

**NJ TRANSIT BOARD MEETING
MINUTES
OPEN SESSION
11/10/2010**

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

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

November 11, 2010

Dear Governor Christie:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ Transit Rail Operations, Inc., NJ Transit Bus Operations, Inc., and NJ Transit Mercer, Inc., Board of Directors held on Wednesday, November 10, 2010.

Sincerely,



Gwen A. Watson
Board Secretary

Enclosures

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

**NJ TRANSIT BOARD MEETING
NARRATIVE
OPEN SESSION
11/10/2010**

Minutes of the actions taken at the Open Session of the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, November 10, 2010.

Present:

James S. Simpson, Chairman
Myron P. Shevell, Vice Chairman
Johanna Barba Jones, Governor's Representative
Steve Petrecca, Treasurer's Representative

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

Chairman James S. Simpson convened the Open Session at 9:01 a.m. in accordance with the Open Public Meetings Act and asked for a motion to enter Executive Session to discuss contract negotiations, attorney-client, litigation and personnel matters. A motion was made by Myron P. Shevell, seconded by Johanna Barba Jones and unanimously adopted.

Chairman Simpson reconvened the Open Session at 9:25 a.m. and asked for a motion to adopt the minutes of the September 10, 2010 meetings. A motion was made by Myron P. Shevell, seconded by Johanna Barba Jones and adopted.

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

Rail and Bus Safety

Executive Director Weinstein emphasized the point that safety is NJ TRANSIT's highest priority, so it is fitting that today's meeting begins on the topic of rail and bus safety. At recent Committee meetings, the heads of Rail and Bus Operations gave presentations on the safety programs of their respective divisions that were very well received. At Chairman Simpson's request, Vice President and General Manager of Bus Operations Jim Gigantino and Acting Vice President and General Manager of Rail Operations Kevin O'Connor provided an overview of the bus and rail safety presentations, copy attached.

My Bus

Executive Director Weinstein said last month marked the launch of NJ TRANSIT's new "My Bus" system, an improvement for bus customers that gives them unprecedented access to schedule information while on the go. Through "My Bus," any customer who has the ability to send a text message can now get schedule information for any NJ TRANSIT bus stop. The system is based on bus stop ID numbers, unique five-digit numbers assigned to each of the more than 19,000 bus stops across the state. Customers simply "text" their five-digit bus stop ID to "My Bus," and the system responds within seconds with the routes and times for the next scheduled trips that serve that bus stop.

As part of the program, next week NJ TRANSIT will begin the statewide installation of My Bus signs, which will display the bus stop ID and instructions for how to use the My Bus system. Installation will start in Atlantic County and will be implemented throughout the state by the end of next year. In the interim, customers can look up the stop ID for any bus stop online at njtransit.com/mybus. Beyond these benefits, the My Bus system improves the level of information available by calling the Transit Information Center. Bus customers who know their stop IDs can get schedule information 24 hours a day, without needing to speak with an agent. So far, My Bus is receiving positive customer feedback and is averaging about 1,000 queries a day, a number that is certain to increase as My Bus signs are posted and awareness of the program grows.

Amber Alert

Executive Director Weinstein was pleased to announce NJ TRANSIT's participation in the AMBER Alert program starting in January. AMBER Alert is a voluntary, cooperative program between the law enforcement community, broadcasters, transportation agencies and the wireless industry to activate an urgent bulletin in the most serious child-abduction cases. AMBER alerts are issued when there is reason to believe that a child under the age of 18 has been abducted and may be in danger of death or serious bodily injury.

The goal of an AMBER Alert is to instantly get the entire community involved to assist in the search for and safe recovery of an abducted child. The public becomes the eyes and ears of law enforcement, equipped with a description of the child, suspect, or vehicle. If an individual sees something fitting the alert description, he or she is encouraged to immediately call 911 and provide authorities with as much information as possible.

Customers have the option of enrolling to receive AMBER Alerts through our My Transit alert system, which delivers travel advisories to our bus, rail and light rail customers directly to their cell phones, PDAs or pagers. NJ TRANSIT will begin sending AMBER Alerts as they are issued beginning January 3, 2011. In child abduction cases, time is absolutely critical. Participating in the AMBER Alert program is a way for everyone to do his or her part to help spread the word and improve the chances for a child's safe recovery. In fact, since its creation in 1996, AMBER Alert programs have helped save the lives of 523 children nationwide.

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Executive Director Weinstein thanked NJ TRANSIT's Customer Advocate, Sandra Check, who suggested the integration of the AMBER Alert program with the My Transit system and has overseen its implementation. He also thanked the NJ TRANSIT Police Department for its support and cooperation.

Quiet Commute

Executive Director Weinstein said NJ TRANSIT launched the "Quiet Commute" pilot program in September on the busiest trains—the 3900-series Northeast Corridor trains that operate express to and from Trenton, Hamilton and Princeton Junction, to test the feasibility of offering a Quiet Car amenity on the trains. Quiet Commute is an effort to balance the needs of those passengers who wish to stay connected while en route with those who want to relax or work in a quiet atmosphere without distractions.

In Quiet Commute cars, NJ TRANSIT asks customers to refrain from cell phone use, disable the sound feature on mobile devices and laptop computers, and keep conversation to a minimum and speak only in quiet voices.

NJ TRANSIT initiated the pilot program to determine the level of interest and acceptance of Quiet Commute on NJ TRANSIT trains. Over the last two months, NJ TRANSIT has been evaluating the program and collecting customer and employee feedback, which has been overwhelmingly positive. In fact, the question NJ TRANSIT hears most often is, "When will I have a Quiet Commute car on my train?" Executive Director Weinstein was pleased to announce that starting January 3, 2011 Quiet Commute will be expanded significantly.

In this next phase, NJ TRANSIT will add Quiet Commute cars to all weekday peak period, peak direction trains that begin or end their trips at New York Penn Station or Newark Penn Station. In other words, trains that arrive in Newark or New York between 6 a.m. and 10 a.m., and trains that depart Newark or New York between 4 p.m. and 8 p.m., will offer Quiet Commute cars. This will expand the program to include Midtown Direct, North Jersey Coast and Raritan Valley lines, and expands the program on the Northeast Corridor in addition to existing Quiet Commute cars on 3900-series trains. As in the initial pilot, the first and last cars of each train will be designated for Quiet Commute, as they are easily identifiable, with seating on a first-come, first-served basis.

NJ TRANSIT is working toward the expansion of Quiet Commute to the remaining lines, including those trains that begin or end their trips at Hoboken Terminal. NJ TRANSIT must first address some logistical challenges in recognition of the shorter train sets that operate on these lines and anticipates rolling out Quiet Commute systemwide in a final phase of the program, which could take place by the end of next year.

Now that it has been decided to expand the pilot, customer feedback on the program is more important than ever. Today, NJ TRANSIT began distributing Quiet Commute surveys to customers at Trenton, Hamilton and Princeton Junction stations. Also, electronic surveys were distributed last week to customers who have contacted NJ TRANSIT about the program, and the feedback has been tremendous. For instance, 90 percent of the respondents said that Quiet Commute either exceeded or met their expectations, and 70 percent have moved into a Quiet Commute car.

NJ TRANSIT encourages customers to continue to share their experiences with the Quiet Commute program, whether it makes their commute better, and if they have any suggestions as NJ TRANSIT prepares to expand it.

Spaces

Executive Director Weinstein updated the Board on the effort to improve commuter parking throughout the system by partnering with the private sector. This initiative is called "SPACES" or System Parking Amenity and Capacity Enhancement Strategy. This is an important effort as NJ TRANSIT looks to rationalize the parking services. During these challenging economic times, it is critical to look at innovative ways to improve parking for customers while addressing the growing cost of operating parking facilities. NJ TRANSIT also believes that SPACES will help spur Transit Oriented Development, which is a tremendous benefit to those communities throughout the state which are served.

NJ TRANSIT has spent the last several months conducting an extensive analysis and due diligence process on the parking sites that will be included in this initiative. NJ TRANSIT is also implementing a comprehensive communications plan to provide information on SPACES and get feedback from those municipalities in which the parking facilities are located. Executive Director Weinstein was happy to report that most of the feedback received has been positive and supportive.

In terms of procuring a private sector partner for this initiative, NJ TRANSIT released the RFQ on October 15th, and responses are due back next week. More than 25 Expressions of Interest from most of the major participants in the parking industry as well as large infrastructure investors were received. Executive Director Weinstein will continue to provide updates on SPACES.

Homeland Security Training

Executive Director Weinstein said the Board will consider approval of a contract to provide security and terrorism awareness training for frontline employees. NJ TRANSIT is fortunate to have been awarded a \$9 million grant through the U.S. Department of Homeland Security, which it will be able to use for this training.

Because the frontline employees work with the public on a continuous basis, they are essentially the "eyes and ears" of the transportation system. As such, it is critical that NJ TRANSIT equips them with knowledge of terrorism awareness, prevention and mitigation.

Training that helps the bus operators, train crews, regional supervisors, police officers, and other frontline employees to report and recognize potential threats will enhance security on the system. This initiative is particularly timely, given international events of recent weeks.

Metro-North Fare Increase

Executive Director Weinstein said that on December 30, 2010 Metro-North fares will increase, which will automatically trigger an adjustment to NJ TRANSIT fares at certain stations on the Main, Bergen County and Pascack Valley lines where fares are lower. As announced when NJ TRANSIT adjusted its fares last spring, this increase is prompted by the increase in Metro-North ticket prices in New York State.

At times when NJ TRANSIT fares would otherwise be higher than Metro-North fares, an automatic agreement is triggered that “holds down” NJ TRANSIT fares, with Metro-North reimbursing NJ TRANSIT for the difference. This agreement keeps ticket prices consistent with distance traveled, and ensures that revenue is collected by the appropriate railroad.

Currently, fares at certain stations on the Main, Bergen County and Pascack Valley lines are lower than trips of similar distance elsewhere on the NJ TRANSIT system. Because of the longstanding agreement with Metro-North when NJ TRANSIT fares increased back in May, the average fare increase at these stations was lower than at comparable locations across the rail system.

Metro-North’s upcoming fare increase will automatically trigger an adjustment to NJ TRANSIT fares at stations where a “hold down” has been in effect. In the coming weeks, NJ TRANSIT will undertake a communications effort to ensure that customers know about the upcoming adjustment.

Access To The Region’s Core Project

Executive Director Weinstein said two weeks ago Governor Christie reaffirmed his decision to terminate the Access to the Region’s Core Trans-Hudson Express Tunnel Project. That decision was based on the simple fact that New Jersey cannot afford the project and the Governor was unwilling to sign a blank check on behalf of New Jersey’s taxpayers as would have been required by the FTA in order to qualify for the \$3 billion in federal funds. Executive Director Weinstein strongly supports the Governor’s decision. It was the right thing to do at the right time.

Executive Director Weinstein wanted to make it clear that the men and women at NJ TRANSIT, The Port Authority of New York and New Jersey, engineering, construction management and construction firms that have been associated with this project did a thorough and professional job in bringing it to life and now laying it to rest.

Executive Director Weinstein thanked each and every one of them for their dedication, hard work and professionalism and said it has been an honor to work with them.

Executive Director Weinstein also gave special recognition to Assistant Executive Director Art Silber who headed the project. Executive Director Weinstein said he and Mr. Silber worked together on some challenging projects over the years. He brings unmatched intellectual honesty, integrity and professionalism to whatever he undertakes and thanked Mr. Silber.

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Executive Director Weinstein said the Governor has directed NJ TRANSIT to find affordable ways to address Trans-Hudson commuting. Staff has already commenced that work and will be talking with partners and stakeholders in the weeks and months to come to develop affordable solutions because when all is said and done, if a solution is not affordable, it's not a solution.

Executive Director Weinstein said although Access to the Region's Core has been a major focus of this agency for some time now, it was far from the only focus. Every workday nearly a million NJ TRANSIT customers use the service to conduct life's daily business. That is a huge responsibility and accomplishment in the nation's most densely-populated, most-congested state.

NJ TRANSIT strives to be the best transit agency in the nation. It has tremendous employees, provides safe, reliable and essential services for its customers, and it will continue to move forward, with dedication and excitement about what it does.

Executive Director Weinstein presented a slide show highlighting a number of other capital construction work NJ TRANSIT is doing. These are projects around the state that will keep the bus, rail and light rail systems running, and help to keep moving those nearly 1 million people a day. These projects will help position NJ TRANSIT for the ridership growth that will return when the economy recovers. Executive Director Weinstein recognized Charles Ingoglia and Michael Rosenthal in the Capital Programs Department for creating the slideshow.

Kenneth E. Pringle

This month NJ TRANSIT has said farewell to Kenneth E. Pringle, who has been a dedicated Board member since 2005. Executive Director Weinstein thanked Board Member Pringle for his leadership, particularly for having led the charge on new technology, safety enhancements and "green" initiatives, such as Zipcar. Throughout his tenure, Board Member Pringle has remained a strong advocate for putting technology to work for the customers and improving the way NJ TRANSIT communicates with them, from various web improvements to electronic signage at stations. His contributions to the NJ TRANSIT Board on behalf of the customers are certain to have a long-lasting positive impact.

Advisory Committee

Suzanne Mack presented the Advisory Committee report and thanked NJ TRANSIT executive staff, on behalf of herself and Anna Marie Gonnella, for attending the joint North and South Jersey Transit Advisory Committees. Ms. Mack was pleased that the Executive Director discussed the Access to the Region's Core project and focused on the capital projects and all of the good things that NJ TRANSIT is doing. As an advocate for the Access to the Region's Core project, she said NJ TRANSIT did not make a mistake, there is a definite need for a long-term commuter tunnel into New York City. She said the economy has been very difficult which impacts transit projects. In light of the economy, she said we have to look at the capital plan and see how to refocus it.

Ms. Mack said the federal government's reaction to the cancellation of the Access to the Region's Core project was to seek the immediate return of \$271 million. Last year, this Board struggled with the budget and had to make serious cuts and a fare increase. She said the riders have done their part with the fare increase and she hopes the riders do not have another fare increase. Ms. Mack said although the Access to the Region's Core was a good project, it just cannot be financed now. Ms. Mack said it is a critical time and we need to see what can be done. Other improvements that can be done are the Portal Bridge project since it is an antiquated bridge. She suggested concentrating on the critical needs that can be done that can be financed. Ms. Mack said she has seen NJ TRANSIT rise to the occasion in reaction to a crisis and they can do it again.

Board Committee Report

Board Member Johanna Barba Jones presented the Administration Committee report to the Board. The Committee discussed the need for additional resources and support to process, review and analyze electronically stored information in defending a lawsuit with regard to the Hudson-Bergen Light Rail litigation. Waters Edge Consulting has been providing electronic discovery expertise for this project and today the Board will consider continuing its assistance.

The Committee was provided with an update on "MyBus" where customers have access to bus schedules while on the go. Any customer who has the ability to send a text message literally has bus schedule information at his or her fingertips. In the first 24 hours, there were 1250 inquiries on the "MyBus" application and 3700 visits to the website. The bus stop identification signs will begin rolling out in mid-November in Atlantic and Monmouth counties.

Public Comments on Agenda Items

There were no public comments on agenda items.

Action Items

Executive Director Weinstein presented the following Action Items for approval:

**1011-61: HUDSON-BERGEN LIGHT RAIL LITIGATION SUPPORT:
COMPENSATION OF EXPERT ELECTRONIC DISCOVERY
CONSULTANT (WATERS EDGE CONSULTING, LLC)**

NJ TRANSIT is in the midst of litigation with Twenty-First Century Rail Corporation, the design-build-operate-maintain contractor for the Hudson-Bergen Light Rail MOS II project, as well as with its subcontractor, Frontier-Kemper/Shea/Bemo, Joint Venture. Earlier this year, the Board approved an initial contract with Water's Edge Consulting to help with electronic documents during the discovery phase. Authorization is

requested to continue these services through April of next year at a cost not to exceed \$1,250,000.

Myron P. Shevell moved the resolution, Steve Petrecca seconded it and it was unanimously adopted.

1011-62: EMPLOYEE BEHAVIORAL ASSESSMENT TRAINING

NJ TRANSIT has received a \$9 million grant from the US Department of Homeland Security part of which will be used to conduct employee PATRIOT training – PATRIOT is ProActive Terrorist Recognition and Interdiction Operations and Tactics training, for all frontline employees. These eight-hour training modules are critical for frontline personnel which includes conductors, engineers, maintenance and station personnel, field supervisors, yard staff, bus operators and mechanics, garage personnel and regional supervisors, light rail operators and police officers. The ability to recognize and report potential terrorist or criminal activity at the earliest stage is the first line of defense. PATRIOT training will help NJ TRANSIT identify and address deficiencies in the current preparedness plans and implement any corrective actions. The only firm authorized by the US Department of Homeland Security to provide this training is "Protecting the Homeland Innovations, LLC" and authorization is requested to enter into a sole source contract with that firm for PATRIOT training for 9500 employees at a cost not to exceed \$4.27 million.

Steve Petrecca moved the resolution, Johanna Barba Jones seconded it and it was unanimously adopted.

Public Comments on Non-Agenda Items

There were eight public comments on non-agenda items. Board Secretary Watson announced a three minute time limit for speakers.

Albert L. Papp, Jr., National Association of Railroad Passengers and New Jersey Association of Railroad Passengers, remains committed to the construction of the Hudson River tunnels going into New York Penn Station to provide track capacity for intercity trains. He said lack of a connection to Penn Station was one problem with the project from the beginning. New tunnels are needed because there are major transportation delays when the tunnel is closed. Of equal importance is the completion of the Portal Bridge North project. The completion of this project would replace a century old swing bridge with a 60 mile per hour speed limit which could be further reduced. Mr. Papp is concerned that NJ TRANSIT has not executed the agreement needed for final design for the Portal Bridge North project especially since federal funds were awarded. Mr. Papp said the Regional Rail Working Group has sent a clear, concise and persistent message regarding the Access to the Region's Core project. Their aim is, was and will be to ensure the best possible transit services for rail and intercity rail riders. Mr. Papp requested a meeting with Chairman Simpson and Executive Director Weinstein to discuss this issue further.

Philip G. Craig, New Jersey Association of Railroad Passengers and citizen of the State of New Jersey, supports the decision made by Governor Christie to cancel the Access to the Region's Core Project. He believes the project, for which there was such high hopes in 1995, degenerated over time, most certainly since 2003, into a compromised endeavor that failed to meet its original objectives and ultimately was recognized as being something that New Jersey's taxpayers could not afford.

He is concerned that, despite the Governor's decision, the legacy of the Access to the Region's Core project continues to lead to the expenditure of State-obligated funds that should be avoided as well. Mr. Craig said as a courtesy to the Board, the New Jersey Association of Railroad Passengers is advising the Board that they will recommend to the Governor that he direct NJ TRANSIT to cancel the award that the Board made on July 14, 2010, totaling in excess of \$386.3 million, for the purchase of ten additional dual mode locomotives and 100 additional multi-level coaches. He urged Chairman Simpson to take this issue up with the Governor and the State Treasurer in the interest of avoiding imprudent expenditures of public funds and reducing avoidable demands upon the State of New Jersey's beleaguered Transportation Trust Fund.

Mr. Craig said the justification given to the Board for the purchase of the dual mode locomotives was that it would enable trains originating in non-electrified territory to operate through the Trans-Hudson Express/Mass Transit Tunnel to the proposed Access to the Region's Core project station under 34th Street, as well as through the existing Amtrak-owned tunnels leading to New York's Penn Station. The 26 dual mode locomotives currently on order will be more than adequate to allow selected trains to provide "one-seat rides" to and from New York Penn Station on the Bay Head-Long Branch portion of the North Jersey Coast Line and on the Hackettstown-Little Falls portion of the Montclair-Boonton Line, perhaps even on the Raritan Valley Line as well. But other than these lines, he asked where ten additional dual mode locomotives costing more than \$83.1 million, ordered at a unit cost double than that of conventional diesel-electric locomotives, could be used now that the Access to the Region's Core project is dead.

Mr. Craig also questioned the wisdom of ordering 100 additional multilevel coaches to replace a like number of Jersey Arrow III electric multiple-unit cars at a cost in excess of \$303.2 million. Locomotive-propelled trains of multi-unit coaches have proven to be very slow when assigned to services with frequent station stops, such as found on the Northeast Corridor, the Morristown and Gladstone Lines and inner portion of the Montclair-Boonton Line. Their poor acceleration has led to frequent lateness and lengthened running times.

The New Jersey Association of Railroad Passengers reminded the Board that NJ TRANSIT's previous Executive Director, Richard Sarles, advised the Board that there was a need to purchase electric multiple-unit cars to address this need. He noted that in July 9, 2008, the Board approved the purchase of 110 electric multiple unit cars as part of the 2009 capital budget and that previously it made a multi-million contract award to LTK Engineering to prepare specifications for those cars. Mr. Craig urged the Board to revert to that decision, perhaps by acquiring electric multiple-unit versions of the multilevel coaches.

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Mr. Craig said the orders for the ten dual mode locomotives and 100 multilevel coaches will cause expenditures in excess of \$386 million that should be avoided.

George Haikalis, The Institute for Rational Urban Mobility (IRUM), a New York based not-for-profit corporation, is concerned with improving public transit and reducing motor vehicle congestion in dense urban areas.

Mr. Haikalis urged the Board to request that its staff work closely with Amtrak and the Metropolitan Transit Agency (MTA) to conduct a full and objective review of the Hoboken Alternative, first submitted to the Access to the Region's Core project staff in 2005. The plan would cut as much as two-thirds of the Access to the Region's Core/Portal Bridge project cost by linking the new tunnels with existing NJ TRANSIT infrastructure at Hoboken and using existing Amtrak tracks and platforms at Moynihan/Penn Station in New York City, instead of building a new disconnected deep cavern terminal under 34th Street in Manhattan.

By remaking the Hoboken Terminal into a "through" station a much higher level of rail service would be provided to the growing Jersey City/Hoboken Waterfront business district. An on-line station at this location would also provide a useful transfer to the Hudson-Bergen Light Rail Line, particularly for Manhattan-bound travelers. Amtrak would benefit by gaining redundancy and additional capacity for future train service expansion on its current mainline. Amtrak could also offer some Northeast Corridor Regional rail service to the Waterfront business district, an important generator of intercity travel.

Mr. Haikalis distributed a proposal for the Board's review. The Mayors of Jersey City and Hoboken endorsed this proposal in 2005 and more recently the new Mayor of Hoboken has called for consideration of this plan. NJ TRANSIT staff dismissed the proposal in 2005 without significant consultation with rail advocates. Now with the Access to the Region's Core deep cavern terminal cancelled, there is an opportunity for Amtrak and NJ TRANSIT to take a fresh look at gaining much-needed rail capacity across the Hudson River in a more cost-effective and passenger-friendly way.

David Peter Alan, Lackawanna Coalition, said the *Railgram* that he distributed contained a typographical error and he wanted to make it clear that he agrees with the Governor's decision to terminate the deep cavern terminal project because it is far too expensive. Mr. Alan said that the project was flawed because it would not go into Penn Station, because Amtrak could not use the proposed new tunnels and because there was no possibility for access to Grand Central Terminal on the east side. The Lackawanna Coalition and the Regional Rail Working Group have said for years that the project as proposed was far too expensive and was not a good project for New Jersey's rail riders. Mr. Alan appreciates the fact that the Governor agrees and that NJ TRANSIT and the Port Authority, through the Access to the Region's Core Executive Steering Committee, have recognized the true cost of the former proposal.

Mr. Alan said it is a major step in the right direction that there will be no deep cavern terminal. As his colleague said, there is never a right time to build the wrong project. Now that it will not be built, there is an opportunity to build the right project, a new tunnel into the existing Penn Station, with station enhancements under the Moynihan Station

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proposal in New York. Mr. Alan calls it "Moynihan/Penn Station First" because it can be built quickly and at a savings of \$3 billion.

Mr. Alan said the opportunity is here and now is the time. He said NJ TRANSIT can still get a Federal Transit Administration (FTA) grant to build tunnels into the existing Penn Station with Moynihan enhancements. New York is willing to fund and participate actively in building the Moynihan Station and Amtrak is interested in a partnership with NJ TRANSIT to build new tracks that both can use.

The Lackawanna Coalition and its allied rider-advocacy organizations have always wanted new capacity to Penn Station, on a line that Amtrak can share and in a way that East Side access is possible. The greatest impediment to this goal has been removed. Mr. Alan repeated his offer to show the Board how new tunnels can be built into Penn Station. He has advocated against a bad project in the past and he will continue to advocate for "Moynihan/Penn Station First" because it is the right project at the right time. It delivers what the riders need at far less cost.

Mr. Alan noted that the representatives of the riders struggled alone to keep this issue alive until circumstances changed and a better project is now under discussion. Mr. Alan asked for a full seat at the table during all future discussions, with its consequent recognition that the actual riders are true stakeholders in the redesign and construction of the renewed Access to the Region's Core Project. The limited public participation allowed at these and other meetings is unacceptable and deprives the Board of information they need to make wise decisions. The representatives of the riders have earned a full seat at the table.

Jack May said on September 30, 2010, a resolution to approve NJ TRANSIT's plan to convert the Princeton Branch from a railway to a busway was scheduled to be discussed and voted upon by the Princeton Regional Planning Board. Approval would have "paved" the way to make abandonment of rail service on the Princeton Branch to be the locally preferred alternative of the Central New Jersey Route 1 Alternatives Analysis Study that NJ TRANSIT conducted.

Mr. May said fortunately this did not occur, as the resolution endorsing Bus Rapid Transit was withdrawn and referred to a subcommittee for revision after the public comments were completed. According to the *Princeton Packet*, only two of the approximately 150 people in the meeting room were in favor of bus rapid transit. All of the other speakers, approximately two dozen, opposed the plan and supported the continued operation of rail service. This was especially articulated by the statement and presentation of an organization, appropriately called "Save the Dinky Committee". Mr. May said the entire event was recorded in an article in the *Princeton Packet* and he wanted to enter it into the record of today's Board Meeting.

Although NJ TRANSIT supplied many resources for this project, including paid employees to support its conclusions, it has indicated that its activities are based on community requests. In an article in the July 17 edition of the *Star Ledger*, it was reported that an NJ TRANSIT spokesperson stated "the community raised the possibility of using Bus Rapid Transit in lieu of the Dinky". Similarly, another NJ TRANSIT spokesperson was quoted in the August 9, 2010 issue of the *Princeton*

Summer Journal that “we are responding to this possibility since it was raised by the community”.

At best this citing of community expertise may have been technically true when a small number of Princeton residents indicated support for replacing the rail service on the Princeton Branch with a bus highway, but it certainly is no longer true now that the community at large has expressed its desire to retain rail service.

The New Jersey Association of Railroad Passengers would like to suggest that pretense be dropped. The community of Princeton is not asking for Bus Rapid Transit. In fact, at the meeting different speakers referred to Bus Rapid Transit as Bad Rapid Transit and Bogus Rapid Transit. NJ TRANSIT should recognize the community's desire for keeping the electrified railway.

Mr. May reminded the Board that in response to public comments on the DEIS and the SDEIS for the Access to the Region's Core project, NJ TRANSIT indicated that electrification of the Bergen County and other lines would be cost prohibitive. Of course, such an activity is an investment, not a cost.

Mr. May said the thought of spending scarce capital funds to remove an electrified railway is incredibly short-sighted and contrary to trends in the United States and throughout the world. In the long run, it would be prohibitively expensive to replicate, as was found out by Los Angeles when it restored the Long Beach electric railway line. Many jurisdictions would love to be blessed with such an infrastructure and would laugh (or maybe cry) at spending \$87 million to replace it with an inferior mode of transportation.

At some point, the current operation on the Princeton Branch will have to be examined as NJ TRANSIT's Arrow multiple-unit cars are getting old and will eventually have to be replaced. When that occurs, Princeton's wishes for continued rail service should be taken into account. One mode that may attract the favor of the community in the future is Light Rail, which would reduce operational costs and also help solve Princeton University's need for better road access to its parking garage and its plan to create a new Arts Center. When this comes about, Mr. May hopes that all rail modes will compete on an even playing field.

Mr. May asked that the agency not continue to permit the Central Jersey Transportation forum project management team to dismiss light rail for the Princeton Branch and not to allow them to continue to say the busway has community support. Doing so will challenge NJ TRANSIT's credibility.

Joseph Clift, Regional Rail Working Group, acknowledged Executive Director Weinstein's efforts regarding the report on financing issues for the Access to the Region's Core project which did a good job of supporting the Governor's decision. Mr. Clift said it is time to look ahead and urged the State and NJ TRANSIT to work toward a Northeast Corridor-Penn Station New York effort. The project needs to be done quickly and NJ TRANSIT should stay in charge but work with New York State and Amtrak. Mr. Clift said he keeps hearing that New York is not paying for anything, but that is not accurate. New York is building the first phase of Moynihan Station with no

(NJT Board – 11/10/2010)

New Jersey money and the main beneficiaries of that project will be NJ TRANSIT customers. Mr. Clift distributed a handout which outlined that over half of the NJ TRANSIT passengers will be "orphaned" by the Moynihan Station Phase I project and NJ TRANSIT customers won't have access to the corridor. Mr. Clift urged NJ TRANSIT to work with New York State so the Moynihan Station Phase I project can serve NJ TRANSIT customers.

Zoe Baldwin, Tri-State Transportation Campaign, said she would love to lament about the Access to Region's Core project but is at a loss for words. With the termination of this project, money and jobs are lost and transportation mobility is cut off while the State is choked with traffic. Ms. Baldwin said Amtrak's interests in the new tunnels are strictly exploratory and a viable project would not come for more than a decade. There is no way to make up for the loss of the Access to the Region's Core project, but there can be improvements for the Trans-Hudson service and she hopes NJ TRANSIT and the New Jersey Department of Transportation looks towards a solution. Tri-State Transportation Campaign recommends improvements to bus service, since NJ TRANSIT and the private carriers carry over 15,000 people, such as adding express bus lanes and expanding the Port Authority Bus Terminal. The group also suggested improving rail capacity by eliminating seats on the multilevel railcars for a larger standing area on those vehicles. Ms. Baldwin said there is a need to address the problem now, and she hopes NJ TRANSIT continues to work on finding a public transit solution for the bottleneck. Ms. Baldwin said transit is needed, not traffic.

Albert L. Papp, Jr. said the Regional Rail Working Group and the New Jersey Association of Railroad Passengers asked for a copy of the 1600 page background document to the Major Investment Study for the Access to the Region's Core project. Since that project is terminated, Mr. Papp requested the background document since it has been paid for by New Jersey taxpayers and they have a right to see the alternatives and decisions in that document. Mr. Papp will send a letter to Chairman Simpson and will submit an Open Public Records Act (OPRA) request to Executive Director Weinstein.

Mr. Papp noted that the Maplewood Station underpass is still in need of repair. He said an NJ TRANSIT crew did a "patch" job but not a permanent fix on the underpass. Mr. Papp believes there may be a water leak and requested that NJ TRANSIT examine the underpass.

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 and seconded by Steve Petrecca and unanimously adopted. The meeting was adjourned at 10:45 a.m.

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

NOVEMBER 10, 2010

MINUTES	PAGE
➤ EXECUTIVE SESSION AUTHORIZATION	42711
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	42712
➤ EXECUTIVE DIRECTOR'S MONTHLY REPORT	42713
➤ ADVISORY COMMITTEE REPORTS	-
➤ BOARD COMMITTEE REPORT *Administration Committee	-
➤ PUBLIC COMMENTS ON AGENDA ITEMS	

ACTION ITEMS

1011-61	HUDSON-BERGEN LIGHT RAIL LITIGATION SUPPORT: COMPENSATION OF EXPERT ELECTRONIC DISCOVERY CONSULTANT (WATERS EDGE CONSULTING, LLC)	42735
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Authorization to reimburse Waters Edge Consulting, LLC of Reston, Virginia, for expert electronic discovery consultant services in an additional amount of \$1,250,000, for a total contract authorization of \$2,195,000, subject to the availability of funds.

1011-62	EMPLOYEE BEHAVIORAL ASSESSMENT TRAINING	42738
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Authorization to enter into a sole source contract with Protecting the Homelands Innovations, LLC, a Massachusetts Limited Liability Company, for the purpose of providing Behavioral Assessment Screening System (BASS) employee training to train approximately 9,496 NJ TRANSIT employees at a cost not to exceed \$4.27 million, subject to the availability of funds.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

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 contract negotiations and attorney-client, litigation and personnel matters; and

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

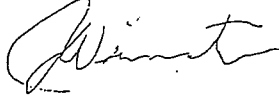
APPROVAL OF MINUTES

WHEREAS, the By-Laws provide that the minutes of actions taken at meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, 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 September 10, 2010, Board meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc. and NJ TRANSIT Mercer, Inc. were forwarded to the Governor on September 14, 2010;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the September 10, 2010 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. Board of Directors' meetings are hereby approved.

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

TO: BOARD OF DIRECTORS
FROM: JAMES W. WEINSTEIN 
DATE: NOVEMBER 10, 2010
SUBJECT: EXECUTIVE DIRECTOR'S REPORT – NOVEMBER 2010

In September, we launched the "Quiet Commute" pilot program on our busiest trains—"3900-series" Northeast Corridor trains that operate express to and from Trenton, Hamilton and Princeton Junction—to determine the level of interest and acceptance of a Quiet Car amenity on our rail system. Over the last two months, we have been evaluating the program and collecting customer and employee feedback, which has been overwhelming positive. Starting January 3, Quiet Commute will be expanded significantly to include trains that begin or end their trips at New York Penn Station or Newark Penn Station during weekday peak periods. This will expand the program to include Midtown Direct, North Jersey Coast and Raritan Valley lines, and additional Northeast Corridor trains. As in the initial pilot, the first and last cars of each train will be designated for Quiet Commute, as they are easily identifiable, with seating on a first-come, first-served basis. We encourage customers to continue to let us know about their experiences with the Quiet Commute program so far.

Also next year, NJ TRANSIT will begin participating in the AMBER Alert program, which is a voluntary, cooperative program between the law enforcement community, broadcasters, transportation agencies and the wireless industry to activate an urgent bulletin in the most serious child-abduction cases. The goal of an AMBER Alert is to instantly get the entire community involved to assist in the search for and safe recovery of an abducted child by providing the public with a description of the child, suspect, or vehicle. Customers now have the option of enrolling to receive AMBER Alerts through our My Transit alert system, which delivers travel advisories to our bus, rail and light rail customers directly to their cell phones, PDAs or pagers. We will begin sending AMBER Alerts as they are issued beginning January 3, as a way for NJ TRANSIT to do our part to help spread the word and improve the chances for a child's safe recovery.

Last month marked the launch of NJ TRANSIT's new "My Bus" system—an improvement for our bus customers that gives them unprecedented access to schedule information while on the go. Through "My Bus," any customer who has the ability to send a text message can now get schedule information for any NJ TRANSIT bus stop. As part of the program, next week we will begin our statewide installation of My Bus signs, which will display the bus stop ID and instructions for how to use the My Bus system, starting in Atlantic County and working our way throughout the state by the end of next year. In the interim, customers can look up the stop ID for any bus stop online at njtransit.com/mybus. So far, My Bus is receiving positive customer feedback and is averaging about 1,000 queries a day, a number that is certain to increase as My Bus signs are posted and awareness of the program grows.

Today the Board will consider approval of a contract that will provide security and terrorism awareness training for our frontline employees, funded by a \$9 million grant received through the U.S. Department of Homeland Security. Because our frontline employees work with the public on a continuous basis, they are essentially the "eyes and ears" of our transportation system. As such, it is critical that we equip them with knowledge of terrorism awareness, prevention and mitigation that will help them recognize and report potential threats to maintain the security of our system.

As we all know, two weeks ago Governor Christie reaffirmed his decision to terminate the ARC project. The project was terminated for one reason and one reason alone: The state could simply not afford it. The Governor has directed us to find affordable ways to address trans-Hudson commuting, and our staff will be doing that, working with NJTPA, the communities and others to find solutions that we can afford. While ARC was a major focus of NJ TRANSIT, it is important for us all to remember that it was far from our only focus. As an agency that today meets the basic travel needs of nearly one million people every weekday, NJ TRANSIT will continue to move forward and provide safe, reliable and essential services for our customers. We have a number of other capital construction projects underway throughout the state that will keep our bus, rail and light rail systems running, and will help position us for the ridership growth that will return when the economy recovers.

Lastly, this month we've said farewell to Ken Pringle, who has been a dedicated Board member since 2005. I'd like to thank Ken for his leadership, particularly for having led the charge on new technology, safety enhancements and "green" initiatives, such as Zipcar. Throughout his tenure, Ken remained a strong advocate for putting technology to work for our customers and improving the way we communicate with them, and his contributions to the NJ TRANSIT Board on behalf of our customers are certain to have a long-lasting positive impact.

EXECUTIVE DIRECTOR'S MONTHLY REPORT NOVEMBER 2010

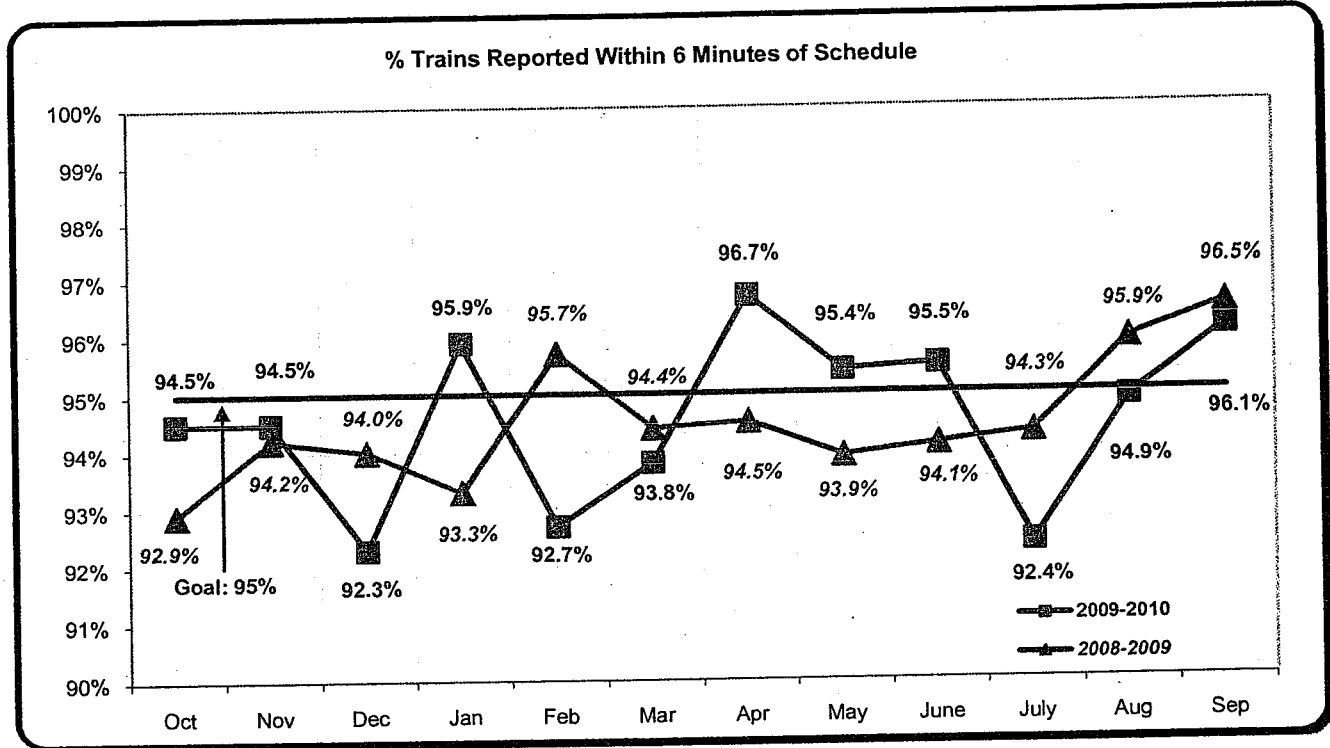
- 1. PERFORMANCE MEASURES**
- 2. DBE/MBE PROGRAM**
- 3. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

ON-TIME PERFORMANCE

RAIL

OCTOBER 2008 - SEPTEMBER 2010



	2009	2010	# Change
September Comparison	96.5%	96.1%	-0.4%

	2008-2009	2009-2010	# Change
12-Month Average October - September	94.5%	94.6%	0.1%

Analysis:

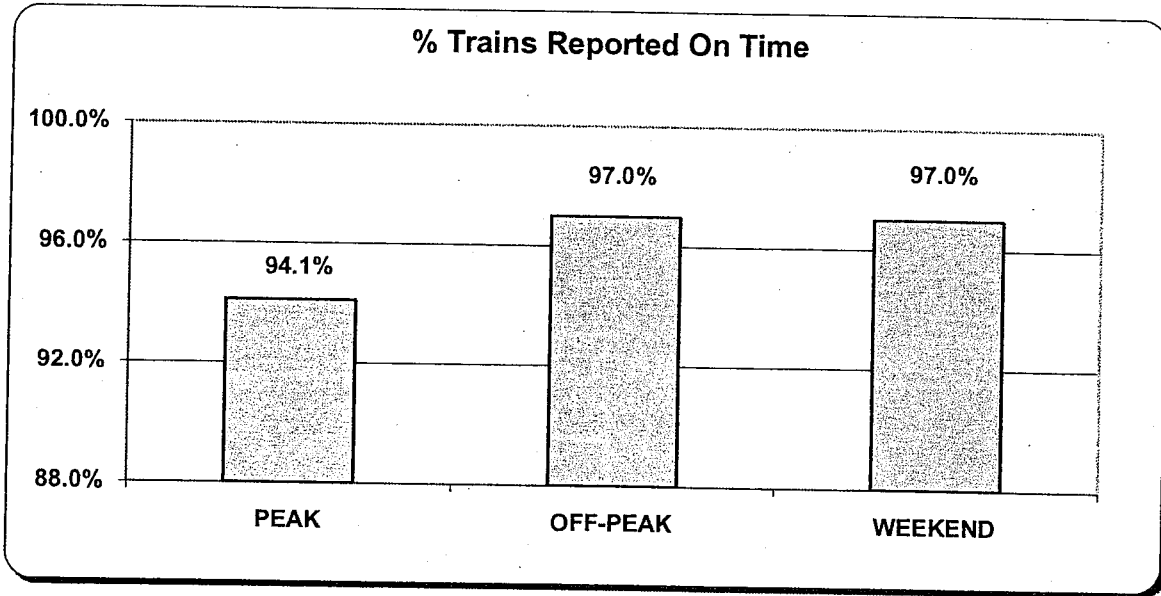
Rail On-Time Performance was 96.1% for September 2010. Of the 17,983 trains scheduled to operate, 17,288 were on time, while 695 trains (or 3.9%) were delayed. Key causes included:

- Weather-related Amtrak power problems on September 16.
- An opening of Portal Bridge for river traffic on September 23.
- An Amtrak signal failure affecting service on September 30.

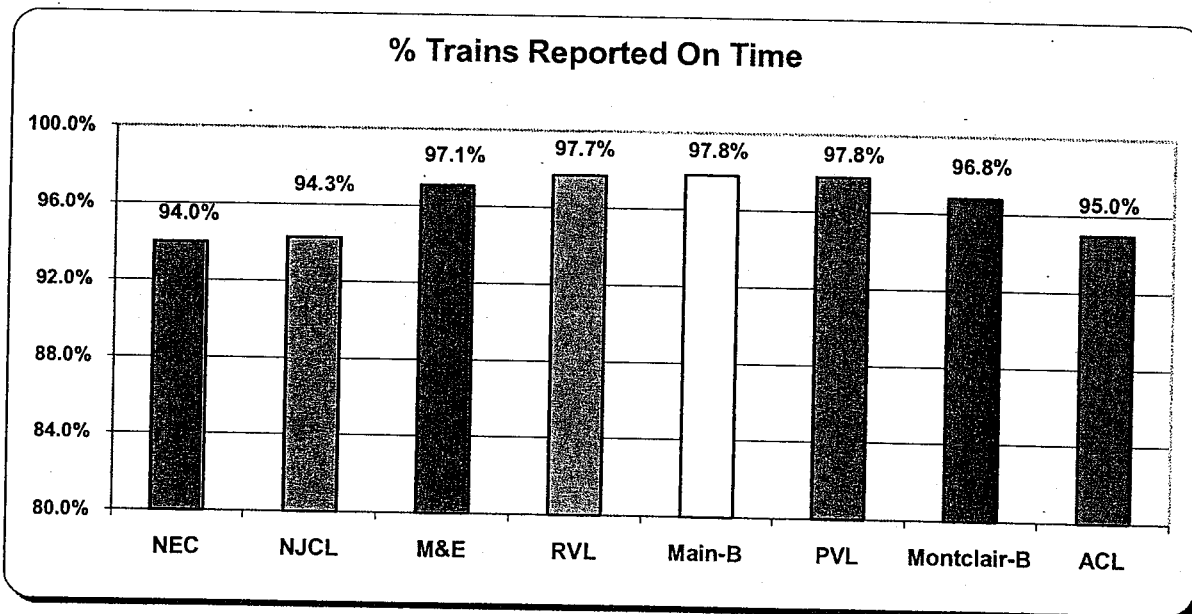
The 12-month average for Rail On-Time Performance for October 2009 - September 2010 was 94.6%.

ON-TIME PERFORMANCE RAIL

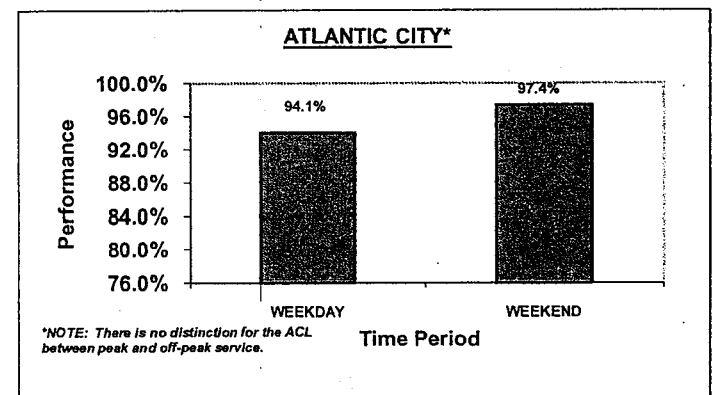
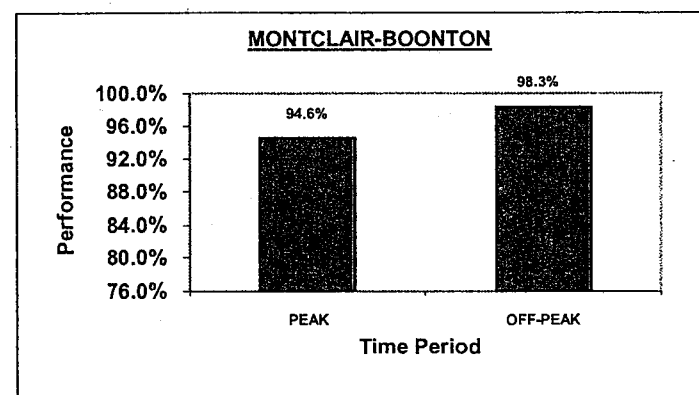
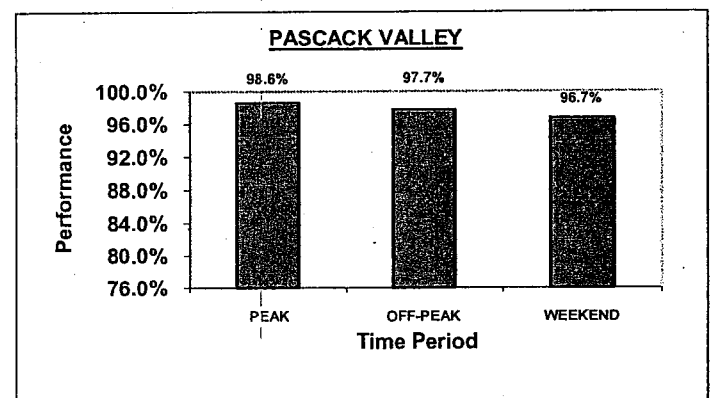
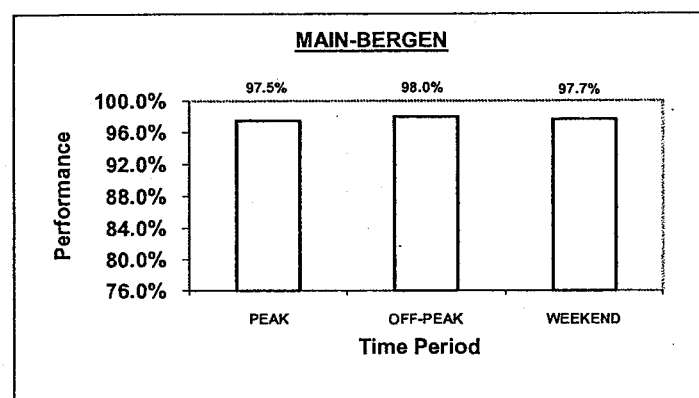
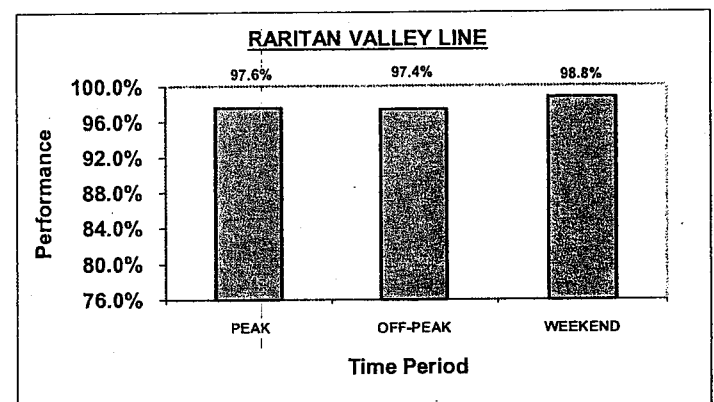
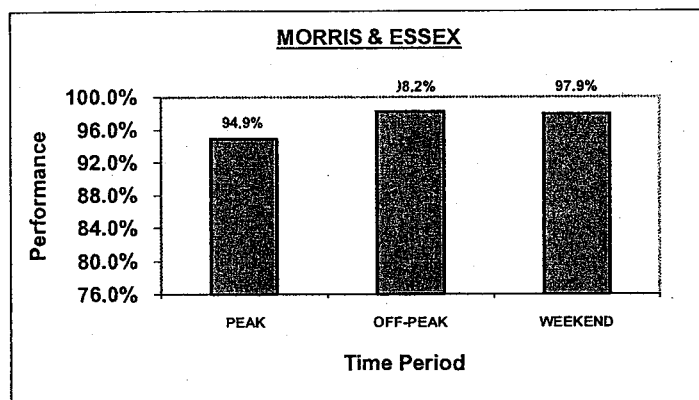
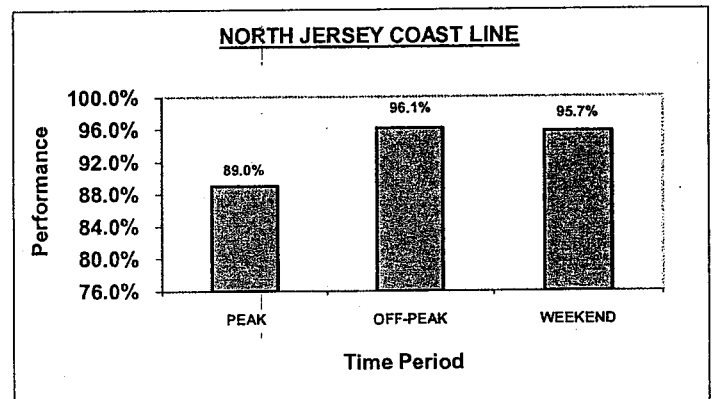
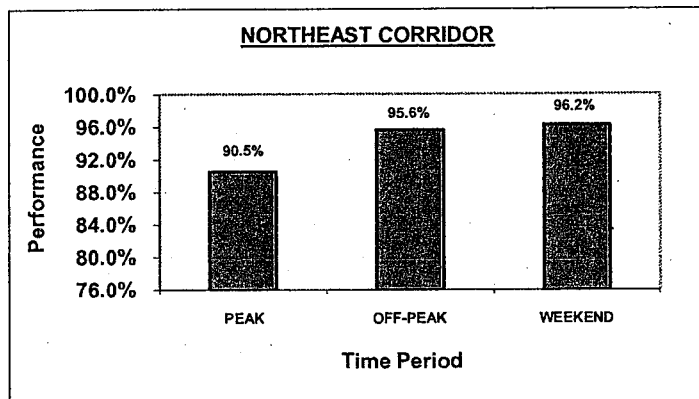
SUMMARY BY TIME PERIOD SEPTEMBER 2010



SUMMARY BY LINE SEPTEMBER 2010



ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD SEPTEMBER 2010

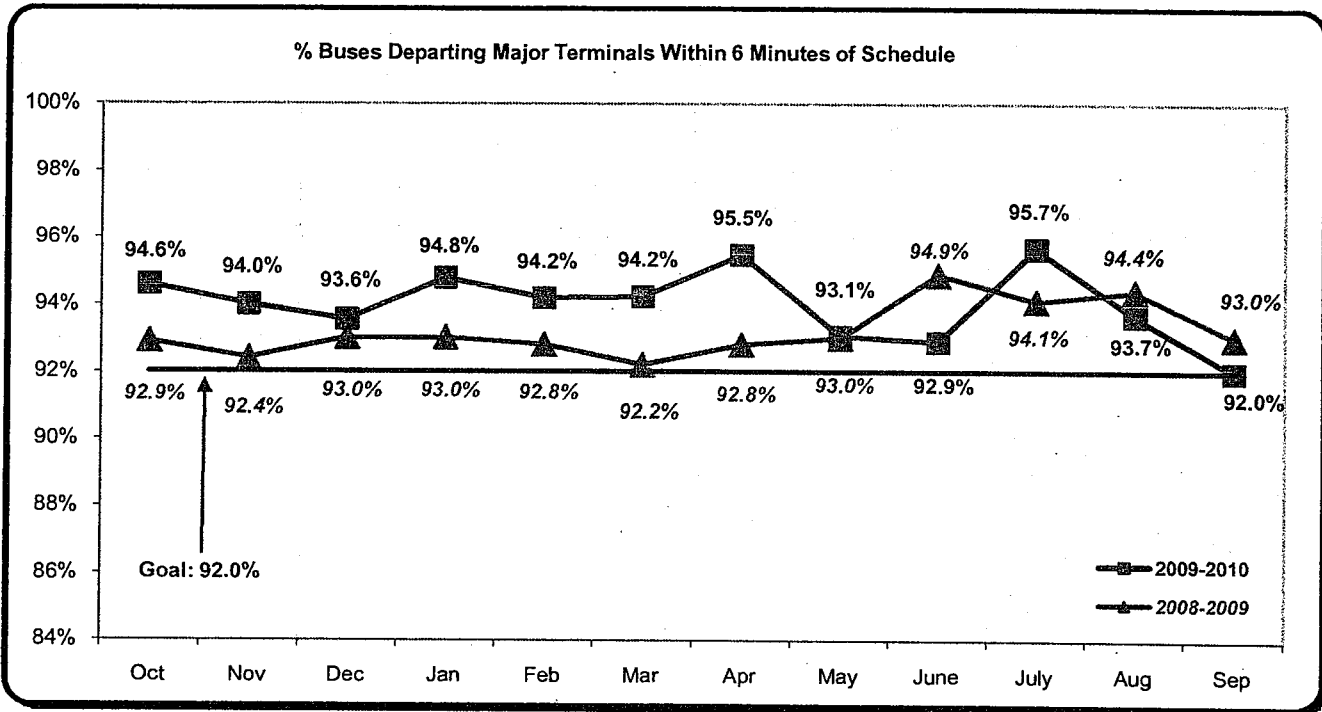


*NOTE: There is no distinction for the ACL between peak and off-peak service.

NJ TRANSIT ON-TIME PERFORMANCE BUS

42719

OCTOBER 2008 - SEPTEMBER 2010



	2009	2010	% Change
September Comparison	93.0%	92.0%	-1.0%

	2008-2009	2009-2010	% Change
12-Month Average October - September	93.2%	94.0%	0.8%

Analysis:

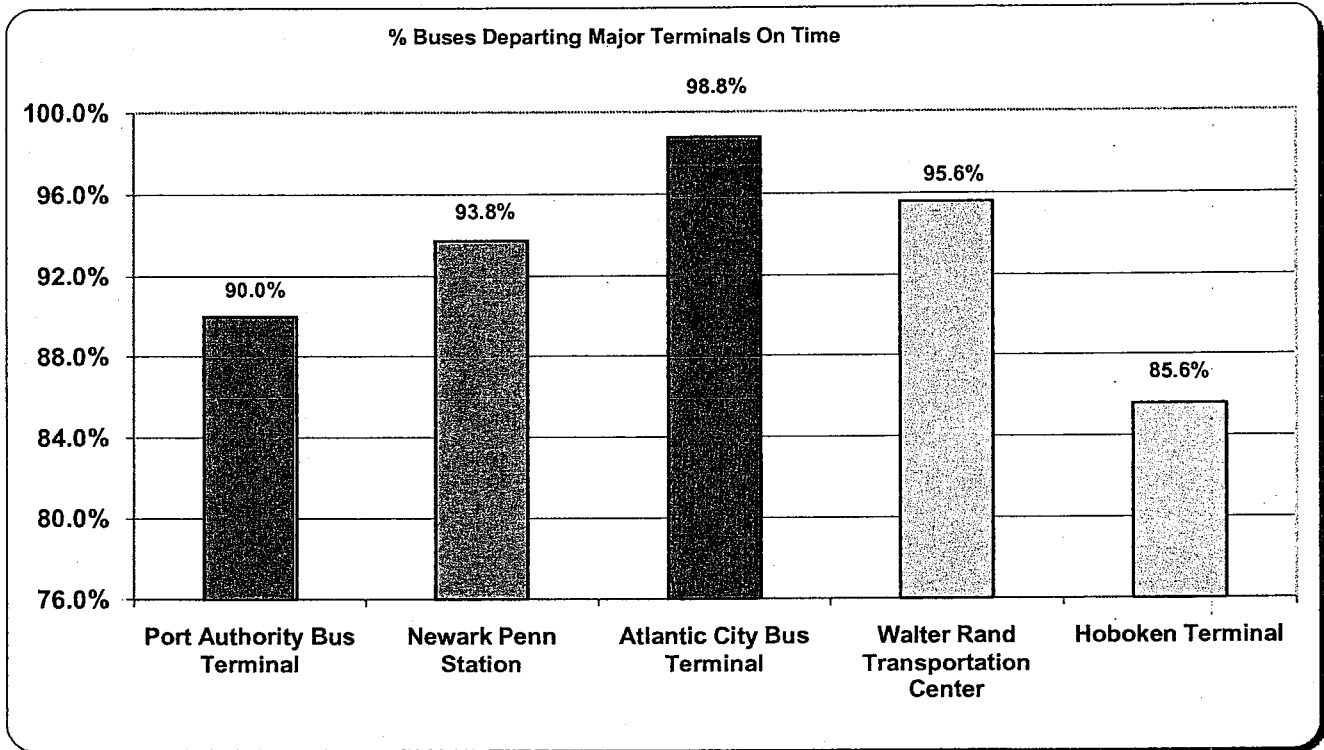
Bus On-Time Performance was 92% for September 2010. Of the 34,455 monitored departures, 2,775 (or 8%) experienced delays. Key causes included:

- Auto accidents on Routes 495 and 3 during rush hour impacting Port Authority buses on September 8.
- Auto accident on Route 72 and heavy traffic in Philadelphia impacting Walter Rand Transportation Center buses on September 16.
- Mechanical issues and accidents delaying Newark Penn Station buses on September 17.

The 12-month average for Bus On-Time Performance for October 2009 - September 2010 was 94%.

ON-TIME PERFORMANCE BUS

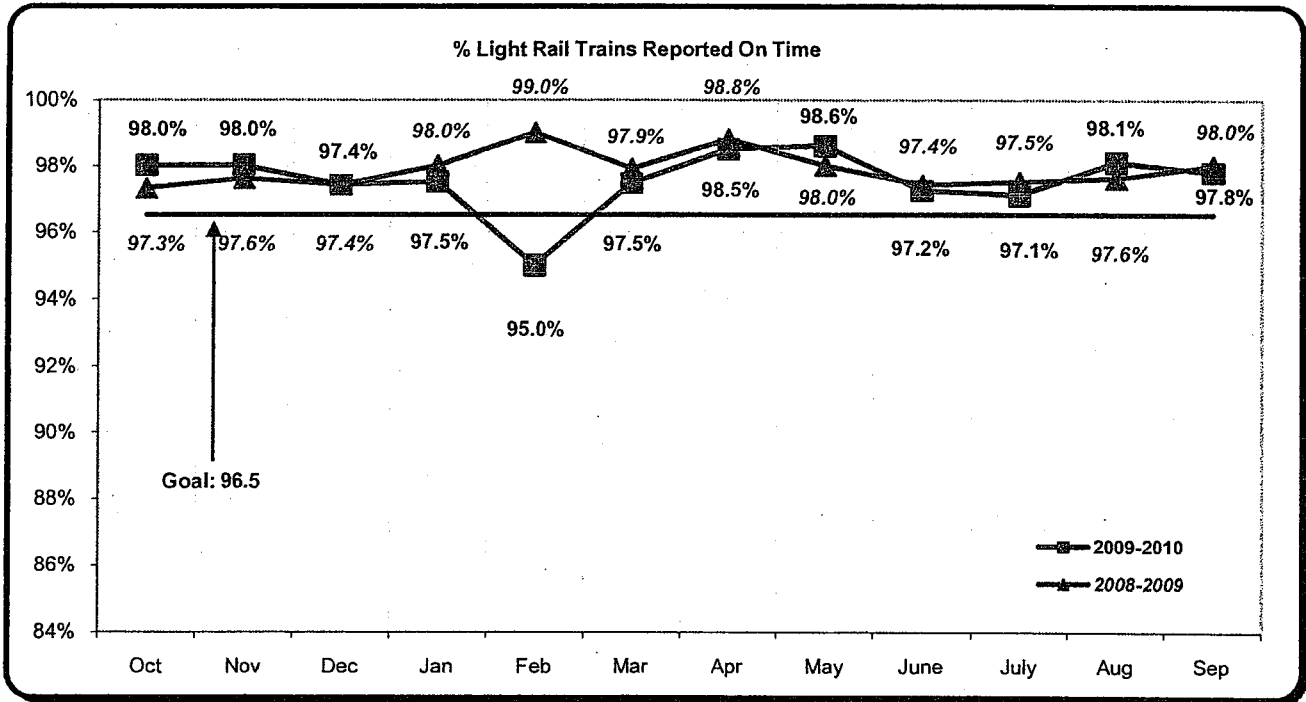
SUMMARY BY TERMINAL SEPTEMBER 2010



NJ TRANSIT

42721

ON-TIME PERFORMANCE LIGHT RAIL - SYSTEMWIDE OCTOBER 2008 - SEPTEMBER 2010



*Note: Starting May 2007

	2009	2010	# Change
September Comparison	98.0%	97.8%	-0.2%

	2008-2009	2009-2010	# Change
12-Month Average October - September	97.9%	97.6%	-0.3%

Analysis:

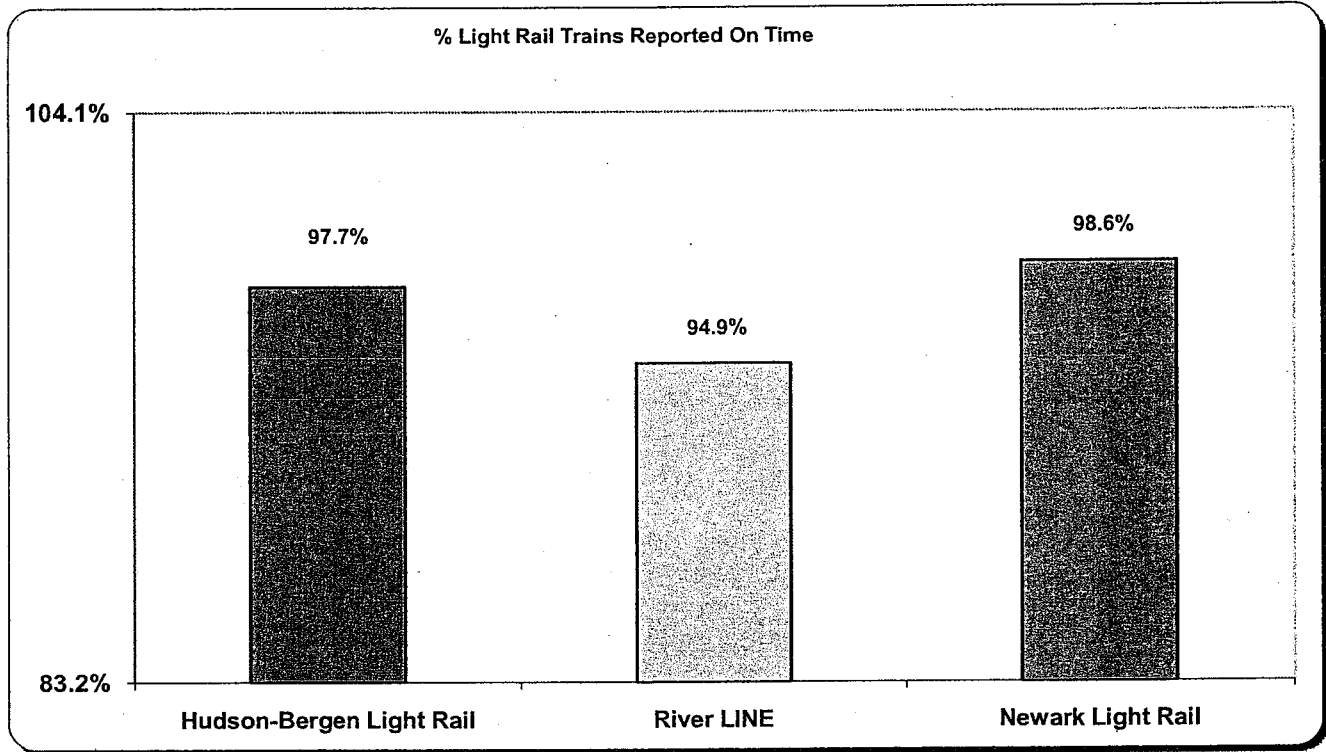
Light Rail On-Time Performance systemwide was 97.8% for the month of September 2010. Of the 26,523 scheduled trains, 589 (or 2.2%) experienced delays. Key causes included:

- Heavy event-related traffic along the Camden Waterfront impacting River Line service on September 4.
- Auto accident affecting Newark Light Rail trains on September 16.
- Overhead wire damage delaying Hudson-Bergen Light Rail service on September 22.

The 12-month average for Light Rail On-Time Performance for September 2009 - August 2010 was 97.6%.

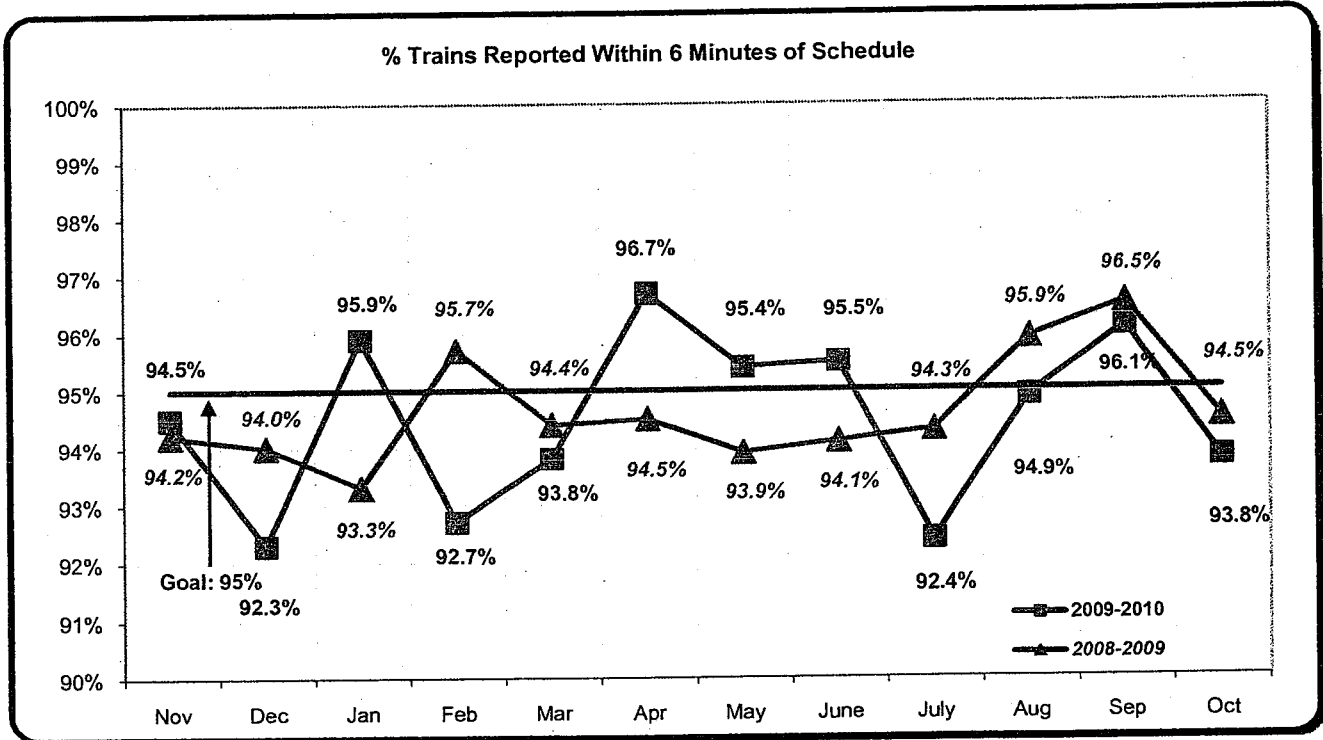
ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE SEPTEMBER 2010



NJ TRANSIT ON-TIME PERFORMANCE RAIL

NOVEMBER 2008 - OCTOBER 2010



	2009	2010	# Change
October Comparison	94.5%	93.8%	-0.7%

	2008-2009	2009-2010	# Change
12-Month Average November - October	94.6%	94.5%	-0.1%

Analysis:

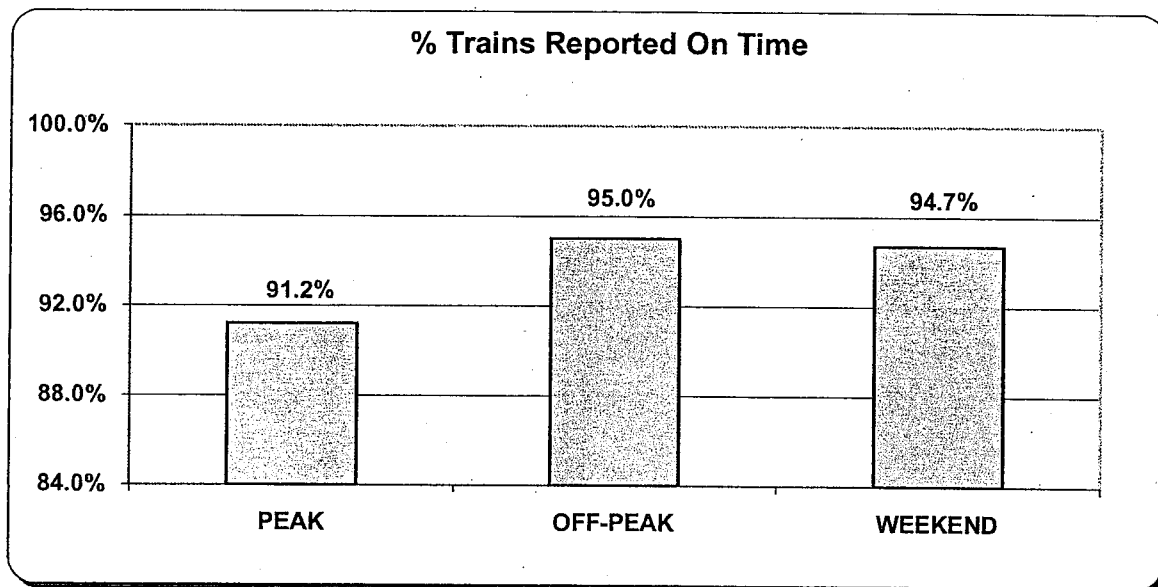
Rail On-Time Performance was 93.8% for October 2010. Of the 17,959 trains scheduled to operate, 16,851 were on time, while 1108 trains (or 6.2%) were delayed. Key causes included:

- Amtrak switch damage on October 13.
- Amtrak overhead wire problems on October 19.
- NJ TRANSIT train derailment at New York Penn Station on October 25.

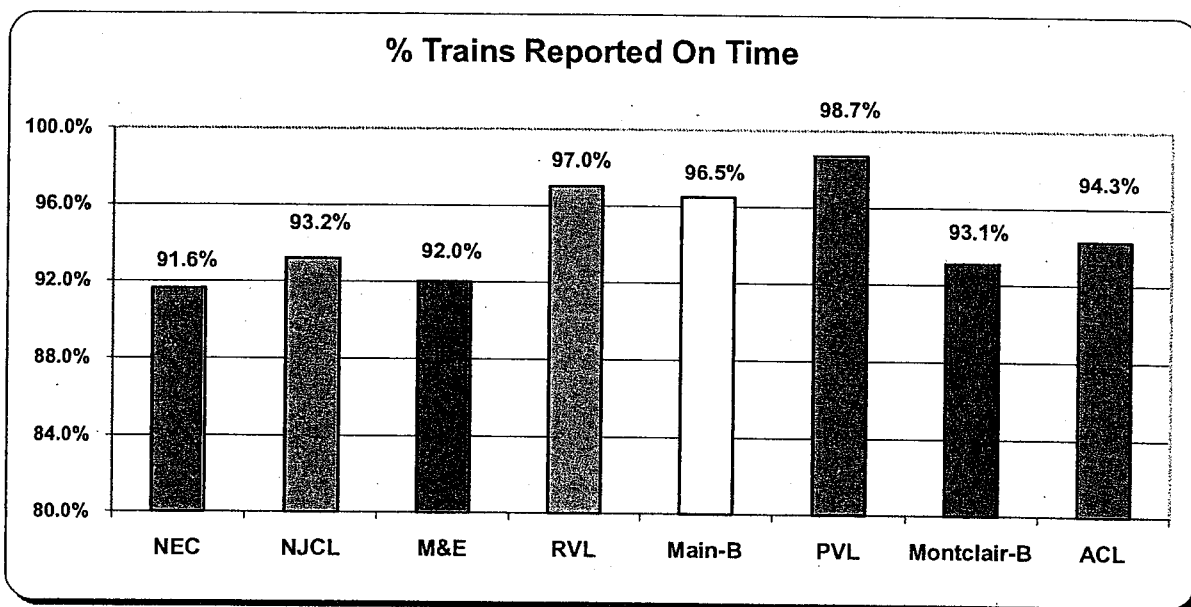
The 12-month average for Rail On-Time Performance for November 2009 - October 2010 was 94.5%.

ON-TIME PERFORMANCE RAIL

SUMMARY BY TIME PERIOD OCTOBER 2010

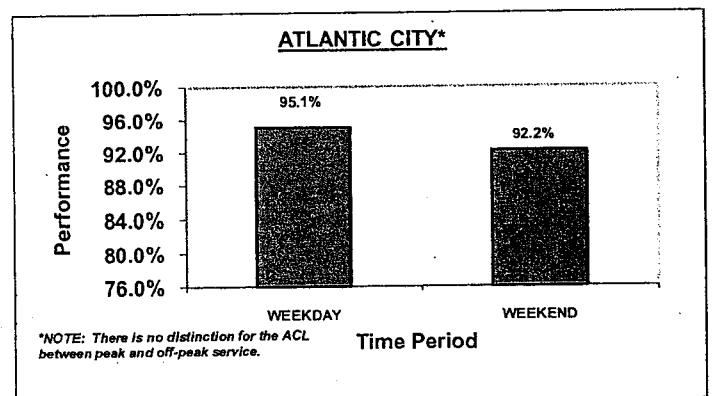
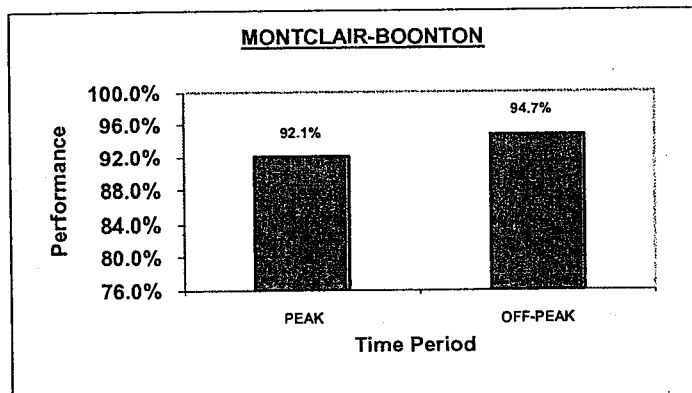
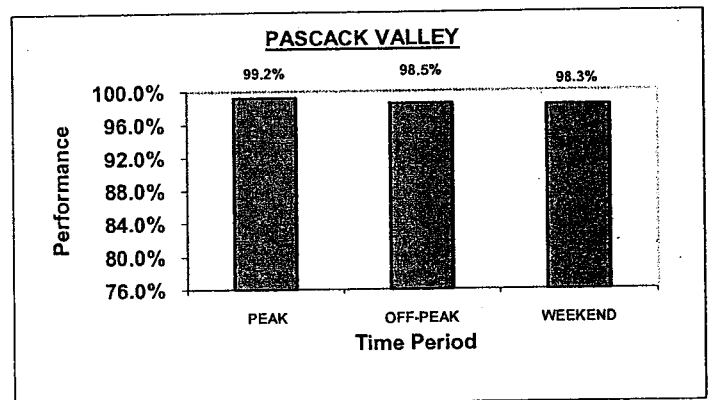
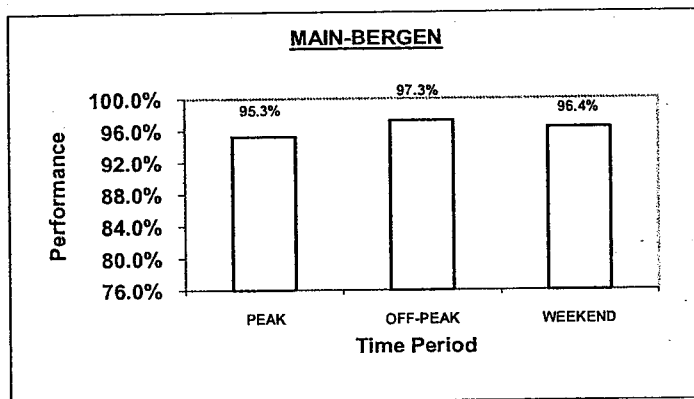
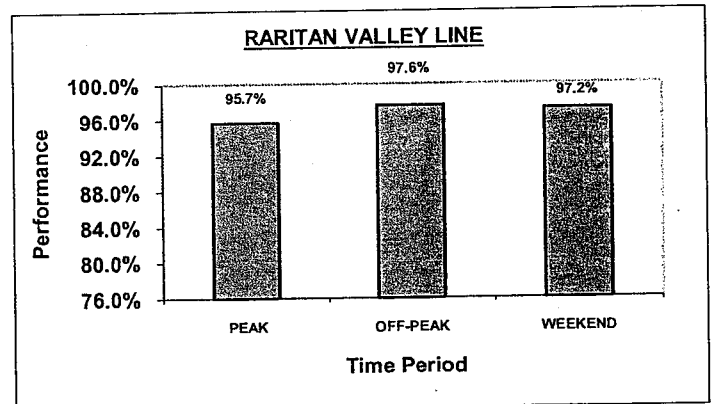
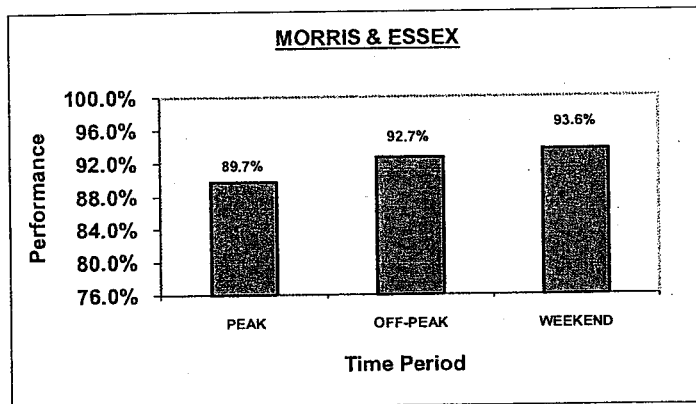
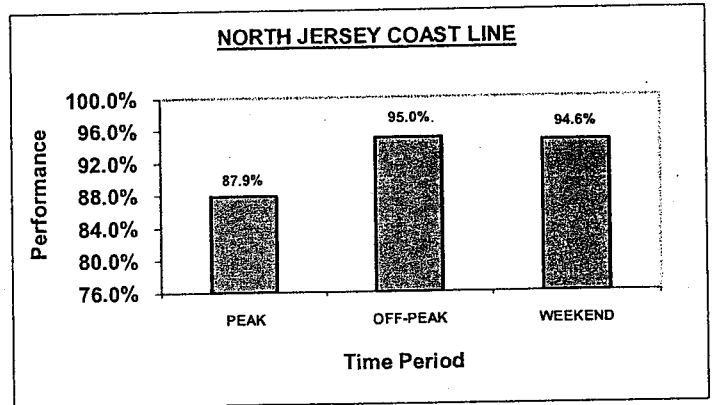
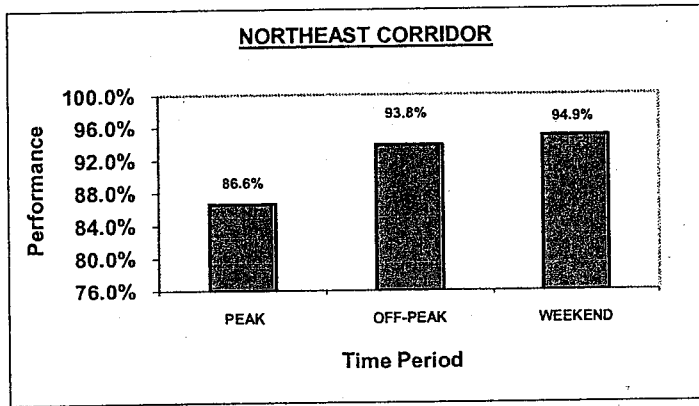


SUMMARY BY LINE OCTOBER 2010



ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD OCTOBER 2010

42725



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

**NJ TRANSIT
ON-TIME PERFORMANCE
BUS
NOVEMBER 2008 - OCTOBER 2010**

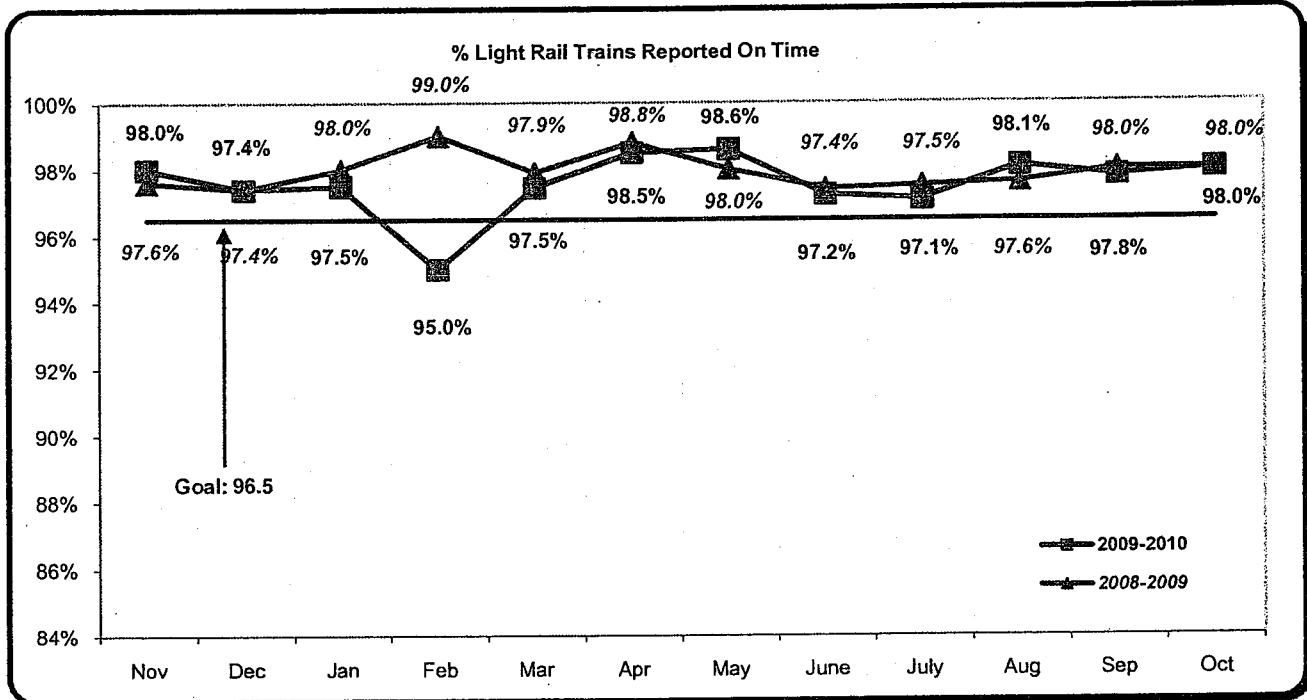
October 2010 On-Time Performance for Bus will be presented in December.

NJ TRANSIT

ON-TIME PERFORMANCE

LIGHT RAIL - SYSTEMWIDE

NOVEMBER 2008 - OCTOBER 2010



*Note: Starting May 2007

	2009	2010	# Change
October Comparison	98.0%	98.0%	0.0%

	2008-2009	2009-2010	# Change
12-Month Average November - October	97.9%	97.6%	-0.3%

Analysis:

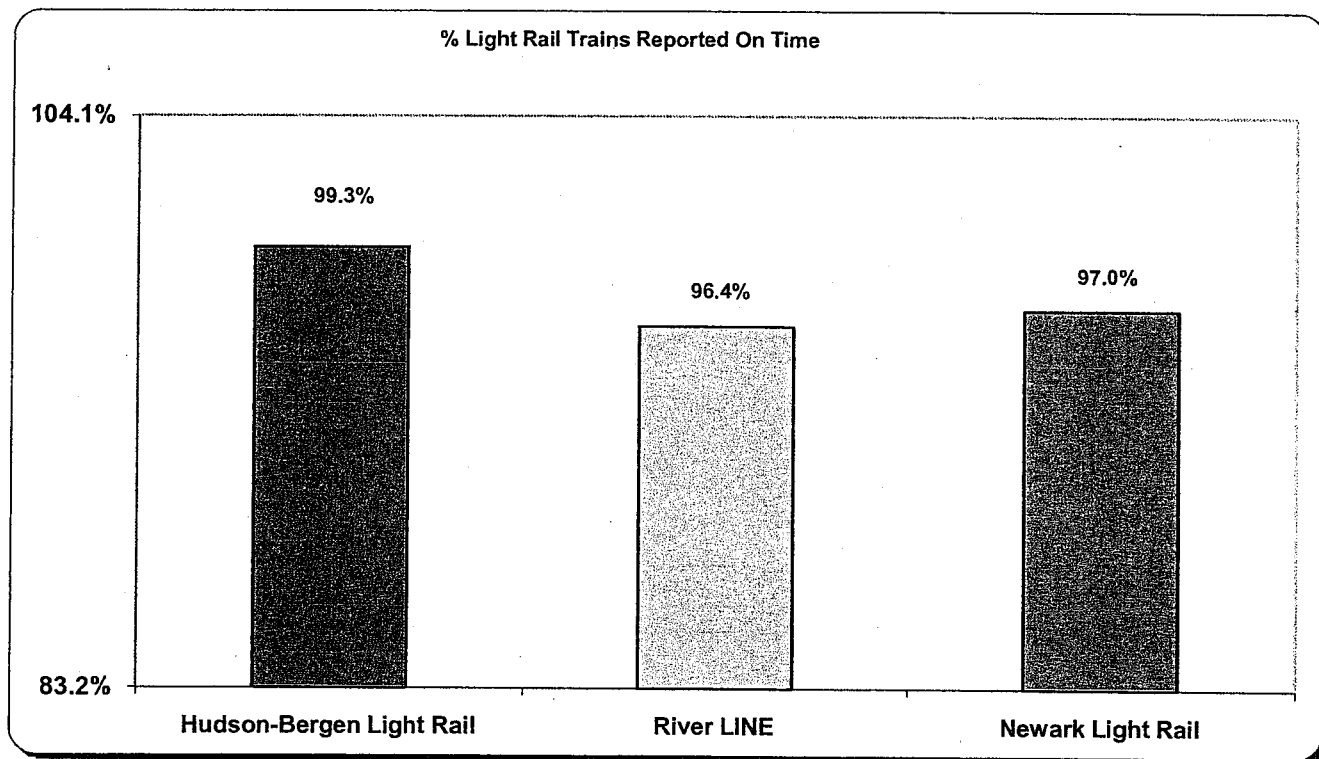
Light Rail On-Time Performance systemwide was 98% for the month of October 2010. Of the 26,754 scheduled trains, 524 (or 2%) experienced delays. Key causes included:

- Flooding in Camden impacting River Line service on October 1.
- Weather conditions affecting Newark Light Rail trains on October 1.
- Grade crossing motor vehicle accident delaying Hudson-Bergen Light Rail service on October 22.

The 12-month average for Light Rail On-Time Performance for November 2009 - October 2010 was 97.6%.

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE OCTOBER 2010



DBE/MBE PROGRAM

NJ TRANSIT – Office of Business Diversity DBE/SBE Participation

Federally Funded Contracts

\$536,154 in federal funds were awarded during October of FY 11.* Disadvantaged Business Enterprises (DBEs) were not awarded any federal-funded contract dollars during this period from either race conscious or race neutral awards.

State Funded Contracts

\$18,794,467 in state-funded contract dollars were awarded July through October FY 11. ** Of that total, Small Business Enterprises (SBEs) received \$3,676,932 or 19.6 percent. Category 1 SBEs received \$128,947 or 0.7 percent. Category 2 SBEs received \$611,007 or 3.2 percent. Category 3 SBEs received \$0 or 0 percent. Category 4 SBEs received \$220,000 or 1.2 percent. Category 5 SBEs received \$2,716,978 or 14.5 percent. Category 6 SBEs received \$0 or 0 percent.***

Federal & State Contracts Total

\$19,330,621 in federal and state contract dollars were awarded by NJ TRANSIT during this reporting period. Of that total, \$3,676,932 or 19 percent of federal and state contract dollars was won by DBEs and SBEs.

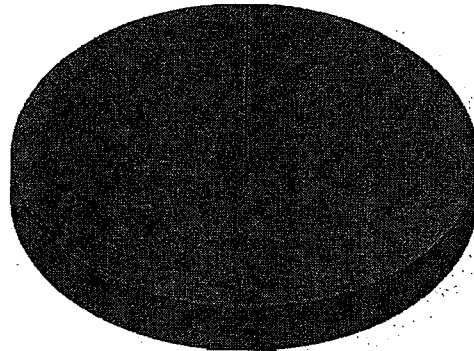
*Fiscal year beginning October 1, 2010

**Fiscal year beginning July 1, 2010

***Cat 1-Less than \$500,000 gross revenues, Cat 2-Less than \$5 million, Cat 3-Less than \$12 million, Cat 4 (construction)-Less than \$1 million, Cat 5 (construction)-Less than \$17,420,000, Cat 6 (construction)-Up to \$33.5 million

**DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FYTD (THROUGH OCTOBER FY11)***

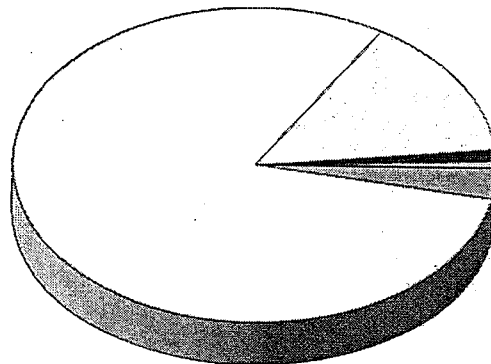
NON-DBE
FEDERAL
\$536,154
100%



DBE RACE
NEUTRAL & RACE
CONSCIOUS
\$0.00
0%

**SBE PARTICIPATION
STATE CONTRACTS
STATE FYTD (THROUGH OCTOBER FY11)****

NON-SBE STATE
\$15,117,535
80.4%



SBE-5
\$2,716,978
14.5%

SBE-4
\$220,000
1.2%

SBE-1
\$128,947
0.7%

SBE-2
\$611,007
3.2%

Fiscal Year Beginning October 1, 2010*
Fiscal Year Beginning July 1, 2010**
(This report covers contracts above \$29,000)

EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

Seventeen NJ TRANSIT employees retired in September with careers ranging from 10 to 37 years of service:

1. Gregory R. Alston (Westwood) Manager Rail Safety, Penn Plaza – 37 years
2. Thomas Gallo (Keyport) Rail Ops. Superintendent Stations, Secaucus – 35 years
3. Jose A. Vazquez (Newark) Mechanical, Fairview Garage – 35 years
4. Richard Akle (Yardville) Bus Operator, Hamilton Garage – 33 years
5. James E. Davidson (Sicklerville) Bus Operator, Washington Township – 33 years
6. Anthony Anepete (Jacobstown) Bus Operator, Hamilton Garage – 32 years
7. Caroline Mael (Langhorne, PA) Manager Rail Ops., Penn Plaza – 28 years
8. John J. Raibick (Toms River) Line Engineer, Red Bank – 28 years
9. Louis W. Kern (Bogota) Material Supervisor, MMC – 27 years
10. Nelson Morales (Maplewood) Computer Operator, General Office Building – 26 years
11. Thanh Pham (Nutley) Mechanic, Doremus Avenue – 26 years
12. Julius Page (Newark) Bus Operator, Orange Garage – 23 years
13. Florence M. Cross (Montville) QA Specialist, MMC – 18 years
14. Maria Maldonado (Passaic) Bus Operator, Wayne Garage – 18 years
15. William E. Daley (Livingston) Recruiter, General Office Building – 11 years
16. John Moyer (Marlboro) Bus Operator, Howell Garage – 11 years
17. David M. Wetmore (Wharton) General Superintendent, Summit – 10 years

Eight NJ TRANSIT employees retired in October with careers ranging from 10 to 33 years of service:

1. Clifford Streater (Sicklerville) Bus Operator, Washington Township – 33 years
2. Rudolph Scipione, Jr. (Pitman) Mechanic, Washington Township Garage – 32 years
3. Ray L. Francis (Paterson) Bus Operator, Meadowlands Garage – 24 years
4. Frank Green, Jr. (Paterson) Repairman, Wayne Garage – 21 years
5. Cheryl Anthony (Hillside) Bus Operator, Hilton Garage – 17 years
6. Joseph A. Capriotti, Jr. (Little Egg Harbor) Repairman "A," Egg Harbor Twp. – 16 years
7. Michael Hudson (River Edge) Bus Operator, Oradell Garage – 16 years
8. Mildred Barnes (Newark) Clerk Typist, General Office Building – 10 years

ACTION ITEMS

**ITEM 1011-61: HUDSON-BERGEN LIGHT RAIL LITIGATION SUPPORT:
COMPENSATION OF EXPERT ELECTRONIC DISCOVERY
CONSULTANT (WATERS EDGE CONSULTING, LLC)**

BENEFITS

NJ TRANSIT requires additional resources and support to process, review, and analyze Electronically Stored Information (ESI) in conjunction with defending a lawsuit filed by Twenty-First Century Rail Corporation (TFC), the Design-Build-Operate-Maintain (DBOM) contractor for the Hudson-Bergen Light Rail MOS-II project, and its subcontractor, Frontier-Kemper/Shea/Bemo, Joint Venture.

Waters Edge Consulting, LLC is an established firm providing electronic discovery expertise which has provided NJ TRANSIT with additional resources and expertise in obtaining electronic documents during the discovery phase.

PURPOSE

The New Jersey Office of the Division of Law (DOL) has retained Waters Edge Consulting, LLC to provide assistance in both requesting electronic discovery and responding to requests for electronic discovery. The DOL has requested that NJ TRANSIT reimburse the electronic discovery consultant directly. The DOL and NJ TRANSIT have reviewed and approved the Waters Edge Consulting, LLC proposal for this effort through April 2011.

ACTION (Justification: Legal Defense)

Staff seeks authorization to reimburse Waters Edge Consulting, LLC of Reston, Virginia, for expert electronic discovery consultant services in an additional amount of \$1,250,000, for a total contract authorization of \$2,195,000, subject to the availability of funds.

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

FISCAL IMPACTS

Requested Authorization	This Authorization \$ 1,250,000
	Total Authorization \$ 2,195,000

Total Project Cost: TBD

Projected Date of Completion: TBD

Anticipated Source of Funds: Transportation Trust Fund

Diversity Goal: NA

***NJ Build* Amount:** NA

Related/Future Authorizations: Settlement of claim
Additional expert consultant services

**Impacts on Subsequent
Operating Budgets:** N/A

RESOLUTION

WHEREAS, NJ TRANSIT requires additional resources and electronic discovery expertise in conjunction with defending a lawsuit filed by Twenty-First Century Rail Corporation, the Design-Build-Operate-Maintain (DBOM) contractor for the Hudson-Bergen Light Rail project and its subcontractor; Frontier-Kemper/Shea/Bemo; and

WHEREAS, the New Jersey Office of the Division of Law (DOL) has retained Waters Edge Consulting, LLC to provide expert consultant services to assist NJ TRANSIT in this matter; and

WHEREAS, the Division of Law has requested that NJ TRANSIT reimburse Waters Edge Consulting, LLC directly; and

WHEREAS, NJ TRANSIT's Board of Directors approved payments to Waters Edge Consulting, LLC and additional effort is required,

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to reimburse Waters Edge Consulting, LLC of Reston, Virginia, for expert electronic discovery consultant services in an additional amount of \$1,250,000, for a total contract authorization of \$2,195,000, subject to the availability of funds.

ITEM 1011-62: EMPLOYEE BEHAVIORAL ASSESSMENT TRAINING**BENEFITS**

The U.S. Department of Homeland Security (DHS) Transit Security Grant Program (TSGP) has awarded NJ TRANSIT \$9 million to conduct Behavioral Assessment Screening System (BASS) training for NJ TRANSIT frontline employees; \$4.27 million of which is slated for training needs. The remaining funds are to be utilized toward backfilling positions of those attending and related materials/equipment. The funds are distributed via three separate grant terms spanning FY06-FY08. BASS training is a valuable program that was introduced to the law enforcement community and now has extended to civilians who work in areas of mass transportation, stadiums, casinos and retail revenues.

Numerous assessments determined that it is critical to begin eight-hour training modules for frontline personnel, to include conductors, engineers, maintenance and station personnel, field supervision, yard staff, bus operators, bus mechanics, garage personnel, regional supervisors, terminal operations personnel, light rail operators, maintenance, and police officers (first responders receive specialized 16-hour blocks of instruction). Depending on funding, the program can be expanded to a wider range of employees, who also represent the "eyes and ears" of the agency. This would enhance training programs designed to improve agency efficiency and response to potential terrorist incidents.

While the agency has advanced many initiatives that enhance the security of the mass transit system, the ability to recognize and report potential terrorist/criminal activity at the most earliest stage is absolutely critical in NJ TRANSIT's first line of defense. BASS training for frontline employees will assist NJ TRANSIT in identifying and addressing deficiencies in the current preparedness plans, as well as in the preparation and implementation of corrective action(s).

PURPOSE

The risk of potential terrorist attack is greatly diminished when employees and first responders apply what they have learned. An employee or police officer that is armed with knowledge of terrorism awareness, prevention and mitigation provides a level of security that would otherwise increase the potential to recognize and respond to terrorism related incidents.

BASS Training will fulfill an integral frontline employee training requirement. As outlined in the Federal Transit Administration (FTA) Top 20 Security Program Action Items, these training modules are an essential requirement in the protection of a critical infrastructure such as a mass transportation system. This training is critical in ensuring that terrorism awareness training is available to front-line employees who work with the public on a continuous basis. In so doing, reporting of and potentially recognizing and preventing terrorist attack is paramount in strengthening the agency's counter-terrorism program.

Protecting the Homeland Innovations, LLC is the only firm authorized by the U.S. Department of Homeland Security and the NJ Office of Homeland Security and Preparedness to provide BASS training.

ACTION

Staff seeks authorization to enter into a sole source contract with Protecting the Homelands Innovations, LLC, a Massachusetts Limited Liability Company, for the purpose of providing Behavioral Assessment Screening System (BASS) employee training to train approximately 9,496 NJ TRANSIT employees at a cost not to exceed \$4.27 million, subject to the availability of funds.

FISCAL IMPACTS

Requested Authorization:	Sole source consultant services to the amount of \$4.3 million
Total Project Cost:	Consultant (\$4,273,526), overtime/backfill (\$4,609,375) and related materials and equipment (\$50,507). Total \$9,002,268
Projected Date of Completion:	Project completion occurs when awards are completely expended and the grants are closed, the last of which expires Sept 2013
Anticipated Source of Funds:	DHS TSGP Grant awards FY06, FY07 and FY08
Diversity Goal:	N/A
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets:	N/A

RESOLUTION

WHEREAS, the U.S. Department of Homeland Security (DHS) has awarded \$9 million to NJ TRANSIT for Behavioral Assessment Screening System training for approximately 9,496 NJ TRANSIT employees; and

WHEREAS, \$4.27 million of that funding is being requested to conduct front line personnel training in identifying and addressing deficiencies in the agency's current preparedness plans, as well as in the preparation and implementation of corrective action(s); and

WHEREAS, Behavioral Assessment Screening System training has been determined to be a beneficial component in NJ TRANSIT's overall anti-terrorism program; and

WHEREAS, Protecting the Homeland Innovations, LLC, is the only company authorized by the U.S. Department of Homeland Security and the NJ Office of Homeland Security to offer BASS training; and

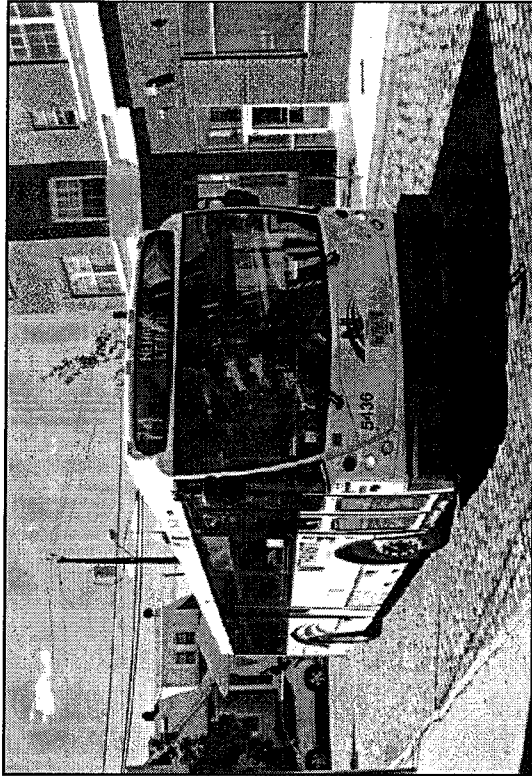
WHEREAS, the provider/consultant fees are fully funded by DHS Transit Security Grant Program FY06-08 awards;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to enter into a sole source contract with Protecting the Homelands Innovations, LLC, a Massachusetts Limited Liability Company, for the purpose of providing Behavioral Assessment Screening System (BASS) employee training to train approximately 9,496 NJ TRANSIT employees at a cost not to exceed \$4.27 million, subject to the availability of funds.

BUS AND RAIL SAFETY STATISTICS



BUS OPERATIONS SAFETY UPDATE



NOVEMBER 2010



BUS OPERATIONS SAFETY UPDATE

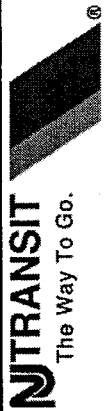
• “SAFETY” – A STATE OF BEING CREATED BY:

- Recognizing unsafe acts and conditions
- Understanding/evaluating the interaction of unsafe acts and conditions in the operating/work environment
- Eliminating/controlling unsafe acts/conditions



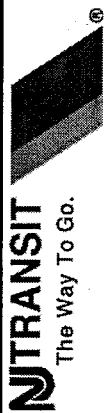
SYSTEM SAFETY MANAGEMENT

- Safety engineering principals to ensure safety is interwoven into all aspects of the transit life cycle
- Structured approach into six focus areas:
 - Management Processes
 - Accident/Incident Systems
 - Human Elements
 - Hazard Identification/Control
 - Safety Goals
 - Authority and Policy

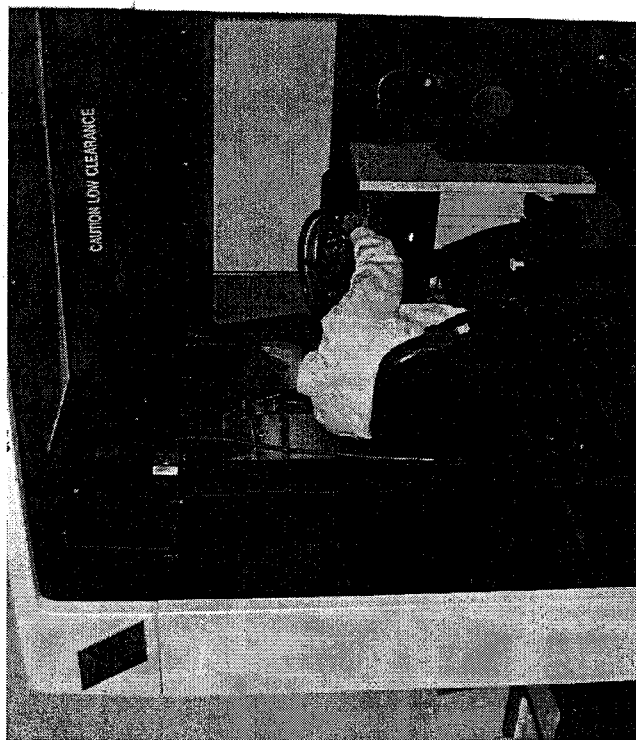


TYPICAL SYSTEM SAFETY ACTIVITIES

- Accident/Incident Investigation
- Analysis and Trending of Data
- Route Analysis/Bus Stop Analysis
- Safety Committees/Meetings/Employee Awareness/Recognition
- Training
- Equipment and Facility Design



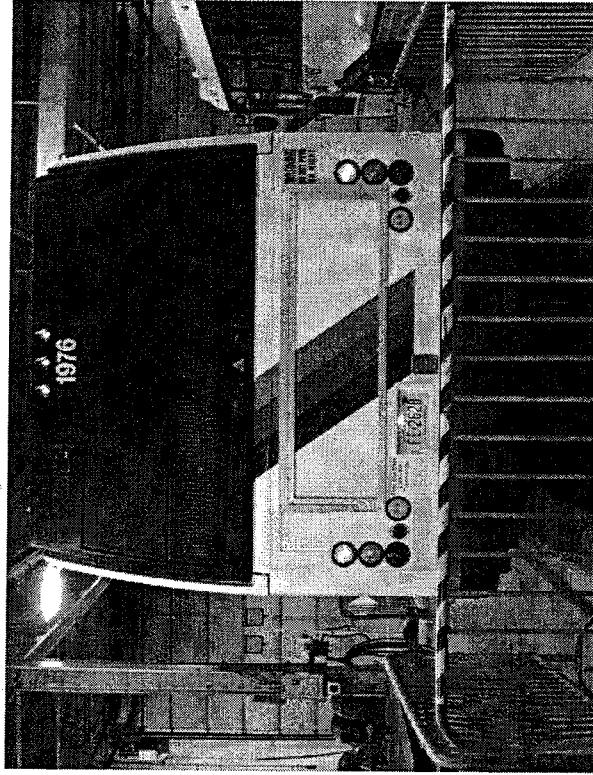
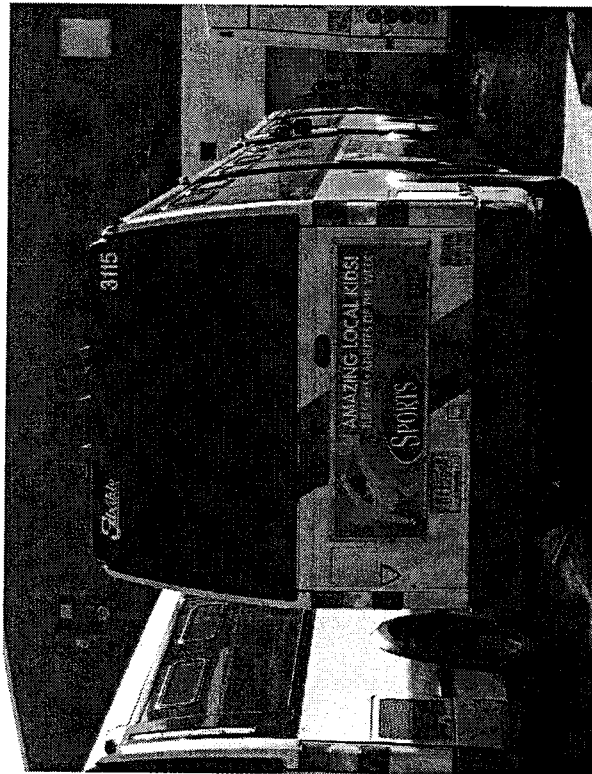
IMPROVED OPERATOR TRAINING



- SIMULATION
- COMPUTER BASED TRAINING



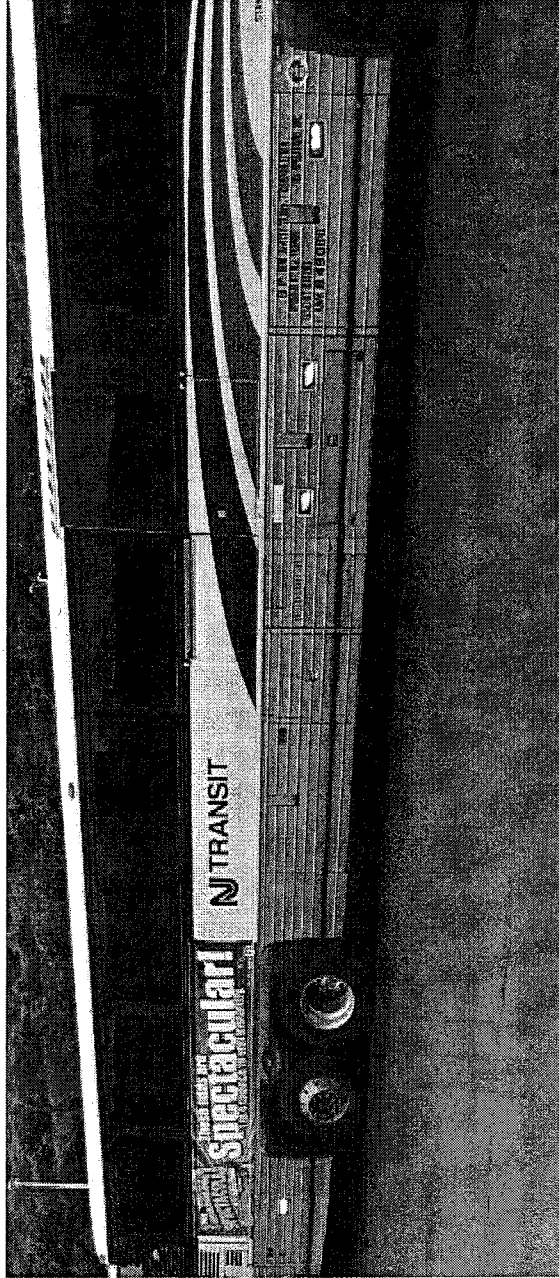
IMPROVE VISIBILITY OF BUS



- ADD THIRD EYE LEVEL BRAKE LIGHTS
- REDESIGN TAIL LIGHTS
- FLASHERS WHEN DOORS ARE OPEN



IMPROVING PASSENGER SAFETY

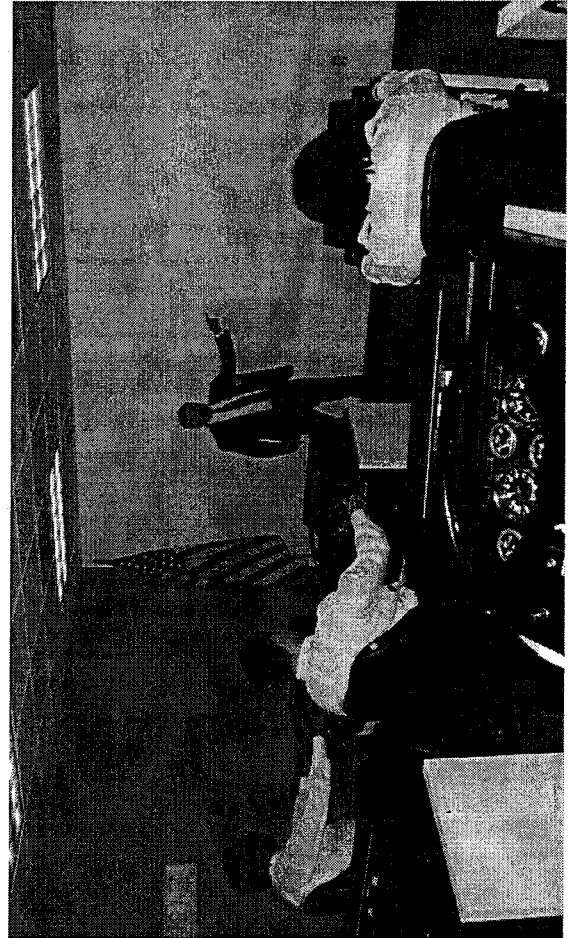


- Curb Lights for use in rural service areas
- Lights connected to service door light area for customer visibility
- Optimized interior bus flooring material to reduce slips/falls



CURRENT FOCUS AREAS

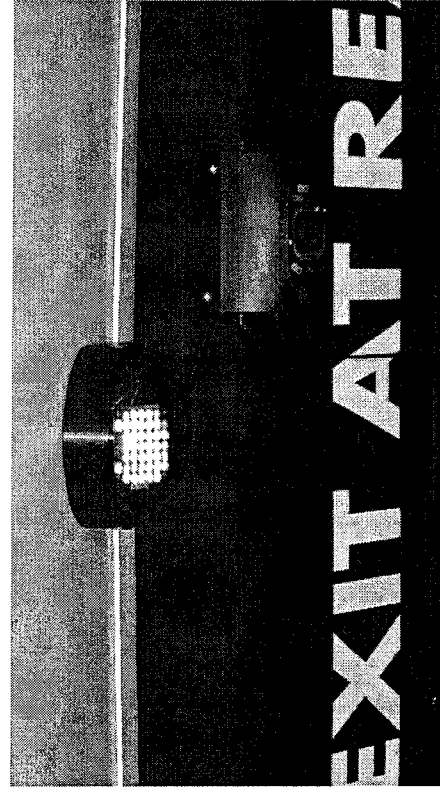
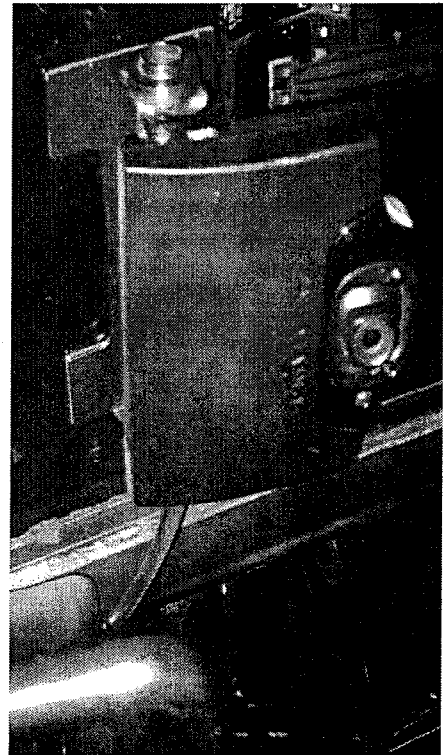
- Pedestrian Accidents
 - Awareness
 - Engineering change on new buses
 - Increased focus on pedestrian behaviors
- Maintain Safety Edge
 - Completing retraining of all operators by February 2011





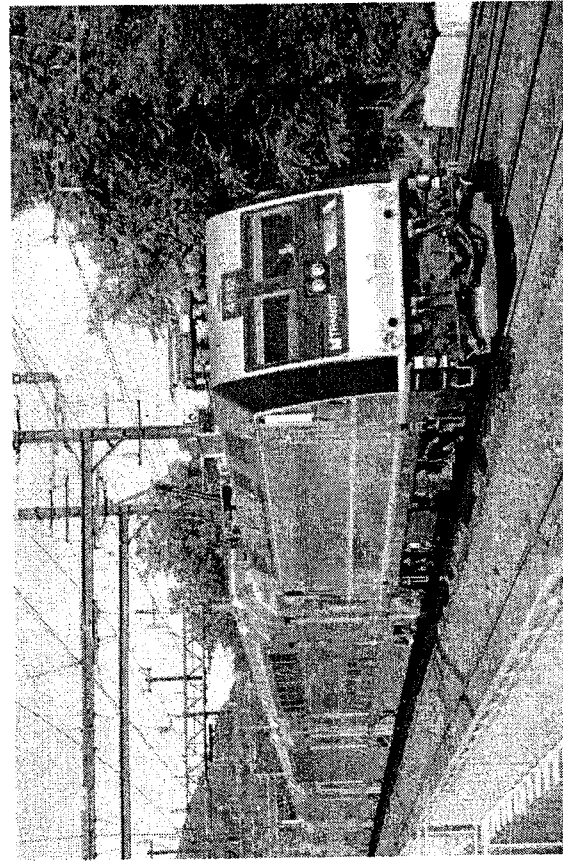
CURRENT FOCUS AREAS

- Deployment of Drive Cam System
- Security
- Safety Operation of Vehicle
- Training Program Design
- Operational Issues





Rail System Safety Program

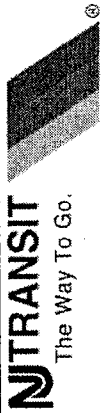


Enhancing Safety in the Railroad Environment



Rail System Safety Program

- The System Safety Program (SSPP) was initiated on NJT Rail in 1996.
- NJT Rail System Safety Program Plan was the first commuter rail plan approved by FRA in 1997.
- The SSPP is reviewed/audited by APTA and FRA every three (3) years.
- The goal of the System Safety Program is to identify hazards and reduce risk in the railroad environment to lowest practical level, providing optimum use of available resources.
- The Rail SSPP continues to evolve and encompass all “non-regulatory-required” activities.
- The System Safety Program is currently a voluntary program sponsored by APTA and FRA. Scheduled to become a regulation in 2013.



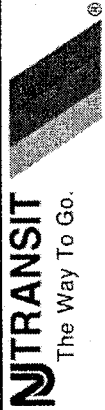
Rail System Safety Program Challenges

- Rail Operations are heavily-regulated (FRA, OSHA, PEOSHA, NYPTSB).
- Workforce structured along craft lines.
- Hazardous environment with “evaporative” -conditions.
- Workforce job-functions often have minimal “direct” -supervision.

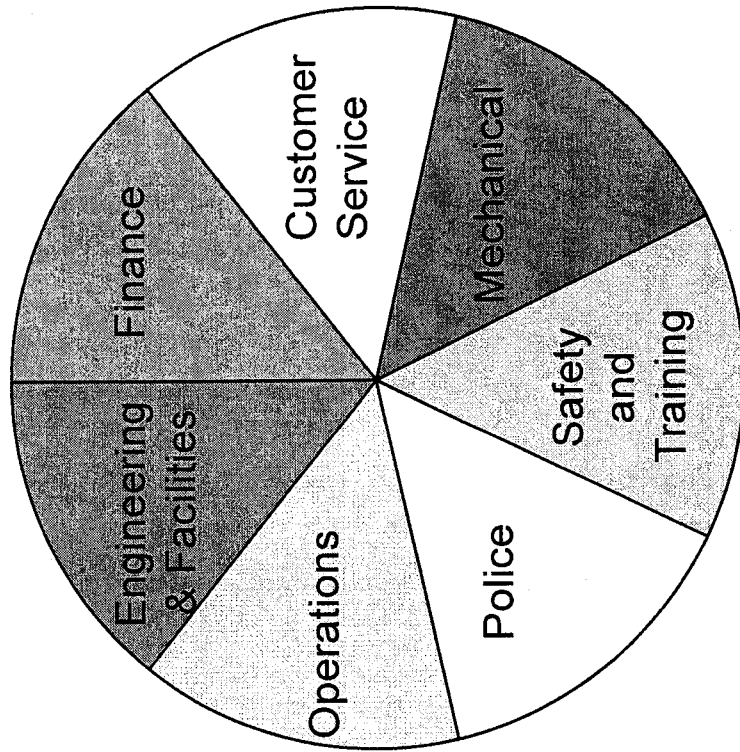


Rail System Safety Program Concepts of System Safety

- The underlying philosophy essential to the success of System Safety is the concept that every employee, supervisor, and manager throughout the organization is responsible for safety.
- System Safety focuses on Safety Engineering (pro-active) activities.



Rail System Safety Program Concepts of System Safety



All Designs, procedures, and activities affect System Safety



Rail System Safety Program Concepts of System Safety

All Departments have a stake in our safety performance.

- Finance – adequate funding for safety issues.
- Customer Service – public perception of safety.
- Engineering & Facilities – develop, design, and maintain safety-critical systems.
- Operations – safe movement of customers.
- Mechanical – develop, design, and maintain safety-critical systems.
- Safety and Training – develop and disseminate safety procedures.
- Police – customer security and safety.



Rail System Safety Program Key Elements

HAZARD ANALYSIS:
Severity?
Probability?

CONFIGURATION
MANAGEMENT:
Formalize & Document
"Change"

SAFETY
CERTIFICATION:
Ensure Safe to Use
Before Using!

RISK REDUCTION

The Goal is Risk Reduction!



Rail System Safety Program Workforce Safety Successes

- System Safety Training.
- Safety Training is part of all operational and technical training.
- Continuous focus on “Situational Awareness” (Safety Job Briefings).
- Safety Committees at all levels of organization.
- Safety Newsletter “The Safety Track”.
- Enhanced walking surfaces in facilities and maintenance yards.
- Pedestal tracks at major inspection/maintenance facilities.
- Ergonomically-designed locomotive cabs.
- “Confidential Close-Call” Reporting System C³RS.

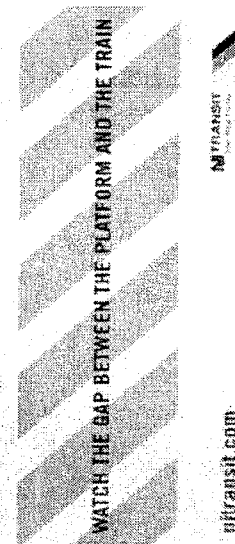
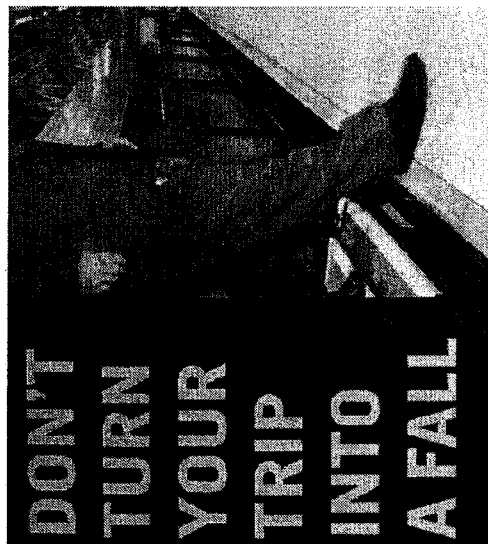


Rail System Safety Program Customer Safety Successes

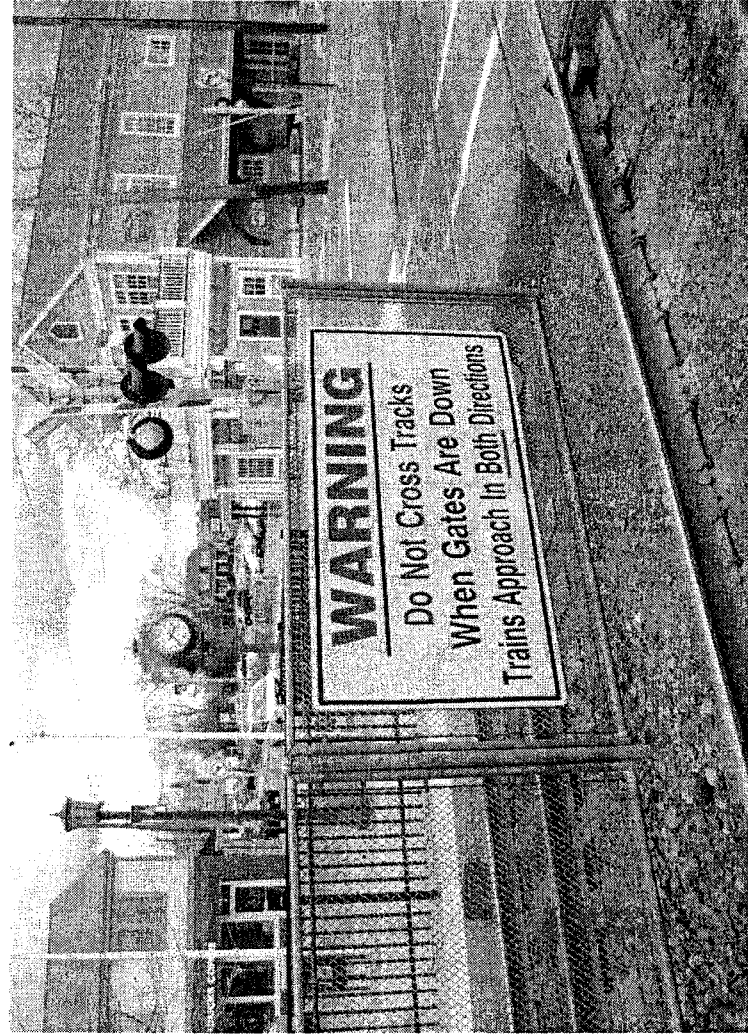
- Platform Gap Awareness Program.
- Passenger Train Emergency Preparedness Program.
- Customer Safety Fencing Initiative.
- Customer Safety Messaging (on board trains, on platforms, in stations).
- Enhanced Walking Surfaces in Coaches Exceeding ADA Recommendations.
- “Wrapping” Exterior Surfaces of Coaches (gaining revenue while ensuring safety).



Rail System Safety Program Customer Safety Successes



Gap Awareness

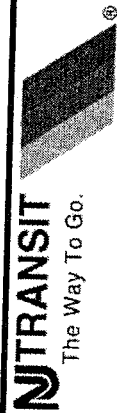


Safety Fencing



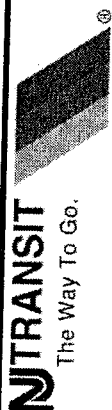
Rail System Safety Program Community Safety Successes

- Right of Way Fencing/Signage Program.
- Emergency Responder Safety Training and Simulations.
- Grade-Crossing Safety Enhancements (including Community Quiet Zones).
- Contractor Safety Training w/Security Enhancements.
- Trespasser/Community "Outreach" Initiatives.

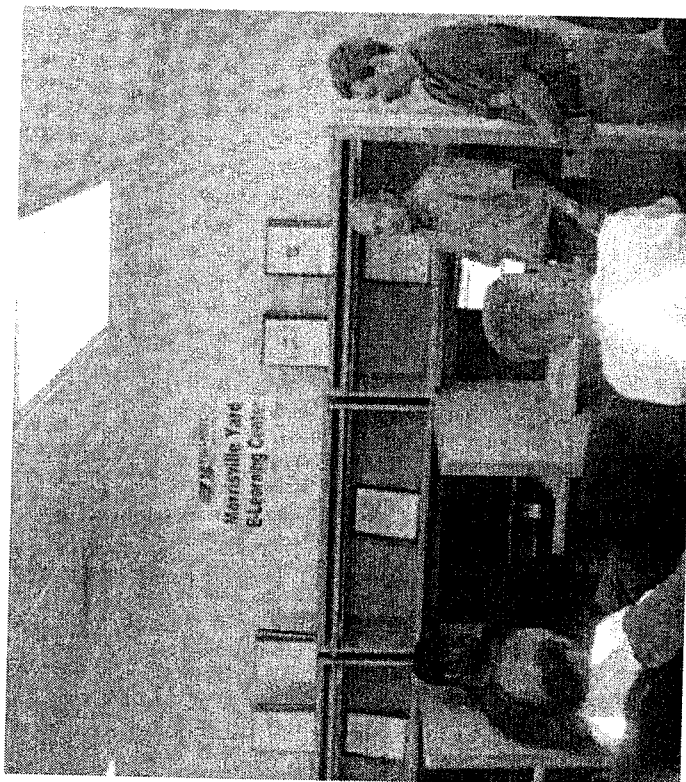


Rail System Safety Program On-Going Activities & Latest Initiatives

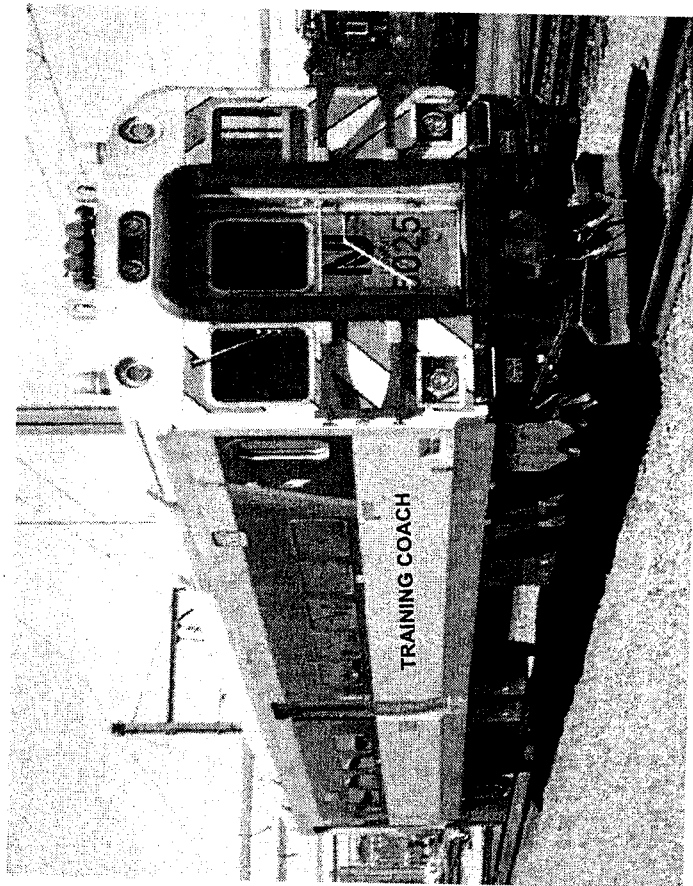
- Root cause Analysis of Accidents/Incidents.
- E-Learning for Regulatory Training (Blue Signal, Lock-out/Tag-Out).
- Emergency Preparedness Simulation "Hands-on" Training for Operating Crews.
- Workstation Ergonomic Assessments.
- Facility Audits and Inspections.
- Employee (Regulatory) Safety Training.
- Safety Committees.
- Supervisory "Walk and Talks".



Rail System Safety Program On-Going Activities & Latest Initiatives



E-Learning Facility



Training Coach