 through July 7, 2023. They were committed to using this public feedback to ensure that the final Plan positioned NJ TRANSIT as a leader in sustainable transit, while meeting the needs of their customers and communities they serve. To see the draft Plan, or to comment on it, please visit [njtransit.com/sustainabilityplan](https://njtransit.com/sustainabilityplan). In addition to this public comment period, on June 20, 2023, from 6:00 p.m. to 7:30 p.m., NJ TRANSIT would host its fourth public webinar to gain further input on the Draft Sustainability Plan. Interested attendees could use the same link, [njtransit.com/sustainability](https://njtransit.com/sustainability) to register for the webinar.

On the technology side, in addition to prioritizing accessibility and sustainability, NJ TRANSIT was equally committed to leveraging technology to improve the customer experience, in this case by working to give customers as many options as possible to purchase tickets and passes. On May 31, NJ TRANSIT introduced a pilot program allowing customers to buy tickets online, at [njtransit.com/webtickets](https://njtransit.com/webtickets), for travel on their Atlantic City Rail Line. Customers needed only a valid e-mail address and a credit or debit card to purchase tickets from a desktop, laptop, tablet, or even a cell phone with internet access. After purchasing the ticket online, they could generate a QR code for their trip, print it out, or show it on a mobile device at the time of travel, similar to what customers would experience with their boarding passes at an airport when boarding a plane. If all goes well, they will look to expand this program throughout the rail system, and to other modes of travel.

On the people side of the transit business, June was Pride Month, so President & CEO Corbett took a moment to acknowledge and honor the contributions and experiences of NJ TRANSIT's LGBTQIA+ community, both customers and employees. He was also proud to share that NJ TRANSIT's *Ride With Pride* Company Employee Resource Group led by the Office of Civil Rights & Diversity Programs marched and hosted a booth at this year's Jersey Pride Parade at Asbury Park on June 4, 2023. With more than 30,000 attendees, this was the state's largest pride event. In addition to Pride month, June was also federally recognized as Caribbean American Heritage Month, a time to honor and celebrate the contributions of Caribbean Americans to the history, culture, and achievements of the United States. NJ TRANSIT was proud to honor their Caribbean American staff and riders.

Monday, June 19, 2023 was also Juneteenth, celebrated as a New Jersey State holiday this Friday, June 16, 2023. It was a significant date that commemorated the end of slavery in the United States. In celebration and remembrance, on June 13, 2023, NJ TRANSIT's Black/African American Company Employee Resource Group, B.R.I.D.G.E.S, hosted a hybrid virtual and in-person employee event, keynoted by their very own Board Vice Chair Kiabi Carson.

Also regarding people, President & CEO Corbett was proud to join New Jersey Transit Police Chief Christopher Trucillo at Secaucus Junction on May 24, 2023, for their annual

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New Jersey Transit Police Department (NJTPD) Awards Ceremony. There they honored 11 officers with Life Saving awards, quite literally for saving a life. Others, including civilians, were recognized for exemplary service, outstanding bravery or heroism, or for military service. It was also his pleasure to recognize six officers who earned promotions over the past year, along with welcoming nearly 30 newly hired members of the NJTPD.

In addition, June is importantly recognized as National Safety Month. NJ TRANSIT is using this opportunity to launch a new educational campaign aligned with this year's National Safety Council theme, "Don't Be Hasty, Observe Safety." During June, NJ TRANSIT would be reinforcing safety strategies, and informing and educating employees, customers, motorists, and others of safety protocols and risky behaviors, by providing safety tips that will be displayed publicly and at internal employee locations throughout the state. New Jersey Transit Police Department officers, Office of System Safety employees, and members of the Customer Experience team would also be interacting with customers through various safety events to remind the public of the importance of safety protocols when at a transit station or using mass transit.

President & CEO Corbett said he would wrap up by noting two awards NJ TRANSIT received since their last Board meeting. On May 5, 2023, NJ TRANSIT was proud to receive the New Jersey Institute of Technology's (NJIT) Award for Best Public Sector Partner at their Recruitment Partners Awards event. The award recognized the fruitful partnership between NJ TRANSIT and NJIT, demonstrating their commitment to nurturing talent and creating meaningful career pathways in the transportation industry. Through their partnership with NJIT, NJ TRANSIT was able to tap into a pool of young, local talent, enriching their organization with fresh perspectives and innovative ideas, and building a stronger, more resilient workforce. President & CEO Corbett was also pleased to announce that three senior members of the NJ TRANSIT team, Acting Senior Vice President of Capital Programs Rich Schaefer, Deputy General Manager of Bus Operations Bob Bigg, and Director of Planning Chris Sandiford have been recognized with 2023 Transportation Leadership Awards, from the Newark Regional Business Partnership. President & CEO Corbett congratulated Rich, Bob, and Chris for this well-deserved recognition, and for helping NJ TRANSIT advance their vision to become one of the best transit agencies in the nation.

Chair Gutierrez-Scaccetti said before they took public comments, she wanted to note for the record she would be leaving around 10:45 a.m. for business travel and at that time, Vice Chair Kiabi Carson would take over the meetings and Chair Gutierrez-Scaccetti would join virtually.

Board Secretary Umukoro noted for the record, Board Member Giblin was now participating in-person and Board Member Maroko had joined the meetings remotely.

### **Public Comments**

Board Secretary Umukoro said there was one elected official, eight in-person speakers, and five queued telephone speakers.

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

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

**Assemblywoman Shama Haider**, representing District 37 in Bergen County, thanked the Board for the opportunity to speak. She discussed the hiring of the Customer Advocate position, which she noted she has commented on before. Assemblywoman Haider said transit riders should get this independent advocate which they deserve and have expected for over two years after no action. This was also a concern of Assemblywoman Haider because her district was very densely populated, and many residents rely on public transportation. She hopes the Board can ensure a resolution on this issue.

**David Peter Alan**, Chair of the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC), said he was not appearing as a member of the general public that day, but instead he was there to report officially on behalf of their committee.

Mr. Alan said President & CEO Corbett mentioned the Accessibility Forum on June 27, 2023 and they also believe that such accessibility for everybody was vital, not only for the personal well-being of all riders, but for the economic vitality of their state and communities. He said SCDRTAC provided input concerning topics for the event and working cooperatively with management, and they would be presenting a report on behalf of their committee.

Mr. Alan said they do not need to be living with a disability to benefit from the efforts to make their transit more accessible. He said years ago, Ed Hoff, who leads not only at the Accessibility Forum, but also NJ TRANSIT's similar efforts in other ways, told him that accessible transit makes riding easier for everybody, whether they have a disability or not. Mr. Alan said he was several years older now and the older he gets, the better he understands what Ed was telling him. He urged everyone to come to the Accessibility Forum or call in.

Mr. Alan said their committee would be very interested in learning more from management about how the Access Link Riders Choice Pilot was going, and the ABCs Program because the App sounded good. Mr. Alan said he knows his own ABCs but was not sure that everybody else knew theirs.

Concerning Board Item 2306-32 Adoption of Regulation N.J.A.C. 16:73 Reduced Fare Transportation Program for Seniors and People with Disabilities, Mr. Alan said they commend NJ TRANSIT for continuing to accept the Medicare Card for Seniors 65 and

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over as proof of eligibility as the Federal Law requires. He said they said this to management last year and they say it again today.

Mr. Alan said in April, they heard a presentation from Senior Citizens United Community known as Sen-Han Transit, which serves Burlington and Camden Counties. That organization has a unique structure as a not-for-profit corporation, rather than a county agency. Mr. Alan said it was an interesting idea, and could open up opportunities for some innovative and possibly best practices. At least, there was no concern about going beyond a five-mile, out of county limit between Burlington and Camden Counties, and parts of Gloucester County, where Sen-Han also operates. They also heard from Gloucester County, which was phasing out direct operations, in favor of contracting those services out. They were watching results because this might become a more common practice in the future.

Mr. Alan said this Board would meet again on July 19, 2023 and consider casino revenue funding under the SCDRTAC program that lies directly within their purview. They would report to the Board about that and more, because they were scheduled to present their semi-annual report, which would be longer than the reports they have been making during the past several months.

Mr. Alan said they format their reports to the Board, and will do their best to let the Board know what is going on with their committee, as they attempt to serve their constituents: the seniors and persons with disabilities who ride on NJ TRANSIT and affiliated services, including Access Link and county-sponsored transportation.

**Murray Bodin** said he celebrated his 90<sup>th</sup> birthday and 50<sup>th</sup> wedding anniversary the previous weekend. He said he was unable to do a lot of walking, and now uses an electric wheelchair. Mr. Bodin said he had something prepared which he shared via email with the Board, and hoped they all had seen it on what was wrong with the traffic lights. He said what struck him as more important was the fact President & CEO Corbett wrote his remarks yesterday which should have been posted online then. Mr. Bodin also said the President & CEO remarks font should be larger so it would be easier for him to see online so he didn't have to try and enlarge it.

Mr. Bodin said all the Board members have first names and he could not understand why they were not using them because addressing a person by their first name would change the culture of the organization. He said he requested a meeting with Board Member Gordon that did not occur. Mr. Bodin said it would have been an interesting meeting, and he would have given Board Member Gordon information he did not have.

Mr. Bodin said to President & CEO Corbett that he made some suggestions, and NJ TRANSIT did not need a 500-acre bus garage. He said President & CEO Corbett did not respond to his suggestions and has no idea what is going on. Mr. Bodin said it was time for President & CEO Corbett to move on. Mr. Bodin said President & CEO Corbett belonged to a different generation. He said he spoke to his grandchildren at his celebration, and they think differently than President & CEO Corbett because he thinks only the fancy stuff works.

Mr. Bodin said the duplicate traffic lights at the rail crossings all over New Jersey was a safety issue, although many did not understand that. He said he came over from Harrison, New Jersey and there was a bridge with a gate and traffic lights. Mr. Bodin said somebody was going to ask why they were still using red flashing lights, which they started using 100 years ago. He said he sent an email about the flashing traffic lights shown on the cover of a national magazine and the regular red traffic lights both in the same place. Mr. Bodin said if a national magazine in transportation did not get it, then who would.

**Tim Sevener**, from the Transit Village of Mount Tabor and a Board member of the New Jersey Association of Rail Passengers, said he was there to speak about the need for electric rail and how the TRANSITGRID could be a major step towards that. He said at the last board meeting, that John. F. Kennedy International Airport was planning to use solar to power the airport shuttles, and there was no reason this could not be done. Mr. Sevener said PATCO was already doing it, and they were supplementing it with solar panels on the bridges. He said NJ TRANSIT could do the same thing because the train to Newark Board Street Station goes below the street. Mr. Sevener wants solar panels there and at the Orange Street Station. He said they have to think outside of the box. He noted last week's air quality issue was horrible, and they had never seen this before, where they had fire and smoke causing people to wear masks outdoors. Mr. Sevener said they have to take these issues seriously.

Mr. Sevener said he has been to Sustainability meetings and has looked at the Sustainability Plan so far, and there was nothing in it about electrifying the rail system. He said the rest of the world was doing it, and they should too. Mr. Sevener said President & CEO Corbett spoke about Ukraine and Ukraine was running electric rail, and so was Europe. He said Wales passed a law in February to ban any more road expansions. He asked why they were wasting a proposed \$10.7 billion in the most densely populated area in the state to expand the turnpike and said it made no sense.

Mr. Sevener said they have the Essex-Hudson Greenway which instead of just being a trail should also be a Rail, as it was a Light Right to provide access to those communities. He said they hear so much talk about transit-oriented developments (TODs), and they were being built everywhere. Mr. Sevener said Mount Tabor was finally going to have TODs at station village with 69-apartments, which was not a lot, but down the road by the Morris Plains Station they were building hundreds of apartments, and yet they had less service today. Talking about Hoboken and ABCs, he said on the Morris-Essex Line, they have 10 less trains every weekday in each direction, which was a loss of 20 trains because of cuts to Hoboken service. Mr. Sevener said every other week there was a disruption in New York Penn Station service.

**Christian Nowell**, resident of Fort Lee and member of Don't Gas the Meadowlands, said during the last Board meeting, Board Member Gordon did not dispute the estimated need of about 350-acres for installation of solar arrays, despite previous statements that NJ TRANSIT estimated 6,000 acres would be needed for the same purpose. Further, he said Board Member Gordon did not dispute the report's finding that NJ TRANSIT probably has a sufficient amount of unused space, land, and coverage of parking lots and building

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that could be used for solar. Mr. Nowell said the Don't Gas the Meadowlands Coalition provided a companion document identifying 900 acres of NJ TRANSIT property and about 1,200 acres of nearby unused space including warehouse rooftops, brownfields, landfills, parking areas, etc. that could be explored to find the necessary space for solar arrays. Mr. Nowell said some of that unused space was in Kearny, but much was not.

Mr. Nowell said Board Member Gordon made no mention of any of those sites, but instead inexplicably presumed all the land had to be in Kearny or in Hudson County, and would displace existing tax generating properties. He said this was simply not how solar projects were sited, and solar projects often use rooftops and covered parking areas, which eliminates the need to find all new vacant land. Mr. Nowell said the PATCO 22-megawatts solar project, that was now directly powering PATCO trains, was built on six carports covering different PATCO parking lots and one rooftop array at the Commodore Barry Bridge.

Mr. Nowell said areas that were currently brownfields may or may not generate taxes, but the addition of solar would either have no tax impact or their taxes would increase which would be beneficial for any municipality. He said Board Member Gordon made no mention of the many acres of landfill and brownfields in Kearny and other nearby communities. Mr. Nowell said Mount Olive, right there in New Jersey has just one example of the use of solar on a landfill superfund site.

Mr. Nowell said most of the space expected to support solar arrays was owned by NJ TRANSIT, whether within or outside of Kearny, so using it for solar would not take away from any other use by a municipality and would likely have no impact on municipal taxes paid by NJ TRANSIT. He said despite many requests from the Don't Gas the Meadowlands Coalition, NJ TRANSIT has not performed any analysis of the availability of nearby space for solar. Mr. Nowell said Board Member Gordon focused on only finding reasons to oppose a renewable energy solution, he has never made any effort to ask NJ TRANSIT to conduct such an analysis, and therefore he has no basis for making any definitive statements about the availability of space for that purpose because those statements were sheer speculation.

**Paula Rogovin** said she was not polite at the last Board meeting because social change was not always about being polite. She said in 2019, Governor Murphy stopped the Meadowlands gas fired power plant, which would have populated environmental communities in North Bergen and beyond. Ms. Rogovin said that was the result of hundreds of students and people of all ages marching and rallying, and holding educational forums. She said 52 municipalities passed resolutions opposing the project and they put up billboards telling the Governor to stop the project. Ms. Rogovin said some of them bird-dogged the Governor at events he held across the state. She said that was not polite, but it got his attention.

Ms. Rogovin said shortly after that, a growing coalition took similar actions to stop NJ TRANSIT's proposed gas plant in Kearny and although NJ TRANSIT promised to pivot, their subsequent bidding process has revolved around the original gas plant design. She said NJ TRANSIT has refused growing public calls to solicit design proposals that

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maximize clean renewable energy technologies that could be implemented today. Ms. Rogovin said some Board members have consistently made unsubstantiated claims that a renewable energy-based hybrid microgrid was not feasible. She said despite ongoing attempts to get Governor Murphy to intervene after signing one of the strongest environmental justice laws in the country, he has been silent around NJ TRANSIT's backsliding.

Ms. Rogovin said she expected every member of the NJ TRANSIT Board to do everything possible to make sure NJ TRANSIT fulfills their promise for a renewable energy solution. She said her Coalition has provided numerous examples of successful renewable energy rail in California and around the world. Ms. Rogovin said they could not afford NJ TRANSIT's dirty gas plant which would spew pollution for decades before needing to be transitioned to clean energy in the future. She said the Strategen Report documented why starting out with the renewable energy microgrid was doable, healthier, cleaner, more cost effective, and less risky. Ms. Rogovin said at the last meeting, she interrupted a Board Member who bashed that report and said the report had too many footnotes. She asked was it impolite to do so, and said perhaps. Ms. Rogovin said many of them felt these were literally life and death issues. She said yes, she interrupted the meeting, and she has been arrested before when powerful institutions refused to do the right thing.

**Samantha DiFalco**, organizer with the group Food & Water Watch, said she wanted to speak in response to statements made by Board Member Gordon at the last Board meeting regarding the Strategen Report. She said at that point those comments were the only comments they heard from the Board on the Strategen Report. Ms. DiFalco said she wanted to start by framing what the Strategen Report was. She said Board Member Gordon shared at the last Board meeting that he believed that the Strategen Report was greatly flawed. Ms. DiFalco said this was a high-level overview of a comparison of the two most likely and viable solutions for NJ TRANSITGRID, but it did not cover every detail. Ms. DiFalco said it does do what the RFP for this project does not do and it showed that a gas fired power plant that would need to be transitioned to clean energy by 2035 would cost more, not just financially, but to their health and the environment, rather than a hybrid microgrid made up of solar battery storage, and smaller emergency use only turbines. Ms. DiFalco said the overview was drafted in a way that readers of all levels could comprehend. She said it was meant to be a substitute for what they should have seen in the RFP from NJ TRANSIT but did not.

Ms. DiFalco said they were disappointed with the statements and attitudes that focused solely on disproving the viability of renewable energy technology for the TRANSITGRID, rather than taking a real look at this project and the possibilities. She said the report was to give NJ TRANSIT a sense of the financial differences and viability of a renewable solution and in that regard, they say the report was extremely successful in providing a much more useful and detailed comparison than anything that NJ TRANSIT has ever produced.

Ms. DiFalco said NJ TRANSIT has never produced a comparison of both solutions and if this report was not something the Board wanted to look at, then she would call on them to do their own report with a third-party consulting agency to compare the two

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opportunities before them that was lined up in the RFP. Ms. DiFalco noted the way they experienced the climate emergency in New Jersey last week, and said the Governor came out and said they need to take bolder climate action. She said one way they could do that was by having state agencies do everything they could to stop doubling down on pollution.

**Ken Dolsky**, member of Don't Gas the Meadowlands Coalition, said he wanted to respond to Board Member Gordon's statements from the last Board meeting regarding the technology strategy he would employ for the TRANSITGRID. Mr. Dolsky quoted Board Member Gordon, "they should select a project that will give them the best technology at the time, minimize climate impact, and be designed so that as technological changes occur, they can introduce new technologies into the project. Perhaps, it will be green hydrogen or fuel cells, but what they needed to do was design something that would accommodate that over time." Mr. Dolsky said his coalition agreed with Board Member Gordon about the need to use the best technology currently available, minimize climate impact, and allow for upgrades to new and more efficient technologies. He said the only difference was they could demonstrate that all of those criteria were best met with the renewable-energy solution and could not be met with a gas fired power plant. Mr. Dolsky asked how a gas plant could minimize the impact of climate change. He said the plant would release almost half a million tons of CO<sub>2</sub> per year, as well as large quantities of toxic co-pollutants and ozone precursors.

Mr. Dolsky said solar, and storage were well established, reliable, cost-effective technologies that were currently displacing gas plants and have the potential to become much less costly. He said as solar and battery storage systems become more efficient, they could be easily upgraded in place based on a cost-benefit analysis and not a forced transition due to state policy. Mr. Dolsky said this was a safe bet and unproven RNG technologies that Board Member Gordon suggested like hydrogen biogas or carbon capture were enormous risks in terms of availability. He said RNG was five to ten times the cost of fossil gas and even if one of the RNG technologies were successful at achieving net zero carbon, which was not being done anywhere else in the world, it would only perpetuate and worsen air quality and environmental racism.

Mr. Dolsky said Board Member Gordon has repeatedly stated until someone demonstrates a solution by building it, NJ TRANSIT could not consider doing so, yet now Board Member Gordon opposed using known technologies and costs that were guaranteed to eliminate the need for this expensive conversion. He said Board Member Gordon was contradicting himself by being willing to bet the future on technologies that do not exist at the scale needed and whose costs would be excessive. Mr. Dolsky said this was not rational, asked where NJ TRANSIT would find the funding to make Board Member Gordon's transition, said this was not a sound development strategy, and encouraged NJ TRANSIT to perform a thorough risk analysis before proceeding on with this devastating proposal.

Mr. Dolsky said lastly, given the Board's opposition to renewable energy, they again called on Governor Murphy to live up to his statement on June 7, when he said they would continue to do their own part by pursuing the bold action their climate reality demanded.

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Mr. Dolsky said Governor Murphy, they do not need false bravado or more hot air, and to stop allowing new fossil fuel projects.

**John Reichman**, lawyer and Steering Committee member of Empower New Jersey, said whatever merit the TRANSITGRID project had in 2014 made no sense today. He said changes in the last three years require both a new environmental impact statement and make the project untenable and unsustainable. Mr. Reichman said let's take them one by one, first, Governor Murphy's 2023 Executive Order requires 100 percent of the state's electricity to come from clean sources. He said building a natural gas power plant no longer makes economic sense. Mr. Reichman said it would have to be abandoned or substantially modified soon after it was built. Second, he said the cost of solar and battery storage has plummeted since 2014 and 2020 and the siting issues that Board Member Gordon noted in his response have been satisfied in numerous projects that were being built around the country. Mr. Reichman said third, the climate crisis has continued to worsen, and they saw that with the wildfires last week.

Mr. Reichman said they simply could not continue to build new fossil fuel plants and they would be on the wrong side of history if they approved that. Fourth, he said there was no longer the same need for the project as both PSE&G and NJ TRANSIT have substantially strengthened the grid since Superstorm Sandy. Mr. Reichman said fifth, environmental justice was now being prioritized on both the federal and state level. Mr. Reichman said indeed under the new environmental justice law, it was highly unlikely that they would ever get a permit to build a new gas fire power plant. He said times have changed and they need to change with them.

Mr. Reichman said NJ TRANSIT needs to apply to FTA to repurpose the grant to use solar battery technology or for other resiliency projects. He had no doubt that FTA would welcome such a proposal with open arms, given the fact the project flies in the face of the Biden Administration policies with respect to both clean energy and environmental justice. Mr. Reichman said he was sure each of them did not decide to become Board members so they could rubberstamp a Christie era project that no longer made sense. He asked them to exercise their independent judgement and kill TRANSITGRID in its present form, otherwise they would be on the wrong side of history.

Board Secretary Umukoro noted for the record that Chair Gutierrez-Scaccetti was now participating remotely. She asked the Operator to open the floor for public comments by telephone participants.

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

**Holly Cox**, 25-year Montville resident, said she was very worried about the air quality in New Jersey and the fact their leaders and people in positions of power, which includes

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NJ TRANSIT, New Jersey Department of Environmental Protection (NJDEP), and Governor Murphy, were not doing nearly enough to address the climate emergency. She said during last week's dangerously high air quality alerts, their air ranked as some of the worst in the world. Ms. Cox said at her home the area outside had an eerie yellow glow and was thick with particulate matter and the smell of burning trees, which caused everyone in her family to wear a mask whenever they went outdoors. She said it was obvious they could no longer ignore the dangers that climate change and air quality posed to all of them. Ms. Cox said by allowing another gas plant to be built they were exacerbating air pollution and contributing to making the planet uninhabitable.

Ms. Cox wanted to refute some of Board Member Gordon's statements from the last Board meeting. She said Board Member Gordon stated, "I'm troubled by a false comparison that has been established. The analysis assumes that this is a case of a gas fired plant or nothing, and that is not my expectation." Ms. Cox said fact one, the purpose of the Strategen Report, as clearly stated in the document, was to compare the two most likely and most viable solutions, that was a gas fired plant versus a renewable hybrid microgrid. It was not meant to explore every possible option. It does not state there were no other options. It simply provided an extremely useful comparison for decision makers concerning the most likely solution. Ms. Cox said if Board Member Gordon believes other options are viable, he should bring them forward. She said fact two, the PSE&G Energy Strong Program has significantly reduced the need for the NJ TRANSITGRID project. Ms. Cox said as a result, NJ TRANSIT should take this opportunity to power its microgrid predominately with clean energy.

Ms. Cox said Board Member Gordon stated "there were references to the technology being available in several examples of projects in California were cited. This is not enough for us to make this kind of investment. I would point out that California is not really a model for energy policy. Citing several projects in California with large batteries is not sufficient proof that this can work in New Jersey." Ms. Cox said fact one, Board Member Gordon provided no evidence to support his assertion. She believed the issue of differences in state energy policy was irrelevant, and instead NJ TRANSIT should be considering issues of feasibility, health impacts on economics in terms of technical viability and feasibility, and the laws of physics and chemistry were the same in both California and New Jersey. Ms. Cox said fact two, Board Member Gordon consistently claimed his promise at public board meetings without ever providing the least bit of substantiation that battery technology was not yet suited for this type of application. She said unlike Board Member Gordon, Strategen has extensive first-hand experience assessing storage solutions and adamantly disputed Board Member Gordon's position.

Ms. Cox said further, Strategen has proven Board Member Gordon wrong by fighting electric utilities that were using batteries five times as large as those needed for NJ TRANSIT. She called on Board members to question Board Member Gordon's statements for which he offered no substantiation or other alternatives. Ms. Cox also asked the Board to look around, it was impossible to ignore the climate crisis because they were in the middle of a climate disaster, and it would only get worse if they did not transition off fossil fuels, and asked the Board and Governor Murphy to do their part to stop it.

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**William McClelland**, resident of North Bergen, said he was speaking on TRANSITGRID. Mr. McClelland said Board Member Gordon stated the avoided environmental costs were always large numbers. He said the report pointed out that the social cost of carbon was used in the Governor's Energy Master Plan. Mr. McClelland said this was a number that has a great deal of variance. He quoted Board Member Gordon as saying, "I think the latest number is \$42 per ton of CO<sub>2</sub>, but it is all over the place. It is a good analysis for showing the magnitude of our health costs and potential other costs related to climate change but not the kind of number used for making financial decisions." Mr. McClelland said DJTM's response was that Board Member Gordon was making a semantic argument around the definition of financial decisions. He said the Strategen Report combined hard costs with social and health costs to show the magnitude of the benefit of renewable energy from all sources. Mr. McClelland said financial analysis must separately compare hard costs, but that does not mean that the soft cost implications have no place in the final decisions. He said although the social cost of carbon may vary, it was a well-recognized way of accounting for damages from climate change and it was bad practice to ignore them, especially when the difference between hard costs were not extreme.

Mr. McClelland said in light of Governor Murphy's aggressive clean energy targets and New Jersey landmarks environmental justice law, it was unconscionable for Board Member Gordon to downplay the significance of these health and social costs. He said Board Member Gordon never identified any issues with renewables that would diminish the safety of NJ TRANSIT riders. Mr. McClelland said in fact, Board Member Gordon preferred fossil fuel solution would indeed harm NJ TRANSIT riders' health. He said aside from one issue he raised related to the assumed future gas prices, which has now been refuted, Board Member Gordon made no other credible claims that a renewable energy solution would hurt taxpayers.

Mr. McClelland said the Strategen report clearly points out a new full-time methane gas powered plant would face substantial financial risk in the future from gas price volatility and potential stranded costs. He said additional expenditures would be necessary to replace a full-time methane gas-fired power plant with clean energy resources by 2050 or otherwise mitigate its associated emissions. Mr. McClelland said costly investments in carbon capture and storage or conversion to run the plant on renewable natural gas or green hydrogen would introduce further risk and uncertainty related to infrastructure needs, field costs, and fuel availability. In contrast, he said the hybrid solar storage and gas turbine solution provides a long-term, no regrets alternative with technologies that were already proven, commercially ready, and due to their modularity could be easily upgraded as their efficiency improves. Mr. McClelland said clearly it was the fossil fuel solution that presented the most risk to NJ TRANSIT and New Jersey taxpayers.

**Adam Reich** first wanted to thank Chair Gutierrez-Scaccetti and the members of the Board for listening to his concerns about the official 2024 Board Meeting calendar and making adjustments based on his feedback. Mr. Reich said secondly, it was good to see the Board working on the Customer Advocate position vacancy. Mr. Reich said he would stress for those critical of the idea of filing this post, the State Legislature has said the Board must fill the position. He said they must agree, under the constitutional system, a

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management that is unelected and a bureaucracy should not override something that was written into statutory law. Mr. Reich said importantly, to support a Customer Advocate, they need a group of dedicated riders who can tell the advocate what is wrong and what needs to be changed.

Mr. Reich said they have a Customer Advisory Board that was selected three years ago that has not met due in large part to the vacancy, and this was a problem. Mr. Reich said if they were going to tell riders they want to hear from them but then do not have Chair Gutierrez-Scaccetti, President & CEO Corbett, or Paul Wyckoff talk with riders, how were they going to attract serious advocates to provide feedback.

Mr. Reich said for example, on the Northeast Corridor line, staircases at Rahway Station and New Brunswick Station have been closed for four months with no update in sight or timeline for repair. He said at Metropark Station the staircase has been closed for two months, which causes a significant bottleneck with peak traffic during the evening rush, and again, no timeline or estimate for a timeline. Mr. Reich said they need to tell their riders what the issue was, what the timeline was, or at least when they were going to provide an update. He said they could not simply say until further notice without transparency.

Mr. Reich said the ABC idea was a great thing but a quick look at it showed that it was still very New York centric and was a limited help to riders at outlying points and reverse peak riders. He said when Mr. Mader put him on the Customer Advisory Board in 2020, that they were still waiting on, he selected him because he was a reverse peak rider. Mr. Reich said this was an area of significant weakness and asked Board Member Narra, Chair Gutierrez-Scaccetti, and President & CEO Corbett to meet and have a dialogue. Lastly, he discussed a rider who called in previously and attacked him by name and asked that Chair Gutierrez-Scaccetti and Vice Chair Carson call these instances out as inappropriate because he could not, and not allow the Board meeting to be used as a forum for attacks.

**Sally Jane Gellert**, Chairperson for the Lackawanna Coalition, said on Item 2306-28, Procurement by Exception, there were 80 separate items included in this action item which total \$52.4 million. Ms. Gellert said it was stated that NJ TRANSIT was unaware of other sources for these items and services and a string of legislative citations were given that allowed for exception from competitive bidding. She said while nobody would argue with the goal of ensuring the continuity of safe and reliable transit operations, least of all the Lackawanna Coalition, they do not like to see such an extensive set of exemptions. Ms. Gellert said they realize that staff also sees a problem with these exemption, as witnessed in slides in the agenda document detailing the necessity and noting that there was a reduction since last year's \$65.7 million. They looked forward to a continuation of that trend.

Ms. Gellert said on Item 2306-30, Development Management Agreement with LCOR, other speakers brought up at previous meetings, concerns about multidecade contracts that keep getting amended. She said it was almost impossible to understand the detailed content and at the very least including the original contract or the latest revisions as an

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exhibit with the meeting agenda would help them understand what was being done. Ms. Gellert said vague references to transit-oriented development and public infrastructure improvement did not help clarify the action item. She said presumably there was a description of Hoboken Connect available somewhere on the NJ TRANSIT website or in their documents. Ms. Gellert said a link to that would have been a good starting place.

Ms. Gellert said Item 2306-32, Reduced Fare Program, was a bright spot. They congratulated NJ TRANSIT on continuing to comply with federal law, even as other agencies did not, and accepting the Medicare card as identification for obtaining and using reduced fare tickets. She said in addition, they noted, the availability of reduced fares throughout the service day and the senior fair minimum age being set at 62. These were very helpful to seniors on a fixed income in a high-cost of living state. Ms. Gellert said they were concerned about the complete lack of public comment although she knows the Senior Citizen and Disabled Resident Transportation Advisory Committee (SCDRTAC) was able to review the proposal and give feedback in advance. Ms. Gellert said they at the Lackawanna Coalition did review it and were remiss in not making a formal comment. She said compliments as well as complaints should be made at the appropriate meeting, and they would gladly work with them to help spread the word about future comment periods.

Ms. Gellert said they were looking forward to NJ TRANSIT's Accessibility Forum on June 27, 2023. They have collected comments from members they will be bringing. Ms. Gellert said it was easy for a transit agency to consider topics that related to people with mobility challenges, they hope that other considerations were included, especially in their non-transportation presence. She said website accessibility was also important including the design of the website itself. Ms. Gellert said they echoed the comments on TRANSITGRID and wanted to see the current best and cleanest technology used for what has become a less important project as the PSE&G grid has been strengthened. She said it was distribution not generation that was always the problem.

**Matthew Smith**, Director of Food & Water Watch New Jersey said he wanted to respond to comments from Board Member Gordon at the last NJ TRANSIT Board meeting. Mr. Smith said they felt all of his comments and responses for the Strategen study were deeply flawed and did not have substantiation to them. He would concede that the question Board Member Gordon raised about the price NJ TRANSIT would pay for fossil gas in the future, perhaps had merit but, they believed they have addressed that question in the Strategen Report. Mr. Smith said he would ask if Board Member Gordon has continued questions or concerns that he would leverage his background with the Board of Public Utilities (BPU) to provide any additional information relevant to that question.

Mr. Smith said aside from that one question, they found all of Board Member Gordon's responses quite troubling and they did not believe that Board Member Gordon put the same effort he put into trying to refute aspects of the Strategen Report into actually finding a solution that would both give NJ TRANSIT the resiliency it needs without further harming the lungs of the most vulnerable residents. He said last week's climate scare was another

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important reminder on the urgency to address the fossil fuel issue, and certainly not expand public health problems that come from fossil fuels.

Mr. Smith said given the undisputed climate health benefits, they believe Board Member Gordon should be a champion for a hybrid microgrid solution to this challenge. He said no other NJ TRANSIT Board members have spoken about the Strategen Report that was conducted. Mr. Smith said they would have to assume that they were at least in agreement, or at least deferring to Board Member Gordon's comments, and the comments previously made by Chair Gutierrez-Scaccetti about the unlikelihood of a renewable energy alternative to the project.

**Richard Grant** said he had some questions on NJ TRANSIT's draft Sustainability Plan and he hoped Board members would consider providing input on before the plan was finalized. Mr. Grant said his take was that over more than a decade NJ TRANSIT top management and the Board had gone from treating sustainability as a non-consideration to an afterthought, both in operating the transit system and engagement business development efforts. He believes implementing a sustainability plan of goals, aspects, targets, actions, and metrics, as well as otherwise honoring its spirit could be pressing the reset button. Mr. Grant said whether or not it would lead to any paradigm change would become obvious to state lawmakers, the press, and the public quicker than they could imagine.

Mr. Grant said his first question would be whether NJ TRANSIT's top management team would be incentivized by having their compensation tied in any way positively or negatively to the degree that they need to meet sustainability plan goals. He also asked, with NJ TRANSIT expected tighter operating budget and still no dedicated source of funding, would implementation of the sustainability plan be more than aspirational. Mr. Grant said if he were to listen again to the presentation to the Board on the Newark Penn Station renovation, would he still believe it was made to an audience of the highest tiered donors to a museum building fund, instead of a Board that seriously considers sustainability and assessing management's overall strategy and direction. He said if the budget choice came down to which to purchase now or hold off on, fire extinguishers or granite countertops, what would it be.

Mr. Grant's third question was, in the Board's review and approval of business development projects, to what extent if any, they would employ a sustainability plan criteria. His fourth question was whether the plan's climate resilient theme involved using or updating the content of the 2012 study or commissioning an entirely new study on protecting the agencies assets. Mr. Grant's fifth question was whether the plan's community engagement theme included the Board of Directors and improving information flow to and from customers, by filing the Customer Advocacy position, opening all six Board committees to the public, and having committee public comment time sync up with the Board's three minutes, and systemically having Board members or management representatives respond to public comments in real time. His sixth question was in the community engagement theme's actions for collaboration and partnerships, whether partnerships with environmental advocates, to advance research into sustainability initiatives and technologies, would be any different than how NJ TRANSIT management

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and the Board have been dealing with the Don't Gas the Meadowlands Coalition and its Strategen Report input. Mr. Grant asked does the Board, Chair Gutierrez-Scaccetti and Governor Murphy want to use the Sustainability Plan to finally press the reset button.

**Jesse Rynkiewicz** called about case numbers 01455865 and 01493697 which were in reference to lack of transportation in Cape May County. Mr. Rynkiewicz said no offense to residents who live in the Northern region area of New Jersey, but there was not enough money that not being used at all in Cape May County because it is being spent up North, or it was being decided to not be spent in South Jersey. He was calling on behalf of the colleges in the Southern regional area. Mr. Rynkiewicz said Atlantic County Community College was in Cape May Landing, 40 miles away from where he lives, which was 45 miles, in Lower Township in Cape May County.

Mr. Rynkiewicz said Rowan University was 65 miles away and he was trying to help with improving public transportation and started a petition at the college he currently attends. He said statistically speaking, Cape May County hit a tourist record in 2022, they hit \$7.4 billion, and they also had revenues from 2019 of \$499 million, and seven percent of 2021. Mr. Rynkiewicz said this information was from the front page of the Cape May County Herald, issued on June 14, 2023.

Mr. Rynkiewicz said this was a general problem they were dealing with in South Jersey, and he hoped that NJ TRANSIT would at least add a shuttle bus to take students between more than one college. He hoped they could also add additional stops along the route, including, if possible, adding a 3:13 p.m. bus that could go back and forth because this was an issue for many Cape May County residents who did not have college degrees, only had high school diplomas, and were currently working. Mr. Rynkiewicz said this would help compete with inflation and help with the hard times of the economy.

**Rachel Davis**, public policy and justice organizer for Water Spirit, a 25-year non-profit Spiritual Ecology Center rooted in the source, and sustainer of all life, which was water, said without water there was no life and without justice there could be no peace. Ms. Davis said she had spoken many times ad nauseam to this agency and New Jersey's government since before the global Warming Response Act was passed, and solutions exist without fossil fuel pollution. She said this infrastructure for two decades has wasted sacred water and Governor Murphy can lead and declare a climate emergency, which they all know was necessary right now.

Ms. Davis said they urged Governor Murphy and NJ TRANSIT to act on the findings of the Strategen study, which demonstrated a renewable energy-based hybrid microgrid was both technologically feasible and much more cost effective. She said if this was about finances, there was no reason anyone should be supporting fossil fuel when they saw the orange skies that were going to be commonplace going forward. Ms. Davis said they all needed to come together and focus on collaborative transportation alternatives.

Ms. Davis said solutions existed and asked why NJ TRANSIT was not doubling down on those, why Governor Murphy was not going full speed ahead with regards to

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environmental justice, and said it does not compute and does not make sense. She said it would not be sustainable going forward.

Ms. Davis said they saw Interstate 95 collapse and they need to address the fact that they have never put environmental justice instability at the forefront as they should have always done, which she knew as a student coming out of Rutgers University, having studied economics. She asked what it would be like if they today could use their power to foster a livable, justice, and stable future for current and future New Jerseyans. Ms. Davis wanted them to think about all the children in their lives. She said they would definitely be looking at the Sustainability Report, thanked them for sharing the presentation at the top of the meeting, and said they would be commenting.

### **Board Comments**

There were no Board Member comments.

### **Advisory Committee Report**

**Anna Marie Gonnella Rosato** said at the virtual North and South Advisory Committee meeting on June 9, 2023, members were given a presentation about NJ TRANSIT's Local Minibus and Community Mobility Program by Janelle Rivera, Director of Local Programs and Community Mobility. The Government and Community Relations team provided updates on the Federal and State Legislation and Local Government Affairs. Ms. Gonnella Rosato noted in partnership with Uber and Lyft, NJ TRANSIT instituted a pilot program for Access Link users to opt into receiving rides. The goal was to save wait time, while maintaining Access Link prices and the reservation process.

Ms. Gonnella Rosato said NJ TRANSIT's Summer Marketing Campaigns were now underway including, Six Flags Great Adventure packages, discounted beach packages, excursion fares, and monthly buy one get one free tickets. In addition, more discounts could be found online.

Ms. Gonnella Rosato also noted NJ TRANSIT released its first-ever Sustainability Plan and could be found on NJ TRANSIT's website and those wishing to make public comments could do so on June 20<sup>th</sup> at its fourth public webinar. Also, during National Safety Month, NJ TRANSIT launched a new educational campaign "Don't Be Hasty, Observe Safety" reinforcing safety strategies, and informing and educating employees, customers, and others of safety protocols and risks.

In conclusion Ms. Gonnella Rosato said the Passenger Advisory Committee supported Board Action Item 2306-32, Adoption of Regulation N.J.A.C. 16:73 Reduced Fare Transportation Program for Seniors and People with Disabilities.

### **Board Operations and Customer Service Committee Report**

Board Member Giblin presented the report for the Operations and Customer Service Committee. The Operations and Customer Service Committee received an update on

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trends, and analysis, and actions for rail, bus, light rail, and Access Link. The Committee also received an update on the Cost of Service.

### **Board Administration Committee Report**

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

### **Board Capital Planning, Policy, and Privatization Committee Report**

Board Member Weiss presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy, and Privatization Committee discussed the Board Items for the: Fiscal Year 2024 Sole, Single, and Limited Qualified Source Procurement by Exception Authorization; Advanced Speed Enforcement System II – Positive Train Control: Increase to Parsons Transportation Group Contract No. 10-099x for Warranty of Previously Authorized Work and Additional Development of Federally Mandated Improvements to NJ TRANSIT's Positive Train Control; North Bergen Park and Ride – Supplemental Agreement; and Authority to Enter into a Development Management Agreement Between NJ TRANSIT and LCOR for a Transit Oriented Development Project at Hoboken Terminal (Hoboken Connect).

### **Board Energy and Sustainability Policy Committee Report**

Board Member Weiss presented the report for the Energy and Sustainability Policy Committee. The Energy and Sustainability Policy Committee introduced the Energy and Sustainability Team Members, and reported on the Sustainability Plan Update, the Solar PPA, and the Zero Emission Buses.

### **Action Items**

#### **2306-28: FISCAL YEAR 2024 SOLE, SINGLE, AND LIMITED QUALIFIED SOURCE PROCUREMENT BY EXCEPTION AUTHORIZATION**

President & CEO Corbett introduced, Ronald Hovey, Acting Chief Procurement & Logistics Officer, to present Action Item #2306-28. Ronald Hovey presented for approval Action Item #2306-28: Fiscal Year 2024 Sole, Single, and Limited Qualified Source Procurement by Exception Authorization.

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Board Member Bob Gordon made a motion, Board Member Carlos A. Medina seconded the motion, and the item was adopted.

**Roll Call Vote:**

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

**2306-29:      **ADVANCED SPEED ENFORCEMENT SYSTEM II – POSITIVE TRAIN CONTROL: INCREASE TO PARSONS TRANSPORTATION GROUP CONTRACT NO. 10-099X FOR WARRANTY OF PREVIOUSLY AUTHORIZED WORK AND ADDITIONAL DEVELOPMENT OF FEDERALLY MANDATED IMPROVEMENTS TO NJ TRANSIT’S POSITIVE TRAIN CONTROL****

President & CEO Corbett introduced James Sincaglia, Senior Vice President, and General Manager, Rail Operations to present Action Item #2306-29. James Sincaglia presented for approval Action Item #2306-29: Advanced Speed Enforcement System II-Positive Train Control: Increase to Parsons Transportation Group Contract No. 10-099X for Warranty of Previously Authorized Work and Additional Development of Federally Mandated Improvements to NJ TRANSIT’s Positive Train Control.

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

**Roll Call Vote:**

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

**2306-30:      **AUTHORITY TO ENTER INTO A DEVELOPMENT MANAGEMENT AGREEMENT BETWEEN NJ TRANSIT AND LCOR FOR A TRANSIT ORIENTED DEVELOPMENT PROJECT AT HOBOKEN TERMINAL (HOBOKEN CONNECT)****

President & CEO Corbett introduced, Richard Schaefer, Acting Senior Vice President, Capital Programs, to present Action Item #2306-30. Richard Schaefer presented for approval Action Item #2306-30: Authority to Enter into a Development Management Agreement Between NJ TRANSIT and LCOR For a Transit Oriented Development Project at Hoboken Terminal (Hoboken Connect).

(NJT Board - 06/14/2023)

Board Member Shanti Narra made a motion, Board Member Noreen M. Giblin seconded the motion, and the item was adopted.

**Roll Call Vote:**

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

**2306-31: NORTH BERGEN PARK AND RIDE – SUPPLEMENTAL AGREEMENT**

President & CEO Corbett introduced Jacqueline Stamford, Acting Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2306-31. Jacqueline Stamford presented for approval Action Item #2306-31: North Bergen Park and Ride – Supplemental Agreement.

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

**Roll Call Vote:**

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

**2306-32: REGULATIONS: ADOPTION OF REGULATION N.J.A.C. 16:73 REDUCED FARE TRANSPORTATION PROGRAM FOR SENIORS AND PEOPLE WITH DISABILITIES**

President & CEO Corbett introduced Jacqueline Stamford, Acting Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2306-32. Jacqueline Stamford presented for approval Action Item #2306-32: Regulations: Adoption of Regulation N.J.A.C. 16:73 Reduced Fare Transportation Program for Seniors and People with Disabilities.

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

**Roll Call Vote:**

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

(NJT Board - 06/14/2023)

**2306-33: CORPORATE INSURANCE PROGRAM ANNUAL RENEWAL**

President & CEO Corbett introduced Jacqueline Stamford, Acting Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2306-33. Jacqueline Stamford presented for approval Action Item #2306-33: Corporate Insurance Program Annual Renewal.

Board Member Shanti Narra made a motion, Board Member Noreen M. Giblin seconded the motion, and the item was adopted.

**Roll Call Vote:**

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

Board Secretary Umukoro noted that Chair Gutierrez-Scaccetti was recused from the next item and would not comment or vote on the item.

**2306-34: NJ TRANSIT CONVEYANCE OF PROPERTY INTEREST IN JERSEY CITY TO FACILITATE ROAD CONSTRUCTION AT ROUTE 1&9 AT NEW ROAD**

President & CEO Corbett introduced Jacqueline Stamford, Acting Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2306-34. Jacqueline Stamford presented for approval Action Item #2306-34: NJ TRANSIT Conveyance of Property Interest in Jersey City to Facilitate Road Construction at Route 1&9 at New Road.

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

**Roll Call Vote:**

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

**2306-35: ANNUAL NOTICE OF MEETINGS**

Vice Chair Carson recommended approval of item# 2306-35: Annual Notice of Meetings. This action was to adopt the Annual Notice of Meetings for all of the Board of Directors' meetings during Fiscal Year 2024.

(NJT Board - 06/14/2023)

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

**Roll Call Vote:**

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

**Executive Session Authorization**

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

Vice Chair Carson asked for a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to, the NJ TRANSIT Resilience Program: Rail Operations Center Unit Substation: Construction Contract Amendment to Increase Funding, and the Personal Injury Claim of Gabriel Santanna.

Board Member Bob Gordon made a motion, Board Member Noreen M. Giblin seconded the motion, and it was adopted. At approximately 11:43 a.m., the Board adjourned to Executive Session.

**Roll Call Vote:**

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

**Return to Open Session**

Vice Chair Carson reconvened Open Session at 12:28 p.m. and asked Board Secretary Umukoro to take Roll Call.

Board Secretary Umukoro conducted a Roll Call. All Board Members, except Chair Gutierrez-Scaccetti, and Board Members Brown and Thomas, returned to Open Session.

**Adjournment**

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

The meetings were adjourned at approximately 12:30 p.m.

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

JUNE 14, 2023

MINUTES

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- CALL TO ORDER -
- APPROVAL OF MINUTES OF PREVIOUS MEETINGS 65316
- PRESIDENT & CEO'S MONTHLY REPORT 65317
- PUBLIC COMMENTS -
- ADVISORY COMMITTEE REPORT -
- BOARD COMMITTEE REPORTS -

ACTION ITEMS

**2306-28 FISCAL YEAR 2024 SOLE, SINGLE, AND LIMITED QUALIFIED SOURCE PROCUREMENT BY EXCEPTION AUTHORIZATION – Authorization to enter into procurement-by-exception contracts for the purchase of materials and services from approved vendors set forth in Exhibit A1 (subject to adjustments) to support Bus, Rail, Light Rail, and Headquarters operations at a cost not to exceed \$26,000,000, subject to the availability of funds. New firms with material or services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2023 to June 30, 2024.** **65341**

Authorization to enter into procurement-by-exception contracts for the purpose of maintaining/upgrading hardware and software systems from approved vendors set forth in Exhibit A2 (subject to adjustments) to support NJ TRANSIT's Information Systems at a total cost not to exceed \$22,900,000, subject to the availability of funds. New firms with services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2023 to June 30,2024.

Authorization to enter into procurement-by-exception contracts for the purchase of materials and service from approved vendors set forth in Exhibit A3 (subject to adjustments) to support NJ TRANSIT Infrastructure at a cost not to exceed \$4,500,000, subject to the availability of funds, Federal Transit Administration approval and all other applicable requirements. New firms with services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2023 to June 30, 2024.

NEW JERSEY TRANSIT CORPORATION  
 NJ TRANSIT BUS OPERATIONS, INC.  
 NJ TRANSIT RAIL OPERATIONS, INC.  
 NJ TRANSIT MERCER, INC.  
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 BOARD OF DIRECTORS' MEETINGS  
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- 2306-29 ADVANCED SPEED ENFORCEMENT SYSTEM II – POSITIVE TRAIN CONTROL: INCREASE TO PARSONS TRANSPORTATION GROUP CONTRACT NO. 10-099X FOR WARRANTY OF PREVIOUSLY AUTHORIZED WORK AND ADDITIONAL DEVELOPMENT OF FEDERALLY MANDATED IMPROVEMENTS TO NJ TRANSIT’S POSITIVE TRAIN CONTROL –** 65357
- Authorization to increase the value of NJ TRANSIT Contract No. 10 099X with Parsons and execute a Change Order for Parsons to add warranty to the FRA required and previously approved improvements to the NJ TRANSIT Wireless Security Systems, make additional FRA required modifications to the NJ TRANSIT Wireless Security Systems that will provide more secure communication between NJ TRANSIT and tenant trains to the ROC, to Amtrak’s NEC operations center, and to other railroads, make FRA required improvements to NJ TRANSIT’s interface with Amtrak’s Temporary Speed Restriction Exchanges, and be capable of automatically generating the new FRA reporting requirements, at a cost not to exceed \$19,600,000, plus five percent for contingencies, for a total Contract authorization amount not to exceed \$295,228,082.15, subject to the availability of funds, with \$1,171,913.72 fully reimbursable by Metro North pursuant to the Feb 08, 2022 PTC Operating Agreement between Metro North and NJ TRANSIT.
- 2306-30 AUTHORITY TO ENTER INTO A DEVELOPMENT MANAGEMENT AGREEMENT BETWEEN NJ TRANSIT AND LCOR FOR A TRANSIT ORIENTED DEVELOPMENT PROJECT AT HOBOKEN TERMINAL (HOBOKEN CONNECT) –** 65359
- Authorization to take all necessary actions to execute a Development Management Agreement between NJ TRANSIT and LCOR, to advance the Hoboken Connect project.
- Authorization to expend from the appropriated NJ Debt Defeasance Fund, an amount not to exceed \$176,000,000, to support public infrastructure improvements at Hoboken Terminal.
- 2306-31 NORTH BERGEN PARK AND RIDE – SUPPLEMENTAL AGREEMENT –** 65360
- Authorization to execute a Third Supplemental Agreement to an existing Agreement of Lease with The Port Authority of New York and New Jersey for continued use of the North Bergen Park and Ride facility for five years establishing an annual rent payment to be made by NJ TRANSIT to The Port Authority of New York and New Jersey in the amount of \$1,035,197.88, effective July 1, 2023, with annual four percent escalations, subject to the availability of funds. All other terms of the 2008 Agreement of Lease are to remain in place.
- 2306-32 REGULATIONS: ADOPTION OF REGULATION N.J.A.C. 16:73 REDUCED FARE TRANSPORTATION PROGRAM FOR SENIORS AND PEOPLE WITH DISABILITIES –** 65361
- Authorization to take all actions necessary to adopt N.J.A.C. 16:73 et seq., consistent with this Board item and corresponding Exhibits, put

NEW JERSEY TRANSIT CORPORATION  
NJ TRANSIT BUS OPERATIONS, INC.  
NJ TRANSIT RAIL OPERATIONS, INC.  
NJ TRANSIT MERCER, INC.  
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the regulation in the appropriate format, and take all other actions necessary to effectuate the final adoption and promulgation of NJ TRANSIT's Reduced Fare Transportation Program for Seniors and People with Disabilities.

**2306-33 CORPORATE INSURANCE PROGRAM ANNUAL RENEWAL** – Authorization **65373**  
to revise and renew the Corporate Insurance Program and to include services necessary to administer the program for the period July 1, 2023, through June 30, 2024, at an annual cost not to exceed an amount discussed in Executive Session, plus five percent for contingencies, subject to the availability of funds and adoption of the FY2024 Operating Budget.

**2306-34 NJ TRANSIT CONVEYANCE OF PROPERTY INTERESTS IN JERSEY CITY TO FACILITATE ROAD CONSTRUCTION AT ROUTE 1 & 9 AT NEW ROAD** – **65374**  
Authorization to take all actions necessary to negotiate and sell the referenced property interests, including various temporary and permanent easements for a total price of \$1,242,700, as further described.

**2306-35 ANNUAL NOTICE OF MEETINGS** – Authorization to adopt the Annual Notice of **65376**  
Meetings, Exhibit A, for all of the Board of Directors' meetings during Fiscal Year 2024.

Authorization to disseminate the Annual Notice of Meetings in accordance with the provisions of the Open Public Meetings Act, P.L. 1975, c.231 and Public Law 2018, chapter 162.

➤ **EXECUTIVE SESSION AUTHORIZATION** **65378**

➤ **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 May 10, 2023 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 May 17, 2023;

**NOW, THEREFORE, BE IT RESOLVED** that the minutes of actions taken at the May 10, 2023 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

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

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

TO: BOARD OF DIRECTORS  
FROM: KEVIN S. CORBETT   
DATE: JUNE 14, 2023  
SUBJECT: PRESIDENT & CEO'S REPORT – JUNE 2023

NJ TRANSIT continues to see encouraging signs regarding post-COVID ridership, as we've seen increases in both intrastate and interstate bus ridership, as well as increases on the Hudson-Bergen Light Rail. We also provided rail transportation to and from MetLife Stadium for five blockbuster concerts since our last Board meeting. For three Taylor Swift concerts, we successfully moved approximately 80,000 customers to and from the stadium. For two Ed Sheeran concerts, we seamlessly moved approximately 45,000 customers to and from the stadium.

We are very optimistic that we can keep our ridership momentum moving forward by again asking customers to make NJ TRANSIT "Your Ride to Summer Vibes." Beginning May 23<sup>rd</sup> and running through the summer, new and returning customers can save on summer travel by using various promotional codes in the NJ TRANSIT mobile app. Also, on May 27<sup>th</sup>, we resumed service to Six Flags Great Adventure from the Port Authority Bus Terminal, and we are offering some great discount packages to the park. In addition, for the first time ever, customers can purchase their entire Great Adventure package right in the NJ TRANSIT mobile app. For more information, please visit [njtransit.com/summer](http://njtransit.com/summer).

With the start of the busy summer months, today I'm pleased to announce that NJ TRANSIT is launching another type of campaign – this one an educational campaign called "Know Your ABCs." In this case, "ABCs" stands for "alternates, backups, and contingencies." While, thankfully, major service disruptions are an infrequent occurrence, our "Know Your ABCs" campaign empowers customers to proactively navigate an unplanned disruption to their commute. We've made it as easy as possible for customers to learn their ABCs. All you need to do is visit [njtransit.com/ABC](http://njtransit.com/ABC), click on your specific line, and we'll show you your alternate travel options to, or near, your destination.

We also continue to work to ensure the best possible travel experience for our Access Link customers. We are currently seeking to partner with local, eligible transportation organizations in a pilot program to explore the possibility of those organizations providing select Access Link trips, in accordance with the State's Paratransit Improvement Act. Under the pilot program, one eligible transportation organization from each of the six Access Link regions will be selected to receive upgraded technology and training, to potentially serve recurring trips currently provided by Access Link. This initiative looks to build on the momentum of our new Rider's Choice pilot program with Uber and Lyft, which has already provided more than 11,500 rides with more than 2,600 customers opting in to the program.

To further enhance accessibility on our bus, rail, and light rail systems, NJ TRANSIT will hold its third Accessibility Forum on June 27<sup>th</sup>. The forum is designed to educate the public on the many services and features that make our system as accessible and inclusive as possible, and to provide an opportunity for public feedback. For details on how to participate, please visit [njtransit.com/accessibility](http://njtransit.com/accessibility).

Another key priority for NJ TRANSIT is sustainability. I'm pleased to note that we released a draft of our first-ever Sustainability Plan on June 1<sup>st</sup>, and we are asking for public comments on the Plan through July 7<sup>th</sup>. To see the draft Plan, or to comment on it, please visit [njtransit.com/sustainabilityplan](http://njtransit.com/sustainabilityplan). In addition to this public comment period, on June 20<sup>th</sup> from 6 to 7:30 p.m., NJ TRANSIT will host its fourth public webinar to gain further input on the Draft Sustainability Plan. Interested attendees can use the same link to register for the webinar.

In addition to prioritizing accessibility and sustainability, NJ TRANSIT is equally committed to leveraging technology to improve the customer experience. On May 31<sup>st</sup>, we introduced a pilot program allowing customers to buy tickets online – at [njtransit.com/webtickets](http://njtransit.com/webtickets) – for travel on our Atlantic City Rail Line. After purchasing your ticket online, you can generate a QR code for your trip, print it out, or show it on a mobile device at the time of travel. If all goes well, we hope to expand this program throughout our rail system, and to other modes of travel.

In closing, I will note that June is recognized as National Safety Month, and NJ TRANSIT is using this opportunity to launch a new educational campaign aligned with this year's National Safety Council theme, "Don't Be Hasty, Observe Safety." Throughout this month, NJ TRANSIT will be reinforcing safety strategies by informing and educating employees, customers, motorists and others with safety tips and messages that will be displayed publicly and at internal employee locations across the state.



**PRESIDENT & CEO'S MONTHLY REPORT**

**June 14, 2023**

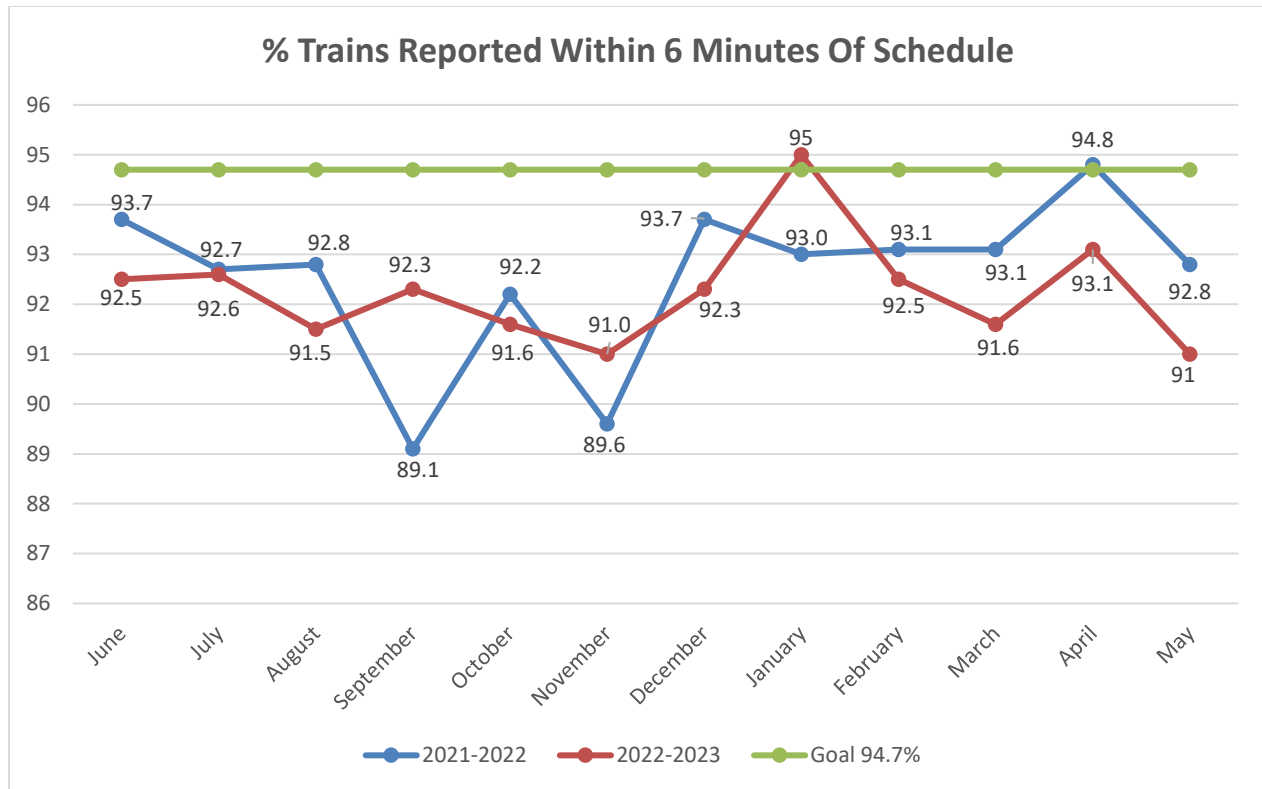
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- 1. PERFORMANCE MEASURES**
- 2. MEAN DISTANCE BETWEEN FAILURES**
- 3. DBE/SBE PROGRAM**
- 4. EMPLOYEE RECOGNITION**

# **PERFORMANCE MEASURES**

# NJ TRANSIT ON-TIME PERFORMANCE RAIL JUNE 2021 – MAY 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
<b>May Comparison</b>	92.8%	91.0%	-1.8%
<b>12-Month Average June 2021 – May 2023</b>	92.6%	92.3%	-0.3%

**Analysis:**

Rail On-time Performance was 91.0% for the month of May 2023. Of the 18,464 trains scheduled to operate, 16,802 were on time, while 2,916 trains (or 9.0%) were delayed.

**Key Causes included:**

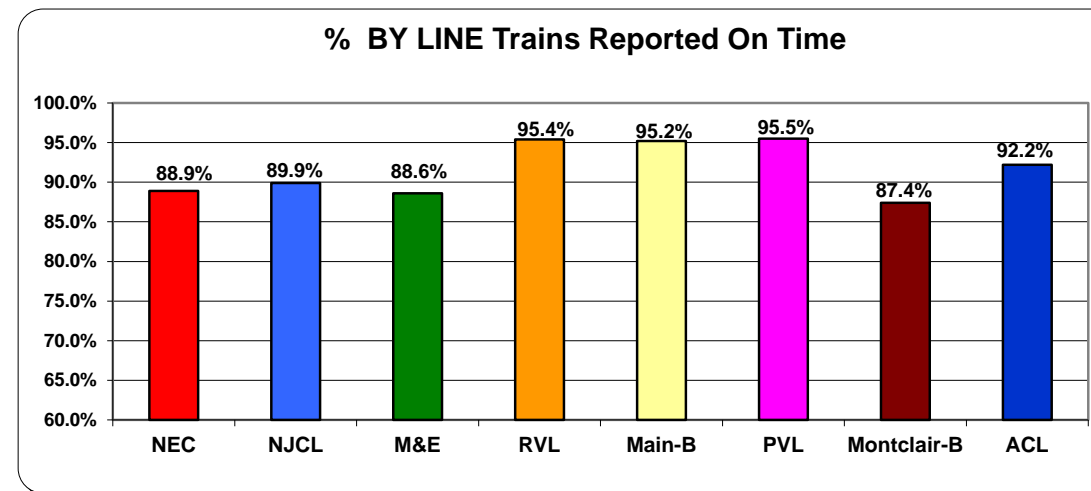
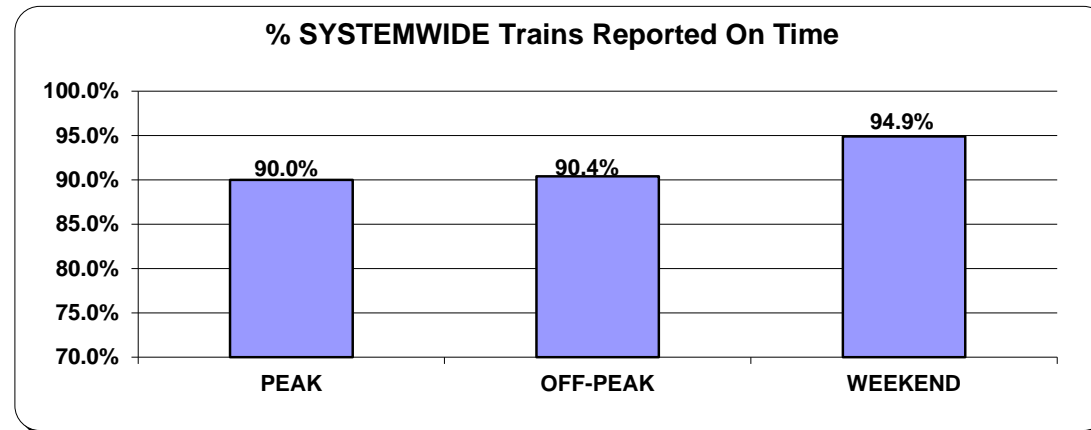
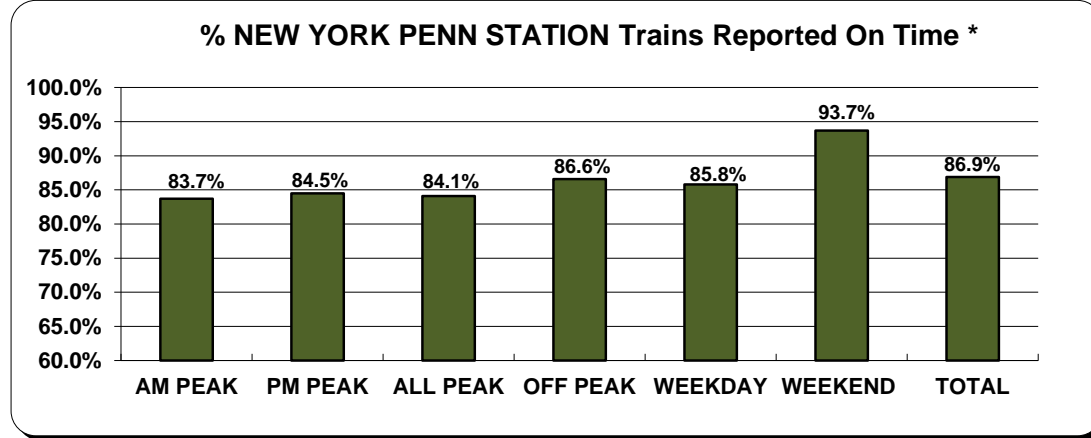
- Amtrak track issue and police action contributed 121 delays on May 8.
- Amtrak signal issue and programmed maintenance contributed 308 delays on May 11.
- Amtrak signal issue, NJT PTC mechanical and electric locomotive issues contributed 192 delays on May 12.

The 12-month Average for Rail On-Time Performance was 92.3%.

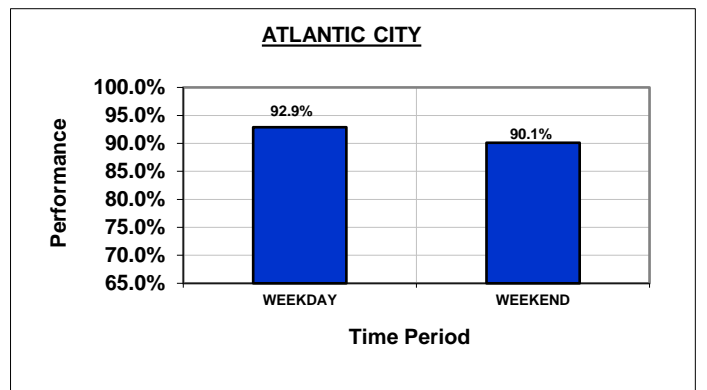
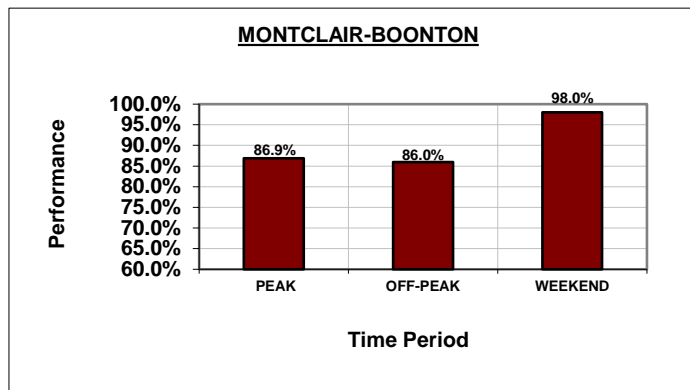
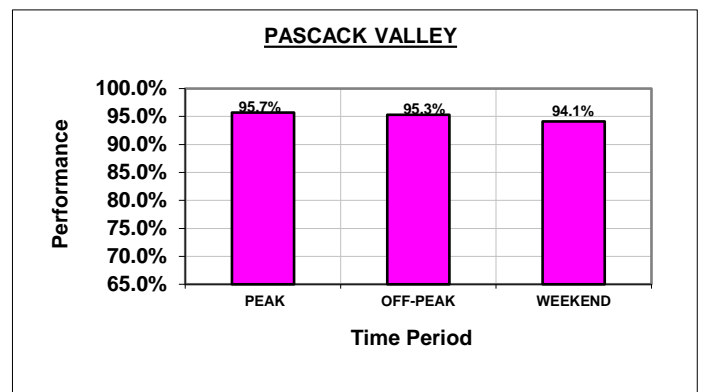
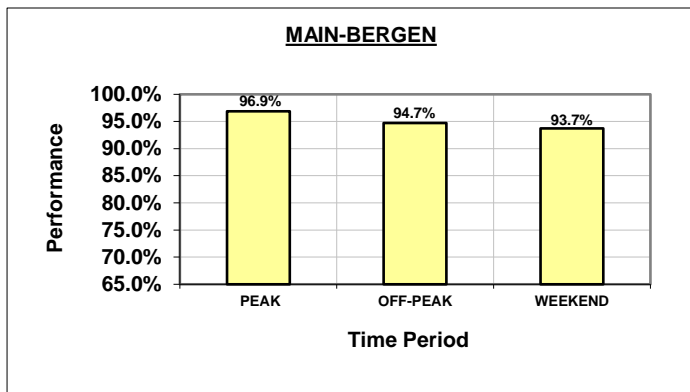
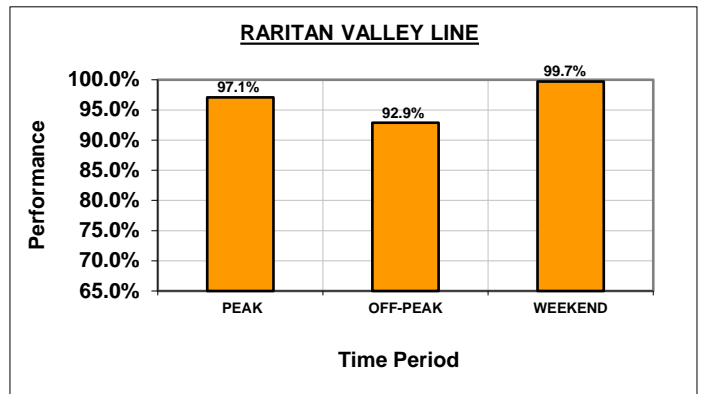
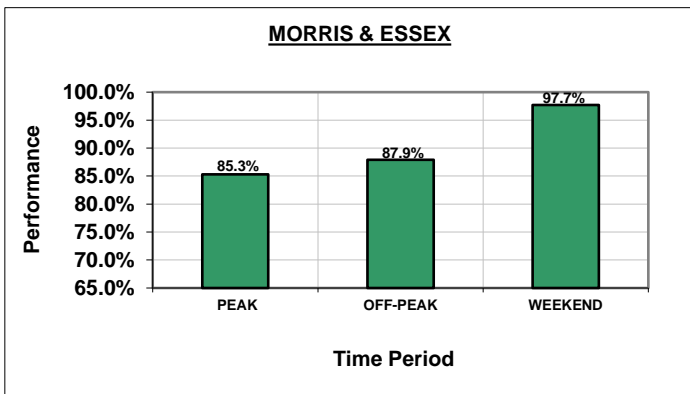
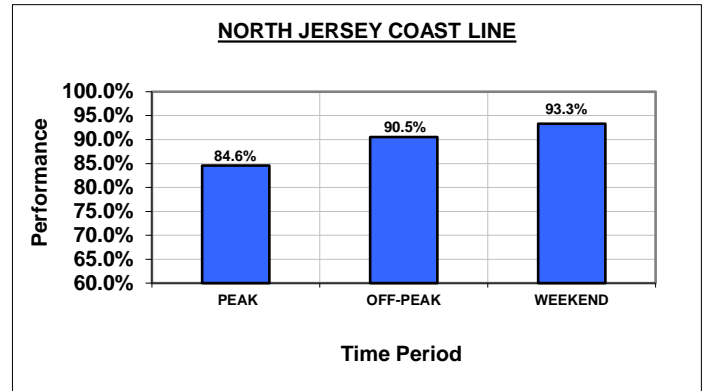
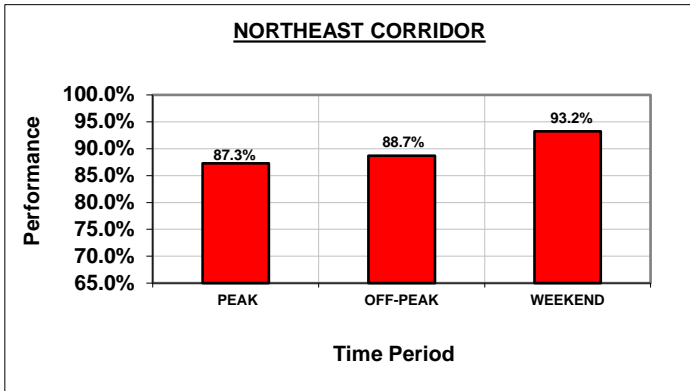
# ON-TIME PERFORMANCE RAIL

## SUMMARY BY TIME PERIOD May 2023

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



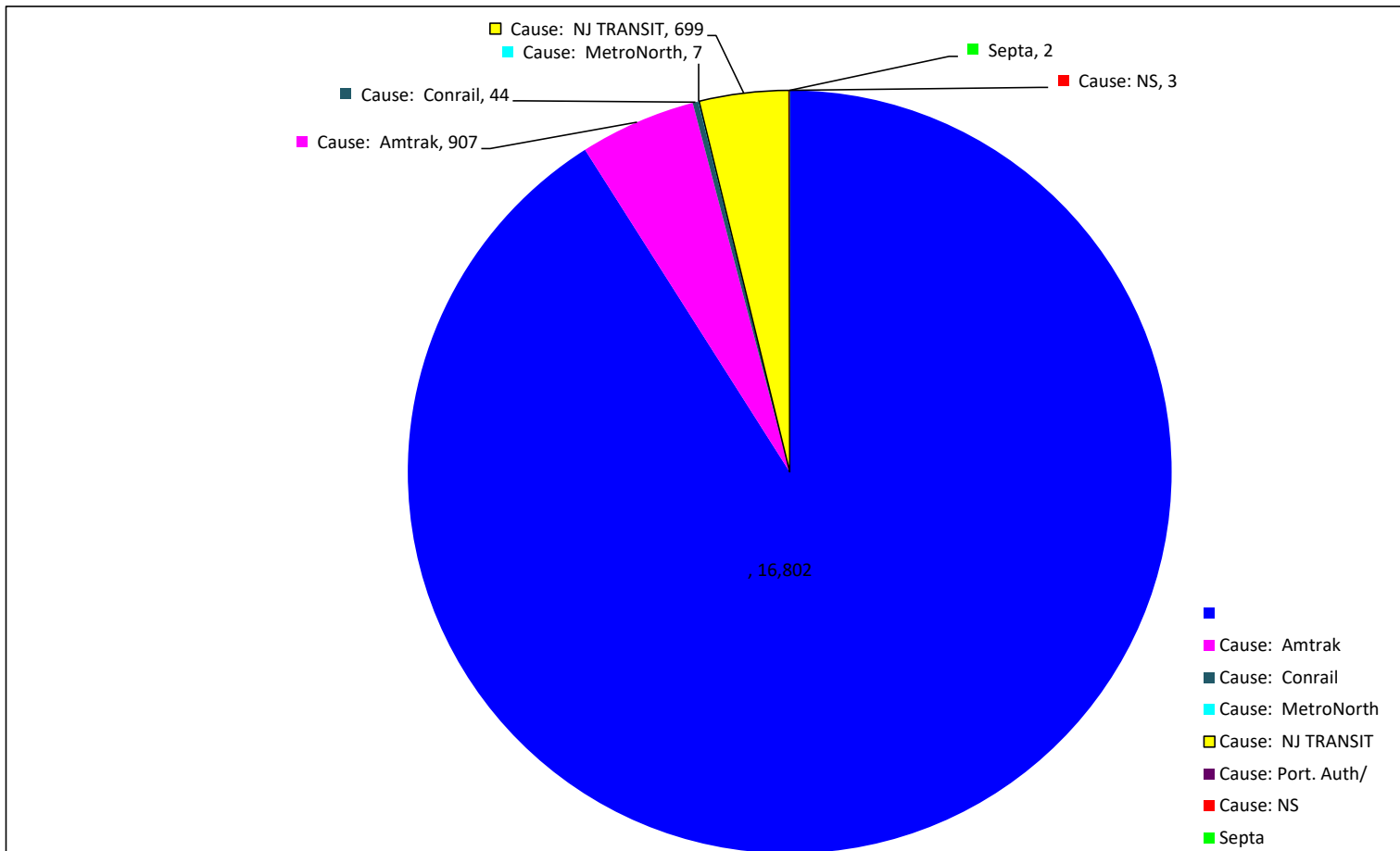
# ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD May 2023



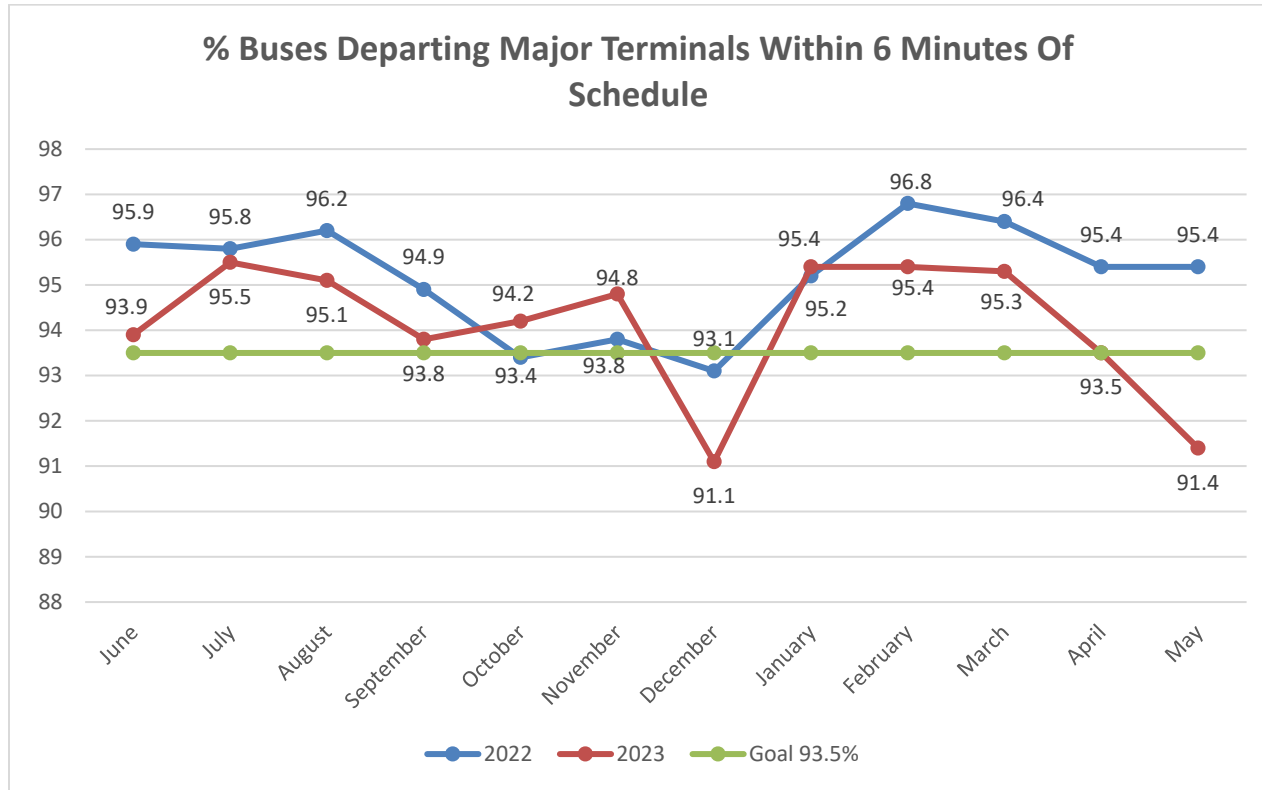
### NJ TRANSIT Performance - May 2023

#### Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: Port. Auth/	Cause: NS	Septa
# of Trains On Time	16,802	907	44	7	699		3	2
# of Late Trains	1,662	4.91%	0.24%	0.04%	3.79%	0.00%	0.02%	0.01%
Total # of Trains	18,464							
Percentage On Time	91.0%							



## NJ TRANSIT ON-TIME PERFORMANCE BUS Jun 2021 – May 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
<b>May Comparison</b>	95.4	91.4	-4.0
<b>12-Month Average Jun 2022 – May 2023</b>	95.2	94.1	-1.1

**Analysis\*:**

Bus On-Time Performance systemwide was 91.4 for the month of May 2023. Of the 48,076 monitored departures, 4,126 experienced delays.

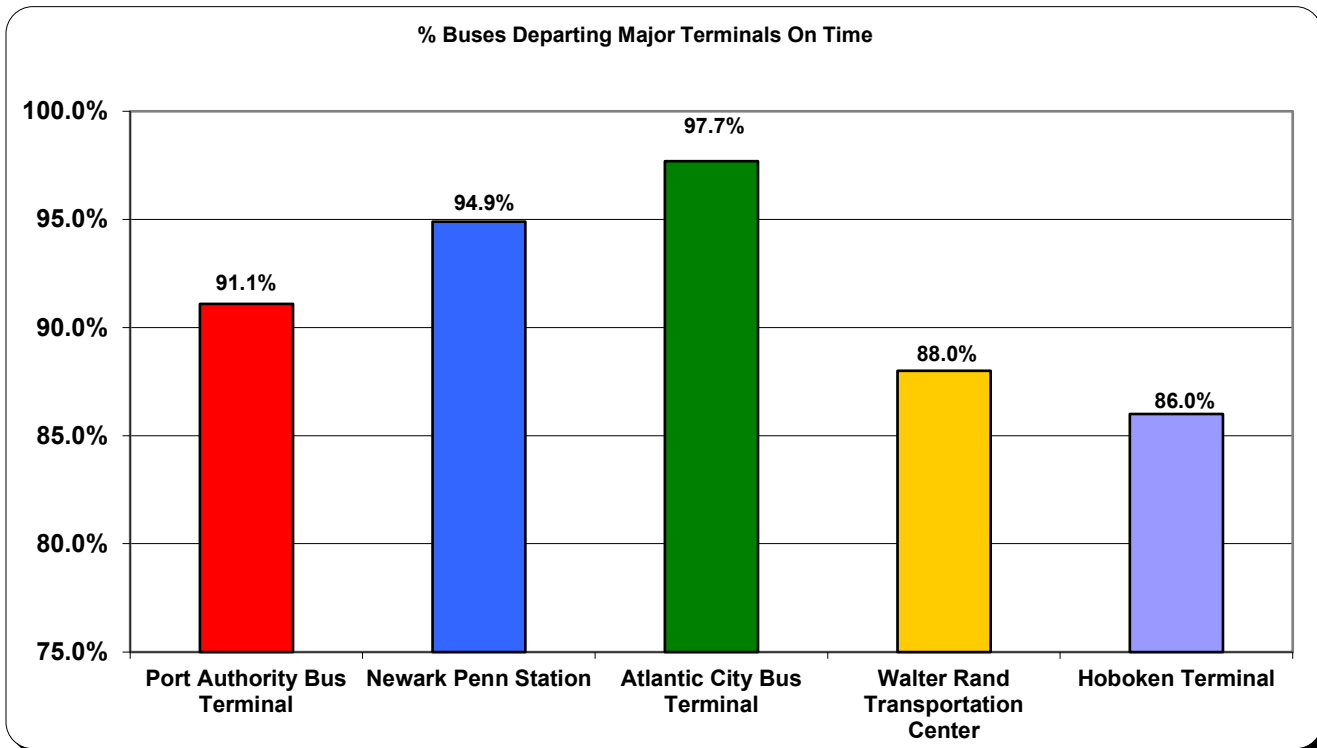
**Key Causes included**

- At PABT, on the 5<sup>th</sup>, medical emergency in the south tube held traffic up to 45 minutes. On the 8<sup>th</sup>, no traffic agent at 10<sup>th</sup> and 40<sup>th</sup>, disabled vehicle in north tube caused delays. On the 10<sup>th</sup>, disabled bus on 495 west and heavy inbound and outbound traffic. On the 19<sup>th</sup>, heavy inbound and outbound traffic. On the 24<sup>th</sup>, stoppages in the terminal due to a disabled vehicle in the north tube caused delays.
- At Newark Penn, on the 12<sup>th</sup> mechanical issues, bus accident, detours on local roads caused delays. On the 16<sup>th</sup>, mechanical issues, bus accident, road closures due to utility, construction, and paving work caused delays. On the 17<sup>th</sup>, mechanical issues, delays due to road closures for construction, utility work contributed to delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

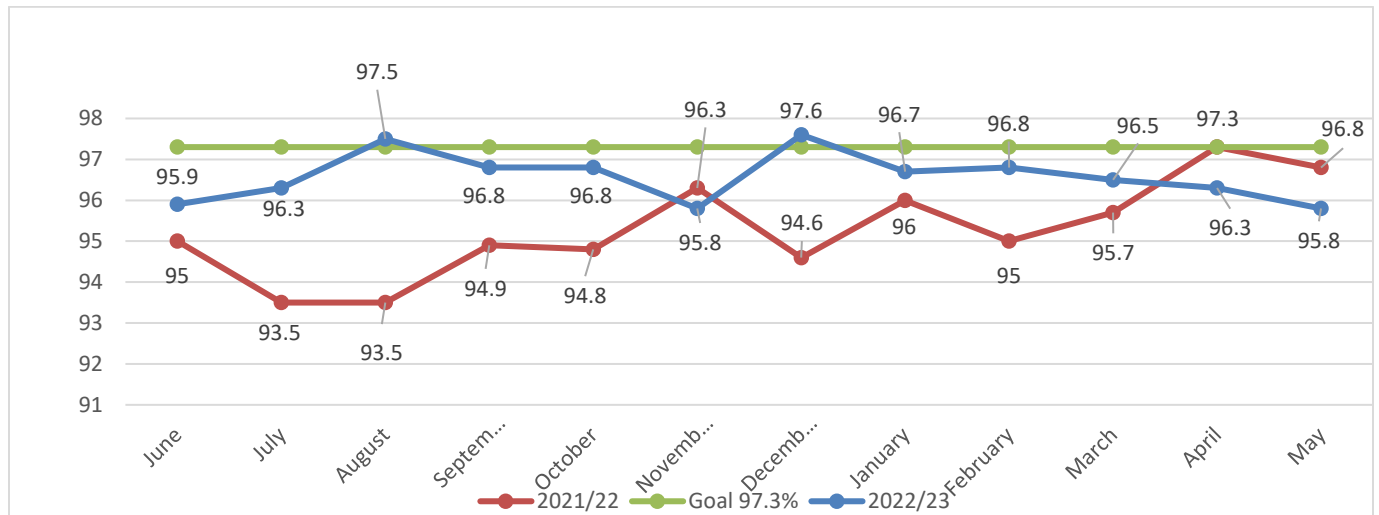
The 12-month average for Bus On-Time Performance was 94.1 .

# ON-TIME PERFORMANCE BUS

## SUMMARY BY TERMINAL



## NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL June 2021 – May 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
<b>May Comparison</b>	95.8%	96.8%	-1.0%
<b>12-Month Average June 2022 – May 2023</b>	96.3%	95.4%	-0.9%

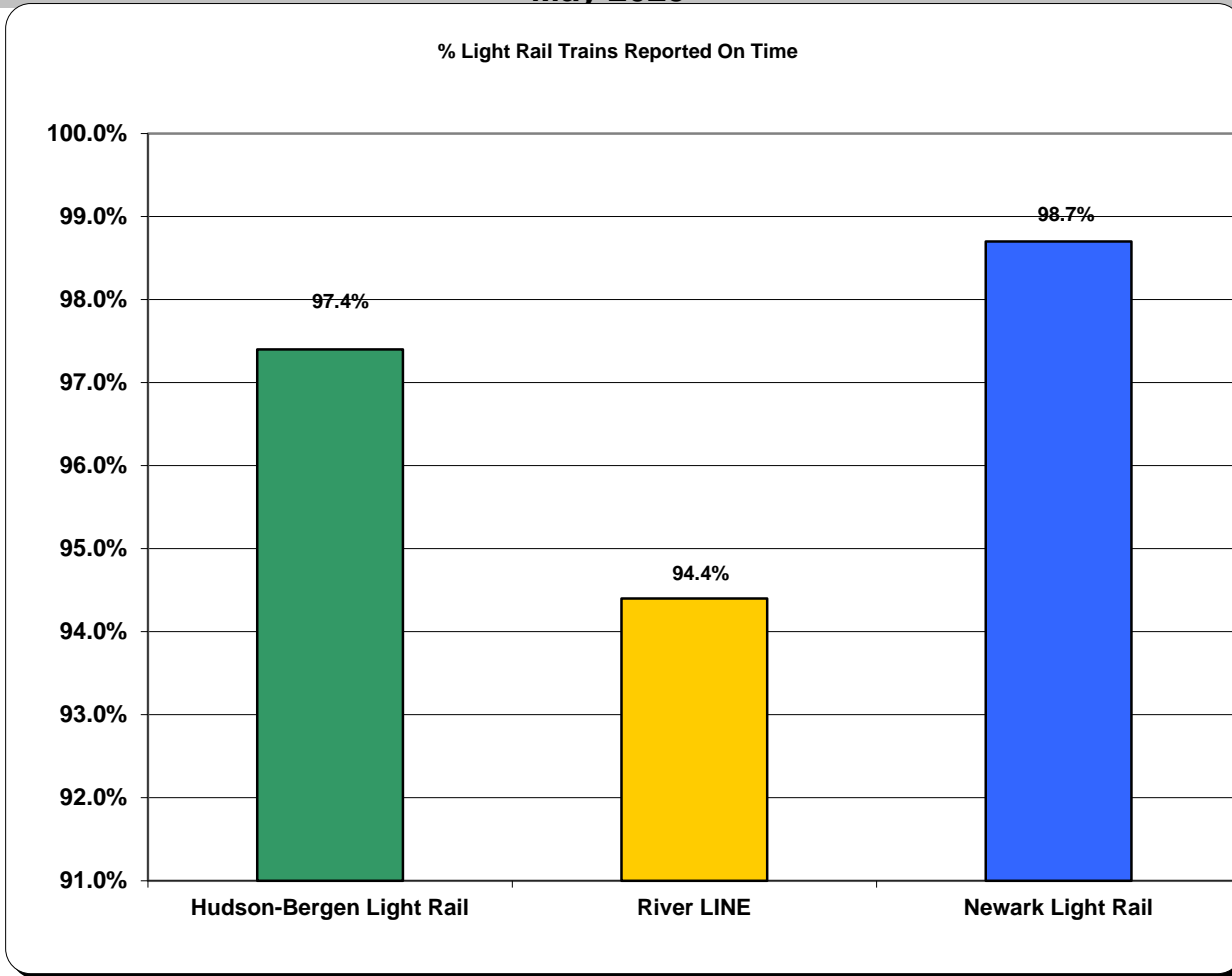
**Analysis:** Light Rail On-Time Performance system wide was 96.8% for the month of May. Of the 27,783 scheduled departures, 938 experienced delays.

**Key Causes included:**

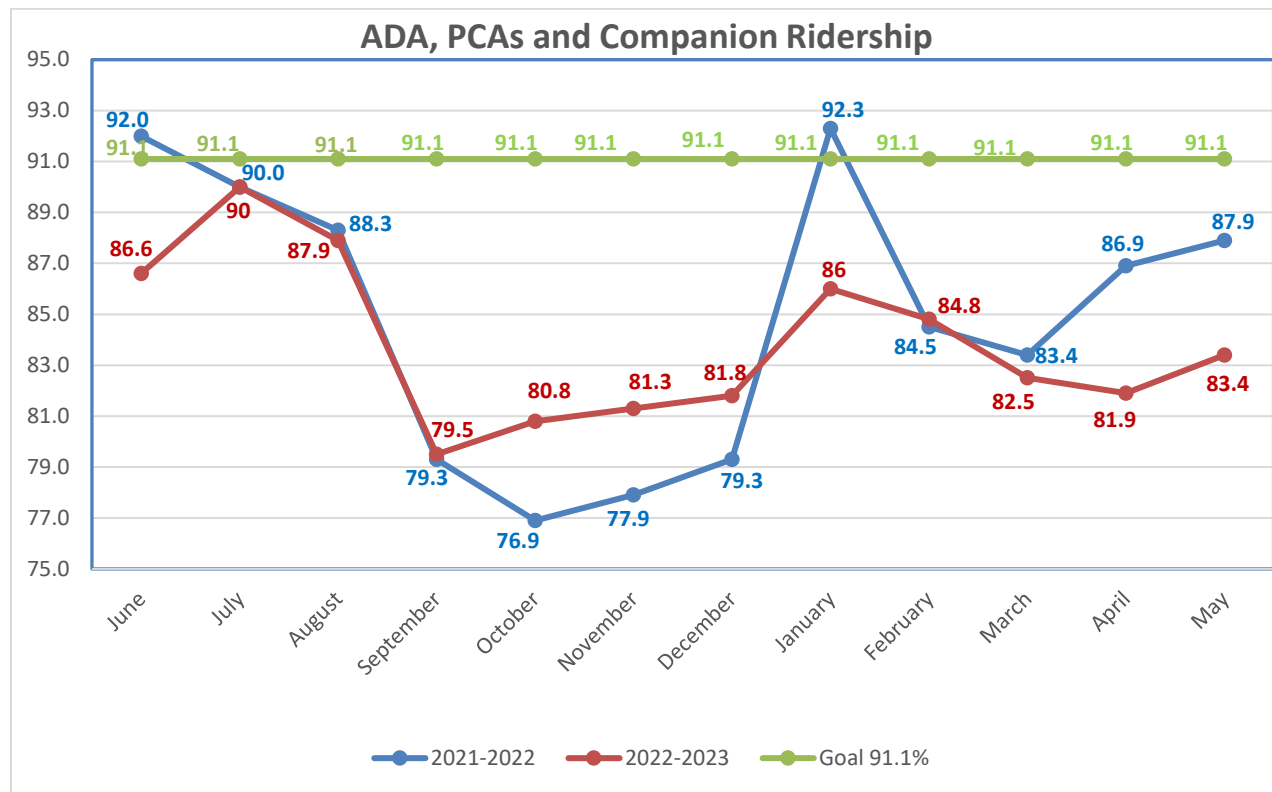
- **Newark Light Rail** – General maintenance such as door, power, brake, and propulsion issues taking place throughout the month. External passenger incidents on 5/9, 5/14, and 5/16 resulted in 5 impacted trains.
- **River LINE** –Police activity on 5/3, 5/4, 5/7, 5/10, 5/11, 5/18, and 5/20 resulted in 7 delays. External passenger incidents on 5/4, 5/11, 5/20, 5/24, and 5/26 affected seven trains. Motor vehicles fouling tracks on 5/11, 5/15, 5/16, 5/17, 5/19, and 5/24 resulted in 9 delays.
- **HBLR** – Incidents involving general maintenance of LRV taking place across multiple dates, including door issues, power/propulsion issues, brakes, and other issues. Police activity throughout the month resulted in 227 impacted trains (general police activity, security initiatives, fire department). Motor vehicle on the tracks of street-running operations affected 32 trains. External passenger incidents impacted 58 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.4%

# ON-TIME PERFORMANCE LIGHT RAIL

## SUMMARY BY LINE May 2023



### NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK JUNE 2021–MAY 2023



	<u>2022</u>	<u>2023</u>	<u>% Change</u>
<b>May Comparison</b>	87.9%	83.4%	-4.5%
<b>May Ridership</b>	107,471	124,382	16,911
<b>12-Month Average June 2022–May 2023</b>	84.9%	83.9%	-1.0%

**Analysis:**

Access Link On-Time Performance was 83.4% for May 2023. In serving 135,213 total customers, for 124,382 ADA customers trips, 20,600 or (16.6%) experienced delays.

Key Causes included:

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

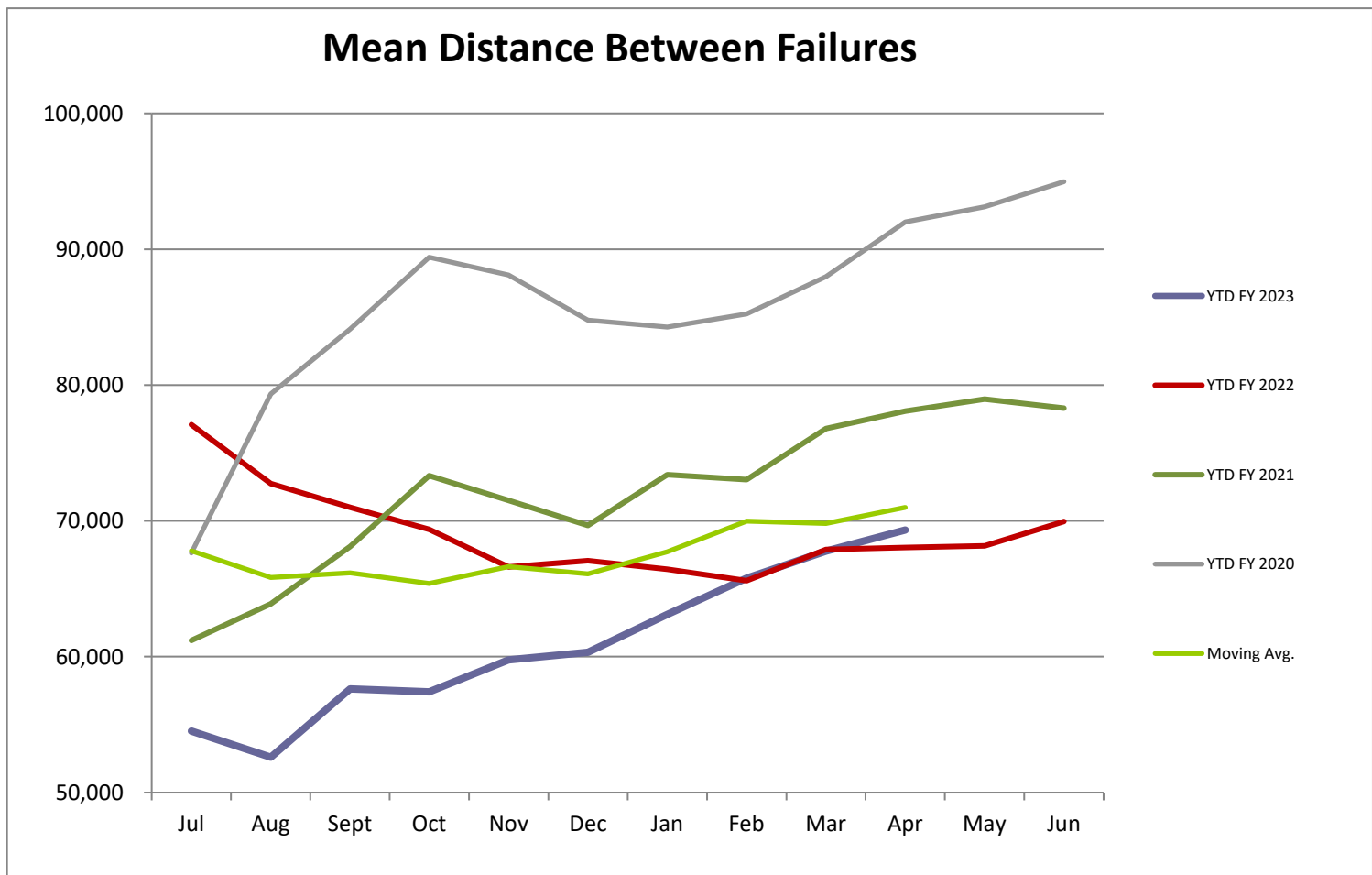
The 12-month Average for Access Link On-Time Performance was 83.9%.

# **MEAN DISTANCE BETWEEN FAILURES**

April 2023

**NJ TRANSIT Rail Operations**  
**Mean Distance Between Failures**

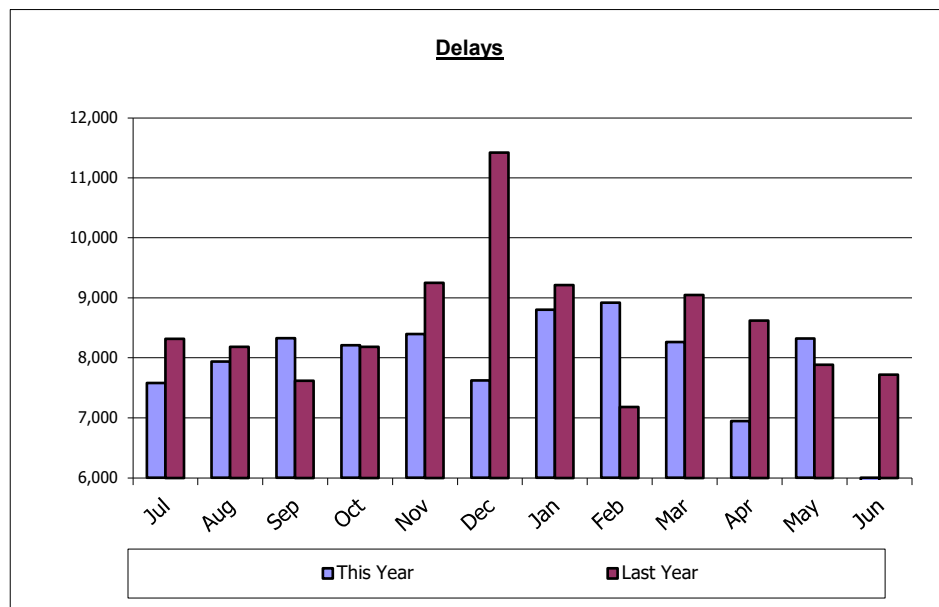
Month	YTD FY 2023	YTD FY 2022	YTD FY 2021	YTD FY 2020	12 Month Moving Avg.
Jul	54,531	77,087	61,198	67,634	67,808
Aug	52,602	72,743	63,891	79,350	65,832
Sept	57,623	71,005	68,109	84,111	66,170
Oct	57,410	69,368	73,320	89,410	65,389
Nov	59,761	66,597	71,498	88,101	66,636
Dec	60,315	67,060	69,664	84,773	66,090
Jan	63,121	66,433	73,392	84,273	67,726
Feb	65,780	65,594	73,030	85,233	69,991
Mar	67,778	67,894	76,790	87,973	69,800
Apr	69,327	68,050	78,072	92,007	70,994
May	-	68,153	78,962	93,119	-
Jun	-	69,949	78,300	94,969	-



### Garage Performance Parameters

#### May 2023

Location	Miles Between In-Service Delays			
	FY2023 Goal	This Month	FY2023 YTD	FY2022 YTD
Fairview	5,500	9,332	7,715	5,851
Greenville	7,000	4,114	4,348	5,382
Market Street	8,000	4,947	4,124	4,018
Meadowlands	9,500	4,729	5,149	6,728
Oradell	10,000	21,456	14,260	6,322
Wayne	16,000	9,418	10,305	14,716
WestWood	-	33,359	19,812	-
<b>Northern Division</b>	<b>-</b>	<b>7,675</b>	<b>7,250</b>	<b>6,710</b>
Big Tree	9,500	5,565	4,918	5,405
Hilton	10,600	6,227	6,372	6,949
Howell	17,500	22,412	25,559	26,782
Ironbound	10,200	7,912	6,960	7,547
Orange	9,800	3,182	3,193	4,062
Morris	10,500	8,751	15,286	23,975
<b>Central Division</b>	<b>-</b>	<b>6,979</b>	<b>6,922</b>	<b>8,060</b>
Egg Harbor	14,000	13,951	12,013	13,082
Hamilton	11,000	10,382	9,221	10,265
Newton Avenue	15,000	8,304	11,247	16,406
Washington Twp.	16,000	19,661	17,312	19,005
<b>Southern Division</b>	<b>-</b>	<b>13,104</b>	<b>12,678</b>	<b>14,705</b>
<b>Bus Operations</b>	<b>-</b>	<b>8,319</b>	<b>8,077</b>	<b>8,530</b>

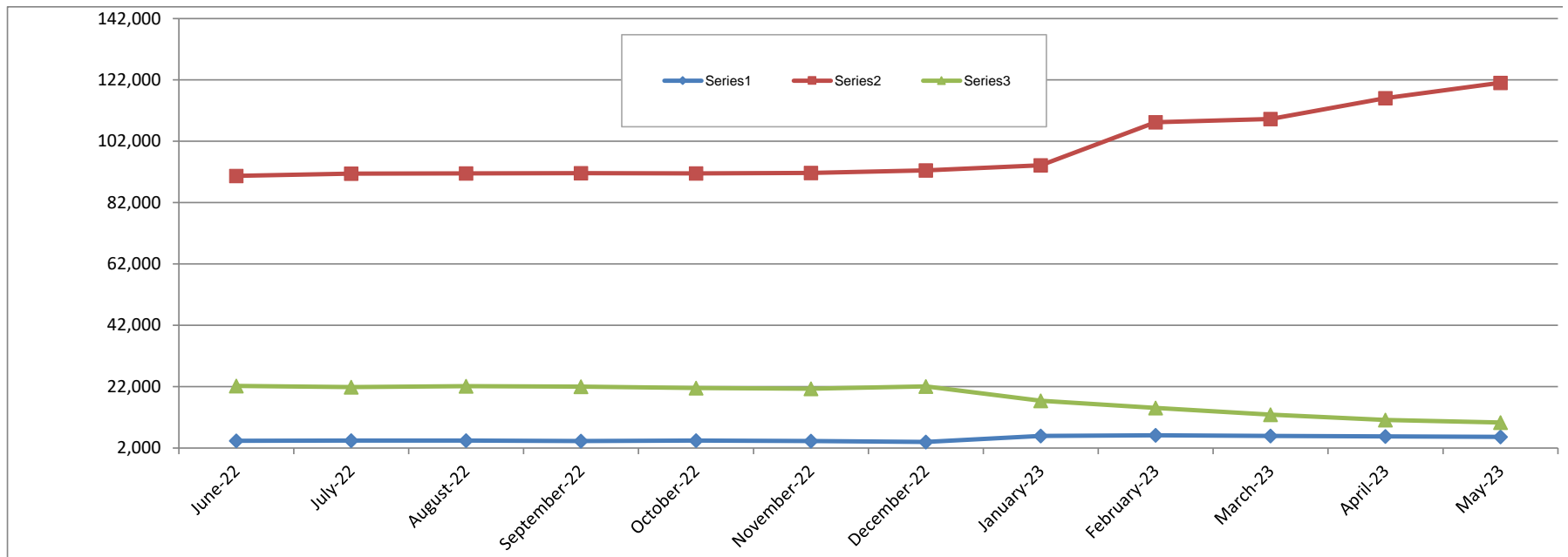


### NJ TRANSIT - LIGHT RAIL, May 2023

#### Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * May 2023	MDBSF * April 2023
Newark Light Rail	5,635	5,772
Hudson Bergen	121,073	116,028
River LINE	10,327	11,154

**AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES**



# **DBE/SBE PROGRAM**

NJ TRANSIT - DBE/SBE Participation for May 2023

State Funded Contracts

State Fiscal Year 2023 - July 1, 2022, through June 30, 2023

During the month of **May 2023**, NJ TRANSIT awarded **\$3,189,661.33** in state-funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$323,008.97** or **10.13%**.

**State Fiscal Year 2023 YTD** (July 1, 2022, through June 30, 2023) NJ TRANSIT awarded **\$484,545,536.82** in state-funded contracts. Of that total, SBEs received **\$17,544,128.57** or **3.62%**.

*Note: The above reflects the Procurement Report of Awards received on June 2, 2023.*

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

Category 1 SBEs	\$582,284.21	0.12%
Category 2 SBEs	\$6,253,844.25	1.29%
Category 3 SBEs	\$2,073,357.42	0.43%
Category 4 SBEs	\$992,513.69	0.20%
Category 5 SBEs	\$7,642,129.00	1.58%
Category 6 SBEs	\$0.00	0.00%

FTA Funded Contracts (Updated on a quarterly basis– next update will occur July 2023)

Federal Fiscal Year (FFY) 2023 - October 1,2022 through September 30, 2023

During the 2<sup>nd</sup> Quarter (January 1, 2023 – March 31, 2023) the FTA funded share of NJ TRANSIT’s federal contracts awarded was **\$11,423,198.80**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$1,372,353.81** or **12.01%**

**FFY 2023 through FFY 2025 Q2** (October 1, 2023 – September 30, 2025) NJ TRANSIT awarded **\$23,568,968.00\*\*** in federally funded contracts. Of that total, DBEs received **\$8,642,888.06** or **36.69%**.

*\*Numbers reflect federal share*

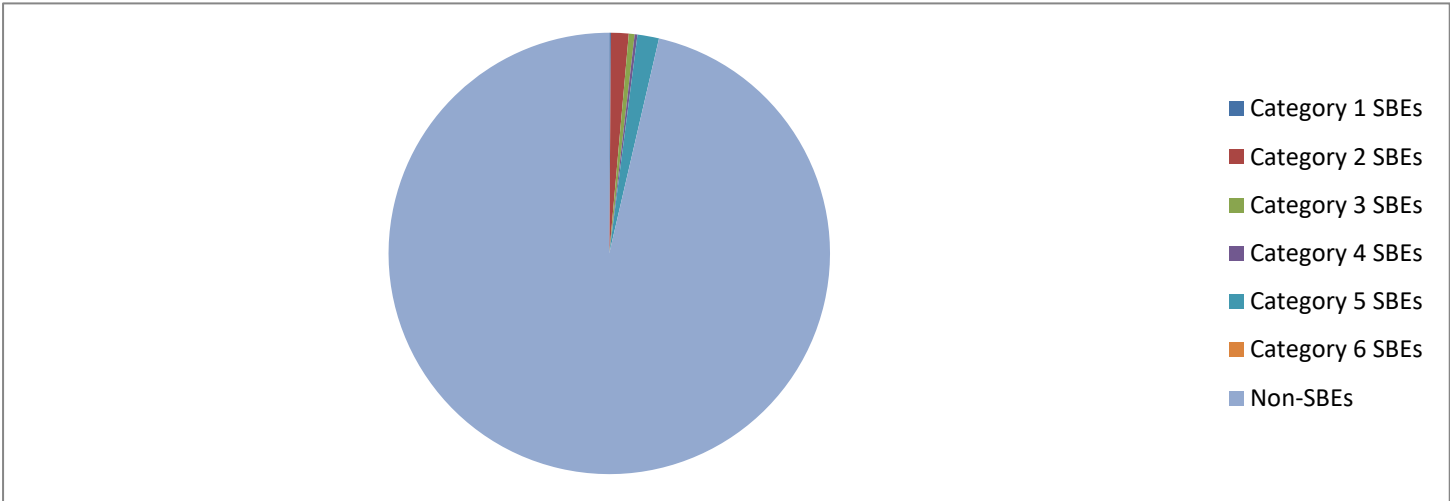
*\*\* Number includes subrecipient awards*

Transit Vehicle Manufacturer (TVM)<sup>1</sup> Awards (Next update will occur in July 2023)

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

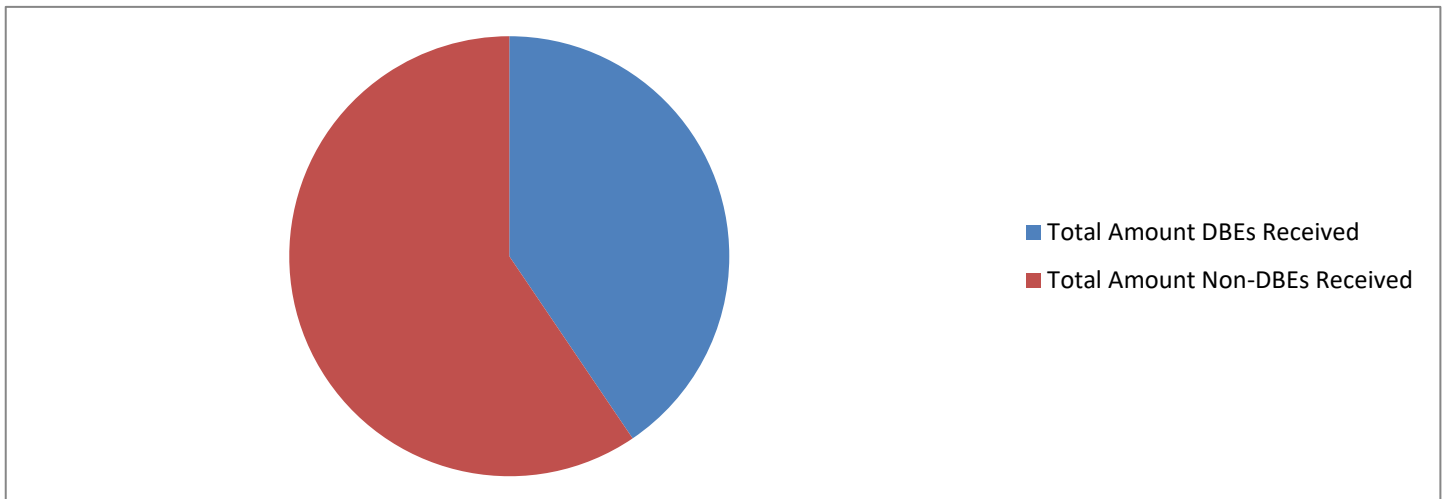
STATE CONTRACTS  
STATE FYTD 2023

<i>Category 1 SBEs</i>	\$582,284.21	0.12%
<i>Category 2 SBEs</i>	\$6,253,844.25	1.29%
<i>Category 3 SBEs</i>	\$2,073,357.42	0.43%
<i>Category 4 SBEs</i>	\$992,513.69	0.20%
<i>Category 5 SBEs</i>	\$7,642,129.00	1.58%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$467,001,408.25	96.38%



DBE PARTICIPATION  
FEDERAL CONTRACTS  
CUMULATIVE FEDERAL FY 2023-2025

<b>Total Amount DBEs Received</b>	<b>\$8,642,888.06</b>	<b>36.67%</b>
<b>Total Amount Non-DBEs Received</b>	<b>\$14,926,079.94</b>	<b>63.33%</b>



# **EMPLOYEE RECOGNITION**

**NJ TRANSIT employees bid farewell after outstanding careers**

43 NJ TRANSIT employees retired recently:

1. David Behul, Director QA/QC -- MMC -- 32 years
2. Janett Brammer, Conductor -- Various -- 30 years
3. Stephen Burkert, Conductor -- Various -- 34 years
4. Mark Cardinale, Asst Conductor -- Various -- 15 years
5. Kevin Kirk, Conductor -- Various -- 27 years
6. Winston Lewis, Conductor -- Various -- 37 years
7. Hazel Fuller, Info Clerk -- Maplewood -- 31 years
8. Teresa Gutierrez, Operator -- Oradell -- 15 years
9. Abel Lopez, Operator -- Meadowlands -- 25 years
10. Jan Powell, Operator -- Egg Harbor -- 10 years
11. John Sullivan, Term Wrkr -- AC Bus Terminal -- 14 years
12. Velma Velasquez, Operator -- Meadowlands -- 15 years
13. Michael Wynn, Operator -- Hilton -- 10 years
14. Charles Craig, Operator -- Egg Harbor -- 22 years
15. Stephen Franklin, Lead Light Rail Tech -- Bloomfield -- 24 years
16. Cindy Holloway, Operator -- Big Tree -- 23 years
17. Karl Jeudy, Operator -- Market St. -- 29 years
18. Cynthia Livingston, Chief Clerk -- Newton Ave. -- 28 years
19. Zamira Monsalvo -- Starter -- Wayne -- 24 years
20. Guillermo Rios, Repairman -- Hilton -- 26 years
21. Sammie Weaver, Operator -- Orange -- 17 years
22. Bruce Wharton, Operator -- Newton Ave. -- 15 years
23. George Williams Jr., Operator -- Orange -- 20 years
24. Deborah Wilson, Depot Mstr -- Orange -- 21 years
25. Harold Scott, Operator -- Newton Ave. -- 12 years
26. Henry Skinner Sr., Sr. System Analyst -- HQ -- 25 years
27. Neville Davy, Regional -- Market St. -- 25 years
28. Yvette Littlejohn, Manager Employee Benefits -- Maplewood -- 26 years
29. Kenneth Miller, Director Customer Experience -- HQ -- 30 years
30. Juliette Overby, Chief Regional -- Maplewood -- 33 years
31. Wayne Pinckney, Operator -- Newton Ave. -- 11 years
32. Curtis Rivers, Operator -- Howell -- 19 years
33. Perlamar Scalera, Operator -- Wayne -- 20 years
34. Steven Adragana, Operator -- Wayne -- 28 years
35. Calvin Bates, Stock Clerk -- Newton Ave. -- 27 years

36. Felix Orduson, Operator -- Orange -- 18 years
37. Michael Petolino, Stock Clerk -- Meadowlands -- 26 years
38. Leslie Guiteau, Operator -- Market St. -- 14 years
39. John Dinzik, QA Specialist -- Ferry St. -- 25 years
40. Robert Driscoll, Superintendent Stations, Newark Penn -- 35 years
41. Peter Lavell, Assistant Manager -- MMC -- 35 years
42. Jonni Lucas, Executive Secretary -- HQ -- 25 years
43. Trena Turner, Safety Officer -- Penn -- 32 years

# **ACTION ITEMS**

# Procurement & Logistics Department

**SOLE SINGLE LIMITED SOURCE BOARD ITEM  
FY 24**

# Sole Source Board Item - Request

- ▶ Staff requests authority to enter into sole, single and limited qualified sources (Sole Source Request) contracts with vendors in Fiscal Year 2024
  - Rail, Bus & Light Rail Replacement Parts and Services (OEM and Spare Parts)
  - Information Technology (IT)
  - NJ TRANSIT Infrastructure Installed Base, formerly Resiliency Program (Infrastructure)
- ▶ This request is subject to
  - Actual demand
  - Project status and regulatory approval
  - Compliance with applicable laws and regulations
  - Availability of funds
- ▶ **The primary objective is to ensure the continuity of safe and reliable transit operations.**

# Sole Source Board Item - Reasoning

- ▶ A well-run enterprise endeavors to balance **safety, efficiency** and **cost**.
- ▶ Any effective Spares/OEM and IT **strategy** must have a sole/single source component. NJ TRANSIT has embarked on a Strategy that does reduces reliance on Sole Sources, minimizes risks and addresses:
  - Warranty continuity and confidence in safety
  - Stock/inventory rationalization
  - Warehouse cost and efficiency
  - Fit and compatibility
- ▶ Additionally, for IT, sole source has historically been used to extend licenses and provide service for system platform continuity. It is also used to rapidly address technology needs and threats in a fast moving sector. While these needs continue to exist, our Strategy will reduce IT sole source reliance.

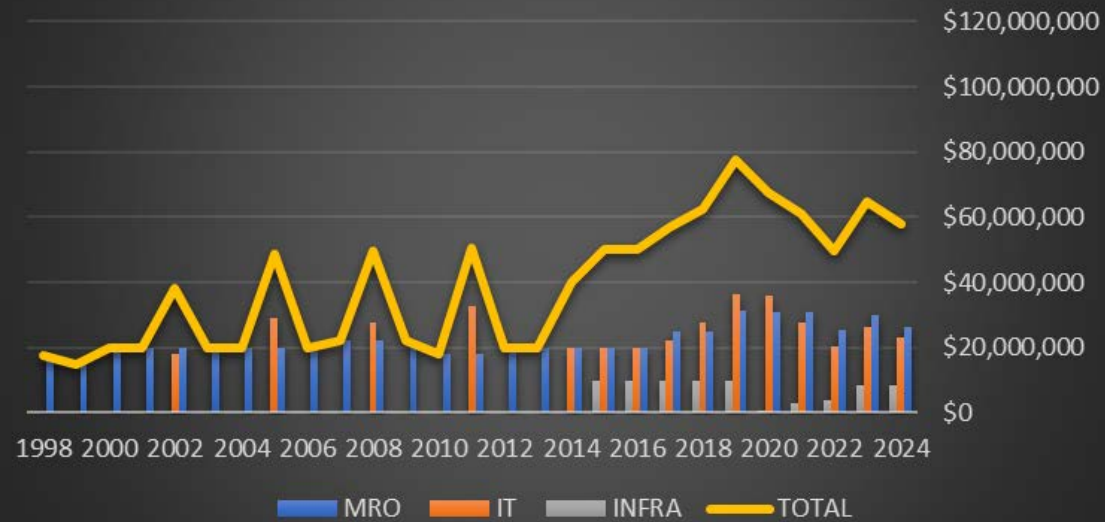
# Sole Source Board Item - Request

CATEGORY		FY-2024	FY-2023
OEM/MRO (SPARES)	Total	\$ 26,000,000	\$ 31,081,875
IT	Total	\$ 22,900,000	\$ 26,181,764
INFRASTRUCTURE	Total	\$ 4,500,000	\$ 8,482,000
<b>TOTAL</b>	Total	\$ 53,400,000	\$ 65,745,639

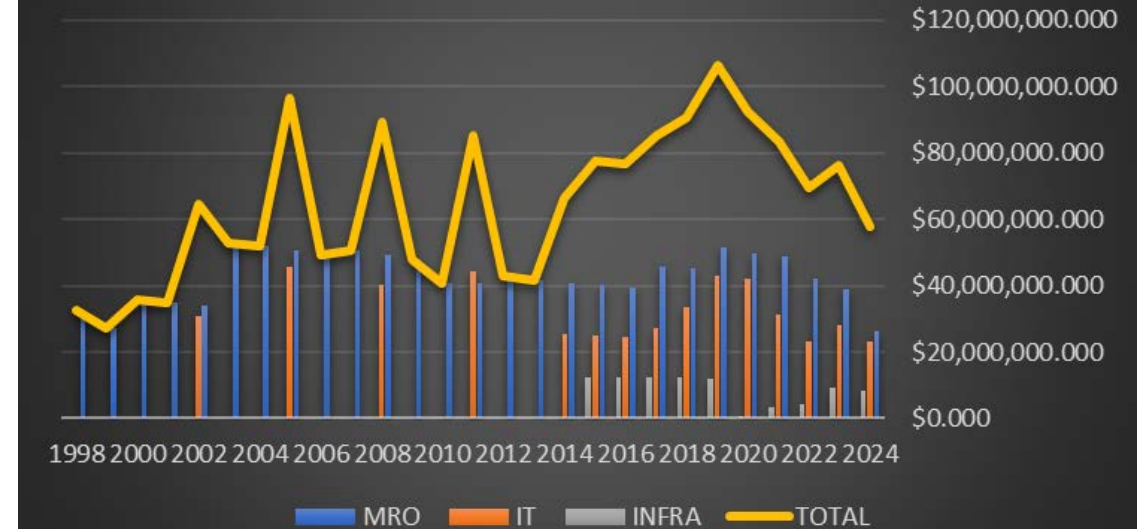
This represents < 10% of related spend.

# SSBI BUDGET TREND

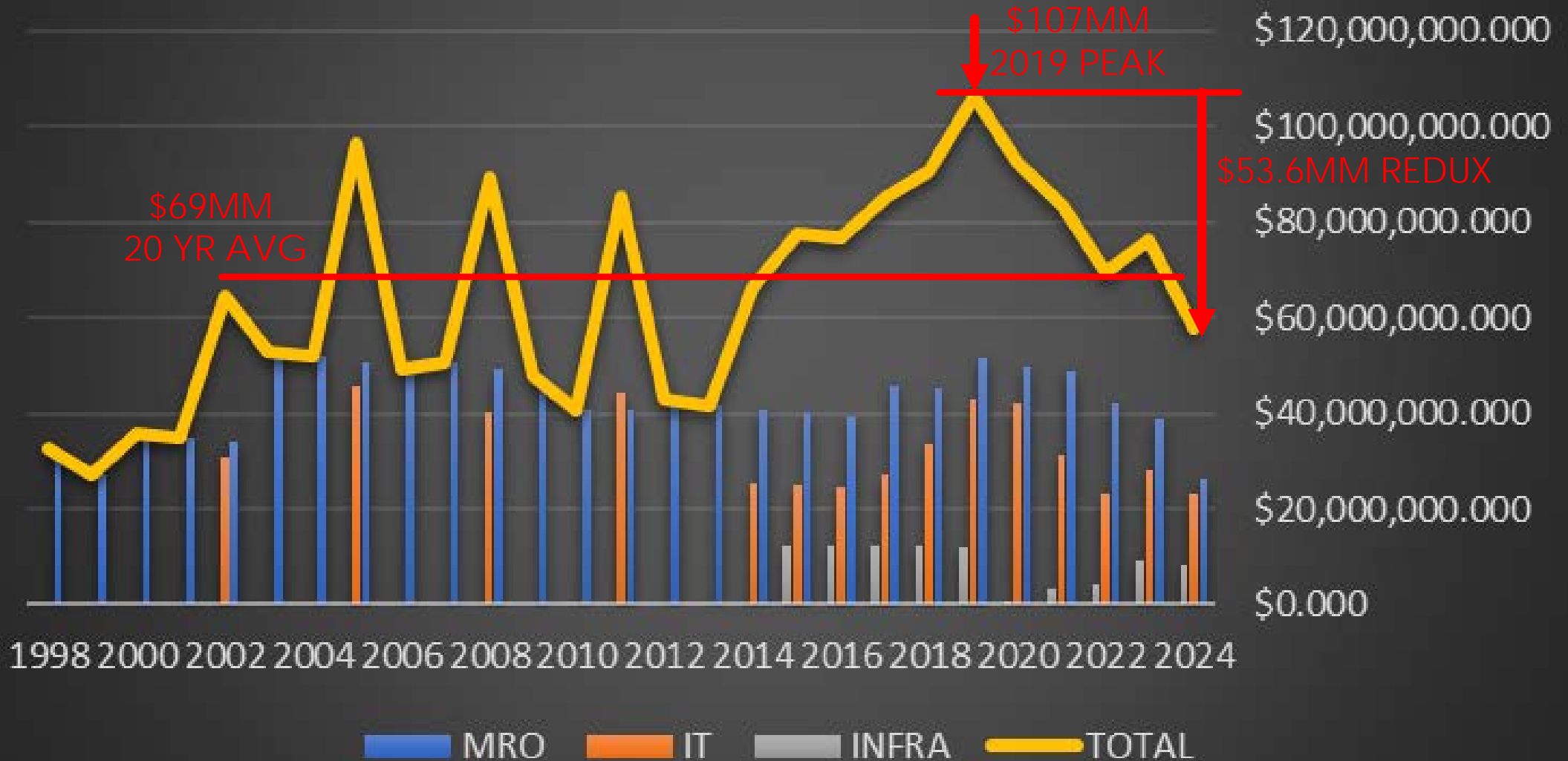
## UNADJUSTED BUDGET NUMBERS



## PV ADJUSTED BUDGET NUMBERS



# PV ADJUSTED BUDGET NUMBERS



# Sole Source Board Item - Strategy

Tariffs, residual market disruptions, labor market volatility, and the Ukraine war have conspired to increased market and logistics dislocations, but these effects have eased over the past 12 months.

- ▶ Primary objective - assure continuity of supply / operations
- ▶ Staff continues to reduced Sole Source needs through:
  - Product equals
  - Sources Sought (formal program to identify alternate vendors)
  - Software improvements (e.g., Mainframe reductions)
- ▶ In coordination with business partners, Procurement is implementing a **Strategy** to analytically move Sole Sourcing to appropriate levels for NJ TRANSIT in coming years and cultivate 2<sup>nd</sup> sources of supply for strategic items.  
**To this end...**

# Supply Chain Strategy – 3 Prong Approach

1. Individual Procurements – **seeking alternatives to SS**
  - ▶ Enter short term Vendor Managed Inventory (VMI) agreements to improve cycle time - **ONGOING**
  - ▶ Reverse engineer and compete items to establish 2<sup>nd</sup> source - **STARTED**
  - ▶ Review needs through 3 lenses: by part; by vendor; by vehicle – focuses data to maximize opportunities - **DONE**
2. Interim Process/System/Infrastructure Fixes
  - ▶ New larger warehouse to replace Tonnele Ave. Warehouse - **DONE**
  - ▶ Improve physical controls at warehouses - **STARTED**
  - ▶ Modify/upgrade existing system platforms - **ONGOING**
3. Issuing an RFP for a comprehensive redesign of our Supply Chain... - **IN REVIEW**
  - ▶ Warehouse Space & Material Transit
  - ▶ Inventory Systems & Processes
  - ▶ Inventory Materials & Commercial Engagements
  - ▶ Operations & Organization

**ITEM 2306-28: FISCAL YEAR 2024 SOLE, SINGLE, AND LIMITED QUALIFIED SOURCE PROCUREMENT BY EXCEPTION AUTHORIZATION**

**WHEREAS**, NJ TRANSIT requires maintenance services and supplies to support the operation of various major equipment; and

**WHEREAS**, NJ TRANSIT requires signal, electrical, and other right-of-way equipment and parts to restore systems damaged by Superstorm Sandy, and maintain right-of-way equipment in general; and

**WHEREAS**, it is necessary to obtain these required maintenance items and services from specific sources; and

**WHEREAS**, various software maintenance contracts and licensing agreements expire this year; and

**WHEREAS**, these contracts ensure the continued operation of both the hardware and software which support NJ TRANSIT's business units, and rail and bus operations; and

**WHEREAS**, these products are being fully utilized throughout the corporation and the demand for services and software upgrades continues; and

**WHEREAS**, NJ TRANSIT is unaware of other sources for these items and services; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(b) competitive procurement requirements may be waived for technical services; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(c) competitive procurement requirements may be waived in instances where only one source of supply is available; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(c) competitive procurement requirements may be waived when more favorable terms can be obtained from a primary source of supply; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(c) competitive procurement requirements may be waived when technical equipment will assure standardization and interchangeability; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(e) competitive procurement requirements may be waived with respect to specialty vehicles, major equipment and signal and fare collection systems; and

**WHEREAS**, the President and CEO certifies that these Sole, Single, and Limited Qualified Source acquisitions listed on Exhibits A1, A2, and A3 are consistent with and authorized by N.J.S.A. 27:25-11(g), and NJ TRANSIT's Regulations, including N.J.A.C. 16:72-1.5(e)(8), N.J.A.C. 16:72-1.5(e)(12) and N.J.A.C. 16:72-1.5(e)(14);

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to enter into procurement-by-exception contracts for the purchase of materials and services from approved vendors set forth in Exhibit A1 (subject to adjustments) to support Bus, Rail, Light Rail, and Headquarters operations at a cost not to exceed \$26,000,000, subject to the availability of funds. New firms with material or services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2023 to June 30, 2024; and

**BE IT FURTHER RESOLVED** that the Chair or President & CEO is authorized to enter into procurement-by-exception contracts for the purpose of maintaining/upgrading hardware and software systems from approved vendors set forth in Exhibit A2 (subject to adjustments) to support NJ TRANSIT's Information Systems at a total cost not to exceed \$22,900,000, subject to the availability of funds. New firms with services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2023 to June 30, 2024; and

**BE IT FURTHER RESOLVED** that the Chair or President & CEO is authorized to enter into procurement-by-exception contracts for the purchase of materials and service from approved vendors set forth in Exhibit A3 (subject to adjustments) to support NJ TRANSIT Infrastructure at a cost not to exceed \$4,500,000, subject to the availability of funds, Federal Transit Administration approval and all other applicable requirements. New firms with services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2023 to June 30, 2024.

## EXHIBIT A1

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
REPLACEMENT PARTS AND SERVICES**

	<b>Vendor</b>	<b>City</b>	<b>State</b>	<b>Procurement Method (Sole/OEM, Single, Limited Source)</b>
1.	AFL Telecommunications*	Duncan	SC	OEM-Catenary Parts
2.	Airline Hydraulics	Bensalem	PA	Sole Source – Components for MMC Jacks
3.	Alstom Mass Transit	Plattsburgh	NY	OEM-Spherical Bearings, Vertical Shock Absorbers, etc.
4.	Alstom Signaling Inc.* (x)	New York & West Henrietta	NY	OEM Signals Proprietary/PTC Systems
	Alstom Transportation Inc. * (x) American Testing	Lisle	IL	OEM Diesel Loco Comp High Voltage Transformers
5.	Apollo Video Technology LLC* (dba Luminator Technology Group, Inc.)	Bothell	WA	OEM-Surveillance SW
6.	Atlantic Track (x)	Bloomfield	NJ	OEM- Custom Track Plates
7.	BBM Railway Equipment LLC	Youngstown	OH	OEM- R/R Jacks
8.	Bentech	Philadelphia	PA	OEM- Barrier Doors
9.	Alstom-Bombardier Transit Corp. (x)	Ontario	Canada	OEM R/R Components
10.	C&W Meter Services (x)	Quaker	PA	Sole Source – MMC Fuel Pad /Fuel Meters Components
11.	Cleaveland/Price Inc. *	Westmoreland	PA	Sole Source -Catenary Eq
12.	Clever Devices*	Syosset	NY	OEM-Smart Bus HW/SW
13.	Wabtec (formerly) Collins Aerospace	Charlotte	NC	Single Source – Software -PTC System
14.	CNC Engineering Inc	Enfield	CT	Sole Source- Components for AAR Wheel Shop
15.	Cubic Transportation Systems Inc.*	Tullahoma	TN	OEM- Fare Collection
16.	Cummins, Inc.	Kearny	NJ	OEM- Engine Parts
17.	Dellner Couplers Inc.	Charlotte	NC	OEM- Couplers
18.	Eastec <b>(SBE)</b>	Wall	NJ	OEM Door Access Control
19.	Ensco Rail Inc.	Springfield	VA	Sole Source -TGVI
20.	TransTech of SC (formerly) Faively Transtech/(Wabtec)*(x)	Greenville Charlotte	SC NC	OEM-Pantograph
21.	FallProof Systems LLC	Trenton	NJ	OEM- Components MMC Fall Protection
22.	Flowbird Transport Ltd.*	Poole	UK	OEM Fare Collection
23.	Foley Inc.	Piscataway	NJ	OEM- Engine Parts
24.	Fujitsu Network Communications	Richardson	TX	Sole Source- Door Control Components

## EXHIBIT A1

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
REPLACEMENT PARTS AND SERVICES**

Vendor		City	State	Procurement Method (Sole/OEM, Single, Limited Source)
25.	Hanning and Kahl LP	Bridgeport	PA	OEM- NLR Switches
26.	Hitachi Energy USA Hitachi Rail STS (formerly Ansaldo)*	South Brunswick Pittsburgh	NJ PA	OEM-Parts and Services Signal Components
27.	HiTran Corporation  IS Technology Solutions  Industrial Process Measurement Inc	Flemington	NJ	Sole Source- Transformer/Repair Automatic Brake Valve Tester
28.	Hudson Machine Works	Brewster	NY	Sole Source – PID Cases
29.	Jamaica Bearings (x) Jala Equipment	New Hyde Park	NY	Sole Source-wheel bearings Service Parts and Repairs for
30.	Johnson & Towers, Inc.	Egg Harbor	NJ	Sole Source – EV40/50 ESS Systems
31.	Kinkisharyo International LLC	Jersey City	NJ	OEM-NLR Systems
32.	Knorr Air Brake (x)	Westminster	MD	OEM-Braking Systems NLR
33.	L.B. Foster	Pittsburgh	PA	OEM – Track Lubricators/Traction Enhancers
34.	La Marche Manufacturing Co.*	Des Plaines	IL	OEM-Signal Comp
35.	Luminator Technology Group	Plano	TX	OEM-Signage Equip
36.	Lux Aeterna	Quebec	Canada	OEM- Stock interior comp
37.	LYTX/DriveCAM*	San Diego	CA	OEM Video services
38.	McConway & Torley LLC	Pittsburgh	PA	(OEM) – Couplers Assemblies
39.	Merak North America LLC	Westminster	MD	OEM- Multilevel HVAC Units
40.	Motive Equipment (x)	New Berlin	WI	OEM-HVAC
41.	MX Industrial	Warminster	PA	Sole Source – Components AAR Wheel NTD Machines
42.	Myers Controlled Power LLC	North Canton	OH	OEM-DC Electrical Breakers
43.	National Refrigerants Inc.	Philadelphia	PA	Sole Source-Refrigerants
44.	Nortrak (x)	Richmond	British Columbia	OEM- Custom Frogs, Switch Points, & Rail Diamond
45.	ORX Railway Corporation	Tipton	PA	Sole Source gear motors
46.	Pandrol	Memphis	TN	Sole Source-Rail fastening
47.	Penn Machine Co.	Johnstown	PA	Sole Source -Tire Kits
48.	Power Trunk, Inc.*	Jersey City	NJ	OEM-Land Mobile Radio
49.	Precision Transmission	Colmar	PA	OEM Bus Transmissions

## EXHIBIT A1

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
REPLACEMENT PARTS AND SERVICES**

Vendor		City	State	Procurement Method (Sole/OEM, Single, Limited Source)
50.	Princeton Consultants	Princeton	NJ	Sole Source – Software for FRA Certified I-ETMS system
51.	Progress Rail* (x)	Albertville	AL	EMD Locomotive Engine Parts
52.	Pumping Services Inc.	Middlesex	NJ	Sole Source-Lift Sta Pumps & Controls
53.	Questar Tangent Railhead Corporation	Aslip	IL	Electronic Displays Sole Source-Camara Repair
54.	Quester Tangent	Saanichton	Canada	OEM-Monitoring Control Units (MCUs)
55.	Railroad Friction Products (x)	Laurinburg	NC	OEM pads, shoes equip
56.	Region Energy (Meenan Oil)	Dover	NJ	Sole Source-ULSDF with Dry-Break Refueling Nozzle
57.	Saft America Inc.* (x)	Cockeysville	MD	OEM-Battery Equip
58.	Scantron Corporation*	Irvine	CA	OEM-Scanning Software
59.	Schweitzer Engineering Labs'/ RSI Inc.	Pullman	WA	OEM-Substation TiDL protection
60.	Seaboard Global	Ocean Township	NJ	Sole Source-Fire Supp
61.	Sherwood Electromotion	Ontario	Canada	Sole Source Traction Motors
62.	Siemens Industry, Inc.	Wendell	NC	OEM-Substation Protection
63.	Siemens Mobility, Inc.* (x)	Alpharetta	GA	OEM-Software Signal/Comp On Board PTC PTC Components
64.	Simmons Machine Tool Corp.	Albany	NY	Sole Source- Components for Wheel Machines
65.	Spectrum	Brooklyn Heights	OH	OEM -Snow Heating Blower
66.	Stewart & Stevenson Power	Lodi and Piscataway	NJ	Sole Source-Parts/Services
67.	Tekdata Metal Solutions Inc.	Quebec	Canada	OEM-Door Parts & Assemblies
68.	Teknoware	Lahti	Finland	Sole Source- LED Light Assy
69.	The Aftermarket Parts Company	Delaware	OH	OEM Bus Fleet Comps
70.	The Okonite Company	Little Falls	NJ	Sole Source-Multi-Conductor Railroad Signal Cables
71.	Turtle and Hughes/Rockwell	Linden	NJ	OEM – OTN XTRAN MPLS–PTC, Sig., SCADA
72.	USSC LLC	Exton	PA	OEM- Ergonomic Cab Seats
73.	Ultra-Tech UTE Calibration	New York	NY	Sole Source Cabin Signals PTC Cab Signal Test Boxes

## EXHIBIT A1

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
REPLACEMENT PARTS AND SERVICES**

Vendor		City	State	Procurement Method (Sole/OEM, Single, Limited Source)
74.	Vecom USA	Tampa	FL	Sole Source- Controller Panels
75.	Voith Turbo Inc.	Sacramento	CA	OEM-Gear Box Comps
76.	Westcode Inc.	Chadds Ford	PA	OEM ARROW3 Repair Kits
77.	Western- Cullen Hayes, Inc.	Chicago	IL	Limited Source- Hydraulics
78.	Whiting Corp.	Monee	IL	OEM-Jacks
79.	Wabtec Global Service Center	Kansas City	MO	OEM Brake Controls
	Wabtec Locomotive Products *	Wilmerding	PA	OEM Compressors and kits
	Wabtec Passenger Transit *(x)	Spartanburg	SC	OEM Airbrakes
	Wabtec Components, LLC*(x) Wabtec Railway Electronics	Wilmerding	PA	OEM PTC Components
80.	Winchester Interconnect	Winsted	CT	Single Source Cables

\* This vendor(s) provides materials and services across multiple Business Units of NJ TRANSIT.

(x) Indicates sole source to maintain supply, items subject to stockout / logistical problems

**EXHIBIT A2**  
**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS**  
**COMPUTER HARDWARE AND SOFTWARE**

	<b>Vendor</b>	<b>City</b>	<b>State</b>	<b>Procurement Method</b> <i>(Sole/OEM, Single, Limited Source)</i>
1.	Activu <b>(SBE)</b>	Rockaway	NJ	Sole-Emergency Ops Video
2.	Baran Design Associates	Bergenfield	NJ	Sole-Pub Address
3.	Clever Devices*	Woodbury	NY	Sole-Smart Bus
4.	Conduent Transport Solutions, Inc.	Somerset	NJ	Sole-Fare Collection
5.	Cubic Transportation Systems, Inc.*	Tullahoma	TN	Sole-Fare Collection
6.	Enghouse	Toronto	Canada	Sole-Time/Att/Dispatch
7.	Gannett Fleming Co.	Camp Hill	PA	Sole-Bus Graphic Data
8.	Giro Incorporated	Montreal	Canada	Sole-HASTUS SW
9.	Highline Software, Inc.	Toronto	Canada	Sole-HRMS
10	HUB Parking Technology USA	Warrandale	PA	Sole- Parking Equip
11	IBM Corporation	Piscataway	NJ	Sole-Mainframe-Op Sys
12	Infobip, Inc.	London	UK	Sole-My Bus
13	Kronos	Chelmsford	MA	Sole-Time/Attendance SW
14	Power Trunk, Inc.*	Jersey City	NJ	Sole- Land Mobile Radio
15	Qognify, Inc. (formerly Nice Systems)	Paramus	NJ	Sole- Video Surveillance
16	Replicant Solutions Inc.	San Francisco	CA	Sole-Access Link SW
17	Riskconnect Clear Sight	Kennesaw	GA	Sole-Risk Mgmt SW/HW
18	Signature Rail Limited	York	UK	Sole-Scheduling SW
19	Software AG, Inc.	Reston	VA	Sole-Mainframe Apps
20	Solari Corporation	Udine	IT	Sole -Station Signs HW/SW
21	Trapeze Software Group	Scottsdale	AZ	Sole-PASS Software Suite
22	Wabtec Transportation Systems (formerly Rockwell Collins AIRINC)	Annapolis	MD	Sole-Train Mgmt & Control

\* This vendor(s) provides materials and services across multiple Business Units of NJ TRANSIT.

## EXHIBIT A3

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
INFRASTRUCTURE PROGRAM**

<b>Vendor</b>	<b>City</b>	<b>State</b>	<b>Procurement Method</b>
AFL Telecommunications*	Jersey City	NJ	FTA Approval Pending (Sole Source)
Alstom Signaling, Inc.*	West Henrietta	NY	FTA Approval Pending (Sole Source)
Cleaveland Price, Inc.*	Westmoreland	PA	FTA Approval Pending (Sole Source)
Henkles & McKoy, Inc.	Blue Bell	PA	FTA Approval Pending (Sole Source)
Hitachi Rail Sts USA Inc.	Pittsburgh	PA	FTA Approval Pending (Sole Source)
La Marche Manufacturing	Des Plaines	IL	FTA Approval Pending (Sole Source)
Saft America, Inc.	Cockeysville	MD	FTA Approval Pending (Sole Source)
Siemens Mobility Inc.	Alpharetta	GA	FTA Approval Pending (Sole Source)
TransTech of SC Inc.	Piedmont	SC	FTA Approval Pending (Sole Source)

\* This vendor(s) provides materials and services across multiple Business Units of NJ TRANSIT.

**ITEM 2306-29:       ADVANCED SPEED ENFORCEMENT SYSTEM II – POSITIVE TRAIN CONTROL: INCREASE TO PARSONS TRANSPORTATION GROUP CONTRACT NO. 10-099X FOR WARRANTY OF PREVIOUSLY AUTHORIZED WORK AND ADDITIONAL DEVELOPMENT OF FEDERALLY MANDATED IMPROVEMENTS TO NJ TRANSIT’S POSITIVE TRAIN CONTROL**

**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 was required to implement PTC along all its commuter rail line right-of-way and on rail rolling stock; and

**WHEREAS**, this PTC system, which includes the Alstom Advanced Speed Enforcement System II (ASES II PTC) and the Siemens Advanced Civil Speed Enforcement System II (ACSES II PTC), is also required to provide seamless interoperability with Amtrak’s Northeast Corridor (NEC) Advanced Civil Speed Enforcement System II (ACSES II) technology; and

**WHEREAS**, the FRA conditionally certified NJ TRANSIT’s PTC system on December 17, 2020; and

**WHEREAS**, NJ TRANSIT continues to address the issues raised by the FRA’s conditional certification and to hold its PTC Contractor, Parsons Transportation Group (Parsons), accountable to provide all deliverables required by Parsons’ Contract with NJ TRANSIT; and

**WHEREAS**, the FRA continues to require NJ TRANSIT to implement improvements to its PTC system to further enhance both safety and security. The implementation of these ASES II PTC improvements will enhance the safety of customers and employees on NJ TRANSIT rail services, improve the operational security on NJ TRANSIT rail services and permit compliance with Federal law; and

**WHEREAS**, modification of the interface between NJ TRANSIT’s and Amtrak’s Wireless Security Systems is required to address changes made by Amtrak in its Wireless Security equipment and to allow NJ TRANSIT to be fully compliant with FRA requirements; and

**WHEREAS**, the FRA required advancement of improvements to the NJ TRANSIT Wireless Security Systems that will provide more secure communication between NJ TRANSIT and tenant trains to NJ TRANSIT’s Rail Operation Center (the ROC), to Amtrak’s NEC operations center, and other railroads; and

**WHEREAS**, the modifications will enable controlled secure key exchanges supporting encrypted messaging as required by the applicable Federal regulations; and

**WHEREAS**, modification of the interface between NJ TRANSIT's and Amtrak's Temporary Speed Restriction Exchanges is required to address changes made by Amtrak in its Wireless Security equipment and to allow NJ TRANSIT to be fully compliant with FRA requirements; and

**WHEREAS**, NJ TRANSIT operates service on Metro North Railroad's (MNR's) Southern Tier Line which currently has a single network connection between each wayside location and NJ TRANSIT's ROC; and

**WHEREAS**, MNR requires the addition of a secondary network line to provide a redundant Network connection to the ROC at each wayside location; and

**WHEREAS**, the work on the Southern Tier Line will be reimbursed in full by MNR pursuant to the parties' Operating Agreement; and

**WHEREAS**, the FRA issued a new rule 49 CFR 236.1029(h)(3) which requires each host railroad to submit a quarterly report of PTC System Performance to the FRA that in addition to previous requirements now requires additional performance data, including PTC enforcements and failure of the PTC system to initialize; and

**WHEREAS**, this work is required by the FRA and necessary for NJ TRANSIT to comply with FRA requirements in order to maintain the conditional certification of NJ TRANSIT'S PTC system; and

**WHEREAS**, this work cannot be delayed due to the urgency imposed by the FRA and Amtrak; and

**WHEREAS**, Parsons is the Design/Build Contractor and system integrator for NJ TRANSIT's ASES II PTC Systems;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to increase the value of NJ TRANSIT Contract No. 10 099X with Parsons and execute a Change Order for Parsons to add warranty to the FRA required and previously approved improvements to the NJ TRANSIT Wireless Security Systems, make additional FRA required modifications to the NJ TRANSIT Wireless Security Systems that will provide more secure communication between NJ TRANSIT and tenant trains to the ROC, to Amtrak's NEC operations center, and to other railroads, make FRA required improvements to NJ TRANSIT's interface with Amtrak's Temporary Speed Restriction Exchanges, and be capable of automatically generating the new FRA reporting requirements, at a cost not to exceed \$19,600,000, plus five percent for contingencies, for a total Contract authorization amount not to exceed \$295,228,082.15, subject to the availability of funds, with \$1,171,913.72 fully reimbursable by Metro North pursuant to the Feb 08, 2022 PTC Operating Agreement between Metro North and NJ TRANSIT.

**ITEM 2306-30: AUTHORITY TO ENTER INTO A DEVELOPMENT MANAGEMENT AGREEMENT BETWEEN NJ TRANSIT AND LCOR FOR A TRANSIT ORIENTED DEVELOPMENT PROJECT AT HOBOKEN TERMINAL (HOBOKEN CONNECT)**

**WHEREAS**, NJ TRANSIT and LCOR Hoboken Rail Station Redevelopment, LLC (LCOR) entered into a certain Master Development Agreement (MDA) dated October 26, 2005, as amended, and last extended on February 8, 2023 which sets forth the framework for Hoboken Connect, a mixed-use transit-oriented development project centered at Hoboken Terminal; and

**WHEREAS**, New Jersey Debt Defeasance and Prevention Funds are the source of funding for this project; and

**WHEREAS**, NJ TRANSIT and LCOR desire to agree to certain terms and conditions in a Development Management Agreement (DMA) so that LCOR can perform certain tasks in furtherance of the project, including due diligence, design, and construction activities in support of the public infrastructure improvements funded by the State; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to take all necessary actions to execute a Development Management Agreement between NJ TRANSIT and LCOR, to advance the Hoboken Connect project; and

**BE IT FURTHER RESOLVED** that the Chair or President & CEO is authorized to expend from the appropriated New Jersey Debt Defeasance Fund, an amount not to exceed \$176,000,000, to support public infrastructure improvements at Hoboken Terminal.

**ITEM 2306-31: NORTH BERGEN PARK AND RIDE – SUPPLEMENTAL AGREEMENT**

**WHEREAS**, NJ TRANSIT and its predecessors have utilized the North Bergen Park and Ride facility since 1955; and

**WHEREAS**, NJ TRANSIT entered into an Agreement of Lease for the North Bergen Park and Ride facility in 2008; and

**WHEREAS**, NJ TRANSIT and The Port Authority of New York and New Jersey have established rent and escalator agreements to the 2008 Agreement of Lease; and

**WHEREAS**, NJ TRANSIT and The Port Authority of New York and New Jersey entered into a Supplemental Agreement in 2015 extending the Agreement of Lease to August 31, 2018; and

**WHEREAS**, NJ TRANSIT and The Port Authority of New York and New Jersey entered into a Second Supplemental Agreement in 2018 extending the Agreement of Lease to August 31, 2023;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is hereby authorized to execute a Third Supplemental Agreement to an existing Agreement of Lease with The Port Authority of New York and New Jersey for continued use of the North Bergen Park and Ride facility for five years establishing an annual rent payment to be made by NJ TRANSIT to The Port Authority of New York and New Jersey in the amount of \$1,035,197.88, effective July 1, 2023, with annual four percent escalations, subject to the availability of funds. All other terms of the 2008 Agreement of Lease are to remain in place.

**ITEM 2306-32: REGULATIONS: ADOPTION OF N.J.A.C. 16:73 REDUCED FARE TRANSPORTATION PROGRAM FOR SENIORS AND PEOPLE WITH DISABILITIES**

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

**WHEREAS**, the rules establishing procedures regarding the Reduced Fare Transportation Program have been in effect since 1973; and

**WHEREAS**, the rules establishing procedures regarding the Reduced Fare Transportation Program expired in 2019. Staff reviewed the new rules and determined that the rules are necessary, adequate, reasonable, efficient, and responsible to the purposes for which they should be repromulgated and adopted; and

**WHEREAS**, NJ TRANSIT has determined that revisions to the Reduced Fare Transportation Program are necessary to modernize commonly used definitions and terms, monitor the eligibility of applicants, incorporate statutory changes made to the program and protect the economic viability of the program by monitoring for potential fraud and abuse; and

**WHEREAS**, the Board authorized initiation of the rulemaking process for N.J.A.C. 16:73 et seq., Reduced Fare Transportation Program for Seniors and People with Disabilities, at its November 9, 2022 Board meeting; and

**WHEREAS**, the proposed new rules, set forth in Exhibit A, were published in the New Jersey Register on January 17, 2023, and the comment period expired on March 18, 2023; and

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

**WHEREAS**, staff seeks authorization to take all actions necessary to adopt the regulation N.J.A.C. 16:73 et seq., Reduced Fare Transportation Program for Seniors and People with Disabilities;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO, or the appropriate designee, is hereby authorized to take all actions necessary to adopt N.J.A.C. 16:73 et seq., consistent with this Board item and corresponding Exhibits, put the regulation in the appropriate format, and take all other actions necessary to effectuate the final adoption and promulgation of NJ TRANSIT’s Reduced Fare Transportation Program for Seniors and People with Disabilities.

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**TRANSPORTATION**

**NEW JERSEY TRANSIT CORPORATION**

**REDUCED FARE TRANSPORTATION PROGRAM FOR SENIORS AND PEOPLE WITH DISABILITIES**

**Notice of Adoption: N.J.A.C. 16:73**

**Notice of Adoption of New Rules: N.J.A.C. 16:73**

Proposed: January 17, 2023 at 55 N.J.R. 97(a)

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

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

Authority: N.J.S.A. 27:25-5 (e) and (n)

Effective Date:

Expiration Date:

**Summary of Public Comments and Agency Responses:**

The comment period officially ended on March 18, 2023. The New Jersey Transit Corporation ("NJ TRANSIT") received no public comments.

**Federal Standards Statement**

In order to be eligible to receive Federal funds pursuant to 49 U.S.C. § 5307(c)(1)(d),

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NJ TRANSIT is required to certify that fares charged to seniors and people with disabilities do not exceed one-half of the one-way fares generally applicable to other persons at peak hours. While Federal law defines "seniors" as an individual who is 65 years of age or older, the NJ TRANSIT Reduced Fare Program lowers the threshold to 62 years of age. Therefore, this rulemaking extends the benefits beyond those imposed by Federal law, but does not exceed Federal law.

**Summary** of Agency-Initiated Changes:

No changes have been made to the version proposed in the NJ Register on January 17, 2023.

**Full text** of the adopted new rules follows:

CHAPTER 73

REDUCED FARE TRANSPORTATION PROGRAM FOR SENIORS AND PEOPLE  
WITH DISABILITIES

SUBCHAPTER 1. INTRODUCTION

16:73-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Carrier" means any individual, partnership, association, corporation, joint stock company, public agency or public authority, trustee, or receiver operating or controlling

**EXHIBIT A**

motor buses or rail/light rail passenger service on established routes within the State of New Jersey or between points in the State and points in adjacent states.

"Demand responsive" means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specific public transportation service, which is not operated on a fixed route system.

"Established routes" means all regular intrastate routes of the participating carriers authorized by NJ TRANSIT, the Office of Regulatory Affairs of the New Jersey Motor Vehicle Commission, municipality, or any other regulatory agency, and interstate routes authorized by the Surface Transportation Board (or its predecessor, the Interstate Commerce Commission), or any other regulatory agency. "Established routes" does not include those trips to and from Atlantic City locations when the passenger receives from any source, money, or other gratuities in addition to the transportation purchased.

"Interstate" means between points in the State and points in adjacent states.

"Intrastate" means points within the State.

"Motor bus" means "autobus" as defined at N.J.S.A. 48:4-1, and includes those autobuses, commonly called jitneys, as described at N.J.S.A. 48:16-23.

"NJ TRANSIT" or "the Corporation" means the New Jersey Transit Corporation.

"NJ TRANSIT Reduced Fare Photo Identification Card (NJ TRANSIT Photo ID Card)" means an identification card issued by NJ TRANSIT that can be used as proof of eligibility for participation in NJ TRANSIT's Reduced Fare Transportation Program for Seniors and People with Disabilities.

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"NJ TRANSIT Reduced Fare Program" means NJ TRANSIT's Reduced Fare Transportation Program for Seniors and People with Disabilities.

"Person with a disability" or "people with disabilities" is an individual(s) who by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi-ambulatory capabilities), cannot use effectively, without special facilities, planning or design, transportation service, or a transportation facility.

"Reduced fare" means no more than one half, rounded down to the nearest nickel, of the regular adult one-way fare as set forth in the carrier's tariffs.

"Senior" means any individual 62 years of age or over regardless of residence.

"Tariff" means the document setting forth the fares, rates, charges, and other provisions pertaining to the public transportation services furnished by the carrier. Tariff includes the documents maintained by NJ TRANSIT setting forth the fares for the public transportation services operated directly by NJ TRANSIT or operated for NJ TRANSIT by third-party contractors.

16:73-1.2 Purpose

The NJ TRANSIT Reduced Fare Program is designed to provide intrastate and interstate autobus and rail and light rail passenger service for seniors and people with disabilities on regular routes of the participating carriers at no more than one half of the regular adult one-way fare as set forth in the carrier's tariffs.

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16:73-1.3 Exclusions

Seniors and people with disabilities are not permitted to ride at a reduced fare on intrastate and interstate school, charter, demand responsive, or special motor bus and rail and light rail passenger service, and trips to or from Atlantic City locations when the user receives, from any source, money or other gratuities in addition to the transportation purchased.

SUBCHAPTER 2. IDENTIFICATION AND REGISTRATION

16:73-2.1 Registration of seniors for NJ TRANSIT Reduced Fare Photo Identification Card

(a) Individuals may complete a NJ TRANSIT Photo ID Card application through the NJ TRANSIT website at <http://www.njtransit.com>. Alternatively, they can obtain a printed application at an NJ TRANSIT Customer Service Office, from NJ TRANSIT's website, or by writing, or calling the NJ TRANSIT Reduced Fare Program at:

NJ TRANSIT Finance Department

Reduced Fare Program

One Penn Plaza East

Newark, NJ 07105

Phone: 973-491-7112

(b) If the individual chooses to submit a physical application, rather than complete the online application, the completed signed application, along with a passport photo obtained at the applicant's expense and copies of legal documentation (acceptable legal

**EXHIBIT A**

documentation includes a driver's license, passport, or state-issued identification card) providing proof of age and identity, should be returned by mail to:

NJ TRANSIT Finance Department

Reduced Fare Program

One Penn Plaza East

Newark, NJ 07105

(c) Applicants can have their physical application verified at some banks, savings and loan associations, county offices on aging, and State offices providing services for seniors. The applicant may bring a passport photo obtained at the applicant's expense and legal documentation (acceptable legal documentation includes a driver's license, passport, or state-issued identification card) providing proof of age and identity to verify their application in person at these application centers.

(d) Authorized personnel at these locations will examine and verify the required identification documents and photo. The applicant will then forward the completed application to NJ TRANSIT for processing.

(e) NJ TRANSIT shall issue an NJ TRANSIT Photo ID Card to each qualified applicant. The NJ TRANSIT Photo ID Card shall be valid until age 65, at which time most individuals receive a Medicare Card. NJ TRANSIT will not establish an automatic renewal procedure. If a senior does not hold a Medicare Card, or wishes to renew their NJ TRANSIT Photo ID card for identification purposes, he or she may contact the NJ TRANSIT Reduced Fare Program and request one.

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16:73-2.2 Registration of people with disabilities for NJ TRANSIT Reduced Fare Photo Identification Card

(a) Individuals may complete an NJ TRANSIT Photo ID Card application through the NJ TRANSIT website at <http://www.njtransit.com>. Alternatively, they can obtain a printed application at an NJ TRANSIT Customer Service Office, from NJ TRANSIT's website, or by writing, or calling the NJ TRANSIT Reduced Fare Program at:

New Jersey Transit Finance Department

Reduced Fare Program

One Penn Plaza East

Newark, NJ 07105

Phone: 973-491-7112

(b) Applicants will complete their portion of the application form and give it to a licensed physician or other licensed healthcare professional to complete the physician's section of the form. The completed form, along with a passport photo obtained at the applicant's expense and legal documentation (acceptable legal documentation includes a driver's license, passport, or state-issued identification card) providing proof of identity, should be mailed to the address noted above.

(c) NJ TRANSIT may request additional information regarding an application from the certifying physician or healthcare professional. Incomplete or denied applications will be returned to the applicant with a letter explaining the reason(s) therefor.

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(d) An applicant may appeal NJ TRANSIT's decision to return or deny an application by submitting a written request for reconsideration of eligibility for an NJ TRANSIT Photo ID Card to:

NJ TRANSIT Finance Department  
Director, Treasury Operations & Finance Compliance  
One Penn Plaza East  
Newark, NJ 07105

(e) The final decision on eligibility will be made by NJ TRANSIT.

(f) NJ TRANSIT will process the application and mail an NJ TRANSIT Photo ID Card to the person with a disability. The NJ TRANSIT Photo ID Card will be valid for four years from date of issue, unless it has been determined that the applicant has a temporary disability, in which case the Photo ID Card's validity will be for a period of time that is commensurate with the duration of the temporary disability.

(g) NJ TRANSIT will establish an automatic renewal system for NJ TRANSIT Photo ID Cards issued to permanently disabled persons.

(h) Individuals enrolled in NJ TRANSIT's Access Link program are automatically eligible for the Reduced Fare program. These individuals will be issued an NJ TRANSIT Photo ID card upon notification from NJ TRANSIT's Access Link Department to the Reduced Fare Department and are not required to submit a separate application.

16:73-2.3 Identification requirements

**EXHIBIT A**

(a) Seniors and people with disabilities must present an NJ TRANSIT Photo ID Card or a valid Medicare Card to the bus operator, rail conductor, or fare enforcement officer as proof of being qualified to participate in the NJ TRANSIT Reduced Fare Program.

(b) The NJ TRANSIT Photo ID Card, which is not transferable, must be used only by the person to whom it is issued, and must be kept in that person's possession during the entire ride.

(c) If the NJ TRANSIT Photo ID Card is lost or stolen, the cardholder should contact the NJ TRANSIT Reduced Fare Program at 973-491-7112. Lost or stolen cards will be replaced at no cost to the cardholder. The Corporation may place greater scrutiny on multiple requests for lost or stolen ID cards, including, but not limited to, checks for fraudulent activity and use.

16:73-2.4 Purchase of reduced fare tickets

(a) NJ TRANSIT does not sell books of reduced fare tickets. Seniors or people with disabilities who want to utilize NJ TRANSIT bus, rail, or light rail transportation may purchase one-way reduced fare tickets prior to their travel at NJ TRANSIT ticket windows, through the NJ TRANSIT Mobile Application, from ticket vending machines, or from commissioned ticket agents (who are contracted by NJ TRANSIT to sell NJ TRANSIT tickets). Reduced fare tickets for bus or rail transportation may also be purchased on the bus or train and the surcharge will be waived.

(b) For reduced fare interstate travel on lines operated by private bus carriers, NJ TRANSIT makes special voucher booklets available at banks, county offices on aging,

**EXHIBIT A**

and State offices that provide services for seniors. In addition to paying a reduced cash fare, seniors may be required to present a "voucher" removed from these booklets along with such person's appropriate identification to travel on these lines.

(c) The Atlantic City Jitney Association does sell ticket books that may be purchased by seniors and people with disabilities at a reduced rate.

**SUBCHAPTER 3. AGREEMENTS WITH CARRIER FOR SERVICES AND PAYMENTS**

**16:73-3.1 Agreements with carriers**

(a) NJ TRANSIT may enter into contractual agreements with a carrier that desires to participate in the NJ TRANSIT Reduced Fare Program. Each contract shall contain conditions, terms, and provisions as NJ TRANSIT may require, including, but not limited to, provisions permitting or relating to:

1. Terms and method of payment;
2. Auditing and settlement of payments;
3. Data and recordkeeping;
4. Service to be performed pursuant to the contract;
5. Applicable tariffs and schedules; and
6. Any such other matters as NJ TRANSIT deems to be in the public interest.

**16:73-3.2 Method of payment to carriers**

Reimbursement to the participating carriers shall be an amount equal to the seniors or people with disabilities reduced fare, multiplied by the number of eligible trips

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by seniors' or people with disabilities' participating in the NJ TRANSIT Reduced Fare Program, provided that the total payments to all carriers do not exceed the budget of NJ TRANSIT for this program. In cases where the carrier has rounded down the reduced fare to the nearest nickel, NJ TRANSIT shall reimburse an additional nickel per each qualified person. For bus service, eligible trips may be determined by the number of reduced fare tickets submitted by bus carriers, or such other reasonable method as shall be determined by NJ TRANSIT.

**ITEM 2206-33: CORPORATE INSURANCE PROGRAM ANNUAL RENEWAL**

**WHEREAS**, NJ TRANSIT maintains a Corporate Risk Management Insurance Program to protect its customers, employees, directors, officers, and property against personal injury and damage in the event of accidents and other casualties; and

**WHEREAS**, it is in the best interest of NJ TRANSIT and sound fiscal policy to continue to maintain the Corporate Insurance Program; and

**WHEREAS**, NJ TRANSIT is negotiating the renewal of its Corporate Risk Management Insurance Program and the services necessary to administer the program for FY2024;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to revise and renew the Corporate Insurance Program and to include services necessary to administer the program for the period July 1, 2023 through June 30, 2024, at an annual cost not to exceed an amount discussed in Executive Session, plus five percent for contingencies, subject to the availability of funds and adoption of the FY2024 Operating Budget.

**ITEM 2306-34: NJ TRANSIT CONVEYANCE OF PROPERTY INTERESTS IN JERSEY CITY TO FACILITATE ROAD CONSTRUCTION AT ROUTE 1 & 9 AT NEW ROAD**

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

**WHEREAS**, New Jersey Department of Transportation (“DOT”) has requested that NJ TRANSIT sell certain permanent and temporary easements in NJ TRANSIT property to DOT to facilitate its Route 1 & 9 at New Road Project in Jersey City; and

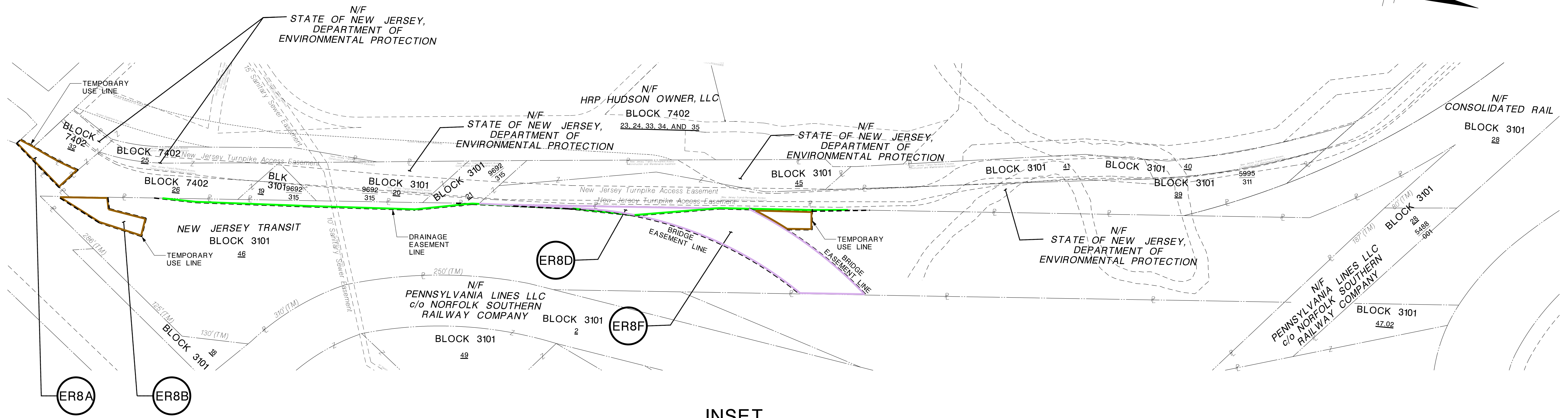
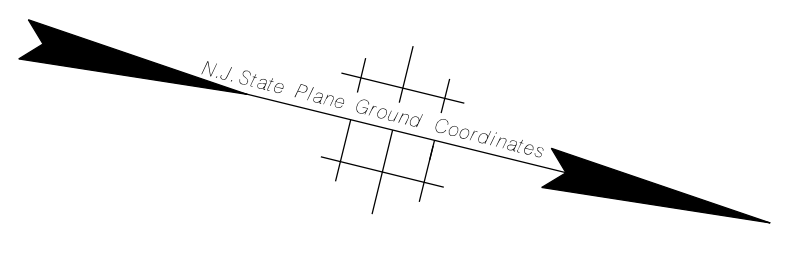
**WHEREAS**, DOT has agreed to purchase the easements from NJ TRANSIT for \$1,242,700, based on an appraisal of the easements performed by Patrick Ard, MAI of the Ard Appraisal Company for DOT; and

**WHEREAS**, the request from the DOT to purchase the NJ TRANSIT easements was circulated internally to NJ TRANSIT’s operating departments and determined the properties to be excess and available for sale, subject to certain conditions for the protection of NJ TRANSIT’s interests;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is hereby authorized to take all actions necessary to negotiate and sell the referenced property interests, including various temporary and permanent easements for a total price of \$1,242,700, as further described.

<u>Parcel</u>	<u>Nature of Use</u>	<u>Area</u>
ER8A	13-Month Temporary Use	3,609 SF
ER8B	13-Month Temporary Use	5,448 SF
ER8D	Permanent Drainage	11,108 SF
ER8F	Temporary Use	3,385 SF
	Permanent Bridge	31,437 SF

# EXHIBIT A



**INSET**  
N.T.S.

**NOTE:**  
 1. BASED ON ETM SHEET 1 AND GPPM SHEETS 2, 3, 4 AND 5  
 2. UTILITY LICENSE AGREEMENTS ARE IN PLACE WITH NJ TRANSIT THEREFORE PARCEL S8C AND UE8E HAVE BEEN ELIMINATED.

COLOR CODE	
BROWN	- TEMPORARY USE LINE
GREEN	- DRAINAGE EASEMENT LINE
PURPLE	- BRIDGE EASEMENT LINE

SHEET 1 OF 3  
 NEW JERSEY  
 DEPARTMENT OF TRANSPORTATION  
 ROUTE U.S. 1 & U.S.9 (1953)  
 TRUCK SECTION 2  
 ST. PAUL'S AVENUE TO SECAUCUS ROAD  
**PARCELS ER8A, ER8B,  
 ER8D, AND ER8F**  
 City of Jersey City COUNTY OF HUDSON  
 SEPTEMBER, 2015

**PROJECT: ROUTE 1&9/NEW ROAD, ST. PAUL'S AVENUE TO VAN KEUREN AVENUE - CONTRACT 004188010**

DATE: SDATES

**ITEM 2306-35: ANNUAL NOTICE OF MEETINGS**

**WHEREAS**, the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. have regular meetings of the Board of Directors; and

**WHEREAS**, pursuant to the Open Public Meetings Law, P.L. 1975, c.231, an annual notice of regular meetings of the Board of Directors must be disseminated; and

**WHEREAS**, Public Law 2018, chapter 162 requires the Board to hold a minimum of 10 public Board meetings per year and one-half of the total number of meetings shall be held in the evening; and

**WHEREAS**, the Annual Notice of Meetings must be prominently posted in one public place reserved for announcements of this type, transmitted to newspapers, filed with the Secretary of State, and transmitted to any person who requests notice of meetings;

**NOW, THEREFORE, BE IT RESOLVED** that the Annual Notice of Meetings, Exhibit A, for all of the Board of Directors' meetings during Fiscal Year 2024 is adopted; and

**BE IT FURTHER RESOLVED** that the Annual Notice of Meetings shall be disseminated in accordance with the provisions of the Open Public Meetings Act, P.L. 1975, c.231 and Public Law 2018, chapter 162.

EXHIBIT A

**ANNUAL NOTICE OF MEETINGS: FISCAL YEAR 2024**

**NEW JERSEY TRANSIT CORPORATION  
NJ TRANSIT RAIL OPERATIONS, INC.  
NJ TRANSIT BUS OPERATIONS, INC.  
NJ TRANSIT MERCER, INC.  
NJ TRANSIT MORRIS, INC.**

In accordance with the "Open Public Meetings Act," P.L. 1975, c.231 and Public Law 2018, chapter 162 the above organizations will hold regular meetings, open to the public, on the second Wednesday of the month for the period July 1, 2023 through June 30, 2024, except as noted below. The Board shall hold a minimum of 10 public board meetings per year. One-half of the total number of meetings of the Board shall be held in the evening.

Unless otherwise indicated, meetings will be held at NJ TRANSIT's Corporate Headquarters in Newark, New Jersey. The meetings will convene in the Board Room at NJ TRANSIT's Headquarters, One Penn Plaza East, Ninth Floor, Newark, New Jersey.

The specific dates and times are as follows:

July 19, 2023 (3 <sup>rd</sup> Wednesday)	6:00 p.m. Evening
August 2022	<i>NO MEETING</i>
September 14, 2023 (2 <sup>nd</sup> Thursday)	10:00 a.m.
October 11, 2023	6:00 p.m. Evening
November 8, 2023	6:00 p.m. Evening
December 12, 2023 (2 <sup>nd</sup> Tuesday)	10:00 a.m.
January 2024	<i>NO MEETING</i>
February 13, 2024 (2 <sup>nd</sup> Tuesday)	6:00 p.m. Evening
March 12, 2024 (2 <sup>nd</sup> Tuesday)	10:00 a.m.
April 10, 2024	10:00 a.m.
May 8, 2024	6:00 p.m. Evening
June 11, 2024	10:00 a.m.

**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 NJ TRANSIT Resilience Program: Rail Operations Center Unit Substation: Construction Contract Amendment to Increase Funding, and the Personal Injury Claim of Gabriel Santanna.”

**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.