

**NJ TRANSIT BOARD MEETING
MINUTES
OPEN SESSION
11/09/2011**

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
James S. Simpson, Board Chairman
James Weinstein, Executive Director

N TRANSIT

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

November 11, 2011

Dear Governor Christie:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ Transit Rail Operations, Inc., NJ Transit Bus Operations, Inc., NJ Transit Mercer, Inc., and NJ Transit Morris, Inc., Board of Directors held on Wednesday, November 9, 2011.

Sincerely,



Joyce J. Zuczek
Acting Board Secretary

Enclosures

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

November 11, 2011

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Sincerely,

A handwritten signature in cursive script that reads "Joyce J. Zuczek".

Joyce J. Zuczek
Acting Board Secretary

Enclosures

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

**NJ TRANSIT BOARD MEETING
NARRATIVE
OPEN SESSION
11/09/2011**

(NJT Board – 11/09/2011)

Minutes of the actions taken at the Open Session of the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, November 9, 2011.

Present:

James S. Simpson, Chairman
 Bruce M. Meisel, Vice Chairman
 Johanna Jones, Governor's Representative
 Steve Petrecca, Treasurer's Representative
 James C. Finkle Jr.
 Flora Castillo

James Weinstein, Executive Director
 Joyce J. Zuczek, Acting Board Secretary
 Penny Bassett Hackett, Acting Assistant Executive Director, Communications & Customer Service
 James Gigantino, Vice President & General Manager, Bus Operations
 Kevin O'Connor, Vice President & General Manager, Rail Operations
 Christopher Trucillo, Chief of Police
 Kim Vaccari, Chief Financial Officer & Treasurer
 Steve Santoro, Assistant Executive Director, Capital Planning & Programs
 Alma Scott-Buczak, Assistant Executive Director, Human Resources
 Carlos Ramirez, Assistant Executive Director, Corporate Affairs
 Leotis Sanders, Vice President, Office of Civil Rights and Diversity Programs
 Warren Hersh, Auditor General
 Kenneth Worton, Deputy Attorney General

Chairman James S. Simpson convened the Open Session at 9:04 a.m. in accordance with the Open Public Meetings Act. Chairman Simpson asked for a motion to adopt the minutes of the October 13, 2011 meetings. A motion was made by Steve Petrecca, seconded by Johanna Jones and adopted.

Public Comments on Agenda Items and Other Matters

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

Jack May, Vice President of the New Jersey Association of Railroad Passengers. Mr. May said at first glance the closing of the Newark Light Rail System between Orange Street and Penn Station for two days on November 3 and 4, 2011 would indicate a patent disregard by NJ TRANSIT of the rights of its passengers to the best possible ride to their jobs, classes and other venues. More facts are needed before NJ TRANSIT can be condemned for that and perhaps there was a good reason to shut down this important element of New Jersey's transportation network for two weekdays.

NJ TRANSIT's press release indicated that the reason for the suspension of rail service was that a private company wanted to shoot a portion of a film at the Military Park station in downtown Newark. As a result, NJ TRANSIT customers, responsible for

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20,000 rapid transit trips per day, would have their lives disrupted. Instead of a fast, grade-separated ride, passengers were forced to transfer to buses at Orange Street throughout the entire day. An area adjacent to the Orange Street station was paved to allow the buses to turn around and safely load the passengers who were ordered to alight from their Light Rail trains.

Mr. May said his reaction was to consider it an outrageous affront to New Jersey taxpayers who depend upon NJ TRANSIT for transportation to and from work and school, but he wanted to see if his concern was justified. Mr. May arrived at Grove Street just after 7:30 a.m. on November 4, 2011 and after paying his fare and parking charges, he reached the platform at 7:45 a.m. He noticed that paper announcements of the service plans for the two weekdays were posted both at the stations and on the vehicles. They departed at 7:49 a.m. and arrived at Branch Brook Park Station at 7:54 a.m. and began to load additional passengers.

Mr. May said the light rail vehicle, with 131 passengers aboard, arrived at Orange Street at 8:08 a.m. There were many NJ TRANSIT personnel at Orange Street directing the passengers aboard the three buses. He said the buses soon departed, one after another for the ride along congested streets to Penn Station. Mr. May said his bus left at 8:11 a.m. and arrived at the railroad terminal in downtown Newark at 8:33 a.m. He said NJ TRANSIT's personnel transferred the passengers in a very efficient manner.

He said NJ TRANSIT's Newark Light Rail timetable indicates that trains take 20 minutes to make the run. He said his trip took 44 minutes, more than twice as long as normal. Mr. May said discounting the wait at Branch Brook park, the timetable shows 12 minutes for the run to Penn Station, while his trip took 27 minutes, 15 minutes longer than provided in the schedule. Mr. May said he wonders how many people were late for work and may have been docked pay as a result.

Mr. May said he walked from Penn Station to Military Park, and after observing the exterior portion of the movie set, which included temporary modifications to the City Subway's entrance and exit kiosks, he boarded his outbound bus at 8:56 a.m. He said no light rail vehicle was waiting at the transfer station upon his arrival on the other side of Orange Street. A policeman waited for all the passengers to alight and gather on the sidewalk before stopping traffic on the busy thoroughfare, making it safe to cross.

While waiting for the train, Mr. May spoke to a commuter who complained that she missed her 8:59 a.m. connecting Route 28 bus and as a result would not arrive at her housecleaning job in the northern section of Upper Montclair until after 10:00 a.m., after her employer leaves and would lose a day's pay. She works there on Mondays, Wednesdays and Fridays, and lives in Brooklyn, riding the New York subway and PATH to Newark and then the Newark Light Rail and the 28 bus to her job. She was totally unaware that the inner portion of the Newark City Subway would be closed, which would result in long delays to her commute and missed connections. She was clearly upset and he wondered how many other passengers underwent the same distress. Mr. May volunteered to drive her to her job and they reached Montclair Heights a little after 9:45 a.m., in time for her job.

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Mr. May presented NJ TRANSIT with a series of questions that he would like answered to further his understanding of the situation. He said among them are queries regarding the financial aspects of the decision to close the inner portion of the Light Rail system, including the amount of money expended for items such as paving the area adjacent to Orange Street station and obtaining the buses, as well as for the additional fuel consumed.

Mr. May distributed the questions and looks forward to an answer. He said people were inconvenienced and they deserve respect. He wondered whether NJ TRANSIT would have made the same decision in Short Hills if a movie affected the Morris & Essex Line. The answers to his questions will help determine whether NJ TRANSIT is operated for the benefit of politicians and private companies, or for its loyal riders and the New Jersey taxpayers who subsidize it.

Orrin Getz supports the Trapwire Security Software item on today's agenda. It is already used by the MTA and since NJ TRANSIT is a contract operator for Metro North, it is a great idea to have compatible security systems.

Mr. Getz also supports the contract for the consultant services for the environmental study of the Hudson Bergen Light Rail extension to Route 440. This is an important improvement to the system and should move ahead as quickly as possible.

NJ TRANSIT should implement a photo card system similar to the MTA and PATH card. PATH has a smart card and Metro North has a magnetic card that would be much better than the one used by NJ TRANSIT which does not have a picture. It would be a big improvement to reduce abuse.

Mr. Getz felt very strongly that NJ TRANSIT needs to take a more active role in repairing the Northeast Corridor and not blame Amtrak when things go wrong. There are almost daily delays along the Northeast Corridor. Mr. Getz said because Amtrak does not have the funding to upgrade the Northeast Corridor, NJ TRANSIT must develop a plan for capital projects to make the Northeast Corridor more reliable. Mr. Getz said people expect their trains to run on time and are fed up with excuses about all of the delays on the Northeast Corridor.

If NJ TRANSIT's trains ran on time, it would reduce the number of delays and the customer approval ratings would greatly improve. Mr. Getz said Metro North recently had a similar experience on the New Haven line which had a lot of problems because of the infrastructure. The ratings on the New Haven line were much lower than on other lines where the on-time performance was far superior. Mr. Getz said while travelling to the meeting today, his train was 20 minutes late due to a water main break at Sunnyside that knocked out tracks. This is the only situation where there was a real excuse and could not be blamed on NJ TRANSIT or Amtrak. People accept the problems with the weather, but are fed up with the continuous mechanical and electrical problems on the Northeast Corridor. NJ TRANSIT has to develop a plan to address this critical issue.

Mr. Getz said while in Newark Penn Station recently, he was approached by a person who was pan handling. He said NJ TRANSIT police patrol Penn Station but he felt very

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uncomfortable. NJ TRANSIT needs to step up its efforts to control the pan handlers and homeless in a safe way.

David Peter Alan said on November 19, 1836 (175 years ago), the first passenger trains on the Morris and Essex Railroad ran between Newark and Orange. There were two trains a day, but not on Sundays, and the fare was twelve and a half cents.

Mr. Alan said something must be done about the antiquated Northeast Corridor electrical system and it should be a top priority for any capital funding. The Northeast Corridor is Amtrak's railroad, but they are NJ TRANSIT's riders. Due to yesterday's service problems, he experienced a two hour delay. He said the railroad needs to be maintained in good condition.

Mr. Alan is concerned about an item on the agenda tightening regulations for senior citizens and persons with disabilities to receive a reduced fare. He said strict adherence to a policy that you must have NJ TRANSIT's card to prove your disability is unfair to visitors who use NJ TRANSIT, as well as disabled residents who use transit elsewhere. He believes it violates the Federal Transit Administration policy, and he is taking the issue up with the Federal Transit Administration. Mr. Alan was disappointed that the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC) was not consulted on the issue of reduced fare cards, and he will report his findings to them.

About four months ago, Mr. Alan said he met with the Commissioner, Executive Director and Mr. Shevell on an initiative to add more transparency and public participation to NJ TRANSIT's decision making process. Of his six points, he has one victory, one setback and four issues still to be resolved. The victory is moving the executive session to the end of the board meetings. This improves public perception as well as showing respect for the time and effort of people who come to the meetings. He said this is also a great opportunity to start streaming and preserving the archives proceedings of the meetings.

Mr. Alan said the set back was about the comment time. The enthusiasm he demonstrated last month was unfounded, given the actual nature of the new rules. Mr. Alan said until recently, they had five minutes on agenda items and another five to make statements on non-agenda topics. The time was reduced to three minutes for each statement, or six minutes total. Mr. Alan said now the public comment period is a total of five minutes with the sixth minute as a matter of discretion. He said that is a setback for public participation, not a move in the forward direction. It is easy to say that a rule is changed and applied to the general public, but in reality the only people who regularly used all of their time were Joe Clift, Jim Raleigh, and him. He views this rule as a specific policy designed to keep the three of them from giving NJ TRANSIT useful information by limiting their time. Mr. Alan believes this is a bad policy, and urges it be reversed.

Mr. Alan also requested that the public be allowed to speak at board committee meetings and at the North and South Jersey Transportation Advisory Committee meetings, which he said has been customary at the Senior Citizen and Disabled Resident Transportation Advisory Committee. He said people should receive all board documents when the Board receives them. Treatment of the Senior Citizen Disabled

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Resident Transportation Advisory Committee should be equal to that accorded to the other two advisory committees. Mr. Alan said he has not heard anything on these four issues. Mr. Alan hopes his requests for improved participation and transparency will be granted.

Mr. Alan said at last month's Board Meeting, Mayor Rose Heck appeared in two capacities, in her civic capacity and in her personal capacity. She requested time to make two statements because of her dual capacities, and he makes the same request today.

Chairman James S. Simpson said Mr. Alan could continue.

Mr. Alan, on behalf of the Lackawanna Coalition, read a statement on behalf of Secretary Gary Kazin. Mr. Alan read the statement and said this has been a very good year for mushrooms; your riders are sick of being treated like mushrooms. Communication is a big issue. First, NJ TRANSIT needs to communicate better with its riders. When something happens, they need to know so they can change plans if necessary. Second, communications must be timely. Most of the time this does not happen, but there are many instances when a train is delayed and the crew provides little or no information. An announcement from the crew would be appreciated even if they do not have any information to provide. For example, an announcement saying we are trying to find out why the train is delayed and will communicate information to you shortly is better than no announcement at all.

Next, communications need to be accurate. On Friday October 21, 2011, an NJ TRANSIT high rail side dump truck derailed west of Baker interlocking at Morristown. The first web alert was timely, but it did not identify the truck as one of NJ TRANSIT's and it did not provide the location. Later alerts reported it as being near Morris Plains station, which was incorrect. At 2:00 p.m., an alert reported that the truck had been cleared. That was most definitely incorrect, as the truck reached Denville at 3:30 p.m., along with two cranes that had been used to rerail it. Westbound train 877 arrived on the wrong track, which delayed eastbound trains 6654 and 6656. Westbound Boonton Line train 1001 was also delayed by 35 minutes as the cranes used the Boonton Line briefly to reach a siding. Denville did not reach normal operations until after 4:00 pm. Four trains were late.

Mr. Alan said the quality of the alerts needs to be improved. Some seem to be written in code using words that NJ TRANSIT's employees understand but maybe unintelligible to NJ TRANSIT riders. Other communications are poorly written. Either way, it is important to write simply so lay persons not familiar with railroad terms can understand.

Mr. Alan said when a crew announces that passengers in the last three cars of the train must walk forward to exit at Mount Tabor it would be useful to announce the car numbers as many passengers have no idea where on the train they are seated. He also said a customer relations panel was recently established but it has no representative from the ridership and he wonders how you will find out what the riders want.

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Mr. Alan said when Midtown Direct trains divert to Hoboken in the evening it would be useful to offer cross-honoring at 23rd, 14th, and 8th Streets on PATH. People working near these stations normally ride to Penn Station and walk to work and when the trains are diverted to Hoboken they must walk back to 33rd Street to take advantage of cross-honoring and then ride past a station closer to their office.

Mr. Alan said speaking of Hoboken, it would be nice if NJ TRANSIT tried to make better use of Hoboken as a means of reducing congestion at Penn Station. There must be an incentive for riders, especially those going south of 23rd Street to go to Hoboken and use PATH to their destination. Mr. Alan said long ago, NJ TRANSIT made Newark Division fares to Hoboken the same as Newark as a way to promote the Waterfront Connection. He said if this were done for Hoboken versus Broad Street, Newark, he thinks more people would switch from Penn Station. The Lackawanna Coalition has other proposals to help reduce congestion at Penn Station and requested to meet and discuss the recommendations with NJ TRANSIT management.

Mr. Alan invited NJ TRANSIT management and the Board to attend the Lackawanna Coalition meetings to report on NJ TRANSIT activities.

Murray Bodin said he communicates with his grandson by email and people need to think differently about the way they communicate. There was an article in *New Yorker Magazine* about Steve Jobs and how he took technologies and adapted them for the future. Mr. Bodin discussed how Steve Jobs unilaterally made changes to features in the creation of Lion because they logically work better.

Mr. Bodin displayed a steering wheel that is a symbol of changes that need to be made. Mr. Bodin asked why NJ TRANSIT's new buses are coming in with anything larger than that steering wheel. Mr. Bodin said buses are now controlled by a computer. The big steering wheel was there as a mechanical linkage and NJ TRANSIT needs to give up the mechanical linkage. Mr. Bodin said there is only one thing a bus driver needs and that is to know the numerical speed of the bus. Mr. Bodin demanded that NJ TRANSIT order new buses with only one number prominent in front of the driver; the actual speed. Everything else is irrelevant and the driver does not have to monitor it. He said the driver's attention needs to be focused on what is going on around him.

Mr. Bodin said the recent storm and the electrical power outages are symbolic. Trees are not cut back anymore. Trees should be cut back 20 degrees so when they grow, they do not fall on roads. The turnpike would be warmer in the winter and there would be less icing. Mr. Bodin said it is time for change. He asked who is going to take responsibility to say it is time for change. Mr. Bodin said all Board Members and Management should have a computer in front of them.

Janna Chernetz, Tri-State Transportation Campaign and a New Jersey advocate. Ms. Chernetz said NJ TRANSIT's effort to reach out to customers is a step in the right direction but the lessons learned from public outreach are not new and can be linked to one fundamental issue; the inadequate funding for mass transit in New Jersey.

Ms. Chernetz said New Jersey is investing a historically low amount on NJ TRANSIT. In 2004, it was half of the New Jersey Department of Transportation's capital program. In

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2012, that number is one third. Ms. Chernetz said federal funding is at risk too. There is no reason for this lack of proper funding.

Ms. Chernetz said pursuant to a recent Monmouth poll, 69 percent of New Jersey residents say that having a system of good roads and public transit is very important to the long-term future of the State. This is a top priority for residents and it should be for New Jersey.

Ms. Chernetz said the past few months have been a commuting nightmare and pointed to the problems as recent as the day before. She said failing infrastructure is to blame, aside from Mother Nature. Ms. Chernetz said the Access to the Region's Core project would have provided the redundancy the system needed to handle these curveballs. She said it is clear that increasing capacity is necessary.

Ms. Chernetz said the cancellation of the Access to the Region's Core and the recent announcement of the slashing of The Port Authority of New York and New Jersey's capital program communicates to commuters these agencies are ignoring the demands for new capacity.

Ms. Chernetz said while better communications about delays is important, a better solution would be to invest in infrastructure to keep it in the state of good repair and invest in new mass transit capacity so announcements do not need to occur in the first place. She said communicating delays better does not get the 247 million customers who use some form of NJ TRANSIT to where they need to be on time. Ms. Chernetz said investing in transit does.

Advisory Committee Report

None

Board Committee Reports

Administration Committee

Board Member Flora Castillo presented the Administration Committee report to the Board. The Committee discussed Smart Bus Technology which will provide real time benefits to customers. Board Member Castillo said the Committee also discussed the purchase of a unique security software system called Trapwire. Trapwire will be used to detect patterns of behavior warranting law enforcement issued warnings in sufficient time to prevent terrorist attacks.

Capital Planning, Policy & Privatization Committee

Vice Chairman Meisel presented the Capital Planning, Policy & Privatization report to the Board. The Committee discussed extending the Smart Bus Technology to customers statewide. The features include real-time bus location and arrival information, automatic onboard stop announcements and external announcements to alert pedestrians to buses turning at intersections.

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The Committee also discussed amending the Hudson County Local Bus Service Contract to provide for the temporary operation of the #119 route from Bayonne to New York City to incorporate two bus routes that were previously discontinued by another carrier. The operation of this route is temporary until such time as a Request for Proposal procurement process can be completed.

In addition, the Committee was briefed on the agreements with the Township of Bordentown and the Bordentown Waterfront Community for the design and construction of a new light rail station, a relocated grade crossing, a new commuter parking lot and other improvements on the River LINE.

Executive Director James Weinstein highlighted the following from his monthly business report.

October Snowstorm

Executive Director Weinstein said since the September Board Meeting, NJ TRANSIT has weathered the first snowstorm of the season. The autumn snowstorm that impacted the region the last weekend of October had a crippling effect on the Morris & Essex Lines, including the Gladstone Branch, and Montclair-Boonton Line, which were suspended starting at 1:30 p.m. on Saturday, October 29 to allow crews to remove hundreds of trees and repair miles of overhead wire damage along the railroad.

NJ TRANSIT conducted an aerial inspection of the lines, which revealed the extensive damage caused by heavy, wet snow and strong winds that brought down trees and overhead wires. From the time the storm began, NJ TRANSIT crews were out in force, working around the clock to make the necessary repairs to restore service as quickly as possible.

The storm impacted approximately 50 miles of the railroad, including more than 100 downed trees that severed and burned out the overhead wires that provide power to electric trains, as well as wires for the signal systems that control train movement.

The unseasonal nature of this storm certainly worked against NJ TRANSIT. Many trees had not yet shed their leaves, allowing the heavy snow to more readily collect and weigh limbs down, causing even strong, healthy trees to fall and take down overhead and signal wires. In many ways, the impact of this storm on the system was greater than that of Hurricane Irene.

To complete restoration work as quickly as possible, NJ TRANSIT Rail Operations deployed every available electrical traction worker, as well as all available tree-cutting crews to the affected areas. To make that happen, NJ TRANSIT actually issued a full recall of every electrical traction worker, reflecting the priority placed on service restoration.

Executive Director Weinstein said the electrical work is highly specialized and repair work is a painstaking process that involves shutting down power along sections of the railroad; ensuring that wires are properly safeguarded by grounding; then splicing, replacing or fixing the damaged wires and support poles. This work had to be repeated

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in dozens of locations along the Morris & Essex and Montclair-Boonton Lines, including the Summit and Morris Plains areas, where damage was particularly concentrated and severe.

Executive Director Weinstein thanked the hard work and dedication of the Rail Operations and Infrastructure Engineering departments, led by Kevin O'Connor and Mike Gaspartich, who were able to restore service on Tuesday, November 1, which is a remarkable accomplishment considering the challenges. Thousands of New Jersey residents remained without power until well into late last week, but NJ TRANSIT got the trains up and running just two and a half days after the onset of the storm. Executive Director Weinstein extended a tremendous "thank you" to the crews who were out there on the system working non-stop, as well as congratulations on a job well done.

Smart Bus

Executive Director Weinstein said there is an item on today's agenda that will further advance the drive toward real-time service information for bus customers. In February, the Board approved an item to equip the remainder of NJ TRANSIT's bus fleet with Smart Bus technology. The 1,145 new NABI buses being delivered are already equipped with smart bus technology provided by Clever Devices. The procurement approved earlier this year will enable the remaining 1,040 buses in the fleet to become Smart Bus ready.

The Clever Devices platform offers many operational and customer benefits through a robust customer information system that provides automatic bus stop announcements, vehicle condition monitoring, passenger counting and a GPS system. This will allow for greater efficiency for Bus Operations in terms of scheduling, planning and maintenance.

Executive Director Weinstein said the greatest benefit will be to the customer, as NJ TRANSIT will be able to deliver real-time bus location and next bus information to any web-enabled device, letting customers know the exact current location of their bus and when it is expected to be at their stop. Approval of the contract amendment with Clever Devices will enable NJ TRANSIT to expand Smart Bus technology to the contracted local bus routes, which serve more than 46,000 customer trips on a typical weekday throughout the State.

The contract amendment also leverages the current Smart Bus implementation to deploy additional enhanced features, equipment and software during the initial installation process that will enable NJ TRANSIT to expedite the implementation of Smart Bus technology statewide and to do so more cost effectively. Included among the additional features is the ability for buses to make external announcements to alert pedestrians of buses turning at intersections, which will greatly enhance safety.

Executive Director Weinstein knows how much the bus customers are looking forward to having access to real-time service information, and NJ TRANSIT is certainly looking forward to implementing this technology. Smart Bus will go a long way toward boosting the overall customer experience when it is rolled out next year.

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Bordentown

Executive Director Weinstein said there is an item on today's agenda that will allow NJ TRANSIT to enter into agreements with the Township of Bordentown and the municipality's designated master developer, Bordentown Waterfront Community, LLC, for the design and construction of a new light rail station to serve a planned transit-oriented development project in the community. The project will include a new center-island platform with a new commuter parking lot, pedestrian and vehicular access to and from the parking lot, modifications to the signal system and a relocated grade crossing. All of the costs associated with the project will be fully funded by the developer.

Since its opening in March 2004, the River LINE has proven to be a catalyst for economic growth and development in the communities along its corridor, and we at NJ TRANSIT have often said that that is how the true value of the River LINE will be measured.

This project is an example of how the River LINE is being used as a tool to attract development of land along the right-of-way for uses that enhance the community. The rise of mixed-used transit-oriented development along the light rail system is proof that people want to live in communities that have access to safe, affordable and convenient public transportation.

Executive Director Weinstein said this is a great example of a public-private partnership, one that will promote economic development on the River LINE and increase NJ TRANSIT ridership, while offering New Jersey residents another way to access the system.

Rail System Map

Executive Director Weinstein was pleased to unveil a new, more customer-friendly rail system map that was designed to be simple, familiar and inviting, particularly to those who may not have had an opportunity to travel on the rail network. NJ TRANSIT has switched from a strictly geographical format to one that is more typical of transit maps, making it easier for customers to read the map and orient themselves on the system.

NJ TRANSIT has also given individual spurs their own colors, for example, the Bergen County Line and the Gladstone Line, which were previously color-coded the same as the Main Line and Morris & Essex Lines, respectively, have been given their own separate colors. These same colors will be used on station monitors throughout the system to make it easier for customers to board the correct train at their station.

The map also features an outline of New Jersey, and the design provides a clearer indication of transfer points between rail lines, as well as between rail and light rail services, highlighting the intermodality of the system.

Of special note is the QR code, or "Quick Response" code, that is now featured on the map. QR codes are basically bar codes that can be encoded with data, which applications on smart phones can then scan and be directed to open a link in a web

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browser. The QR code on the system map will take customers directly to the mobile version of njtransit.com.

Executive Director Weinstein was excited to offer a more open and inviting rail map to customers and hope that they will find this a valuable tool in their travels on the system. Executive Director Weinstein recognized Christine Blanco from Capital Planning, who designed the new system map.

Rail Ticket Vending Machines (TVMs) Installation

Executive Director Weinstein was pleased to announce that the installation of Ticket Vending Machines (TVMs) has been completed on the entire rail system. As of this past Monday, all 164 rail stations are now equipped with a TVM, introducing the amenity to several stations on the Main, Bergen County, Pascack Valley, Morris & Essex and Raritan Valley lines that did not previously have them available.

Executive Director Weinstein congratulated the Point-of-Sale Fare Collection team for completing this initiative, which makes ticket purchases convenient and efficient for customers.

Scorecard Results

Executive Director Weinstein said in real-time, logging on to NJTRANSIT.com, is when the first Quarter Scorecard results have been posted. At the beginning of the fiscal year, NJ TRANSIT set course to be the best public transportation system in the nation through a world-class performance management system that drives and improves customer satisfaction, increases self-reliance as a Corporation, and improves productivity.

As a fortune 500 company awaits quarterly numbers, so does NJ TRANSIT. Scorecard results give an overall snapshot of the health and wellness of the business and give NJ TRANSIT an indication of what direction the agency is headed. All of the individual results can be found on NJ TRANSIT.com and Executive Director Weinstein highlighted a few. He said NJ TRANSIT is focusing its time, talent, and resources on meeting the needs of customers. As part of the Scorecard initiative, NJ TRANSIT is conducting quarterly customer satisfaction surveys.

Executive Director Weinstein recognized the Access Link team, who have driven overall customer satisfaction ratings among Access Link customers from a 7.5 baseline to an 8.1 first quarter score, the highest increase among all travel modes. Executive Director Weinstein congratulated Steve Santoro, Joyce Gallagher and Ronnie Siriani.

NJ TRANSIT has achieved the goal of Customer Service Resolution Time. The goal to respond to a customer inquiry or suggestion submitted to NJ TRANSIT's Customer Service by phone, web or walk-in be resolved in 2.5 days, the first quarter result showed an average response in 2.28 days. Executive Director Weinstein thanked the Customer Service Field and Customer Response Teams for moving the needle and meeting the needs of customers.

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Using resources to maximize the benefit to stakeholders advances the Corporate Accountability key area of focus. Revenue per hour is a key indicator of the effectiveness of the service divisions. The figures for Bus, Rail and Light Rail all met or exceeded goal, a five percent increase over fiscal year 2011. Executive Director Weinstein said NJ TRANSIT achieved a five percent increase over last year's performance.

The average customers per trip indicates how closely the service delivered matches demand. Bus and Rail numbers were impacted by seasonal ridership fluctuations and the impacts of Hurricane Irene and its aftermath. The Market Analysis and Pricing Team led by Al Tillotson are advising that ridership is stabilizing as NJ TRANSIT continues into the second quarter.

Executive Director Weinstein highlighted the advancements on meeting the financial obligations of NJ TRANSIT by reducing costs and maximizing resources. The year to date budget variance, net income over total expenses, is slightly below the annual goal of meeting the bottom line. It should be noted that NJ TRANSIT has booked expenses related to the recovery of the system following Hurricane Irene. Once those costs are fully reimbursed by federal assistance programs, NJ TRANSIT will be in a position to have a positive budget variance.

Executive Director Weinstein offered his thanks and congratulations to Dennis Martin, Senior Director of Organization Performance, for all of his hard work on the Scorecard initiative and the Customer Satisfaction surveys.

Busy Holiday Travel Season

Executive Director Weinstein said it is that time of year when NJ TRANSIT is gearing up for the busy end-of-year holiday travel period. Last year, Thanksgiving marked the second busiest holiday period ever for rail travel, with the total train trips for the weekend approaching 380,000 for Thanksgiving Day, Black Friday, and Saturday and Sunday combined.

As the holiday season approaches, NJ TRANSIT has made schedule adjustments to better match service with ridership demand, including early getaway trains and buses in advance of the holidays and additional service for the shopping season.

Executive Director Weinstein reminded customers who are planning trips on the busiest travel days that they can avoid long lines by buying round-trip tickets in advance. This time of year also marks a good time to remind everyone what a great alternative NJ TRANSIT offers to driving. It is a way to avoid the hassles of traffic and parking to shop, dine out, take in a show, or visit family and friends.

Executive Director Weinstein said customers will soon be able to take advantage of a new slate of deals and destinations for the winter season, with special discounts for attractions throughout the State.

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Executive Director Weinstein thanked all of the employees who will be spending time away from their own families during the upcoming holidays to keep the system moving and to meet the customers' transportation needs.

Homeland Security Campaign

Executive Director Weinstein was pleased to announce that NJ TRANSIT's Homeland Security Campaign has won a Gold MarCom Award from the Association of Marketing & Communications Professionals in the category of "Public Awareness Campaigns."

NJ TRANSIT's campaign was among more than 6,000 entries from throughout the United States, Canada and several other countries judged by the Association. All creative elements were created by an in-house team led by Jeffrey Antman, the late Marci Brezina and Beata Lazor. The campaign was funded by a grant from the United States Department of Homeland Security to the NJ TRANSIT Police Department.

Executive Director Weinstein congratulated Jeffrey Antman, the Creative Services Team and NJ TRANSIT Police on this remarkable achievement.

Chairman Simpson thanked Executive Director Weinstein and staff for a job well done.

Executive Director Weinstein presented the following Action Items for approval:

1111-58: SMART BUS TECHNOLOGY: CONTRACT AMENDMENT

Additional hardware and software services are required to implement Smart Bus Technology on contracted local bus routes and to expedite these enhancements statewide. Upgrades to the Smart Bus computer aided dispatch will improve incident detection, notification and response and will better support operations and information at the Port Authority Bus Terminal. The upgrades will implement back-up voice communications for bus operators and provide external announcements to alert pedestrians to buses turning at intersections. Authorization is requested to amend the contract with the current vendor, Clever Devices for the Smart Bus implementation at a cost not to exceed \$6,028,000 plus five percent for contingencies.

Flora Castillo moved the resolution, Bruce M. Meisel seconded it and it was unanimously adopted.

1111-59: AMENDMENT TO HUDSON COUNTY LOCAL BUS SERVICE CONTRACT

The Hudson County Local Bus Service contract will provide for the temporary operation of the #119 route from Bayonne to New York City to serve over a thousand average weekday riders. This route replaces service formerly operated by Trans-Hudson Express/Red & Tan Tours who discontinued its service. Consistent with the Contracting-Out Policy,

(NJT Board – 11/09/2011)

NJ TRANSIT will complete a Request for Proposal procurement process to solicit interest from other operators to provide this service.

Authorization is requested to amend the contract with Number 22 Hillside to operate the #119 Route between points in Hudson County and the Port Authority Bus Terminal for a period of one year at a total cost not to exceed \$1,265,215 plus five percent for contingencies.

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

1111-60: PROJECT OPTIMIZATION CONSULTANTS: PROFESSIONAL SERVICES TO PROVIDE QUANTITATIVE, ANALYTICAL COST-SAVING SOLUTIONS TO ENTERPRISE-WIDE TRANSPORTATION AND ADMINISTRATIVE ISSUES

There is an ongoing need to optimize resources, enhance productivity and obtain return on investment opportunities. The use of computational and analytical techniques will provide cost saving optimized solutions to complex, enterprise-wide transportation and administrative areas.

Authorization is requested to enter into a contract with Opera Solutions to provide a comprehensive review of ongoing operations and business functions and to identify cost saving solutions for a one year period at a cost not to exceed \$500,000, with a per task limitation of \$250,000, which includes proprietary software use and licenses. The authorization includes two option years for a total contract cost of \$1,500,000, plus five percent for contingencies.

Flora Castillo moved the resolution, James C. Finkle, Jr. seconded it and it was unanimously adopted.

Chairman Simpson requested a six month report to the Committees on the progress of the cost benefit analysis for this project.

Executive Director Weinstein presented the following Consent Calendar for approval:

1111-61: SOLE SOURCE CONTRACT FOR THE PURCHASE OF TRAPWIRE SECURITY SOFTWARE

Authorization to enter into a sole source procurement-by-exception contract with TrapWire Inc., formally Abraxas Applications, Inc., of Reston, Virginia for the purchase of Trapwire Security Software System at a cost not to exceed \$622,000, plus five percent for contingencies.

(NJT Board – 11/09/2011)

1111-62: HUDSON-BERGEN LIGHT RAIL ROUTE 440 EXTENSION: CONTRACT AMENDMENT FOR NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION

Authorization to amend the existing contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the Hudson-Bergen Light Rail National Environmental Policy Act document at a cost not to exceed \$255,000 for a total contract authorization of \$1,055,000, subject to the availability of funds.

1111-63: AGREEMENTS FOR NEW RIVER LINE STATION, GRADE CROSSING, PARKING LOT AND RELATED IMPROVEMENTS IN THE TOWNSHIP OF BORDENTOWN

Authorization to enter into agreements with the Township of Bordentown and Bordentown Waterfront Community, LLC, for the design and construction of a new, center-island platform light rail station, a relocated grade crossing to replace the existing grade crossing, a new commuter parking lot and related improvements on the River LINE in the Township of Bordentown.

1111-64: REGULATIONS: READOPTION OF REGULATIONS WITH AMENDMENTS OF N.J.A.C. 16:73 REDUCED FARE TRANSPORTATION PROGRAM FOR SENIOR CITIZENS AND PEOPLE WITH DISABILITIES

Authorization to take all actions necessary to readopt the regulations with amendments, N.J.A.C. 16:73 et seq., Reduced fare Transportation Program for Senior Citizens and People with Disabilities, consistent with this Board item and exhibits, put the regulations 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 Senior Citizens and People with Disabilities.

The Consent Calendar was moved in its entirety by Bruce M. Meisel, seconded by Steve Petrecca and unanimously adopted.

Board Member Flora Castillo asked Executive Director Weinstein to address the compliance issue that David Peter Alan raised during his public comments on the regulation item. Executive Director Weinstein said the regulations were published through the State process for the adoption of regulations. He explained there were no adverse comments and the proposal went through the whole regulatory process including publication in the *New Jersey Register*.

Executive Director Weinstein also explained that the proposal is not for the exclusive use of the NJ TRANSIT Reduced Fare Identification Card. He explained that the Medicaid card is still accepted so there are alternatives for people who do not have an NJ TRANSIT Reduced Fare Identification Card.

(NJT Board – 11/09/2011)

Executive Director Weinstein explained that this is a way to tighten up the system to eliminate fraud and eliminate situations where people who are clearly not the eligible individual are trying to obtain the reduced fare. He said that based on the regulatory process input, this is not going to inconvenience the true eligible riders. Executive Director Weinstein said this will help eliminate abuse without jeopardizing the use by eligible individuals.

Chairman Simpson referenced his report at the last board meeting regarding the recent fatalities on or around NJ TRANSIT property and at grade crossings. The Chairman said he and Executive Director Weinstein looked at the hard data over the last 10 years and saw a disturbing trend. Chairman Simpson said we live in the most densely populated state and we have a very large rail component.

Chairman Simpson said especially as a result of the recent rail fatality involving a 12 year old in Garfield, he convened a rail crossing oversight committee. Chairman Simpson said they are meeting today in the Board Room and will include up to 15 top experts in many areas from the State including three Federal agencies with senior level officials from the Federal Highway Administration, the Federal Railroad Administration, and the National Highway Safety Administration. Chairman Simpson said the senior level officials from the State include State Police, NJ TRANSIT Chief of Police, safety experts from NJ TRANSIT, and the State Education Commissioner and his team.

Chairman Simpson said they decided to create a template in New Jersey to focus and reduce fatalities. It is not just focused on rail fatalities but is also a state effort on the highway side. This is an opportunity to create a model for the rest of the country. He said they are calling it E cubed. Chairman Simpson said experts will focus on an Educational component, a physical Engineering component to ensure the best hardware and equipment and the last is an Enforcement component including municipal police, state police, federal and NJ TRANSIT Police. He said there will be continuing meetings.

Adjournment

Since there was no further business, Chairman Simpson called for adjournment and a motion to adjourn was made by Flora Castillo seconded by Johanna Jones and unanimously adopted. The meeting was adjourned at approximately 10:03 a.m.

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

NOVEMBER 9, 2011

MINUTES	PAGE
➤ CALL TO ORDER	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	43753
➤ PUBLIC COMMENTS ON AGENDA ITEMS AND OTHER MATTERS	-
➤ ADVISORY COMMITTEE REPORTS	-
➤ BOARD COMMITTEE REPORTS	-
*Administration Committee	
*Capital Planning, Policy & Privatization Committee	
➤ EXECUTIVE DIRECTOR'S MONTHLY REPORT	43754

ACTION ITEMS

1111-58	SMART BUS TECHNOLOGY: CONTRACT AMENDMENT	43767
	<p>Authorization to amend the contract (No. 11-050) with Clever Devices, Ltd, of Plainview, New York, for additional hardware, software and services related to SmartBus implementation at a cost not to exceed \$6,028,000, plus five percent for contingencies, for a new total contract authorization of \$29,429,400, subject to the availability of funds.</p>	
1111-59	AMENDMENT TO HUDSON COUNTY LOCAL BUS SERVICE CONTRACT	43770
	<p>Authorization to amend the contract (No. 11-023) with Number 22 Hillside, LLC (an Academy Company) of Hoboken, New Jersey, to operate the #119 route between points in Hudson County and the Port Authority Bus Terminal (PABT) in New York City for a period of one year at a total cost not to exceed \$1,265,215, plus five percent for contingencies, for a total contract authorization of \$53,065,140, subject to the availability of funds.</p>	

NEW JERSEY TRANSIT CORPORATION
 NJ TRANSIT BUS OPERATIONS, INC.
 NJ TRANSIT RAIL OPERATIONS, INC.
 NJ TRANSIT MERCER, INC.
 NJ TRANSIT MORRIS, INC.
 REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS
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1111-60 PROJECT OPTIMIZATION CONSULTANTS: PROFESSIONAL SERVICES TO PROVIDE QUANTITATIVE, ANALYTICAL COST-SAVING SOLUTIONS TO ENTERPRISE-WIDE TRANSPORTATION AND ADMINISTRATIVE ISSUES 43773

Authorization to enter into a contract with Opera Solutions of Jersey City, New Jersey to provide a comprehensive review of ongoing operations utilizing advanced quantitative analytical software to assist in evaluating diverse problem sets, including resource optimization, valuation prioritization modeling and other multi-variable analyses for a one-year period not to exceed \$500,000 with a per-task limitation of \$250,000 (which includes proprietary software use and licenses). The authorization includes two option years for a total contract cost of \$1,500,000, plus five percent for contingencies, subject to the availability of funds.

Tasks will be assigned on an individual task-by-task basis over anticipated contract duration of three years. The overall contract authorization limit will be \$500,000 per year with a per-task limitation of \$250,000 (which includes proprietary software use and licenses). The authorization includes two option years for a total contract cost of \$1,500,000, plus five percent for contingencies, subject to the availability of funds.

CONSENT CALENDAR

1111-61 SOLE SOURCE CONTRACT FOR THE PURCHASE OF TRAPWIRE SECURITY SOFTWARE 43777

Authorization to enter into a sole source procurement-by-exception contract with TrapWire Inc., formally Abraxas Applications, Inc., of Reston, Virginia for the purchase of Trapwire Security Software System at a cost not to exceed \$622,000, plus five percent for contingencies.

1111-62 HUDSON-BERGEN LIGHT RAIL ROUTE 440 EXTENSION: CONTRACT AMENDMENT FOR NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION 43780

Authorization to amend the existing contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the Hudson-Bergen Light Rail National Environmental Policy Act document at a cost not to exceed \$255,000 for a total contract authorization of \$1,055,000, subject to the availability of funds.

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS
NOVEMBER 9, 2011
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1111-63 AGREEMENTS FOR NEW RIVER LINE STATION, GRADE CROSSING, 43783
PARKING LOT AND RELATED IMPROVEMENTS IN THE TOWNSHIP OF
BORDENTOWN

Authorization to enter into agreements with the Township of Bordentown and Bordentown Waterfront Community, LLC, for the design and construction of a new, center-island platform light rail station, a relocated grade crossing to replace the existing grade crossing, a new commuter parking lot and related improvements on the River LINE in the Township of Bordentown.

1111-64 REGULATIONS: READOPTION OF REGULATIONS WITH AMENDMENTS 43786
OF N.J.A.C. 16:73 REDUCED FARE TRANSPORTATION PROGRAM FOR
SENIOR CITIZENS AND PEOPLE WITH DISABILITIES

Authorization to take all actions necessary to readopt the regulations with amendments, N.J.A.C. 16:73 et seq., Reduced fare Transportation Program for Senior Citizens and People with Disabilities, consistent with this Board item and exhibits, put the regulations 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 Senior Citizens and People with Disabilities.

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 October 13, 2011 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 October 17, 2011;

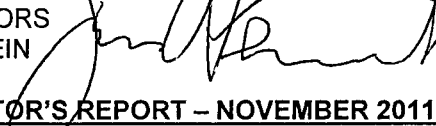
NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the October 13, 2011 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
James S. Simpson, Board Chairman
James Weinstein, Executive Director

NJ TRANSIT

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

TO: BOARD OF DIRECTORS
FROM: JAMES W. WEINSTEIN
DATE: NOVEMBER 9, 2011
SUBJECT: EXECUTIVE DIRECTOR'S REPORT – NOVEMBER 2011



The autumn snowstorm that impacted the region the last weekend of October had a crippling effect on NJ TRANSIT's Morris & Essex Lines and Montclair-Boonton Line, which were suspended starting at 1:30 p.m. on Saturday, October 29 to allow crews to remove hundreds of downed trees and repair miles of overhead wire and signal system damage along approximately 50 miles of the railroad. From the time the storm began, NJ TRANSIT crews were out in force, working around the clock to make the necessary repairs to restore service as quickly as possible. We issued a full recall of every electrical traction worker and deployed all available tree-cutting crews to the affected areas, reflecting the priority we placed on service restoration. Thanks to the hard work and dedication of our Rail Operations and Infrastructure Engineering departments, we were able to restore service on Tuesday, November 1, which is a remarkable accomplishment considering the challenges we were up against.

Turning to today's agenda, there is an item for consideration that will further advance our drive toward real-time service information for bus customers. In February, the Board approved an item to equip the remainder of NJ TRANSIT's bus fleet with Smart Bus technology provided by Clever Devices. While the 1,145 new NABI buses we have been taking delivery of are already equipped with this technology, the procurement approved earlier this year will enable the remaining 1,040 buses in our fleet to become Smart Bus ready. The Clever Devices platform offers many operational and customer benefits, including automatic bus stop announcements, vehicle condition monitoring, passenger counting and real-time location reporting. The greatest benefit will be to the customer, as we will eventually be able to deliver real-time bus location and arrival information to any web-enabled device, letting customers know when their bus is expected to arrive at their stop. Approval of today's contract amendment with Clever Devices will enable us to expand Smart Bus technology to our contracted local bus routes, which serve more than 46,000 customer trips on a typical weekday throughout the state. The contract amendment also leverages the current Smart Bus implementation to deploy additional enhanced features, equipment and software during the initial installation process that will enable us to expedite the implementation of Smart Bus technology statewide and to do so more cost effectively.

Also on today's agenda is an item that will allow NJ TRANSIT to enter into agreements with the Township of Bordentown and the municipality's designated master developer, Bordentown Waterfront Community, LLC, for the design and construction of a new light rail station to serve a planned transit-oriented development project in the community. The project will include a new center-island platform with a new commuter parking lot, pedestrian and vehicular access to and from the parking lot, modifications to the signal system and a relocated grade crossing. All of the costs associated with the project will be fully funded by the developer.

As you know, at the beginning of the fiscal year we set course to be the best public transportation system in the nation through a world-class performance management system that drives and improves customer satisfaction, increases our self-reliance as a Corporation, and improves our productivity. In July we unveiled our FY 2012 goals as part of the Scorecard initiative, which measures NJ TRANSIT's performance in five strategic areas of focus: customer experience, safety and security, financial performance, corporate accountability and employee excellence. Today, we have posted our actual 1st Quarter Scorecard results, which provide an overall snapshot of the health and wellness of our business and give us an indication of what direction the agency is headed. As part of the Scorecard initiative, we are conducting quarterly customer satisfaction surveys, and we continue to focus our time, talent and resources on meeting the needs of our customers. All of the individual Scorecard results can be found on njtransit.com.

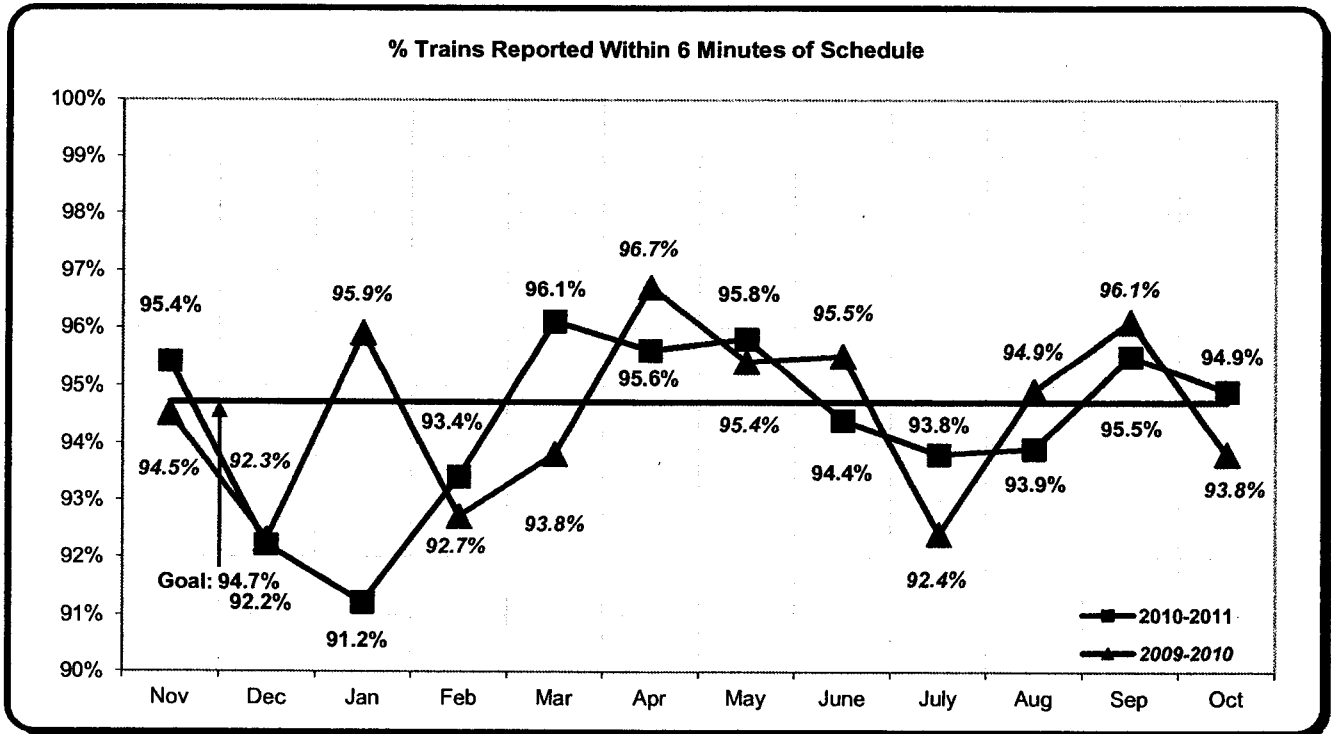
Finally, today we are pleased to unveil a new, more customer-friendly rail system map that was designed to be simple, familiar and inviting, particularly to those who may not have traveled on our rail network before. We've switched from a strictly geographical format to one that is more typical of transit maps, and we've made a number of enhancements to make it easier to read, including giving individual rail spurs, such as the Bergen County Line and the Gladstone Line, their own separate colors. The new map also provides a clearer indication of transfer points between rail lines and between rail and light rail services. Of special note is the QR code—or "Quick Response" code—that is now featured on the map to allow smart phone users to scan the code and be directly linked to the mobile version of njtransit.com. We hope that customers will find this a valuable tool in their travels on our system.

EXECUTIVE DIRECTOR'S MONTHLY REPORT NOVEMBER 2011

- 1. PERFORMANCE MEASURES**
- 2. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

ON-TIME PERFORMANCE RAIL NOVEMBER 2009 - OCTOBER 2011



	2010	2011	# Change
October Comparison	93.8%	94.9%	1.1%

	2009-2010	2010-2011	# Change
12-Month Average November - October	94.5%	94.4%	-0.1%

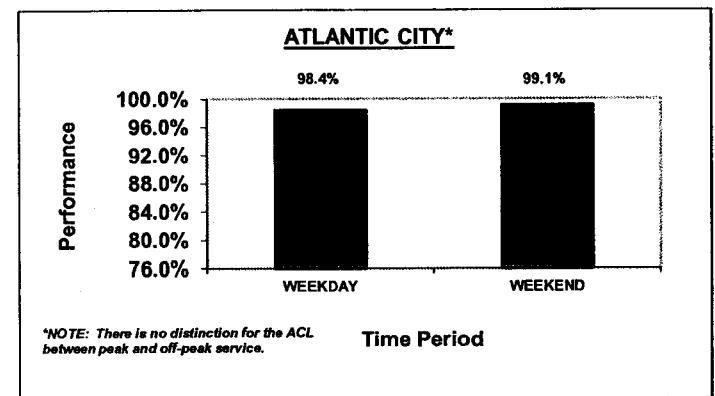
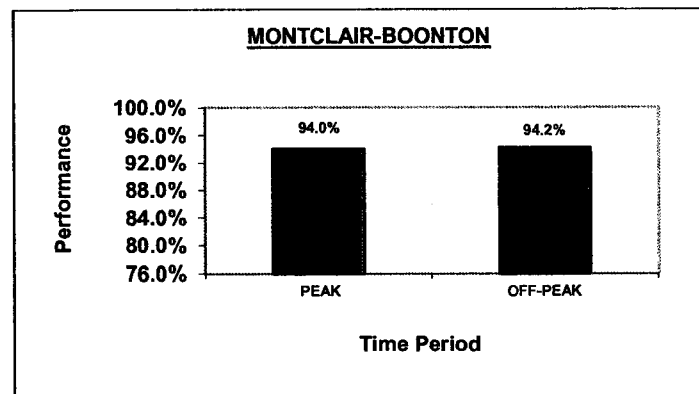
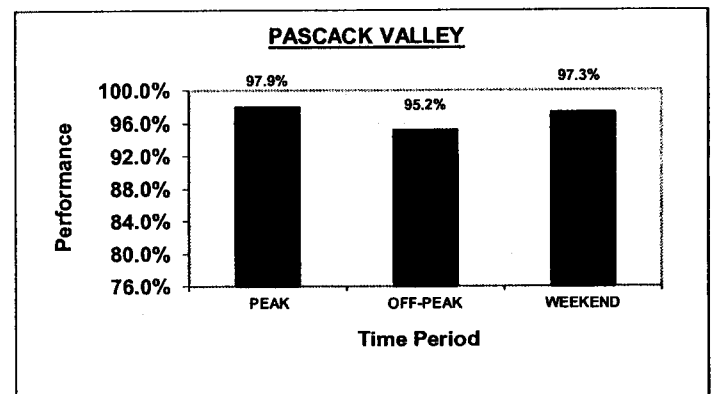
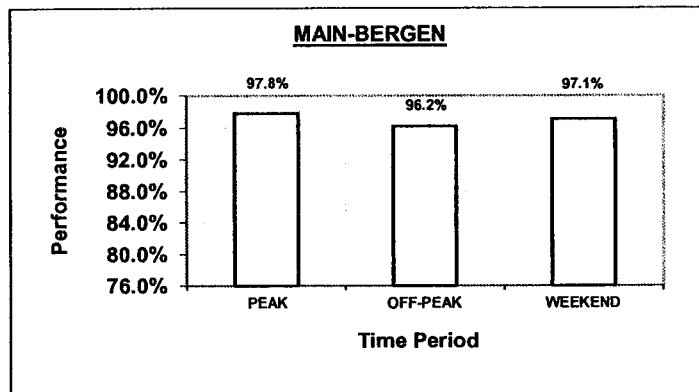
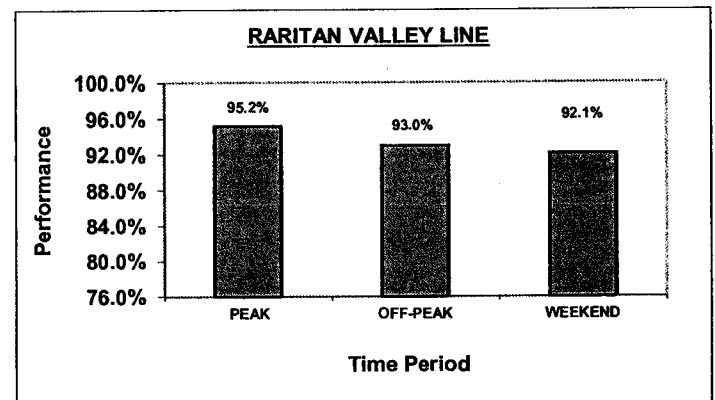
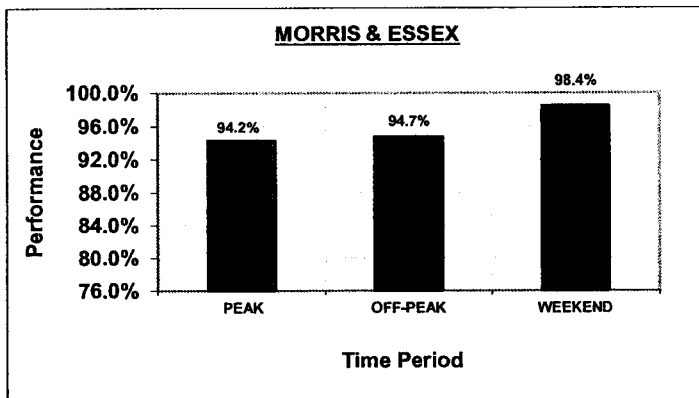
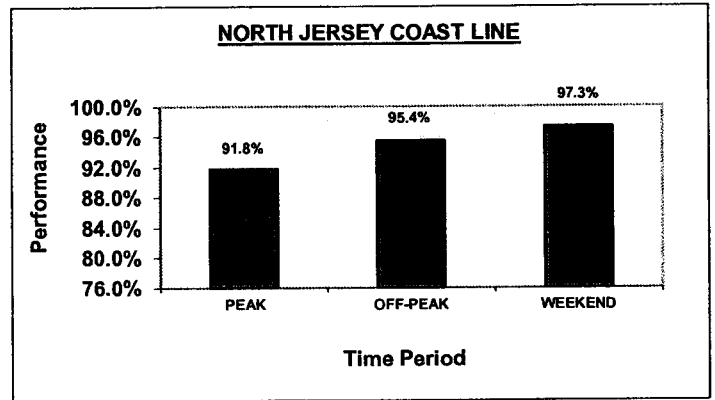
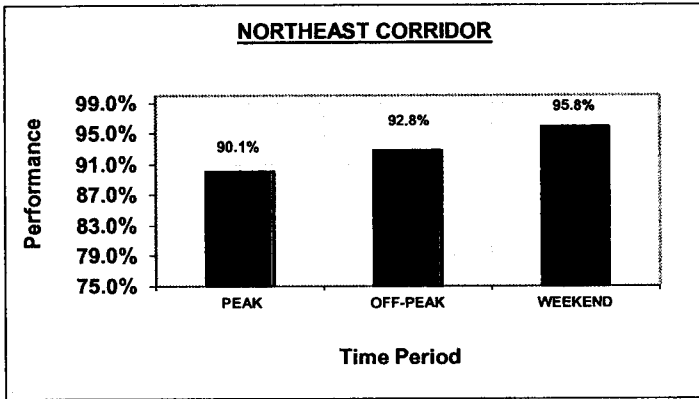
Analysis:

Rail On-Time Performance was 94.9% for October 2011. Of the 17,738 trains scheduled to operate, 16,842 were on time, while 896 trains (or 5.1%) were delayed. Key causes included:

- Amtrak overhead wire failure delaying trains on October 14.
- Snowstorm that impacted Amtrak and NJ TRANSIT service on October 29 and 30.

The 12-month average for Rail On-Time Performance for November 2010 - October 2011 was 94.4%.

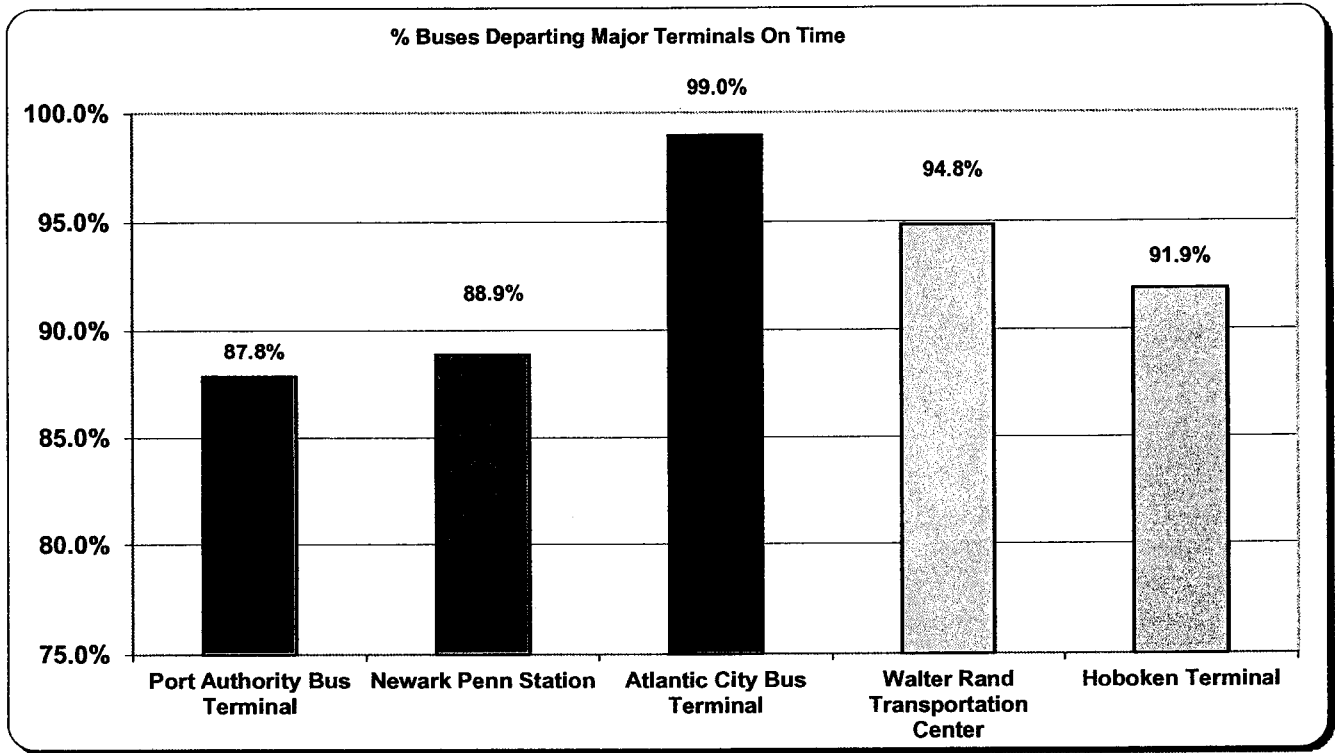
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD OCTOBER 2011



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

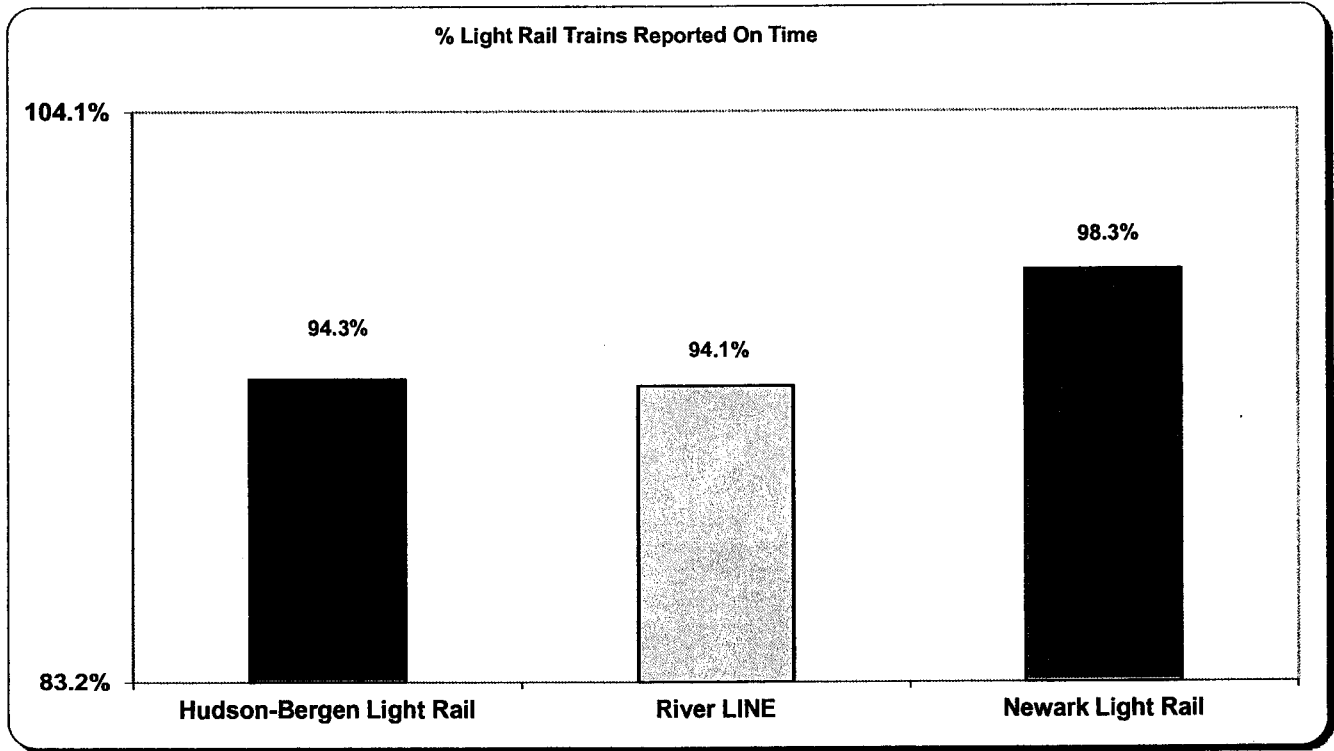
ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL OCTOBER 2011



ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE OCTOBER 2011



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

Eleven NJ TRANSIT employees retired in October with careers ranging from 10 to 41 years of service:

1. Russell Dickens (East Orange) Stock Clerk, Doremus Avenue – 41 years
2. Loretta Woods (Pleasantville) Depot Clerk "A," Egg Harbor Township – 33 years
3. Deborah Redwood (Union) Senior Accountant, Penn Plaza – 31 years
4. Edward Regemann (Bloomsbury) Manager Rules Rail Operations, Kearny – 31 years
5. William Hickman (Pennsville) Bus Operator, Washington Township – 30 years
6. William Lauer (Belleville) Depot Master, Big Tree Garage – 30 years
7. Robert A. Spalluto (Elizabethville, PA) Regional, Newton Avenue – 30 years
8. George Richelieu (Effort, PA) Resident Engineer, Penn Plaza – 28 years
9. Vincent DeMarco, Jr. (Union) Asst. Director Capital Projects, Penn Plaza – 27 years
10. Garry Baker (Plainfield) Ticket Agent, Port Authority Bus Terminal – 22 years
11. Joseph Stebbins (Egg Harbor) Bus Operator, Egg Harbor Township – 10 years

ACTION ITEMS

ITEM 1111-58: SMART BUS TECHNOLOGY: CONTRACT AMENDMENT**BENEFITS**

NJ TRANSIT is currently deploying SmartBus technology, adding features and expanding the reach of the technology platform currently being delivered on 1,145 new NABI buses to the remainder of the NJ TRANSIT bus fleet.

The current Board Authorization for this work provides for deployment of SmartBus components on all NJ TRANSIT buses not currently equipped, and implementation of a robust state-wide customer information system to deliver real-time bus location and arrival information for over 498,000 customers on NJ TRANSIT-operated bus services through any web-enabled personal device – computer, cell phone, PDA, etc. It also provides automatic onboard stop announcements and other features with significant operational benefits such as automatic passenger counting, vehicle condition monitoring, enhanced computer aided dispatch, and performance reporting.

It has been determined that leveraging the current SmartBus implementation to further deploy a targeted set of additional enhanced features, equipment and software during the initial installation process will quickly and cost-effectively provide additional important customer and operating benefits well beyond those originally contemplated, while minimizing impacts to operations.

PURPOSE

In February 2011, the NJ TRANSIT Board of Directors authorized the award of a procurement-by-exception contract with Clever Devices, Ltd, of Plainview, New York, for hardware, software and services to implement SmartBus technology on NJ TRANSIT-operated buses to improve the quality and reliability of service delivered to customers while simultaneously reducing operating cost.

Authorization of this contract amendment will allow NJ TRANSIT to take the same enhanced experience that over 498,000 NJ TRANSIT customers will enjoy on core routes and extend it to the over 46,000 NJ TRANSIT customers served by contracted local routes as well, and to expedite deployment of these enhancements state-wide. It will additionally allow NJ TRANSIT to ensure that the upgrade to SmartBus computer aided dispatch (CleverCAD) and any future radio systems will be fully transparent to Bus Operations, improve incident detection, notification and response, better support operations and information at the Port Authority Bus Terminal, implement backup voice communications for bus operators, and provide external announcements to alert pedestrians to buses turning at intersections.

ACTION (Scorecard: Customer Service, Business Efficiency, Safety and Security)

Staff seeks authorization to amend the contract (No. 11-050) with Clever Devices, Ltd, of Plainview, New York, for additional hardware, software and services related to SmartBus implementation at a cost not to exceed \$6,028,000, plus five percent for contingencies, for a new total contract authorization of \$29,429,400, subject to the availability of funds.

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

FISCAL IMPACTS

Requested Authorization:	\$ 6,028,000 + 5% contingency
Total Authorization:	\$ 29,429,400
Total Project Cost	\$ 37,886,000
Projected Date of Completion:	June 2013
Anticipated Source of Funds:	Transportation Trust Fund
Diversity Goal:	N/A – Sole Source Procurement
<i>NJ Build</i> Amount:	None
Future/Related Authorization:	N/A
Impacts on Subsequent Operating Budgets:	\$2,200,000 in annual maintenance costs (as noted in previous authorization)

RESOLUTION

WHEREAS, NJ TRANSIT serves over 498,000 customer trips each weekday on core bus routes through NJ TRANSIT Bus Operations, Inc directly; and

WHEREAS, NJ TRANSIT additionally serves over 46,000 customer trips each weekday on contracted local bus routes; and

WHEREAS, NJ TRANSIT previously selected Clever Devices to implement SmartBus technology for the agency's core bus operations; and

WHEREAS, NJ TRANSIT desires to extend the benefits of SmartBus technology to customers on contracted bus services; and

WHEREAS, NJ TRANSIT desires to expedite implementation of SmartBus technology state-wide; and

WHEREAS, NJ TRANSIT has identified additional cost-effective features and enhancements to the Clever Devices SmartBus systems to ensure that the upgrade to SmartBus computer aided dispatch and any future radio systems will be fully transparent to Bus Operations, enhance bus tracking and exception reporting, better support operations and information at the Port Authority Bus Terminal, implement backup voice communications for bus operators, and provide external announcements to alert pedestrians to buses turning at intersections;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to amend the contract (No. 11-050) with Clever Devices of Plainview, New York, for additional hardware, software and services related to SmartBus implementation at a cost not to exceed \$6,028,000, plus five percent for contingencies, for a new total contract authorization of \$29,429,400, subject to the availability of funds.

ITEM 1111-59: AMENDMENT TO HUDSON COUNTY LOCAL BUS SERVICE CONTRACT

BENEFITS

This amendment to the Hudson County Local Bus Service contract will provide for the temporary operation of the #119 Route from Bayonne to New York City. The #119 Route is replacing the #99S Route formerly operated by Trans-Hudson Express/Red & Tan Tours who discontinued its service on the #99S as of midnight Sunday, November 6, 2011. There are approximately 1,125 average weekday riders on the #99S. Consistent with the NJ TRANSIT Board of Directors Contracting-Out Policy, it is intended that this route will be part of the Hudson County Local Bus Service Contract only until staff can complete a Request for Proposal (RFP) procurement process to solicit interest from other operators to provide the service for NJ TRANSIT. Staff believes this route can be operated most economically by seeking competitive bids for its performance.

PURPOSE

Authorization of this amendment to the existing contract will ensure the continued operation of this route between points in Hudson County and the Port Authority Bus Terminal (PABT) in New York City.

ACTION (Scorecard: Financial Performance, Customer Experience)

Staff seeks authorization to amend the contract (No. 11-023) with Number 22 Hillside, LLC (an Academy Company) of Hoboken, New Jersey, to operate the #119 Route between points in Hudson County and the Port Authority Bus Terminal (PABT) in New York City for a period of one year at a total cost not to exceed \$1,265,215, plus five percent for contingencies, for a total contract authorization of \$53,065,140, subject to the availability of funds.

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

FISCAL IMPACTS

Requested Authorization: This Authorization \$ 1,265,215 + 5% contingency
Total Authorization \$ 53,065,140

Total Project Cost: \$ 53,065,140

Projected Date of Completion: June 2018

Anticipated Source of Funds:	FY11 (5 days)	\$ 59,378
	FY12	\$ 7,154,994
	FY13	\$ 7,110,879
	FY14	\$ 6,605,979
	FY15	\$ 6,876,205
	FY16	\$ 7,243,810
	FY17	\$ 7,575,267
	FY18	\$ 7,911,717

Diversity Goal: 5% Category 3 SBE

NJ Build Amount: N/A

Future Related Authorizations: Contract for operation of #119 Route

Impact on Subsequent Operating Budgets: \$ 53,065,140 (includes previous authorization)

RESOLUTION

WHEREAS, Trans-Hudson Express/Red & Tan Tours has decided to discontinue service on the #99S Route between Bayonne and the Port Authority Bus Terminal; and

WHEREAS, staff has determined that it is in the public interest to continue to operate service on the #99S Route from Bayonne to New York City; and

WHEREAS, Number 22 Hillside, LLC was previously selected through a competitive procurement process to operate the Hudson County Local Bus Service; and

WHEREAS, staff has determined that the most expeditious and cost-effective way to ensure the continuation of this service is to amend the existing contract with Number 22 Hillside, LLC to operate the route on a temporary basis until such time as a Request for Proposal procurement process can be completed;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is hereby authorized to amend the contract (No. 11-023) with Number 22 Hillside, LLC (an Academy Company) of Hoboken, New Jersey, to operate the #119 Route between points in Hudson County and the Port Authority Bus Terminal (PABT) in New York City for a period of one year at a total cost not to exceed \$1,265,215, plus five percent for contingencies, for a total contract authorization of \$53,065,140, subject to the availability of funds.

ITEM 1111-60: PROJECT OPTIMIZATION CONSULTANTS: PROFESSIONAL SERVICES TO PROVIDE QUANTITATIVE, ANALYTICAL COST-SAVING SOLUTIONS TO ENTERPRISE-WIDE TRANSPORTATION AND ADMINISTRATIVE ISSUES

BENEFITS

NJ TRANSIT has an on-going need for consultant services in the field of resource optimization, productivity enhancement, and return-on-investment opportunities. These firms utilize automated computational and analytical techniques to evaluate diverse problem sets, valuation prioritization modeling and other multi-variable analyses offering potential enterprise-wide, cost-saving improvements to transportation and administrative issues.

The use of computational and analytical techniques will further develop and advance the baseline metrics for measuring NJ TRANSIT's performance in the areas of customer service, safety and security, financial health, and service accountability. The use of computational analysis will also ensure the system of metrics is valid, dynamic, and adaptable to changes in a diverse operating environment and customer relationship management.

PURPOSE

Authorization of this task order contract will provide available labor as needed to support NJ TRANSIT's requirements for addressing critical issues, formulating "real world" business recommendations and solutions to improve operational efficiency, enhance customer satisfaction, combine workforce and performance management with quality management and to identify potential cost savings through the optimization of organizational functions.

Task Order Contracts offer NJ TRANSIT a practical solution to the problem of the volume of work increasing and decreasing in response to needs and available funding. It is costly to retain an in-house work force sufficient to meet maximum workloads. Task order contracts also allow retention of specialized expertise that is rarely cost-effective to maintain in-house.

In addition to the standard fixed fee compensation model where the cost is known and agreed to in advance of any work being performed, Opera Solutions also offers an optional "gain share" arrangement whereby Opera Solutions will agree to compensation solely based on mutually agreed upon and predetermined operational improvements and measurable performance gains.

Under the "gain share" arrangement, Opera Solutions will work at its own risk and compensation will only be paid if the predetermined operational improvements are fully met as determined solely by NJ TRANSIT. NJ TRANSIT will have the sole option to determine and choose which form of compensation is appropriate by task. However,

“gain share” compensation shall be limited to \$250,000. Staff will request separate Board Authorization for any “gain share” proposal that exceeds \$250,000.

ACTION (Scorecard: Business Efficiency and Customer Service)

Staff seeks authorization to enter into a contract with Opera Solutions of Jersey City, New Jersey to provide a comprehensive review of ongoing operations utilizing advanced quantitative analytical software to assist in evaluating diverse problem sets, including resource optimization, valuation prioritization modeling and other multi-variable analyses for a one-year period not to exceed \$500,000 with a per-task limitation of \$250,000 (which includes proprietary software use and licenses). The authorization includes two option years for a total contract cost of \$1,500,000, plus five percent for contingencies, subject to the availability of funds.

Tasks will be assigned on an individual task-by-task basis over anticipated contract duration of three years. The overall contract authorization limit will be \$500,000 per year with a per-task limitation of \$250,000 (which includes proprietary software use and licenses). The authorization includes two option years for a total contract cost of \$1,500,000, plus five percent for contingencies, subject to the availability of funds.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization:	\$1,500,000 + 5% for contingences
Total Project Cost:	\$1,500,000 + 5% contingency
Diversity Goals:	15% SBE
Related/Future Authorization:	None
Impacts on Subsequent Operating Budget:	TBD (Positive)

RESOLUTION

WHEREAS, NJ TRANSIT seeks to improve its operational efficiency and enhance customer satisfaction by identifying potential cost savings through the optimization of organizational functions; and

WHEREAS, NJ TRANSIT has a continuing need for consultant services utilizing automated computational and analytical techniques to provide cost saving optimized solutions to complex, enterprise-wide, transportation and administrative issues; and

WHEREAS, computational and analytical techniques will further develop and advance the Scorecard metrics for measuring NJ TRANSIT's performance; and

WHEREAS, Task Order Contracts are needed to manage the scope of projects to analyze business functions, evaluate business contractions and expansions, resource allocation, system analysis and optimization, sustainable strategy and systems and complex and non-standard business situations are required; and

WHEREAS, NJ TRANSIT has sole discretion on approval, recognition and payment for any "gain share" benefits identified;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to execute a contract with Opera Solutions of Jersey City, New Jersey to provide a comprehensive review of ongoing operations utilizing advanced quantitative analytical software to assist in evaluating diverse problem sets, including resource optimization, valuation prioritization modeling and other multi-variable analyses for a one-year period not to exceed \$500,000 with a per-task limitation of \$250,000 (which includes proprietary software use and licenses). The authorization includes two option years for a total contract cost of \$1,500,000, plus five percent for contingencies, subject to the availability of funds.

CONSENT CALENDAR

ITEM 1111-61: SOLE SOURCE CONTRACT FOR THE PURCHASE OF TRAPWIRE SECURITY SOFTWARE SYSTEM

BENEFITS

Materials and services which are available from only one source of supply are exempt from competitive procurement under N.J.A.C. 16:72-1.5(d) and/or where the vendors have proprietary control over the manufacture of parts and components or the provision of technical services for NJ TRANSIT equipment.

TrapWire is a unique, predictive software system designed to enable security personnel and law enforcement officials to detect patterns of behavior and anomalies indicative of terrorist pre-attack planning and surveillance activities and to issue threat warnings in sufficient time to prevent an attack. This investment will enhance NJ TRANSIT's ability to prevent, deter, respond, and recover from Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) and Improvised Explosive Device (IED) attacks.

Trapwire is currently being utilized by the Northern Regional Consortium Membership consisting of NJ TRANSIT, MTA, Port Authority, Amtrak, and Connecticut Department of Transportation. NJ TRANSIT's use of this software system will create and maintain a single security database for NJ TRANSIT for the entire state and it will streamline the effectiveness of our Homeland Security Grant objectives and deliverables, as well as providing a cohesive reporting mechanism that is vital to NJ TRANSIT and the Regional Consortium.

PURPOSE

TrapWire Inc. will train security and law enforcement personnel from NJ TRANSIT, Southeastern Pennsylvania Transportation Authority, and Delaware River Port Authority in how to detect and report terrorist pre-attack surveillance methodologies and produce structured suspicious activity reports. Those reports will be placed into a web based software system that will detect patterns of pre-attack surveillance by tracking, linking and analyzing those suspicious activity reports in and around transit facilities. This will enhance preterrorist attack surveillance capabilities for NJ TRANSIT, as well as the regional partners.

ACTION (Scorecard: Safety and Security)

Staff seeks authorization to enter into a sole source procurement-by-exception contract with TrapWire Inc., formally Abraxas Applications, Inc., of Reston, Virginia for the purchase of Trapwire Security Software System at a cost not to exceed \$622,000, plus five percent for contingencies.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization:	\$ 622,000 + 5% contingency (grant funded)
Total Project Cost:	\$ 622,000 (grant funded)
Anticipated Source of Funds:	Federal grant
Projected Date of Completion:	N/A
Diversity Goal:	N/A

RESOLUTION

WHEREAS, TrapWire Inc., formally Abraxas Applications, Inc., of Reston, Virginia is the proprietor of the Trapwire Security Software System; and

WHEREAS, the purchase of Trapwire will enhance NJ TRANSIT's ability to prevent, deter, respond and recover from Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) and Improvised Explosive Device (IED) attacks; and

WHEREAS, this authorization will enable the NJ TRANSIT Police Department to maintain one statewide database; and

WHEREAS, this authorization will enable the NJ TRANSIT Police Department to obtain training in the specific potential targets at each designated location, training in surveillance methods utilized by terrorists, and training in observational awareness skills through exercises and lectures; and

WHEREAS, pursuant to N.J.A.C. 16:72 competitive procurement requirements may be waived in instances where only one source of supply is available; and

WHEREAS, it has been determined that TrapWire Inc. is the sole/single source for the purchase of Trapwire Security Software System in accordance with NJ TRANSIT Procurement Regulations N.J.A.C. 16:72-1.6 and Executive Order No. 37;

NOW, THEREFORE, BE IT RESOLVED the Chairman or Executive Director is authorized to enter into a sole source procurement-by-exception contract with TrapWire Inc, formally Abraxas Applications, Inc., of Reston, Virginia for the purchase of the Trapwire Security Software System at a cost not to exceed \$622,000, plus five percent for contingencies

**ITEM 1111-62: HUDSON-BERGEN LIGHT RAIL ROUTE 440 EXTENSION:
CONTRACT AMENDMENT FOR NATIONAL ENVIRONMENTAL
POLICY ACT DOCUMENT**

BENEFITS

The existing Hudson-Bergen Light Rail West Side Avenue service terminates at West Side Avenue Station in Jersey City. The municipality is planning significant new residential, commercial and retail development approximately one-half mile west of the existing West Side Avenue HBLR station, in the vicinity of State Route 440. Up to 8,000 housing units, the expansion of New Jersey City University, and additional commercial and retail space are planned. The proposed density levels will require the study of improved transit options to support this development. There are also existing residential communities in the area that would benefit from the Hudson-Bergen Light Rail extension.

As a result of the HBLR Route 440 Alternatives Analysis completed by NJ TRANSIT, a Locally Preferred Alternative for extending the system to the redevelopment area west of State Route 440 was approved by the North Jersey Transportation Authority. Following North Jersey Transportation Authority's approval, the next step in the federal National Environmental Policy Act process is the completion of the environmental analysis of the Locally Preferred Alternative.

PURPOSE

A contract with AKRF, Inc. for professional services for a Federal Transit Administration-compliant Alternatives Analysis was authorized by the Board in September 2009 (Phase I) and amended in May 2010 (Phase II).

The authorization of an amendment to this contract will provide professional services for a National Environmental Policy Act document, to be advanced through the federal environmental review process, for the extension of Hudson-Bergen Light Rail to the vicinity of State Route 440 in Jersey City. Development of the National Environmental Policy Act document will include public outreach, supporting studies, design support, and analysis of environmental, transportation, and social impacts, culminating in federal approval of the NEPA document findings.

ACTION (Scorecard: Customer Experience)

Staff seeks authorization to amend the existing contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the Hudson-Bergen Light Rail National Environmental Policy Act document at a cost not to exceed \$255,000 for a total contract authorization of \$1,055,000, subject to the availability of funds.

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

FISCAL IMPACT

Requested Authorization: This Authorization \$ 255,000
Total Authorization \$ 1,055,000

Total Project Cost: \$ 1,655, 000 (AA and NEPA document)

Projected Date of Completion: 2012 (NEPA document)

Anticipated Source of Funds: Federal Transit Administration
North Jersey Transportation Planning Authority
Transportation Trust Fund

Diversity Goal: 25% DBE

NJ Build Amount: None

Future Related Authorizations: Preliminary engineering
Final engineering and design
Construction
Construction assistance

Impact on Future Operating Budgets: None

RESOLUTION

WHEREAS, extensive new residential, commercial and retail development is planned in western Jersey City in the vicinity of State Route 440; and

WHEREAS, NJ TRANSIT has completed an Alternatives Analysis for the extension of the Hudson Bergen Light Rail system to this planned development as part of the Federal Transit Administration process; and

WHEREAS, NJ TRANSIT previously selected AKRF, Inc. through a competitive procurement process to undertake the Alternatives Analysis for the Hudson-Bergen Light Rail Extension to Route 440; and

WHEREAS, NJ TRANSIT seeks to complete a National Environmental Policy Act document for the extension of the Hudson Bergen Light Rail system as part of the federal environmental process;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is hereby authorized to amend the existing contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the Hudson-Bergen Light Rail National Environmental Policy Act document at a cost not to exceed \$255,000 for a total contract authorization of \$1,055,000, subject to the availability of funds.

ITEM 1111-63: AGREEMENTS FOR NEW RIVER LINE STATION, GRADE CROSSING, PARKING LOT AND RELATED IMPROVEMENTS IN THE TOWNSHIP OF BORDENTOWN

BENEFITS

NJ TRANSIT's agreements with the Township of Bordentown and Bordentown Waterfront Community, LLC, the municipally-designated master developer, to design and construct a new center-island platform light rail station, a relocated grade crossing to replace the existing grade crossing, a new commuter parking lot and additional improvements on the River LINE will promote economic development in the Township of Bordentown and Burlington County, support growth in rail service on the River LINE, and increase NJ TRANSIT ridership. NJ TRANSIT's costs related to the design and construction of this project will be fully funded by Bordentown Waterfront Community, LLC.

PURPOSE

The first agreement, between NJ TRANSIT, the Township of Bordentown and Bordentown Waterfront Community, LLC, would require the Township of Bordentown to serve as a conduit for public and private financing obtained by Bordentown Waterfront Community, LLC, for the construction of the new light rail station, a relocated grade crossing to replace the existing grade crossing and related signal modifications and integration. This agreement would require NJ TRANSIT to design and construct the new light rail station and to construct the relocated grade crossing and related signal modifications and integration. NJ TRANSIT's costs for the design and construction of these elements of the project would be fully funded by Bordentown Waterfront Community, LLC.

The second agreement, between NJ TRANSIT and Bordentown Waterfront Community, LLC, would require NJ TRANSIT, at Bordentown Waterfront Community, LLC's expense, to oversee the design and construction by Bordentown Waterfront Community, LLC, of the railroad track bed for the new light rail station; a new commuter parking lot immediately adjacent to the new light rail station; pedestrian access paths between the parking lot and the light rail station; pedestrian and vehicular access roadways between the parking lot and the connecting public thoroughfares; and roadway approaches to the new, relocated grade crossing. NJ TRANSIT's costs for these elements of the project would be paid from an account created for this purpose and funded by Bordentown Waterfront Community, LLC.

ACTION (Scorecard: Customer Experience)

Staff seeks authorization to enter into agreements with the Township of Bordentown and Bordentown Waterfront Community, LLC, for the design and construction of a new, center-island platform light rail station, a relocated grade crossing to replace the existing

grade crossing, a new commuter parking lot and related improvements on the River LINE in the Township of Bordentown.

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

FISCAL IMPACTS

Requested Authorization: Authorization to enter into agreements with the Township of Bordentown and Bordentown Waterfront Community, LLC

Total Project Cost: \$9 million (Fully paid for by Township of Bordentown and Bordentown Waterfront Community, LLC.)

Projected Date of Completion: 2015

Anticipated Source of Funds: Township of Bordentown/Bordentown Waterfront Community, LLC

Diversity Goal: NA

NJ Build Amount: NA

Future Related Authorization: None

Impacts of Subsequent Operating Budgets:	Annual station maintenance	\$ 80,000
	Annual farebox revenue	\$ 16,000
	Annual operating budget impact	\$ 64,000

RESOLUTION

WHEREAS, the Township of Bordentown has designated by resolution an area in need of redevelopment and adopted by ordinance a redevelopment plan for the site; and

WHEREAS, the Township of Bordentown has designated by resolution Bordentown Waterfront Community, LLC, as the official redeveloper of the redevelopment area; and

WHEREAS, the area in need of redevelopment is bisected by NJ TRANSIT's River LINE, and included in the redevelopment plan is a new light rail station, a relocated grade crossing, a new commuter parking lot and related improvements; and

WHEREAS, both the Township of Bordentown and Bordentown Waterfront Community, LLC, have requested that NJ TRANSIT support the redevelopment plan; and

WHEREAS, the Parties have reached an agreement regarding the design and construction of a new center-island platform light rail station, a relocated grade crossing to replace the existing grade crossing, a new commuter parking lot and related improvements on the River LINE in the Township of Bordentown;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to enter into agreements with the Township of Bordentown and Bordentown Waterfront Community, LLC, for the design and construction of a new, center-island platform light rail station, a relocated grade crossing to replace the existing grade crossing, a new commuter parking lot and related improvements on the River LINE in the Township of Bordentown.

ITEM 1111-64: REGULATIONS: READOPTION OF REGULATIONS WITH AMENDMENTS N.J.A.C. 16:73 REDUCED FARE TRANSPORTATION PROGRAM FOR SENIOR CITIZENS AND PEOPLE WITH DISABILITIES

BENEFITS

To readopt with amendments rules governing the Reduced Fare Transportation Program for Senior Citizens and People with Disabilities. The readopted rules will effectuate revisions to the rules to enhance security and reduce fraud by requiring the implementation of a photo identification card system and amend the definition of "demand responsive" and "people with disabilities" to make them consistent with the Federal Transit Administration's definition.

PURPOSE

NJ TRANSIT's rules establishing procedures regarding the Reduced Fare Transportation Program for Senior Citizens and People with Disabilities have been in effect since 1973 (formerly known as Reduced Fare Transportation Program for the Elderly and Handicapped). The Reduced Fare Transportation Program was designed to provide intrastate and interstate autobus and rail passenger service for senior citizens or people with disabilities during off peak times on regular routes of the participating carriers at one half of the regular adult one way fare.

In accordance P.L. 1999 c.179 which was signed by Governor Whitman on August 5, 1999, the Reduced Fare Transportation Program was modified to provide intrastate and interstate autobus and rail passenger service for senior citizens age 65 and over and people with disabilities at all times (except certain rush hour trains) on regular routes of the participating carriers at one half of the regular adult one way fare as set forth in the tariffs of the carrier.

In 2004, NJ TRANSIT expanded the Reduced Fare Transportation Program to provide intrastate and interstate autobus and rail passenger service for senior citizens age 62 and over and people with disabilities at all times on regular routes of the participating carriers at one half of the regular adult one way fare as set forth in the tariffs of the carrier.

In accordance with the sunset provisions of Executive Order No. 66 (1978), N.J.A.C. 16:73 was scheduled to expire on May 15, 2011 (Exhibit A). Prior to the scheduled expiration date, NJ TRANSIT began its periodical review of the existing regulations. NJ TRANSIT determined that revisions to the Reduced Fare Transportation Program were necessary to enhance security and reduce fraud through the implementation of a photo identification card system, and revision of the definition of "demand responsive" and "people with disabilities" to make them consistent with the Federal Transit Administration's definition. All other amendments reflect updates to contact information, clarification of procedures or minor changes to form.

During the readoption process, N.J.S.A. 52:14B-5.1c(2) was enacted, extending all rules an additional two years, resulting in a new expiration date of May 15, 2013. Additionally, the proposed readoption with amendments was filed before the expiration date with the New Jersey Office of Administrative Law which extended the expiration date 180 days to November 15, 2013.

The proposed readoption with amendments was published in the New Jersey Register on July 5, 2011 (Exhibit B). A summary of the proposed amendments are set forth in Exhibit C. The comment period expired on September 3, 2011 and no comments were received.

ACTION (Scorecard: Corporate Accountability and Financial Performance)

Staff seeks authorization to take all actions necessary to readopt the regulations with amendments, N.J.A.C. 16:73 et seq., Reduced fare Transportation Program for Senior Citizens and People with Disabilities, consistent with this Board item and exhibits, put the regulations 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 Senior Citizens and People with Disabilities.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization:	Readopt with amendments <u>N.J.A.C. 16:73 et seq.</u> , Reduced Fare Transportation Program for Senior Citizens and People with Disabilities
Total Project Cost:	The revision to require implementation of a photo identification system will cost approximately \$60,000
Projected Date of Completion:	N/A
Anticipated Source of Funds:	Capital Budget
Diversity Goal:	N/A
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets:	No Change

RESOLUTION

WHEREAS, staff seeks authorization to take all actions necessary to readopt the regulations with amendments N.J.A.C. 16:73 et seq., Reduced Fare Transportation Program for Senior Citizens and People with Disabilities; and

WHEREAS, NJ TRANSIT's rules establishing procedures regarding the Reduced Fare Transportation Program have been in effect since 1973; and

WHEREAS, in accordance with the sunset provisions of Executive Order No. 66 (1978), N.J.A.C. 16:73 was scheduled to expire on May 15, 2011 (Exhibit A). Prior to the scheduled expiration date, NJ TRANSIT began its periodical review of the existing regulations; and

WHEREAS, NJ TRANSIT determined that revisions to the Reduced Fare Transportation Program were necessary to enhance security and reduce fraud through the implementation of a photo identification card system, and revision of the definition of "demand responsive" and "people with disabilities" to make them consistent with the Federal Transit Administration's definition and all other amendments reflect updates to contact information, clarification of procedures or minor changes to form; and

WHEREAS, during the readoption process, N.J.S.A. 52:14B-5.1c(2) was enacted, extending all rules an additional two years, resulting in a new expiration date of May 15, 2013. Additionally, the proposed readoption with amendments was filed before the expiration date with the New Jersey Office of Administrative Law which extended the expiration date 180 days to November 15, 2013; and

WHEREAS, the proposed readoption with amendments was published in the New Jersey Register on July 5, 2011 (Exhibit B), a summary of the proposed amendments are set forth in Exhibit C, and the comment period expired on September 3, 2011 and no comments were received;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director or his designee is hereby authorized to take all actions necessary to readopt the regulations with amendments N.J.A.C. 16:73 et seq. consistent with this Board item and exhibits, put the regulations in the appropriate format, and to take all other actions necessary to effectuate the final re-adoption with amendments and promulgation of NJ TRANSIT's Reduced Fare Transportation Program for Senior Citizens and People with Disabilities.

CHAPTER 73

REDUCED FARE TRANSPORTATION PROGRAM FOR SENIOR CITIZENS AND PEOPLE WITH DISABILITIES

Authority

N.J.S.A. 27:1A-68 and 27:25-5(e).

Source and Effective Date

R.2006 d.180, effective May 15, 2006. See: 37 N.J.R. 2298(a), 38 N.J.R. 2197(a).

Chapter Expiration Date

Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, expires on May 15, 2011.

Chapter Historical Note

Chapter 73, Reduced Fare Transportation Program for the Elderly and Handicapped, was originally adopted as N.J.A.C. 16:51-4, Delegation of Powers for Senior Citizens Half-Fare Bus Program, by R.1975 d.113, effective April 30, 1975. See: 7 N.J.R. 63(b), 7 N.J.R. 280(b). N.J.A.C. 16:51, Reduced Fare Transportation Program, was adopted as R.1977 d.224, effective June 23, 1977. See: 9 N.J.R. 97(a), 9 N.J.R. 349(a). N.J.A.C. 16:51, Reduced Fare Transportation Program, was recodified to N.J.A.C. 16:73, and N.J.A.C. 16:51-4 was repealed by R.1982 d.40, effective February 16, 1982. See: 13 N.J.R. 881(a), 14 N.J.R. 209(a).

Pursuant to Executive Order No. 66(1978), Chapter 73 was readopted as R.1987 d.121, effective January 30, 1987. See: 18 N.J.R. 2437(a), 19 N.J.R. 410(a). Pursuant to Executive Order No. 66(1978), Chapter 73, Reduced Fare Transportation Program for the Elderly and Handicapped, expired on January 30, 1992.

Chapter 73, Reduced Fare Transportation Program for the Elderly and Handicapped, was adopted as R.1992 d.217, effective May 18, 1992. See: 24 N.J.R. 556 (b), 24 N.J.R. 1905(b). Pursuant to Executive Order No. 66(1978), Chapter 73 expired on May 18, 1997.

Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, was adopted as R.1998 d.54, effective January 20, 1998. See: 29 N.J.R. 1683(a), 30 N.J.R. 377(a). Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, expired on January 20, 2003.

Chapter 73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, was adopted as new rules by R.2006 d.180, effective May 15, 2006. See: Source and Effective Date.

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

“Commissioner” means the New Jersey Commissioner of Transportation, or his or her designee.

“Demand responsive” means surface transportation that is not operated on a fixed route system.

“Established routes” means all regular intrastate routes of the participating carriers authorized by 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 where a 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 in N.J.S.A. 48:4-1, and includes those minibuses, commonly called jitneys, as described in N.J.S.A. 48:16-23.

“NJ TRANSIT” means the New Jersey Transit Corporation.

“NJ TRANSIT Reduced Fare Identification Card (NJ TRANSIT 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 Senior Citizens and People with Disabilities.

EXHIBIT A

DEPT. OF TRANSPORTATION

16:73-1.1

“NJ TRANSIT Reduced Fare Program” means NJ TRANSIT’s Reduced Fare Transportation Program for Senior Citizens and People with Disabilities.

“Person with a disability” or “people with disabilities” is an individual(s) who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment and is/are unable to utilize mass transportation services as effectively as persons without disabilities.

“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 citizen” 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 commuter rail and light rail passenger service for senior citizens 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.

16:73-1.3 Exclusions

Senior citizens 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 commuter 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 senior citizens for NJ TRANSIT Reduced Fare Identification Card

(a) Individuals may obtain an NJ TRANSIT ID Card application by writing or calling the NJ TRANSIT Reduced Fare Program at:

NJ TRANSIT Reduced Fare Program
180 Boyden Avenue
Maplewood, NJ 07040
Phone: 973-378-6401
973-378-6327

Applications for the NJ TRANSIT ID Card are available at some banks, savings and loan associations, County Offices on Aging and State offices providing services for senior citizens. The applicant should bring proof of age to these application centers. Any valid legal document will serve as proof of age. Examples are: driver’s license, birth certificate, passport, military discharge papers (DD214), etc.

(b) Authorized personnel of the application centers will examine the required documents and application. The application centers will then forward the completed application to NJ TRANSIT for processing.

(c) NJ TRANSIT shall issue an NJ TRANSIT ID Card to each qualified applicant. The NJ TRANSIT 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 citizen does not hold a Medicare Card and wishes to renew the NJ TRANSIT ID Card, he or she may contact the NJ TRANSIT Reduced Fare Program or complete a new application at one of the locations listed in (a) above.

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

(a) Individuals may obtain an application for an NJ TRANSIT ID Card by writing or calling the NJ TRANSIT Reduced Fare Program at:

NJ TRANSIT Reduced Fare Program
180 Boyden Avenue
Maplewood, NJ 07040
Phone: 973-378-6401
973-378-6327

(b) Applicants will complete the first part of the application form and give it to a registered physician or other designee of NJ TRANSIT who will complete and mail the application to NJ TRANSIT.

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

(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 ID Card to:

NJ TRANSIT
Deputy Treasurer
One Penn Plaza East
Newark, NJ 07105

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

REDUCED FARE TRANSPORTATION PROGRAM

16:73-3.2

(f) NJ TRANSIT will process the application, and mail an NJ TRANSIT ID Card to the person with a disability. The NJ TRANSIT 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 Identification 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 ID Cards issued to permanently disabled persons.

16:73-2.3 Identification requirements

(a) Senior citizens must present an NJ TRANSIT ID Card, a properly validated Medicare Card or other NJ TRANSIT approved form of identification issued by a government, social service or public transportation agency, and printed with the individual's name and date of birth, to the bus operator, rail conductor, ticket agent or fare enforcement officer as proof of being qualified to participate in the NJ TRANSIT Reduced Fare Program.

(b) People with disabilities must present an NJ TRANSIT ID Card or a properly validated Medicare Card to obtain a reduced fare.

(c) The NJ TRANSIT 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.

(d) If the NJ TRANSIT ID Card is lost or stolen, an application for a replacement card may be made as prescribed in N.J.A.C. 16:73-2.1 and 2.2.

16:73-2.4 Purchase of reduced fare tickets

(a) NJ TRANSIT does not sell books of reduced fare tickets. Senior citizens 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 or 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, and State offices that provide services for senior citizens. In addition to paying a reduced cash fare, senior citizens may be required to present a "voucher" removed from these booklets along with such person's appropriate identification.

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

SUBCHAPTER 3. AGREEMENTS WITH CARRIERS 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 senior citizens or people with disabilities reduced fare, multiplied by the number of eligible trips by senior citizens 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.

EXHIBIT B**PROPOSALS****TRANSPORTATION**

an effect on, preserving open space or farm land, environmental resources, land-use planning, development or redevelopment.

Housing Affordability Impact Analysis

The proposed amendment will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the amendment would evoke a change in the average costs associated with housing because the amendment pertains to the route currency of Commission licensees.

Smart Growth Development Impact Analysis

The proposed amendment will have an insignificant impact on smart growth and there is an extreme unlikelihood that the amendment would evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because the amendment pertains to the route currency of Commission licensees.

Full text of the proposal follows (additions indicated in boldface thus):

16:64-5.5 Route currency

(a)-(c) (No change.)

(d) A pilot shall perform a minimum of 26 trips as pilot of record in any given six-month period. The six-month period shall be calculated by the pilot on the last day of any given month, for the preceding six months. In the event the pilot shall fall below this minimum number of required trips, the pilot shall cease piloting and promptly notify the Commission in writing. Prior to resuming piloting duties, the pilot shall submit a written certification to the Commission that the pilot is fully conversant with the conditions in (a) above. The pilot may be required to appear before the Commission and/or be required to complete a specified number of observation trips prior to returning to duty.

(a)

NEW JERSEY TRANSIT CORPORATION**Reduced Fare Transportation Program for Senior Citizens and People with Disabilities****Proposed Readoption with Amendments: N.J.A.C. 16:73**

Authorized By: New Jersey Transit Corporation, James Weinstein, Executive Director.

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

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2011-146.

Submit comments by September 3, 2011 to:

Joyce J. Zuczek
New Jersey Transit Corporation
One Penn Plaza East
Newark, NJ 07105-2246

The agency proposal follows:

Summary

The New Jersey Transit Corporation (NJ TRANSIT) and its subsidiaries are responsible for the provision of public mass transit services in the State of New Jersey. In accordance with the sunset provisions of Executive Order No. 66 (1978), NJ TRANSIT has evaluated the rules at N.J.A.C. 16:73, Reduced Fare Transportation Program for Senior Citizens and People with Disabilities, scheduled to expire on November 11, 2013, pursuant to N.J.S.A. 52:14B-5.1c(2). The provisions of Executive Order No. 66 (1978) require that NJ TRANSIT periodically review its present regulations to determine their continuing usefulness. Accordingly, NJ TRANSIT has reviewed the rules and determined that the rules require amendments to reflect NJ TRANSIT's policy for the Reduced Fare Transportation Program.

A summative review of each of the subchapters follows:

Subchapter 1, Introduction, includes the definitions, purpose and exclusion sections of the chapter.

Subchapter 2, Identification and Registration, describes the procedure to obtain Reduced Fare Identification Cards.

Subchapter 3, Agreements with carriers for services and payment, describes the contractual agreements with carriers that desire to participate in the Program.

The proposed amendments to the rules in N.J.A.C. 16:73 are as follows:

The following amendments are proposed to N.J.A.C. 16:73-1.1:

The definition of "Commissioner" was eliminated because the term is not referenced within the rules.

The definition of "demand responsive" was amended to make the definition consistent with the Federal Transit Administration's definition. The definition was revised to remove "surface transportation that" and add "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" before "is not operated on a fixed route system."

The definition of "established routes" was amended to add "NJ TRANSIT" to the definition as an authorizing entity.

The definition of "NJ TRANSIT Reduced Fare Identification Card" has been revised to reflect a name change to "NJ TRANSIT Reduced Fare Photo Identification Card (NJ TRANSIT Photo ID Card)." Additionally, references throughout the rules have been revised to reflect this name change.

The definition of "person with a disability" or "people with disabilities" has been revised to make it consistent with the Federal Transit Administration's definition. The definition was revised to replace "has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment and is/are unable to utilize mass transportation services as effectively as persons without disabilities" with "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, mass transportation service or a mass transportation facility."

N.J.A.C. 16:73-2.1(a) has been revised to add NJ TRANSIT's website address and NJ TRANSIT Customer Service Offices as locations for obtaining applications, to update the address for the Reduced Fare Program, and to remove the latter portion of the subsection, which states, "Applications for the NJ TRANSIT Photo ID Card are available at some banks, savings and loan associations, County Offices on Aging and State offices providing services for senior citizens. The applicant should bring proof of age to these application centers. Any valid legal document will serve as proof of age. Examples are: driver's license, birth certificate, passport, military discharge papers (DD214), etc." as part of a restructuring of the subchapter which segments information about obtaining applications versus the different application processes discussed in the next two subsections.

A new N.J.A.C. 16:73-2.1(b) is proposed that provides Senior Citizens with instructions regarding how to apply for the NJ TRANSIT Photo ID Card by mail.

Proposed new N.J.A.C. 16:73-2.1(c) is a clarified version of language proposed for deletion from N.J.A.C. 16:73-2.1(a) to provide Senior Citizens with information regarding the process for applying for the NJ TRANSIT Photo ID Card in person.

N.J.A.C. 16:73-2.1(b) and (c) are recodified as N.J.A.C. 16:73-2.1(d) and (e) and are proposed for amendment to account for the new subsections regarding the application process.

N.J.A.C. 16:73-2.2(a) has been revised to update the address for the Reduced Fare Program.

N.J.A.C. 16:73-2.2(b) has been revised to provide people with disabilities with more detailed information about the application requirements. The subsection was revised to provide clarification regarding the portion of the application the applicant is to complete, to change the term "registered physician" to "licensed physician," to delete

TRANSPORTATION

“designee of NJ TRANSIT who will complete and mail the application to NJ TRANSIT,” and add the text: “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 providing proof of identity, should be mailed to the address noted above. Acceptable legal documentation includes a driver’s license, passport, or state issued identification card.”

N.J.A.C. 16:73-2.2(c) has been revised to replace “agency” with “healthcare professional” and “therefore” with “therefor.”

N.J.A.C. 16:73-2.2(d) has been revised to change the contact person from the Deputy Treasurer to the Director, Financial Operations & Compliance since the Reduced Fare Program no longer reports to the Deputy Treasurer.

N.J.A.C. 16:73-2.3(a) has been revised to combine subsections (a) and (b) instead of separate subsections for senior citizens and people with disabilities, to remove reference to forms of identification that will not be accepted, and to eliminate reference to “ticket agent.”

N.J.A.C. 16:73-2.3(b) has been eliminated since it is now covered in N.J.A.C. 16:73-2.3(a) and N.J.A.C. 16:73-2.3(c) is recodified as subsection (b).

N.J.A.C. 16:73-2.3(d) is recodified as subsection (c).

NJ TRANSIT has determined that the comment period for this proposal shall be 60 days; therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this proposal is excepted from the rulemaking calendar requirement.

Social Impact

The rules proposed for readoption with amendments provide a reduced fare transportation program to eligible senior citizens and people with disabilities. For senior citizens 62 and over and people with disabilities, the rules provide a program that provides a reduced fare no more than one-half the regular adult one way fare at all times. The rules proposed for readoption with amendments facilitate the use of mass transit by senior citizens and people with disabilities by making the fare more economically affordable. The amendments ensure that the program benefits are restricted to the intended population by providing enhanced customer identification and management tools.

Economic Impact

The rules proposed for readoption with amendments enable eligible senior citizens and people with disabilities to continue to pay reduced fares for bus and rail/light rail transportation. The rules proposed for readoption with amendments will enable the agency to better monitor the eligibility of applicants and control fraud. The amendments allow enforcement of eligibility criteria, saving revenue currently lost from fraud and abuse, and protecting the economic viability of the program.

Federal Standards Statement

Section 5307(d)(1)(D) of the Federal transit laws (49 U.S.C. §§ 5301 et seq.) requires NJ TRANSIT, in order to be eligible for the receipt of Federal transit funds, to certify that the fares charged senior citizens and people with disabilities in off-peak hours not exceed one-half of the one way fares generally applicable to other persons at peak hours. NJ TRANSIT’s program complies with this requirement.

Jobs Impact

NJ TRANSIT does not anticipate that implementation of the rules proposed for readoption with amendments will result in the creation or loss of jobs.

Agriculture Impact Statement

The rules proposed for readoption with amendments have no impact on the agriculture industry.

Regulatory Flexibility Statement

The rules proposed for readoption with amendments do not impose recordkeeping, reporting or compliance requirements on small businesses as defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules set forth the procedures for senior citizens or people with disabilities to follow to purchase reduced fare tickets under the program. Carriers participating in the program do so pursuant to a contractual agreement with NJ TRANSIT which specifies their responsibilities. Therefore, a regulatory flexibility analysis is not required.

Smart Growth Impact

The rules proposed for readoption with amendments have no impact on the achievement of smart growth and implementation of the State Development and Redevelopment Plan.

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments facilitate the use of mass transit by senior citizens and people with disabilities by making the fare more economically affordable. The rules proposed for readoption with amendments have no impact on the average cost of housing.

Smart Growth Development Impact Analysis

The proposed readoption with amendments facilitates the use of mass transit by senior citizens and people with disabilities by making the fare more economically affordable. The rules proposed for readoption with amendments will have no impact on affordable housing or on new construction within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 16:73.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

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.

...
[“Commissioner” means the New Jersey Commissioner of Transportation, or his or her designee.]

...
“Demand responsive” means [surface transportation that] **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.

...
“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 Senior Citizens and People with Disabilities.

...
“Person with a disability” or “people with disabilities” is an individual(s) who [has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment and is/are unable to utilize mass transportation services as effectively as persons without disabilities] **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, mass transportation service or a mass transportation facility.**

EXHIBIT B

PROPOSALS

TREASURY — GENERAL

SUBCHAPTER 2. IDENTIFICATION AND REGISTRATION

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

(a) Individuals may obtain an NJ TRANSIT Photo ID Card application at www.njtransit.com, an NJ TRANSIT Customer Service Office, or by writing or calling the NJ TRANSIT Reduced Fare Program at:

NJ TRANSIT [Reduced Fare Program] Finance Department
 Reduced Fare Program
 [180 Boyden Avenue] One Penn Plaza East
 [Maplewood, NJ 07040] Newark, NJ 07105
 Phone: 973-378-6401
 973-378-6327

[Applications for the NJ TRANSIT ID Card are available at some banks, savings and loan associations, County Offices on Aging and State offices providing services for senior citizens. The applicant should bring proof of age to these application centers. Any valid legal document will serve as proof of age. Examples are: driver's license, birth certificate, passport, military discharge papers (DD214), etc.]

(b) The completed signed application, along with a passport photo obtained at the applicant's expense and copies of legal documentation 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

Acceptable legal documentation includes a driver's license, passport or state issued identification card.

(c) Applications for the NJ TRANSIT Photo ID Card are available at some banks, savings and loan associations, County Offices on Aging, and State offices providing services for senior citizens. The applicant may bring a passport photo obtained at the applicant's expense and legal documentation providing proof of age and identity to submit their application in person at these application centers. Acceptable legal documentation includes a driver's license, passport or state issued identification card.

[(b)] (d) Authorized personnel of the application centers will examine and verify the required identification documents and [application] photo. The application centers will then forward the completed application to NJ TRANSIT for processing.

[(c)] (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 citizen does not hold a Medicare Card and wishes to renew the NJ TRANSIT Photo ID Card, he or she may contact the NJ TRANSIT Reduced Fare Program or [complete a new application at] visit one of the locations [listed in (a)] noted above in this section and complete a new application.

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

(a) Individuals may obtain an application for an NJ TRANSIT Photo ID Card by writing or calling the NJ TRANSIT Reduced Fare Program at:

NJ TRANSIT [Reduced Fare Program] Finance Department
 Reduced Fare Program
 [180 Boyden Avenue] One Penn Plaza East
 [Maplewood, NJ 07040] Newark, NJ 07105
 Phone: 973-378-6401
 973-378-6327

(b) Applicants will complete [the first part] their portion of the application form and give it to a [registered] licensed physician [or other designee of NJ TRANSIT who will complete and mail the application to NJ TRANSIT] 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 providing proof of identity, should be mailed to the address noted above. Acceptable legal documentation includes a driver's license, passport, or state issued identification card.

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

(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
 [Deputy Treasurer] Director, Financial Operations & Compliance
 One Penn Plaza East
 Newark, NJ 07105

(e) (No change.)

(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 [Identification] 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.

16:73-2.3 Identification requirements

(a) Senior citizens and people with disabilities must present an NJ TRANSIT Photo ID Card[, a properly validated] or a valid Medicare Card [or other NJ TRANSIT approved form of identification issued by a government, social service or public transportation agency, and printed with the individual's name and date of birth,] to the bus operator, rail conductor, [ticket agent] or fare enforcement officer as proof of being qualified to participate in the NJ TRANSIT Reduced Fare Program.

[(b)] People with disabilities must present an NJ TRANSIT ID Card or a properly validated Medicare Card to obtain a reduced fare.]

[(c)] (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.

[(d)] (c) If the NJ TRANSIT Photo ID Card is lost or stolen, an application for a replacement card may be made as prescribed in N.J.A.C. 16:73-2.1 and 2.2.

16:73-2.4 Purchase of reduced fare tickets

(a) (No change.)

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

(c) (No change.)

TREASURY — GENERAL

(a)

DIVISION OF PENSIONS AND BENEFITS

General Administration

Bankruptcy; Subsequent Loans

Proposed Amendment: N.J.A.C. 17:1-1.9

Authorized By: Florence J. Sheppard, Acting Director, Division of Pensions and Benefits.

Authority: N.J.S.A. 52:18A-96 et seq. and 52:14-15.1a (P.L. 1996, c. 8).

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2011-148.

EXHIBIT C

**REGULATIONS: READOPTION WITH AMENDMENTS OF N.J.A.C. 16:73
REDUCED FARE TRANSPORTATION PROGRAM FOR SENIOR CITIZENS AND
PEOPLE WITH DISABILITIES**

The readopted rules will effectuate revisions to the expiring rules to enhance security and reduce fraud by requiring the implementation of a photo identification card system and amend the definition of "people with disabilities" to make it consistent with the Federal Transit Administration's definition. All other amendments reflect minor changes to form.

The proposed amendments to the rules in N.J.A.C. 16:73 are as follows:

The following amendments are proposed to N.J.A.C. 16:73-1.1:

The definition of "Commissioner" was eliminated because the term is not referenced within the rules.

The definition of "demand responsive" was amended to make the definition consistent with the Federal Transit Administration's definition. The definition was revised to remove "surface transportation that" and add "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" before "is not operated on a fixed route system."

The definition of "established routes" was amended to add "NJ TRANSIT" to the definition as an authorizing entity.

The definition of "NJ TRANSIT Reduced Fare Identification Card" has been revised to reflect a name change to "NJ TRANSIT Reduced Fare Photo Identification Card (NJ TRANSIT Photo ID Card)." Additionally, references throughout the rules have been revised to reflect this name change.

The definition of "person with a disability" or "people with disabilities" has been revised to make it consistent with the Federal Transit Administration's definition. The definition was revised to replace "has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment and is/are unable to utilize mass transportation services as effectively as persons without disabilities" with "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, mass transportation service or a mass transportation facility."

EXHIBIT C

**REGULATIONS: READOPTION WITH AMENDMENTS OF N.J.A.C. 16:73
REDUCED FARE TRANSPORTATION PROGRAM FOR SENIOR CITIZENS AND
PEOPLE WITH DISABILITIES**

N.J.A.C. 16:73-2.1(a) has been revised to add NJ TRANSIT's website address and NJ TRANSIT Customer Service Offices as locations for obtaining applications, to update the address for the Reduced Fare Program, and to remove the latter portion of the subsection, which states, "Applications for the NJ TRANSIT Photo ID Card are available at some banks, savings and loan associations, County Offices on Aging and State offices providing services for senior citizens. The applicant should bring proof of age to these application centers. Any valid legal document will serve as proof of age. Examples are: driver's license, birth certificate, passport, military discharge papers (DD214), etc." as part of a restructuring of the subchapter which segments information about obtaining applications versus the different application processes discussed in the next two subsections.

A new N.J.A.C. 16:73-2.1(b) is proposed that provides Senior Citizens with instructions regarding how to apply for the NJ TRANSIT Photo ID Card by mail.

Proposed new N.J.A.C. 16:73-2.1(c) is a clarified version of language proposed for deletion from N.J.A.C. 16:73-2.1(a) to provide Senior Citizens with information regarding the process for applying for the NJ TRANSIT Photo ID Card in person.

N.J.A.C. 16:73-2.1(b) and (c) are recodified as N.J.A.C. 16:73-2.1(d) and (e) and are proposed for amendment to account for the new subsections regarding the application process.

N.J.A.C. 16:73-2.2(a) has been revised to update the address for the Reduced Fare Program.

N.J.A.C. 16:73-2.2(b) has been revised to provide people with disabilities with more detailed information about the application requirements. The subsection was revised to provide clarification regarding the portion of the application the applicant is to complete, to change the term "registered physician" to "licensed physician," to delete "designee of NJ TRANSIT who will complete and mail the application to NJ TRANSIT," and add the text: "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 providing proof of identity, should be mailed to the address noted above. Acceptable legal documentation includes a driver's license, passport, or state issued identification card."

N.J.A.C. 16:73-2.2(c) has been revised to replace "agency" with "healthcare professional" and "therefore" with "therefor."

EXHIBIT C

**REGULATIONS: READOPTION WITH AMENDMENTS OF N.J.A.C. 16:73
REDUCED FARE TRANSPORTATION PROGRAM FOR SENIOR CITIZENS AND
PEOPLE WITH DISABILITIES**

N.J.A.C. 16:73-2.2(d) has been revised to change the contact person from the Deputy Treasurer to the Director, Financial Operations & Compliance since the Reduced Fare Program no longer reports to the Deputy Treasurer.

N.J.A.C. 16:73-2.3(a) has been revised to combine subsections (a) and (b) instead of separate subsections for senior citizens and people with disabilities, to remove reference to forms of identification that will not be accepted, and to eliminate reference to “ticket agent.”

N.J.A.C. 16:73-2.3(b) has been eliminated since it is now covered in N.J.A.C. 16:73-2.3(a) and N.J.A.C. 16:73-2.3(c) is recodified as subsection (b).

N.J.A.C. 16:73-2.3(d) is recodified as subsection (c).