

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

DANIEL P. SULLIVAN, CHAIRMAN

MINUTES
March 12, 2007

The NJTPA Office
One Newark Center, 17th floor
Newark, NJ 07102
1:00 P.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 News, 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. Approval of Minutes

A motion to approve the minutes of the January 8th meeting was made by Warren County and seconded by Jersey City. The minutes were approved unanimously.

E. Chairman's Remarks

Before giving his remarks, Chairman Sullivan asked if representatives from NJ Transit and NJDOT would like to make any comments. Rich Roberts, NJ Transit, announced that NJ Transit was accepting public comments on the draft environmental impact statement for the Access to the Region's Core project, which is also known as the Trans-Hudson Express Tunnel (THE Tunnel). He said there would be public hearings held on March 13th at the NJTPA offices, March 14th in North Bergen, and March 17th in New York City. Mark Stout, NJDOT, commended Central Staff for their efforts while working with NJDOT staff during the negotiation phase of the Capital Construction Program (CCP).

Chairman Sullivan noted that by July 1st all aspects of the NJTPA planning process must be fully compliant with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Details about the steps taken to ensure compliance were provided by

Executive Director Joel Weiner after the Chairman concluded his remarks. Chairman Sullivan highlighted one particular aspect of this process – the NJTPA Public Participation Plan. He explained that the latest federal regulations require Metropolitan Planning Organizations (MPOs) to have a plan that creates opportunities for greater dialogue with all people within the regions they serve. The Chairman said the regulations also specify that MPOs should strive to make better use of the Internet and visualization techniques, such as mapping and simulations, to help convey information that is often complex. He said that, in addition to these SAFETEA-LU requirements, during the last federal certification review, the US Department of Transportation (USDOT) encouraged the NJTPA to conduct an evaluation of its public participation efforts.

Chairman Sullivan said that in order to address these requirements the NJTPA, with the assistance of the consultant Howard/Stein-Hudson, has developed a draft public participation plan that sets a far-ranging public participation mission for the agency and provides goals and strategies to help it fulfill that mission. The draft plan also provides for periodic evaluation of the agency's public involvement efforts. The plan has been distributed to Board and RTAC members, stakeholders, interested parties, and libraries throughout the region. It also is available on the agency's website in both English and Spanish.

Chairman Sullivan pointed out that two other products of the consultant effort will help enhance public participation efforts. One will be a thorough evaluation of the NJTPA's existing public outreach activities, and the other will be a set of detailed recommendations for implementing the policies in the public participation plan. He said the consultant will finalize these products after the Public Participation Plan is approved by the Board for transmittal to the USDOT.

The Chairman noted that the NJTPA will host two public open houses to discuss the plan with all interested parties (March 29 at the Morris County Library in Whippany and April 5 at City Hall in Jersey City). He encouraged everyone to drop in at anytime during these open sessions to learn more about the plan and to contribute ideas for improving public participation efforts. He also noted that staff from Howard/Stein-Hudson and the NJTPA would meet with a group of Hispanic stakeholders from throughout the region at a community center in Newark on March 13th to discuss ways to more fully involve this growing segment of the region's population in the planning process

F. Executive Director's Report

Executive Director Joel Weiner reported that considerable staff work had been devoted to seeing that the planning process that the NJTPA oversees is compliant with the requirements of the SAFETEA-LU legislation. Mr. Weiner pointed out that the NJTPA would also be able to take advantage of the law's extension of the planning cycle from three to four years, which means it will have an additional year, until 2009, to update the Regional Transportation Plan.

Mr. Weiner said that to demonstrate compliance the existing planning process and the long-range plan were analyzed in relation to 12 key provisions of the law. The analysis showed the agency to be in full compliance in 10 of these areas, with no further action needed. It was found that, while the plan is in compliance in the two other areas, further enhancement was desirable. The first involves updating the Public Participation Plan to strengthen public outreach, as described by Chairman Sullivan.

Mr. Weiner said the second area involves environmental mitigation. An amendment to the plan with a supplement discussing various environmental mitigation activities used in northern New Jersey is proposed. The 4-page supplement had been mailed to Board members and other stakeholders in the region and posted on the agency's website. Mr. Weiner noted that the supplement is currently the subject of a public comment period running through mid-April. He said that Board members will be asked to approve this document as an amendment to the Regional Transportation Plan at the May meeting, along with the Public Participation Plan.

Mr. Weiner reported that the NJTPA had received indication that its approach to demonstrating compliance meets with the approval of USDOT. In a joint letter responding to the draft compliance demonstration submitted by Central Staff, the Federal Highway Administration and the Federal Transit Authority commended the NJTPA for its "proactive and thorough analysis of the transportation planning process." The letter goes on to say that the analysis represents an "excellent example" of meeting SAFETEA-LU requirements and deserves to be shared with other MPOs.

Mr. Weiner said that, subsequent to the preparation of the compliance document, USDOT issued the final regulations governing the implementation of SAFETEA-LU. He said these regulations are in keeping with the scope and purpose of the interim guidelines on which the NJTPA analysis was based, so it appears that, with the two Board actions scheduled in May, the agency will have sufficiently enhanced its planning process by the July 1st deadline.

Mr. Weiner reported that the Strategy Evaluation effort has been progressing well. Staff hosted a workshop for subregions and partner agencies to present the first cut at identifying and quantifying access and mobility needs throughout the region. One-on-one meetings with the subregions to go over the draft needs in more detail were scheduled to take place after the Board meeting that day. Mr. Weiner said Staff's understanding of needs will: underpin the next Regional Transportation Plan; help fulfill the Congestion Management Process requirements of SAFETEA-LU; and assist the Board in making critical decisions about where to direct limited transportation resources. Mr. Weiner said that in coming months, after the technical review of the needs, the Strategy Evaluation effort will shift to finding strategies and actions that can address the established needs. Board members will be asked to participate in that effort

Mr. Weiner noted that while the Strategy Evaluation is striving to get a fully regional view of transportation needs, corridor studies will focus on particular facilities and locations. He said one key effort focuses on the potential for new transit service along the I-78 corridor. The study incorporates local and interagency input on future demographics and local development preferences, particularly in light of the anticipated direction of the Highlands Regional Master Plan. Mr. Weiner said extensive discussions will take place with NJ Transit, NJDOT, local elected officials, and the project steering committee.

Mr. Weiner reported that Staff spent considerable time analyzing the proposed Highlands Regional Master Plan and drafted proposed comments. He noted that in developing the comments Central Staff had an opportunity to meet with the staff of the Highlands Council. Mr. Weiner expressed confidence the NJTPA will have a good working relationship with the Council once the plan is put in place.

Mr. Weiner reported on another activity involving interagency coordination – the drafting of an agreement among the five MPOs in the New York-New Jersey-Connecticut metropolitan region. He said that, as part of the federal certification review process, USDOT requested that all five MPOs in the larger metropolitan area (NJTPA, the South Jersey Transportation Planning Organization (SJTPA), the Delaware Valley Regional Planning Commission (DVRPC), the New York Metropolitan Transportation Council (NYMTC) and the South Western Regional Planning Agency (SWRPA) of Connecticut) coordinate their planning activities by executing a formal agreement. Through a series of conference calls in recent weeks, the agency has worked with officials at its counterpart MPOs to develop a draft agreement. Mr. Weiner said the agreement touches on topics such as information sharing, ensuring consistency of modeling efforts, cross-reviews of key documents and other areas of MPO concern. The draft had been provided to USDOT for an initial review. Once it is further circulated and finalized, it will go before the Board, likely at the May meeting.

Mr. Weiner went on to discuss the FY 2008 Capital Construction Program (CCP). He explained that it is the annual list of highway, bridge and transit projects and programs to be funded with federal, state and non-federal resources that is submitted to the New Jersey Legislature. He said that the submission normally occurs by March 1st, but an extension until March 30th had been granted this year. Mr. Weiner said that the CCP becomes the basis for the Transportation Improvement Program (TIP), which is approved in July. He noted that the initial draft of the program raised concerns that northern New Jersey might be receiving less than an equitable share of highway/bridge funds vis-à-vis the other two MPO regions in the state. He said that, through negotiations with the New Jersey Department of Transportation (NJDOT), and thanks to the availability of Congressional earmarks for key projects, the NJTPA was able to realize a 74 percent share of funding, which is in line with the region's share of the state's population and historical precedent. Mr. Weiner said the Project Prioritization Committee, and the capital programming staffs of NJTPA and NJDOT deserve recognition for their efforts in producing an agreement on the capital program that will advance vital transportation needs in the region.

Noting Mr. Robert's announcement of the three public hearings concerning the Access to the Region's Core draft environmental impact statement, Mr. Weiner stressed that THE Tunnel is the number one transit priority in the Regional Transportation Plan, and he encouraged people to participate in the hearings.

Mr. Weiner closed his remarks with a notification of ethics training to be conducted for all authority board members and executive directors in 2007. He said two sessions in Trenton were planned for April 11th and 17th and Board members would be receiving the information shortly. Mr. Weiner asked that Board members contact Ms. Marie Della Pelle to RSVP, and she would coordinate with Trenton on behalf of the NJTPA.

G. NJTPA Safety Planning

Dennis Merida, FHWA Division Administrator, presented the agency's Dave Powell Excellence Award to Lois Goldman of Central Staff, in recognition of her "tremendous" efforts in safety planning, particularly with the Deer/Vehicle Crash Coalition. Mr. Merida explained that the award is given to persons who demonstrate effective partnerships with FHWA and NJDOT and

have an unwavering principal of treating people with respect and creating win-win situations. Mr. Merida noted that Ms. Goldman's selection for the award was by unanimous consensus.

H. Committee Reports/Action Items

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

Freeholder DiMaio, Warren County, reported that the Committee considered two action items at its February meeting and recommended Board approval of both. The first was the FY 2008 Unified Planning Work Program (UPWP). The \$14 million program, which is guided by the Board-adopted Strategic Business Plan and Regional Transportation Plan, includes all transportation planning activities in the region, including those conducted by Central Staff and the subregions. Key tasks in the UPWP include conducting and funding planning studies of emerging issues, investigating project concepts and options at specific locations, and modifying elements of the planning process to help better achieve the goals of the region. The Freeholder reported that the document distributed to the Board had been developed through extensive outreach by Staff and reflects changes made based on comments from Board members and suggestions from USDOT.

The Freeholder said the second action item considered by the Committee concerned an amendment to the FY 2007 Project Development Work Program to include the proposed Northwest New Jersey Bus Study. The project will be fully funded with congressionally earmarked funds. He said it will involve a comprehensive analysis of existing transit services and unmet needs in the study area, which generally includes Sussex, Warren, Passaic, and Morris Counties.

The Freeholder also reported that Central Staff provided an update on the preparation of comments on the Highlands Draft Regional Master Plan. The public comment period on the Master Plan had twice been extended by the Council and was scheduled to end April 2nd. He said that Central Staff also reported on the progress of the NJTPA Public Participation Plan, which Chairman Sullivan spoke of in his remarks.

Action Item 1: Approval of the FY 2008 Unified Planning Work Program (Attachment 2)

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

Action Item 2: Approval of an Amendment to the FY 2007 Project Development Work Program to Include the Proposed Northwest New Jersey Bus Study (Attachment 3)

Freeholder Susan Zellman thanked Congressman Scott Garrett, the sponsor of the earmarked project, for his interest in improving transportation in that part of the state. Mr. Roberts said that NJ Transit will partner with the NJTPA in the joint effort to plan for bus service in northwest New Jersey.

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

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

Freeholder Zellman, Sussex County, reported that the Committee considered three action items at its February meeting. The first was the FY 2008 Capital Construction Program (CCP). After analysis by Central Staff, the original draft program was distributed to the subregions in early February. The deadline for submission of the CCP to the State Legislature was extended from March 1st to March 30th, giving the Committee enough time for thorough negotiations with NJDOT and NJ Transit. The Freeholder said that Central Staff presented an addendum to the CCP containing changes based on many comments and inquiries received from the subregions, as well as discussions with NJDOT and NJ Transit at the NJTPA offices. After the negotiations, four projects had been added to the original draft and several technical corrections were made. Subsequent to the February meeting further changes were made to the CCP, including the advancement of four additional projects that were originally deferred as well as increased funding for a number of other projects. These changes are reflected in a second addendum. The freeholder said that, in the end, the Capital Construction Program for the region contains more than \$2.5 billion in resources devoted to 377 transportation projects and programs.

The Freeholder reported that the second action item considered by the Committee concerned revisions to the Memorandum of Understanding (MOU) for TIP modifications and amendments. The revision of the MOU was a collaborative effort of the NJTPA, NJDOT, NJ Transit, and the agency's partner MPOs, the Delaware Valley Regional Planning Commission and the South Jersey Transportation Planning Organization. It was prompted by escalating costs, technological advances to project reporting, and federal requirements that the TIP become a four-year document. She noted that the revised MOU will allow projects to move forward more quickly without sacrificing NJTPA oversight of the process. Board approval of the first two action items was recommended.

Freeholder Zellman said the third action item considered by the Committee was approval of a series of modifications to the FY 2007-2010 TIP. Central Staff reported that three projects showed an immediate need for additional funds. The modifications would draw upon funds from four other projects in the TIP without affecting them adversely. All affected subregions concurred with the modifications, and the Committee voted to approve them. No further action was required.

In other business, the Freeholder said that the committee heard from Frank Scarantino, President of the New Jersey State Association of County Engineers, who reported on the findings of a recently released report commissioned by the New Jersey Association of Counties. The report – entitled “Local Aid Perspective of the Transportation Trust Fund” – says that the state's counties and municipalities have an immediate annual need of more than \$200 million to deal with the backlog of bridge rehabilitation and replacement projects for 7,000 bridges in the state. Another \$200 million is needed for road resurfacing. Mr. Scarantino noted that the current \$175 million in Local Aid funding from the state Transportation Trust Fund is well under the annual level of \$300 million recommended by the Blue Ribbon Transportation Commission.

Freeholder Zellman said the Committee recognized that local bridge needs are the most pressing issue today. Therefore, the Committee requested a listing of bridges under county jurisdiction

that are in serious need of repair or replacement within a ten year time frame – along with anticipated costs – to serve as further documentation of the need for funding. She said that, upon receipt of this report the Committee will consider the issue at its next meeting, which may result in a Board action at the May meeting.

The Freeholder reported that Committee members also expressed concern regarding the proposed privatization of some of the state's transportation assets, such as the New Jersey Turnpike. She said Central Staff was asked to collect and share information on the topic for discussion at the next PPC meeting. She encouraged the Board and other staff to provide any information they may have to her or Central Staff.

Action Item 3: Approval of the FY 2008 Capital Construction Program (Attachment 4)

A motion to approve the resolution was made by Sussex County and seconded by Somerset County. During the discussion that ensued, Freeholder Director George Muller of Hunterdon County asked about the status of a potential meeting involving his county staff, NJTPA Central Staff, and Union Township concerning the restoration to the FY 2007 TIP of a deferred project, the Edna Mahan Frontage Road exit from Route 78. Martin Hofler, Central Staff, said he was in touch with a member of Hunterdon County's staff, who was waiting for certain documentation before scheduling the meeting. Freeholder Muller stressed that the project was a vital safety issue for the traveling public and said he would schedule the meeting himself after the Board meeting.

Following the discussion, the vote was called and the motion was carried unanimously.

Action Item 4: Approval of Revisions to the Memorandum of Understanding for TIP Modifications and Amendments (Attachment 5)

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

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

Freeholder Palmer announced that the Freight Initiatives Committee would hold its first quarter meeting later in March. He noted that, since the meetings draw significant private sector attendance, the Committee tries to combine them with other freight-related activities, and the next meeting will coincide with a private meeting of the Nations Port transportation group held at the NJTPA earlier that day. Nations Port is an advocacy group that helps to focus statewide policy and public and private investments that will manage and support the state's vital goods movement sector.

Freeholder Palmer provided a brief overview of some recent freight planning activities that have been taking place.

- On February 13th, the NJTPA hosted a Port Security seminar co-sponsored by the Federal Highway Administration and the I-95 Coalition. The meeting was attended by law enforcement officials from FEMA, Homeland Security, sister MPOs and a number of other state and federal transportation agencies from as far away as North Carolina and Minnesota.

- The NJTPA's Truck Rest Stop Study continues, and the third and final meeting of the study's stakeholder group will be held as soon as one of the preliminary technical reports is ready for review. This report will summarize the findings of the consultant team, which is examining a number of potential locations where truck rest stops might be recommended.
- The Liberty Corridor program is advancing and Freeholder Palmer will participate in an Advisory Committee that will help to recommend projects and investments. Projects recommended under this program will be advanced through the MPO process at the NJTPA. A scope of work for support services relating to planning activities for the Liberty Corridor is currently under review and would be finalized shortly. Governor Corzine and Senator Menendez recently had a meeting to help get the Liberty Corridor process going at full speed.
- The NJTPA will host a meeting of the I-95 Corridor Coalition on March 22nd. The meeting will review the Coalition's current and proposed consultant studies for the coming year. The NJTPA has taken an active role in this work, helping to strengthen MPO participation and coordination.

J) Overview of Highlands Regional Draft Master Plan

Steve Balzano, Highlands Council Director of Science and Planning, thanked NJTPA staff for being supportive, accessible and helpful to the Council as it crafted the draft master plan. He introduced Anthony Cortese, Regional Planner, who will facilitate the continuing dialog between the NJTPA and the Council. By way of background, Mr. Balzano explained that the 15-member Highlands Council was formed in 2004 and charged with developing a Regional Master Plan for protecting the state's drinking water supply while accommodating and facilitating future economic development in the Highlands region. Mr. Balzano said the Highlands region provides 115 billion gallons of drinking water to the greater New Jersey metropolitan area. He stressed that it is a finite resource that is at risk and must be protected.

Mr. Balzano explained that the purpose of the master plan is to serve as a framework from which future planning for the area and collaboration on its development can move forward. He said the document is not fixed and will continue to evolve, particularly through the participation of the NJTPA. He noted that the Council can be of assistance to the NJTPA in its development of more strategic transportation investments. He stressed that a great deal of work on the master plan focused on identifying the location of critical resources and determining how those resources can be best managed in the long term, thereby providing greater predictability and efficiencies in advancing projects through the NEPA process. He noted that the Plan would facilitate understanding between local land use decision making and state policies. Mr. Balzano said the Highlands Council is in a good position to help the NJTPA in the area of land use.

Freeholder Zellman asked Mr. Balzano about the compatibility of the Council's project criteria with the recently updated criteria of the NJTPA. Mr. Balzano said the Highlands Council is not a transportation agency but rather charged to plan for the future of natural resources. The Freeholder also expressed concern about his use of the word "constraints" and whether or not the

Council would have ultimate decision making authority as to whether or not there will be transportation project advancement in some areas. She said she wanted assurance that the NJTPA's priorities would be anticipated. Mr. Balzano said that, at a previous meeting, it was acknowledged that the Council and the NJTPA would not always have goals in common, and assurance that there will not be potential for conflict in the Plan could not be provided. He said the plan provides a framework for resolution, and the greater predictability and efficiency inherent in the plan will point to potential conflicts sooner and make resolution of issues much easier.

Freeholder Gene Feyl, Morris County, said the plan was not well thought out and was being rushed to adoption without consideration of the needs of local governments. Mr. Balzano stressed that the plan is a living document that allows for adjustment and revision as more information is learned through ongoing dialog with county and municipal partners. He reiterated that it is necessary to protect the drinking water supply as well as plan for maximum sustainable economic development in the Highlands area.

In answer to another question from Freeholder Zellman, Mr. Balzano said that the plan's technical data had been released and was available on the Council's web site. He said the information is being formatted to make it more readily accessible to property owners and interested parties.

Donald Kuser, of Robert A. Roe and Assoc., Inc., asked about the possibility of adjusting the boundaries of areas designated in the Highlands Act. (The Act designates two areas with distinct land use parameters – Preservation and Planning.) Mr. Balzano said that the Council examined resource constraints when determining the boundaries of the land use types and consistently let science inform those decisions.

Mr. Balzano encouraged the Board members to continue their involvement and participation even after the comment period ends on April 2nd. He said such participation will help the Council continue to develop and refine the master plan. He added that policy allows that to happen.

J) Public Participation

William Wright, Association of Railroad Passengers, asked the NJTPA to support an increase in the gasoline tax instead of a proposed transit fare increase. Mr. Wright said that the state Legislature's failure to raise the gasoline tax is the reason for the NJ Transit funding shortfall.

K) Time and Place of Next Meeting

Chairman Sullivan announced that the next meeting of the NJTPA will be held on Monday, May 14th at 10:00 a.m., at the NJTPA offices at One Newark Center, Newark, NJ.

L) Adjournment

The meeting was adjourned at 11:09 a.m. by unanimous verbal acclaim.