

**NJ TRANSIT SPECIAL TELEPHONE
BOARD MEETING
MINUTES
OPEN SESSION
10/04/2011**

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

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

October 4, 2011

Dear Governor Christie:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the Special Telephone Meetings of the Board of Directors of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc. and NJ TRANSIT Morris, Inc., held on Tuesday, October 4, 2011.

We respectfully request expedited approval of the minutes, Item 1110-54: Approval of Settlement Agreement with the United States Department of Transportation (USDOT) relating to the Access to the Region's Core (ARC) Project. Expedited approval of the minutes will allow NJ TRANSIT to execute the settlement agreement and to process the first payment.

All other parties, i.e. USDOT and FTA as well as you, have already executed this settlement agreement. The only outstanding signatory is that of the Executive Director of NJ TRANSIT. The item has been thoroughly vetted with your office and the Attorney General. As you are aware, this Agreement is not effective until the last signatory executes it. Expediting approval will allow the agreement to become effective immediately by authorizing the Executive Director to execute it and enabling NJ TRANSIT to make its first payment under the agreement within 10 calendar days of the effective date of the agreement. Without your expedited approval, this payment would be significantly delayed until after the 10 day veto period expires. Therefore, it is in the public's best interests to expedite approval of the minutes for the above referenced item.

Sincerely,


Joyce J. Zuczek
Acting Board Secretary

Enclosures

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

**NJ TRANSIT SPECIAL TELEPHONE
BOARD MEETING
NARRATIVE
OPEN SESSION
10/04/2011**

(NJT Board – 10/04/2011)

Minutes of the actions taken at the Open Session of the Special Telephone Meetings of the Board of Directors of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc. and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Tuesday, October 4, 2011.

Present By Telephone:

James S. Simpson, Chairman
 Bruce Meisel, Vice Chairman
 Johanna Jones, Governor's Representative
 Robert Romano, State Treasurer's Representative
 Myron P. Shevell
 Flora Castillo
 James C. Finkle, Jr.

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

Acting Board Secretary Joyce J. Zuczek took Roll call confirming that seven Board Members were on the telephone conference line.

Chairman James S. Simpson convened the Open Session at 9:11 a.m. in accordance with the Open Public Meetings Act. He said there is one agenda item and public comments will be on the agenda item only.

Chairman Simpson provided an update regarding a matter not on the agenda. He said NJ TRANSIT has been wrestling with two separate fatality incidents in the last 36 hours. The first incident occurred in Wayne, New Jersey where two teenagers were killed crossing the rail bridge and a third was injured. The second incident happened yesterday in Garfield where a 12 year old was fatally injured. Chairman Simpson said these are very serious situations for everyone involved, and it is not taken lightly. He said NJ TRANSIT has a robust program to prevent accidents but unfortunately cannot prevent all of them. Chairman James Simpson said he is working with Executive Director James Weinstein to do everything humanly possible to prevent these accidents in the future. He said they will go to the locations to get a firsthand look at the site and will report back to the Board. Chairman Simpson asked for a moment of silence in remembrance of the victims.

(NJT Board – 10/04/2011)

Public Comments on Agenda Item

There were four public comments on agenda items. Acting Board Secretary Zuczek announced a three minute time limit for speakers.

Murray Bodin welcomed the audience to the new world. He said this kind of telephone meeting is going to become a common situation and recently attended a telephone meeting for another organization.

Mr. Bodin said he supported the Tunnel for many years and supports this board item. Mr. Bodin said the ARC Tunnel needs to be rethought, repurposed, reconfigured and restarted. Mr. Bodin stated that his concern about the analog speedometers on NJ TRANSIT buses, which he raised at the September Board meeting, is indicative of the outdated thinking that must be discarded. He said if NJ TRANSIT cannot understand that digital speedometers are the only way, then it cannot look at the ARC Tunnel.

Acting Board Secretary Joyce Zuczek reminded Mr. Bodin that the public comments are limited to the agenda item only.

Mr. Bodin said NJ TRANSIT needs to change the way it think about things and said to successfully move to the next stage, NJ TRANSIT must think differently.

David Peter Alan said he has not yet seen the document that memorializes the entire settlement and he is concerned that NJ TRANSIT is asking for approval before full review by the principals with authority to approve it.

Mr. Alan said he believes the \$95 million over five years which is 35 cents on the dollar is quite respectable. It is a relief that it will not be paid using the operating budget. Mr. Alan said had the established FTA grant program been followed and both FTA and NJ TRANSIT been fully transparent regarding the cost of the project, this dispute might not have happened and hopes it does not happen again.

Mr. Alan said the other part of the settlement concerns the \$128 million of CMAQ money for capital projects. He said he does not know if NJ TRANSIT would have received the money otherwise and he would like to know.

Mr. Alan said the Lackawanna Coalition is concerned regarding the electrical system disruptions on the Northeast Corridor line. He said this has caused many problems and has an effect on Midtown Direct service too. Mr. Alan said the rehabilitation of the electrical system should be the Number One Priority for NJ TRANSIT's use of the CMAQ funds and should include upgrading the systems on the Hoboken and Newark Divisions to the same power so that equipment can operate on either Division. Mr. Alan mentioned that New Jersey Association of Railroad Passengers concurs with this position.

(NJT Board – 10/04/2011)

Mr. Alan said if there is any money left, it should go to an affordable, phased tunnel project. He said the old ARC Project was wrong, but a new ARC Tunnel project is needed.

James Raleigh thanked NJ TRANSIT's Board, Executive Director and staff for providing the agenda in advance of the meeting. Mr. Raleigh echoed the Governor's statement regarding the settlement and thanked NJ TRANSIT and Executive Director Weinstein for their commitment to work towards a settlement.

Mr. Raleigh stated that one of the problems with interstate transportation planning is that there has been no cooperation between the two MPOs (New Jersey and New York) as well as with Amtrak. This cooperation is essential to proceed with improvements on the Northeast Corridor as well as for a new trans-Hudson solution.

Joseph Clift is a Regional Rail Advocate who lives in Manhattan and is a frequent user of NJ TRANSIT. Mr. Clift applauded the settlement being voted on today for three reasons. Mr. Clift said it reduces the local share of the costs of the terminated ARC project by about one third of \$170 million (net of litigation costs), from approximately \$500 million (after repayment of insurances premiums and other expenditures) to about \$330 million. He said this is a gain for New Jersey.

Mr. Clift said the second reason is that it sets precedent of FTA fiscal responsibility for encouraging a project known to cost in excess of available funds to move forward – e.g. two Early System Work Agreements in 2009 approved despite very clear FTA projections that the project would vastly exceed available funding. He said if the FTA had done its job and listened to the clear reports at the time, there would not be an issue now.

Mr. Clift said the third reason is because it enables New Jersey to move forward and take a leadership role, in cooperation and partnership with Amtrak, in pursuing affordable improvements to trans-Hudson mobility and critically needed improvements to the Northeast Corridor.

Mr. Clift said he has the following requests of NJ TRANSIT management, in pursuit of maximum transparency in state government, as mandated by Governor Christie. He said the following information should be provided to the NJ TRANSIT Board and to the public by email and website posting, concurrent with release of the proposed agenda for the November NJ TRANSIT Board meeting: 1. Report of legal costs of settling FTA demand for repayment of \$271 million in federal funds; 2. Detailed "Sources & Uses" statement of all ARC project expenditures to date, i.e. by each contract and internal cost element; and 3. Itemized report of forecast repayments of ARC project expenditures, i.e. by contract. Mr. Clift requested that his written statement be included in the archival record.

(NJT Board – 10/04/2011)

Executive Director Weinstein presented the following Action Item for approval:

1110-54: APPROVAL OF SETTLEMENT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) RELATING TO THE ACCESS TO THE REGION'S CORE (ARC) PROJECT

Authorization is requested to approve a settlement agreement with the United States Department of Transportation and the Federal Transit Administration to resolve all issues in dispute related to the ARC Tunnel Project. This agreement, negotiated and approved by Governor Christie's office with the assistance of the Attorney General's office, will save New Jersey taxpayers more than \$175 million by reducing the amount that must be repaid to the federal government from \$275 to \$95 million. In addition to these savings, it also will avoid significant interest and penalty costs, as well as future legal costs associated with a protracted dispute. This is a fair resolution of the dispute with the United States Department of Transportation and authorization is requested to follow the lead of Governor Christie, and the United States Department of Transportation to execute this settlement agreement on behalf of NJ TRANSIT and to pay \$95 million in five annual payments of \$19 million each from available funds, including but not limited to ARC insurance premium refunds.

Chairman James S. Simpson recused himself from voting on this item. Flora Castillo moved the resolution, Bruce Meisel seconded it and it was adopted.

Vice Chairman Bruce Meisel said he strongly supports the board item and said it was a job well done by NJ TRANSIT.

Since the meeting was conducted via telephone, Acting Board Secretary Zuczek confirmed there was unanimous approval of this item, with the exception of Chairman Simpson who recused himself from the vote.

Adjournment

Since there were no further comments or business, Chairman Simpson called for adjournment and a motion to adjourn was made by Myron P. Shevell seconded by Flora Castillo and unanimously adopted. The meeting was adjourned at approximately 9:29 a.m.

NOTICE OF BOARD OF DIRECTORS' SPECIAL TELEPHONE MEETINGS

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

OCTOBER 4, 2011

MINUTES

PAGE

- **CALL TO ORDER**
- **PUBLIC COMMENTS ON AGENDA ITEM**

ACTION ITEM

| | | |
|----------------|---|--------------|
| 1110-54 | APPROVAL OF SETTLEMENT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) RELATING TO THE ACCESS TO THE REGION'S CORE (ARC) PROJECT | 43592 |
|----------------|---|--------------|

Authorization to execute the settlement agreement on behalf of NJ TRANSIT and to expend \$95 million in five annual payments of \$19 million each from available funds, including but not limited to ARC insurance premium refunds.

ACTION ITEM

ITEM 1110-54: APPROVAL OF SETTLEMENT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) RELATING TO THE ACCESS TO THE REGION'S CORE (ARC) PROJECT

BENEFITS

Approval of this settlement agreement resolves all issues in dispute with the United States Department of Transportation (USDOT) and Federal Transit Administration (FTA) related to the ARC Tunnel Project, and saves New Jersey taxpayers more than \$175 million. The agreement also avoids the potential for significant interest and penalty costs, as well as future legal costs associated with a protracted dispute.

PURPOSE

NJ TRANSIT and the United States Department of Transportation (USDOT) and the (FTA) have reached agreement to resolve the FTA's demand that NJ TRANSIT repay \$271,101,291 in federal funds that had been expended for the ARC Tunnel Project at the time of its cancellation on October 27, 2010.

Under the agreement, NJ TRANSIT will pay the USDOT the sum of \$95 million in five equal payments of \$19 million paid annually for a period of five (5) years. The first payment shall be made within ten days of the settlement date. Payment is to be made from available funds, including but not limited to ARC insurance premium refunds.

With regard to the \$128,009,405 in federal Congestion Mitigation and Air Quality (CMAQ) program funds received by New Jersey and expended on the ARC Project, NJ TRANSIT and the USDOT and FTA agree that New Jersey is not obligated to repay such funds to USDOT, provided that New Jersey prospectively expends an equivalent amount of new federal CMAQ funds (that is, \$128,009,405) on transit-related projects that have been reviewed and approved by DOT, such as projects selected by the relevant Metropolitan Planning Organizations, and such approval shall not be unreasonably withheld.

The USDOT waives all interest, penalties, administrative costs and collection costs that may accrue, could have accrued or have accrued on all amounts demanded in the ARC Project Dispute. USDOT also waives all lien rights, agrees to assert no liens and agrees that all such liens are extinguished and discharged.

The settlement agreement includes a general release (as well as a discharge of rights and obligations) in which USDOT and New Jersey release each other from all claims, suits and other actions relating to the ARC Project Dispute. The ARC Project Dispute is defined as all disputes, disagreements and other matters arising out of, relating to, or concerning (i) the Early Systems Work Agreement (ESWA) related to or implementing

the ARC Project, (ii) FTA's November 8 and November 24, 2010 Repayment Demands, and (iii) FTA's April 29, 2011 Final Decision.

The settlement states neither party admits liability or fault arising out of the ARC Tunnel Project dispute. It states the settlement is being entered into to avoid expensive and time-consuming litigation, and to resolve the overall ARC dispute in a reasonable and fair manner.

ACTION

Staff seeks authorization to execute the settlement agreement on behalf of NJ TRANSIT and to expend \$95 million in five annual payments of \$19 million each from available funds, including but not limited to ARC insurance premium refunds.

FISCAL IMPACTS

| | |
|---|---|
| Requested Authorization: | USDOT \$95 million (over five years, \$19 million per year) |
| Anticipated Source of Funds: | Available funds, including but not limited to ARC insurance premium refunds |
| Diversity Goal: | N/A |
| Related/Future Authorizations: | None |
| Impacts on Subsequent Operating Budgets: | N/A |

RESOLUTION

WHEREAS, the Federal Transit Administration (FTA) demanded that New Jersey repay \$271,101,291 in federal funds that had been expended on the ARC Tunnel Project at the time of its cancellation; and

WHEREAS, New Jersey and the Federal Government have negotiated a settlement; and

WHEREAS, this \$95 million settlement will resolve all issues in dispute with the USDOT and FTA related to the ARC Tunnel Project;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to execute the settlement agreement on behalf of NJ TRANSIT and to expend \$95 million in five annual payments of \$19 million each from available funds, including but not limited to ARC insurance premium refunds.

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

NJ TRANSIT
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Enclosures

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Penny Bassett-Hackett, Acting Assistant Executive Director, Commun. & Cust. Service
James Gigantino, Vice President & General Manager, Bus Operations
Richard Andreski, Chief of Staff, Rail Operations
Christopher Trucillo, Chief of Police
Kim Vaccari, Chief Financial Officer & Treasurer
Steve Santoro, Assistant Executive Director, Capital Planning and Programs
Carlos Ramirez, Assistant Executive Director, Corporate Affairs
Alma Scott-Buczak, Assistant Executive Director, Human Resources
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Acting Board Secretary Joyce J. Zuczek took Roll call confirming that seven Board Members were on the telephone conference line.

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(NJT Board – 10/04/2011)

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(NJT Board – 10/04/2011)

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Joseph Clift is a Regional Rail Advocate who lives in Manhattan and is a frequent user of NJ TRANSIT. Mr. Clift applauded the settlement being voted on today for three reasons. Mr. Clift said it reduces the local share of the costs of the terminated ARC project by about one third of \$170 million (net of litigation costs), from approximately \$500 million (after repayment of insurances premiums and other expenditures) to about \$330 million. He said this is a gain for New Jersey.

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(NJT Board – 10/04/2011)

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Chairman James S. Simpson recused himself from voting on this item. Flora Castillo moved the resolution, Bruce Meisel seconded it and it was adopted.

Vice Chairman Bruce Meisel said he strongly supports the board item and said it was a job well done by NJ TRANSIT.

Since the meeting was conducted via telephone, Acting Board Secretary Zuczek confirmed there was unanimous approval of this item, with the exception of Chairman Simpson who recused himself from the vote.

Adjournment

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NOTICE OF BOARD OF DIRECTORS' SPECIAL TELEPHONE MEETINGS

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

OCTOBER 4, 2011

MINUTES

PAGE

- **CALL TO ORDER**
- **PUBLIC COMMENTS ON AGENDA ITEM**

ACTION ITEM

1110-54 APPROVAL OF SETTLEMENT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) RELATING TO THE ACCESS TO THE REGION'S CORE (ARC) PROJECT 43592

Authorization to execute the settlement agreement on behalf of NJ TRANSIT and to expend \$95 million in five annual payments of \$19 million each from available funds, including but not limited to ARC insurance premium refunds.

ACTION ITEM

ITEM 1110-54: APPROVAL OF SETTLEMENT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) RELATING TO THE ACCESS TO THE REGION'S CORE (ARC) PROJECT

BENEFITS

Approval of this settlement agreement resolves all issues in dispute with the United States Department of Transportation (USDOT) and Federal Transit Administration (FTA) related to the ARC Tunnel Project, and saves New Jersey taxpayers more than \$175 million. The agreement also avoids the potential for significant interest and penalty costs, as well as future legal costs associated with a protracted dispute.

PURPOSE

NJ TRANSIT and the United States Department of Transportation (USDOT) and the (FTA) have reached agreement to resolve the FTA's demand that NJ TRANSIT repay \$271,101,291 in federal funds that had been expended for the ARC Tunnel Project at the time of its cancellation on October 27, 2010.

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With regard to the \$128,009,405 in federal Congestion Mitigation and Air Quality (CMAQ) program funds received by New Jersey and expended on the ARC Project, NJ TRANSIT and the USDOT and FTA agree that New Jersey is not obligated to repay such funds to USDOT, provided that New Jersey prospectively expends an equivalent amount of new federal CMAQ funds (that is, \$128,009,405) on transit-related projects that have been reviewed and approved by DOT, such as projects selected by the relevant Metropolitan Planning Organizations, and such approval shall not be unreasonably withheld.

The USDOT waives all interest, penalties, administrative costs and collection costs that may accrue, could have accrued or have accrued on all amounts demanded in the ARC Project Dispute. USDOT also waives all lien rights, agrees to assert no liens and agrees that all such liens are extinguished and discharged.

The settlement agreement includes a general release (as well as a discharge of rights and obligations) in which USDOT and New Jersey release each other from all claims, suits and other actions relating to the ARC Project Dispute. The ARC Project Dispute is defined as all disputes, disagreements and other matters arising out of, relating to, or concerning (i) the Early Systems Work Agreement (ESWA) related to or implementing

the ARC Project, (ii) FTA's November 8 and November 24, 2010 Repayment Demands, and (iii) FTA's April 29, 2011 Final Decision.

The settlement states neither party admits liability or fault arising out of the ARC Tunnel Project dispute. It states the settlement is being entered into to avoid expensive and time-consuming litigation, and to resolve the overall ARC dispute in a reasonable and fair manner.

ACTION

Staff seeks authorization to execute the settlement agreement on behalf of NJ TRANSIT and to expend \$95 million in five annual payments of \$19 million each from available funds, including but not limited to ARC insurance premium refunds.

FISCAL IMPACTS

| | |
|---|---|
| Requested Authorization: | USDOT \$95 million (over five years, \$19 million per year) |
| Anticipated Source of Funds: | Available funds, including but not limited to ARC insurance premium refunds |
| Diversity Goal: | N/A |
| Related/Future Authorizations: | None |
| Impacts on Subsequent Operating Budgets: | N/A |

RESOLUTION

WHEREAS, the Federal Transit Administration (FTA) demanded that New Jersey repay \$271,101,291 in federal funds that had been expended on the ARC Tunnel Project at the time of its cancellation; and

WHEREAS, New Jersey and the Federal Government have negotiated a settlement; and

WHEREAS, this \$95 million settlement will resolve all issues in dispute with the USDOT and FTA related to the ARC Tunnel Project;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to execute the settlement agreement on behalf of NJ TRANSIT and to expend \$95 million in five annual payments of \$19 million each from available funds, including but not limited to ARC insurance premium refunds.

MINUTES DELIVERY RECEIPT ACKNOWLEDGEMENT

TO: Governor's Authorities Unit Personnel
FROM: Joyce J. Zuczek, Acting Board Secretary
SUBJECT: NJ TRANSIT BOARD MEETING MINUTES – SEPTEMBER 14, 2011
DATE: October 4, 2011

Please acknowledge receipt of the attached NJ TRANSIT Board Meeting Minutes by signing this acknowledgement and faxing it to:

Joyce J. Zuczek, Acting Board Secretary
NJ TRANSIT
Fax No. 973-491-7071

Thank you.

DATE RECEIVED BY GOVERNOR'S AUTHORITIES UNIT 10/4/11

RECEIVED BY: *[Signature]*

VETO DATE: _____

OFFICE OF THE GOVERNOR
AUTHORITIES UNIT
OCT 4 2011
Veto Date 10/14/11

MINUTES DELIVERY RECEIPT ACKNOWLEDGEMENT

TO: Governor's Authorities Unit Personnel
FROM: Joyce J. Zuczek, Acting Board Secretary
SUBJECT: NJ TRANSIT BOARD MEETING MINUTES – SEPTEMBER 14, 2011
DATE: October 4, 2011

Please acknowledge receipt of the attached NJ TRANSIT Board Meeting Minutes by signing this acknowledgement and faxing it to:

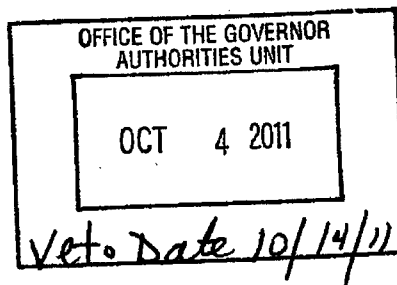
Joyce J. Zuczek, Acting Board Secretary
NJ TRANSIT
Fax No. 973-491-7071

Thank you.

DATE RECEIVED BY GOVERNOR'S AUTHORITIES UNIT 10/4/11

RECEIVED BY: *[Signature]*

VETO DATE: _____



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

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

October 4, 2011

Dear Governor Christie:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the Special Telephone Meetings of the Board of Directors of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc. and NJ TRANSIT Morris, Inc., held on Tuesday, October 4, 2011.

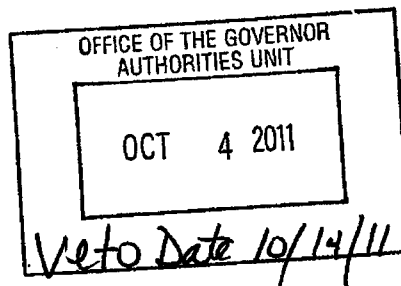
We respectfully request expedited approval of the minutes, Item 1110-54: Approval of Settlement Agreement with the United States Department of Transportation (USDOT) relating to the Access to the Region's Core (ARC) Project. Expedited approval of the minutes will allow NJ TRANSIT to execute the settlement agreement and to process the first payment.

All other parties, i.e. USDOT and FTA as well as you, have already executed this settlement agreement. The only outstanding signatory is that of the Executive Director of NJ TRANSIT. The item has been thoroughly vetted with your office and the Attorney General. As you are aware, this Agreement is not effective until the last signatory executes it. Expediting approval will allow the agreement to become effective immediately by authorizing the Executive Director to execute it and enabling NJ TRANSIT to make its first payment under the agreement within 10 calendar days of the effective date of the agreement. Without your expedited approval, this payment would be significantly delayed until after the 10 day veto period expires. Therefore, it is in the public's best interests to expedite approval of the minutes for the above referenced item.

Sincerely,


Joyce J. Zuczek
Acting Board Secretary

Enclosures



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

Chris Christie, Governor
Kim Guadagno, Lieutenant Governor
James S. Simpson, Board Chairman
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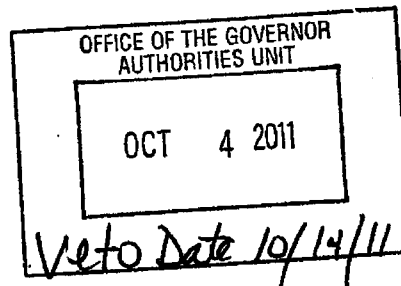
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State House
Trenton, NJ 08625

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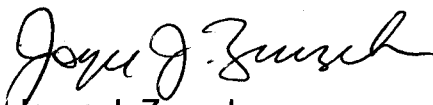
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