

Minutes of the actions taken at the Open Session of the Special Telephone Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, July 27, 2016.

**Present**

Richard T. Hammer, Chairman  
Bruce M. Meisel, Vice Chairman  
Lisa R. LeBoeuf, Governor's Representative  
Anthony Longo, Treasurer's Representative  
James C. Finkle, Jr., Board Member  
Flora M. Castillo, Board Member  
Raymond W. Greaves, Board Member (Non-Voting)

**Also Present**

Dennis J. Martin, Interim Executive Director  
Amy B. Herbold, Deputy Executive Director  
Michael P. Kilcoyne, Acting Vice President/General Manager, Bus Operations  
James A. Sincaglia, Deputy General Manager of Transportation, Rail Operations  
James Schworn, Deputy Chief, Light Rail & Contract Services  
Christopher Trucillo, Chief of Police  
Warren Hersh, Auditor General  
Michael J. Lihvarcik, Chief Financial Officer & Treasurer  
Michael K. Slack, Chief Information Officer  
Steve H. Santoro, Assistant Executive Director, Capital Planning & Programs  
Gardner C. Tabon, Chief, Office of System Safety  
Nancy J. Snyder, Senior Director, Public Information  
Michael Gonnella, Deputy Attorney General  
Joyce J. Zuczek, Board Secretary

Chairman Hammer convened the Open Session at 2:00 p.m. in accordance with the Open Public Meetings Act. Board Secretary Zuczek conducted a Roll Call and indicated all Board Members were participating by telephone.

Board Secretary Zuczek announced that adequate notice of the Special Meetings of the Board of Directors of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations Inc., NJ TRANSIT Bus Operations Inc., NJ TRANSIT Mercer Inc., and NJ TRANSIT Morris Inc. has been provided in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975, and the meetings were occurring concurrently. Notices were filed on July 25, 2016 with the Secretary of State. These notices were mailed to newspapers of general distribution, posted in the main entrance of NJ TRANSIT Headquarters, and mailed to each individual, agency and organization that requested such notice. Board Secretary Zuczek announced that the Board Meeting was being video recorded

**Public Comments on Agenda Item**

There were no public comments.

**Executive Session Authorization**

At approximately 2:02 p.m., Chairman Hammer requested a motion to enter Executive Session to discuss personnel matters, contract and collective bargaining negotiations, the status of pending and anticipated litigation and matters falling within the attorney-client privilege.

Vice Chairman Bruce M. Meisel moved the resolution, Board Member James C. Finkle, Jr. seconded it, and it was unanimously adopted.

Board Secretary Zuczek conducted a Roll Call as Board Members returned to Open Session. All Board Members returned to open session at approximately 2:13 p.m.

**Action Item**

**1607-42: PROPOSED LABOR AGREEMENT: NJ TRANSIT RAIL OPERATIONS, INC. AND THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS (BLE) AND SMART – TD (FORMERLY UNITED TRANSPORTATION UNION)**

Interim Executive Director Martin recommended approval of Item #1607-42, Proposed Labor Agreement: NJ TRANSIT Rail Operations, Inc. and the Brotherhood of Locomotive Engineers (BLE) and SMART – TD (Formerly United Transportation Union). Approval was requested to approve the economic terms and other proposed conditions contained in each Memorandum of Understanding, which have now been ratified by the BLE and SMART-TD, and for the Executive Director, or his designee, to take all necessary steps to finalize and implement same, as discussed in executive session.

Board Member Castillo moved the resolution and Vice Chairman Bruce M. Meisel seconded it. Vice Chairman Meisel publicly expressed thanks, on behalf of all the Board Members, to management and labor counsel for their hard work on this issue and said they are thankful the conductors and engineers approved the agreements. He said the Board believes the agreements are in the best interest of New Jersey rail riders, conductors, engineers, NJ TRANSIT, and the State of New Jersey. The resolution was unanimously adopted.

**Roll Call Vote:**

Hammer	Meisel	LeBoeuf	Longo	Castillo	Finkle	Greaves
Yes	Yes	Yes	Yes	Yes	Yes	Non-Voting Member

Vice Chairman Meisel and Board Member Castillo left the Board meetings at this time.

**Public Comments on Other Matters**

There were 14 public comments. Board Secretary Zuczek announced the public comments would be limited to three minutes in order to give everyone an opportunity to be heard.

**Rachel Kanapka** said she is a resident of Middletown and President of R.A.G.E., Residents Against Giant Electric, which is a grassroots group formed to oppose JCP&L's Monmouth County Reliability Project, which calls for 10 miles of high voltage power lines to be installed directly above the North Jersey Coast Line from the Aberdeen-Matawan Rail Station to the Red Bank Rail Station.

She said they realize this was not an NJ TRANSIT initiated project and approval of the project ultimately lies with the Board of Public Utilities, but believes NJ TRANSIT is in a very unique and powerful place as it relates to the fate of this project because JCP&L has proposed to use NJ TRANSIT's Right-of-Way for the project as currently designed. That is why the members of R.A.G.E. attended the Board meetings to share their concerns and ask for NJ TRANSIT's help. As part of their effort, they started an online petition to document their concerns and specifically ask NJ TRANSIT to refuse to allow JCP&L to use NJ TRANSIT's right-of-way for this project. They have 1,950 signatures on the petition so far.

Ms. Kanapka shared some language from the petition titled, *NJ TRANSIT: Say NO to Hosting JCP&L High Voltage Power Lines*: Jersey Central Power and Light (JCP&L) is planning to install new overhead high voltage power lines alongside NJ TRANSIT's North Jersey Coast Line railroad tracks for the 10 miles between the Matawan/Aberdeen station and the Red Bank station. This project calls for over 100 monopoles, each ranging from 130 to 210 feet high and approximately 10 feet wide at the base. They would be installed approximately every 500 feet to support a new uninsulated 230,000 volt transmission line. The transmission line will run on alternating sides of the train tracks based on terrain, but would cross over the tracks as it hops from one side to the other.

Ms. Kanapka continued noting NJ TRANSIT's mission to provide safe, reliable, convenient, and cost-effective transit service with a skilled team of employees, dedicated to customers' needs and committed to excellence. She said the signers of the petition urge NJ TRANSIT to refuse to allow JCP&L use of NJ TRANSIT's right-of-way to host these overhead lines. By choosing to enable this project to move forward as currently planned, would jeopardize the safety of NJ TRANSIT's customers and NJ TRANSIT's employees and inhibit the ability to deliver safe, reliable, and uninterrupted rail service.

Ms. Kanapka said they have three major areas of concern that relate specifically to NJ TRANSIT. They are safety, health, and reliability and convenience. With regards to safety, they have concerns the lines and the electro-magnetic fields they emit could interfere with the safe functioning of the trains. They also fear monopole malfunction caused by potential train derailments, weld failures, natural disasters, or terrorist attacks could cause the poles to fall on the tracks or train. They also have fears of lightning strikes, electrifying the rail cars, if the grounds fail.

Ms. Kanapka then discussed their health concerns. She said there is documented evidence of health risks due to exposure to elevated levels of electro-magnetic fields that high voltage power lines like these are known to emit. Ms. Kanapka said exposure to electro-magnetic fields from power lines has been identified as possibly carcinogenic and linked to cancer, low sperm count, Alzheimer's, senile dementia and others, and could also interfere with pacemakers and defibrillators.

Ms. Kanapka said their last area of concern is reliability and convenience. They have been told the project would take two years to construct and would be done overnight so as not to interrupt with the daily running of trains. She said thousands of people rely on NJ TRANSIT to get to work in the morning and if there were issues overnight, she said this would affect NJ TRANSIT's ability to run its trains on schedule. Additionally, she said the heavy machinery required for construction, including backhoes, cranes, and possibly helicopters, could damage NJ TRANSIT equipment and rails.

She said the Residents Against Giant Electric do not believe JCP&L has properly documented the need for the project and they are concerned about how it would be implemented. Ms. Kanapka said the reality is that if implemented, this would only save two power outages in a 10-year period, neither of which was Superstorm Sandy or Hurricane Irene.

Ms. Kanapka said NJ TRANSIT has the power to stop or change the project. By allowing JCP&L's Monmouth County Reliability Project to move forward with its current design, they believe NJ TRANSIT would be endangering the safety and well being of its customers and employees, hampering its ability to deliver on its promise of reliable rail service, and enabling irreparable damage to their communities. She asked NJ TRANSIT not to be part of letting this happen. Ms. Kanapka said as residents of New Jersey, taxpayers, customers, and employees implore NJ TRANSIT to act responsibly on their behalf so they can continue to rely on NJ TRANSIT rail service as a safe means of public transportation.

**Tara Corcoran-Clark** said in May 2016 she and her husband learned about JCP&L's proposal for the Monmouth County Reliability Project to install 230 kV transmission line along NJ TRANSIT's rail corridor. Since their home is only 400 feet from the rail tracks, she said the proposed high voltage transmission line would put her entire family's health at risk. Ms. Corcoran-Clark said their three young daughters would be exposed to continuous, dangerous, electro-magnetic fields.

Ms. Corcoran-Clark said electro-magnetic fields not only cause health issues, but also a serious safety risk to train line operations. She said NJ TRANSIT's mission is to provide safe, reliable, transit service so she asked that NJ TRANSIT lives up to that mission statement. Ms. Corcoran-Clark believes high voltage overhead transmission lines built parallel to a rail corridor can compromise the safe operations of a railway system signal and protection system due to electro-magnetic interference.

Ms. Corcoran-Clark said a considerable amount of research shows that during a power line fault, safety issues may arise particularly at locations where the rail is close to transmission line structures. She also discussed the other types of interferences that can be caused to people within the area and equipment used by medical or emergency entities within the area.

Ms. Corcoran-Clark asked whether NJ TRANSIT has conducted any analysis to evaluate the potential electro-magnetic interference levels that may occur should JCP&L install over 100 monopoles, ranging in height from 130 to 210 feet along NJ TRANSIT's right-of-way. She also questioned whether NJ TRANSIT has evaluated whether existing railroad signal equipment is sufficiently maintained to handle the interference. Ms. Corcoran-Clark said equipment aging and extreme environmental conditions can exacerbate the effect of electro-magnetic interference.

Ms. Corcoran-Clark said New Jersey's annual investment in maintaining, repairing, and expanding its public transit assets has dropped by an inflation adjusted 19.4 percent, even though ridership is up 20.2 percent. She questioned whether NJ TRANSIT has the necessary funds to ensure its signaling and protection systems are properly maintained. Ms. Corcoran-Clark asked whether NJ TRANSIT could guarantee that electro-magnetic interference will not create a safety issue should the transmission line be installed. She also asked whether NJ TRANSIT is willing to compromise the safety of commuters and the hundreds of families who live along the 10 mile proposed route. Ms. Corcoran-Clark strongly urged NJ TRANSIT to deny JCP&L's request to locate the 230,000 volt transmission line along the right-of-way to ensure the safety and well-being of residents along the route, the thousands of commuters who take the North Jersey Coast Line to and from work everyday, and the hardworking, dedicated employees of NJ TRANSIT.

**Barbara Iannucci** opposes the land use for JCP&L to construct a new transmission line above NJ TRANSIT's corridor. She has many concerns and upon reviewing many reports about risks and policy, an OSHA statement stood out. Ms. Iannucci said if there is a risk that cannot be quantified, you must assume it is hazardous. She said they have decades of studies, meta-analysis, summary reports, and confirmed concluded animal studies all pointing to electro-magnetic fields having a correlation with negative health impacts, from Alzheimer to cancer to brain tumors to nervous disorders. Ms. Iannucci said they have been quantified and exist, but because of the stronghold of the power industry funded studies with all the national agencies making policies, these studies are not showing up on the record. She wants NJ TRANSIT to become aware and informed about the negative health impacts of electric low frequencies and electro-magnetic fields.

Ms. Iannucci said health matters and that is why everyone appeared at the today's Board meetings. She noted that she fought this same issue back in 1999. She urged the Board to conduct an analysis over a minimum timeframe of at least one week to measure existing electro-magnetic field levels at various locations within the train and also at various locations where private residents may dwell along the edge of NJ TRANSIT's right-of-way. Ms. Iannucci said this would give the Board documented electro-magnetic field levels that the NJ TRANSIT electrical train system is currently emitting.

Ms. Iannucci also urged the Board to use those existing electro-magnetic field levels and have an expert model the additional electro-magnetic field levels that will be emitted from the proposed 230 kV transmission line. She said the highest field of electro-magnetic field is directly underneath the line so NJ TRANSIT's train is in the centerline of the highest exposure. Ms. Iannucci wants the Board to review the expert report responsibly and effectively so they can recognize the coupling effects that electro-magnetic field levels will have on the public adjacent to the right-of-way, on employees, and daily commuters and customers.

Ms. Iannucci said to make any formal decision on the use of this right-of-way without considering the negative consequences and impacts to New Jersey residents would be an injustice and a violation of the Board mandated responsibility to serve the public's interest. She said this goes way beyond a lucrative lease of land. Ms. Iannucci questioned who was paying for this lease and whether it was in effect already, as well as who is accountable for what gets built and how it gets built once NJ TRANSIT relinquishes the land to a lessee. She asked whether NJ TRANSIT will be accountable for the negative consequences. Ms. Iannucci said these are questions the public has and they want answers.

Ms. Iannucci asked NJ TRANSIT's Board to take this matter under consideration. If NJ TRANSIT does not have the authority to investigate and do the health assessments, to at least compel other agencies to perform them for NJ TRANSIT before they pass any vote or consider any approval to use the public land in this matter.

**Lisa Walsh** said she lives in the historic district of Middletown, 200 feet from the North Jersey Coast Line. She noted residents along the North Jersey Coast Line live along the train tracks for various reasons including the convenient commuting. Ms. Walsh said they did not know that the land could be leased out to a utility company. She said since the project has been proposed in the past, they did some research and came up with an easement from 1990 between NJ TRANSIT and JCP&L for the land between Red Bank and Matawan for \$2.6 million.

Ms. Walsh said no amount of money is worth putting the residents of these communities, thousands of commuters, and NJ TRANSIT employees in harms way. They do not know if the 1990 agreement is still valid. If it is, they want NJ TRANSIT to terminate it. If it is not valid, they do not want NJ TRANSIT to enter into any such agreement in the future since it would adversely affect the five towns along that section of the North Jersey Coast Line, as well as the NJ TRANSIT employees and commuters.

**Janet Berk** lives in Holmdel within 700 feet of the rail line and would be greatly impacted by the project if it went through. She has written to Senator Booker and Senator Menendez opposing the project and explaining why it would be so devastating to her and other residents within Monmouth County. Ms. Berk said the project would abut approximately 400 homes within 200 feet of the rail line, where the transmission line would be, and would impact thousands of other homes and run past a nature preserve, three schools, a 350 year old registered historic district, and the aesthetics of five affected towns would change dramatically for the worse.

Ms. Berk said residents are particularly concerned about the health risk from electro-magnetic fields exposure and the loss of value to their homes. She said some real estate agents have predicted that homes within the vicinity of this project would lose 30 percent of their value. Ms. Berk said this would have a devastating impact on Monmouth County taxes and some of the life savings of many residents of Monmouth County.

Ms. Berk said additionally electro-magnetic fields exposure to the residents who live nearby would be devastating. She said engineers and conductors who travel along the line repeatedly each day would also be impacted by the electro-magnetic fields exposure.

Ms. Berk is pleased Congressman Pallone and Congressman Smith have expressed support for their concerns and are in the process of speaking with JCP&L and its parent company. She hopes Senator Booker and Senator Menendez will also support them and help convince NJ TRANSIT that the project should not go through and NJ TRANSIT should not grant permission allowing JCP&L to construct the power line in the backyards of so many homes in Monmouth County.

**Patrick O'Hagan** said he is a resident of the Middletown Village Historic District, the first permanent English speaking settlement in New Jersey, dating from 1664 and first designated on the National Register of Historic Places in 1974. He named some of the historic locations within their village. Mr. O'Hagan said virtually the entire district sits on Kings Highway, which runs parallel to the JCP&L proposed project. He said the name is misleading since the speed limit is 35 miles per hour and then mentioned the historical significance of the road.

Mr. O'Hagan said other than steeples of their three landmark churches, no structure in their historic district is taller than three stories. He said the intrusion of a 14 story, or possibly even taller, transmission towers and electric lines would carve an unsightly scar to the village and do permanent and irreparable harm to this historic place.

Mr. O'Hagan said his home was built in 1873 as the parsonage of the Dutch Reform Church. He is a firm believer in the importance of preserving history and heritage. Mr. O'Hagan urged the NJ TRANSIT Board not to become the enabler for the proposed desecration of their historic Middletown Village.

**Kin Gee**, a resident of Monmouth County, said JCP&L is pushing to build high power transmission lines, called the Monmouth County Reliability Project in Monmouth County under the pretext of necessity and increased reliability. He noted NJ TRANSIT's mission includes the key operative words "in the public interest" and said JCP&L's project is clearly not in the public interest. Mr. Gee said it only serves JCP&L and its parent First Energy at a tremendous cost, expense and harm to the same communities that NJ TRANSIT is supposed to serve in the public interest.

Mr. Gee believes there is strong evidence and data that show the project is not needed. He noted the US Census shows population growth in Monmouth County has been flat over the last 25 years. Mr. Gee also noted that according to the US Energy Information

Administration, the total New Jersey use of electricity has declined over the last 10 years, after peaking in 2005 due to efforts within New Jersey to be more energy efficient.

Mr. Gee argued the project would not help with power outages experienced from Superstorm Sandy and other storms. He said power outages are caused by problems with distribution lines and substations, not transmission lines. Additionally, Mr. Gee said the project is for a third high-power transmission line, but over the last 10 years, the existing two transmission lines has caused power interruption for less than 10 hours, which means 99.99 percent of the time there were no power interruptions.

Mr. Gee argued JCP&L is pushing the proposal because its parent company is First Energy who announced in 2015, that the Federal Energy Regulatory Commission (FERC) approved a forward-looking rate structure for one of their subsidiaries, providing more timely recovery of transmission investments, which allows First Energy to charge higher rates based on transmission investments. He said this now serves as the model for First Energy's strategy for "transmission investments" to improve "reliability." Mr. Gee said a recent article in Barron's confirmed this by reporting that from 2000 to present, investor-owned utilities doubled their equity base while kilowatt sales rose less than 10 percent. Mr. Gee argued the more they invest, the more they can earn, so they have an incentive to invest when regulators allow them to earn more than the cost of capital.

Mr. Gee does not believe JCP&L has made the case for why the project is needed. He said it will cause irreparable harm and damage to their communities and towns, as well as individual property owners. Mr. Gee said many believe it is driven only by profit for First Energy and has very little to do with reliability. He urged NJ TRANSIT to say no to JCP&L using the right-of-way for the Monmouth County Reliability Project.

**Terri Vilardi**, Vice President who serves on the Board of R.A.G.E., lives perched on a high cliff that overlooks the 350 year old nationally registered Historic Village of Middletown. It also looks over the NJ TRANSIT train station, which is a big part of why the town is so wonderful. An enchanting ticket house and decorative fence awaits commuters coming and going through this town and a picturesque view for passengers looking through its windows to enjoy.

Ms. Vilardi grew up in Middletown and when she had children of her own, convinced her husband to move back to Middletown and told him it was the best town for commuting in to New York City. She said it offers many ways to commute, by train, bus or ferry and they chose to live close to the train for all of the reasons mentioned, including charm, history, schools, and an easy commute.

Ms. Vilardi cannot believe that NJ TRANSIT would entertain hosting the JCP&L proposed project, which would literally destroy this town on so many levels. She did not take the train to get to the meeting, like most of her friends. She chose to drive because she and her husband refuse to use NJ TRANSIT until this issue is resolved. Like many of their commuting friends, they are taking other transportation in to the city.

In the past six weeks, Ms. Vilardi, along with the 5,500 and growing members of Residents Against Giant Electric, have been working, studying, scrutinizing the process of how such appalling circumstances can be brought to their town. In that process, they have spoken to thousands of people, businesses, governing bodies and lawmakers from all over the country. All of that research and time has brought them to this meeting. Ms. Vilardi said NJ TRANSIT holds the power to help its community and more importantly consumers who pay to ride the trains. She believes it is NJ TRANSIT's duty to be responsible in its decision process and stop this disgraceful act from happening. Ms. Vilardi said NJ TRANSIT has the ability to protect, serve, and do the right thing by its customers, employees, and fellow citizens.

Ms. Vilardi named some of the Government officials she met with who either publicly spoke against JCP&L or sent out official resolutions, and are opposed to the Monmouth County Reliability Project. She said they have a growing list of politicians and lawmakers who support their efforts.

**Judy Musa** said she lives in Middletown in a house on Kings Highway built in 1884. She said her backyard is 120 feet from train line. Ms. Musa said her children love to watch the train and watch her commute to New York City, which she has done since 1989.

Ms. Musa said NJ TRANSIT's mission statement includes providing safe, reliable, convenient, cost effective transit service. She believes NJ TRANSIT has done that for many years, but the project is in direct opposition to that mission statement. Ms. Musa said nothing about it will bring reliability or safety for NJ TRANSIT employees, commuters, or the families living in these communities NJ TRANSIT serves.

Ms. Musa said in addition to legislators that support them, there have been numerous organizations supporting them including environmental and conservancy groups, historical commissions and societies, historic societies, and local athletic leagues impacted by the proposal. She emphasized that JCP&L does not have a need for the project and their numbers do not mirror what is happening. Ms. Musa said this third redundant line would not do anything for them but cause a lot of desecration, visual pollution, harm from health effects, and unsightliness. She asked who needs this in their backyard if this is not necessary.

Ms. Musa said no other industrialized nation allows such lines to be placed in such densely populated communities. She said several states required far greater fall lines to mitigate any potential health risks or injury from placing high-voltage lines in close proximity to homes, schools, and public recreation facilities. They have yet to identify any other active right-of-way that is used for such a purpose in size and scope project. Ms. Musa urged NJ TRANSIT to look at where else this is taking place because they have found nothing of this size in the United States. She asked whether it was prudent to place NJ TRANSIT's employees and riders in potential danger for a project that has yet to prove its merit based on need. Ms. Musa said it is not needed, and the liabilities far outweigh any benefits NJ TRANSIT may reap from the project.

**Carl Anthony Cooper** lives in Holmdel and is a Board Member for Citizens for Informed Land Use, which is mostly comprised of Holmdel residents. They strongly support the efforts

of Residents Against Giant Electric to stop JCP&L's unnecessary, health hazardous, and improperly named Monmouth County Reliability Project which proposes to run a high voltage, air suspended power line 10 miles through a very densely populated portion of Monmouth County.

**Marti Walsh** is a resident of Middletown who supports Residents Against Giant Electric and opposes JCP&L's power lines. She said they fought this almost 30 years ago, she still lives in the same home, and she still opposes it.

**Michael Lazewski** said he is a Monmouth County resident who lives in Middletown in the oldest home called the Dorsett Estate, which was built in 1667 and given to his family by the King of England. He lives 14 feet from the tracks and cannot accept that the project is going to happen. Mr. Lazewski urged NJ TRANSIT to put themselves in any Monmouth County resident's shoes. He expressed concern about the health risks to his five month old son that he was planning on raising in their family home but with all the possible health risks, he cannot consider it. Mr. Lazewski said he does not believe anyone would want his or her children to grow up with a one percent possibility of the effect.

Mr. Lazewski said in the 1970s his family donated the 17-acre Dorsett Park in Middletown, in a location where the train tracks run parallel to it, for open space preservation so their children would have a nice, safe place to play. However, with the power lines there, he would not encourage anyone to use the park because it would not be safe. He said it has been documented and proven that this is not a good project.

Mr. Lazewski urged everyone to hear all the Residents Against Giant Electric's members and community members. He said NJ TRANSIT's Board has the power to stop the project because it is NJ TRANSIT's property. Mr. Lazewski said he knows NJ TRANSIT needs revenue, but argued this was not the right funding source because it would affect too many people.

Mr. Lazewski said he is a documentary filmmaker in his spare time and he has been following the Residents Against Giant Electric and documenting the proposed project from the beginning. He questioned who would be accountable if the project goes through and they see the health effects. Mr. Lazewski noted NJ TRANSIT's employees, covered by the State of New Jersey's health programs, will be looking for someone to be accountable for when they come up with rare forms of cancer. He believes NJ TRANSIT will be responsible for making the decision.

Mr. Lazewski said JCP&L will be going to NJ TRANSIT, so he pleaded with NJ TRANSIT to hear all of them and stop it before it goes to the Board of Public Utilities. His cameras will be rolling and if it goes through, he plans on documenting all of it and he will make sure everyone knows they are against it.

**Steve Lunanuova** said he, along with thousands of other residents of the five towns, are NJ TRANSIT customers. He is concerned about the reliability and health effects of the project.

Mr. Lunanuova said JCP&L sponsored open houses in their town discussing what they proposed. He asked them, if the proposal goes through, when they plan on building the lines. Mr. Lunanuova said the JCP&L representatives said they would build them between 11:00 p.m. and 5:00 a.m. because this would cause the least amount of disruption to the train. He then asked them since there are over 300 homes abutting the train line and thousands across the street, does JCP&L think that will impact the health of the families. Mr. Lunanuova asked how will the children and parents sleep if there are bulldozers, chain saws, spotlights and possibly helicopters flying overhead at 2:00 a.m., 3:00 a.m., or 4:00 a.m. in the morning. Mr. Lunanuova said the JCP&L representative said they would be as quiet as possible, with a smirk on his face.

Mr. Lunanuova asked the Board to use common sense. He said people who have a livelihood live along the train line. Mr. Lunanuova said he knows this is not NJ TRANSIT's issue, but they happen to be the gatekeeper. He said it may be unfair to ask NJ TRANSIT to oppose the project, but that is where they are seated right now.

**Murray Bodin** said he was at the MTA Safety Committee meeting that morning where they had a presentation on railroad crossings and what can be done to make them safer. Mr. Bodin said it was done very well. He thanked the NJ TRANSIT workers who have helped him over the years and recognized that they are doing excellent jobs.

### **Adjournment**

Since there were no further comments or business, Chairman Hammer called for adjournment. A motion to adjourn was made by Board Member James C. Finkle, Jr., seconded by Board Member Lisa R. LeBoeuf and unanimously adopted. The meeting was adjourned at approximately 3:01 p.m.

**SPECIAL TELEPHONE BOARD OF DIRECTORS' MEETINGS**

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

**JULY 27, 2016**

**MINUTES**

	<u>PAGE</u>
➤ <b>CALL TO ORDER</b>	-
➤ <b>PUBLIC COMMENTS ON AGENDA ITEM</b>	-
➤ <b>EXECUTIVE SESSION AUTHORIZATION:</b> Discuss personnel matters, contract and collective bargaining negotiations, the status of pending and anticipated litigation and matters falling within the attorney-client privilege.	<b>49486</b>

**ACTION ITEM**

<b>1607-42 PROPOSED LABOR AGREEMENT: NJ TRANSIT RAIL OPERATIONS, INC. AND THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS (BLE) AND SMART – TD (FORMERLY UNITED TRANSPORTATION UNION)</b>	<b>49487</b>
Authorization to settle collective bargaining agreements.	
➤ <b>PUBLIC COMMENTS ON OTHER MATTERS</b>	-
➤ <b>ADJOURNMENT</b>	

**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 and collective bargaining negotiations, the status of pending and anticipated litigation and matters falling within the attorney-client privilege; and

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

**ITEM 1607-42: PROPOSED LABOR AGREEMENTS: NJ TRANSIT RAIL OPERATIONS, INC. AND THE BROTHERHOOD OF LOCOMOTIVE ENGINEERS (BLE) AND SMART – TD (FORMERLY UNITED TRANSPORTATION UNION)**

**BENEFITS**

NJ TRANSIT and special counsel, in recognition of collective bargaining negotiations, recommends approval of each proposed Memorandum of Understanding.

**ACTION**

Staff seeks authorization to approve the economic terms and other proposed conditions contained in each Memorandum of Understanding, which have now been ratified by the BLE and SMART-TD, and staff seeks authorization for the Executive Director, or his designee, to take all necessary steps to finalize and implement same, as discussed in executive session.

**PURPOSE**

Settle collective bargaining agreements with NJ TRANSIT’s two remaining Rail unions.

**FISCAL IMPACTS**

**Requested Authorizations:** Authorization to approve the economic terms and other proposed conditions contained in each Memorandum of Understanding, which have been ratified by the BLE and SMART-TD, and staff seeks authorization for the Executive Director, or his designee, to take all necessary steps to finalize and implement same, as discussed in executive session.

**Projected Date of Completion:** December 31, 2019

**Anticipated Source of Funds:** Operating Budget

**DBE/SBE Goal:** NA

**RESOLUTION**

**WHEREAS**, all of the represented NJ TRANSIT Rail Operations employees have negotiated labor agreements with NJ TRANSIT Rail Operations management; and

**WHEREAS**, the terms and conditions of each such agreement is set forth in an individual Memorandum of Understanding for each such union; and

**WHEREAS**, a majority of employees represented by all NJ TRANSIT Rail unions, including the Brotherhood of Locomotive Engineers and SMART – TD, have now ratified their respective Memoranda of Understanding with NJ TRANSIT Rail Operations;

**NOW, THEREFORE, BE IT RESOLVED** that since the MOUs have now been ratified by the Brotherhood of Locomotive Engineers and SMART-TD, the Board hereby approves the economic terms and other proposed conditions contained in each Memorandum of Understanding for the respective remaining rail unions, and authorizes the Executive Director, or his designee, to take all necessary steps to finalize and implement same, as discussed in executive session.