

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

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NEWARK, NJ 07105-2246
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April 27, 2023

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

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, April 19, 2023.

Sincerely,

Meghan Clark Umukoro

Meghan Clark Umukoro
Board Secretary

Enclosures

Open Session Minutes of the actions taken at the Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, April 19, 2023. The meetings occurred concurrently.

Board Members

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

Staff

Kevin S. Corbett, President & Chief Executive Officer (CEO)
Meghan Clark Umukoro, Board Secretary
Brian T. Wilton, Senior Vice President, Chief Legal Officer & General Counsel
Christopher Trucillo, Senior Vice President, Chief of Police & Office Emergency Management
Christopher C. Corasio, Chief, Contracted Services
Justin Davis, Senior Vice President Regulatory & Government Affairs & Chief of Staff
William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer

Chair Gutierrez-Scaccetti convened the Open Session at 6:04 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. Due to technical difficulties with the public safety announcement Chair Gutierrez-Scaccetti provided instructions on where all public exits were and asked the public to see the police for further direction in the event of an emergency. The pledge of allegiance to the flag was recited.

Board Secretary Umukoro conducted Roll Call and noted that Board members Doshi and Maroko were absent, and Board members Giblin, Medina, and Weiss were participating remotely.

Board Secretary Clark 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 April 13, 2023 with the Secretary of State, sent

to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

Recognition of James D. Adams and John O'Hern

Chair Gutierrez-Scaccetti said they were fortunate to have James D. Adams present that night so they could express their appreciation for his service as a Board Member, and she was honored to make the presentation. Chair Gutierrez-Scaccetti said that James D. Adams was a person of integrity, served the Board with honor, and became a Board Member right before the shutdown due to COVID. He was one of NJ TRANSIT's first Board appointments for some time, and then the Board did not see him for a long time, except on a screen.

Chair Gutierrez-Scaccetti said in that time James D. Adams provided valuable input and she appreciated him for his comments and thoughts, and she wished him success as he continued his career in the engineering field, which obviously touched on transportation issues, as well as others. Chair Gutierrez-Scaccetti asked James D. Adams to stand so she could recognize him. She read the Expression of Appreciation and Recognition, which detailed how NJ TRANSIT benefited from James D. Adams' expertise, astute business acumen, and assistance in guiding NJ TRANSIT in its mission to provide a safe and efficient transportation experience. It also noted the Board of Directors, President & CEO Corbett, and the employees of NJ TRANSIT expressed their gratitude and appreciation to James D. Adams for his contributions toward making NJ TRANSIT a responsive and reliable public transit agency, and wished him continued success and happiness. James D. Adams joined the Board in front of the dais for a photo.

Chair Gutierrez-Scaccetti said the next Expression of Appreciation and Recognition was for someone who was near and dear to her, not just because he worked at NJ TRANSIT, but because she has known him since before the days of consolidation of the New Jersey Turnpike Authority and the New Jersey Highway Authority. Chair Gutierrez-Scaccetti said she met John O'Hern sometime in 2003 and they have known each other for about 20 years. John O'Hern agreed to go help NJ TRANSIT with auditing and principles of good business management that have benefited NJ TRANSIT. Mr. O'Hern comes from a rich history of public service, with not only a dad who shared the same birthday as she did, but who had a wonderful career as a member of the New Jersey Supreme Court. He was a good, generous, honest, and compassionate man who they lost way too soon. He certainly had a lot of funny stories to tell her about John O'Hern. She also said she had deep love and respect for John O'Hern's mom Barbara, who was still with them.

Chair Gutierrez said the presentation started off saying it was sad John O'Hern was retiring, however, she said it was not sad because they all take this next step in their lives when they reach a certain point and achieve a certain goal, and hopefully have the privilege and the benefit of enjoying a happy and healthy retirement. Chair Gutierrez-Scaccetti noted how he takes care of himself by working out and eating healthy, and noted he was a man of great consistency. She said she would miss John O'Hern in the working

environment, but would always be John's friend, and this was what made this very personal to her.

Chair Gutierrez-Scaccetti read the Expression of Appreciation and Recognition, which noted how Mr. O'Hern was Auditor General of the New Jersey Transit Corporation (NJ TRANSIT) since 2018, his last day was March 31, 2023, and Mr. O'Hern actively promoted the visibility of Internal Audit and its scope of services, which brought more value to NJ TRANSIT and to Internal Audit being a trusted advisor. It noted how he expanded the scope and content of materials presented to the Audit Committee, highlighted and reported regularly on the highest risks to NJ TRANSIT, and increased the duration of the Audit Committee meetings to ensure appropriate time could be spent discussing important risk-related matters. It also noted how NJ TRANSIT benefited from John O'Hern's expertise, astute business acumen, and assistance in guiding NJ TRANSIT in its mission to provide a safe and efficient transportation experience, as well as how the Board of Directors, President & CEO Corbett, and the employees of NJ TRANSIT expressed their gratitude and appreciation to John O'Hern for his contributions toward making NJ TRANSIT a responsive and reliable public transit agency and wished him continued success and happiness. John O'Hern joined the Board in front of the dais for a photo.

Chair Gutierrez-Scaccetti asked the Board if they would like to make any comments to their departing colleagues.

Board Member Gordon said he joined the Board along with James D. Adams, and they were sworn in together. He said getting to know James D. Adams has been one of the highlights of his experience at NJ TRANSIT. Board Member Gordon said James D. Adams was a person who brought so much skill and intellect to the job, in particular in the area of contracting, in which he has so much experience in. This has been a great contribution to the Board, it became very clear to all of the Board that he was a person of great conviction and integrity, and it was a privilege to have served with James D. Adams on the Board.

Board Member Gordon said John O'Hern's work as an auditor was so important to the Board and providing them with the numbers and showing where the improvements were needed in operations or cost control was an invaluable contribution to the Board. He thanked Mr. O'Hern for his service.

Board Member Narra echoed comments made by Board Member Gordon about John O'Hern. She found John O'Hern to be the constant professional, a gentleman, and nice person to deal with. Board Member Narra thanked John O'Hern for his service.

Board Member Narra said Board Member Doshi was not there that night, however, she could say on her behalf as well, that it had been such a pleasure working with James D. Adams and they have learned so much from him and the conversations they had. Board Member Narra said she joined the Board a few months after James D. Adams. She noted he had a whole professional life towards transit-oriented organizations and projects, and she so appreciated his mentorship, as well as Board Member Gordon's. She wished

James D. Adams well and knew he was still going to be open for telephone calls, and they would be reaching out. She knew Board Member Doshi would echo all the comments she made.

Board Member Thomas congratulated John O’Hern and wished him the best of luck in his new chapter. To James D. Adams, she said it was a pleasure working with him, although it was short, but she appreciated his mentorship.

Chair Gutierrez-Scaccetti expressed her appreciation again for James D. Adams and John O’Hern taking time out of their personal lives to join them that night to be recognized, and she wished them well.

Approval of Minutes

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the March 13, 2023 Board meetings. Board Member Shanti Narra made the motion and Board Member Michael Kanef seconded the motion. The minutes were adopted.

Roll Call Vote:

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

President & CEO’s Monthly Report

President & CEO Corbett began the evening by echoing the spirit and the sentiment of the proclamations handed out by Chair Gutierrez-Scaccetti to James D. Adams ad John O’Hern. To James D. Adams, President & CEO Corbett said on behalf of his entire leadership team, they offered their sincere gratitude for his service on the Board since 2020. He thanked James D. Adams for his energy and commitment, and for the instrumental role he played on NJ TRANSIT’s Board Safety, Administration, and Energy and Sustainability Committees.

President & CEO Corbett also wished the best of luck and a great retirement to outgoing Auditor General, John O’Hern. As the overseer of NJ TRANSIT’s Internal Audit Department since 2018, John did a tremendous job ensuring that NJ TRANSIT was maximizing transparency and accountability to their customers, elected officials, and other stakeholders. He thanked John O’Hern for his service to NJ TRANSIT and to the customers they serve.

President & CEO Corbett moved on to ridership, which remained relatively steady systemwide since his last report in March, with an encouraging increase on their bus system. Overall weekday rail ridership was fluctuating between approximately 55 to 75 percent of pre-COVID levels, depending on the day of the week, although they were seeing an increase in the frequency of days when ridership exceeded 70 percent. Many peak-hour trains were at or near 100 percent, particularly on Tuesdays, Wednesdays,

and Thursdays. Overall weekend rail ridership remained at approximately 80 to 90 percent of pre-COVID levels, with many trains at 100 percent.

Overall bus ridership systemwide was approximately at 80 to 82 percent of pre-COVID levels. Interstate bus ridership into New York was up again, at approximately 76 percent of pre-COVID levels, and intrastate bus ridership was at approximately 80 to 85 percent of pre-COVID levels. Many peak period bus trips were still at or near capacity, with some even above pre-COVID ridership levels. Light Rail ridership was also holding steady at approximately 80 percent of pre-COVID levels.

President & CEO Corbett said NJ TRANSIT would provide emergency bus service to former DeCamp customers.

President & CEO Corbett said NJ TRANSIT's ability to accommodate bus ridership, at or even above pre-COVID levels, was the result of a Herculean effort, both during and after the pandemic, to attract and retain qualified Bus Operators, in a very challenging market. NJ TRANSIT has graduated more than 1,800 new Bus Operators since 2018. It was also the result of purchasing and taking delivery of hundreds of new buses over the last three years, including 100 new articulated buses that added capacity to meet increased demand.

President & CEO Corbett said these types of investments have paid dividends, not just in their ability to accommodate their own increasing ridership, but to be nimble enough to quickly take on additional customers, as well. They saw this clearly with the loss of DeCamp commuter bus service earlier in the month, with little advance notice. President & CEO Corbett said as it was widely reported, last month DeCamp announced it would cease all commuter bus service on April 8, 2023. NJ TRANSIT immediately began working on an emergency service plan, to maximize alternatives for displaced DeCamp customers.

As a result, on April 10, 2023, they extended four bus routes, the 191, 192, 195, and 199, and designated the new extensions with a "D" suffix to be easily recognizable to DeCamp customers. Remaining customers were largely accommodated by leveraging NJ TRANSIT's existing bus, rail, and light rail service, as well as local municipal bus shuttles. A week prior to the service cessation, NJ TRANSIT launched an information campaign to assist DeCamp customers in making the transition and created a web page at njtransit.com/decamp to provide customers with a portal for all information on this transition. Customer Service Ambassadors were stationed at the Port Authority Bus Terminal in New York the week before DeCamp ended service, as well as last week and this week, to inform DeCamp customer of these new options, assist them with their travels, and help them locate their new departure gates. The feedback from customers and other stakeholders has been overwhelmingly positive.

President & CEO Corbett gave special thanks and appreciation to Michael Kilcoyne, Senior Vice President, Surface Transit & General Manager of Bus Operations, and his entire team for all the work they did to develop a comprehensive emergency bus service plan so quickly. They could not have executed the plan as seamlessly and successfully

as they did without the hard work and help of so many others throughout the organization in Planning, Information Technology, Communications, Customer Service, Government, and Community Relations, and others. President & CEO Corbett's heartfelt thanks went out to everyone in the organization who made this happen.

President & CEO Corbett said while he was pleased they were able to mitigate a large majority of the impacts for DeCamp customers, now NJ TRANSIT customers, this was a stark reminder that the effects of the pandemic were still unfolding, and the fact remains that public transit providers nationally, including NJ TRANSIT, were still contending with its lingering and not insignificant impacts on ridership and revenue.

As they have since the onset of the pandemic, NJ TRANSIT continues to engage with the broader transit community on a regional, national, and international level to share experiences and best practices, as they all work to overcome common challenges. President & CEO Corbett said earlier that day, he was pleased to attend this year's gathering of transit and industry professionals at the 2023 New Jersey TransAction Conference in Atlantic City. While there, he met with North and South Jersey Passenger Advisory Committees, and was also one of the featured speakers at the conference luncheon, where he provided a general update on NJ TRANSIT ridership, customer experience enhancements, and major capital projects.

While it was good to be with so many regional professionals that day, NJ TRANSIT has also been active with their international peers. On March 16, 2023, President & CEO Corbett was proud to join leaders from Rutgers University's Center for Advanced Infrastructure and Technology, or CAIT, and UITP, the International Association of Public Transport, to announce the establishment of UITP's first North American Regional Training Center, right there in New Jersey. This expanded the number of UITP Regional Training Centers, which were located in many cities elsewhere throughout the world. NJ TRANSIT, out of all the transit agencies in North America, was chosen to lead this effort. Working together, they would bring together 120 members' best industry practices and world-class training, not just to transit agencies in the Northeast, but to agencies nationwide, providing access to a worldwide network of transportation leaders and scholars, and preparing the next generation of industry leaders. More information on this groundbreaking initiative, and links to the scheduled programs, were available at njtransit.com/uitp.

President & CEO Corbett said in addition to supporting NJ TRANSIT employees, and advancing their training and development, NJ TRANSIT remains 100 percent committed to protecting their employees, as well. Last month, a Superior Court Judge granted their request to suspend, for a period of one year, the riding privileges of a man who has been charged with at least seven separate lewd acts aboard NJ TRANSIT buses in the past two years. The ban was made possible by a law signed last year by Governor Murphy that protects transit workers from assaults and allows NJ TRANSIT to suspend or prohibit offenders from riding NJ TRANSIT vehicles.

In a further commitment to employees, NJ TRANSIT used the opportunity of Transit Operator Appreciation Day on March 18 to introduce a marketing campaign that honored

the operators and train crew members who serve their customers every day. Through their “Say Thanks” campaign, NJ TRANSIT leveraged social media and signage to invite customers to express their gratitude to the men and women who keep their transportation system moving, whether it’s on a train, bus, light rail, or Access Link vehicle. They were pleased to receive nearly 2,500 submissions from customers with messages of thanks for their frontline employees.

President & CEO Corbett said as part of their “Say Thanks” campaign and Transit Operator Appreciation Day, they wanted to share a story from Board Member Evan Weiss, who witnessed an act of kindness by one of their Bus Operators, that shows how much they care about the people they serve. Last month, Board Member Weiss took a train into Newark Penn Station, where he went to the restroom. There, he saw a man in hospital scrubs sobbing loudly. Another man, wearing a NJ TRANSIT uniform, was comforting him for more than two minutes. Board Member Weiss introduced himself, and met Bus Operator Ronald Moore, who went above and beyond his duty to help someone in distress. Bus Operator Moore was one of the many unsung transit operators who understands their role as a public servant, who puts their customers first. His story represents the exemplary, above-and-beyond service, their frontline employees provide many times per day. This time, they were fortunate to have one of their Board members witness it personally, and President & CEO Corbett thanked Board Member Weiss for sharing his experience with them so they could acknowledge Mr. Moore that night.

The new North American Regional Training Center mentioned represented just one of the many ways NJ TRANSIT was working closely with Rutgers CAIT to connect people and technology, which led to President & CEO Corbett’s technology update. On April 6, 2023, he was pleased to join members of their capital team at the Rutgers CAIT Research & Technology Partnership Forum. The forum’s goal was to advance and celebrate the long-standing and fruitful partnership between their two organizations. At the forum, President & CEO Corbett discussed the NJ TRANSIT Resource Program, through which NJ TRANSIT and CAIT were currently working to advance 14 initiatives, many of which were on the cutting edge of public transit technology, not just in the U.S., but worldwide. One particularly interesting project they were tackling together was the issue of what some rail customers report as dirty train windows on NJ TRANSIT’s multilevel rail cars. President & CEO Corbett said this largely was not dirt, but rather a complex issue involving polycarbonate train windows that could become cloudy over time due to exposure to elements such as acid rain, heat, and ultraviolet rays.

CAIT was determining if a cost-effective chemical treatment process exists to clear the windows, rather than replacing them. President & CEO Corbett said this was the type of issue and reverse effect that could make a real difference in the experience for their riders, and he would bet that most of them have no idea that NJ TRANSIT and CAIT were working collaboratively to resolve it.

On the infrastructure side, President & CEO Corbett said their largest active capital project continued to advance rapidly, and invited everyone to see this progress for themselves, in a new time-lapse video they just posted on njtransit.com/portal, for the Portal North Bridge Replacement Project. In the Interest of time, he said they would not

show the video that evening, but online they could see video highlights of their progress from September 2022 through this month, and the tremendous amount of construction activity taking place at the site right now. As the Portal North Bridge takes shape, another marquee NJ TRANSIT infrastructure project, continues to advance, with their comprehensive modernization and revitalization of Newark Penn Station. President & CEO Corbett turned the floor over to Acting Senior Vice President of Capital Programs Rich Schaefer, to provide a status update on the continued transformation of Newark Penn Station.

Mr. Schaefer provided a presentation showing the Newark Penn Station Reimagining Project. This presentation highlighted the completed aspects of the project such as: brighter efficiency lighting; painted ceilings and walls in the common areas; restoration of historic tiles in the stairwells leading to the platforms; removal of the Dunkin Donuts kiosk from the waiting room; and much more. Mr. Schaefer said they were also in the process of installing new chiller units and cooling towers to cool the station, and restoring historic wooden benches in the main waiting room and on the platforms. They would also be adding passenger elevator service to Platform D, replacing the platform doors on Platforms B and D, implementing interim improvements at Raymond Plaza West to improve traffic circulation, and providing a more inviting atmosphere at the main entrance of the station. The Platform D Improvement project will improve the condition, appearance, and functionality of the island passenger boarding platform.

In closing, Mr. Schaefer said this Master Plan Improvement project would restore and modernize Newark Penn Station, making the station the crown jewel of Newark. The scope of work includes improvements to the Concourse and upgrading mechanicals such as elevators, escalators, and HVAC. The project will be executed in three phases: Phase I Master Planning and 10 percent Concept Design, which began in March of 2022, and they were currently in; Phase II 10 percent Concept Design to 100 percent Final Design; and Phase III Construction Support Services.

President & CEO Corbett thanked Mr. Schaefer for his presentation and said it was great to be able to highlight to the public regarding some of the projects NJ TRANSIT was working on. He also knew this was a project that was near and dear to the heart of Board Chair Gutierrez-Scaccetti and Governor Murphy. Regular updates on the progress of their Newark Penn Station project were available at njtransit.com/icon.

President & CEO Corbett wrapped up with Spring Break Marketing Campaigns. He provided a few uplifting, good-news items that helped NJ TRANSIT usher in the spring season and the warmer weather they have been enjoying. First, he encouraged more people to choose NJ TRANSIT and keep the ridership momentum moving forward. NJ TRANSIT launched a new spring ridership campaign. Beginning April 3, and running through Sunday, April 23, 2023, NJ TRANSIT was offering several promotional discounts through their Take a Spring Break and Bring a Friend On Us campaign. Both new and current customers can save by using the promo code SPRING23 in the NJ TRANSIT Mobile App to receive a Buy One, Get One Free round-trip ticket. More information was available at njtransit.com/spring.

President & CEO Corbett said as they welcomed this beautiful weather in April, it reminded them that Earth Day 2023 was not far behind, being celebrated this upcoming Saturday, April 22, 2023. In celebration of Earth Day, NJ TRANSIT was continuing its mission to advance sustainable transportation and environmental responsibility, aligned with one of the five overarching goals in their 10-year Strategic Plan, *NJT2030*, through new and ongoing initiatives. One of those initiatives was the launch of their first-ever bicycle, scooter, and pedestrian access survey, which will ultimately help NJ TRANSIT improve the safety and accessibility of their facilities, particularly for those who use such modes for the first mile/last mile part of their trips. The survey could be found online through May 21, 2023 at njtransit.com/bikes. President & CEO Corbett said this Earth Day and every day, NJ TRANSIT customers make a difference by choosing public transit and reducing their carbon footprint.

President & CEO Corbett ended his report with what he said was a really heartwarming NJ TRANSIT-led event, for all involved. He said April was Autism Acceptance Month, and NJ TRANSIT used this opportunity to introduce three new initiatives that would make their system even more accessible and more inclusive. On April 5, 2023, at Newark Penn Station, he was proud to join Nadia Hamilton, the founder and President of Magnusmode, and Jonathan Trichter, CEO of Happy 4 Kids, to introduce these new initiatives. First, they proudly launched MagnusCards for Trains, a technology that significantly improves the experience of neurodiverse customers, including those who are autistic, on their rail system. They introduced this technology for their bus system last year in May, and it has been so well-received and appreciated by New Jersey's neurodiverse community, that they knew they had to expand the program to bring it to their rail system.

The app combines specialized instruction with real-world images to aid neurodiverse customers, and anyone else who could use a little extra help navigating everyday experiences on public transit. Customers can learn more and find links to download the app at njtransit.com/magnusmode. Also, through their new partnership with Happy Hour 4 Kids, NJ TRANSIT was pleased to invite autistic children from around the state to record announcements at train stations, which were now being played throughout their system for the month of April. President & CEO Corbett said for a real feel-good moment, he encourages everyone to visit their YouTube channel, for a very special video showcasing some of the kids recording their announcements.

President & CEO Corbett thanked Jonathan Trichter, President & Founder of Happy Hour 4 Kids, for generously sponsoring the wrapping of two NJ TRANSIT buses, now in revenue service, with an Autism Acceptance Month creative. They were lucky enough to be joined at the press event by some of the kids chosen to make announcements, which helped to make the event a truly memorable event. NJ TRANSIT made a positive difference in the lives of these very special children and their families. President & CEO Corbett heard from many employees who said the event was truly uplifting, and really reminded them of why a career in public transit can be so uniquely rewarding.

Public Comments

Chair Gutierrez-Scaccetti asked Board Secretary Umukoro if there were any public comments. Board Secretary Umukoro said there were 14 in-person speakers, four pre-registered telephone speakers, and several more queued telephone speakers.

Board Secretary Umukoro said in order to give everyone an opportunity to be heard, comments would be limited to three minutes. She said priority access would be given to in-person participants, followed by pre-registered telephone participants, and then any additional telephone participants, who 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.

Board Secretary Umukoro said the first in-person speaker would be David Peter Alan followed by Sally Jane Gellert.

David Peter Alan, Chair for the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC), provided a statement as an official report from their Committee. Mr. Alan said slightly more than four months ago, NJ TRANSIT began the process of promulgating new regulations concerning the Senior Citizens and Disabled Residents Transportation Assistance Program, a grant program whose ultimate recipients were the transportation systems operated mostly by counties in this state. He said those proposed regulations would have limited their committee's purview, only to that grant program, and they objected. Mr. Alan said SCDRTAC appreciated the Board postponing that item so they could resolve the issue.

Mr. Alan said those rules were again before this Board for approval, but with a difference that was vital to their committee's effectiveness and its very survival. He said tonight's documents only recite that their committee operates under the Senior Citizens and Disabled Residents Transportation Assistance Program Act; authority that they have always understood and accepted. Mr. Alan said the proposal for section 16:78-4.1(b) of the New Jersey Administrative Code has been amended to remove the language to which they had objected. He believes that constitutes a major step in the right direction, not only for them, but for their constituents as well.

Mr. Alan said the contested issue in the negotiations was the construction of the Act, and they were able to demonstrate that NJ TRANSIT has always allowed their Bylaws to state a broad purview for them, from the first set in 1984, to the most recent in 2021. In other words, he said NJ TRANSIT management has always viewed the statute as allowing their committee a broad range of concern until a few months ago, and again now.

Mr. Alan said as they negotiated with management, both sides displayed professionalism and an understanding of how their committee has worked through the years and the statute which governs it. The managers included, NJ TRANSIT Sr. Vice President Regulatory Affairs & Chief of Staff Justin Davis, Chief Compliance Officer Christopher Lu,

and Deputy Chief Compliance Officer Adam Phelps. Mr. Alan also thanked NJ TRANSIT's Chief of Government & External Affairs Paul Wyckoff for helping to keep the process going. Mr. Alan said as they have done in the past, they will continue to provide suggestions about issues that affect their seniors and the riders with disabilities, such as accessibility, funding for transit, connectivity, accommodation under the Americans with Disabilities Act, and service issues on NJ TRANSIT fixed-route services, Access Link paratransit, and community transportation. Mr. Alan said this was a collaborative effort and they welcome suggestions from NJ TRANSIT that could improve mobility for their constituents.

Sally Jane Gellert, Chairperson for the Lackawanna Coalition, said before she spoke on behalf of the Coalition, she wanted to speak in her capacity as Vice Chairperson for SCDRTAC, representing herself only, but in alignment with their committee. Ms. Gellert said she encouraged the Board to pass Action Item 2304-20, so that they could continue to work with all concerned to ensure that senior citizens and disabled residents, who rely on NJ TRANSIT and community transportation, have the services they need, as the enabling act says, "so that they may obtain the necessities of life, including, but not limited to employment, post-secondary education, social and recreational activities, shopping, and medical services."

Ms. Gellert said they shared their fellow advocates concerns about relations between NJ TRANSIT and its customers. They continued to strenuously object to the title of customer advocate, but still, they see the advantage of an ombudsperson or customer experience officer and appreciated Board Member Narra's efforts to hire someone independent of the bureaucracy. She read journalist Colleen Wilson's recent story about the Legislature's effort to resolve the situation. Ms. Gellert said their suggestion of a triumvirate appointed by the Governor and Legislative leaders made it a political position, which again does not allow for independence, this time from the political machines that have recently been in the news for possible ethical violations. She said the Governor just signed an undemocratic bill that makes it impossible to investigate those allegations.

Ms. Gellert said the Coalition has been discussing NJ TRANSIT's finances during the State budget season, and there would be a presentation at the Senate Budget Committee hearing later this month, where they would transmit their budget proposal. Ms. Gellert said the Governor's address was the last legal day, and this presentation was also late. They again called for the dedicated funding for NJ TRANSIT and would like to see the Gateway Projects cost reduced, particularly starting with new repairs, as they determine how riding patterns would settle in as they continue to recover from the COVID-19 pandemic.

Ms. Gellert said they would remind Legislators, that NJ TRANSIT's mission was not merely to take people to and from office employment on a nine-to-five schedule, but to "provide safe, reliable, and affordable public transportation that connects people to their everyday lives, one trip at a time." Ms. Gellert said with that in mind, they called for a reevaluation of the full rail schedule. Ms. Gellert said they still opposed the TRANSITGRID project along with the environmentalists. In closing, Ms. Gellert invited Board members, staff, reporters, and other members of the public to consider joining the

Coalition and Rail User's Network (RUN) on Friday, April 28, 2023 at RUN's virtual conference, Good Connections: Why the Northeastern Rail Network is Important to the Entire U.S., on Zoom from 10 a.m. to 5 p.m. She said it included a transit tour from Newark to Brooklyn on Saturday, April 29, 2023, everyone could meet the Coalition at Newark Penn Station at 8:30 a.m., and there was still time to register at www.railusers.net

Ken Dolsky, member of Don't Gas the Meadowlands Coalition, said on March 8, 2023 they sent the Board the Strategen Report on the assessment of an alternative renewable energy-based hybrid microgrid for the NJ TRANSIT microgrid project. Mr. Dolsky said he hoped the Board had a chance to at least read their letter and executive summary, and if they did not have the information to see Board Secretary Umukoro. He said the report addresses the financial and technical feasibility of using a renewable energy-based hybrid microgrid as the power source for the NJ TRANSITGRID project, in lieu of a gas power plant. Mr. Dolsky said the report's resounding conclusion stated the renewable energy approach was perfectly feasible, would meet NJ TRANSIT's power needs, and was in NJ TRANSIT's best financial and social interests. As managers and Board members responsible for ensuring NJ TRANSIT's financial well-being, and relations with nearby communities, as well as being obligated to include climate change issues in their plans, Mr. Dolsky said they should find the report compelling and demand an analysis before letting the NJ TRANSIT microgrid project proceed.

Mr. Dolsky thanked Paul Wyckoff, Chief of Government and External Affairs, for scheduling a meeting in the near future to discuss the issues in more details. Mr. Dolsky said he would remind them of a few key benefits identified in the report: the renewable solution would be lower in cost to build operated fuel than the proposed gas plant; there was a fixed FTA grant based on a nine-year old costs analysis; and those costs have risen significantly. Mr. Dolsky asked how comfortable were they that the grant would still allow them to build the project. He said a renewable solution would generate at least \$16 million more in profit through 2050, and a high gas price scenario profit from a renewable solution would be \$127 million higher than those from the gas plant. Mr. Dolsky asked if they could use an extra \$127 million. Mr. Dolsky said that was over eight percent of their budget. In fact, he said, they faced significant risks from gas price volatility that could result in over \$42 million in losses if they proceed with the gas plant.

Mr. Dolsky said a renewable solution would also provide \$200 million to \$316 million in social and environmental benefits, through avoided CO2 emissions and avoided health and morbidity impacts from pollutants in Kearny and surrounding overburdened communities. He said the renewable solutions would therefore result in a total net benefit of \$285 million to \$405 million over its lifetime. Mr. Dolsky said they had a one-time grant and using it for a gas plant would mean they would have to transition to an unknown clean energy solution. He believed this would intentionally add costs for which they had no funding, as well as increased risk and uncertainty, including dependency on currently infeasible fuel systems, unknown infrastructure needs, and unknown fuel cost and availability.

Mr. Dolsky said in contrast, the renewable energy solution provides a long-term solution with technologies that were already proven to be commercially ready and could be easily

upgraded as their efficiency improves. He said for years they have been asking the Board to include a Request for Bid on a renewable energy-based microgrid, and they have refused. Mr. Dolsky said if they would not do it for their health and the climate, at least do it for their own benefit. They look forward to discussing the matter in greater detail and hoped many of the Board members could join their meeting on April 28, 2023. Mr. Dolsky said to see Paul Wyckoff if they would like to attend, and they would spend an hour talking about the microgrid project and the findings of the Strategen Report.

Elizabeth Ndoye, member of Don't Gas the Meadowlands, Food & Water Watch New Jersey and MoveOn.org, said she was disheartened, distressed, and alarmed to be standing before the Board after two years of talking with them about what she called their criminal plan to build, what would be an outdated and highly polluting natural gas fuel power plant in Kearny. Ms. Ndoye said one would think they would be tired of listening to her exhort them to not build the plant. She asked how many times they could stand to hear her call them potential harmers of the unborn, the young, the immunocompromised, the ill, and the very old. How many times could they stand to hear her tell them that seven million people die every year from the adverse effects of air pollution. How many times could they stand to hear her tell them the residents of Newark, Kearny, Secaucus, Jersey City, and Hoboken were filled with people from communities that Governor Murphy's Administration has identified as environmental justice sacrifice zone. How many times could they stand to hear her condemn them for proposing to dump on communities with families just like theirs, with children, siblings, and parents.

Ms. Ndoye said they have offered and shown them the alternatives that were available to them. She said they were now offering them, as Mr. Dolsky stated, a study. She said the Strategen Study proves there are cleaner, greener, healthier, safer, and more affordable, less risky, and more resilient alternatives. Ms. Ndoye said the report, conducted by leading experts in renewable energy, shows that they could find enough acreage, industrial rooftop, and landfills to capture solar power to provide energy for a hybrid energy microgrid alternative, yet they seem to refuse to seek the technological know-how and contractors to help them.

Ms. Ndoye said the latest RFP proved that they continued to seek only a natural gas-fired power plant to meet their resiliency needs. She said this dangerous polluting plant would hasten climate change and would not live up to the Governor's goal of making New Jersey green and fossil free by 2035. Ms. Ndoye said they invited them to meet with Mr. Wyckoff, Mr. Geitner, and members of the Strategen Study team. They said stop this plant, wake up and follow your conscience, and guess what, you will not hear from her again. Ms. Ndoye said to say no to the Kearny power plant.

Kenneth Hammond thanked the Board for the opportunity to speak. Mr. Hammond said he would start by saying he was appreciative of NJ TRANSIT's efforts towards sustainability that President & CEO Corbett mentioned earlier, but like many of the other speakers, he was concerned to hear about the plans to build a new gas fired power plant. Mr. Hammond said he would like to urge the NJ TRANSIT Board not to build the plant and instead use renewable carbon free alternatives. He said the state could not afford the air pollution from another gas plant and the climate could not afford another source of

greenhouse gases. Mr. Hammond said climate change was impossible to ignore in New Jersey. He said personally, a year and a half ago when the remnants of Hurricane Ida came through his County of Middlesex, they experienced widespread flooding as unprecedented levels of rainfall caused rivers to overflow their banks. Mr. Hammond said friends, who never had to worry about flooding before, saw their basements inundated. He said this also came on the heels of hearing from his sister in Seattle, Washington, experiencing days of unprecedented triple digit temperatures and air that was not breathable due to nearby wildfires. Mr. Hammond said he did not want to consign his community and future generations to a world where these sorts of disasters increase uncontrollably.

Mr. Hammond said the only way to prevent this was to take decisive action now. The latest report from the Intergovernmental Panel on Climate Change said, "in no uncertain terms that we have only a few years left to dramatically draw down our carbon emissions if we hope to avoid the worst effects of the climate crisis." Mr. Hammond said simply put, they need to be retiring existing fossil fuel burning facilities early and certainly not building new ones. He said they have the ability to secure a livable world for themselves and their children, but to do so, it was incumbent on them to start treating the climate crisis like the emergency that it was. Mr. Hammond said this meant that they must take any and all possible measures to reduce carbon emissions. He said they have the technology today to generate electricity with no carbon emissions and without harming communities that were already overburdened.

Mr. Hammond said a recent study mentioned by other commenters indicated that the systems energy needs could be met with renewable energy and battery-based solutions. He asked the Board to pursue these solutions, and above all, do not build a new gas plant.

Ted Glick, resident of Bloomfield and President of 350 New Jersey Rockland, said he has been a resident of New Jersey for 25 years. Mr. Glick said he also worked with the Don't Gas the Meadowlands Coalition. He said the fires for the last week or so were the latest of a continuing series of a new reality in terms of weather and climate. Mr. Glick said a thousand acres in New Milford burned and there were fires in the southern part of the state. He said this was what they were facing, and this was their reality. Mr. Glick said there were other examples they hear all the time, all around the world, of what was happening to the weather as a result of the climate disruption caused by fossil fuel burning. He said there was very little rain considering that were in the month of April, and as they all know April showers bring May flowers. Mr. Glick asked where the flowers were. He said there was very little of it and that was another concrete example of what was happening to the climate and weather right now in New Jersey.

Mr. Glick said Mr. Dolsky spoke eloquently about the Strategen Report and hoped that the upcoming meeting goes well. He said he hoped the Board would take it seriously and have taken it seriously. Mr. Glick said trying to look at things optimistically, maybe it was a good thing that the study was announced a month ago. He said as far as he knew, the Board had not made any public comments on the report and he hoped that was because they were thinking about it, reading it, and taking it seriously. Mr. Glick said it provides an

opportunity for them all to be leaders. He said they could be national leaders in terms of what is needed in this country. He said that was what they wanted them to be, and they wanted to help them be leaders that the country needs right now.

Mr. Glick said the International Energy Agency, not the Sierra Club or some radical group, said two years ago that in the industrialized countries, there needed to be an end in year 2021 to any new fossil fuel infrastructure, but yet there were seven projects currently in the state of New Jersey that were still possibilities. Mr. Glick said there was a lot of resistance to these projects and that they will continue their resistance and one of the projects was the power plant in Kearny. Mr. Glick said President & CEO Corbett spoke about Earth Day coming up. He said this Earth Day let us take the Earth seriously and take the lives of their children and grandchildren seriously, and do the right thing.

Samantha DiFalco, organizer with the environmental advocacy organization Food & Water Watch, spoke on behalf of their members and supporters around New Jersey. Ms. DiFalco said she wanted to speak on the NJ TRANSITGRID project and specifically about the Strategen Report that they released along with Don't Gas the Meadowlands Coalition last month. Ms. DiFalco said she wanted to urge the Board to take the report seriously and to read it. She hoped to see some of the Board members at the meeting they were having with NJ TRANSIT staff next week to discuss this. Ms. DiFalco said she felt like they have been at the Board meetings month after month for what felt like years and although it is great to have the opportunity to speak, they had been having a one-way dialogue.

Ms. DiFalco said the report was not something they put together themselves based on their own research and opinions. She said they had to do a lot of fundraising to pay for the study and that it was not cheap. Ms. DiFalco said the study was conducted by expert renewable energy consultants who were able to run analysis and determine that a renewable hybrid microgrid, which were solutions to energy being used around the world, is a more affordable and economical option for NJ TRANSIT. As Mr. Dolsky said earlier, she said it would save potentially hundreds of millions of dollars the lifespan of the project. Ms. DiFalco encouraged all the Board members to look at the report and to reach out to them if they had any questions.

Ms. DiFalco asked the Board to come to the meeting if they could make it and if not to reach out and they would be more than happy to schedule a conversation. She said the report showed that NJ TRANSIT could be a leader in this type of technology, which did not only have to be used for backup and resiliency, but could be run twenty-four seven to bring clean energy into the grid and offset NJ TRANSIT's power needs, unlike a gas plant which would spew more pollution into the communities. Ms. DiFalco said in light of the environmental justice law finally being implemented this past Monday, after many years of organizing to make that happen by the environmental justice communities, the last thing they needed was a new gas plant in South Kearny, right in the middle of one of the most overburdened regions in the whole country. Ms. DiFalco said she hoped to see them at the meeting next week and to please reach out with any questions on the Strategen Report.

Paula Rogovin, member of the Coalition to Ban Unsafe Oil Trains and the Don't Gas the Meadowlands Coalition, said on Monday she was one of the eight people who was arrested in their effort to stop the construction of the Tennessee gas pipeline and compressor station in the West Milford area, near the reservoirs that provide clean drinking water for four million people. She said that could put their drinking water at great risk. Ms. Rogovin said it was in a forested area in the same town that saw recent wildfires and the people range in ages from 23 to 82. She said New Jersey residents of all ages feel the same sense of urgency in stopping the NJ TRANSIT dirty gas power plant. Ms. Rogovin said in addition to the impact on the climate and the issue of pollution from a gas plant, putting peoples' public health at risk in nearby cities and town was a serious issue

Ms. Rogovin said there was another serious issue, and she provided a handout of a map that showed NJ TRANSIT proposed gas plant at Kopper's Coke. She said that was inside the evacuation zone and the blast zone of the CSX trains that carry hazardous materials such as petroleum products and vinyl chloride, the same materials that were on fire when the trains derailed in East Palestine, Ohio. Ms. Rogovin said people in those regions were at great risk and long-term risk from chemicals spilled from that derailment and fire. She said dioxin from burning vinyl chloride was the same as the dioxin in Agent Orange from the Vietnam War. Ms. Rogovin said it caused and still causes cancers and other illnesses and serious birth defects to Vietnamese adults and children, and also U.S. soldiers, marines, and their families. She said her partner served in Vietnam in 1963 and has suffered from strokes, Parkinson's disease, and hypertension from his exposure to the dioxin. Ms. Rogovin said the East Palestine derailment mattered in New Jersey because building a gas plant in an area that already has toxic materials, and was right next to the CSX train carrying extremely hazardous materials, put hundreds of thousands of people in Kearny, Jersey City, Newark, and other heavily populated cities and towns at great risk.

Ms. Rogovin said the Strategen Report said a renewable alternative would be cleaner, greener, and more cost effective. She said it would certainly be much safer. Ms. Rogovin asked why no one from NJ TRANSIT staff or Board of Commissioners had spoken publicly in opposition to the gas plant and in favor of an RFP that calls for renewable energy solution. She asked why Governor Murphy refused to step in and demand NJ TRANSIT keep the promise it made in 2020 to pivot to a renewable energy solution. Ms. Rogovin said the Board, the Commissioner, and the government had the power to stop the dirty gas plant. She said they wanted them to know that they would do whatever it took to stop the TRANSITGRID project. Ms. Rogovin said they would not stop fighting for a renewable energy TRANSITGRID.

Tim Sevenser, from the Transit Village of Mount Tabor and a Board member of the New Jersey Association of Railroad Passengers, thanked NJ TRANSIT for agreeing to meet with them again to reconsider the proposal they made a couple years ago, about having a combination of solar renewable energy with only an on-demand backup gas plant, which was what the Strategen Study by professionals shows as feasible. He said they already knew that they could run trains with solar. Mr. Sevenser said PATCO was doing it with their train to Philadelphia. He said they were using solar canopies on their parking lots, and they also included some solar from the bridges into Philadelphia.

Mr. Sevenser said there was no reason they could not do the same and wondered why this was not being done at Newark Penn Station and the New Brunswick Train Station. He also wondered why, with the refurbishments being done, there were no solar canopies included or solar power. Mr. Sevenser said there was no reason not to include this and to get with the program.

Mr. Sevenser said for eight years he has used a solar carport over three cars at his home. He said a battery approximately the size of the dais is a six-volt marine battery with solar and backup, and he never lost power even if the grid went down. Mr. Sevenser said this was the reality and they had to move to the 21st century. He said the rest of the world was doing it. Mr. Sevenser said India and Europe were electrifying all of their rail lines, which he said was another issue because it was not included in their capital plan to electrify their entire rail system. Mr. Sevenser said there was no reason not to have wind power coming from offshore Atlantic City to power the Atlantic City Rail and have that be a real two-track functioning electric rail. He said it used to be two-tracks many years ago like so many other rail systems. Mr. Sevenser said it was time to move into the 21st century like Europe was doing.

Mr. Sevenser said his fellow board member, Jack May, recently took a tour in Paris and there they have approximately 20 new light rail systems. Mr. Sevenser asked where the Hudson Bergen Light Rail to Englewood was, and the light rail from Glassboro to Camden. Mr. Sevenser said they had talked about this project for almost 10 years and that was one of the problems former Board Member James D. Adams had with the Board. He said NJ TRANSIT does not have any dedicated funding. Mr. Sevenser said they were raiding the capital fund to operate the trains and it was time they invest in this. He said personally he thought it was a great idea to take from the Turnpike to fund NJ TRANSIT because they have to get people out of cars. Mr. Sevenser said no to spending \$10.7 billion on the I-78 highway to Jersey City.

Jason Anthony said it was a shame that Chair Gutierrez-Scaccetti stepped out because this month he came with an idea. He said their partners on the Eastside of the Hudson were in a fiscal cliff and that they should pay attention. Mr. Anthony said if NJ TRANSIT did not contribute to their partners congestion pricing proposal, they were going to ban NJ TRANSIT equipment in the Sunnyside Yard. He said this could be very bad for NJ TRANSIT Rail Operations, Inc.

Mr. Anthony talked about accessibility. In New York Penn Station and Newark Penn Station they do not see signage regarding accessibility alternatives like the Metropolitan Transit Authority (MTA) has. Mr. Anthony asked what would happen if a person with disabilities or wheelchair user was in a situation when the elevator breaks down. He asked what was that person supposed to do.

Mr. Anthony asked President & CEO Corbett, when would NJ TRANSIT have a Customer Advocate that is not a politician. He said the MTA, the Washington Metro, and the Massachusetts Bay Transportation Authority (MBTA) all have a Customer Advocate, but

NJ TRANSIT has not had a Customer Advocate in over five years. Mr. Anthony asked what they were waiting for, pigs to fly.

Mr. Anthony said the brush fires that occurred over two weeks ago created an inconvenience to Christopher D. Grive that was halted on the Amtrak train for eight hours. Mr. Anthony said let's do better President & CEO Corbett and Chair Gutierrez-Scaccetti. He said they could create a regional system for all of the Northeast. Mr. Anthony said he would see everyone next month.

Talia Crawford, advocate and organizing manager at Tri-State Transportation Campaign, said Tri-State was a nonprofit policy and advocacy organization dedicated to fighting for improved mobility, accessibility, sustainability, and affordability in New York, New Jersey, and Connecticut. Ms. Crawford thanked the Board for the opportunity to speak at the board meeting and said regarding the budget proposal transmittal, looking ahead to fiscal years 2025 and 2026, NJ TRANSIT projected the need for a little over \$1 billion. Ms. Crawford said they would run out of federal COVID relief money by fiscal year 2026.

Ms. Crawford said the budget proposal also continues to raid \$70 million from the Clean Energy Fund and NJ TRANSIT was racing towards a fiscal cliff. She said Governor Murphy and the state legislature must act now to find a source of dedicated funding to sustain NJ TRANSIT into the future. Ms. Crawford said New Jersey already lost \$10 billion from the practice of transferring capital to operating to pursue preventative maintenance measures. She said this has resulted in a loss of opportunity to expand service, redesign routes, electrify the bus suite, and modernize infrastructure. Ms. Crawford believes if the budget crisis continued to be ignored, riders would inevitably be faced with fare hikes and service cuts. She said transit agencies all across the county were facing the same issues and a fiscal cliff was unavoidable if they ignore the problem.

Ms. Crawford said New Jersey needs to lead by example to address the operating deficit to prevent devastating effects for riders. She said 44 percent of NJ TRANSIT passengers do not own a car, 58 percent of riders have a household income below \$35,000, and 80 percent of riders ride the bus five times or more a week. Ms. Crawford said mobility was the greatest determinant of quality of life. Access to transportation means access to jobs, education, healthcare, essential services, visiting friends and family, and access to life. Ms. Crawford said transit was not an optional service, it was a necessary utility that New Jersey must invest in like any other essential service. She said they needed to fundamentally shift how they think about investing in transit and balancing NJ TRANSIT's budget should not happen on the backs of riders. Ms. Crawford said fare hikes and services cuts should remain completely off the table and there were countless ways to fund NJ TRANSIT and Tri-States knows that Governor Murphy and the New Jersey Legislature is up for the task. She thanked the Board for their time and said she looked forward to the continued work ahead.

Doug O'Malley, Director of Environment New Jersey, representing more than 80,000 members and activists across the state said he was there to speak to the Board, Chair Gutierrez-Scaccetti, and President & CEO Corbett. He said he would be remiss without

thanking the leadership and tenure of former Board Member James D. Adams. Mr. O'Malley said he appreciated the proclamation and Mr. Adam's words to speak up for NJ TRANSIT for ongoing funding to NJ TRANSIT and the ongoing capital to operating raids.

Mr. O'Malley thanked the multitude of organizations that called on NJ TRANSIT to not only read the Strategen Report on the TRANSITGRID project but, to look at the facts that Strategen lays out and commit to a clean renewable energy solution. He said, today the American Lung Association released their annual State of the Air report, and it accentuates the importance to have a clean, renewable energy solution for the TRANSITGRID.

Mr. O'Malley said specifically he wanted to talk about the subject that was on the lips of many speakers in the room and certainly in the Legislature and the Governor's office, which was the ongoing funding crisis for NJ TRANSIT. He said they all knew that the death spiral did not occur after the depths of the pandemic and that was because of the extraordinary rescue efforts by the federal government. Mr. O'Malley said obviously all transit agencies across the country were facing the same fiscal cliff and NJ TRANSIT was not unique in that sense, but it was uniquely vulnerable because of the lack of dedicated funding sources. He said as economist sometimes say, you get to see who is naked when the tide comes in.

Mr. O'Malley said he would also like to thank the Legislature and Board Member Gordon, who in his tenure as State Senator, called for the NJ TRANSIT Reform Bill. He said that was why they had an agenda in front of them that had the NJ TRANSIT budget item with projections and those projections are ultimately scary. Mr. O'Malley said the projections prove that the fiscal cliff was not imaginary, and it was upon them. He said next year in FY2025 it was projected to be more than \$100 million, and in FY2026, it skyrockets to a more than \$900 million hole. Mr. O'Malley said that was immense and they could not make up that hole merely through service cuts and fare hikes. He said in 2015, it was roughly \$100 million hole, and it came down to \$56 million, with fare hikes and three bus routes eliminated as a result. Mr. O'Malley said that almost seemed quaint now, that was why when they hear from straphangers in the room, it was critical that the solution be solved in Trenton. He said Legislative leaders and the Governor needed to step up and not wait for the fiscal cliff and come together now and use the budget cycle to ensure that they were talking about long term dedicated funding for NJ TRANSIT. Mr. O'Malley said he wanted to end his testimony by saying, in literally the weeks before the pandemic, former Senate President Steve Sweeney and former Majority Leader Loretta Weinberg proposed a funding solution for dedicated funding.

Sid Madison, resident of Piscataway, asked that the Board and individual members communicate to Governor Murphy the need to immediately enact a moratorium on fossil fuel infrastructure projects in New Jersey. He said the system, i.e., governance worldwide was not responding as needed to the climate crisis and the problem was true of the federal government and New Jersey government. Mr. Madison said they were all responsible for taking action in New Jersey since the system was broken and they must all overcome its failure, thus the request he asked them to make of Governor Murphy, even though it was

not in their job description. He said he makes the same request of others like his school board and municipality leaders, and they must all act because of this failure.

Mr. Madison said there were many reason for the specific request like a moratorium. First, he said the New Jersey Board of Public Utilities (BPU) said no more fossil fuel infrastructure was needed. Second, Mr. Madison said adding unneeded fossil infrastructure would make the 50 percent goal of reduction in emissions by 2030 impossible. Third, he believes in both the short and long run, not stopping these projects would be more costly to New Jerseyans.

Mr. Madison said to recap, the system was broken, and they all need to take action to request that Governor Murphy enact the moratorium. He believes the moratorium would save New Jerseyans money, and would allow for the possibility, not for sure, of reaching Governor Murphy's 2030 goal of 50 percent reduction in emissions. Mr. Madison said make the ask of the Governor for his kids and his grandkids.

Mr. Madison said he recently added two heat pumps in his home. He said the heat pumps have a hybrid system and if it gets too cold, he has to use gas. Mr. Madison said a hybrid system could work and tell Governor Murphy this was what they needed to do.

Joseph Clift said he provided handouts for everyone on the Board and asked had they received them. Board Member Narra indicated they received his hand out via an email. Mr. Clift said he was going to take a different tact on the budget cliff. He said it was not a cliff, but a tsunami, and said there was a \$3 billion operating budget, and that they would be \$920 million short starting in May, two years from now. Mr. Clift said they would be almost \$1 billion dollars short the year after that. He said the only people he knew that were not talking about this was NJ TRANSIT. Mr. Clift said the MTA talked about taxes as a new source of money, but he did not hear a peep from NJ TRANSIT. He said what they had today was a fairly clear statement of a future problem, but he did not hear any discussion on the subject, which they needed to have.

Mr. Clift said there had not been a fare increase since July 2015, and since then, the regional consumer price index (CPI) for New Jersey and New York has gone up 23 percent. He said NJ TRANSIT's budget has gone up 27 percent. Mr. Clift said they could not hope to deal with the future financial problems if they did not get the riders to participate with what was going on. He said the later they wait to make the fare increase, the worse it would get. Mr. Clift said he ran an analysis and if they raised the fares 10 percent in July 2023 and 10 percent in two years, it was the same as a 43 percent one-year increase. He said if they did not do anything, they were walking into an even worse cliff. Mr. Clift said his request to the Board was to look at the handout he gave them, and then initiate a 10 percent fare increase. He said nobody wants to do it, but the reality was that they needed to do it. Mr. Clift said Governor Murphy said they were not going to raise fares, but the Board has a fiduciary responsibility to the agency, the riders, and the taxpayers to think about the future. He said the financial staff put together the future, and they needed to act now, and that was a request from him.

Mr. Clift said it did not matter if the Governor did not support the idea because

NJ TRANSIT has a fiduciary responsibility to the riders, the public, and the taxpayers. In closing, Mr. Clift said the 2018 Bill that supposedly revised NJ TRANSIT did do some good things, but it took out the word fiduciary from the entire act. He said this looked to him like NJ TRANSIT staff were not required to have a fiduciary responsibility, but they do. Mr. Clift said the sooner they enacted a fare increase, the smaller it could be and not hurt people. He said do not wait for the tsunami to hit.

Andy Weiss said another month had passed and the NJ TRANSIT Customer Advocate position remained vacant. Mr. Weiss said month after month, year after year, this incompetent Board makes up ridiculous stories about the Customer Advocate vacancy. He said the Board was cruel and sadistic and the Customer Advocate vacancy scandal continues. Mr. Weiss said they were using a loophole in the 2018 Reform Law that does not give a specific timeline to implement the Customer Advocate.

Mr. Weiss said Board Member Gordon was nominated to the NJ TRANSIT Board of Directors by the Honorable Senator Lorretta Weinberg and Board Member Gordon has said nothing about Senator Weinberg's Reform Bill that created the Customer Advocate position. He said Board Member Gordon does not speak up for riders who are demanding the Customer Advocate position every single month. Mr. Weiss said thanks a lot Board Member Gordon. He said Board Member Gordon's silence about the vacant Customer Advocate was not a nice way to treat the person who nominated him.

Mr. Weiss said he wanted to read a letter from Chair Gutierrez-Scaccetti, D.O.T. Commissioner and Board Chair to Senator Loretta Weinberg dated March 2, 2021. He said the letter was about the Customer Advocate vacancy and was written two years ago. He read, "Dear Majority Leader Weinberg, I am in receipt of your letter dated February 25, 2021, to ensure that the role of the Customer Advocate complies with both the letter and spirit of the legislation. An updated draft of the descriptions is being finalized. The Customer Advocate will be accountable to the NJ TRANSIT Board of Directors to the Board Chair, independent of the day-to-day NJ TRANSIT operations and management structure. The intent to share the updated draft will be shared with members of the Board on Wednesday, March 3, 2021. Once the job description is finalized an advertising and recruiting strategy will be developed that most expediently maximizes the number of qualified applicants. While there are currently no candidates under consideration by the Board at this point in the process, I fully expect that the Board will have an opportunity to participate in the interview process once the pool of qualified candidates has been finalized. Sincerely, Diane Gutierrez Scaccetti." Mr. Weiss said two years ago, to Senate Majority Leader Weinberg, this was written. He said two years later they were still waiting, and asked where was the Customer Advocate. Mr. Weiss said a bunch of people have already asked about it. He said he has heard story after story and what was Brian Wilton, NJ TRANSIT's General Counsel, doing about this. He also asked where the Audit Committee was, because they were not in compliance with the law.

Charlton D'souza, President of Passengers United in New York City, said they were New Jersey's Customer Advocate. Mr. D'souza said they care about every rider, and he wanted to state how outraged he was regarding service in Atlantic City on Easter Sunday. Mr. D'souza said they were all in line for the 8:30 p.m. bus, however, riders were unable

to get on the bus because it was overcrowded. He said two hours later, the 10:30 p.m. bus came, and a riot broke out. Mr. D'souza said the people were fighting, arguing with the driver, and attempted to assault the driver, and the police were called. He said when the police arrived, the police escorted the agitators off the bus, pulled them to the side, and kept them there. Mr. D'souza said this was not right for the riders, and he was outraged that people could not get on the 10:30 p.m. bus because those people were waiting since 8:30 p.m. He said those people had to board the 12:00 a.m. bus along with him. Mr. D'souza said he was speaking about the 319 Bus to New York from Atlantic City.

Mr. D'souza said during the weekends on Sundays, service runs every two hours or every hour and a half, and that was unacceptable. He said going to Atlantic City from New York City, there should be a bus every 30 minutes. Mr. D'souza said there were a lot of buses leaving New York to go to Atlantic City, however, coming back service was running on an hour schedule, and they were running the buses every hour and half on Sundays. He said this was not the first time that this has happened, where people have been left stranded. Mr. D'souza suggested NJ TRANSIT have a bus running every hour or maybe have the buses running every 30 minutes for the holiday schedule. He said there used to be a 2:00 a.m. bus that departed from Atlantic City to New York City, but that bus service ended, which was ridiculous.

Mr. D'souza talked about the River Line Light Rail. He said the Light Rail has been breaking down and last Sunday, four trains had broken down that they were aware of, and then it happened again. Mr. D'souza said the way the River Line schedule was setup was horrible. He said on a Saturday, if someone takes the 6:36 p.m. train towards Atlantic City from Trenton, and they were trying to go to Pennsauken Transit Center because of the switch over there, that person could miss the 6:36 p.m. Atlantic City Line connection. Mr. D'souza said the Atlantic City Line was horrible, President & CEO Corbett needs to run train service every hour, and the service needs to run all night to Atlantic City. He said riders spend a lot of money commuting into New Jersey which benefits their economy, and they get bad service in return. Mr. D'souza said this was unacceptable.

Adam Reich said first he wanted to ask Board Member Narra to provide an update on the Customer Advocate position. He said when last checked, it did not appear that the position was posted. He asked what the status of the posting was and when did they expect the position to be posted on the website. Mr. Reich asked were they still on track for filling the position in the Spring, or did they have a revised timeline.

Mr. Reich asked Board Member Narra if they could address the Customer Advisory Board specifically. He said this was something near and dear to him and he has been waiting along with thirteen other people since Stewart Mader notified them of their selection in February 2020. Mr. Reich said they were assured since Mr. Mader's departure that they would continue. He said they just needed to fill the Customer Advocate position. Mr. Reich said they did offer to arrange a meeting for them to see what to do.

There were issues with Mr. Reich's audio, so he continued his statement after calling back. Mr. Reich apologized for the technical issues he was having and proceeded with where he left off, which was on the Customer Advisory Board. Mr. Reich said for those

who may not know, there were 14 people selected for a Customer Advisory Board by the first Customer Advocate, Stewart Mader in February 2022, and they were put on hold since the pandemic. He said there was still the ongoing vacancy in the Customer Advocate role. Mr. Reich said he appreciated Board Member Narra promising in the fall to see what could be done about a meeting, however, he had not heard anything on this matter since there still did not appear to be a job posting on the Customer Advocate. He asked if they could get a definitive date for a meeting and asked if President & CEO Corbett or Mr. Wyckoff would make themselves available for a half an hour to an hour to bridge the gap.

Mr. Reich said help them help NJ TRANSIT and they could reach out to riders on their behalf. He said they could tell NJ TRANSIT the things they see on a day-to-day, that was why they were tasked to do the work three years ago and they had been assured at this point that they could do it. Mr. Reich said he would appreciate for Chair Gutierrez-Scaccetti to weigh in on the topic. He said Board Members Narra and Gordon, and former Board Member Adams could attest to what he was saying. He stressed the importance of this.

Mr. Reich said he had several NJ TRANSIT employees troll him on a Rail Banning Group recently because he raised the issue of bathroom accessibility. He said he was fine with criticism, but he would like to ask for the opportunity to do what he has been waiting patiently for three years to do, which was help the Board help NJ TRANSIT address day-to-day issues. Mr. Reich said there were 13 other people like him that went through the application process and want the same thing.

Mr. Reich said in regard to quiet cars, he wanted to stress that he had seen improvements on his trains. He said it was good to see NJ TRANSIT social media team post about quiet commute, but the post got several replies saying conductors were not making announcements or posting signs. Mr. Reich said he would like the Operations & Customer Service Committee Board members to request staff give an accounting of those replies, so the Board has a sense of what customers were saying and how widespread the issue was. Mr. Reich said much as they get reports on accommodations each month at the Operations & Customer Service Committee meetings, he thought it would be a good forum for the Customer Advisory Board to then provide updates. Mr. Reich said finally, he wanted thank Board Member Gordon for his support and assistance and disagreed with Mr. Weiss on his comments about Board Member Gordon. Mr. Reich said he wanted to thank Mr. Adams for his openness and kindness throughout his tenure on the Board.

Holly Cox, 24-year New Jersey resident, said she wanted to ask Governor Murphy and NJ TRANSIT why they were not redesigning their microgrid project to be powered by renewable gas, which the Strategen report showed was technologically feasible, more economical, and better for helping the climate. Ms. Cox asked what their response was to the new report, which showed that a combined system of solar, battery storage, and backup gas turbine only to be used in true emergencies, was a feasible alternative for meeting NJ TRANSIT operational needs during severe weather event. She asked the Board would they revise their RFP to specifically solicit bids for a renewable energy hybrid microgrid solution. Ms. Cox asked did they see the immorality and danger of adding more

pollution from another fossil fuel plant to an overburdened community. She said since Governor Murphy announced an accelerated target of 100 percent clean energy by 2035, did they think it made financial sense to build a fossil fuel plant now. Ms. Cox asked if they built their fossil fuel plant, when would it be completed, and how long did they expect to operate it before they needed to start transitioning to clean fuel to comply with the 2035 target.

Ms. Cox asked how much did they estimate it would cost to convert their gas plant to a clean plant. She said the report found that a renewable energy system could realize hard profits ranging between \$45 million to \$85 million from 2028 to 2050. Ms. Cox asked if they knew the report found that a fossil fuel project would face losses of \$42 million and only gain up to \$29 million in profits over the same period. She asked if they knew that the report found that avoiding emissions from 2028 to 2050 by operating a renewable energy system instead of fossil fuels could save \$193 million to \$346 million in climate change impact. She asked if they knew reducing pollutants from their plan could save another \$8 million to \$14 million locally and help the morbidity impact. Ms. Cox asked where their evidence was that a gas plant was financially, environmentally, technically, and socially superior to a renewable hybrid microgrid.

Ms. Cox said they could see the climate chaos unfolding all around them, stronger and more dangerous storms damaging property and killing residents, extreme weather events, hottest days on record in all of history, and sea levels rising at twice the national average. She asked if they knew there were five giant wildfires in New Jersey this week, with the largest consuming 4,000 acres of precious forest and wildlife. Ms. Cox said so far this year, the New Jersey Forest Fire Service recorded 518 wildfires that consumed more than 8,000 acres of forest as of Tuesday morning. She said for comparison, 327 wildfires burned 471 acres by mid-April 2022, and 2021 was similar to 2022. Ms. Cox asked had they seen the meme with the cartoon dog in a suit sitting in a room engulfed in flames with a quote that says, "Its fine." She said this reminded her of the Board and all of the state leaders. Ms. Cox said the state and the planet were literally on fire all around them, and no one was doing anything at the scale required to keep the planet habitable. She said given the financial reality of a fossil fuel plant, the climate crisis unfolding around them, a renewable plant was cleaner, safer, more resilient, and significantly more economical. Ms. Cox asked how they could justify a fossil fuel plant in 2023. She called on Governor Murphy and NJ TRANSIT to live up to their state's climate and clean energy commitments, be real climate leaders, and stop the disastrous fossil fuel proposal.

William McClelland, member of Don't Gas the Meadowlands and a volunteer with Food & Water Watch, said NJ TRANSIT must finally and definitely abandon any thoughts of building a gas burning power plant in Kearny to power the microgrid. Mr. McClelland said first, it was dumbfounding that they would even consider this when they had been given an alternative in the Strategen study, using renewable energy that would have greater economic benefit by generating much more in total value over its lifetime, than a fossil fuel plant. He said secondly, it would be more reliable in the long term as it would not be relying on the volatile gas market, and thirdly, and most importantly have far less of an impact on the climate and public health.

Mr. McClelland said they could not keep doing what they were doing to the environment by burning fossil fuels. He said it was insane that he had to keep saying this but, until it finally sinks into people heads who continue to propose fossil fuel projects, they would have to keep saying it. Mr. McClelland said he was sure people who had children, grandchildren, nieces, and nephews, who were going to have to live on this planet after they were gone, did not want to be remembered as someone who contributed to the climate crisis. He said this was the most serious crisis that human beings have ever faced. Mr. McClelland asked if they would rather be remembered instead as someone who fought climate change and did everything they could to protect their children's health and future. He said he hoped so. Mr. McClelland said abandon any thoughts of building a gas power plant on that site in Kearny, and to do the right thing.

Matthew Smith, New Jersey Director for Food & Water Watch, spoke on behalf of their 72,000 members and supporters across the state. Mr. Smith said he wanted to echo and reiterate all of his colleagues' comments before him about the importance of the Strategen study and what it means for NJ TRANSIT, specifically the TRANSITGRID project, and its future. He said in order to avoid all of the harm and negative outcomes that people had once again so eloquently stated before the Board with conclusive evidence as to why, NJ TRANSIT must commit to abandoning its proposed gas plant.

Mr. Smith said he wanted to take the time to clarify their position because he felt as of recently when asked about the TRANSITGRID project, NJ TRANSIT has replied by saying they were following the Governor's directives of maximizing clean renewable energy. He said that was good and fine to say those comments to the Press, but their other concerns stem from the original commitment that Governor Murphy and NJ TRANSIT made, which was not reflected in a way that it was presented to them, in the new RFP. Mr. Smith said in fact, the new RFP was the same old pig of a gas plant with a fresh coat of lipstick on it. He said the lipstick was a false solution because it still has all the same structure, the gas plant, Kopper's Coke, and central generating facility. Mr. Smith said it has all the bones of the old project in the new RFP, the only change was that they were going to somehow make the net-zero emissions carbon emissions by 2050. Mr. Smith said that was completely different than starting off with a new approach that was codified and clarified in a new RFP, or at least in an amended RFP that says the new goal was actually developing it today, not in 2050 and converting a gas plant to show somehow net-zero emissions. He said developing today an innovative solution that would power NJ TRANSIT resiliently with a hybrid renewable microgrid as the Strategen study has concluded, was possible. Mr. Smith said that was where their concerns stemmed from, not from the comments of NJ TRANSIT staff and Board, but rather the bones of the RFP.

Mr. Smith said because they have not had a stakeholder meeting that was promised to them, that they started off having over the last year, they have not had any meetings and they could only go by the RFP. He said the RFP was still critically flawed and signals to them that the gas plant was still very much on the table and in fact this was the option that NJ TRANSIT was pursuing. Mr. Smith said they urge NJ TRANSIT Board members to join the stakeholder meeting so they could all get clarity and enlightenment on how

they could get this project back on the right track in light of the Strategen study. Mr. Smith said the time to act was now.

James Crawford said he was calling on Governor Murphy and NJ TRANSIT to act on the findings of the Strategen study, which demonstrates the renewable energy-based hybrid microgrid solution. He said it was both technically feasible and more cost effective. Mr. Crawford said NJ TRANSIT must revise the RFP to specifically solicit bids for renewable energy-based hybrid microgrid solutions that maximize the amount of clean energy and battery storage that can be implemented today. He said they must finally, definitively abandon the original gas power plant. Mr. Crawford said he was a resident of New Jersey and retired after working for a quarter of a century on Wall Street. He said he happened to get involved in field directing work in New York for a very high-level campaign and what they did there was look and hunt for deferential individualists within the political system and they got rid of them. Mr. Crawford said they do not want deferential individualists running the show because they would be confronting an irreverent collective.

Christian Nowell, resident of Fort Lee and member of Empower New Jersey Coalition, said NJ TRANSIT must revise the RFP to specifically solicit bids for renewable energy-based hybrid microgrid solutions that maximize the amount of clean energy and battery storage that can be implemented today. Mr. Nowell said they must get over their fixation with a gas power plant. He was calling it a fixation because it was completely illogical. Mr. Nowell said the Strategen report essentially proved the gas plant is not the only solution, and clearly not the best option. He said a gas plant would be obsolete and therefore a waste of money. Mr. Nowell said it would have questionable reliability and would also be entirely unethical. He said the environmental justice law was written in spirit initially, precisely for the purpose of preventing unethical projects like these from being built in New Jersey's overburdened communities like Newark, Jersey City, Secaucus, and Kearny. Mr. Nowell said he wanted to step back to think about the meaning of the language they often use, like overburdened and environmental justice. He said maybe they should stop to pay attention to the meaning of those words and overburdened means disproportionately burdened and specifically refers to low-income communities, and communities of color.

Mr. Nowell said the Department of Environmental Protection website states that people from overburdened communities, historically were subjected to a disproportionately high number of environmental and public health stressors. He said they could go on the website and look at the exact stressors affecting every census block in those communities. Mr. Nowell said the state average for stressors was 13 out of 26, and there were 26 total potential stressors. He said adverse cumulative stressors mean any number over 13. Mr. Nowell said according to the Department of Environmental Protection EJScreen tool, in the census block in Kearny where the plant was proposed to be built, 21 out of 26 of the combined stressors total included cancerous and non-cancerous rare toxics as adverse stressors. He said directly adjacent to the North, up a few blocks in Secaucus, it shows 23 out of 26 of the combined stressors were adverse. Mr. Nowell said in Jersey City, the census block directly across the river was 22 out of the 26 combined

stressors are adverse. He said those stressors include ground level ozone air toxics and adverse stressors.

Mr. Nowell said he did not know how the environmental justice law was going to work. He said rules were finally released but he did not see how the power plant could possibly be approved. Mr. Nowell said they were proposing a gas plant that would add more pollution in New Jersey's low-income communities and communities of color that were already severely overburden. He said there was no way around it, a gas plant would be shameful and unjust.

Brian Russo, resident of North Haledon, member of Climate Reality Project, member of Food & Water Watch, and Transportation Chair of the Sierra Club, said he had been a resident of New Jersey for 44 year and was a long-time customer of NJ TRANSIT. He said he worked for 10 years as an insurance adjuster and mechanic. Mr. Russo said he recently he left his job and started spending his 401k, when he realized he would likely not make it to retirement age to be able to spend his savings, because he was likely going to die from a catastrophic climate event. He said he would certainly not be able to ride NJ TRANSIT when he was dead.

Mr. Russo said he would like to echo the opposition to the fossil fuel gas power plant and support a renewable hybrid alternative. He agreed with what all the previous environmentalists who spoke said. Mr. Russo said he would not bore them with details of the Intergovernmental Panel on Climate Change report. He said he would not talk about how far behind they were in public transportation than other countries, and how he supported the Maglev Rail Project. Mr. Russo said they needed to do something different. He said it was obvious that many members of congress support the fossil fuel industry, but he was wondering what NJ TRANSIT had to gain by building a fossil fuel power plant. He asked why they wanted to build a fossil fuel power plant.

Mr. Russo said he wondered what NJ TRANSIT's ties were to the fossil fuel industry. He said they were climate advocates and many of them were concerned about transitioning to electric vehicles because of the materials used. He said they would like to advocate for public transportation and to ride bikes, but they did not give them that option because they would like to propose a power plant. Mr. Russo said it did not make any sense. He said some of them were not flying or driving, and he wanted to be able to ride his bike and catch a high-speed rail, traveling carbon-free someplace else.

Mr. Russo said right now he was not traveling on NJ TRANSIT because of their unethical business practices and what they were proposing. He said he was asking that they all publicly speak out against the power plant and ask Governor Murphy to issue a moratorium.

Ed Beddow said he called previously in December to say that Michael Kilcoyne, Senior Vice President of Bus Operations & Surface Transit, was not sending a Regional Supervisor to Cape May County to monitor Bus 552. Mr. Beddow said, unfortunately the bus line had not improved, and drivers were still running ahead of schedule. He said a bus was cancelled once, not replaced, and he had to walk home. Mr. Beddow said this

kind of management discourages people from riding the bus and it denies people the benefits that public transportation has to offer. He said it sends the wrong message to Cape County. Mr. Beddow said it sends a message that this was the way it was, they were not going to change anything, and if they did not like it then ride somewhere else. Mr. Beddow said his questions to the Board of Directors was, if this was the kind of message they wanted to send to Cape May County, he would sure like to know why.

Rachel Dawn Davis, Public Policy, and Justice Organizer for Water Spirit, a 25-year-old nonprofit sponsored by the Sisters of Saint Joseph of Peace, said their founder deemed Earth Day was every day and they were hired to hear the cry of the Earth and the cry of the poor. She said she was speaking on behalf of their thousands of members, sister ministries, and those specifically affected disproportionately by toxic air in New Jersey. Ms. Davis said Mr. O'Malley mentioned the American Lung Association's report that was put out that day. She said as she has shared with the Board before and was tired of sharing, toxic air was linked to suicide. Ms. Davis said this was Stress Awareness Month and such little rain, was causing people to stress.

Ms. Davis said as Ms. Rogovin shared, NJ TRANSIT recently flip flopped from a 100 percent renewable energy commitment on the microgrid project to a source that would further exacerbate climate chaos, with methane gas. She said they echoed others in requesting the Board to join the meeting regarding the Strategen report next week. Ms. Davis said they did not need to enable any more fossil fuel and a moratorium on all toxic projects should be put in place. She said she had been studying the links of fossil fuels industry deception throughout their lives for over 20 years. Ms. Davis said they could have had a light rail planned back in 2004, but Exxon wanted more roads. She said she has successfully educated Northeast communities regarding the dangers of methane in particular, and copious amounts of fresh water used to create dirty gas. Ms. Davis said the water supply was dwindling even more now, 20 years later, and fires were now a part of the weather patterns in New Jersey.

Ms. Davis said speaking before this Board for the past two years, she maintained steadfast hope in New Jersey leadership making decisions specifically with future generations at the forefront of their minds. She said they could do this, and be a leader. There were opportunities to create trust, inclusivity of people at all levels of accessibility, and economic efficiency by choosing not to pollute and being a leader. Ms. Davis said she was not sure why there would be any effort for the NJ TRANSIT Board to discredit reputable findings provided independently without cost or political influence on NJ TRANSIT. She said Governor Murphy has national aspirations and media attention requires he actually walk his talk on climate. Ms. Davis asked why New Jerseyans must continue to breathe in toxic air, melt on heat islands, and live in raw sewage when it rains, while he flaps about environmental justice. She said it seemed like it was window dressing and there needed to be concerted planning from the ground up and moral budgeting. Ms. Davis said they called on Governor Murphy, and NJ TRANSIT under Governor Murphy's leadership, and asked would they act on the findings of the Strategen study, which demonstrated a renewable energy-based hybrid microgrid solution that was both technically feasible, and more cost effective. She asked NJ TRANSIT and Governor

Murphy to think of the children in their lives and abandon the original gas plant and declare a climate emergency.

Jeff Rappaport thanked the Board for providing the forum and said he worked with many different environmental groups. Mr. Rappaport said he was a grandparent concerned about what happens to children. He said he was concerned about climate change and the likes of nitrous oxide pollution and other forms of pollution, noting the sickness that was happening in much of New Jersey, particularly in Hudson and Essex County. Mr. Rappaport said when it came to looking at the projects, the Board was in a unique position and probably only looked at the economics, and the budget for NJ TRANSIT, which in a sick way made sense. Mr. Rappaport said that did not include significant cost for medical illness, disability, and suffering. He said a lot of those costs came from the government because of Medicare, and that was where it was paid from. Mr. Rappaport said he urged the use of renewables at many meetings, and while not hearing much of a response, he hoped they were keeping an open mind.

Mr. Rappaport said he was only one active person, there were thousands more like him in New Jersey, and also tens of thousands more who were somewhat active with regards to this key issue. He said he spoke to the likes of others like him, not only in New Jersey, but also in Pennsylvania, Ohio, and Florida. Mr. Rappaport said people asked about New Jersey, how they were doing, and how the government was doing. He said like him, they were active political environmentalists. Mr. Rappaport said they have a mission target set by Governor Murphy that recently accelerated to 100 percent clean energy by 2035 from 2050. Mr. Rappaport asked how this could be reached by adding the NJ TRANSIT gas plant and other fossil fuel projects in the state. Mr. Rappaport said they were crying out for them to do something. He said somebody had to look at the total picture. Mr. Rappaport said the proof in the pudding was actions. He asked that NJ TRANSIT keep an open mind on renewables and look at the total picture. Mr. Rappaport said renewable was doable and they cannot take those facts out.

George Kaufer said in regard to the new bus service that was going to replace DeCamp service, it was good at the start but there was a lot that still needed to be done. He said along the Belleville Turnpike, on the Bus 119D, DeCamp picked up along that stretch, but now there were no official bus stops along that stretch. He said they ask that they work with Belleville and North Arlington municipalities to make sure that stops were put along that stretch. Mr. Kaufer said Ridge Road was at the top of a hill, Washington Avenue was at the top of another hill, the area was down by the river, and riders had to walk uphill in both directions if they were going to catch the bus. He said the change would make it more convenient.

Mr. Kaufer said the Bus 92 was proposed to extend to the area under the new bus plan and hopefully there will be bus stops for that route as well to serve that area. He said there were four peak trips per day on the route, and all of those buses need to have all peak service, reverse peak service, and weekend service at a frequency of hourly or better. Mr. Kaufer said bus passes should now be cross honored, whereas DeCamp tickets could be used on NJ TRANSIT buses. He said NJ TRANSIT transfers were easier and also cheaper and they provide for intrastate ridership to Clifton Commons. Mr. Kaufer

said there used to be more routes that have not been restored such as the number 32 bus through Nutley and the number 88 bus to East Orange. He said those services needed to be taken into consideration, especially given that interstate ridership was how most essential workers get to their offices. Mr. Kaufer said they ask that they monitor the DeCamp situation, make sure to get off peak reverse and weekend service back, and all bus stops necessary, including the former number 66 bus to West Orange, and to restore permanent service to those areas.

Jane Califf, Coordinator of the Bloomfield Citizen Solar Campaign, said she was there to join with others urging Governor Murphy and the NJ TRANSIT Board to act on the findings of the Strategen study. She said she would not repeat what so many others had told them about how important it was to understand that this study showed that a renewable clean energy source of energy for NJ TRANSIT was possible, feasible, and much more cost effective than the gas plant. She said she hoped they would join the meeting that has been organized for them to understand more about Strategen, and they would read the report. Ms. Califf said one thing that amazed and outraged her was the RFP as it stood did not ask for bids from energy solutions that maximized renewable technology.

Ms. Califf said they must revise the RFP, as others have said, to solicit bids for renewable energy-based hybrid microgrid solutions that maximize the amount of clean energy and battery storage. She said a frack gas plant would add to the heavily polluted land, water, and air in cities like Kearny, Jersey City, Newark, and the surrounding regions, and it would add to the climate catastrophe they were facing. Ms. Califf said the plant would add to health problems, which other people had mentioned such as respiratory cardiovascular disease, learning disabilities, cancer, and other serious illnesses, especially among children. She wanted to know why the Board and NJ TRANSIT did not specify in the RFP for renewable energy solutions. Ms. Califf said she would like one of them with the time remaining, because she was not going to use up her three minutes, to give them an answer now. She asked could someone answer that. Ms. Califf asked why nobody would speak to this, were they not allowed to ask a question and get an answer, at least a short one.

Chair Gutierrez-Scaccetti said they were certainly allowed to ask a question of the Board, however, the staff would respond to them after the meeting.

Ms. Califf asked how could they not respond. She said it would be nice for everybody who has been sitting there for hours to know what the Board was thinking because they did not say anything.

Chair Gutierrez-Scaccetti said this was a board meeting and it was not typical of any Board to comment from the dais on public comment, and it was not going to happen tonight. She said if there was a particular issue that they would like addressed, they have their website information, or could call NJ TRANSIT and leave a return call number or an email address for staff to respond to them.

Ms. Califf said she thought it was a shame that there was a rule like that because, they have a right to hear how they think about things instead of just doing things, and then they have to deal with it. She asked that the Board change their rules so they can talk to them.

Written Comments Submitted in Lieu of Speaking

Denise LaFronz noted it has been over two and half years since Stewart Mader resigned from his position as Customer Advocate. She wanted to know why has there been no movement on his replacement and no posting for the job. Ms. LaFronz believed this position was very important to those who have no voice in all of the ongoing issues that plague NJ TRANSIT riders. She believes they deserve someone independent of NJ TRANSIT. Ms. LaFronz would also like to know why so few of the conductors make the quiet car announcements and/or hang the signs.

Board Member Comments

Board Member Narra said she first wanted to address the Customer Advocate questions mentioned by Sally Jane Gellert, Adam Reich, and others. The new improved, hopefully comprehensive, Customer Advocate job posting would be out very shortly and they were still planning to proceed with the next steps once they receive responses from credible good candidates. Interviews will start as soon as possible, it was to her understanding that other Board Members will be participating in the interview process, and if she will be participating, she has mapped out time from her job to make this process a priority.

On the Strategen Report which so many of speakers referenced, she just received it and promised everyone she would read it in its entirety. Board Member Narra said she was an attorney in New York, and started reading the report during a break in between her court sessions, however, quickly realized how comprehensive and complicated the report was, but not so complicated that she could not work her way through it, but it would take some time. She made a commitment to go through the report and understood all the effort that was made by the different environmentalist groups to get the Strategen Study done. Board Member Narra was very interested in reading all of it, and knew the advocacy groups were relying on information obtained from the study and what it was going to reveal. She knew there was a meeting planned for next Friday. Board Member Narra said she would do her best, she will be at work, but if she had time, she would connect to the meeting in a listen only capacity, but would not be participating. She said she would take in all that the advocacy groups had to provide in conjunction with the Strategen Report.

Board Member Narra said regarding funding issues for NJ TRANSIT, and not speaking for everyone, they talked independently and there was no doubt that this organization needed dedicated funding. She said in the last couple of weeks she has had opportunities to interact with various members of the legislature, and mentioned the need for funding. Board Member Narra said this agency has truly amazing people who work there in the Administration. She said she was not a yes person, and when she was put on this Board she asked the speaker if he was sure he wanted to put her on this Board. The speaker told her that he knew very well what kind of person she was. In all sincerity, Board Member Narra said she would say to everyone that all the people she has interacted with from

transit administration has been amazing, and were truly dedicated to the mission of the organization, residents, and customers. She was compelled to say this because she wanted the public to know that NJ TRANSIT was not an organization where people were blithely going through their day and not caring because they do, but their hands were tied because they have not gotten adequate funding for all these years.

Board Member Narra said it was all of the public's responsibility to talk to their individual legislators and representatives because they need to live up to their responsibility as elected officials to take care of the agency. She did not think the solution for New Jersey residents were fare increases, and said some people use NJ TRANSIT because they want to participate in keeping their state and world clean from more cars on the road, but the vast majority of the people use it because they need to because they cannot afford a car, gas, or tolls, and so she did not think burdening these people with fare increases was appropriate. Board Member Narra said there needs to be other methods of funding, whether it be from the New Jersey Turnpike Authority, or another, because it was not their job to come up with a solution, it was the legislature's and it needs to be done as soon as possible. Board Member Narra said the people who work there want to be able to provide those services for everybody. She apologized for her little tirade that night, noted it was late, but said they keep hearing over and over again about how they have not made their thoughts clear about a dedicated source of funding for NJ TRANSIT. Board Member Narra said there were a lot of Board Members who have made it clear on numerous occasions outside of the Board meetings where they stand on funding to the people who are responsible for that .

Board Member Gordon thanked the public for commenting during the public session. He most definitely wanted to associate himself with the eloquent tirade of Board Member Narra, particularly her comments about staff and their desire to try and make the transit system work more efficiently and effectively for NJ TRANSIT customers. Board Member Gordon said he wanted to focus his comments on the fiscal situation which was mentioned a couple of times that night. He did believe they were facing a fiscal cliff, a deficit of over \$100 million in Fiscal Year 2025, rising to \$916 million to \$917 million in Fiscal Year 2026. He said the federal money was running out and they did not have that stable source of funding they needed. Board Member Gordon said that morning he had the occasion to see the Assembly Majority Leader and mentioned to him the Board meeting NJ TRANSIT was having that night and things to be voted on, including the Budget Proposal Transmittal and the need for the legislature to find a solution. He specifically referred to the Proposal that Senator Loretta Weinberg and Senator Sweeney made just a few days before the pandemic hit, which was to make use of a portion of the Corporate Business Tax to provide that funding.

Board Member Gordon said another idea was if New York goes forward with the Congestion Tax which he opposed, if this was to become a reality, he thought a good portion of that should get allocated to NJ TRANSIT. He said New Jersey citizens and taxpayers pay a large percentage of New York taxes for working in the city and they deserve something back, and he thinks a portion of those congestion taxes, if implemented, should come back to New Jersey, and certainly investing in the mass transit system would help with the congestion. Board Member Gordon said perhaps there were

other revenue sources that they could examine as well but, this needs to be the priority of the legislature and it was an issue the new Board Members were going to have to deal with on their watch. He was certainly looking forward to contributing to the discussions.

Advisory Committee Report

Anna Marie Gonnella Rosato said the North and South Passenger Advisory Committees met at the TransAction Conference in Atlantic City and President & CEO Corbett provided a systemwide update. President & CEO Corbett also noted promotional initiatives such as “Take a Spring Beak and Bring a Friend On Us” campaign, the Autism Acceptance Month Event in April, participating in Happy Hour 4 Kids, launching of the first-ever bicycle, scooter, and pedestrian access survey, and try transit with a free rail ticket for the first 5,000 new customers through the mobile app using promo code earth 23.

Jackie Stamford, Deputy Treasurer, and Patrick Hartmann, Senior Director of Budgets, provided a briefing on the budget. Also a presentation was made on Customer Safety Initiatives by Vaughn Williams, Chief Marketing Officer and Vice President of Communications & Customer Experience.

Ms. Gonnella Rosato said the Passenger Advisory Committee continued to issue letters of support for the most recent round of NJ TRANSIT grant applications for which there was seven. As President & CEO Corbett stated, March 18, 2023 was Transit Operator Appreciation Day whereby NJ TRANSIT celebrated its men and women who keep transit moving. NJ TRANSIT released its invitation for bid for critical State of Good Repair work to revitalize Mahwah Train Station.

In regard to the Action Items that evening, Ms. Gonnella Rosato said the Passenger Advisory Committee supports Board Action Items 2304-18 and 2304-19 for Option Period One for the Provision of Access Link Services in Regions 3 and 6, and 2304-20 for the Proposed Initiation of Rulemaking Process for N.J.A.C. 16:78, Senior Citizen and Disabled Resident Transportation Assistance Program.

Board Operations and Customer Service Committee Report

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

Board Administration Committee Report

Board Member Kanef presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included a summary of operating results compared to previous year’s comparable period and Fiscal Year 2023 Budget, twelve-month farebox revenue compared to pre-COVID, major balance sheet items and Federal COVID-19 relief grant drawdown summary.

Additional information was provided as part of the agenda materials, including the cost-of-service key performance indicators, twelve-month farebox recovery, history of vacancies, attrition and hires, ridership and revenue, and a monthly budget-to-actual comparison for February 2023.

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 Giblin presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy, and Privatization Committee discussed the Board Items for the: Execution of Contract 19-063 Option Period One for the Provision of Access Link Service in Region 3 (Atlantic, Cape May, Cumberland, and Southern Ocean Counties); Execution of Contract 19-064 Option Period One for the Provision of Access Link Service in Region 6 (Bergen, Hudson, Passaic, and Parts of Essex Counties); Information Technology: Award of Managed Print Services Contract to Document Solutions; and Transit-Oriented Development (TOD) Advisory Consulting Services – Task Order Contract (TOC).

Safety Committee Report

Board Member Narra presented the report for the Safety Committee. The Safety Committee was provided with an update by the Office of System Safety on Key Safety Performance Metrics for Rail, Light Rail, bus, Access Link, and Construction Safety. The Safety Committee was also made aware that Safety Education and Community Outreach launched the program Special Seat in October 2022 which was designed to promote rail safety for children with special needs. To date, 46 Special Seat presentations have been conducted in the South Jersey region. SEP has also focused on the newly launched pedestrian safety program known as POP (Protecting Our Pedestrians). Pop informs communities about the importance of pedestrian safety to avoid serious injury or death caused by an accident.

New Jersey Transit Police provided an update about Outreach, Narcan Deployment, and the Citizens Police Academy. They also provided an update about the police graduates as well as the Emergency Services Unit graduations. In addition, updates were given on Bus Safe Operation in which officers went on 970 bus rides in the month of February.

Action Items

2304-17: UNARMED SECURITY GUARD SERVICES CONTRACT AWARD

President & CEO Corbett introduced, Christopher Trucillo, Senior Vice President, Chief of Police and Office of Emergency Management, to present Action Item #2304-17. Christopher Trucillo presented for approval Action Item #2304-17: Unarmed Security Guard Services Contract Award.

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

Roll Call Vote:

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

2304-18: EXECUTION OF CONTRACT 19-064 OPTION PERIOD ONE FOR THE PROVISION OF ACCESS LINK SERVICE IN REGION 6 (BERGEN, HUDSON, PASSAIC, AND PARTS OF ESSEX COUNTIES)

President & CEO Corbett introduced Christopher Corasio, Chief of Contracted Services, to present Action Item #2304-18. Christopher Corasio presented for approval Action Item #2304-18: Execution of Contract 19-064 Option Period One for the Provision of Access Link Service in Region 6 (Bergen, Hudson, Passaic, and Parts of Essex Counties).

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

Roll Call Vote:

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

2304-19: EXECUTION OF CONTRACT 19-063 OPTION PERIOD ONE FOR THE PROVISION OF ACCESS LINK SERVICE IN REGION 3 (ATLANTIC, CAPE MAY, CUMBERLAND, AND SOUTHERN OCEAN COUNTIES)

President & CEO Corbett introduced, Christopher Corasio, Chief of Contracted Services, to present Action Item #2304-19. Christopher Corasio presented for approval Action Item #2304-19: Execution of Contract 19-063 Option Period One for the Provision of Access Link Service in Region 3 (Atlantic, Cape May, Cumberland, and Southern Ocean Counties).

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

Roll Call Vote:

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

2304-20: REGULATIONS: PROPOSED INITIATION OF RULEMAKING PROCESS FOR N.J.A.C. 16:78, SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM

President & CEO Corbett introduced Justin Davis, Senior Vice President, Regulatory and Government Affairs, Chief of Staff, to present Action Item #2304-20. Justin Davis presented for approval Action Item #2304-20: Regulations: Proposed Initiation of Rulemaking Process for N.J.A.C. 16:78, Senior Citizen and Disabled Resident Transportation Assistance Program.

Board Member Kiabi D. Carson made a motion and Board Member Michael Kanef seconded the motion.

Chair Gutierrez-Scaccetti said she would like to thank the Senior Citizen and Disabled Residents Transportation Advisory Committee for their cooperation and working so closely with NJ TRANSIT staff. David Peter Alan thanked Chair Gutierrez-Scaccetti.

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

Roll Call Vote:

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

2304-21: INFORMATION TECHNOLOGY: AWARD OF MANAGED PRINT SERVICES CONTRACT TO DOCUMENT SOLUTIONS

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2304-21. William Viqueira presented for approval Action Item #2304-21: Information Technology: Award of Managed Print Services Contract to Document Solutions.

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

Roll Call Vote:

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

2304-22: BUDGET PROPOSAL TRANSMITTAL

This item was included in the portion of the minutes transmitted on April 20, 2023.

Board Secretary Umukoro noted that Board Member Carson was recused from the next item and would not comment or vote on the item.

2304-23: DESIGNATION OF VICE CHAIRPERSON OF THE NJ TRANSIT BOARD OF DIRECTORS

Chair Gutierrez-Scaccetti said she was pleased and honored to recommended approval of item 2304-23. Designation of Vice Chairperson of the NJ TRANSIT Board of Directors. This action item was to designate Kiabi D. Carson as Vice Chairperson for NJ TRANSIT Board of Directors and its subsidiaries.

Chair Gutierrez-Scaccetti said some may say poor Kiabi being there only a short period of time, bestowing upon her such a very large task, but Chair Gutierrez-Scaccetti believed, a thorough review of her resume as well as several conversations with her, would make it very clear to everyone that Board Member Carson would be an asset to everyone at NJ TRANSIT. She said not only would Board Member Carson be able to help in a general way, but Board Member Carson was going to be able to help them very significantly in the work they have to do in the coming months, streamlining NJ TRANSIT’s operations, which will help them to attempt to cut costs. Chair Gutierrez-Scaccetti said she heard everything everyone said but the Board and this Agency had work of its own to do before they go knocking on other peoples’ doors, especially those who have already provided a significant amount of money. Chair Gutierrez-Scaccetti said at the end of day, Board Member Carson was a great partner for her to have as Chair, and for the staff of NJ TRANSIT as well.

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

Roll Call Vote:

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

Executive Session Authorization

Chair Gutierrez-Scaccetti noted they would adjourn to Executive Session, would only return to adjourn the meetings, and no further business would be conducted.

Chair Gutierrez-Scaccetti 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.

Board Member Shanti Narra made a motion, Board Member Bob Gordon seconded the motion, and it was adopted. At approximately 8:57 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

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

Return to Open Session

Board Secretary Umukoro conducted a Roll Call as Board members returned to Open Session. Board members returned to Open Session at approximately 9:44 p.m.

Adjournment

Since there was no further business, a motion to adjourn the meetings was made by Board Member Michael Kanef, seconded by Board Member Shanti Narra, and the motion was adopted.

The meetings were adjourned at approximately 9:45 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**

APRIL 19, 2023

MINUTES

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➤	CALL TO ORDER	-
➤	APPROVAL OF MINUTES OF PREVIOUS MEETINGS	64930
➤	PRESIDENT & CEO'S MONTHLY REPORT	64931
➤	PUBLIC COMMENTS	-
➤	ADVISORY COMMITTEE REPORT	-
➤	BOARD COMMITTEE REPORTS	-

ACTION ITEMS

2304-17	UNARMED SECURITY GUARD SERVICES CONTRACT AWARD – Authorization to enter into NJ TRANSIT Contract No. 22-064 with Gateway Security, Inc. of Newark, New Jersey, for unarmed security guard services, for a five-year base contract period of July 1, 2023, through June 30, 2028, at a cost not to exceed \$49,356,831.97, plus five percent for contingencies, for a total contract authorization of \$51,824,673.57, subject to the availability of funds.	64964
2304-18	EXECUTION OF CONTRACT 19-064 OPTION PERIOD ONE FOR THE PROVISION OF ACCESS LINK SERVICE IN REGION 6 (BERGEN, HUDSON, PASSAIC, AND PARTS OF ESSEX COUNTIES) – Authorization to exercise the first option to extend NJ TRANSIT Contract 19-064 with First Transit, Inc. of Cincinnati, Ohio, to operate Access Link service in Region 6 (Bergen, Hudson, Passaic, and parts of Essex Counties) for a 24-month period from July 1, 2023 through June 30, 2025 at a cost not to exceed \$38,146.669.00, plus five percent for contingencies, for a total contract authorization of \$40,054,002.00, subject to the availability of funds and Board approval of NJ TRANSIT's operating budget.	64965
2304-19	EXECUTION OF CONTRACT 19-063 OPTION PERIOD ONE FOR THE PROVISION OF ACCESS LINK SERVICE IN REGION 3 (ATLANTIC, CAPE MAY, CUMBERLAND, AND SOUTHERN OCEAN COUNTIES) – Authorization to exercise the first option to extend NJ TRANSIT Contract 19-063 with Easton Coach Company, of Easton, Pennsylvania, to operate Access Link service in Region 3 (Atlantic, Cape May, Cumberland, and Southern Ocean Counties) for a 24-month period from July 1, 2023 through June 30, 2025 at a cost not to exceed \$11,013,952.00, plus five percent for contingencies, for a total	64967

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
APRIL 19, 2023
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PAGE 2

contract authorization of \$11,564,650.00, subject to the availability of funds and Board approval of NJ TRANSIT's operating budget.

2304-20 REGULATIONS: PROPOSED INITIATION OF RULEMAKING PROCESS FOR 64969
N.J.A.C. 16:78, SENIOR CITIZEN AND DISABLED RESIDENT
TRANSPORTATION ASSISTANCE PROGRAM – Authorization to take all actions necessary to initiate the rule-making process for the adoption of the regulations, N.J.A.C. 16:78 Senior Citizen and Disabled Resident Transportation Assistance Program, consistent with this Board item and Exhibit A.

2304-21 INFORMATION TECHNOLOGY: AWARD OF MANAGED PRINT SERVICES 65004
CONTRACT TO DOCUMENT SOLUTIONS – Authorization to enter a contract with Document Solutions of Kenilworth, New Jersey, under New Jersey State Contract G2075 for Copiers and Multi-Function Devices: Purchase, Lease, Cost Per Copy, Maintenance, Supplies, and Managed Print Services for the period of July 1, 2023, through June 30, 2026, for the amount of \$2,198,651.54, plus five percent for contingencies, subject to the availability of funds.

2304-22 BUDGET PROPOSAL TRANSMITTAL

THIS ITEM WAS INCLUDED IN THE PORTION OF THE MINUTES TRANSMITTED ON APRIL 20, 2023.

2304-23 DESIGNATION OF VICE CHAIRPERSON OF THE NJ TRANSIT BOARD OF 65006
DIRECTORS – Designate Kiabi D. Carson as Vice Chairperson of the NJ TRANSIT Board of Directors and its subsidiaries.

➤ **EXECUTIVE SESSION AUTHORIZATION 65007**

➤ **ADJOURNMENT**

APPROVAL OF MINUTES

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

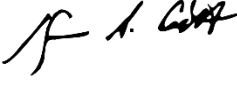
WHEREAS, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the March 13, 2023 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on March 21, 2023;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the March 13, 2023 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

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



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

TO: BOARD OF DIRECTORS
 FROM: KEVIN S. CORBETT 
 DATE: APRIL 19, 2023
 SUBJECT: PRESIDENT & CEO'S REPORT – APRIL 2023

As NJ TRANSIT's ridership continues to increase, the fact remains that transit operators nationally, including NJ TRANSIT, are still feeling its effect on ridership and revenues. We saw this clearly with the loss of DeCamp commuter bus service earlier this month with little advance notice. In late March, DeCamp announced that it would cease all commuter bus service on April 8th and NJ TRANSIT immediately began working on an emergency service plan to maximize alternatives for displaced DeCamp customers. As a result, on April 4th we announced a plan – now in effect – that is providing bus coverage to approximately 85 percent of former DeCamp customers. On April 10th, we extended four bus routes – the 191, 192, 195 and 199, and designated the new extensions with a "D" suffix to be easily recognizable to DeCamp customers. Remaining customers are largely being accommodated by leveraging NJ TRANSIT's existing bus, rail, and light rail service. We also launched an informational campaign and created a web page at njtransit.com/decamp to provide customers with a portal for all information on this transition.

We continue to find new and innovative ways to attract new riders. Beginning April 3rd and running through this Sunday, NJ TRANSIT launched a new spring ridership campaign, through which we are offering several promotional discounts. For more information, please visit njtransit.com/spring. Also, in celebration of Earth Day on April 22nd, NJ TRANSIT launched our first-ever bicycle, scooter, and pedestrian access survey, which will ultimately help us improve the safety and accessibility of our facilities, particularly for those who use such modes for the First Mile/Last Mile part of their trips. The survey is online now through May 21st at njtransit.com/bikes.

As we have since the onset of the pandemic, we continue engaging with the broader transit community on a regional, national and international level to share experiences and best practices as we all work to overcome common challenges. On March 16th, I was proud to join leaders from Rutgers University's Center for Advanced Infrastructure and Technology, or CAIT, and UITP – the International Association of Public Transport – to announce the establishment of UITP's first North American Regional Training Center, right here in New Jersey. Working together, we will bring best industry practices and world-class training not just to transit agencies in the Northeast, but to agencies nationwide – providing access to a worldwide network of transportation leaders and scholars, and preparing the next generation of industry leaders. For more information on this groundbreaking initiative, and links to the scheduled programs, please visit njtransit.com/uitp.

In addition to supporting our employees and advancing their training and development, NJ TRANSIT remains 100 percent committed to protecting our employees, as well. Toward that end, last month a Superior Court Judge granted our request to suspend, for a period of one year, the riding privileges of a man who has been charged with at least seven separate lewd acts aboard NJ TRANSIT buses in the past two years. The ban is made possible by a law signed last year by **Governor Murphy** that protects transit workers from assaults and allows NJ TRANSIT to suspend or prohibit offenders from riding on our vehicles. In a further commitment to our employees, NJ TRANSIT used the opportunity of Transit Operator Appreciation Day on March 18th to introduce our "Say Thanks" campaign, through which we leveraged social media and signage to invite customers to express their gratitude to the men and women who keep our transportation system moving. We were pleased to receive nearly 2,500 submissions from customers with messages of thanks for our frontline employees.

In conclusion, in celebration of Autism Acceptance Month in April, NJ TRANSIT proudly introduced three new initiatives that will make our system at once more accessible and more inclusive. At a very special press conference in Newark Penn Station on April 5th, I joined leaders from Magnusmode and Happy Hour 4 Kids to launch MagnusCards for Trains – a technology that significantly improves the experience of neurodiverse customers, including those who are autistic, on our rail system. Also, I'd like to thank **Jonathan Trichter**, CEO of Happy Hour 4 Kids, for generously sponsoring the wrapping of two NJ TRANSIT buses, now in revenue service, with Autism Acceptance Month creative. Finally, NJ TRANSIT and Happy Hour 4 Kids together invited autistic children from around the state to record announcements at train stations, which are now being played throughout our system for the month of April. We were lucky enough to be joined at the press event by some of these kids, which made this a truly memorable event. I also heard from many employees who said the event was truly uplifting, and really helped to remind us why a career in public transit can be so uniquely rewarding.



PRESIDENT & CEO'S MONTHLY REPORT

April 19, 2023

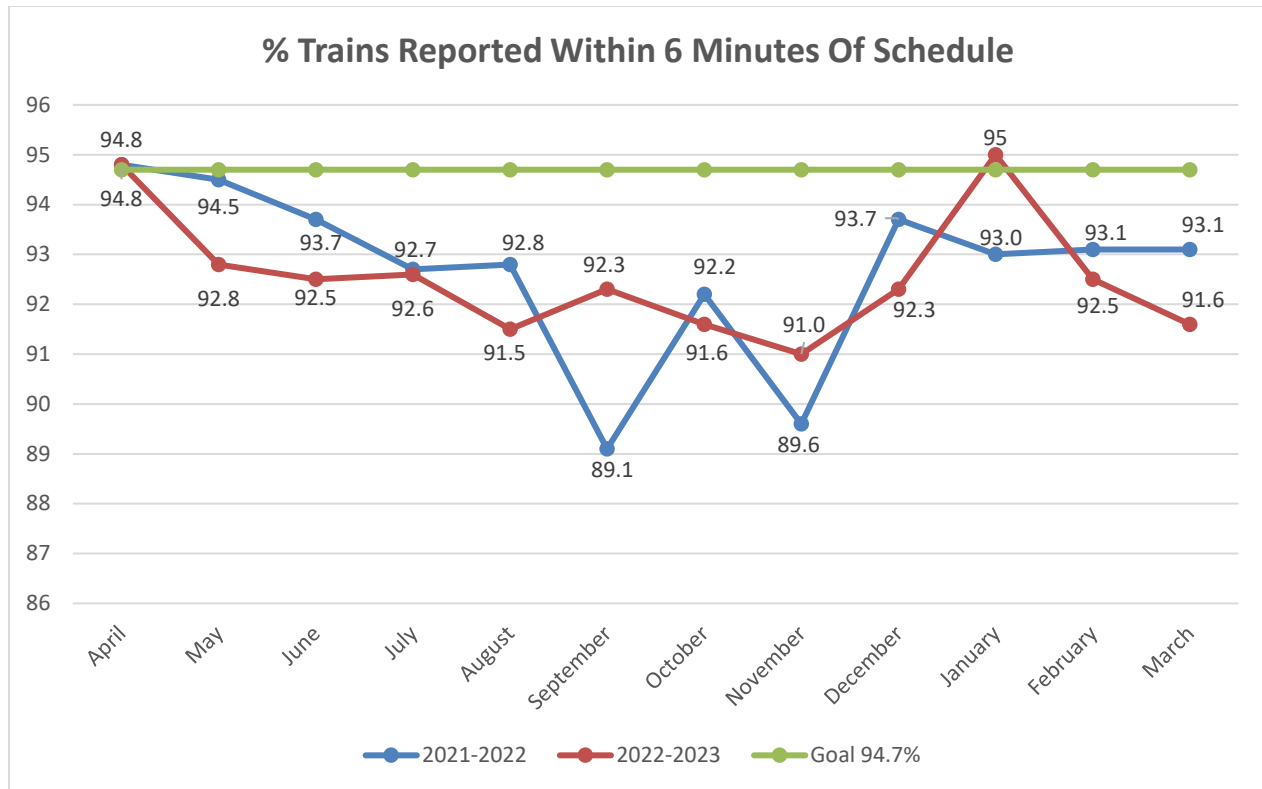
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- 2. MEAN DISTANCE BETWEEN FAILURES**
- 3. DBE/SBE PROGRAM**
- 4. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL APRIL 2021 – MARCH 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
March Comparison	93.1%	91.6%	-1.5%
12-Month Average Apr. 2021 – Mar. 2023	92.7%	92.5%	0.2-%

Analysis:

Rail On-Time Performance was 91.6 % for the month of March 2023. Of the 18,753 trains scheduled to operate, 17,183 were on time, while 1,570 trains (or 8.4 %) were delayed.

Key Causes included:

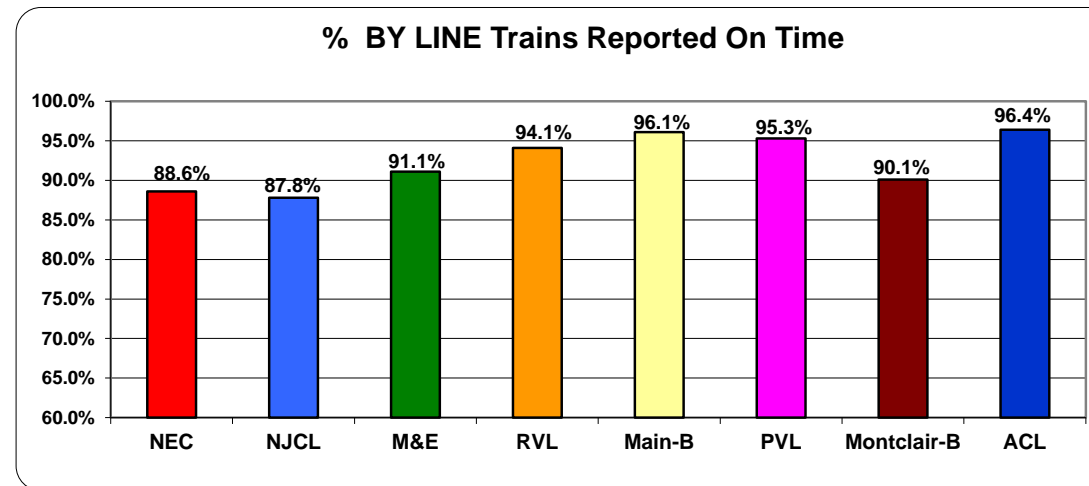
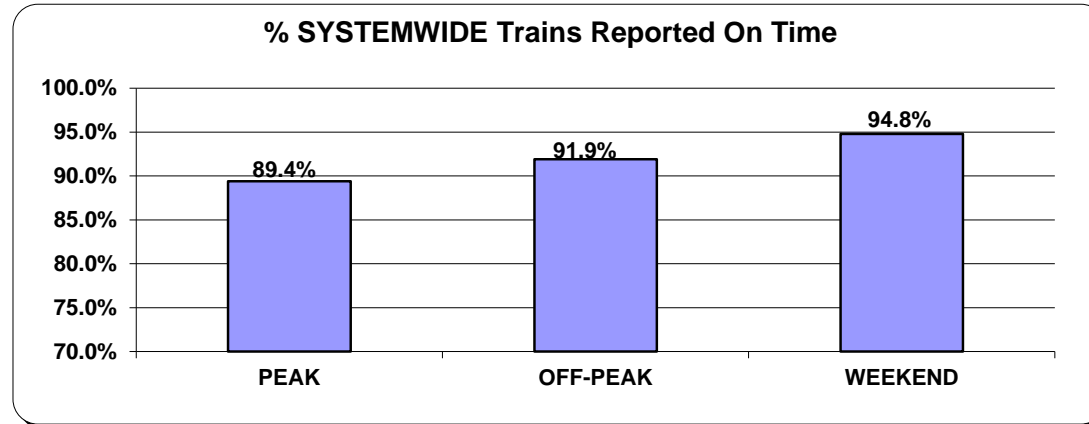
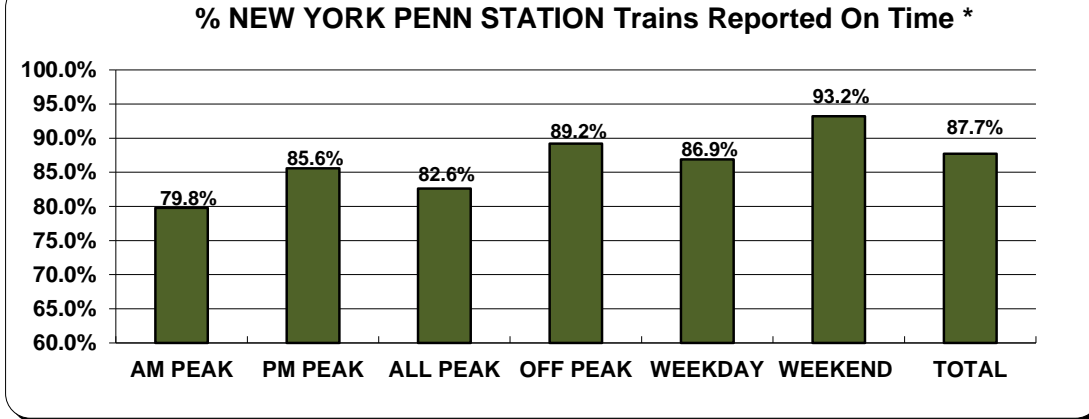
- Amtrak programmed maintenance, switch issue, trackside interference contributed 80 delays on March 1.
- Amtrak trackside interference and NJT track issue contributed 114 delays on March 22.
- Amtrak signal issue, Portal Bridge open and NJT programmed maintenance contributed 81 delays on March 27.

The 12-month Average for Rail On-Time Performance was 92.5%.

ON-TIME PERFORMANCE RAIL

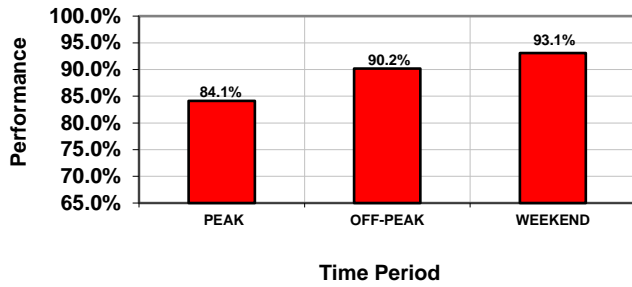
SUMMARY BY TIME PERIOD March 2023

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

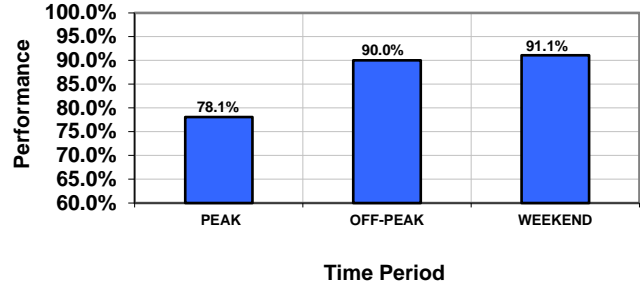


ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD March 2023

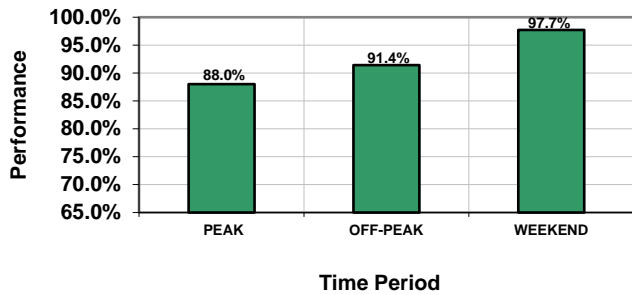
NORTHEAST CORRIDOR



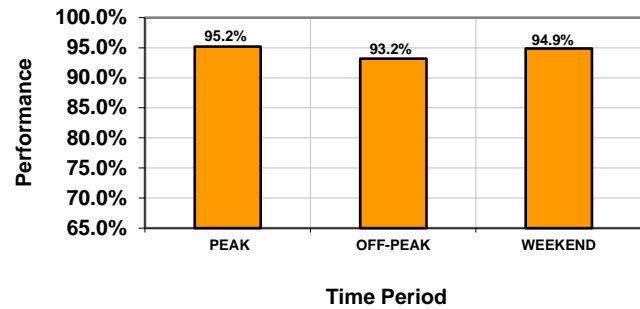
NORTH JERSEY COAST LINE



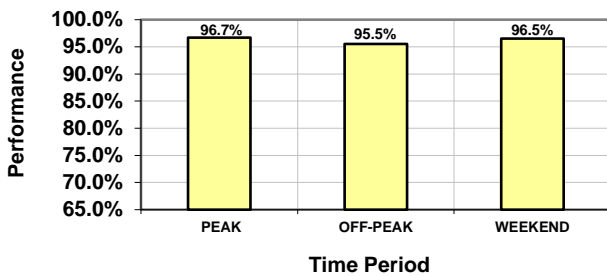
MORRIS & ESSEX



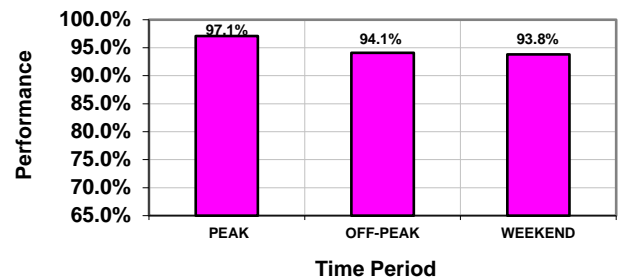
RARITAN VALLEY LINE



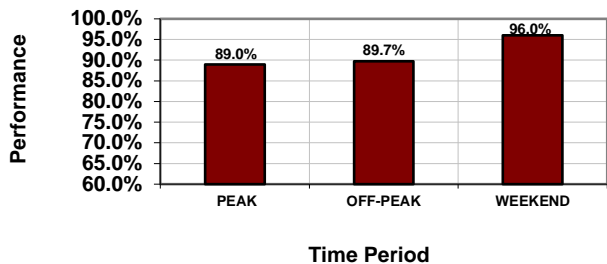
MAIN-BERGEN



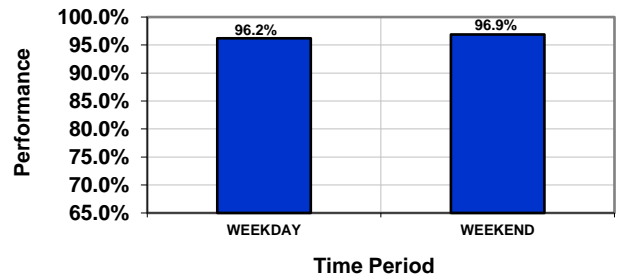
PASCACK VALLEY



MONTCLAIR-BOONTON

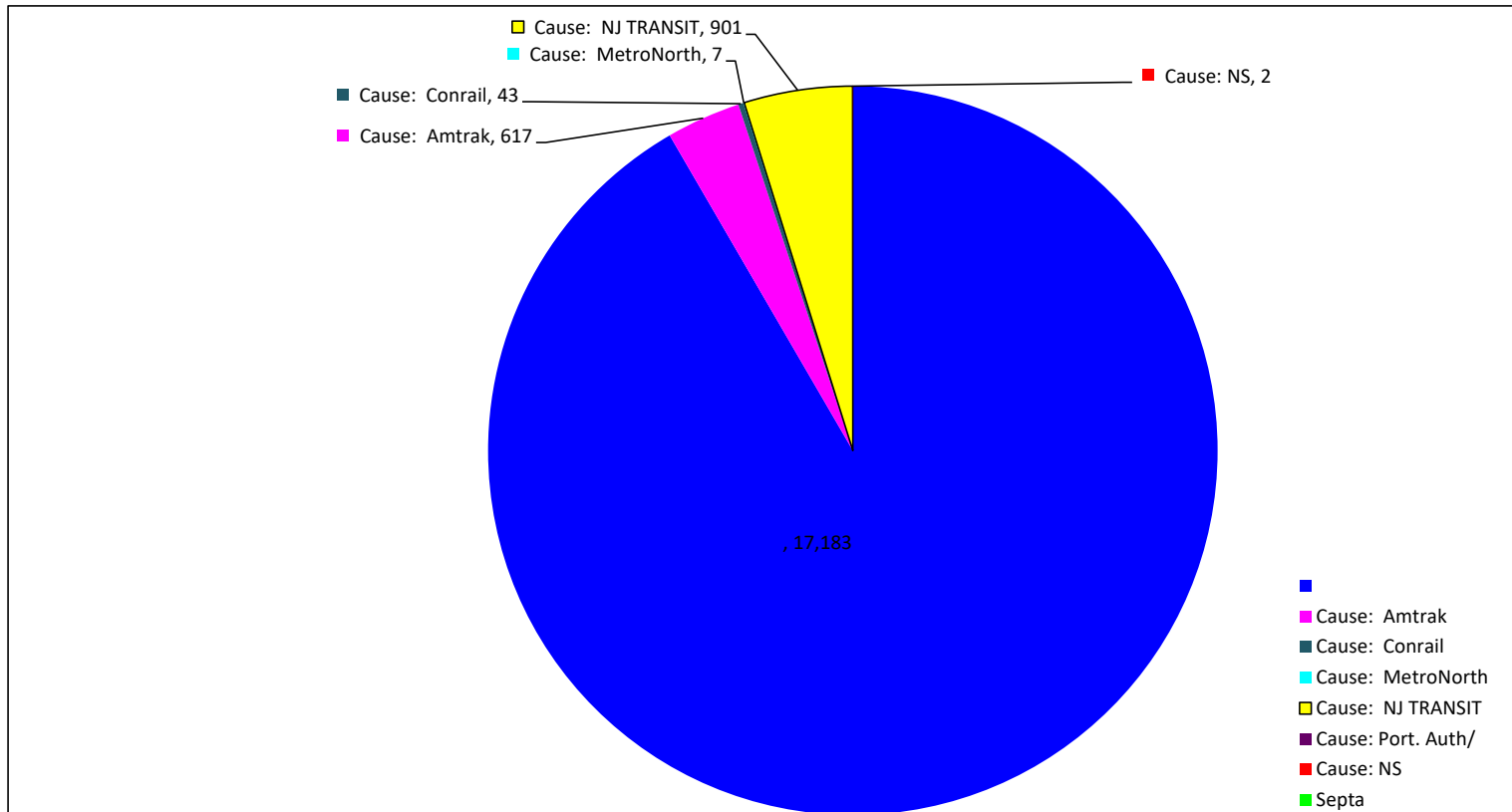


ATLANTIC CITY

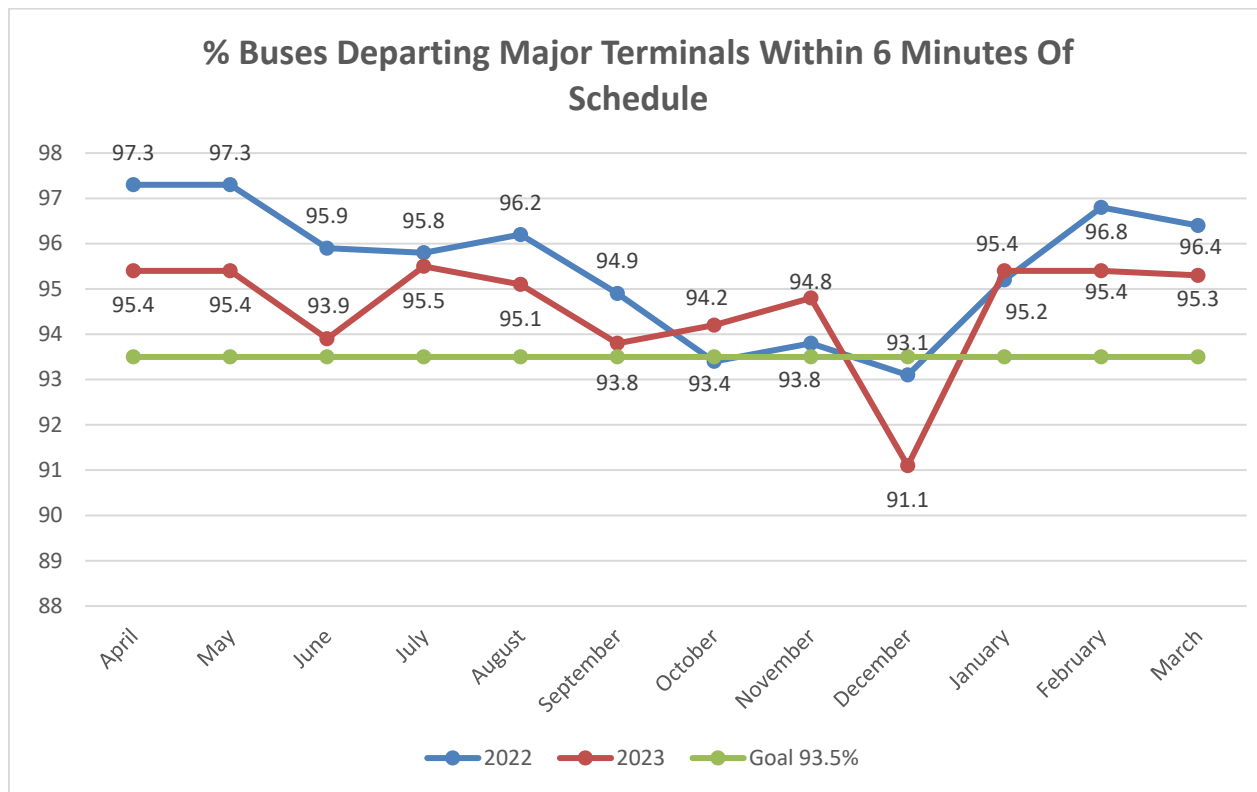


NJ TRANSIT Performance - March 2023
Late NJ TRANSIT Trains

# of Trains On Time	17,183	Cause: Amtrak	617	Cause: Conrail	43	Cause: MetroNorth	7	Cause: NJ TRANSIT	901	Cause: Port. Auth/	0	Cause: NS	2	Septa	0
# of Late Trains	1,570	3.29%	0.23%	0.04%	4.80%	0.00%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
Total # of Trains	18,753														
Percentage On Time	91.6%														



NJ TRANSIT ON-TIME PERFORMANCE BUS April 2021 – March 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
March Comparison	96.4%	95.3%	-1.1%
12-Month Average Apr 2022 – Mar 2023	95.5%	94.6%	-0.9%

Analysis*:

Bus On-Time Performance systemwide was 95.3% for the month of March 2023. Of the 48,153 monitored departures, 2,241 experienced delays.

Key Causes included:

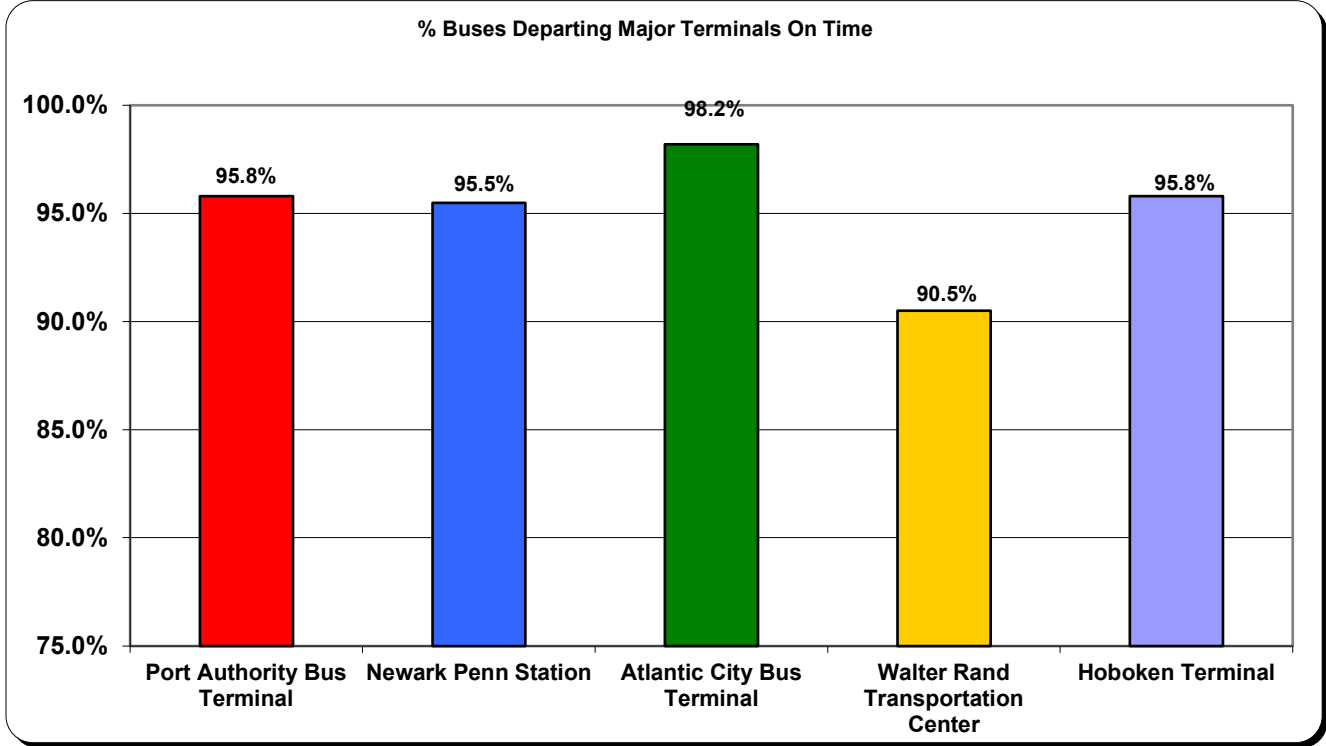
- At PABT, on the 15th high profile police escort caused delays. On the 30th heavy traffic and a disabled Coach bus on Rt. 495 westbound caused delays.
- At Newark Penn, On the 17th bus/auto accident, customers in need of assistance, inclement weather, detours on local roads due to utility work and road construction caused delays. On the 28th, mechanical issues, inclement weather, road closures caused delays. On the 31st, mechanical issues, delays due to road closures contributed to delays.

For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

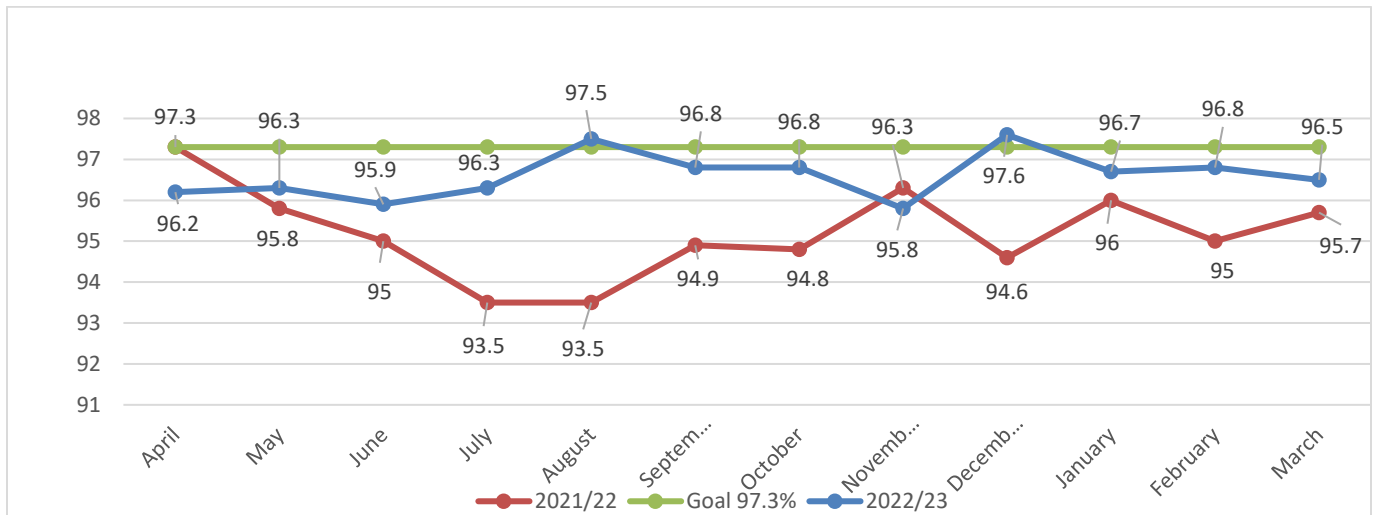
The 12-month average for Bus On-Time Performance was 94.6%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL March 2023



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



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
March Comparison	95.7%	96.5%	+0.8%
12-Month Average April 2021 – March 2023	96.3%	95.4%	-0.9%

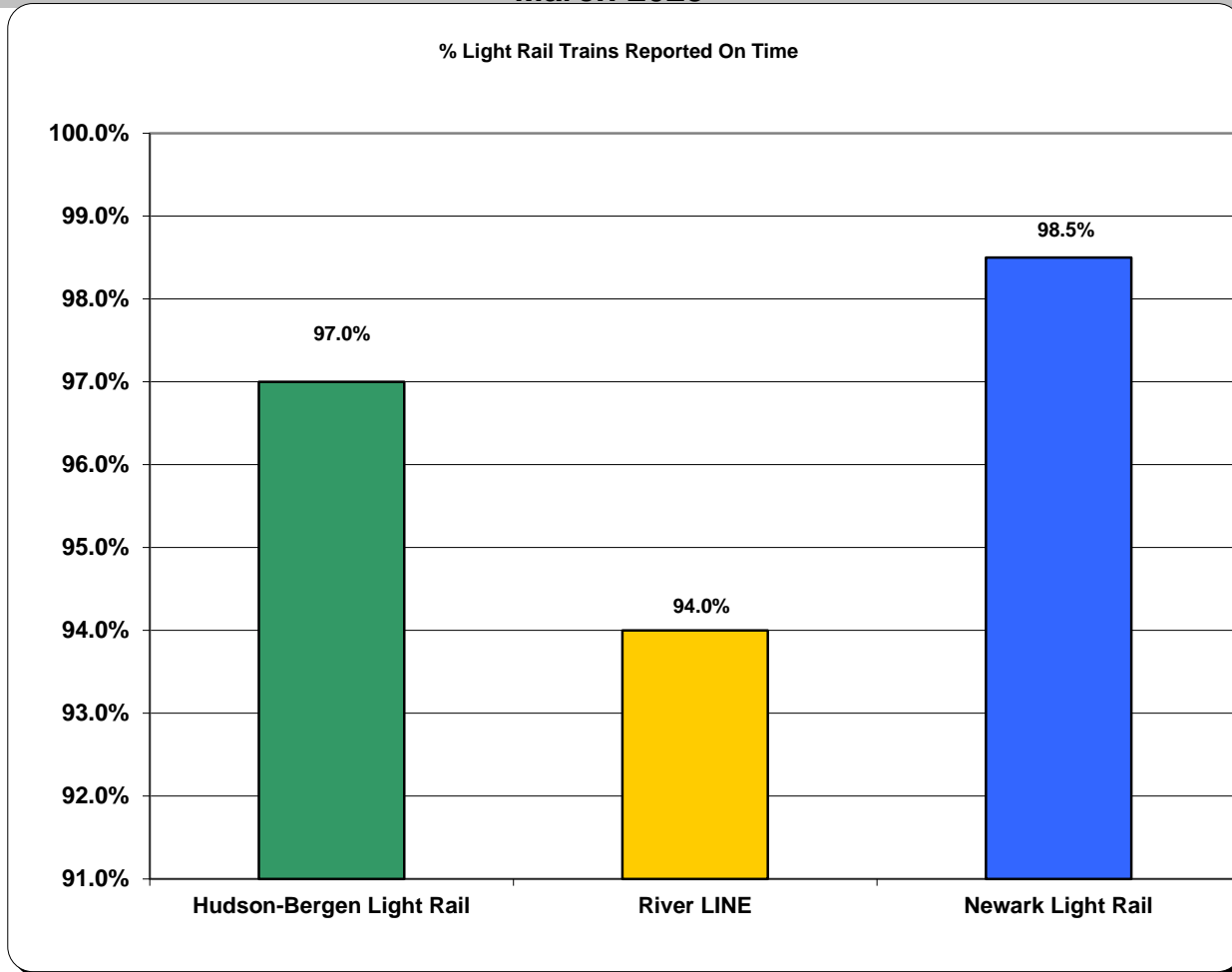
Analysis: Light Rail On-Time Performance system wide was 96.5% for the month of March. Of the 29,110 scheduled departures, 1,023 experienced delays.

Key Causes included:

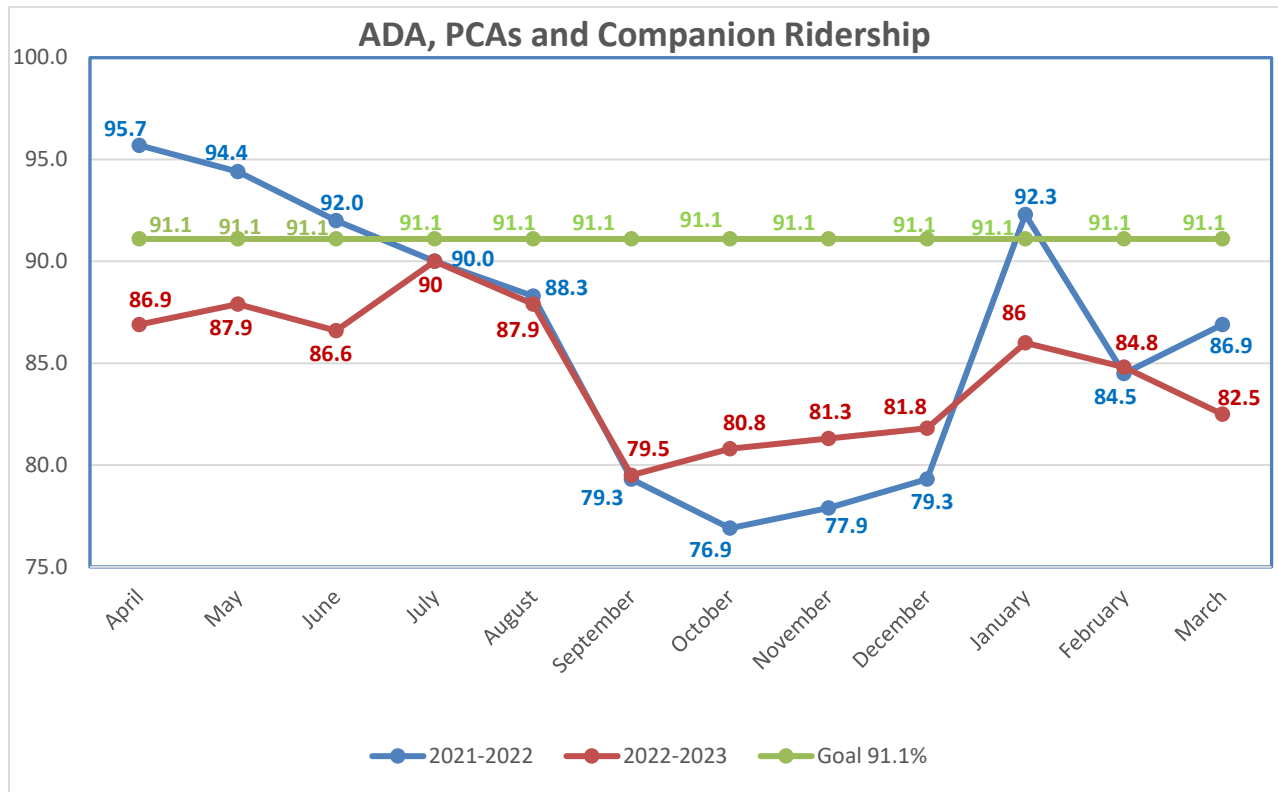
- **Newark Light Rail** – General maintenance taking place on multiple dates due to door, propulsion, and power/brake issues. Equipment malfunction/loss of communication at Penn Station resulted in 12 cancelled trains and 34 delays.
- **River LINE** – Incidents involving general maintenance of LRV/equipment issues taking place across multiple dates, including engine, door, signal, and brake issues. Track obstructions on 3/21 and 3/30 resulted in 7 delays.
- **HBLR** – Incidents involving general maintenance of LRV taking place across multiple dates, including door issues, power/propulsion issues, brakes, and other issues. Police activity throughout the month impacted 147 trains. Motor vehicle fouling tracks on 3/3, 3/14, 3/18, and 3/27 affected 14 trains. External passenger incidents on 3/2, 3/3, 3/11, 3/13, 3/15, 3/17, 3/27, and 3/30 impacted 61 trains. Motor vehicle accident on 3/6 impacted 44 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.4%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE March 2023



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



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
March Comparison	86.9%	82.5%	-4.4%
March Ridership	106,512	124,963	18,451
12-Month Average April 2022–March 2023	86.5%	84.7%	-1.8%

Analysis:

Access Link On-Time Performance was 82.5% for March 2023. In serving 134,828 total customers, for 124,963 ADA customers trips, 21,850 or (17.5%) experienced delays.

Key Causes included:

- (Statewide) service delays on 2/28, 3/13 & 3/14 due to inclement weather conditions
- Increased traffic during peak periods
- Regions 2, 5 & 6, 45-60 minute delays due to operator availability
- Customer cancellations and no-shows

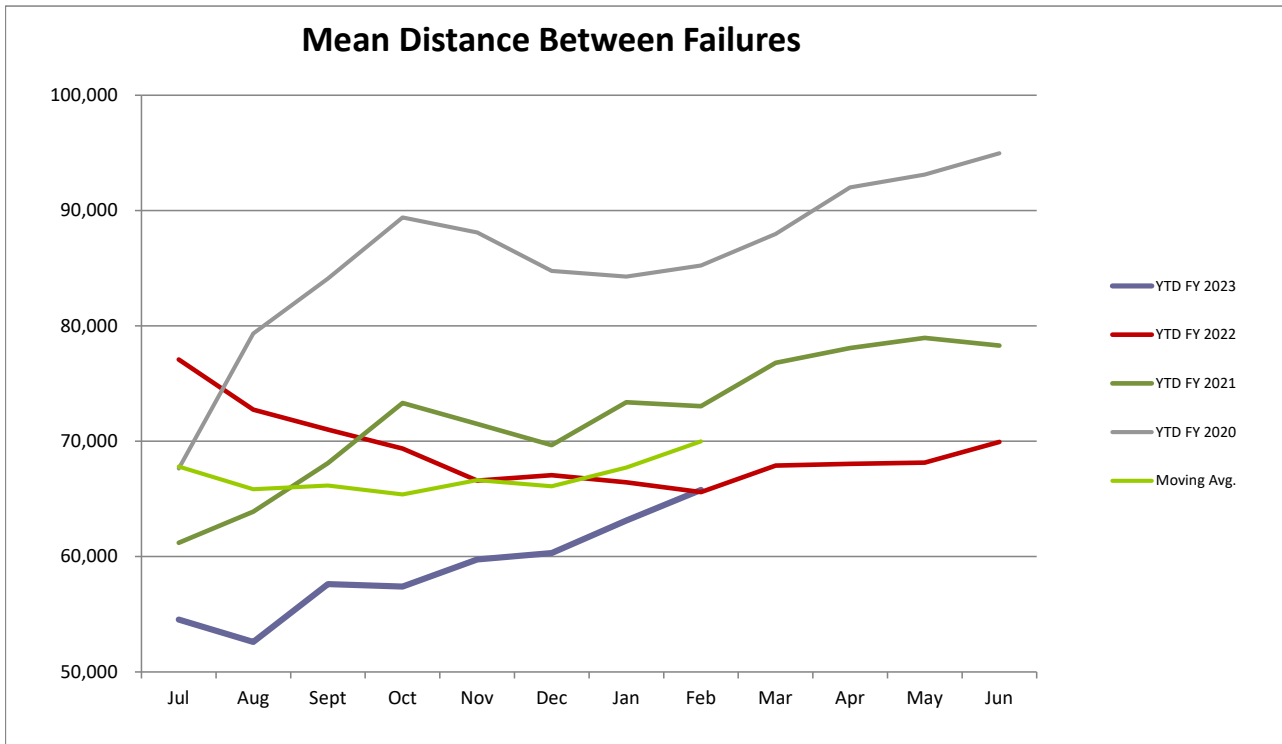
The 12-month Average for Access Link On-Time Performance was 84.7%.

MEAN DISTANCE BETWEEN FAILURES

February 2023

NJ TRANSIT Rail Operations
Mean Distance Between Failures

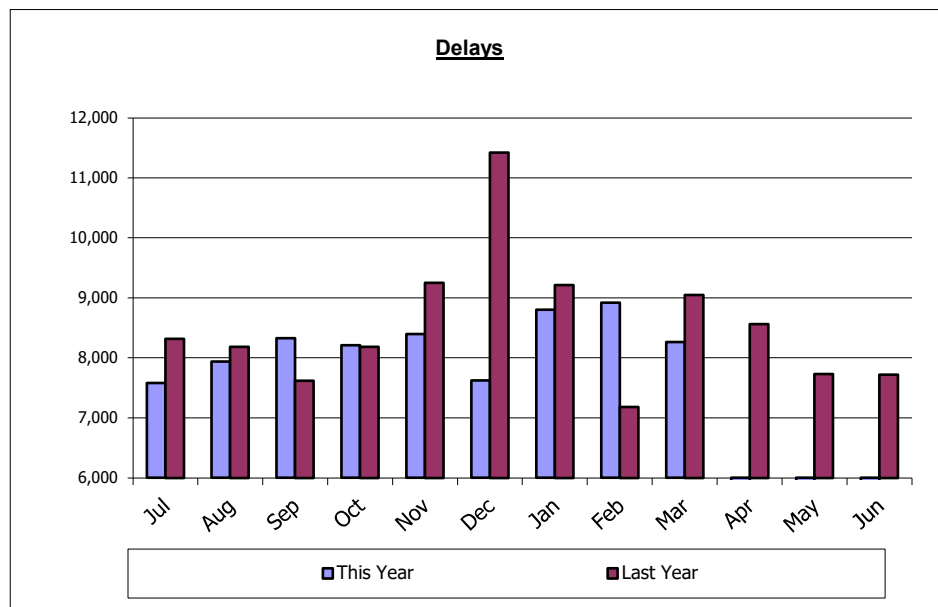
Month	YTD FY 2023	YTD FY 2022	YTD FY 2021	YTD FY 2020	12 Month Moving Avg.
Jul	54,531	77,087	61,198	67,634	67,808
Aug	52,602	72,743	63,891	79,350	65,832
Sept	57,623	71,005	68,109	84,111	66,170
Oct	57,410	69,368	73,320	89,410	65,389
Nov	59,761	66,597	71,498	88,101	66,636
Dec	60,315	67,060	69,664	84,773	66,090
Jan	63,121	66,433	73,392	84,273	67,726
Feb	65,780	65,594	73,030	85,233	69,991
Mar	-	67,894	76,790	87,973	-
Apr	-	68,050	78,072	92,007	-
May	-	68,153	78,962	93,119	-
Jun	-	69,949	78,300	94,969	-



Garage Performance Parameters

March 2023

Location	Miles Between In-Service Delays			
	FY2023 Goal	This Month	FY2023 YTD	FY2022 YTD
Fairview	5,500	5,909	7,677	5,775
Greenville	7,000	3,674	4,613	5,478
Market Street	8,000	5,095	4,001	4,056
Meadowlands	9,500	4,940	5,341	7,083
Oradell	10,000	22,849	13,603	5,860
Wayne	16,000	10,675	10,569	15,162
WestWood	-	19,345	18,504	-
Northern Division	-	7,478	7,274	6,682
Big Tree	9,500	4,718	4,978	5,250
Hilton	10,600	6,416	6,513	7,052
Howell	17,500	27,141	25,936	28,400
Ironbound	10,200	7,215	7,023	7,746
Orange	9,800	2,851	3,325	4,221
Morris	10,500	8,972	17,970	26,488
Central Division	-	6,666	7,118	8,274
Egg Harbor	14,000	14,070	12,004	13,088
Hamilton	11,000	15,322	9,140	10,069
Newton Avenue	15,000	11,160	11,955	16,878
Washington Twp.	16,000	20,812	17,085	19,152
Southern Division	-	15,189	12,766	14,750
Bus Operations	-	8,263	8,196	8,601

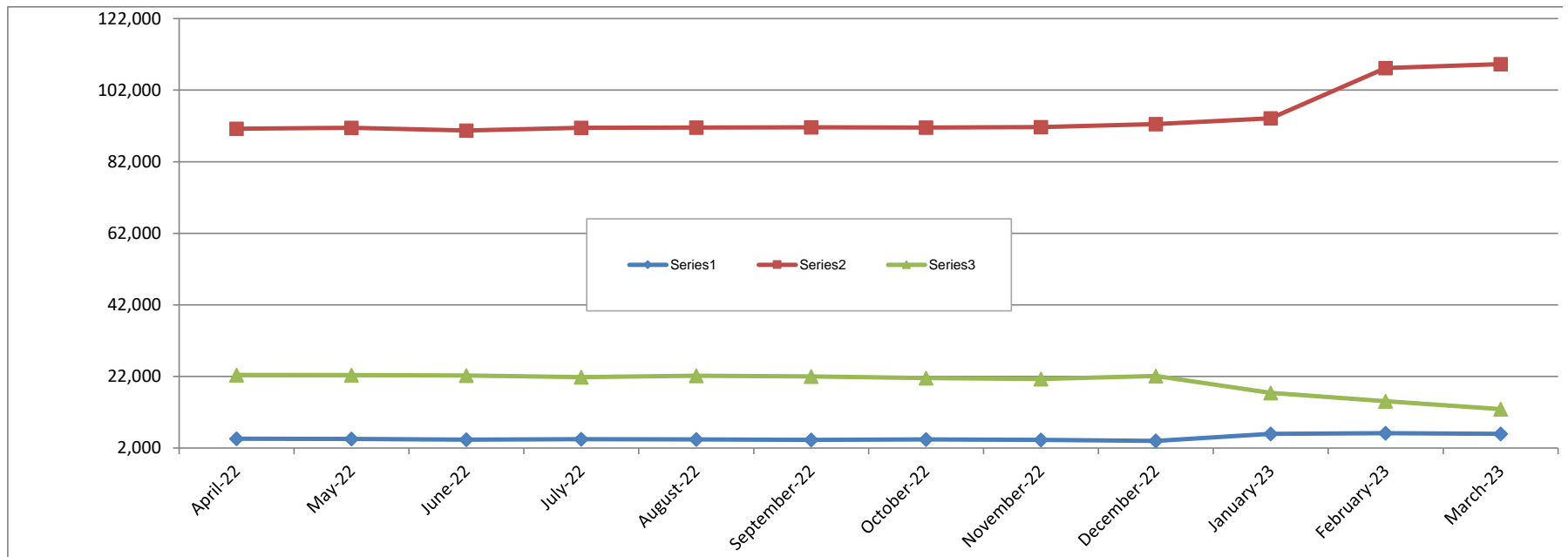


NJ TRANSIT - LIGHT RAIL, March 2023

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * March 2023	MDBSF * February 2023
Newark Light Rail	5,974	6,156
Hudson Bergen	109,280	108,205
River LINE	12,877	15,094

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE Participation for March 2023

State Funded Contracts

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

During the month of **March 2023** NJ TRANSIT awarded **\$437,804,748.50** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$13,961,070.89** or **3.19%**.

State Fiscal Year 2023 YTD (July 1, 2022, through June 30, 2023) NJ TRANSIT awarded **\$480,663,485.64** in state funded contracts. Of that total, SBEs received **\$17,221,119.60** or **3.58%**.

Note: The above reflects the Procurement Report of Awards received on April 6, 2023

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

Category 1 SBEs	\$334,275.24	0.07%
Category 2 SBEs	\$6,253,844.25	1.30%
Category 3 SBEs	\$1,998,357.42	0.42%
Category 4 SBEs	\$992,513.69	0.21%
Category 5 SBEs	\$7,642,129.00	1.59%
Category 6 SBEs	\$0.00	0.00%

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

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

During the 2nd Quarter (January 1, 2023 – March 31, 2023) the FTA funded share of NJ TRANSIT’s federal contracts awarded was **\$11,423,198.80**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$1,372,353.81** or **12.01%**

FFY 2023 through FFY 2025 Q2 (October 1, 2023 – September 30, 2025) NJ TRANSIT awarded **\$23,568,968.00**** in federally funded contracts. Of that total, DBEs received **\$8,642,888.06** or **36.69%**.

**Numbers reflect federal share*

*** Number includes subrecipient awards*

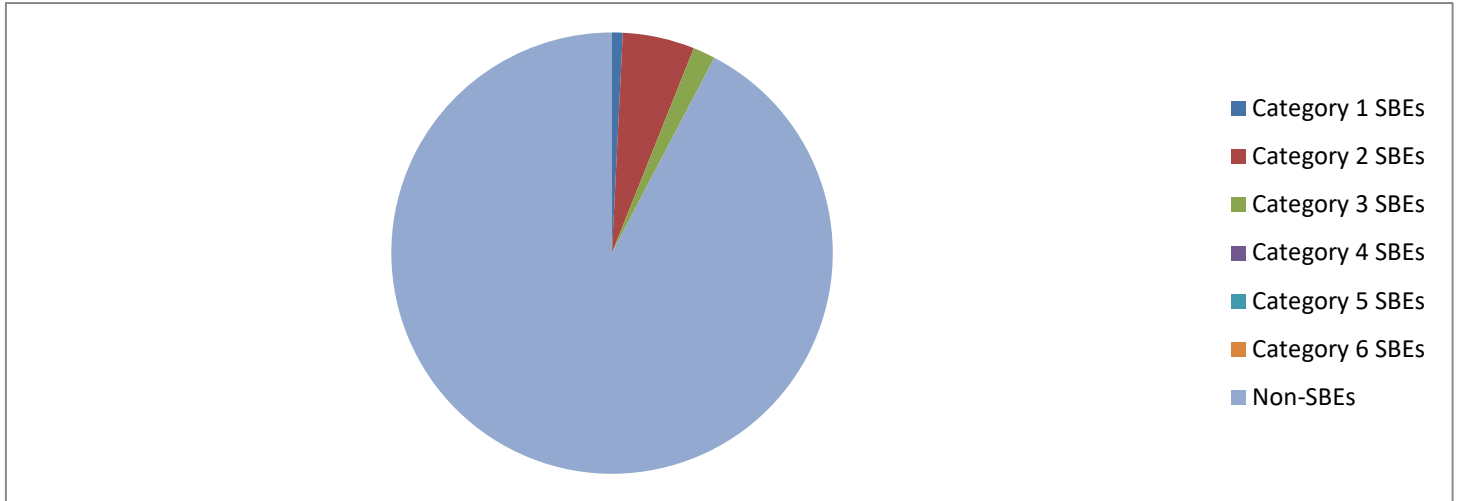
Transit Vehicle Manufacturer (TVM)¹ Awards

(Next update will occur in July 2023)

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.

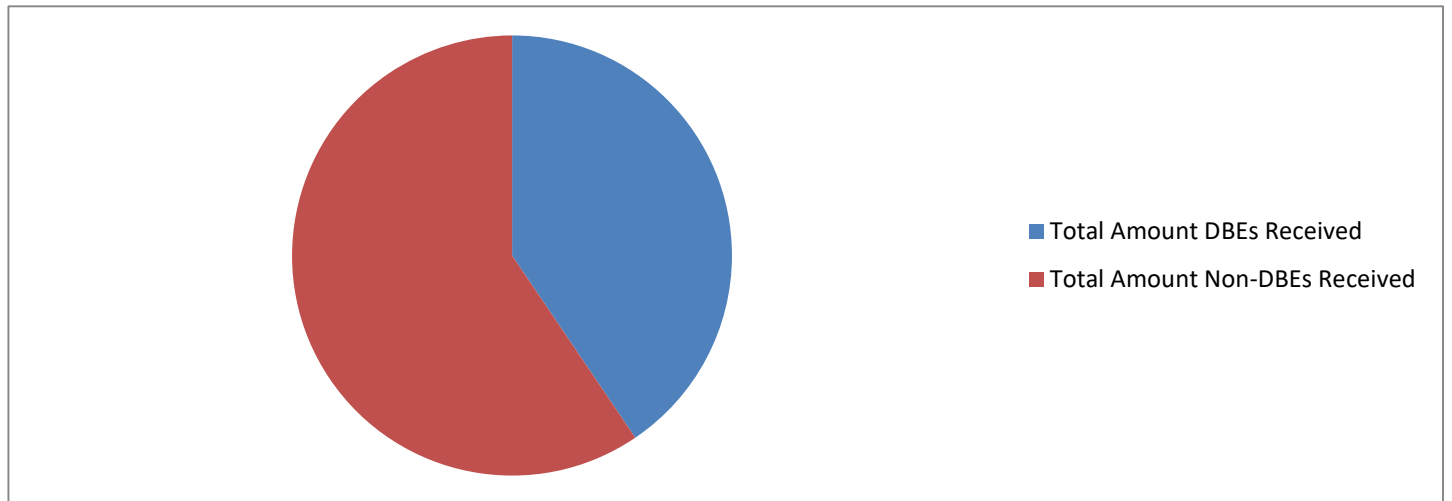
STATE CONTRACTS
STATE FYTD 2023

<i>Category 1 SBEs</i>	\$334,275.24	0.07%
<i>Category 2 SBEs</i>	\$6,253,844.25	1.30%
<i>Category 3 SBEs</i>	\$1,998,357.42	0.42%
<i>Category 4 SBEs</i>	\$992,513.69	0.21%
<i>Category 5 SBEs</i>	\$7,642,129.00	1.59%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$463,442,326.04	96.42%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FYTD 2023-2025

Total Amount DBEs Received	\$8,642,888.06	36.67%
Total Amount Non-DBEs Received	\$14,926,079.94	63.33%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

58 NJ TRANSIT employees retired recently:

1. Evelyn Ayende, Laborer -- Hoboken -- 30 years
2. Harold Bauman, Conductor -- Various -- 35 years
3. Wayne Beach, Machinist -- MMC -- 20 years
4. Stephoney Bell, Asst Conductor -- Various -- 20 years
5. Dennis Daddetta, Tech -- MMC -- 20 years
6. Marcos Flores, Conductor -- Various -- 35 years
7. Adrian Hicks, Machinist -- MMC -- 31 years
8. Keith Holley, Electronic Tech -- Hammonton -- 10 years
9. Tyson Jones, Lead Laborer -- Various -- 31 years
10. Leonard Oglesby, TVM Agent -- Hamilton -- 35 years
11. Venessa Walker, Stations and Revenue Supervisor -- PSNY -- 20 years
12. Allen Davis, Operator -- Market St. -- 30 years
13. Ledith Cunningham, Operator --- Ironbound -- 10 years
14. Donald Hunt, Operator -- Washington Twp. -- 19 years
15. Wilton Merceda, Depot Mstr -- Bloomfield VBF -- 32 years
16. Roy Lyon, Operator -- Fairview -- 34 years
17. Virginia Mota, Operator -- Newton Ave. -- 22 years
18. Stephen Petrilak, Repairman -- Washington Twp. -- 21 years
19. Pierre Polynice, Operator -- Hilton -- 19 years
20. Wayne Price, Operator -- Newton Ave. -- 11 years
21. Gebrail Saati, Operator -- Oradell -- 18 years
22. Terrance Sifontes, Repairman -- Wayne -- 23 years
23. Pablo Arrendondo, Operator -- Market St. -- 21 years
24. Walter Bellamy Jr., Operator -- Oradell -- 38 years
25. Richard Bucci, Depot Mstr -- Egg Harbor -- 35 years
26. Beaulieu Cadet, Operator -- Ironbound -- 29 years
27. Frederick Calderone, Mechanic -- Newark Bus -- 37 years
28. Rafael Candelaria, Operator -- Westwood -- 19 years
29. Newton Davidson, Operator -- Oradell -- 18 years
30. Charles Deloach, Operator -- Market St. -- 27 years
31. Dieufrance Exume, Light Rail Operator -- Bloomfield -- 21 years
32. Paul Fontenot, Repairman -- Howell -- 32 years
33. Andrew Frederick, Operator -- Wayne -- 27 years
34. Ramon Garcia, Operator -- Oradell -- 20 years
35. Michel Georges, Operator -- Orange -- 29 years

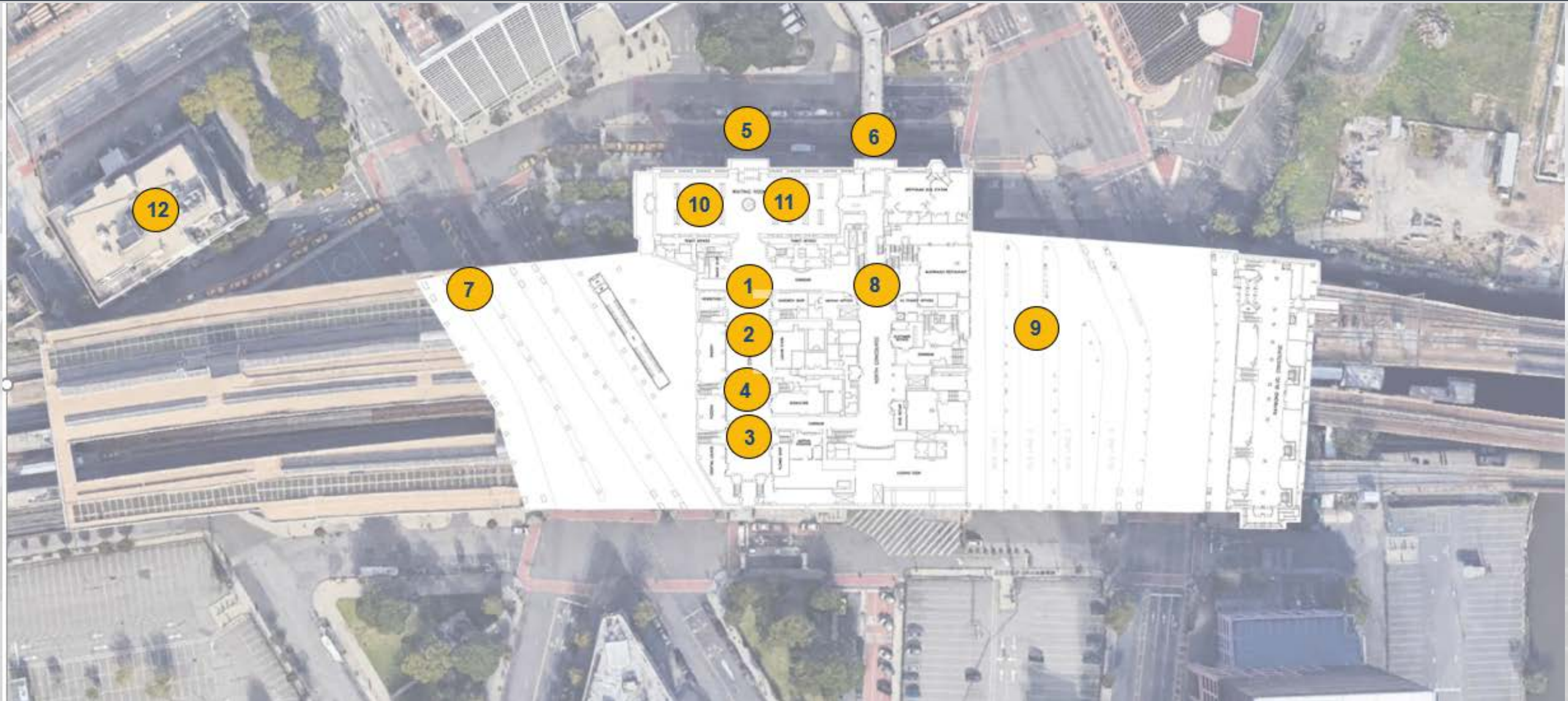
36. Melvin Giron, Operator -- Orange -- 30 years
37. Richard Gotkin, LRT Tech -- Bloomfield -- 18 years
38. Tammy Harden, Operator -- Washington Twp. -- 27 years
39. Quentin Harris, Operator -- Big Tree -- 24 years
40. Omar Higgs, Operator -- Washington Twp. -- 28 years
41. Robert Homiski, Repairman -- Ironbound -- 30 years
42. Elizabeth Johnson, Operator -- Oradell -- 30 years
43. Linda Killen, Operator -- Orange -- 27 years
44. Chauncey Lovelace, Operator -- Egg Harbor -- 20 years
45. Diane McLean, Depot Mstr -- Greenville -- 26 years
46. Harold Mendoza, Operator -- Meadowlands -- 20 years
47. Patricia Mills, Operator -- Big Tree -- 30 years
48. Evelyn Ortiz, Operator -- Fairview -- 22 years
49. Darren Parker, Mechanic -- Meadowlands -- 34 years
50. Christopher Porter, Operator -- Ironbound -- 23 years
51. Nicholas Recanati, repairman -- Westwood -- 25 years
52. Edwin Richardson, Operator -- Wayne -- 32 years
53. Reinaldo Rosario, Operator -- Wayne -- 25 years
54. David Trasatti, Repairman -- Washington Twp. -- 23 years
55. Ogar Watson, Operator -- Hamilton -- 26 years
56. William Young, Operator -- Wayne -- 20 years
57. Kumar Mahabir, Terminal Supervisor -- PABT -- 25 years
58. Edward Fang, Sr. Program Manager -- HQ -- 30 years

NEWARK PENN STATION REIMAGINING PROJECT

April 2023



Completed



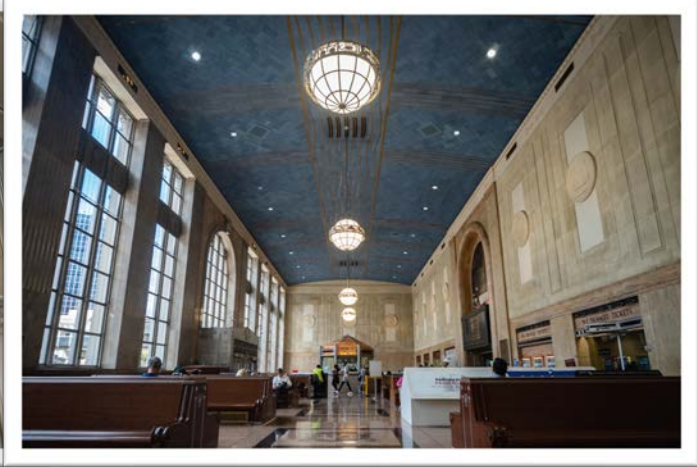
Ground Floor Plan

Completed

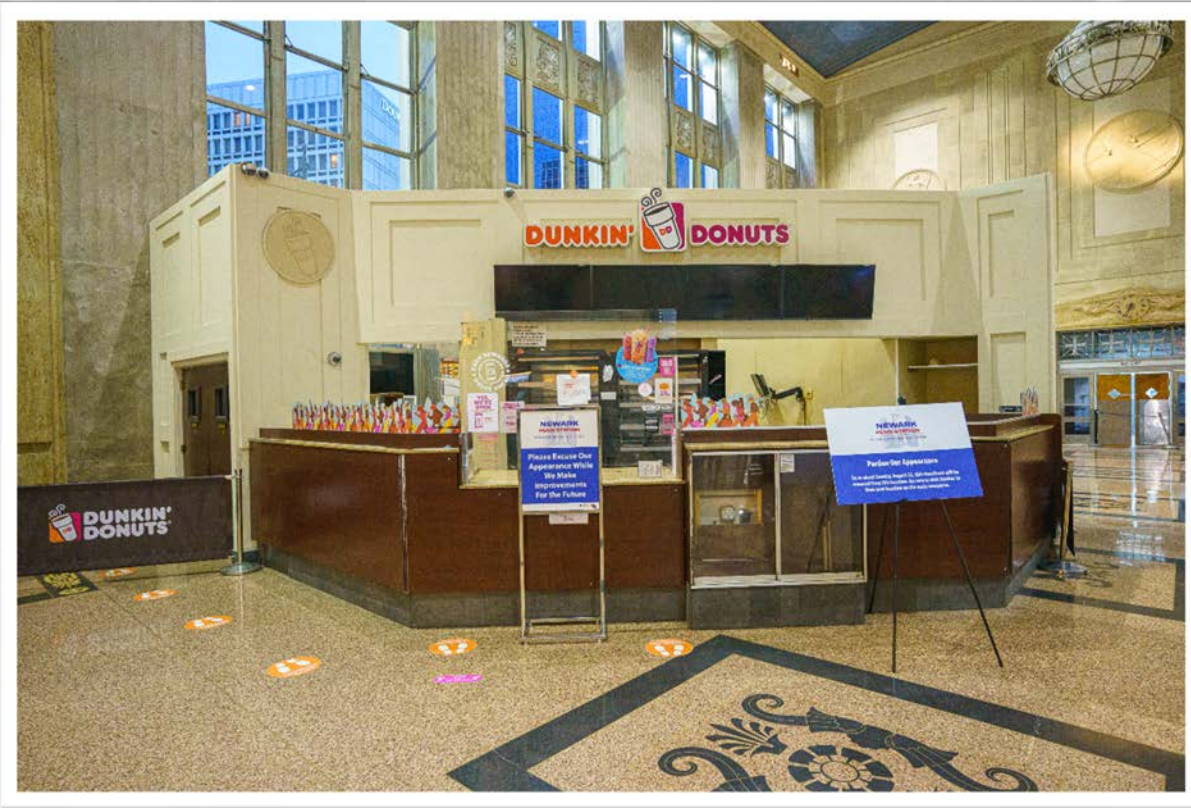
Since October 2020, NJ TRANSIT has:

1. Installed brighter, energy efficient lighting.
2. Painted the ceiling and walls in the common areas.
3. Restored the historic tiles in the stairwells leading to the platforms.
4. Updated the men's and women's restrooms fixtures.
5. Soft washed the exterior of the Station.
6. Replaced the air curtains at the Station entrances/exits.
7. Installed new lighting on Edison Place and Market Street underpasses.
8. Restored the historic backlit overhead signs on the platforms.
9. Improved drainage and paved Market Street and the Bus Lanes.
10. Restored/upgraded the 4 globe lights in the Main Waiting Room.
11. Removed the Dunkin' kiosk from the Main Waiting Room.
12. Demolished the Old Boiler House on Edison Place.

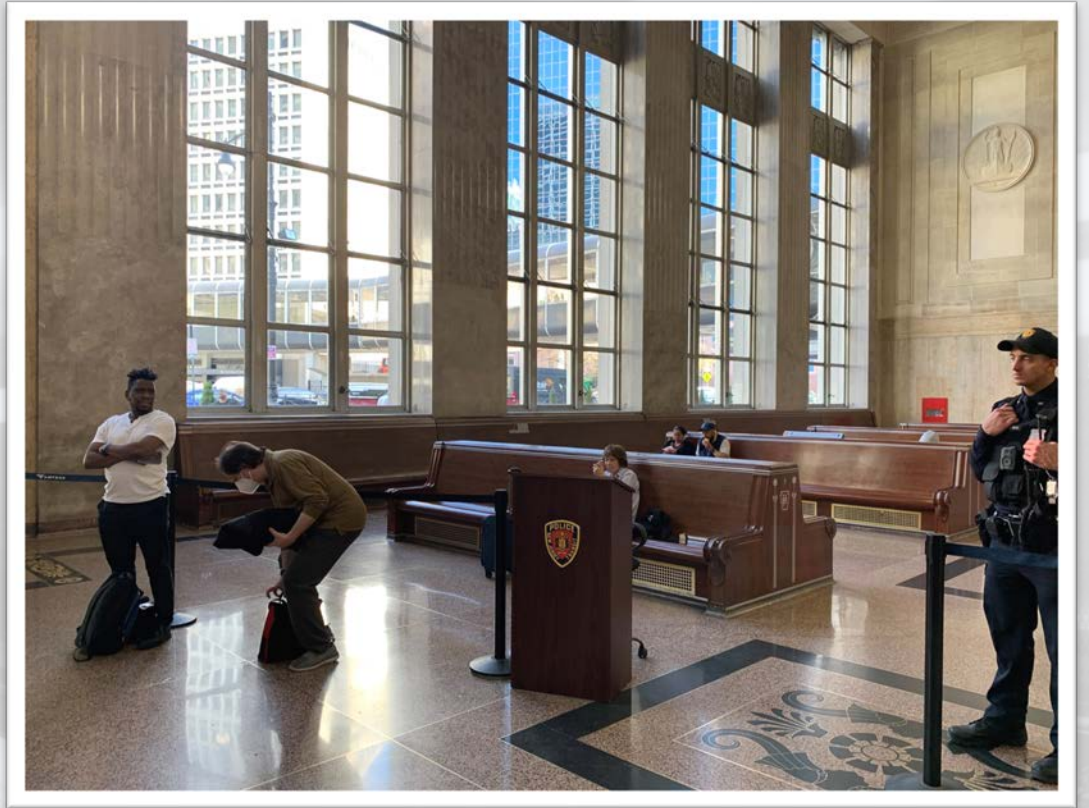
Completed



Completed



Before



After

Dunkin' Donuts Kiosk Demolition

Progress

NJ TRANSIT is currently in the process of:

1. Installing new chiller units and cooling towers to cool the Station.
2. Restoring the historic wooden benches in the main waiting room and on the platforms.
3. Adding passenger elevator service to Platform D.
4. Replacing the platform doors on Platforms B and D.
5. Implementing interim improvements at Raymond Plaza West to improve traffic circulation and provide a more inviting atmosphere at the Main Entrance (see next slide).

Progress



The proposed concept is currently under review by City of Newark and NJ TRANSIT Stakeholders

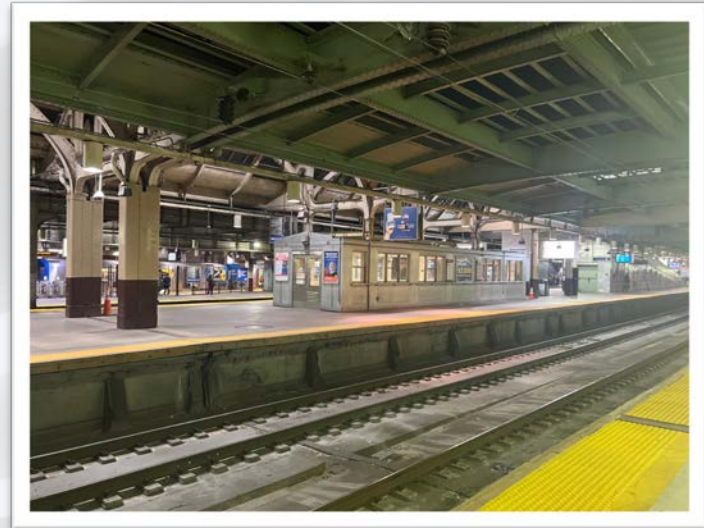
For Conceptual Illustrative Purposes Only

Progress - Platform D Improvement Project

The Platform D Improvement project will improve the condition, appearance and functionality of the island passenger boarding platform.

The Scope of Work includes:

- Repairing/replacing the platform deck, the canopy roofing system and support columns including the roof drainage system and re-glazing of the skylight and the Platform H roof.
- Upgrading the canopy lighting, electrical and communication systems (including speakers, cameras, ADA compliant VMS, and installation of a new electrical/communication trough).
- Cleaning and repairing the waiting room area façades.



60% Design Under Review

Master Plan Improvements

- **The Master Plan Improvement project will restore and modernize Newark Penn Station** making the Station the crown jewel of Newark.
- Scope Of Work includes improvements to the Concourse and upgrading mechanicals (elevators, escalators, HVAC).
- **Project will be executed in 3 Phases**
 - Phase 1 – Master Planning & 10% Concept Design (began March 2022)
 - Phase 2 – 10% Concept Design to 100% Final Design
 - Phase 3 – Construction Support Services

ACTION ITEMS

ITEM 2304-17: UNARMED SECURITY GUARD SERVICES CONTRACT AWARD

WHEREAS, NJ TRANSIT is seeking to enter into a contract for unarmed security services to ensure the safety and security of its riders, employees, and facilities; and

WHEREAS, the security services will be provided to NJ TRANSIT Rail Operations, NJ TRANSIT Bus Operations, and NJ TRANSIT Light Rail Operations, as well as NJ TRANSIT Headquarters and Maplewood General Office Building (GOB); and

WHEREAS, an Invitation for Bid (IFB) for Unarmed Security Guard Services was advertised on August 4, 2022; and

WHEREAS, the NJ TRANSIT Office of Business Development (OBD) set a three percent SBE Category 3 goal; and

WHEREAS, upon completion of a competitive procurement process, Gateway Security, Inc. was identified as the lowest responsive bidder;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO, or a designee, is authorized to enter into NJ TRANSIT Contract No. 22-064 with Gateway Security, Inc. of Newark, New Jersey, for unarmed security guard services, for a five-year base contract period of July 1, 2023, through June 30, 2028, at a cost not to exceed \$49,356,831.97, plus five percent for contingencies, for a total contract authorization of \$51,824,673.57, subject to the availability of funds.

ITEM 2304-18: EXECUTION OF CONTRACT 19-064 OPTION PERIOD ONE FOR THE PROVISION OF ACCESS LINK SERVICE IN REGION 6 (BERGEN, HUDSON, PASSAIC, AND PARTS OF ESSEX COUNTIES)

WHEREAS, staff has determined it is appropriate for First Transit, Inc. of Cincinnati, Ohio, to continue to provide Access Link service in Bergen, Hudson, Passaic, and parts of Essex Counties for the contract's option one period, beginning July 1, 2023, and ending June 30, 2025; and

WHEREAS, a Request for proposal (RFP 19-064) was issued in 2019 to seek competitive proposals from paratransit carriers to provide these services; and

WHEREAS, the NJ TRANSIT Office of Business Development established a three percent SBE Category 6 goal for this contract; and

WHEREAS, NJ TRANSIT's Technical Evaluation Committee has reviewed the vendor proposals received for the provision of Access Link service in Region 6; and

WHEREAS, upon completion of the competitive procurement process, it has been determined that First Transit, Inc. submitted the proposal that provides the best value and is in the best interest of NJ TRANSIT; and

WHEREAS, NJ TRANSIT entered into agreements for First Transit, Inc. to provide service in Region 6 following NJ TRANSIT Board of Directors approval with Board Item 2007-49 dated July 15, 2020, for an initial term of July 19, 2020 to June 30, 2023, at a cost of \$47,065,332.00, plus five percent contingencies, for a total contract authorization of \$49,418,599.00, with options to extend those services for two 24-month periods until July 10, 2027, for a combined cost of \$129,288,395.00, plus five percent for contingencies, for a total authorization of \$135,752,815.00, subject to the availability of funds and Board approval of NJ TRANSIT's operating budget; and

WHEREAS, providing uninterrupted Access Link service for the provision of ADA paratransit is a requirement of the ADA and the federal government; and

WHEREAS, the procurement included two option periods required to be priced by the proposers and to be exercised at NJ TRANSIT's sole discretion. Staff will seek further authorization at a later date should NJ TRANSIT decide to exercise the second option period with First Transit, Inc. to operate Access Link Region 6 service for the period July 1, 2025, through July 10, 2027;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to exercise the first option to extend NJ TRANSIT Contract 19-064 with First Transit, Inc. of Cincinnati, Ohio, to operate Access Link service in Region 6 (Bergen, Hudson, Passaic, and parts of Essex Counties) for a 24-month period from July 1, 2023

through June 30, 2025 at a cost not to exceed \$38,146.669.00, plus five percent for contingencies, for a total contract authorization of \$40,054,002.00, subject to the availability of funds and Board approval of NJ TRANSIT's operating budget.

ITEM 2304-19: EXECUTION OF CONTRACT 19-063 OPTION PERIOD ONE FOR THE PROVISION OF ACCESS LINK SERVICE IN REGION 3 (ATLANTIC, CAPE MAY, CUMBERLAND, AND SOUTHERN OCEAN COUNTIES)

WHEREAS, staff has determined it is appropriate for Easton Coach Company, of Easton, Pennsylvania, to continue to provide Access Link service in Atlantic, Cape May, Cumberland, and Southern Ocean Counties for the contract's option one period, beginning July 1, 2023 and ending June 30, 2025; and

WHEREAS, a Request for proposal (RFP 19-063) was issued in 2019 to seek competitive proposals from paratransit carriers to provide these services; and

WHEREAS, the NJ TRANSIT Office of Business Development established a three percent SBE Category 6 goal for this contract; and

WHEREAS, NJ TRANSIT's Technical Evaluation Committee has reviewed the vendor proposals received for the provision of Access Link service in Region 3; and

WHEREAS, upon completion of the competitive procurement process, it has been determined that Easton Coach Company submitted the proposal that provides the best value and is in the best interest of NJ TRANSIT; and

WHEREAS, NJ TRANSIT entered into agreements for Easton Coach Company to provide service in Region 3 following NJ TRANSIT Board of Directors approval with Board Item 2005-25 dated May 13, 2020, for an initial term of July 12, 2020 to June 30, 2023, at a cost of \$14,235,059.00, plus five percent for contingencies, for a total contract authorization of \$14,946,812.00, with options to extend those services for two 24-month periods until July 17, 2027, for a combined cost of \$37,893,746.00, plus five percent for contingencies, for a total authorization of \$39,788,433.00, subject to the availability of funds and Board approval of NJ TRANSIT's operating budget; and

WHEREAS, providing uninterrupted Access Link service for the provision of ADA paratransit is a requirement of the ADA and federal government; and

WHEREAS, the procurement included two option periods required to be priced by the proposers and to be exercised at NJ TRANSIT's sole discretion. Staff will seek further authorization at a later date should NJ TRANSIT decide to exercise the second option period, with Easton Coach Company to operate Access Link Region 3 service for the period July 1, 2025 through July 17, 2027;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to exercise the first option to extend NJ TRANSIT Contract 19-063 with Easton Coach Company, of Easton, Pennsylvania, to operate Access Link service in Region 3 (Atlantic, Cape May, Cumberland, and Southern Ocean Counties) for a 24-month period

from July 1, 2023 through June 30, 2025 at a cost not to exceed \$11,013,952.00, plus five percent for contingencies, for a total contract authorization of \$11,564,650.00, subject to the availability of funds and Board approval of NJ TRANSIT's operating budget.

ITEM 2304-20: REGULATIONS: PROPOSED INITIATION OF RULEMAKING PROCESS FOR N.J.A.C. 16:78, SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM

WHEREAS, the New Jersey Transit Corporation (“NJ TRANSIT”) was established by the New Jersey Public Transportation Act of 1979 “the Act” (N.J.S.A. 27:25-1 et seq.) as the instrumentality of the State of New Jersey to establish and provide for the operation and improvement of a coherent public transportation system in the most efficient and effective manner; and

WHEREAS, in accordance with N.J.S.A. 27:25-5(e), (h), and (k) and N.J.S.A. 27:25-6(b), NJ TRANSIT has the statutory authority to promulgate rules and regulations; and

WHEREAS, in 1981, New Jersey voters approved an amendment to the State Constitution that allowed revenue from the casino fund to be used for additional or expanded transportation services for senior citizens and people with disabilities; and

WHEREAS, in 1984, the Senior Citizen and Disabled Resident Transportation Assistance Act was enacted. Thereafter, NJ TRANSIT established the Senior Citizen and Disabled Resident Transportation Assistance Program (SCDRTAP); and

WHEREAS, NJ TRANSIT continues to assist counties and designated recipients through the program by developing feeder transportation services, developing local transit services, and financing NJ TRANSIT capital improvements to increase accessibility through the program; and

WHEREAS, staff reviewed the proposed regulations and determined that the rules are necessary, adequate, reasonable, efficient, and responsible to the purposes for which they were originally promulgated, and should initiate the rulemaking process for the proposed rules to be adopted as new rules; and

NOW, THEREFORE, BE IT RESOLVED that the Chair or the President & CEO, or the appropriate designee, is hereby authorized to take all actions necessary to initiate the rule-making process for the adoption of the regulations, N.J.A.C. 16:78 Senior Citizen and Disabled Resident Transportation Assistance Program, consistent with this Board item and Exhibit A.

EXHIBIT A

TRANSPORTATION

NEW JERSEY TRANSIT CORPORATION

Senior Citizen and Disabled Resident Transportation Assistance Act Program

Guidelines and Procedures

Proposed New Rules: N.J.A.C 16:78

Authorized by: New Jersey Transit Corporation, Kevin S. Corbett, President & Chief Executive Officer.

Authority: N.J.S.A. 27:25—5(e) and N.J.S.A. 27:25-32(a)

Calendar Reference: See summary below for explanation to calendar requirement

Proposal Number: PRN 2023-____

Submit Comments by _____ to:

Adam Phelps

New Jersey Transit Corporation

One Penn Plaza East

Newark, NJ 07105-2246

Email: SCDRTAP@njtransit.com

The agency proposal follows:

Summary

Pursuant to N.J.S.A. 52:14B-5.16, N.J.A.C. 16:78, the Senior Citizen and Disabled Resident Transportation Assistance Act Program Guidelines and Procedures, expired on October 25, 2005. The proposed new rules re-promulgate the expired rules, which were first adopted effective October 7, 1985, and make certain revisions.

EXHIBIT A

In 1981, the voters in this State approved an amendment of the State Constitution, which provided that revenues from casino taxes could be used for additional or expanded transportation services or benefits to senior citizens and people with disabilities. As a result, the 1984 Senior Citizen and Disabled Resident Transportation Assistance Act (the "Act") was passed. The Act authorized the New Jersey Transit Corporation ("NJ TRANSIT" or the "Corporation") to use a portion of the taxes derived from the taxation of gambling establishments in Atlantic City to provide additional or expanded transportation services or benefits to senior citizens and people with disabilities.

NJ TRANSIT, consistent with this statutory authority and in conjunction with its Senior Citizen Disabled Resident Transportation Advisory Committee ("SCDRTAC") and the 21 counties, enacted rules establishing the Senior Citizen and Disabled Resident Transportation Assistance Program ("SCDRTAP"). The rules lapsed in 2005. NJ TRANSIT desires to promulgate new rules for two main reasons. First, the rules modernize the program to reflect current trends in the transportation industry, including the recent emergence of transportation network companies (TNCs). Second, as part of a 2021 consent decree between the Department of Justice and the State of New Jersey and NJ TRANSIT regarding the National Voter Registration Act (NVRA), NJ TRANSIT is required to amend its rules to ensure counties or designated recipients of program funds comply with NVRA guidelines, rules, or regulations for voter registration. The proposed rules reflect this requirement. These two recent developments make promulgation of the rules timely and appropriate.

NJ TRANSIT has reviewed these rules and proposes the below as new rules. Changes made to definitions were made to describe commonly used terms in this program and appropriate language used by the target population. Changes in the application requirements

EXHIBIT A

were made to reflect information deemed necessary to effectively monitor the program and to establish more opportunities for the public to provide input into the process. NJ TRANSIT finds the proposed changes to be necessary, reasonable, adequate, efficient, understandable, and responsive to the purpose for which it was originally promulgated and, therefore, proposes the below as new rules.

A summary review of the each of the subchapters of N.J.A.C. 16:78 follows:

Subchapter 1, General Overview, contains the purpose of the chapter and sets forth definitions of terms used in this chapter.

Subchapter 2, Apportionment, describes the method of allocating funds to the counties, includes a funding formula, availability of funds for the corporation and the counties, as well as the transfer of funds process when allocations are not expended.

Subchapter 3, Eligibility, describes the eligibility requirements for recipients, service areas, activities, coordination plan and Local Citizens Advisory Committee requirements.

Subchapter 4, Program Developments and Management contains the methods and requirements for program development and covers regional public hearings, annual audits, technical assistance, and the corporation's reporting requirements.

Subchapter 5, Local Assistance Application, contains the requirements for the submission of an application by the counties or their designees, for local assistance under the Senior Citizen and Disabled Resident Transportation Assistance Act. The subchapter includes a description of the eligible entities, the elements of the required description of proposed services, budget, coordination of services, public involvement, and commitment and resolution by the governing body.

NJ TRANSIT has determined that the comment period for this notice of proposal shall

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be 60 days; therefore, pursuant to N.J.A.C. 1:30-3.3(a)(5), this notice of proposal is excepted from the rulemaking calendar requirement.

Social Impact

The social impact of the rule has not changed since the rules were first adopted in 1985 following legislative enactment authorized by the New Jersey Constitution. The program continues to assist counties in developing accessible feeder transportation services and accessible local transit service. It also enables NJ TRANSIT to develop and maintain capital improvements promoting transportation accessibility for senior citizens and people with disabilities, to provide a higher level of accessible public transportation service, and to render technical assistance to the counties.

The Senior Citizen and Disabled Resident Transportation Assistance Act program provides additional transportation services to senior citizens and people with disabilities and has had, and will continue to have, a positive effect on this segment of the population. The program enables this segment of the population to access services in their own communities, whether they are rural or urban, and to more readily remain a part of their communities. The rules proposed will continue to have a positive social impact on the populations served.

Economic Impact

There is a positive economic impact of this allocation to the eligible senior citizens and people with disabilities, as well as to local services and businesses patronized by them and the construction and equipment suppliers who assist in the provision of services. In addition, the availability of these services allows, in some cases, individuals to remain active within their

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community and age in place.

Federal Standards Statement

The rules proposed for adoption are not subject to any Federal regulations or standards because the requirements of this rulemaking are governed by state statute.

Job Impact

The rules proposed for adoption will not affect the creation or loss of jobs.

Agriculture Industry Impact

The rules proposed for adoption will have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The rules proposed for adoption will affect all counties within New Jersey, as well as non-profit agencies designated by a county to apply for funding on their behalf. Changes made to definitions were made to describe commonly used terms in this program. Changes in the application requirements were made to reflect the application information deemed necessary to effectively monitor the program and to establish more opportunities for the public to provide input into the process.

Housing Affordability Impact Analysis

NJ TRANSIT does not anticipate any impact on the affordability of housing as a result of the proposed new rules. The proposed new rules will have an insignificant impact on the

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affordability of housing in New Jersey and there is an extreme unlikelihood that the rules would evoke a change in the average costs associated with housing.

Smart Growth Development Impact Analysis

NJ TRANSIT does not anticipate any impact upon smart growth or the implementation of the State Development and Redevelopment Plan as a result of the proposed new rules. The proposed new rules will have an insignificant impact on smart growth, and there is an extreme unlikelihood that the rules would evoke a change in housing production Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

NJ TRANSIT has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the proposed new rules follows.

CHAPTER 78**SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE****ACT PROGRAM GUIDELINES AND PROCEDURES****SUBCHAPTER 1. GENERAL OVERVIEW**

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16:78-1.1 Purpose

(a) The general purpose of the Senior Citizen and Disabled [resident] **Resident** Transportation Assistance Program (**SCDRTAP**) is to make **transportation** available and accessible [transportation]**for senior citizens and people with disabilities** so that [senior citizens and people with disabilities] **they** may obtain the necessities of life, including, but not limited to, employment, post-secondary education, social and recreational activities, shopping, and non-emergency medical services.

(b) The purposes of this program are as follows:

1. To assist counties to:

i. Coordinate the activities of the various participants in this program in providing the services to be rendered at the county level and between counties, and

ii. Develop and provide accessible feeder transportation service to accessible fixed-route transportation services where such services are available, and accessible local transit service to senior citizens and [the disabled] **people with disabilities**, which may include, but will not be limited to **curb-to-curb service**, door-to-door service, feeder service, [fixed]route **deviation** service, **mobility management**, local fare subsidy, [and] user-side subsidy, which may include, but will not be limited to, private rider, [or taxifare] **taxi fare or shared ride** subsidy.

iii. **Purchase capital equipment to assist in the operation of these services.**

2. To enable the Corporation to:

i. Coordinate the program within and among counties;

ii. Render technical information and assistance to counties eligible for assistance under these guidelines; and

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iii. Develop, provide, and maintain those portions of capital improvements that afford accessibility to fixed route and other transit services which make rail cars, rail stations, bus shelter, and other bus equipment accessible to senior citizens and people with disabilities.

16:78-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings.

“Accessible” means a service, **vehicle**, or facility that can be used by all individuals, including, but not limited to, those who cannot negotiate steps or who can negotiate steps only with great difficulty as well as those with visual and hearing impairments. Such a service or facility shall be considered accessible if it complies with the Americans with Disabilities Act, 42 U.S.C. 12101 et. seq., the New Jersey Barrier Free Code, N.J.A.C. 5:23-7, and any other applicable laws or regulations defining standards for accessibility.

“Board” means Board of Directors of the New Jersey Transit Corporation [(NJ TRANSIT).]

“Consumers” means senior citizens or people with disabilities. In addition, for purposes of meeting the 51% minimum requirement for consumers on local senior citizen and people with disabilities advisory committees, parents, or legal guardian of minors with disabilities and non-professional advocates for developmentally or emotionally disabled persons will be considered consumers.

“Coordinated Human Service Transportation Plan” (CHSTP) means a county developed, coordinated public transit-human services transportation plan, developed and approved through a process that includes participation by seniors, individuals with

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disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public utilizing transportation services, which is intended to identify the transportation needs of individuals with disabilities, older adults, and people with low incomes, provide strategies for meeting these needs, and prioritize transportation services for funding and implementation as defined by 49 U.S.C. § 5310.

“Corporation” means the New Jersey Transit Corporation [NJ TRANSIT].

“Demand Responsive Service” means a transportation mode in which a vehicle operates on demand to a variety of different origins and destinations.

“Designated Recipient” means governmental agency or other agency designated by the county to receive program funds.

“Eligible counties” means counties or the [designated] recipient **designated** by a county, submitting a proposal meeting the program guidelines.

“Feeder Service” means transportation that provides a connecting service to or from private or public transportation services including but not limited to rail, bus, light rail, ferry, or park and rides.

“Fixed Route Service” means a transportation mode in which a vehicle operates on a regular basis along a predetermined route, according to a schedule.

“General Administration” means the management activities necessary to implement the purpose and objectives of the Senior Citizen and Disabled Resident Transportation Assistance Program. The [NJ TRANSIT] audit required by the Act may be funded as one of the management activities.

“Geographic Region” means one of the following regions of the State: the Northern

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Region encompassing the counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex, and Warren; the Central Region encompassing the counties of Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Somerset, and Union; and the Southern Region encompassing the counties of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem.

“Local Fare Subsidy” means an arrangement in which **the county or** the designated recipient contracts with private and/or public operators of public transportation to reduce the fare to senior citizens and people with disabilities.

“New Jersey Transit [Special Services] **Senior Citizen Disabled Resident Transportation** Advisory Committee” (**SCDRTAC, or “Committee”**) means a committee representing **senior citizens, people with disabilities and other interested parties, and** advocacy groups [from]**representing** senior citizens and people with disabilities and other interested parties. [appointed by the Executive Director of NJ TRANSIT.]

“People with disabilities” means any individual who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, are unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected. [Escorts may be allowed to use this service pursuant to rules established by the individual operators.]

“Private Ride” means a program whereby the **county or the** designated recipient reimburses [and] **an** individual or volunteer who provides transportation to senior citizens and people with disabilities on an incidental and non-commercial basis.

“**Route Deviation Service**” means a transportation mode in which a vehicle operates on a regular basis along a predetermined route, according to a schedule but will deviate off the set route for customers that request a deviation.

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“Senior Citizen” means any individual who is 60 years of age or older.

[“Taxi Fare] **“Shared Ride Subsidy”** means an arrangement in which the **county or the** designated recipient contracts with a [taxi] **Shared Rides operator and/or Transportation Networking Company as defined in “Transportation Network Company Safety and Regulatory Act” of 2017** to reduce its fare to senior citizens and people with disabilities.

“Stakeholder Group” means a group of representatives of public, private, and non-profit transportation & human services providers, and members of the public who are directly impacted by community transportation.

“State of Emergency” means a situation in which a government is empowered to perform actions or impose policies that it would normally not be permitted to undertake. A government can declare such a state during a natural disaster, civil unrest, armed conflict, medical pandemic or epidemic or other biosecurity risk.

“Subscription Service” means trips provided to riders who make trips on a repeated or recurring basis, such as to school, work, religious services, dialysis treatment, etc. Subscription service is scheduled once for an ongoing basis.

“Taxi Fare subsidy” means an arrangement in which the county or designated recipient contracts with a taxi operator to reduce its fare to senior citizens and people with disabilities.

“Technical Assistance” means those activities, of NJ TRANSIT or its representatives, **including third party contractors** designed to assist [local] **the counties or the** designated recipients in planning, organizing, implementing, operating, monitoring, and evaluating existing and future transportation services. The result of technical assistance activities is improvement of the efficiency, effectiveness and safety of transportation provided to the senior citizens and

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[disabled persons] **people with disabilities**.

“User Side Subsidy” means a program in which **the county or** the designated recipient makes tickets available to senior citizens and people with disabilities to purchase transportation at reduced rates.

SUBCHAPTER 2. APPORTIONMENT

16:78-2.1 General

In each fiscal year there is authorized to the Corporation from the Casino Revenue Fund established pursuant to Section 145 of P.L. 1977, c.110 (C.5:12-145) a sum equal to [7] **8.5[%] percent** of the revenues deposited in the Casino Revenue Fund during the preceding fiscal year, as determined by the State Treasurer.

16:78-2.2 Formula

(a) Moneys under this program will be allocated by the [corporation] Corporation in the following manner:

1. 85[%] **percent** will be available to be allocated to eligible counties for the purposes specified under N.J.A.C. 16:78-1.1(b)1 of this program.
2. 15[%] **percent** will be available for use by the Corporation for the purposes specified under N.J.A.C. 16:78-1-1(b)(2) of this program and for the general administration of the program, but no more than 10 percent of the total moneys allocated under this program shall be used for the general administration of the program.

(b) The amount of money which each eligible county may receive shall be based upon the number of persons resident in that county of 60 years of age or older expressed as a

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percentage of the whole number of persons resident in this State of 60 years or older, as provided by the U.S. Bureau of the Census. As similar data becomes available for the disabled population, such data will be used in conjunction with the senior citizens data to determine the county allocation formula. No eligible county will receive less than \$150,000 nor more than 10[%] **percent** of the total funds available for allocation to the counties during a fiscal year under this program. NJ TRANSIT's [Office of Special Services,] Local [Program] **Programs** Support Unit shall establish a minimum and maximum allocation at the start of each fiscal year. No matching funds are required.

16:78-2.3 Funds Availability

(a) Available funds must be committed by June 30 of each year or they will revert back to the General Casino Fund.

(b) The total NJ TRANSIT portion of the annual appropriation can be committed immediately upon adoption of a budget. [A budget will be adopted using the following process. The Office of Special Services] **The Local Programs Department** shall have the lead role in preparing the annual program budget. All organization units with eligible projects will submit requests with justification to [the Office Special Services] **Local Programs**, where requests will be reviewed for appropriateness. Each request will then be reviewed by the [NJ TRANSIT Special Services Citizen Advisory Committee.] **SCDRTAC for their comments**. The requests, with justification and [Special Services Citizen Advisory Committee] **SCDRTAC** comments, will then be **reviewed and** approved by [Special Services] **Local Programs** staff before being included in the Corporation's Capital Program. [All projects will then follow the routine capital

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programming process which includes general budget impact review and final board approval. The Special Services] **The Local Programs** staff shall provide a funding profile to the assigned project manager and work with appropriate staff at NJ [TRANIT] **TRANSIT** Bus, Rail and Corporate to coordinate activities.

(c) The funds will be committed to a county or the designated recipient upon notification of a grant award by NJ TRANSIT. NJ TRANSIT will commit funds to county or the designated [recipient.] **recipients based on the following criteria:**

1. **NJ TRANSIT will distribute an annual application for funds to recipients.**

The county or its designated recipient must **complete and** submit an **annual** application to **NJ TRANSIT within six weeks of receiving the application** [no later than June 30] for funds available for the calendar year starting the following January 1. NJ TRANSIT may change or extend this date based upon the availability of appropriations information.

2. County contracts will run from January 1 through December 31 and require monthly financial reports **with supporting documentation** to be submitted within [30] **45** days of the end of the month. This is a reimbursement program **requiring the county or designated recipient to pay all expenses in the first instance and then submit adequately detailed invoices to NJ TRANSIT** for reimbursement [should be submitted monthly.]. When warranted, monthly advances up to one quarter of an approved applications' operating budget may be given, but **future** payments will be withheld if financial reports are not received when due.

3. The balance of county funds remaining unexpended and/or unobligated by the county after a grant close-out has been completed will be returned to NJ TRANSIT. Unexpended county funds at the end of the contract period will be reallocated as specified in

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N.J.A.C. 16:78-2.4.

16:78-2.4 Transfer of Allocations

Any unexpended funds remaining at the end of the contract period will, after appropriate closeout and audit, be available to the county to which funds were originally allocated. Each county will be eligible to submit a **detailed** proposal for any [and/or all] available funds. If the county does not submit a proposal, NJ TRANSIT may reallocate those funds to other eligible counties. [Proposals from other counties] **Funds not expended** will be [reviewed on a competitive basis] **reallocated** by NJ TRANSIT **based on the census formula specified in 16:78-2.2(b) for the following year's allocations.**

SUBCHAPTER 3. ELIGIBILITY

16:78-3.1 Eligible Recipients

(a) The governing body of the county is an eligible recipient and may make application to the Board for moneys available under N.J.A.C. 16:78-2-2(a)1. The governing body of a county may relinquish this designation to an agency, **public or private non-profit or another governmental entity**, group or groups to replace it as the applicant. Relinquishing this designation requires that a public hearing be held. NJ TRANSIT will [deal with] only **release the funds to** one applicant from each county.

(b) The purpose of [this] **the** public hearing is to afford an opportunity for senior citizens, people with disabilities and other interested individuals or parties, to comment on the appropriateness of such designation.

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16:78-3.2 Eligible Service Area

The recipients are required to provide service at least five miles beyond county boundaries under this program [,] **for any eligible residents within their service area** and are strongly encouraged to go beyond five miles if significant trip generators have been identified, as long as services benefit eligible residents of New Jersey. (See N.J.A.C. 16:78-5.4(c)). The annual application should list the services provided **beyond the 5 miles** into contiguous counties and should specify the days, times, and level of each service. Recipients are allowed to provide service beyond State boundaries under this program and are encouraged to do so.

16:78-3.3 Eligible Activities

(a) Eligible county activities are as follows:

1. The development and provision of additional or expanded accessible feeder transportation service to accessible fixed-route transportation services must be provided where such services are available, and accessible local transit service to senior citizens and people with disabilities [which] **within the entire county and at least 5 miles beyond county boundaries. Services** may include, but not be limited to, door-to-door service, curb-to-curb service, fixed and [modified fixed-] route **deviation** service, local fare subsidy, and user-side subsidy which may include, but not be limited to, private ride or [taxi fare] **shared ride** subsidy and to coordinate the activities for the various participants in this program in providing the services to [he] **be** rendered at the county levels and between counties. Only passenger transportation services are eligible for reimbursement under this program. The transport

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[and/]or delivery of meals or other goods is not an eligible activity under this program.

Specifically, eligible activities include, but are not limited to, the following:

i) **General Administration Activities and Planning:** Analysis and inventory of needs, existing services: determination of unmet needs, development of county's coordination plan, analysis of cost, **transit asset management, safety management systems, etc. Also includes day-to-day administrative expenses through either in-house staff or contracted third parties.**

ii) Capital Investment: [Purchase] **Includes but not limited to the purchase of accessible vehicles, lifts, communications, and other necessary equipment and technology to be used in the delivery of transportation services.**

iii) Operating Costs: Any activity related to providing transportation services. Such activities include drivers' salaries, maintenance, insurance, gas and oil, dispatching expenses, driver training, contracted services, **including the purchase of bus and rail fare tickets and passes, etc.**

2. The recipients are required to provide transit service for seniors and people with disabilities for the following trip purposes including, but not limited to, employment, post-secondary education, social and recreational activities, shopping, and non-emergency medical services. In order to ensure that activities under this program meet the purpose of the Senior Citizen and Disabled Resident Transportation Assistance Program (SCDRTAP) as defined in section 16:78 -1.1 trips should be scheduled on a first-come first-serve basis; trips cannot be prioritized based on trip purpose so that senior citizens and people with disabilities may obtain the necessities

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of life. It is recognized that a during state of emergency there may be a need to prioritize trips. Transportation services for medical purposes are eligible as long as they are of a non-emergency nature. The recipients must make serious efforts to provide transit service for people with disabilities needing employment and post-secondary education transportation. **Subscription service is discretionary and is not mandated by this act. For counties or designated recipients that provide subscription service it is recommended that subscription service not absorb more than 60% of the available trips.**

(b) Eligible NJ TRANSIT activities are as follows:

1. Technical assistance and planning studies to counties eligible for assistance. Such activities may include but not be limited to, [the] collecting and disseminating information on the coordination of transportation services and funding sources, vehicle scheduling, routing, and dispatching, specifications for vehicle procurement and maintenance, **the maintenance of statewide databases and website pertaining to transportation funding available.**

2. Accessible capital improvements which include the design and purchase of capital improvements that provide additional or expanded accessible fixed route and other transit service. These accessible capital improvements include improvement to rail cars, rail stations, buses, bus facilities, **light rail vehicles, light rail facilities**, transfer points that facilitate coordination between county services and services provide by NJ TRANSIT, and other related rail, **light rail**, and bus facilities which make transportation services accessible to senior citizens and people with disabilities.

3. Costs associated with the operation and maintenance of additional and expanded accessible capital improvements.

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[4. The administration of the program within and among the counties as well as coordinate NJ TRANSIT's improvements allowed under the program. The total dollars allowed for general administration of these activities may not exceed 10 percent of the total moneys allocated under this program.

5. The planning, implementation and operation of Statewide activities or programs which promote the use of and/or lead to improved additional or expanded accessible transit services]

4. The Planning, implementation and operation of Statewide activities or programs which promote the use of [and/]or lead to improved additional or expanded accessible transit services.

5. Administration of the program within and among the counties as well as coordination of NJ TRANSIT's improvements are allowed under the program. The total dollars allowed for general administration of these activities must not exceed 10 percent of the total moneys allocated under this program.

16:78-3.4 Coordination Plan Requirements

(a) In order for a county to be eligible for assistance under this program, the governing body of that county or an agency, group or groups authorized by the governing body [shall initially] **to receive funds under this program must develop and maintain** a county plan for that assistance in accordance with the program regulations. [That] **A Coordinated Human Service Transportation** plan [shall be reviewed] **consistent with 49 U.S.C. § 5310, satisfies the requirement for the county plan. The plan must be reviewed** and updated every five (5) years. [The annual application for funds shall support activities identified in the

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most current approved plan.] The plan must be reviewed by the [local citizen advisory committee. The county plan will] **stakeholder groups or committees identified during the planning process. The stakeholders should be consulted at a minimum twice a year to review current services and any new needs and gaps that have been identified. Addendums to the plan should be made to include any new agencies that are either meeting a gap in service or have become part of the county's stakeholder group since the last update. The county plan must also reflect coordination of human service transportation needs of the county and the regions and must** be approved by the governing body of that county [and then]. **These plans shall** be subject to approval by the [NJ TRANSIT] Board [of Directors.]. **The annual application for funds must support activities identified in the most current approved plan.**

[(b) Recipients are required to coordinate the activities of the various participants in this program. Mere cooperation is not sufficient. Coordination involves at least some of the following activities:

- (1. Central Gasoline Purchasing
2. Central Vehicle Maintenance
3. Centralized Vehicle Dispatch
4. Centralized Passenger Trip Request
5. Centralized Billing and Accounting

(c) Usually, the best economies of scale are realized through actual consolidation of all the transit activities. It is intended that recipients incorporate these coordination activities not only among their own transit operators, but to also make efforts to attract other local transit

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operators to join the coordinated system.]

(b) The county plan shall include, but not be limited to the following:

1. Provisions for the coordination of existing and future transportation services at the county level and for inter-county transportation services;

2. Information as to what existing accessible and non-accessible transportation services are available[;] [What additional and/or expanded accessible and non-accessible transportation] **(inventory of existing services**[will be provided;]); [The methods that will be utilized to deliver these services;][The anticipated financial costs to be incurred from the implementation of the services; and]

3. An assessment of transportation needs for individuals with disabilities and seniors. This assessment can be based on the experiences and perceptions of the planning partners or on more sophisticated data collection efforts, and gaps in service;

4. **Strategies, activities, and projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service delivery;**

5. **Priorities for implementation based on resources (from multiple program sources), time, cost, and feasibility for implementing specific strategies and activities identified; and**

6. The financial resources to be put in place to meet these costs, including fares and/or voluntary contributions/donations.

(c) The application for funds must comply with a comprehensive planning document as described in **subsection** ([d]**b**) above. An application for funds must be submitted annually.

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[The plan must be updated as needed and a copy of the updated plan included in subsequent applications for funding.]

[(f)](d) In order to afford individuals, the capability of influencing transportation decisions at all stages of development, the governing body of each county **or designated recipient** must appoint [a citizens] **members to a local citizen's** advisory committee. The objective of the committee is to advise the recipient on planning, implementing, and operating coordinated transportation services at the county level.

[(g)](e) The governing body or designated recipient may choose to appoint an existing advisory committee to satisfy the objective set forth herein. However, committee membership must consist of at least 51[%] **percent** consumers (for example, senior citizens and people with disabilities) of the service. The committee shall be involved in the review and development of the annual application of funds.

[(h)](f) The recipient shall provide NJ TRANSIT with the following information about the local citizen advisory committee as either part of its annual application or, in the case of notices and minutes, as they become available during the course of the contract year:

1. Committee By-Laws
2. Membership, clearly identifying consumer members, terms of office, positions, **demographics**;
3. Notice of meetings, with a minimum of four scheduled meetings a year. Notice shall include date, time, location, and agenda; and
4. Copy of minutes.

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SUBCHAPTER 4. PROGRAM DEVELOPMENT AND MANAGEMENT

16:78-4.1 General

(a) NJ TRANSIT in conjunction with the New Jersey Transit [Special Services] **SCDRTAC** [Citizen Advisory Committee], its other advisory bodies, representative and associations of counties, and other interested parties, have developed these guidelines for transportation assistance to senior citizens and people with disabilities.

(b) **Membership of the SCDRTAC shall consist of senior citizens, people with disabilities, parents or legal guardians, representatives from state agencies that provide service or research issues pertaining to seniors or persons with disabilities. The Committee shall be appointed by the President and Chief Executive Officer of NJ TRANSIT. The mission of the Committee is to provide advice and comment on topics within the statutory authority of the Senior Citizen and Disabled Resident Transportation Assistance Act. The Committee may establish by-laws in order to effectuate the goals of the Act and these rules.**

(c) The instrumentalities of local government, particularly the counties of this state, [should] **shall** play a major role in facilitating the provision of that transportation assistance. NJ TRANSIT and the counties [should] **shall** coordinate existing transportation services provided at the local level including but not limited to those services funded by any other State agency[,] and establish coordinated inter-county transportation services.

16:78-4.2 Regional Public Hearings

The Corporation [will] **shall** conduct annually at least one public hearing in each of the

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three geographic regions (**North, Central, and South**) in order to gather information from interested parties as to the efficiency of the program. A minimum of 30 days[]-notice will be given to every municipal clerk within that geographic region before these meetings. NJ TRANSIT and the local recipients of aid [will] **shall** make reasonable efforts to provide transit service to the public hearings. These public hearings shall be held at **locations which are** accessible [locations.] **to senior citizens and people with disabilities**. Notification of the public hearing [should] **shall** be made available to people with visual impairments [or blind]in accessible formats [such as audio cassette or Braille.]. A notice of the hearing in the appropriate format [should] **shall** be [mailed] **made available** to organizations representing senior citizens and people with disabilities throughout the State. **Notification of the hearing shall also be made available to interested people and organizations via electronic means such as email and via the internet.**

16:78-4.3 Annual Audit

The Corporation will cause an annual audit to be made of this program and will, if not conducted by the Corporation, employ a recognized accounting firm for that purpose. The expenses of conducting the audit will be considered as part of the cost of the general administration of the program if no other funds are available. [Each] **In addition to the Corporation's program audit, each** local recipient will cause an audit to be made of the local program on an annual basis. The local recipient's audit [will] **may** be paid for out of local funds received through this program. If the audit is not conducted by the **county or the** designated recipient, a recognized accounting firm shall be employed by the **county or** designated

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recipient. The audit information requested in the contract between the corporation and the local recipient may be submitted as supplemental schedules to an organization-wide single audit or they may be prepared and submitted separately.

16:78-4.4 Technical Assistance

The Corporation will be entitled to call upon the assistance, or contract for services, of any State department, board, bureau, commission, and agency or outside party as may be necessary to implement the provisions of this program.

16:78-4.5 Reporting Requirements

The Corporation will submit an **annual** report to the Legislature [annually] covering the period of the previous [State fiscal] year. The report will cover the status of this program including any recommendations concerning the general improvement of mass transit for the senior citizens and people with disabilities. The local recipients of aid will provide information to the Corporation, as requested, on a timely basis to assist the Corporation in preparing this report. **The annual report will be available to interested parties on NJ TRANSIT's website.** [The annual report will be made available to each local recipient, as well as each county's governing body. Reports shall also be made available to the County Transportation Association (CTA) and the Council on Special Transit (COST).]

SUBCHAPTER 5. LOCAL ASSISTANCE APPLICATION

16:78-5.1 General

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[(a)] The governing body of an eligible county, or an agency, group, or groups designated as an applicant by the county [after a public hearing] **as described** in [which senior citizens and people with disabilities will have an opportunity to comment on the appropriateness of such designation] **N.J.A.C. 16:78 – 3.1**, may make application to the [Board] **Corporation** for [moneys] **funding** available under **N.J.A.C. 16:78-2.2(a)1**. The application will be in the form of a proposal to the [Board] **Corporation**. This proposal will include, but not be limited to:

1. Description of current and proposed services;
2. Budget;
3. Description of coordination efforts
 - i. At the county level;
 - ii. With other counties; and
 - iii. With existing fixed routes;
4. [Description and certification of maintenance of effort;] **Description of public involvement;**
5. [Copy of] **Notarized copies of public hearing notice must be submitted with the application.** [and] **A transcript of public hearing must also be submitted.**
6. [Freeholder resolutions] Any **County Commissioner resolutions or authorizations;**
 - i. Approving **county or the** designated recipient (if applicable);
 - ii. Approving application; [and] **or**
 - iii. **Approving contract for funds pursuant to the program.**
7. Reporting requirements **as set forth in the application.**

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16:78-5.2. Description of current and proposed services

[(a)] **A recipient shall describe in its application** [T]the current and proposed services [shall be described] as follows:

1. Indicate the service[or services](**s**) to be provided or proposed. Eligible types of service include, but are not limited to, [door-to-door, fixed-route,] feeder services[;], **origin to destination, route deviation**, local fare subsidy, and user-side subsidy which may include, but not **be** limited to, private ride or taxi [fare] **/shared ride** subsidy.

2. Describe the fleet of vehicles to be used in the program. Specify [that] age, type, mileage, funding source and condition of all vehicles in the fleet. Provide a five-year capital replacement schedule.

3. Describe the days of the week, and the hours of the day that service will be available for each type of service to be provided.

4. Describe the procedure that a prospective passenger would follow in order to register for and request transportation, including a description of any advance reservation systems that may be used. Identify any phone numbers **or websites** that consumers need to be aware of. A description of any fare and/or donation policy shall be included.

5. Describe marketing and public outreach efforts **and**;

6. **Recipients' policies and procedures to implement the proposed project such as driver manual, ADA policy, procurement policies, etc.**

16:78-5.3 Budget

The application must contain a program line-item budget which identifies expense

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categories as identified in the application package. These categories must be aggregated into Administration, Operation, and Capital expense functions. [Two budgets should be submitted.]

A recipient shall submit two budgets as a part of its application: (1) [The first should include] total program **projected** expenses **for the next fiscal year** by funding source, including a detailed budget [that only reflects the Senior Citizen and Disabled Resident Transportation Assistance Program expenses.]; **and (2)** [A second budget shall reflect] the actual expenses attributable to funding sources **from** the previous year. Both budgets should be prepared using January 1 to December 31, calendar year.

16:78-5.4. Coordination

(a) The application must include a description of the means by which the applicant will coordinate

1) intra-county transportation,

2) inter-county transportation and

3) existing accessible fixed route services. This description should show that the recipient is implementing the comprehensive planning document described in N.J.A.C. 16:78-

3.4. Copies of all subcontracts, agreements, and letters of intent to effectuate this provision shall be submitted to NJ TRANSIT at the beginning of each program year **or as they become available.**

(b) Intra-county coordination describes the means by which the applicant will coordinate accessible and non-accessible transportation services which operate within the county. Any agencies or organizations which the applicant has an agreement or letter of intent,

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whereby the applicant will provide transportation service to the senior citizens and people with disabilities within the county should be listed.

(c) Inter-county coordination describes the means by which the applicant will coordinate access and non-accessible transportation services which operate between counties. Any agencies or organizations which the applicant has an agreement or letter of intent, whereby the applicant will provide transportation service to the senior citizens and people with disabilities between counties should also be listed.

(d) Accessible fixed route coordination describes the means by which the applicant will coordinate existing, expanded, or additional accessible and non-accessible transportation for senior citizens and people with disabilities with existing accessible fixed routes operated by public or private operators. **An application shall [A]also list any public or private operators of accessible fixed route service which operate in or through the service area to which the applicant will provide accessible connecting service to, should also be listed.**

(e) Description and certification of maintenance of effort (MOE)

1. The purpose of the [Senior Citizen and Disabled Resident Transportation Assistance Program] **SCDRTAP** is to provide for additional or expanded transportation services to senior citizens and disabled residents. Therefore, designated recipients must maintain the same level of funding for senior citizen and disabled transportation services as in prior years.

2. In order to comply with this Maintenance of Effort (MOE) requirement, the application must contain senior citizen and disabled resident transportation non-capital expense data from the past two years prior to the implementation of the **SCDRTAP**[Senior Citizen and Disabled Resident Transportation Assistance Program]. This data should include

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non-capital expenditures of the designated recipient and or application and any other agency, group, or groups which will participate in the coordinated transportation program. [Data from groups joining the coordinated system since the implementation of the Senior Citizen and Disabled Resident Transportation Assistance Program must be added to the original MOE. The data from the new groups should cover the two-year period immediately preceding their joining the coordinated system.]

3. The applicant must complete the Maintenance of Effort Certification [and Schedule, the form of] which will be provided by NJ TRANSIT **in the annual application.**

4. If a local recipient's non-capital budget excluding casino revenue funds falls below the approved Maintenance of Effort because of the discontinuance of an established source of funding, documentation must be provided which shows that the decrease in funding to the transportation program is proportional to the overall decrease of that particular funding source. In addition, the local recipient cannot substitute casino revenue funds for a service previously funded by a discontinued funding source unless it has been clearly stated in an application, reviewed by the local advisory committee, and presented at the annual public hearing.

16:78-5.5. Public Involvement

(a) In order to assure that an opportunity is afforded to any interested individual, agency, group, or groups to comment on the appropriateness of an application it will be necessary to hold a public hearing. A transcript of the hearing must be attached to the application.

1. The governing body of the recipient will also provide an opportunity for interested

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parties to provide the governing body with any facts, material, or recommendations that would be of assistance regarding the efficiency of the local program.

(b) Notice of any public hearing required to be held pursuant to [these guidelines] **the application** will be published at least 30 days prior to the date in at least two newspapers circulating in the specific geographic area in which the meeting is to be held. Notice of any hearing will also be transmitted, at least 30 days in advance thereof, to every municipal clerk within the specified geographic area where the meeting will be held and to [NJ TRANSIT.] **the Corporation**. All public hearings held pursuant to these guidelines will be held at locations which are accessible [top] **to** senior citizens and people with disabilities. [NJ TRANSIT and the] **The** local recipients [of aid] will make every reasonable effort to provide [transit] **transportation** service to the public hearings.

[(c) The extent of efforts to involve the public in preparation of the application should be described. Public participation should include senior citizens and people with disabilities, advocacy organizations representing seniors and people with disabilities, public and social service agencies, public and private operators of existing transportation services. In particular, the efforts, other than those required in (a) and (b) above should also be described.]

[(d)(c) Notification of the public hearing should be made available to people who have visual impairments [or blind] in accessible formats [such as audio cassette or Braille.]. A notice of the hearing in the appropriate format should be mailed to organizations representing senior citizens and people with disabilities throughout the county. [A] **The recipient should place a copy of the [application shall be placed in the] proposed description of service and proposed line-item budget on their website and** main branch of [the] county library for public

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review [at least 14 days after the public]. **Notification of the hearing [date.] shall also be made available to interested people and organizations via electronic means such as email and via the internet.**

[(e)(d) At the public hearing, the applicant shall read into the record proposed services and budget. Copies of this material shall be available at the hearing for the general public to review.

(e) Notarized copies of the public hearing notice and the transcript of the hearing shall be submitted with the application. In addition, proof should be provided that the local citizens advisory committee had an opportunity to review and comment on the application at a scheduled meeting.

16:78-5.7 Governing body resolution

(a) The governing body of each county is designated as the recipient of funds available under this program. If the governing body so chooses to relinquish this designation to an agency or group, it will be necessary for the County Commissioners to pass a resolution designating the agency or group. This resolution must be included in the application[.] **at time of designation.** A new resolution is not required for each annual application if the designated recipient remains the same.

(b) The governing body or the appropriate elected official of **the county or** the designated recipient must pass a resolution and/or authorize the submission of an application and/or [the entering into] a **contractual agreement.** This resolution of authorization must be submitted with the application or at the time of contract, whichever is appropriate. The

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resolution or authorization should provide authority for the recipient to enter into a contractual agreement with NJ TRANSIT to implement the program.

16:78-5.8 Compliance with the National Voter Registration Act of 1993

NJ TRANSIT is obligated to comply with the National Voter Registration Act of 1993 (“NVRA”), 52 U.S.C. §§ 20501-11, by establishing policies and procedures that implement its statutory requirements and ensure counties or designated recipients of SCDRTAP funds comply with NVRA guidelines, rules, and regulations. Those policies shall include:

(a) Distribution of voter registration applications and declination forms during all application, recertification, renewal, and change of address transactions;

(b) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance;

(c) Acceptance of completed voter registration application forms for transmittal to the appropriate State election official;

(d) Transmittal of accepted registration applications to the appropriate State election official pursuant to statutory deadlines;

(e) Retention of voter registration materials not transmitted to State election officials for 22 months, including declination forms;

(f) Use of bilingual translation service in jurisdictions subject to the requirements of Section 203 of the Voting Rights Act, 52 U.S.C. § 10503;

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(g) Participation in NVRA education and training programs,

(h) Certification of compliance with the NVRA in month reimbursement requests;

(i) Appointment of NVRA site coordinators at each office providing Community Transportation services. These site coordinators shall certify that they will comply with all statutory requirements; and

(j) Publicity regarding voter registration opportunities afforded by the NVRA to eligible Community Transportation clients.

ITEM 2304-21: INFORMATION TECHNOLOGY: AWARD OF MANAGED PRINT SERVICES CONTRACT TO DOCUMENT SOLUTIONS

WHEREAS, NJ TRANSIT leases 238 copiers and approximately 1,000 printers that need to be maintained and furnished with supplies at 32 locations spread throughout New Jersey, Pennsylvania, and New York; and

WHEREAS, NJ TRANSIT competitively bid a copier lease and managed print services (MPS) contract for a three-year period according to the method of operations of NJ State Contract G2075 for Copiers and Multi-Function Devices: Purchase, Lease, Cost Per Copy, Maintenance, Supplies, and Managed Print Services; and

WHEREAS, Document Solutions of Kenilworth, New Jersey, submitted the lowest bid; and

WHEREAS, additional costs are included to cover existing equipment leases, occupational character recognition (OCR) capability for records management, and supplies for non-networked machines;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter a contract with Document Solutions of Kenilworth, New Jersey, under New Jersey State Contract G2075 for Copiers and Multi-Function Devices: Purchase, Lease, Cost Per Copy, Maintenance, Supplies, and Managed Print Services for the period of July 1, 2023, through June 30, 2026, for the amount of \$2,198,651.54, plus five percent for contingencies, subject to the availability of funds.

ITEM 2304-22: BUDGET PROPOSAL TRANSMITTAL

**THIS ITEM WAS INCLUDED IN THE PORTION OF THE MINUTES
TRANSMITTED ON APRIL 20, 2023.**

**ITEM 2304-23: DESIGNATION OF VICE CHAIRPERSON OF THE
NJ TRANSIT BOARD OF DIRECTORS**

WHEREAS, the membership of the NJ TRANSIT Board of Directors and appointment thereto, is governed by the New Jersey Public Transportation Act of 1979, N.J.S.A. 27:25-1 et. seq., its amendments, and By-Laws; and

WHEREAS, Public Law 2018, chapter 162 requires the annual designation of a Vice Chairperson of the NJ TRANSIT Board of Directors; and

WHEREAS, Article III, Section 2 of the NJ TRANSIT By-Laws also provides that the Board Vice Chairperson be designated annually from the remaining members of the Board; and

WHEREAS, the effect of this item is to fulfill the statutory and By-Law requirements of the annual designation of the Vice Chairperson of the NJ TRANSIT Board of Directors;

NOW, THEREFORE, BE IT RESOLVED that Kiabi D. Carson is designated as Vice Chairperson of the NJ TRANSIT Board of Directors and its subsidiaries.

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.

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.