

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

DANIEL P. SULLIVAN, CHAIRMAN

MINUTES
May 14, 2007

The NJTPA Office
One Newark Center, 17th floor
Newark, NJ 07102
10:00 A.M.

A. Open Public Meetings Act Compliance - Chairman Daniel P. Sullivan opened the meeting and advised that, in accordance with the Open Public Meetings Act, Chapter 231, P.L.1975, adequate notice of this meeting had been forwarded to the Star Ledger, the Jersey Journal, the Record, the Courier News, the Asbury Park Press, the New Jersey Herald, and the Times Observer and posted in the Essex County Administration Building, Newark, New Jersey, and on the bulletin board of the Secretary of State, Trenton, New Jersey.

B. Salute to the Flag

Chairman Sullivan led the Board of Trustees in the Pledge of Allegiance.

C. Roll Call

Following the salute to the flag, Marie Della Pelle called the roll. Eighteen voting members were present. (Attachment 1).

D. Chairman's Remarks

Chairman Sullivan welcomed New Jersey Department of Transportation Commissioner and NJ Transit Chairman Kris Kolluri, NJ Transit Executive Director Richard Sarles, Port Authority of New York & New Jersey Executive Director Anthony Shorris, and Freeholder Barbara McMorrow of Monmouth County.

The Chairman noted that the Board would take several actions that day to improve many aspects of the region's transportation system. He noted that one action would have particularly far-reaching and dramatic effects on transportation in the 13-county NJTPA region, the state and the entire Northeast and Mid-Atlantic regions. He explained that the Board would have before it a decision to authorize the "flexing" of \$1 billion in federal highway funding over 10 years to fund the Access to the Region's Core (ARC) project, which calls for the construction of a second passenger rail tunnel under the Hudson River. He said that, at the same time, state transportation trust funds currently dedicated to NJ Transit will shift to NJDOT to ensure that much-needed road and bridge projects go forward. The Chairman said that it is important to note that this is a dollar-for-dollar swap. He said that Governor Corzine conceived of this funding mechanism as a way to demonstrate to the Federal Transit Administration (FTA) just how serious New Jersey is about the ARC project. He said it is a long-term, local funding commitment to the tunnel's future, and it will be a key component of the "New Starts" grant application that NJ Transit will submit to the FTA

this summer. Chairman Sullivan said that with this funding plan in place, New Jersey will be positioned to receive a higher rating in the intense national competition for precious federal New Starts funding. He noted that the NJTPA has long championed the tunnel, and the Regional Transportation Plan identifies it as "our highest transit expansion priority." The Chairman said the tunnel will provide increased rail capacity into Manhattan to meet growing demand, and it will let the region accommodate future rail expansion in the planning stages in many of its counties. He added that the Board has included the Locally Preferred Alternative developed by New Jersey Transit in the Regional Transportation Plan. He then invited Commissioner Kolluri to address the meeting.

Commissioner Kolluri thanked the NJTPA Board for considering the funding proposal, and he conveyed Governor Corzine's gratitude to the Project Prioritization Committee for its unanimous endorsement of the resolution during a special teleconference on May 7th. The Commissioner pointed out that the Governor has stated that no highway projects will suffer as a result of the "flex" funding plan and that the state's Transportation Trust Fund will not be allowed to go bankrupt. He noted that, as NJDOT Commissioner, he is also NJ Transit Board Chairman, and this construct is intended to provide balance between highway and mass transit interests. Commissioner Kolluri said that the NJTPA is one of the most progressive MPOs in the country, and he looked forward to working with the agency in the future.

NJ Transit Executive Director Mr. Sarles then addressed the Board. He said that the support shown by the NJTPA for the ARC project will send a very strong message to the federal government about New Jersey's commitment to building the ARC tunnel on schedule. He pointed out that the project would add 44,000 jobs to the region's economy. He noted the commitment to the ARC project shown by Governor Corzine and the New Jersey Congressional delegation. Mr. Sarles expressed confidence that the project can be advanced with the support of the NJTPA.

PANYNJ Executive Director Mr. Shorris spoke next. He said that the ARC project is the single most important transportation project for the tri-state area and that the PANYNJ has been a strong financial partner in the project. He said that, so far, PANYNJ has funded \$8 million in related, early improvement projects at Penn Station, as well as an additional \$11 million for engineering and design work and \$75 million for pre-development activities. He said the PANYNJ and NJ Transit are in the process of finalizing a memorandum of understanding regarding financial and technical cooperation on the project. He noted that the Port Authority Board previously authorized a commitment of up to \$2 billion for capital and construction costs.

E. Approval of Minutes

Freeholder DiMaio, Warren County, noted that the minutes of the March 12th meeting should reflect that the meeting started at 10:00 a.m. and not 1:00 p.m. A motion to approve the amended minutes of the March 12th meeting was made by Jersey City and seconded by Warren County. The minutes were approved unanimously.

F. Executive Director's Report

Executive Director Joel Weiner announced the conclusion of preparations for NJTPA's enhancement to federal SAFETEA-LU requirements by the July 1st deadline. He pointed out that later in the meeting the Board would be asked to take two actions related to this: first, amending the regional plan to further document how the NJTPA will address environmental mitigation and,

secondly, approving a Public Participation Plan. Mr. Weiner said that in finalizing the Public Participation Plan, two recent public outreach meetings were held, one in Morris County and one in Jersey City. He said that valuable input on the plan and general transportation issues was received. Mr. Weiner thanked Freeholder Feyl of Morris County and Councilman Sottolano of Jersey City for their attendance and participation at these events. Regarding the need for a Coordinated Human Services Transportation Plan, which was referenced in SAFETEA-LU, Mr. Weiner said that the NJTPA received confirmation from its federal funding partners that the status of this plan will not affect compliance with the law.

Mr. Weiner reported that the NJTPA I-78 Corridor Transit Study has reached the stage where draft recommendations are being issued. He said potential improvements include new or expanded bus service, commuter parking, and new bus priority strategies. He said the recommendations would be distributed and posted on the NJTPA website the following week. The recommendations will be the subject of three public open house meetings to be hosted by the NJTPA on the following dates: May 21 in Warren County, May 29 in Hunterdon County, and May 31 in Somerset County. He said that thousands of post cards and e-mail messages announcing these meetings were distributed and many I-78 travelers were expected to attend and express their concerns.

Mr. Weiner announced that the first issue of the re-launched *intransition* magazine was recently published and is returning to a twice-yearly schedule. The magazine is published in cooperation with the New Jersey Institute of Technology. He said that complimentary subscriptions are available.

Mr. Weiner also announced that long-time NJTPA Freight Planner John Hummer will be leaving the agency to become California's Deputy Secretary of Goods Movement. He said that Mr. Hummer has made important contributions to raising awareness of freight issues in the NJTPA region and has coordinated many crucial studies and projects. Mr. Weiner thanked Mr. Hummer for his years of service and wished him well in his new position.

- **Project Prioritization – Freeholder Susan Zellman, Chairman**

Chairman Sullivan announced that the Board would deviate from the set agenda to first consider the flex funding proposal for the ARC project. He called on Freeholder Zellman to give her committee report and introduce the item for action.

Freeholder Zellman reported on the activities of the Committee during the May 7th teleconference mentioned earlier by Commissioner Kolluri. She said that 11 of the 12 Committee members were present, along with other Trustees and representatives of key agencies, including the FTA. The Freeholder said that the Committee carefully reviewed the proposal and discussed it at length. She said that participants from throughout the region asked questions seeking assurances that funding would be available for various transit projects in the years to come and that the flexing of funds would not have adverse effects on current and planned road and bridge projects. Freeholder Zellman reported that, in the end, the Committee members were satisfied that this shifting of federal and state funds would benefit the region by making the ARC tunnel a stronger contender for limited FTA “New Start” funds while allowing needed road projects to go forward. She noted that the action does not change the project mix in the region and thus has no effect on its Air Quality Conformity status. The Freeholder explained that, with approval of the resolution, the Board would authorize staff to incorporate the changes in the draft Fiscal Year 2008 Transportation Improvement Program (TIP), which would be released for public comment later in

May. She said that implementation of the measure would occur each year through the annual development and approval of the TIP, allowing the Board of Trustees to have input into the road and bridge projects selected for funding each year.

Freeholder Zellman reported that the Committee considered another resolution at its April meeting. The resolution urges the state Legislature to increase future local aid for county and municipal road and bridge improvements. She said that the Committee previously heard a request by the New Jersey Association of County Engineers for NJTPA support of an increase in future local aid, which is needed for bridge and road improvements. The Freeholder pointed out that an updated version of the Association's Bridge Condition report, incorporating information for Mercer County, had been distributed to the Board that day for informational purposes. She said that while roads are an important part of this issue, the Association is particularly concerned with bridge needs, because an alarming number of bridges – including many under county jurisdiction – are structurally deficient or functionally obsolete. Freeholder Zellman reported that the current level of state funding for local aid for both roads and bridges is \$175 million per year, with a 50/50 split between the counties and municipalities. She noted that this level of funding falls below the \$300 million per year previously recommended by the Blue Ribbon Commission and endorsed by the Board. The resolution calls for an increase in future local aid to a level of \$300 million, with 55 percent for counties and 45 percent for municipalities. The Committee unanimously recommended Board approval.

The Freeholder added her wishes and thanks to Mr. Hummer and said that he would be missed.

Action Item 7: Approval to Flex \$1 Billion in FHWA Funds for State TTF Funds Over the Next 10 Years for the ARC Project (Attachment 2)

A motion to approve the resolution was made by Sussex County and seconded by NJDOT.

Before the vote was taken, Freeholder David Crabiel, Middlesex County announced that the County would support the resolution, but he pointed out that during the teleconference meeting, George Ververides, Middlesex County Planning Board Director of Planning and alternate member of the Board, raised several questions of concern about the possible impact of the flex funding plan. The Freeholder noted that questions were also raised in a *Star-Ledger* editorial that day. He acknowledged the Governor's commitment to preserving highway projects but questioned whether or not that commitment would carry through the next administration. He said that additional action might be required in the future to protect the interests of the NJTPA region.

Freeholder Zellman also expressed concerns about the possibility that the New Jersey Turnpike might be sold, which she said she feels is a long-term safety and security issue. She said the Commissioner's response that such a sale would not occur – when she raised the issue during the teleconference – was helpful.

Morris County Freeholder Gene Feyl said one of his primary concerns is that the monetizing of assets has been portrayed as the funding cure for a variety of New Jersey's debts. He said it is irrefutable that ARC must go forward, however a logical fiscal approach must be taken. He noted that the limited time Board members had to review the flex funding proposal did not give them an opportunity to address fully their fiduciary obligation to review carefully this very complex and far-reaching issue. He said, "Trenton has a poor record of fulfilling its obligations," and he expressed concern that this behavior might be repeated over the next ten years.

Councilman Michael Sottolano, Jersey City, said he was concerned about the impact the flex funding plan may have on future transit funding, especially for pending or proposed projects for Jersey City such as light rail for the Bergen Arches and the Sixth Street Embankment. The councilman stated for the record that it should be agreed that Jersey City is one of the state's central hubs, especially because of its proximity to New York City.

Commissioner Kolluri offered clarification of Governor Corzine's funding approach. Concerning asset monetization, he said the Governor asked the state's treasurer to conduct a review of all the state's assets to determine the amount of value that could be unlocked. Mr. Kolluri said that he and the Treasurer are not convinced that monetization of assets is the right transaction for New Jersey. He said the Governor explicitly said that if such a transaction was conducted, the funds would be used only for capital and debt retirement. Mr. Kolluri also said that there were three principals the Governor holds "sacrosanct." The transaction would not and should not occur unless: current levels of capital, maintenance and security operations on the roadways can be assured; the state has absolute oversight; and a reasonable and predictable toll schedule can be provided to customers. Concerning the Transportation Trust Fund, Mr. Kolluri said it is a practical matter and not a partisan issue, and he cannot imagine that any legislator or governor would let the trust fund lapse. Nor could he imagine anything causing the deletion of highway funding. Mr. Kolluri said he looked forward to coming back before the board to answer any concerns.

Freeholder Peter Palmer, Somerset County pointed out that all the subregions have transit project proposals in the planning stages and the ARC tunnel is a key component for all of them. He said the flex funding proposal is the only way move the project to the top of the FTA priority list for New Start funding, and it is "unquestionably the way to go."

The vote was taken and the resolution was approved unanimously.

Action Item #6: Approval of a Recommended Increase in Future Local Aid for County and Municipal Road and Bridge Improvements (Attachment 3)

A motion to approve the resolution was made by Ocean County and seconded by Monmouth County.

Before the vote was taken, Mark Stout, NJDOT, announced that the agency would abstain. He explained that it would not be appropriate at this point to endorse a particular mechanism or proposal for the next reauthorization of the trust fund. He said an important need has been identified, and the abstention was not due to any feeling that the resolution is not valuable. He expressed admiration for the work that went into bringing the issue to the Board's attention.

The vote was taken and the resolution was carried with fourteen affirmative votes. The Governor's Office, NJDOT and NJ Transit abstained. Port Authority was no longer present.

Freeholder Director David Crabel, Middlesex County, expressed resentment that the county only received a meeting agenda as notification that the NJ Transit Board of Trustees planned to consider authorization of an additional \$2,377,000 plus 5 percent contingency for the Monmouth-Ocean-Middlesex study at its March 15th meeting. The Freeholder said he was concerned that \$10,430,000 has already been spent for consultant work on the project.

On behalf of Middlesex County, Freeholder Crabiel expressed continued opposition to the possible selection of the Monmouth Junction alignment as the preferred commuter rail alternative for the MOM project. NJ Transit is preparing a Draft Environmental Impact Statement (DEIS) for rail alternatives for the three-county region. The proposed commuter rail alignments include Matawan, Red Bank and Monmouth Junction. Freeholder Crabiel pointed out that the study's 2001 DEIS favored the Matawan alignment and found the Monmouth Junction route to be the most expensive of the three alternatives. He said also that the Monmouth Junction alignment would adversely impact Monmouth Battlefield State Park. The Freeholder said that Middlesex County and its municipalities favor the Matawan and Red Bank alignments, because the Matawan route would provide immediate relief of congestion along the Route 9 corridor, and the Red Bank option would provide relief on the Garden State Parkway.

G. Committee Reports/Action Items

- **Planning and Economic Development – Freeholder John DiMaio, Chairman**

Freeholder DiMaio reported that the Committee considered five action items at its April meeting. The Freeholder said that Staff prepared a brief supplement to the NJTPA long-range plan that better describes the environmental mitigation strategies used in the region. He said the supplement was widely distributed and exposed to a 30-day comment period. He noted that, since the Committee recommended approval of the supplement, a minor change had been made in the text to include the New Jersey Highlands Council and the Meadowlands and Pinelands Commissions on the list of agencies with environmental stewardship responsibilities in the region.

The Freeholder reported that the second action item considered by the Committee concerned the NJTPA Public Participation Plan. He said consultants developed the plan and conducted extensive interviewing and outreach to the Trustees, the RTAC, member agencies and the general public. He said that two public open houses and other meetings were held during a 45-day public comment period, and comments generated from this process were incorporated into the draft plan. Freeholder DiMaio said also that the final draft contains an expanded discussion of the use of Spanish and other languages in public outreach. The Committee recommended approval of the plan.

Freeholder DiMaio said the third item considered by the Committee was approval of an amendment to Volume III of the Project Development Work Program (PDWP). He explained that personnel issues in the City of Newark's administration created unique and extenuating circumstances that preclude completion of the city's current Right of Way Study. The Freeholder said that Central Staff proposed moving the study to next year's program, where it would replace another Newark effort, the Downtown Mobility Study. He said the reallocation of funding would decrease the current work program by \$225,000 and increase the FY 2008 program by the same amount. This action would give the city the opportunity to complete the Right of Way Study, but it would forfeit funding in 2008 for the other study. The proposed amendment will release \$220,000 for reallocation at the Board's direction.

The Freeholder reported that the Committee recommended approval of the FY 2008 PDWP, the element of the Unified Planning Work Program (UPWP) that compiles all planning and preliminary engineering studies for the fiscal year. He said the recommended list of projects addresses all categories of needs identified in the Regional Transportation Plan and Capital Investment Strategy. The draft program contains 156 projects, 24 of which are locally sponsored

projects. The remaining projects are sponsored by NJDOT. Of these projects, 21 are in the Concept Development Phase, 48 in Feasibility Assessment, and 63 in Preliminary Design.

Freeholder DiMaio reported that the final action item concerned another amendment to the FY 2007-2008 UPWP. He explained that in 2003 the NJTPA established a Local Congestion Mitigation and Air Quality (CMAQ) Initiatives Program and approved five shuttle projects operated by Transportation Management Associations, or TMAs. The Freeholder noted that NJ Transit currently administers the project contracts because it is better able to handle labor-related issues such as drug and alcohol testing. The proposed amendment would continue funding for the third year of the initial five shuttle projects and provide funding for seven new shuttles. He noted a minor correction to the list of shuttle projects – the name of New Jersey Transit’s #39 Shuttle was corrected to read as the Harrison PATH Station/Kearny Avenue Shuttle.

Action Item 1: Approval of a Supplement to the Regional Transportation Plan Regarding Environmental Mitigation Activities (Attachment 4)

A motion to approve the resolution was made by Warren County, seconded by Morris County and carried unanimously.

Action Item 2: Approval of NJTPA Public Participation Plan (Attachment 5)

A motion to approve the resolution was made by Monmouth County, seconded by Jersey City and carried unanimously.

Action Item 3: Approval of an Amendment to the FY 2006 – FY 2007 and the FY 2008 – FY 2009 UPWP Sub-Regional Study Budgets to Substitute The City of Newark’s Study Entitled “Right of Way Management, Assessment and Priority System” (Attachment 6)

A motion to approve the resolution was made by the City of Newark, seconded by Essex County and carried unanimously.

Action Item 4: Approval of the FY 2008 Project Development Work Program
(Attachment 7)

A motion to approve the resolution was made by Warren County, seconded by Morris County and carried unanimously.

Action Item 5: Approval of an Amendment to the FY 2007 and FY 2008 UPWPs to Continue Year III Funding and Approve New Project “Hand Offs” (Attachment 8)

A motion to approve the resolution was made by NJ Transit, seconded by Somerset County and carried unanimously.

- **Freight Initiatives – Freeholder Peter Palmer, Chairman**

Freeholder Palmer reported that the Committee heard two presentations at its April meeting. He said the first was given by Ken Spahn from PANYNJ, who outlined the authority's current \$2 billion, ten year capital program for the port. He said the program includes a number of strategic improvements, from new rail access to port terminals, security, marine terminal improvements and other needs. Some of the projects are public/private partnerships which will combine private sector contributions to match the authority's investments. Freeholder Palmer noted that ultimately these improvements will allow the port to increase its capacity and the efficiency of its throughput, while moving as much cargo through the region as possible by intermodal means.

The Freeholder said the second presentation was given by Liza Betz, of the Union County Department of Transportation and Planning. He said her presentation concerned an ongoing study to facilitate freight mobility needs and improved access to Tremley Point and other areas east of the NJ Turnpike. Freeholder Palmer said a number of multi-modal strategies are being examined that will allow the area to keep maximum flexibility for future development. One concept is the possible creation of a "global freight village," which is a highly efficient combination of distribution, financial and other services all located in the same general area. Freeholder Palmer noted that this economic opportunity can only be achieved if transportation access to the study area can be improved. He said a number of discussion points were made from the floor on the two presentations.

On the subject of the recent TransAction Conference in Atlantic City, the Freeholder reported that he moderated two panels there, and a number of NJTPA staff made presentations at the various sessions. He said that the conference, which was presided over by Frank Reilly and a group of volunteers, was another resounding success.

Also at the Freight Initiatives meeting, John Hummer gave a brief presentation on the progress of the NJTPA's Truck Rest Stop study. He reported that the project consultants identified a number of potential sites for new or upgraded truck rest stops in the region. He said the recommendations are being vetted by NJTPA and NJDOT staff and would be presented shortly for broader review by the Committee and the Board of Trustees. Freeholder Palmer thanked Mr. Hummer for his contributions and expertise in the freight area during his time at the NJTPA.

H. Key Discussion Issue – Draft 2007 Meadowlands District Transportation Plan

David Liebgold, New Jersey Meadowlands Commission, introduced William S. Beetle, DMJM Harris, who provided an overview of the Plan. He explained that the district currently suffers from traffic congestion, and future development will exacerbate current transportation issues. Mr. Beetle said the objectives of the effort are to establish a plan for infrastructure improvement investments that will support future growth in the Meadowlands district and to develop a framework for assessing fees to be paid by developers to cover their "fair share" of the costs of transportation improvements required by new development. With the aid of a slide presentation, Mr. Beetle elaborated on candidate transportation improvement projects proposed for the area and the statistics that drive their selection. A brief general discussion ensued.

I) Public Participation

John Hummer expressed his thanks to the Board, Mr. Weiner and Central Staff. He said that Freeholder Palmer has a national reputation and is recognized as the statewide leader on freight issues. He asked the Board to support the Freeholder and the Freight Initiatives Committee as they move forward with the nationally significant truck rest stop study, the Liberty Corridor initiative and the rail grade crossing study.

On behalf of the Board, Chairman Sullivan thanked Mr. Hummer for his years of service.

Ralph Patterson, Ocean County Engineering Department, said he was a member of a working group on the MOM project. He pointed out that by 2015 Monmouth and Ocean County residents are projected to make up 25 percent of the state's population, and their commuting needs are increasing accordingly. He said the task force is studying a number of different commuter rail alignments for the MOM project and wants to select one that serves the most travelers and provides the widest variety of transit modes. He said the Monmouth Junction alignment allows access to New York, Philadelphia, and beyond. Mr. Patterson said he understands local objections to the alignment, but the greater good for New Jersey residents also needs to be understood. He pointed out that assets such as increased access to employment and cultural destinations can add value to local real estate and spur economic development. Mr. Patterson asked the Board and others to keep an open mind when considering the proposed alignments and to keep the greater good in mind.

William Wright, New Jersey Association of Railroad Passengers, said that the population density of the area between Philadelphia, New York and New Jersey would best be served by the MOM project via the Monmouth Junction alignment. He said it represents the greatest good for the greatest number, in keeping with the Ninth Amendment to the US Constitution.

William Fidurski, Coalition to Stop the Freight Train, stressed the need for grade isolated freight rail infrastructure to carry the increasing volume of goods flowing from the port area, reduce truck traffic on the highways, and prevent local at-grade crossing problems.

Stewart Weiss, Inman Railroad Committee, said that New Jersey's freight system is inadequate for handling port container volume and will "drag the state down." He noted that Commissioner Kolluri informed him during a meeting that there are about 1,600 grade crossings in the state, even more than Mr. Weiss had thought. Mr. Weiss also said that he was sorry to see Mr. Hummer go.

J) Time and Place of Next Meeting

Chairman Sullivan announced that the next meeting of the NJTPA will be held on Monday July 9th at 10:00 a.m., at the NJTPA offices at One Newark Center, Newark, NJ.

K) Adjournment

The meeting was adjourned at 11:54 a.m. by unanimous acclaim.