

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

**NJ TRANSIT**  
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March 21, 2023

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

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Monday, March 13, 2023.

Sincerely,

*Meghan Clark Umukoro*

Meghan Clark Umukoro  
Board Secretary

Enclosures

Open Session Minutes of the actions taken at the Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. conducted virtually on Monday, March 13, 2023. The meetings occurred concurrently.

**Board Members**

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

**Staff**

Kevin S. Corbett, President & Chief Executive Officer (CEO)  
Meghan Clark Umukoro, Board Secretary  
Brian T. Wilton, Senior Vice President, Chief Legal Officer & General Counsel  
Richard Schaefer, Acting Senior Vice President, Capital Programs  
Michael P. Kilcoyne, Senior Vice President, Surface Transit & General Manager, Bus Ops.  
William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer

Chair Gutierrez-Scaccetti convened the Open Session at 6:02 p.m. in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation.

Board Secretary Umukoro conducted Roll Call and noted that all Board Members were participating remotely, Board Member Doshi was absent, and Board Member Maroko may join the meetings later.

Board Secretary Umukoro announced that adequate notice of the meetings of the Board of Directors of the New Jersey Transit Corporation and its affiliates and subsidiaries was provided in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Notices were filed on March 7, 2023, with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

**Approval of Minutes**

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the February 8, 2023 Board meetings. Board Member Shanti Narra made the motion and Board Member Bob Gordon seconded the motion. The minutes were adopted.

**Roll Call Vote:**

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

Chair Gutierrez-Scaccetti said before they moved onto the President & CEO’s Report, she wanted to thank everyone for switching to an all-virtual meeting. Due to the predicted weather they expected that night and the meetings generally going for a period of time, with many people taking trains, buses, or driving home, they thought it was better to hold the meeting virtually. Chair Gutierrez-Scaccetti thanked everyone for their patience and cooperation and for being prepared to make these meetings happen.

**President & CEO’s Monthly Report**

President & CEO Corbett began with overall NJ TRANSIT ridership, comparing transit ridership holistically on bus, rail, and light rail against pre-pandemic levels. Overall systemwide, NJ TRANSIT ridership was approaching 75 percent of pre-COVID levels. Comparing pre-COVID and post-pandemic ridership patterns, they were still seeing wide variations systemwide, with heavier travel mid-week, and lighter travel on Mondays and Fridays.

Despite some of NJ TRANSIT routes and services still below pre-pandemic levels, they continue to strongly believe in maintaining a full schedule, for a few key reasons. First maintaining a full schedule with adequate frequency, along with their improved reliability, was one of the main reasons why NJ TRANSIT ridership has come back stronger, on a relative basis, than many of their peer agencies across the country. President & CEO Corbett said they need to keep that momentum moving forward. Also, significantly as their region recovers from the pandemic and riders continue to settle into their travel patterns, they need to know that they can count on NJ TRANSIT to get them where they are going on time, and reliably, with the frequency they need. Finally, they know that service reductions often lead to what they in the transit industry call a death spiral, a continuing cycle of diminishing service, and fewer customers who rely on those services as a result. That is what they want to avoid at all costs, as it would work against everything they were trying to do to restore and incentivize ridership.

They were also working to make discovering or returning to transit as easy as possible, through a number of promotions with fare options, like FLEXPASS and modest, targeted discounts aimed at those who do not ride transit currently, customers who have not traveled on transit in more than six months, and students, as they hope to build the next generation of transit riders.

Looking specifically at rail, overall weekday ridership was again fluctuating between approximately 55 to 75 percent of pre-COVID levels, depending on the day of the week, with many peak-hour trains at or near 100 percent, particularly Tuesday through Thursday. Overall weekend rail ridership remains at approximately 80 to 90 percent of pre-COVID levels, with many trains at 100 percent.

Overall bus ridership systemwide was holding steady at approximately 80 percent of pre-COVID levels. Interstate bus ridership into New York was approximately 76 percent of pre-COVID levels, and intrastate bus ridership was approximately 80 percent of pre-COVID levels. Many peak period bus trips were still at or near capacity, and some even above pre-COVID ridership levels. Light Rail ridership was also holding steady at approximately 80 percent of pre-COVID levels.

President & CEO Corbett discussed bus service enhancement public meetings which took place on March 7 and 9, 2023. He said the bottom line was, if they want to continue attracting customers back to transit, they know transit must be reliable, and provide sufficient frequency to get people where they need to go, when they need to be there. NJ TRANSIT was seeking to make permanent a series of service enhancements on eight bus routes throughout the state, the 26, 58, 115, 154, 412, 455, 457, and 603. In 2021, they began piloting the addition of Sunday service on each of these routes, none of which previously operated on Sunday. These pilot enhancements have been very well-received by customers, which was why they were now seeking to make them permanent. In advance of considering the implementation of these schedule changes on a permanent basis, NJ TRANSIT hosted two in-person informational sessions. One was on March 7, 2023 at the Trenton Transit Center, and the other one was at NJ TRANSIT headquarters on March 9, 2023. President & CEO Corbett said NJ TRANSIT representatives were on-hand to discuss the schedule changes with customers and listen to public comments. These public meetings allow NJ TRANSIT to solicit and incorporate as much customer feedback as possible, before going to the Board to seek approval to make these service additions a permanent part of their bus schedules.

In addition to a reliable and predictable schedule, another key aspect of attracting customers back to transit, in this area of climate change, was making clear the many environmental benefits of transit. That was why this month for St. Patrick's Day, NJ TRANSIT was both increasing service and encouraging parade-goers to "go green" by leaving the driving to NJ TRANSIT and helping their environment. NJ TRANSIT provided enhanced rail capacity for the Annual St. Patrick's Day parades in Belmar on March 5, 2023, and will still offer full, regular, weekday service on all trains, buses and light rail systems for New York City's parade on March 17, 2023. They also promoted the use of public transit for the March 12, 2023 parades in Asbury Park and Atlantic City, as well as the parade in Pearl River to be held on March 19, 2023.

President & CEO Corbett said on the agenda, they had one item up for Board consideration that he wanted to highlight, which was the contract with Suburban Trail of New Brunswick, New Jersey, which would allow NJ TRANSIT to continue providing local minibuses in Union County. The route provides connecting service to two rail stations on the Gladstone Line, and the Plainfield Station on their Raritan Valley Line. The

continuation of this service was important to NJ TRANSIT riders and was consistent with their mission provide a seamless, coherent, and holistic public transportation system throughout the region.

President & CEO Corbett said on infrastructure, in addition to service updates, they also had updates to report this month in each of their three core areas where they have been focused on since 2018, infrastructure, technology, and people. Beginning with infrastructure, he was pleased to note that NJ TRANSIT was being recognized externally for some of their high-profile, customer-facing infrastructure projects.

President & CEO Corbett said he was honored to be on-hand last month to accept two awards from New Jersey Alliance for Action, one of the foremost industry organizations in New Jersey. At the Alliance's annual event recognizing "New Jersey's Leading Capital Construction Projects," President & CEO Corbett was honored to join NJ TRANSIT's Chief Engineer Rich Schaefer, Chief of Project Management Kiran Patel, Acting Chief, John Gray, Principal Architect Ed Blanco, Senior Director of Capital Project Management Mike Scarano, Director of Capital Project Delivery & Administration Jonathan Nelson, and Project Managers David McGraw and Jason Wormeck, all of whom have been working incredibly hard around-the-clock with their teams to deliver the very large Capital Plan they now have underway.

President & CEO Corbett said there the Capital Program team accepted awards for NJ TRANSIT's work to advance both the Delco Lead Storage and Inspection Facility in New Brunswick, and Long Slip project in Hoboken. They were very proud that Alliance for Action recognized the caliber of work on those two critical capital projects, and thanked New Jersey Alliance for Action President Jerry Keenan, Senior vice President Chris Hartman, and everyone at the Alliance for the honor.

NJ TRANSIT's aggressive approach to applying for available grant funding has been paying dividends for NJ TRANSIT infrastructure. Last month, NJ TRANSIT secured a \$13.2 million United States Department of Transportation (USDOT) grant for the construction of a new pedestrian tunnel at Long Branch Train Station, one of the busiest on the North Jersey Coast Line. The tunnel will be funded in part by a grant from the USDOT's Reconnecting Communities Pilot Program that was established as part of the Infrastructure Investment and Jobs Act, or IIJA.

The tunnel will connect the east and west sides of the city that are currently bisected by the rail corridor. It will also provide safe and convenient access to each platform, improve the customer experience through enhanced convenience and accessibility, and improve safety by eliminating the need for a railroad pedestrian crossing. President & CEO Corbett thanked Secretary Buttigieg and the USDOT, and New Jersey Congressman Frank Pallone, Jr. for his tireless advocacy to help NJ TRANSIT secure the award.

President & CEO Corbett was pleased to note that NJ TRANSIT's Zero Emissions Bus Program continued to advance. Last month, NJ TRANSIT introduced two more electric buses in Camden, bringing their total up to three buses currently operating in revenue service. The three buses were gathering important information and data that will allow

them to move into the next phase of the program, responsibly and reliably. Electric buses four and five have been delivered and were currently being wrapped and undergoing final inspections before entering revenue service in the coming days.

President & CEO Corbett said on the technology side NJ TRANSIT introduced a mobile app upgrade that represented a significant step forward in their fare modernization program, leveraging technology to add yet another option for customers to purchase tickets and passes. Using the NJ TRANSIT mobile app, customers can now add cash directly to their My Transit Wallet when visiting more than 1,000 participating network retailers, including 7-Eleven, Walgreens, CVS, Family Dollar, and more. The value can then be used to purchase tickets and passes through NJ TRANSIT's mobile app or from an NJ TRANSIT ticket vending machine, ticket office, or bus farebox.

This update was a significant enhancement for customers who are unbanked or underbanked, or do not have access to a credit card, taking advantage of a statewide retail network to expand access to transit and further reduce the need for customers to carry cash or paper tickets to travel. Also, as an added bonus for early adopters, the first 2,000 customers who use participating retailers to add cash to their My Transit Wallets will receive a \$5.00 credit towards a NJ TRANSIT ticket and pass purchase. If they are one of the first 2,000 customers and add \$20.00 cash to their mobile ticketing account, their account will be updated to contain \$25.00, that can be used toward their ticket purchase.

On the people side of NJ TRANSIT business, President & CEO Corbett was pleased to note the success of their first-ever virtual career fair, NJ TRANSIT's Big Career Event, on February 15, 2023. More than 1,500 people joined them that day, and they shattered a one-day record for applications received that day. On average, they receive 100 to 200 applications per day. However, on February 15, 2023, they received a whopping 947 applications, which were keeping the Human Resources Department very busy. More than 3,800 people registered, and registrants can still visit the booth through March 14, 2023, at [njtransit.com/big](http://njtransit.com/big).

President & CEO Corbett gave Kudos to Glenn Shuster, Chief of Human Resources, and his team, along with NJ TRANSIT's Marketing & Communications team as the advertising, promotion, videos, webpage, press release, and social media posts all helped drive the high turnout, which would help them continue hiring the highest caliber employees.

President & CEO Corbett said current employees had some well-deserved recognition coming their way. March 18, 2023 was national Transit Operator Appreciation Day, and he could not imagine a better opportunity to acknowledge the hard work, dedication, and professionalism of NJ TRANSIT's transit operators, who keep their buses, trains, light rail, and Access Link vehicles running safely and efficiently, day in and day out. This recognition was especially important and relevant that day, as NJ TRANSIT begins to put the COVID-19 pandemic in their rearview mirror. President & CEO Corbett said as they look back on the worst days of the pandemic, they should all take a moment to remember the inspirational performance of NJ TRANSIT operators and all frontline employees, who

continued to show up for work every day, to keep their customers and economy on the move.

In wrapping up President & CEO Corbett wanted to make sure everyone knew about their Fiscal Year 2022 Annual Report, which was now available on the NJ TRANSIT website at [njtransit.com/2022AnnualReport](http://njtransit.com/2022AnnualReport). The Fiscal Year 2022 Annual Report offers a substantive summary of the year's progress, accomplishments, and customer experience improvements. President & CEO Corbett said he hoped when everyone gets a chance to review it, they are just as proud of the work NJ TRANSIT has done as an agency over the last year as he is.

### **Public Comments**

Chair Gutierrez-Scaccetti asked Board Secretary Umukoro if there were any public comments. Board Secretary Umukoro said there were 16 pre-registered speakers. Board Secretary Umukoro said in order to give everyone an opportunity to be heard, comments would be limited to three minutes and asked the operator to open the floor for public comments.

The operator provided instructions for entering the queue to make a public comment. He noted priority access would be given to elected officials, followed by participants who have pre-registered to speak. These comments would be taken in turn and then they would take public comments from remaining participants on a first-come first serve basis. Each person will have three minutes for their public comments. A warning will be provided with one-minute remaining and again with 15 seconds remaining. Once again, he instructed the public to please press \*1 on their telephone keypad to enter the queue to make a public comment. There were (21) speakers in the queue.

**Assemblywoman Shama Haider** from the 37<sup>th</sup> District in Bergen County was calling with two questions for the Board. One was the hiring status for the customer advocate position, which has been vacant since 2019. Assemblywoman Haider said she asked this same question April 19, 2023 and see there has been no change. However, she did hear the Board received 80 applications and wondered what the process has been to sort through those to see if there were any possibilities amongst those candidates. She said the Board really needs to take action to ensure that the customer advocate position is filled.

Assemblywoman Haider's second comment was about the Hudson Bergen Light Rail and the non-existent Bergen extension for which they have been waiting for more than two decades. She said NJ TRANSIT needs to act more on this rather than blaming the FTA or federal regulators, which was not going to cut it anymore. Assemblywoman Haider said there should be no more excuses as to why the most populous county does not have this important mode of transit. Lastly, she reiterated they really need the customer advocate position filled.

**David Peter Alan**, Chair for the Senior Citizen and Disabled Resident Transportation Advisory Committee (SCDRTAC), stated he was not addressing everyone as an ordinary member of the public tonight, but making an official statement on behalf of his committee.

Mr. Alan said as part of their effort to help everyone become better-acquainted with their committee, he reported last month about how all their members are seniors, persons with disabilities, or both. He said many of them depend on transit for all of their mobility, an experience that uniquely qualifies them to advise the Board or anybody else concerned about their constituents' mobility needs.

Mr. Alan said despite age or disability, a number of their members have achieved national reputations in their fields, including transportation. He said he has been an advocate for better transit since 1985 and spent 21 years as Chair of the Lackawanna Coalition and almost that long as a Board member of the Rail Users' Network, RUN, a national advocacy organization. He was most proud to be a Contributing Editor at *Railway Age*, which has covered the railroad industry since 1856. Their Second Vice-Chair, Jim Blaze, was also a Contributing Editor at *Railway Age* and an internationally known transportation economist. One of their members is Steve Fittante, who served as Director of Local Programs and Community Mobility at NJ TRANSIT. He was one of the founders of the Community Transportation Association of America, and won awards for the transportation systems he designed in several New Jersey counties.

Mr. Alan said other members have strong regional or statewide reputations. Sally Gellert, their First Vice-Chair has been an environmental and transit advocate for decades and is well-known in the environmental field. Linda Melendez, President of the New Jersey affiliate of the National Federation for the Blind. Anthony Lanzilotti fought against disability-based discrimination at the college he attended and won. Mr. Alan said some might know Bob Dazlich, who for three decades has been a member of NJ TRANSIT's South Jersey Advisory Committee.

Mr. Alan said while he did not have time to mention all of them tonight, other members were knowledgeable, too. He said they were truly an all-star team, who have established strong and credible reputations, notwithstanding age or disabilities. Mr. Alan said they have established themselves as worthy of credibility and respect. Yet, managers at NJ TRANSIT were still attempting to muzzle and censor them, so they could not talk about service issues, connectivity, fixed-route transit, accessibility, ADA accommodation, or anything except a grant program that requires that the available funds be distributed by a formula.

Mr. Alan said this was wrong. He said I was morally wrong and legally wrong. However, management has made a proposal that is on the table for a separate advisory committee, and they along with management are engaging in negotiations in an effort to resolve the situation. Mr. Alan said New Jersey's Law Against Discrimination prohibits discrimination on the grounds of age or disability, and they invoke its protection. They insist that the three sentences in the proposed regulations that would severely restrict their purview be eliminated, or that a separate advisory committee be established that is permanent, protected, and with a broad purview, so they can continue to serve their constituents, as they have for the past 38 years. He stated, justice demands no less for them.

**Zoe Baldwin**, New Jersey Director for the Regional Plan Association (RPA), said last Friday NJ TRANSIT hosted a tour of the Newton Avenue Garage in Camden and had a

really productive group discussion with the RPA and other advocates to explore the challenges of converting to a zero-emission bus fleet. Ms. Baldwin especially wanted to thank President & CEO Corbett, Anthony Grieco, and the Capital and Bus Operations teams for organizing that event. She said everyone knew no matter what the mode or fuel source, transit was always the greenest way to go and decarbonizing the bus fleet even further ensured this would help New Jersey meet their ambitious carbon reduction target and improve air quality. Ms. Baldwin said converting to zero-emissions was going to be challenging, however, it was incredibly helpful to hear from experts on how they were approaching this monumental task and the depth and breadth of this research was impressive. Everyone left with two important take aways which was, there is much more work than just converting buses, and NJ TRANSIT is looking at every single angle to make sure this conversion comes off productively and smoothly.

Ms. Baldwin said she wanted to emphasize to everyone on the call how important it was going to be to secure recurring and dedicated funding from the State to make sure that converting to zero-emissions advances, so NJ TRANSIT can continue to grow its reach and connectivity. Most statewide systems have 47 to 62 percent of their operating assistance from the State, although NJ TRANSIT does not have this, and so projects like these and other ambitions and goals require them to grow and maintain their staff which is funded by these appropriations. Ms. Baldwin said NJ TRANSIT in the last four to five years added approximately 90 scheduled bus trips, and was doing redesign and taking a critical look at things which affect hundreds and thousands of people due to their density. In order to be successful, Ms. Baldwin said she hoped that everyone on the call will support funding for NJ TRANSIT because it was not a small undertaking and riders depend on transit services, and they need this in order to grow and maintain sustainability.

**Sally Jane Gellert**, Chairperson for the Lackawanna Coalition, said she was recently elected to First Vice Chairperson of the New Jersey Senior Citizen and Disabled Residents Transportation Advisory Committee (SCDRTAC). Ms. Gellert said she was speaking in her personal capacity just as she had done at the previous Board meeting. In particular, she stated her support for allowing the use of cash in the NJ TRANSIT app. She said she purposely avoids using credit cards whenever reasonably possible and preferred her payments go to vendors, and not big banks. She thanked NJ TRANSIT for providing that option to all of its riders.

Ms. Gellert said as a SCDRTAC member and for a decade, a client of Bergen County Community Transportation, she appreciated the mobility options and services provided to the many seniors and disabled individuals, who for various reasons cannot drive. She said the SCDRTAC program did fair for filling the gap but did not do it all. There were many seniors and disabled residents who need additional services and take Access Link. There were others who manage on scheduled transportation with the right accommodations and actually turn to those they know for help. Ms. Gellert said for 38 years, SCDRTAC has been able to be that place, but now NJ TRANSIT's senior management wanted to prohibit such conversations and they cannot understand why.

Ms. Gellert said she knew that less than a year ago, management asked the committee to comment on the reduced fare program and they were complimentary. Ms. Gellert asked

why senior management would want to restrict them from being involved in similar discussions as they had been in throughout their existence. She said the committee only has advisory authority and that they could make suggestions but could not implement them. Ms. Gellert said recently top management at NJ TRANSIT proposed changes in their governing regulations that would close the committee off from their constituents and the Board alike. She said they were upset at the lack of respect and trust those actions implied and asked the Board to instruct staff to allow them to continue with their traditional capacity.

Ms. Gellert said once again in the 2022 annual report, there were no limitations listed in the description of their purview on page 70. She said the text simply and correctly stated the Senior Citizen and Disabled Resident Transportation Assistance Program Citizen Advisory Committee advises NJ TRANSIT on public transit decisions regarding accessibility issues.

Ms. Gellert said they had again entered budget season and the Lackawanna Coalition March meeting was scheduled for March 27, 2023 at 6:45 p.m. in-person at Millburn Town Hall and virtually. The speaker will be the Coalition's Legislative Director, Vito Havrilla. She said he will testify at the Assembly and Senate hearings, with some suggestions based on their discussion that evening.

Ms. Gellert said plans were shaping up for the Rail Users' Network (RUN), an annual conference which will be held on April 28, 2023 in Newark, around the corner at the New Jersey Transportation Planning Authority. She said there will be a transit tour of connecting locations, beginning with Newark Penn Station, including a tour of New York Penn Station conducted by Joseph Clift, a Lackawanna Coalition member and former Long Island Railroad Planning Director. Ms. Gellert said please save the dates Friday, April 28, 2023, and Saturday, April 29, 2023, for the conference and tour.

Ms. Gellert said the coalition was looking into the possibility of hosting a reception on Thursday and they will be bringing a special Railgram for the conference. Ms. Gellert and her colleagues at the coalition and SCDRTAC appreciated the realization that a full schedule with both reliability and frequency were important in returning and attracting riders. She said they appreciated the increase in bus service, and especially appreciated the expansion of Sunday service. Ms. Gellert said she spent a lot of time at her parents' house in Paramus where the 158, 758, and 752 bus lines did not run on Sunday, or they ran before getting to Paramus. Ms. Gellert said newsflash, Paramus residents do more than shop.

**Matthew Smith**, New Jersey Director for Food & Water Watch, spoke on behalf of their 70,000 members and supporters across the state. Mr. Smith said he was once again speaking about the TRANSITGRID project and that he wanted to inform the Board, about the new study conducted by renewable energy expert consulting group, Strategen Consultants. He said he sent each member of the Board a copy of the study and that the study definitively proved what they had been saying and what hundreds of members of the public had been saying to NJ TRANSIT for the past three years. Mr. Smith said the gas plant was unnecessary because a renewable energy-based hybrid microgrid was not

only a feasible option for NJ TRANSIT, but it was far more affordable and revenue generating than a fossil fuel based option. In fact, he said the study concluded that if NJ TRANSIT developed a renewable energy-based microgrid that was largely solar and battery powered, with a battery storage powered solution for small emergencies only using backup turbine, it would generate over \$350,000,000 more in revenue than the current proposed gas-fired power plant that NJ TRANSIT was proposing to develop and run 24/7, 365 days. Mr. Smith said it would poison the lungs of the environmental justice community in Kearny, New Jersey, and for millions of residents in the Meadowlands region.

Mr. Smith said last month, Governor Murphy announced a new target for New Jersey to achieve 100 percent clean energy by the year 2035. He said in 2035, by the time NJ TRANSIT finalized and developed their solution, it would likely be less than 10 years before a gas plant would need to be taken offline and replaced with a renewable energy solution. Mr. Smith said that was exactly what NJ TRANSIT's current RFP called for and they were calling for NJ TRANSIT to read the study, respond to it, immediately amend the RFP, and not develop a gas plant. Instead, they want NJ TRANSIT to maximize renewable energy today by developing a renewable energy hybrid microgrid that would meet transit's exact resiliency needs while achieving the State's clean energy and energy storage goals. Mr. Smith said NJ TRANSIT should do everything in their power to make this a model for the country, and one that NJ TRANSIT riders could be proud of, that would help in the urgent fight against climate change. They hoped to hear a full public response from NJ TRANSIT about how the study could be implemented into the TRANSITGRID project.

**Samantha DiFalco**, member of Food & Water Watch, spoke on behalf of the organization. She said she wanted to echo the importance of the breaking study that proved what they had been saying for almost four years. Ms. DiFalco said NJ TRANSIT does not need a new gas plant, as part of the TRANSITGRID project. She said the study showed that if NJ TRANSIT moved ahead with a design that included a gas plant, in what was one of the most overburdened regions of the country, they would just be adding more pollution. Ms. DiFalco said if someone was at NJ TRANSIT headquarters and made a wrong turn going home, they would be driving by dozens of polluting sites and power plants which would also be right where NJ TRANSIT is proposing to build a new gas power plant as well.

Ms. DiFalco said if NJ TRANSIT did move ahead with the project, it would essentially be a waste of millions of taxpayer dollars at the expense of the lungs of residents. She said if Governor Murphy wanted to be remembered as a climate champion, the way his rhetoric says he does, a champion for environmental justice, he needs to go back to the drawing board and redesign. Ms. DiFalco said the study group that offered a hybrid option was not only technologically feasible, but for everything else as well, and a better option for NJ TRANSIT. She was looking forward to a response from NJ TRANSIT regarding the Strategen study and getting the project back on track.

**Eleanor Forman** said NJ TRANSIT Senior Citizen and Disabled Resident Transportation Advisory Committee (SCDRTAC) should not be restricted in purview to the point of

uselessness. She said senior and disabled residents are some of New Jersey's most vulnerable residents. Ms. Forman said do not discriminate against them and people with disabilities are best able to understand the issues that other disabled riders face. She said the committee could improve NJ TRANSIT's understanding of community needs. Ms. Forman said the committee is made up of volunteers who can take no actions but merely listen, discuss, and advise, so why do they have a problem with that.

Ms. Forman said as originally planned before the weather emergency, she was told telephone speakers who preregistered before the deadline would follow pre-registered in-person speakers. In other words, pre-registered in-person speakers would go first and only then would pre-registered telephone speakers be allowed to speak. Ms. Forman said disabled participants who could not attend in-person were being discriminated against at this very meeting to decide whether or not they would continue to have a voice. She said by not choosing a teleconference method that allows people to see, and be seen, literally makes them invisible. Ms. Forman said no one could see her as she testified and said they must obviously be toned deaf to disability issues.

Ms. Forman said her personal issue was whether all NJ TRANSIT buses have accommodations in the baggage compartment for her large incumbent tricycle, which looks like a cross between a motorcycle and a wheelchair on steroids. She asked would she have to check in advance to try to arrange an accommodation. She asked if she would have the ability to get the tricycle into any of the rail cars, including large enough functioning elevators to get in from outside, without being stopped by guards saying bicycles are not allowed. Ms. Forman said these were the disability accommodations she needed to make free use of NJ TRANSIT's system to visit the house in New Jersey that she grew up in, or anywhere else.

**Rachel Davis**, Public Policy and Justice Organizer for Water Spirit, a 25-year-old nonprofit Ministry of the Sisters of Saint Joseph of Peace, said she was speaking on behalf of her sister ministries and the thousands of members throughout the state and the Northeast region. They were speaking as allies with those most affected residents who continued to have to deal with the projects that continued to not take into account accessibility, affordability, and reality. Ms. Davis said the TRANSITGRID project was switched from a hopeful 100 percent renewable energy commitment to most recently flip flopping to dirty gas for no good reason. She wants NJ TRANSIT to stick with renewable energy, in line with the stated goals that the Governor spoke out loud in front of every media outlet. Ms. Davis said public health would increase, and they would see a win, win, win. She said they did not understand any other option at this point and public health was not in good shape in New Jersey. Ms. Davis said air pollution was rampant and was linked to mental health illness and suicide, and that was connected to police brutality, which they also have an issue with, in the state.

Ms. Davis said as others have said, they need to get back on track. She was not sure why the meeting was moved to be entirely virtual that evening, but said it was not inclusive or actually public. She said they hoped that the report that was mentioned earlier that showcased the viability for renewable energy for the specific project got to the Governor's Office, NJ TRANSIT, the media, and the national media continuing to cover New Jersey's

current Governor, as he considers a national stage. Ms. Davis said Governor Murphy could lead, NJ TRANSIT could lead, and they needed everyone to respond to the current and future generations of New Jersey residents and for all of them. Ms. Davis said the time was now and there was no more time left.

**David Pringle**, member of Clean Water Action and Empower New Jersey, said he wanted to cover two points on funding and the dirty gas plant, but first a little personal anecdote. Mr. Pringle said his wife started a new job three weeks ago and was used to commuting on the parkway for 30 to 90 minutes from Cranford to Paramus. He said she was now doing a one-and-a-half-hour commute with two switches on three different train systems between Cranford and Brooklyn, utilizing NJ TRANSIT, PATH, and MTA Subway. She was not looking forward to that part of the new job but has found her commute to be very pleasant. Mr. Pringle said NJ TRANSIT is the best way and thanked NJ TRANSIT. He said his comments were in that spirit and they need NJ TRANSIT to keep it up and be even better.

Mr. Pringle said in terms of funding, he very much agreed with Ms. Baldwin's comments, but it was not only about operating, but also about capital. He said the Governor's budget for 2023 proposed to raid over \$300 million, again robbing Peter to pay Paul. He believes taking money out of the capital budget and putting it into the operating budget was basically using a mortgage payment to cover salaries. Mr. Pringle said that was not sustainable and was unacceptable. He said billions have been raided from capital funding over the past 20 years and there were billions of dollars of unmet capital needs. Mr. Pringle said they really needed the Board to be advocates. He said they were not naive; they know some of the Board were employees of the Governor's branch and many were recently employees of the Governor. Mr. Pringle said not everyone was an arm of the Governor and some were independent, otherwise, what was the point. Mr. Pringle said please advocate to get more funding. He said he knew they were not going to do it the way they would, but they should not be silent.

Mr. Pringle said regarding the dirty gas plant, any version of gas is dirty. It does not burn in a vacuum, and it is impossible for there to be no emissions. Some options are less harmful from a climate perspective, but none of them are good from an environmental justice perspective. Mr. Pringle said the Strategen report was conducted by an independent, well-respected, minority-owned, women-owned, global energy strategy consulting firm. He said NJ TRANSIT did not do their work and it was ridiculous that they had to pay for the consultants. Mr. Pringle said Strategen is independent and there were no strings attached. They asked them if it was feasible to come up with a non-burn option and the answer was yes. Not only was the answer yes, but it was also cleaner, healthier, and more economical, technologically feasible, and a less risky alternative than a new massive dirty gas burning plant.

Mr. Pringle said it demonstrated that they could achieve the resiliency objective with a renewable energy-based hybrid microgrid consisting of a solar battery and a small-scale emergency use turbine. He said they were so reasonable that their solution included a small amount of fossil fuel. Mr. Pringle said please, do not be a rubber stamp. What is the point. Be independent advocates for clean mass transit options and full funding.

**Richard Grant**, resident of Hackensack, said today was about the specific results of the consequential energy study, but it was also about something related to NJ TRANSIT's plan to move its Newark headquarters, if negotiations worked out, from One Penn Plaza East to Two Gateway Center at 283 Market Street. Mr. Grant said they probably already knew that the Gateway Center renovations included an entryway and a retail and dining concourse. He said it might be news that Newark City Hall was not the only local building being renovated to make it an environmentally responsible green building. Mr. Grant said the United States Green Building Council's website also showed a Leadership in Energy and Environmental Design (LEED) Certification in progress for Two Gateway Center.

Mr. Grant said NJ TRANSIT's estimated 2200 headquarter employees should be elated, especially because if it gets built, the Passaic Valley sewage commissions gas fired power plant would be emitting toxic air pollutants in the nearby Ironbound section. He said according to the Council, LEED's latest version was green buildings next generation standard, helping builders create safer and healthier environments for their occupants, reducing their greenhouse gas and carbon emissions, and using toxic-free materials to deliver cleaner indoor air to improve productivity, focus, and reduce respiratory illnesses that their occupants have. Mr. Grant said he would say everyone of NJ TRANSIT's headquarter employees is entitled to a healthy environment as much as any resident of Newark or Kearny and other overburdened communities, whether they live in a low-income household, a minority household, or in a limited English proficiency household or not. Also, any NJ TRANSIT headquarter employees who works on or around diesel fuel buses or train locomotives is entitled to a healthy environment as well.

Mr. Grant said suppose NJ TRANSIT's plan permits and approves the largely powered NJ TRANSITGRID with a gas-fired plant in Kearny. He asked on the day the plant is scheduled to begin emitting particulate matter and other toxins and Chair Gutierrez-Scaccetti, President & CEO Corbett and other Board members and senior managers arrive to Two Gateway Center to attend, would it be a godsend that they were free of respiratory illnesses. Would it matter whether or not NJ TRANSIT management or Board had considered Two Gateway Center LEED's certification progress and the site acquisition process or first heard the term green building, three minutes ago. Mr. Grant answered no, because it had been the same result for as many as 25 years. Offices leased, and LEED buildings were prioritized over the health and wellbeing of NJ TRANSIT's headquarter employees. Mr. Grant said NJ TRANSIT gas-fired power plant would emit airborne toxins into the lungs of children, seniors, pregnant woman, everyone in Kearny, and beyond.

Mr. Grant asked Governor Murphy if he was onboard with the disproportionate outcomes of NJ TRANSIT's Two Gateway Center site selection, intended or not. He asked Governor Murphy would it not become more likely that New Jersey would meet the State's clean energy and emission reduction targets if NJ TRANSIT both entered into the lease and powered NJ TRANSIT power grid without a gas-fired power plant.

**Holly Cox**, a 24-year-old resident of Montville, said she was there to call on Governor Murphy and NJ TRANSIT to redesign their microgrid project to be powered by renewable energy, which a new report showed to be technologically feasible, more economical, and

better for public health and the climate. She said she had spoken at past meetings about the urgency of the climate crisis, the unreliability of gas in an emergency, and the immorality of adding more pollution to overburdened communities. She said she wanted to make clear that a renewable option was feasible and made financial sense. Ms. Cox said a new report by Strategen Consulting, showed that a combined system of solar, battery storage, and a backup gas turbine to only be used in true emergencies, were a feasible alternative for meeting NJ TRANSIT operational needs during severe weather events, with the ability to power the system for more than two weeks.

Ms. Cox said Governor Murphy announced an accelerated target of 100 percent clean energy by 2035, moving up the initial goal by 15 years. She said this dramatically changed the game and to start building a fossil fuel plan now would not make financial sense. Ms. Cox said to comply with the new target, once NJ TRANSIT finished building its gas plant, it would have to be transitioned to clean fuels by 2035 instead of 2050. She said the conversion would easily add millions of dollars in unnecessary costs to the project. Ms. Cox said renewables are the future and are much cheaper than fossil fuels. The report found that the renewable energy system could realize hard profits ranging between \$45 million to \$85 million from 2028 to 2050. In contrast, the report found that the fossil fuel project could face losses of \$42 million and only up to \$29 million in profits over the same time period.

Ms. Cox said it was time for NJ TRANSIT to reconsider their RFP and a fossil fuel plant did not make financial sense. In addition, there were measurable financial benefits to avoiding a climate disaster and improving human health. The report found that avoiding emissions from 2028 to 2050 by operating a renewable energy system, instead of a fossil fuel plant, would save between \$193 million to \$346 million in climate change impacts. Further, reducing pollutants could save another \$8 million to \$14 million annually in health and morbidity impacts. Thus, combining the avoided environmental and health costs with the hard profits. The renewable energy system could generate \$328 to \$376 million more in total value than the fossil fuel gas plant over the same time period.

Ms. Cox said in order for NJ TRANSIT to be financially responsible, they must pursue renewable alternatives. She said the market was changing and the transition to renewables was happening. People were realizing that fossil fuels were causing extreme weather events and making the planet inhabitable. Ms. Cox said it was irresponsible to invest in a fossil fuel plant now. Investment in clean energy alternatives provides stability and prevents greater expenditures in the future. She said NJ TRANSIT has shown no evidence that a gas-powered plant would be financially, environmentally, technologically, or socially superior to renewable hybrid microgrids. Ms. Cox said she was calling on Governor Murphy and NJ TRANSIT to live up to the State's climate and clean energy commitments to be real climate leaders and stop the disastrous fossil fuel proposal.

**Ken Dolsky**, member of Don't Gas the Meadowlands Coalition, said for over three years, their coalition had been pressing NJ TRANSIT to include a request for bids on renewable energy-based solutions for their initial implementation of TRANSITGRID. He said, even after Governor Murphy directed them to include such a solution and they agreed to maximize the use of renewable energy, they still refused to ask bidders to provide quotes

for such a solution. Mr. Dolsky said instead, they doubled down on a gas plant in their RFP, making it a foregone conclusion and said they would find a way to transition to a clean energy solution over time. He said when challenged at board meetings, they spoke about reliability or lack of space for their solution, battery technology not being up to the task, and even used Donald Trump's absurd argument about solar not working at night. Mr. Dolsky said when they asked for evidence to back up their claims, their response was silence. He asked what they were afraid of. Why would they not ask for bids on a renewable solution. Mr. Dolsky said they knew it would be cleaner, safer, far less polluting, better for the climate, and support the new environmental justice law, but clearly those advantages were never important enough. He asked were they afraid it would also be less costly or less risky or more profitable. Mr. Dolsky said now they know what they were afraid to learn.

Mr. Dolsky said they commissioned a study from Strategen Inc., a leading consultant in clean energy technologies. They asked the consultant to compare the financial aspect and risks of a gas plant versus a renewable energy-based hybrid microgrid. Mr. Dolsky said the results of the study surpassed their expectations in terms of financial advantages for a renewable energy solution and the enormity of the risk to NJ TRANSIT from building a gas plant. The key finding was that a renewable energy system could generate about \$350 million more in total value than a gas plant over its lifetime. The financial advantage did not even include the additional cost NJ TRANSIT would incur to convert to a clean energy solution. Mr. Dolsky said those added costs would come with great risk and uncertainty because they were currently dependent on an unfeasible fuel system that would likely add at least 10 to possibly hundreds of millions in additional costs.

Mr. Dolsky said NJ TRANSIT had a one-time grant to build its TRANSITGRID power source but instead of considering all alternatives, they decided to commit all the funds towards the costliest, most risky, least profitable, highly polluting, and deadly solution. He said future costs and revenues were far more certain for the renewable energy solution.

Mr. Dolsky said the results of the study dispelled all of NJ TRANSIT's arguments against feasibility, cost effectiveness, and reliability of renewable energy technology for a TRANSITGRID. He said they had no more excuses and they called on NJ TRANSIT and Governor Murphy to include a renewable energy-based hybrid. Mr. Dolsky said it would be a win for the agency and this was in NJ TRANSIT's best interest. He said they were not asking NJ TRANSIT to make sacrifices for climate or health, and they would profit as well. Mr. Dolsky said they would avoid the catastrophe of sticking their money into a gas plant that would be obsolete in 10 years, at which time, they would then have to find new money to come up with a new way to convert to renewable energy. He said, as always, his coalition was open to having dialogue with NJ TRANSIT on these findings and any other topic.

**Adam Reich** thanked Board Member Narra for following up with him regarding the Customer Advocate position during the last committee meetings. He said he wanted to check to see if they were still on track for posting the position soon and if so, did they have a date. Mr. Reich asked if they had a target start date for the position, recognizing that it could change depending on the progress with an incumbent.

Mr. Reich said regarding closed rail car issues, a matter he had previously spoken about, he wanted to inquire about two things. He noticed the front car on his regular afternoon train was open and wondering had there been a global change in response to the issues he had previously raised regarding bathroom access. Mr. Reich asked in particular, whether NJ TRANSIT had developed a framework in its standards to have rail cars with bathrooms opened, for assurances that passengers did not have to walk long lengths to find the nearest bathroom car, and that crew members would have at least one, if not more, bathroom cars open at all times.

Mr. Reich said he knew Board Member Gordon would be compelled to respond to the environmental advocates, but he wanted to thank him for his attention to the quiet commute issue as far as the sign suggestions and changing it to be a permanent posting. Mr. Reich asked if there was any progress on the quiet car decals. He said he was not seeing quiet car postings on his evening train commute and asked if management had gotten back to Board Member Gordon regarding suggestions on automated announcements and additional signage.

Mr. Reich said importantly, he wanted to support SCDRTAC. In recent months, he experienced situations where managers did not offer any dialogue on a mask car option and no effort was put into finding a way to accommodate immunocompromised riders and others who have said, they cannot ride the system if every car is mask optional. Mr. Reich said he heard crew members joke mockingly over the intercom system about mask cars and insist that cars with bathrooms were closed simply because they decided to close them off. Mr. Reich said putting up a barrier was in violation of the Americans with Disabilities Act (ADA), these were all things that demand riders have a voice, and a group like SCDRTAC was able to set its own agenda and raise ridership issues. He believes if NJ TRANSIT did not allow that, they were simply going to make it easier for managers to overlook or bury accessibility issues like bathroom access, which ADA guidelines require.

Mr. Reich said lastly, in terms of a follow up, Board Member Narra promised to look into the matter regarding fire codes. He asked whether there had been a review of NJ TRANSIT closing exits at its facilities and making sure they were following fire codes. Mr. Reich said there was a February 15 incident with the Division of Fire Safety issuing violations to NJ TRANSIT for closing an entrance at the Trenton Transportation Center with padlocks, chains, and barricades. He wanted to ensure this was not being done at any other facility and that protocols were being reviewed to ensure that there was a fire safety expert consulted when there were exit closures in facilities going forward. Mr. Reich asked again, if Board Member Narra could address that matter, as well as the Customer Advocate position, and closed car concerns, especially regarding bathroom closures and if Board Member Gordon had anything to say regarding the quiet commute, or if staff could chime in, it would be appreciated.

**Hailey Benson** said she was speaking on NJ TRANSIT's proposed power plant. She said solar and energy storage could meet NJ TRANSIT's operational needs to power the system for two weeks or longer. Ms. Benson believes solar and storage components could be easily upgraded in small increments as their efficiency improved. She said the

renewable energy system would generate \$328 million to \$376 million more in total value than the fossil fuel gas plant over its lifetime ending in 2050. Ms. Benson believes NJ TRANSIT should use the Federal Transportation Agency's (FTA) one-time grant to build renewable energy-based hybrid microgrid solutions that would meet its 2050 objective, instead of committing those funds towards a more costly, risky, and highly polluting solution that would require a significant technical transition and major additional funding.

Ms. Benson said on February 15, 2023, Governor Murphy announced an accelerated 100 percent clean energy target by 2035, moving up the initial goal by 15 years. To comply, NJ TRANSIT would have to transition a gas plant to clean fuels or other abatement technologies by 2035. She believes by spending the one-time FTA grant on a gas plant, there would not be any funds for its replacement. Ms. Benson said they would have to go to the Legislature for more money to make up for this poor decision.

Ms. Benson said the Federal Emergency Management Agency (FEMA) said piping gas should not be used for emergencies such as grid outage. She quoted, "gas is not stored on site, but rather piped to the site from a local utilities that can be interrupted during high wind, flood, or earthquake events." Ms. Benson said reducing health impacts from local pollutants could save another 7.6 million to 14.3 million locally. She said a gas power plant will increase air pollutants, including CO<sub>2</sub>, NO<sub>x</sub>, particulate matter, SO<sub>2</sub> and VOCs in a region that already experiences some of the worst air pollution in the country. Ms. Benson said activists were not opposed to NJ TRANSIT selling excess electricity commercially, however, NJ TRANSIT should only do so using clean renewable energy sources. She believes selling electricity to Amtrak from polluting sources would only give NJ TRANSIT a financial incentive to pollute overburdened communities.

**James Crawford**, resident of Hawthorne, said he was a commuter, and he was calling on Governor Murphy and the NJ TRANSIT system to address the critical issues by amending the request for proposal for the NJ TRANSIT microgrid project that had been discussed by several of the speakers. He asked them to amend the project, so the project design was primarily driven by the renewable energy-based hybrid microgrid project. Mr. Crawford said this had now been proven with the new report from Strategen Consulting. He said it was not only technologically feasible, but significantly more economical than the new gas plant and would be a win for the climate and public health.

Mr. Crawford said he worked on Wall Street for a quarter of a century for an electric utilities hedge fund and gas plants were uneconomic when accounting for the pollution and externalities. He said they were easier to pass because someone will make a surplus profit from it. Mr. Crawford said they were only interested in making sure there was no connection between the corporate operators who built the plants and their local politicians because every state deals with this same problem. He was there to provide intellectual self-defense for the activists on the ground and they were well versed in generation companies and how they operate. Mr. Crawford said his statement was on the record.

**Maarten Bosland**, resident of Montclair, said he was speaking as a private citizen and retired professor of pathology with emeritus status from the University of Chicago. He

wanted to add his voice to what had been said by several of the previous speakers about using an alternative to the gas plant, replacing the TRANSITGRID project with the renewable hybrid microgrid. He said, in particular he wanted to address the environmental health aspects of the gas plant.

Mr. Bosland said he had been working in environmental health and public health for over 40 years at the local, national, and international levels. He became concerned about the plant being placed in an area with local communities who were heavily burdened by a host of toxic and polluting insults, and has consequently developed poor health status such as high rates of asthma. Mr. Bosland said in much of his work with others in a team effort, they looked at the effects of pollution that already happened. He said health effects of pollution in the past was typically what was done in epidemiology and other areas. Mr. Bosland believes they have a unique opportunity in preventing pollution effects on the local population before it begins. He urged the Board to change its course and consider the environmental justice aspects of the plan to build a gas power plant, and go for the alternative.

**Sarah Klepner** said she was calling to weigh in and support the request that NJ TRANSIT amend the request for proposals to include a renewable energy microgrid. She said this was the only way forward. Carbon dioxide levels were skyrocketing, and she knew that had been discussed at length in prior meetings by others who were on the ground. Ms. Klepner thanked Food & Water Watch, the watch dog. She said the fact is the planet is warming and the oceans are acidifying. Ms. Klepner said the scientist who discovered the acidification of the oceans, which was due to the level of carbon dioxide and the warming when the carbon dioxide dissolves in the oceans. She said this spells the end of a livable planet and the Board was in a position of power in regard to how they proceed. Ms. Klepner said it may seem risky or a little out there to have a train system that is depending on solar power, but it is the only way forward. She said New Jersey could lead the way.

Ms. Klepner urged Board members to do their due diligence and read the report from Strategen that was sent to them. She also asked that they investigate ecological tipping points. Ms. Klepner said this was serious stuff and that they were not a bunch of hippies, but maybe some of them were. She said the fact was that hippies were right, and the planet is warming code red. From the head of the United Nations and Intergovernmental Panel on Climate Change (IPCC), this was a very serious situation.

Ms. Klepner said she was an environmental activist but also a commuter. She said she took NJ TRANSIT from Manasquan to Edison, at the very edge of Edison, Woodbridge and Edison. Ms. Klepner said she took transit because she wanted to minimize her footprint.

Ms. Klepner said please understand what time it is and what the situation is on the planet. She asked that the Board members read the report from Strategen. Ms. Klepner also said the cost, which was an important consideration, ranged widely due to the cost of fossil fuels being unpredictable. She said renewable energy was very predictable and the sun was a beautiful thing. Ms. Klepner thanked the Board for their due diligence.

**John Reichman** member of the steering committee for Empower New Jersey said NJ TRANSIT's plan to build a 24/7 gas-fired power plant in the Meadowlands was simply irreconcilable with Governor Murphy recent Executive Order requiring Clean Energy by 2035. He said meeting this goal would require shutting down their punitive gas plant shortly after being built. Mr. Reichman said the Strategen Report clearly showed that the extent that any plant was needed for resiliency can use renewable energy sources. He said if the only choice was between building a gas-fired power plant and not building a power plant at all, it makes no environmental sense to move ahead with it. The public's many frustrations with NJ TRANSIT includes its lack of transparency and lack of any dialogue from the Board Members. Mr. Reichman said having public comment periods like this was like spitting in the wind, and said let's change that tonight.

Mr. Reichman challenged the Board to answer the following questions, and said if they didn't want to answer them before the public, then write them down and answer them later for themselves. The questions were: does the Board plan to follow Governor Murphy's Executive Order; have they considered changing their plans; has Governor Murphy communicated with them about the project since he signed the Executive Order; how many years the gas-fired power plant will operate before it must be shut down; and the project budget was approximately \$525 million in 2014, what is it now. Mr. Reichman asked when the Board would actually tell them what the project really costs, and what other capital projects of NJ TRANSIT will remain on hold because they want to build a power plant. Lastly, his message to the Board and Governor Murphy was to stop being hypocrites and stop their plans to build a gas-fired power plant and create a legacy they can be proud of.

**Andy Weiss** asked for the status on the customer advocate position, which two people asked about that night and 10 others at last month's Board meeting. He said not just he and Adam Reich were asking about this, but there were many others on Twitter as well. Mr. Weiss said the customer advocate job description was not listed on the NJ TRANSIT careers page, was not a part of NJ TRANSIT's Big Career Event, and he could not understand why it would not be. Mr. Weiss said they need a Customer Advocate office that is open seven days a week to help desperate and degraded NJ TRANSIT riders. He said Los Angeles Metro Transit hired 300 ambassadors to help advocate for riders, and NJ TRANSIT cannot get one customer advocate. Mr. Weiss said this was the law which was signed by Governor Murphy four years ago. He said NJ TRANSIT executives were terrified of a real customer advocate office because it would expose the propaganda and gaslighting, which was what they do best. Mr. Weiss asked that the job description for the customer advocate not be watered down.

Mr. Weiss said they need NJ TRANSIT bus lanes at Kennedy Boulevard in Hudson County, and asked why NJ TRANSIT was against bus lanes, and why the Board does not talk about this. He said the NJ TRANSIT Board has destroyed bus service and ordered hundreds of obsolete one-door cruiser buses. Mr. Weiss said this was a rubber-stamp Board for Governor Murphy and Management. He asked when the Hudson-Bergen Light Rail was going to be extended, and was it going to be done in his lifetime. He said Governor Murphy was giving \$10 billion to expand the Turnpike, instead of expanding the

Hudson-Bergen Light Rail into Bergen County, and the Board did not say anything. Lastly, Mr. Weiss said NJ TRANSIT was the worse transit agency in America.

**David Korfhage** of Montclair, New Jersey said he was President of the group Montclair Climate Action, although he was speaking that night in his personal capacity. He said he appreciates NJ TRANSIT and rides frequently, and his wife rides almost every day. Mr. Korfhage said he appreciates the need for resiliency during storms and being someone who lived through Superstorm Sandy, he knew it was only going to get worse, and needed to do something to address global warming. Mr. Korfhage said as everyone knows, by far the source of heat tracking air pollution was the burning of fossil fuel, and they cannot simply address global warming if they do not cut themselves off of burning fossil fuel. He said Governor Murphy recognized this himself recently by moving up the transitioning to clean energy and electricity to 2035. Despite all of this, Mr. Korfhage said NJ TRANSIT continues to insist on outdated fossil fuel technology despite renewable battery storage becoming cheaper.

Mr. Korfhage said the recent report from Strategen showed not only that renewables and back-up methane gas was doable, but it can also make more money than a fossil fuel plant could, and be even more resilient with electricity being stored on site rather than gas-piped in. He said this would also lead to improvement in human health and communities would avoid years of toxic air pollution. Mr. Korfhage said it made no sense to invest in a fossil fuel power plant that would be obsolete in 10 years when renewables can work. Lastly, he asked that Governor Murphy and NJ TRANSIT amend the RFP, so this project is designed driven primarily by a renewable energy hybrid based microgrid, which would be a win for both the climate and public health.

**Stephanie Martinez**, green team leader and member of Food & Water Watch, wanted to thank everyone for taking the time to listen to all of the speakers expressing their concerns against the negative effects of a dirty frack gas power plant. Her demands were that NJ TRANSIT continue to incorporate consistent public feedback to allow for transparency and language justice because most of the overburdened communities who will be affected by the dirty power plant speak another language other than English. Ms. Martinez said it was tiring to hear people in her community saying they have not heard anything about these types of projects taking place; and asking why were they putting another gas power plant in their community. She also continuously keeps hearing the struggles from people in the community about people they love having cancer, asthma, and other respiratory illnesses.

Ms. Martinez urged Governor Murphy to take his environmental justice and clean energy commitment seriously, walk his talk, and put community need over corporate greed. She asked that he put a stop to the build out of dirty energy projects such as the NJ TRANSIT frack gas power plant and demonstrate his leadership to the community because renewable was doable. Ms. Martinez said to all of the Board, calling their names one by one, and Governor Murphy, they will all be breathing the same dirty toxic air and to rethink this dirty polluting power plant project that would harm so many.

**Tony Hall**, long time member of the Senior Citizen and Disabled Resident Transportation Advisory Committee (SCDRTAC), said that day he was speaking as an individual private

citizen with concern on one of topics that evening. He was concerned with the proposed rules limiting SCDRTAC's purview and joined with all those at the meeting that night, urging to reject that course of action. In his judgement, this would waste a fine hardworking and productive dedicated group of volunteers with no apparent gain.

Mr. Hall said this committee during his long-term tenure has discussed and offered advice on a wide range of topics all affecting the mobility of seniors and persons with disabilities. Many of them who fall within that group have a stake in not only services specifically designed for their use, but also in the wider world of scheduled transport. He has often observed seniors and passengers with disabilities riding scheduled trains and buses along with their able-bodied travelers. Mr. Hall said he even observed special provisions designed to encourage and accommodate those passengers, and to encourage them to ride scheduled transit. Therefore, he thinks this would make it fitting that SCDRTAC continue to address all issues that affect the mobility of the transit dependent population. Mr. Hall said duplication and responsibility has been sighted as an excuse to further limit the activity of SCDRTAC. He argued that in matters of true importance in the public interest, a little redundance is no vice.

**Yanett Ramirez**, resident of Newark, said she used NJ TRANSIT once a week when she worked in New York and was speaking that day to demand that NJ TRANSIT look at the critical issues with microgrid project RFP. Ms. Ramirez said NJ TRANSIT's plans must change to renewable energy according to Governor Murphy's Energy Master Plan that states they must go to renewables by 2035. She said the latest RFP in December still has a gas plant that would disastrously affect overburdened communities.

Ms. Ramirez said if they really want public transit resiliency, switch to renewable energy, and do not sell energy to Amtrak and PSE&G. She asked how NJ TRANSIT could use public funds for a project they will have to scrap in a few decades. She said it was inhumane to come into communities, one that was mostly working class, African American, and immigrants, walking over them imposing death polluting projects such as the microgrid. Ms. Ramirez said this will only feed into a cycle of starvation of the land, people, and the labor force. She said there were large uncertainties in the current RFP, the RFP did not make sense financially, and to waste money like that and harm communities with fossil fuels was wrong and fiscally irresponsible. Ms. Ramirez said she would like to give a shout-out to Strategen on their study. She said renewable energy was cleaner and fiscally responsible, and called on the Board, Governor Murphy, and NJ TRANSIT to amend the RFP, calling for the use of maximum renewable energy now because their lungs were on the line.

**Sara Thompson**, Doctorate student of Rutgers Newark, said it was important to note that before she went back to school she was living and working in Washington, D.C., held jobs at the State Department, World Bank, and has lived around the world. Ms. Thompson said she was also someone with a disability, which others might call an invisibility. She is hard of hearing and wears a hearing aid in both ears.

Ms. Thompson said to help individuals like herself she also sits on the Board for Hearing Loss Association of America, New Jersey Chapter. This organization has been working

to help individuals get to important resources to those that are hard of hearing. Ms. Thompson said she there again making the same statements, she lives in Central Jersey, and was fully dependent on NJ TRANSIT to get to her job and medical appointments. She was also reliant on NJ TRANSIT to go see friends, family, and attend social events. In other words, Ms. Thompson said she was fully reliant on NJ TRANSIT to access the basic necessities of life, and this reliance impacts her quality of life and well-being. However, as she has shared with the Board previously, she said NJ TRANSIT discriminates against individuals like herself, and was not compliant with the Americans with Disabilities Act.

Ms. Thompson said when riding NJ TRANSIT she was frustrated and confused about where the train was and that stressed her out. She has joined the Senior Citizen and Disabled Resident Transportation Advisory Committee (SCDRTAC) as the first person who is hard of hearing. Beyond individuals with mobility issues and limitations, she believed it was important to have individuals with disabilities be part of discussions on how to make NJ TRANSIT accessible for all individuals with disabilities, and not just for individuals with mobility limitations. Ms. Thompson said she witnessed firsthand, and has experienced discrimination, and NJ TRANSIT has become an organization that has implicitly supported marginalization and discrimination against people like her, especially in their treatment of SCDRTAC. She said NJ TRANSIT threatening to get rid of SCDRTAC was clearly an egregious discriminatory intent to further isolate management from the real problems that occur for riders on the ground throughout New Jersey.

**Ted Glick**, President of the Organization 350 New Jersey Rockland, is a Bloomfield resident, who has lived in New Jersey for 25 years, and has taken NJ TRANSIT many times to the city. He said he has been working on the issue of the climate crisis for many years. Mr. Glick said the power plant that NJ TRANSIT has on the table now was going to be hard to do now that Governor Murphy has changed the date to shift to renewables to 2035, which was a good thing. He said NJ TRANSIT can be a leader, and he remembers a couple of years ago when the Governor Murphy called upon NJ TRANSIT to take renewables seriously. Mr. Glick also remembers saying on a previous call back then, let's set an example for communities and activists who were critical of a government agency, and show them we can actually work together.

Mr. Glick said there was now a Strategen Study which shows clearly that their way is the way to go. He wondered how the Board and NJ TRANSIT staff were going to react after reading the study, and whether the Board would come back after reading it, finding fault with the analysis and focus in on that, and miss the bigger picture. Mr. Glick said will the Board and NJ TRANSIT do what they should have done two years ago, and get with the environmentalists to make the transit grid work, and NJ TRANSIT and Governor Murphy can take the credit. Lastly, he said let's make this happen and do the right thing because, this is what the planet and the people need.

**Harry McDevitt** said he was a practicing attorney in Middlesex and Essex County, has devoted his life to reducing fossil fuel consumption, and takes NJ TRANSIT trains to court and to personal events. Mr. McDevitt said he wanted NJ TRANSIT to be a hero and asked that they stop its plans from building a crazy toxic fossil fuel power plant. He agrees with

the previous speakers that there is a climate problem and NJ TRANSIT can set an example and be a leader by using renewables, and he looked forward to NJ TRANSIT's awakening.

**Fredrick Mendez** said this green energy alternative scares a lot of people and raises fears, and he understands fear because he himself was often fearful. However, he said this was a fear in which they needed to rise above because local deadly pollution and global climate change were far scarier, and rightfully so. Mr. Mendez said they have the technology for green energy, but will they conquer their fears in the sheer momentum of this fossil fuel freight train. Mr. Mendez said they could learn from the two great world wars and how they faced their enemies. He said they were bold and made personal sacrifices.

Mr. Mendez compared the global climate change as a sneak attack and said think of Ukraine President Volodymyr Zelenskyy. He said like President Zelenskyy, NJ TRANSIT was chosen to do a job to make relatively mundane decisions efficiently and wisely, but the enemy appeared at the doorstep and now the whole job description has to change. Mr. Mendez said President Zelenskyy rallied up all the Ukrainians to secure the peoples' healthy future for their children and grandchildren. Mr. Mendez said they have an enemy at their doorstep now, which was stealthy and destructive, that was climate change. He said the heavy thinkers were not being practical and so many people just do not know how afraid they were of change, and how afraid they should be burning fossil fuels.

### **Board Member Comments**

**Board Member Gordon** said he would like to respond to a couple of topics that were raised, but wanted to thank everyone first for voicing their views.

In response to Assemblywoman Haider's comments on extending the Hudson Bergen Light Rail (HBLR), Board Member Gordon said it would really be nice as a life-long Bergen resident to put some meaning into the term Hudson-Bergen because it was not very Bergen at this point. He said Eastern Bergen County in particular was suffering from limited transportation options, there was no train service there, and extending the Hudson-Bergen Light Rail System from its current terminus to the Englewood Hospital site in the North would provide great transit options. This combined with ferry service out of Weehawken would provide another alternative for Trans-Hudson travel. Board Member Gordon said given the amount of federal money becoming available, he would recommend staff take another look at the capital budget schedule. While he knew the HBLR was on the schedule, it was not a priority the last time he checked. He hoped they could revisit the HBLR project and get it underway sooner than originally planned.

In response to the other many comments made about the Board's ability to respond to those with disabilities and accessibility problems, Board Member Gordon said he has received emails from Mr. Reich and others recounting where people did not have access to restrooms. He suggested that this would be a good time to take a fresh look at NJ TRANSIT programs and policies regarding accessibility, so improvements can be made to ensure they are not intentionally discriminating against anyone by limiting access to their services. Board Member Gordon said Mr. Reich also raised questions about the

rail quiet cars which he too asked staff to look into at a previous meeting on announcements being made about quiet cars and decals indicating that quiet cars were available, like other peer agencies such as SEPTA do. He looks forward to hearing what staff thoughts are on these issues.

**Board Member Narra** said she wanted to make a couple of remarks in regard to Assemblywoman Haider, Adam Reich, and Andy Weiss on wanting an update on the customer advocate position. She indicated she provided an update at the last meeting, everyone would see a job posting shortly, and the goal was to have someone in this position by spring. Board Member Narra said they needed someone in the position who meets the qualifications and could do this job, because the first customer advocate came into the job with a lot of criticism. With an agency the size of NJ TRANSIT, and length and breadth of this state, it is very tough. Board Member Narra said they did not want to set someone up for failure, and although Andy Weiss talked about a customer advocate office, they were looking for a single person, and had some concern with a single person having the capability to do everything everyone seemed to want out of a customer advocate, so they must be diligent about what they are asking that person to do. She said they will be on track to interview people, and if there was a qualified applicant out there they will get them onboard.

Board Member Narra said Adam Reich asked in a prior meeting about the closing of an exit at the Trenton Transit Center. Chief Trucillo looked into that issue and found when the McDonalds closed, the area turned into a dangerous place where loitering was going on and illegal activity, so they were asked to close off the area, and there was another exit door nearby that could be used. Board Member Narra said to Adam Reich's point, anytime there is going to be closures of areas where there is a fire safety component, he could be sure that she had every confidence in what Chief Trucillo said would be done in these instances. Board Member Narra said their customers' safety is always paramount and Chief Trucillo responded to Adam's Reich's concerns.

Board Member Narra said the issue related to buses on certain lines, raised at last month's meeting, regarding frequency of service on bus numbers 88, 154, and 159 on the weekend, staff took a look and saw no need to warrant more service.

Board Member Narra said she has not seen the Strategen Report and asked that it be forwarded to her, and she would take a look at it, and she was always willing to look at information provided by the public or staff.

### **Advisory Committee Report**

**Anna Marie Gonnella Rosato** said it was her pleasure to highlight the North and South Jersey Passenger Advisory Committee meeting on February 24, 2023. The committees jointly met in a hybrid session, and Access Link General Manager Namecca Parker presented an update on the Paratransit Services Improvement Act. Members also received updates on legislation, various issues, and agency initiatives. The Committee provided letters of support for the most recent rounds of NJ TRANSIT special grant applications. A new cash payment option on the NJ TRANSIT app was introduced to allow customers who do not have credit or debit cards and prefer to use cash to take advantage of the mobile app. NJ TRANSIT will be providing enhanced services on various lines to accommodate customers heading to St. Patrick's Day parade events around the region.

As President & CEO Corbett mentioned, they were considering Sunday service on eight bus routes the 26, 58, 115, 153, 412, 455, 457, and 603. The South Jersey Passenger Advisory Committee continue to sit in on meetings at the Walter Rand Transportation Center in Camden, and members received updates on the South Jersey bus routes, the River LINE, and the Walter Rand Transportation Improvement Project. Ms. Gonnella Rosato said on the agenda that night was Resolution 2303-11 Egg Harbor Roof Replacement, and as many were aware, the Egg Harbor Township Bus Garage was severely damaged in August 2020 due to high winds from Tropical Storm Isiah. The Passenger Advisory Committee supports this resolution. Lastly, the next Passenger Advisory Committee meeting will be held in person on April 9, 2023 at the TransAction Conference Center in Atlantic City.

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

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

### **Board Administration Committee Report**

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

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

Board Member Giblin presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy, and Privatization Committee

discussed the Board Items for the: Resolution Authorizing Entering Into a Funding Agreement for the Purchase of Environmental Mitigation Credits and grants for the Hudson Tunnel Project Between NJ TRANSIT and the National Railroad Passenger Corporation and Authorizing the Purchase of Various Environmental Mitigation Credits and Grants for the Hudson Tunnel Project; Egg Harbor Roof Replacement Construction Services Contract Award; NJ TRANSIT Task Order Consultant Contracts Program: Program and Contract Extension; Purchase of Additional Mobile Column Bus Lifts; and Contracting Out – Union Minibus Service.

**Action Items**

**2303-10: RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT FOR THE PURCHASE OF ENVIRONMENTAL MITIGATION CREDITS AND GRANTS FOR THE HUDSON TUNNEL PROJECT BETWEEN NJ TRANSIT AND THE NATIONAL RAILROAD PASSENGER CORPORATION AND AUTHORIZING THE PURCHASE OF VARIOUS ENVIRONMENTAL MITIGATION CREDITS AND GRANTS FOR THE HUDSON TUNNEL PROJECT**

President & CEO Corbett introduced, Richard Schaefer, Acting Senior Vice President, Capital Programs, to present Action Item #2303-10. Richard Schaefer presented for approval Action Item #2303-10: Resolution Authorizing Entering into a Funding Agreement for the Purchase of Environmental Mitigation Credits and Grants for the Hudson Tunnel Project Between NJ TRANSIT and the National Railroad Passenger Corporation and Authorizing the Purchased of Various Environmental Mitigation Credits and Grants for the Hudson Tunnel Project.

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

**Roll Call Vote:**

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

**2303-11: EGG HARBOR ROOF REPLACEMENT CONSTRUCTION SERVICES CONTRACT AWARD**

President & CEO Corbett introduced Richard Schaefer, Acting Senior Vice President, Capital Programs, to present Action Item #2303-11. Richard Schaefer presented for approval Action Item #2303-11: Egg Harbor Roof Replacement Construction Services Contract Award.

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

**Roll Call Vote:**

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

Board Secretary Umukoro noted Board Member Medina was recused from the next item and he left the meetings.

**2303-12: NJ TRANSIT TASK ORDER CONSULTANT CONTRACTS PROGRAM: PROGRAM AND CONTRACT EXTENSION**

President & CEO Corbett introduced Richard Schaefer, Acting Senior Vice President, Capital Programs, to present Action Item #2303-12. Richard Schaefer presented for approval Action Item #2303-12: NJ TRANSIT Task Order Consultant Contracts Program and Contract Extension.

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

**Roll Call Vote:**

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

Board Member Medina returned to the meetings.

**2303-13: RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT BETWEEN NEW JERSEY TRANSIT CORPORATION AND THE GATEWAY DEVELOPMENT COMMISSION**

President & CEO Corbett introduced Richard Schaefer, Acting Senior Vice President, Capital Programs, to present Action Item #2303-13. Richard Schaefer presented for approval Action Item #2303-13: Resolution Authorizing Entering into a Funding Agreement Between New Jersey Transit Corporation and the Gateway Development Commission.

Board Member Bob Gordon made a motion and Board Member Michael Kanef seconded the motion.

Chair Gutierrez-Scaccetti said for clarification the amount that Mr. Schaefer stated for this item was not clear upon speaking and asked whether the amount stated was the

annual amount to be paid in monthly installments. Mr. Schaefer said he believed that was correct, but needed to check. President & CEO Corbett confirmed that Chair Gutierrez-Scaccetti was correct, and Sr. Vice President, Chief Financial Officer and Treasurer William Viqueira also concurred that the annual amount and monthly installments were correct. Chair Gutierrez-Scaccetti asked that the record show this was the correct annual amount to be paid in monthly installments.

Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

**Roll Call Vote:**

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

**2303-14: PURCHASE OF ADDITIONAL MOBILE COLUMN BUS LIFTS**

President & CEO Corbett introduced Michael Kilcoyne, Senior Vice President, Surface Transit and General Manager, Bus Operations to present Action Item #2303-14. Michael Kilcoyne presented for approval Action Item #2303-14: Purchase of Additional Mobile Column Bus Lifts.

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

**Roll Call Vote:**

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

**2303-15: CONTRACTING OUT – UNION MINIBUS SERVICE**

President & CEO Corbett introduced Michael Kilcoyne, Senior Vice President, Surface Transit and General Manager, Bus Operations, to present Action Item #2303-15. Michael Kilcoyne presented for approval Action Item #2303-15: Contracting Out – Union Minibus Service.

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

**Roll Call Vote:**

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

Board Secretary Umukoro noted Board Members Brown and Thomas were recused from the next item and they left the meetings.

**2303-16 PERSONAL INJURY CLAIM OF KEVIN POWERS**

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2303-16. William Viqueira presented for approval Action Item #2303-16: Personal Injury Claim of Kevin Powers.

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

**Roll Call Vote:**

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

**Adjournment**

Chair Gutierrez-Scaccetti said that was the last item for Open Session and there would be no Executive Session that night because there were no matters of pressing nature on the agenda, and they would be addressed next month.

Since there was no further business, a motion was made by Board Member Gordon, seconded by Board Member Medina, and the motion was adopted.

The meetings were adjourned at approximately 8:06 p.m.

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

**MARCH 13, 2023**

**MINUTES**

**PAGE**

➤ <b>CALL TO ORDER</b>	<b>-</b>
➤ <b>APPROVAL OF MINUTES OF PREVIOUS MEETINGS</b>	<b>64772</b>
➤ <b>PRESIDENT &amp; CEO'S MONTHLY REPORT</b>	<b>64773</b>
➤ <b>PUBLIC COMMENTS</b>	<b>-</b>
➤ <b>ADVISORY COMMITTEE REPORT</b>	<b>-</b>
➤ <b>BOARD COMMITTEE REPORTS</b>	<b>-</b>

**ACTION ITEMS**

<b>2303-10</b>	<b>RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT FOR THE PURCHASE OF ENVIRONMENTAL MITIGATION CREDITS AND GRANTS FOR THE HUDSON TUNNEL PROJECT BETWEEN NJ TRANSIT AND THE NATIONAL RAILROAD PASSENGER CORPORATION AND AUTHORIZING THE PURCHASE OF VARIOUS ENVIRONMENTAL MITIGATION CREDITS AND GRANTS FOR THE HUDSON TUNNEL PROJECT</b> – Authorization to enter into a funding agreement with the National Railroad Passenger Corporation (AMTRAK), whereby AMTRAK will provide the necessary funds to engage in environmental activities such as environmental mitigation.	<b>64797</b>
	Authorization to expend funds, which are reimbursable under the aforementioned Funding Agreement, to perform environmental activities such as environmental mitigation.	
<b>2303-11</b>	<b>EGG HARBOR ROOF REPLACEMENT: CONSTRUCTION SERVICES CONTRACT AWARD</b> – Authorization to enter into NJ TRANSIT Contract No. 23-026 with J.P. Patti Tecta America, LLC, of Saddle Brook, New Jersey, for construction services for the Egg Harbor Roof Replacement Project in the amount of \$4,137,800.00, plus five percent for contingencies, subject to the availability of funds.	<b>64799</b>

NEW JERSEY TRANSIT CORPORATION  
NJ TRANSIT BUS OPERATIONS, INC.  
NJ TRANSIT RAIL OPERATIONS, INC.  
NJ TRANSIT MERCER, INC.  
NJ TRANSIT MORRIS, INC.  
BOARD OF DIRECTORS' MEETINGS  
MARCH 13, 2023  
MINUTES  
PAGE 2

- 2303-12 NJ TRANSIT TASK ORDER CONSULTANT CONTRACTS PROGRAM: 64801**  
**PROGRAM AND CONTRACT EXTENSION** – Authorization to amend NJ TRANSIT Contract Nos. 16-018 through 16-022, 16-037 through 16-040, and 17-044 through 17-04, with the firms shown in Exhibit A. The total value of the Task Order Consultant Contracts Program, of which these contracts comprise, will be \$82,000,000. Each contract will extend for an additional year. The maximum task and contract limits are shown in Exhibit B.
- 2303-13 RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT 64809**  
**BETWEEN NEW JERSEY TRANSIT CORPORATION AND THE GATEWAY DEVELOPMENT COMMISSION** – Authorization to enter into a Funding Agreement with the Gateway Development Commission whereby NJ TRANSIT would convey to the Gateway Development Commission, from funds received from the New Jersey Department of the Treasury, in an amount of \$19,391,467.67 for the purpose of supporting the Gateway Development Commission’s Fiscal Year 2023 budget.
- 2303-14 PURCHASE OF ADDITIONAL MOBILE COLUMN BUS LIFTS – 64811**  
Authorization to exercise an option in NJ TRANSIT Contract No. 22-024 with Stertil-Koni USA of Stevensville, Maryland, for the purchase of 41 additional mobile column lifts (8 four-column lifts and 33 six-column lifts) in the amount not to exceed \$2,934,702.83, plus five percent for contingencies, subject to the availability of funds.
- 2303-15 CONTRACTING OUT – UNION MINIBUS SERVICE – 64812**  
Authorization to enter into a procurement by exception directed assignment contract with Suburban Trails, Inc. of New Brunswick, New Jersey, to operate the Union Minibus Service for an 18-month contract period of April 29, 2023 through November 1, 2024, at a cost not to exceed \$1,334,496, plus five percent for contingencies, for a total contract authorization of \$1,401,221, subject to the availability of funds and Board approval of NJ TRANSIT’s Operating Budget.
- 2303-16 PERSONAL INJURY CLAIM OF KEVIN POWERS – 64813**  
Authorization to settle the claim of Kevin Powers through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.
- **EXECUTIVE SESSION AUTHORIZATION 64814**
- **ADJOURNMENT**

### **APPROVAL OF MINUTES**

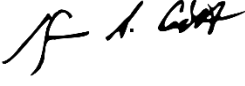
**WHEREAS**, the By-Laws provide that the minutes of actions taken at meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors be approved by the Board; and

**WHEREAS**, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the February 8, 2023 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on February 16, 2023;

**NOW, THEREFORE, BE IT RESOLVED** that the minutes of actions taken at the February 8, 2023 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

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

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

TO: BOARD OF DIRECTORS  
FROM: KEVIN S. CORBETT   
DATE: MARCH 13, 2023  
SUBJECT: PRESIDENT & CEO'S REPORT – MARCH 2023

As NJ TRANSIT ridership holds relatively steady this month across all modes, we know that if we want to continue attracting customers, transit must be reliable, and provide sufficient frequency to get people where they need to go, when they need to be there. Toward that end, NJ TRANSIT is seeking to make permanent a series of service enhancements on eight bus routes throughout the state – the 26, 58, 115, 154, 412, 455, 457, and 603. In pursuit of this goal, NJ TRANSIT last week hosted two, in-person public meetings, at our Trenton Transit Center and NJ TRANSIT Headquarters in Newark. These public meetings will allow us to solicit and incorporate as much customer feedback as possible, before going to the Board to seek approval to make these service additions a permanent part of our bus schedules.

We have updates to report this month in each of our three core areas we've been focused on since 2018, in addition to the customer experience – infrastructure, technology, and people. Beginning with infrastructure, I was honored to be on-hand last month to accept two awards at New Jersey Alliance for Action's annual event recognizing "New Jersey's Leading Capital Construction Projects." There, I joined NJ TRANSIT project team leaders to accept awards for our work to advance the Delco Lead Storage and Inspection Facility and our Long Slip project in Hoboken. We are very proud that Alliance for Action has recognized the caliber of work on these critical capital projects, and we thank everyone at the Alliance for the honor.

Our aggressive approach to applying for available grant funding is also paying dividends. Last month, NJ TRANSIT secured a \$13.2 million USDOT grant for the construction of a new pedestrian tunnel at Long Branch Train Station, funded in part by a grant from the USDOT's Reconnecting Communities Pilot Program that was established as part of the Infrastructure Investment and Jobs Act, or IIJA. The tunnel will provide safe and convenient access to each platform, improve the customer experience through enhanced convenience and accessibility, and improve safety by eliminating the need for a railroad pedestrian crossing.

I'm pleased to note that NJ TRANSIT's Zero Emissions Bus Program continues to advance. Last month, NJ TRANSIT introduced two more electric buses into revenue service in Camden. The three buses are gathering important information and data that will allow us to move into the next phase of the Program, responsibly and reliably. Electric buses four and five have been delivered and are currently being wrapped and undergoing final inspections before entering revenue service.

Moving on to "technology," last week NJ TRANSIT introduced a mobile app upgrade that represents a significant step forward in our fare modernization program. Using the NJ TRANSIT mobile app, customers can now add cash directly to their "MyTransit Wallet" when visiting more than 1,000 participating network retailers. The value can then be used to purchase tickets and passes through our mobile app or from a NJ TRANSIT ticket vending machine, ticket office, or bus farebox. This update is a significant enhancement for unbanked or under-banked customers – taking advantage of a statewide retail network to expand access to transit and reduce the need to carry cash or paper tickets.

On the "people" side of our business, I'm pleased to note the success of NJ TRANSIT's "Big Career Event" on February 15<sup>th</sup>. More than 3,800 people registered in total, and we shattered a one-day record with 947 applications received, which will help us continue hiring the highest caliber employees. Speaking of which, March 18<sup>th</sup> is national Transit Operator Appreciation Day, and I can't imagine a better opportunity to acknowledge the hard work, dedication, and professionalism of NJ TRANSIT's transit operators. As we look back on the worst days of the COVID-19 pandemic, we should all take a moment to remember the inspirational performance of NJ TRANSIT operators and all our frontline employees, who continued to show up for work every day, to keep our customers and our state moving.

In conclusion, I want to make sure everyone knows about our Fiscal Year 2022 Annual Report, which is now available on our website at [njtransit.com/2022AnnualReport](https://njtransit.com/2022AnnualReport). Our FY22 Annual Report offers a substantive summary of the year's progress, accomplishments, and customer experience improvements. I hope when you get a chance to review it, you're as proud of the work we've done as an agency over the last year as I am.



**PRESIDENT & CEO'S MONTHLY REPORT**

**March 13, 2023**

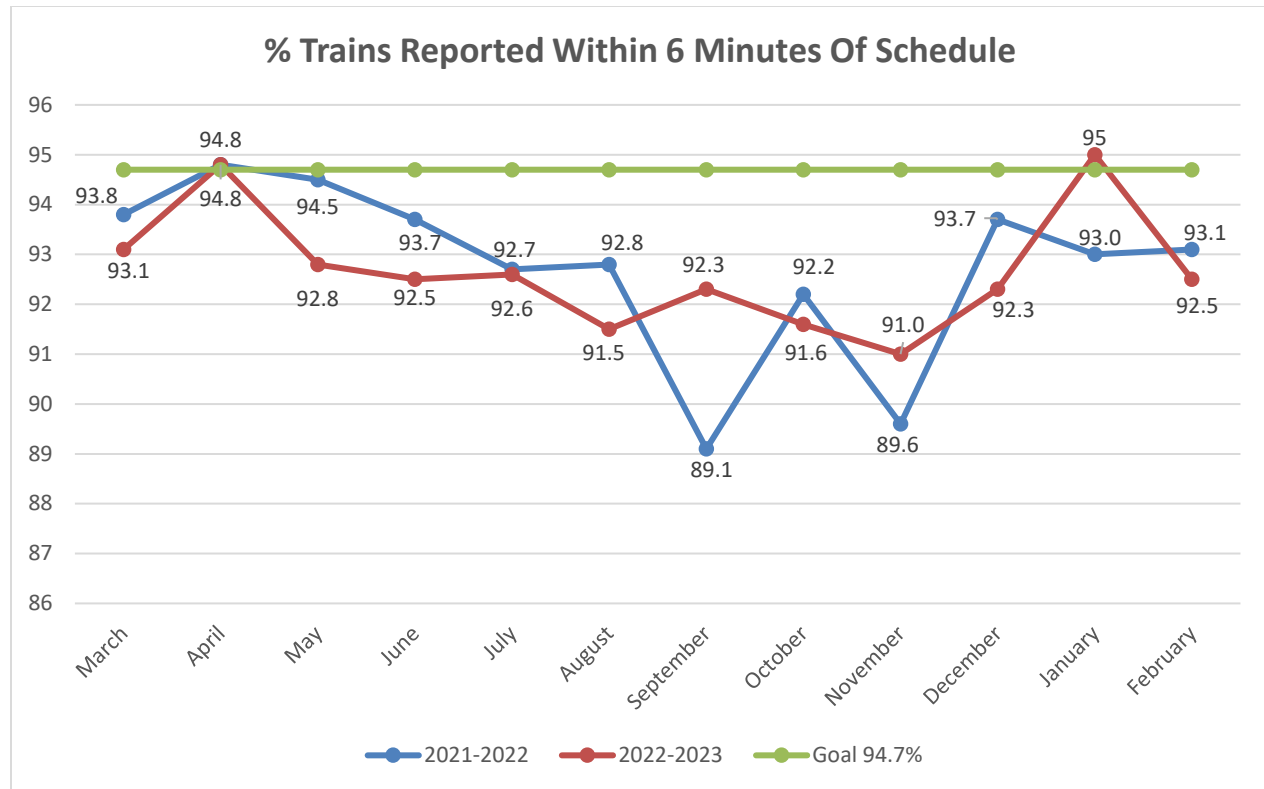
# **TABLE OF CONTENTS**

## **March 13, 2023**

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

# **PERFORMANCE MEASURES**

# NJ TRANSIT ON-TIME PERFORMANCE RAIL MARCH 2021 – FEBRUARY 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
<b>February Comparison</b>	93.1%	92.5%	-0.6%
<b>12-Month Average Mar. 2021 – Feb. 2023</b>	92.8%	92.7%	-0.1%

**Analysis:**

Rail On-time Performance was 92.5 % for the month of February, 2023. Of the 16,544 trains scheduled to operate, 15,310 were on time, while 1,234 trains (or 7.5%) were delayed.

**Key Causes included:**

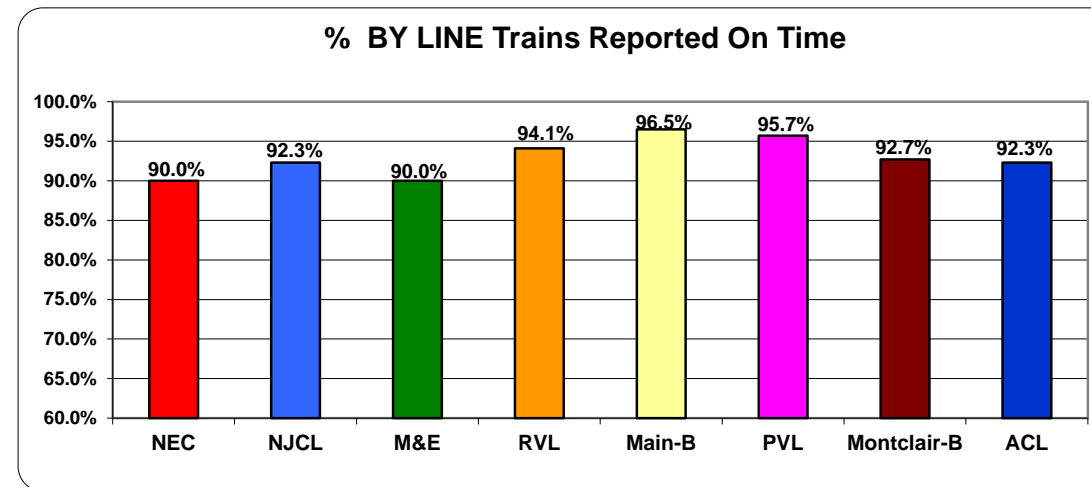
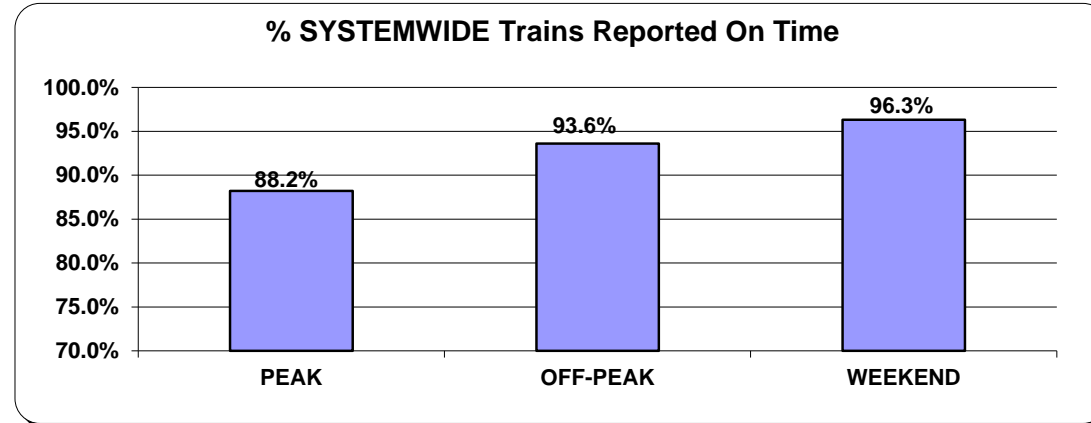
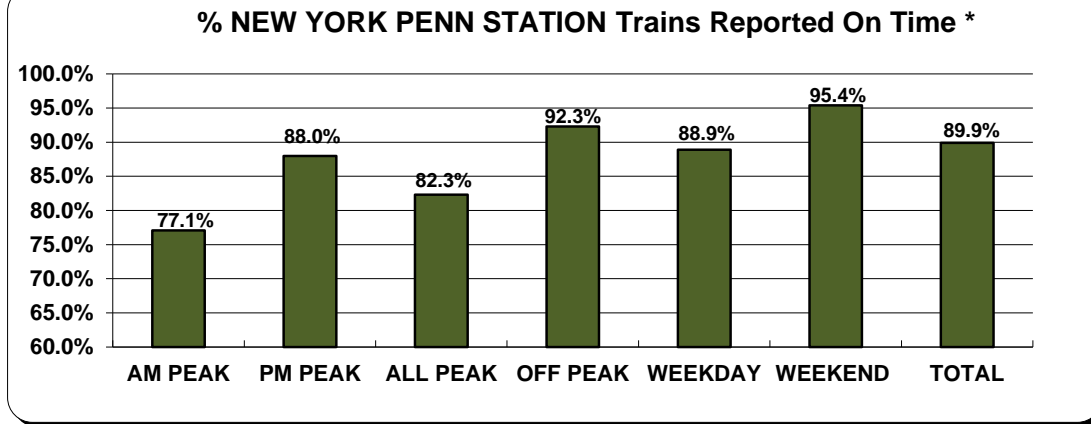
- Amtrak Portal bridge open, signal and switch issues, NJT pedestrian fatality and weather related issues contributed 76 delays on February 22.
- NJT diesel issue and trackside interference contributed 82 delays on February 24.
- Amtrak trespasser, switch issue, weather, NJT diesel issue, police action and PTC mechanical contributed 117 delays on February 28.

The 12-month Average for Rail On-Time Performance was 92.7%.

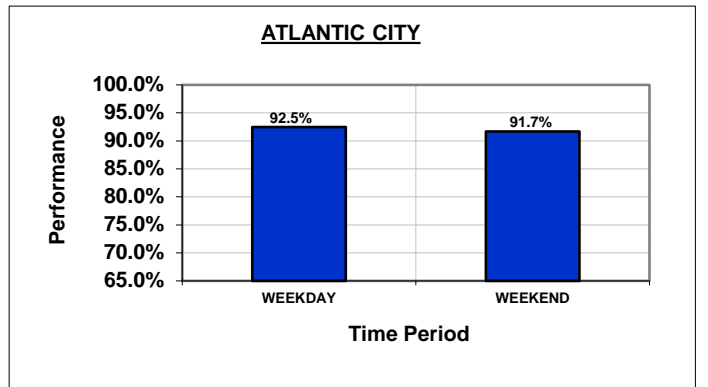
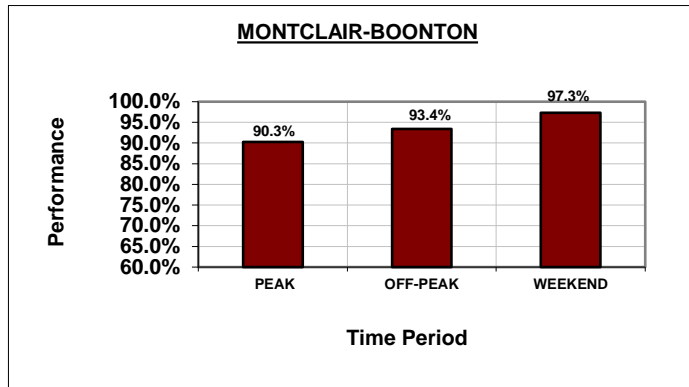
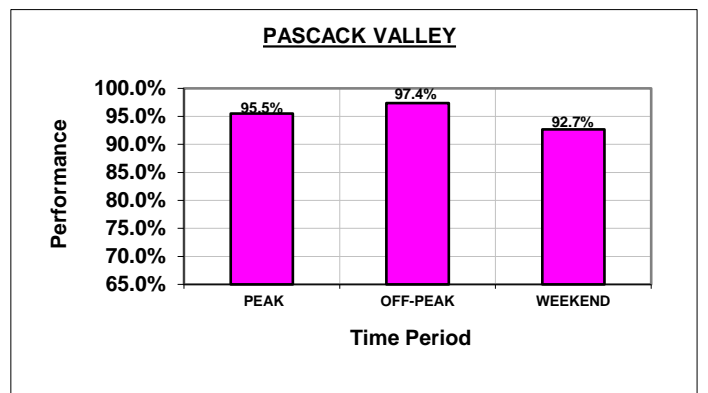
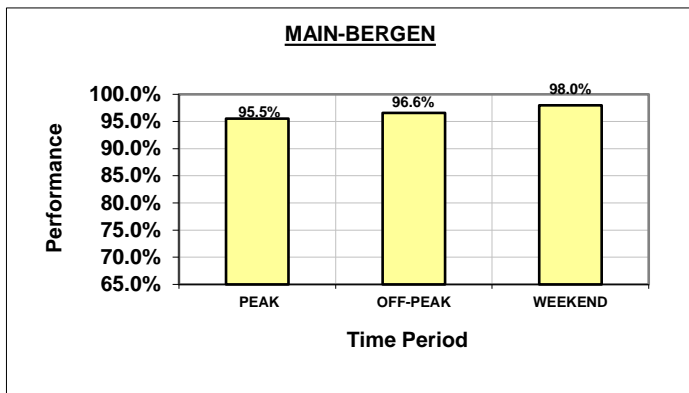
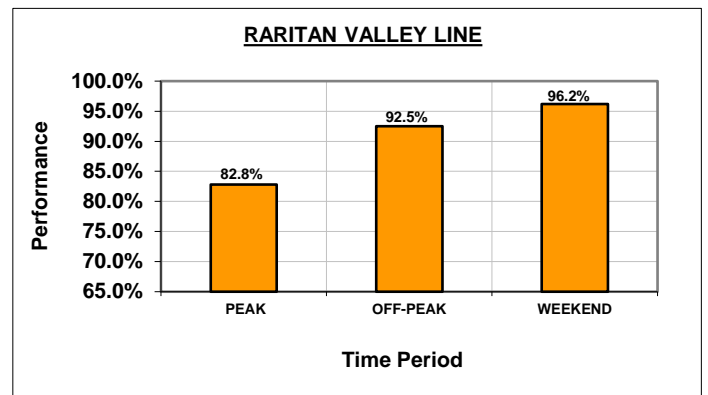
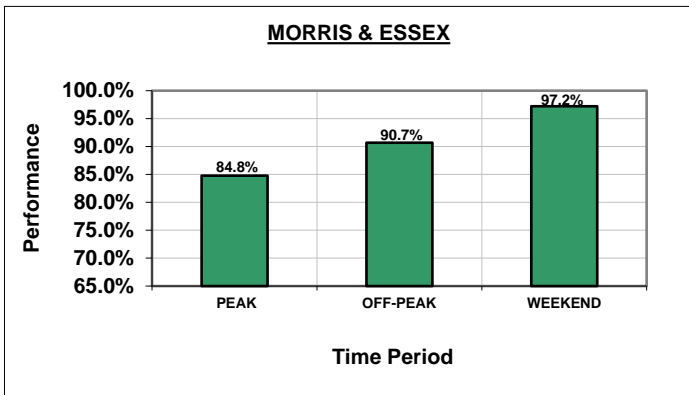
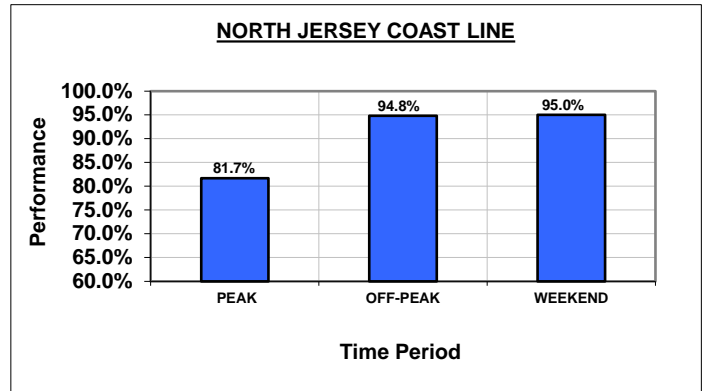
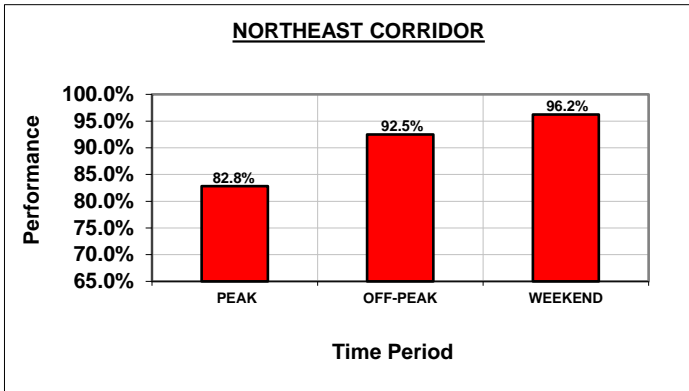
# ON-TIME PERFORMANCE RAIL

## SUMMARY BY TIME PERIOD February 2023

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

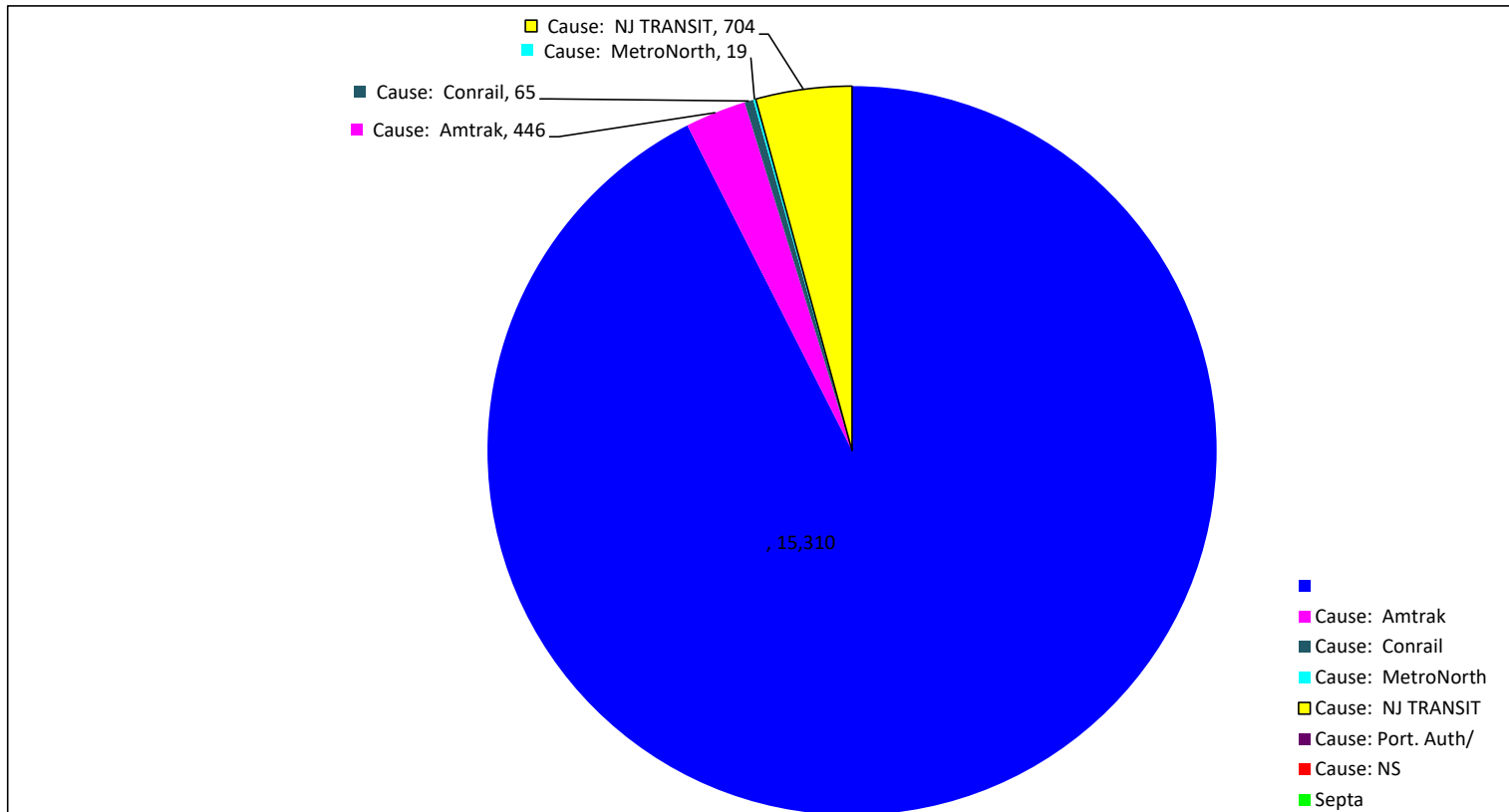


# ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD February 2023

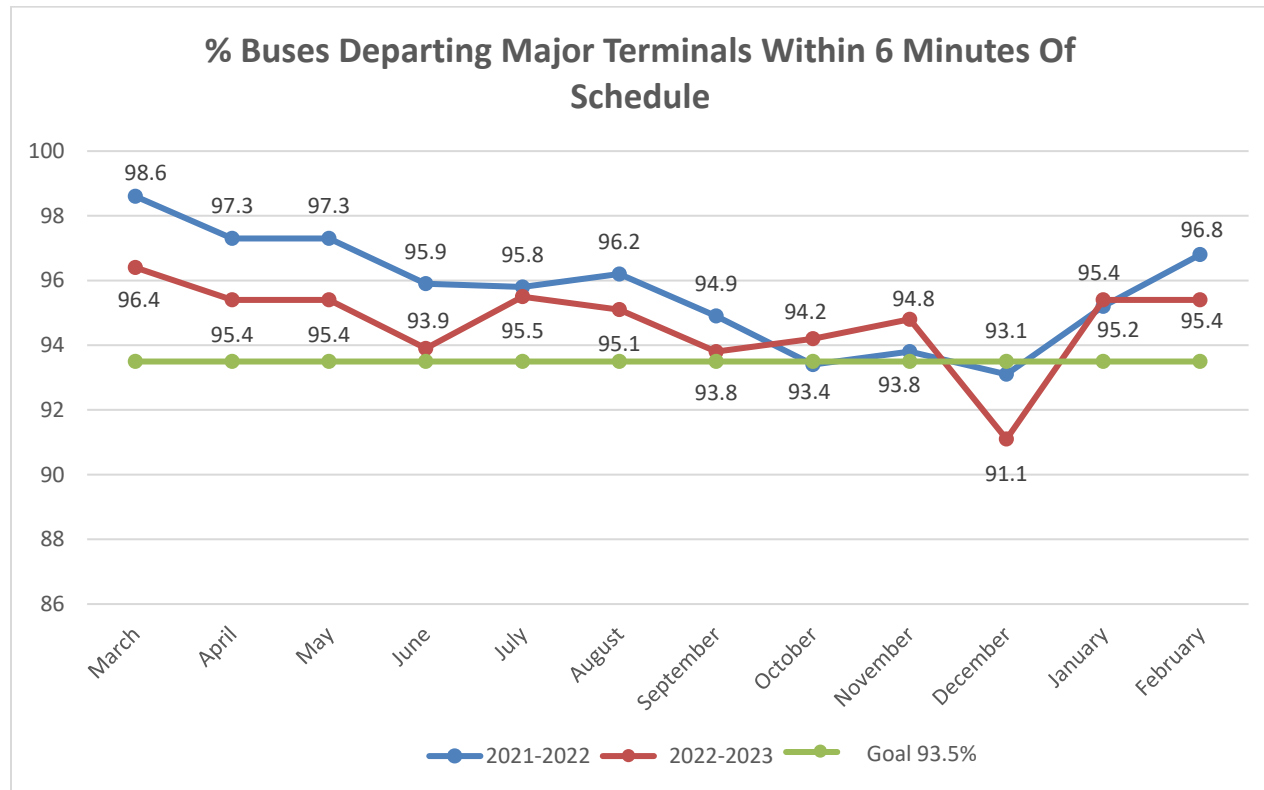


### NJ TRANSIT Performance - February 2023 Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: Port. Auth/	Cause: NS	Septa
# of Trains On Time	15,310	446	65	19	704			
# of Late Trains	1,234	2.70%	0.39%	0.11%	4.26%	0.00%	0.00%	0.00%
Total # of Trains	16,544							
Percentage On Time	92.5%							



# NJ TRANSIT ON-TIME PERFORMANCE BUS Mar 2021 – Feb 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
<b>Feb Comparison</b>	96.8%	95.4%	-1.4%
<b>12-Month Average Mar 2022 – Feb 2023</b>	95.7%	94.7%	-1.0%

### Analysis\*:

Bus On-Time Performance systemwide was 95.4% for the month of Feb 2023. Of the 41,804 monitored departures, 1,921 experienced delays.

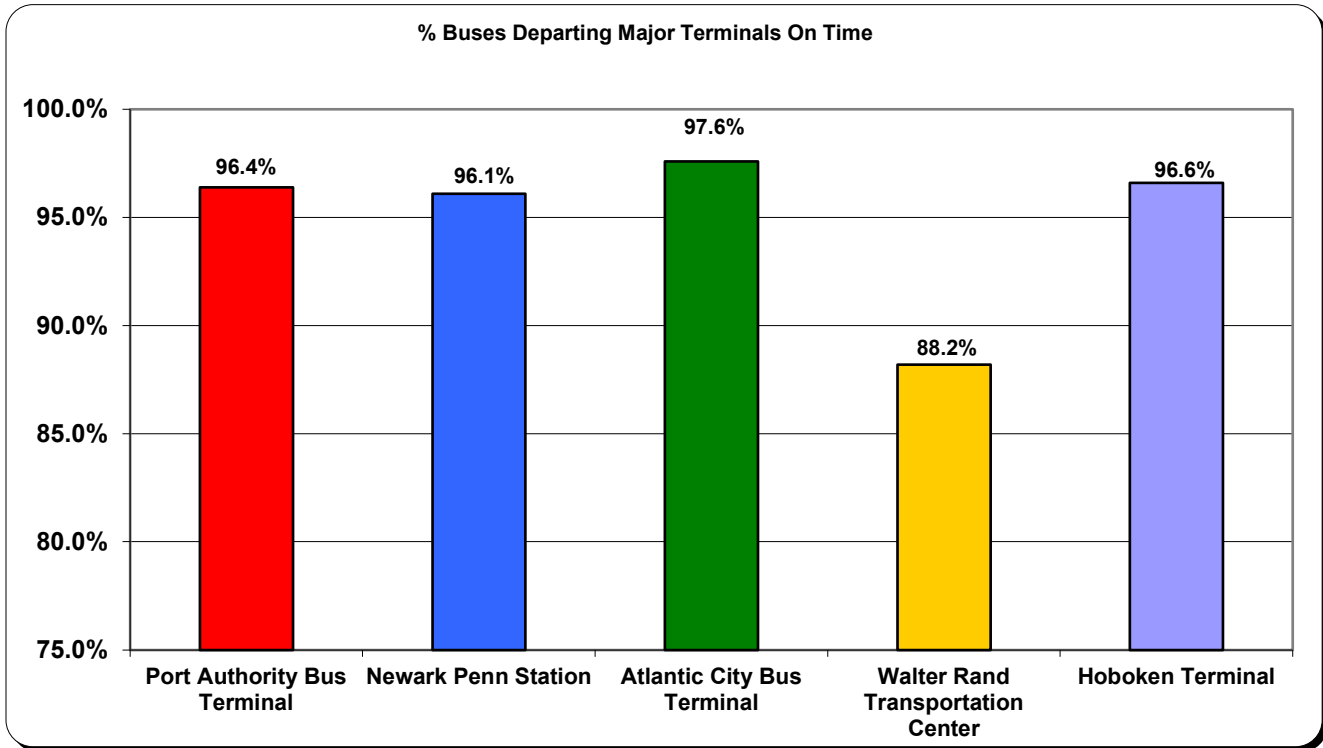
### Key Causes included:

- At PABT, on the 1<sup>st</sup> dump truck accident on Route 3, all lanes closed which contributed to delays. On the 10<sup>th</sup> heavy traffic at the toll plaza caused delays.
- At Newark Penn, on the 1<sup>st</sup> truck fire, passenger assistance, mechanical issues, local detours due to road construction caused delays. On the 10<sup>th</sup>, mechanical issues, police activity, passenger in need of assistance, road closures caused delays. On the 21<sup>st</sup>, mechanical issues, passenger in need of assistance, delays due to road closures contributed to the delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

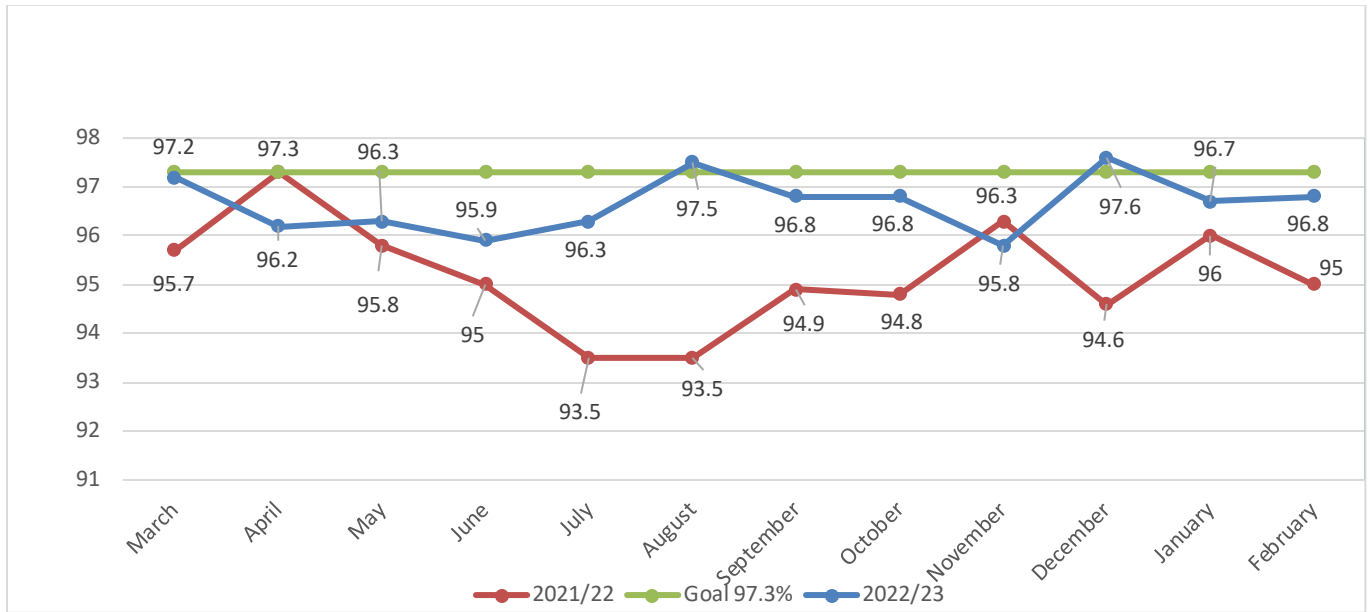
The 12-month average for Bus On-Time Performance was 94.7%.

# ON-TIME PERFORMANCE BUS

## SUMMARY BY TERMINAL



## NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL March 2021 – February 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
<b>February Comparison</b>	95%	96.8%	+1.0%
<b>12-Month Average March 2022 – February 2023</b>	96.4%	95.4%	-1.0%

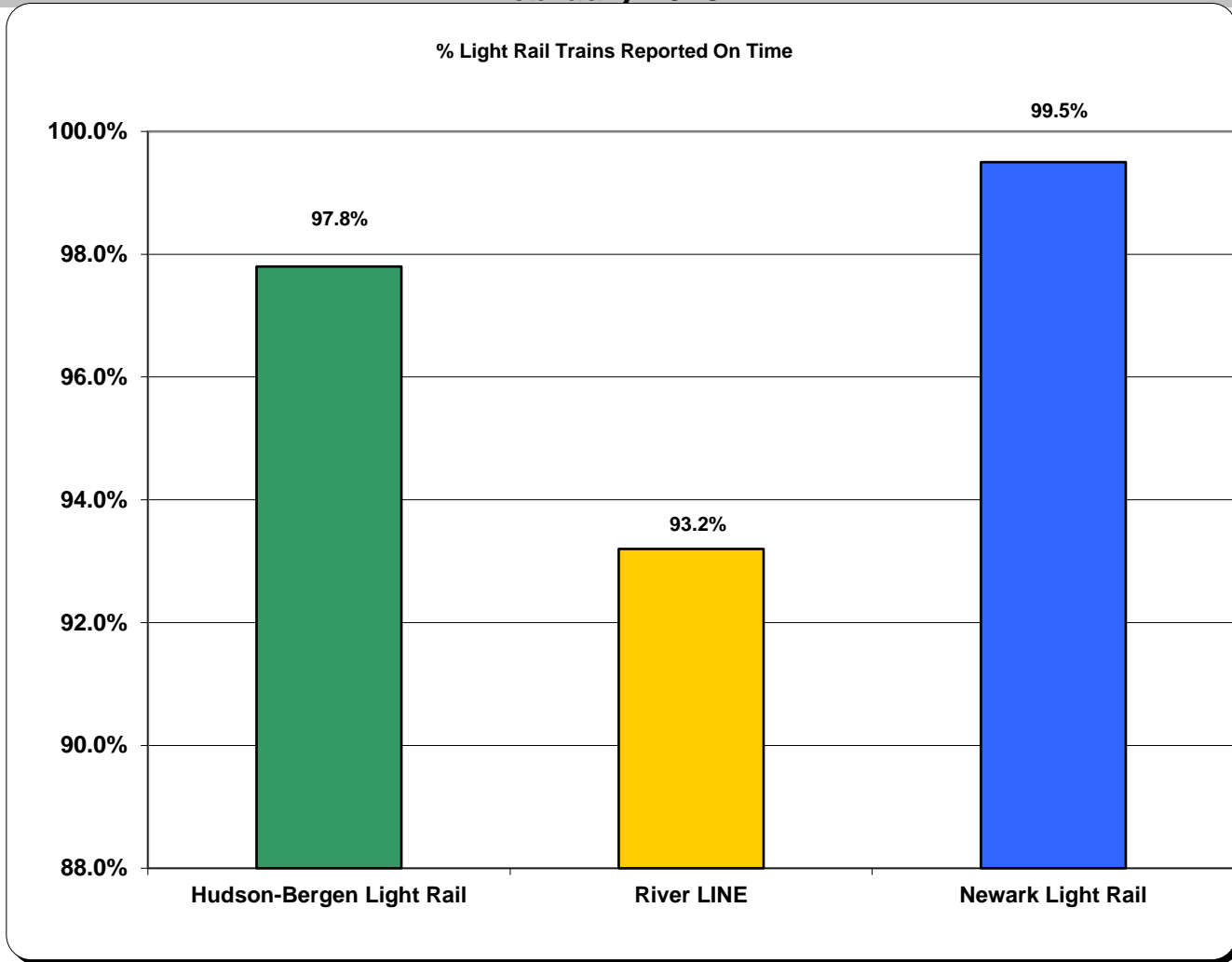
**Analysis:** Light Rail On-Time Performance system wide was 96.8% for the month of February. Of the 24,352 scheduled departures, 545 experienced delays.

**Key Causes included:**

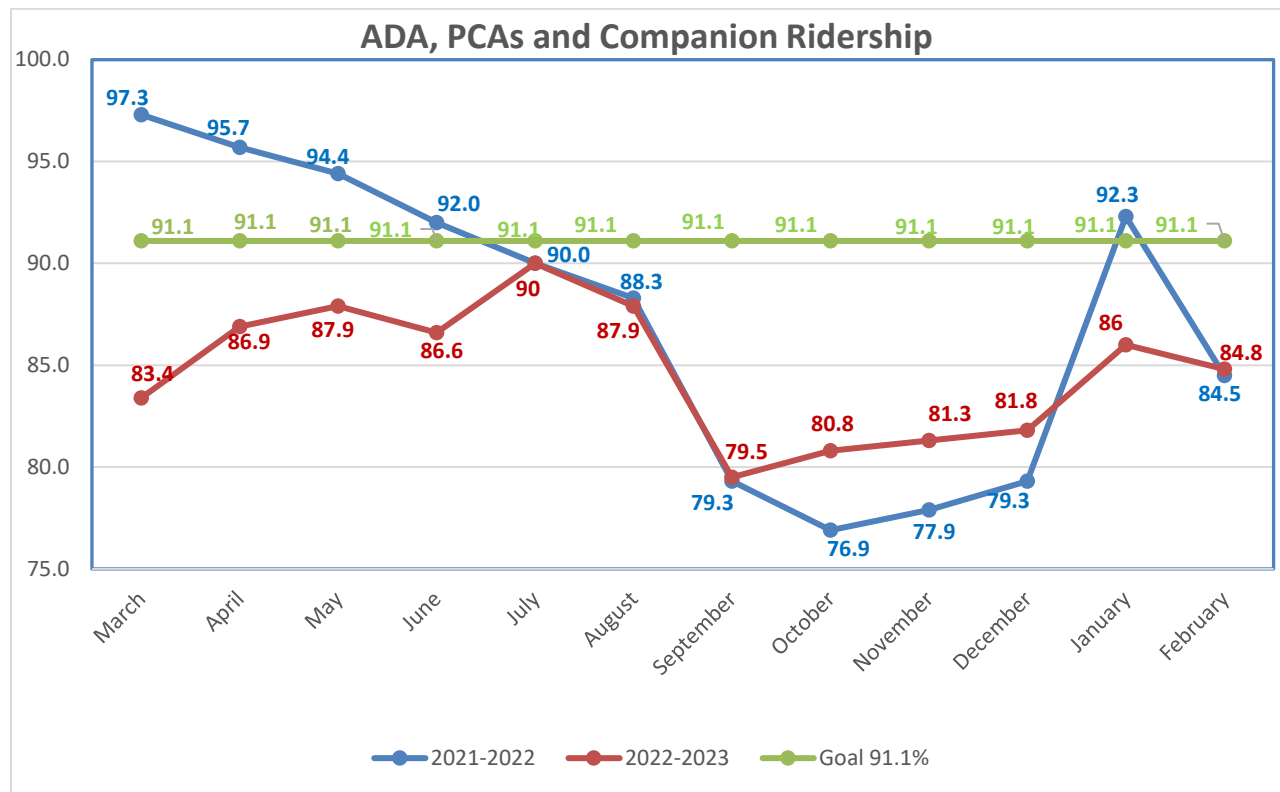
- **Newark Light Rail** – General maintenance taking place on multiple dates due to door, propulsion, and power/brake issues. Manpower shortages on 2/13 and 2/16 impacted 10 trains. External passenger incidents on 2/13, 2/20, and 2/21 affected 8 trains.
- **River LINE** – Incidents involving general maintenance of LRV/equipment malfunctions taking place across multiple dates, including engine, door, signal, and brake issues. Police activity on 2/6, 2/9 and 2/10 impacted 5 trains. Track obstructions on 2/7, 2/8, and 2/22 affected 27 trains.
- **HBLR** – Incidents involving general maintenance of LRV taking place across multiple dates, including door malfunctions, power/propulsion issues, brakes, and other issues. Police activity throughout the month impacted 65 trains. External passenger incidents on 2/2 and 2/23 impacted 9 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.4%

# ON-TIME PERFORMANCE LIGHT RAIL

## SUMMARY BY LINE February 2023



### NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK MARCH 2021–FEBRUARY 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
<b>February Comparison</b>	84.5%	84.8%	0.3%
<b>February Ridership</b>	95,237	107,855	12,618
<b>12-Month Average March 2022–February 2023</b>	87.3%	84.7%	-2.6%

**Analysis:**

Access Link On-Time Performance was 84.8% for February 2023. In serving 117,221 total customers, for 107,855 ADA customers trips, 16,377 or (15.2%) experienced delays.

Key Causes included:

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

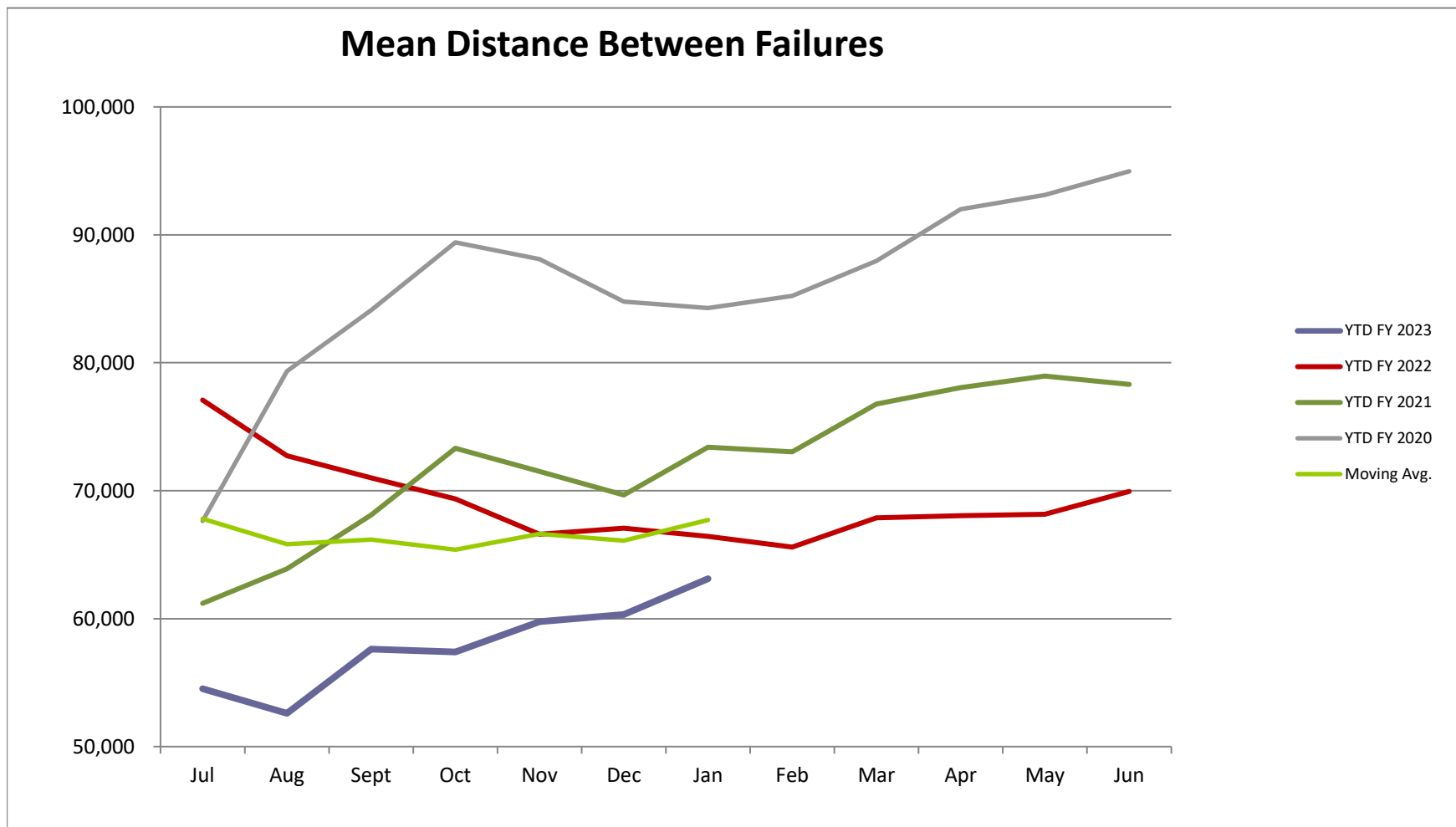
The 12-month Average for Access Link On-Time Performance was 84.7%.

# **MEAN DISTANCE BETWEEN FAILURES**

January 2023

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

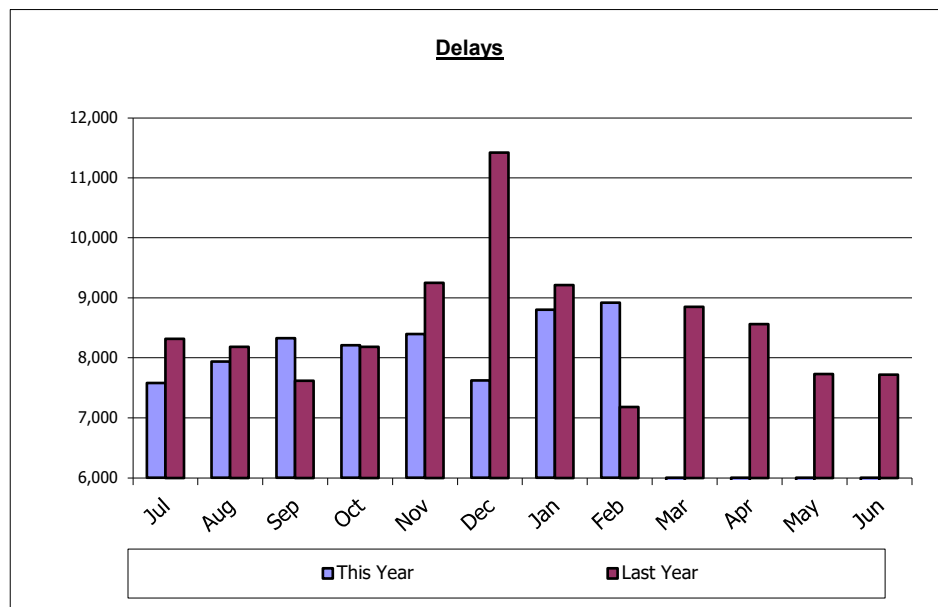
					12 Month
Month	YTD FY 2023	YTD FY 2022	YTD FY 2021	YTD FY 2020	Moving Avg.
Jul	54,531	77,087	61,198	67,634	67,808
Aug	52,602	72,743	63,891	79,350	65,832
Sept	57,623	71,005	68,109	84,111	66,170
Oct	57,410	69,368	73,320	89,410	65,389
Nov	59,761	66,597	71,498	88,101	66,636
Dec	60,315	67,060	69,664	84,773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



## Garage Performance Parameters

### February 2023

Location	Miles Between In-Service Delays			
	FY2023 Goal	This Month	FY2023 YTD	FY2022 YTD
Fairview	5,500	7,291	7,992	5,635
Greenville	7,000	4,079	4,771	5,539
Market Street	8,000	4,698	3,905	4,137
Meadowlands	9,500	6,791	5,401	7,109
Oradell	10,000	20,341	13,054	5,588
Wayne	16,000	10,880	10,554	14,902
WestWood	-	21,411	18,350	-
<b>Northern Division</b>	<b>-</b>	<b>8,347</b>	<b>7,248</b>	<b>6,607</b>
Big Tree	9,500	5,583	5,013	5,413
Hilton	10,600	6,047	6,526	7,152
Howell	17,500	27,708	25,790	27,275
Ironbound	10,200	6,689	6,998	7,541
Orange	9,800	3,705	3,397	4,229
Morris	10,500	46,610	20,812	30,529
<b>Central Division</b>	<b>-</b>	<b>7,247</b>	<b>7,181</b>	<b>8,237</b>
Egg Harbor	14,000	17,614	11,787	13,041
Hamilton	11,000	6,379	8,692	9,969
Newton Avenue	15,000	16,759	12,064	17,552
Washington Twp.	16,000	19,084	16,701	18,954
<b>Southern Division</b>	<b>-</b>	<b>14,567</b>	<b>12,513</b>	<b>14,755</b>
<b>Bus Operations</b>	<b>-</b>	<b>8,918</b>	<b>8,188</b>	<b>8,545</b>

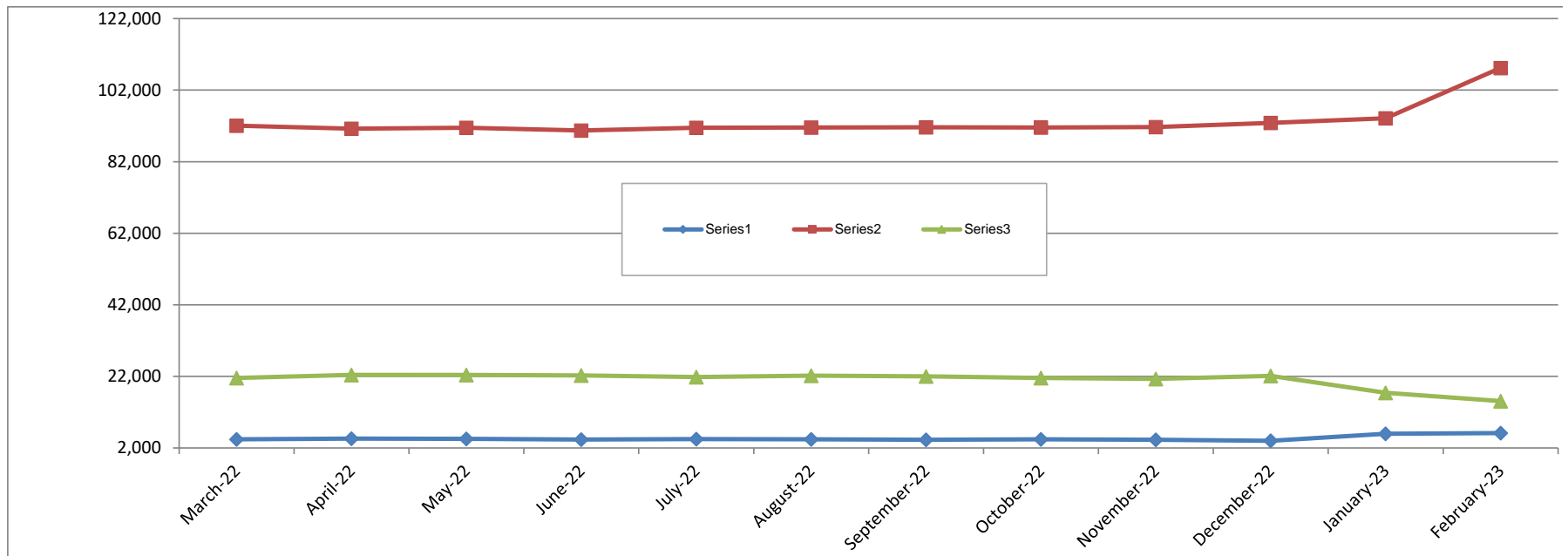


### NJ TRANSIT - LIGHT RAIL, February 2023

#### Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF *	MDBSF *
	February 2023	January 2023
Newark Light Rail	6,156	5,972
Hudson Bergen	108,205	94,151
River LINE	15,094	17,388

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



# **DBE/SBE PROGRAM**

NJ TRANSIT - DBE/SBE Participation for February 2023

State Funded Contracts

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

During the month of February 2023 NJ TRANSIT awarded \$429,000.00 in state funded contracts. Of that total, Small Business Enterprises (SBEs) received \$0.00 or 0%.

State Fiscal Year 2023 YTD (July 1, 2022, through June 30, 2023) NJ TRANSIT awarded \$42,858,737.14 in state funded contracts. Of that total, SBEs received \$3,260,048.71 or 7.61%.

Note: The above reflects the Procurement Report of Awards received on March 3, 2023

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

Category 1 SBEs	\$334,275.24	0.78%
Category 2 SBEs	\$2,234,354.05	5.21%
Category 3 SBEs	\$691,419.42	1.61%
Category 4 SBEs	\$0.00	0.00%
Category 5 SBEs	\$0.00	0.00%
Category 6 SBEs	\$0.00	0.00%

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

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

During the 1<sup>st</sup> Quarter (October 1, 2022 – December 30, 2022) the FTA funded share of NJ TRANSIT’s federal contracts awarded was \$12,145,769.20. Of that total, Disadvantaged Business Enterprises (DBEs) received \$7,270,534.25 or 59.86%

FFY 2023 through FFY 2025 Q1 (October 1, 2023 – September 30, 2025) NJ TRANSIT awarded \$12,145,769.20\*\* in federally funded contracts. Of that total, DBEs received \$7,270,534.25 or 59.86%.

\*Numbers reflect federal share

\*\* Number includes subrecipient awards

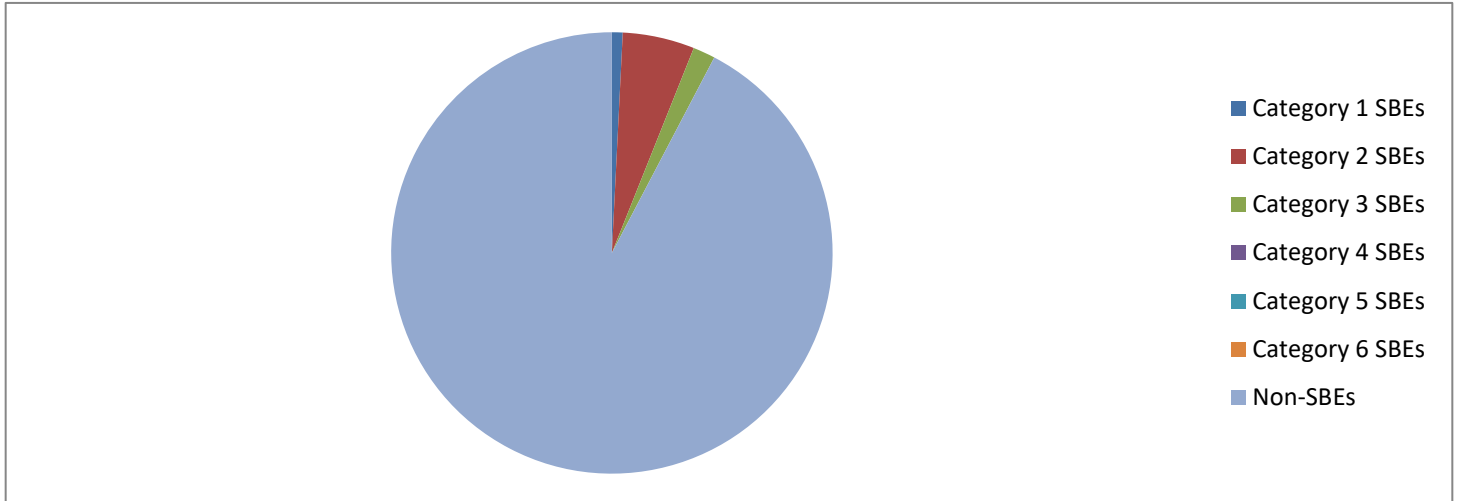
Transit Vehicle Manufacturer (TVM)<sup>1</sup> Awards

(Next update will occur in April 2023)

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

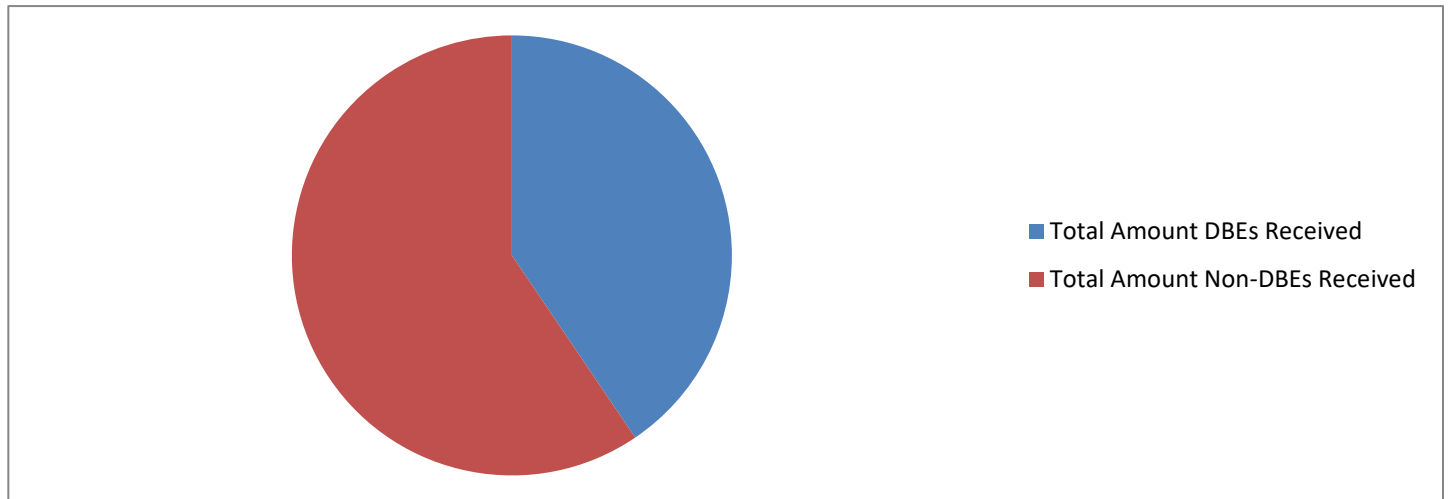
STATE CONTRACTS  
STATE FYTD 2023

<i>Category 1 SBEs</i>	\$334,275.24	0.78%
<i>Category 2 SBEs</i>	\$2,234,354.05	5.21%
<i>Category 3 SBEs</i>	\$691,419.42	1.61%
<i>Category 4 SBEs</i>	\$0.00	0.00%
<i>Category 5 SBEs</i>	\$0.00	0.00%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$39,598,688.43	92.39%



DBE PARTICIPATION  
FEDERAL CONTRACTS  
FEDERAL FYTD 2023-2025

<b>Total Amount DBEs Received</b>	<b>\$8,642,888.06</b>	<b>40.526%</b>
Total Amount Non-DBEs Received	\$12,683,878.54	59.47%



# **EMPLOYEE RECOGNITION**

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

50 NJ TRANSIT employees retired recently:

1. Veronica Clarke, TVM Terminal Agent -- Elizabeth -- 14 years
2. Arthur DelVescovo, Locomotive Engineer -- Various -- 38 years
3. Robert Murphy, Maintainer -- West End -- 3 years
4. Edwin Ortiz, Conductor -- Various -- 34 years
5. James Rendleman, Locomotive Engineer -- Various -- 37 years
6. Renard Thomas, Car Appearance Maintainer -- Great Notch -- 35 years
7. Kathleen Webb, Office Administrator -- RBC -- 36 years
8. Nii Katey Bannerman, Cleaner -- Big Tree -- 10 years
9. Jesus Castro, Operator -- Ironbound -- 11 years
10. Galo Ceron, Operator -- Meadowlands -- 10 years
11. Thinh Do, Light Rail Tech -- Bloomfield -- 19 years
12. Carlos Gonzalez, Maintainer -- Ferry St. -- 27 years
13. Robert Haschak, Stock Clerk -- Oradell -- 41 years
14. Angel Peguero, Operator -- Fairview -- 19 years
15. Felipe Velasquez, Operator -- Orange -- 18 years
16. Eustace Benjamin, Repairman -- Meadowlands -- 26 years
17. Jorge Borrego, Operator -- Howell -- 24 years
18. Eric Bostick, Operator -- Market St. -- 26 years
19. John Butcher, Repairman -- Oradell -- 28 years
20. Jose Castro, Operator -- Ironbound -- 28 years
21. Pedro Cena, Operator -- Wayne -- 28 years
22. Otis Coe, Operator -- Market St. -- 10 years
23. Gregory Cummings, Main Man A -- Greenville -- 28 years
24. Cynthia Elegbede, Clerk -- Oradell -- 20 years
25. Luis Fabionar, Operator -- Hilton -- 25 years
26. Angel Fuentes, Inspector -- Howell -- 26 years
27. Lawrence Gamble, Operator -- Oradell -- 24 years
28. Martha Garcia, Operator -- Meadowlands -- 20 years
29. Lester German, Operator -- Fairview -- 28 years
30. Harvard Glover, Operator -- Market St. -- 28 years
31. Prince Gyening, Operator -- Egg Harbor -- 24 years
32. Cedric James, Operator -- Big Tree -- 26 years
33. Eddy Joseph, Operator -- Big Tree -- 27 years
34. Jeffrey Kirvin, Main Man A -- Meadowlands -- 29 years
35. Steven Malupin, Repairman -- Ironbound -- 28 years

36. Rubin Martinez, Operator -- Big Tree -- 28 years
37. Harold Mendoza, Operator -- Meadowlands -- 20 years
38. Deborah Milewski, Operator -- Orange -- 29 years
39. Michael Negron, Mechanic -- Washington Township -- 27 years
40. Jamie Nurideen, Starter -- PABT -- 24 years
41. George Orema, Repairman -- Howell -- 18 years
42. Lynn Pitts, Operator -- Howell -- 22 years
43. Heriberto Rosa, Repairman -- Westwood -- 26 years
44. Martin Scott, Operator -- Howell -- 22 years
45. Lindsey Spence, Repairman -- Hilton -- 27 years
46. Gerald Hammond, Operator -- Wayne -- 15 years
47. Tyrone Webster, Operator -- Big Tree -- 14 years
48. Jack DiCarlo, Manager Car Shops -- Penn Station NY -- 35 years
49. Edgar Fajardo, Safety Officer -- HQ -- 30 years
50. Patricia McGuire, Chief of Staff Rail -- HQ -- 21 years

# **ACTION ITEMS**

**ITEM 2303-10: RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT FOR THE PURCHASE OF ENVIRONMENTAL MITIGATION CREDITS AND PERMITS FOR THE HUDSON TUNNEL PROJECT BETWEEN NJ TRANSIT CORPORATION AND THE NATIONAL RAILROAD PASSENGER CORPORATION AND AUTHORIZING THE PURCHASE OF VARIOUS ENVIRONMENTAL MITIGATION CREDITS AND GRANTS FOR THE HUDSON TUNNEL PROJECT**

**WHEREAS**, the existing North River Tunnel (“NRT”), built in 1910, is more than 110 years old and was designed and built to early 20<sup>th</sup> century standards; and

**WHEREAS**, the National Railroad Passenger Corporation (“Amtrak”) owns the NRT and over 200,000 NJ TRANSIT train passengers travel through the NRT daily; and

**WHEREAS**, service reliability through the NRT, however, already suboptimal because of its age and antiquated design, was further compromised as a result of damage sustained during Superstorm Sandy in 2012; and

**WHEREAS**, the Hudson Tunnel Project (“HTP”) is a component of the Gateway Program and contains three elements: (1) construction of a new two-track tunnel known as the Hudson River Tunnel (“HRT”); (2) construction of the Hudson Yards concrete casing in New York City; and (3) rehabilitation of the existing NRT; and

**WHEREAS**, environmental mitigation is a necessary component of the HTP’s construction and serves as compensation for unavoidable impacts to environmental resources; and

**WHEREAS**, environmental mitigation, in the form of credit purchases, satisfies the mitigation required and is an approved methodology by the U.S. Army Corps of Engineers (“USACE”) and by the New Jersey Department of Environmental Protection (“NJDEP”); and

**WHEREAS**, environmental mitigation credit purchasing involves a system of credits and debits devised to ensure that unavoidable ecological loss, such as the loss of wetlands resulting from development, is compensated by the preservation and restoration of wetlands in other areas so that there is no net loss of these resources; and

**WHEREAS**, NJ TRANSIT would enter into a funding agreement with Amtrak, whereby Amtrak will provide funding to NJ TRANSIT for the costs associated with the purchase of environmental mitigation credits and permits (the “Funding Agreement”) for the HTP; and

**WHEREAS**, execution of the Funding Agreement at this time would allow NJ TRANSIT to immediately commence with environmental mitigation, a time-consuming process that is integral to meeting the HTP's federal funding requirements and deadlines; and

**WHEREAS**, once the Funding Agreement is in place, NJ TRANSIT would proceed with the credit purchase for the HTP;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chair or President & CEO is hereby authorized to enter into a funding agreement with the National Railroad Passenger Corporation (AMTRAK), whereby AMTRAK will provide the necessary funds to engage in environmental activities such as environmental mitigation; and

**BE IT FURTHER RESOLVED** that the Chair or President & CEO is hereby authorized to expend funds, which are reimbursable under the aforementioned Funding Agreement, to perform environmental activities such as environmental mitigation.

## ITEM 2303-11: EGG HARBOR ROOF REPLACEMENT: CONSTRUCTION SERVICES CONTRACT AWARD

- Construction of the Egg Harbor Bus Garage was completed in the early nineties. The facility's single-ply roof system has not been replaced since it was constructed.
- In August 2020, high winds from Tropical Storm Isaias severely damaged the facility's roof membrane and some of the flashing.
- The compromised roof membrane and flashing allowed water to cause damage to portions of the roof insulation and to some areas within the facility.
- Although temporary repairs were made following the storm, an in-kind replacement of the entire roof membrane and replacement of damaged insulation and flashing is needed in order to provide a leak-free roofing system.
- Staff is seeking authorization to enter into NJ TRANSIT Contract No. 23-026 with **J.P. Patti Tecta America, LLC**, for construction services for the Egg Harbor Roof Replacement Project in the amount of **\$4,137,800.00**, plus five percent for contingencies, subject to the availability of funds.



**ITEM 2303-11: EGG HARBOR ROOF REPLACEMENT: CONSTRUCTION SERVICES CONTRACT AWARD**

**WHEREAS**, Tropical Storm Isaias caused severe damage to the roof of the Egg Harbor Bus Garage which is located at 1431 Doughty Road, Egg Harbor Township, NJ. NJ TRANSIT is seeking an in-kind replacement of the single-ply roof membrane in its entirety and the replacement of damaged roof insulation and flashing as required to provide a leak-proof roofing system; and

**WHEREAS**, on November 9, 2022, NJ TRANSIT sent a Request for Quote (RFQ) to the National Cooperative Purchasing Alliance (NCPA) and the Educational Services Commission of New Jersey (ESCNJ) cooperative purchasing authorities; and

**WHEREAS**, NJ TRANSIT received Price Quotes from firms; and

**WHEREAS**, the lowest Price Quote, dated December 27, 2022, in the amount of \$4,137,800.00, was received from the NCPA's J.P. Patti Tecta America, LLC, for the Construction Services Contract; and

**WHEREAS**, NJ TRANSIT is authorized to join competitively bid and awarded cooperative purchasing agreements pursuant to N.J.S.A. 27:25-11(j); and

**WHEREAS**, the National Cooperative Purchasing Alliance (NCPA) cooperative purchasing authority does not utilize a Disadvantaged Business Enterprise (DBE) program; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) and Transportation Trust Fund (TTF) are the anticipated sources of funding for this contract;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 23-026 with J.P. Patti Tecta America, LLC, of Saddle Brook, New Jersey, for construction services for the Egg Harbor Roof Replacement Project in the amount of \$4,137,800.00, plus five percent for contingencies, subject to the availability of funds.

**ITEM 2303-12: NJ TRANSIT TASK ORDER CONSULTANT CONTRACTS PROGRAM: PROGRAM AND CONTRACT EXTENSION**

**WHEREAS**, NJ TRANSIT seeks to improve and expand its transportation facilities; and

**WHEREAS**, NJ TRANSIT assessed its Task Order Consultant Contracts program, determining that 13 disciplines are required to address NJ TRANSIT's needs; and

**WHEREAS**, the NJ TRANSIT Board of Directors previously authorized the current Task Order Consultant Contracts; and

**WHEREAS**, Task Order Consultant Contracts will be used on an as-needed basis to supplement in-house staff; and

**WHEREAS**, Task Order Consultant Contracts are needed to support NJ TRANSIT's capital program, address critical issues and ensure compliance; and

**WHEREAS**, Task Order Consultant Contracts provide specialized expertise which is rarely cost-effective to maintain in-house; and

**WHEREAS**, upon completion of a competitive procurement process, it was determined that forty-five firms were deemed the most qualified responsive, responsible proposers;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is hereby authorized to amend NJ TRANSIT Contract Nos. 16-018 through 16-022, 16-037 through 16-040, and 17-044 through 17-04, with the firms shown in Exhibit A. The total value of the Task Order Consultant Contracts Program, of which these contracts comprise, will be \$82,000,000. Each contract will extend for an additional year. The maximum task and contract limits are shown in Exhibit B.

EXHIBIT A

SELECTED FIRMS

**CONTRACT NO. 16-018 CORRIDOR PLANNING – 4 FIRMS**

**16-018A Fitzgerald & Halliday, Inc. (New York, New York)** with Foursquare Integrated Transportation Planning, Inc.; IBI Group; Alan M. Voorhees Transportation Center at Rutgers University

**16-018B AECOM Technical Services, Inc. (New York, New York)** with InGroup, Inc.; Connetics Transportation Group, Inc.; Malick & Scherer, P.C.; TechniQuest Corporation

**16-018C Vanasse Hansen Brustlin (New York, New York)** with Louis Berger Group; Resource Systems Group; HR&A Advisors, Inc.; The Calladium Group; InGroup, Inc.; KFH Group, Inc.; Sobers Consulting, LLC; Traffic Databank

**16-018D Parsons Brinckerhoff (Newark, New Jersey)** with Dewberry Engineers, Inc.; Remington & Vernick Engineers, Inc.; Sam Schwartz Consulting, LLC; AmerCom Corp.; Jois Construction Management System (JCMS), Inc.; Connetics Transportation Group, Inc.; InGroup, Inc.; Historic Perspectives, Inc.

**CONTRACT NO. 16-019 – ENVIRONMENTAL CONSULTING SERVICES – 5 FIRMS**

**16-019A Dewberry Engineers, Inc. (Parsippany, New Jersey)** with Dewberry Consultants, LLC; Dewberry Design-Builders, Inc.; Advanced Drilling, Inc.; CHA Consulting Group, Inc.; Chemtech Consulting Group, Inc.; Environmental Management and Design Services, Inc.; Emilcott Associates, Inc.; Greener by Design, LLC; Hampton-Clarke, Inc.; Hill Environmental Group, Inc.; Marine Tiger Technologies, Inc.; Parson Brinckerhoff, Inc.; Paul Carpenter Associates, Inc.; Recovery Environmental Services, Inc.; Rubicon Environmental Services, LLC; Subsurface Environmental Technologies, LLC; Summit Drilling, Inc.; TestAmerica Laboratories, Inc.; The Calladium Group, LLC; TRC Environmental Corporation; Underground Services, Inc.

**16-019B AKRF, Inc. (Mount Laurel, New Jersey)** with Ramboll Environ; STV Incorporated; Burns Engineering, Inc. Mondre Energy, Inc., The Calladium Group; YU & Associates; Fitzgerald & Halliday, Inc.; Amy S. Greene Environmental Consultants, Inc.; Richard Grubb & Associates, Inc.; Malick & Scherer, PC; Paul Carpenter Associates, Inc.; BET Consultants; SGS Accutest, Inc.; Jersey Boring & Drilling Co., Inc.

**16-019C BEM Systems, Inc. (Chatham, New Jersey)** with Amy S. Greene Environmental Consultants, Inc.; The Calladium Group, LLC; Cambridge Systematics, Inc.; Concord Engineering Group, Inc.; Gannett Fleming, Inc.; Greener by Design, LLC; HDR Engineering, Inc.; InGroup Networking, Inc.; Paul Carpenter Associates, Inc.; Richard Grubb and Associates, Inc.; Rubicon Environmental, LLC; Chemtech Consulting Group, Inc.; Hampton-Clarke, Inc.; Hill Environmental Group, Inc.; Jersey Boring & Drilling Co., Inc.; Naik Consulting Group, PC; Recovery Environmental Services, Inc.; Subsurface Environmental Technologies, LLC

**16-019D Arcadis U.S., Inc. (Fair Lawn, New Jersey)** with Advanced Drilling, Inc.; Amy S. Greene Environmental Consultants, Inc.; Burns Engineering, Inc.; Chemtech Consulting Group, Inc.; Fairfield Maintenance, Inc.; Mondre Energy, Inc.; Radin Consulting, Inc.; Richard Grubb & Associates, Inc.; Solomon Energy, Inc., Barbas Surveying, Inc.

**16-019E Roux Associates, Inc. (Logan Township, New Jersey)** with ACT Engineers, Inc.; Advanced Drilling, Inc.; Amy S. Greene Environmental Consultants, Inc.; AllState Power Vac., Inc.; Arch2, Inc.; Batta Environmental Associates, Inc.; Becht Engineering BT, Inc.; Chemtech Consulting Group, Inc.; Distinct Engineering Solutions, Inc.; DPK Consulting, LLC; Environmental Industrial Services Corporation; Hager-Richter Geoscience, Inc.; Hampton-Clarke, Inc.; Hill Environmental Group, Inc.; Milestones Engineering, PC; Mondre Energy, Inc.; Practical Energy Solutions; Radin Consulting, Inc.; SGS Accutest, Subsurface Environmental Technologies, LLC; Summit Drilling, Inc.

**CONTRACT NO. 16-020 – QUALITATIVE AND QUANTITATIVE RESEARCH – 3 FIRMS**

**16-020A ABT SRBI, Inc. (New York, New York)** with Taurus Marketing Research; Eureka Facts, LLC; Alpina Digital; Vanasse Hangen Brustlin (16-020A)

**16-020B WB&A Market Research (Crofton, Maryland)** with Eureka Facts; Foursquare ITP; Taurus Marketing Research; ARG Survey Service (16-020B)

**16-020C Clarion Research (New York, New York)** with Taurus Marketing Research; Ardem Incorporated; CQ Fluency; and Maximum Research (16-020C)

**CONTRACT 16-021 – RAIL OPERATIONS AND INFRASTRUCTURE PLANNING – 3 FIRMS**

**16-021A HNTB (New York, New York)** with Amy S. Greene Environmental Consultants, Inc.; JCMS, Inc.; Matrix New World Engineering, Inc.; Sowinski Sullivan Architects, PC; Mott MacDonald, LLC; The Calladium Group; Malick & Scherer, PC

**16-021B Parsons Brinckerhoff (Newark, New Jersey)** with Dewberry Engineers Inc.; GTS Consultants, Inc.; JCMS, Inc.; Lynn Drobbin & Associates; Malick & Scherer, PC; Sowinski Sullivan Architects, PC

**16-021C LTK Engineering Services (Ambler, Pennsylvania)** with Jacobs Engineering Group Inc.; Envision Consultants, Ltd.; Malick & Scherer, Inc.; Matrix New World Engineering, Inc.; Sowinski Sullivan Architects, PC

**CONTRACT 16-022 – STATIONS, ACCESS, PARKING, & SITE PLANNING – 4 FIRMS**

**16-022A Stantec Consulting Services Inc. (Mount Laurel, New Jersey)** with AmerCom Corporation; Amy S. Greene Environmental Consultants, Inc.; and Richard Grubb & Associates, Inc.

**16-022B Dewberry Engineers Inc. (Bloomfield, New Jersey)** with WSP/Parsons Brinckerhoff); CHA Consulting, Inc.; Timothy Haahs & Associates, Inc.; AmerCom Corporation; Malick & Scherer, PC; RLS and Associates Robinson Aerial Surveys, Inc.; SM Engineers; Sowinski Sullivan Architects; Dewberry Consultants, LLC; Dewberry Design-Builders, Inc.

**16-022C Sam Schwartz Consulting, L.L.C. (Jersey City, New Jersey)** with HDR; Amy Greene Environmental Consultants; Richard Grubb & Associates; Skycomp; GEOD

**16-022D HNTB Corporation (New York, New York)** with Arch2 Inc.; Chance Management Advisors, Inc.; Ideal Data, Inc.; Sowinski Sullivan Architects, PC; Yu & Associates, Inc.; Matrix New World Engineering; Land Surveying and Landscape Architecture, P.C.; New Jersey Innovation Institute; Skycomp, Inc.; SI Engineering, P.C.

**CONTRACT NO. 16-037 ARCHITECTURAL / ENGINEERING – 4 FIRMS**

**16-037A STV, Inc. (Newark, New Jersey)** with Michael Baker International, Arora Engineers, De Biasse & Seminara, Distinct Engineering Solutions, Naik Consulting Group, JCMS, Lynn Drobbin & Associates, Matrix New World Engineering, Inc., Jablonski Building Conservation and GTS Consultants.

**16-037B Systra Consulting, Inc. (Bloomfield, New Jersey)** with AmerCom Corporation, American Electrical Testing, CP Statile, HAKS, JCMS, Inc., JMT, LSEA Corporation, Macro, a division of Ross & Baruzzini, Maser Consulting P.A, Maintenance Design Group, LLC, Matrix New

World Engineering, Inc., Radin Consulting, Inc., Sowinski Sullivan Architects, PC and Stantec Consulting Services Inc.

**16-037C**            **Gannett Fleming, Inc. (Newark, New Jersey)** with Sowinski Sullivan Architects, SJH Engineering, JCMS, SA Engineering, BEM Systems, Naik Consulting Group, ARCH<sup>2</sup>, Calladium Group, Integrated Strategic Resources and LS Engineering Resources.

**16-037D**            **Jacobs Engineering Group, Inc. (Morristown, NJ)** with Sowinski Sullivan Architects, Matrix New World Engineering Inc., Lynn Drobbin Associates, Richard Grubb & Associates, Malick & Scherer, Maintenance Design Group, JCMS, Inc., LTK Engineering Services and BEM Systems, Inc.

**CONTRACT NO. 16-038 BRIDGE AND RAILWAY ENGINEERING – 4 FIRMS**

**16-038A**            **Hardesty & Hanover, LLC (Newark, New Jersey)** with ARCH<sup>2</sup>, Inc., BEM Systems, Inc., Earth Design Associates, Integrated Strategic Resources, JCMS, Inc., Naik, Consulting Group, P.C., SJH Engineering and WSP USA.

**16-038B**            **HNTB Corporation (New York, New York)** with Churchill Consulting Engineers, Jersey Boring & Drilling Co., Inc., JCMS, Inc., LTK Engineering Services, Lynn Drobbin & Associates, Malick & Scherer, P.C., Matrix New World Engineering and The Calladium Group, LLC.

**16-038C**            **HDR Engineering, Inc. (Newark, New Jersey)** with AmerCom Corporation, Collins Engineers, Inc., LS Engineering Associates Corporation, Mueser Rutledge Consulting Engineers, Richard Grubb & Associates, Inc. and Storm Water Management Consulting, LLC.

**16-038D**            **Modjeski & Masters, Inc. (Mount Laurel, New Jersey)** with ARCH<sup>2</sup>, Inc., BEM Systems, Inc., Churchill Consulting Engineers, Inc., Gannett Fleming, Inc., Jacobs Engineering Group, Inc., JCMS, Inc., Malick & Scherer, Inc., Naik Consulting Group, Inc. and The Calladium Group, LLC.

**CONTRACT NO. 16-039 TRAVEL DEMAND FORECASTING – 3 FIRMS**

**16-039A**            **Stantec Consulting Services Inc. (Mount Laurel, New Jersey)** with Michael Baker International Inc., Resource Systems Group, T.Y. Lin International, Gallop Corporation, Sobers Consulting, LLC, and Citilabs, Inc.

**16-039B**            **AECOM Technical Services, Inc. (New York, New York)** with Connetics Transportation Group, EA Harper Consulting, Gallop Corporation, Resource Systems Group, Sobers Consulting, LLC and TechniQuest Corp.

**16-039C**            **Steer Davies & Gleave Ltd. (Brooklyn, New York)** with Vanasse Hangen Brustlin, Watchung Transportation Group and Sobers Consulting, LLC.

**CONTRACT NO. 16-040 TRANSIT-FRIENDLY PLANNING, LAND USE AND DEVELOPMENT – 3 FIRMS**

**16-040A**            **NV5, Inc. (Parsippany, New Jersey)** with Regional Plan Association, Looney Ricks Kiss, Timothy Haahs & Associates, Inc., 4ward Planning, Fitzgerald & Halliday, Inc. and Arterial, LLC.

**16-040B**            **Perkins Eastman, (New York, New York)** with Louis Berger, HR&A, Real Estate Solutions, Fitzgerald & Halliday, Inc., Nushuane and Mercer Planning.

**16-040C**            **Group Melvin Design, (Camden, New Jersey)** with Arterial, LLC, Econsult Solutions and Fitzgerald & Halliday, Inc.

**CONTRACT NO. 17-044 CONSTRUCTION MANAGEMENT – 6 FIRMS**

**17-044A**            **Hill International, Inc. (Woodbridge, NJ)**  
With Subconsultants: PACO Technologies, Inc.; Envision Consultants Ltd.; SJH Engineering, P.C.; Jacobs Engineering Group, Inc.; BEM Systems, Inc.

**17-044B**            **Urban Engineers, Inc. (Cherry Hill, NJ)**  
With Subconsultants: Keville Enterprises; Omsum Engineering, LLC; SYSTRA Consulting, Inc.; RailPros, Inc.

**17-044C**            **JCMS, Inc. (Mercerville, NJ)**

**17-044D**            **AECOM Technical Services, Inc. (Piscataway, NJ)**  
With Subconsultants: Distinct Engineering Solutions, Inc.; Garg Consulting Services, Inc.; GTS Consultants, Inc.; Integrated Strategic Resources, LLC; Management Concepts Systems & Services, Inc.; PACO Technologies, Inc.; Techno Consult, Inc.; BEM Systems, Inc.

**17-044E KS Engineers, P.C. (Newark, NJ)**  
With Subconsultants: PACO Technologies, Inc.; Envision Consultants, Ltd.; BRT Services; De Biasse & Seminara Architects, PC; Burns Engineering, Inc.; Stafford Bandlow Engineering, Inc.; VJ Associates of New Jersey, Inc.

**17-044F The McKissack Group, Inc. (New York, NY)**  
With Subconsultants: ELLANA, Inc.; Integrated Strategic Resources, LLC; McKnight International; PACO Technologies; Radin Consulting, Inc.; SJH Engineering, PC; DACK Consulting Solutions, Inc.

**CONTRACT NO. 17-045 COMMUNITY TRANSPORTATION – 3 FIRMS**

**17-045A RLS & Associates (Dayton, Ohio) (DBE) with**  
Subconsultants: Cambridge Systematics; Nelson/Nygaard Consulting Associates, Inc.; HAAS Media, LLC

**17-045B KFH Group (Bethesda, Maryland) (DBE)**

**17-045C CH Planning Ltd. (Philadelphia, PA) (DBE)**

**CONTRACT NO. 17-046 VERTICAL TRANSPORTATION – 2 FIRMS**

**17-046A Gannett Fleming (Newark, NJ) with Subconsultants:** A.G. Consulting Engineering, P.C.; ARCH2; Envision Consultants Ltd.; Matrix New World Engineering, Land Surveying, and Landscape Architecture, P.C.; Naik Consulting Group, P.C.; and SJH Engineering, P.C.

**17-046B AECOM (Piscataway, NJ) with Subconsultants:** Naik Consulting Group, P.C.; A. Esteban & Company, Inc.; PACO Technologies; JCMS Inc.

**CONTRACT NO. 17-047 ACCESS LINK – 1 FIRM**

**17-047 KFH Group (Bethesda, Maryland) with Subconsultant:** Palo Consulting Group, LLC

## EXHIBIT B

**CONTRACT AND TASK LIMITS  
(By Discipline)**

<b>Contract No.</b>	<b>Discipline</b>	<b>Task Limit</b>	<b>Contract Limit (per firm)</b>
16-018	Corridor Planning	\$ 500,000	\$ 2,000,000
16-019	Environmental Consulting Services	\$ 500,000	\$ 5,000,000
16-020	Qualitative and Quantitative Research	\$ 500,000	\$ 2,000,000
16-021	Rail Operations and Infrastructure Planning	\$ 500,000	\$ 4,000,000
16-022	Stations, Access and Site Planning	\$ 400,000	\$ 2,000,000
16-037	Architectural/Engineering	\$ 500,000	\$ 6,500,000
16-038	Bridge and Railway Engineering	\$ 600,000	\$ 3,750,000
16-039	Travel Demand Forecasting	\$ 400,000	\$ 3,750,000
16-040	Transit-Friendly Planning, Land Use & Development	\$ 400,000	\$ 2,800,000
17-044	Construction Management Services	\$1,000,000	\$10,000,000
17-045	Community Transportation	\$ 450,000	\$ 2,500,000
17-046	Vertical Transportation	\$ 400,000	\$ 4,750,000
17-047	Access Link	\$ 400,000	\$ 2,000,000

**ITEM 2303-13: RESOLUTION AUTHORIZING ENTERING INTO A FUNDING AGREEMENT BETWEEN NEW JERSEY TRANSIT CORPORATION AND THE GATEWAY DEVELOPMENT COMMISSION**

**WHEREAS**, in July 2019, the States of New York and New Jersey created the Gateway Development Commission (“GDC”) through the enactment of parallel legislation by each state and codified as the Gateway Development Commission Act (“GDC Act”); and

**WHEREAS**, the GDC is a seven-member public authority and a government-sponsored authority (with three Commissioners from the State of New York, three Commissioners from the State of New Jersey, and one Commissioner directly appointed by Amtrak) that is empowered to facilitate and coordinate activities and encourage the actions of others to effectuate the Gateway Program; in particular, Phase 1 of the Program, which includes the Hudson Tunnel Project (“HTP”); and

**WHEREAS**, the GDC is in the final process of organizing and establishing its operations in accordance with the requirements of the GDC Act and is in need of funding to support these organizational and establishment activities; and

**WHEREAS**, pursuant to the GDC Act, the State of New Jersey has agreed to fund one-third of the annual operating budget for the Program approved by the GDC Board; and

**WHEREAS**, on December 12, 2022, the GDC Board adopted the Final Annual Operating and Capital Budget for Fiscal Year 2023; and

**WHEREAS**, in December 2021, the New Jersey Turnpike’s (“NJTA”) Board of Commissioners authorized the NJTA to enter into negotiations for a Funding Agreement (“Turnpike Agreement”) with the New Jersey Department of the Treasury (“NJ Treasury”) to fund the State’s obligations in connection with the HTP; and

**WHEREAS**, in December 2022, the NJTA’s Board of Commissioners authorized a resolution approving the terms of the Turnpike Agreement with the NJ Treasury, and the parties executed the Turnpike Agreement on January 1, 2023; and

**WHEREAS**, the Turnpike Agreement provides that, beginning on or about January 1, 2023, and continuing on the first of each month thereafter, the NJTA agrees to start making payments to the NJ Treasury for the purpose of supporting the GDC operations until completion of construction of the HTP; and

**WHEREAS**, the Turnpike Agreement is contingent on annual appropriations and requires the NJ Treasury to transfer the NJTA payments to NJ TRANSIT, which then would transfer such funds to the GDC for the sole purpose of fulfilling the State’s obligations; and

**WHEREAS**, NJ TRANSIT would enter into a Funding Agreement with the GDC whereby NJ TRANSIT would convey the amount received from the NJ Treasury to the GDC in an amount of \$19,391,467.67 for the purpose of supporting GDC's Fiscal Year 2023 budget; and

**WHEREAS**, once the Funding Agreement is executed and the NJTA payments are appropriated, NJ TRANSIT would proceed with the transfer of funds as provided in the Funding Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is hereby authorized to enter into a Funding Agreement with the Gateway Development Commission whereby NJ TRANSIT would convey to the Gateway Development Commission, from funds received from the New Jersey Department of the Treasury, in an amount of \$19,391,467.67 for the purpose of supporting the Gateway Development Commission's Fiscal Year 2023 budget.

**ITEM 2303-14: PURCHASE OF ADDITIONAL MOBILE COLUMN BUS LIFTS**

**WHEREAS**, NJ TRANSIT Bus Operations currently utilizes drive-on and portable (mobile column) bus lifts to maintain and repair buses at its garage facilities; and

**WHEREAS**, many of the existing lifts are over-age, ranging from 15 to 27 years, as well as under capacity; and

**WHEREAS**, to meet current and upcoming maintenance needs for the fleet of new extended length 45-foot cruiser buses and articulated buses, NJ TRANSIT seeks to first replace the aging mobile column lifts prior to procuring replacements for the drive-on lifts (where possible, drive-on lifts will be replaced with mobile column lifts); and

**WHEREAS**, NJ TRANSIT Bus Operations recently took over the Rockland Coaches repair facility in Westwood, New Jersey, and will be taking over the building adjacent to the Newark Bus Complex, Ironbound 2; and

**WHEREAS**, having the additional repair facilities fully outfitted will allow NJ TRANSIT to repair and maintain the bus fleet more effectively; and

**WHEREAS**, by replacing the aging lifts, NJ TRANSIT will improve the overall performance and reliability of its bus fleet, while also improving working conditions, equipment, and efficiency for maintenance staff; and

**WHEREAS**, in May 2022, the NJ TRANSIT Board of Directors authorized NJ TRANSIT to enter into NJ TRANSIT Contract No. 22-024 with Stertil-Koni USA to purchase 85 mobile column lifts (24 four-column lifts and 61 six-column lifts); and

**WHEREAS**, NJ TRANSIT's contract with Stertil-Koni USA includes an option to purchase up to 50 percent additional mobile column lifts at the original bid price, even though pricing on lifts outside of the contract has increased significantly;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to exercise an option in NJ TRANSIT Contract No. 22-024 with Stertil-Koni USA of Stevensville, Maryland, for the purchase of 41 additional mobile column lifts (8 four-column lifts and 33 six-column lifts) in the amount not to exceed \$2,934,702.83, plus five percent for contingencies, subject to the availability of funds.

**ITEM 2303-15: CONTRACTING OUT – UNION MINIBUS SERVICE**

**WHEREAS**, staff has determined it is appropriate to provide local bus service in the Union County area; and

**WHEREAS**, a Request for Proposal (RFP 22-042) was issued to seek competitive proposals from private motorbus carriers to provide these services; and

**WHEREAS**, the NJ TRANSIT Office of Business Development determined the sole proposer of the Request for Proposal (RFP) was not in compliance with the DBE requirements; and

**WHEREAS**, NJ TRANSIT's Procurement Department was unable to move forward with the award of a contract and must now conduct a new RFP procurement process; and

**WHEREAS**, the current Union Minibus Service NJ TRANSIT Contract No. 15-004A expires on April 28, 2023; and

**WHEREAS**, the route provides connecting service to two rail stations on the Gladstone Line (Summit and Murray Hill) as well as the Plainfield Station on the Raritan Valley rail line; and

**WHEREAS**, the continuation of this service is important to our riders and is consistent with our mission to provide for the operation of a coherent public transportation system in the most efficient and effective manner; and

**WHEREAS**, Suburban Trails, Inc. was the only carrier to submit a proposal for the operation of the service and has been satisfactorily operating the service under contract with NJ TRANSIT for over 20 years; and

**WHEREAS**, staff has determined the most expeditious and cost-effective way to ensure the continuation of the Union Minibus Service without interruption is through the negotiation of an interim agreement to operate the service for a period of 18 months during which time a new RFP procurement process can be completed;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to enter into a procurement by exception directed assignment contract with Suburban Trails, Inc. of New Brunswick, New Jersey, to operate the Union Minibus Service for an 18-month contract period of April 29, 2023 through November 1, 2024, at a cost not to exceed \$1,334,496, plus five percent for contingencies, for a total contract authorization of \$1,401,221, subject to the availability of funds and Board approval of NJ TRANSIT's Operating Budget.

**ITEM 2303-16: PERSONAL INJURY CLAIM OF KEVIN POWERS**

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

**WHEREAS**, Kevin Powers has presented a claim with a probable settlement cost greater than \$500,000; and

**WHEREAS**, staff has reviewed the claim and recommends settling this case out of court;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to settle the claim of Kevin Powers through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

**EXECUTIVE SESSION AUTHORIZATION**

**BE IT HEREBY RESOLVED** pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege; and

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