

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

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February 22, 2024

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

Dear Governor Murphy:

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

Sincerely,

Meghan Clark Umukoro

Meghan Clark Umukoro
Board Secretary

Enclosures

Open Session Minutes of the actions taken at the Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Tuesday, February 13, 2024. The meetings occurred concurrently.

Board Members

Francis K. O'Connor, Chair
Kiabi D. Carson, Vice Chair – ABSENT
Aaron J. Creuz, Governor's Representative
Michael Kanef, Treasurer's Representative
Anthony N. Abrantes, Board Member
Richard A. Maroko, Board Member
Carlos A. Medina, Board Member
Shanti Narra, Board Member
Evan S. Weiss, Board Member
Rashonda A. Brown, Board Member (Non-Voting)
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
Michael Kilcoyne, Senior Vice President, Surface Transit & General Manager, Bus Ops.
Frank Savino, Acting Auditor General
Binu Thomas, Senior Vice President & Chief Administrative Officer

Chair O'Connor convened the Open Session at 6:05 p.m. in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Board Secretary Umukoro asked everyone to mute their phones and turn their attention to the Public Safety Announcement. The pledge of allegiance to the flag was recited.

Board Secretary Umukoro conducted Roll Call and noted Board Members Creuz, Kanef, Medina, Thomas, and Weiss were participating remotely, and Vice Chair Carson was absent.

Board Secretary Umukoro announced that adequate notice of the meetings of the Board of Directors of the New Jersey Transit Corporation and its affiliates and subsidiaries was provided in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Notices were filed on February 7, 2024 with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

Approval of Minutes

Chair O'Connor asked for a motion to approve the minutes of the December 12, 2023 Board meetings. Board Member Shanti Narra made the motion and Board Member Anthony N. Abrantes seconded the motion. The minutes were adopted.

Roll Call Vote:

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

President & CEO's Monthly Report

President & CEO Corbett welcomed Acting New Jersey Department of Transportation Commissioner and NJ TRANSIT Board Chair Francis K. O'Connor, who was joining them for the first time that evening. He said their new Board Chair joined them with a wealth of experience in the transportation industry that spanned four decades, including 16 years with the New Jersey Turnpike Authority.

President & CEO Corbett also welcomed new Board Member Anthony Abrantes. He said Board Member Abrantes was currently serving as the Assistant Executive Secretary Treasurer for the Eastern Atlantic State Regional Council of Carpenters, representing approximately 43,000 union carpenters, many of whom President & CEO Corbett noted were likely working on NJ TRANSIT's many advancing capital projects. Board Member Abrantes replaced former Board Member Sangeeta Doshi, whose term recently expired. Sangeeta Doshi will be recognized at the April Board meeting to thank her for her outstanding service over the last four years. President & CEO Corbett said they were all looking forward to working with Chair O'Connor and Board Member Abrantes.

President & CEO Corbett gave a quick shout out to all the NJ TRANSIT employees who were out in the field, working around the clock that day to maintain a full weekday schedule during the winter storm, in very challenging conditions. He said they all deserved thanks and appreciation for the work they were doing that day, and the work they did every day to keep their state moving.

President & CEO Corbett said as many may be aware, transit agencies across the country were facing shortfalls in operating funding, and NJ TRANSIT was no exception. While always the option of last resort, on January 24, 2024 they announced a fare adjustment proposal for the first time since 2015, in order to address the shortfall in Fiscal Year 2025. Despite the hard work they did internally to identify \$44 million in cost savings and an additional \$54 million in revenue enhancements, they proposed a 15 percent fare adjustment, effective July 1, 2024, to close a remaining budget gap of \$106.6 million in Fiscal Year 2025. This proposal also included subsequent annual systemwide increases of three percent, effective July 1, 2025. Smaller annual adjustments were a longer-term

solution that provide predictability for customers and NJ TRANSIT, and helps keep pace with inflation and mandatory contractual cost escalations.

They were offering a multitude of ways for customers to provide feedback on the proposal. They were holding a series of 10 public hearings across the state, where customers could share their feedback on the proposal in person, during the first week of March. For those unable to attend one of the 10 public hearings, they could share their feedback for the record online, via email, or by postal mail. All feedback, regardless of whether it was shared at a hearing, on the website, by e-mail, or traditional mail, would be reviewed, considered, and weighted equally by NJ TRANSIT's Board of Directors before any final decisions were made. Customers seeking to provide feedback for the record could visit njtransit.com/hearing for all information related to this proposal.

President & CEO Corbett said as NJ TRANSIT navigates through their financial challenges, it was equally important to highlight their operational successes, particularly as they continued to see incremental increases in ridership and continued to offer unparalleled service to key destinations like MetLife Stadium. The seamless transportation they provided to some of the biggest events at the stadium, and in the nation, has paid off big-time for New Jersey and MetLife. By now, he was sure everyone heard the news that MetLife Stadium would host the 2026 FIFA World Cup Final, along with seven additional World Cup matches. This announcement was a huge vote of confidence in NJ TRANSIT, and President & CEO Corbett said they were very excited. Simply put, they were going to ensure this was the best World Cup ever.

Clearly, transit was one of the key determining factors in what was a significant win for New Jersey and Governor Murphy. As the Governor recently said, NJ TRANSIT knocked it out of the park that past summer on a series of blockbuster concerts featuring superstars like Taylor Swift, Ed Sheeran, and Beyonce, in addition to sporting events like the Army/Navy Game in 2021, which broke the MetLife college football attendance record with 82,282 fans attending. Not only were they confident they would meet and exceed fan expectations for the 2026 World Cup, but they wanted everyone to know that the fan experience would begin as soon as they boarded their NJ TRANSIT train or bus.

As prepared as they were, their Secaucus Meadowlands Transitway Project would allow them to further enhance capacity to and from New Jersey's premier sports, retail, and entertainment destinations. They expect to complete the Transitway's design early in 2025, and construction was anticipated to take approximately 12 months, which was in plenty of time for the first match at MetLife Stadium. While continuing to deliver seamless transportation for some of the country's biggest events at MetLife Stadium, they were looking to take that to the next level by incorporating global best practices for the 2026 World Cup. To help them get there, they were going to be working with the International Association of Public Transport, also known as UITP, the global equivalent of APTA, along with Rutgers University's Center for Advanced Infrastructure and Transportation, or Rutgers CAIT. With access to those leading the best public transit systems in the world, they would not only ensure they were optimally prepared for the World Cup, but those

short-term enhancements could provide long-term improvements that extend well beyond 2026.

President & CEO Corbett said speaking of MetLife Stadium, that Saturday and Sunday hockey fans could skip the driving and parking by riding NJ TRANSIT's BetMGM Meadowlands Rail Line to NHL Stadium Series, which would mark the first-ever Stadium Series game played at MetLife Stadium. On Saturday, February 17, 2024, NJ TRANSIT would offer rail service to MetLife Stadium for fans to catch a Jonas Brothers performance before the Devils/Flyers game, and a Rangers/Islanders game on Sunday, February 18, 2024. As an added bonus, NJT Rewards customers could redeem points in exchange for discounted tickets to the Devils/Flyers game. To take advantage of that deal, customers could visit njtrewards.com, but they should act fast, as this offer would expire at 11:59 p.m. on February 13, 2024.

While they were hopeful that the World Cup and NHL Stadium Series would attract thousands of first-time riders to the NJ TRANSIT system, they were working to attract the next generation of riders through the reintroduction of their popular Student Pass discount. Beginning with February passes, both full-time and part-time degree seeking students, taking at least two courses at participating regional colleges and universities, were eligible to receive a 25 percent discount off the already discounted monthly pass when purchased on the NJ TRANSIT mobile app. As an added incentive, students using the Student Pass could receive additional savings during the spring semester, thanks to the return of their "Buy 3 Months, Get 1 Month Free" Student Pass promotion. For more details and a list of participating colleges and universities, customers could visit njtransit.com/studentpass.

In addition to their Student Pass, NJ TRANSIT hoped to bring new riders to the system with the re-launch of their "Sweetheart Deal" for Valentine's Day week. This allowed customers to receive a free round-trip ticket for a traveling companion, with the purchase of a round trip ticket. Customers could visit njtransit.com/sweet for more details.

Beyond those promotions, they were always focused on improving accessibility and convenience for all riders, exemplified by the expansion of their Access Link Riders' Choice Program, to seven additional counties throughout the state. Beginning February 5, 2024, Access Link customers in Regions 4 and 6, which included Mercer, Monmouth, Middlesex, North Ocean, Bergen, Passaic, and Hudson counties have been able to opt-in to receive their rides through Lyft or Black and White Taxi. Customers who did not opt-in would continue to have all their trips serviced by current Access Link providers.

They launched the Riders' Choice Program last year in May, partnering with Uber and Lyft in Regions 2 and 5, which included Essex, Morris, Union, Somerset, Burlington, Gloucester, and Salem counties. It has been a real success story, customer feedback has been overwhelmingly positive, with many noting reduced wait and trip times and an appreciation that there had been no change to Access Link prices. Since launching this program, more than 4,600 Access Link customers have opted in, and they have provided more than 176,000 rides through the program. President & CEO Corbett also noted that

in addition to improving service and the customer experience, this program was much more cost-effective for NJ TRANSIT on a per-trip basis. Customers could visit njtransit.com/accessibility for more information.

President & CEO Corbet discussed the UITP 2024 Course List and Diploma Course. As they continued to enhance the customer experience and incentivize public transit use, they were also committed to training and preparing the next generation of transit professionals and leaders, while promoting the adoption of best industry practices nationally and internationally. They were proud to have been selected by UITP to host the first segment of UITP's prestigious *Managers in Public Transport Diploma Program*, in close collaboration with Rutgers CAIT. This three-part international diploma course was an expert-level, year-long program, held in three different locations around the world: New Jersey, Sweden, and Hong Kong. NJ TRANSIT would host the first Module *Policy Planning, Regulating and Funding* from June 24 through June 26, 2024.

UITP has also released this year's course list for its North American Regional Training Center located at the headquarters of Rutgers CAIT, which was established last year in partnership with NJ TRANSIT and Rutgers CAIT. For more details on the diploma course, training courses, and registration links, they could visit njtransit.com/UITP.

In NJ TRANSIT's goal to advance public transit and ensure its sustainability, they recognized the importance of not only training the next generation of leaders, but also making generational investments in critical infrastructure to support their operations. In alignment with that goal, they were very pleased that last week the Federal Transit Administration (FTA) announced it had awarded NJ TRANSIT a \$75 million grant for the construction of a new rail Maintenance of Way facility in Clifton, New Jersey. The funds were a part of the FTA's Public Transportation Emergency Relief Program.

This new facility would replace an obsolete, flood-prone, 70-year-old Maintenance of Way facility in Wood-Ridge, which sustained extensive damage during Hurricane Ida in 2021. Positioned at a higher elevation, this new facility would enable them to better maintain and enhance their rail infrastructure, leading to improved and more reliable service for customers. The new facility would also be larger, allowing them to keep pace with a projected future expansion in Maintenance of Way operations, and to meet the demands of New Jersey's growing population, along with their growing fleet of modern vehicles.

President & CEO Corbett said he had great news to share that validated and reinforced their many efforts over the past six years to build a culture of excellence, inclusiveness, and employee satisfaction. Last year NJ TRANSIT was recognized by *Forbes* as one of America's Best-in-State Employers, marking the third consecutive year they achieved that prestigious recognition. This year NJ TRANSIT had again been recognized by *Forbes* for the fourth consecutive year, but this time, as one of the best employers in America.

NJ TRANSIT was named to *Forbes'* "America's Best Employers List" for 2024, which was compiled through independent surveys from a sample of over 170,000 U.S. employees working for companies employing at least 1,000 people within the U.S. NJ TRANSIT

ranked 178 of the top 600 large employers nationwide, and top eight of all employers in the “Transportation and Logistics” industry. This distinction clearly positioned NJ TRANSIT as an employer of choice in their region, and was a testament to the hard work, dedication, and commitment of so many in their organization over the past six years, who helped earn this recognition.

One key reason why NJ TRANSIT continued to be recognized by premier, independent organizations like *Forbes*, and of course APTA, was because they were deeply committed to their employees, and to building a diverse and inclusive workforce that reflected New Jersey’s incredible diversity. As part of their commitment, NJ TRANSIT joined in celebrating February as Black History Month. This year for Black History Month, they were pleased to unveil a new partnership with Horizon Blue Cross Blue Shield, in partnership with their very own Company Employee Resource Group, BRIDGES, which stands for Building Resources for Inclusion, Diversity, Guidance, and Equitable Standards. Working with BRIDGES and NJ TRANSIT’s Marketing Department, Horizon generously sponsored one locomotive and two bus wraps, allowing them to literally “wrap” their values around the vehicles that served New Jersey every day. These wraps, a visual tribute to African American heritage, would be unveiled at an event planned later in February at Newark Penn Station.

President & CEO Corbett also took a moment to recognize the 40th Anniversary of NJ TRANSIT’s Senior Citizen Disabled Resident Transportation Advisory Committee or SCDRTAC, which was established in 1984, following the broader formation of NJ TRANSIT in 1979. The committee has been advocating for its constituents for four decades, focusing on issues like paratransit funding, connectivity, and compliance with the Americans with Disabilities Act.

Lastly, President & CEO Corbett presented a well-deserved Proclamation to New Jersey Transit Police Department Officer Mark Loyd, whose actions on a chilly evening last month at Newark Penn Station truly exemplified the NJTPD’s Core Values: Honor, Commitment, Integrity, and Courage. They learned about this incident through an email sent to NJTPD Chief Christopher Trucillo, from the mother of a young woman, who found a guardian in Officer Loyd at a moment when she was most vulnerable. This young woman was far from home and experienced a psychiatric episode, but had the good fortune to be spotted by Officer Loyd, who immediately secured vital medical information and contacted the necessary healthcare professionals, all while keeping the woman calm and safe. Remaining by her side until arrangements were made for her safe transport, Officer Loyd displayed an unwavering dedication to duty.

The young woman’s mother, who herself was a physician and well-versed in psychiatric care, wrote in her email to Chief Trucillo that she asked Officer Loyd about his additional training in psychiatric emergencies. It was obvious to her that he not only had additional training, but he was fully able to apply it. The woman’s mother said they had emergencies with her daughter before, and no policeman had even come close to showing the skill and compassion Officer Loyd did. The woman’s mother said Officer Loyd singularly restored

her faith in humanity, highlighting how Officer Loyd's actions went beyond the call of duty, and she believed his actions saved her daughter's life.

President & CEO Corbett said they were fortunate to have Officer Loyd and New Jersey Transit Police Department Chief Christopher Trucillo there that night. He asked them both to join him in front of the room where he read and presented Officer Loyd with the Proclamation. He then asked the Board to join them for a group photo.

Advisory Committee Report

Anna Marie Gonnella Rosato said before presenting the advisory report, she wanted to congratulate Chair O'Connor on his appointment to the NJ TRANSIT Board and as Acting Commissioner for the Department of Transportation. She also congratulated Board Member Abrantes on his appointment, and said the Passenger Advisory Committee was there to assist them in any way. Ms. Gonnella Rosato thanked former Chair Diane Gutierrez-Scaccetti and former Board Member Sangeeta Doshi for their service and commitment to NJ TRANSIT, and for listening and working with the Passenger Advisory Committee.

The North and South Passenger Advisory Committee met on February 9, 2024. They received a presentation on the Sustainability Plan from Marc Tuozzolo, Senior Director of Capital Planning, and updates on the federal state legislation and local government affairs from government and community relations. The Passenger Advisory Committee continued to provide letters of support for federal grant opportunities.

Ms. Gonnella Rosato said she attended a 40th Anniversary celebration for SCDRTAC on January 22, 2024. As President & CEO Corbett mentioned, Access Link customers had an opportunity to participate in a "Riders Choice" Pilot Program where customers could opt-in to receive rides from Lyft, Black and White Taxi, and Uber, depending upon where they lived.

Ms. Gonnella Rosato discussed the deals and discounts offered by NJ TRANSIT. In partnership with Mastercard and New York City Tourism, NJ TRANSIT customers received up to \$30 in Mastercard credits on NJ TRANSIT services used during New York City's Restaurant Week, January 16 through February 4, 2024. A popular Student Pass promotional program where they "Buy 3 Months, Get 1 Month Free" returned for the spring semester. In celebration of Valentine's Day and President's Day, NJ TRANSIT was offering a "Sweetheart Deal." They could buy one round-trip ticket and get one free from February 8 through February 19, 2024.

Lastly, she mentioned NJ TRANSIT being selected to host the first segment of UITP's *Managers in Public Transport* Diploma Program.

Chair O'Connor asked Board Secretary Umukoro if there were any comments from the public. Board Secretary Umukoro said there were seven in-person speakers and 10 pre-registered telephone speakers.

Board Secretary Umukoro said in order to give everyone an opportunity to be heard, comments would be limited to three minutes. Priority access would be given to pre-registered in-person speakers, followed by any additional in-person speakers. They would then take comments from pre-registered telephone speakers, followed by any additional telephone participants queued to speak. Board Secretary Umukoro instructed those participating by telephone, if they had not already done so, please press *1 on their telephone keypad to enter the queue to speak. They would hear a brief tone to indicate they have successfully entered the queue.

Public Comments

Jerry Keenan congratulated Chair O'Connor and Board Member Abrantes on their appointments to the Board. He said it was so good to be in a room with so many people he knew and had worked with for so long. Mr. Keenan said he thought NJ TRANSIT has been doing a wonderful job serving the State of New Jersey over the past years.

Mr. Keenan said he was the President of New Jersey Alliance for Action, a nonpartisan nonprofit association dedicated to ensuring that the state was keeping up with the needs of its residents regarding infrastructure. They made sure roads, bridges, rail, schools, hospitals, and utilities were moving forward, to ensure the economy continued to grow and New Jerseyans and their businesses had a good quality of life.

Mr. Keenan said in 2017, NJ TRANSIT had a \$60 million capital program, which was just peanuts and was not enough to take care of what they needed from NJ TRANSIT. What they have seen since then was a true rebirth at NJ TRANSIT; a total transformation in what the agency has been able to do. Since 2017, they had \$6 billion in projects moving forward in capital dollars and \$8 billion coming out in the next three years. Mr. Keenan said it was a tremendous achievement that could only have happened with tremendous leadership. He said President & CEO Corbett, as well as former Chair Diane Gutierrez-Scaccetti, did a fantastic job.

Mr. Keenan said they were slated to have seven FIFA World Cup games and the championship at MetLife Stadium. He said that could not happen if they did not have a first rate professional, and high-quality transit system. Mr. Keenan said NJ TRANSIT was recently recognized as the fourth out of the top ten cities in the nation with the best public transit. He said that was an incredible achievement, and it was great to see what had been happening over the past several years under such great leadership. Mr. Keenan said the Alliance for Action was ready and willing to work with NJ TRANSIT.

David Peter Alan, Chair of the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC), thanked President & CEO Corbett for mentioning SCDRTAC during his monthly report and Anna Marie Gonnella Rosato, his counterpart of the Advisory Committee. Mr. Alan said Access Link riders liked the Rider's Choice program, and he hoped the expansion went well. Mr. Alan said on January 22, 2024, their committee commemorated 40 years of service to NJ TRANSIT's seniors and riders with disabilities. The Committee was established under the Senior Citizens and Disabled Residents

Transportation Assistance Act of 1983. It took effect on January 17, 1984 and established the SCDRTAP grant program for county level transportation providers, which Mr. Alan said remained an important part of their statutory purview.

Mr. Alan said their most important accomplishment of the past year was reaching an agreement with senior management at NJ TRANSIT that preserved their historically recognized broad scope of concerns, including topics of funding, connectivity, accessibility, ADA accommodations, and Access Link. At the commemorative meeting, they were honored with a visit from President & CEO Kevin Corbett who called on them to look beyond the letter of the statute, to its spirit in service to their constituents. Mr. Alan said they assured President & CEO Corbett and everyone else in attendance that they would continue to do just that.

They were also honored to hear from Paul Wyckoff, Chief of Governmental and External Affairs, whose fairness and professionalism has always been exemplary. Mr. Alan said their meeting was a great event and thanked Janelle Rivera, Lisa Tulley, Isabella Rojas, and Adriana Lewis from Local Programs Support for coordinating the event. Mr. Alan said many of their members attended the event in person, as well as past and present managers, including Board Secretary Meghan Clark Umukoro, Gregory Woods, Chief of Light Rail, and Paul Aronson, State Ombudsman for persons with intellectual disabilities. Mr. Alan said they also heard from Bob Koska, longtime Director of Local Programs Support, via videoconference, Anna Marie Gonnella Rosato, Chair of the South Jersey Passenger Advisory Committee, and Jack Dean, Senior Director for Research and Community Services.

Mr. Alan said the commemorative meeting was a congenial and positive event that they would always remember. He said while they understood there were still unresolved issues between their committee and management, they hoped that the positive event last month would bring about a mutual satisfactory resolution of all those issues, which would result in improved mobility for their constituents.

Mr. Alan said the committee was starting a County Services Subcommittee to facilitate discussions with county providers, and an Administrative Subcommittee to deal with administrative matters between meetings and free up their limited meeting time. Their membership committee has been reviewing applications to replace members who passed away or left their committee. Mr. Alan said as they observed 40 years of service to their constituents, they looked forward to many more years of effective service, as well as a mutually constructive cooperation between their committee, NJ TRANSIT management, and affiliated providers. Mr. Alan's full statement was shared with the Board.

Doug O'Malley, Director of Environment New Jersey, said they represented more than 80,000 citizen members and activists across the great State of New Jersey. Mr. O'Malley said they would hear from strap hangers that night, and in the weeks to come, because NJ TRANSIT was once again asking their riders to balance the budget on their backs and not looking at the broader need to provide a dedicated funding solution for NJ TRANSIT. Mr. O'Malley said this was an issue for both the Board, the Governor, and the Legislature to

solve now, not at some other time because they knew that NJ TRANSIT needed more funding. Mr. O'Malley said the fare hike was a vanity fare hike because it did not solve the yawning fiscal cliff that was upon them. He said if they were looking at all of the options on the table, all of them were not on the table, and they were in a moment of crisis. Mr. O'Malley said throughout the years that NJ TRANSIT has existed, when fares were increased, they lost riders, and it could take years to get those riders back.

Mr. O'Malley said in terms of the fare hikes in front of this Board, there were ways to make the process more equitable. Mr. O'Malley said first, getting rid of the Flex Pass was a gut punch to commuters who relied on Flex Pass. He said as a reminder, off peak fares which were gutted by former Governor Christie had not come back after 15 years, and he did not want to see Flex Pass become a history item. Second, Mr. O'Malley said NJ TRANSIT needed gradual fare hikes for bus riders, compared to transit riders into New York. He said they were basically telling white collar commuters into Manhattan that they were going to pay the same as people catching the bus right in the great City of Newark. Third, NJ TRANSIT should offer a virtual option for the fare hike hearings at all locations. Mr. O'Malley said lastly, there should not be a stealth fare hike included in the proposal for a three percent annual increase. He said if there had been a three percent annual increase in 2015, the fare hike would be much bigger. Mr. O'Malley said do not sock it to riders, fund NJ TRANSIT, and create equity.

Zoe Baldwin, New Jersey Director for the Regional Plan Association, thanked the Board for maintaining their system and running rail and bus on a budget that was far below their needs. Ms. Baldwin said she came out to make a plea that the Board do what they could to urge the Governor and the Legislature to do what riders and experts had been asking for years, and provide an ample and dedicated funding source for the agency's operations. Ms. Baldwin said Trenton's consistent refusal to adequately fund the agency meant they were once again asking riders to foot the bill, and state support was not only anemic but below its own benchmark. She said they were going in the right direction during fiscal year 2020 and then the pandemic hit, and they never recovered.

Ms. Baldwin said 15 percent at one time was far too much, especially when it was compounded for many riders with the loss of the Flex Pass program, causing their increases to be much higher. She said former Governor Christie saw the inequity in imposing the same rate on local bus, which has a much lower median income than Trans-Hudson bus. Ms. Baldwin said three percent per year was off base, stating that Regional Plan Association (RPA) did support small and incremental predictable increases in fares, but three percent was well above the average increase in pay proportionately, especially for bus riders.

Ms. Baldwin said she would urge the Board to consider looking at the differential. They needed the state to come to the table with money and having this policy advance again before the State imagined its benchmark was completely unacceptable. She echoed what her colleague Jerry said, representing the infrastructure industry for almost six years, she remembered the \$60 million a year. Ms. Baldwin said NJ TRANSIT working with a capital plan that was peanuts was terrible, and that was one of the most improved things that the NJ TRANSIT agency has done under the Murphy Administration doing a 180 on the capital

plan, which was incredible. She said it directly improved the customer experience but if they continued with a shoestring budget, they were going to erase all of the progress. Ms. Baldwin told the Board to remember that they were stewarding the State's most powerful economic engine and protecting the riders that relied on the system every day.

John Reichman, member of the Steering Committee of Empower New Jersey, said the proposed 15 percent and the annual increases thereafter had been met with understandable fury. Mr. Reichman said riders were being asked to pay more for less, with middle income and low-income people feeling the most pain. He said the fare increase would not fix NJ TRANSIT's underlying problem, which was the fiscal cliff that it would face in fiscal year 2026. Mr. Reichman said NJ TRANSIT was in crisis, but it did not have to be. He said there needed to be dedicated funding for NJ TRANSIT, and as board members, they needed to speak up about it.

Mr. Reichman said instead of spending \$10.7 billion on the Turnpike expansion project, which would be an economic and environmental disaster, the money could instead go towards fixing NJ TRANSIT. He said in calendar year 2024, the New Jersey Turnpike Authority was planning to spend \$109 million on design work for an unpopular turnpike. If the money were repurposed to NJ TRANSIT, there would not be a need for a fare increase this year. Mr. Reichman asked the Board to step up for NJ TRANSIT riders and pass a resolution which says the Turnpike money should go to NJ TRANSIT instead.

Mr. Reichman congratulated Chair O'Connor on his appointment and said the announcement of the Chair's nomination indicated that his sole background was in highways and toll collection. He asked Chair O'Connor what expertise or experience he had in public transportation. Mr. Reichman said given the important role the Chair had in protecting the interest of strap hangers, they needed to know what experience Chair O'Connor brought to the Board.

Senior Vice President, Chief Legal Officer & General Counsel Brian Wilton said he would reiterate that this was a comment period. Board members would have an opportunity to comment at the close of all the public comments, if they wanted to. Mr. Wilton said they wanted to ensure that everyone had an opportunity to speak.

David Pringle, resident of Cranford representing Clean Water Action, said he was also on the Steering Committee of Empower New Jersey. Mr. Pringle said he and his family rode NJ TRANSIT regularly, and he was there to urge the Board to stop the proposal for a 15 percent fare proposal, which also eliminated the Flex Pass. He said it unfairly burdened middle and low-income riders, while increasing carbon and coal pollutant emissions by putting more cars on the road unnecessarily.

Mr. Pringle said he could not imagine that they thought everything was perfect at NJ TRANSIT and there was nothing to be done. He said they were in the crisis with an operating deficit and an almost billion-dollar fiscal cliff coming. Mr. Pringle said NJ TRANSIT has continued for decades raiding their capital to fund the operating budget, and the major

capital projects were woefully underfunded. He said the need to electrify rail and bus dwarfed in comparison to the need, given the climate emergency they faced.

Mr. Pringle said the four most independent and newest Board members were pushed off the Board because they were wasting their time. He said they were spending hundreds of millions on an office move while facing a fiscal cliff. Mr. Pringle said a lot of the problems have come down to money and it was a much bigger problem now that had to be solved. He said there was no better advocate than the Board itself, and if they were not saying how much they desperately needed funding, then they were going to do it.

Alex Ambrose, Policy Analyst with New Jersey Policy Perspective, asked the Board to stand up for riders and refuse to cut service and raise fares. Ms. Ambrose said both of which would have devastating financial consequences for commuters and the state's lowest income families. She said NJ TRANSIT was the backbone of the economy and the fare hike was not the solution. They should have been incentivizing more people to take transit, work to make the state safer, and meet emission reductions.

Ms. Ambrose said it was no secret that NJ TRANSIT was still suffering from the budget cuts from the prior Administration, but imposing double digit fare hikes at the last minute was a band-aid solution to a structural problem. She said this meant lawmakers had to find the political will to finally identify a sufficient funding source for NJ TRANSIT, ending their reign as the biggest transit agency in the country without dedicated funding. Ms. Ambrose said her recommendations to NJ TRANSIT were to refuse the fare hikes and service cuts until the Legislature agreed to increase state subsidy.

Ms. Ambrose said NJ TRANSIT was a public service that should not have to subsist on its own customer generated revenue to close the fiscal gap on the backs of riders, just weeks after lawmakers gave the wealthiest corporations in the country a major tax cut. Second, she said to offer a virtual option for the fare hike public hearings. Ms. Ambrose said this would send a message to people who were not able to attend in person that their feedback was just as valuable as the in-person participants. Third, she said to reverse the proposals to get rid of Flex Pass and impose a 30-day expiration on one-way tickets.

Ms. Ambrose said they had not seen sufficient evidence that the proposal would make a substantial difference in the budget, but would create financial implications for every day working class residents. Fourth, she said commit to holding hearings on any future increases in perpetuity. Ms. Ambrose said whether or not if it was legal should not be the question, this was simply the right thing to do to ensure the people most affected by these proposals had their voices heard.

Ms. Ambrose said finally, they called on the Legislature and Governor Murphy to reinstate the corporate business tax surcharge to create a dedicated funding source for NJ TRANSIT. This was a modest tax on the top two percent of corporations operating in New Jersey, like Amazon and Walmart. Ms. Ambrose said New York Metropolitan Transportation Authority (MTA) was able to avoid drastic service cuts and fare hikes by raising taxes on big businesses and there was no reason they could not do the same. She did not know who

Governor Murphy was speaking about when she heard him say repeatedly that New Jersey was more affordable than ever.

Board Secretary Umukoro asked the Operator to open the floor to public comments by telephone participants.

The Operator said as a reminder, if they had not already done so, please press *1 on their telephone keypad to enter to queue to speak. They would hear a brief tone to indicate they successfully entered the queue. Each speaker would be given three (3) minutes for their public comment. A warning would be provided with 1-minute remaining and again with 15 seconds remaining. The Operator said there were 19 participants in the queue to speak.

Matthew Smith, New Jersey Director for Food & Water Watch, said he was speaking on behalf of their 70,000 members and supporters across the state, and congratulated Chair O'Connor on his appointment. Mr. Smith said he and his members would very much appreciate answers to his questions at NJ TRANSIT's earliest convenience. Mr. Smith echoed comments around the unjust nature of the 15 percent fare hike. He said the state was still reeling from the impacts of hyperinflation and rising costs of living in so many areas.

Mr. Smith said the idea that NJ TRANSIT's fiscal woes, that were engineered by lawmakers, should be paid for disproportionately by the families and working people who could not afford it, was unjust and went against the principles of what a good public transit system was and how it should be managed. He urged NJ TRANSIT to advocate for a dedicated source of funding.

Mr. Smith said he also echoed comments made to look at the elephant in the room, which was the unnecessary polluting and widely unpopular Turnpike expansion project. He said it was an obvious source of funding. Mr. Smith asked the Board to also advocate for the reinstatement of the corporate business tax. He said the State's most profitable corporations did not need any more tax breaks, and the money could be used to support a dedicated source of funding for NJ TRANSIT.

Mr. Smith thanked the Board for the announcement that the TRANSITGRID project was cancelled. They believed it should have been cancelled sooner and he wanted to point out that advocates were correct in saying that the funding for the project could be reallocated to other resiliency projects despite claims from former Chair Gutierrez-Scaccetti. Mr. Smith said this pointed to the need for increased transparency and the need to work with advocates. He asked how NJ TRANSIT concluded that due to PSE&G's Energy Strong Program, the TRANSITGRID power plant was no longer a priority.

Andy Weiss said NJ TRANSIT was violating riders' first amendment rights. Mr. Weiss said NJ TRANSIT should setup a virtual public comment option using Zoom or Microsoft Teams for remote public comments at the Fare Increase hearings in March. He said the NJ TRANSIT Board was censoring and suppressing public comments by deliberately

removing the virtual public comment setup for the Fare Increase hearings. Mr. Weiss said the NJ TRANSIT Board has not hired a Customer Advocate and now they were denying public comments for the fare increases hearings.

Mr. Weiss said the Murphy Administration had been cruel to NJ TRANSIT riders and the Democrats were an anti-public transit party. He said the NJ TRANSIT Board should provide monthly updates about the Hudson-Bergen Light Rail extension into Bergen County. Mr. Weiss said it was a major failure that the Hudson-Bergen Light Rail had not been extended into Bergen County.

Paula Rogovin, member of Don't Gas the Meadowlands Coalition, said she strongly believed raising the fares for public transportation was a sign of moral bankruptcy. Ms. Rogovin said the proposed fare hike was wrong, and could spell a lot of suffering for working people. She urged members of the Board to publicly oppose a fare hike, even if it meant getting thrown off the Board. Ms. Rogovin urged the Board to send a statement to the Department of Transportation (DOT), and Governor Murphy, in opposition to the highway expansion and fare hike.

Ms. Rogovin said Don't Gas the Meadowlands members have spoken out for years against highway expansion which would increase pollution in environmental justice communities. They joined in the call of others to transfer \$10.7 billion for the highway expansion project to use for rail and bus transportation. Ms. Rogovin said in addition, the state Legislature and Governor Murphy had a to pass legislation to keep NJ TRANSIT fares stable, to call for a corporate business tax, and provide dedicated NJ TRANSIT funding.

Ms. Rogovin said regarding TRANSITGRID, thousands of New Jersey residents were thrilled that NJ TRANSIT decided to abandon their proposed dirty gas power plant, which would have polluted Kearny and nearby communities, which were already overburden by health impacts of pollution. She said NJ TRANSIT spent millions of public dollars and resources on the gas plant proposals, which they could have used to move rail and bus transportation forward toward a cleaner, healthier, and less expensive renewable energy future.

Ms. Rogovin said they were disappointed in the extreme lack of ethics and morality of NJ TRANSIT's administrators. She said four years of testimony by the public about health and climate concerns, resolutions from municipalities, and reports by healthcare providers and scientists played no role in NJ TRANSIT's decision to abandon the gas plant. Ms. Rogovin said she was thankful to the public who played a role in protesting TRANSITGRID and said to Board Member Creuz of the Governor's Authority Unit, that they did not want the Passaic Valley Sewerage commission (PVSC) power plant in nearby Ironbound Newark.

Elizabeth Ndoye, resident of Hoboken and member of MoveOn.org, said NJ TRANSIT's proposed fare hikes would not make up for their budget gap but they would place an unfair financial burden on the riders, many of whom could not afford a fare increase on

an essential transportation service. Ms. Ndoye said many of NJ TRANSIT's customers were dependent on train, light rail, and bus service for their everyday needs and raising fares would impinge on how people conduct their lives and limited their financial stability. She said there was a simple egalitarian solution to their financial woes that was also socially and environmentally sound. Tell Governor Murphy to stop the ill-advised Turnpike expansion project. Ms. Ndoye said the project would emit tons of methane, CO₂, and particulate matter. She said this project would displace residents, cause school closures, and sicken thousands of residents in Hudson, Essex, and Union county with air pollution related diseases.

Ms. Ndoye said they should use the billions of dollars earmarked for the deadly Turnpike expansion project to improve the rail and bus services, by electrifying the transportation system of New Jersey, and become known as the leaders in clean, cheap, efficient transportation services rather than enablers of the perpetuation of New Jersey's infamous cancer corridors from Newark Liberty International Airport to the entrance of the Holland Tunnel. Ms. Ndoye said they made the right green choice to stop the power plant in Kearny, although it took them a long time to do so. She asked the Board to revitalize and reimagine the transportation system in an affordable, equitable, and efficient way.

Michelle Tyler, resident of Glen Rock, said she moved to New Jersey from London six years prior. Ms. Tyler said she found prior comments that compared NJ TRANSIT to world class public transportation amusing because she believed they could do a better job. She said her whole family used the system and the service was beyond antiquated, unreliable, slow, and infrequent. Ms. Tyler said her daughter was a student commuting into New York City every day and catching the train was a great expense. She said she found it quite funny that they spoke about students receiving a 25 percent discount when they were considering raising the prices by 15 percent, which would in turn be a 10 percent discount, and was still a high expense for a full-time student.

Ms. Tyler said the times she had ridden the trains, they were breaking down and she had to sit on a stopped train at a station in the middle of her trip, and then expected to take ride share to get to her destination. She said the money they needed to electrify and upgrade the system was the \$10.7 billion that was being spent to expand roads, which in turn would put more cars on the road, during the environmental and climate collapse that they were living through. Ms. Tyler said it made no sense to spend their tax dollars on the highway expansion when the money could go to better use, encouraging people to get out of their cars and take new electrified, fast, and frequent trains that did not cost an absolute fortune.

Sean Mohen, Executive Director of Tri-County Sustainability in South Jersey, congratulated all the newly appointed members of the Board and thanked all the men and women who worked at NJ TRANSIT. Mr. Mohen thanked the Board for scheduling a public hearing on the proposed fare hike for March 4, 2024, at 11:00 a.m. at the Cherry Hill Library and said, unfortunately none of their hundreds of members have confirmed that they would be able to attend the in-person meeting. He urged the Board to add

several virtual meetings to accommodate the varying schedules of the South Jersey community. Mr. Tyler said they appreciated the work of the Board.

Adam Reich asked Board Member Narra for an update on the Customer Advocate hiring process and stated he had heard rumors that it had been difficult for the Board to find a qualified candidate. Mr. Reich asked why the Customer Advisory Board could not meet with Board members or NJ TRANSIT staff regarding a meeting that was promised to them four years prior after going through an extensive application process. His main concern was on the proposed fare hikes and the lack of a virtual option for the hearings. He said it was completely unacceptable. Mr. Reich pointed out that several members of the Board were participating remotely at that meeting and said it was great that they were able to participate even though some of them had other commitments or considerations that precluded them from attending the meeting in person. Mr. Reich asked why they were not offering the same courtesy to their riders for the fare hike hearings. He said the March 8, 2024 hearing will be held in the same room and has the infrastructure in place for virtual participation.

Mr. Reich said even if the assertion was correct that the Board would weigh all comments equally, whether in writing or in person, it did not account for the value of being able to listen and participate in a live hearing. He said hearing other commenters helped make his comments to the Board be more informed. Mr. Reich said Board Member Narra had been good with getting a response to the questions that he asked during public meetings and there was a lot to be said for that. He said it did not come through the same way with written statements in lieu of speaking. Mr. Reich said for riders who were high-risk like himself, they could not physically attend a meeting unless there was a universal masking requirement put in place.

Emmanuel Morgan, Executive Director of Hudson County Complete Streets and resident of Jersey City, thanked the Board for the recent service improvements to her neighborhood service, including increased service on the No. 119, which increased ridership by 52 percent. Ms. Morgan said it was no secret that 50 percent of Hudson County residents relied on public transit to commute to work and nearly 40 percent of households did not have access to a motor vehicle. She said her next comment was for Chair O'Connor. Ms. Morgan said transit represented one of the greatest hopes that New Jersey had for mitigating the climate crisis and achieving carbon neutrality goals. She said the transportation sector represented the largest contributor to climate change and electric vehicles were not a real or equitable solution. Ms. Morgan said they needed to improve, increase, and incentivize the use of NJ TRANSIT service. She was concerned about the raising fares, and said it would not help them to reach their goals.

Ms. Morgan said although she could count on a bus to come within a few minutes when she arrived at the bus stop, she was still looking for cleaner and more efficient buses. She said New Jersey riders deserved the same clean air buses that other cities around the world had. Ms. Morgan said she was paying \$6.00 to commute into New York City, in addition to transfer costs to the Metropolitan Transportation Authority (MTA), and raising the fare was unthinkable without improving service. She said the state's public

transportation system was becoming increasingly inferior to other systems both nationally and internationally, resulting in transit deserts statewide in an increasingly urbanized state, lack of opportunity for the most vulnerable communities, and an unignorable lack of equity from one neighborhood to the next.

Ms. Morgan said whereas other transit systems have had contactless fare options for years, NJ TRANSIT still operated on an antiquated ticket system. Whereas other transit systems allowed riders to transfer between system and agencies seamlessly, NJ TRANSIT's fares did not allow transfers to other transit systems, even within the NJ TRANSIT system beyond one-zone fare. Ms. Morgan said they needed state officials to invest in the transit system for equity, justice, the health of their communities, and to address climate change.

William Ritzler, Transportation Committee Chairman of the Tri-County Sustainability Organization, said NJ TRANSIT scheduled public hearings to receive public input on a proposed fare adjustment and if implemented the adjustment would result in an immediate increase of 15 percent, with automatic increases of 3 percent in future years. Mr. Ritzler said the amount of the increase would financially impact ridership in a noticeable and substantive manner.

Mr. Ritzler said many of the scheduled hearings were at a time and place that many NJ TRANSIT riders, himself included, would find inconvenient to attend and a virtual option was the solution. He said while offering stakeholders the opportunity to submit comments in writing provided a pathway for engaged stakeholders to provide feedback, written comments rarely had the same impact as content that was delivered verbally. Mr. Ritzler said in the three decades he had been associated with organized public transit transportation advocacy, his observation was that written testimony was less effective at creating significant change in public policy, but he has witnessed the power of testimony delivered personally and passionately by citizens seeking to shape policy beneficial to the people.

Mr. Ritzler said NJ TRANSIT was remised in not offering the riding public the opportunity to provide feedback regarding the potentially significant impact to their personal finances, and they must act to expand access to the largest possible number of engaged stakeholders to demonstrate genuine commitment to inclusivity and transparency. He said asking riders to bear the financial burden created by a lack of a dedicated funding source, especially without facilitating the maximum opportunity to provide public feedback, was unacceptable.

Vito Havrilla, Vice Chair of the Lackawanna Coalition, read a statement from the Coalition. He said fares and a costly headquarters lease was the concern on everyone's minds. Mr. Havrilla said they found themselves in an awkward and confusing position having known how serious of a financial situation NJ TRANSIT was facing. He said the 15 percent increase was difficult for riders and was irresponsible on NJ TRANSIT's part, considering they have seen a consultant's report that showed leasing a new headquarter space would save money now, but would create a massive expense after the first year,

and going forward with the lease was irresponsible. Mr. Havrilla asked if staff had considered spreading renovations over more than six years over the annual cost now.

Mr. Havrilla said when asked about moving expenses, President & CEO Corbett said to reporters that they were not sure if it made sense to buy or lease new furniture, adding an additional 10 percent price to the original \$440 million lease. Mr. Havrilla said when most people move, they took their old furniture into their new place, especially when they had to stretch to make higher rent payments. He would be making more detailed comments at the fare increase hearings.

Mr. Havrilla said to Chair O'Connor, as the head of highways and transit, although the systems needed to work together, they knew that the state resources were not limited. Roads, rail, and buses ended up competing for their share of state transportation money and federal funding as well. Mr. Havrilla said motorist and car culture dominated the culture in New Jersey, the same as any other part of the country. He said the next monthly Lackawanna Coalition meeting was scheduled for Monday, February 26, 2024 in Milburn, New Jersey, and to go to www.lackawannacoalition.org for more details.

Tim Sevenser, resident of the Transit Village of Mount Taber and Board member of the New Jersey Association of Rail Passengers, congratulated Chair O'Connor on his appointment, and said he hoped he had some background in public transit, although it did not seem very prominent in his resume. Mr. Sevenser said he would like to commend NJ TRANSIT for finally cancelling the TRANSITGRID, although they lost a wonderful opportunity to have solar renewable rail. He said it did not seem like solar was being utilized in a lot of their plans for station upgrades and that it should have been. Mr. Sevenser said regarding the Secaucus Meadowlands Transitway Project, he did not think it was a good idea, as it was not a permanent improvement. He said after the FIFA games, the Essex-Hudson Greenway should be a light rail system.

Mr. Sevenser said regarding funding, he agreed that they should increase the corporate business tax and dedicate that funding to NJ TRANSIT, but there were other sources of revenue. He said in Washington D.C., they imposed the vehicle registration fees based on the weight of the vehicle seven times. The bigger the vehicle, the more wear and tear on the roads, and greater chances of an accident. Mr. Sevenser said another source of revenue to consider were private jets, stating that the use of private jets had increased enormously. He said private jets were flown by the richest people in the country who could easily afford increased fees. Therefore, Mr. Sevenser said they should be taxed at a minimum or increase the fees to fly a private jet.

Richard Grant, resident of Hoboken, said if he chose to comment tonight on the fare increase, he would be utilizing a virtual option. Mr. Grant said he agreed with the previous public comments regarding the fare increase but there was another topic that needed attention. He said the dispute over the planned gas powered microgrid had two positive outcomes: NJ TRANSIT would create an updated sustainability plan and a Board Energy & Sustainability Policy Committee was formed. Mr. Grant said the agenda revealed that the final sustainability plan was first scheduled to be released by the end of 2023 and

then changed to sometime in January 2024, but nothing was mentioned at tonight's meeting.

Mr. Grant said the Board Energy & Sustainability Policy Committee previously had three Board members and lost former Board Members Gordon and Doshi. He said the Board Energy & Sustainability committee met less often than most other Board committees and the agendas were set by NJ TRANSIT managers, with no visible committee member input. Mr. Grant said strong committee oversight was not being practiced. He said Governor Murphy must set to have the Board of Public Utilities assist with all of the heavy sustainability lifting and use NJ TRANSIT as a specialized economic development agency.

Matthew Walsh, Board of Directors Member of the New Jersey Association of Railroad Passengers, said he would like to commend previous speakers on their opposition to the Turnpike expansion, as well as the transit deserts and redeveloping inner ring suburbs in the State of New Jersey. Mr. Walsh said he wanted to commend his colleague, Tim Sevenser on how they could utilize the Garden State Greenway more effectively, including public transit. In other words, trails with wood rails, not rails to trails, and in doing so, obviating the need for more Turnpike lanes. He said the trail would go from Montclair to Jersey City, and diverges developing inner suburbs such as Newark, North Arlington, and Kearny. Mr. Walsh said they were building up apartments in these areas, but there was no transit nearby.

Mr. Walsh currently said the Garden State Greenway only made provisions for bus rapid transit but that made no sense and needed to go. He said bus rapid transit was for developing nations or rural areas, but New Jersey was highly developed. Mr. Walsh said they should connect Newark Light Rail with the Hudson-Bergen Light Rail and another light rail. He said the Hudson-Bergen Line had enough room for a single-track light rail transit, with a sidetrack for occasional passing. Mr. Walsh said they needed sustainable transportation, and light rail transit would not only service underutilized transit deserts, but NJ TRANSIT could purchase light rail trains at a volume discount. He said it could be a seamless network of light rail transit, starting at Montclair and going to the City of Newark. Mr. Walsh said exactly where the Turnpike expansion was supposed to begin was where the light rail transit could connect to Newport, and that would provide more service going South, parallel to the Turnpike. He said they did not need more cars on the road, they needed more trains and public transit.

Sally Jane Gellert, Chairperson of the Lackawanna Coalition, said congestion pricing was a complex question, particularly for her as a Bergen County resident and environmentalist. Ms. Gellert said in theory, she supported the congestion pricing as a way to limit traffic and its resultant pollution, but only if the plan was carefully designed to address the potential for increased traffic elsewhere, the funds be used for environmental projects, economic justice was addressed for all members of the community, regardless of political borders, in this case low-income residents of each state, and all parties involved were a part of the panning process. She said at least some of those factors were

missing and their politicians were starting lawsuits instead of including this in the process from the beginning.

Ms. Gellert said Governor Murphy could be encouraging people to avoid the tolls by using transit, but instead the ongoing conflict between states had ramped up and once again, residents, motorists, and transit riders alike, were left in the lurch. She said riders deserved better. The Lackawanna Coalition approved a resolution on the subject at their January meeting and it had been published.

Ms. Gellert said regarding the newly appointed Commissioner, transit and highways needed separate representatives. She said federal funds and state funds each needed an advocate, transit especially. Ms. Gellert said motorists got lots of voice, but transit riders did not.

Ms. Gellert said regarding the Customer Advocate, they noted with interest and a bit of dismay, legislation that would create a Customer Advocate Commission of three appointed members. They noted that those who applied and were accepted four years ago to work with a NJ TRANSIT Customer Advocate were eager to get started. She said the commission was outside the hierarchy and that was fine, but a trio appointed by political insiders who made reports to the Legislature, but not to the public, was not a model that gave them much hope with truly improving transparency and customer service at the agency.

Ms. Gellert said they continued to see the largest settlements with employees for harassment, yet they say NJ TRANSIT was a great place to work. She said they kept arguing for more transparency and encouraged them to find a real dedication to running a high-quality, professional transit agency. Ms. Gellert said they supported finding funding for NJ TRANSIT outside of fare increase and they expected the Board to advocate with them.

Ms. Gellert said as the SCDRTAC Vice-Chairperson, she enjoyed the good feelings at the 40th anniversary commemoration and if that continued, they could do a lot for their constituents. However, without active staff support, progress would be difficult or impossible. Ms. Gellert said they were looking forward to a good working relationship.

Ms. Gellert said picture the \$300,000 annual cost for 125 parking spaces in 20 cent increments, and asked how many bus fare increases they could avoid by not paying for extra parking spaces, not to mention the new headquarters lease.

Matthew Buchys-Hyland congratulated Chair O'Connor on his appointment to the Board and for being the Acting Commissioner until a permanent Commissioner was confirmed. Mr. Buchys-Hyland said Chair O'Connor also served as the Chairman for the New Jersey Turnpike Authority and the South Jersey Transportation Authority.

Mr. Buchys-Hyland said fares had not been increased since 2015 under former Governor Chris Christie, former Lieutenant Governor Kim Guadagno, former NJ TRANSIT Board

Chair Jamie Foxx, and the former Executive Director was Ronnie Hakim. Mr. Buchys-Hyland said he wanted those names entered into the record. He said a 15 percent fare increase was a bit much but ultimately that was left to the Board to decide what was best for the agency.

Mr. Buchys-Hyland said lastly, he had spoken on the issue of expanding the Staten Island Railroad from Tottenville, New York to Perth Amboy, New Jersey, last year at a Metropolitan Transportation Authority board meeting. This would eliminate the need of paying a \$2.90 toll on the Outerbridge Crossing. Mr. Buchys-Hyland said he hoped NJ TRANSIT would work with the Metropolitan Transportation Authority on this issue to expand and improve access to transit.

Jason Anthony, Long Island Railroad Americans with Disabilities Act (ADA) Task Force, said he had a couple of concerns since the new year. Mr. Anthony asked Board Member Narra when would NJ TRANSIT have a Customer Service Advocate. He said it had been over five years since Stewart Mader left the agency. Mr. Anthony said last month, the Metropolitan Transportation Authority (MTA) announced Shanifah Rivera was permanent in her position. He said he had not seen any progress West of the Hudson, and wondered when Governor Murphy was going to speak at a NJ TRANSIT Board meeting. Mr. Anthony said in the past year, New York Governor Kathy Hochul spoke at a Metropolitan Transportation Authority Board meeting twice. He said he wanted to see Governor Murphy speak to the full Board and settle the lawsuit with New York because they were desperate to modernize their system in New York. Mr. Anthony said due to New Jersey's lack of cooperation, they were not able to modernize the signals on the Fulton Street line, and replace elevators in stations. He urged adding a virtual option for the fare increase hearings so New York residents could have a voice.

Delven Bradford, resident of Philadelphia, said it was not fair for commuters, travelers, and riders to have to pay extra for the fare. Mr. Bradford asked that the Board oppose the Turnpike expansion because no one needed it. He said they were losing riders due to the proposed fare increase and the services were not reliable. Mr. Bradford said riders preferred taking alternate services from Philadelphia to New York City, over NJ TRANSIT, because they were more reliable, and the trip times were shorter. He said the Board should make their voices heard and asked that the money for the Turnpike expansion project be repurposed for NJ TRANSIT.

Mr. Bradford asked if it was possible to bring back the Atlantic City Rail line to New York City because during the summer, traffic was horrible on the New Jersey Turnpike and the Garden State Parkway. Mr. Bradford said this would allow riders the option to travel to New York City on the weekend during the summer and they would not have to drive and waste gas.

Michael McGettigan, lifelong Philadelphian, said he used NJ TRANSIT to travel from Trenton to New York City, after using Southeastern Pennsylvania Transportation Authority (SEPTA). He said he used NJ TRANSIT to travel to the shore, and South of Atlantic City by bus and also the Atlantic City Rail Line.

Mr. McGettigan said it was clear that the corporate tax was central to NJ TRANSIT's revenue problems. He said they could not balance their budget trying to squeeze more money out of rider's wallets. Mr. McGettigan said they needed to reimplement the corporate tax and find other sources of funding. He said riders could not afford the increase as they were among the poorest people in New Jersey and Philadelphia.

Mr. McGettigan said NJ TRANSIT customers should not have to beg for a virtual option for the fare increase hearings. He suggested the Board find a couple of community college students who did audio/video work and set up a Zoom option for the public hearings.

Mr. McGettigan said the New Jersey Turnpike expansion was futile and would move a traffic bottleneck a few miles east, at an enormous cost, and was not worth it.

Mr. McGettigan said he would speak to his personal experience. Because Amtrak cut trains after 8:30 p.m., a large number of passengers were transferring to NJ TRANSIT to connect to SEPTA to get back to Philadelphia and vice versa. Mr. McGettigan said the Trenton Transportation Center after 9:00 p.m. was frightening. He said they had abandoned the station to a variety of people with problems. Mr. McGettigan said NJ TRANSIT staff at the location, particularly women, stuck together in groups because the station was crowded and frightening.

Mr. McGettigan said if someone took the NJ TRANSIT train to shore points or the bus, they would realize how slow, infrequent, poorly setup the system was. He said it was time for the Board to see for themselves the experience that they were expecting riders to have. Mr. McGettigan urged the Board to help South Jersey's only rail line, to fund it properly, and have it run every hour at minimum.

Jimmy Lee, resident of Jersey City, said he was a regular rider of NJ TRANSIT buses, light rail, and trains. Mr. Lee said the last time he dialed in he called out the pollution and wastefulness of the proposed \$10.7 billion widening of the I-78 Turnpike extension and the harm it would cause to communities, including air pollution, the complete contradiction to the state's climate goals, and importantly, the road dangers that additional traffic would cause not just on the Turnpike itself, but on the regional and local roadways. He said this terrible project was not the fault of NJ TRANSIT, and NJ TRANSIT was not the villain in the story, however, they had the opportunity to be the hero. Mr. Lee echoed the other public comments asking for increased bus frequency and other service improvements. He said investments in transit that would be cleaner, faster, and cheaper than continuing to suffocate the Garden State with more asphalt and congestion.

Mr. Lee thanked NJ TRANSIT for all of the bus frequency improvements in Hudson County. He said that they were making a big difference, for example, when he took the No. 119 on weekends, even after doubling frequency, he could see the bus was still full, and there continued to be demand for more frequent and reliable bus service. Mr. Lee also wanted to thank NJ TRANSIT for stepping in to save the hugely important A&C bus lines in Jersey City. He said those buses provided critical service for students getting to school and senior citizens buying groceries and running errands.

Mr. Lee said he was thankful for the cancellation of the TRANSITGRID power plant, and running the gas power plant frequently would have caused additional pollution in environmental justice communities. He said he was happy there was a way to redirect the important funds to much needed resiliency projects.

Mr. Lee asked for an update on the Hudson County Bus Network Redesign. He said lines had not been redesigned since the street car era and were sorely needed. Mr. Lee asked the Board to consider merging the No. 10 and No. 88 bus lines. He said the No. 10 ran from the southern tip of Hudson County to Journal Square and the No. 88 ran from Journal Square to the northern tip of Hudson County. Mr. Lee said for the bus to turn around it wrapped around long blocks at Journal Square and caused riders an additional 10 minutes on their trip to head into the bus station unless they opt to get off the bus early and walk instead. He asked the Board to look into doubling No. 9 service, a former A&C bus line, stating it was packed and there were no other easy ways to travel east or west by transit in Jersey City.

Mr. Lee said the looming \$1 billion budget deficit threatened all the great progress NJ TRANSIT has made so far and the ability to make so many other improvements. He said they asked for their help in advocating for a dedicated funding source. Mr. Lee echoed all previous comments advocating for softening the fare hikes, and moreover asked for a fare program similar to that of the Metropolitan Transportation Authority, and to provide heavily discounted fares for low-income riders. He asked that they cancel the \$10.7 billion Turnpike project and redirect all funds to NJ TRANSIT for much needed projects instead.

Board Comments

Board Member Abrantes said he wanted to acknowledge the speakers, that he valued and respected their feedback, and was looking forward to working with the Board to address their concerns.

Board Member Narra said a number of people asked about the Customer Advocate position and she was thrilled to be able to provide an update. Contrary to the rumors people have heard, the process has been ongoing, and she could not begin to quantify the number of applications that came in after they revised the job description in an effort to get a better applicant pool. She said the second job description netted thousands of applications. Board Member Narra said she really wanted to thank staff, the Administration, and especially Human Resources, who did extraordinary work to go through all of the applications and conduct interviews with the people who they felt met the basic requirements.

Board Member Narra was very proud to announce the search had been narrowed down to three candidates, who were vetted by members of the Administration and staff. They were almost at the last phase of the process, and those three candidates would be going through an interview process with three Board Members, including herself, Board Member Brown, and Vice Chair Carson. She hoped to schedule the interviews very soon

so they could move this process along and have a Customer Advocate in the job sooner than people would expect.

In conjunction with what Sally Jane Gellert of the Lackawanna Coalition raised on the issue about the current proposed legislation dealing with the customer advocate situation, Board Member Narra echoed her point and was not in favor of it. She did not think having a three-person commission was going to be workable and would not address the concerns that riders would have. Board Member Narra said this was her personal opinion, and could not speak for the rest of the Board on that issue.

Board Member Narra also wanted to address a couple of issues that came from the last few speakers. In reference to Mr. McGettigan on his comment about the Trenton Transit Center not being safe after 9:00 p.m., she asked staff and Chief Trucillo to provide the Board with an update on what was going on there. In reference to Jimmy Lee's comment on specific buses related to Hudson County, the Bus Redesign for the No. 10 and 88, and doubling bus No. 9, she asked staff to provide updates in the upcoming weeks on that situation.

Board Member Narra said she was a bus rider herself who commuted from the heart of Central New Jersey, which was East Brunswick, to downtown Manhattan. Although she rode a private carrier bus, where NJ TRANSIT went with fare hikes, the private carriers went too, which was very much a concern not only to her, but her fellow passengers as well. Board Member Narra said she heard everyone's concern, noted that each and every one of the Board lived in New Jersey and paid taxes along with everyone else, and how the agency went forward was of paramount concern to all of them, especially for those who commuted. She said they appreciated all the public comments and would be attending some of the public hearings and whatever comments were made at the public hearings would be sent in writing to them. Board Member Narra said she always took notes and would be doing the same at the public hearings. While some of her colleagues may not take notes, they all took in what was being said.

Mr. Reichman asked Chair O'Connor was he going to address the questions he raised. Senior Vice President, Chief Legal Officer & General Counsel Brian Wilton said the comment period was over and the Board was not compelled to answer questions if they chose not to.

Public Comments Submitted in Lieu of Speaking

Samuel Rubinstein, resident of Montclair, wrote that he rode the Montclair-Boonton line to travel into New York City on weekends to see friends and enjoy the nightlife, however, the two-hour headways and limited service made the line nearly unusable on the weekends. Mr. Rubinstein stated he sometimes had to take the Morris & Essex (M&E) train to Brick Church Station in East Orange and take ride sharing service to get home, which increased the cost of his ride significantly. He stated having the last train into New Jersey depart from New York at 1:00 a.m. was constraining and often left him in a position of having to cut his plans short or find a way to stay overnight in New York City. Mr. Rubinstein stated other

transit options were similarly limited. Bus service from Port Authority New York did not run much later, and PATH service did not extend west further than Newark.

Mr. Rubinstein urged the Board to consider several changes to the Montclair-Boonton line specifically and several changes to all weekend Rail service. His suggestions were increase Montclair-Boonton line service so there was a connecting Montclair-Boonton train for each hourly M&E train run. Second, run the Montclair-Boonton train further west/outbound on weekends, at least to Montclair State, and beyond if feasible. They could compensate for added costs by considering eliminating service to underutilized and redundant stations on the Montclair-Boonton line, such as Mountain Avenue. Thirdly, NJ TRANSIT should run a pilot of late-night service on Fridays and Saturdays on all rail lines with the last train into New Jersey departing from New York at 3:00 a.m. At minimum, NJ TRANSIT could run a late-night shuttle train from New York Penn Station to Secaucus Junction to get riders into New Jersey where they could catch a bus or rideshare connections.

Sister Catherine Waters wrote increased fares would be an unaffordable burden for commuters and seniors.

Board Operations and Customer Service Committee Report

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

Board Administration Committee Report

Board Member Maroko presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included a summary of operating results compared to previous year's comparable period and Fiscal Year 2024 Budget, 12-month farebox revenue compared to pre-COVID, major balance sheet items and Federal COVID-19 relief grant drawdown summary. Additional information was provided as part of the agenda materials, including the cost-of-service key performance indicators, 12-month farebox recovery, history of vacancies, attrition and hires, ridership and revenue, and a monthly budget-to-actual comparison for December 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 Weiss presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy, and Privatization Committee discussed the Board Item for the 149 Passenger Ferry Vessel – Borough of Carteret Amendment.

Action Items

2402-01: 149 PASSENGER FERRY VESSEL – BOROUGH OF CARTERET AMENDMENT

President & CEO Corbett introduced Michael Kilcoyne, Senior Vice President, Surface Transit and General Manager, Bus Operations Programs, to present Action Item #2402-01. Michael Kilcoyne presented for approval Action Item #2402-01: 149 Passenger Ferry Vessel – Borough of Carteret Amendment.

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

Roll Call Vote:

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

2402-02: ANNUAL INDEPENDENT AUDIT SERVICES FOR FISCAL YEARS 2024, 2025, 2026, 2027, AND 2028

President & CEO Corbett introduced Frank Savino, Acting Auditor General, to present Action Item #2402-02. Frank Savino presented for approval Action Item #2402-02: Annual Independent Audit Services for Fiscal Years 2024, 2025, 2026, 2027, and 2028.

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

Roll Call Vote:

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

Board Secretary Umukoro noted Board Member Medina was recused from Item #2402-03 and would not comment or vote on the item.

2402-03: MEDICAL AND PRESCRIPTION BENEFITS ADMINISTRATION CONTRACT – SIX MONTH EXTENSIONS OF CONTRACTS NO. 17- 030R-A AND NO. 17-030R-C

President & CEO Corbett introduced Binu Thomas, Senior Vice President and Chief Administration Officer, to present Action Item #2402-03. Binu Thomas presented for approval Action Item #2402-03: Medical and Prescription Benefits Administration Contract – Six Month Extensions of Contracts No. 17-030R-A and No 17-030R-C.

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

Roll Call Vote:

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

Consent Calendar

Chair O'Connor asked for a motion to approve the Consent Calendar.

2402-04: REGULATIONS: READOPTION WITH AMENDMENTS OF N.J.A.C. 16:83 CONDUCT AND SAFETY OF THE PUBLIC IN THE USE OF NJ TRANSIT EQUIPMENT AND FACILITIES

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

Roll Call Vote:

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

Executive Session Authorization

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

Board Member Richard A. Maroko made a motion, Board Member Anthony N. Abrantes seconded the motion, and it was adopted. At approximately 8:03 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

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

Return to Open Session

Chair O'Connor reconvened Open Session at 8:35 p.m. Board Secretary Umukoro conducted Roll Call. All Board Members returned to Open Session except Board Members Brown and Thomas.

Adjournment

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

The meetings were adjourned at approximately 8:37 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

FEBRUARY 13, 2024

MINUTES

PAGE

➤ CALL TO ORDER	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	67265
➤ PRESIDENT & CEO'S MONTHLY REPORT	67266
➤ ADVISORY COMMITTEE REPORT	-
➤ PUBLIC COMMENTS	-
➤ BOARD COMMITTEE REPORTS	-

ACTION ITEMS

2402-01	149 PASSENGER FERRY VESSEL – BOROUGH OF CARTERET AMENDMENT – Authorization to enter into NJ TRANSIT Contract No. 21-066R with Hornblower Yachts LLC, of San Francisco, California, for the construction of a 149-passenger ferry vessel at a cost to NJ TRANSIT not to exceed \$11,791,500.00, including administrative costs, subject to the availability of funds. The Borough of Carteret is responsible for all additional funding for the completion of the project.	67303
2402-02	ANNUAL INDEPENDENT AUDIT SERVICES FOR FISCAL YEARS 2024, 2025, 2026, 2027, AND 2028 – Authorization to enter into Contract No. 0000041 with Deloitte & Touche LLP (Deloitte) of Morristown, New Jersey, to provide independent auditing services for Fiscal Years 2024, 2025, and 2026, with NJ TRANSIT having the sole discretion to extend the contract for two additional one-year periods, Fiscal Years 2027 and 2028. Under the contract, NJ TRANSIT will also have the sole discretion to retain Deloitte to provide the optional services of three quarterly reviews of NJ TRANSIT's results of operations for the quarters ending September 30, 2028, December 31, 2028, and March 31, 2029. The total value of this authorization for the five-year period and the three quarterly reviews after June 30, 2028, is \$3,334,055, subject to the availability of funds."	67305

"Authorization is also requested to contract with Deloitte to provide supplemental audit or other services during the contract period, on an as-needed basis, at a cost not to exceed \$250,000 per fiscal year, subject to the availability of funds.

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
FEBRUARY 13, 2024
MINUTES
PAGE 2

- 2402-03 MEDICAL AND PRESCRIPTION BENEFITS ADMINISTRATION CONTRACT – SIX-MONTH EXTENSIONS OF CONTRACTS NO. 17-030R-A AND NO. 17-030R-C – 67307**
– Authorization to extend NJ TRANSIT's contracts with its current medical benefits provider, Horizon Blue Cross Blue Shield of New Jersey of Newark, New Jersey, and its current prescription benefits provider, Express Scripts, Incorporated of Saint Louis, Missouri, at the current bill rate for each, for a period of six months to begin July 1, 2024 and end December 31, 2024. The total cost of this change order is not to exceed \$2,250,000 for medical benefits, and not to exceed \$1,825,000 for prescription benefits.

CONSENT CALENDAR

- 2402-04 REGULATIONS: READOPTION WITH AMENDMENTS OF N.J.A.C. 16:83 CONDUCT AND SAFETY OF THE PUBLIC IN THE USE OF NJ TRANSIT EQUIPMENT AND FACILITIES – 67309**
– Authorization to take all actions necessary to readopt N.J.A.C. 16:83 et seq., Conduct and Safety of the Public in the Use of NJ TRANSIT Equipment and Facilities, consistent with this Board item and corresponding Exhibits.
- **EXECUTIVE SESSION AUTHORIZATION 67316**
- **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 December 12, 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 December 20, 2023;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the December 12, 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
Tahesha L. Way, Lieutenant Governor
Francis K. O'Connor, Acting Commissioner
Kevin S. Corbett, President & CEO

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



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

A handwritten signature in black ink, appearing to read 'K. S. Corbett', is written over the 'FROM' line of the header.

As many of you are aware, transit agencies across the country are facing shortfalls in operating funding, and NJ TRANSIT is no exception. While always the option of last resort, on January 24th we announced a fare adjustment proposal for the first time since 2015 to address this shortfall in FY2025. We have proposed a 15 percent fare adjustment effective July 1st, 2024, to close a budget gap of \$106.6 million in FY 2025. The proposal also includes subsequent annual systemwide increases of 3 percent, effective July 1st, 2025. We are offering a multitude of ways for customers to provide feedback, all of which will be carefully reviewed by the NJ TRANSIT Board of Directors before any final decisions are made. Please visit njtransit.com/hearing for all related information.

As we navigate through these financial challenges, it's equally important to highlight our operational successes, including the seamless transportation we've provided to MetLife Stadium over the past four years, which has paid off big-time for New Jersey. Earlier this month, Governor Murphy announced that MetLife Stadium will host the 2026 FIFA World Cup Final, along with seven additional World Cup matches. Not only are we confident that we will meet and exceed fan expectations, but we want everyone to know that the fan experience will begin as soon as they board their NJ TRANSIT train or bus.

While we look ahead to the 2026 World Cup, we remain committed to enhancing the daily travel experience of all our customers. Toward that end, last week NJ TRANSIT announced the expansion of our Access Link Riders' Choice Program to seven additional counties. Access Link customers in 14 counties across Regions 2, 4, 5 and 6 can now opt-in to receive their rides through Lyft, Uber or Black and White Taxi. Customers can visit njtransit.com/accessibility for more information.

As we continue to enhance the customer experience, we are also committed to training and preparing the next generation of transit professionals and leaders, while promoting the adoption of best industry practices – nationally and internationally. Aligned with this goal, we are proud to have been selected by the International Association of Public Transport, also known as UITP, to host the first segment of UITP's prestigious *Managers in Public Transport Diploma Program*, in close collaboration with Rutgers University's Center for Advanced Infrastructure and Transportation. UITP has also released this year's course list for its North American Regional Training Center. Please visit njtransit.com/UITP for all the details.

In our goal to advance public transit and ensure its sustainability, we recognize the importance of not only training the next generation of leaders, but also making generational investments in critical infrastructure. We are pleased to have been awarded last week a \$75 million FTA grant for the construction of a new rail Maintenance of Way facility in Clifton, New Jersey, to replace a flood-prone 70-year-old Maintenance of Way facility in Wood-Ridge. This new facility will enable us to better maintain and enhance our rail infrastructure, leading to improved and more reliable service for our customers.

As we celebrate this significant investment in our infrastructure, we are equally proud to share another milestone that speaks volumes about the culture we have built at NJ TRANSIT. Today, NJ TRANSIT was named to *Forbes'* "America's Best Employers List" for 2024, ranking 178th of the top 600 large employers nationwide, and top eight of all employers in the "Transportation and Logistics" industry. This marks an unprecedented fourth consecutive year NJ TRANSIT has been recognized by *Forbes* for our considerable efforts to build a productive, professional, and inclusive work environment.

This recognition not only highlights our commitment to our employees, but also underscores our dedication to diversity and inclusion, as we join in celebrating February as Black History Month. This year for Black History Month, we are pleased to unveil a new partnership with Horizon Blue Cross Blue Shield, in partnership with our Company Employee Resource Group, BRIDGES. Working with BRIDGES and NJ TRANSIT's Marketing Department, Horizon is generously sponsoring one locomotive and two bus wraps, allowing us to literally "wrap" our values around the vehicles that serve New Jersey every day. These wraps, a tribute to African American heritage, will be unveiled at an event planned later this month at Newark Penn Station.

In closing, we'll take a moment to acknowledge an important milestone, and welcome two new additions to our Board of Directors. This year, we celebrate the 40th Anniversary of the Senior Citizen and Disabled Resident Transportation Advisory Committee (SCDRTAC), celebrating four decades of advocacy for paratransit funding and overall transit accessibility. We extend our best wishes to former Board Member Sangeeta Doshi and former Board Chair and NJDOT Commissioner Diane Gutierrez-Scaccetti, for their invaluable contributions to our progress and successes. Additionally, we warmly welcome our new Board Chair and Acting NJDOT Commissioner, Fran O'Connor, and new Board member, Anthony Abrantes, to the NJ TRANSIT family. Their extensive experience and dedication promise to usher in a new era of leadership and innovation.



PRESIDENT & CEO'S MONTHLY REPORT

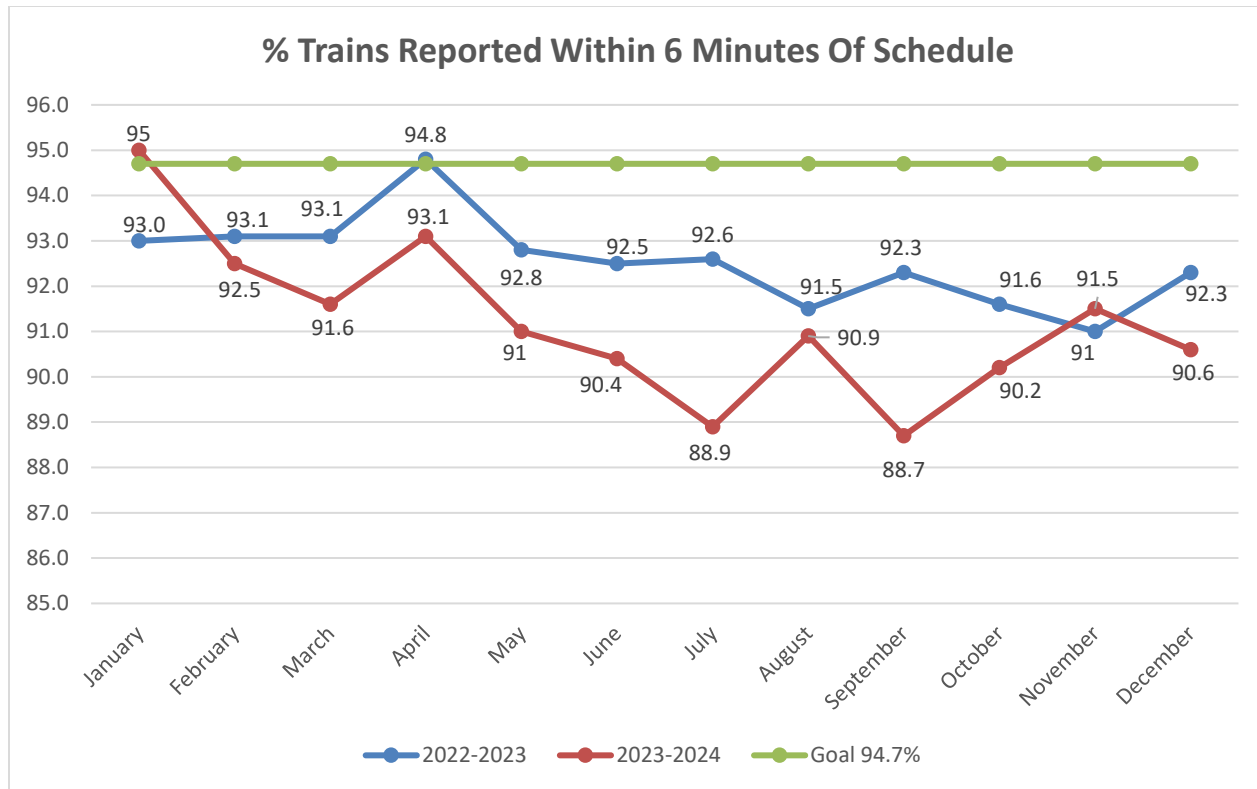
February 13, 2024

TABLE OF CONTENTS FEBRUARY 13, 2024

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

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL JANUARY 2022 – DECEMBER 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
Dec. Comparison	92.3%	90.6%	-1.7%
12-Month Average Jan. 2022 – Dec. 2023	92.5%	91.2%	-1.3%

Analysis:

Rail On-time Performance was 90.6% for the month of December 2023. Of the 17,921 trains scheduled to operate, 16,238 were on time, while 1,683 trains (or 9.4% were delayed).

Key Causes included:

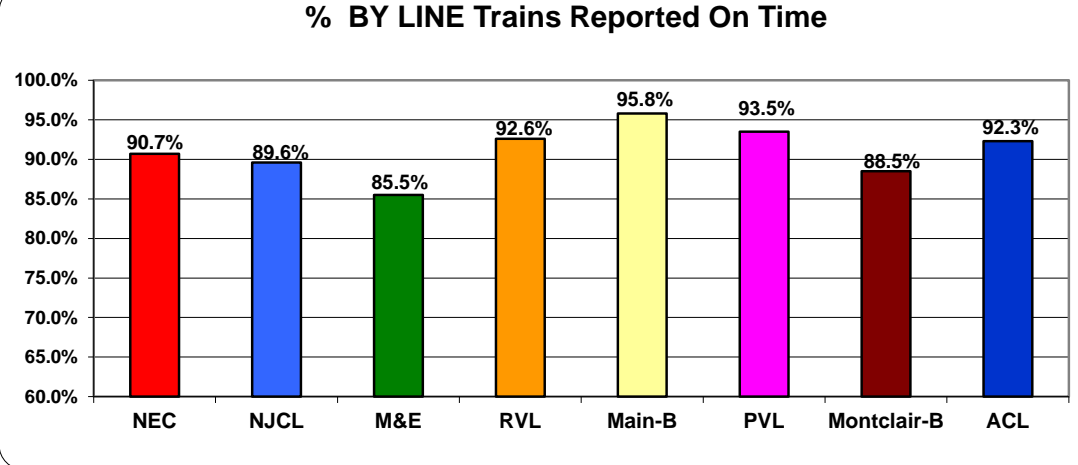
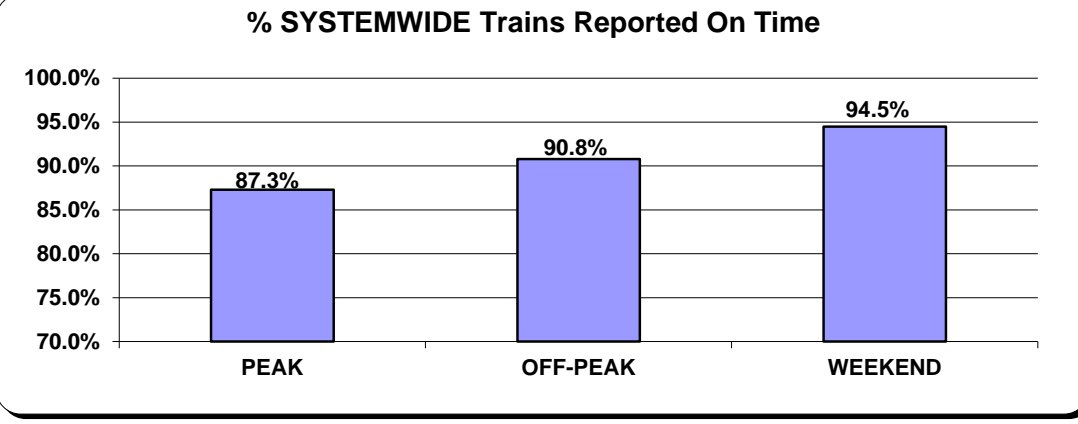
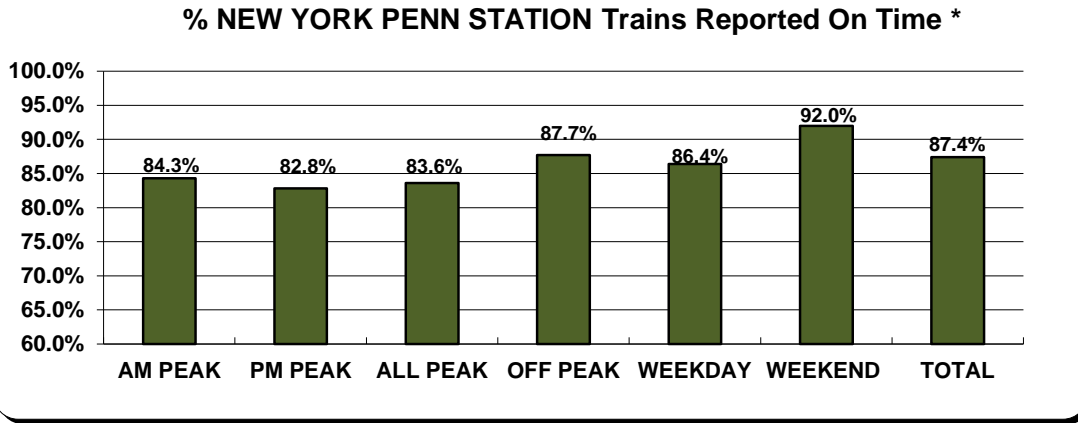
- NJT electric locomotive issue, third party contractor, PTC mechanical and dual mode engine issue contributed 130 delays on December 4.
- Amtrak preference, trackside interference, NJT signal issue, diesel issue, trackside interference, catenary and signal weather issues, PTC mechanical, a fatality, cab car issue and weather related issues contributed 168 delays on December 18.
- Amtrak catenary issue, NJT signal issue and PTC mechanical issues contributed 161 delays on December 29.

The 12-month Average for Rail On-Time Performance was 91.2%.

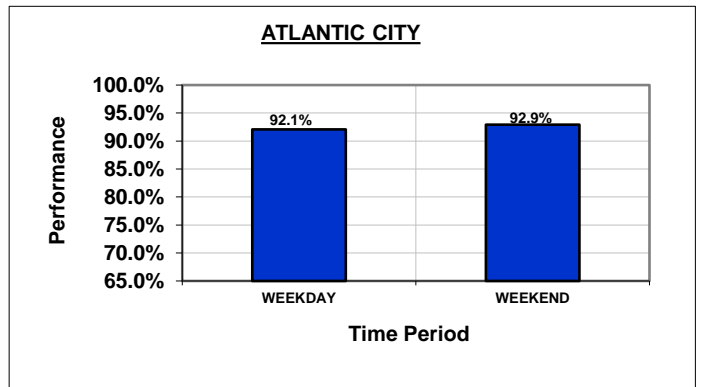
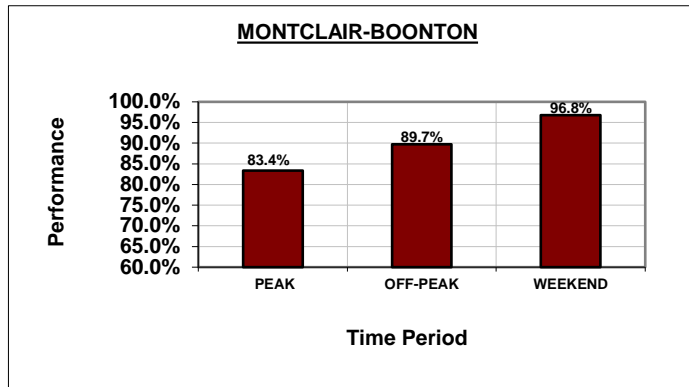
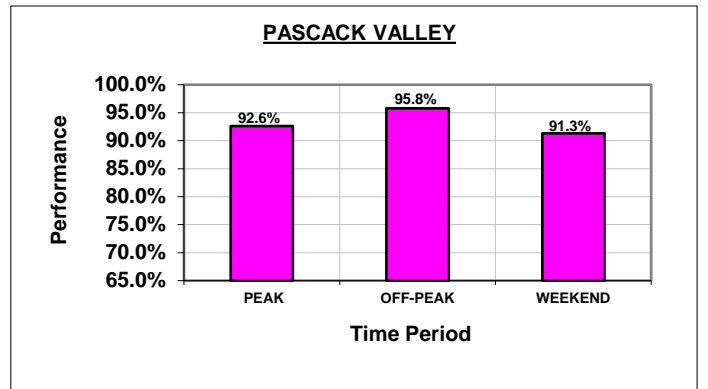
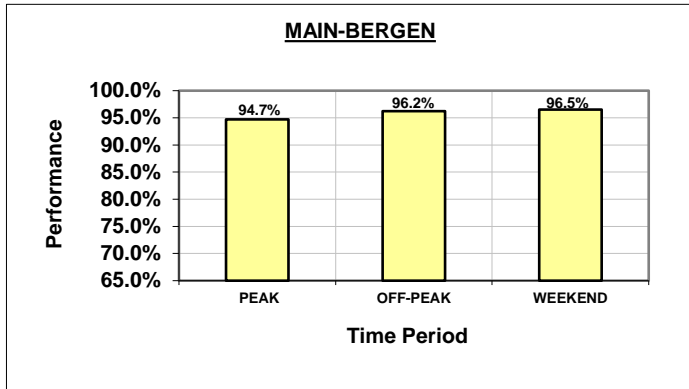
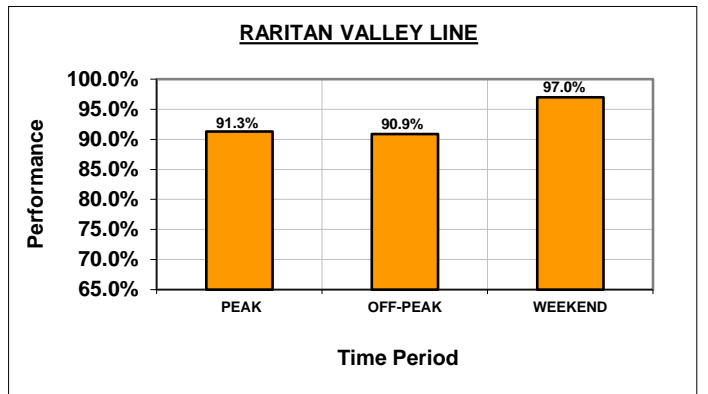
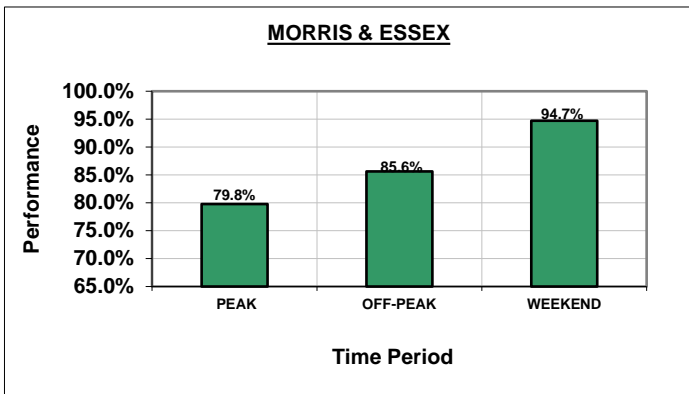
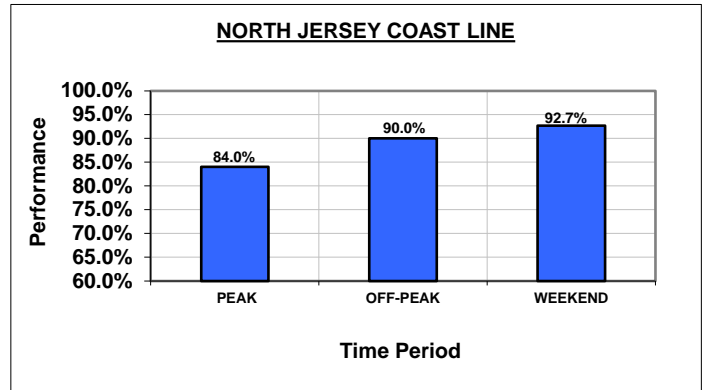
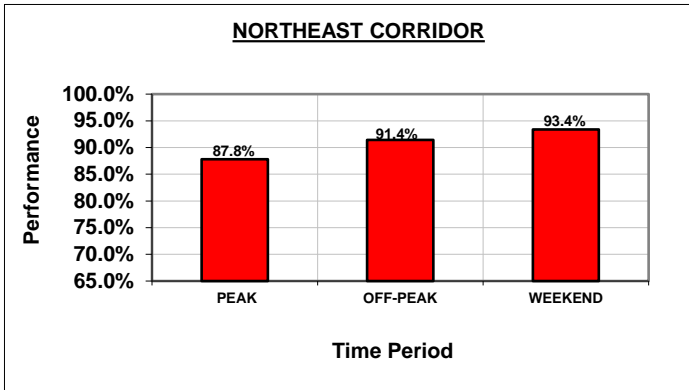
ON-TIME PERFORMANCE RAIL

SUMMARY BY TIME PERIOD December 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.

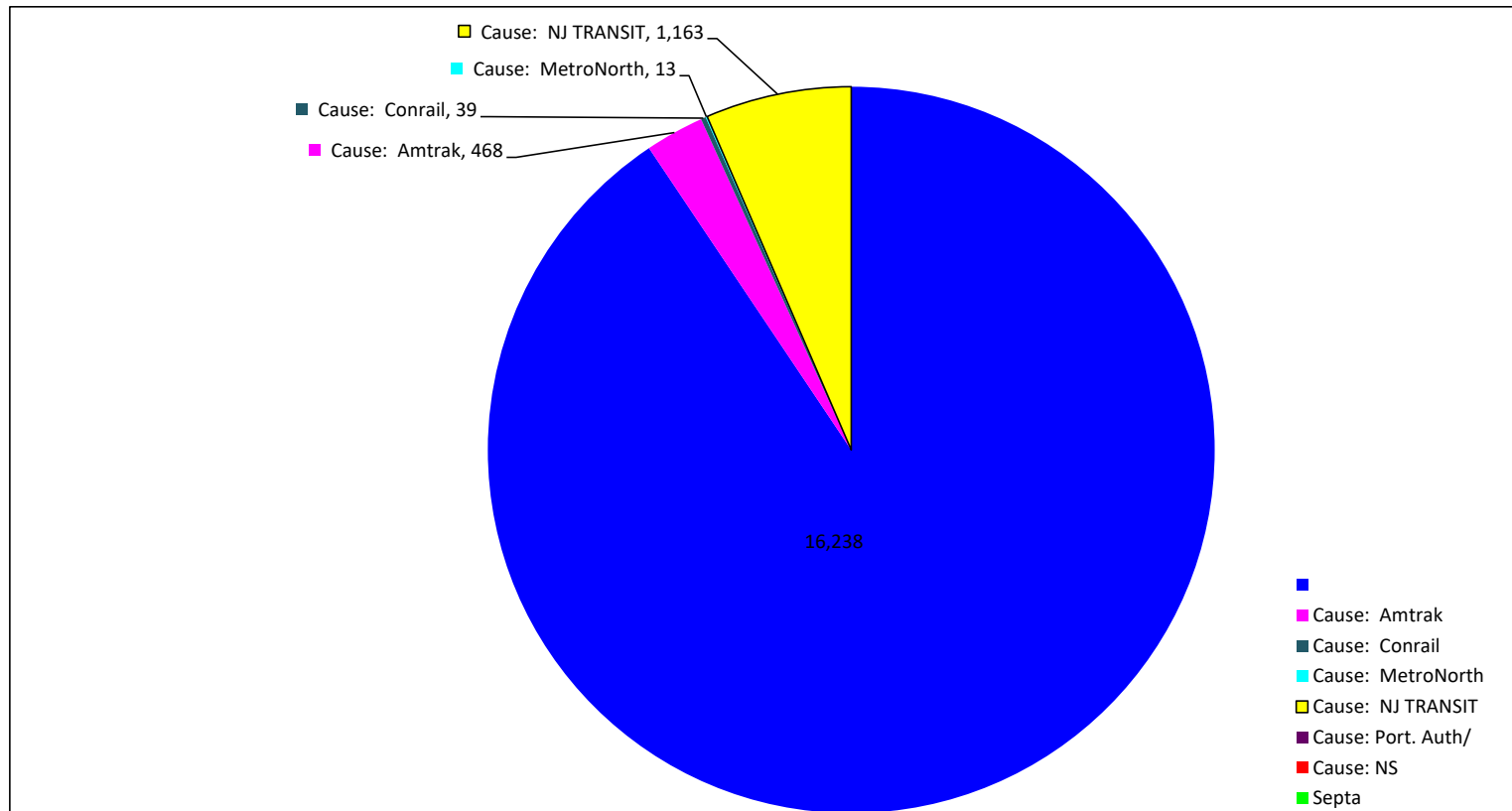


ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD December 2023

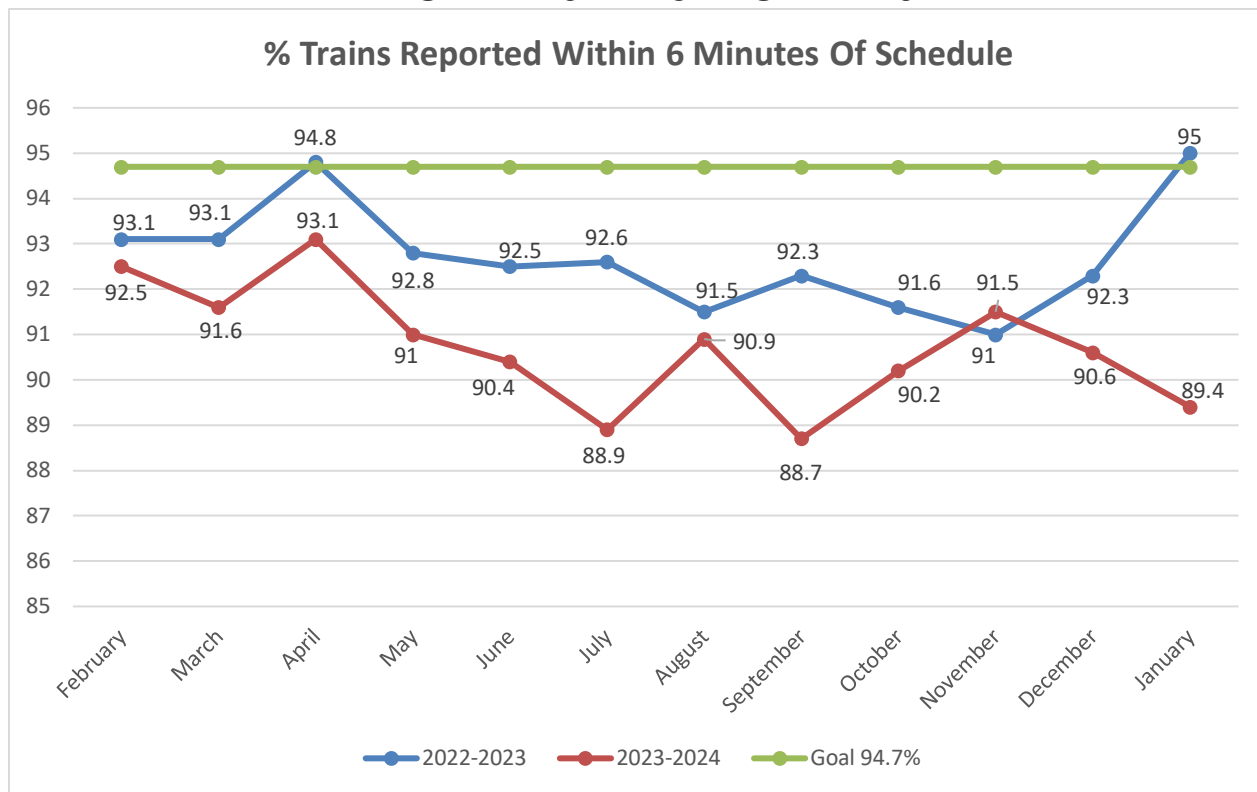


NJ TRANSIT Performance - December 2023 Late NJ TRANSIT Trains

# of Trains On Time	16,238	Cause: Amtrak 468 2.61%	Cause: Conrail 39 0.22%	Cause: MetroNorth 13 0.07%	Cause: NJ TRANSIT 1,163 6.49%	Cause: Port. Auth/	Cause: NS 0.00%	Septa 0.00%
# of Late Trains	1,683							
Total # of Trains	17,921							
Percentage On Time	90.6%							



NJ TRANSIT ON-TIME PERFORMANCE RAIL FEBRUARY 2022 – JANUARY 2024



	<u>2023</u>	<u>2024</u>	<u>%Change</u>
Jan. Comparison	95.0%	89.4%	-5.6%
12-Month Average Feb. 2022 – Jan. 2024	92.7%	90.7%	-2.0%

Analysis:

Rail On-time Performance was 89.4% for the month of January 2024. Of the 18,404 trains scheduled to operate, 16,451 were on time, while 1,953 trains (or 10.6% were delayed).

Key Causes included:

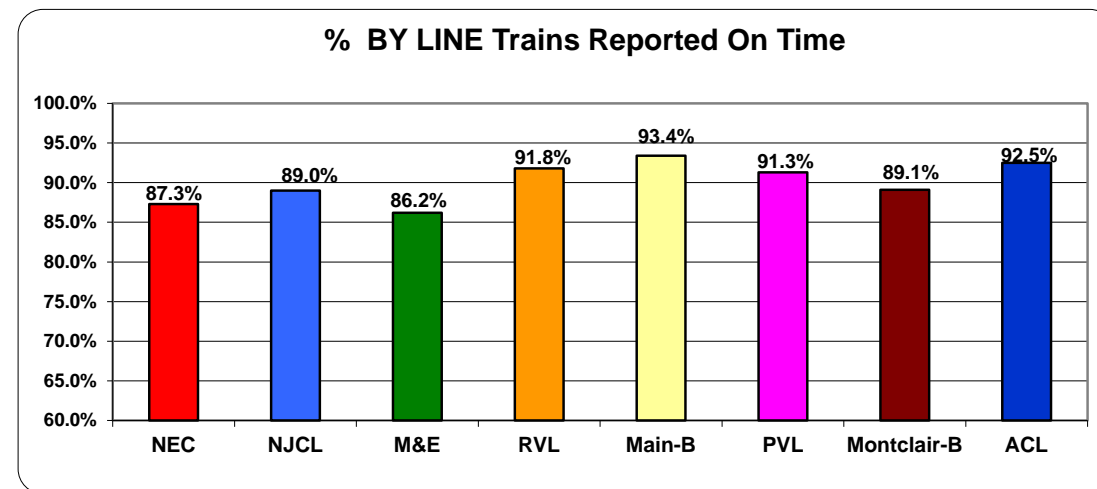
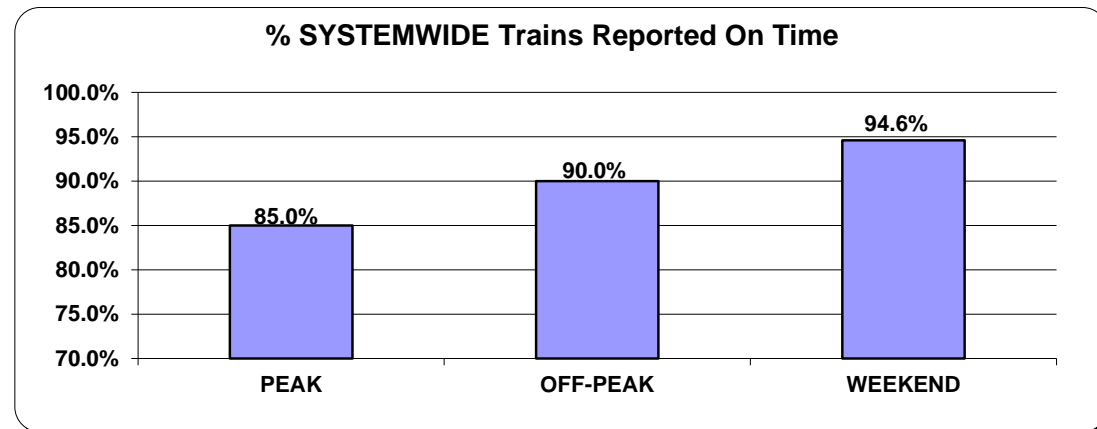
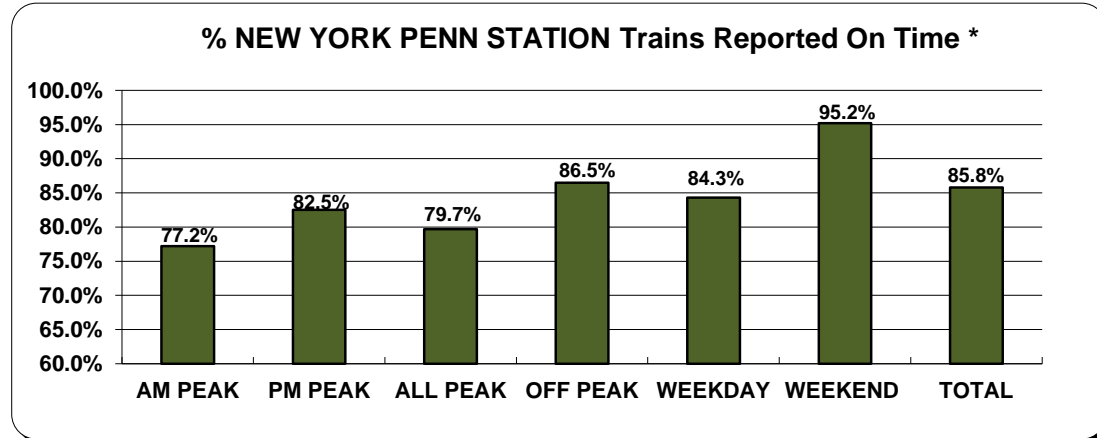
- Amtrak signal issue and NJT PTC mechanical contributed 136 delays on January 12.
- Amtrak track issue, switch issue-weather related and NJT PTC mechanical contributed 186 delays on January 16.
- Amtrak programmed maintenance, weather related, switch and track issues, trackside interference, NJT grade crossing issue, code and signal issues, PTC mechanical, Arrow MU issue and ill/injured passenger contributed 186 delays on January 17.

The 12-month Average for Rail On-Time Performance was 90.7%.

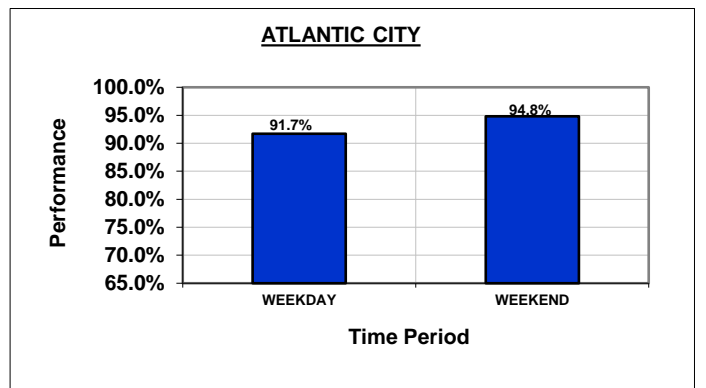
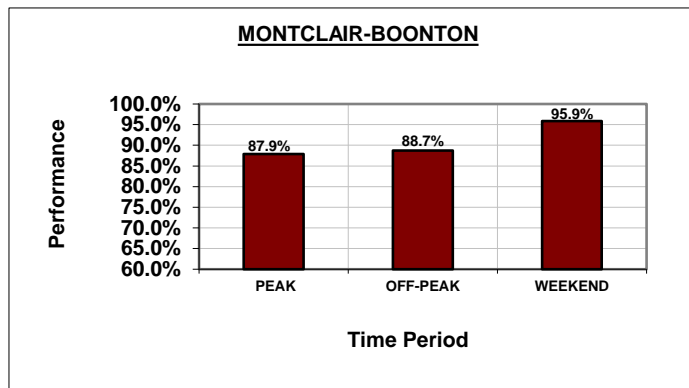
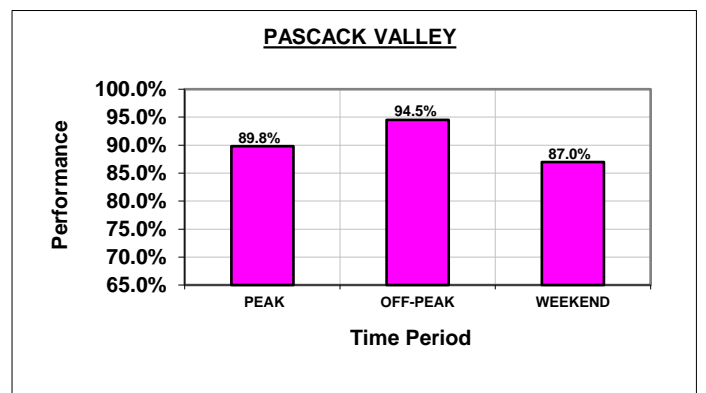
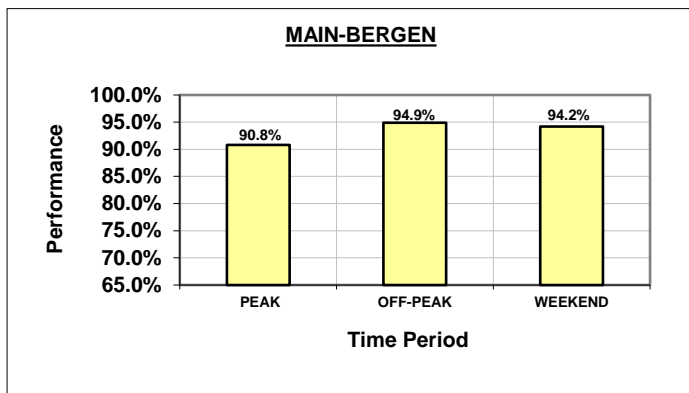
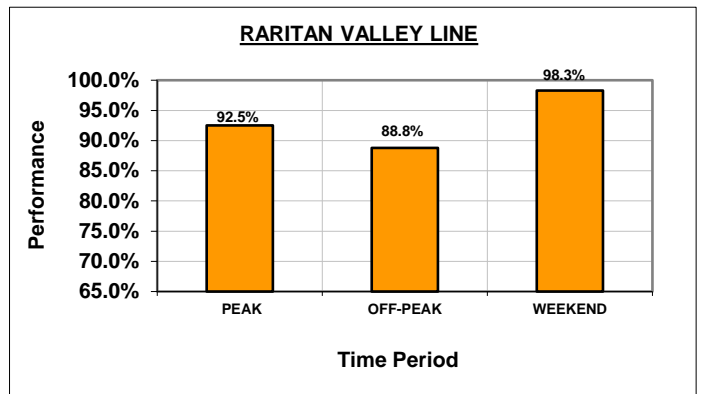
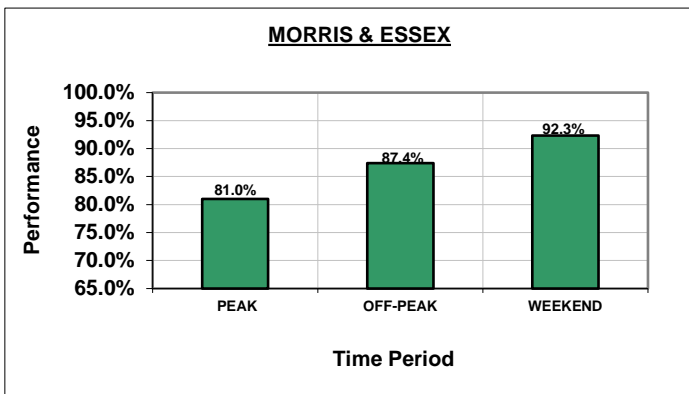
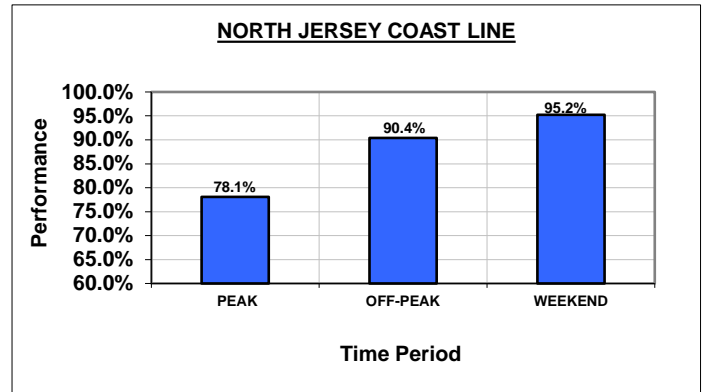
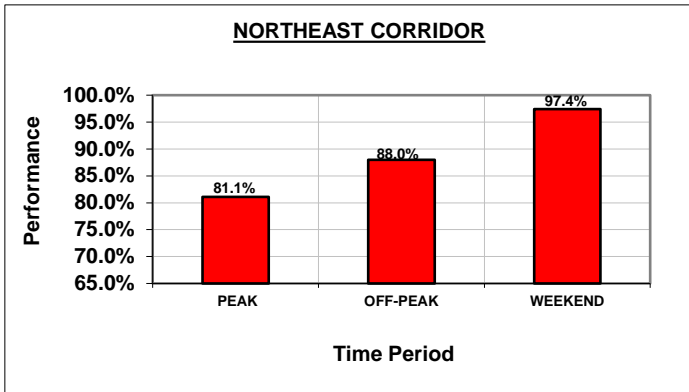
ON-TIME PERFORMANCE RAIL

SUMMARY BY TIME PERIOD JANUARY 2024

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



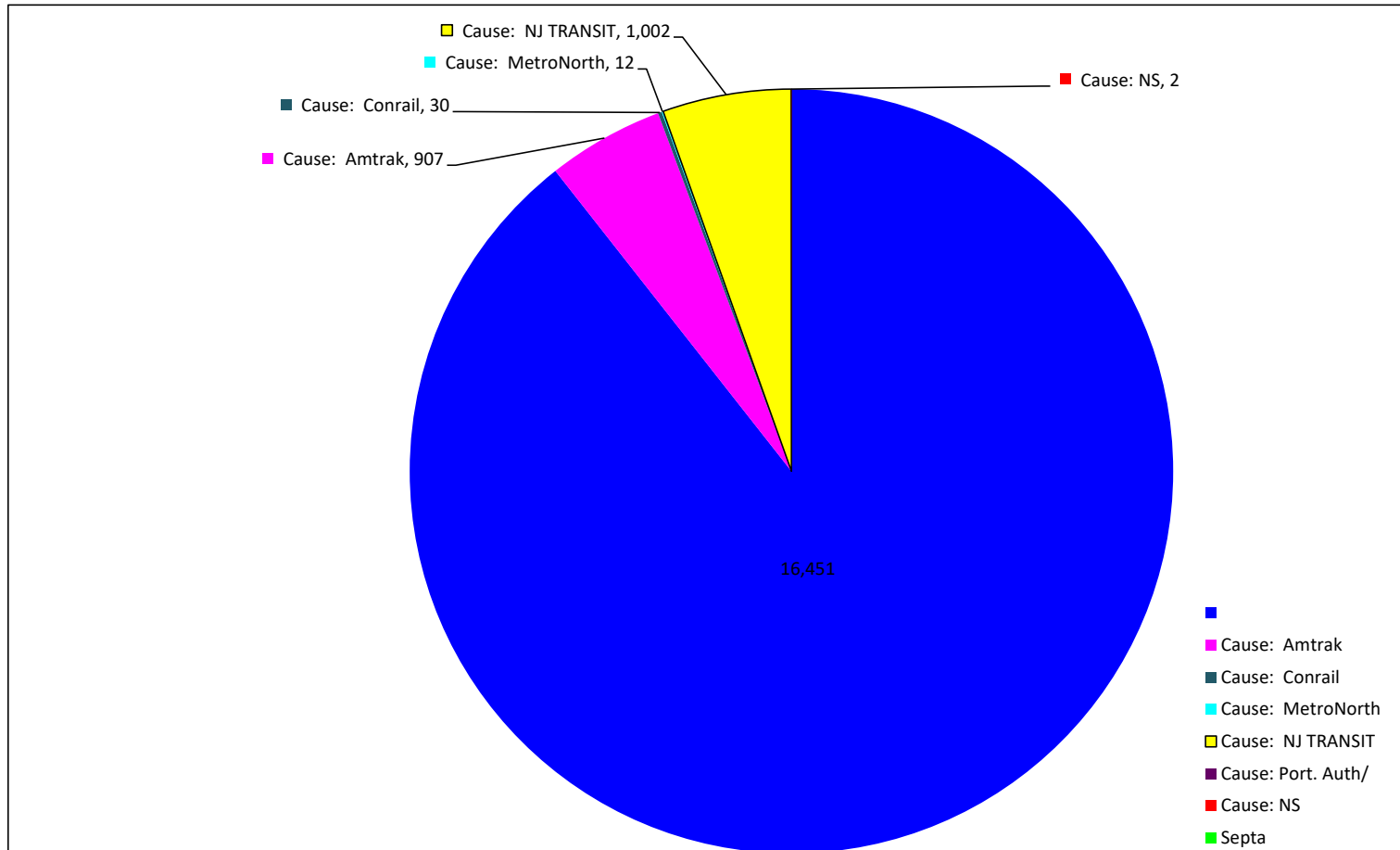
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD January 2024



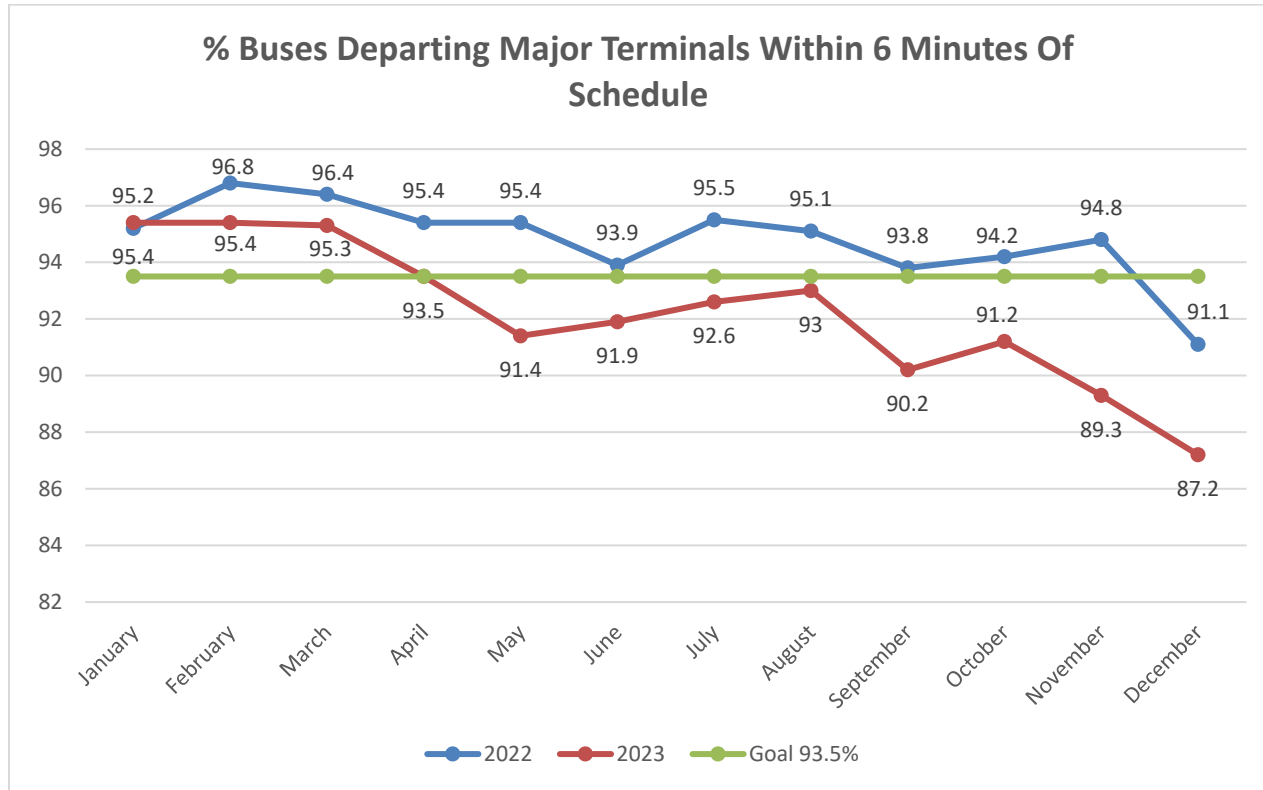
NJ TRANSIT Performance - January 2024

Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: Port. Auth/	Cause: NS	Septa
# of Trains On Time	16,451	907	30	12	1,002		2	
# of Late Trains	1,953	4.93%	0.16%	0.07%	5.44%		0.01%	0.00%
Total # of Trains	18,404							
Percentage On Time	89.4%							



NJ TRANSIT ON-TIME PERFORMANCE BUS Jan 2022 – Dec 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
Dec Comparison	91.1%	87.2%	-3.9%
12-Month Average Jan 2022 – Dec 2023	94.8%	92.2%	-2.6%

Analysis:

Bus On-Time Performance systemwide was 87.2% for the month of December 2023. Of the 44,061 monitored departures, 5,632 experienced delays.

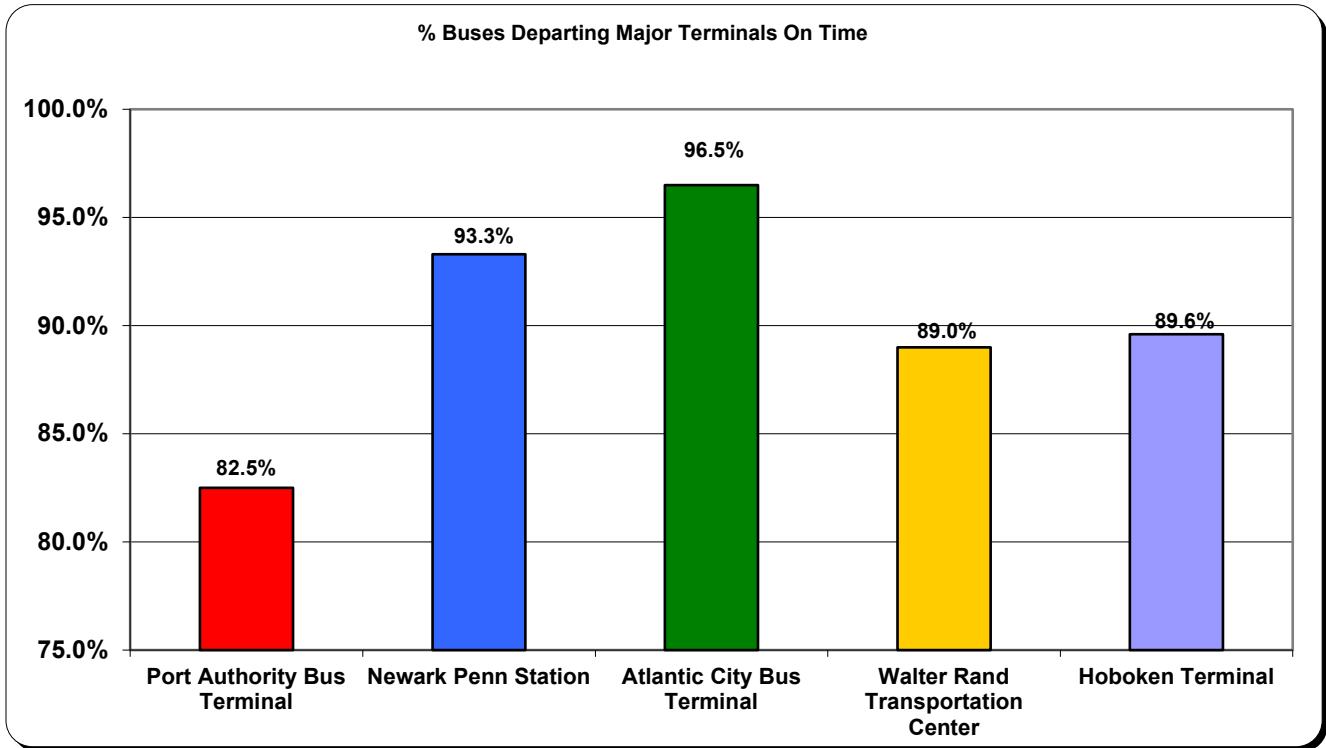
Key Causes included:

- At PABT, on the 5th & 7th, disabled bus in the center tube caused delays. On the 12th, heavy traffic and incident on Rt 18 caused delays. On the 14th & 15th, heavy inbound traffic. On the 18th, a storm caused heavy flooding. On the 19th, a breakdown on 495 west caused delays. On the 20th & 21st heavy inbound traffic caused delays. On the 26th-27th, disabled bus caused delays.
- At Newark Penn, on the 6th, mechanical issues, bus/auto accident, detours on local roads caused delays. On the 15th, passenger in need of assistance, bus/bus accident, road closures due to utility and paving work caused delays. On the 22nd, bus/bus accident, police activity, detours due to construction and utility work contributed to delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

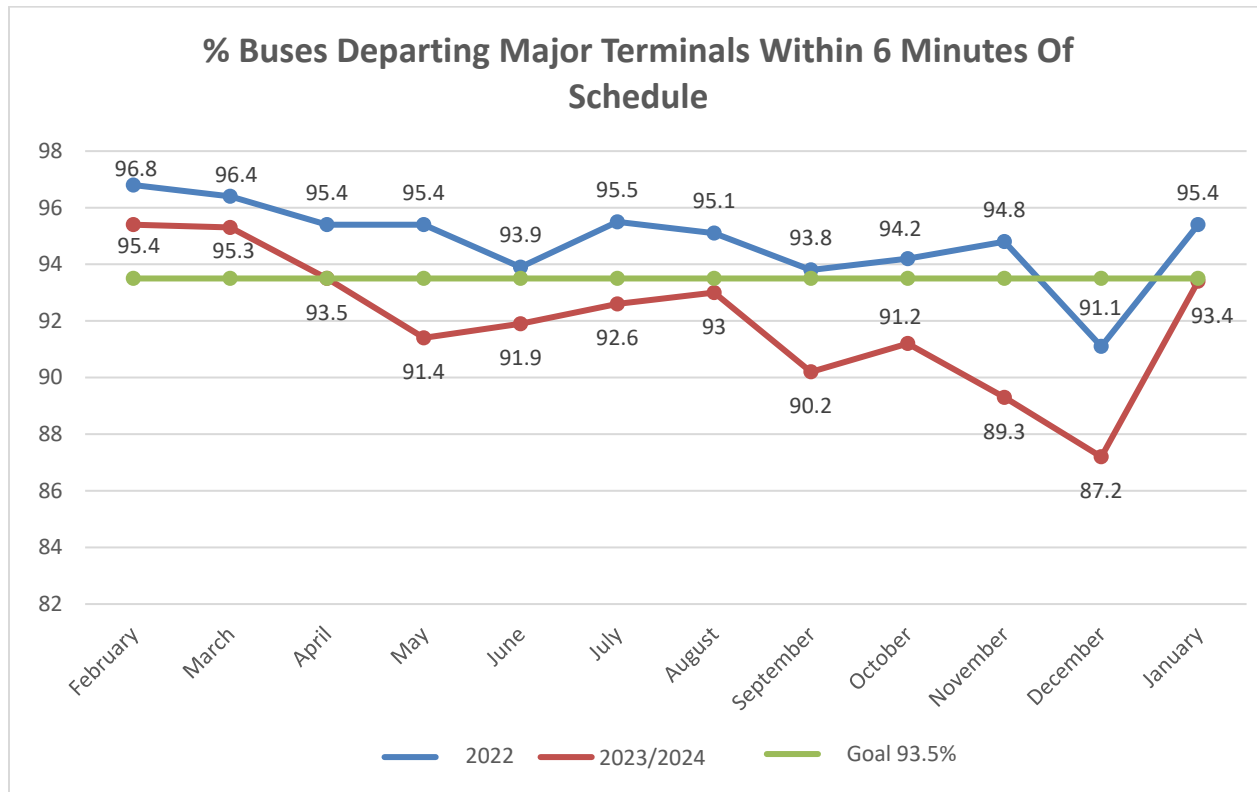
The 12-month average for Bus On-Time Performance was 92.2%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



NJ TRANSIT ON-TIME PERFORMANCE BUS Feb 2022 – Jan 2024



	<u>2023</u>	<u>2024</u>	<u>%Change</u>
Jan Comparison	95.4%	93.4%	-2.0%
12-Month Average Feb 2023 – Jan 2024	94.8%	92.0%	-2.8%

Analysis:

Bus On-Time Performance systemwide was 93.4% for the month of January 2024. Of the 49,302 monitored departures, 3,259 experienced delays.

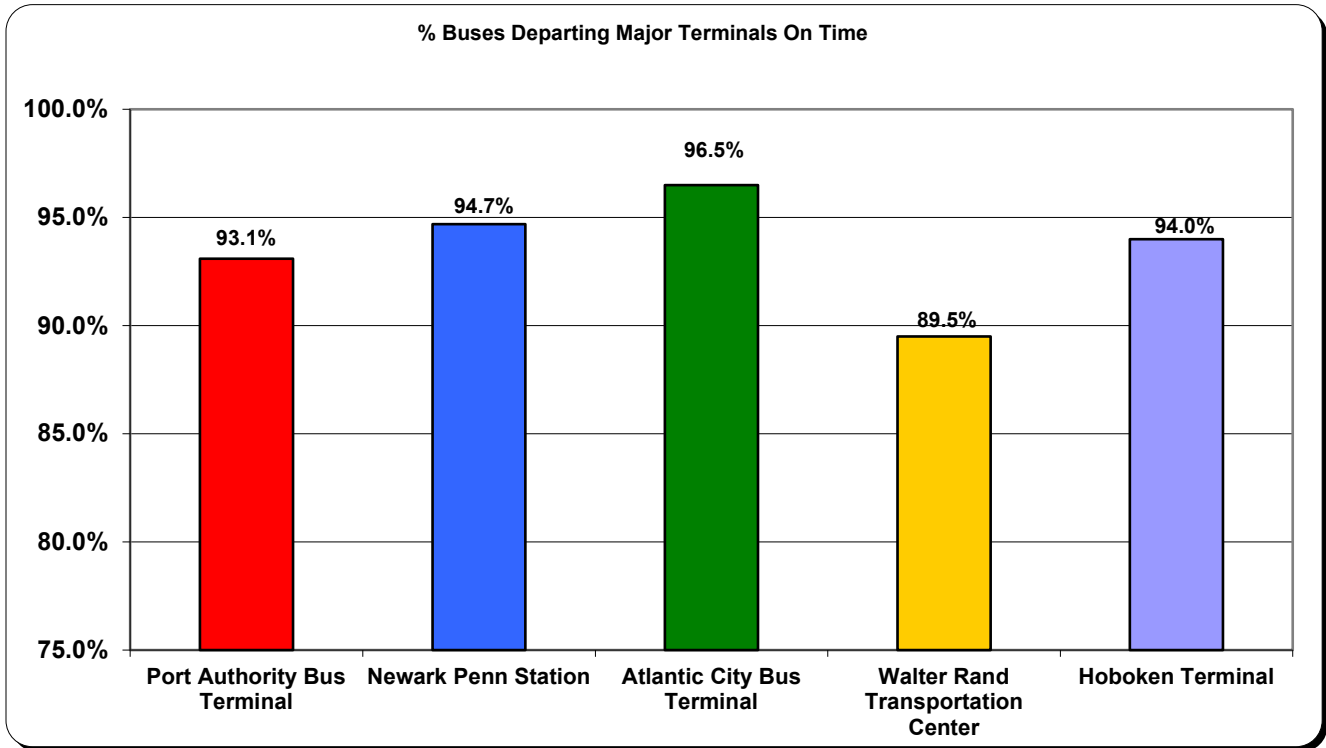
Key Causes included:

- At PABT, On the 3rd, disabled bus in the South tube caused delays. On the 5th, disabled bus in PABT caused delays. On the 8th, outbound congestion caused delays. On the 17th, heavy Manhattan traffic caused delays. On the 25th, an over-height vehicle in the North tube and an accident by Ridgefield caused delays.
- At Newark Penn, on the 17th, mechanical issues, police activity, road closures caused significant traffic. On the 24th, police activity, mechanical issues, road closures due to construction and utility work caused delays. On the 26th, passenger in need of medical assistance, mechanical issues and road closures caused delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

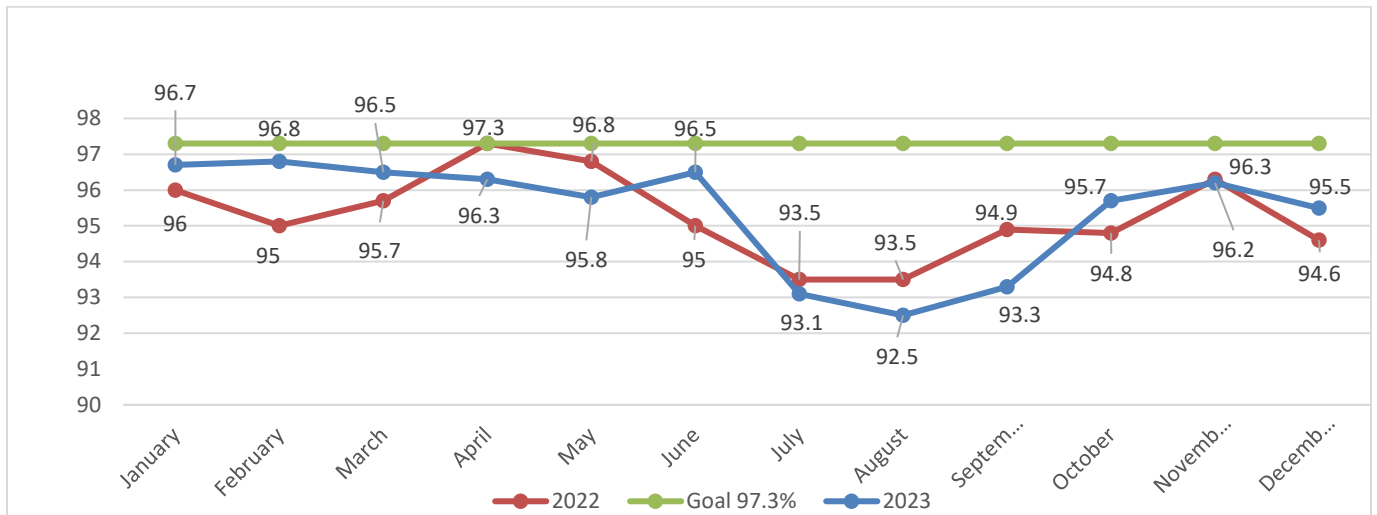
The 12-month average for Bus On-Time Performance was 92%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL January 2022 – December 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
December Comparison	94.6%	95.5%	+0.9%
12-Month Average January 2023 – December 2023	95.2%	95.4%	+0.2%

Analysis: Light Rail On-Time Performance system wide was 95.5% for the month of December. Of the 26,369 scheduled departures, 1,128 experienced delays.

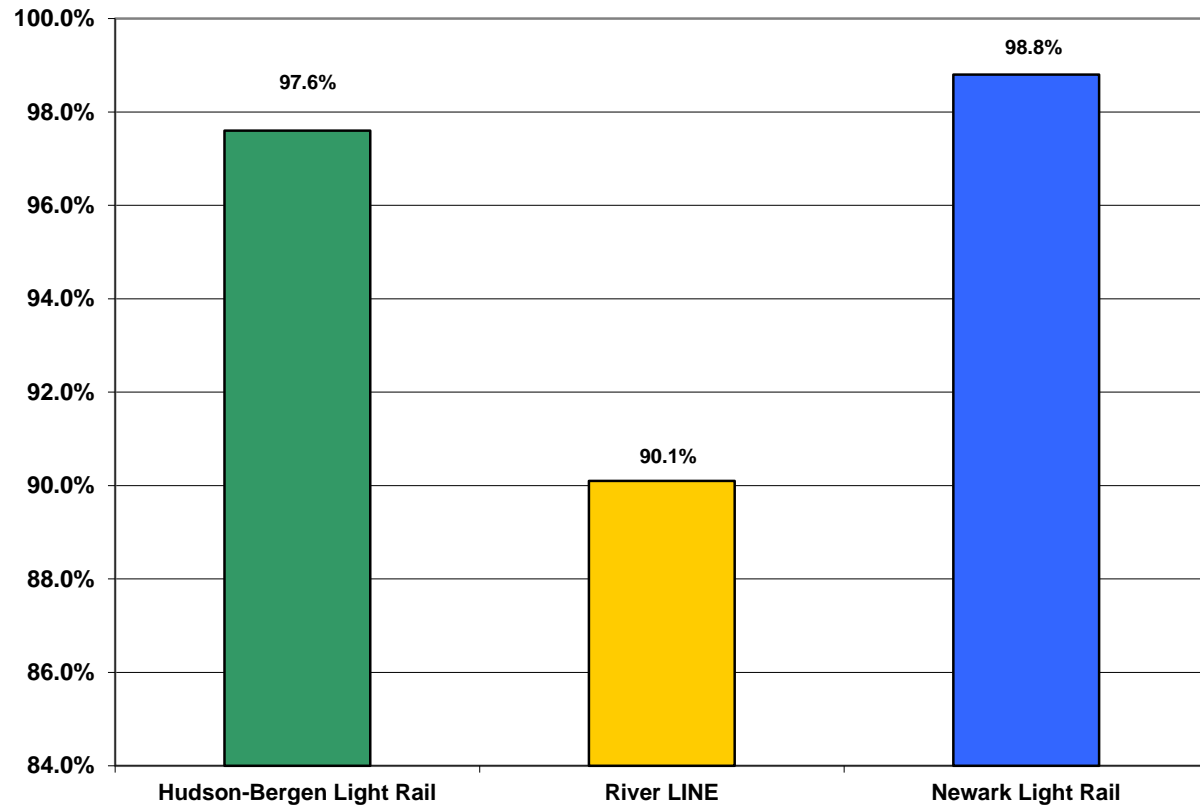
Key Causes included:

- **Newark Light Rail** – General maintenance for LRVs such as door, power, brake, and propulsion issues taking place throughout the month. Downed tree on 12/18 resulted in service disruption.
- **River LINE** – General maintenance issues taking place across multiple dates, including engine, door, signal, and brake issues. Motor vehicles fouling tracks on 12/1, 12/3, 12/5, 12/11, 12/13, 12/16, 12/19, and 12/28 resulted in 10 delays and 19 canceled trains. Light rail vehicle and motor vehicle making contact on 12/7 impacted 9 trains. External passenger incidents throughout the month resulted in 12 delays and 7 canceled trains.
- **HBLR** – General maintenance of light rail vehicles taking place across multiple dates, including door, power/propulsion issues, brakes, and other issues. Motor vehicles fouling tracks on 12/4, 12/13, 12/15, and 12/22 affected 16 trains. Systemwide communication issues on 12/5 impacted 153 trains. External passenger incidents throughout the month affected 41 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.4%

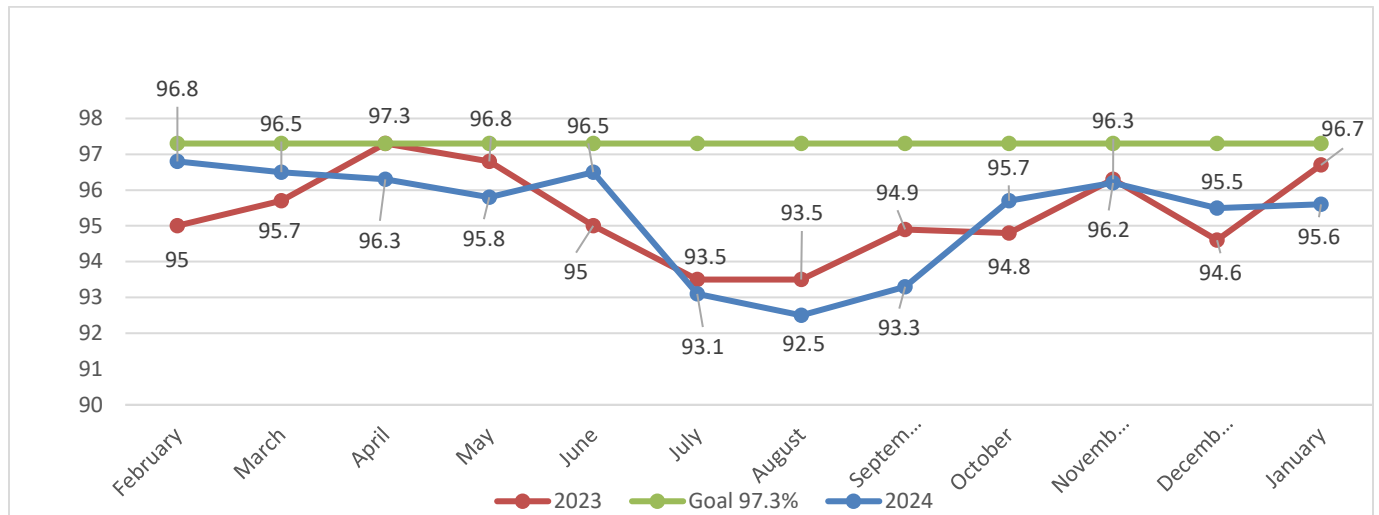
ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE December 2023

% Light Rail Trains Reported On Time



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL February 2022 – January 2024



	<u>2023</u>	<u>2024</u>	<u>%Change</u>
January Comparison	96.7%	95.6%	-1.1%
12-Month Average February 2023 – January 2024	95.2%	95.4%	+0.2%

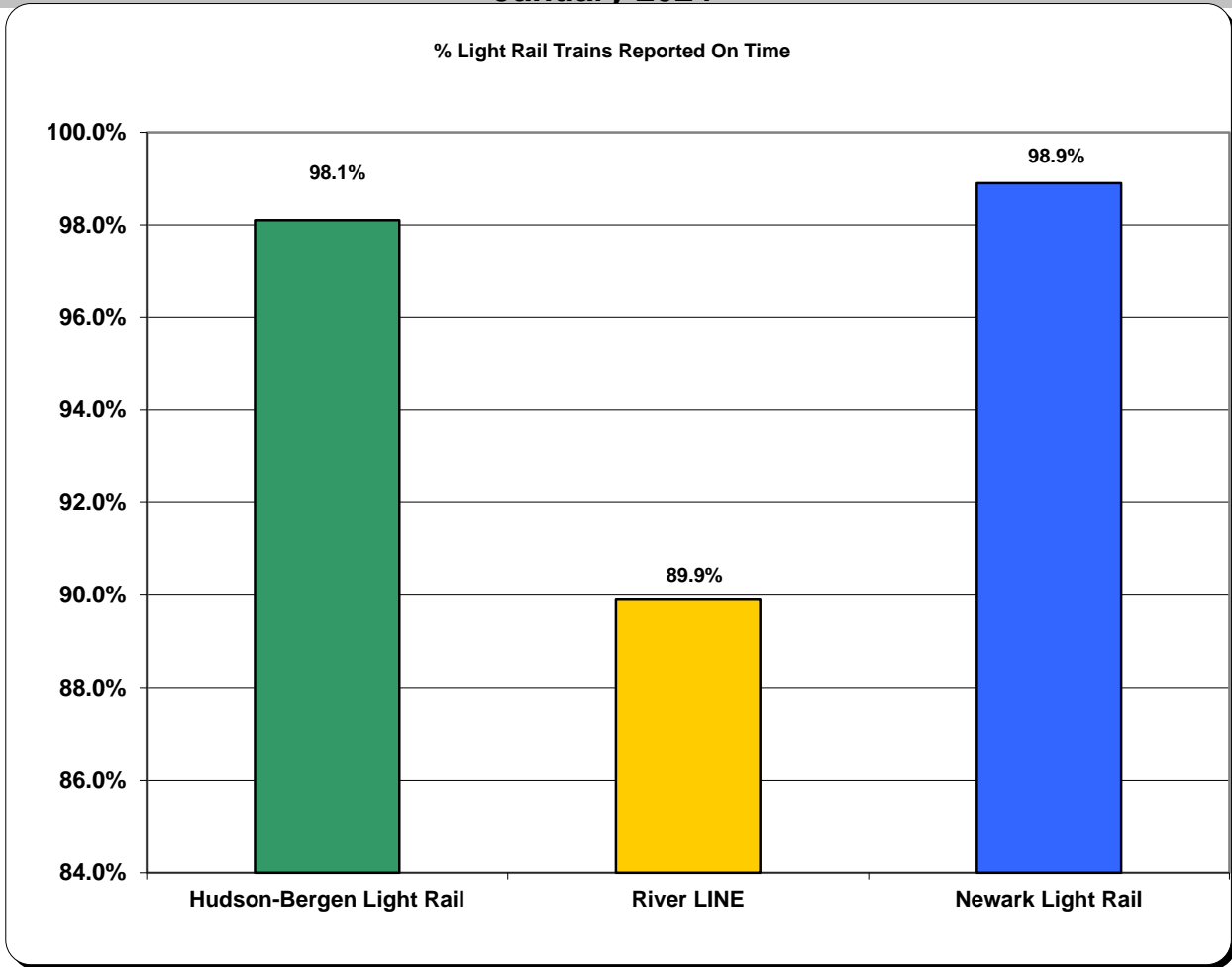
Analysis: Light Rail On-Time Performance system wide was 95.6% for the month of January. Of the 27,157 scheduled departures, 908 experienced delays.

Key Causes included:

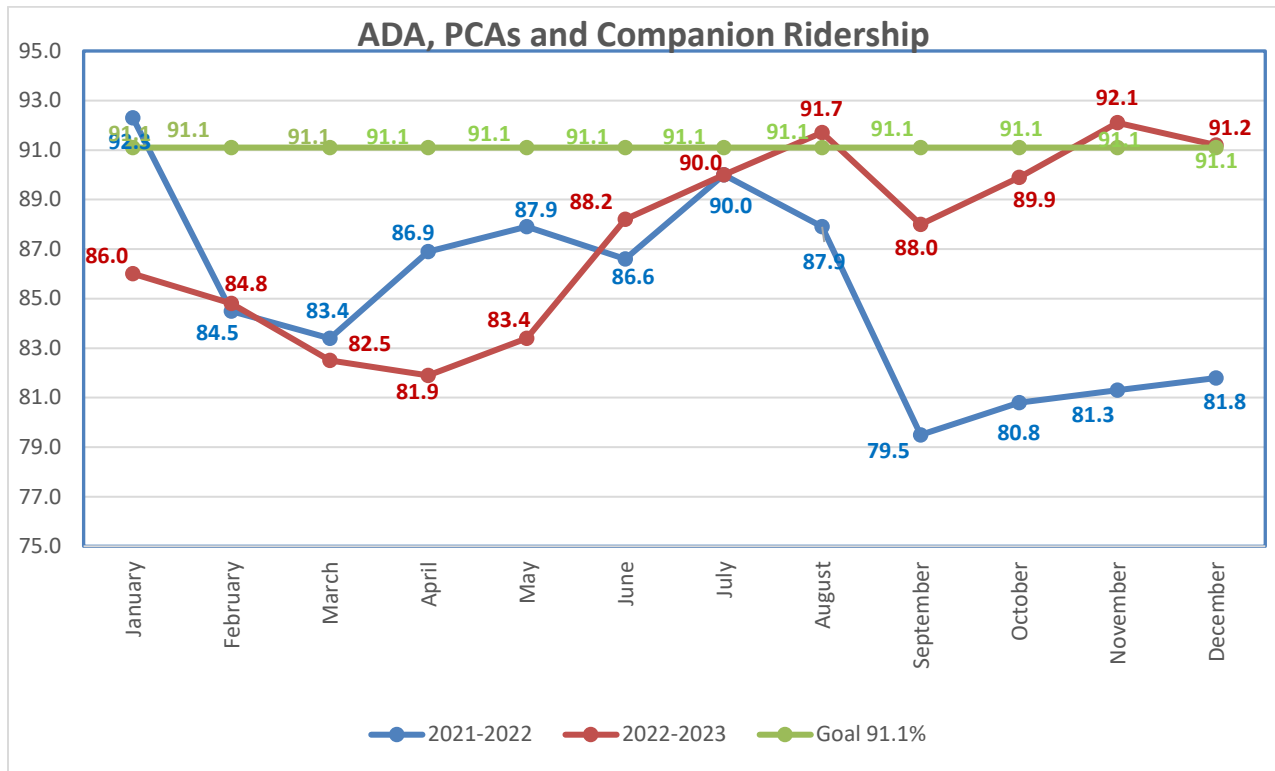
- **Newark Light Rail** – General maintenance for LRVs such as door, power, brake, and propulsion issues taking place throughout the month.
- **River LINE** – General maintenance issues taking place across multiple dates, including engine, door, signal, and brake issues. Police activity on 1/2, 1/3, 1/19 and 1/21 resulted in 4 canceled trains and 7 delays. External passenger incidents on 1/19 and 1/22 resulted in 8 delays. Motor vehicles fouling tracks on 1/4, 1/18, and 1/26 resulted in 6 delays.
- **HBLR** – General maintenance of light rail vehicles taking place across multiple dates, including door, power/propulsion issues, brakes, and other issues. General police activity throughout the month resulted in 108 affected trains. External passenger incidents throughout the month impacted 68 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.4%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE January 2024



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK JANUARY 2022–DECEMBER 2023



	<u>2022</u>	<u>2023</u>	<u>% Change</u>
December Comparison	81.8%	91.2%	9.4%
December Ridership	110,384	123,521	13,137
12-Month Average January 2023–December 2023	85.2%	87.5%	2.3%

Analysis:

Access Link On-Time Performance was 91.2% for December 2023. In serving 135,938 total customers, for 123,521 ADA customers trips, 10,820 or (8.8%) experienced delays.

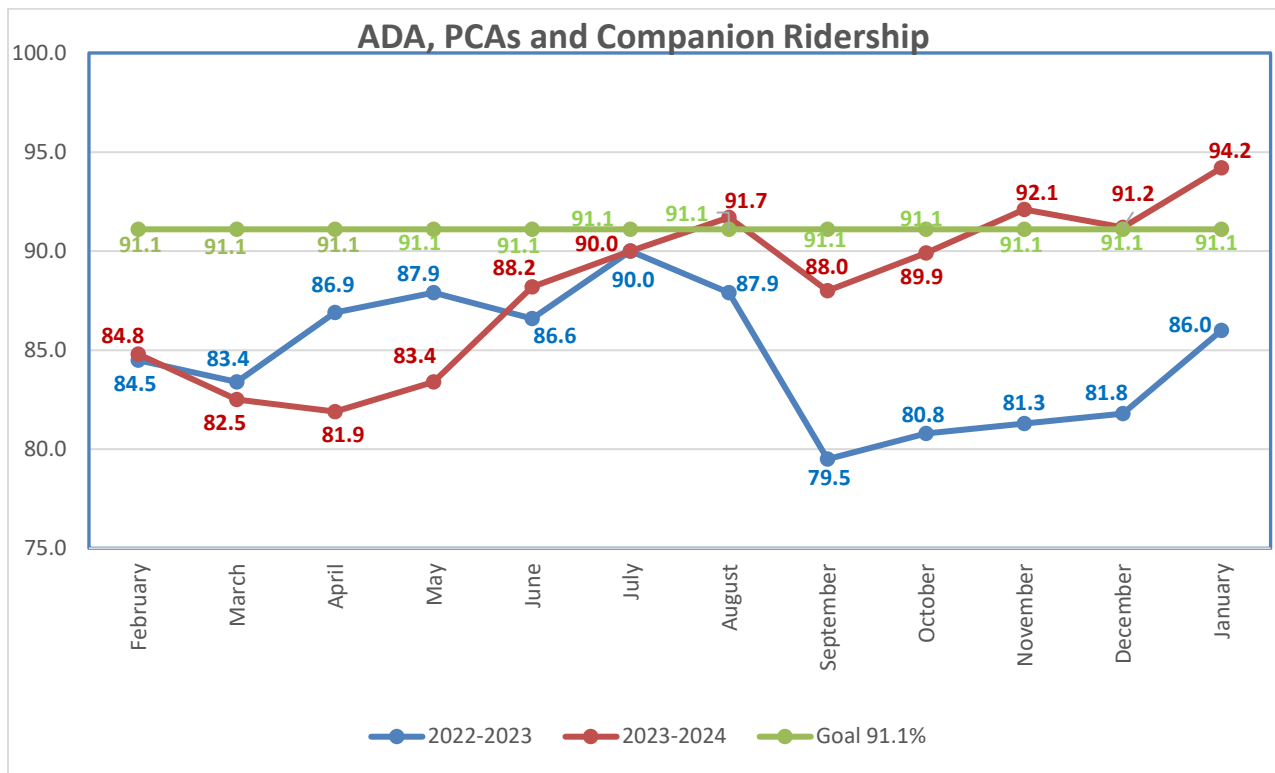
Key Causes included:

- Service delays on 12/18/23 due to inclement weather
- Delays due to operator availability
- Customer cancellations and no-shows

The 12-month Average for Access Link On-Time Performance was 87.5%.

* Statistics comprise both dedicated and non-dedicated service.

NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK FEBRUARY 2022–JANUARY 2024



	<u>2023</u>	<u>2024</u>	<u>% Change</u>
January Comparison	86.0%	94.2%	8.2%
January Ridership	113,827	121,835	8,008
12-Month Average February 2023–January 2024	84.7%	88.2%	3.5%

Analysis:

Access Link On-Time Performance was 94.2% for January 2024. In serving 132,850 total customers, for 121,835 ADA customers trips, 7,057 or (5.8%) experienced delays.

Key Causes included:

- Delays due to inclement weather on 1/9 & 1/10, 1/16 & 1/19
- Delays due to operator availability
- Customer cancellations and no-shows

The 12-month Average for Access Link On-Time Performance was 88.2%.

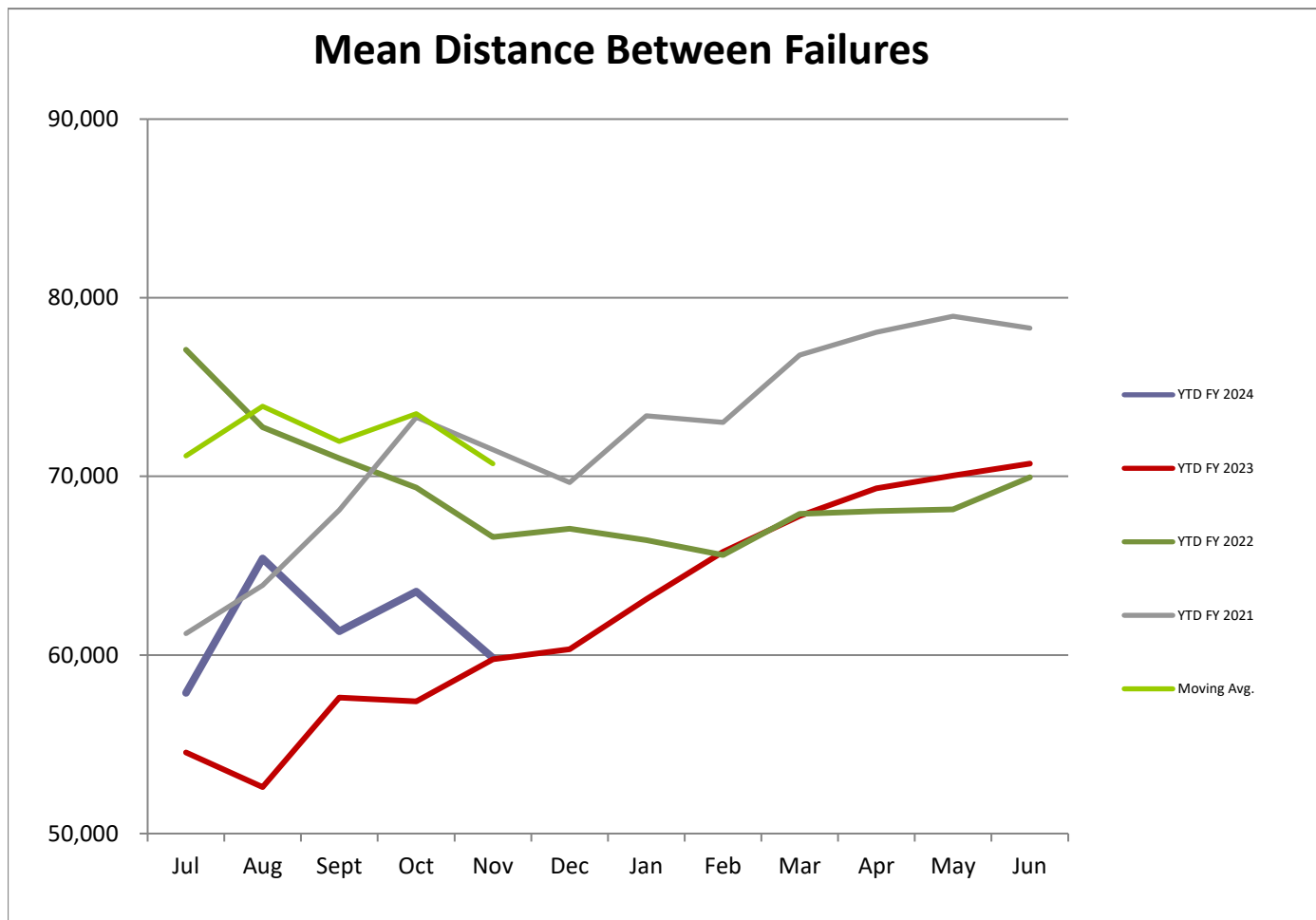
* Statistics comprise both dedicated and non-dedicated service.

MEAN DISTANCE BETWEEN FAILURES

November 2023

NJ TRANSIT Rail Operations
Mean Distance Between Failures

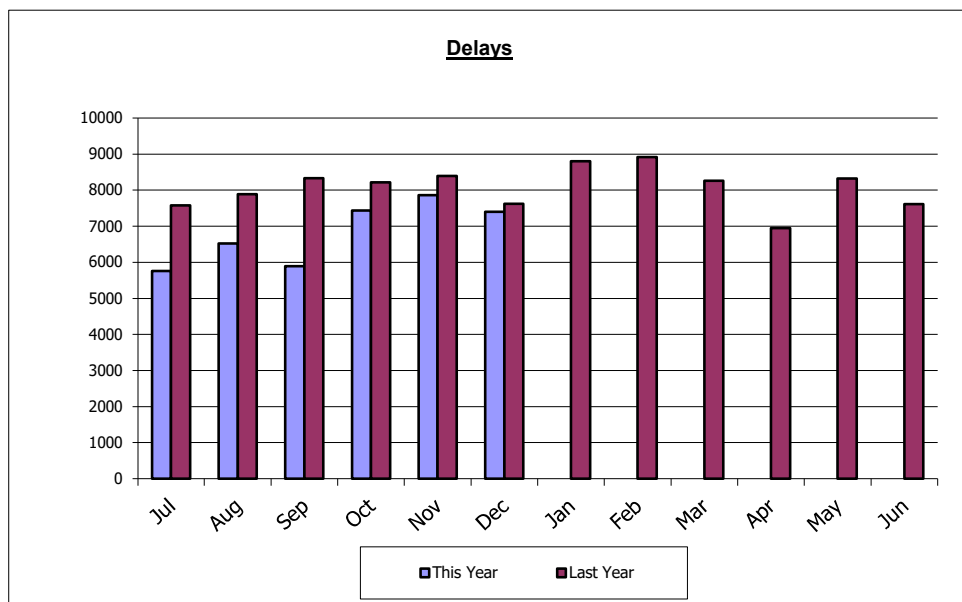
Month	YTD FY 2024	YTD FY 2023	YTD FY 2022	YTD FY 2021	12 Month Moving Avg.
Jul	57,875	54,531	77,087	61,198	71,148
Aug	65,403	52,602	72,743	63,891	73,920
Sept	61,324	57,623	71,005	68,109	71,966
Oct	63,539	57,410	69,368	73,320	73,504
Nov	59,844	59,761	66,597	71,498	70,708
Dec	-	60,315	67,060	69,664	-
Jan	-	63,121	66,433	73,392	-
Feb	-	65,780	65,594	73,030	-
Mar	-	67,778	67,894	76,790	-
Apr	-	69,327	68,050	78,072	-
May	-	70,045	68,153	78,962	-
Jun	-	70,712	69,949	78,300	-



Garage Performance Parameters

December 2023

Location	Miles Between In-Service Delays			
	FY2024 Goal	This Month	FY2024 YTD	FY2023 YTD
Fairview	6,500	7,489	6,229	7,734
Market Street	6,500	4,138	4,139	3,781
Meadowlands	8,500	4,016	3,708	5,100
Oradell	16,000	12,931	13,244	12,037
Wayne	12,000	10,477	7,961	10,486
WestWood	20,000	34,460	22,948	17,001
Northern Division	-	6,547	6,070	6,933
Big Tree	7,500	6,027	4,426	4,904
Greenville	6,000	4,091	5,284	6,221
Hilton	8,500	4,878	5,284	6,578
Howell	17,500	29,632	20,877	24,435
Ironbound	8,000	5,254	5,504	7,357
Orange	7,800	3,800	2,628	3,328
Morris	10,500	9,669	16,605	23,212
Central Division	-	6,300	5,649	7,219
Egg Harbor	12,000	14,259	11,777	10,828
Hamilton	9,000	7,876	8,518	8,996
Newton Avenue	11,000	11,131	9,124	11,947
Washington Twp.	16,000	14,753	13,856	15,393
Southern Division	-	12,492	11,205	11,915
Bus Operations	-	7,396	6,720	7,986

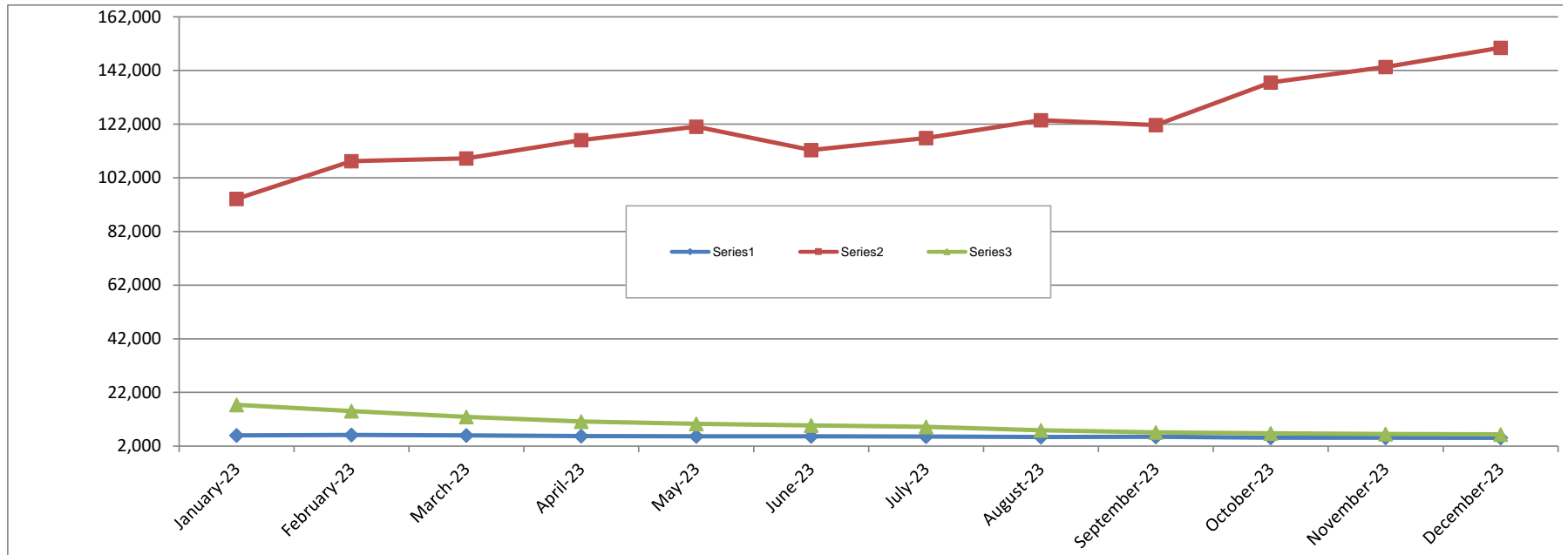


NJ TRANSIT - LIGHT RAIL, December 2023

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF *	MDBSF *
	December 2023	November 2023
Newark Light Rail	5,102	5,147
Hudson Bergen	150,472	143,343
River LINE	6,381	6,485

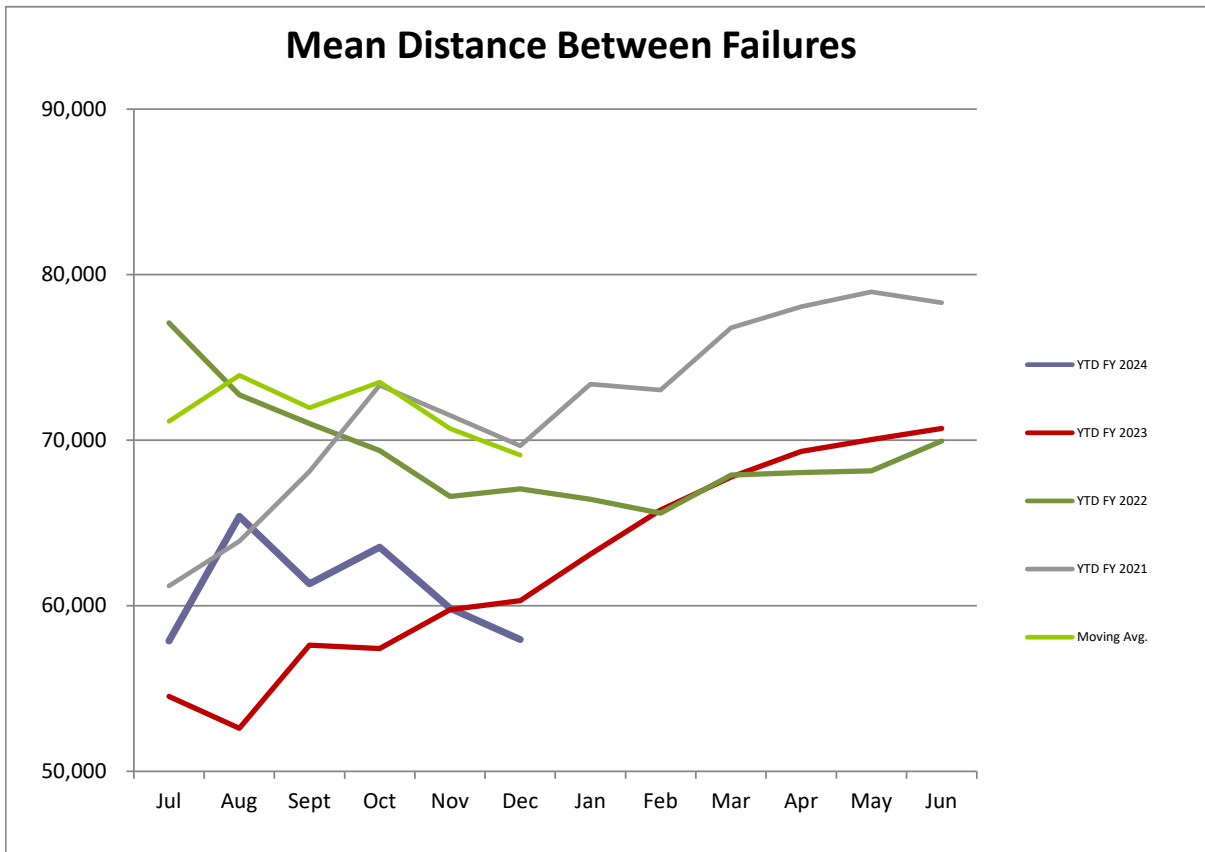
AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



December 2023

NJ TRANSIT Rail Operations
Mean Distance Between Failures

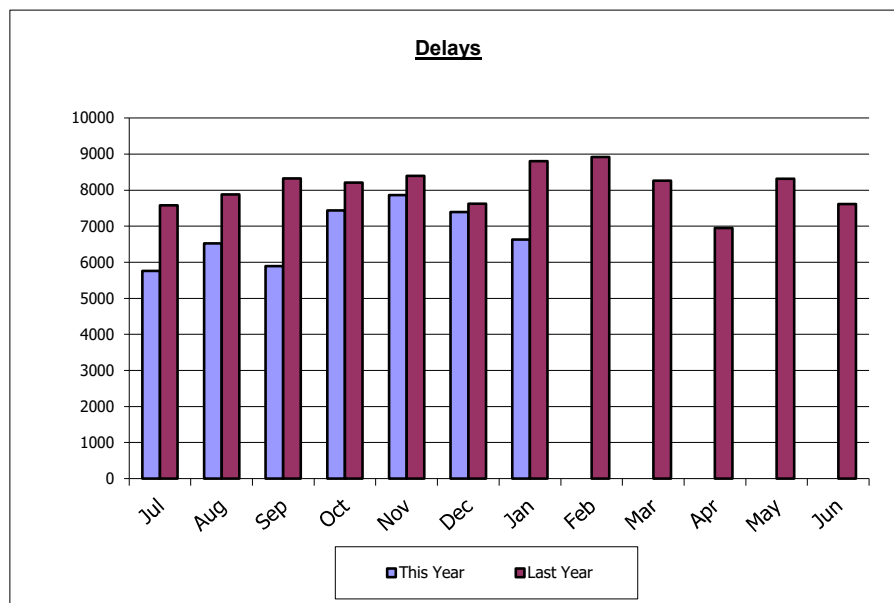
					12 Month
Month	YTD FY 2024	YTD FY 2023	YTD FY 2022	YTD FY 2021	Moving Avg.
Jul	57,875	54,531	77,087	61,198	71,148
Aug	65,403	52,602	72,743	63,891	73,920
Sept	61,324	57,623	71,005	68,109	71,966
Oct	63,539	57,410	69,368	73,320	73,504
Nov	59,844	59,761	66,597	71,498	70,708
Dec	57,968	60,315	67,060	69,664	69,102
Jan	-	63,121	66,433	73,392	-
Feb	-	65,780	65,594	73,030	-
Mar	-	67,778	67,894	76,790	-
Apr	-	69,327	68,050	78,072	-
May	-	70,045	68,153	78,962	-
Jun	-	70,712	69,949	78,300	-



Garage Performance Parameters

January 2024

Location	Miles Between In-Service Delays			
	FY2024 Goal	This Month	FY2024 YTD	FY2023 YTD
Fairview	6,500	7,247	6,362	8,096
Market Street	6,500	3,797	4,085	3,832
Meadowlands	8,500	3,498	3,678	5,255
Oradell	16,000	18,964	13,871	12,593
Wayne	12,000	10,496	8,261	10,510
WestWood	20,000	22,695	22,911	17,834
Northern Division	-	6,228	6,092	7,123
Big Tree	7,500	4,226	4,396	4,948
Greenville	6,000	4,091	4,994	6,221
Hilton	8,500	3,814	4,994	6,596
Howell	17,500	22,102	21,045	25,569
Ironbound	8,000	5,064	5,435	7,041
Orange	7,800	3,175	2,698	3,359
Morris	10,500	51,284	18,431	19,496
Central Division	-	5,495	5,626	7,173
Egg Harbor	12,000	11,053	11,666	11,292
Hamilton	9,000	7,968	8,433	9,121
Newton Avenue	11,000	7,925	8,934	11,649
Washington Twp.	16,000	14,194	13,904	16,169
Southern Division	-	10,586	11,111	12,233
Bus Operations	-	6,631	6,707	8,093

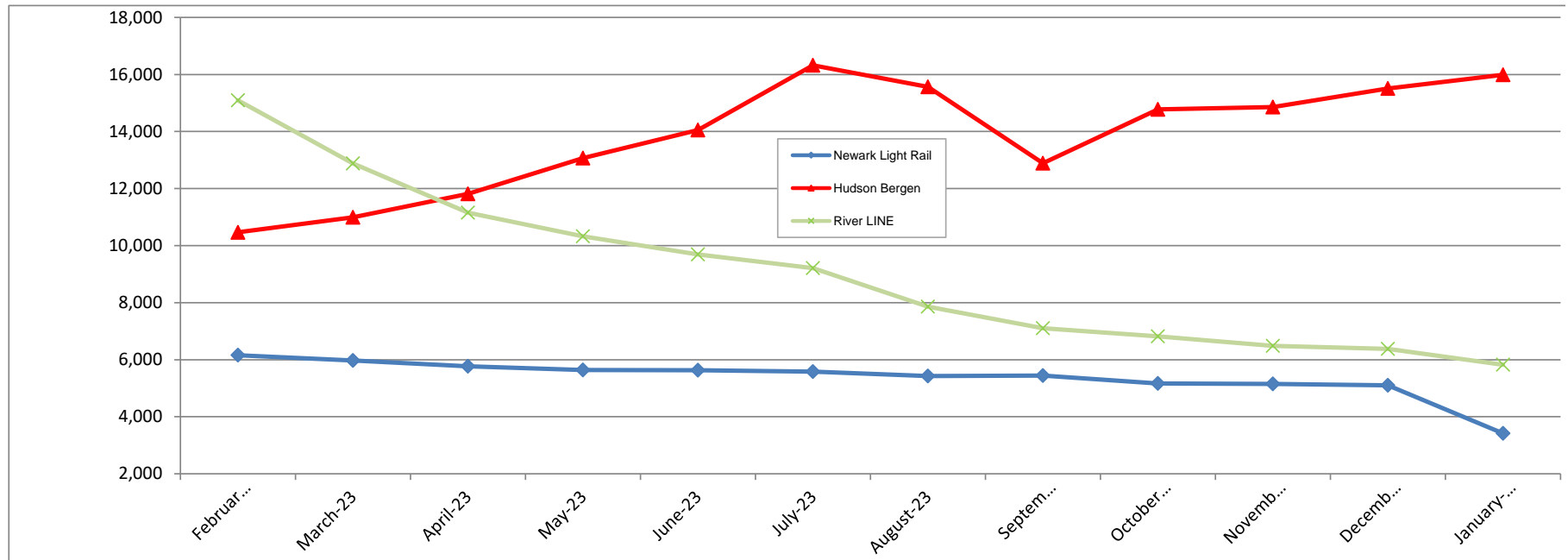


NJ TRANSIT - LIGHT RAIL, January 2024

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF *	MDBSF *
	January 2024	December 2023
Newark Light Rail	3,417	5,102
Hudson Bergen	15,990	15,508
River LINE	5,822	6,381

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE/DVOB Participation for December 2023

State Funded Contracts

State Fiscal Year 2024 - July 1, 2023, through June 30, 2024

During the month of **December 2023**, NJ TRANSIT awarded **\$2,939,784.68** in state-funded contracts; of that total, Small Business Enterprises (SBEs) received **\$532,233.38** or **18.10%**.

State Fiscal Year 2024 YTD (July 1, 2023, through June 30, 2024) NJ TRANSIT awarded **\$35,431,188.03** in state-funded contracts. Of that total, SBEs received **\$2,084,633.57**, or **5.88%**.

Note: The above reflects the Procurement Report of Awards received on January 3, 2024.

SBE Goal Attainment from July 1, 2023, through June 30, 2024 (SFY 2024)

Category 1 SBEs	\$0.00	0.00%
Category 2 SBEs	\$532,233.38	1.50%
Category 3 SBEs	\$23,790.00	0.07%
Category 4 SBEs	\$299,081.19	0.84%
Category 5 SBEs	\$1,229,529.00	3.47%
Category 6 SBEs	\$0.00	0.00%

FTA Funded Contracts (Updated on a quarterly basis– next update will occur April 2024)

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

During the 1st Quarter (October 1, 2023 – December 31, 2023), the FTA-funded share of NJ TRANSIT’s federal contracts awarded was **\$981,360.00**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$323,385.00** or **32.95%**.

FFY 2023 through FFY 2025 Q1 (October 1, 2023 – September 30, 2025) NJ TRANSIT awarded **\$30,405,133.43**** in federally funded contracts. Of that total, DBEs received **\$9,624,248.06** or **31.65%**.

**Numbers reflect federal share*

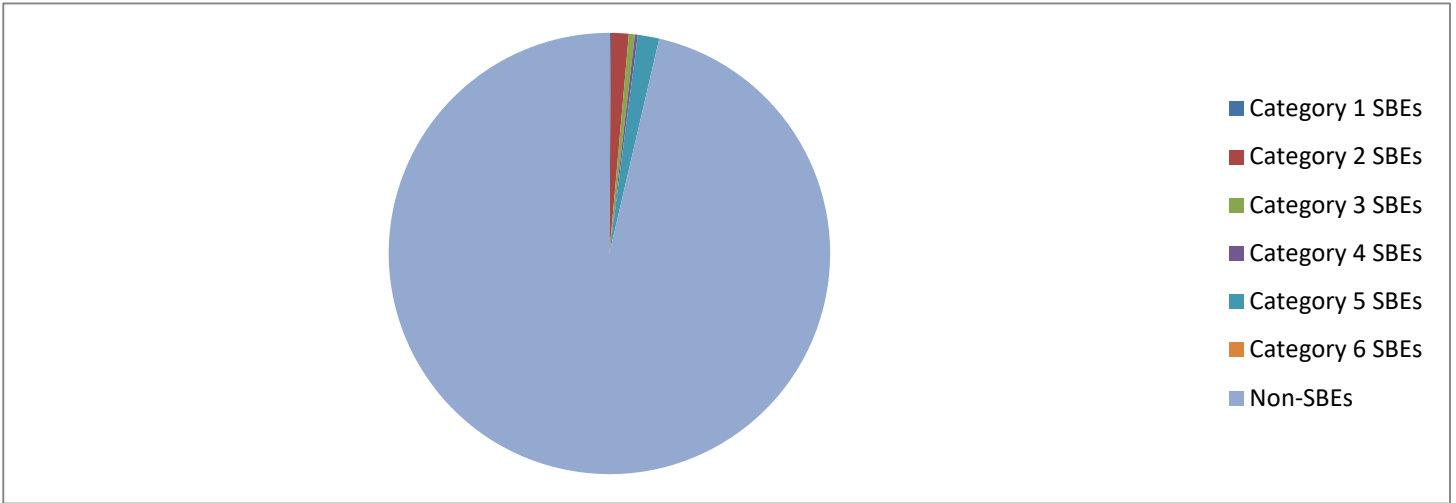
*** Number includes subrecipient awards*

Transit Vehicle Manufacturer (TVM)¹ Awards

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.

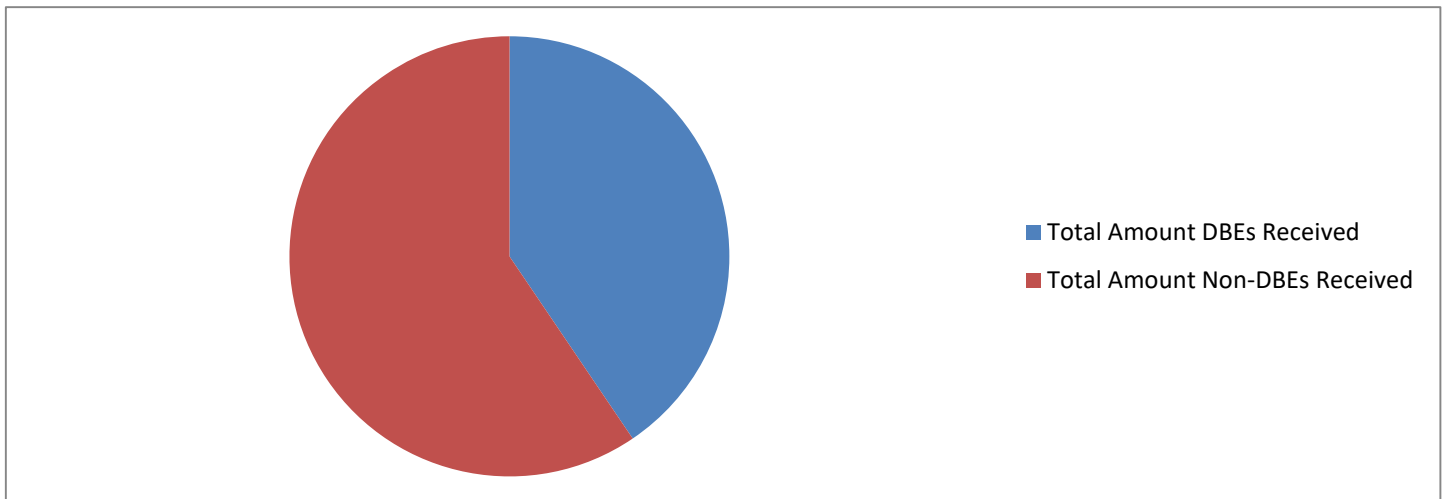
STATE CONTRACTS
STATE FYTD 2024

<i>Category 1 SBEs</i>	\$0.00	0.00%
<i>Category 2 SBEs</i>	\$532,233.38	1.50%
<i>Category 3 SBEs</i>	\$23,790.00	0.07%
<i>Category 4 SBEs</i>	\$299,081.19	0.84%
<i>Category 5 SBEs</i>	\$1,229,529.00	3.47%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$33,346,554.46	94.12%



DBE PARTICIPATION
FEDERAL CONTRACTS
CUMULATIVE FEDERAL FY 2023-2025

Total Amount DBEs Received	\$9,624,248.06	31.65%
Total Amount Non-DBEs Received	\$20,780,885.37	68.35%



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

State Funded Contracts

State Fiscal Year 2024 - July 1, 2023, through June 30, 2024

During the month of **January 2024**, NJ TRANSIT awarded **\$16,135,351.48** in state-funded contracts; of that total, Small Business Enterprises (SBEs) received **\$2,341,242.93** or **14.51%**.

State Fiscal Year 2024 YTD (July 1, 2023, through June 30, 2024) NJ TRANSIT awarded **\$51,566,539.51** in state-funded contracts. Of that total, SBEs received **\$4,425,876.50**, or **8.58%**.

Note: The above reflects the Procurement Report of Awards received on February 7, 2024.

SBE Goal Attainment from July 1, 2023, through June 30, 2024 (SFY 2024)

Category 1 SBEs	\$0.00	0.00%
Category 2 SBEs	\$532,233.38	1.03%
Category 3 SBEs	\$23,790.00	0.05%
Category 4 SBEs	\$299,081.19	0.58%
Category 5 SBEs	\$1,229,529.00	2.38%
Category 6 SBEs	\$2,341,242.93	4.54%

FTA Funded Contracts (Updated on a quarterly basis– next update will occur April 2024)

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

During the 1st Quarter (October 1, 2023 – December 31, 2023), the FTA-funded share of NJ TRANSIT’s federal contracts awarded was **\$981,360.00**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$323,385.00** or **32.95%**.

FFY 2023 through FFY 2025 Q1 (October 1, 2023 – September 30, 2025) NJ TRANSIT awarded **\$30,405,133.43**** in federally funded contracts. Of that total, DBEs received **\$9,624,248.06** or **31.65%**.

**Numbers reflect federal share*

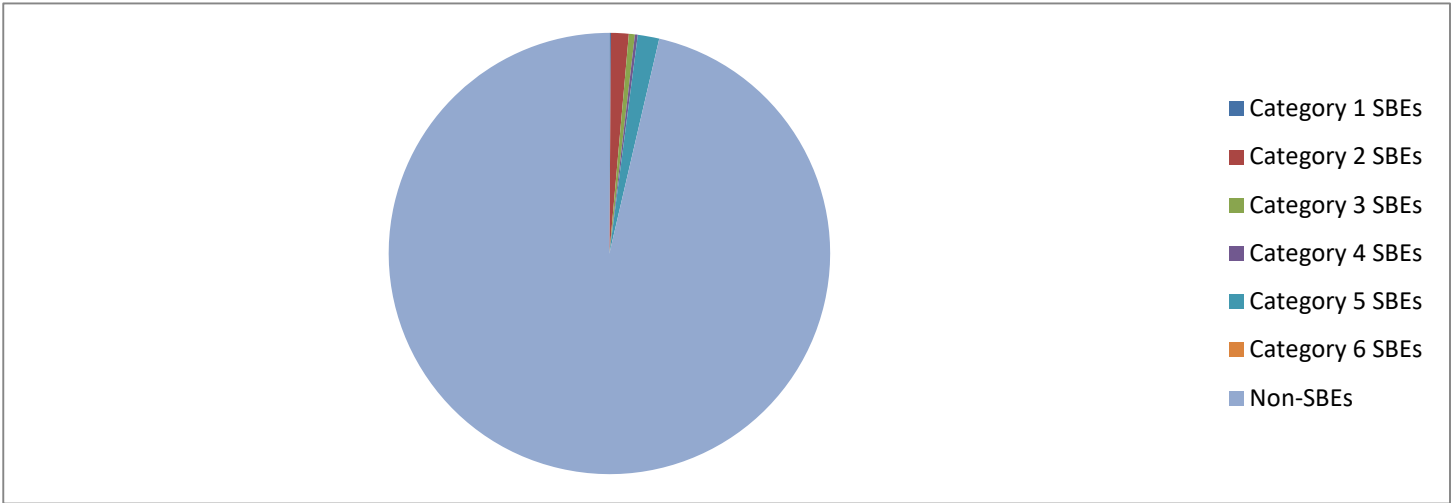
*** Number includes subrecipient awards*

Transit Vehicle Manufacturer (TVM)¹ Awards

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.

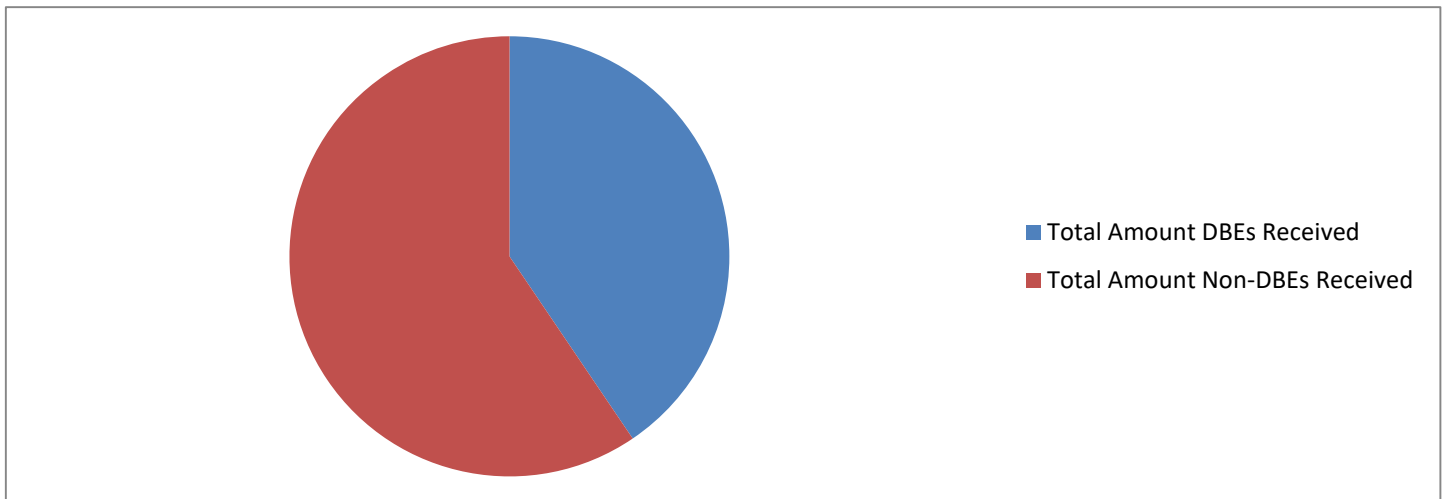
STATE CONTRACTS
STATE FYTD 2024

<i>Category 1 SBEs</i>	\$0.00	0.00%
<i>Category 2 SBEs</i>	\$532,233.38	1.03%
<i>Category 3 SBEs</i>	\$23,790.00	0.05%
<i>Category 4 SBEs</i>	\$299,081.19	0.58%
<i>Category 5 SBEs</i>	\$1,229,529.00	2.38%
<i>Category 6 SBEs</i>	\$2,341,242.93	4.54%
<i>Non-SBEs</i>	\$47,140,663.01	91.42%



DBE PARTICIPATION
FEDERAL CONTRACTS
CUMULATIVE FEDERAL FY 2023-2025

Total Amount DBEs Received	\$9,624,248.06	31.65%
Total Amount Non-DBEs Received	\$20,780,885.37	68.35%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

34 NJ TRANSIT employees retired recently:

1. Paul Bowen, Assistant Conductor -- Various -- 24 years
2. Daniel Bumbaco, Assistant Engineer -- Various -- 21 years
3. Povilas Kasauskas, Sr. Tech Services Spec Field -- MMC -- 39 years
4. Pernell Parker, Assistant Conductor -- Various -- 22 years
5. Dwayne Reid, Storekeeper Lead -- MMC -- 30 years
6. Sam Al Hassan, Operator -- Washington Township -- 18 years
7. Sheldon Riley, Operator -- Washington Township -- 20 years
8. Orlando Barker, Operator -- Greenville -- 18 years
9. Peter Gerber, Operator -- Westwood -- 11 years
10. Martin Heraghty, Operator -- Howell -- 24 years
11. Livijo Rancic, Operator -- Westwood -- 25 years
12. Harold Wales, Ticket Agent -- Camden -- 24 years
13. Antoinette Williams, Inspector A -- Washington Township -- 29 years
14. Iqbal Anand, Service Planner -- HQ -- 26 years
15. Vincent Llacer, Superintendent Shops -- Washington Township -- 28 years
16. Rickie Webster, Cleaner -- Newton Ave. -- 11 years
17. Darryl Green, Operator -- Oradell -- 31 years
18. Larisa Denisova, Sr. Sys Analyst -- HQ -- 26 years
19. Rui Barbosa, Manager Planning -- HQ -- 43 years
20. Twuana Bass, Instructor -- Ferry St. -- 25 years
21. Ronnie Brumant, Assistant Superintendent Light Rail Signal -- Bloomfield -- 31 years
22. Carlos Colon, General Foreman -- Morrisville -- 13 years
23. Dominic Cucco, Director Maintenance -- Fairview -- 33 years
24. Jerry D'Andrea, General Superintendent Equipment -- MMC -- 36 years
25. Cyrus Littles, Assistant Superintendent Newark Light Rail -- Bloomfield -- 21 years
26. James Banks, Pipefitter -- Port Morris -- 25 years
27. Stephen Birmingham, Car Appearance Maintainer -- PSNY -- 17 years
28. Kenneth Box, Assistant Conductor -- Various -- 20 years
29. Cynthia Drayton, Sr. Clerk Typist -- Maplewood -- 32 years
30. Lawrence Graziano, Class II Operator -- Tie Rail -- 28 years
31. Patrick Griso, Conductor -- Various -- 27 years
32. William Tanfield, Conductor -- Various -- 33 years
33. Marty Williams, Conductor -- Various -- 35 years
34. Lihzur Yen, Sr. Director Rail Finance -- HQ -- 21 years

ACTION ITEMS

ITEM 2402-01: 149 PASSENGER FERRY VESSEL – BOROUGH OF CARTERET AMENDMENT

WHEREAS, the New Jersey Public Transportation Act of 1979 authorizes NJ TRANSIT to establish and provide for operation and improvement of a coherent public transportation system in the most efficient and effective manner; and

WHEREAS, NJ TRANSIT recognizes the important contribution by water ferry systems in the state's transportation network and believes it is prudent policy to establish programs to invest State of New Jersey funds for capital acquisitions and infrastructure improvements for ferry operators; and

WHEREAS, safe, reliable, and efficient Trans-Hudson ferry service benefits New Jersey residents and is vital to our region's mobility and economic well-being; and

WHEREAS, the Borough of Carteret / Carteret Port Authority has invested in the operation of passenger ferry service between the borough and New York City; and

WHEREAS, on behalf of the Borough of Carteret, NJ TRANSIT has received a Federal Transit Administration (FTA) grant (NJ-2020-010-00) in an amount of \$5,500,000, plus \$500,000 for administration for a total of \$6,000,000 for the purchase of a 149-passenger ferry vessel; and

WHEREAS, \$1,060,000 grant funding match has been secured by NJ TRANSIT from the Transportation Trust Fund (TTF) on behalf of the Borough of Carteret; and

WHEREAS, a \$3,000,000 grant has been secured by NJ TRANSIT on behalf of the Borough of Carteret from the New Jersey Department of Community Affairs (DCA); and

WHEREAS, the Borough of Carteret has submitted to NJ TRANSIT funding in the amount of \$283,000 and has committed to providing any additional funding above the grant award required for the purchase of the vessel; and

WHEREAS, the approval process of the required Buy America Pre-Award audit and the funding provided by the Borough of Carteret delayed the award of the contract to the vendor beyond 180 days from the proposal date; and

WHEREAS, the delay in contract award allowed for cost increases to occur in the supplies and labor related to the design and construction of the proposed vessel in the amount of \$1,448,500.00; and

WHEREAS, staff has determined the cost increases are fair, reasonable, and in line with market cost fluctuations; and

WHEREAS, staff has previously secured approval of Board Item # 2212-96 for the expenditure of the initial \$6,000,000 in FTA grant funding and \$1,060,000 TTF match towards the purchase of the vessel; and

WHEREAS, staff is seeking authorization to expend the total amount of funding secured for the vessel to include the previously approved FTA grant and TTF match, and add the DCA grant, Borough of Carteret contribution, and the contract cost increase;

NOW, THEREFORE, BE IT RESOLVED the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 21-066R with Hornblower Yachts LLC, of San Francisco, California, for the construction of a 149-passenger ferry vessel at a cost to NJ TRANSIT not to exceed \$11,791,500.00, including administrative costs, subject to the availability of funds. The Borough of Carteret is responsible for all additional funding for the completion of the project.

ITEM 2402-02: ANNUAL INDEPENDENT AUDIT SERVICES FOR FISCAL YEARS 2024, 2025, 2026, 2027, AND 2028

WHEREAS, NJ TRANSIT is required to have an audit of its books and accounts to be made at least once each year by independent certified public accountants, pursuant to Section 20(d) of the New Jersey Public Transportation Act of 1979, P.L. 1979, c. 150; and

WHEREAS, as set forth by the Office of Management and Budget Circular A-133 and the Federal National Transit Database (Section 15) reporting forms, NJ TRANSIT is required to provide an independent attestation and compliance report related to Federal funds received (Single Audit) and the statistics provided upon which NJ TRANSIT's grant funding formula is determined; and

WHEREAS, audits of NJ TRANSIT's Defined Benefit Pension Plans and Defined Contribution Retirement Plans are required by the plan documents; and

WHEREAS, NJ TRANSIT's contract with its current independent certified public accounting firm, Deloitte & Touche LLP, expires on April 12, 2024; and

WHEREAS, on August 4, 2023, NJ TRANSIT advertised a Request for Proposal (RFP) in *The Star-Ledger* and *The Times of Trenton* for services to conduct the necessary examinations of NJ TRANSIT's financial records and pension plans for Fiscal Years 2024, 2025 and 2026, with NJ TRANSIT having the option to extend the contract for two additional one-year periods, Fiscal Years 2027, and 2028. NJ TRANSIT also has the sole discretion to retain the independent certified public accounting firm to provide the optional services of three quarterly reviews of NJ TRANSIT's results of operations. The reports would be for the quarters ending September 30, 2028, December 31, 2028, and March 31, 2029; and

WHEREAS, NJ TRANSIT's Office of Business Development assigned a 20 percent Small Business Enterprise goal on the gross amount of the successful firm's proposal or contract for the base services; and

WHEREAS, NJ TRANSIT's selection of an independent certified public accounting firm was conducted in accordance with Executive Order #122 (McGreevey 2004) (E.O. 122). Consistent with E.O. 122, the Technical Evaluation Committee (TEC) was composed of three members of NJ TRANSIT's Board of Directors, all of whom are members of the Audit Committee; and

WHEREAS, on October 6, 2023, NJ TRANSIT received proposals from four certified public accounting firms, and on November 14, 2023, the TEC conducted oral interviews with two firms, Deloitte & Touche LLP and Crowe LLP; and

WHEREAS, the result of the competitive procurement process was that Deloitte & Touche LLP of Morristown, New Jersey (Deloitte), which the TEC found to be the highest technically ranked firm, was selected to provide the independent auditing services as set forth in the RFP. This selection will allow NJ TRANSIT to remain in compliance with its statutory, legal, and regulatory requirements, and pension plan documents;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into Contract No. 0000041 with Deloitte & Touche LLP (Deloitte) of Morristown, New Jersey, to provide independent auditing services for Fiscal Years 2024, 2025, and 2026, with NJ TRANSIT having the sole discretion to extend the contract for two additional one-year periods, Fiscal Years 2027 and 2028. Under the contract, NJ TRANSIT will also have the sole discretion to retain Deloitte to provide the optional services of three quarterly reviews of NJ TRANSIT's results of operations for the quarters ending September 30, 2028, December 31, 2028, and March 31, 2029. The total value of this authorization for the five-year period and the three quarterly reviews after June 30, 2028, is \$3,334,055, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to contract with Deloitte to provide supplemental audit or other services during the contract period, on an as-needed basis, at a cost not to exceed \$250,000 per fiscal year, subject to the availability of funds.

ITEM 2402-03: MEDICAL AND PRESCRIPTION BENEFITS ADMINISTRATION CONTRACT – SIX-MONTH EXTENSIONS OF CONTRACTS NO. 17-030R-A AND NO. 17-030R-C

WHEREAS, NJ TRANSIT's current medical benefits have been administered by Horizon Blue Cross Blue Shield of New Jersey since 2019, with a contract expiration date of June 30, 2024; and

WHEREAS, NJ TRANSIT's current prescription benefits have been administered by Express Scripts, Incorporated since 2019, with a contract expiration date of June 30, 2024; and

WHEREAS, NJ TRANSIT saw delays related to the development of accurate and sufficiently detailed specifications, NJ TRANSIT advertised a Medical Benefits Request for Proposals on December 1, 2023, with proposals due by December 30, 2023; and

WHEREAS, NJ TRANSIT saw delays related to the development of accurate and sufficiently detailed specifications, NJ TRANSIT advertised a Prescription Benefits Request for Proposals on December 7, 2023, with proposals due by January 6, 2024; and

WHEREAS, NJ TRANSIT seeks to extend both its current contract with Horizon BlueCross BlueShield and its current contract with Express Scripts, Inc. via change order at the current bill rate negotiated in 2019; and

WHEREAS, extending these existing contracts will provide ample time to select medical and prescription benefits providers, given the volume and complexity of technical information to be evaluated and the essential nature of the services for NJ TRANSIT's employees;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to extend NJ TRANSIT's contracts with its current medical benefits provider, Horizon Blue Cross Blue Shield of New Jersey of Newark, New Jersey, and its current prescription benefits provider, Express Scripts, Incorporated of Saint Louis, Missouri, at the current bill rate for each, for a period of six months to begin July 1, 2024 and end December 31, 2024. The total cost of this change order is not to exceed \$2,250,000 for medical benefits, and not to exceed \$1,825,000 for prescription benefits.

CONSENT CALENDAR

ITEM 2402-04: REGULATIONS: READOPTION WITH AMENDMENTS OF N.J.A.C. 16:83, CONDUCT AND SAFETY OF THE PUBLIC IN THE USE OF NJ TRANSIT EQUIPMENT AND FACILITIES

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, NJ TRANSIT determined that it is necessary to establish standards for the conduct and safety of the public in the use of NJ TRANSIT equipment and facilities; and

WHEREAS, the Board authorized initiation of readoption for N.J.A.C. 16:83 et seq., Conduct and Safety of the Public in the Use of NJ TRANSIT Equipment and Facilities, at its September 2023 Board meeting; and

WHEREAS, NJ TRANSIT determined that the issuance of regulations pertaining to the conduct and safety of the public in the use of NJ TRANSIT equipment and facilities will benefit the public by providing uniform, statewide standards, and a clear means of understanding those regulations; and

WHEREAS, N.J.A.C. 16:83 et seq., Conduct and Safety of the Public in the Use of NJ TRANSIT Equipment and Facilities was set to expire October 4, 2023, but was extended an additional six months, allowing NJ TRANSIT to complete the readoption process to ensure continuous conduct and safety standards enforcement; and

WHEREAS, the proposed readoption with amendments, set forth in Exhibit A, were published in the New Jersey Register on November 6, 2023, and the comment period expired January 5, 2024; and

WHEREAS, NJ TRANSIT has not received any public comments; and

WHEREAS, staff reviewed the current regulation with amendments and determined that the rules are necessary, adequate, reasonable, efficient, and responsible to the purposes for which they were originally promulgated, and should be readopted with the amendments;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO, or the appropriate designee, is hereby authorized to take all actions necessary to readopt N.J.A.C. 16:83 et seq., “Conduct and Safety of the Public in the Use of NJ TRANSIT Equipment and Facilities, consistent with this Board item and corresponding Exhibits.

PROPOSALS

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments and a new rule will have no impact on the affordability of housing units or the average cost of housing in New Jersey because the rules are intended to provide for better training, efficient use of manpower, and a safer work environment for licensed maritime pilots, docking pilots, and registered apprentices.

Smart Growth Development Impact Analysis

As the rules proposed for readoption with amendments and a new rule concern changes to the utilization, training, and work environment for maritime pilots, docking pilots, and registered apprentices, the rules would have no impact on smart growth or on new construction within Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Commission has evaluated this rulemaking and determined that the rules proposed for readoption with amendments and a new rule will not have an impact on pretrial detention, sentencing, proposition, or parole policies concerning adults and juveniles in the State because the proposed amendments and new rule concern licensed maritime pilots, docking pilots, and registered apprentices. Accordingly, no further analysis is required.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 16:64.

Full text of the proposed amendments and new rule follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. MARITIME PILOT LICENSING

16:64-3.5 Grades of licenses and grade advancement

(a)-(d) (No change.)

(e) For all maritime pilots who obtain a certificate of appointment from the Commission pursuant to N.J.A.C. 16:64-7.5(a) on or after October 1, 2001, the pilot licensed for a specific grade shall not pilot any vessel of draft or registered gross tonnage greater than that indicated [in] at (e)1 through 8 below. The registered gross tonnage of a vessel shall be the highest tonnage published in Lloyd’s Register of Ships. A maritime pilot whose license is not of a grade that would allow assignment to the deepest vessel in a tow shall not be assigned to the towing vessels.

1. Grade 6A: A Grade 6A pilot shall complete a minimum of a [one-year] **six-month** length of service in Grade 6A. The draft may not exceed 30 feet and the registered gross tonnage may not exceed 32,000.

2. Grade 6: A Grade 6 pilot shall complete a minimum of a [one-year] **six-month** length of service in Grade 6. The draft may not exceed 33 feet and the registered gross tonnage may not exceed 45,000.

3. Grade 5A: A Grade 5A pilot shall complete a minimum of a [one-year] **six-month** length of service in Grade 5A. The draft may not exceed 35 feet and the registered gross tonnage may not exceed 60,000.

4. Grade 5: A Grade 5 pilot shall complete a minimum of a [one-year] **six-month** length of service in Grade 5. The draft may not exceed 39 feet and the registered gross tonnage may not exceed 70,000.

5.-6. (No change.)

7. Grade 2: A Grade 2 pilot shall complete a minimum of a one-year length of service in Grade 2. The draft may not exceed 48 feet and the registered gross tonnage may not exceed [105,000] **150,000**.

8. (No change.)

SUBCHAPTER 5. DOCKING PILOT APPRENTICESHIP PROGRAM

16:64-5.4 Docking pilot apprenticeship program

(a)-(b) (No change.)

(c) During the apprenticeship, all docking pilot apprentices must:

1.-2. (No change.)

3. Observe from the bridge the anchoring of [20] **10** vessels and the raising of anchor of [20] **10** vessels of not less than 10,000 gross tons in pilotage waters;

4.-7. (No change.)

SUBCHAPTER 7. GENERAL LICENSE REQUIREMENTS

16:64-7.3 Route currency

(a)-(d) (No change.)

(e) After receiving authorization from the Commission to complete break-in trips, the following formula shall be used to determine the number of break-in trips mandated by the Commission.

1. Any pilot that is out-of-work for more than 30 days, but less than six months, shall be mandated to perform four break-in trips for each full month they are out of duty and one-half of the required break-in trips shall be completed in the hours of darkness.

2. Any pilot that is out-of-work for a six-month period shall be mandated to perform 26 break-in trips (one-half of which shall be completed in the hours of darkness).

3. For any pilot that is out-of-work for more than a six-month period, the number of break-in trips shall be determined by the Commission and will be based on the pilot’s grade and number of years they have served as an active pilot.

SUBCHAPTER 8. DUTIES OF PILOTAGE

16:64-8.5 Piloting in a safe environment

(a) Any pilot who deems the boarding of a vessel to be unsafe may refuse to board the vessel.

(b) Upon refusal to board a vessel, the pilot must request that this refusal be logged.

(c) The pilot must also report this refusal to the Association, the Coast Guard, and the Commission.

(a)

NEW JERSEY TRANSIT CORPORATION

Conduct and Safety of the Public in the Use of NJ TRANSIT Equipment and Facilities

Proposed Readoption with Amendments: N.J.A.C. 16:83

Authorized By: New Jersey Transit Corporation, Kevin S. Corbett, President and Chief Executive Officer.

Authority: N.J.S.A. 27:25-5.e, k, and l.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2023-110.

Submit comments by January 5, 2024, to:

Compliance Department
New Jersey Transit Corporation
One Penn Plaza East, 8th Floor
Newark, NJ 07105-2246
Email: njtconductandsafety@njtransit.com

The agency proposal follows:

Summary

The New Jersey Transit Corporation (“NJ TRANSIT” or “Corporation”) and its subsidiaries are responsible for the provision of public mass transit services in the State of New Jersey. NJ TRANSIT owns, controls, and operates equipment (such as railcars and buses), yards, and facilities, including major stations and terminals that are centers of activity through which many people pass each day.

Effective January 19, 1993, NJ TRANSIT adopted N.J.A.C. 16:83 to ensure the safe and efficient passage of large numbers of people through the transit system and at the same time allow the public to use part of the facilities as a forum to exercise their constitutional rights of expression. Pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 16:83 was scheduled to expire on October 4, 2023. As NJ TRANSIT has filed this notice of readoption prior to that date, the expiration date is extended 180 days to April 1, 2024, pursuant to N.J.S.A. 52:14B-5.1.c(2).

The rules proposed for readoption with amendments readopt the existing conduct and safety rules, including the recent rules adopted by NJ

TRANSIT allowing the Corporation to suspend ridership privileges for riders who engage in certain enumerated offenses. The rules proposed for readoption with amendments make cosmetic changes to the existing rules, for example, by accounting for changes in job titles, updating Corporation contact information for applicants seeking certificates of registration and banner permits, and making technical changes.

A brief review of each of the subchapters of N.J.A.C. 16:83 follows:

Subchapter 1 sets forth the general provisions, including the purpose, scope, definitions, rules for commercial and non-commercial expression, and an enforcement provision. Subchapter 2 sets forth criteria for obtaining a Certificate of Registration or Bridge Banner Permit for non-commercial expression. Subchapter 3 lists the activities that are prohibited in or on NJ TRANSIT facilities and equipment.

NJ TRANSIT has determined that the comment period for this notice of proposal shall 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 rules proposed for readoption with amendments will have a positive social impact on riders, NJ TRANSIT employees, and the State of New Jersey, by continuing an administrative process to address behavior by riders, such as assaults on operators, that impact the safe operation of NJ TRANSIT vehicles and rolling stock. The proposed rulemaking provides a disincentive for riders to engage in such behavior and allows NJ TRANSIT to protect its customers and employees from riders who engage in such behavior. The public benefit of these changes is substantial because they will result in a safer transportation network for both transit employees and the riding public.

Economic Impact

NJ TRANSIT does not anticipate that the rules proposed for readoption with amendments will result in any significant economic impact in the State, and any impact would be as a result of the enabling statute, not the rules.

Federal Standards Statement

The rules proposed for readoption with amendments incorporate and comply with the Federal Infrastructure Investment and Jobs Act of 2021 (IIJA), which defines assault on a transit worker broadly, as occurring when “an individual knowingly ... interferes with, disables or incapacitates a transit worker while the transit worker is performing the duties of the transit worker.” The Motorbus and Passenger Rail Service Employee Violence Prevention Act, P.L. 2021, c. 352 (VPA), defines assault more narrowly, as “any attempt to cause or purposely, knowingly, or recklessly cause bodily injury to an operator of a motorbus, or any employee of rail passenger service while clearly identifiable as being engaged in the performance of their duties.” The IIJA does not specify any penalties arising from an assault, while the VPA allows NJ TRANSIT to prohibit any person who assaults a Corporation employee within the meaning of the statute from using transportation services for up to one calendar year. If the individual uses a deadly weapon during the commission of the assault, the VPA allows NJ TRANSIT to prohibit that person from accessing transportation services for life.

Jobs Impact

The rules proposed for readoption with amendments will not affect the creation or loss of jobs.

Agriculture Industry Impact

The rules proposed for readoption with amendments have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The rules proposed for readoption with amendments do not impose reporting, recordkeeping, or other compliance requirements on small businesses. While this rulemaking does not directly affect small businesses, NJ TRANSIT has commercial tenants operating within its facilities. Some of these entities may be small businesses, as the term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., and their operations will undoubtedly benefit from safe and orderly NJ TRANSIT facilities.

Housing Affordability Impact Analysis

The rules proposed for readoption with amendments will not have any impact on the affordability of housing. The rules inform and instruct how members of the public can exercise their constitutional rights of expression, and the standards of behavior to be followed, in or on NJ TRANSIT facilities and equipment. As such, the rules will have no effect on housing units or on the average cost of housing.

Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments will not have any impact on the implementation of the State Development and Redevelopment Plan. The rules inform and instruct how members of the public can exercise their constitutional rights of expression, and the standards of behavior to be followed, in or on NJ TRANSIT facilities and equipment. The rules will have no effect on new construction within Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The rules proposed for readoption with amendments do not implicate criminal law or procedure and, therefore, NJ TRANSIT does not anticipate any impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State. Accordingly, no further analysis is required.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 16:83.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL PROVISIONS

16:83-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

...

“Certificate of Registration” means the document authorized by a designated NJ TRANSIT official, which delineates the restrictions as to specific times, specific locations, and certain conditions [under] pursuant to which a person may carry on non-commercial, public expression at a specified NJ TRANSIT facility.

...

“Facilities” means all stations and terminals owned or operated by NJ TRANSIT pursuant to contract, lease, or other agreements or arrangements, including joint service arrangements. NJ TRANSIT facilities are open to the public only at NJ TRANSIT’s discretion and NJ TRANSIT retains all rights of ownership in its facilities. Further, the term “facilities” shall mean rights-of-way and related trackage and sidings, rails, catenary systems, depots, yards, tunnels, bridges, structures, storage areas, parking areas, offices, buildings, signal and communications systems and networks, dispensing machines, signal power, power plants, emergency exits, stairways, ventilation systems, signage, lighting, repair and maintenance shops, and other property, and all things used, owned, leased, held, or occupied by NJ TRANSIT for, or incidental to the operation, rehabilitation, or improvement of rail, light rail, and/or bus operations in the State of New Jersey and other jurisdictions where NJ TRANSIT operates to and from.

...

16:83-1.3 Commercial expression

(a) A contract with NJ TRANSIT shall be required of any person seeking to engage in any public expressive conduct that materially proposes a commercial transaction (commercial expression) including, but not limited to, the sale, offer, promotion, peddling, vending, advertisement, or display of goods and/or services at or on any facility or equipment or to display any commercial advertisement at or on any NJ TRANSIT facility or equipment.

(b)-(c) (No change.)

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16:83-1.4 Non-commercial expression

(a) NJ TRANSIT, in this chapter, hereby sets forth limitations on the times, places, and manner of non-commercial expression in or on NJ TRANSIT facilities or equipment to ensure that the orderly and safe flow of people and vehicles is not obstructed and that the normal operations of business are not unduly disrupted. These limitations are not intended to apply, nor do they apply to, talking, reading, wearing political buttons or other similar private forms of expression, all of which are permitted throughout the public areas of NJ TRANSIT facilities and equipment.

(b) NJ TRANSIT will not permit the distribution of products or services at any NJ TRANSIT facility, regardless of whether a contribution is solicited or not, if in NJ TRANSIT's sole opinion, the product or service competes with, or conflicts with, the sale of products or services by NJ TRANSIT tenants, lessees, or licensees at that location.

(c) (No change.)

16:83-1.5 NJ TRANSIT disclaimer

NJ TRANSIT shall not be responsible for the views and ideas expressed by a person holding a Certificate of Registration. Through signs, public announcements, and/or personal communication, NJ TRANSIT may advise the public of the presence of a person and may disclaim responsibility for, and/or sponsorship of, that person's cause.

16:83-1.6 Enforcement

If NJ TRANSIT determines that any person's conduct violates any of these rules, that person shall be subject to such sanctions as deemed appropriate, including ejection from the premises, arrest, pursuant to the applicable laws.

SUBCHAPTER 2. CERTIFICATE OF REGISTRATION AND BRIDGE BANNER PERMIT FOR NON-COMMERCIAL EXPRESSION

16:83-2.1 Non-commercial speech and expression; generally

(a) To accommodate persons who desire to engage in non-commercial expression at specified NJ TRANSIT facilities, the Senior Director, Real Estate and Economic Development **and/or highest ranked equivalent**, or [his or her] **their** designee will issue, subject to terms and conditions set forth in these rules, a Certificate of Registration (Certificate) on a first-come, first-served basis, to permit conduct of noncommercial expression in a specified location (as designated on the map or rider attached to the Certificate) at a particular NJ TRANSIT facility. An application must be completed in its entirety. The application must state the number of persons expected to be in attendance. The Certificate will be issued without charge and, consistent with these rules, shall be subject to availability and limitations of space and conditions. The completed application must be received no later than 10 business days, but no earlier than 365 days, before the first date on which the Certificate is to be effective. Upon application in person, or upon receipt of the original completed application by postal mail, electronic mail, or telefax, the approved Certificate will be issued within 10 business days after receipt of the completed application. Applications that have not been completed in their entirety shall be subject to being declared as incomplete and will be returned to the applicant.

(b) The Senior Director, Real Estate & Economic Development **and/or highest ranked equivalent**, or [his or her] **their** designee may issue Bridge Banner Permits, subject to terms and conditions set forth in this chapter, including, but not limited to, N.J.A.C. 16:83-1.4, on a first-come, first-served basis, to permit display of the advertisement on a specified railroad bridge. Bridge Banner applications that are completed in their entirety, including the verbatim text and graphics to be used in the advertisement, will be considered successfully completed. The completed application must be received no later than 10 business days, but no earlier than 365 days, before the first date on which the permit is to be effective. Upon application in person, or upon receipt of the original completed application by postal mail, electronic mail, or telefax, the approved Banner Permit will be issued within 10 business days after receipt of the completed application.

(c) Applications for Certificates of Registration and Banner Permits may be obtained on weekdays between 9:00 A.M. to 5:00 P.M. by contacting:

Real Estate and Economic Development

One Penn Plaza East

Newark, NJ 07105-2246

Telephone: (973) 491-7451 or (973) 491-8078

Fax: (973) 491-7331

Email: CertificateOfRegistration@njtransit.com

Applications can be sent to the requester by postal mail, electronic mail, or telefax.

16:83-2.6 Disposition of application; appeal of denial

(a) (No change.)

(b) The applicant may appeal this denial, in writing, by contacting the Assistant Executive Director (AED), Communications and Customer Service, New Jersey Transit Corporation, One Penn Plaza East, Newark, NJ 07105-2246, and shall include a statement describing the nature of the appeal and what factual issues, if any, shall be in dispute. If any factual dispute is alleged, the AED, Communications and Customer Service **and/or highest ranked equivalent**, or [his or her] **their** designee shall conduct a review on the papers and render a decision, within 15 days after receipt of such appeal. The decision shall be made, in writing, and shall set forth the basis for the decision. Where an applicant wishes to contest this decision, the applicant may, within 30 days, request a contested case hearing and the matter shall be forwarded to the Office of Administrative Law for fact finding before an Administrative Law Judge (ALJ), pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. The ALJ shall issue an initial decision, which shall be returned to the NJ TRANSIT Board of Directors for a final agency decision.

16:83-2.8 Noise

Certificate of Registration holders shall at no time shout, make outcries, or use devices for voice and/or sound amplification or use other devices that disrupt transportation-related activities.

16:83-2.9 Placards

Only placards made of cloth, heavy paper, cardboard, or similar lightweight materials shall be used by Certificate holders. Such placards shall be no larger than 48 inches [by] x 24 inches. Placards shall be exhibited no higher than nine feet from the floor and shall not be affixed to any wall, door, window, canopy, or any other interior or exterior portion of the facility. Placards shall not be affixed to a stick, pole, or post made of any material.

16:83-2.12 Banner installation, maintenance, and removal

(a) (No change.)

(b) The size of the banner shall not exceed 15 feet wide x [3] **three** feet high. Banners shall be constructed of heavy-duty canvas or vinyl and must contain grommets (reinforced eyelet or ring) in each corner to facilitate hanging and must include cording or ropes to properly secure the banner. NJ TRANSIT reserves the right to review and reject, in its sole discretion, methods of attachment, construction details, and materials and installation procedures prior to hanging.

(c) (No change.)

(d) The Banner Permit holder is responsible for obtaining any and all necessary additional permits and approvals, as well as coordination with local, county, or State bodies that may be required, including police, public works, and/or other governmental representatives.

16:83-2.13 Inspection of Certificate

A Certificate of Registration holder shall have the Certificate of Registration available at all times, on [his or her] **their** person, for inspection by an authorized NJ TRANSIT representative or local official.

16:83-2.14 Liability

Certificate of Registration and Banner Permit holders assume all liability for any and all damage or injury arising out of the Certificate/Permit holder's use, occupancy, non-commercial speech, or expressive activity, on or about NJ TRANSIT's facilities or equipment, and, by accepting the Certificate of Registration or Banner Permit, agree

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to release the State of New Jersey, NJ TRANSIT, its directors and its subsidiaries, and servants, employees, and agents from any and all liability or damage resulting from the Certificate/Permit holder’s use or occupancy of NJ TRANSIT’s facilities or equipment in connection with the Certificate of Registration or Banner Permit. NJ TRANSIT shall not be responsible for the security and/or safeguarding of any funds collected by a Certificate of Registration holder.

SUBCHAPTER 3. RESTRICTIONS AND PROHIBITIONS FOR ALL NJ TRANSIT FACILITIES AND EQUIPMENT

16:83-3.1 Prohibited acts

(a) Except as otherwise provided for in this chapter, the following conduct is prohibited in or on NJ TRANSIT facilities or equipment, as set forth below:

1. No person shall disrupt or obstruct passage to or from a loading area, information booth, emergency or fire exit, restroom, hallway, stair, staircase, landing, escalator, elevator, ticket machine, ticket counter, concession counter, store, bench, seat, chair, platform, door, or other walkway of a facility or equipment. No person shall occupy more than one seat in or on any NJ TRANSIT facility or equipment.

2. (No change.)

3. No person shall throw, drop, shoot, project, propel, cast, or otherwise strike in, into, or place upon any facility or equipment any projectile, stick, pole, stone, or other foreign matter or object. No person shall carry such foreign matter or objects into NJ [Transit] TRANSIT facilities or equipment if the matter or objects represent a safety hazard.

4. No person shall dump, discard, unload, eject, throw out, scrap, abandon, dispose, or otherwise rid themselves of any junk, refuse, trash, rubbish, waste, garbage, rubble, debris, or other litter and unused matter into or upon any NJ TRANSIT facility or equipment without the authorization of NJ TRANSIT. This prohibition does not apply to refuse incidental to normal and routine usage of the facilities and equipment.

5. (No change.)

6. No person may consume or possess any alcoholic beverage, distilled spirits, wine, beer, or malt nor shall any person possess an open, unsealed container of these beverages within the confine of NJ TRANSIT facilities or equipment except in such areas and at such times as designated by NJ TRANSIT as permitting the sale and/or consumption of these beverages.

7. No person shall ride, roll, skate, or coast upon any bicycle, skates, skateboard, roller blades, scooter, or other personal motive device propelled by physical exertion or mechanical means within NJ TRANSIT facilities or equipment with the exception of mobility devices utilized by persons with disabilities.

8. No person shall ignite, light, kindle, or otherwise create, burn, maintain, preserve, or sustain any fire except where expressly authorized by NJ TRANSIT.

9.-10. (No change.)

11. No person without an appropriate license from NJ TRANSIT and other appropriate authority, shall hire, attempt to hire, flag, hawk, or otherwise provide cab services for personal pecuniary gain.

12. No person shall engage in, attempt to engage in, or participate in any conduct, which purposely and unlawfully disrupts, interferes with, or otherwise interrupts the commercial activities and pursuits of lessees, tenants, and customers operating within NJ TRANSIT facilities or equipment and which serves no legitimate purpose of the person.

13. No person shall subject other persons, patrons, employees, tenants, or tenants’ employees to any or all of the following unlawful conduct:

i. Engaging in, or threatening, fighting, or other violent or tumultuous behavior;

ii. (No change.)

iii. Subjecting another to striking, kicking, shoving, spitting, punching, or other offensive touching, or threatening to do so; or

iv. (No change.)

14. No person shall cause damage, injury, or harm by vandalizing, defacing, marking, marring, scratching, gouging, tearing, burning, moving, altering, or writing upon NJ TRANSIT facilities and equipment.

15. No person shall, while in or about NJ TRANSIT facilities or equipment, create, cause, maintain, or sustain any noise that disrupts the operations of the facility or equipment.

16.-18. (No change.)

19. No person shall jointly occupy with one or more individuals any single urinal, toilet booth, or stall with the exception of those individuals providing assistance to persons with disabilities or to individuals needing assistance.

20. No person shall utilize public restrooms for the purpose of bathing, changing clothes, laundering clothes, or personal belongings, and all washing activities shall be limited to the immediate needs of personal hygiene.

21. No person shall refuse to tender or display compensation in the form of fare, currency, ticket, token, or pass for the available transportation services, nor shall any person take actions with the purpose of avoiding this obligation.

22. No person shall bring, escort, carry, or otherwise accompany any animal except guide dogs or any other service animals, appropriately controlled, or other domestic animals restrained in appropriate carriers.

23.-26. (No change.)

16:83-3.2 Access during emergency

NJ TRANSIT may temporarily grant or restrict public access to its facilities and equipment, or to portions thereof, at its sole discretion for emergent public health, safety, or welfare reasons without prior notice. When there is a threat to the public health, safety, or welfare, NJ TRANSIT facilities and equipment, or portions thereof, may be closed by any NJ TRANSIT official who has the authority to do so upon personal communication, public announcement, or conspicuous signage.

OTHER AGENCIES

(a)

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

Authority Assistance Programs
Grow New Jersey Assistance Program

Proposed Amendment: N.J.A.C. 19:31-18.11

Authorized By: New Jersey Economic Development Authority, Tim Sullivan, Chief Executive Officer.

Authority: N.J.S.A. 34:1B-242 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2023-111.

Submit written comments by January 5, 2024, to:
Alyson Jones, Director of Legislative and Regulatory Affairs
New Jersey Economic Development Authority
PO Box 990
Trenton, NJ 08625-0990
Alyson.jones@njeda.gov

The agency proposal follows:

Summary

The New Jersey Economic Development Authority (“NJEDA” or “Authority”) is proposing amendments to the existing Grow New Jersey Assistance Program (Program) Rules, N.J.A.C. 19:31-18.

The proposed amendments are intended to allow businesses to receive program tax credits in a more expeditious manner. N.J.A.C. 19:31-18.11(a) would be amended to provide that annual reports submitted by businesses approved for participation in the Program must be accompanied by a certification from a qualified independent certified public accountant. Numerous references to the annual “report” will be changed to annual “certification.” N.J.A.C. 19:31-18.11(a)3 will be deleted. New N.J.A.C. 19:31-18.11(g) would be added to provide that the Authority will qualify certified public accountants and provide businesses with a list of those qualified certified public accountants for use, with an

EXHIBIT B

TRANSPORTATION

NEW JERSEY TRANSIT CORPORATION

Conduct and Safety of the Public in The Use of NJ TRANSIT Equipment and Facilities

Readoption with Amendments: N.J.A.C. 16:83

Proposed: November 6, 2023, at 55 N.J.R. 2247(a).

Adopted: February 13, 2024, by New Jersey Transit Corporation, Kevin S. Corbett, President and Chief Executive Officer.

Filed: ____, 2024 as R. 2024 ____, **without change**.

Authority: N.J.S.A. 27:25-5 e, k, and l.

Effective Date:

Expiration Date:

Summary of Public Comments and Agency Responses:

The comment period officially ended on January 4, 2024. The New Jersey Transit Corporation (“NJ TRANSIT”) received no public comments.

Summary of Agency-Initiated Changes:

The phrase “also known as the Executive Director” was removed from the definition of President and CEO. This is a non-substantive change. Furthermore, the Agency has updated the title of the President and CEO and added language to ensure that NJ TRANSIT has discretion in deciding how outstanding funds are used.

Federal Standards Statement

The rules for readoption with amendments incorporate and comply with the Federal

EXHIBIT B

Infrastructure Investment and Jobs Act of 2021 (IIJA), which defines assault on a transit worker broadly, as occurring when "an individual knowingly ... interferes with, disables or incapacitates a transit worker while the transit worker is performing the duties of the transit worker."

Summary of Agency-Initiated Changes:

No changes have been made to the version proposed in the NJ Register on November 6, 2023.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 16:83.

EXECUTIVE SESSION AUTHORIZATION

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

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.