

Philip D. Murphy, Governor
Tahesha L. Way, Lieutenant Governor
Francis K. O'Connor, Commissioner
Kevin S. Corbett, President & CEO

ONE PENN PLAZA EAST
NEWARK, NJ 07105-2246
973-491-7000



November 20, 2024

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

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, November 13, 2024.

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. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, November 13, 2024. The meetings occurred concurrently.

Board Members

Francis K. O'Connor, Chair
Kiabi D. Carson, Vice Chair
Aaron J. Creuz, Governor's Representative
Michael Kanef, Treasurer's Representative
Anthony N. Abrantes, Board Member
Richard A. Maroko, Board Member
Carlos A. Medina, Board Member
Shanti Narra, Board Member
Evan S. Weiss, Board Member
Rashonda A. Brown, Board Member (Non-Voting) – ABSENT
Karen Thomas, Board Member (Non-Voting)

Staff

Kevin S. Corbett, President & Chief Executive Officer (CEO)
Meghan Clark Umukoro, Board Secretary
Christopher Martin, Deputy General Counsel, Employment Counseling & Litigation
Michael Kilcoyne, Senior Vice President, Surface Transit & General Manager, Bus Operations
James A. Sincaglia, Senior Vice President & General Manager, Rail Operations
Richard Schaefer, Senior Vice President, Capital Programs
Jakeline Jones, Controller

Chair O'Connor convened the Open Session at 6:00 p.m., in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Board Secretary Umukoro asked everyone to mute their phones and turn their attention to the Public Safety Announcement. The pledge of allegiance to the flag was recited.

Board Secretary Umukoro conducted Roll Call and noted Board Members Abrantes, Creuz, Medina, Thomas, and Weiss were participating remotely, Board Member Brown was absent, and Board Member Narra would be arriving shortly.

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 November 7, 2024, 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 O'Connor asked for a motion to approve the minutes of the October 10, 2024, Board meetings. Board Member Michael Kanef made the motion, Board Member Richard A. Maroko seconded the motion, and the minutes were adopted.

President & CEO's Monthly Report

President & CEO Corbett began by sharing an important service notice regarding the upcoming PATH station closure. Last week the Port Authority announced that beginning January 30, 2025 and continuing through February 25, 2025, the Hoboken PATH station would be closing to allow for track improvements and station rehabilitation. President & CEO Corbett said during the nearly month-long station closure, NJ TRANSIT services to and from Hoboken Terminal would operate as scheduled with some enhancements to service on the 126-bus route, as well as the Hudson-Bergen Light Rail. However, NJ TRANSIT bus and light rail would be unable to fully accommodate all the daily Hoboken PATH ridership. He said customers could expect potential delays, congestion and/or crowding conditions around Hoboken Terminal. President & CEO Corbett said PATH was offering a variety of travel alternatives for their customers, including ferry service from Hoboken, shuttle buses between Hoboken, Newport, and Exchange Place PATH stations, and enhanced PATH service from Newport and Exchange Place. President & CEO Corbett strongly encouraged Hoboken PATH train customers to view all alternate travel options provided by PATH during this period, which could be found by visiting their website at panynj.gov.

President & CEO Corbett discussed updates for recent events at MetLife Stadium. Since the last Board meeting, NJ TRANSIT provided seamless service for one Jets game and one Giants game, as well as the Navy/Notre Dame game on October 26, 2024. President & CEO Corbett said while that game did not quite top 2021's Army/Navy game, which broke the stadium's college football attendance record with 82,282 fans attending, it certainly set the tone for the return of the Army/Navy game at MetLife Stadium in 2026. President & CEO Corbett said as many may know he was a bit partial to the Navy and was very disappointed at the outcome of the game but considered it at least a win for NJ TRANSIT customers and fans for both teams. He said speaking of their military family, that past Monday, NJ TRANSIT was proud to honor the brave men and women who had served or were currently serving in the U.S. Armed Forces, with complimentary rides throughout their system on Veteran's Day.

President & CEO Corbett said as NJ TRANSIT continued to deliver a high quality of customer experience for those attending events at MetLife Stadium, they were also working to engage their bus customers and optimize bus service throughout Hudson County. He said in October, NJ TRANSIT launched a digital survey for their NewBus Hudson bus redesign initiative available at njtransit.com/newbushudsonsurvey. This which would inform their efforts to best align service with demand on the 32 bus lines that served Hudson County. In addition to this survey, NJ TRANSIT was working closely with

local Hudson County officials, who were eager to maximize smart growth in the county and take advantage of new development and employment patterns.

President & CEO Corbett said he would be meeting with elected officials on Thursday, November 14, 2024, in Trenton, to testify before the Assembly Transportation and Independent Authorities Committee. Also joining him would be Amtrak CEO Stephen Gardner. President & CEO Corbett said he would be testifying in his role both as President & CEO of NJ TRANSIT and as Co-Chair of the Northeast Corridor Commission. He said he and Mr. Gardner would be sharing some of the progress they've made since implementing their joint plan in late June, as well as Amtrak's need for the necessary funding for them to accelerate the work to replace and modernize the Northeast Corridor infrastructure between Trenton and New York. He said it was critical that they prioritize the most vulnerable infrastructure to restore the reliability on the Northeast Corridor that their customers expected and deserved. President & CEO Corbett said NJ TRANSIT remained 100 percent committed to continuing their support in Amtrak's efforts to address the many infrastructure challenges along the Northeast Corridor, which required urgent attention after decades of underinvestment.

To spotlight the Northeast Corridor challenges firsthand, last month President & CEO Corbett said he joined members of New Jersey's Congressional Delegation for a rail tour of the Northeast Corridor between New Brunswick and New York. The tour was hosted by Amtrak CEO Stephen Gardner, and attended by five members of New Jersey's Congressional Delegation, Congress Members Frank Pallone, Josh Gottheimer, Andy Kim, Rob Menendez, and Mikie Sherrill. The tour highlighted the urgent need for upgrades and funding along that critical corridor, and all the work NJ TRANSIT and Amtrak were undertaking together to modernize the Northeast Corridor.

President & CEO Corbett said while they continued advocating for essential infrastructure improvements along the Northeast Corridor, they were also making strides to enhance their stations and surrounding communities with new federal funding. He was pleased to share that NJ TRANSIT had been selected to receive \$380,000 in federal funds to create a Transit-Oriented Development (TOD) master plan around their Paterson Station. This grant would support a comprehensive study into how the station could better serve residents and visitors by improving multi-modal transit connections and increasing diverse residential and commercial development in the area. The study was one of only 11 awarded nationwide, through the FTA's Pilot Program for TOD Planning, made possible by the Bipartisan Infrastructure Law. Paterson Station is a key stop on the Main-Bergen Line and is located in New Jersey's third-largest city, serving a significant commuter base with strong potential for future growth.

President & CEO Corbett said on the agenda that evening the Board would consider approval of a contract for a new operator of their Hudson-Bergen Light Rail system (HBLR). This contract would replace the HBLR's original Design-Build-Operate-Maintain (DBOM) contract from 2000. The new contract with ACI-Herzog JV included operation of the light rail system, and the maintenance of the light rail vehicles and the right of way. Through this partnership, NJ TRANSIT was focused on maintaining the high

standard of service their HBLR customers have come to expect, while supporting the continued growth and connectivity of Hudson County.

President & CEO said as part of NJ TRANSIT's continued investments in infrastructure and improving service quality, they recently had the pleasure of hosting Governor Murphy at their Meadowlands Maintenance Complex in Kearny, to preview the next-generation multi-level rail cars coming soon to NJ TRANSIT. On October 30, 2024, Governor Murphy, President & CEO Corbett, Congressman Rob Menendez, Assemblyman Clinton Calabrese, and Federal Transit Administration Administrator Michael Culotta previewed a new multi-level III rail car. The new multi-level III rail car joined three others at the Federal Railroad Administration (FRA) facility in Pueblo, Colorado for high-speed performance and qualification testing before being shipped back to NJ TRANSIT for commissioning. He said they expected the multi-level III rail cars to begin entering passenger service sometime by the middle of 2025. President & CEO Corbett said they were planning to have the original 113 rail cars they purchased in 2018 in service in 2026. At that time, most of the 40 plus year-old Arrow III rail cars would be retired.

The 25 additional rail cars purchased in 2022 were expected to be in service in the mid-to-late 2027. The remaining 36 additional rail cars approved for purchase by the Board in July of 2024 were expected to be in service by the end of 2028. Provided that capital funding remained available, they anticipated exercising an option to purchase up to an additional 100 new multi-level rail cars in 2025, to start replacing the aging Comet II's and IV's, which were approaching the end of their useful life. He said these new rail cars featured many customer-focused amenities, including USB charging ports at the seats and new onboard information displays, significantly enhancing the overall customer experience. Beyond providing additional seating capacity and a far more comfortable ride, they would also dramatically improve NJ TRANSIT's Mean Distance Between Failure (MDBF), which would be approximately 400,000 miles, 20 times greater than the Arrow III's, which were at approximately 20,000 miles.

President & CEO Corbett said aligned with the expansion and modernization of rail infrastructure, NJ TRANSIT was also eagerly awaiting the arrival of the Portal North Bridge's three main arch spans, each weighing approximately 2,500 tons and measuring about 400 feet long and 80 feet tall. The first arch was scheduled to depart Port of Coeymans, New York next week, and would be floated in by barge to the Portal North Bridge construction site. The other two arches would make the journey by barge over the next two months. When the third arch was secured in-place in early February 2025, the bridge would be effectively structurally complete. This would allow Amtrak approximately one year to complete the necessary catenary, signal, and rail work. The bridge remained on schedule to open its first track in 2026. With the right support from Amtrak, President & CEO Corbett said they expect they will even come in under budget.

In line with NJ TRANSIT's efforts to modernize transit infrastructure across New Jersey, they continued to advance their Walter Rand Transportation Center (WRTC) Improvement Project, generously funded through Governor Murphy's \$250 million commitment. President & CEO Corbett said on Thursday, November 14, 2024,

NJ TRANSIT would host a Virtual Public Information Session on the WRTC Improvement Project from 3:00 p.m. to 4:00 p.m., as well as hold an in-person session from 6:00 p.m. to 7:30 p.m. at Cooper Medical School in Camden. These sessions would provide an overview of the project, which aimed to expand and modernize the WRTC to better serve Camden and the surrounding region, and would allow the public to share feedback. More information and registration were available at njtransit.com/wrtc.

President & CEO Corbett said to ensure they continued to meet the needs of their customers, they have once again launched their bi-annual Customer Satisfaction Survey, which was available at njtransit.com/survey. He said this fall's Customer Satisfaction Survey, which launched on October 30, 2024 and would run throughout November, gives their customers an opportunity to share valuable feedback on their experiences with NJ TRANSIT's services. President & CEO Corbett said these survey insights help them prioritize improvements and track their progress in key service areas, all to continue improving the customer experience.

Advisory Committee Report

Anna Marie Gonnella Rosato said the North and South Jersey Passenger Advisory Committee (PAC) met virtually on October 25, 2024. They were provided with an update on the River LINE from Lyla Wilkins, Director of Light Rail Contract Operations and Business Administration. They also welcomed Customer Advocate Franck Beaumin, who discussed his background and road map. Barbara Lazzaro, Senior Director of Local Government and Community Relations, also updated the PACs on the Walter Rand Transportation Improvement Project. Ms. Gonnella Rosato said as President & CEO Corbett mentioned, a public information session on the Walter Rand Transportation Improvement Project's preliminary design concepts would be held on November 14, 2024, and to visit NJ TRANSIT's website for more information.

NJ TRANSIT rolled out its seasonal use of its two AquaTrack machines to clear and remove leaves from the rails. On November 11, 2024, NJ TRANSIT saluted all active and retired military personnel on Veteran's Day with complimentary rides on all bus, rail, and light rail.

Ms. Gonnella Rosato said they were provided with an update on the passing of Bills A2607 and S360, authorizing taxicabs, limousines, and transportation network companies to provide paratransit services for a two-year period, and those bills were signed into law by Governor Murphy on October 4, 2024. Lastly, Ms. Gonnella Rosato said their next PAC's meeting would be held on December 6, 2024.

Chair O'Connor asked Board Secretary Umukoro if there were any comments from the public. Board Secretary Umukoro said there were four in-person speakers and two pre-registered telephone speakers.

Board Secretary Umukoro said in order to give everyone an opportunity to be heard, comments would be limited to three minutes. Priority access would be given to pre-

registered in-person speakers, followed by any additional in-person speakers. They would then take comments from pre-registered telephone speakers, followed by any additional telephone participants queued to speak. Board Secretary Umukoro instructed those participating by telephone, if they had not already done so, please press *1 on their telephone keypad to enter the queue to speak. They would hear a brief tone to indicate they have successfully entered the queue.

Public Comments

Sally Jane Gellert, Chairperson for the Senior Citizens Disabled Residents Transportation Advisory Committee (SCDRTAC), said they had a meeting in October that was different from their usual meetings. She said they had a training session presented by a consultant from Cape May County. They talked a lot about the history of the organization and how to move forward together. Ms. Gellert said they were looking forward to the four proposed members going through the process of getting approved to fill their open seats, and were looking forward to another good year.

David Peter Alan made a statement in his personal capacity, which also included his situation as a non-motorist who depended on NJ TRANSIT for his mobility within and near New Jersey. He said he came out to report an incident of disregard by NJ TRANSIT for his mobility; specifically, whether he would be allowed to rely on its representations that he would be able to get to an annual event at a location where buses ran very infrequently. Mr. Alan said there was an annual event in Lincoln Park, on the #871 bus route in Morris County, on September 28, 2024. He said this bus only ran four times on Saturdays between Willowbrook and the Morristown Train Station, so there was no reason to expect motorists would use it. Mr. Alan said because of NJ TRANSIT's indifference, he nearly missed the #871 bus at Willowbrook. He said he reported the incident (Case No. 01669681) twice, and never received a reply with any substantive or other helpful information. A copy of Mr. Alan's complaint would be provided to the Board in its entirety, along with his statement.

Chris Neidenberg, of Passaic and member of the Lackawanna Coalition, spoke on his own behalf to make two points. Regarding the closing of Kingsland Station, he said he was at the hearings and there was an overwhelming number of oppositions for closing it. Mr. Neidenberg said if there was any narrative that NJ TRANSIT could provide in response to the concerns that were raised at the hearing, they would like to see them, however, he doubted that would happen. He said if President & CEO Corbett was so proud of this achievement, it should have been mentioned in his report. Mr. Neidenberg said there were two Board members at the Kingsland Station closing hearings and unless they voted no on the item, they should provide their opinion on this matter and why they supported it.

Mr. Neidenberg said he debated whether to bring up his second point because he had been benefiting from it and saved \$16.00 in October on fareboxes that were not working. He said these fareboxes were taped over or not taking money, and hopefully the situation improved from a revenue perspective, but he would take the savings. Mr. Neidenberg

said if NJ TRANSIT was going to have such a cavalier attitude about the farebox revenue, why did they have a fare increase when they were not even collecting the farebox revenue, and he hoped this situation would be rectified.

Vito Havrilla, Vice Chair and Legislative Director for the Lackawanna Coalition, said the Coalition was an independent organization advocating for better transit. Mr. Havrilla said they met at Millburn Town Hall on the fourth Monday of every month at 6:45 p.m., and to visit lackawannacoalition.org for more details. He said they also put out the Railgram.

Mr. Havrilla said regarding Board action items 2411-63 and 2411-64 there was no financial transparency, and they were not given any background information on current costs, losing bids, breakdown on expenses, split in operations, and vehicle maintenance. He said they were very frustrated about the closing of Kingsland Station and the public had very little notice of the hearings. Mr. Havrilla said surprisingly there were only a few riders who knew of NJ TRANSIT's plans when they stopped by the hearing on the morning of August 14, 2024. He said there were 60 or more local residents at the hearings, and they were the ones who would have a longer drive or longer walk to the Lyndhurst Station because the connection to the #76 bus was impossible. Mr. Havrilla said with new apartments slated to be built directly across the street, it made the Kingsland Station closure less desirable for commuters who would now have to walk three-quarters of a mile to a new station, rather than just crossing the street.

Mr. Havrilla said the Coalition was opposed to adding expiration dates on tickets, however, NJ TRANSIT went ahead with their plans regardless of public objection. He said some riders who purchased tickets had an expiration date on their tickets with the same date they purchased it, or it was expiring the next day.

Mr. Havrilla asked NJ TRANSIT to keep the Newark Penn Station Raymond Boulevard entrance open. They objected to overnight closure of the Concourse or Newark Penn station closing early. He said having to walk around from one end of the station to the other side felt uncomfortable, and in inclement weather it took longer. Mr. Havrilla said it was also an accessibility issue and hard for individuals with disabilities to make connections.

Jason Anthony, member of the Long Island Railroad Americans with Disabilities Act (ADA) Task Force, said after the difficulties NJ TRANSIT had with Microsoft Teams, they should use the meeting platform which the MTA had been using since COVID for their Board meetings, which was Zoom. He said it was clear that NJ TRANSIT was still stuck in the 20th Century.

Mr. Anthony asked President & CEO Corbett whether he was ignoring the commuters that used New York Penn Station, because it was clear that he was more focused on New Jersey commuters, rather than those like himself who lived in the confines of New York. He said he paid 50 percent more to use the NJ TRANSIT system, and then would have to pay three percent more next year, and not mention they had to navigate in conditions that were pure hell. Mr. Anthony said he also provided SCDRTAC with a YouTube video

of the living hell, which New Yorkers had to navigate through just to get an elevator in New York Penn Station. He said he hoped Board Member Narra was hearing this since she used public transportation, and if not, that was an epic failure. Mr. Anthony said Governor Kathy Hochul of New York was moving forward with congestion pricing, which showed how New Yorkers work. Lastly, Mr. Anthony said he hoped that by 2025 NJ TRANSIT would fix the disfunction between Newark and Trenton.

Andy Weiss asked when NJ TRANSIT was going to fix their transit app, that reported fake departures of buses and trains. Mr. Weiss said many transit riders, him included, have seen many ghost buses and trains on the NJ TRANSIT app for years. He said the NJ TRANSIT app showed trains as departed, when they never departed. Mr. Weiss asked were those false bus and train departures reported on the official NJ TRANSIT On-Time Performance statistics announced at monthly meetings. He said this was why they had a customer advocate, because NJ TRANSIT Customer Service had allowed this to continue for years, NJ TRANSIT did not have a robust Customer Service Department, and if so, they would not have allowed the same problems to continue year after year. Mr. Weiss said NJ TRANSIT Customer Service frustrated riders because they were ignored and lacked feedback and follow-up to riders. He said this was why the Legislature and Governor Murphy signed a law to create a customer advocate position.

Mr. Weiss asked why the Board was not giving the Customer Advocate more staff to help him. He said the Customer Advocate could not handle a third-world transit system like NJ TRANSIT by himself. Mr. Weiss said a bill was moving through the Legislature to create a Customer Advocate Office and the NJ TRANSIT Board was not giving their full effort to help the Customer Advocate. His last question to the Board was whether the Meadowlands rapid transit bus lane was going to be permanent or was it only temporary for the FIFA World Cup, and if that was the case, that lane needed to remain permanent indefinitely.

Adam Reich said in regard to Kingsland Station, it did not seem like there was much public support for it and transit was very attractive and robust when it was something they could walk to easily. He said it was imperative that the agency hit the pause button on the closure of Kingsland Station and wait six months to a year to see what the ridership patterns looked like after the Lyndhurst Station opened. Mr. Reich said maybe there might be a drawdown, which would justify the Kingsland Station staying open, rather than closing it haphazardly. He said for a lot of people, walkability was critical and although he understood that Kingsland Station could not be accessible to all, some accessibility was better than none.

Mr. Reich said he was concerned about data that was not being reported on at these Board meetings or committee meetings, which were changes in station conditions, particularly at Northeast Corridor stations such as Metropark and Princeton Junction. He said doors were recently removed from passenger shelters, and while he heard this was due to the homeless using the shelters, he could not understand why there was not another alternative. Mr. Reich said with the colder months ahead, he was concerned about the elderly and those who were susceptible to the cold, who would not have an

enclosed shelter with heat. He said NJ TRANSIT needed the resources, to deploy more officers to these stations, to offer the homeless social services help.

Mr. Reich said there also needed to be a greater quality of information that went into the Board Operations and Customer Service Committee reports. He challenged anyone on the Board to explain why the agenda featured screenshots of social media posts, but nothing on customer complaints, and asked what they were going to do about it. Mr. Reich challenged Vice Chair Carson because she held the seat on the Board that represented rail riders. He asked what she thought of the complaints and whether what they were doing to remedy them should be featured in their reports. Lastly, Mr. Reich asked that the Mean Distance Between Failure data be added back into the Board Operations and Customer Service Committee reports, for more transparency because they could not keep blaming the declining numbers on the old equipment. He urged Vice Chair Carson and Board Member Weiss, who represented riders, ask that this information be provided.

Board Secretary Umukoro noted that Board Member Narra joined the meetings.

Written Comment Submitted In Lieu of Speaking

Andrew Miller said he was reaching out to the Board regarding the “Keep Kingsland Station in Service” petition, which garnered significant community support with 1,151 signatures. Mr. Miller stated many spoke out at the public hearing in August, making compelling arguments for keeping it as a stop along NJ TRANSIT’s main line, and stating how closing it would make matters worse. He urged the Board to use their influence to fight for what was right.

Board Operations and Customer Service Committee Report

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

Board Administration Committee Report

Board Member Maroko presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included a summary of operating results compared to previous year’s comparable period and Fiscal Year 2025 Budget, 12-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, 12-month farebox recovery, history of vacancies, attrition and hires, ridership and revenue, and a monthly budget-to-actual comparison for September 2024.

The Committee also received updates from Human Resources and Equal Employment Opportunity and Affirmative Action.

Board Capital Planning, Policy, and Privatization Committee Report

Board Member Weiss presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy, and Privatization Committee reviewed the Board Items for the Hudson-Bergen Light Rail (HBLR) Operations and Maintenance Contract, and Closure of Kingsland Station.

Action Items

2411-63 HUDSON-BERGEN LIGHT RAIL OPERATIONS AND MAINTENANCE CONTRACT

President & CEO Corbett introduced Michael Kilcoyne, Senior Vice President Surface Transit & General Manager, Bus Operations, to present Action Item #2411-63. Michael Kilcoyne presented for approval Action Item #2411-63: Hudson-Bergen Light Rail Operations and Maintenance Contract.

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

Roll Call Vote:

Abrantes	Maroko	Medina	Narra	Weiss	Kanef	Creuz	Carson	O'Connor
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2411-64: MAINTENANCE, OPERATIONS, AND MANAGEMENT SERVICES OF THE EAST END CONCOURSE (EEC) AT NEW YORK PENN STATION

President & CEO Corbett introduced James Sincaglia, Senior Vice President and General Manager, Rail Operations, to present Action Item #2411-64. James Sincaglia presented for approval Action Item #2411-64: Maintenance, Operations, and Management Services of the East End Concourse (EEC) at New York Penn Station.

Board Member Anthony N. Abrantes made a motion, Board Member Richard A. Maroko seconded the motion, and the item was adopted.

Roll Call Vote:

Abrantes	Maroko	Medina	Narra	Weiss	Kanef	Creuz	Carson	O'Connor
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2411-65: CLOSURE OF KINGSLAND STATION

President & CEO Corbett introduced Richard Schaefer, Senior Vice President, Capital Programs, to present Action Item #2411-65. Richard Schaefer presented for approval Action Item #2411-65: Closure of Kingsland Station.

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

Roll Call Vote:

Abrantes	Maroko	Medina	Narra	Weiss	Kanef	Creuz	Carson	O'Connor
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2411-66: RECOMMENDATION TO APPROVE THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2024.

President & CEO Corbett introduced Jakeline Jones, Controller, to present Action Item #2411-66. Jakeline Jones presented for approval Action Item #2411-66: Recommendation to Approve the Audited Financial Statements for the Fiscal Year Ended June 30, 2024.

Board Member Richard A. Maroko made a motion, Board Member Michael Kanef seconded the motion, and the item was adopted.

Roll Call Vote:

Abrantes	Maroko	Medina	Narra	Weiss	Kanef	Creuz	Carson	O'Connor
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Executive Session Authorization

Chair O'Connor noted they would adjourn to Executive Session, would return only to adjourn the meetings, and no further business would be conducted. Chair O'Connor asked for a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including but not limited to the Personal Injury Claim of Domenico Magliano.

Board Member Shanti Narra made the motion, Board Member Richard A. Maroko seconded the motion, and it was adopted. At approximately 6:45 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

Abrantes	Maroko	Medina	Narra	Weiss	Kanef	Creuz	Carson	O'Connor
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Return to Open Session

Chair O'Connor reconvened Open Session at 7:21 p.m. Board Secretary Umukoro conducted Roll Call. All Board Members returned to Open Session, except for Board Members Medina and Thomas.

Adjournment

Since there was no further business, a motion to adjourn was made by Board Member Richard A. Maroko, seconded by Board Member Michael Kanef, and the motion was adopted.

The meetings were adjourned at approximately 7:22 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**

NOVEMBER 13, 2024

MINUTES

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➤ CALL TO ORDER	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	68991
➤ PRESIDENT & CEO'S MONTHLY REPORT	68992
➤ ADVISORY COMMITTEE REPORT	
➤ PUBLIC COMMENTS	-
➤ BOARD COMMITTEE REPORTS	-

ACTION ITEMS

2411-63	HUDSON-BERGEN LIGHT RAIL OPERATIONS AND MAINTENANCE CONTRACT – Authorization to enter into NJ TRANSIT Contract No. 0000043 with ACI-Herzog Joint Venture of Boston, Massachusetts, to provide transition, operations, and maintenance services for NJ TRANSIT's Hudson-Bergen Light Rail, in the amount not to exceed \$1,567,057,398.99, subject to the availability of funds.	69014
2411-64	MAINTENANCE, OPERATIONS AND MANAGEMENT SERVICES OF THE EAST END CONCOURSE (EEC) AT NEW YORK PENN STATION – Authorization to enter into NJ TRANSIT Contract No. 21-653 with Core Facility Services, LLC, of New York, New York, for the New York Penn Station Maintenance, Operations, and Management Services of the East End Concourse (EEC) at New York Penn Station, and NJ TRANSIT's rest facility located on the second floor of 242 West 30th Street, New York, New York, in the amount of \$38,220,263.49, plus five percent for contingencies, subject to the availability of funds.	69018
2411-65	CLOSURE OF KINGSLAND RAIL STATION – Authorization to take whatever actions are necessary to close the Kingsland Station to the public upon the opening of the new Lyndhurst Station.	69019

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
NOVEMBER 13, 2024
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- 2411-66 RECOMMENDATION TO APPROVE THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2024 – 69037**
Authorization to accept and approve NJ TRANSIT's audited financial statements for the fiscal year ended June 30, 2024.
- **EXECUTIVE SESSION AUTHORIZATION 69039**
 - **ADJOURNMENT**

APPROVAL OF MINUTES

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

WHEREAS, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the October 10, 2024 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on October 17, 2024 and;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the October 10, 2024 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
Tahesha L. Way, Lieutenant Governor
Francis K. O'Connor, Acting Commissioner
Kevin S. Corbett, President & CEO

ONE PENN PLAZA EAST
 NEWARK, NJ 07105-2246
 973-491-7000



TO: BOARD OF DIRECTORS
 FROM: KEVIN S. CORBETT
 DATE: NOVEMBER 13, 2024
 SUBJECT: PRESIDENT & CEO'S REPORT – NOVEMBER 2024

We have an important service notice to share this month regarding an upcoming PATH station closure. From January 30th through February 25th, 2025, the Port Authority's Hoboken PATH Station will close to allow for track improvements and station rehabilitation. During this closure, NJ TRANSIT services to and from Hoboken Terminal will operate as scheduled with some enhancements to our 126 bus route, as well as the HBLR. However, NJ TRANSIT bus and light rail is unable to fully accommodate all of the daily Hoboken PATH ridership. We strongly encourage Hoboken PATH train customers to view all alternate travel options provided by PATH during this period, which can be found at panynj.gov.

While we work to support the Hoboken PATH station closure, we are also engaging our bus customers to optimize bus service throughout Hudson County. Last month, we launched a survey for our NewBus Hudson bus redesign initiative, available at njtransit.com/newbushudsonsurvey, which will inform our efforts to best align service with demand on the 32 bus lines that serve Hudson County. In addition to this survey, NJ TRANSIT is working closely with local Hudson County officials, who are eager to take advantage of new development and employment patterns in the County.

On the topic of meeting with elected officials, tomorrow I will also be meeting with State officials in Trenton, in my role both as President & CEO of NJ TRANSIT as well as Co-Chair of the Northeast Corridor Commission, to testify before the Assembly Transportation and Independent Authorities Committee. Amtrak CEO Stephen Gardner and I will share the progress we've made since implementing our joint plan in late June, as well as Amtrak's need for the necessary funding for them to accelerate work to replace and modernize NEC infrastructure between Trenton and New York. NJ TRANSIT remains 100 percent committed to continuing to support Amtrak's efforts to address the many infrastructure challenges along the NEC, which require urgent attention after decades of underinvestment.

While we continue advocating for essential infrastructure improvements along the NEC, we're also making strides to enhance our stations and surrounding communities, with new federal funding. I'm pleased to share that NJ TRANSIT has been selected to receive \$380,000 in federal funds to create a Transit-Oriented Development master plan around our Paterson station. The grant will support a comprehensive study into how the station can better serve residents and visitors by improving multi-modal transit connections and increasing diverse residential and commercial development in the area.

Moving on to our agenda, this evening our Board will consider approval of a contract for a new operator of our Hudson-Bergen Light Rail (HBLR) system. The contract, with ACI-Herzog JV, includes operation of the light rail system and the maintenance of the light rail vehicles and the right of way. Through this partnership, NJ TRANSIT is focused on maintaining the high standard of service our HBLR customers have come to expect, while supporting the continued growth and connectivity of Hudson County.

As part of our continued investments in infrastructure and improving service quality, we recently hosted Governor Murphy at our Meadowlands Maintenance Complex to preview the next-generation multi-level rail cars coming soon to NJ TRANSIT. On October 30th, the Governor and I previewed a new multilevel III rail car that has joined three others at the FRA facility in Pueblo, Colorado for high-speed performance and qualification testing, before being shipped back to NJ TRANSIT for commissioning. We expect these cars to begin entering passenger service sometime by the middle of next year. We are planning to have the original 113 rail cars we purchased in 2018 in service in 2026, at which time most of the 40+ year-old Arrow III cars will be retired. Beyond providing additional seating capacity and a far more comfortable ride, these cars will dramatically improve our Mean Distance Between Failure, or MDBF, which will be approximately 20 times greater than the Arrow III's.

In line with our efforts to modernize transit infrastructure across New Jersey, we also continue to advance our Walter Rand Transportation Center (WRTC) Improvement Project, through Governor Murphy's generous \$250 million commitment. Tomorrow, NJ TRANSIT will host a Virtual Public Information Center on the WRTC Improvement Project from 3 to 4 p.m., as well as an in-person session from 6 to 7:30 p.m. at Cooper Medical School in Camden. These sessions will provide an overview of the project, which will expand and modernize the WRTC to better serve Camden and the surrounding region, and will allow the public to share feedback. More information and registration are available at njtransit.com/wrtc.

Finally, we have once again released our bi-annual Customer Satisfaction Survey, available at njtransit.com/survey. This fall's survey, which launched on October 30th and will run throughout November, gives our customers an opportunity to share valuable feedback on their experiences with NJ TRANSIT's services. These survey insights help us prioritize improvements and track our progress in key service areas, all to continue improving the customer experience.



PRESIDENT & CEO'S MONTHLY REPORT

November 13, 2024

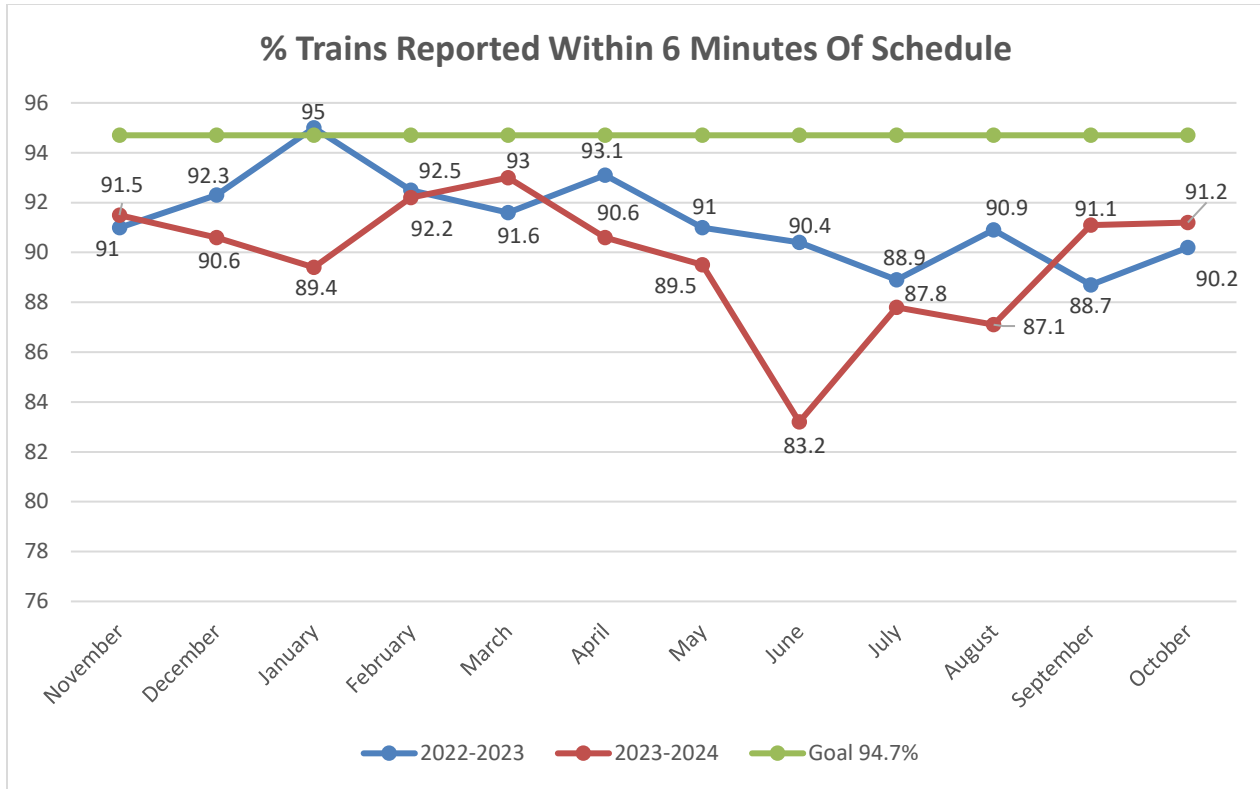
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November 13, 2024

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

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL NOVEMBER 2022 – OCTOBER 2024



	<u>2023</u>	<u>2024</u>	<u>%Change</u>
Octt. Comparison	90.2%	91.2%	1.0%
12-Month Average Nov. 2022 – October 2024	91.3%	89.8%	-1.5%

Analysis:

Rail On-time Performance was 91.2% for the month of October 2024. Of the 18,859 trains scheduled to operate, 17,199 were on time, while 1,660 trains (or 8.8% were delayed).

Key Causes included:

- Amtrak programmed maintenance, Metro North programmed maintenance, NJT shortage of equipment, PTC mechanical, Arrow MU issue, programmed maintenance and track side interference contributed 72 delays on October 9.
- Amtrak weather related, NJT trackside interference catenary, trackside interference, PTC mechanical and weather related signal issues contributed 65 delays on October 14.
- Amtrak signal issue, track issue, Portal Bridge open and NJT weather related signal issue contributed 68 delays on October 18.

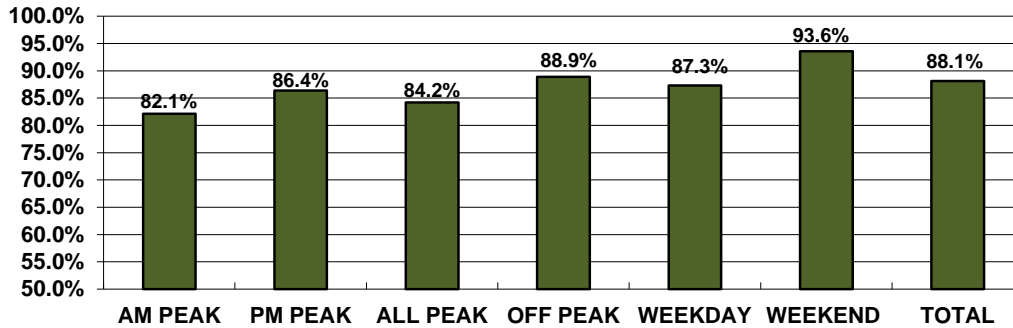
The 12-month Average for Rail On-Time Performance was 89.8%.

ON-TIME PERFORMANCE RAIL

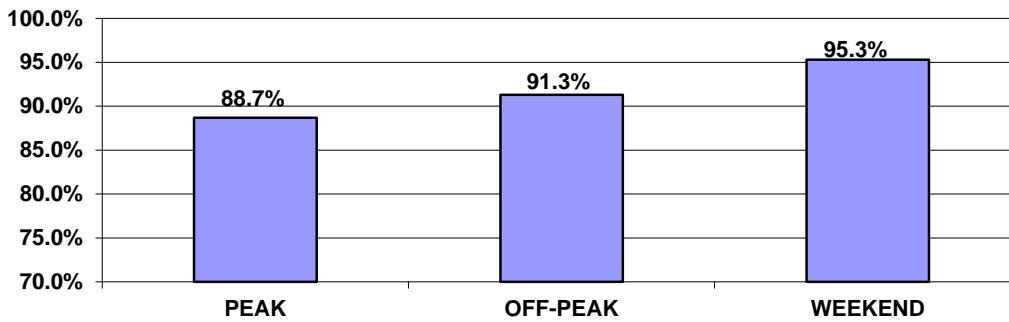
SUMMARY BY TIME PERIOD OCTOBER 2024

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

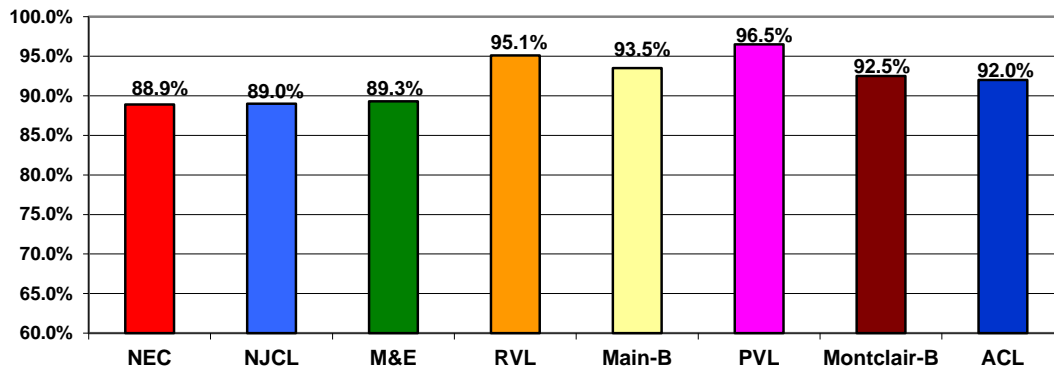
% NEW YORK PENN STATION Trains Reported On Time *



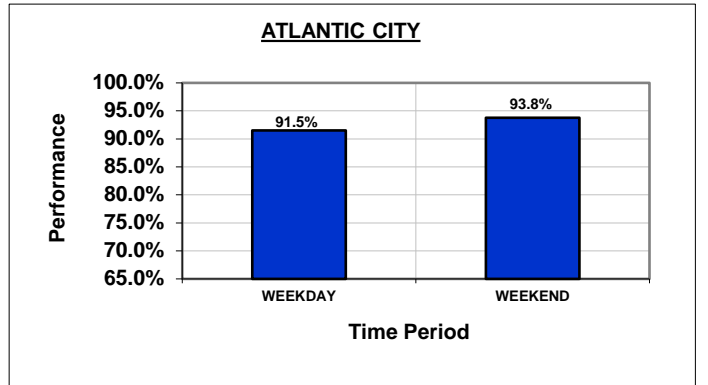
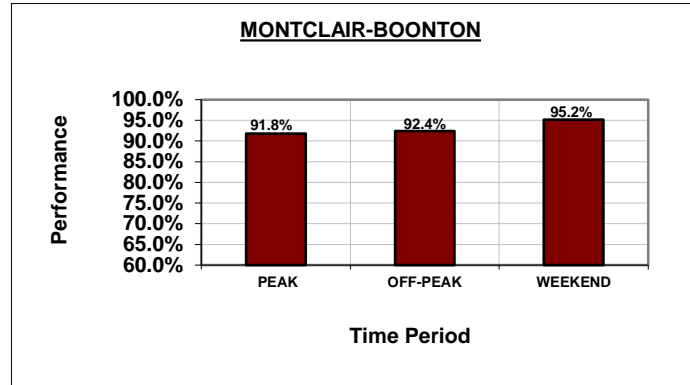
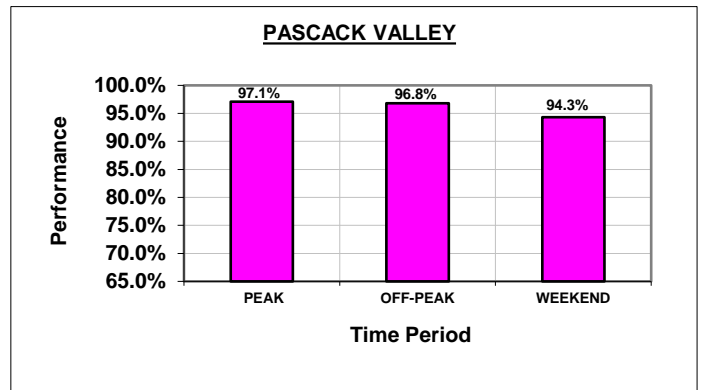
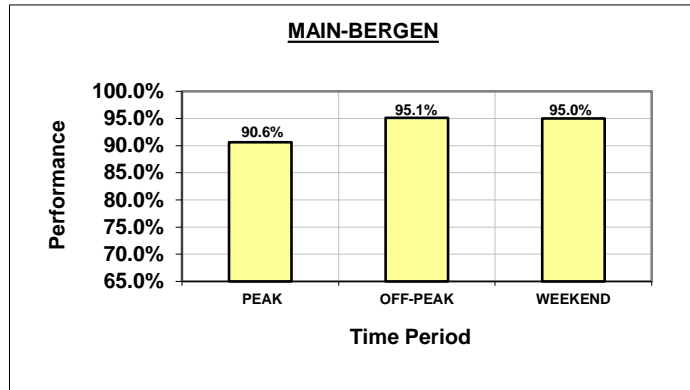
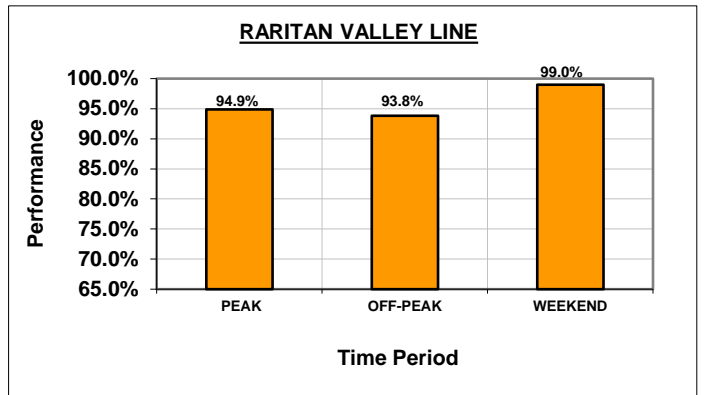
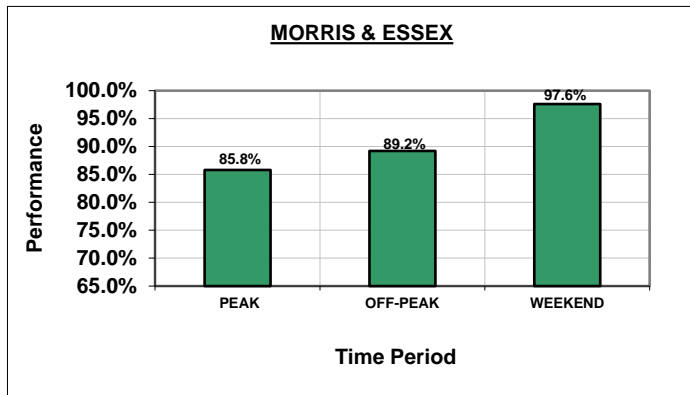
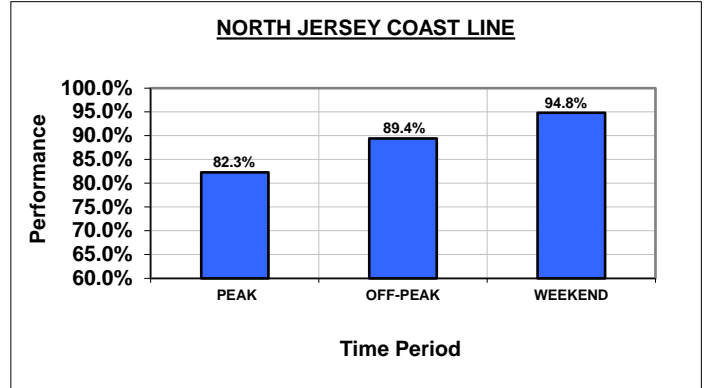
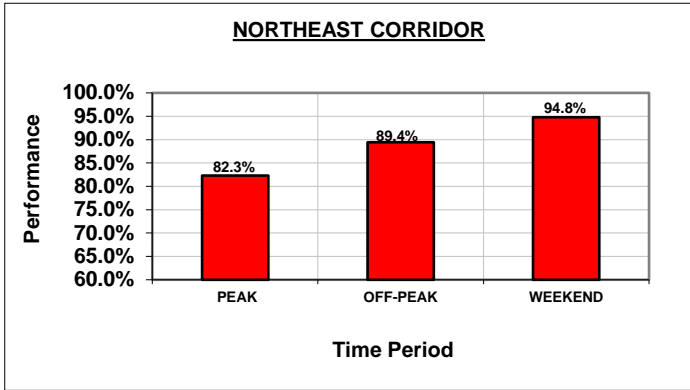
% SYSTEMWIDE Trains Reported On Time



% BY LINE Trains Reported On Time

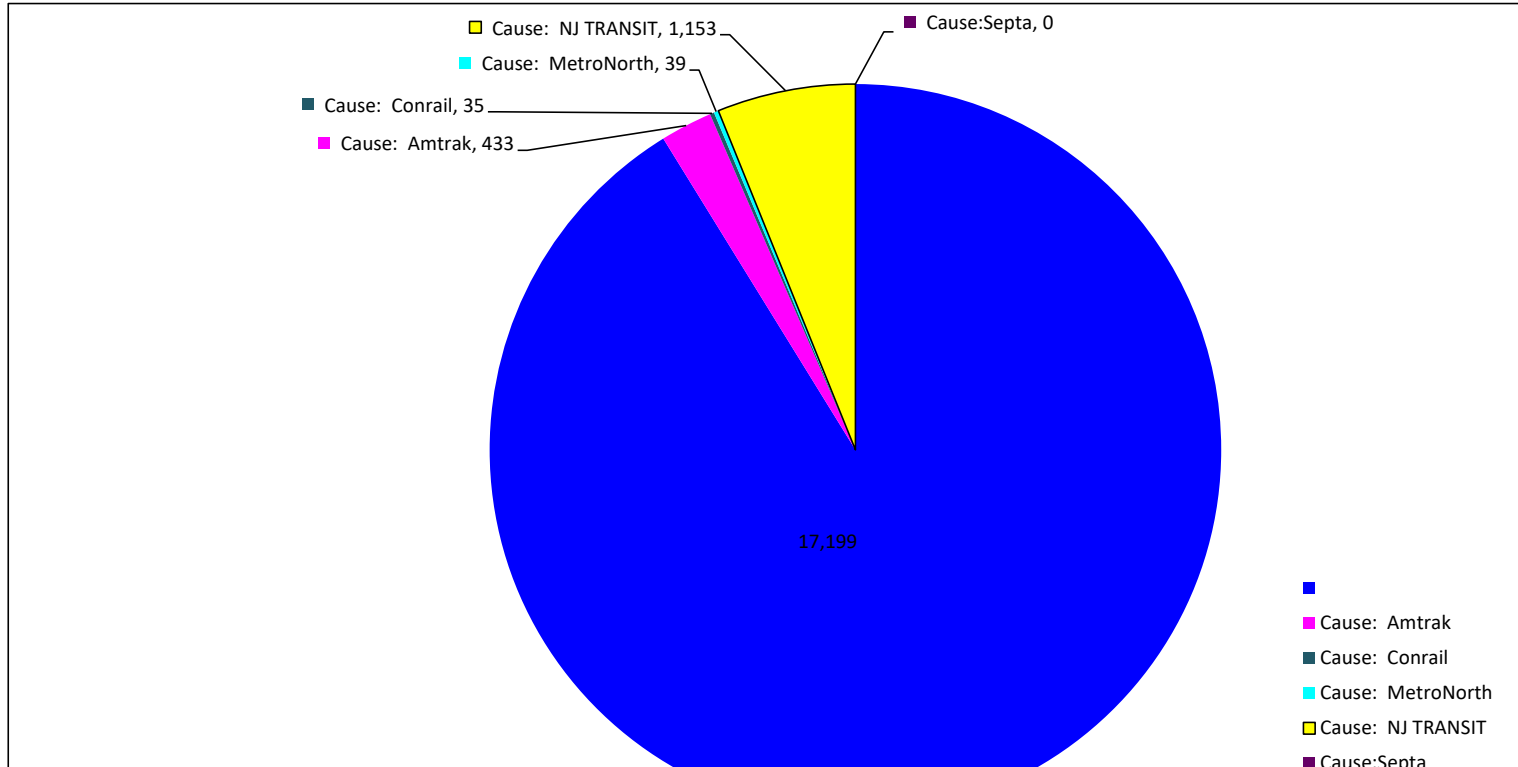


ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD OCTOBER 2024

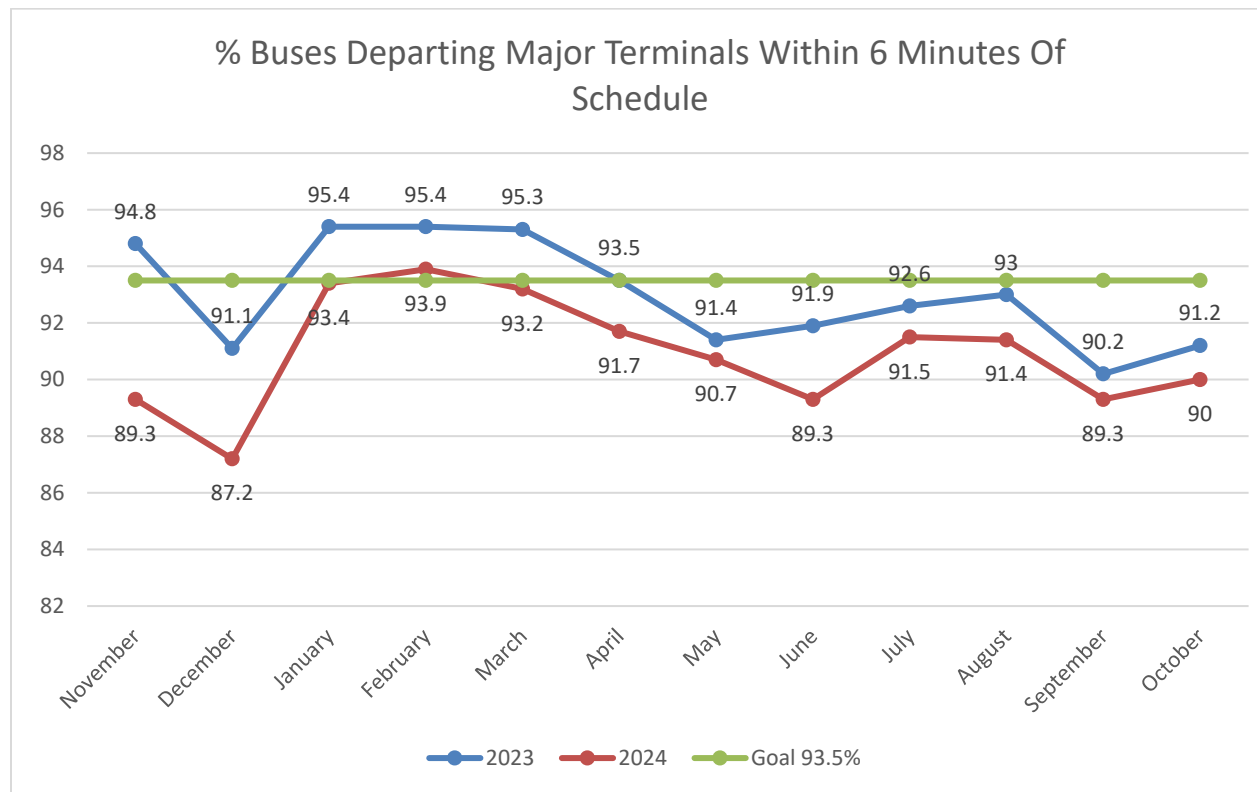


NJ TRANSIT Performance - October 2024 Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause:Septa	Cause: NS
# of Trains On Time	17,199	433	35	39	1,153	0	
# of Late Trains	1,660	2.30%	0.19%	0.21%	6.11%	0.00%	0.00%
Total # of Trains	18,859						
Percentage On Time	91.2%						



NJ TRANSIT ON-TIME PERFORMANCE BUS Nov 2022 – Oct 2024



	<u>2023</u>	<u>2024</u>	<u>%Change</u>
Oct Comparison	91.2%	90.0%	-1.2%
12-Month Average Nov 2023 – Oct 2024	93.0%	90.9%	-2.1%

Analysis:

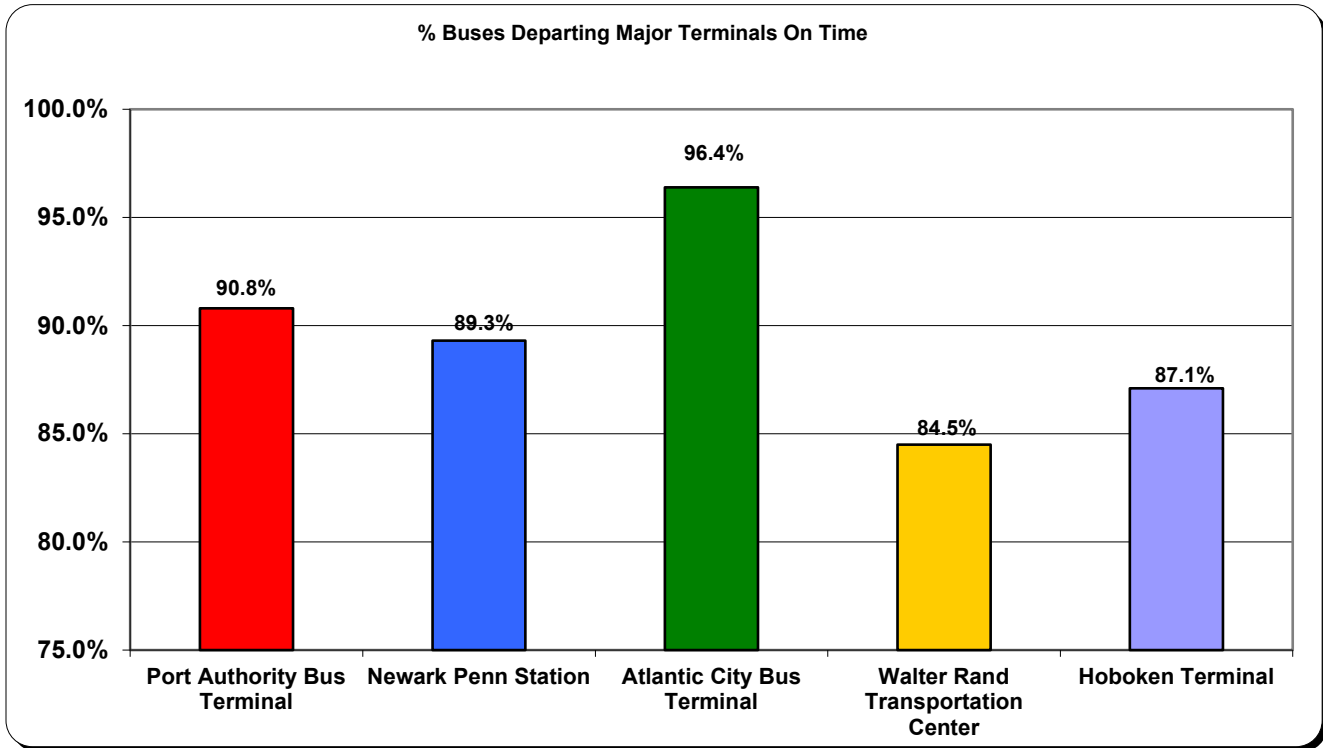
Bus On-Time Performance systemwide was 90.0% for the month of Oct 2024. Of the 49,650 monitored departures, 4,962 experienced delays.

Key Causes included:

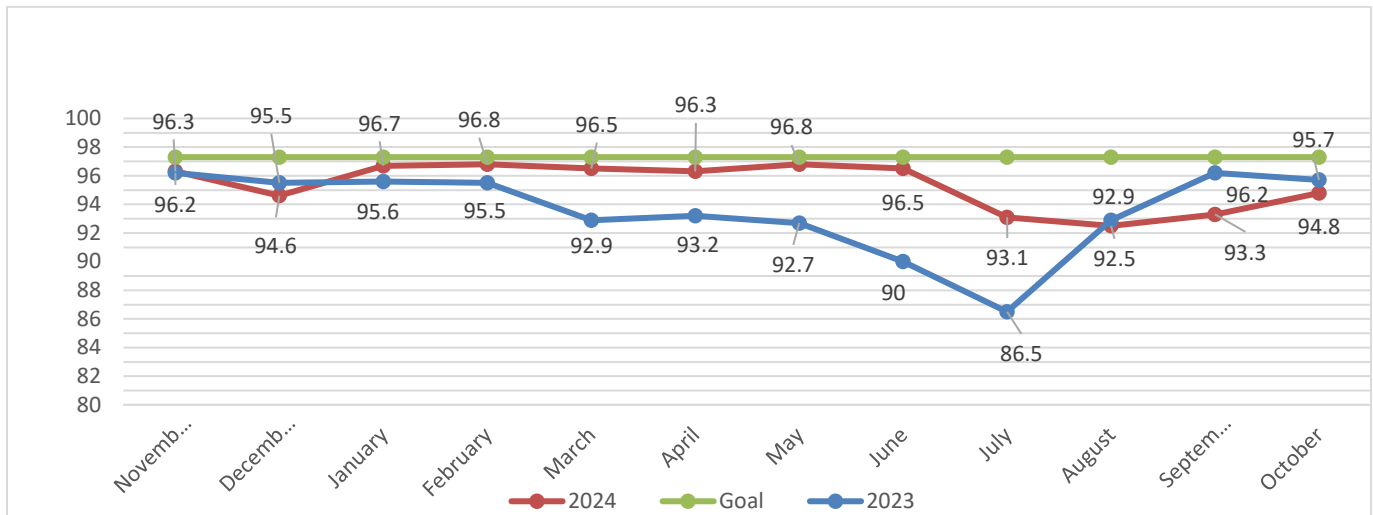
- At PABT, delays were caused by the following: On the 1st & 2nd, Police activity on 41st St., disabled bus, bus accident. On the 9th, disabled vehicle in tunnel and heavy traffic on Route 3 and Rt. 495. On the 11th & 14th, heavy traffic. On the 16th – 18th, disabled bus and overturned vehicle on Rt. 495 and heavy traffic. On the 23rd, accident on Rt. 3. On the 30th & 31st, accident with two buses and local heavy traffic due to Halloween Parade.
- At Newark Penn, delays were caused by the following: on the 1st, Bus/Auto accident, road closures due to construction work. On the 11th, bus/auto accident, road closures on main highways. On the 29th, bus/truck accident, bus/pedestrian accident, mechanical issues, road closures.
- 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 90.9%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL November 2022 – October 2024



	<u>2023</u>	<u>2024</u>	<u>%Change</u>
October Comparison	94.8%	95.7%	+0.9%
12-Month Average November 2023 – October 2024	95.4%	93.6%	-1.8%

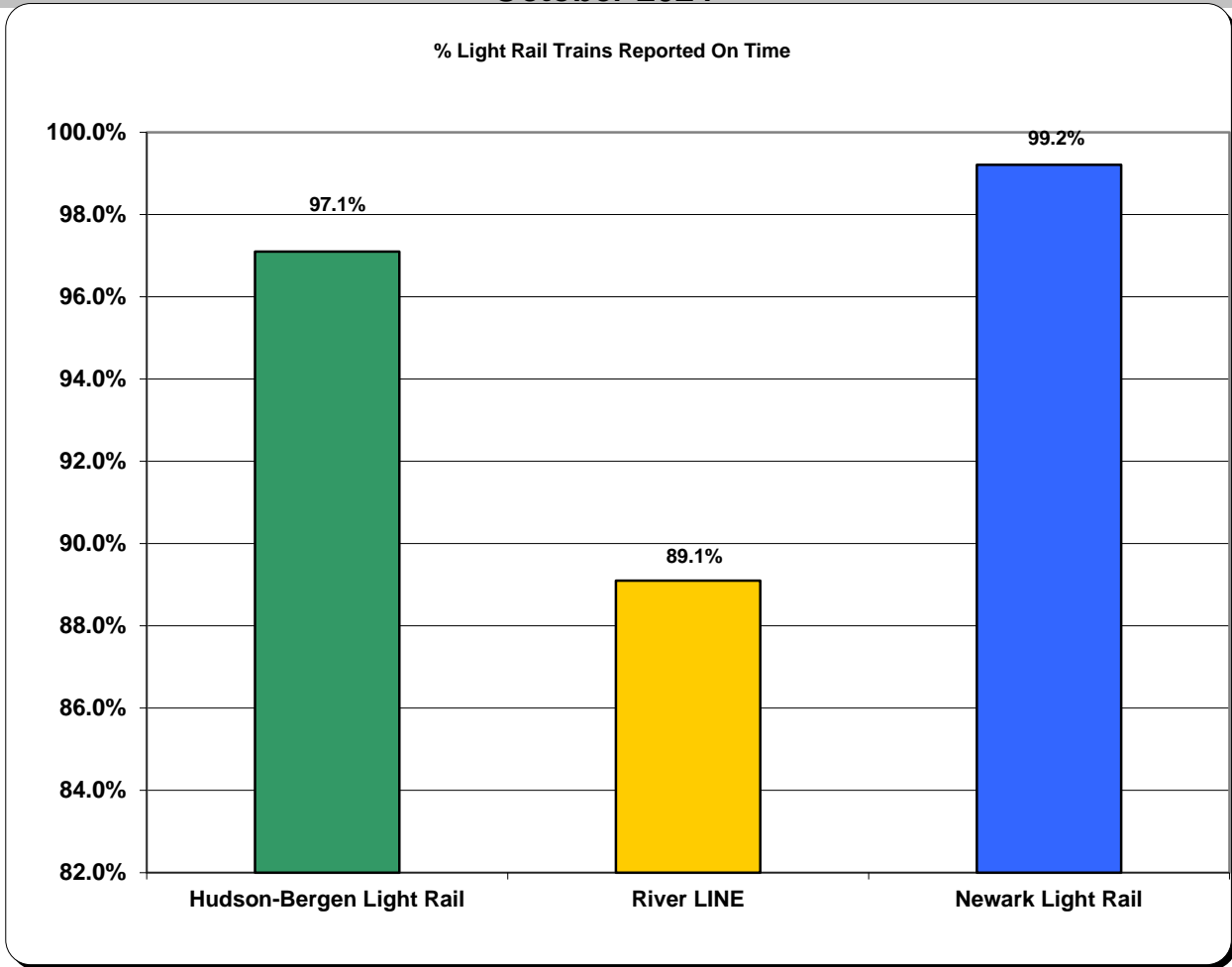
Analysis: Light Rail On-Time Performance system wide was 95.7% for the month of October. Of the 25,145 scheduled departures, 993 experienced delays.

Key Causes included:

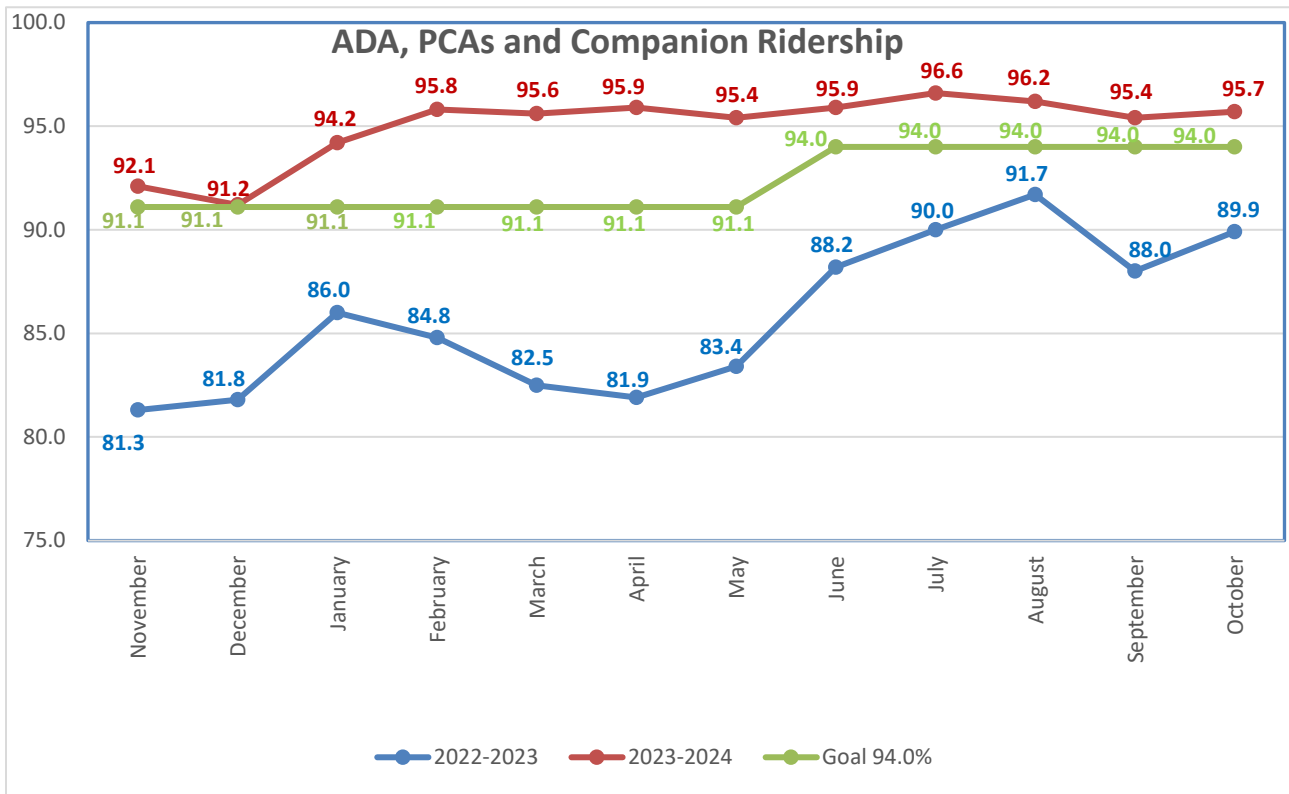
- **Newark Light Rail** – General maintenance such as door, power, brake, and propulsion issues affecting service taking place throughout the month.
- **River LINE** – General maintenance taking place across multiple dates, including engine, door, signal, traction, air leak and brake issues. The full month of October was operated using a modified schedule. Police activity on 10/21, and 10/22 resulted in 18 delayed trains. A tractor trailer and 2 motor vehicles on the tracks on 10/11, 10/13 and 10/19 resulted in 41 delays. External passenger incidents on 10/2, 10/21 and 10/23 resulted in 15 delays.
- **HBLR** – General maintenance taking place across multiple dates, including door, power/propulsion issues, brakes, and other issues. General police activity on 10/1, 10/14 and 10/31 resulted in 117 affected trains. Motor vehicle fouling tracks on 10/29 impacted 29 trains and an accident on 10/29 affected 55 trains. External passenger incidents on 10/15 and 10/29 impacted 6 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.8%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE October 2024



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK NOVEMBER 2022–OCTOBER 2024



	<u>2023</u>	<u>2024</u>	<u>% Change</u>
October Comparison	89.9%	95.7%	5.8%
October Ridership	135,011	147,502	12,491
12-Month Average November 2023–October 2024	85.8%	95.0%	9.2%

Analysis:

Access Link On-Time Performance was 95.7% for October 2024. In serving 162,794 total customers, for 147,502 ADA customers trips, 6,272 or (4.3%) experienced delays.

Key Causes included:

- Delays due to operator availability
- Customer cancellations and no-shows

The 12-month Average for Access Link On-Time Performance was 95.0%.

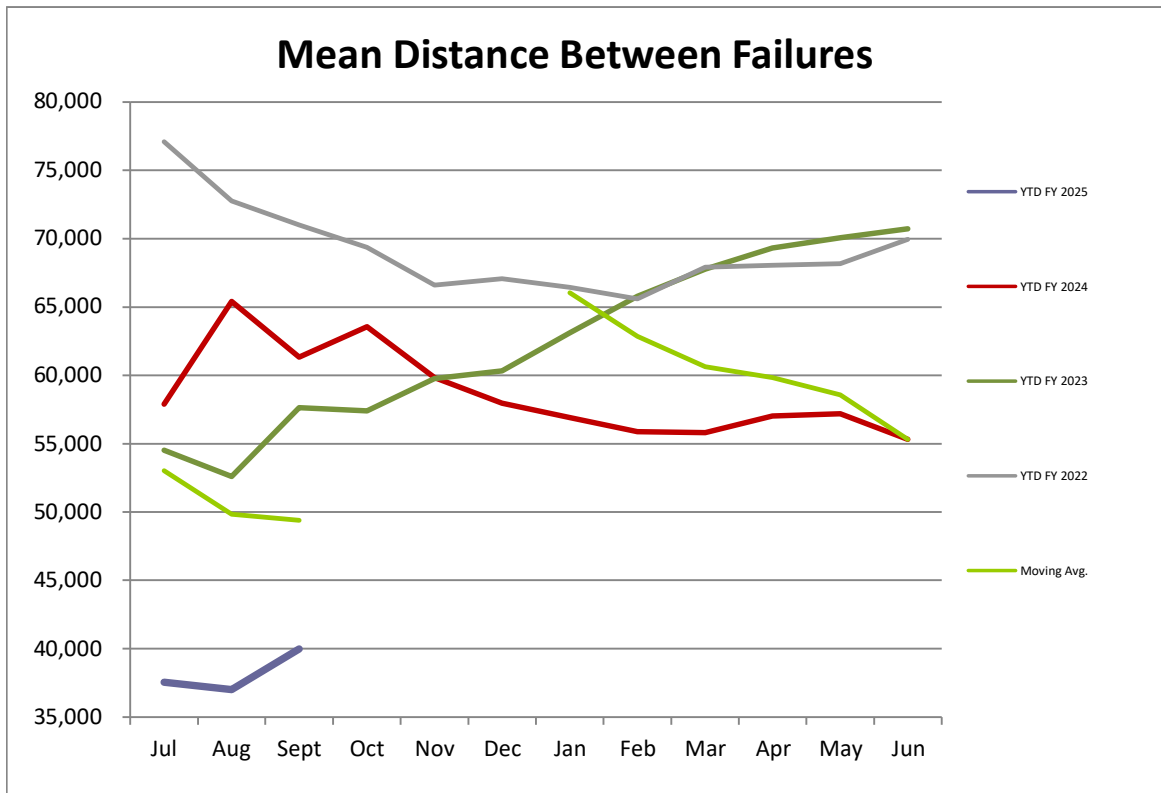
* Statistics comprise both dedicated and non-dedicated service.

MEAN DISTANCE BETWEEN FAILURES

September 2024

NJ TRANSIT Rail Operations
Mean Distance Between Failures

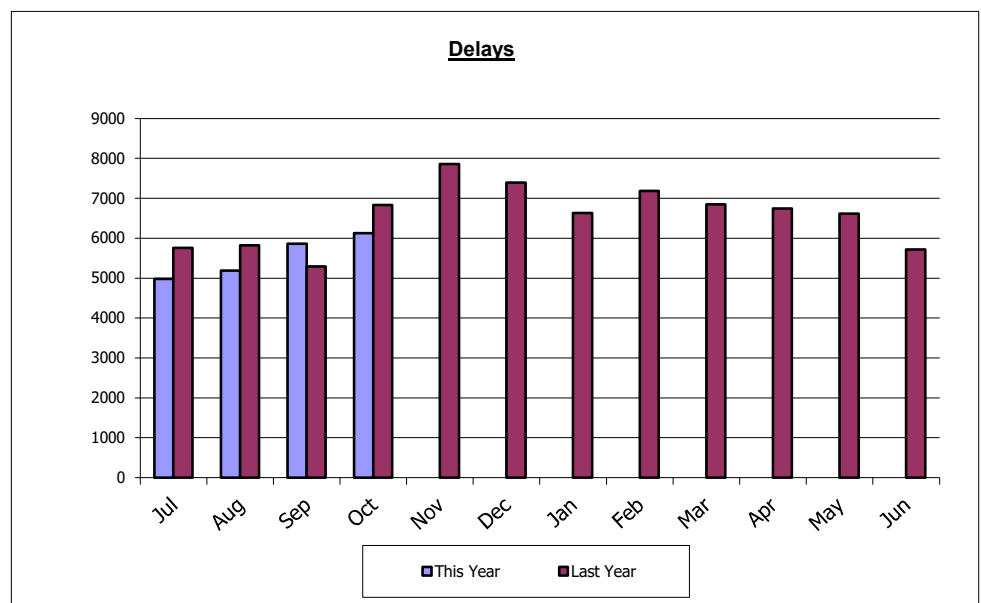
Month	YTD FY 2025	YTD FY 2024	YTD FY 2023	YTD FY 2022	12 Month Moving Avg.
Jul	37,549	57,875	54,531	77,087	53,024
Aug	36,992	65,403	52,602	72,743	49,833
Sept	39,979	61,324	57,623	71,005	49,378
Oct	-	63,539	57,410	69,368	-
Nov	-	59,844	59,761	66,597	-
Dec	-	57,968	60,315	67,060	-
Jan	-	56,904	63,121	66,433	66,050
Feb	-	55,888	65,780	65,594	62,852
Mar	-	55,822	67,778	67,894	60,634
Apr	-	57,014	69,327	68,050	59,813
May	-	57,197	70,045	68,153	58,571
Jun	-	55,317	70,712	69,949	55,317



Garage Performance Parameters

October 2024

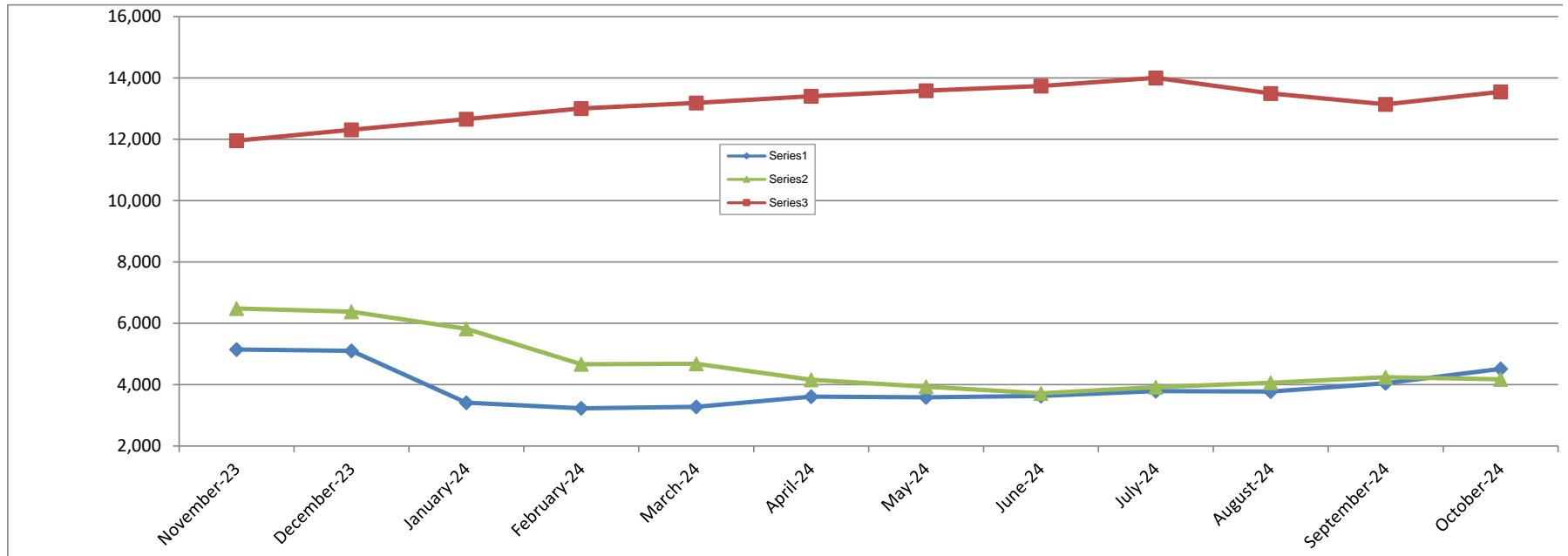
Location	Miles Between In-Service Delays			
	FY2025 Goal	This Month	FY2025 YTD	FY2024 YTD
Fairview	6,500	9,799	6,763	5,813
Market Street	6,500	4,432	3,860	3,886
Meadowlands	10,000	2,521	2,174	3,596
Oradell	13,000	12,440	11,236	13,774
Wayne	12,000	13,303	10,535	6,839
WestWood	13,000	30,236	19,700	19,693
Northern Division	-	6,089	5,061	5,854
Big Tree	7,500	5,546	3,948	4,187
Greenville	6,000	2,979	4,339	4,051
Hilton	8,500	5,275	4,339	5,376
Howell	17,500	19,260	21,858	20,154
Ironbound	8,000	4,116	3,759	5,476
Kearny Point	-	1,901	1,764	-
Orange	7,800	2,321	2,409	2,340
Morris	10,500	26,669	18,790	40,381
Central Division	-	4,395	4,439	4,494
Egg Harbor	12,000	10,642	10,409	10,884
Hamilton	9,000	6,676	6,520	8,237
Newton Avenue	11,000	11,024	8,317	8,251
Washington Twp.	16,000	14,818	12,211	12,712
Southern Division	-	10,931	9,724	10,356
Bus Operations	-	6,024	5,472	5,851



Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF *	MDBSF *
	September 2024	October 2024
Newark Light Rail	4,049	4,514
Hudson Bergen	13,141	13,551
River LINE	4,224	4,174

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE/DVOB Participation for October 2024

State Funded Contracts

State Fiscal Year 2025 - July 1, 2024, through June 30, 2025

During the month of **October 2024**, NJ TRANSIT awarded **\$144,350.00** in state-funded contracts; of that total, Small Business Enterprises (SBE/DVOBs) received **\$0.00** or **0.00%**

State Fiscal Year 2025 YTD (July 1, 2024, through June 30, 2025) NJ TRANSIT awarded **\$65,069,149.67** in state-funded contracts. Of that total, SBE/DVOBs received **\$5,489,148.89** or **8.44%**

SBE/DVOB Goal Attainment from July 1, 2024, through June 30, 2025 (SFY 2025)

Goods & Services

Category 1 SBE/DVOBs	\$0.00	0.00%
Category 2 SBE/DVOBs	\$0.00	0.00%
Category 3 SBE/DVOBs	\$2,366,545.00	3.64%

Construction

Category 4 SBE/DVOBs	\$0.00	0.00%
Category 5 SBE/DVOBs	\$0.00	0.00%
Category 6 SBE/DVOBs	\$3,122,603.89	4.80%

FTA Funded Contracts - Updated on a quarterly basis

Federal Fiscal Year (FFY) 2024 - October 1, 2023 through September 30, 2024

During the 4th Quarter (July 1, 2024 – September 30, 2024), the FTA-funded share of NJ TRANSIT’s federal contracts awarded was **\$40,080,331.60**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$8,000,000.00** or **19.96%**.

FFY 2023 through FFY 2025 (October 1, 2022 – September 30, 2025) NJ TRANSIT awarded **\$790,063,412.30**** in federally funded contracts. Of that total, DBEs received **\$68,907,669.04*** or **22.04%**.

**Numbers reflect federal share*

*** Number includes subrecipient awards*

Next update will occur in January 2025

Transit Vehicle Manufacturer (TVM)¹ Awards

During the 4th Quarter (**July 1, 2024 – September 30, 2024**), there were one (1) TVM contract(s) awarded at NJ TRANSIT

Next update will occur in January 2025

¹ 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.

EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

20 NJ TRANSIT employees retired recently:

1. Oscar Alonso, Locomotive Engineer -- Various -- 31 years
2. David Bauman, Conductor -- Various -- 36 years
3. Keith Bintliff, Locomotive Engineer -- Various -- 27 years
4. Kevin Burke, Maintainer -- Raritan -- 15 years
5. Clinton Cole, Car Appearance Maintainer -- MMC -- 20 years
6. Patrick Frain, Locomotive Engineer -- Various -- 37 years
7. Michael Geary, Assistant Superintendent Stations -- HQ -- 34 years
8. Dominick Naimo, Locomotive Engineer -- Various -- 39 years
9. Wayne Smith, Conductor -- Various -- 35 years
10. Sonia Caldwell, Depot Clerk -- Wayne -- 19 years
11. William Ceus, Operator -- Hilton -- 19 years
12. Victor Gonzalez, Operator -- Fairview -- 18 years
13. Roderick Allen, Operator -- Market St. -- 26 years
14. Joseph Altidort, LRT Operator -- Bloomfield -- 27 years
15. Rajnikant Patel, Repairman -- Newton Ave. -- 19 years
16. Stephenie Woods, Operator -- Washington Twnp -- 15 years
17. Dawud Moore, Operator -- Wayne -- 13 years
18. Alexis Wallace, Operator -- Greenville -- 13 years
19. Pamela Parker-Perkins, Tech Sup Coord -- HQ -- 24 years
20. James Pellerin, Supervisor Term Ops -- Atlantic City -- 29 years

ACTION ITEMS

ITEM 2411-63: HUDSON-BERGEN LIGHT RAIL OPERATIONS AND MAINTENANCE CONTRACT

This contract is to provide operations and maintenance services for the HBLR System for a base 15-year term, with two optional five-year extensions

- Seeking authorization to enter into NJ TRANSIT Contract No. 0000043 with **ACI-Herzog Joint Venture** of Boston, Massachusetts, to provide operation and maintenance services for NJ TRANSIT's Hudson-Bergen Light Rail in the amount not to exceed **\$1,567,057,398.99**, subject to the availability of funds.



ITEM 2411-63: HUDSON-BERGEN LIGHT RAIL OPERATIONS AND MAINTENANCE CONTRACT

- This bundled Contract includes three main components, including Rail Operations, Maintenance of Way, and Vehicle Maintenance.
- Additional scope includes work to bring the system to a state of good repair and Capital Work.
- The Capital Work is defined in a Capital Plan, which describes work that falls within a Capital Asset Replacement Program (CARP) and Capital Improvement Projects associated with the System.



ITEM 2411-63: HUDSON-BERGEN LIGHT RAIL OPERATIONS AND MAINTENANCE CONTRACT

WHEREAS, the Hudson-Bergen Light Rail (HBLR) is a light rail transit system under the jurisdiction of NJ TRANSIT, encompassing 24 stations, running north-south on the Hudson River waterfront in Hudson County, New Jersey for 20.6 miles; and

WHEREAS, the HBLR System has been operated since its inception in 1996 under a Design-Build-Operate-Maintain (DBOM) style delivery contract; and

WHEREAS, the construction component of the DBOM Contract has been completed and the operations component is now approaching final expiration in 2025; and

WHEREAS, NJ TRANSIT has prepared a new bundled contract to provide operations and maintenance services for the HBLR System for a base 15-year term, with two optional five-year extensions; and

WHEREAS, this bundled contract includes three main components, including Rail Operations, Maintenance of Way, and Vehicle Maintenance; and

WHEREAS, NJ TRANSIT is seeking an experienced contractor to provide operations and maintenance of the HBLR System; and

WHEREAS, on January 4, 2024, a Request for Proposal (RFP) was advertised on *Bid Express*, NJ TRANSIT's electronic bid system, *The Star-Ledger* and *Trenton Times*; and

WHEREAS, in response to the RFP three firms submitted their technical and cost proposals on May 30, 2024; and

WHEREAS, NJ TRANSIT Technical Evaluation Committee reviewed and scored the technical proposals, and conducted oral presentations on August 5, 6, and 7, 2024. At the conclusion of a competitive procurement process for transition, operation, and maintenance services, it was determined that ACI-Herzog, Joint Venture is the most qualified responsive and responsible proposer; and

WHEREAS, on August 22, 2024, NJ TRANSIT requested ACI-Herzog Joint Venture to submit its best and final offer, and at the conclusion of the negotiation, NJ TRANSIT accepted ACI-Herzog Joint Venture's cost proposal as revised and dated August 27, 2024 as fair and reasonable; and

WHEREAS, the Federal Transit Administration and Transportation Trust Fund are the anticipated sources of funding for this project; and

WHEREAS, NJ TRANSIT Office of Business Development (OBD) established a 15 percent Race Conscious Disadvantaged Business Enterprise (DBE) goal for this Contract;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 0000043 with ACI-Herzog Joint Venture of Boston, Massachusetts, to provide transition, operations, and maintenance services for NJ TRANSIT's Hudson-Bergen Light Rail, in the amount not to exceed \$1,567,057,398.99, subject to the availability of funds.

ITEM 2411-64: MAINTENANCE, OPERATIONS AND MANAGEMENT SERVICES OF THE EAST END CONCOURSE (EEC) AT NEW YORK PENN STATION

WHEREAS, on October 16, 2023, NJ TRANSIT requested proposals for the maintenance, operations, and management services of the East End Concourse at New York Penn Station as well as NJ TRANSIT's rest facility located at 242 West 30th Street, New York, New York; and

WHEREAS, a pre-proposal conference was held on November 6, 2023, and on February 26, 2024, technical proposals were received from two responsive and responsible firms; and

WHEREAS, following a competitive procurement process, NJ TRANSIT determined Core Facility Services, LLC to be the highest technically qualified firm to provide facility maintenance, operations, and management services for New York Penn Station East End Concourse (EEC), and NJ TRANSIT's rest facility located on the second floor of 242 West 30th Street, New York, New York; and

WHEREAS, the NJ TRANSIT Office of Business Development (ODB) established a 22 percent Category 3 Small or Disabled Veteran-Owned Business (SBE/DVOB) goal for this contract; and

WHEREAS, OBD reviewed and approved the 40.87 percent SBE/DVOB utilization commitment identified by Core Facility Services, LLC on July 9, 2024; and

WHEREAS, staff is requesting that the contract be awarded to Core Facility Services, LLC for a term of five years;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 21-653 with Core Facility Services, LLC, of New York, New York, for the New York Penn Station Maintenance, Operations, and Management Services of the East End Concourse (EEC) at New York Penn Station, and NJ TRANSIT's rest facility located on the second floor of 242 West 30th Street, New York, New York, in the amount of \$38,220,263.49, plus five percent for contingencies, subject to the availability of funds.

ITEM 2411-65: CLOSURE OF KINGSLAND STATION

The decommissioning of passenger service at Kingsland Station is necessary to direct Lyndhurst-area commuters to the new, state-of-the-art, ADA-compliant Lyndhurst Station, while providing travel time savings on the Main Line.

- Kingsland Station is rapidly approaching the end of its useful life as a public station.
- Kingsland cannot be renovated or rebuilt in an ADA-compliant manner in its current location, due to engineering constraints which also would prevent its relocation to anywhere except to the site of the new Lyndhurst Station.
- Public hearings were held in person on August 14, 2024.

➤ Staff seeks Board authorization to close Kingsland Station to coincide with the opening of the new Lyndhurst Station.

ITEM 2411-65: CLOSURE OF KINGSLAND STATION

Authorization of this service change will:

- Direct current Kingsland Station users to the state-of-the-art ADA-compliant new Lyndhurst Station
- Save Main Line customers an estimated two minutes in travel time; and
- Bar public access to the Kingsland Station rail platforms

ITEM 2411-65: CLOSURE OF KINGSLAND STATION



Deteriorated infrastructure surrounding the station.

ITEM 2411-65: CLOSURE OF KINGSLAND STATION



View of Kingsland Station from the low-level platform.

ITEM 2411-65: CLOSURE OF KINGSLAND STATION



Street-level entrance to Kingsland Station



Kingsland Station parking lot

ITEM 2411-65: CLOSURE OF KINGSLAND STATION



New Lyndhurst Station (inbound)

ITEM 2411-65: CLOSURE OF KINGSLAND STATION



New high-level boarding platform (inbound)

ITEM 2411-65: CLOSURE OF KINGSLAND STATION



Outbound platform and elevator

ITEM 2411-65: CLOSURE OF KINGSLAND STATION



Outbound platform

ITEM 2411-65: CLOSURE OF KINGSLAND RAIL STATION

WHEREAS, the Kingsland Station building was built in 1918 and has not been open to the public for more than 15 years; and

WHEREAS, the FTA Transit Asset Management inspection first-rating-cycle identified Kingsland Station as the only NJ TRANSIT rail station ranked below a 3 (2.9 out of 5) out of 235 stations assessed, indicating that the station has deteriorated components and is past its useful life; and

WHEREAS, Kingsland Station is not ADA-accessible with low-level boarding and asphalt platforms and reaching the platforms from street level requires using stairs as there is no elevator option; and

WHEREAS, accessing the platform requires walking across a freight siding embedded within the low-level platform which is both unsafe and makes bringing the platform to ADA standards impossible; and

WHEREAS, the station's infrastructure is deteriorating, there are recurrent drainage challenges, and limited amenities at the station; and

WHEREAS, the station has insufficient parking with no ADA-compliant spaces and an inability to expand parking given nearby property and site constraints; and

WHEREAS, building a new ADA-accessible Kingsland Station would require relocating the entire station in close proximity to the new Lyndhurst Station; and

WHEREAS, the new Lyndhurst Station is fully ADA-Accessible and features: high-level boarding; four (4) new elevators, stairs, and canopies; new lighting; communication systems; CCTV; improved parking accessibility; and faster, easier, and safer boardings and alighting; and

WHEREAS, the new Lyndhurst Station is located approximately 2,000 feet from the existing Kingsland Station; and

WHEREAS, public notice of the public hearings was issued on July 26, 2024, and the public hearings were held in Lyndhurst, NJ, on August 14, 2024, and public comments were accepted from July 26, 2024, through 11:59 PM August 14, 2024; and

WHEREAS, Kingsland Station should not be closed to the public prior to the opening of the new Lyndhurst Station; and

WHEREAS, Rail Operations will continue to use the Kingsland Station building as office space;

NOW, THEREFORE, BE IT RESOLVED that the President & CEO is authorized to take whatever actions are necessary to close the Kingsland Station to the public upon the opening of the new Lyndhurst Station.

NJ TRANSIT PUBLIC HEARING NOTICE

PROPOSED CLOSURE OF KINGSLAND RAIL STATION, LYNDHURST, NJ

Proposed Closure: NJ TRANSIT Main Line Kingsland Rail Station, located at 250 Ridge Road, Lyndhurst, NJ, would close in 2025, not before a new Lyndhurst Rail Station has opened at 366 Court Avenue at Delafield Avenue and begun service via NJ TRANSIT rail. At that time, service to the former Kingsland Rail Station at 250 Ridge Road would cease.

Important Information: Public hearings will be held as required by N.J.S.A. 27:25-8 at the location and times listed on this notice. Written comments may be sent to: PUBLIC HEARING OFFICE – KINGSLAND STATION PROPOSAL COMMENTS, ONE PENN PLAZA EAST, NEWARK, NJ 07105, or submitted via NJ TRANSIT’s website at njtransit.com/kingsland or email to kingsland@njtransit.com, for receipt no later than 11:59 p.m. August 14, 2024.

The public hearing location is accessible for persons with disabilities. Individuals requesting a sign language interpreter, language assistance or other accommodation should contact the Public Hearing Office at (973) 491-8520 or TTY (800) 772-2287 between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday, no later than August 8, 2024, in order for NJ TRANSIT to make necessary arrangements.

Wednesday, August 14, 2024

11:00 AM – 1:00 PM

Lyndhurst Town Hall – Council Chambers
367 Valley Brook Avenue, Lyndhurst, NJ 07071

6:00 PM – 8:00 PM

Lyndhurst Town Hall – Council Chambers
367 Valley Brook Avenue, Lyndhurst, NJ 07071

AVISO SOBRE AUDIENCIA PÚBLICA DE NJ TRANSIT

PROPUESTA DE CIERRE DE LA ESTACION KINGSLAND, LYNDHURST, NJ

Propuesta de cierre: La estación Kingsland de la línea principal de NJ TRANSIT, ubicada en 250 Ridge Road, Lyndhurst, NJ, se cerraría en 2025, no antes de que se abra una nueva estación en Lyndhurst ubicada en 366 Court Avenue en el cruce con Delafield Avenue y comience el servicio de trenes de NJ TRANSIT. En ese momento, cesaría el servicio a la estación Kingsland ubicada en 250 Ridge Road.

Información importante: Las audiencias públicas se celebrarán de acuerdo con N.J.S.A. 27:25-8 en el lugar y los horarios indicados en este aviso. Puede enviar comentarios por escrito a: PUBLIC HEARING OFFICE – KINGSLAND STATION PROPOSAL COMMENTS, ONE PENN PLAZA EAST, NEWARK, NJ 07105, o a través del sitio web de NJ TRANSIT en njtransit.com/kingsland o por correo electrónico a kingsland@njtransit.com, para que sean recibidos antes de las 11:59 p.m. el 14 de agosto de 2024.

El lugar donde se realizará la audiencia pública es accesible para personas con discapacidad. Las personas que solicitan un intérprete en el lenguaje de señas, asistencia con el idioma u otras adaptaciones, deben contactar a Public Hearing Office (Oficina de Audiencia Pública) al (973) 491-8520 o TTY (800) 772-2287 en el horario de 8:30 a.m. a 5:00 p.m., de lunes a viernes, antes del 8 de agosto de 2024, para que NJ TRANSIT pueda hacer los arreglos necesarios.

Miércoles, 14 de agosto de 2024

11:00 AM – 1:00 PM

Lyndhurst Town Hall – Council Chambers
367 Valley Brook Avenue, Lyndhurst, NJ 07071

6:00 PM – 8:00 PM

Lyndhurst Town Hall – Council Chambers
367 Valley Brook Avenue, Lyndhurst, NJ 07071

Hearing Summary

Public Hearing – August 14, 2024, Morning Session

Lyndhurst, NJ

Re: Proposed Closure of Kingsland Rail Station, Lyndhurst, NJ

The public hearing opened at 11:23 a.m. and lasted until 1:23 p.m. A total of 23 people attended and seven people spoke for the record. Board members Carlos A. Medina and Karen Thomas attended the hearing.

Elected Officials:

Lyndhurst mayor Robert G. Giangeruso was present and began the public hearing by welcoming NJ TRANSIT and reading a letter in favor of closing Kingsland Station. Mayor Giangeruso spoke about the benefits of the transition, emphasizing that the new Lyndhurst Station will offer modern amenities, better accessibility, and enhanced safety features. He also noted that the new station is expected to bring positive economic changes. Mayor Giangeruso also recognized that the transition won't be easy for everyone in the community, inviting attendees to express their concerns at the public hearing. He emphasized a desire to navigate the transition together and continue to move the community forward.

Organizations:

Matthew Walsh, representing the New Jersey Association of Railroad Passengers, expressed that the Association objects to the closure of Kingsland Station because of its importance to intermodal transportation. Mr. Walsh noted the strategic location of Kingsland Station along Ridge Road in that the station connects to the 76 bus. The 76 bus has connecting service between Newark Penn, the Hackensack Depot, Hasbrouck Heights, and the Rutherford Train Station. He also noted that these connections are not available at the new Lyndhurst Station.

Vito Havrilla, representing the Lackawanna Coalition, reported a concern about the short public comment period for the project and requested an extension of the comment period until the next NJ TRANSIT board meeting. Mr. Havrilla reported that the Lackawanna Coalition opposes the closure of Kingsland Station and the resulting loss of mobility. He noted that Kingsland Station is located on Ridge Road in a residential area close to local businesses, while the new Lyndhurst Station is not within close walking distance and lacks the Kingsland Station's bus connection. He concluded by noting the low cost of keeping Kingsland Station in operation along with the new Lyndhurst Station.

Other Speakers:

Five other members of the public made comments at the public hearing. The speakers were generally opposed to the closure of Kingsland Station, with many citing travel distances to the new Lyndhurst Station and lack of bus access to the new Lyndhurst Station as key areas of concern.

During the two-hour session, NJ TRANSIT’s proposed Kingsland Station closure proposal video was presented twice and all attendees who wished to speak had an opportunity to do so.

The following is a list of issues raised:

Against closure – general	5
Against closure – travel distance to new Lyndhurst station	6
Against closure – bus access to new Lyndhurst station	6
Against closure – concern about lack of parking at new Lyndhurst station	3
Against closure – concern about lack of shuttle service to Lyndhurst station	1
Against closure – lack of proposed mitigation	2
In favor of closure – general	1
Timing of Kingsland station closure and new Lyndhurst station opening	1
Publicity for Public Hearings	2
Comment period schedule	1
In favor of keeping both stations open	1
Traffic and safety concerns getting to Lyndhurst Station	1
Against closure - impacts to property values/businesses	3
Existing ridership/number of riders/usage of station	1
Repair and renovate Kingsland Station	2
Concern about disposition of Kingsland Station House and/or old Lyndhurst Station House	2

Hearing Summary

Public Hearing – August 14, 2024, Evening Session

Lyndhurst, NJ

Re: Proposed Closure of Kingsland Rail Station, Lyndhurst, NJ

The public hearing opened at 6:28 p.m. and lasted until 8:28 p.m. A total of 47 people attended, and 24 people spoke for the record. Board members Michael Kanef and Shanti Narra attended the hearing.

Elected Officials:

One elected official was present at the public hearing and made a comment, but they did not speak in their official capacity.

Organizations:

No organizations were represented at this hearing.

Two reporters from News 12 NJ were present.

Other Speakers:

There were 24 public speakers, all of whom opposed the closure of Kingsland Station. Speakers highlighted traffic and safety concerns getting to the new Lyndhurst Station, the increased travel distance to the new Lyndhurst Station, and concerns about bus access and parking issues at the new Lyndhurst Station, among other concerns.

During the two-hour session, NJ TRANSIT’s proposed Kingsland Station closure proposal video was presented twice and all attendees who wished to speak had an opportunity to do so.

The following is a list of issues raised:

Against closure – general	14
Against closure – travel distance to new Lyndhurst station	13
Against closure – bus access to new Lyndhurst station	9
Against closure – concern about lack of parking at new Lyndhurst station	11
Against closure – concern about lack of shuttle service to Lyndhurst station	1

Against closure – lack of proposed mitigation	9
In favor of accessibility at Lyndhurst	3
Timing of Kingsland station closure and new Lyndhurst station opening	1
Lack of Virtual Options for Public Hearings	1
Publicity for Public Hearings	2
Comment period schedule	1
Not related to Kingsland Station closure	5
In favor of keeping both stations open	6
Traffic and safety concerns getting to Lyndhurst Station	14
Against closure - impacts to property values/businesses	7
Existing ridership/number of riders/usage of station	5
Repair and renovate Kingsland Station	6
Concern about disposition of Kingsland Station House and/or old Lyndhurst Station House	3
Increased cost of living	4

Summary of Written Comments

Re: Proposed Closure of Kingsland Rail Station, Lyndhurst, NJ

Written comments could be submitted via NJ TRANSIT's website at njtransit.com/kingsland, by email to kingsland@njtransit.com, or by mail to the NJ TRANSIT Public Hearing Office at One Penn Plaza East, Newark NJ 07105. The public comment period was open from July 26, 2024, to 11:59 PM on August 14, 2024. A total of 28 written comments were submitted for the record.

Elected Officials:

Lyndhurst mayor Robert G. Giangeruso submitted a letter in favor of closing Kingsland Station. Mayor Giangeruso spoke about the benefits of the transition, emphasizing that the new Lyndhurst Station will offer modern amenities, better accessibility, and enhanced safety features. He also noted that the new Lyndhurst station is expected to bring positive economic changes to the town. Mayor Giangeruso acknowledged that the transition may not be easy for some members of the community and invited attendees to share their concerns at the public hearing. He concluded by emphasizing a desire to navigate the transition together and continue to move the community forward.

Organizations:

Sally Gellert, chairperson of the Lackawanna Coalition, submitted a resolution adopted by the Coalition on August 28, 2023, titled "Urging Continuing Operation of Kingsland Rail Station." In the resolution, the Lackawanna Coalition urged NJ TRANSIT to keep Kingsland Station open and operating along with the new Lyndhurst Station. The resolution noted that the Kingsland Station is located in a residential neighborhood with walkable access to local businesses, whereas the new Lyndhurst Station is not located within convenient walking distance of the Kingsland Station and has a separate cachement area. The resolution also emphasized that the Kingsland Station is connected to points from Newark to Hackensack by the 76 bus, which runs a full-service schedule along Ridge Road, and that the new Lyndhurst Station does not have this bus connection. The Coalition concluded by noting that the cost of keeping both stations in operation would be nominal.

Other Writers:

Twenty-two other members of the public submitted written comments. Commenters were generally opposed to the closure of Kingsland Station. They cited a broad range of concerns, including the significant number of existing users who would be impacted by the closure of the station, loss of walkability and bus connections available at Kingsland

Station, safety and traffic concerns at the new Lyndhurst Station, and impacts to local property values and businesses. Many commenters supported the improvements made to amenities and accessibility at the new Lyndhurst Station, with more than half of all comments in favor of keeping both stations open. Several commenters also expressed concern about publicity for the public hearing and the hearing schedule.

The following is a list of issues raised:

Against closure – general	23
Against closure – travel distance to new Lyndhurst station	19
Against closure – bus access to new Lyndhurst station	7
Against closure – concern about lack of parking at new Lyndhurst station	2
Against closure – concern about lack of shuttle service to Lyndhurst station	1
Against closure – lack of proposed mitigation	3
In favor of closure – general	1
In favor of accessibility at Lyndhurst	6
In favor of passenger amenities at Lyndhurst	9
Timing of Kingsland station closure and new Lyndhurst station opening	2
Lack of Virtual Options for Public Hearings	1
Schedule for Public Hearings	3
Publicity for Public Hearings	4
Comment period schedule	1
Not related to Kingsland Station closure	5
In favor of keeping both stations open	16
Traffic and safety concerns getting to Lyndhurst Station	9
Against closure - impacts to property values/businesses	7
In favor of closure – impacts to property values/businesses	1
Existing ridership/number of riders/usage of station	10
Repair and renovate Kingsland Station	4
Concern about disposition of Kingsland Station House and/or old Lyndhurst Station House	1
Increased cost of living	4

ITEM 2411-66: RECOMMENDATION TO APPROVE THE AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2024

WHEREAS, P.L. 1979, Ch. 150, P.L. 2018, Ch. 162, Executive Order 122 (McGreevey 2004) (EO 122), and Executive Order 37 (Corzine 2006) (EO 37) require, among other things, an annual audit of the financial statements of NJ TRANSIT by an independent auditor. For purposes of the Executive Orders, the audit is an examination of NJ TRANSIT's financial statements by a certified public accounting firm in compliance with generally accepted government auditing standards (GAGAS), issued by the Comptroller General of the United States, and in accordance with all applicable rules, regulations, and circulars; and

WHEREAS, EO 37 and EO 122 require the audit to be accompanied by a written certification from both the President and Chief Executive Officer and the Senior Vice President, Chief Financial Officer & Treasurer that the financial information provided to the independent auditor in connection with the audit is, to the best of their knowledge, accurate and that such information fairly represents, in all material respects, the financial condition and operational results of NJ TRANSIT for the fiscal year; and

WHEREAS, P.L. 2018, Ch. 162 requires NJ TRANSIT to file its annual audit with the New Jersey Department of Treasury within four (4) months after the close of the fiscal year; and

WHEREAS, on or before October 31, 2024, NJ TRANSIT's independent auditor, Deloitte & Touche LLP (Deloitte), completed its examination of NJ TRANSIT's financial statements for the fiscal year ended June 30, 2024, in compliance with the enabling legislation and requirements of the Executive Orders. Deloitte issued an unmodified opinion, which concluded that the financial statements present fairly, in all material respects, the consolidated net position of NJ TRANSIT as of June 30, 2024, and the changes in its financial position and its cash flows for the year then ended were in conformity with United States generally accepted accounting principles; and

WHEREAS, at its Special Meeting of October 29, 2024, NJ TRANSIT's Audit Committee reviewed the FY24 audited financial statements with Deloitte and senior staff from the Finance Department. The Audit Committee recommended that the FY24 audited financial statements be presented to the Board of Directors for its acceptance and approval; and

WHEREAS, on or before October 31, 2024, NJ TRANSIT filed its FY24 audited financial statements for the fiscal year ended June 30, 2024 with the New Jersey Department of Treasury thereby complying with its enabling legislation;

NOW, THEREFORE, BE IT RESOLVED that in compliance with EO 37 (Corzine 2006), it is respectfully recommended that the Board of Directors accept and approve NJ TRANSIT's audited financial statements for the fiscal year ended June 30, 2024.

EXECUTIVE SESSION AUTHORIZATION

BE IT HEREBY RESOLVED pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including but not limited to the Personal Injury Claim of Domenico Magliano.

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.