

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

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May 17, 2023

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

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, May 10, 2023.

Sincerely,

Meghan Clark Umukoro

Meghan Clark Umukoro
Board Secretary

Enclosures

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Open Session Minutes of the actions taken at the Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, May 10, 2023. The meetings occurred concurrently.

Board Members

Diane Gutierrez-Scaccetti, Chair
Noreen M. Giblin, Governor's Representative
Michael Kanef, Treasurer's Representative
Kiabi D. Carson, Board Member – Absent
Sangeeta P. Doshi, Board Member
Bob Gordon, Board Member
Richard A. Maroko, Board Member
Carlos A. Medina, Board Member
Shanti Narra, Board Member – Absent
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.
Anthony Grieco, Senior Vice President, Communications & Customer Experience
Jacqueline Stamford, Acting Senior Vice President, Chief Financial Officer & Treasurer

Chair Gutierrez-Scaccetti convened the Open Session at 10:06 a.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 that Board Members Carson and Narra were absent, and Board Member Medina was participating remotely.

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 May 4, 2023 with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

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Approval of Minutes

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the April 19, 2023 Board meetings. Board Member Michael Kanef made the motion and Board Member Bob Gordon seconded the motion. The minutes were adopted.

Roll Call Vote:

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

President & CEO's Monthly Report

President & CEO Corbett began with a ridership update, which remained relatively steady systemwide since his last report in April. Overall systemwide ridership remained at approximately 75 percent of pre-COVID levels, with specific ridership levels on bus, rail, and light rail in-line with last month's report, for both weekdays and weekends. Access Link paratransit service was at approximately 80 percent of pre-COVID levels, in-line with both bus and light rail ridership.

President & CEO Corbett had great news to share for Access Link customers. He was pleased to announce that NJ TRANSIT was launching a new pilot program partnering with Uber and Lyft, in Regions, 2 and 5, which included Essex, Morris, Union, Somerset, Burlington, Gloucester, and Salem counties. Through this new pilot program, called Access Link Rider's Choice, Uber and Lyft drivers would be available to supplement Access Link services as needed, but only if the customer opted-in to utilize the pilot program. Customers who do not opt-in would continue to have all their trips serviced by current Access Link providers. The goal of the pilot program was to improve the Access Link travel experience by expanding options for NJ TRANSIT customers while reducing wait and trip times, while also making it more cost effective for NJ TRANSIT. Customers could visit njtransit.com/accessibility for more information.

As warmer weather approaches, President & CEO Corbett was also pleased to announce the resumption of service to Monmouth Park Racetrack in May. Rail service to Monmouth Park Station would resume on the North Jersey Coast Line on Saturday, May 13, 2023, for the start of the live racing season, and would continue until the end of the season on September 10, 2023. They were also offering a great discounted round-trip transportation package to the Racetrack, which included general admission and an official racing program. More information was available at njtransit.com/MonmouthPark. This package represented yet another fun way NJ TRANSIT was working to attract customers back to the system.

President & CEO Corbett said speaking of fun reasons to ride transit, NJ TRANSIT continued promoting the benefits of public transit to the next generation, by offering complimentary rides for children on Take Your Children To Work Day. On April 27, 2023,

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two children up to the age of 18 traveled free on the system, with each fare-paying adult. NJ TRANSIT was pleased to participate in this national education event, which promoted career exploration, and highlighted the benefits of using transit to commute.

President & CEO Corbett said on the agenda that morning, the Board would vote to make a series of service enhancement on eight bus routes throughout the state, the 26, 58, 115, 154, 412, 455, 457, and 603, part of their regular Sunday schedules. In 2021, they piloted the addition of Sunday service on each of those routes, none of which previously operated on Sundays. Customers responded very positively to those pilot enhancements. They recognized that in order to continue to draw riders back to transit, it was essential to offer reliable service with sufficient frequency to meet their needs, and get them where they need to go, when they need to be there.

President & CEO Corbett took a moment to report on the two legislative budget hearings he attended over the past week at the State House in Trenton, along with Board Chair and New Jersey Department of Transportation Commissioner Diane Gutierrez-Scaccetti. Both hearings covered NJ TRANSIT's proposed Fiscal Year 2024 Operating Budget, and other areas such as service, infrastructure projects, technology, and sustainability. President & CEO Corbett said this was his sixth time testifying before the Senate and Assembly budget committees since he joined NJ TRANSIT in 2018, and he was proud to represent the agency in front of their legislators. President & CEO Corbett said while they were by no means resting on their laurels, he was pleased to highlight the substantial progress they had made together over the past five years.

They discussed the projected budget challenges they were facing in the outer fiscal years, which he noted was not just an NJ TRANSIT issue alone. President & CEO Corbett said it was a challenge facing transit agencies across the country, and one they were committed to resolving with a holistic approach that ensured an operating model that continues to offer safe, reliable, affordable, and sustainable transportation across the State.

President & CEO Corbett said their prudent use of federal COVID-relief funds have allowed them to fully fund four full Fiscal Year operating budget cycles, providing them with time to prepare for any mitigations they may need to address in Fiscal Year 2025 and beyond, unlike many other agencies around the country, whose funding has already been, or would soon be, exhausted.

President & CEO Corbett said as Chair Gutierrez-Scaccetti has shared publicly, they were committed to a comprehensive internal analysis to identify opportunities for efficiencies. He said they also await to see how the federal government will respond, and that this was not a burden that can be fixed solely on a state level. That said, President & CEO Corbett said they would confront the future fiscal challenges before them with the same zeal and commitment they demonstrated when faced with the dire operational challenges when he first arrived.

While they remain committed to looking for efficiencies, President & CEO Corbett noted in his testimony that one thing was for certain, public transit is a people business.

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NJ TRANSIT is equally committed to training and preparing the next generation of transit professionals and leaders, while promoting the adoption of best industry practices throughout the country.

In last month's report, President & CEO Corbett highlighted NJ TRANSIT's role in establishing the International Association of Public Transport, or UITP's, first-ever North American Regional Training Center, at the headquarters of Rutgers University's Center for Advanced Infrastructure and Transportation right here in New Jersey. He was pleased to note that this year's four courses were now all open for registration, and the courses included: Public Transport Fundamentals, from July 10 through July 12, 2023; Electric Buses: Fleet & Infrastructure Planning, Operations and Maintenance, from September 27 through the September 29, 2023; Rail Operations and Maintenance, from October 2 through October 4, 2023; and Ticketing and Fare Management, from November 6 through November 8, 2023. President & CEO Corbett said the easiest way to register was to visit njtransit.com/uitp and follow the links to UITP's registration page.

President & CEO Corbett mentioned that the month of May was federally designated to honoring three communities that were increasingly relevant to the organization and the communities they serve: Jewish Americans, Asian American and Pacific Islanders, and Older Americans. As they celebrate those communities, he noted it was also important to acknowledge NJ TRANSIT's ongoing commitment to diversity and inclusion. They have made great strides in this area, thanks in no small part to the hard work and dedication of their Company Employee Resource Groups, or CERGs, including their Asian American/Pacific Islanders CERG, called WAVES. President & CEO Corbett said building an inclusive organization was one of the five over-arching goals in NJ TRANSIT's 10-Year Strategic Plan, *NJT2030*, and he was proud of their commitment and what they had accomplished.

In conclusion, President & CEO Corbett said he was truly proud that NJ TRANSIT once again was nationally recognized for its commitment to safety and security. On April 25, 2023, at the American Public Transportation Association's Mobility Conference in Minneapolis, Minnesota, APTA awarded NJ TRANSIT its prestigious 2023 Bus Safety and Security Excellence Gold Award, for the second time in three years. There was only one Gold Award winner in each category, and NJ TRANSIT took home the gold, out of all the transit agencies in the country providing more than 20 million passenger trips annually.

NJ TRANSIT was chosen for their Bus Operations de-escalation training for frontline employees, which recently added a component from the New Jersey Transit Police Department. This training helps employees diffuse confrontational and volatile situations, and provides guidance about how to best alert New Jersey Transit police or local law enforcement to assault situations. Similar training was provided to NJ TRANSIT's rail operations employees. In 2021, NJ TRANSIT was honored with both the APTA Bus Safety and Security Excellence Gold Award and the APTA Rail Safety Certificate of Merit Award for Commuter/Intercity Rail Systems.

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President & CEO Corbett thanked and congratulated Michael Kilcoyne, Senior Vice President, Surface Transit and General Manager, Bus Operations, New Jersey Transit Police Department Chief Christopher Trucillo, along with Bus Deputy General Management of Performance Assurance Training, Rebecca Peralta, and Mike Rubin who was their Employee Court Advocate but now works in their General Counsel's office as an Assistant General Counsel. President & CEO Corbett said it was their teams' hard work and commitment to the safety of their employees and customers that earned NJ TRANSIT that national recognition.

Public Comments

Chair Gutierrez-Scaccetti asked Board Secretary Umukoro if there were any public comments. Board Secretary Umukoro said there were 11 in-person speakers and six queued telephone speakers.

Board Secretary Umukoro said in order to give everyone an opportunity to be heard, comments would be limited to three minutes. She said priority access would be given to in-person participants, followed by telephone participants who queued to speak.

Board Secretary Umukoro instructed those participating by telephone, if they had not already done so, please press *1 on their telephone keypad to enter the queue to speak. They would hear a brief tone to indicate they have successfully entered the queue.

Board Secretary Umukoro said the first in-person speaker would be David Peter Alan followed by Murray Bodin.

David Peter Alan, Chair for the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAC), said this was their official report to the Board for the month. Mr. Alan said since their committee was founded in 1984, they have advised the Board, management of NJ TRANSIT, and other concerned individuals and organizations about issues concerning mobility for seniors and persons with disabilities who ride NJ TRANSIT trains, buses, and light rail lines, as well as Access Link paratransit, and the community transportation operated mostly by the counties in the state.

Mr. Alan said they have always enjoyed a broad subject-matter purview when making their suggestions and that the scope was recently reaffirmed. They wanted the Board to know they want to hear about any questions or concerns they might have regarding mobility on NJ TRANSIT and its affiliated providers for their constituents, including funding, connectivity, accommodations required under the Americans with Disabilities Act (ADA), accessibility service issues concerning NJ TRANSIT fixed-route services, Access Link, and other community transportation or related topics. Mr. Alan said they considered it vital to their mission that they give any and all of them the opportunity to tell the Committee their concerns, regarding issues such as those, because that enables them to give their best advice.

Mr. Alan said expanding bus service, especially on Sundays, helped improve mobility for his constituents. Although they heard reports every month from North and South Jersey

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Transportation Advisory Committees, he said their committee differed from those organizations because their meetings were open to non-members who were interested in their efforts or concerned about their constituents. Mr. Alan encouraged them to ask questions or let them know about their concerns.

Mr. Alan said they recently heard a number of presentations by the Local Programs and Community Mobility management team at NJ TRANSIT, as well as by County providers who benefit from SCDRTAP, the grant program that was authorized by the same statute that established their committee. Mr. Alan said they were learning about some interesting and potentially innovative practices, and would report on them soon.

Mr. Alan said they wanted to learn more about the new Access Link Rider's Choice Program that President & CEO Corbett spoke about during his report. He said they recently welcomed a new member, who lived in Central Jersey, commutes to Brooklyn on NJ TRANSIT and the New York subway, and advises students who are pursuing their degrees while living with disabilities. He also uses Access Link, as well as Access-A-Ride, the counterpart in New York City. In addition, he has police experience, which Mr. Alan said he believed was a first for their committee.

Mr. Alan said while they filled their Central Jersey quota, they were working on filling a vacancy in North Jersey. He said the managers they work with were starting an outreach effort in the Northern region, and they would like potential candidates to contact them. Mr. Alan said they hold the majority of their meetings at NJ TRANSIT headquarters in Newark, and others in Trenton and Camden. All of their locations are fully ADA-compliant and accessible by using NJ TRANSIT's fixed-route services. They also feature video conferencing for all of their regular meetings. Mr. Alan said most importantly, they welcome all comments and suggestions.

Murray Bodin said he represented concerned grandparents who were concerned about the kind of world they left to their grandchildren. Mr. Bodin said he would be 90 years old in June and his mind was going. He said regardless of how good he looked, his body was going also. On Friday, he was scheduled to get an electric wheelchair because he could not move the wheelchair he had.

Mr. Bodin said they all knew about the erroneous derailed train in Palestine, Ohio. He asked why it happened. Mr. Bodin said it happened because no one followed the rules; no one bothered to say, there was a hot box there, stop the train. Mr. Bodin said nobody was paying attention and his job was to get the Board to pay attention. He said when they drove home that night, to pay attention when they come to a railroad crossing, they would notice two sets of lights. Mr. Bodin said they did not have to be stupid to know distracted drivers needed to see the same thing at every station. Mr. Bodin said the flashing lights were created before traffic lights. He said they have traffic lights and there was no need for the red flashing lights at the railroad crossings. Mr. Bodin said in Florida, they have gates where the bridges go up and in Manhattan they have traffic lights at the Willis Avenue Bridge. Mr. Bodin asked why they still have flashing red lights at railroad crossings in New Jersey.

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Mr. Bodin said this was a sign that President & CEO Corbett has not been doing his job. He said they paid him to follow the rules and he was not, and his staff was not. He said that meant they needed to replace President & CEO Corbett. Mr. Bodin said unfortunately, it was the Board's job to make sure President & CEO Corbett did his job, however that was not being done either. He said that meant Governor Murphy needs to find someone else to be the Commissioner of Transportation. Mr. Bodin said like it or not, he could not do it. He said it was the responsibility of the Board members and if it did not make any sense to them, then they should do something about it. Mr. Bodin said to get someone new to run transportation both at NJ TRANSIT and for the State of New Jersey.

Mr. Bodin said this might be the last time he spoke at a Board meeting, and he would like the same courtesy that the previous speaker had. He said Mr. Alan did not have a time limit and asked why he was given a time limit. Mr. Bodin said there was a disparity in how the organization treated people.

Jim Brown, General Chairman for the Brotherhood of Locomotive Engineers and Trainmen, said he represented approximately 500 engineers at NJ TRANSIT. He said they have been involved in contract negotiations for over three years and they did not receive a raise since December 31, 2019. Mr. Brown said engineers at NJ TRANSIT were paid significantly less than their counterparts at other major Class 1 Passenger Railroads. He provided some perspective on some of the differences in hourly wages which were as follows: \$11.23 per hour less than Amtrak, \$13.01 per hour less than Metro North, \$9.73 per hour less than Long Island Railroad, and \$12.46 per hour less than Caltrain Transit. Mr. Brown said those figures would increase because the companies mentioned were currently in negotiations and looking at raises.

Mr. Brown said for three years plus, NJ TRANSIT engineers had been asking to be paid the same hourly rate that other engineers were paid who perform the same job duties, in the same location as they do with the same cost of living. Mr. Brown said they were asking for no more, and certainly no less. He said NJ TRANSIT would not negotiate in good faith or discuss an equitable solution and NJ TRANSIT's position from the beginning of the negotiations were take what they offered or get nothing. Mr. Brown said the reduced pay did not go without consequences, stating the turnover of engineers at NJ TRANSIT was significantly higher than other Class 1 Passenger Railroads. He said this created several issues, including safety because they constantly have inexperienced and new engineers operating trains. Secondly, when other railroads start to hire, they will lose experienced engineers, and the cost to train someone to become a certified licensed engineer can be in excess of \$250,000 from what NJ TRANSIT has told him.

Mr. Brown said back in 2018, there were several train cancellations due to a shortage of engineers and they did not want to create that situation again. He said this all has been happening while NJ TRANSIT looked to rent a building that would cost taxpayers an extra \$200 million. Mr. Brown said it seemed NJ TRANSIT has millions for penthouse views, but no money for train crews. He said the building they were currently in had many upgrades and repairs done during the pandemic. Mr. Brown said many office workers worked remotely, and continued to do so, meanwhile the engineers who keep the trains

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running have not received a raise since 2019. He believed the new office building was a misplaced priority.

Ken Dolsky, member of Don't Gas the Meadowlands Coalition, said he was there as usual to talk about TRANSITGRID. He said two weeks ago, the Coalition met with John Geitner, Senior Director of Environmental Services and Paul Wyckoff, Senior Vice President of Regulatory and Government Affairs of NJ TRANSIT to discuss the Strategen report. Mr. Dolsky thanked them both for making the time to meet with them and said they learned a lot. One of the most important things they learned was NJ TRANSIT's management and especially the Board have abdicated their oversight role on the bidders. Mr. Dolsky said they were told NJ TRANSIT was technology agnostic and technology decisions were entirely up to the bidders. Mr. Dolsky said in other words, NJ TRANSIT does not care if it builds a fossil fuel plant that harms the health of its neighbors, and does not care if it increases the damages from climate change; it was all up to the bidders, and not NJ TRANSIT's responsibility.

Mr. Dolsky said they asked how they would deal with Governor Murphy's new Executive Order requiring 100 percent clean energy by 2035, and the answer was the bidders would figure it out. They asked how they would deal with higher-than-expected costs and potential risks of having no funds to make the transition to clean energy, considering the impending budget shortfalls. He said the answer was the bidders would figure it out. Mr. Dolsky said they asked how any bidder could effectively bid a solar based solution without the aid of the main property owner and the answer was the bidders would figure it out. Mr. Dolsky said they asked how NJ TRANSIT would deal with the new environmental justice law aimed at reducing pollution and historically overburdened communities, and the answer was the bidders would figure it out. They asked to what extent PSE&G's energy strong program, raising all substations to eliminate flooding as they cause power failure, impacted NJ TRANSIT's thinking of the need for this project and the answer was the bidders would figure it out. Mr. Dolsky said by the end of the meeting, he wanted to suggest NJ TRANSIT ask these benevolent, brilliant, renaissance bidders to solve climate change, eliminate gun violence, and fix the United States' debt ceiling problems, or at least fix the NJ TRANSIT budget shortfall.

Mr. Dolsky said the bottom line, especially for the Board, was that the only oversight on this project was them, the climate advocates who were doing the job of the Board. He said they were fighting for a clean solution to protect the health of their neighbors. Mr. Dolsky said they were demonstrating a path to low financial risk and technical solutions and have shown how much NJ TRANSIT could profit from a clean energy solution. He said they had proven the feasibility of a complete hybrid solar storage gas turbine solution using NJ TRANSIT property for solar and storage.

Mr. Dolsky said as far as they could tell, the Board has done nothing except parrot management's lame excuses for building a gas plant. He asked whether it was their job to ask questions on all the issues and require answers; to protect the health of the people living near NJ TRANSIT facilities; to make sure management made the most cost-effective decisions and avoided stranded assets; and to ensure NJ TRANSIT was not making climate change worse. Mr. Dolsky said evidently not, because they sit at the dais

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year after year and do what management tells them to do, which is to keep silent or make absurd excuses for management's decisions. He asked how many of them would be aware of some issues, if not for the public speakers.

Christian Nowell, resident of Fort Lee and member of Empower New Jersey Coalition, said they called on NJ TRANSIT to amend the RFP for the NJ TRANSIT microgrid project, so that the project design was primarily driven by renewable energy-based hybrid microgrid. Mr. Nowell said according to the Intergovernmental Panel on Climate Change (IPCC), climate pollution from the world's existing coal, oil, and gas projects was already enough to launch the planet pass 1.5 degrees Celsius of warming. He said without immediate and deep emission reductions across all sectors, limiting global warming to 1.5 degrees Celsius will be beyond reach. Mr. Nowell said the IPCC also stated climate justice was crucial because those who have contributed the least to climate change were being disproportionately affected.

Mr. Nowell said New Jersey's environmental justice law states in the first paragraph, edited for length, the Legislation finds and declares that all New Jersey residents, regardless of income, race, ethnicity, color, or national origin, have a right to live, work, and recreate in a clean and healthy environment. He said historically, New Jersey's low-income communities and communities of color have been subject to a disproportionately high number of environmental and public health stressors, that, as a result, residents in the state's overburdened communities have suffered from increased adverse health effects. Mr. Nowell said those adverse health effects caused by pollution impede the growth, stability, and long-term well-being of individuals and families in overburdened communities. He said the legacy of siting sources of pollution in overburdened communities continue to pose a threat to the health, well-being, and economic success of the state's most vulnerable residents. Mr. Nowell said it was past time for the State to correct this historical injustice.

Mr. Nowell said the new Strategen report showed that a renewable hybrid microgrid as a renewable solution for the TRANSITGRID project was technologically feasible, economically beneficial, less risky to human health and the environment, and more reliable than a gas plant. Yet, in the face of all of this, they continued to pursue a gas power plant.

Mr. Nowell wanted them to think about intent versus impact. He said they may claim they do not intend to harm the low-income minority communities in New Jersey, but that is what the impact a gas plant would have. Mr. Nowell said the fact they knew this was the case and would make them complicit in the communities suffering, in which case they might as well intend to harm.

Mr. Nowell said they all know Governor Murphy has authority over the agency, he appointed them and could replace them. He said it seemed like the Governor was allowing them or directing them to pursue a gas plant, and so it seemed to him that they were essentially Governor's Murphy's chumps, only doing what they were supposed to do. Mr. Nowell said they were pushing a harmful solution and taking the public beating for the Governor in hopes of him rewarding them in a few years if he becomes President of the

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United States. He said it was shame that the Board lacked integrity and compassion and were willing to sell out the people of New Jersey and the planet who were already suffering disproportionately. Mr. Nowell said those were his thoughts and he could be wrong; maybe it was a terrible trend.

Samantha DiFalco, organizer for Food & Water Watch, spoke on behalf of their 72,000 members and supporters across New Jersey. Ms. DiFalco said like the previous two public speakers, she was there again to urge NJ TRANSIT Board to take action in changing the direction of the TRANSITGRID project. She said they had been there month after month raising the same concerns. They understood there was a procurement process, but they also knew the procurement process was not going to deliver a solution that makes sense for the world they live in today. As Mr. Dolsky mentioned, they had a meeting a couple weeks ago with Mr. Geitner and it was clear from the meeting that NJ TRANSIT was not doing its due diligence to ensure this project was done in a way that prioritizes renewable energy, as directed by Governor Murphy in 2020.

Ms. DiFalco said they have a new environmental justice law that went into effect less than a month ago and the Governor came out with an executive order several months ago to make sure they cut down on emissions. She said it was clear NJ TRANSIT was not ensuring this project would be in line with the goals, commitment, and laws. By leaving this up to the bidders, she said they were going to wind up with a solution where a gas plant was central to this project.

Ms. DiFalco said by having the RFP be technology agnostic, while providing no guidance in terms of renewable energy development, they were going to wind up back where they were in 2019, before the statement from Governor Murphy that led NJ TRANSIT down a new path and opportunity. She said they were going to wind up in a situation where either this project was going to be a major affront to climate and environmental justice, or it was going to be a stranded asset that would not be compatible with the world they will be living in in five or ten years, and at that point millions of taxpayer dollars will have been wasted. Ms. DiFalco said she wanted to urge them to use their voice as board members to make sure that the project direction changed.

Ms. DiFalco said speaking as herself for a moment, she wanted to urge the Board to do what they could to ensure a fair contract was reached with the union members there today. She said they talk about NJ TRANSIT being a global leader in innovation and technology and a leader in transit, but unless workers were paid fairly and could support their families, it was not.

James Crawford, resident of Hawthorne, New Jersey, said he took the train to Newark Penn Station and was there to speak about the power plant project. He said they were told there was a competitive bidding process, but he believed they needed to see the power of the competitive bid because that was what bidding was all about, the power of the competitive bid. Mr. Crawford said he worked on Wall Street for a quarter of a century and the power of the competitive bids was very powerful. He said they used complex models for buying 91-20 collars on S&P 500 futures, but they did not need a model when they had a real competitive bid process. Mr. Crawford said if the bidders did not open up

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the bidding process through a fair competition, then it was not a bidding process, and wanted to point that out. He said they needed to have a real ascertainment of the virtues and benefits of the options there, unless of course, the bidders have been somehow captured. Mr. Crawford said he was pointing that out and he wanted them to know that because they were all there to learn. He thanked the Board for listening and said he was going to go back home on the train.

Paula Rogovin, proud member of the United Federation of Teacher Retirees Chapter, said she taught 44 years in New York City, and she personally supported the Brotherhood of Locomotive Engineers and Trainmen in their fight for a fair and decent contract. She said it was sad that they had to fight for decent wages.

Ms. Rogovin said on the issue of the gas plant, the Strategen report commissioned by Empower New Jersey, representing well over 100 organizations statewide, analyzed and compared NJ TRANSIT's proposal for a gas plant in Kearny to renewable energy alternative. She said five advocates were at the April 28, 2023 stakeholder's meeting with NJ TRANSIT staff, a meeting they had requested. Ms. Rogovin said an NJ TRANSIT representative asked a number of questions about the Strategen report, but NJ TRANSIT asked and said nothing about Strategen's analysis of the cost of climate change and health impacts.

Ms. Rogovin said she read in the Strategen report regarding environmental and social benefits, and in the Strategen renewable plan there would be \$193 million to \$346 million in avoided climate change impact costs with \$7.6 million to \$14.3 million in savings, reducing local health and morbidity impacts in environmental justice communities. She said that money could go to the transit rail workers. Ms. Rogovin said NJ TRANSIT's silence about this at the stakeholder meeting was upsetting and disappointing because those issues about climate and people's health have been the essence of their protests at the board meetings, rallies, marches, and in the many resolutions passed by multiple municipalities opposing the gas plant.

Ms. Rogovin said as the Board already knew, they were deeply concerned about the impact of yet another polluting facility in Kearny and in the region. She said it was an area already overburdened by polluting facilities where people were already suffering from health impacts of pollution. Ms. Rogovin said they were concerned about climate impacts, including fires, storms, drought, and the heat. She said her town of Teaneck experienced a wildfire recently.

Ms. Rogovin said a few Board members have publicly said they were concerned about climate change and the impacts on people's health, yet once again they were calling on the administration to revise the RFP, and it was not on the Board agenda. Ms. Rogovin said for 44 years she taught her students to stand up for what they believed was right. She said it was heartbreaking to her and others that the NJ TRANSIT Board was leaving the bidding up to chance rather than demanding and directing a change in the RFP.

Sidney Madison, resident of Piscataway, said when he was long gone, his grandchildren and great-grandchildren would know that he raised over \$30,000 for climate action,

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donated even more, attended rallies, has spoken at some, and was arrested for nonviolent direct action many times. Mr. Madison asked the Board what they would be known for, stating with greater power and visibility comes greater responsibility. He said on the current path, as indicated by others, billions will die from climate change and greater action is needed. Mr. Madison said New Jersey continues to allow more fossil fuel infrastructure to be built. He said the Board of Public Utilities (BPU) studied and knows no more is needed. Mr. Madison said with greater power and visibility, comes greater responsibility. He said to tell Governor Murphy to immediately enact a moratorium on fossil fuel infrastructure in New Jersey.

Sally Jane Gellert, resident of Woodcliff Lake and Chairperson for the Lackawanna Coalition, said regarding communication and misconceptions, there was simply no excuse for incompetent communication. She said a rider who uses NJ TRANSIT's smartphone app, checks the website, calls the service center, or arrives at the station and sees displays, who is waiting for five minutes or more, should have full information on all relevant details. She said for riders using the Trip Planner, and a normal route is not available for any reason, that information should be displayed and conspicuously noted as trip not possible.

Ms. Gellert said her colleague, Jesse Gribin had an article on missed connections in their current issue of their Railgram newsletter, and said quote, "over the past year I've taken maybe a dozen round trips on the RiverLine and four of those trips had a cancelled, missing, or substantially delayed train with all available information services indicating the service was normal." Ms. Gellert said it was not only bad, but dystopian level of ludicrous.

Ms. Gellert said she wanted to point out a positive experience on a Main Line train on April 29, 2023. Ms. Gellert said their Morris & Essex train was held back and they would miss the scheduled connection. She said as mentioned in the current Railgram, she asked the conductor if the connecting train could be held for them. Ms. Gellert said the conductor made the call, ensuring that she and others made their connection. She appreciated not having to wait an extra hour in Secaucus.

Ms. Gellert said another concern was the communication of service alerts and advisories. She said put simply, service advisors for planned work that affect schedules should become service alerts as soon as they are known, at least the day before, and certainly during every day the schedules are affected. Ms. Gellert said a posted on-time status when trains are not running is unacceptable. She said a problem has to leap out as a service alert during the time it is happening, but this needs to be a general policy change at least when schedules are affected. Ms. Gellert said in addition, for rail, alerts should include both time and train number because occasional riders are not likely to know their train number. She said regular riders may or may not, but it is good to include the train number along with the time for educational purposes.

Ms. Gellert said her colleague Greg Bender reported, he commuted from Bound Brook to Elizabeth on the Raritan Valley Line via Newark. He took the 6:30 a.m. express to Newark, six-minute connection train to Elizabeth, and they were all on time and it worked perfectly. He said he was even able to get coffee at Newark Penn Station. He said coming back

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was similar, an eight-minute connection at Newark, all on time. Ms. Gellert said Mr. Bender said, they could do it if they tried.

Ms. Gellert said regarding Sunday service expansion, apparently the Board had to vote on it because it was a formal process but honestly, they should not have to discuss a vote on this. She said there was so much more to do, like projects to extend needed rail service to places like Englewood, Glassboro, points in Middlesex, Ocean, and Morris, West Trenton, or extend electrification to Bay Head. Ms. Gellert said also, they could improve Princeton Dinky service instead of killing it. Further, she said after having no weekend rail service from Bay Street to Montclair State, which was now a desert for public transportation on the weekend, NJ TRANSIT appears unable or unwilling to even continue the former weekend DeCamp bus operations through that territory.

Matthew Walsh, long-time member of the New Jersey Association of Railroad Passengers, said he had been a member of the Board of Directors there for the past year. He had several areas of concern but wanted to discuss the changing demographics in the suburbs of New Jersey. Mr. Walsh said he was in the Englewood suburbs recently and noticed the incomplete rail line there. He said people were investing in the area and building along the contour of the rail line, with the expectation of having rail service there and it has been languishing. Mr. Walsh said if nothing was done, they would be letting down investors and residents who were there, who want to take public transit.

Mr. Walsh said there were other inner ring suburbs undergoing a tremendous population boom. He could see the residential apartment construction taking place, which had been confirmed by the Census Bureau of 2020, and he was sure it has increased within the last three years. Mr. Walsh said Hackensack was along the Hudson-Bergen Light Rail Line, all the studies have been completed, people were moving in this area, but the light rail line has been languishing there. He said the Pascack Valley Line was on the other side of town but it has infrequent service. Mr. Walsh said with all the people moving there and no rail system available, they were compelling people to drive, and it did not matter whether they were electric cars or gas fueled cars, they still caused traffic jams.

Mr. Walsh said similarly, North Newark, Kearny, and North Arlington were all located on the Garden State Greenway, formerly the Norfolk Southern Rail line. He said the Governor was originally to acquire this land for rail and trails, and to be used as a connection for light rail between Montclair, through Newark, and Hudson-Bergen Light Rail. Mr. Walsh said the right-of-way was already there so what were they going to do about it. He said with this area being so densely populated they didn't need more roadways but more rails and connections to light rail to reduce the climate impact.

Brian Scanlan, Wyckoff, New Jersey resident and former regular user of NJ TRANSIT for 35 years for his daily commute, now uses it to go into Manhattan frequently in his retirement. He said he received his Homeowners Renewal Insurance Policy in the mail a few weeks ago which was another whopping increase although there has been no single claim filed in the last 28 years since his family has lived in their home. Mr. Scanlan said the insurance companies were struggling to adjust to the impacts of climate change. He said they live 25 miles from the ocean and above sea level, and no one was immune from

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the increased flooding, damage, and wildfires caused by climate change, which was why he was paying more for insurance, and that was why they were all paying more.

Mr. Scanlan said they were also paying more with every aspect of their lives. He said why was he telling everyone this, was because the NJ TRANSIT Board appeared to have taken a whistling in the dark approach to the warnings of using fossil fuels, and the costs it was extracting from all of them. As pointed out earlier, he said the environmental justice communities surrounding the proposed power plant would pay the highest price, especially, with their health.

Mr. Scanlan said the current RFP for the power plant in Kearny to power the microgrid to run the trains, still had the dirty fossil fuel at its center, there was an alternative, and Mr. Scanlan sincerely hoped NJ TRANSIT would not dismiss it. He said the compelling report by Strategen Consultants showed that the best solution to power the microgrid was solar battery with back-up storage, and only a small-scale gas turbine. Mr. Scanlan said this option was more technologically feasible, economical, and would help address climate change. He said the Board and NJ TRANSIT would be judged by the decision they made, and whether it would be a step towards addressing climate change or make it worse.

Holly Cox, 24-year resident of New Jersey, urged NJ TRANSIT to pay their railroad workers a livable wage. She also asked why Governor Murphy and NJ TRANSIT were not redesigning their microgrid project to be powered by renewable energy which the Strategen Report showed was technologically feasible, economical, and better for their health, and climate. She asked why hasn't any one responded to the new report that showed that a combined system of solar battery storage, and a back-up gas turbine only to be used in true emergencies, as a feasible alternative for meeting NJ TRANSIT's operational needs during a severe weather event. Ms. Cox said why hasn't the RFP been revised to specifically list a renewable energy hybrid microgrid solution. She asked did anyone see the immorality and danger of adding more pollution from another fossil fuel plant to communities that were already overburdened.

Ms. Cox said Governor Murphy announced his accelerated plans of 100 percent clean energy by 2035 and neither he nor this Board had any plans to get them there. She asked if they build the fossil fuel plant, when would it be completed, how long would NJ TRANSIT expect to operate it before transitioning to clean fuel to meet the 2035 target, and how much would it cost to transition it to a clean plant.

Ms. Cox called on Governor Murphy and NJ TRANSIT to stop abdicating their responsibilities and to start listening to the climate crisis bureau who agree they only have six years left to drastically reduce their emissions to keep their planet habitable. She said step-up and put in the work to live up to the State's climate commitment and be leaders and stop this disastrous fossil fuel power plant.

Adam Reich said he wanted to echo his support to ensure that the engineers were paid a competitive wage because he would hate to see the progress that that President & CEO Corbett said they had made be reversed.

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Mr. Reich said he had a problem with agenda item 2305-27 the Annual Notice of Board meetings. His problem was that this happened before where in January 2024 there was no Board meeting and the next meeting in February would then be a 10:00 a.m. meeting which makes it hard for people to participate in because it was a daytime meeting. After November 2023 there would be no other nighttime meetings until March 2024. Mr. Reich asked the Board to either make the December 2023 or the February 2024 a 6:00 p.m. meeting, or try to incorporate another meeting in if need be, or fill this need at the next Board Committee meetings after January 2024 and make them an evening meeting so that people could participate in if they were not able to break away from work.

Mr. Reich said that closed railcars on trains continued to be an issue, crews become combative if they do not have the quiet cars open and do not want to do it, or make excuses. He said there was also an issue of accessibility which left fewer cars with bathrooms available. Mr. Reich also stressed with quiet cars to advertise the times in NJ TRANSIT timetables so that everyone would know because those times could be the only oasis people have at the end of their work day before going home to their family situations. He believes Quiet Car signage also needs to be consistent because all trains do not have it. Lastly, Mr. Reich asked for a meeting with the Customer Advisory Board because they had been waiting three years, and he could not see why someone could not meet with them, but Paul Wyckoff could meet with the environmental advocates. He said if they did not meet with the 14 members of the Customer Advisory Board, NJ TRANSIT would continue having problems, so let's have a dialogue.

Bill Beren, State Transportation Chair for the Sierra Club, said he would echo comments made by previous speakers on the transit grid project. He said he would like to comment specifically on President & CEO Corbett's statement made at the beginning of his report that reliable and frequent service was important to attract ridership. Mr. Beren said he mentioned this particularly in regard to the replacement service put in place for the DeCamp service in Montclair and Essex County. He said there was no weekend or off-peak service and the buses that were in service could not travel underneath the train trestles at Watchung Plaza.

Mr. Beren said the previous area serviced by DeCamp routes 66 and 33 was not being serviced. As a former rider, he said although retired now, late night service and weekend service on DeCamp was always full. However, now that there was no weekend and evening service after 7:00 p.m., it meant that people cannot take the bus into New York to go to the theatre, dinner, or meet with friends. Mr. Beren said there was a large population of people who live in the city, that commute back to Montclair on holidays, that used to take the DeCamp service that was no longer available. He said it was incumbent upon NJ TRANSIT to replace that service.

Mr. Beren also wanted to talk about Ms. Gellert's comments on getting alerts and advisories. He said the Sierra Club had been meeting with Mr. Paul Wyckoff for the past three years and submitted a report to the Board in February 2020 about the errors and inadequate publications regarding service disruptions. Mr. Beren said this needed to be

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addressed by the Board and President & CEO Corbett, and they would like to work with NJ TRANSIT on a continuing basis to get the advisories and alerts improved.

Andy Weiss said he was glad to finally see the Board posted the Customer Advocate position job description. He said the Board wasted years of their time for nothing because the job description was the same a year ago, and they just sat on it for a year. Mr. Weiss said the Customer Advocate job description that was submitted was completely unacceptable, was watered down to nothing by this incompetent Board, and shame on all of them for a watered-down job description that had limited advocacy for transit riders. He said the Board constantly lies, did not care about NJ TRANSIT riders, did not want to hear their problems, and they were a nightmare for NJ TRANSIT and NJ TRANSIT riders.

Mr. Weiss said to Brian Wilton, Senior Vice President, Chief Legal Officer & General Counsel that the Customer Advocate Job description did not match the law or legislation, and was unacceptable, and they would not accept it. He asked Brian Wilton to work on the job description and give them a real one that complied with the law and legislation that was passed, and they would never accept the one that was submitted. He said they need a real advocate that would ride with the riders and have meetings with them, which is what the legislation was all about. Mr. Weiss said Senator Weinberg never imagined having such a watered-down Customer Advocate job description. Lastly, he pleaded with Brian Wilton to please do his job and correct the job description, so it matched the law.

Rachel Dawn Davis, Public Policy and Justice Organizer for Water Spirit, a 25-year-old nonprofit sponsored by the Sisters of Saint Joseph of Peace, said she was speaking on behalf of their thousands of members across the state. Ms. Davis expressed her support for the railroad workers who deserved livable wages and benefits that were compliant with life in the 21st Century, and supported those who spoke about inclusivity, disabilities, and accessibility.

Ms. Davis said pollution only exacerbates existing difficulties living and getting around New Jersey and they need prevention. She said the light rail was proposed back in 2004 but Exxon wanted more roads. They also urged Governor Murphy and his NJ TRANSIT to act on the findings of the Strategen Study and best practices were also mentioned. Ms. Davis said when NJ TRANSIT revises the RFP with a heartfelt intent to seek out specifically the most efficient renewable energy option, this would foster long-term benefits for everyone. Ms. Davis said if NJ TRANSIT did this they could be a leading innovator and the impact could be world renowned. She said NJ TRANSIT must abandon the original gas plant, and why not put leadership opportunity on themselves that day, and declare it now.

Ms. Davis said they need answers on what was thought about the Strategen Report, and they must protect those that live in overburdened communities filled with pollution, prevent environmental racism, and create a legacy for their children and grandchildren. She asked what the Sustainability Committee was doing to identify best practices throughout the country. She said to think about your children and grandchildren when making decisions, there is no more time left, and this climate is changing at an accelerating pace.

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Matthew Smith, New Jersey Director for Food & Water Watch, said he wanted to echo the previous speakers before him in support of the NJ TRANSIT workers that have been without a contract. He said these workers needed a contract and need the support of NJ TRANSIT, the Board, and Governor Murphy to get a new contract in place.

Mr. Smith said his main focus was on the transit grid project, but he wanted to take a moment to recall Governor Murphy's commitment when running for Governor and winning the first term. He said the Governor said he would fix the budgetary issues facing NJ TRANSIT if it killed him. Instead, Mr. Smith said what they see is the same NJ TRANSIT and the same budget problem. They also see the same proposal to build a gas plant that would kill many of them. He said fossil fuels and the burning of fossil fuel as proposed by the NJ TRANSITGRID would in fact kill New Jersey residents. Mr. Smith said due to the pollution and public health demonstrated and scientifically proven, this transit grid would leave a deadly public impact, not including the increasing climate change that it would contribute to and cause more death.

Mr. Smith said let us take stock in where Governor Murphy's commitments were. He said they still have a Department of Transportation Commissioner and Board Chair who is pushing to spend \$10 billion on a disastrous highway expansion project that would worsen climate change and environmental justice in low-income communities. He said a Board Chair who continues to go against the science and their latest study could speak out publicly without ever providing any sources, and in direct contradiction to Governor Murphy's commitment as to why renewable energy would not work for the transit grid project.

Mr. Smith said they have a former Hess Oil Manager who was in charge of implementing NJ TRANSIT's and Governor Murphy's commitment to redesign the power plant away from gas to 100 percent clean renewable energy. He said Hess Oil was one of the main companies who brought fracking to the northeast and bought land in the Delaware River Basin to try and frack the drinking water source for millions of New Jersey families. Mr. Smith said there were only two Board Members who have ever publicly spoken out and showed real courage and independence, and they were no longer on the NJ TRANSIT Board. Lastly, Mr. Smith said Governor Murphy needs to right the NJ TRANSIT ship on a number of issues such as, find a stable funding source, stop investing in fossil fuel infrastructure, stop the capital to operating raids, and find a solution for the upcoming fiscal cliff.

Richard Grant, from Hackensack, said NJ TRANSIT once sponsored a Climate Resilience Report. He said they may be thinking that does not sound like us. He said the report was not the same thing as the Sustainability Report. Mr. Grant went on to read some of the Climate Resilience Report objectives which described the goal of how it was to assist NJ TRANSIT in determining the potential vulnerability and risk, as well as projected climate impacts on NJ TRANSIT's stationary assets that included rail, structures, and buildings and develop cost effective resilient strategies so NJ TRANSIT can protect those assets from negative impacts in the future. He said it stated NJ TRANSIT should also use this information to protect its rolling stock, trains, buses, etcetera against severe weather.

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Mr. Grant said the assessment activities in the study provided information for NJ TRANSIT leadership to facilitate planning over a 5, 10, and 20-year horizons. He said in this phase, they systematically reviewed all stationary assets in their entirety and provided viable strategies for NJ TRANSIT to consider in developing capital and operating budget actions to avoid current and future risk and impacts. Mr. Grant said this report could then be used by NJ TRANSIT as a screening tool to provide and inform in more detailed review of the criticality and cost effectiveness of each asset, rail, structures, and buildings most at risk. Mr. Grant said the assessment provided NJ TRANSIT with indicators of risk so that they could prioritize criticality of its at-risk assets.

Mr. Grant said the study was awarded in 2011, ahead of flooding from Hurricane Irene washing out rail lines and roadways. He said the final report Resilience and NJ TRANSIT Assets for Climate Impacts had a June 2012 release date. Mr. Grant asked what happened to that report and was the information used to protect NJ TRANSIT rolling stock from severe weather. He said when Hurricane Sandy hit four months later, a third of the rolling stock was damaged by the flooding. Mr. Grant asked what happened to the report and asked if NJ TRANSIT considered strategies developing capital and budget operating actions to avoid future risk. He said if anyone wants to read the new 2012 Report before the next global frequency weather event drops you could access Resilience of NJ TRANSIT Assets to Climate Impact online at the New Jersey State Library to download the PDF file.

Anna Leone said she was from Bergen County and wanted to thank the members of the Board for their time. She also wanted to take the opportunity to thank Patricia McSweeney, President & CEO Corbett's Executive Assistant for passing on information, which resulted in several NJ TRANSIT Executives calling her to discuss the topic of Access Link for about an hour and wanted to thank everyone. Ms. Leone said there have been improvements on Access Link, but they still had a long way to go. She also thanked President & CEO Corbett for announcing the Access Link Rider's Choice pilot program. Although she did not know much about the program, she looked forward to finding out more about it. It was also mentioned that this pilot program would reduce costs and increase efficiency, which was one of the topics she wanted to discuss with respect to the existing schedules of rides on Access Link.

Ms. Leone said logistically it does not make sense geographically. For example, she said on her ride her destination was close by but Access Link had to pick someone else up that took them an hour out of their way and another hour coming back, when she was so close that she could have literally jumped out the window to get to her destination. Ms. Leone said that cost her two hours in lost travel time and Access Link wasted a lot of gas. She hoped the new pilot program would eliminate that.

Another issue Ms. Leone had was with the Access Link Virtual Assistant system which she said did not work at all, and has not worked since day one. She said the virtual assistant system needed to be pulled out and redone because it did not give accurate information. Ms. Leone said she was not sure if NJ TRANSIT was aware of the non-functioning system and whether Access Link even mentioned it. Lastly, Ms. Leone asked

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that NJ TRANSIT look into the commuter buses traveling by medical institutions and Pascack Valley Hospital but do not stop at these locations.

Jason Anthony said he was close to Sunnyside Yard and wanted to speak on congestion pricing and New Jersey elected officials speaking against it. He said everyone should remember that New York, New Jersey, and Connecticut were all one beacon and President & CEO Corbett has not said anything about congestion pricing, following the same script that Governor Murphy and other top elected officials were following. Mr. Anthony said he was getting sick and tired of the Garden State being selfish leaving New York City to pay the bill. He said it was time that New Jersey got together with New York and Connecticut to benefit their region because the Hudson and East Rivers are the arteries of the Northeast Region from Boston to Washington D.C.

Mr. Anthony said something needs to be done about the homeless situation in New York Penn Station, Hoboken, Newark, and Trenton. He asked why NJ TRANSIT has not done anything regarding the homeless. Lastly, he said accessibility elevators and escalators need to be in working order and customers need a customer advocate.

Kaley McAllister said she wanted to speak in February but did not have four hours to remain on hold and take the chance of being disconnected again as she was in March after holding on the line for an eternity. While she appreciated all of the speakers that called in opposition to the transit grid project she was tired of them monopolizing other speakers time for several hours speaking on the same topic. Ms. McAllister said this kept others from sharing their comments on other important topics which was unfair. She wished that the Board would consider a different way of managing this process so that all members of the public had a fair opportunity to share comments.

Ms. McAllister said she wanted to voice her opposition for the Customer Advocate position which would be just another overpaid government employee who, unless they have more authority than the President & CEO, will be another high paid report writer who will just become another target under personal attack from the likes of Twitter trolls like Adam Reich and Andy Weiss. Ms. McAllister said that Andy Weiss has actually threatened his small group of followers saying that he would block them from following him if they didn't call into the Board meetings and ask about the Customer Advocate position. Ms. McAllister said, "Andy Weiss get a job or get a life". She also said Mr. Weiss was a hateful and lonely individual who does not want the customer advocate and instead wants to add a name to his Twitter feed for personal attacks. She said his profile reads "I sit around all day and complain about NJ TRANSIT," and nothing he says should be taken seriously. Ms. McAllister suggested that NJ TRANSIT put money they are going to use for the Customer Advocate position towards the hiring of three new Bus Drivers that would actually make a positive difference for customers using NJ TRANSIT.

Board Member Comments

Board Member Gordon said he would like to comment on the Strategen Report. He said they as Board members could not talk about an upcoming procurement, but there has been a lot of focus on the Strategen Report, and he read it in detail and wanted to provide

his thoughts. As a bit of background, he has spent much of his career conducting financial analyses and evaluating the viability of projects. For much of his private sector career he was a management consultant, and for the last five years he was immersed in the economics of energy and clean energy as a member of the Board for the Board of Public Utilities (BPU). Board Member Gordon said to align himself with the views of many in the room, he has devoted his career in recent years, and intends to continue in the future, focusing on addressing the issues of climate change and promoting renewable energy.

Board Member Gordon believed the Strategen Report based on his personal assessment was greatly flawed. He said the authors from Berkeley said they were taking a high-level view of the transit grid issue and it was so high-level that it bared little resemblance to the real world in New Jersey. Board Member Gordon also was also troubled by what he considered a false comparison. He said the analysis assumed, as many of them in the room probably did, that it was a gas-fired plant or nothing, which was certainly not his expectation. He noted beginning on page one of the Strategen Report a footnote that pointed out that the solar energy allocated to the proposed Strategen project would require 300 to 350 acres or .55 square miles. Board Member Gordon noted that when he sees a report that largely consists of footnotes with disclaimers and explanations of assumptions, he considers that a red flag.

Board Member Gordon said on page 11 of the report, there was a note that Strategen's analysis did not assess or include potential costs associated with the acquisition of land for solar, and went on to say, do not worry, NJ TRANSIT has plenty of land and Empower New Jersey has identified plenty of land. Board Member Gordon asked had anyone been to Hudson County recently, the highest density on the planet which rivaled Calcutta, and where were they going to find this kind of land for solar in this area. He asked if anyone has seen the prairies of Hudson County. Board Member Gordon said it just was not feasible. He said as a comparison, the Borough of Kearny was about 8.8 square miles, and they were talking about six percent of the land somehow being devoted to solar and he was wondering how the taxpayers of Kearny would react to this loss of that tax base. Board Member Gordon said this was just one example of how the proposals being made was not going to work in the real world.

Board Member Gordon turned to the numbers from the Strategen Report and noted there were charts that pointed to the financial benefits in terms of market profit of the renewable energy plant versus the gas plant. He said the basic problem was it appeared that the prices for gas were based on spot prices; it was not fully clear in the text. In the real world, organizations like PSE&G and other utility companies lock in gas prices ideally at a low level by hedging through future contracts, and they were not buying gas on the spot market, and have long-term contracts for supply. Board Member Gordon said that made him believe that the financial benefit of the proposed Strategen plan was exaggerated. He said there was also reference to the avoided environmental costs which were always very large numbers. The Strategen Report also pointed out that social costs of carbon were used in the Governor's Energy Master Plan, but this was a number that had a great deal of variance. He said while it was a good analysis for showing the magnitude of the health costs and other potential costs related to climate change, but it was not the kind of number used for making a financial decision. There were also references to the

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technology being available and several projects in California were cited. Board Member Gordon said that was not enough for NJ TRANSIT to make that kind of investment. He also pointed out that California was not a model of energy policy.

Board Member Gordon said their obligation as Board Members was to provide for the safety of their riders and to protect the interests of their taxpayers, and he did not believe the analysis presented in the Strategen Report would justify support for the project described in the report. The direction in which he thinks they should go is to select a project that would give them the best technology at the time, minimize climate impact, and be designed in a way so that as the technological changes occur, and they were coming with lightning speed, they could introduce those new technologies into the project, such as green hydrogen fired plant or fuel cells. He said there needs to be a design to accommodate this over time. Lastly, Board Member Gordon provided his own views about the transit grid advocates misplaced priorities. He said they were focused on this one project and if there was a threat to advancing renewable energy in this state or country it would be the interconnection problem. Board Member Gordon said they could build the kind of project the advocates want and wait years to plug it into the grid because they do not have a grid that can accommodate it and have out of date processes. He said that should be the focus of their attention right now. Board Member Gordon said fortunately Washington was going in that direction and that was where they needed to be focused to facilitate the advances as they occur.

The advocates shouted out that Board Member Gordon should resign. Senior Vice President, Chief Legal Officer & General Counsel Brian Wilton brought things back to order, and asked that they show respect to the Board Members because they had their chance to speak and no one interrupted them, and to allow the same courtesy to the Board.

Chair Gutierrez-Scaccetti said she received a text from someone listening to the meeting which said, they did not know how she could sit there and take insult after insult. She said she did not know why there was a difference with this Board than any other Board that she sat on in the State of New Jersey, where they understand that from the dais they do not respond to public comments, and there was not one Board that does that. She said there was one of them on the Board that was fully knowledgeable of every detail of everything that goes on in that agency to properly respond with all of the facts, and she believed the staff regularly responds when required of them. Chair Gutierrez-Scaccetti said she did not care if the public insulted her, asked for her resignation, or if they told her as one gentleman did a month ago that said worms should crawl from President & CEO Corbett's head. She said that was the kind of talk that caused the Board to stay silent. Chair Gutierrez-Scaccetti said they want quality people to come there to be a Customer Advocate, however, sadly, she agreed with the one speaker who said why would they, because they would never be good enough because nothing this agency does was truly ever good enough for this group of individuals.

Chair Gutierrez-Scaccetti told the public to keep coming to meetings, telling her to resign, and asking the Governor to fire her, because that was okay with her. She said she does not only serve this group of people, but serves the nine-million people that live in the State

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of New Jersey, all of them, and that was what she balances. Chair Gutierrez-Scaccetti told the public to keep coming to these meetings and keep asking for that because the public appearance that this group made was no different than the public appearance that they think she makes. She said they did not treat the Board with respect, and although she did not care about respect, she did expect courtesy. Chair Gutierrez-Scaccetti said no one throws tomatoes at the public and tells them they are wrong, and if Board Member Gordon has an opinion, he was entitled to it, just as they were entitled to their opinion.

Chair Gutierrez- Scaccetti said they talk about the fact that public comment goes on so long that you wonder why Board Members do not comment on items. She said the Board was uncompensated and had to go to their jobs and took being on the Board as a public service. Chair Gutierrez-Scaccetti said Board Member Evan Weiss who was one of the most honorable government servants that she has met in her career and puts people first in everything he does. She has worked with him for over five years and knows this to be true, but this has been his third or fourth meeting and she hopes that he stays and does not resign because this was not productive.

Chair Gutierrez-Scaccetti said if they do not like the microgrid process, she understands that. She said to be clear, if they do not build the microgrid that money does not go back to NJ TRANSIT to spend on other things, it goes right back to Washington D.C., and the money cannot be used for another capital project or operating expenses. Chair Gutierrez-Scaccetti said, and if anyone wanted to know how the government process worked, they reimburse them, and do not write a big check for them to give to the Treasurer and then put in a bank to do whatever they want to with it. She said that money would go right back to Washington D.C. so erase the thought that the money stays there and that they can use it for the Brotherhood of Locomotive Engineers and Trainmen (BLET), because they can't. Chair Gutierrez-Scaccetti said as far as BLET goes, of all the rail unions, this was the only one that has not settled. She just wanted to say that, and would leave it there.

Chair Gutierrez-Scaccetti said at the end of the day, Brian Wilton was right that every Board Member at the dais deserves their own opinion, whatever it may be, and they were not technically obligated to share it from the dais. As a Board Chair for all of the Boards including the Trust Fund Authorities, South Jersey Transportation, and the New Jersey Turnpike, it was an entirely different mantra, and they all serve the public. She said they all serve the nine-million residents of New Jersey and will continue to do so to the best of their ability, whether the public in attendance believed it or not.

Advisory Committee Report

Chair Gutierrez-Scaccetti said Suzanne Mack would provide the Advisory Committee Report and thanked her for being there in-person. She also asked if Ms. Mack would not mind or be insulted if she stepped away for a few minutes, and asked her to go on with her report and the Board would fill her in on what she missed. Ms. Mack was okay with that.

Ms. Mack said she was the Chair for the Passenger Advisory Committee of North Jersey and had been attending the meetings mostly via Zoom and Teams for the past several

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months. Their last Passenger Advisory Committee meeting was held in Trenton and was a joint meeting with President & CEO Corbett and staff and Anna Marie Gonnella-Rosato gave that report last month. Since they do not meet again until June, she came to discuss items on the agenda. Ms. Mack was pleased she came that day because she did believe the Board had integrity. She said as someone who represents the advisory groups, they felt the Board all had integrity. She said everyone has a right to their own opinion, but it was counterproductive to constantly barrage public servants who have given their time when having other interests or things they could be doing. Ms. Mack said what she has learned from the Board over time being an advocate was that people come, and she takes notes, and could tell everyone what some of the issues were but one of the issues several years ago was Justice for Mr. Graddy and although, they could not discuss it upfront, everyone came every month, and the issue was settled. They also had the Middlesex County electrification issue, and the Board could not discuss it up front, people came every month, and the staff and Board resolved the issue.

Ms. Mack said she was very interested in the transit grid issue and is a resident of Hudson County, so she was very aware of it and have watched people come and have seen questions gone unanswered by the Board, but she has to believe behind the scenes that things were being discussed. She thanked Board Member Gordon for speaking on the Strategen Report. Ms. Mack said as Chair Gutierrez-Scaccetti said, they cannot make these meetings a dialogue where this was debated back and forth in the public sector. Ms. Mack said advocates have to go back and look at NJ TRANSIT's track record for how issues have been resolved that have been brought to the Board in the past. She said as Chair Gutierrez has been saying, while they might not have all the answers collectively to say publicly, she believed they do go back and research issues and instruct President & CEO Corbett and his staff to address those issues. Ms. Mack said this is what she and her advocates she works with see. She said she had been listening two or three meetings ago and there were 14 speakers talking about the expansion of the New Jersey Turnpike, which had nothing to do with NJ TRANSIT. Ms. Mack said the Board did not get to conduct the business at hand until 10:00 p.m. She said they were a multi-billion-dollar corporation with multi-billion-dollar decisions that had to be made, that impact the whole state, and did not get to their agenda voting items until 10:00 p.m., which she believed was a failed attempt at advocacy because they could not get their work done. Ms. Mack said the Board does want public input but there were other ways to do that.

Ms. Mack was asked by her counter Chair to bring up a few points and one was to thank President & CEO Corbett for the Sunday Expansion of Bus Routes. She said there was a public hearing on March 7 and March 9, 2023 about the issue of expanding the services on Sunday which were originally put in due to COVID, and she felt this was a very good action if taken that day. Ms. Mack was also thrilled to hear about the new pilot program called Access Link Rider's Choice, where Uber and Lyft driver would be available to supplement Access Link. She said Access Link was an unfunded mandate for the agency to service the disabled population, and Access Link has to continue exist even at the high rates that it was because there will always be a population that needs wheelchairs and handicapped services.

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Ms. Mack said she had connections to the invisible disabilities in New Jersey, people who could take Lyft or Uber because they cannot take NJ TRANSIT. She said right now they did not have a solution for Access Link and prices have gone up over time and they cannot provide the services to all of the residents who need it so she was pleased to hear of the Access Link Rider's Choice pilot program. There was more she had a lot of other items she wanted to talk about, but the Board already had a long public input session.

Ms. Mack said she was not aware of the transit union issue, but in every conversation they all have had with NJ TRANSIT, NJ TRANSIT has always valued all its employees, and was not a top-down organization where only the people on the 9th Floor were important because their goal was to provide services out in the community. Ms. Mack said she takes the buses and light rail in Hudson County, and she does that purposely in order to be a rider and this is who this organization is made up of. Ms. Mack said although they do not advise on personnel issues, she would be talking to her Board, and hoped there would be a favorable conclusion for the one union who had not settled yet, and was confident the Board and NJ TRANSIT would do everything to make that happen. Ms. Mack said although she had not been at a meeting in-person for a while it was a privilege being back.

Board Operations and Customer Service Committee Report

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

Board Administration Committee Report

Board Member 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 2023 Budget, twelve-month farebox revenue compared to pre-COVID, major balance sheet items and Federal COVID-19 relief grant drawdown summary.

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

Action Items

2305-24: PROPOSED SUNDAY EXPANSION OF BUS ROUTES NO. 26 (IRVINGTON – ELIZABETH), NO. 58 (ELIZABETH – KENILWORTH), No. 115 (RAHWAY – NEW YORK), NO. 154 (FORT LEE – PALISADES PARK - NEW YORK), NO. 412 (SEWELL – GLASSBORO – PHILADELPHIA), NO. 455 (CHERRY HILL MALL – WOODBURY – PAULSBORO), No. 457 (CAMDEN – MOORESTOWN MALL), NO. 603 (MERCER MALL –

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**HAMILTON SQUARE – HAMILTON MARKETPLACE), AND NO. 619
(EWING – HAMILTON – MERCER COUNTY COLLEGE)**

President & CEO Corbett introduced, Michael Kilcoyne, Senior Vice President, Surface Transit and General Manager, Bus Operations, to present Action Item #2305-24. Michael Kilcoyne presented for approval Action Item #2305-24: Proposed Sunday Expansion of Bus Routes No. 26 (Irvington-Elizabeth), No. 58 (Elizabeth - Kenilworth), No. 115 (Rahway - New York), No. 154 (Fort Lee - Palisades Park- New York), No. 412 (Sewell-Glassboro - Philadelphia), No. 455 (Cherry Hill Mall - Woodbury - Paulsboro), No. 457 (Camden - Moorestown Mall), No. 603 (Mercer Mall-Hamilton Square-Hamilton Marketplace), and No. 619 (Ewing - Hamilton - Mercer County College).

Board Member Michael Kanef made a motion and Board Member Noreen M. Giblin seconded the motion.

Board Member Doshi said she wanted thank Mr. Kilcoyne and the NJ TRANSIT Board for this much needed investment, and she was pleased to see a lot of these routes were in South Jersey.

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

Roll Call Vote:

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

2305-25: REGULATIONS: PROPOSED INITIATION OF THE RULE-MAKING PROCESS FOR N.J.A.C. 16:86 ADVERTISING STANDARDS

President & CEO Corbett introduced Anthony Grieco, Senior Vice President, Communications and Customer Experience, to present Action Item #2305-25. Anthony Grieco presented for approval Action Item #2305-25: Regulations: Proposed Initiation of the Rule-Making Process for N.J.A.C. 16:86 Advertising Standards.

Board Member Richard Maroko made a motion and Board Member Bob Gordon seconded the motion.

Board Member Gordon said he noticed in the background materials there was a chart showing booked revenue with a decline for Fiscal Year 2023 and asked if it was COVID-related. Mr. Grieco confirmed it was COVID-related.

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

Roll Call Vote:

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

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

2305-26: SELECTION OF PROVIDER FOR ADMINISTRATION OF SELF-FUNDED DENTAL PLANS

President & CEO Corbett introduced, Jacqueline Stamford, Acting Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2305-26. Jacqueline Stamford presented for approval Action Item #2305-26: Selection of Provider for Administration of Self-Funded Dental Plans.

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

Roll Call Vote:

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

2305-27: ANNUAL NOTICE OF MEETINGS AND DESIGNATION – *Item Amended*

Chair Gutierrez-Scaccetti said the next item #2305-27 was for the schedule of Board Meetings for Fiscal Year 2024, as well as the appointment of Meghan Clark Umukoro to continue as Board Secretary. Chair Gutierrez-Scaccetti said they could move the motion, second the motion, and then she would modify the motion in discussion.

Board Member Michael Kanef made a motion and Board Member Bob Gordon seconded the motion.

Chair Gutierrez-Scaccetti said that she would like to split this motion out based on comments provided by one of their public speakers and look to modify the schedule of meetings. She said at that moment, she thought it was best to not try to amend the schedule on the floor, but give the staff the opportunity to look at it, and take the comments of the speaker into consideration. Chair Gutierrez-Scaccetti asked that they move the reappointment of Meghan Clark Umukoro as Board Secretary, but eliminate, for today, voting on the schedule of Board Meetings for Fiscal Year 2024.

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Board Member Richard Maroko made the amended motion and Board Member Michael Kanef seconded the motion.

Chair Gutierrez-Scaccetti asked for a roll call vote, and the amended item to designate Meghan Clark Umukoro as Board Secretary was adopted.

Roll Call Vote:

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

Executive Session Authorization

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

Chair Gutierrez-Scaccetti asked for a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to the Corporate Insurance Program Annual Renewal.

Board Member Richard Maroko made a motion, Board Member Noreen M. Giblin seconded the motion, and it was adopted. At approximately 12:00 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

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

Return to Open Session

Board Secretary Umukoro conducted a Roll Call as Board members returned to Open Session. All Board members, except Board Members Brown, Thomas, and Kanef, returned to Open Session at approximately 1:11 p.m.

Adjournment

Since there was no further business, a motion to adjourn the meetings was made by Board Member Richard Maroko, seconded by Board Member Bob Gordon, and the motion was adopted.

The meetings were adjourned at approximately 1:12 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**

MAY 10, 2023

MINUTES

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➤	CALL TO ORDER	-
➤	APPROVAL OF MINUTES OF PREVIOUS MEETINGS	65216
➤	PRESIDENT & CEO'S MONTHLY REPORT	65217
➤	PUBLIC COMMENTS	-
➤	ADVISORY COMMITTEE REPORT	-
➤	BOARD COMMITTEE REPORTS	-

ACTION ITEMS

2305-24	PROPOSED SUNDAY EXPANSION OF BUS ROUTES NO. 26 (IRVINGTON – ELIZABETH), NO. 58 (ELIZABETH – KENILWORTH), NO. 115 (RAHWAY – NEW YORK), NO. 154 (FORT LEE – PALISADES PARK – NEW YORK), NO. 412 (SEWELL – GLASSBORO – PHILADELPHIA), NO. 455 (CHERRY HILL MALL – WOODBURY – PAULSBORO), NO. 457 (CAMDEN – MOORESTOWN MALL), NO. 603 (MERCER MALL – HAMILTON SQUARE – HAMILTON MARKETPLACE), AND NO. 619 (EWING – HAMILTON – MERCER COUNTY COLLEGE) – Authorization to take all actions necessary to operate Sunday service on Bus Route Nos. 26, 58, 115, 154, 412, 457, 603, 619, and expand the schedule of Bus Route No. 455 on Sundays.	65240
2305-25	REGULATIONS: PROPOSED INITIATION OF THE RULE-MAKING PROCESS FOR <u>N.J.A.C. 16:86 ADVERTISING STANDARDS</u> – Authorization to take all actions necessary to initiate the rule-making process for <u>N.J.A.C. 16:86 et seq.</u>, Advertising Standards, consistent with this Board item and Exhibit A.	65246
2305-26	SELECTION OF PROVIDER FOR ADMINISTRATION OF SELF-FUNDED DENTAL PLANS – Authorization to enter into administrative services contract with Horizon Blue Cross/Blue Shield of New Jersey for Dental plan administration. This contract will provide dental healthcare benefits to active and retired NJ TRANSIT employees and their eligible dependents, beginning July 1, 2023, for a period of three years, with administrative fees not to exceed \$310,073 per year, plus five percent for contingencies, and two, one-year renewal options, subject to the availability of funds.	65257

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
MAY 10, 2023
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Authorization to enter into NJ TRANSIT Contract No. 22-072 with Horizon Blue Cross/Blue Shield of New Jersey for Dental plan administration in the amount not to exceed \$310,073 per year, plus five percent for contingencies, subject to the availability of funds.

- 2305-27 ANNUAL DESIGNATION** – Designation of Meghan Clark Umukoro as Board Secretary of NJ TRANSIT and its subsidiaries. – **Amended Approved Item** **65258**

- **EXECUTIVE SESSION AUTHORIZATION** **65261**

- **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 April 19, 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 April 20, 2023 and April 27, 2023;


NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the April 19, 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.

(NJT Board - 05/10/2023)



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

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

TO: BOARD OF DIRECTORS
FROM: KEVIN S. CORBETT 
DATE: MAY 10, 2023
SUBJECT: PRESIDENT & CEO'S REPORT – MAY 2023

We have great news to share with our Access Link customers today. NJ TRANSIT is launching a new pilot program with Uber and Lyft in regions 2 and 5, which includes Essex, Morris, Union, Somerset, Burlington, Gloucester and Salem counties. Through this new pilot program, called **Access Link Rider's Choice**, Uber and Lyft drivers will now be available to supplement Access Link services as needed, but only if the customer opts in to the pilot program. Customers who do not opt-in will continue to have all their trips serviced by current Access Link providers. The goal of this pilot program is to improve the Access Link travel experience by expanding options for our customers while reducing wait and trip times. Please visit njtransit.com/accessibility for more information.

As warmer weather approaches, we are also pleased to announce the resumption of service to the Monmouth Park Racetrack this month. Rail service to Monmouth Park Station will resume on our North Jersey Coast Line this Saturday, May 13th, for the start of the live racing season, and will continue to the end of the season on September 10th. We are also offering a great discounted round-trip transportation package to the Racetrack, which includes general admission and an official racing program. For more information, please visit njtransit.com/monmouthpark. This package represents yet another fun way NJ TRANSIT is working to attract customers back to our system.

In keeping with fun reasons to ride transit, NJ TRANSIT continued promoting the benefits of public transit to the next generation, by offering complimentary rides for children on "Take Your Children To Work Day." On April 27th, two children up to the age of 18 travelled free on our system, with each fare-paying adult. We were proud to participate in this national educational event, which promotes career exploration, and highlights the benefits of using transit to commute.

In addition to promoting the benefits of public transit to the next generation of riders, NJ TRANSIT is also focused on developing the next generation of transit professionals, and to promoting the adoption of best industry practices throughout the country. In last month's report, I highlighted NJ TRANSIT's role in establishing the International Association of Public Transport – or UITP's – first-ever North American Regional Training Center, at the headquarters of Rutgers University's Center for Advanced Infrastructure and Transportation (CAIT). Today, I'm pleased to note that this year's courses are now all open for registration. The easiest way to register is to visit njtransit.com/uitp and follow the links to UITP's registration page.

Moving on to today's agenda, the Board will vote to make a series of service enhancements on eight bus routes throughout the state – the 26, 58, 115, 154, 412, 455, 457, and 603 – part of our regular Sunday schedules. In 2021, we piloted the addition of Sunday service on each of these routes, none of which previously operated on Sundays. Customers have responded very positively to these pilot enhancements. We recognize that in order to continue to draw riders back to transit, it is essential to offer reliable service with sufficient frequency to meet their needs and get them where they need to go, when they need to be there.

In conclusion, I'd like to share a truly proud moment for NJ TRANSIT, as we were once again nationally recognized for our commitment to safety and security. On April 25th – at the American Public Transportation Association (APTA) Mobility Conference in Minneapolis, Minnesota – APTA awarded NJ TRANSIT its prestigious 2023 Bus Safety and Security Excellence Gold Award, for the second time in three years. There is only one Gold Award winner in each category, and NJ TRANSIT took home the gold out of all the transit agencies in the country providing more than 20 million passenger trips annually. NJ TRANSIT was chosen for our Bus Operations de-escalation training for frontline employees, which recently added a component from the New Jersey Transit Police Department. The training helps employees diffuse confrontational and volatile situations, and provides guidance about how to best alert New Jersey Transit police or local law enforcement to assault situations. Similar training is provided to NJ TRANSIT's rail operations employees. In 2021, NJ TRANSIT was honored with both the APTA Bus Safety and Security Excellence Gold Award and the APTA Rail Safety Certificate of Merit Award for Commuter/Intercity Rail Systems.



PRESIDENT & CEO'S MONTHLY REPORT

May 10, 2023

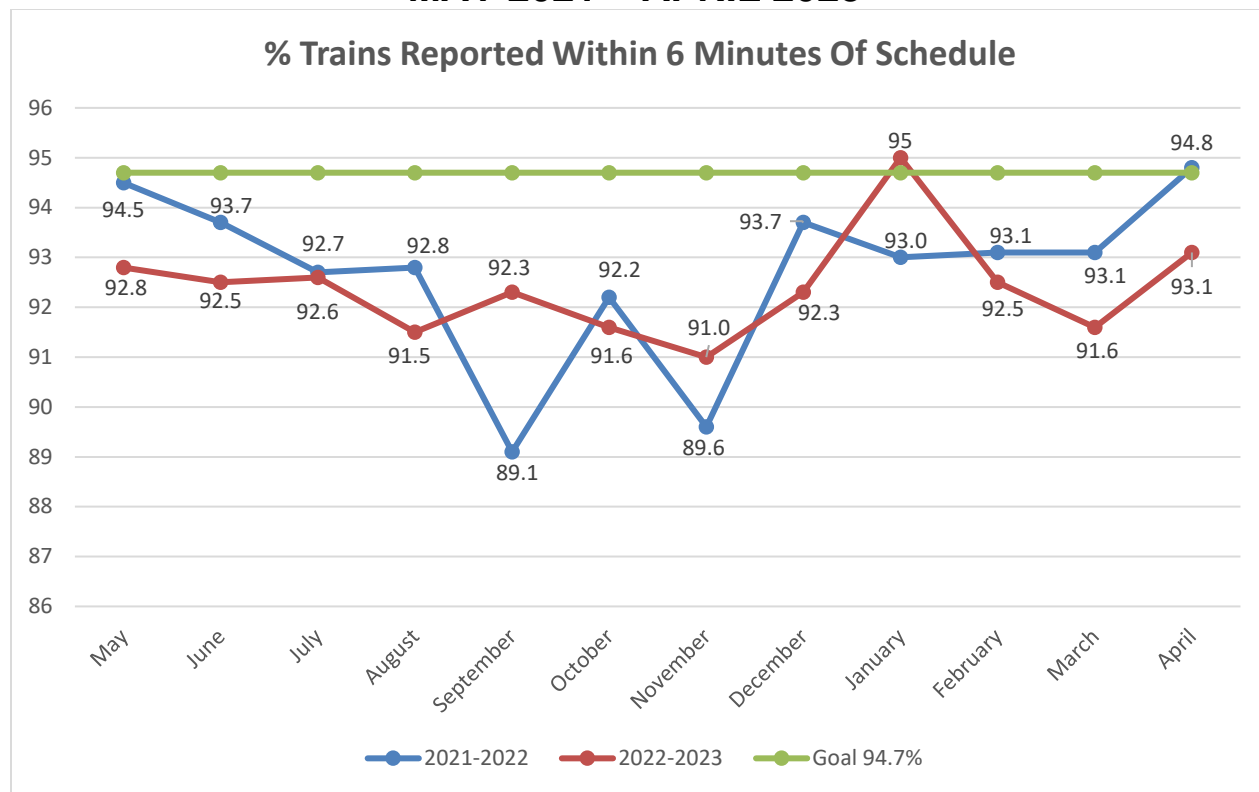
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- 2. MEAN DISTANCE BETWEEN FAILURES**
- 3. DBE/SBE PROGRAM**
- 4. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

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



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
April, Comparison	94.8%	93.1%	-1.7%
12-Month Average May, 2021 – April, 2023	92.7%	92.4%	-0.3%

Analysis:

Rail On-time Performance was 93.1 % for the month of April 2023. Of the 17,408 trains scheduled to operate, 16,201 were on time, while 1,207 trains (or 6.9%) were delayed.

Key Causes included:

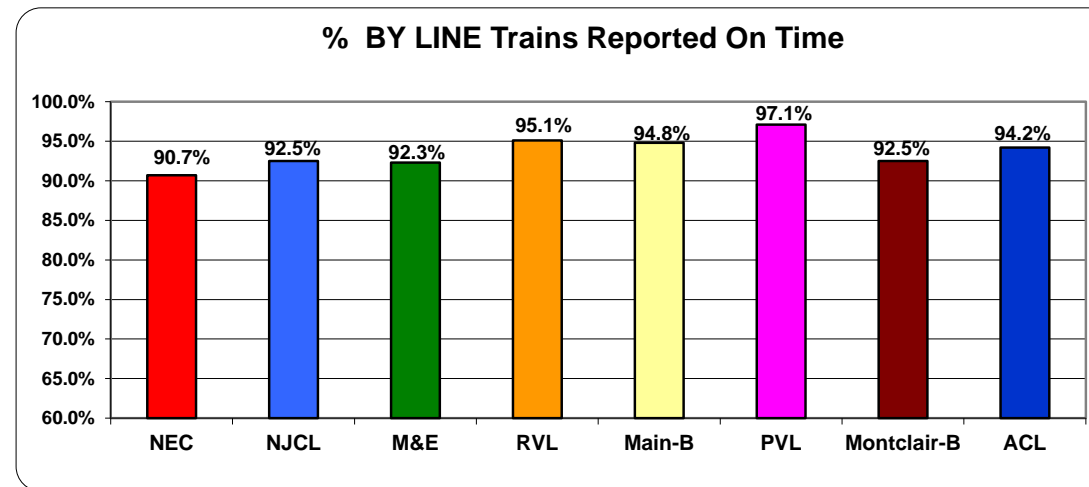
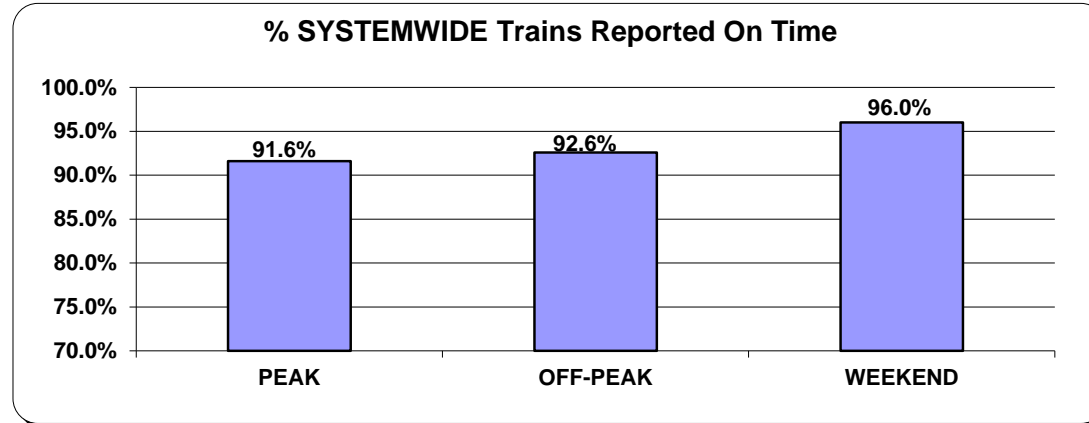
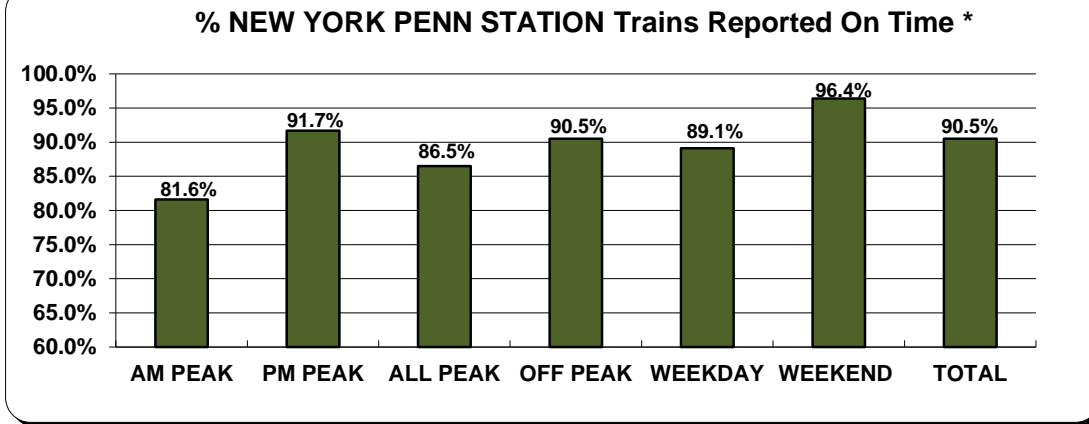
- Amtrak Switch issues and Portal Bridge open contributed 73 delays on April 5.
- Amtrak equipment issue, NJT Arrow MU, electric locomotive and coach issues contributed 57 delays on April 13.
- Amtrak programmed maintenance and signal issue contributed 119 delays on April 18.

The 12-month Average for Rail On-Time Performance was 92.4%.

ON-TIME PERFORMANCE RAIL

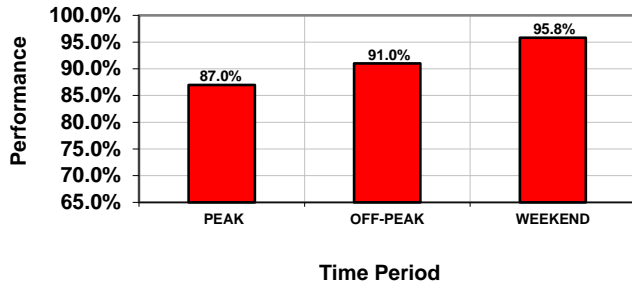
SUMMARY BY TIME PERIOD April 2023

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

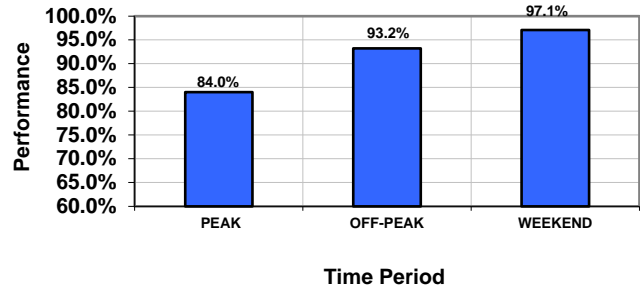


ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD April 2023

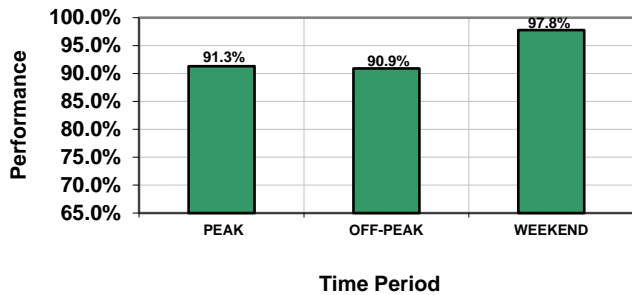
NORTHEAST CORRIDOR



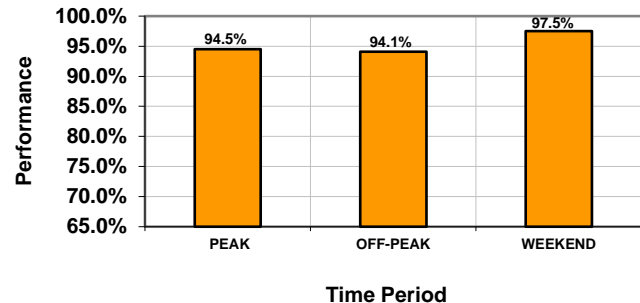
NORTH JERSEY COAST LINE



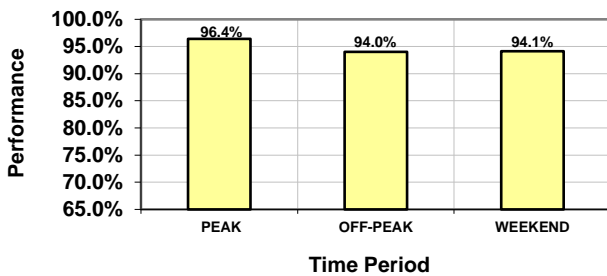
MORRIS & ESSEX



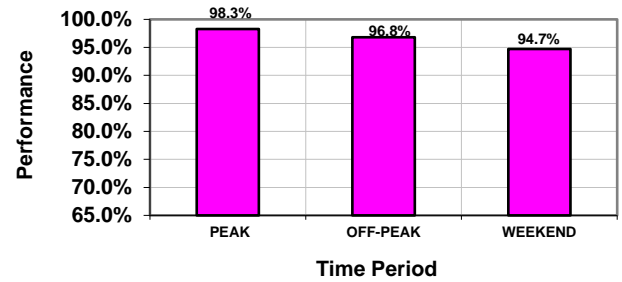
RARITAN VALLEY LINE



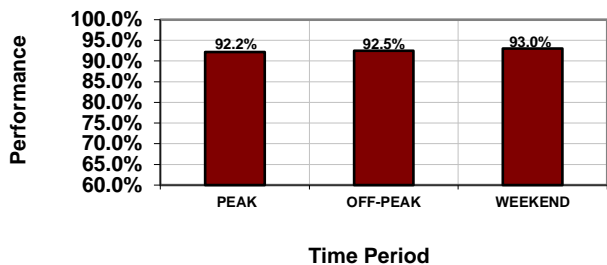
MAIN-BERGEN



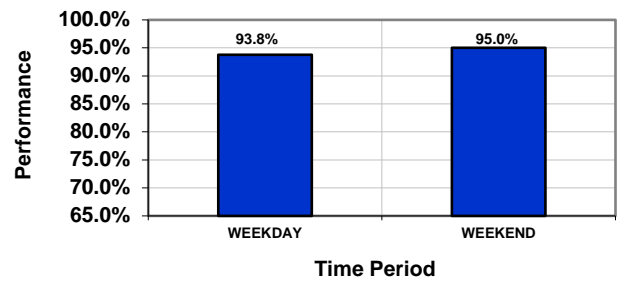
PASCACK VALLEY



MONTCLAIR-BOONTON



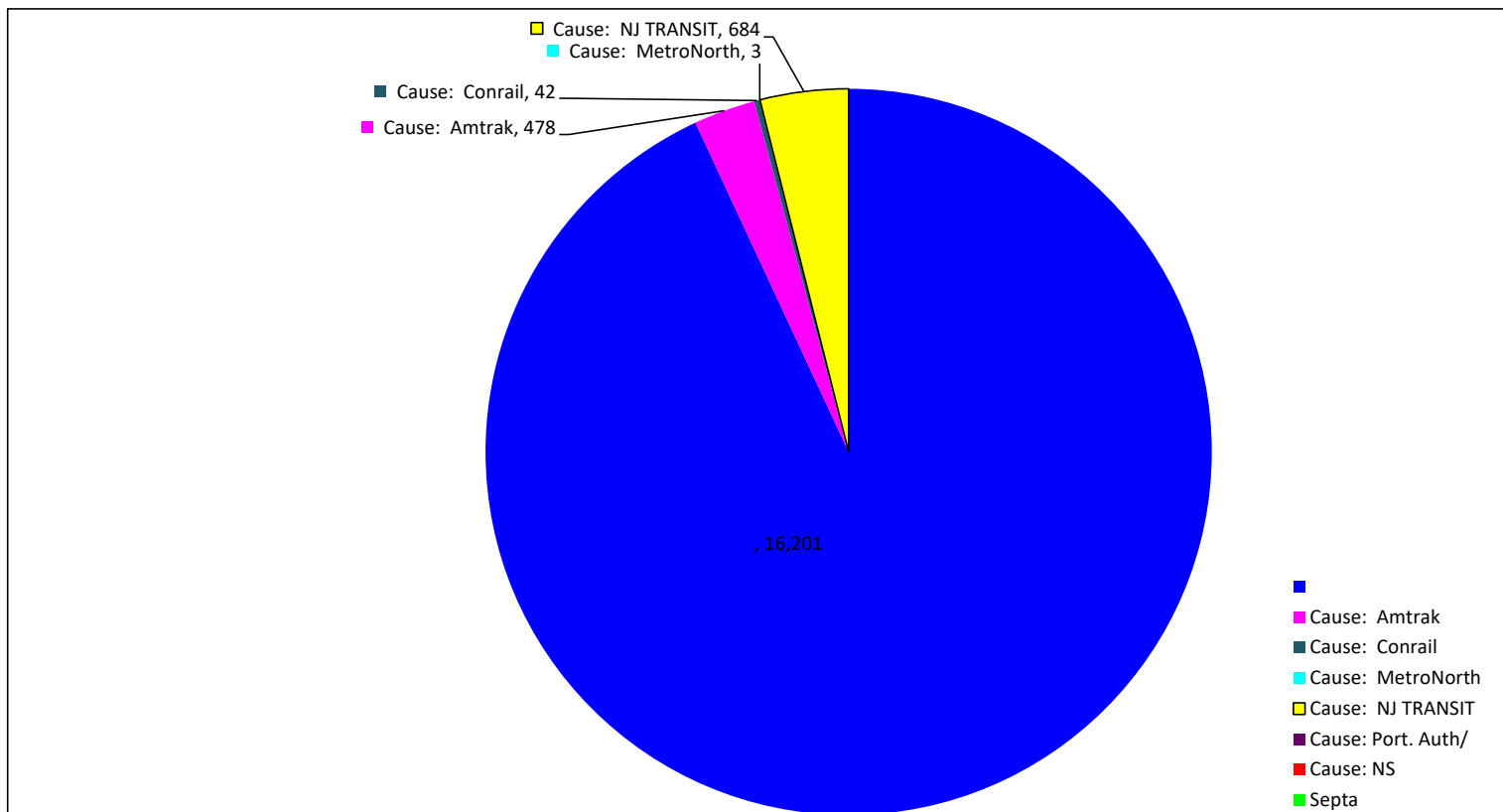
ATLANTIC CITY



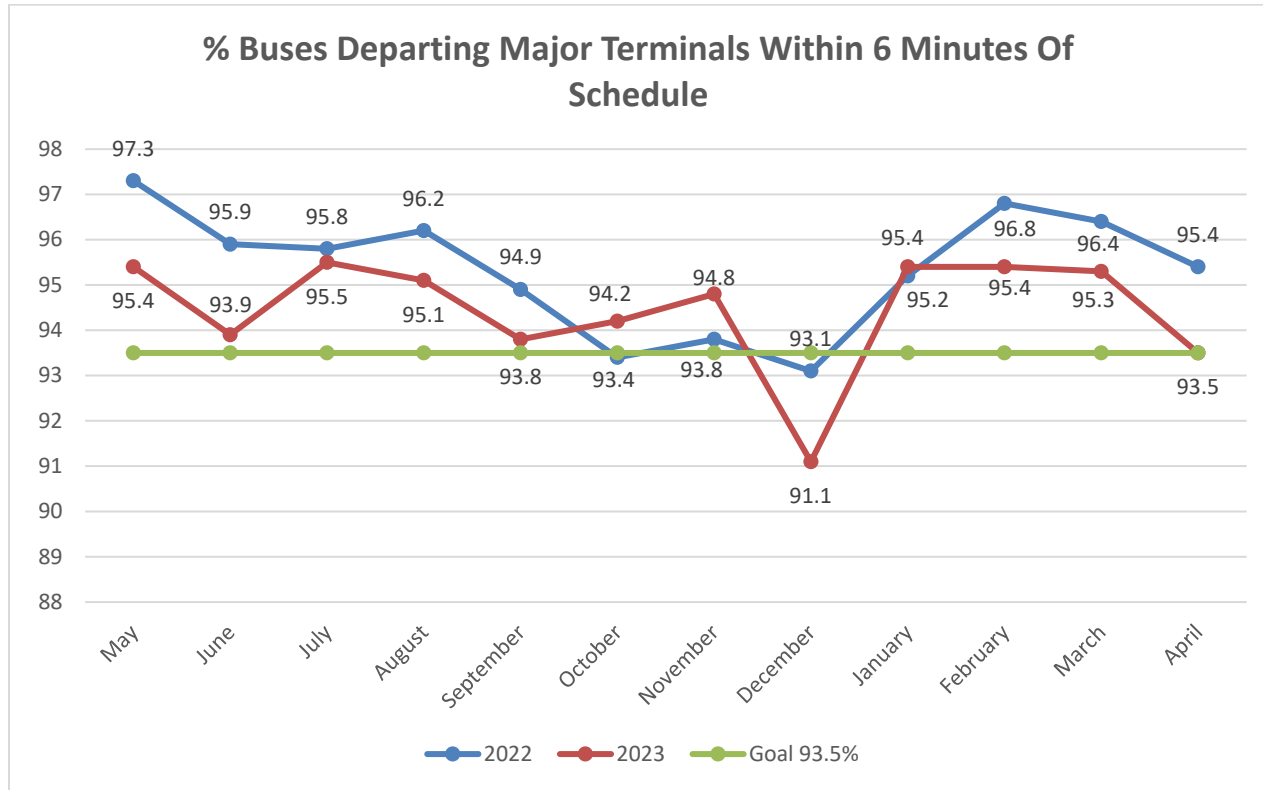
(NJT Board - 05/10/2023)

NJ TRANSIT Performance - April 2023
Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: Port. Auth/	Cause: NS	Septa
# of Trains On Time	16,201	478	42	3	684			
# of Late Trains	1,207	2.75%	0.24%	0.02%	3.93%	0.00%	0.00%	0.00%
Total # of Trains	17,408							
Percentage On Time	93.1%							



NJ TRANSIT ON-TIME PERFORMANCE BUS May 2021 – Apr 2023



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
Apr Comparison	95.4%	93.5%	-1.9%
12-Month Average May 2022 – Apr 2023	95.4%	94.5%	-0.9%

Analysis*:

Bus On-Time Performance systemwide was 93.5% for the month of Apr 2023. Of the 44,232 monitored departures, 2,888 experienced delays.

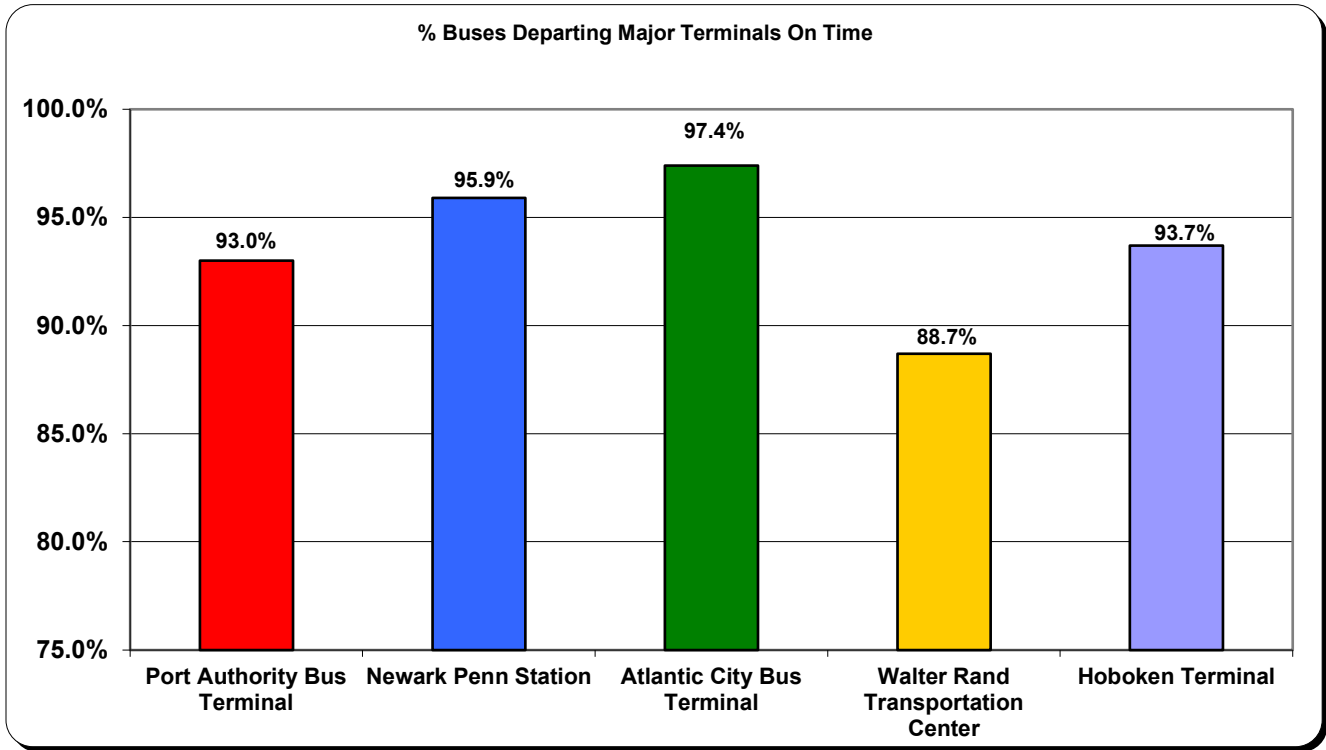
Key Causes included:

- At PABT, on the 5th disabled NJT bus in South tube inbound caused delays. On the 14th heavy inbound traffic caused delays.
- At Newark Penn, on the 5th mechanical issues, detours on local roads due to utility work and road construction caused delays. On the 13th, mechanical issues, customer in need of assistance, police activity, road closures due to utility, construction, and paving work caused delays. On the 14th, bus/auto accident, mechanical issues, passenger in need of assistance, delays due to road closures for construction, utility work contributed to delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

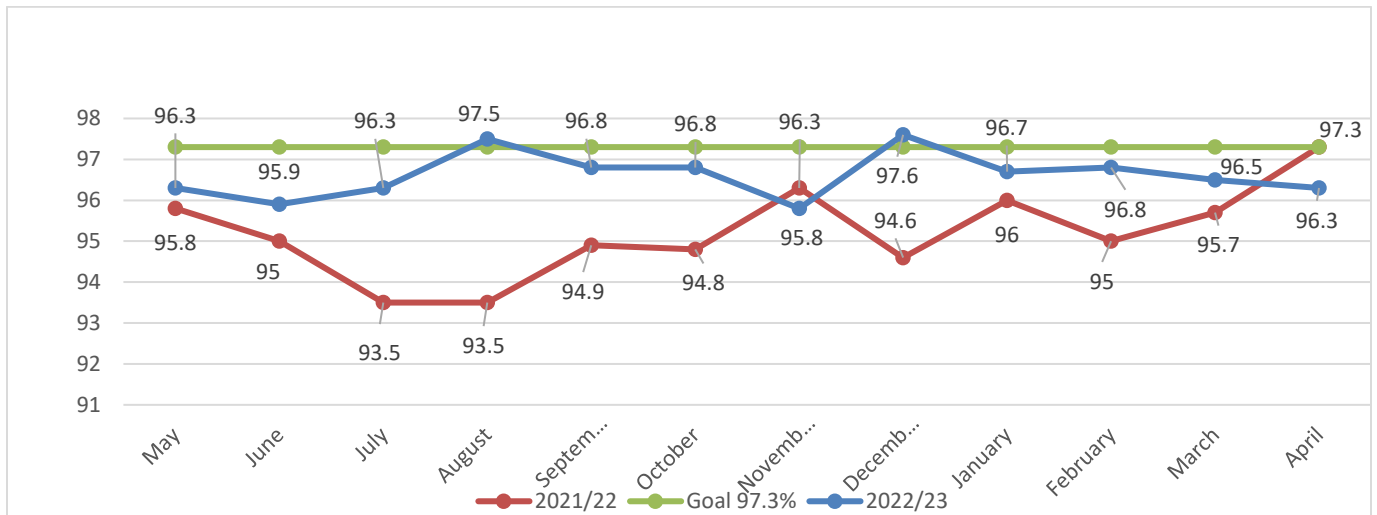
The 12-month average for Bus On-Time Performance was 94.5%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



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



	<u>2022</u>	<u>2023</u>	<u>%Change</u>
April Comparison	97.3%	96.3%	-1.0%
12-Month Average May 2022 – April 2023	96.4%	95.3%	-1.1%

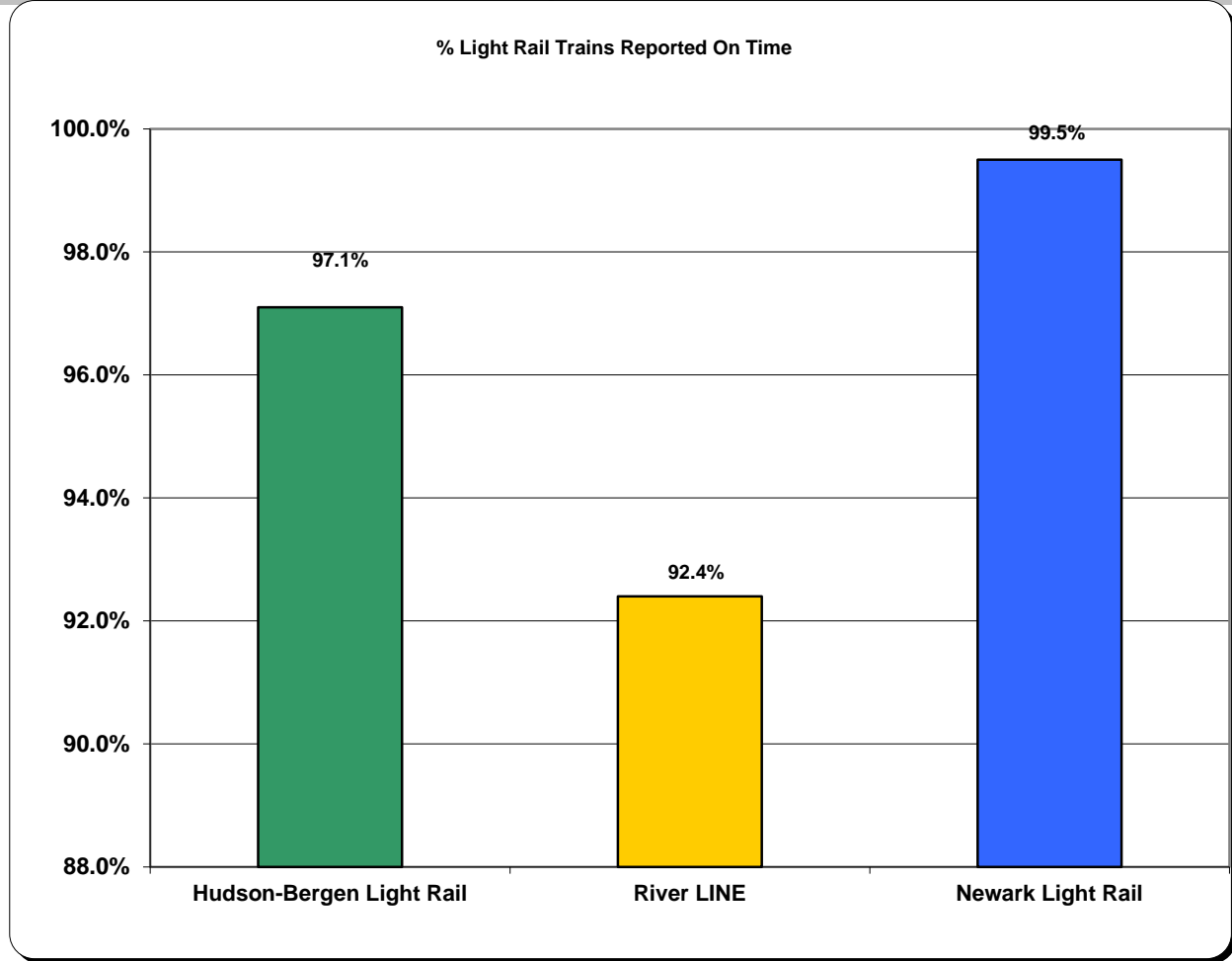
Analysis: Light Rail On-Time Performance system wide was 96.3% for the month of April. Of the 26,337 scheduled departures, 1,112 experienced delays.

Key Causes included:

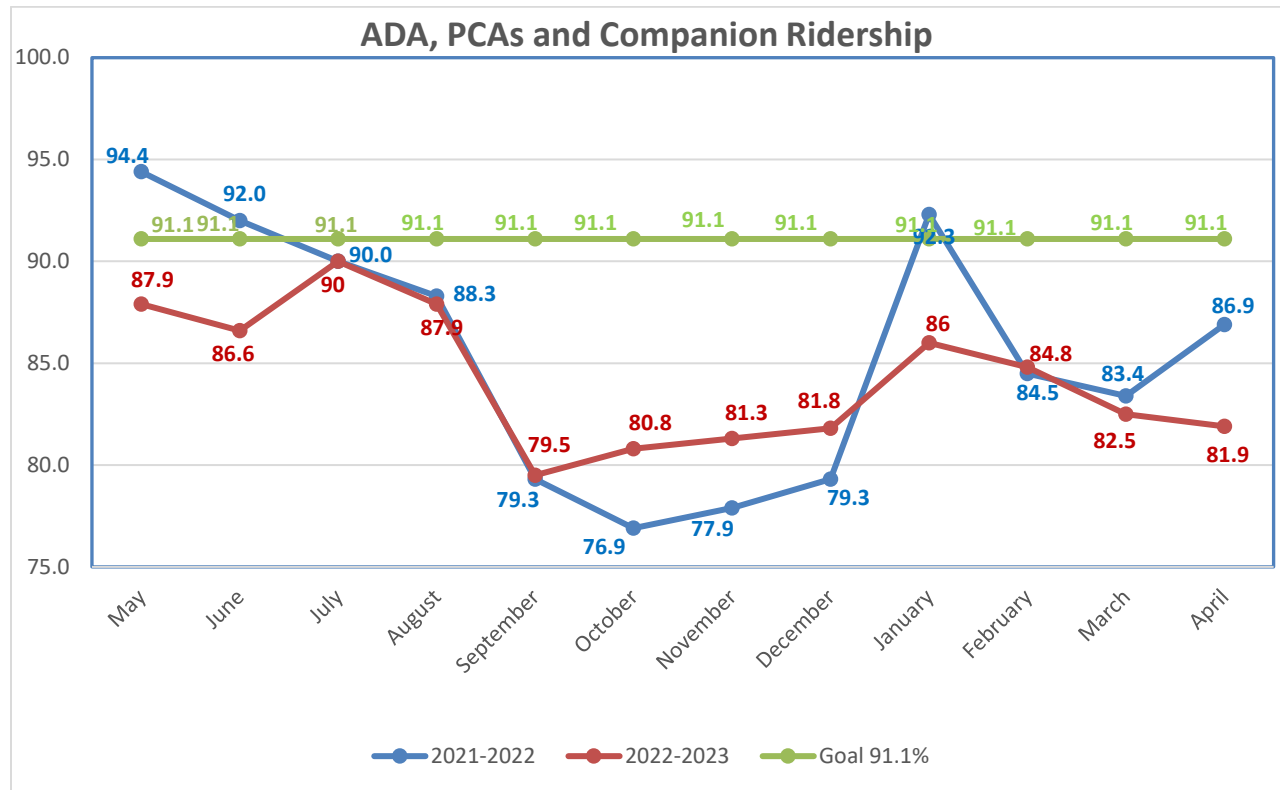
- **Newark Light Rail** – Light rail vehicle accident with motor vehicle impacted 6 trains on 4/6. External passenger incidents on 4/25 affected 2 trains.
- **River LINE** – Incidents involving equipment issues including engine, door, signal, and brake issues. Police activity on 4/4 resulted in 6 delays. External passenger incidents on 4/4, 4/10, 4/15, 4/20, 4/21, and 4/29 resulted in 6 delays and 6 cancelled trains. Motor vehicles fouling tracks on 4/8 and 4/10 resulted in 3 delays.
- **HBLR** – Incidents involving door issues, power/propulsion issues, brakes, and other issues. Police activity throughout the month impacted 256 trains (general police activity, security initiatives). Motor vehicle fouling tracks along with heavy traffic at grade crossings affected 17 trains. External passenger incidents impacted 132 trains. Light rail vehicle accident with motor vehicle on 4/1 and 4/20 affected 70 trains.
- The 12-month Average for Light Rail On-Time Performance is 95.3%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE April 2023



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



	<u>2022</u>	<u>2023</u>	<u>% Change</u>
April Comparison	86.9%	81.9%	-5.0%
April Ridership	106,512	113,069	6,557
12-Month Average May 2021–April 2023	85.4%	84.3%	-1.1%

Analysis:

Access Link On-Time Performance was 81.9% for April 2023. In serving 122,845 total customers, for 113,069 ADA customers trips, 20,440 or (18.1%) experienced delays.

Key Causes included:

- Increased traffic during peak periods
- Regions 2, 5 & 6, 45-60 minute delays due to operator availability
- Customer cancellations and no-shows

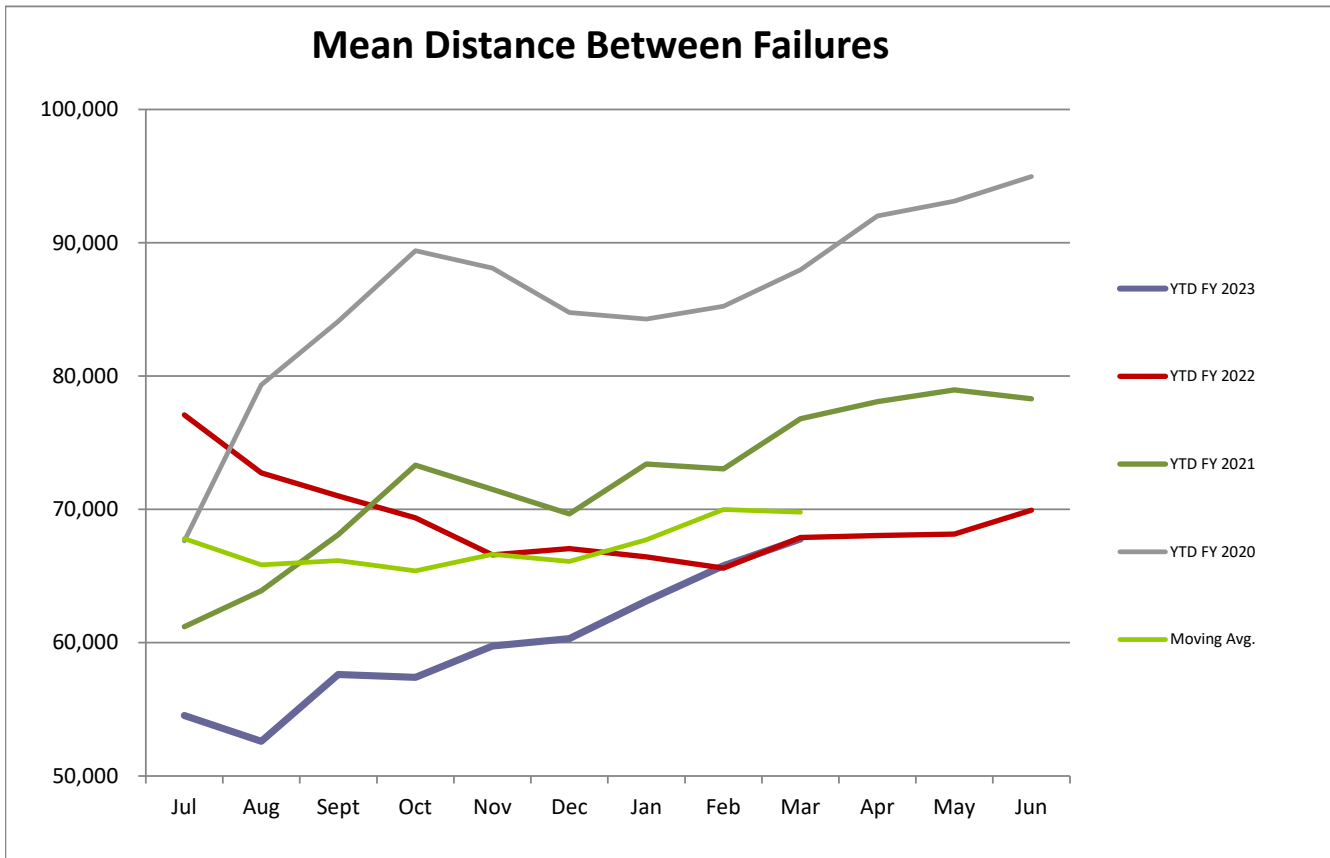
The 12-month Average for Access Link On-Time Performance was 84.3%.

MEAN DISTANCE BETWEEN FAILURES

March 2023

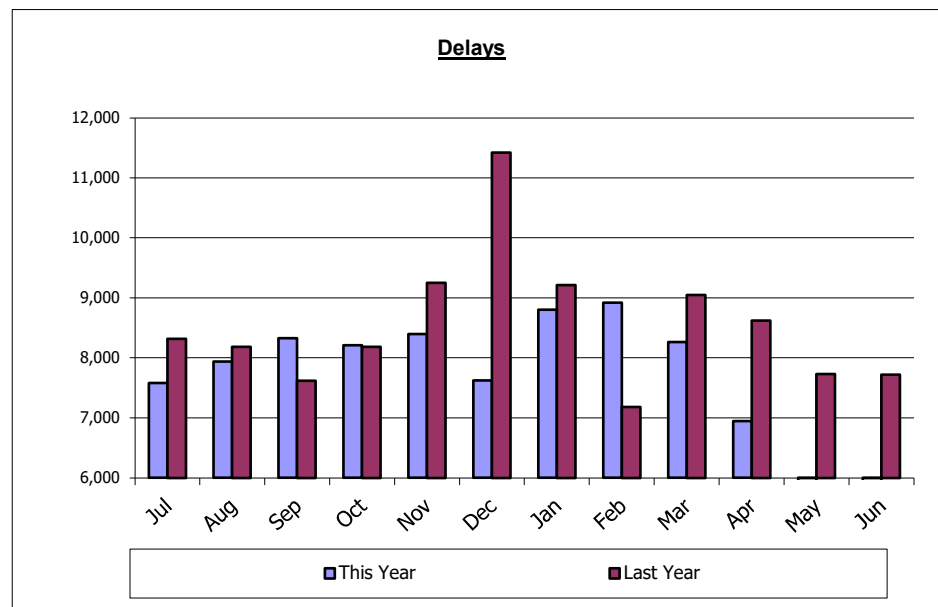
NJ TRANSIT Rail Operations
Mean Distance Between Failures

Month	YTD FY 2023	YTD FY 2022	YTD FY 2021	YTD FY 2020	12 Month Moving Avg.
Jul	54,531	77,087	61,198	67,634	67,808
Aug	52,602	72,743	63,891	79,350	65,832
Sept	57,623	71,005	68,109	84,111	66,170
Oct	57,410	69,368	73,320	89,410	65,389
Nov	59,761	66,597	71,498	88,101	66,636
Dec	60,315	67,060	69,664	84,773	66,090
Jan	63,121	66,433	73,392	84,273	67,726
Feb	65,780	65,594	73,030	85,233	69,991
Mar	67,778	67,894	76,790	87,973	69,800
Apr	-	68,050	78,072	92,007	-
May	-	68,153	78,962	93,119	-
Jun	-	69,949	78,300	94,969	-



Garage Performance Parameters**April 2023**

Location	Miles Between In-Service Delays			
	FY2023 Goal	This Month	FY2023 YTD	FY2022 YTD
Fairview	5,500	6,769	7,576	5,736
Greenville	7,000	2,934	4,374	5,414
Market Street	8,000	4,774	4,060	4,046
Meadowlands	9,500	4,261	5,202	6,952
Oradell	10,000	16,654	13,819	6,130
Wayne	16,000	9,219	10,413	15,106
WestWood	-	20,514	18,748	-
Northern Division	-	6,651	7,206	6,720
Big Tree	9,500	3,968	4,857	5,271
Hilton	10,600	5,433	6,388	6,959
Howell	17,500	25,847	25,927	28,313
Ironbound	10,200	5,767	6,871	7,690
Orange	9,800	2,366	3,194	4,199
Morris	10,500	9,707	16,593	25,044
Central Division	-	5,491	6,916	8,222
Egg Harbor	14,000	10,543	11,840	13,189
Hamilton	11,000	8,901	9,116	10,311
Newton Avenue	15,000	9,484	11,659	16,383
Washington Twp.	16,000	17,210	17,098	18,938
Southern Division	-	11,555	12,636	14,742
Bus Operations	-	6,945	8,052	8,602



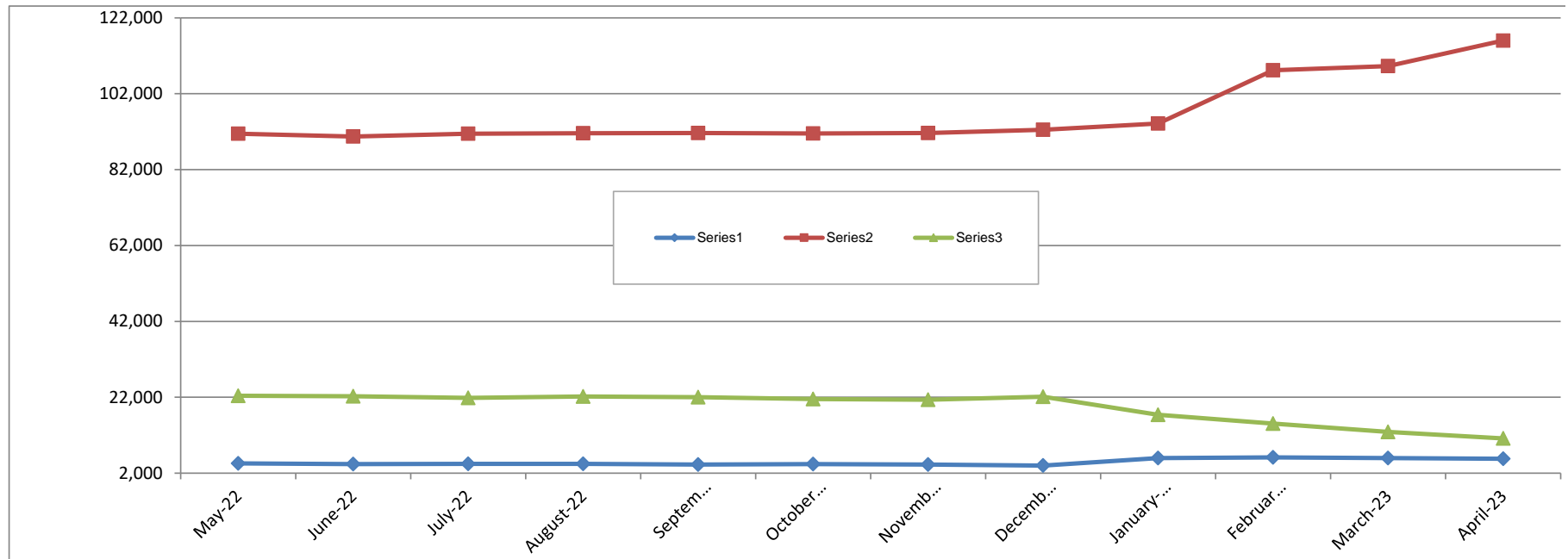
(NJT Board - 05/10/2023)

NJ TRANSIT - LIGHT RAIL, April 2023

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * April 2023	MDBSF * March 2023
Newark Light Rail	5,772	5,974
Hudson Bergen	116,028	109,280
River LINE	11,154	12,877

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE Participation for April 2023

State Funded Contracts

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

During the month of **April 2023** NJ TRANSIT awarded **\$692,389.85** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$0.00** or **0.00%**.

State Fiscal Year 2023 YTD (July 1, 2022, through June 30, 2023) NJ TRANSIT awarded **\$481,355,875.49** in state funded contracts. Of that total, SBEs received **\$17,221,119.60** or **3.58%**.

Note: The above reflects the Procurement Report of Awards received on May 3, 2023.

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

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

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

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

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

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

**Numbers reflect federal share*

*** Number includes subrecipient awards*

Transit Vehicle Manufacturer (TVM)¹ Awards

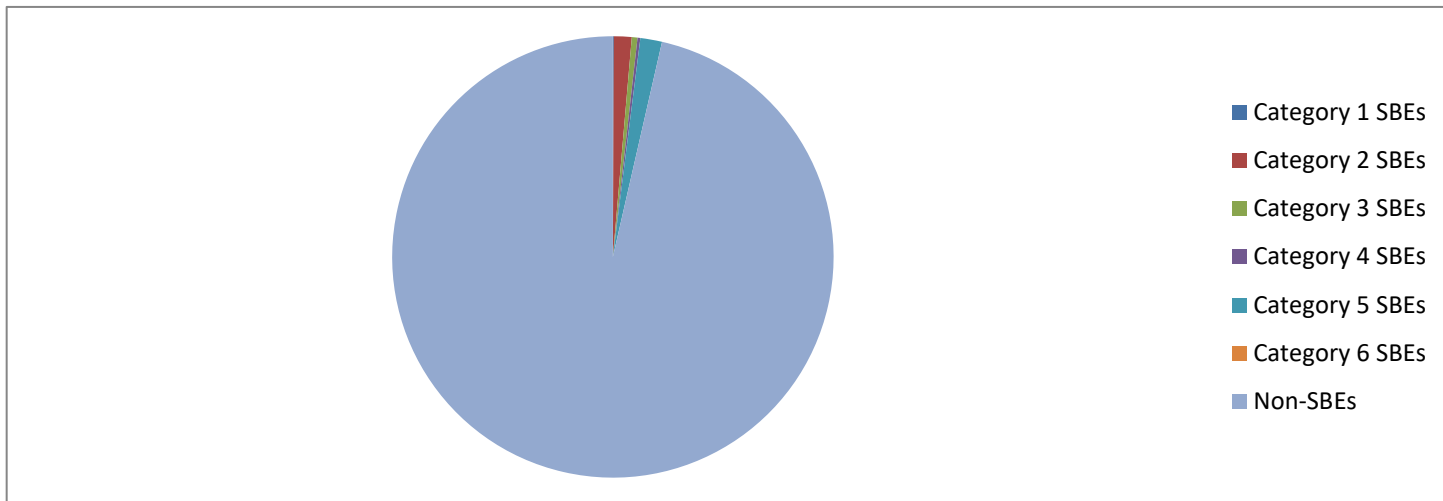
(Next update will occur in July 2023)

¹ Transit Vehicle Manufacturers (TVMs) will be reported to the President and CEO on a quarterly basis in the same manner that FTA-funded contracts are currently reported. TVMs are manufacturers whose primary business purpose is to build vehicles specifically for public mass transportation. The “TVM” designation indicates that the intended contract recipient/awardee has submitted to the Federal Transit Administration a plan to utilize Disadvantaged Business Enterprises on their contracts. NJ TRANSIT does not place a separate goal on Transit Vehicle Manufacturers.

(NJT Board - 05/10/2023)

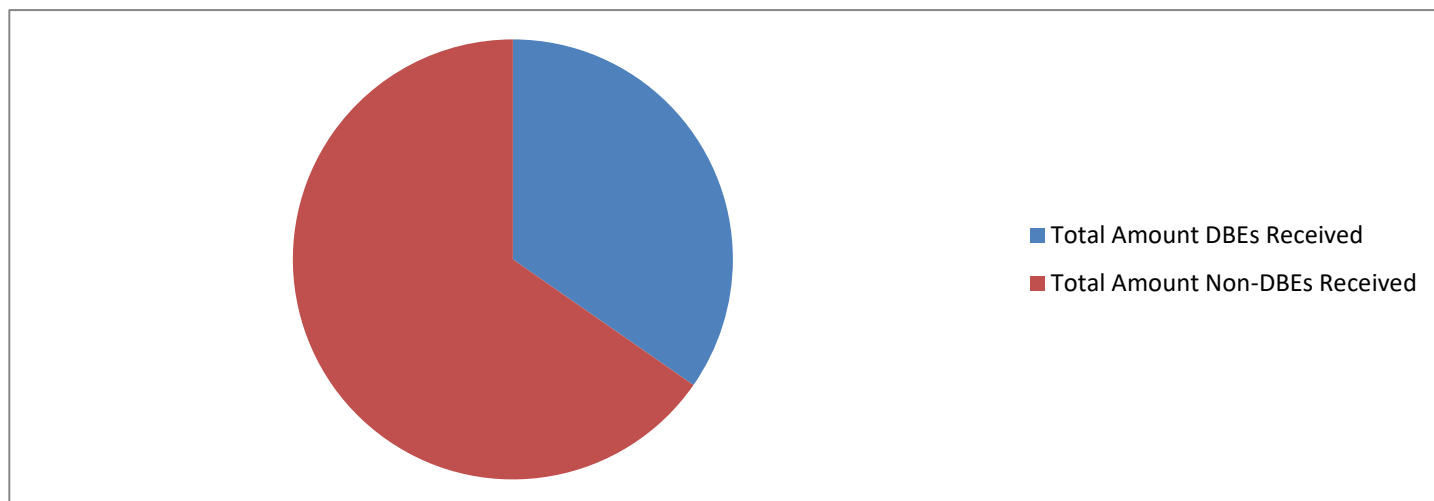
STATE CONTRACTS
STATE FYTD 2023

<i>Category 1 SBEs</i>	\$334,275.24	0.07%
<i>Category 2 SBEs</i>	\$6,253,844.25	1.30%
<i>Category 3 SBEs</i>	\$1,998,357.42	0.42%
<i>Category 4 SBEs</i>	\$992,513.69	0.21%
<i>Category 5 SBEs</i>	\$7,642,129.00	1.59%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$464,134,755.89	96.42%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FYTD 2023-2025

Total Amount DBEs Received	\$8,642,888.06	34.67%
Total Amount Non-DBEs Received	\$16,283,494.18	65.33%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

NJ TRANSIT employees retired recently:

1. Charlie Davis, Lead Clerk -- PSNY -- 15 years
2. Andrew Mercogliano, Superintendent Light Rail -- River LINE -- 49 years
3. Earl Dion, Repairman -- Newton Ave. -- 14 years
4. Samuel Jones, Operator -- Washington Township -- 31 years
5. Vincent McGriff, Operator -- Egg Harbor -- 37 years
6. Kameel Shenouda, Operator -- Howell -- 10 years
7. William Walker, Operator -- Orange -- 22 years
8. Paul Zick, Operator -- Howell -- 27 years
9. Douglas Bolden, Operator -- Egg Harbor -- 30 years
10. John Calahan, Operator -- Egg Harbor -- 21 years
11. Bernadine Council, Depot Mstr -- Washington Township -- 27 years
12. Lawrence Gillman, Operator -- Orange -- 18 years
13. Allison Glover, Operator -- Market Street -- 34 years
14. Candice Kato, Info Clerk -- Newton Ave. -- 34 years
15. Bernie Kennedy, Info Clerk -- Newton Ave. -- 34 years
16. Frank Olive, Bus Tech -- Washington Township -- 39 years
17. Paul Suckgragh, Maintainer -- Howell -- 24 years
18. Maria Yunga, Light Rail Operator -- Bloomfield -- 22 years
19. Christopher Moog, Director Equipment Design -- HQ -- 25 years
20. Janien Reeves, Procurement Assistant -- HQ -- 25 years

ACTION ITEMS

(NJT Board - 05/10/2023)

ITEM 2305-24: PROPOSED SUNDAY EXPANSION OF BUS ROUTES NO. 26 (IRVINGTON – ELIZABETH), NO. 58 (ELIZABETH – KENILWORTH), NO. 115 (RAHWAY – NEW YORK), NO. 154 (FORT LEE – PALISADES PARK – NEW YORK), NO. 412 (SEWELL – GLASSBORO – PHILADELPHIA), NO. 455 (CHERRY HILL MALL – WOODBURY – PAULSBORO), NO. 457 (CAMDEN – MOORESTOWN MALL), NO. 603 (MERCER MALL – HAMILTON SQUARE – HAMILTON MARKETPLACE), AND NO. 619 (EWING – HAMILTON – MERCER COUNTY COLLEGE)

WHEREAS, NJ TRANSIT has proposed to operate new Sunday service on Bus Routes No. 26 (Irvington - Elizabeth), No. 58 (Elizabeth – Kenilworth), No. 115 (Rahway – New York), No. 154 (New York - Palisades Park – Fort Lee), No. 412 (Sewell – Glassboro – Philadelphia), No. 457 (Camden – Moorestown Mall), No. 603 (Mercer Mall – Hamilton Square – Hamilton Marketplace), and No. 619 (Ewing – Hamilton – Mercer County College) in response to the COVID-19 pandemic to provide service for frontline employees and essential workers; and

WHEREAS, NJ TRANSIT has proposed to expand the Sunday service and span on Bus Route No. 455 (Cherry Hill Mall – Woodbury – Paulsboro); and

WHEREAS, a series of public meetings were held, coupled with direct outreach to area elected officials to obtain public input into the decision-making process; and

WHEREAS, the public meetings were held in Trenton on March 7, 2023, and in Newark on March 9, 2023. The public meeting notice is set forth in Exhibit A; and

WHEREAS, a total of five people attended the public meetings and one offered public comments. The public meeting coordinator’s report and public comments are set forth in Exhibit B; and

WHEREAS, members of the public expressed four written common themes and are set forth in Exhibit C;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to take all actions necessary to operate Sunday service on Bus Route Nos. 26, 58, 115, 154, 412, 457, 603, 619, and expand the schedule of Bus Route No. 455 on Sundays.

EXHIBIT A

NJ TRANSIT PUBLIC MEETING NOTICE

EXPANSION OF BUS ROUTES NO. 26 (IRVINGTON - SPRINGFIELD – UNION – ELIZABETH), NO. 58 (ELIZABETH – KENILWORTH), NO. 115 (RAHWAY – NEW YORK), NO. 154 (FORT LEE – PALISADES PARK – NEW YORK), NO. 412 (SEWELL – GLASSBORO – PHILADELPHIA), NO. 455 (CHERRY HILL MALL – WOODBURY – PAULSBORO), NO. 457 (CAMDEN – MOORESTOWN MALL), NO. 603 (MERCER MALL – HAMILTON SQUARE – HAMILTON MARKETPLACE) AND NO. 619 (EWING – HAMILTON – MERCER COUNTY COLLEGE)

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 26 between Irvington, Springfield, Union, and Elizabeth. In response to the COVID-19 pandemic, Sunday service was initiated on a pilot basis to provide daily service for frontline and medical field employees. This service operates approximately every 90 minutes in the morning and into the early evening. NJ TRANSIT will conduct public meetings to receive public comments on the Sunday pilot service Route No. 26 to consider making the Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 58 between Elizabeth and Kenilworth providing local bus service to the Bayway neighborhood of Elizabeth, and along the Westfield Avenue corridor in Elizabeth and Roselle Park. In response to the COVID-19 pandemic, Sunday service was launched on a pilot basis to improve service options for the riding public in these municipalities, especially frontline employees. This service operates hourly from early morning through early evening. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 58 Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 115 between Rahway, Linden, Roselle, the Bayway section of Elizabeth, and New York City. The route also provides local service along the heavily commercial and residential St. George's Avenue corridor between Elizabeth and Rahway. The Sunday service was initiated on a pilot basis on June 27, 2021 to help improve service options for area residents in particular frontline and medical field employees during the COVID-19 pandemic. This service operates approximately every 90 minutes from morning into the late evening. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 115 Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 154 between Fort Lee, Palisades Park and New York along the Bergen and JFK Boulevards. The addition of Bus Route No. 154 Sunday service establishes a daily connection for residents of Hudson County, North Bergen and West New York to local medical care facilities, secondary schooling and places of worship along the JFK Boulevard corridor and more service options for frontline and medical employees. This service operates approximately every 45 minutes from morning into the late evening. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 154 Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 412 between Glassboro and Philadelphia with service through Woodbury. The Sunday service was initiated on a pilot basis in April 2021 to Route No. 412 ensuring daily access to Inspira Medical Center in Mullica Hill for frontline and medical employees as well as residents of the area. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 412 Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 455 between Cherry Hill and Paulsboro. The Sunday service was expanded on a pilot basis in April 2021 to Route No. 455 ensuring daily access to Jefferson Cherry Hill Hospital for frontline and medical employees as well as residents of the area. This service operates approximately every 60 minutes from morning into the late evening. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 455 Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 457 between Camden and Moorestown. The Sunday service was initiated on a pilot basis in April 2021 to Route No. 457 ensuring daily access to Jefferson Cherry Hill Hospital for frontline and medical employees as well as residents of the area. This service operates approximately every

EXHIBIT A

60 minutes from morning into the late evening. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 457 Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 603 in Mercer County between Mercer Mall and Hamilton Marketplace with service to Robert Wood Johnson Hospital in Hamilton Township. The Sunday service was initiated on a pilot basis in April 2021 to Route No. 603 ensuring daily access to Robert Wood Johnson Hospital for frontline and medical employees as well as residents of the area. This service operates approximately every 90 minutes starting around 6:00 AM and continues into the early evening. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 603 Sunday service permanent.

The New Jersey Transit Corporation (NJ TRANSIT) operates Bus Route No. 619 between Ewing and Mercer County. In April 2021, Sunday service was added to Bus Route No. 619 ensuring daily access for workers and visitors to Hamilton Continuing Care. This expansion also enhanced frequency along the common trunk shared with Bus Route No. 609 to provide better service for residents in Ewing, Trenton and Mercerville. NJ TRANSIT will conduct public meetings to receive public comments to consider making the Bus Route No. 619 Sunday service permanent.

Public Meetings will be held on **March 7, 2023 and March 9, 2023**. For more information and to provide written comments for the record, please visit NJ TRANSIT's dedicated website page at <https://www.njtransit.com/about/hearings-notice>. **Written comments for the record may be sent to - Public Meeting Comments 2023, NJ TRANSIT, Bus Service Planning, One Penn Plaza East, 4th Floor, Newark, New Jersey 07105-2246, or 2023busservice@njtransit.com.**

The public is invited to the March meetings below at which time they will have a full opportunity to express their views regarding the Sunday Bus Pilot Service Expansion. In order to assure that all members of the public are given an opportunity to be heard, comments will be limited to three (3) minutes. All comments must be received no later than **midnight, March 9, 2023**. **The public's views on this proposal as expressed at the hearings and through the written comment process will be presented to the NJ TRANSIT Board of Directors prior to a final decision in this matter.**

Individuals requesting a sign language interpreter should contact **NJ TRANSIT Customer Service, One Penn Plaza East, 9th Floor, Newark, New Jersey 07105-2246 or at 973-275-5555 by March 1, 2023**. Individuals requesting language support should contact Customer Service at 973-275-5555 or TTY-1-800-772-2287 by March 1, 2023.

The public hearings will be held:

Date: March 7, 2023	and	Date: March 9, 2023
Time: 5:00 P.M. to 7:00 P.M.	and	Time: 5:00 P.M. to 7:00 PM
Location: Trenton Transit Center, So. Clinton Ave., Trenton, NJ		Location: Newark Headquarters – 9th Floor, One Penn Plaza East, Newark, NJ

Title VI: NJ TRANSIT's Notice to Beneficiaries: NJ TRANSIT operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964, as amended. Any person who believes she or he has been subjected to discrimination on the basis of race, color, or national origin, or wishing to obtain additional information regarding NJ TRANSIT's Title VI obligations, may contact NJ TRANSIT Customer Service at 973-275-5555. A complaint or inquiry may also be filed by writing to NJ TRANSIT Customer Service – Title VI, One Penn Plaza East, Newark, NJ 07105. A complaint must be filed within 180 days of the alleged discrimination.

(NJT Board - 05/10/2023)

EXHIBIT B

Public Meeting Coordinator's Report

Public Meeting March 7, 2023

Trenton, NJ

Re: ITEM 2305-24: PROPOSED SUNDAY EXPANSION OF BUS ROUTES NO. 26 (IRVINGTON – ELIZABETH), NO. 58 (ELIZABETH – KENILWORTH), NO. 115 (RAHWAY – NEW YORK), NO. 154 (FORT LEE – PALISADES PARK – NEW YORK), NO. 412 (SEWELL – GLASSBORO – PHILADELPHIA), NO. 455 (CHERRY HILL MALL – WOODBURY – PAULSBORO), NO. 457 (CAMDEN – MOORESTOWN MALL), NO. 603 (MERCER MALL – HAMILTON SQUARE – HAMILTON MARKETPLACE), AND NO. 619 (EWING – HAMILTON – MERCER COUNTY COLLEGE)

The Public Meeting opened at 5:00 PM and ended at 7:00 PM. A total of 4 people signed the attendance sheet with one person speaking for the record and one person filling out the personal comment form.

Elected Officials:

No Elected Officials attended the Public Meeting or spoke on the record.

Organizations:

There were no organizations represented at the Public Meeting.

There was one speaker on the public record. The following were the issues raised:

- Hopefully the #619 service was not added at the expense of #609 service?
- Could we have more bus shelters along the #609 and #619 routes?
- Very happy NJ TRANSIT was adding service and not removing it.

There was one personal comment form submitted asking for Sunday service on the #624 bus route.

Submitted by:

Public Meeting Coordinator

Robert Bigg, Deputy General Manager of Bus Service Planning

April 18, 2023

(NJT Board - 05/10/2023)

EXHIBIT B

Public Meeting Coordinator's Report

Public Meeting March 9, 2023

Newark, NJ

Re: ITEM 2305-24: PROPOSED SUNDAY EXPANSION OF BUS ROUTES NO. 26 (IRVINGTON – ELIZABETH), NO. 58 (ELIZABETH – KENILWORTH), NO. 115 (RAHWAY – NEW YORK), NO. 154 (FORT LEE – PALISADES PARK – NEW YORK), NO. 412 (SEWELL – GLASSBORO – PHILADELPHIA), NO. 455 (CHERRY HILL MALL – WOODBURY – PAULSBORO), NO. 457 (CAMDEN – MOORESTOWN MALL), NO. 603 (MERCER MALL – HAMILTON SQUARE – HAMILTON MARKETPLACE), AND NO. 619 (EWING – HAMILTON – MERCER COUNTY COLLEGE)

The Public Meeting opened at 5:00 PM and ended at 7:00 PM. A total of 1 person signed the attendance sheet and no one spoke for the record.

Elected Officials:

A representative (Will DiGrande) from Senator Joseph Cryan's office attended the Public Meeting but did not speak for the public record.

Organizations:

There were no organizations represented at the Public Meeting.

There were no comments submitted at the Public Meeting.

Submitted by:

Public Meeting Coordinator

Robert Bigg, Deputy General Manager of Bus Service Planning

April 18, 2023

EXHIBIT C**Public Meeting Coordinator's Report – Exhibit C****Public Outreach for the Public Meetings held March 7 and March 9, 2023**

Re: ITEM 2305-24: PROPOSED SUNDAY EXPANSION OF BUS ROUTES NO. 26 (IRVINGTON – ELIZABETH), NO. 58 (ELIZABETH – KENILWORTH), NO. 115 (RAHWAY – NEW YORK), NO. 154 (FORT LEE – PALISADES PARK – NEW YORK), NO. 412 (SEWELL – GLASSBORO – PHILADELPHIA), NO. 455 (CHERRY HILL MALL – WOODBURY – PAULSBORO), NO. 457 (CAMDEN – MOORESTOWN MALL), NO. 603 (MERCER MALL – HAMILTON SQUARE – HAMILTON MARKETPLACE), AND NO. 619 (EWING – HAMILTON – MERCER COUNTY COLLEGE)

The public was given the chance to provide written comments through NJ TRANSIT's dedicated website page at <https://www.njtransit.com/about/hearings-notices> guiding comments for the record to be sent to - Public Meeting Comments 2023, NJ TRANSIT, Bus Service Planning, One Penn Plaza East, 4th Floor, Newark, New Jersey 07105-2246, or the email address busservice@njtransit.com.

Four emails were sent to the busservice@njtransit.com address.

Elected Officials:

No Elected Officials sent written comments for the record.

Organizations:

The Tri-State Transportation Campaign's Advocacy and Organizing Manager Talia Crawford submitted comments in support of this Sunday Pilot and the importance of daily transit options for patients and medical personal throughout the state.

3 additional comments were submitted via the email address. All were in support of the permanent expansion of Sunday bus service.

There were no submissions against the expansion of these Sunday bus services.

Submitted by:

Public Meeting Coordinator

Robert Bigg, Deputy General Manager of Bus Service Planning

April 18, 2023

(NJT Board - 05/10/2023)

ITEM 2305-25: REGULATIONS: PROPOSED INITIATION OF THE RULE-MAKING PROCESS FOR N.J.A.C. 16:86 ADVERTISING STANDARDS

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

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

WHEREAS, these rules allow NJ TRANSIT to administer a program whereby companies advertise their products and services on and within the Corporation’s equipment and facilities; and

WHEREAS, this program assists the Corporation in maximizing its non-farebox revenue; and

WHEREAS, this rule provides guidelines and procedures governing the program; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chair or the President & CEO, or the appropriate designee, is hereby authorized to take all actions necessary to initiate the rule-making process for N.J.A.C. 16:86 et seq., Advertising Standards, consistent with this Board item and Exhibit A.

(NJT Board - 05/10/2023)

EXHIBIT A

TRANSPORTATION

NEW JERSEY TRANSIT CORPORATION

Advertising Standards

Proposed New Rules: N.J.A.C. 16:86

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

Authority: N.J.S.A. 27:25-5(e).

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

Proposal Number: PRN 2023-____.

Submit comments by _____, to:

Compliance Department

New Jersey Transit Corporation

One Penn Plaza East, 8th Floor

Newark, NJ 07105-2246

E-mail: commentsadvertisingstandards@njtransit.com

The agency proposal follows:

Summary

New Jersey Transit Corporation (“NJ TRANSIT or the “Corporation”) was established by the New Jersey Public Transportation Act of 1979 (“Act”) (N.J.S.A. 27:25-1 *et seq.*) as the instrumentality of the State of New Jersey that establishes and provides for the operation and improvement of a coherent public transportation system in the most efficient manner. The purpose of these rules is

EXHIBIT A

to enhance and maximize NJ TRANSIT's non-farebox revenue through advertising revenue by encouraging and maintaining a professional advertising environment that helps promote the security, safety, comfort, and convenience of NJ TRANSIT's customers. Towards that end, these rules prohibit certain advertisements from appearing on property owned or controlled by NJ TRANSIT.

NJ TRANSIT has reviewed these rules and seeks to propose N.J.A.C 16:86, which expired on March 10, 2023, as new rules. The proposed new rules make a single cosmetic change to the previous regulations. NJ TRANSIT has updated the title of the Agency's President and Chief Executive Officer. All other provisions are re-adopted as is.

A summative review of each of the subchapters follows:

Subchapter 1, General Provisions, states the purpose of the program and provides the limitations on advertisements.

Subchapter 2, Procedures, outlines the procedures used to make determinations on advertisements and to challenge an initial decision made by the advertising provider.

Subchapter 3, Severability, states that if any category set forth in Subchapter 1 is determined to be invalid as applied to any type of property, the category shall remain applicable to other types of NJ TRANSIT property.

NJ TRANSIT has determined that the comment period for this proposal shall be sixty (60) days; therefore, pursuant to N.J.A.C. 1:30-3.3(a)(5), this proposal is excepted from the rulemaking calendar requirement.

EXHIBIT A**Social Impact**

The social impact of the program has not changed since it was first implemented. These proposed new rules allow New Jersey and regional businesses to advertise their products and services on NJ TRANSIT facilities and equipment, including on exterior and interior buses and rail cars, as well as in-station digital screens and posters. Additionally, these rules contain guidelines prohibiting advertisements that are false, disparaging, unsafe, or political in nature.

Economic Impact

With these new rules, NJ TRANSIT will be able to continue a program that allows it to obtain non-farebox revenue. Each year, the program contributes millions of dollars to the Corporation's budget, contributing to the Agency's ability to keep fares stable.

In determining the fee structure for the program, the Corporation considers a variety of factors, including but not limited to, the reach and frequency of the advertisements, production costs, and any unique requests (i.e., whether the advertisements are displayed at a specific station or on a specific line). This impact is considered minimal, and it is anticipated that it can be borne by the parties in the ordinary course of business.

Federal Standards Statement

The rules proposed for re-adoption are not subject to any federal regulations or standards. Accordingly, no further analysis is required.

EXHIBIT A**Jobs Impact**

The re-adoption of these rules will allow the Corporation's advertisers to continue their contribution to the New Jersey and regional economy by, among other things, providing employment opportunities.

Agriculture Impact Statement

NJ TRANSIT does not anticipate that the implementation of these regulations will have an impact on the agriculture industry. Accordingly, no further analysis is required.

Regulatory Flexibility Statement

Numerous advertisers participate in this program, and some may be "small businesses" pursuant to N.J.S.A. 52:14B-17. The rules do not add any additional operational responsibilities. The contractual agreements between NJ TRANSIT and its advertisers impose additional operational responsibilities, including recordkeeping, reporting and compliance requirements that may be satisfied by the advertisers and their existing staff without the need for additional professional services. These proposed new rules provide for equal treatment of businesses in the process, whether large or small, in the interest of public safety. No different treatment has been provided for small businesses.

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Housing Affordability Impact Analysis

NJ TRANSIT does not anticipate any impact on housing affordability as a result of these rules. They will have no effect on housing units or on the average costs of housing. Accordingly, no further analysis is required.

Smart Growth Development Impact

NJ TRANSIT does not anticipate that the proposed rules will have any impact on smart growth or the implementation of the State Development and Redevelopment Plan ("SDRP"). The proposed rules will have no impact on affordable housing or on new construction within Planning Areas 1 or 2, or within designated centers, under the SDRP.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

NJ TRANSIT has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State.

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

SUBCHAPTER 1. GENERAL PROVISIONS

16:86-1.1 Purpose

(a) The purpose of these rules is to enhance and maximize NJ TRANSIT's non-

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farebox revenues through advertising revenue by encouraging and maintaining a professional advertising environment that helps promote the security, safety, comfort, and convenience of NJ TRANSIT's customers. Towards that end, these rules prohibit advertisements that contain or depict tobacco and tobacco-related products, including electronic cigarettes and advertisements that are obscene, false, political in nature, disparaging, unsafe, controversial, deceptive or misleading, or promote illegal goods, services, or activities on facilities, vehicles, equipment, electronic and digital equipment and media, and other property (collectively, "property") owned or controlled by the New Jersey Transit Corporation or its subsidiaries (collectively "NJ TRANSIT").

(b) This chapter sets forth the standards for the installation, display, and maintenance of advertising on property owned or controlled by NJ TRANSIT.

(c) The display of advertising on property owned or controlled by NJ TRANSIT does not constitute an endorsement by NJ TRANSIT of any of the products, services or messages so advertised, unless authorized in writing by NJ TRANSIT and so stated within the advertisement.

16:86-1.2 Limitation upon advertisements

(a) No advertisement located on property owned or controlled by NJ TRANSIT shall be displayed or maintained that falls within one or more of the following categories:

1. The advertisement includes information that is false, misleading, or deceptive;
2. The advertisement or information contained in it promotes unlawful or illegal goods, services or activities;

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3. The advertisement or information contained therein declares or implies an endorsement by NJ TRANSIT of any service, product or point of view without prior written authorization of NJ TRANSIT;

4. The advertisement contains obscene material as defined by N.J.S.A. 2C:34-3;

5. The advertisement portrays graphic violence;

6. The advertisement displays weapons that appear to be aimed or pointed at the viewer or observer in a menacing manner;

7. The advertisement is controversial and, therefore, can promote vandalism of advertising materials and associated NJ TRANSIT property;

8. The advertisement proposes the use of or promotes tobacco or tobacco-related products, including electronic cigarettes;

9. The advertisement disparages the services of NJ TRANSIT or is not in the best interest of public transportation;

10. The advertisement contains material that demeans or disparages an individual, group of individuals, or entity;

11. The advertisement promotes or opposes a political party, the election of a candidate or any group of candidates for Federal, state, or local government offices, or initiatives, referendums, or other ballot measures;

12. The advertisement encourages or depicts unsafe behavior with respect to NJ TRANSIT property or services; or;

13. The advertisement expresses or advocates an opinion, position, or viewpoint on matters of public debate about economic, political, moral, religious, or

EXHIBIT A

social issues.

16:86-1.3 (Reserved)

16:86-1.4 (Reserved)

16:86-1.5 (Reserved)

16:86-1.6 (Reserved)

SUBCHAPTER 2. PROCEDURES

16:86-2.1 Advertising Standards Committee

The President and Chief Executive Officer shall establish a three- member Advertising Standards Committee ("Committee") comprised of representatives from NJ TRANSIT subunits with expertise in real estate and economic development, Communications and customer service, and government and community relations. Such Committee shall be independent and its determinations shall constitute NJ TRANSIT's final agency determinations.

16:86-2.2 Review of advertisements

(a) NJ TRANSIT's advertising contractor or advertising sales entity (collectively "advertising provider") shall review each advertisement submitted for installation, display, and maintenance on NJ TRANSIT property to determine whether the advertisement falls within, or may fall within, one or more of the categories set forth in N.J.A.C. 16:86-1.2. NJ TRANSIT may also review such advertisement for compliance with N.J.A.C. 16:86-1.2. If NJ TRANSIT or its advertising provider determines that an advertisement falls within, or may fall within, one or more of the categories set forth in N.J.A.C. 16:86-1.2:

1. The NJ TRANSIT advertising provider shall promptly provide the advertiser

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with a copy of the standards set forth in N.J.A.C. 16:86-1.2 and written notice of the determination, the reason(s) for the determination, and the advertiser's right to request a prompt review before the Advertising Standards Committee.

2. The NJ TRANSIT advertising provider shall provide the Advertising Standards Committee with a copy of the written notice to the advertiser and the advertisement at issue.

3. Upon request of the advertiser, the Advertising Standards Committee shall conduct a prompt review to determine whether the advertisement at issue falls within one or more of the categories set forth in N.J.A.C. 16:86- 1.2.

4. The Advertising Standards Committee shall promptly provide the advertiser and the advertising provider with a written notice of its determination. The Advertising Standards Committee's determination shall be final as per N.J.A.C. 16:8&-2.1.

16:86-2.3 Dispute resolution

An aggrieved party wishing to challenge a decision of the advertising provider shall transmit its grievance in writing to the Advertising Standards Committee at NJ TRANSIT, Board Office, One Penn Plaza East, Newark, New Jersey 07105. If no factual issues are presented, the decision by the Advertising Standards Committee shall constitute the final agency action of NJ TRANSIT and shall be appealable to the Appellate Division of the Superior Court. In the event of a dispute of the facts, the Advertising Standards Committee shall within 45 days transmit the matter for the development of a record and an initial decision by the Office of Administrative Law in accordance with the Administrative Procedure Act, N.J.S.A. 52:148-1 et seq. and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules. N.J.A.C. 1:1.

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The Advertising Standards Committee shall then render a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

SUBCHAPTER 3. SEVERABILITY**16:86-3.1 Severability**

If any category set forth in N.J.A.C. 16:86-1.2 is determined to be invalid as applied to any particular type of NJ TRANSIT property, the category shall remain applicable to other types of NJ TRANSIT property. If any category set forth in N.J.A.C. 16:82-1.2 is determined to be invalid as applied to all NJ TRANSIT property, the remaining categories shall remain valid.

(NJT Board - 05/10/2023)

ITEM 2305-26: SELECTION OF PROVIDER FOR ADMINISTRATION OF SELF-FUNDED DENTAL PLANS

WHEREAS, NJ TRANSIT provides its agreement and non-agreement employees with a comprehensive health benefits program. The program includes Dental plan benefits. Authorization of this contract will allow NJ TRANSIT to continue to provide its active and retired employees and their eligible dependents dental plan benefits administration; and

WHEREAS, NJ TRANSIT seeks to achieve cost-effective administration of its health benefits program through a competitive procurement process, NJ TRANSIT has sought proposals from providers for dental benefits administration to compare the expected cost of claims and associated savings achieved through the use of the provider's networks and their administrative services fees. The request for proposals was advertised in *The Trenton Times* and *The Star Ledger* on October 20, 2022, and was included in the NJ TRANSIT Procurement Calendar; and

WHEREAS, the OBD has assigned a zero percent SBE goal to this project;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into administrative services contract with Horizon Blue Cross/Blue Shield of New Jersey for Dental plan administration. This contract will provide dental healthcare benefits to active and retired NJ TRANSIT employees and their eligible dependents, beginning July 1, 2023, for a period of three years, with administrative fees not to exceed \$310,073 per year, plus five percent for contingencies, and two, one-year renewal options, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 22-072 with Horizon Blue Cross/Blue Shield of New Jersey for Dental plan administration in the amount not to exceed \$310,073 per year, plus five percent for contingencies, subject to the availability of funds.

**ORIGINAL ITEM PROPOSED FOR VOTE THAT WAS AMENDED DURING
THE MEETING**

ITEM 2305-27: ANNUAL NOTICE OF MEETINGS AND DESIGNATION

WHEREAS, the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. have regular meetings of the Board of Directors; and

WHEREAS, pursuant to the Open Public Meetings Law, P.L. 1975, c.231, an annual notice of regular meetings of the Board of Directors must be disseminated; and

WHEREAS, Public Law 2018, chapter 162 requires the Board to hold a minimum of 10 public Board meetings per year and one-half of the total number of meetings shall be held in the evening; and

WHEREAS, the Annual Notice of Meetings must be prominently posted in one public place reserved for announcements of this type, transmitted to newspapers, filed with the Secretary of State, and transmitted to any person who requests notice of meetings; and

WHEREAS, Public Law 2018, chapter 162 requires the annual designation of a Board Secretary by the NJ TRANSIT Board of Directors;

NOW, THEREFORE, BE IT RESOLVED that the Annual Notice of Meetings, Exhibit A, for all of the Board of Directors' meetings during Fiscal Year 2024 is adopted; and

BE IT FURTHER RESOLVED that the Annual Notice of Meetings shall be disseminated in accordance with the provisions of the Open Public Meetings Act, P.L. 1975, c.231 and Public Law 2018, chapter 162; and

BE IT FURTHER RESOLVED that Meghan Clark Umukoro is designated as Board Secretary of NJ TRANSIT and its subsidiaries.

**ORIGINAL ITEM PROPOSED FOR VOTE THAT WAS AMENDED DURING
THE MEETING**

EXHIBIT A

ANNUAL NOTICE OF MEETINGS: FISCAL YEAR 2024

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

In accordance with the "Open Public Meetings Act," P.L. 1975, c.231 and Public Law 2018, chapter 162 the above organizations will hold regular meetings, open to the public, on the second Wednesday of the month for the period July 1, 2023 through June 30, 2024, except as noted below. The Board shall hold a minimum of 10 public board meetings per year. One-half of the total number of meetings of the Board shall be held in the evening.

Unless otherwise indicated, meetings will be held at NJ TRANSIT's Corporate Headquarters in Newark, New Jersey. The meetings will convene in the Board Room at NJ TRANSIT's Headquarters, One Penn Plaza East, Ninth Floor, Newark, New Jersey.

The specific dates and times are as follows:

July 19, 2023 (3 rd Wednesday)	6:00 p.m. Evening
<i>August 2022</i>	<i>NO MEETING</i>
September 14, 2023 (2 nd Thursday)	10:00 a.m.
October 11, 2023	6:00 p.m. Evening
November 8, 2023	6:00 p.m. Evening
December 12, 2023 (2 nd Tuesday)	10:00 a.m.
<i>January 2024</i>	<i>NO MEETING</i>
February 13, 2024 (2 nd Tuesday)	10:00 a.m.
March 11, 2024 (2 nd Monday)	6:00 p.m. Evening
April 10, 2024	10:00 a.m.
May 8, 2024	6:00 p.m. Evening
June 11, 2024	10:00 a.m.

AMENDED ITEM APPROVED BY THE BOARD**ITEM 2305-27:****ANNUAL DESIGNATION**

WHEREAS, Public Law 2018, chapter 162 requires the annual designation of a Board Secretary by the NJ TRANSIT Board of Directors;

BE IT FURTHER RESOLVED that Meghan Clark Umukoro is designated as Board Secretary of NJ TRANSIT and its subsidiaries.

EXECUTIVE SESSION AUTHORIZATION

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

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