



Kathryn A. DeFillippo, Chair
Mary D. Ameen, Executive Director

KATHRYN A. DeFILLIPPO, CHAIR

VIRTUAL BOARD MEETING AGENDA

January 11, 2021

10:30 AM

Log in to Go to Meeting via computer, tablet or smartphone:

<https://global.gotomeeting.com/join/208416981>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3212](tel:+18722403212)

Access Code: 208-416-981

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 208 416 981

Or dial directly: [208416981@67.217.95.2](tel:208416981) or 67.217.95.2##208416981

A. Open Public Meetings Act Compliance

B. Roll Call

C. Approval of Minutes

D. Chairman's Remarks

E. Executive Director's Report

F. Committee Reports/Action Items*

• Project Prioritization – Commissioner John W. Bartlett, Chair

1. Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the Ferry Slip Reconstruction at the CRRNJ Terminal State Historic Site - Phase 1 (Attachment F.1.a, F.1.b)
2. Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the Clay Street Bridge over Passaic River Project in Hudson County (Attachment F.2.a, F.2.b)
3. Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the Bridge Street Bridge over the Passaic River Project in Essex County (Attachment F.3.a, F.3.b.)

* Following the Committee Reports, there will be an opportunity for public comment prior to any Action Item vote.

- Planning and Economic Development – Commissioner John P. Kelly, Chair

4. Approval of the North Jersey Transportation Planning Authority Title VI Implementation Plan Update (F.4.a., F.4.b., F.4.c.)
5. Support for Public Transit Agency Safety Plan Targets Set by the New Jersey Transit Corporation (Attachment F.5.a., F.5.b.)

- Freight Initiatives – Commissioner Charles Kenny, Chair

- G. Planning for 2050 Presentation: 2021's Long Recovery Crawl: Coronavirus-Driven Disruptions and Upheavals Reshaping New Jersey – Dr. James W. Hughes, University Professor and Dean Emeritus of the Edward J. Bloustein School of Planning and Public Policy, Rutgers, the State University of New Jersey
- H. Public Participation
- I. Time and Place of Next Meeting: The next virtual meeting of the NJTPA will be held on March 8, 2021 10:30 a.m. Log-in detail will be provided.
- J. Adjournment

**NJTPA Board Meeting
Virtual Meeting Notice
January 11, 2021, 10:30 AM
(Agenda Package Attached)**

The agenda package for the January 11, 2021 Board meeting is attached. The meeting will be held via GoToMeeting. The log-in details are below. Please login 5-10 minutes early to ensure your connection works.

To participate please click on the meeting link at the bottom of this page from your computer, tablet or smartphone. (If participating by smartphone only, you will need to install the GoToMeeting app either in the Apple store or Google Play store.)

If your computer does not have a microphone, choose “phone call” after you log in via the link and you will be provided with call-in information. **Please be sure to enter the audio PIN number provided to properly connect your phone audio.**

If you are unable to participate by computer or smart phone, you can use the call-in information at the bottom of this document to participate by telephone only. **However, we strongly recommend using a computer or the GoToMeeting app on your smartphone if possible.**

Further information is available in the GoToMeeting Quick Guide for Attendees at <https://www.gotomeeting.com/meeting/resources/gotomeeting-quick-and-helpful-guide-for-attendees>

If you have any questions or concerns, don't hesitate to contact me at 973-639-8410.

Log-In Details

**NJTPA Board Meeting
January 11, 2021
10:30 AM**

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/208416981>

You can also dial in using your phone.
United States: [+1 \(872\) 240-3212](tel:+18722403212)

Access Code: 208-416-981

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 208 416 981
Or dial directly: [208416981@67.217.95.2](tel:208416981@67.217.95.2) or 67.217.95.2##208416981

New to GoToMeeting? Get the app now and be ready when your first meeting starts:
<https://global.gotomeeting.com/install/208416981>



Kathryn A. DeFillippo, Chair
Mary D. Ameen, Executive Director

KATHRYN A. DeFILLIPPO, CHAIR

Board Meeting Minutes

November 9, 2020

A. Open Public Meetings Act Compliance

Chair Kathy DeFillippo, Morris County, called the meeting to order at 10:30 a.m. Beverly Morris, Central Staff, reported 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 *Asbury Park Press*, the *Courier News*, the *Daily Record*, the *Home News Tribune*, the *Jersey Journal*, *New Jersey Herald*, and *The Record*.

B. Roll Call

Following the salute to the flag, Ms. Morris called the roll. Nineteen voting members were present. (Attachment 1).

C. Approval of Minutes

A motion to approve the minutes of the September 14, 2020 meeting was made by Warren County, seconded by Hunterdon County and carried with 17 affirmative votes. Essex and Union counties abstained.

D. Chairman's Remarks

Chair DeFillippo said it is heartening to see the level of participation in the virtual Board and standing committee meetings and thanked all for their ongoing interest in the work of the NJTPA. She said NJTPA's commitment to fulfilling its responsibilities on behalf of the public, despite the challenges of the pandemic, was demonstrated by the numerous items on the meeting agenda, which she outlined.

The Chair also noted that endorsement of the State of New Jersey's Transportation Capital Program was also on the agenda. The program calls for \$3.3 billion in transportation investment in the NJTPA region in the current fiscal year and is the basis for the Transportation Improvement Program (TIP), which allows NJTPA region to draw down federal transportation funding. She noted that there are some concerns about specific projects and programs in the Transportation Capital Program and said that while the program has already been approved by the New Jersey Legislature, as the region's Metropolitan Planning Organization (MPO) the NJTPA provides a forum where such concerns can be raised publicly and put on the record. The

Chair added that, by working with partners at all levels, the TIP process may be able to address these concerns.

Chair DeFillippo noted that there is a great deal of uncertainty about the direction of the federal government after the national election, but the NJTPA will look to the federal government to help not only restore the nation's health, but also to rebuild the struggling economy. She said investments in transportation are sure to be part of federal recovery programs, and noted that during the Great Recession of 2008, the NJTPA Board played a crucial role in directing stimulus funds for transportation to worthy projects. She said the NJTPA must be prepared to take up a similar role in the near future—paying greater attention to equity concerns and addressing the disproportionate burden that low income and minority communities have faced, both historically and in the current crisis and downturn.

In response to the Chair's request for any comment, Jeremy Colangelo-Bryan, NJ TRANSIT, said the agency is engaged in securing federal funding support, which is critical to ongoing operations. He noted that NJ TRANSIT's normally good farebox recovery ratio suffers when ridership drops substantially. He said, while there has been some return to transit services, the New York City office market continues to struggle, and the ridership market has not rebounded. Mr. Colangelo-Bryan noted that the returning riding public will see that the system is operating well, the equipment is quite clean, and NJ TRANSIT is working with customers to encourage appropriate actions on board, such as wearing masks. He asked the trustees to encourage their constituents to comply with the pandemic-related precautions.

E. Executive Director's Report

NJTPA Executive Director Mary D. Ameen, said NJTPA staff has been busy working on several different projects and programs, all of which are guided by the Unified Planning Work Program (UPWP) that was adopted by the Board last March. She said planning begins for the Fiscal Year 2022 UPWP, which begins July 1, 2021, and staff continue to reach out to subregions and member agencies for input. Ms. Ameen noted that while the NJTPA staff is still working remotely, they have maintained strong collaboration with state and federal partners, other MPOs nationwide, and the private sector. She said this includes sharing expertise and work at events:

- Central Staff members participated in three Federal Highway Administration (FHWA) events: the New Jersey Air Quality workshop; the New Jersey Systems Engineering for ITS workshops; and a webinar on Communicating the Benefits of Intersection Safety. Ms. Ameen noted that FHWA applauded the NJTPA Street Smart NJ, pedestrian safety campaign.
- Staff moderated a session on Performance Based Planning at the Association of Metropolitan Planning Organizations' (AMPO) virtual annual conference and presented at the recent Central Jersey Transportation Forum meeting.
- Staff continues to work on Together North Jersey, which recently held a round of task force meetings, and kicked off a three-part webinar series on brownfields in partnership with NJIT.

- Staff and Board members participated in the first virtual TransAction conference in October. Chair DeFillippo moderated the NJTPA's live session on public engagement. Freeholder John Bartlett, Passaic County, and Freeholder Charles Kenny, Middlesex County moderated pre-recorded sessions on road safety audits and the NJTPA's freight planning work. Ms. Ameen noted that over 800 people participated in the virtual event, and about 90 people attended the NJTPA live session.

Ms. Ameen reminded all that the next installment of the TPA Tuesdays Symposium Series is scheduled for December 8. The series is part of outreach for the long-range transportation plan. The first symposium focused on Adapting to Change, and the December symposium will focus on Advancing Equitable Transportation Systems. Ms. Ameen also announced that the NJTPA will host the virtual December 4 annual meeting of the Metropolitan Area Planning (MAP) Forum. She noted that the MAP Forum brings together 10 MPOs from New Jersey, New York, Connecticut and Pennsylvania to work in partnership produce better planning products and programs for the larger region.

Ms. Ameen recalled that during the NJTPA's last federal certification review, the agency was asked to establish a Title VI implementation plan outlining how the NJTPA ensures it addresses the needs of minority and low-income communities its planning work. The Board approved a Title VI Plan in September 2019. She said federal reviewers asked the NJTPA to include additional information on Title VI monitoring activities and related issues. She said staff provided this draft language to FHWA and the Federal Transit Administration, and they have endorsed it. The Board will be asked to approve the revised and updated Title VI Plan in January.

Ms. Ameen reminded all to share the survey on the NJTPA's Plan 2050 web page widely to promote as much public involvement as possible.

F. Committee Reports/Action Items

Project Prioritization – Freeholder John W. Bartlett, Chair

Freeholder Bartlett reported that the Committee considered eight action items at the Joint Committee meeting in October. First, the Committee recommended endorsement of the State's FY 2021 Transportation Capital Program, which provides the foundation for the NJTPA's Transportation Improvement Program for the TIP. He said the Capital Program and a summary of changes to projects was provided to members of the Project Prioritization Committee and RTAC review in October. The 2021 program includes nearly \$3.3 billion for investment in the NJTPA region, out of a total of \$4.6 billion statewide. This includes \$2 billion in NJDOT projects and programs and \$1.3 billion for NJ TRANSIT. Freeholder Bartlett noted that, while the committee recommended endorsement of the Capital Program, some subregions expressed concerns about the inclusion or omission of projects and funding in the program.

The Freeholder said, next, the Committee recommended approval of 11 Local Safety projects totaling \$71.2 million and two High Risk Rural Roads projects totaling \$25 million. He said the

projects were screened and recommended by an interagency technical review committee, and he noted that this action represents a substantial increase in funding for these programs.

Freeholder Bartlett said the Committee next endorsed a Minor Amendment to the current TIP to add the Route 15/Route 94 to Route 206/County Route 565 project in Sussex County. This resurfacing project is ready for Construction in the current fiscal year and can move forward with the addition of \$7.2 million in federal funds.

The Freeholder said that the Committee endorsed five more minor amendments to add locally led projects to the TIP so they can advance to the Preliminary Engineering phase of work. He said funds for these projects are available from the NJTPA future projects line item. The projects and their funding levels are as follows:

- County Route 510 (Columbia Turnpike) Bridge over Black Brook Project in Morris County – \$400,000 in FY 2021 for Preliminary Engineering and \$6.3 million for additional work in later years including construction in FY 2024.
- East Anderson Street Bridge over the Hackensack River in Bergen County – \$1.9 million in FY 2021 for Preliminary Engineering and \$41.1 million for additional work in later years including construction in FY 2026.
- Kingsland Avenue Bridge over Passaic River in Bergen County – \$1.5 million in FY 2021 for Preliminary Engineering and \$37.7 million for additional work in later years including construction in FY 2026.
- County Route 567 (Picket Place) Bridge over South Branch of Raritan River Project in Somerset County – \$1.4 million in FY 2021 for Preliminary Engineering and \$11.6 million for additional work in later years including construction in FY 2025.
- County Route 512 (Valley Road) Bridge over Passaic River Project in Somerset County – \$1 million in FY 2021 for Preliminary Engineering and \$8.1 million for additional work in later years including construction in FY 2025.

Action Item 1: Endorsement of the Draft FY 2021 Transportation Capital Program (Attachment 2)

A motion to approve the resolution was made by Middlesex County, seconded by Hudson County.

Freeholder Jason Sarnoski, Warren County thanked Chair DeFillippo and Freeholder Bartlett for the bipartisan way they support the NJTPA subregions and address the concerns they bring up. He said he opposes the program in its current form because the Route 57, County Route 519 Intersection Improvement project in Lopatcong continues to be delayed. He thanked NJDOT for trying to work through the issues with him but said until they are resolved he will continue to push for moving the project forward on behalf of Warren County. Also, Freeholder Sarnoski said his region continues to have many issues with parts of the Route 80 Rockfall Mitigation project in Hardwick Township and still does not feel that their concerns and questions have been answered adequately.

Freeholder Matthew Holt, Hunterdon County, said he would support the Capital Program, but added that there are two other rockfall projects of concern on Route 78 in Bethlehem Township

and Route 29 in Kingwood Township. He said he joins with Warren County in trying to find sensible solutions to address the costs and impacts of rockfall mitigation projects.

The motion was carried with 18 affirmative votes. Warren County cast a negative vote.

Action Item 2: Approval of Projects for the 2020 Local Safety Program and High Risk Rural Roads Program (Attachment 3)

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

Action Item 3: Minor Amendment to the FY 2020 - 2023 Transportation Improvement Program to Add the Route 15, Route 94 to Route 206/CR 565 Project in Sussex County (Attachment 4)

Action Item 4: Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the CR510 (Columbia Turnpike) Bridge over Black Brook Project in Morris County (Attachment 5)

Action Item 5: Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the East Anderson Street Bridge over the Hackensack River Project in Bergen County (Attachment 6)

Action Item 6: Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the Kingsland Avenue Bridge over Passaic River in Bergen County (Attachment 7)

Action Item 7: Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the CR 567 (Picket Place) Bridge over South Branch of Raritan River Project in Somerset County (Attachment 8)

Action Item 8: Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add the CR 512 (Valley Road) Bridge over Passaic River Project in Somerset County (Attachment 9.)

A motion to approve Action Items 3 through 8 was made by Sussex County, seconded by Warren County and carried unanimously.

Planning and Economic Development – Freeholder John P. Kelly, Chair

Freeholder Kelly reported that the Committee considered three action items at the October joint meeting. First was the annual update to the federally required safety performance measure targets for the region, which were first adopted in 2017. He said the NJTPA coordinated with NJDOT, the New Jersey Division of Highway Traffic Safety, and the other New Jersey MPOs to analyze trends and set targets for five performance measures set by the Federal Highway Administration. These safety performance measures include: the number and rate of fatalities, the number and rate of serious injuries, and the number of non-motorized fatalities and non-motorized serious injuries.

The Freeholder said the committee was informed that a new, expanded federal definition of serious injuries was established in 2019, making it difficult to gauge the region's progress in reducing injuries, but overall, the NJTPA region has seen a reduction in the number and rate of traffic fatalities. He said, with this action, the NJTPA will agree to plan and program projects that support the attainment of the state safety performance measures targets for 2021. He noted that the NJTPA continues to accomplish this goal through its Local Safety and High Risk Rural Roads programs, Street Smart New Jersey, and many other safety programs.

Freeholder Kelly said the next two action items concerned approval of federal Congestion Management Air Quality (CMAQ) funding for locally sponsored projects aimed at reducing air pollution and congestion. First, the Committee recommended approval of the FY 2021-2023 CMAQ funding for the Transportation Clean Air Measures Program (TCAMs). He said, in coordination with NJDOT, the NJTPA is recommending a total of \$20.6 million for 11 TCAM projects to be implemented by member subregions, as well as three municipalities, a Transportation Management Association, a state agency, and one private company. The funds will go toward implementing zero emissions goods movement; reducing emergency vehicle idling; providing electric vehicle charging grants; making trail and path improvements; optimizing traffic signals; and purchasing electric buses. Recipients include Essex, Monmouth, Morris and Passaic counties; the municipalities of Paterson, Union City, and Weehawken; EZ Ride TMA; the New Jersey Department of Environmental Protection; and International Motor Freight.

The Freeholder said the final action item involved approval of FY 2021 CMAQ funding for the Local Mobility Initiatives program. He said this program supports local shuttle bus operations and vehicle replacement. In coordination with NJ TRANSIT, the NJTPA staff recommends four projects for implementation, totaling \$1.9 million. Three of the recommended projects are for vehicle replacements for: the Sussex County Skylands Ride program; the Borough of Fort Lee's ferry access service; and shuttles operated by the City of Orange Commuter Transportation Project. The fourth provides operational support for the Jersey Blues Line sponsored by Brookdale Community College in Monmouth County.

Freeholder Kelly said the Committee heard a presentation by Khalid Shaikh, NJDOT Project Manager for the development and implementation of the New Jersey 2020 Strategic Highway Safety Plan. This data-driven, performance-based, five-year plan is designed to reduce fatalities and serious injuries on all public roads in the state. Emphasis areas in the plan include equity, lane departure, intersections, driver behavior, pedestrians and bicyclists, and other vulnerable road users.

The Freeholder said NJTPA staff informed the Committee that NJDOT has submitted the NJTPA CMAQ Performance Plan to FHWA as part of its Mid Performance Period Progress Report. This Plan demonstrates the region's progress on three federally required performance measures, two dealing with congestion and one concerning the reduction of vehicle emissions. The NJTPA's plan shows that targets for these three measures have been met, and it also provides a list of upcoming CMAQ projects and discusses their part in improving air quality. Also, Central Staff provided updates on recent activities, including Plan 2050 outreach, Title VI planning, and the FY 2022 UPWP development schedule.

Action Item 9: Support for 2021 Safety Performance Measure Targets Set by the NJDOT in Collaboration with the NJTPA and other MPOs in New Jersey (Attachment 10)

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

Action Item 10: Approval of FY 2021-2023 Congestion Management Air Quality (CMAQ) Funding for the Transportation Clean Air Measures Program (Attachment 11)

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

Trevor Howard, City of Newark inquired about the status of the City's application for CMAQ funding for its Intelligent Transportation System projects. Mike Russo, NJDOT, said he would make inquiries and get back to Mr. Howard.

Action Item 11: Approval of FY 2021-2023 CMAQ Funding for the Local Mobility Initiatives (Attachment 12)

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

Freight Initiatives – Freeholder Charles Kenny, Chair

Freeholder Kenny reported that, at the October Freight Initiatives Committee meeting, Central Staff informed the committee that the NJTPA is working with the Council on Port Performance on a workforce development implementation team to address the workforce shortages that are challenging operations as the port sees a rise in container activity. He said August saw more containers in one month at the port than ever before. That was soon followed in September by the arrival at Port Newark/Elizabeth of a Brazilian vessel that is now the largest to ever serve the port. Staff also informed the Committee about developments in the area of industrial real estate, noting that the region's portfolio of industrial properties continues to grow, reaching 851 million square feet during the third quarter. E-commerce remains a huge driver of this activity, as does the food industry.

The Freeholder said guest speakers at the meeting focused on two critical supply chains—pharmaceuticals and food. They discussed how these industries responded during the pandemic and how they are pivoting based on changing demands and requirements.

Freeholder Kenny said the first guest speaker was Ronald T. Piervincenzi, Chief Executive Officer, United States Pharmacopeia (USP), which sets quality standards for medicines worldwide. He briefed the Committee on the international prescription drug supply chain, which extends from ingredient suppliers to manufacturers, to wholesalers and distributors, to providers and patients. He noted that quality issues are the root cause of drug shortages, along with increased demand, natural disasters, and regulatory and logistical hurdles, to name a few. In response to the COVID-19 pandemic, USP created an early warning system tracking one million

medicines worldwide in order to identify supply chain risks. It has also created a team to reach out to COVID-19 vaccine manufacturers globally to let them know of the availability of USP standards and technical expertise to help them meet regulatory requirements.

The Freeholder said the next guest speaker was Linda Doherty, President & CEO of the New Jersey Food Council, who briefed the committee on trends affecting the New Jersey food and groceries supply chain. The Council is an alliance of food retailers and their supplier partners, representing a \$136 billion industry. In response to the COVID-19 crisis, the State of New Jersey assembled a Food Supply Chain Working Group that includes Food Council members and representatives from the Governor's Office, several government agencies, the New Jersey State Police, Conrail, and the NJTPA.

Freeholder Kenny said Ms. Doherty reported that, in the early days of the pandemic in New Jersey, the entire supply chain was disrupted by workforce challenges and shortages. These operations are seeing an uptick in COVID-19 cases, so self-quarantine is causing operational disruption of a workforce whose positions are difficult to fill. She concluded by saying that the food industry supply chain has stabilized significantly but is still challenged by gaps in product availability. She also said that the New Jersey Food Council is now better prepared for future developments.

The Freeholder said, also at the meeting, committee members provided brief updates on freight-related activities:

- NJDOT is starting the process for the New Jersey Statewide Freight Plan Update; applications for the Rail Freight Assistance Program have closed and the grant process is underway; and there will be a virtual Freight Advisory Committee meeting on November 19.
- The Port Authority is seeing a slight uptick in cargo at the airports, while passenger volume is still down. Traffic volume continues to rebound at the bridge and tunnel crossings.
- NJ TRANSIT will begin work on the New Jersey State Rail Plan in collaboration with NJDOT.
- A new Hudson County study will assess freight in the County, with a focus on trucking.
- The City of Newark has begun work on its Port Industrial Redevelopment Plan that will focus on infrastructure, land use, and community satisfaction in the port industrial area.

G) Planning for 2050 Presentation: COVID-19 and Transit

Sam Schwartz, CEO, Sam Schwartz firm, said the decline in transit usage is an existential threat to the region, noting that New York University estimates that this continued decline could result in a loss in the region of 450,000 jobs and \$50 billion in annual earnings, and \$65 billion in the region's annual GDP. Mr. Schwartz said this decline has much to do with fear that is not based on science. He said his firm's research team conducted a six-month review of scientific literature and interviews with virologists, epidemiologists, and public health experts, nationally and internationally, to understand the science of COVID-19 and transit, and they found no clear link between transit ridership and contracting the virus.

Mr. Schwartz said the study findings indicate that communities with the highest per capita COVID case rates in the U.S. rely mostly on cars. He said, in the early days of the pandemic, case rates were higher regardless of commute mode, because of where commuters went, often to essential front-line jobs which had more associated risk for contracting the virus. Mr. Schwartz said that New York City's transit systems exceed recommendations for air changes per hour on buses and trains, and opening doors at frequent stops also helps to refresh the air. In addition, he said, subway riders tend not to talk much.

Mr. Schwartz noted that, in terms of equity, many front-line workers, who were hailed as "heroes" during the early days of the epidemic, are low-income transit users who found themselves challenged by decreased services brought about by falling ridership and fare revenues. Meanwhile, those who could afford to drive were encouraged to do so by local and national policies and employers who promoted the view that transit is dangerous and single-occupancy car use is a protection against transmission. Not only is this a myth, Mr. Schwartz said, but cars are 20 times more dangerous in terms of probability for fatalities per passenger mile than trains or busses, and secondary impacts from heavier reliance on cars include more pollution, inactivity diseases, and acceleration of climate change.

Chair DeFillippo said, while it is safe to use transit, travelers should continue to wear masks and wash hands frequently.

H) Public Participation

There were no comments from the public.

I) Time and Place of Next Meeting

Chair DeFillippo announced that the next virtual meeting of the NJTPA Board will be held on Monday, January 11, 2021 at 10:30 a.m.

J) Adjournment

At 11:50 a.m., a motion to adjourn was made by Ocean County, seconded by Middlesex County and carried unanimously.

Attachment 1

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.
Meeting of the Board of Trustees
Attendance Record: November 9, 2020

Subregion/Agency	Voting Members/Alternates	Staff & Others
Bergen County	Peter Botsolas	Joseph Baladi
Essex County	David Antonio	
Hudson County	Byron Nicholas	
Hunterdon County	Hon. Matthew Holt Hon. Zach Rich	Carrie Fellows
Jersey City	Barkha Patel	Elias Guseman
Middlesex County	Hon. Charles Kenny Doug Greenfield	Solomon Caviness Rajvanshi Vijayant
Monmouth County	Teri O'Connor	Joseph Ettore David Schmetterer James Bonanno
Morris County	Hon. Kathy DeFillippo John Hayes	
Newark	Phillip Scott	Trevor Howard
Ocean County	Hon. John Kelly John Ernst	
Passaic County	Hon. John Bartlett	Mike Lysicatos Sal Presti
Somerset County	Walt Lane	
Sussex County	Hon. Joshua Hertzberg Tom Drabic	
Union County	Hon. Bette Jane Kowalski	Liza Betz
Warren County	Hon. Jason Sarnoski David Dech	
Governor's Office	Lauren LaRusso	
NJDOT	Mike Russo	
NJ TRANSIT	Jeremy Colangelo-Bryan	
Port Authority of NY & NJ	Jay Shuffield	
Citizen's Representative	Not represented	

Other Attendees	
Anna Aleynick	AECOM

Neile Weissman	Complete George
Jack Kanarek	Dewberry
Ray Tomczac	Federal Transit Administration
Bob Werkmeister	GPI
Coleen Wilson	Lohud.com
Ted DelGuercio, III	McManimon, Scotland & Baumann, LLC
Various members of Central Staff	NJTPA
Sam Schwartz	Sam Schwartz
William Brooks	Stv.com
Lian Cheng	
Kelly McGuinness	
Kenneth Burke	
Louis Luglio	
Steven Wong	

DRAFT RESOLUTION: ENDORSEMENT OF THE FY 2021 TRANSPORTATION CAPITAL PROGRAM

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA is the MPO responsible for updating the Transportation Improvement Program (TIP) for the northern part of New Jersey as required by 23 CFR Part 450 and 49 CFR Part 613; and

WHEREAS, by federal and state law, NJ TRANSIT, the New Jersey Department of Transportation (NJDOT) and the state's three MPOs biennially establish the federal and state revenue levels that each organization will program for projects and programs in the State's Transportation Capital Program (TCP) and the Statewide Transportation Improvement Program (STIP); and

WHEREAS, the TCP describes the planned capital investments for all highway, bridge, transit, and transportation related projects funded with federal, state, and third-party funds and is required to be approved annually as part of the New Jersey State Budget; and

WHEREAS, the FY 2021 TCP was developed by NJDOT and NJ TRANSIT and is an annual element for the NJTPA's federally-required Transportation Improvement Program (TIP); and

WHEREAS, NJTPA Central Staff and the subregions have reviewed the TCP; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the North Jersey Transportation Planning Authority hereby endorses the FY 2021 Transportation Capital Program.

BE IT FURTHER RESOLVED copies of this resolution be forwarded to the New Jersey Department of Transportation and NJ TRANSIT for submission to the Federal Highway Administration and Federal Transit Administration.

Attachment 3

DRAFT RESOLUTION: APPROVAL OF PROJECTS FOR THE 2020 LOCAL SAFETY PROGRAM AND HIGH RISK RURAL ROADS PROGRAM

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the Local Safety Program (LSP) and High Risk Rural Roads Program (HRRRP) are supported funds from the Federal Highway Administration's Highway Safety Improvements Program (HSIP); and

WHEREAS, the LSP provides an opportunity for eligible applicants to apply for federal funding for the construction of safety improvements on county and eligible local roadway facilities within the region which have crash rates that exceed the NJTPA region's average for those functional classes of roadways; and

WHEREAS, HRRRP provides an opportunity for eligible applicants to apply for federal funding for the construction of safety improvements on roadways that are functionally classified as rural major or minor collectors or as local rural roads and have crash rates that exceed the NJTPA region's average for those functional classes of roadways; and

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) sent out solicitation notifications in July 2019 inviting eligible sponsors to submit applications for the programs; and

WHEREAS, NJTPA received 11 eligible LSP applications and two HRRRP applications; and

WHEREAS, a Technical Review Committee comprised of NJTPA Central Staff, the NJDOT Division of Local Aid, the NJDOT Division of Safety, Bicycle and Pedestrian Programs and the NJDOT Bureau of Environmental Program Resources reviewed the applications; and

WHEREAS, within the NJTPA region, the NJDOT has agreed to fund the top-scoring Local Safety projects and High Risk Rural Roads projects with a combined funding total of \$96.2 million; and

WHEREAS, the recommended projects address the goals of the programs as defined; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the attached list of projects for the Local Safety Program and the High Risk Rural Roads Program.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration and to the counties of the selected applicants.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO ADD
THE ROUTE 15, ROUTE 94 TO ROUTE 206/CR 565
PROJECT IN SUSSEX COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when federal funds above a specified threshold are added to a project, when a project programmed with federal funds is added to the TIP, when federal funds are deleted from a project or when the construction phase of work is moved out of the constrained years of the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, the New Jersey Department of Transportation has requested the addition of the Route 15, Route 94 to Route 206/CR 565 resurfacing project in Sussex County to the TIP (DB# 18344) and federal National Highway Performance Program funds for its construction phase; and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to this action; and

WHEREAS, the FY 2020 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Attachment 5

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO ADD
THE CR510 (COLUMBIA TURNPIKE BRIDGE OVER
BLACK BROOK PROJECT IN MORRIS COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when federal funds above a specified threshold are added to a project, when a project programmed with federal funds is added to the TIP, when federal funds are deleted from a project or when the construction phase of work is moved out of the constrained years of the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, Morris County has requested the addition of the CR 510 (Columbia Turnpike), Bridge over Black Brook project in Morris County (DB#N1604) to the TIP utilizing STBGP-NY/NWK federal funds available in the NJTPA program, Future Projects (DB# N063): and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements does not apply to this action; and

WHEREAS, the FY 2020 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Attachment 6

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO ADD
THE EAST ANDERSON STREET BRIDGE OVER THE
HACKENSACK RIVER PROJECT IN BERGEN COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when federal funds above a specified threshold are added to a project, when a project programmed with federal funds is added to the TIP, when federal funds are deleted from a project or when the construction phase of work is moved out of the constrained years of the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, Bergen County has requested the addition of the East Anderson Street Bridge over the Hackensack River project in Bergen County to the TIP (DB# N1801) utilizing STBGP-NY/NWK federal funds available in the NJTPA program, Future Projects (DB# N063); and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements does not apply to this action; and

WHEREAS, the FY 2020 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO ADD
THE KINGSLAND AVENUE, BRIDGE OVER PASSAIC
RIVER IN BERGEN COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when federal funds above a specified threshold are added to a project, when a project programmed with federal funds is added to the TIP, when federal funds are deleted from a project or when the construction phase of work is moved out of the constrained years of the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, Bergen County has requested the addition of the Kingsland Avenue, Bridge over Passaic River project in Bergen County to the TIP (DB#N1601) utilizing STBGP-NY/NWK federal funds available in the NJTPA program, Future Projects (DB# N063); and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements does not apply to this action; and

WHEREAS, the FY 2020 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Attachment 8

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO ADD
THE CR 567 (PICKET PLACE) BRIDGE OVER SOUTH
BRANCH OF RARITAN RIVER PROJECT IN SOMERSET
COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when federal funds above a specified threshold are added to a project, when a project programmed with federal funds is added to the TIP, when federal funds are deleted from a project or when the construction phase of work is moved out of the constrained years of the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, Somerset County has requested the addition of the Picket Place, CR 567 Bridge over South Branch of Raritan River project in Somerset County to the TIP (DB# N1807) utilizing STBGP-NY/NWK federal funds available in the NJTPA program, Future Projects (DB# N063); and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements does not apply to this action; and

WHEREAS, the FY 2020 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Attachment 9

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO ADD
THE CR 512 (VALLEY ROAD), BRIDGE OVER PASSAIC
RIVER PROJECT IN SOMERSET COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when federal funds above a specified threshold are added to a project, when a project programmed with federal funds is added to the TIP, when federal funds are deleted from a project or when the construction phase of work is moved out of the constrained years of the TIP and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, Somerset County has requested the addition of the CR 512 (Valley Road), Bridge over Passaic River project in Somerset County to the TIP (DB#N1607) utilizing STBGP-NY/NWK federal funds available in the NJTPA program, Future Projects (DB# N063); and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements does not apply to this action; and

WHEREAS, the FY 2020 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Attachment 10

DRAFT RESOLUTION: SUPPORT FOR 2021 SAFETY PERFORMANCE MEASURE TARGETS SET BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN COLLABORATION WITH THE NJTPA AND OTHER METROPOLITAN PLANNING ORGANIZATIONS IN NEW JERSEY

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, Title 23, Section 134 of the United States Code requires that each MPO undertake a transportation planning process that shall provide for the establishment and use of a performance-based approach to transportation decision-making to support national goals; that each MPO shall establish performance targets that address the performance measures, tracking progress toward attainment of critical outcomes for the region; and that each MPO shall integrate those targets into their planning documents and processes; and

WHEREAS, the Federal Highway Administration (FHWA) published the final rule, (23 CFR Part 490), on the Highway Safety Improvement Program (HSIP) on April 14, 2016, requiring the New Jersey Department of Transportation (NJDOT) to annually develop and adopt targets assessing number of motor vehicle crash-related serious injuries and fatalities; serious injuries and fatalities per vehicle miles traveled (VMT); and number of serious injuries and fatalities of non-motorized users; and

WHEREAS, on May 27, 2016 the Federal Highway Administration (FHWA) issued a final rule on metropolitan planning (23 CFR 450 & 771 and 49 CFR 613), under which MPOs must adopt safety targets by February 27, 2018 and each year thereafter; and

WHEREAS, the final rule also requires that MPOs coordinate with NJDOT to set performance targets for the specified measures and integrate those targets into their planning documents and processes; and

WHEREAS, the NJTPA coordinated with NJDOT, the New Jersey Division of Highway Traffic Safety, and the other MPOs in New Jersey on analyzing trends and developing appropriate safety targets; and

WHEREAS, the final rule on metropolitan planning states that MPOs have the option to (1) agree to program investments in support of NJDOT's targets, or (2) set their own quantifiable targets; and

WHEREAS, the statewide targets appropriately reflect and will serve as suitable benchmarks for the planning goals and desired outcomes for the projects and programs of the NJTPA Long Range Transportation Plan and Transportation Improvement Program; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval; and

NOW, THEREFORE, BE IT RESOLVED, that the NJTPA hereby supports the 2021 statewide targets for each of the safety performance measures set by NJDOT from the National Performance Management Measures: Highway Safety Improvement Program (HSIP); Final Rule (23 CFR 490); and

BE IT FURTHER RESOLVED, that the NJTPA will program investments that support the achievement of the performance targets in support of the NJDOT HSIP; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

DRAFT RESOLUTION: APPROVAL OF FY 2021-2023 CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT FUNDING FOR THE TRANSPORTATION CLEAN AIR MEASURES PROGRAM

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, under Moving Ahead for Progress in the 21st Century (MAP-21) and continued under the FAST Act, New Jersey receives Federal Congestion Mitigation and Air Quality Improvement (CMAQ) funds as a state with non-attainment and maintenance areas for ozone (VOCs and NO_x), carbon monoxide (CO) and particulate matter (PM_{2.5}); and

WHEREAS, the NJTPA maintains a study of possible Transportation Clean Air Measures (TCAMs) to identify appropriate projects to reduce criteria air pollutants and congestion; and

WHEREAS, based on a regional solicitation and in coordination with the NJDOT, the NJTPA has identified eleven suitable TCAM projects anticipated to reduce air pollutants and congestion, contingent on the availability of sufficient 2021–2023 CMAQ which is \$7.5 million per fiscal year, totaling \$22,500,000; and

WHEREAS, the NJTPA recommends \$20,613,500 in projects for CMAQ funding; and

WHEREAS, the NJTPA recommends eleven identified TCAM projects eligible for CMAQ funding:

- *Zero Emissions Goods Movement* - \$4,029,600 International Motor Freight
- *Emergency Vehicle Idle Reduction Program* - \$973,400 New Jersey Department of Environmental Protection
- *Patriot's Path Morristown/Hanover Shared Use Path* - \$3,827,525 County of Morris
- *Highlands Rail Trail - Phase II* - \$1,600,000 County of Passaic
- *It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grants Program* - \$5,039,900 New Jersey Department of Environmental Protection
- *EZ Electric* - \$960,000 EZ Ride
- *Electric Monmouth* - \$200,000 Monmouth County
- *Traffic Signal Optimization/Adaptive Traffic Signals Along Central Avenue/CR 508* - \$2,383,700 County of Essex
- *Traffic Signal Optimization* - \$1,000,000 Township of Weehawken & Union City
- *Traffic Circulation & Signal Optimization* \$359,3725 City of Paterson
- *JFK Boulevard Traffic Signal Optimization- Armstrong Avenue - Clinton Avenue (Part B)* - \$240,000 County of Hudson

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the eleven identified Transportation Clean Air Measures projects.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

DRAFT RESOLUTION: APPROVAL OF FY 2021 CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT FUNDING FOR THE LOCAL MOBILITY INITIATIVES

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, under the Fixing America's Surface Transportation (FAST) Act, New Jersey receives federal Congestion Mitigation and Air Quality Improvement (CMAQ) funds to advance selected Travel Demand Management (TDM) and non-traditional transit strategies designed to reduce congestion and/or reduce single occupancy vehicle usage and automobile emissions that will result in quantifiable reductions in emissions; and

WHEREAS, in coordination with NJ TRANSIT, the NJTPA supports the CMAQ Local Mobility Initiatives program with funding for shared ride service or shuttle operations and capital support in the form of vehicle replacement to reduce pollutant emissions and congestion; and

WHEREAS, the NJTPA is recommending the following three Vehicle Replacement projects eligible for CMAQ funds:

- Fort Lee Commuter Ferry Operations, Borough of Fort Lee Parking Authority - \$280,000;
- Sussex County Skylands Ride, Sussex County Department of Health and Human Services - \$500,000;
- Orange Commuter Transportation Project, City of Orange Township - \$185,000; and

WHEREAS, the NJTPA is recommending the following Operational Support project eligible for CMAQ funds:

- Jersey Blues Line, Brookdale Community College/Monmouth County - \$750,000; and

WHEREAS, the NJTPA is recommending \$1,715,000 for these four projects, and a 10 percent administrative fee for NJ TRANSIT of \$171,500, for a total recommended funding amount of \$1,866,500; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval;

2

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the four identified projects; and

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to NJ TRANSIT for submission to the Federal Transit Administration.



Kathryn A. DeFillippo, Chair
Mary D. Ameen, Executive Director

KATHRYN A. DeFILLIPPO, CHAIR

Board Meeting Minutes

December 14, 2020

A. Open Public Meetings Act Compliance

Chair Kathy DeFillippo, Morris County, called the meeting to order at 12:34 p.m. Beverly Morris, Central Staff, reported 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 *Asbury Park Press*, the *Courier News*, the *Daily Record*, the *Home News Tribune*, the *Jersey Journal*, *New Jersey Herald*, and *The Record*.

B. Roll Call

Ms. Morris called the roll, and 18 voting members were present. (Attachment 1).

C. Project Prioritization Committee (PPC) Report/Action Item

Chair DeFillippo called on PPC Chair Freeholder John W. Bartlett, Passaic County, to introduce the action item. The Freeholder reported that NJ TRANSIT requested a minor amendment to the Transportation Improvement Program (TIP) amendment to add \$766.5 million in federal funding for the Portal North Bridge project in Hudson County. The federal funding replaces state funding that was previously allocated from the New Jersey Turnpike Authority for the project. He said the funding is for the design, engineering, construction, and other necessary work to complete the proposed replacement of the existing bridge with a new fixed structure bridge on a new rail alignment.

Freeholder Bartlett said the new fixed bridge will replace the existing and unreliable movable span and improve reliability, allowing NJ TRANSIT to operate longer and higher-capacity trains. Additionally, trains will be able to cross the bridge at 90 miles per hour, up from 60 miles per hour.

The Freeholder said a local match of \$797.3 million by NJ TRANSIT is being committed to the Portal North Bridge replacement as well. The project is exempt from an air quality conformity determination and does not impact the current conformity determination. He said PPC members voted to recommend Board approval of the action item, which was considered at the joint committee meeting earlier that morning. He noted that NJ TRANSIT requested that the action be

taken as soon as possible after the joint committee meeting in order to expedite its agreement with the Federal Transit Administration on this important project.

Action Item: Minor Amendment to the FY 2020-2023 Transportation Improvement Program to Add Federal Funding for the Portal North Bridge as Requested by NJ TRANSIT (Attachment 2)

A motion to approve the resolution was made by Passaic County, seconded by Union County. Jeremy Colangelo-Bryan, NJ TRANSIT, thanked the Board for the special meeting to approve this action which allows the agency to advance the Full Funding Grant Agreement with the Federal Transit Administration (FTA). The project, he said, when completed, will allow the agency to put higher capacity trains into service, among other benefits. He noted that the project includes an intercity component, including funds contributed by Amtrak and the Federal Railroad Administration. Chair DeFillippo noted that NJTPA Board looks forward to implementing this important project.

The action item was approved unanimously.

E) Time and Place of Next Meeting

Chair DeFillippo announced that the next virtual meeting of the NJTPA Board will be held on Monday, January 11, 2021 at 10:30 a.m.

F) Adjournment

At 12:50 p.m., a motion to adjourn was made by Monmouth County, seconded by Somerset County and carried unanimously.

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

**Meeting of the Board of Trustees
Attendance Record: December 14, 2020**

Voting Members/Alternates

Hon. Kathryn DeFillippo, NJTPA Chair, Morris County Freeholder
Hon. John Bartlett, NJTPA First Vice Chair, Passaic County Freeholder
Hon. Charles Kenny, NJTPA Third Vice Chair, Middlesex County Freeholder
Hon. Jason Sarnoski, NJTPA Secretary, Warren County Freeholder
Diane Gutierrez-Scaccetti, Commissioner, NJ Department of Transportation
Peter Botsolas, Bergen County
David Antonio, Essex County
Byron Nicholas, Hudson County
Hon. Zach Rich, Hunterdon County Freeholder
Barkha Patel, Jersey City
Teri O'Connor, Monmouth County
Philip Scott, Newark
Walter Lane, Somerset County
Hon. Joshua Hertzberg, Sussex County Freeholder
Hon. Bette Jane Kowalski, Union County Freeholder
Lauren LaRusso, Governor's Office
Jeremy Colangelo-Bryant, NJ TRANSIT
Jay Shuffield, PANYNJ

Other Attendees

Michael Russo, Assistant Commissioner, NJ Department of Transportation
Andrew Swords, NJ Department of Transportation
Louis Millan, NJ TRANSIT
RJ Palladino, NJ TRANSIT
Raymond Tomczak, FTA
Elias Guseman, Jersey City
Tom Drabic, Sussex County
David Dech, Warren County
Elizabeth Betz, Union County
Joseph Ettore, Monmouth County
Mike Lysicatos, Passaic County
Mark Jehnke, Ocean County
John Hayes, Morris County
Joseph Baladi, Bergen County
Brian Appezzato, Warren County
Robert Werkmeister
Mary D. Ameen, Executive Director, NJTPA

David Behrend, Deputy Executive Director, NJTPA
Angel Young, NJTPA
Elizabeth Johnson, NJTPA
Jeffrey Perlman, NJTPA
Mark Solof, NJTPA
Brian Fineman, NJTPA
Ann Ludwig, NJTPA
Ann Strauss-Wieder, NJTPA
Sascha Frimpong, NJTPA
Igor Sorin, NJTPA
Melissa Hayes, NJTPA
Ted Ritter, NJTPA
Beverly Morris, NJTPA
Maria Slump, NJTPA
Joanna Doyle, NJTPA
Keith Hamas, NJTPA
Eve Chamberlain, NJTPA
John Witsch, NJTPA

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO ADD
FEDERAL FUNDING FOR THE PORTAL NORTH BRIDGE
AS REQUESTED BY NJ TRANSIT**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU when there is a funding source change for a project in the TIP from the use of non-federal funds to the use of federal funds and a new air quality conformity determination is not required constitutes a minor amendment; and

WHEREAS, NJ TRANSIT is requesting the addition of federal funding to the Portal North Bridge (DB# T538) project to be programmed with Capital Investment Grants (CIG) program (Section 5309) funds; and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to this action; and

WHEREAS, the FY 2020 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to

expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to NJ TRANSIT for submission to the Federal Transit Administration.

Attachment F.1.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD FERRY SLIP RECONSTRUCTION AT THE CRRNJ
TERMINAL STATE HISTORIC SITE – PHASE 1**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU, when a project is added to the TIP or when federal funds are added to a project where none are currently programmed and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, the North Jersey Transportation Planning Authority on behalf of the New Jersey Department of Environment Protection (NJDEP) is requesting the addition of a project: Ferry Slip Reconstruction at the CRRNJ Terminal State Historic Site -Phase 1 (DB# N2101) located in Liberty State Park, Jersey City in Hudson County to be programmed with federal Passenger Ferry Grant funds (Section 5307) and with State Parks Capital Funds; and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to this action; and

WHEREAS, the FY 2020 - 2023 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to

expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration and the Federal Transit Authority.

Summary of Action

Minor Amendment to the FY 2020 - 2023 Transportation Improvement Program to Add the Ferry Slip Reconstruction at the CRRNJ Terminal State Historic Site - Phase 1

Action: In order to advance the following project, the North Jersey Transportation Planning Authority on behalf of the New Jersey Department of Environment Protection (NJDEP) has requested amending the FY 2020 – 2023 TIP to program federal funds.

Background: According to the *TIP Memorandum of Understanding*, when a project is added to the TIP or when federal funds are added to a project where none are currently programmed, and a new air quality conformity determination is not required, this constitutes a minor amendment, and action is required by the NJTPA Project Prioritization Committee and the NJTPA Board of Trustees. The following revision is required due to the addition of federal funds on a project in Hudson County that is sponsored by the NJDEP. It is exempt from an air quality conformity determination and does not impact the current conformity determination.

Minor Amendment:

- **Ferry Slip Reconstruction at the CRRNJ Terminal State Historic Site - Phase 1, Hudson County DB# N2101**

The NJDEP has requested adding this project located in Liberty State Park, Jersey City into the FY 2020 TIP as it is ready to be authorized. The project received a FY 2019 Passenger Ferry Grant Program (49 USC 5307) grant award for \$5.9 million. Additional funding will be provided by NJDEP with State Parks Capital Funds (Corporate Business Tax). (Adding \$5.9 million in Sect 5307 funds in Federal Fiscal Year (FFY) 2021 and \$1.532 million in CBT – OTHER funds in FFY 2021.)

The attached documents provide further details on this project.

Justification for Action: Approval of this minor amendment to the FY 2020 – 2023 TIP will allow the funds to be secured and the project to advance.

Staff Recommendation: Central Staff recommends approval of this action.

**Ferry Slip Reconstruction Project – Phase 1
Central Railroad of NJ Terminal State Historic Site
Liberty State Park
NJ Dept of Environmental Protection**

PROJECT DESCRIPTION AND CONTACT

DESCRIPTION

The NJDEP received conditional approval of the FTA FY19 Ferry Passenger Grant Program in the amount of \$6M to facilitate Phase 1 - Ferry Slip Reconstruction at the CRRNJ Terminal State Historic Site, Liberty State Park, Jersey City, Hudson County. The reconstruction of *ALL* the ferry slips has been on the back log of NJ Parks and Forestry's capital project list for decades. In 2016, engineering and design was conducted, and the total construction cost for reconstructing all the ferry slips was estimated at \$25M. Unfortunately, due to funding constraints the project was never initiated. For the purposes of presenting a project to the FTA with a reasonably achievable estimated cost, the project was broken into phases and the original estimated cost was prorated. The FTA grant is \$6M and the NJDEP will provide a 20% match in the amount \$1,532,473.97. The total estimated cost of Phase 1 is \$7,532,473.97. The match will come from the NJ State Parks capital funds (Corporate Business Tax). The Phase 1 – Ferry Slip Reconstruction includes engineering/design, mobilization; demolition of Pier 5 / fender rack, adjacent access platforms; construction of new pier 5 / fender rack, access platforms, railing, lighting and electric. Through an interagency agreement, NJDOT – Office of Marine Resources will serve as project management for the project. Once the slip is completed, the daily public ferry service connecting Liberty State Park, Ellis Island and the Statue of Liberty can be relocated to this slip . The ferry slip will also provide additional ferry landing options for tourism, special events, and emergency situations.

CONTACT

Robert W. Rodriguez
Superintendent
Liberty State Park
NJ Dept. of Environmental Protection

200 Morris Pesin Drive
Jersey City, NJ 07305
(o) 201.915.3400 x 105
(m) 609.649.2293
rob.rodriguez@dep.nj.gov

**Ferry Slip Reconstruction Project – Phase 1
Central Railroad of NJ Terminal State Historic Site
Liberty State Park
NJ Dept of Environmental Protection**

SCHEDULE

<u>TASK</u>	<u>START</u>	<u>DURATION</u>	<u>END</u>
Federally procuring Design Engineer	1/1/2021	3 months	3/1/2021
Engineering / Design	3/1/2021	6-8 months	9/1/2021
Permitting	6/1/2021	3-6 months	10/1/2021
Construction Procurement	10/1/2021	1 month	11/1/2021
Construction (incl mobilization, demolition, construction)	12/1/2021	12-18 months	late 2022 – early 2023

**Ferry Slip Reconstruction Project – Phase 1
Central Railroad of NJ Terminal State Historic Site
Liberty State Park
NJ Dept of Environmental Protection**

EST. BUDGET

<u>TASK</u>	<u>EST BUDGET</u>
Engineering / Design	\$321,496.00
Mobilization	\$1,000,000.00
Demolition	\$1,373,952.00
Access Platform Construction	\$847,625.00
Pier & Fender Rack No.5 Construction	\$3,593,400.00
Lighting & Electric	\$405, 000.00
TOTAL	\$7,532,473.97

FUNDING SOURCES

FEDERAL 80%	FTA-2019-002-TPM-PF (Passenger Ferry Grant Program)	\$6,000,000.00
STATE 20%	NJDEP – State Parks Capital Funds (CBT – Corporate Business Tax)	\$1,532,473.97

Attachment F.2.

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD THE CLAY STREET BRIDGE OVER THE PASSAIC
RIVER PROJECT IN HUDSON COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU, when a project programmed with federal funds is added to the TIP, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, Hudson County has requested the addition of the Clay Street Bridge over the Passaic River project (DB# N1402) in Hudson County to the TIP utilizing federal STBGP-NY/NWK funds available in the NJTPA program, Future Projects (DB# N063); and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to this action; and

WHEREAS, the FY 2020 - 2023 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Summary of Action

Minor Amendment to the FY 2020 - 2023 Transportation Improvement Program to Add the Clay Street Bridge over the Passaic River Project in Hudson County

Action: In order to advance the following project, the North Jersey Transportation Planning Authority (NJTPA) on behalf of Hudson County has requested amending the FY 2020 – 2023 TIP to program federal funds.

Background: According to the *TIP Memorandum of Understanding*, when a project is added to the TIP or when federal funds are added to a project where none are currently programmed, and a new air quality conformity determination is not required, this constitutes a minor amendment, and action is required by the NJTPA Project Prioritization Committee and the NJTPA Board of Trustees. The following revision is required to add a project in Hudson County, which has completed Local Concept Development and requires the addition of federal funds for phases of work that will be programmed in the TIP. The NJTPA Future Projects program line item (DB# N063) has Surface Transportation Block Grant Program (STBGP) funds available for this purpose. The project is exempt from an air quality conformity determination and does not impact the current conformity determination.

Minor Amendment:

- **Clay Street Bridge over the Passaic River, *Hudson County* DB# N1402**
This project is ready to advance to the Preliminary Engineering phase of work. The project will be funded with STBGP-NY/NWK funds made available from the NJTPA Future Projects line item (DB# N063). The STBGP-NY/NWK funds will be programmed as follows: \$2 million in Federal Fiscal Year (FFY) 2021 for Preliminary Engineering; \$7 million in FFY 2024 for Design; \$0.1 million in FFY 2026 for Right of Way; and \$55.1 million in FFY 2027 for Construction.

The attached documents provide further details on this project.

Justification for Action: Approval of this minor amendment to the FY 2020 – 2023 TIP will allow the funds to be secured and the project to advance.

Staff Recommendation: Central Staff recommends approval of this action.

PENDING ACTION

NJTPA

Transportation Improvement Program Fiscal Years 2020 - 2023

Routes: **Mileposts:** 0.0 - 0.07 **DBNUM:** N1402

Name: Clay Street Bridge over the Passaic River

Clay Street Bridge over the Passaic River is a swing span and was built in 1908. The bridge carries two 18'-4" foot wide lanes of traffic and two 9'-2.5" wide pedestrian sidewalks. The bridge is structurally deficient due to the serious condition of the superstructure. The overall condition rating of the bridge is "3 – Serious" due to the serious condition of the superstructure and low inventory ratings. It has a sufficiency rating of 33.0. The preferred alternative includes widening and replacement of the Clay Street Bridge along the existing alignment. The proposed structure would be a movable bridge on the existing profile. The movable bridge would span only one of the existing 75-foot wide waterway channels under the Clay Street Bridge. The typical section of the new bridge will be 68'-0", which will include two 12-foot wide eastbound lanes, one 12-foot wide westbound lane, an 8-foot wide outside shoulder in each direction, and a 6-foot wide sidewalk in each direction.

Counties: Hudson Essex

Municipalities: Newark City East Newark

Project Type:

RCIS Category: Bridges

Sponsor: Hudson County

Est. Total Project Cost: (Million)

TIP:

PENDING

FY 2020 - 2023 TIP Cost: (Million) \$2.000

**Unconstrained
Information Year**

MPO	PHASE	SOURCE	2020	2021	2022	2023	2024-2029
NJTPA	PE	STBGP-NY/NWK		\$2.000			
NJTPA	DES	STBGP-NY/NWK					\$7.000
NJTPA	ROW	STBGP-NY/NWK					\$.100
NJTPA	CON	STBGP-NY/NWK					\$55.100
				\$2.000			\$62.200

DATE SUBMITTED: 11/13/2020

**DRAFT RESOLUTION: MINOR AMENDMENT TO THE FY 2020 – 2023
TRANSPORTATION IMPROVEMENT PROGRAM TO
ADD THE BRIDGE STREET BRIDGE OVER THE
PASSAIC RIVER PROJECT IN ESSEX COUNTY**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA formally adopted the FY 2020 – 2023 Transportation Improvement Program (TIP) on September 9, 2019; and

WHEREAS, the NJTPA on September 24, 2012 approved a Memorandum of Understanding (MOU) among the NJTPA, the New Jersey Department of Transportation (NJDOT), and NJ TRANSIT on procedures to amend and modify the State Transportation Improvement Program and the NJTPA TIP; and

WHEREAS, the TIP may be revised any time; and

WHEREAS, according to the MOU, when a project programmed with federal funds is added to the TIP, and a new air quality conformity determination is not required, this constitutes a minor amendment; and

WHEREAS, Essex County has requested the addition of the Bridge Street Bridge over the Passaic River project (DB# N1602) in Essex County to the TIP utilizing federal STBGP-NY/NWK funds available in the NJTPA program, Future Projects (DB# N063); and

WHEREAS, this minor amendment is exempt from an air quality conformity determination and does not impact the current conformity determination; and

WHEREAS, Congestion Management Process requirements do not apply to this action; and

WHEREAS, the FY 2020 - 2023 TIP conforms to the MAP-21/FAST Act performance-based planning requirements; and

WHEREAS, consistent with NJTPA public participation procedures, the NJTPA has provided opportunities for review of these actions; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the specified amendment to the FY 2020 – 2023 Transportation Improvement Program.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration.

Summary of Action

Minor Amendment to the FY 2020 - 2023 Transportation Improvement Program to Add the Bridge Street Bridge over the Passaic River Project in Essex County

Action: In order to advance the following project, the North Jersey Transportation Planning Authority (NJTPA) on behalf of Essex County has requested amending the FY 2020 – 2023 TIP to program federal funds.

Background: According to the *TIP Memorandum of Understanding*, when a project is added to the TIP or when federal funds are added to a project where none are currently programmed, and a new air quality conformity determination is not required, this constitutes a minor amendment, and action is required by the NJTPA Project Prioritization Committee and the NJTPA Board of Trustees. The following revision is required to add a project in Essex County, which has completed Local Concept Development and requires the addition of federal funds for phases of work that will be programmed in the TIP. The NJTPA Future Projects program line item (DB# N063) has Surface Transportation Block Grant Program (STBGP) funds available for this purpose. The project is exempt from an air quality conformity determination and does not impact the current conformity determination.

Minor Amendment:

- **Bridge Street Bridge over the Passaic River, Essex County DB# N1602**
- This project is ready to advance to the Preliminary Engineering phase of work. The project will be funded with STBGP-NY/NWK funds made available from the NJTPA Future Projects line item (DB# N063). The STBGP-NY/NWK funds will be programmed as follows: \$2 million in Federal Fiscal Year (FFY) 2021 for Preliminary Engineering; \$7 million in FFY 2023 for Design; \$0.1 million in FFY 2025 for Right of Way; and \$29 million in FFY 2026 and \$48 million in FFY 2027 for Construction.

The attached documents provide further details on this project.

Justification for Action: Approval of this minor amendment to the FY 2020 – 2023 TIP will allow the funds to be secured and the project to advance.

Staff Recommendation: Central Staff recommends approval of this action.

PENDING ACTION

NJTPA

Transportation Improvement Program Fiscal Years 2020 - 2023

Routes: CR 508

Mileposts: 12.27

DBNUM: N1602

Name: CR 508 (Bridge Street), Bridge over Passaic River

The historic structure was built in 1913 and rehabilitated in 1981. The structure is structurally deficient and functionally obsolete. 2 lanes with an overall roadway width of 39.5'. The bridge is eligible for placement on the National Register of Historic Places.

Counties: Essex Hudson

Municipalities: Newark City Harrison Twp

Project Type:

RCIS Category: Bridges

Sponsor: Essex County

Est. Total Project Cost: (Million)

TIP:

PENDING

FY 2020 - 2023 TIP Cost: (Million) \$9.000

**Unconstrained
Information Year**

MPO	PHASE	SOURCE	2020	2021	2022	2023	2024-2029
NJTPA	PE	STBGP-NY/NWK		\$2.000			
NJTPA	DES	STBGP-NY/NWK				\$7.000	
NJTPA	ROW	STBGP-NY/NWK					\$.100
NJTPA	CON	STBGP-NY/NWK					\$77.000
				\$2.000		\$7.000	\$77.100

DATE SUBMITTED: 11/13/2020



**COUNTY OF ESSEX
DEPARTMENT OF PUBLIC WORKS**

**900 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044-1393**

☎ (973) 226-8500

📠 (973) 226-7469

**JOSEPH N. DIVINCENZO, JR.
COUNTY EXECUTIVE**

**Sanjeev Varghese, P.E., P.P.
Director & County Engineer**

November 6, 2020

Ms. Mary Ameen
Executive Director
North Jersey Transportation Planning Authority
One Newark Center, 17th Floor
Newark, NJ 07102

**Re: FY 2016 Local Concept Development Study
Bridge Street over the Passaic River
County of Essex/County of Hudson**

Dear Ms. Ameen:

Essex County has completed the Local Concept Development Study for the Bridge Street Bridge. This Essex County and Hudson County owned bridge spans the Passaic River and connects the City of Newark and the Township of Harrison. The Interagency Review Committee (IRC) reviewed this study and has recommended that this project be advanced to the Local Preliminary Engineering Phase.

Essex County requests that the above referenced project be entered into the Transportation Improvement Program (TIP). The Local Concept Development Study was completed in the summer of 2020 and Essex County is now developing the scope of work for the Local Preliminary Engineering phase of this project.

The County of Essex look forward to the continuous support of the NJTPA as this project is advanced through future phases.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Sanjeev Varghese, PE, PP
Director & County Engineer

C: Ann Ludwig, NJTPA
Eve Chamberlain, NJTPA

Putting Essex County First
ESSEX COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER



NJTPA Local Modification Request
Fiscal Constraint Chart (amount in millions)

Project Name	DBNUM	County	Phase of Work	FY 2021 Add		FY 2021 Delete		FY 2022	FY 2023 Add		FY 2023 Delete		FY 2024	FY 2025 Add		FY 2025 Delete		FY 2026 Add		FY 2026 Delete		FY 2027 Add		FY 2027 Delete	
				Need	Source	Resource	Source		Need	Source	Resource	Source		Need	Source	Resource	Source	Need	Source	Resource	Source	Need	Source	Resource	Source
Bridge Street Bridge over the Passic River	N1602	Essex	PE	\$2.000	STBGP-NY/NWK																				
Bridge Street Bridge over the Passic River	N1602	Essex	DES							\$7.000	STBGP-NY/NWK														
Bridge Street Bridge over the Passic River	N1602	Essex	ROW													\$0.100	STBGP-NY/NWK								
Bridge Street Bridge over the Passic River	N1602	Essex	CON															\$29.000	STBGP-NY/NWK			\$48.000	STBGP-NY/NWK		
NJTPA, Future Projects	N063	Various	ERC				STBGP-NY/NWK							STBGP-NY/NWK					STBGP-NY/NWK					(\$48.000)	STBGP-NY/NWK
				\$2.000						\$7.000						\$0.100									

Attachment F.4.

**DRAFT RESOLUTION: APPROVAL OF THE NORTH JERSEY
TRANSPORTATION PLANNING AUTHORITY
TITLE VI IMPLEMENTATION PLAN UPDATE**

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, the NJTPA, as the subrecipient of federal transportation funding from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) through the New Jersey Department of Transportation, complies with various civil rights statutes, executive orders, and regulations that are intended to ensure that traditionally underserved populations are included in the planning process and have access to MPO activities; and

WHEREAS, Title VI of the Civil Rights Act of 1964 states that no persons in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, Executive Order 13166 — Improving Access to Services for Persons with Limited English Proficiency directs federal agencies, and recipients of federal funding, to provide meaningful language access to their services, and under Title VI, Limited English Proficiency is considered the primary marker of national origin; and

WHEREAS, Executive Order 12898 — Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations requires federal agencies (and recipients of their funding) to address Environmental Justice concerns, by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; and

WHEREAS, the Americans with Disabilities Act prohibits public entities from discriminating against persons with a disability or excluding them from participation in, or denying them of the benefits of, their services, programs, or activities; and

WHEREAS, the NJTPA's development of Long Range Transportation Plans, Transportation Improvement Programs, Air Quality Conformity Determinations, and other key planning products, to various degrees, prioritize projects and programs that address the needs of populations under the Environmental Justice and Title VI programs; and

WHEREAS, the NJTPA adopted the Title VI Implementation Plan in September 2019, a formal document that describes its Title VI program and assurances to ensure that its programs, policies and activities comply with federal requirements of Title VI; and

WHEREAS, the NJTPA has updated the Title VI Implementation Plan to address recommendations from the Federal Highway Administration (FHWA) to ensure that the plan meets the requirements of 49 CFR 21.9 (b); and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the North Jersey Transportation Planning Authority hereby approves the update to NJTPA's Title VI Implementation Plan and its appendices.

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the New Jersey Department of Transportation for submission to the Federal Highway Administration and Federal Transit Administration.

Summary of Action

Approval of the North Jersey Transportation Planning Authority Title VI Implementation Plan Update

Action Item: Approval of the North Jersey Transportation Planning Authority (NJTPA) Title VI Implementation Plan Update.

Background: As a subrecipient of federal funding, the NJTPA is required to comply with various civil rights statutes, executive orders and regulations that are intended to ensure that traditionally underserved populations are included in the planning process and have access to the NJTPA's metropolitan planning activities. The primary civil rights authorities include:

- Title VI of the Civil Rights Act of 1964 states that “no persons in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”
- Executive Order 13166 — Improving Access to Services for Persons with Limited English Proficiency (LEP) directs federal agencies, and recipients of federal funding, to provide meaningful language access to their services. Under Title VI, LEP is considered the primary marker of national origin.
- Executive Order 12898 — Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-income Populations requires federal agencies (and recipients of their funding) to address EJ concerns, by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- The Americans with Disabilities Act (ADA) prohibits public entities from discriminating against persons with a disability or excluding them from participation in, or denying them of the benefits of, their services, programs, or activities.

In September 2019, the NJTPA Board of Trustees approved and adopted the NJTPA's Title VI Implementation Plan to address a corrective action issued during 2018 Federal Certification Review and address the reporting requirements under Title VI of the Civil Rights Act of 1964. The plan complies with the annual reporting requirements of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) and the requirement for metropolitan planning organizations to comply with these civil rights mandates by developing programs to include underserved populations and monitoring and reporting regularly on the programs' success. In addition, the plan provides a detailed look at the demographic composition of the region and includes information on how the NJTPA will maintain, monitor and analyze information to ensure compliance with all applicable civil rights mandates.

Given the complexity and diversity of the NJTPA region, which is home to approximately 6.7 million people, the NJTPA is committed to ensuring:

- that federally-assisted benefits and related services are made available and are equitably distributed;

- that the level and quality of federally-assisted services are sufficient to provide equal access and mobility to all persons; and
- that adequate opportunities for all to participate in planning and decision-making processes occur.

Additionally, the plan serves as a foundation to ensure corrective and remedial actions are taken for all applications and receipts of federal assistance to prevent discriminatory treatment of any beneficiary, provides procedures for investigating Title VI complaints, ensures that meaningful access to programs and activities is provided for LEP populations, and provides steps for informing the public of their rights under Title VI.

Summary of Action: The NJTPA Title VI Implementation Plan is a document that outlines how the NJTPA seeks to ensure that traditionally underserved populations are included in the planning process and have access to MPO activities.

On July 29, 2020, the NJTPA received comments from FHWA New Jersey Division's Civil Rights specialist advised that the following additional information is required in order for the NJTPA's plan to meet the requirements of 49 CFR 21.9 (b) (https://www.ecfr.gov/cgi-bin/text-idx?SID=96f8fcf59f8cc3d4a2689bec286160ee&mc=true&node=pt49.1.21&rgn=div5#se49.1.21_19) :

- 1) ORGANIZATION & STAFFING: The plan should identify that the Title VI Coordinator has easy access to the head of the organization.
- 2) SUB-RECIPIENT REVIEW PROCEDURES: The plan should describe the process for determining how many and which sub-recipients will be reviewed each year.
- 3) COMPLIANCE AND ENFORCEMENT PROCEDURES: The plan should outline Title VI Program compliance and enforcement procedures to address deficiencies or when noncompliance is determined.

Central staff has revised the plan to address these recommendations. The update to the plan includes revisions to Section 2.2 - Title VI Coordinator, Section 3.3 - Subrecipient Monitoring, and a new section, Section 2.6 - Compliance and Enforcement Procedures. On November 3, 2020, the NJTPA received confirmation from FHWA that the revisions to the plan satisfy the Title VI findings and recommendations.

The NJTPA Title VI Implementation Plan will allow the NJTPA to continue to fulfill all its obligations under federal metropolitan planning regulations.

Staff Recommendation: Staff recommends approval of the updated NJTPA Title VI Implementation Plan.

NJTPA Title VI Implementation Plan

November 18, 2020

Disclaimer

This report has been prepared by the North Jersey Transportation Planning Authority with financing by the Federal Transit Administration and the Federal Highway Administration of the U.S. Department of Transportation. This document is disseminated under the sponsorship of the U.S. Department of Transportation in the interest of information exchange. The NJTPA is solely responsible for its contents.

Contents

Disclaimer.....	1
Acronym Guide	4
Executive Summary.....	5
Section 1: Introduction	7
Section 1.1: MPO Planning Process	7
Section 1.2: Key MPO Products.....	7
Section 1.3: NJTPA Board and Advisory Committees	7
Section 2: Title VI Compliance	8
Section 2.1: FHWA and FTA compliance	8
Section 2.2: Why Title VI and EJ are Important in the Planning Process	9
Section 2.3: Role of the Title VI Coordinator	9
Section 2.4: Complaint Procedures and Activities	11
Section 2.5: Record of Title VI Investigations, Complaints, or Lawsuits	13
Section 2.6: Compliance and Enforcement Procedures	13
Section 3: Key Areas of Title VI Activities for NJTPA.....	14
Section 3.1: Planning and Programming.....	14
Section 3.2: Public Outreach and Involvement.....	14
Section 3.2.1: Four Factor Analysis	14
Section 3.2.2: LEP Plan	20
Section 3.3: Subrecipient Compliance and Monitoring	22
Section 4: NJTPA Demographic and Transportation Investment Profile	24
Section 4.1: Minority Population	25
Section 4.2: Low Income	27
Section 4.3: Limited English Proficiency	29
Section 4.4: People with Disabilities	29
Section 4.4: Zero- Vehicle Households	31
Section 4.5: Senior and Youth Population	34
Section 4.6: Mobility Needs of Minority Populations.....	40
Section 4.7: Transportation Improvement Program.....	40
Section 4.8: Disparate Impacts	42
Section 4.9: Analysis & Monitoring Projects and Processes	42
Section: 5 Conclusion.....	43

Appendices.....	44
Appendix A: Title VI Assurance	44
Appendix B: Title VI Notice to the Public	48
Appendix C: Title VI Complaint Form	49
Appendix D: Nondiscrimination Policy Statement.....	51
Appendix E: Board Approval of Title VI Implementation Plan	52
Appendix F: Public Engagement Plan.....	53
Appendix G: Subrecipient Title VI Compliance Tool	54
Appendix H: Demographic Profile and TIP Maps.....	57

Figures:

Figure 1: Percent Population 5 years and older who speak English Less than very well.....	18
Figure 2: Percent Minority Population by Census Tract	26
Figure 3: Percent Low Income Population by Census Tract.....	28
Figure 4: Percent Population with a Disability by Census Tract.....	30
Figure 5: Zero-Vehicle Households by Census Tracts	33
Figure 6: Percent Population 65 years and older by Census Tract	35
Figure 7: Percent Population Under 5 years old by Census Tract.....	37
Figure 8: Percent Population of age 5 to 17 by Census Tract	39
Figure 9: Percent Minority Population by Census Tract and TIP projects	41

Tables:

Table 1: Languages Spoken at Home by ability to speak English for the population 5 years and old Over15	
Table 2: Racial Composition of the NJTPA region	25
Table 3: Low Income Population by County	27
Table 4: Population with a Disability by County	29
Table 5: Population by Type of Disability by County	31
Table 6: Zero-Vehicle Households by County	32
Table 7: Population 65 years and older by County	34
Table 8: Population Under 5 years old by County	36
Table 9: Population ages 5 to 17 years old by County	38
Table 10: Distribution of TIP Investment by Minority and Non-Minority Populations	42

Acronym Guide

ACS – American Community Survey

ADA – Americans with Disabilities Act

DBE – Disadvantaged Business Enterprise

EEO – Equal Employment Opportunity

EJ – Environmental Justice

FHWA – Federal Highway Administration

FTA – Federal Transit Administration

LEP – Limited English Proficiency

LPA – Local Public Agencies

LRTP – Long Range Transportation Plan

NAAQS – National Ambient Air Quality Standards

NJDOT – New Jersey Department of Transportation

NJ SIP - New Jersey State Implementation Plan

NJTPA – North Jersey Transportation Planning Authority

PANYNJ – Port Authority of New York and New Jersey

PEP – Public Engagement Plan

TIP – Transportation Improvement Plan

UPWP – Unified Planning Work Program

USDOT – United States Department of Transportation

UZA – Urbanized area designated by FHWA or FTA

Executive Summary

The North Jersey Transportation Planning Authority (NJTPA) is the federally authorized Metropolitan Planning Organization (MPO) for 6.7 million people in the 13-county northern New Jersey region. Each year, the NJTPA oversees the investment of more than \$2 billion in federal funding for transportation projects and provides a forum for interagency cooperation and public input into funding decisions. It also sponsors and conducts studies, assists county planning offices and monitors compliance with air quality goals established in the New Jersey's air quality State Implementation Plan (SIP).

As a recipient of this federal funding, the MPO is required to comply with various civil rights statutes, executive orders, and regulations that are intended to ensure that traditionally underserved populations are included in the planning process and have access to MPO activities. The primary civil rights authorities include:

- Title VI of the Civil Rights Act of 1964, which states that “no persons in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”
- Executive Order 13166 — Improving Access to Services for Persons with Limited English Proficiency (LEP), which directs federal agencies, and recipients of federal funding, to provide meaningful language access to their services. Under Title VI, LEP is considered the primary marker of national origin.
- Executive Order 12898 — Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-income Populations, which requires federal agencies (and recipients of their funding) to address EJ concerns.
- The Americans with Disabilities Act (ADA), which prohibits public entities from discriminating against persons with a disability or excluding them from participation in, or denying them of the benefits of, their services, programs, or activities.

The Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) require the MPO to comply with these civil rights mandates by developing programs to include underserved populations and monitoring and reporting regularly on the programs' success. This implementation plan addresses the reporting requirements under Title VI of the Civil Rights Act of 1964 and FHWA's annual reporting requirements under its Title VI/non-discrimination program. The report provides a detailed look at the demographic composition of the region, while including ways in which the NJTPA will maintain, monitor and analyze information to ensure compliance. The demographic composition of the region's population includes the following:

- A highly diverse population that is 46 percent minority. Hispanic, Black and Asian people comprise the largest groups of minorities in the region. Hispanics are the largest of the three at 21.6 percent of total regional population.
- Approximately 1.5 million people (or 23.7 percent) live below the poverty level threshold.
- Approximately 13.9 percent of the population is considered LEP. Of that, the largest share are the 8 percent (or 503,114) people who speak Spanish or Spanish Creole and speak English less than very well.
- People with disabilities comprise 9.8 percent of the population.
- About 15 percent of the population is 65 and older.

The implementation plan makes the following commitments in keeping with laws and regulations covering MPOs:

- The NJTPA strives to ensure that all segments of the population have the opportunity to be involved in the transportation planning process.
- The NJTPA conducts extensive public outreach and is committed to accessible engagement, including for traditionally underserved residents and those with disabilities or limited English proficiency, as outlined in its Public Engagement Plan.
- The NJTPA's Title VI Coordinator is responsible for overseeing compliance and ensuring implementation of the Title VI program.
- The NJTPA's Title VI Complaint Procedure specifies the NJTPA's process for investigating Title VI complaints, while ensuring due process for complainants and respondents. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has the right to file a formal complaint. Complaints can be e-mailed to TitleVI@njtpa.org.
- Demographic and other data will be used to analyze and measure transportation investment benefits and burdens to the protected population, including minority and low-income residents, those with limited English proficiency or disabilities, zero-vehicle households, and older residents.
- The NJTPA consistently considers transportation equity when developing studies for the Unified Planning Work Program (UPWP), selecting projects for inclusion in the Long Range Transportation Plan (LRTP), and programming projects in the Transportation Improvement Program (TIP). Taken as a whole, the transportation planning services provided by the NJTPA do not pose disproportionate or adverse impacts on minority populations.

Section 1: Introduction

Section 1.1: MPO Planning Process

The NJTPA is the federally authorized Metropolitan Planning Organization for 6.7 million people in the 13-county northern New Jersey region. Each year, the NJTPA oversees more than \$2 billion in transportation improvement projects and provides a forum for interagency cooperation and public input. It also sponsors and conducts studies, assists county planning offices and monitors compliance with air quality goals established in the New Jersey's air quality State Implementation Plan (SIP).

Federal legislation which authorizes funding for transportation improvements requires any urbanized area (UZA) with a population greater than 50,000 to have an MPO to plan for and make decisions on the use of that federal transportation funding. MPOs ensure that existing and future expenditures for transportation projects and programs are based on a continuing, cooperative and comprehensive (3C) planning process. Among other mandated functions, MPOs cooperate with State and public transportation operators to program federal funds for eligible transportation projects.

Section 1.2: Key MPO Products

Under federal law, the NJTPA is responsible for producing four planning products. These products are listed and described below.

- *Long Range Transportation Plan (LRTP)* —Updated every four years, the LRTP sets out a vision for the development of the region's transportation infrastructure at least 20 years into the future. It includes goals and objectives, analysis of regional trends and planned improvement projects.
- *Transportation Improvement Program (TIP)* —Updated every two years, the TIP is a four-year agenda of improvement projects drawn from the LRTP. To be eligible for federal funding, proposed projects must be approved by the NJTPA Board for inclusion in the TIP.
- *Unified Planning Work Program (UPWP)*—Updated annually and guided by the LRTP, the UPWP summarizes transportation planning activities to be conducted by the NJTPA staff, member agencies and other transportation agencies in the region.
- *Air Quality Conformity Determination*—The NJTPA is required to conduct an analysis of the air quality impacts of the LRTP and TIP, called a conformity determination, to demonstrate that projects and programs conform to the SIP for meeting and maintaining National Ambient Air Quality Standards (NAAQs).

Section 1.3: NJTPA Board and Advisory Committees

The NJTPA Board includes 15 local elected officials, including one representative from each of the 13 northern and central New Jersey counties as well as from the cities of Newark and Jersey City. These counties and cities are called the NJTPA subregions. The Board also includes a

Governor's representative, the Commissioner of the New Jersey Department of Transportation (NJDOT), the Executive Director of NJ TRANSIT, the Chairman of the Port Authority of New York & New Jersey (PANYNJ) and a citizen's representative.

The NJTPA's Board has three standing committees that make recommendations on action items to be considered by the full Board and a transportation advisory committee: Planning and Economic Development Committee, Project Prioritization Committee and Freight Initiatives Committee. The Regional Transportation Advisory Committee, composed of planners and engineers from the subregions, meets bi-monthly to review regional issues.

Planning and Economic Development Committee

The Planning and Economic Development Committee oversees regional and corridor-based planning activities including: the update of the LRTP and NJTPA work related to the Together North Jersey Regional Plan for Sustainable Development (RPSD). The committee also reviews and approves funding for the UPWP; the Study & Development (S&D) Program, which includes future projects in various stages of planning; and the Subregional Transportation Planning and Subregional Studies programs.

Project Prioritization Committee

The Project Prioritization Committee oversees all activities related to the annual development and management of the TIP, including modifications and amendments, as well as negotiations with the NJDOT and NJ TRANSIT in the development of the state's annual Transportation Capital Program. The Committee also reviews and approves funding for the NJTPA's Local Safety, High Risk Rural Roads and Local Capital Project Delivery programs, among others.

Freight Initiatives Committee

The Freight Initiatives Committee supports the economically vital regional goods movement industry, as mandated by federal legislation. This includes recommendations on strategic transportation investments and policies to keep the region globally competitive. The Committee serves as a forum for dialogue on freight issues between the public and private sectors.

Regional Transportation Advisory Committee

The Regional Transportation Advisory Committee, composed of staff from NJTPA member agencies, provides a forum for presentation and discussion on regional issues. It also performs a vital function in reviewing and disseminating information and making recommendations to the NJTPA Board and its individual trustees to aid in decision making.

Section 2: Title VI Compliance

Section 2.1: FHWA and FTA compliance

The NJTPA, as the subrecipient of federal funds through NJDOT, has committed that, as a condition to receiving any federal financial assistance from the United States Department of Transportation (USDOT), through FHWA, it will comply with all applicable laws and regulations

relating to Title VI and non-discrimination. A formal statement of assurances is included in Appendix A.

Section 2.2: Why Title VI and EJ are Important in the Planning Process

Title VI of the Civil Rights Act of 1964 and Executive Order 12898 on EJ are an integral part of the transportation planning and programming process throughout the United States, particularly in urban regions. As stated previously, the NJTPA produces the TIP, LRTP, Air Quality Conformity and UPWP, which are required for the MPO to be certified as meeting federal requirements for metropolitan transportation planning and to receive federal surface transportation funds. All these documents, to various degrees, prioritize projects and programs that address the needs of populations under the EJ and Title VI programs. The commitment to Title VI and EJ has, and continues to be, reflected in the NJTPA's work program, publications, communications, and public involvement efforts.

This Title VI Implementation Plan institutes a framework to ensure compliance by NJTPA with regards to Title VI, the EJ Executive Order and related statutes regarding nondiscrimination.

Section 2.3: Role of the Title VI Coordinator

In accordance with Title VI requirements, NJTPA Executive Director Mary D. Ameen has designated the NJTPA's Compliance Manager, Karen Rosenberger, to serve as the Title VI Coordinator. The Title VI Coordinator is responsible for overseeing compliance and ensuring implementation of the Title VI program and will have direct access to the Executive Director without intermediary for purposes of discussing and disseminating information related to the implementation of the Title VI Plan. The Compliance Manager position, in which the duties of the Title VI Coordinator are subsumed, reports directly to the Senior Director, Finance and Administration, who in turn reports directly to the Executive Director. In order to both preserve organizational unity of command as well as to facilitate direct access to the Executive Director without intermediary, the NJTPA Title VI Coordinator shall submit all reports and communications concurrently to the Senior Director, Finance and Administration and to the Executive Director on matters pertaining to the NJTPA Title VI Implementation Plan. The Title VI Coordinator is ultimately responsible for the day-to-day administration and monitoring of Title VI and EJ activities and preparing all required reports. Other staff members are expected to provide information and support to assist the Title VI Coordinator in completing tasks that pertain to non-discrimination regulations and procedures detailed in federal guidance and the NJTPA's Title VI Implementation Plan.

In support of this, the Title VI Coordinator will:

- Ensure all NJTPA activities follow the Title VI Implementation Plan and monitor the implementation of the program and any related compliance issues.
- Ensure the collection of data related to this Title VI Implementation Plan, including statistical data (e.g., race, color, gender, age, disability, and language proficiency) for use in planning and monitoring by NJTPA, its subregions, TMAs, consultants, and the public.

- Ensure that Title VI Implementation Plan information is disseminated to NJTPA staff and member agencies, as well as participants in the metropolitan transportation planning process and the public.
- Ensure the inclusion of the Title VI Policy Statement in contracts and organizational materials, products and reports, and ensure that Title VI Implementation Plan policies, provisions, and related requirements are provided, as applicable, to consultants, vendors or other parties under direct contract with the NJTPA.
- Identify, investigate, and address discrimination when found to exist relating to the NJTPA's metropolitan transportation planning process.
- Monitor federal and state laws, rules, regulations, guidelines, and other relevant information pertaining to NJTPA's Title VI Implementation Plan.
- Ensure that the NJTPA maintains a list of interpretation or translation service providers, including MPO staff.
- Ensure that additional language and communication needs are addressed as they arise.
- Prepare annual reports summarizing all NJTPA Title VI activities, accomplishments, and complaints.
- Periodically review the NJTPA's Title VI program to assess whether administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Review important issues related to non-discrimination with the Executive Director, as needed.
- Coordinate with appropriate federal, state, and regional entities to periodically provide NJTPA's employees with training opportunities regarding non-discrimination.

The NJTPA will ensure that the metropolitan transportation planning process and its products, including contracts, comply with this Title VI program. Routine compliance discussions will be held with the NJTPA's partner agencies as part of annual program pre-award desk audits (see Section 3.3 Subrecipient Monitoring), and the partner agencies will be encouraged to participate in related training, presentations, conferences, and webinars sponsored by NJDOT, FHWA or FTA.

The NJTPA's Title VI Coordinator is responsible for advising staff about available training in support of Title VI compliance. Information on related training, such as diversity and Equal Employment Opportunity (EEO)/Affirmative Action, is circulated and is also made available to the partner agencies. Materials received by the agency on training and educational opportunities will be made available to all staff members, including any training from NJDOT and federally funded training provided by agencies such as the National Highway Institute and National Transit Institute.

Section 2.4: Complaint Procedures and Activities

NJTPA's Title VI Complaint Procedure specifies the process employed by NJTPA to investigate Title VI complaints, while ensuring due process for complainants and respondents. This process does not prohibit the NJTPA from attempting to informally resolve complaints where possible.

The Title VI Complaint Procedure applies to all external complaints relating to NJTPA's metropolitan transportation planning process, filed under Title VI of the Civil Rights Act of 1964 (including related Disadvantaged Business Enterprise (DBE) and EEO provisions), as well as other related laws as specified in this Title VI program, which prohibit discrimination on the basis of race, color, disability, sex, age, income or national origin.

The Title VI Complaint Procedure is an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Intimidation or retaliation of any kind is prohibited by law. NJTPA will use procedures approved by FHWA to investigate complaints filed directly with the NJTPA against contractors and sub-recipients. This is in accordance with [23 CFR 200.9 \(b\) \(3\)](#). The NJTPA cannot investigate complaints filed against themselves.

Under this procedure, any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has the right to file a formal complaint. The complaint must be filed within 180 calendar days of the alleged occurrence, when the alleged discrimination became known to the complainant, or when there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.

Complaints shall be filed by completing and submitting the NJTPA's designated [Title VI Non-Discrimination Complaint Form](#) available on its website (a copy of the complaint form is also available in Appendix C for reference). Complaints can also be submitted without the complaint form, as long as the information required by the form is included in the complaint, including the complainant's name, mailing address, name of agency or department that discriminated, a description of the discrimination, identification of witnesses. Complaints can be e-mailed to TitleVI@njtpa.org. The complaint can also be mailed to the Title VI Coordinator, North Jersey Transportation Planning Authority, One Newark Center, 17th Floor, Newark, NJ 07102 or faxed to the Title VI Coordinator, NJTPA, at (973) 639-1953. "Title VI Complaint" should be noted in the subject line of the e-mail or letter.

If information is needed in another language, the Title VI Coordinator can be contacted at 973-639-8400. The Title VI Coordinator will provide appropriate assistance to complainants who need help filing a complaint, including those persons with disabilities, or who are limited in their ability to communicate in English. Complaints received by telephone will be recorded in writing by the Title VI Coordinator and will be processed after the complainant confirms and edits the statement if necessary. Complaint forms that are prepared by the NJTPA Title VI Coordinator will be processed after they are forwarded to the complainant to be verified, signed, and returned to the NJTPA Title VI Coordinator.

The NJTPA will process written complaints that are complete. Complaints need to adhere to the following:

- Complaints must include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
- Complaints must present a detailed description of the issues, including the basis of the complaint (e.g., race, color, national origin); and names, agencies and job titles of those individuals perceived as parties in the complained-of incident.
- Complaints must include sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance.

The Title VI Coordinator will acknowledge receipt of the complaint by letter or email (whichever is applicable) to the complainant(s) and within 10 business days of receipt of the complaint. The letter or email will advise the complainant(s) that the complaint is being investigated and provide a date by which the complainant will receive a response. If a complaint is filed against the NJTPA, then it will be forwarded to NJDOT for processing and investigation.

Should additional information be needed to assess or investigate the complaint, the Title VI Coordinator will contact the complainant within 10 business days of the postmark of the acknowledgement of the complaint. The complainant's failure to provide the requested additional information by the date specified by the Title VI Coordinator could result in the administrative closure of the complaint. If the complaint is rejected, the Title VI Coordinator will inform the complainant of the appropriate appeal authority and set up a timeline for an appeal.

With the complainant's consent, and in the best interests of all parties involved in the complaint, attempts may be made to resolve the matter informally. However, if the complainant is dissatisfied with the NJTPA's decision, he or she may bring the matter to the attention of the NJDOT, FHWA, (USDOT, and the US Department of Justice (USDOJ).

If the complaint has merit, the Title VI Coordinator will supervise a thorough investigation and submit a written Report of Findings to the NJTPA's Senior Director of Finance and Administration for a final determination. Within 60 days of the receipt of the complaint, NJTPA will notify the complainant of its findings, the proposed disposition of the matter, the avenues available for appeal and the timeline to appeal if there is dissatisfaction with the NJTPA's decision. The proposed remedy will include the actions necessary to correct and prevent future occurrences.

NJTPA will issue letters of findings for all investigations processed or develop informal settlements for all complaints processed. In accordance with regulations at 23 CFR 200, NJTPA will forward a copy of the complaint and a copy of the its report of the investigation to the NJDOT and the FHWA Division Office, within 60 days of the date the complaint was received. The FHWA may grant an extension of an additional 60 days for justifiable reasons.

Section 2.5: Record of Title VI Investigations, Complaints, or Lawsuits

NJTPA must prepare and maintain a list of any active investigations, lawsuits, or complaints naming the NJTPA and/or its subrecipients, that allege discrimination on the basis of race, color, or national origin. NJTPA also has the responsibility to periodically inform the NJDOT and FHWA Division Office of the status of all complaints and lawsuits.

If a Title VI complaint is made against the NJTPA, it will be logged and kept on record file at the NJTPA office. The Title VI Complaint Log will include the following information:

- Name of the complainant(s);
- Date complaint (or lawsuit) was received;
- Nature of the complaint;
- Name of the NJTPA's Title VI Coordinator or other NJTPA representative dealing with the complaint;
- Status; and
- Disposition of the complaint.

Section 2.6: Compliance and Enforcement Procedures

The MPO provides equal access to the transportation planning process and ensures its policies and programs are non-discriminatory and do not negatively impact minority and low-income individuals. The NJTPA has developed a wide range of procedures to meet the general requirements of Title VI and is committed to ensuring that it complies with applicable federal regulations and procedures. The MPO utilizes the following monitoring and program review procedures to ensure compliance with Title VI and address deficiencies where needed:

- Completes Title VI assurance documentation required for federally funded projects or programs.
- Monitors NJTPA programs and activities on an on-going basis to ensure non-discrimination, through daily involvement and reviews of relevant MPO program activities and documents.
- Assesses communication strategies and address additional language needs as they arise. Develops Title VI discrimination complaint procedures and monitors complaint process.
- Provides training to staff and subrecipients on Title VI law and requirements.
- Provides a brochure detailing how NJTPA services and programs are made accessible to individuals with disabilities or limited English proficiency.
- Ensures Disadvantaged Business Enterprise (DBE) participation on the procurement of services through RFP solicitation process.
- Provides information on contract opportunities to minority businesses.
- A Title VI Task Force meets regularly, allowing staff to address issues and concerns pertaining to the NJTPA work program.
- Develops and maintains subrecipient monitoring procedures to ensure compliance with Title VI.

- Participates in quarterly MPO Collaboration meetings with NJDOT, FHWA, FTA and other MPOs.
- Periodically reviews data and data sources on minority and underserved populations.
- Developing and maintaining an Equity Assessment Tool for NJTPA programs
- Develops and maintains Title VI and Environmental Justice Assessment Guide for Planning Studies
- Completes a Title VI/Nondiscrimination Annual Work Plan and Accomplishment Report.

Section 3: Key Areas of Title VI Activities for NJTPA

Section 3.1: Planning and Programming

As indicated earlier, the NJTPA is responsible for developing a LRTP, TIP, air quality conformity, and annual UPWP for use in programming federal transportation funding for both planning activities and transportation projects within its planning area. As part of the Title VI requirements, the NJTPA's planning and programming activities seek to ensure compliance by annually collecting data on the region's residents in terms of age, race, income, English proficiency, disabilities and zero-vehicle households. This data will be used to analyze and measure transportation investment benefits and burdens to the protected population, including minority and low-income populations and others. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program. The NJTPA will use this information to inform not only the planning activities, but also support the TIP scoring criteria to ensure equitable investments in the region.

An EJ and Title VI assessment of the metropolitan transportation planning process will be undertaken with the NJTPA's LRTP update every four years to demonstrate that the burdens and benefits of transportation plans and programs are distributed equitably across racial and socioeconomic groups. Using this analysis staff and member agencies can assess the impacts that plans, programs and projects may have on low-income and minority residents and other segments of the population.

In addition, the NJTPA will continue to provide the necessary data and guidance to subregions to ensure that planning studies funded through the NJTPA complete an EJ and Title VI assessment (where applicable). In regard to outreach, the NJTPA is developing a platform to engage, share, and exchange information regarding Title VI and EJ. This platform will support the NJTPA's mission and goals with respect to these federal requirements.

Section 3.2: Public Outreach and Involvement

Section 3.2.1: Four Factor Analysis

Consistent with Title VI of the Civil Rights Act of 1964, USDOT's implementing regulations, and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (65 FR 50121, Aug. 11, 2000), recipients must take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities

for LEP persons. This includes conducting a four-factor analysis to determine the specific language services that are appropriate to provide as part of the recipient's Language Assistance Plan, which is discussed further in the next section.

The four-factor analysis is based on the framework provided in Section V of USDOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by NJTPA programs, services, or activities.

LEP populations are comprised of persons who are unable to communicate effectively in English because their primary language is not English and they have not developed fluency in the English language. Thus, people included in LEP populations may have difficulty speaking or reading English and will need translation to and from their primary language. USDOT has adopted the USDOJ's Safe Harbor Provision, which outlines requirements for translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes 5 percent of the region's total population or 1,000 persons, whichever is less, then such action will be considered strong evidence of compliance with the recipient's written translation obligations.

To better understand the number or proportion of LEP persons in the NJTPA region, demographic data for people that speak English "less than very well" (as defined by the Census) was collected and analyzed. Due to limitations in data coverage and availability county level data for the 2015 American Community Survey (ACS) Five Year Estimates was used. Table 1 details the LEP population based on languages spoken at home.

Table 1: Languages Spoken at Home by ability to speak English for the population 5 years and old Over

Languages	Percent Speak Specified Language, Speak English Less than Very well	Total Pop. Speak Specified Language, Speak English Less than Very well	Total Pop. Speak Specified Language, Speak English Very well	Total Population that speak another Language
Spanish Or Spanish Creole	8.0%	503,114	598,564	1,101,678
Chinese	0.7%	42,010	51,673	93,683
Korean	0.6%	36,452	34,886	71,338
Portuguese or Portuguese Creole	0.5%	31,860	41,235	73,095
Polish	0.4%	24,644	31,702	56,346
Gujarati	0.4%	24,287	39,374	63,661
Arabic	0.3%	21,415	37,436	58,851
Italian	0.3%	19,843	42,090	61,933
Tagalog	0.3%	18,801	52,131	70,932
Other Asian languages	0.3%	17,542	55,598	73,140
French Creole	0.3%	16,549	22,065	38,614
Russian	0.3%	16,102	23,328	39,430

Other Indic languages	0.3%	15,935	32,871	48,806
Hindi	0.2%	14,364	49,196	63,560
French (incl. Patois, Cajun)	0.1%	8,586	22,561	31,147
Other Slavic Languages	0.1%	7,537	10,861	18,398
Urdu	0.1%	7,194	18,014	25,208
African languages	0.1%	6,775	22,150	28,925
Vietnamese	0.1%	6,487	5,102	11,589
Other Indo-European languages	0.1%	6,090	12,513	18,603
Japanese	0.1%	4,797	4,466	9,263
Greek	0.1%	4,214	13,192	17,406
German	0.0%	2,961	14,861	17,822
Serbo-Croatian	0.0%	2,555	5,598	8,153
Persian	0.0%	2,326	5,524	7,850
Hungarian	0.0%	1,842	3,505	5,347
Other Pacific Island languages	0.0%	1,650	2,483	4,133
Armenian	0.0%	1,602	3,378	4,980
Other and unspecified languages	0.0%	1,486	2,202	3,688
Hebrew	0.0%	1,278	11,533	12,811
Thai	0.0%	1,098	970	2,068
Yiddish	0.0%	383	5,366	5,749
Scandinavian languages	0.0%	312	2,346	2,658
Other West Germanic languages	0.0%	282	2,349	2,631
Mon-Khmer, Cambodian	0.0%	238	43	281
Laotian	0.0%	103	65	168
Other Native North American languages	0.0%	47	339	386
Hmong	0.0%	-	29	29
Navajo	0.0%	-	19	19
NJTPA	13.9%	872,761	1,281,618	2,154,379

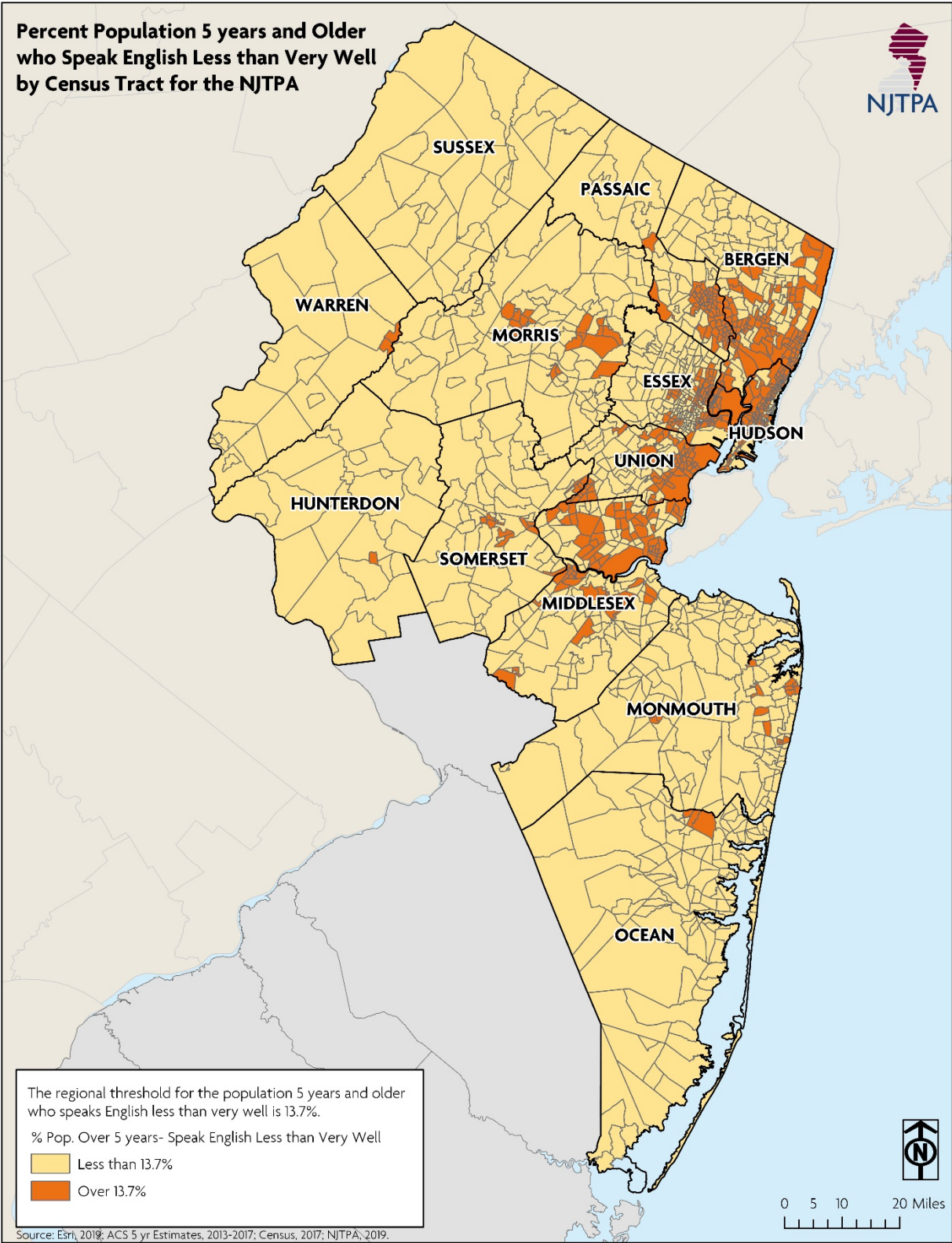
Source: ACS, 2015 Five Year Estimates, Table B16001

As shown in the table above 13.9 percent of the NJTPA region's population speak English less than very well and are considered LEP. Of that, 8 percent or 503,114 people speak Spanish or Spanish Creole. This is the most significant LEP group in the region. Following Spanish and Spanish Creole are Chinese (0.7 percent), Korean (0.6 percent) and Portuguese or Portuguese Creole (0.5 percent). Under the Safe Harbor Provision, NJTPA is obligated to provide translation of written materials related to the planning products and analyses into languages that meet or exceed the established 5 percent or 1,000-person threshold. Thirty-one languages meet or exceed this threshold. For purposes of these operating procedures, Spanish/Spanish Creole is considered the primary LEP language, while the remaining 30 are considered secondary LEP languages. The

secondary LEP languages will be evaluated for translation and other LEP services on a case by case basis.

The figure below illustrates the spatial distribution of the region as it relates to population 5 years and older who speak English less than very well. The data used to create the map is from 2017 ACS Five Year Estimates, so the regional threshold is slightly different from the table above since the data is more current.

Figure 1: Percent Population 5 years and older who speak English Less than very well



Factor 2: The frequency with which LEP individuals come in contact with these programs, services, or activities.

The four-factor analysis identified Spanish/Spanish Creole as the most significant language spoken by the LEP population in the NJTPA region. Staff will continue to monitor the requests for language assistance to gauge outreach effectiveness to these populations.

The NJTPA conducts regular Board meetings, advisory committee meetings, and other public meetings throughout the year. Community outreach and the website are the main source of potential contact between the MPO and LEP persons. While the frequency of contact is difficult to anticipate, the NJTPA endeavors to accommodate the needs of the LEP community on a case by case basis. The need for and the specific mechanisms for conducting outreach opportunities to engage populations that are traditionally not involved in the transportation planning process are outlined in the NJTPA's Public Engagement Plan (PEP). The PEP is discussed in more depth in Section 3.2.2 LEP Plan.

Factor 3: The nature and importance of the program, service, or activity to people's lives.

The NJTPA programs use federal funds to plan for future transportation improvements and projects, and therefore, do not include any direct service or program that requires vital, immediate, or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Further, the NJTPA does not conduct required activities such as applications, interviews, or other activities prior to participation in its programs or events. Involvement by any citizen with the NJTPA or its committees is voluntary.

However, consistent with federal policy the NJTPA must ensure that all segments of the population, (including LEP persons), have been involved or have had the opportunity to be involved in the transportation planning process. The impact of proposed transportation investments on underserved and underrepresented populations is part of the evaluation process for using federal funds in the UPWP, TIP and LRTP.

The NJTPA will place emphasis on language assistance for educational materials and public input related to the three major areas identified above. These materials often are helpful with outreach related to other projects and studies being conducted in the region.

Factor 4: Available resources and the overall cost to the NJTPA.

The NJTPA assessed the following available resources that could be used for providing LEP assistance:

- Identifying what staff and volunteer language interpreters are readily available
- Exploring how much translation services would cost
- Identifying which documents should be translated

Language Assistance

The NJTPA has identified several ways that language assistance services can be provided to LEP individuals in the region.

- The NJTPA uses staff and volunteer (including subregional staff) language interpreters and/or translators as needed. A complete list of staff members who are willing to provide interpretation and written translation services, and the languages they are fluent in, is maintained by the Title IV Coordinator. At the time of this Title VI plan's development, NJTPA staff can translate the following languages: Chinese, Portuguese and Spanish.
- The NJTPA maintains a list of translation and interpretation services that can be used as needed if staff and volunteers are unavailable or unable to meet the LEP language needs for a project or program. These companies offer a wide variety of language translations, including Spanish, Chinese, Korean, Portuguese, Polish, Gujarati and Arabic.

The NJTPA also has a pilot program planned, which could provide additional volunteers translators in the future (see the Public Outreach and Engagement Liaisons section).

Section 3.2.2: LEP Plan

The NJTPA conducts extensive public outreach and is committed to accessible engagement, as outlined in its PEP (Appendix F). As part of this outreach, accommodations are made to ensure LEP individuals in the NJTPA region are able to participate in the planning process. The NJTPA provides website translation services in a wide range of language through Google translate. In addition, the following assistance is provided:

- **Translation of Key Documents**—Drafts and final versions of executive summaries of core planning products (LRTP, TIP, UPWP, Congestion Management Process Status Report; Transportation Conformity Determination and PEP) will be translated into the primary LEP language.
- **Translation of Outreach Documents**—As part of its public outreach for the LRTP and other core planning documents, the NJTPA will translate meeting flyers, fact sheets and surveys into the primary LEP language. Outreach products will be translated into other languages as needed on a case by case basis.
- **Oral Translation Services**—Upon request, the NJTPA will provide translation services for the primary LEP language at Board and Committee meetings, as well as public meetings for core products and planning studies. Efforts are made to accommodate additional languages upon requests. Requests must be made seven days in advance of a meeting.
 - Requests for translation services can be submitted to njtpa@njtpa.org or by calling (973) 639-8400 between the hours of 9 a.m. and 5 p.m. on weekdays.
- **Public Notice of Language Assistance**—The NJTPA will provide public notice of the availability of language assistance on an on-going basis through the following means:
 - Information on the availability of language assistance will be maintained on the NJTPA website, NJTPA.org, along with instructions on how to access the assistance.

- Brochures containing language assistance instructions will be made available at public meetings and are available in public areas of the NJTPA's office.
- Language assistance notices will be placed with local, non-English language media directed at LEP individuals and their languages.
- Language assistance information and instructions will be provided through telephonic messages through NJTPA's main phone number.

For location-specific planning projects and studies (such as a subregional study, local safety project or local concept development study) funded by the NJTPA, project managers will provide language assistance consistent with the above NJTPA policies for its own meetings and key planning documents. This includes:

- As part of their EJ analysis, project managers will identify LEP populations within the study area as well as thresholds for language assistance. Oral, written and website language assistance will be provided for the primary languages and on a case by case basis for secondary languages. Participating counties/municipalities may also request translations into additional languages based on the needs of the population.
- Project managers must provide notice of availability of language assistance services under the Safe Harbor Provision. This can include brochures or flyers about language assistance services posted online and in public places, meeting handouts and notices submitted to non-English language media directed at LEP individuals in their primary language.
- All public meeting notices, project fact sheets and draft and final executive summaries should be translated into the primary LEP language and any other languages as needed on a case by case basis.

PUBLIC OUTREACH AND ENGAGEMENT LIAISONS

In FY 2020 the NJTPA planned to pilot the Public Outreach and Engagement Liaisons (POEL) program. Due to COVID-19 this project was delayed. This NJTPA has compiled a database of organizations and specific contacts at each organization who have offered to help facilitate communication between the NJTPA and communities where a project or study is occurring, including communities that have traditionally been under-represented in the metropolitan transportation planning process.

These liaisons have diverse backgrounds, skill sets, and abilities enabling them to serve a variety of functions. While many organizations are not hosting meetings or events due to the pandemic, some liaisons have offered to share information with their organizations and members on behalf of the NJTPA. Using these trusted advocates helps ensure that opportunities to participate with the NJTPA feel more accessible, comfortable and familiar for those who might otherwise be left out.

One goal of this pilot program is to recruit liaisons who will be able to boost public participation with LEP persons and provide additional translation services as needed.

Section 3.3: Subrecipient Compliance and Monitoring

Title 49 CFR Section 21.9(b) states that if “a primary recipient extends federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to carry out its obligations under this part.” The primary recipient has a responsibility to both assist and monitor subrecipients for compliance with USDOT’s Title VI regulations. If the subrecipient is not in compliance, then the primary recipient is also not in compliance. The same applies to 2nd and 3rd tier subrecipients (e.g., NJTPA and its subrecipients of pass-through grants).

The MPO’s Title VI Coordinator works with program managers to conduct periodic pre-grant and post-grant reviews of subrecipients of USDOT funds to ensure adherence to Title VI requirements. Reviews use a combination of desk audits and interviews, if required. Appropriate program staff members routinely update the Title VI guidelines provided to consultants, contractors, and subrecipients including Title VI language, provisions and other related requirements.

Additionally, the NJTPA verifies Title VI compliance by subrecipients and consultants in the contracting process. Submission of assurance forms and signature of the terms of the contract, which includes contract provisions for Title VI compliance, is used to verify the subrecipient’s commitment to compliance by the consultant or subrecipient.

Providing Assistance to Subrecipients

The NJTPA will make available to its subrecipients information and resources regarding its Title VI program to assist subrecipients in achieving and maintaining compliance. This assistance will most likely be needed when the subrecipient is a first-time grantee or is not also a direct recipient; however, the following information and resources will be made available to all subrecipients, as needed:

- Sample public notices informing beneficiaries of their rights under USDOT’s Title VI regulations, procedures on how to file a Title VI complaint, and the recipient’s Title VI complaint form.
- Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient, and when the subrecipient is expected to notify the primary recipient of complaints received by the subrecipient.
- Demographic information of residents served by the subrecipient. This information related to race, national origin, income and other demographic data will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance and other accommodations.
- Any other available information or data that will assist subrecipients in complying with Title VI, such as the Equity Assessment Guide. The NJTPA is also developing an Equity Analysis web-based application, which will be made available in the future.

Monitoring Subrecipient Compliance

Monitoring subrecipients is a critical aspect of the NJTPA's Title VI program, as all subrecipients must comply. At a minimum, for projects supported by USDOT funding, the NJTPA will review the Title VI and LEP planning efforts of subrecipients to demonstrate compliance with requirements that apply, based on the type of organization and services being provided. Pre-award desk audit reviews of subrecipients will include evaluation of Title VI assurance forms and the NJTPA subrecipient Title VI compliance questionnaire (see Appendix G). The MPO will also review the Title VI/LEP process for subrecipients through program documents, website reviews, direct contact and/or surveys.

NJTPA will conduct reviews of a minimum of two subrecipients each year, one for each major pass-through program and one for other subrecipient activities, if required. Every year, NJTPA will identify subrecipients for a desk review, which will be conducted based on the assessment of risk of non-compliance and potential magnitude of the impact of non-compliance. Those subrecipients are identified based on one or more of the following criteria:

- NJTPA knows of or has received (formal or informal) complaints regarding the subrecipient.
- NJTPA staff identified the subrecipient as having known Title VI issues/concerns.
- The subrecipient has submitted problematic responses to the Title VI compliance questionnaire and/or submitted incomplete Title VI documentation following the questionnaire.
- The subrecipient receives a large amount of funding from NJTPA relative to other subrecipients.
- The subrecipient is new to NJTPA, receives a large amount of funding from NJTPA and requires Title VI training.

Consultant Contracts

The NJTPA is responsible for selecting, negotiating, and administering its consultant contracts and subcontracts with subrecipients of federal funds. The NJTPA operates under its internal contract procedures and all relevant federal and state laws. In addition, the following Title VI language is included in the NJTPA's solicitations and Requests for Proposals (RFPs):

"The NJTPA in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all interested parties that it will affirmatively ensure that any contract entered into pursuant to this solicitation, disadvantaged business enterprises will be afforded full and fair opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

Remedial Action

The goal for Title VI and regulatory enforcement is to achieve voluntary compliance. If deficiencies are found during a Title VI review, a letter reporting the deficiencies requiring corrective action will be issued. A compliance conference meeting or phone call with the subrecipient will be held within 30 days of issuing the deficiency report, during which the subrecipient will be able to propose remedial actions to correct the deficiencies. Recipients placed in deficiency status shall be given a reasonable time, not to exceed 90 days after receipt of the deficiency report, to voluntarily correct deficiencies. Subrecipients are expected to correct all deficiencies and provide periodic updates to the NJTPA's Title VI Coordinator. NJTPA will provide technical assistance, as needed, to ensure implementation of the subrecipient's corrective action plan. When the NJTPA has determined that a subrecipient's deficiencies are sufficiently corrected, the subrecipient will be formally notified in writing that the review process is complete and no further progress reporting is needed.

When a subrecipient fails to take appropriate corrective action in response to the reported deficiencies, the subrecipient moves from a deficiency status to noncompliance. Upon finding a subrecipient in noncompliance, the Title VI Coordinator shall immediately notify the subrecipient in writing of the violations and of the steps necessary to correct them. The subrecipient shall implement corrective actions within 30 days of receipt and acceptance of the notification of recommended corrective action. The NJTPA will continue to provide technical guidance and support as appropriate.

If an attempt to secure voluntary compliance with Title VI does not occur within 30 days, or a reasonable period of time, the first step taken by the NJTPA will be to attempt to resolve the issue using normal administrative solutions. However, other sanctions, with the concurrence of NJDOT, may be applied such as withholding payments, suspending or terminating the subcontract, and/or refraining further financial assistance to subrecipients.

Section 4: NJTPA Demographic and Transportation Investment Profile

The following information addresses Title VI reporting requirements for MPOs as described in FTA Circular 4702.1B. The NJTPA is not a provider of fixed route public transportation service; therefore, requirements specific to MPOs serving as transit providers are not included in this section.

All MPO recipients must provide a demographic profile of the metropolitan area within their Title VI program. Data from the 2017 American Community Survey (ACS) Five Year Estimates was collected for six different factors: minority population, low-income population, LEP persons, people with disabilities, zero-vehicle households, and the older adult population in the NJTPA region. The representation for each factor as a percentage of the total population was used to illustrate the community composition. Additionally, the factors were mapped using GIS software and overlaid with the TIP projects to better understand the spatial relationship between

transportation improvement projects and the specific population characteristics identified under Title VI and EJ.

Section 4.1: Minority Population

The NJTPA region contains a highly diverse population, of which 46 percent is considered minority. For the purpose of this analysis minority is defined as the total population minus White Alone-Non-Hispanic or Latino. The racial composition of the region is depicted in table 2.

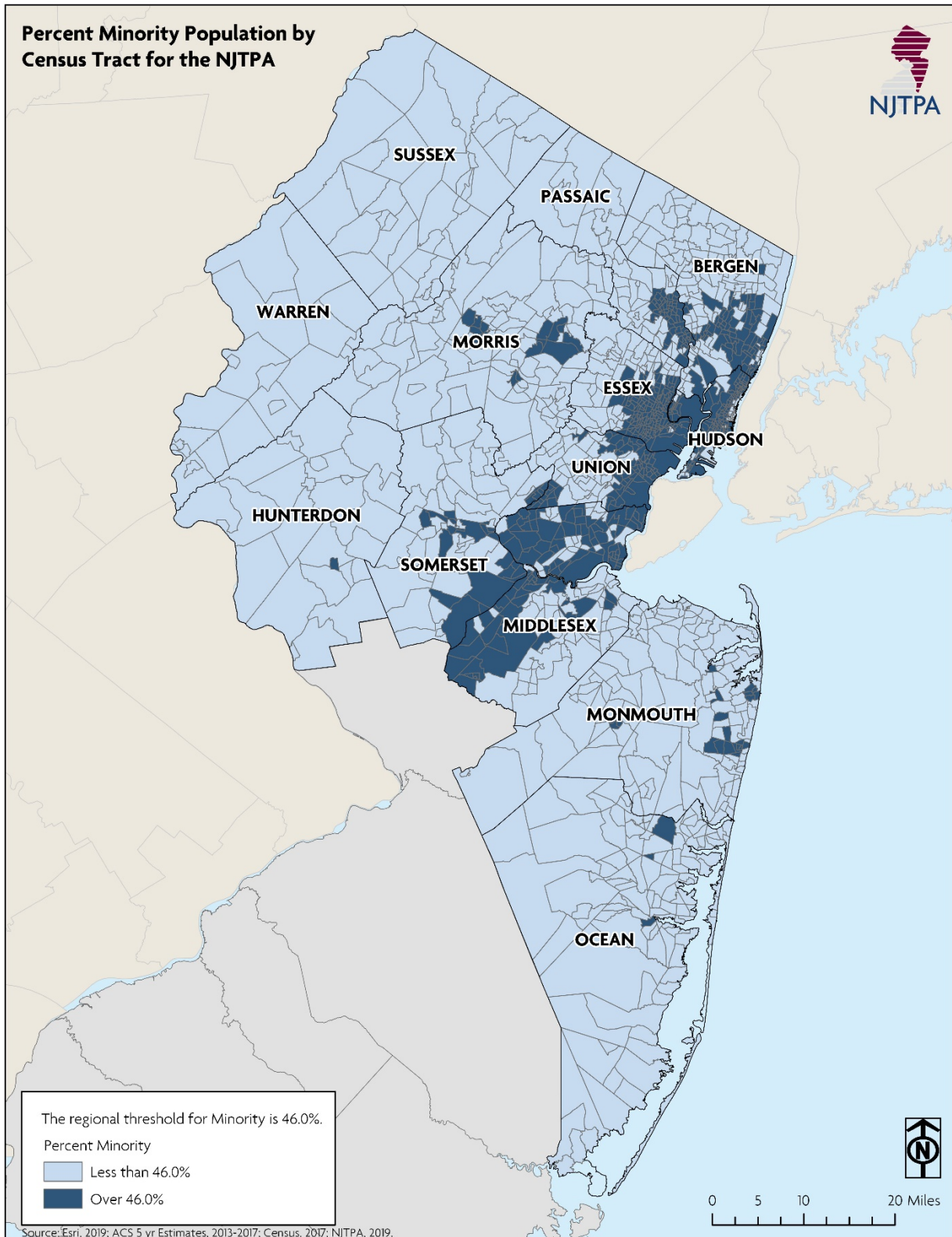
Table 2: Racial Composition of the NJTPA region

Racial Minority	Population	% of Population
Hispanic	1,459,106	21.6%
Black	791,801	11.7%
Asian	712,868	10.6%
Two or More Races	97,702	1.4%
Some Other Race	32,089	0.5%
Alaskan/American Indian	6,836	0.1%
Native Hawaiian/Other Pacific Islander	1,648	0.02%
NJTPA	3,102,050	46%

Source: ACS, Five Year Estimates, 2013-2017, Table DP05.

The table shows that Hispanic, Black, and Asian people comprise the largest groups of minorities in the region. The figure on the next page illustrates the minority population spatial distribution by census tract.

Figure 2: Percent Minority Population by Census Tract



Most of the minority population is concentrated in Bergen, Essex, Hudson, Middlesex, Passaic, Somerset and Union counties. Additionally, there are pockets of minority population that exceed the regional threshold in Hunterdon, Monmouth, Morris and Ocean counties.

Section 4.2: Low Income

The ratio of income to poverty level in the past 12 months is used to calculate the percentage of low-income residents in the NJTPA region. The same metric is used to determine low-income populations in the U.S. Environmental Protection Agency's EJSCREEN tool. Many studies show that the poverty threshold is too low to accurately depict those people who are truly low-income. Therefore, using two times the poverty level better captures those individuals adversely affected by low income. This is the calculation used to determine the percentages of low-income persons living in the NJTPA region, as detailed by county in Table 3. Approximately 23.7 percent or approximately 1.5 million people are living below this poverty level threshold in the NJTPA region.

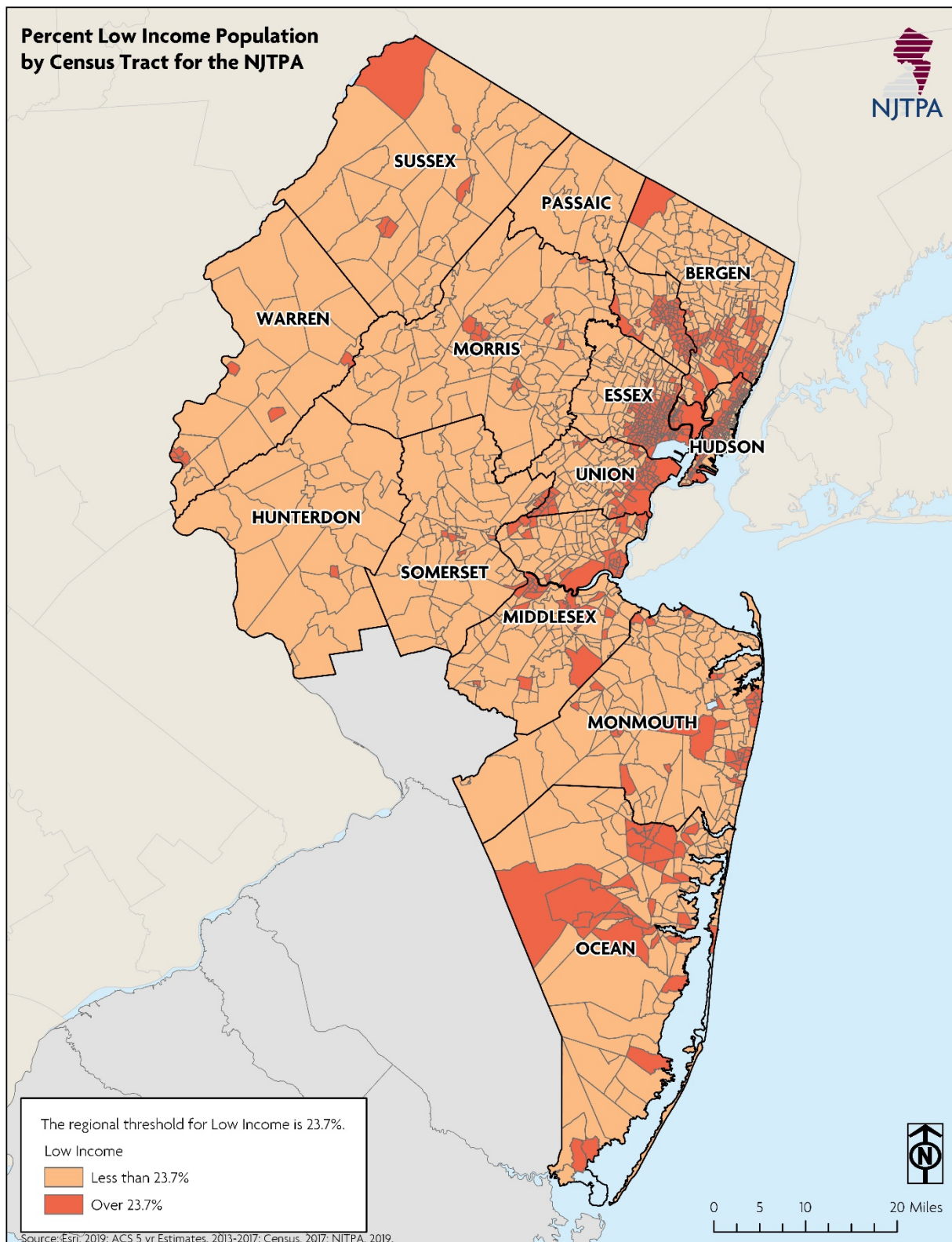
Table 3: Low Income Population by County

County	Total Population	Low Income Population	% Low Income Population
Hudson	672,241	238,567	35.5%
Passaic	502,606	174,266	34.7%
Essex	781,279	268,809	34.4%
Union	550,581	147,158	26.7%
Ocean	582,096	150,766	25.9%
Middlesex	807,450	165,804	20.5%
Warren	105,338	20,595	19.6%
Bergen	927,026	163,465	17.6%
Monmouth	621,400	108,748	17.5%
Sussex	142,214	21,565	15.2%
Morris	491,300	60,405	12.3%
Somerset	329,859	40,501	12.3%
Hunterdon	121,269	12,455	10.3%
NJTPA	6,634,659	1,573,104	23.7%

Source: ACS, Five Year Estimates, 2013-2017, Table C17002.

Hudson county has the highest percentage (35.5 percent) of low-income people compared to its total population, while Hunterdon has the lowest with 10.3 percent of its population identified as low-income. Figure 3 on the next page illustrates concentrations of low-income people by census tract.

Figure 3: Percent Low Income Population by Census Tract



Section 4.3: Limited English Proficiency

Refer to the information included in the four-factor analysis provided under Section 3.2.1 for more information about the LEP population in NJTPA region, including a table of English proficiency and map of LEP households.

Section 4.4: People with Disabilities

The ADA prohibits public entities from discriminating against people with disabilities or excluding them from participating in, or denying them the benefits of, the entities' services, programs, or activities. Although disability protections are not explicitly a part of Title VI, they are implied in the inclusive public participation requirements. For MPOs, this means that public meetings are held in accessible buildings and that vital MPO documents are available in accessible formats to members of the public. The table below shows the breakdown of people with a disability by county.

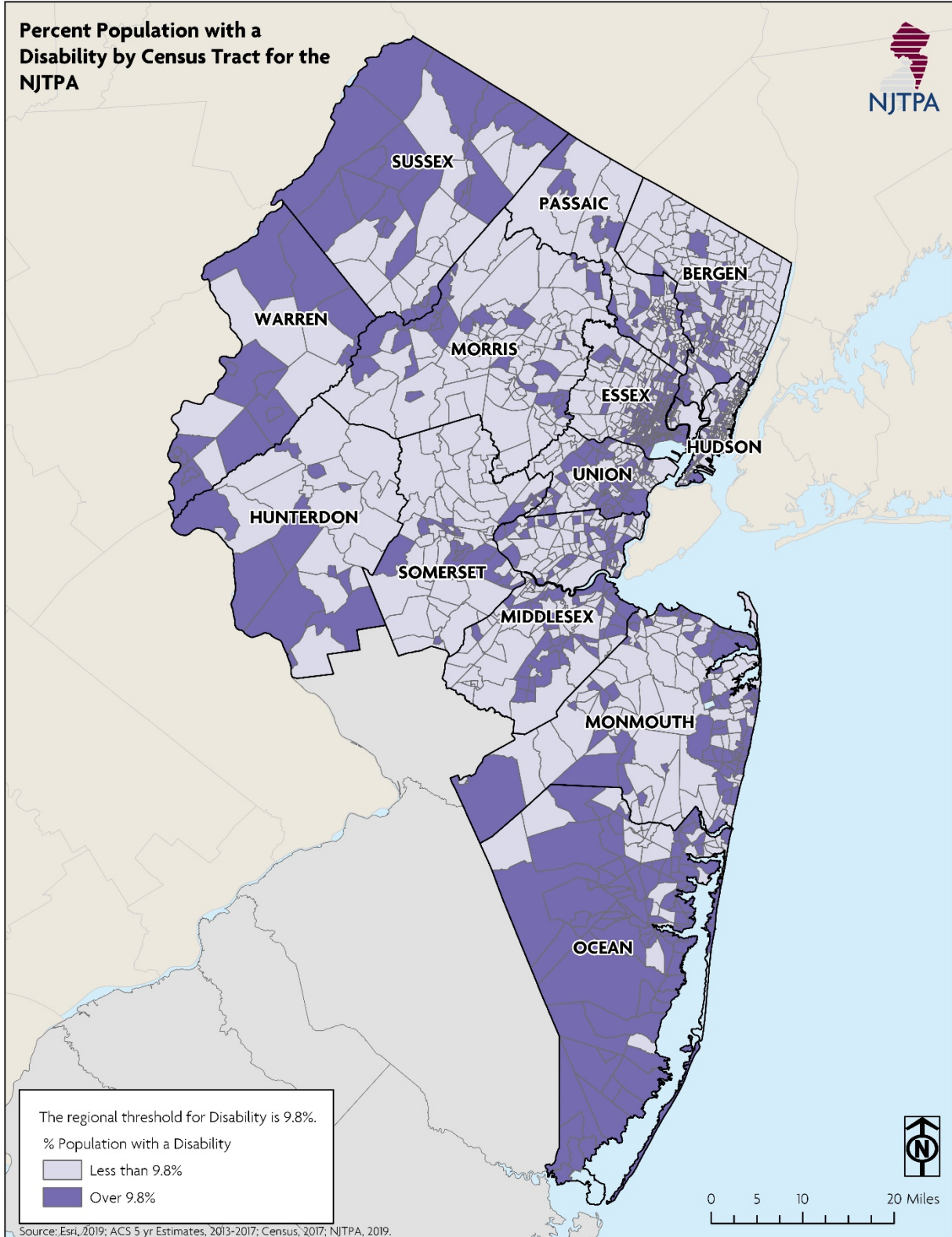
Table 4: Population with a Disability by County

County	Total Population	Total Population with a Disability	% Population With a Disability
Ocean	584,418	78,298	13.4%
Warren	106,181	13,371	12.6%
Essex	788,754	95,957	12.2%
Sussex	142,397	14,484	10.2%
Monmouth	623,613	62,091	10%
Hudson	675,541	63,440	9.4%
Union	552,755	51,854	9.4%
Middlesex	828,230	75,521	9.1%
Hunterdon	121,490	10,934	9%
Passaic	506,947	44,713	8.8%
Morris	494,902	40,654	8.2%
Bergen	931,733	75,029	8.1%
Somerset	330,448	26,412	8%
NJTPA	6,687,409	652,758	9.8%

Source: ACS, Five Year Estimates, 2013-2017, Table S1810. Total population is defined as total civilian noninstitutionalized.

People with disabilities compose 9.8 percent of the regional population. By county, Ocean has the largest percentage of people with a disability at 13.4 percent of its non-institutionalized population. Figure 4 on the next page illustrates the spatial distribution of the population by census tract of people who have a disability.

Figure 4: Percent Population with a Disability by Census Tract



Additional information was collected that allows the NJTPA to look at specific disability characteristics as defined by the U.S. Census. The disability types are as follows: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty and independent living difficulty. The table below illustrates the breakdown by type of disability by county and for the NJTPA region.

Table 5: Population by Type of Disability by County

County	Total Population	Total Population w/ a Disability	% Pop. w/a Disability	% Pop. w/ Hearing Difficulty	% Pop. w/ Vision Difficulty	% Pop. w/ Cognitive Difficulty	% Pop. w/ Ambulatory Difficulty	% Pop. w/ Self-Care Difficulty	% Pop. w/ Independent Living Difficulty
Bergen	931,733	75,029	8.1%	2.3%	1.3%	2.5%	4.4%	2%	3.3%
Essex	788,754	95,957	12.2%	2.3%	3.6%	4.1%	6.4%	2.5%	4.2%
Hudson	675,541	63,440	9.4%	1.6%	2.0%	3.4%	5.6%	2.2%	3.7%
Hunterdon	121,490	10,934	9%	3.1%	1.6%	3.3%	3.7%	1.5%	3%
Middlesex	828,230	75,521	9.1%	2.3%	1.4%	3.1%	5.1%	2.1%	3.5%
Monmouth	623,613	62,091	10.0%	2.6%	1.7%	3.4%	5.2%	1.9%	3.7%
Morris	494,902	40,654	8.2%	2.5%	1.2%	2.6%	4.1%	1.7%	3.2%
Ocean	584,418	78,298	13.4%	4.1%	2.2%	4.3%	7.4%	2.6%	4.7%
Passaic	506,947	44,713	8.8%	2.2%	1.7%	3.1%	5%	2.1%	3.6%
Somerset	330,448	26,412	8%	2.2%	1.2%	2.8%	4%	1.9%	3.1%
Sussex	142,397	14,484	10.2%	2.8%	1.4%	3.8%	5.4%	2.3%	3.6%
Union	552,755	51,854	9.4%	2.2%	1.7%	3.5%	4.8%	2.1%	3.7%
Warren	106,181	13,371	12.6%	3.8%	2%	4.3%	6.5%	2.3%	4.8%
NJTPA	6,687,409	652,758	9.8%	2.5%	1.8%	3.3%	5.3%	2.1%	3.7%

Source: ACS, Five Year Estimates, 2013-2017, Table S1810. Total population is defined as total civilian noninstitutionalized.

When dealing with various transportation projects and programs it is vital to understand how they will impact a person with a disability. It is also important to recognize the type of disability. A person with a hearing disability will be affected in a vastly different way than a person with a vision disability. This data will also help support the NJTPA's outreach efforts and ensure inclusivity of persons with a disability where applicable and warranted.

Section 4.4: Zero-Vehicle Households

The zero-vehicle households measure should be interpreted in concert with other measures. As an example, a community with a high zero-vehicle household population could be located in an area that is well equipped with various modes of mass transit, and a car is not considered a necessity. For some not owning a car is a lifestyle choice and therefore does not indicate populations with environmental or economic disadvantages. Looking at this measure by itself might not provide an accurate picture of those communities in most need. Table 6 depicts the percentage of zero-vehicle households by county and for the NJTPA region.

Table 6: Zero-Vehicle Households by County

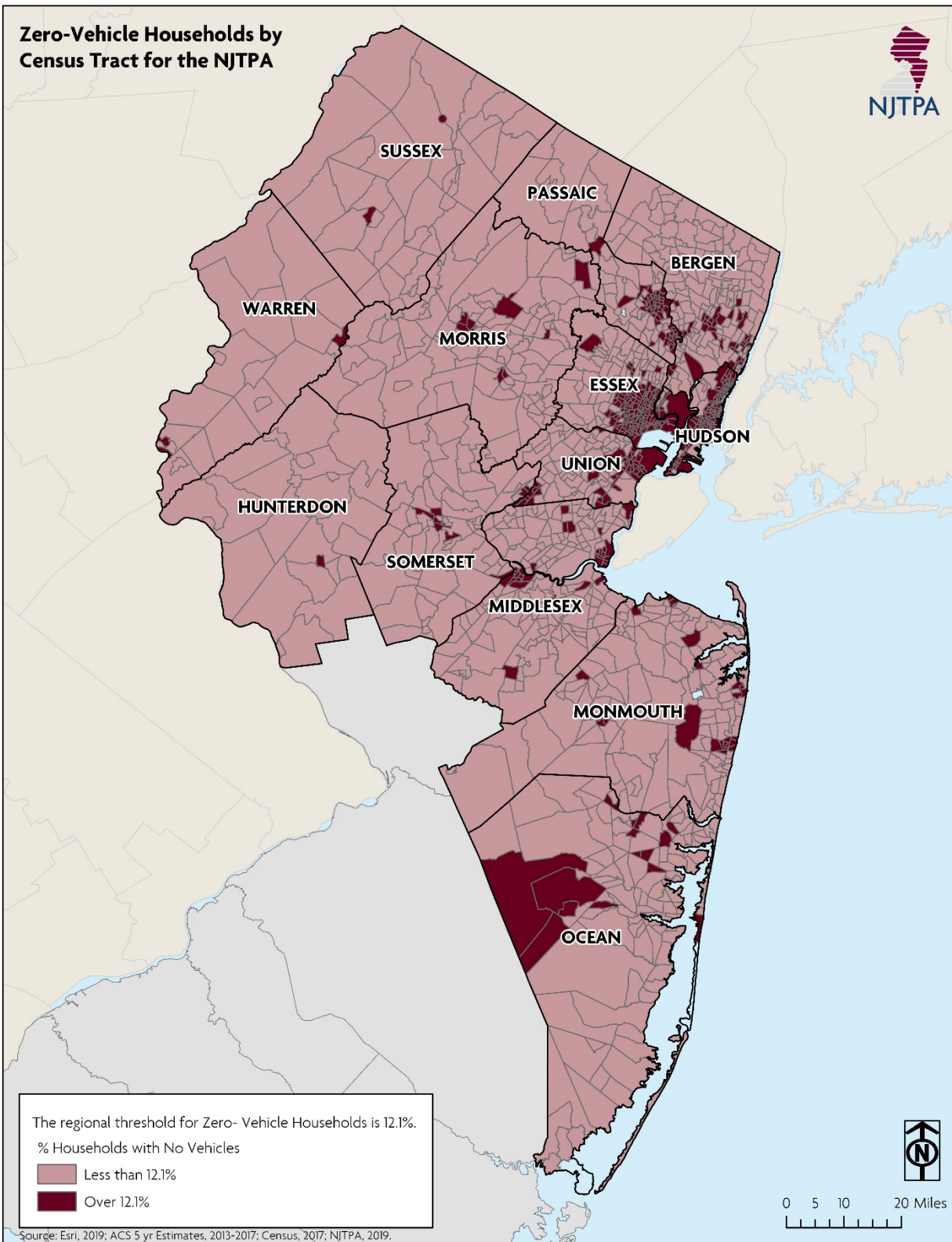
County	Total Households	Households with No Vehicles	% Households with No Vehicles
Hudson	252,352	80,984	32.1%
Essex	280,327	61,591	22%
Passaic	162,440	26,382	16.2%
Union	187,916	21,698	11.5%
Bergen	337,819	26,896	8%
Middlesex	283,794	21,683	7.6%
Ocean	223,135	15,285	6.9%
Monmouth	232,482	15,889	6.8%
Warren	41,385	2,556	6.2%
Morris	180,124	8,615	4.8%
Somerset	115,970	5,339	4.6%
Sussex	53,618	2,129	4%
Hunterdon	46,822	1,744	3.7%
NJTPA	2,398,184	290,791	12.1%

Source: ACS, 5 year Estimates, 2013-2017, Table B08201

Roughly 12 percent of the region's households have no vehicle. Hudson County, a very urban area with a significant amount of transportation options, has 32.1 percent zero-vehicle households. While Hunterdon, a much more rural area, only has 3.7 percent zero-vehicle households.

The figure on the next page illustrates the distribution of zero-vehicle households by census tract.

Figure 5: Zero-Vehicle Households by Census Tracts



Section 4.5: Senior and Youth Population

In order to understand the unique transportation needs of both senior and youth populations, data was collected for the following age cohorts: 65 years and older, 5 years old to 17 years old and under 5 years old. These age-specific needs could include proximity to amenities like day cares, schools or adult living facilities, and accessibility to jobs or mass transit. Considering the distinctive needs of the age cohort will better support planning for transportation improvements.

In the NJTPA region, 15 percent of the population is 65 and older. Ocean County has the highest percentage of seniors within its county boundary. Table 7 details the senior population percentage for each county in the region.

Table 7: Population 65 years and older by County

County	Total Population	Total Population 65 years and Older	% Population 65 years and Older
Ocean	589,699	130,257	22.1%
Warren	107,088	17,716	16.5%
Hunterdon	125,717	20,782	16.5%
Bergen	937,920	153,527	16.4%
Monmouth	627,551	101,128	16.1%
Morris	498,847	79,042	15.8%
Sussex	143,570	22,167	15.4%
Somerset	333,316	47,955	14.4%
Middlesex	837,288	115,701	13.8%
Union	557,320	75,962	13.6%
Passaic	510,563	69,429	13.6%
Essex	800,401	102,794	12.8%
Hudson	679,756	75,984	11.2%
NJTPA	6,749,036	1,012,444	15.0%

Source: ACS, 2017 Five Year Estimates, Table S0101

The figure on the next page represents the spatial distribution by census tract for the region.

Figure 6: Percent Population 65 years and older by Census Tract

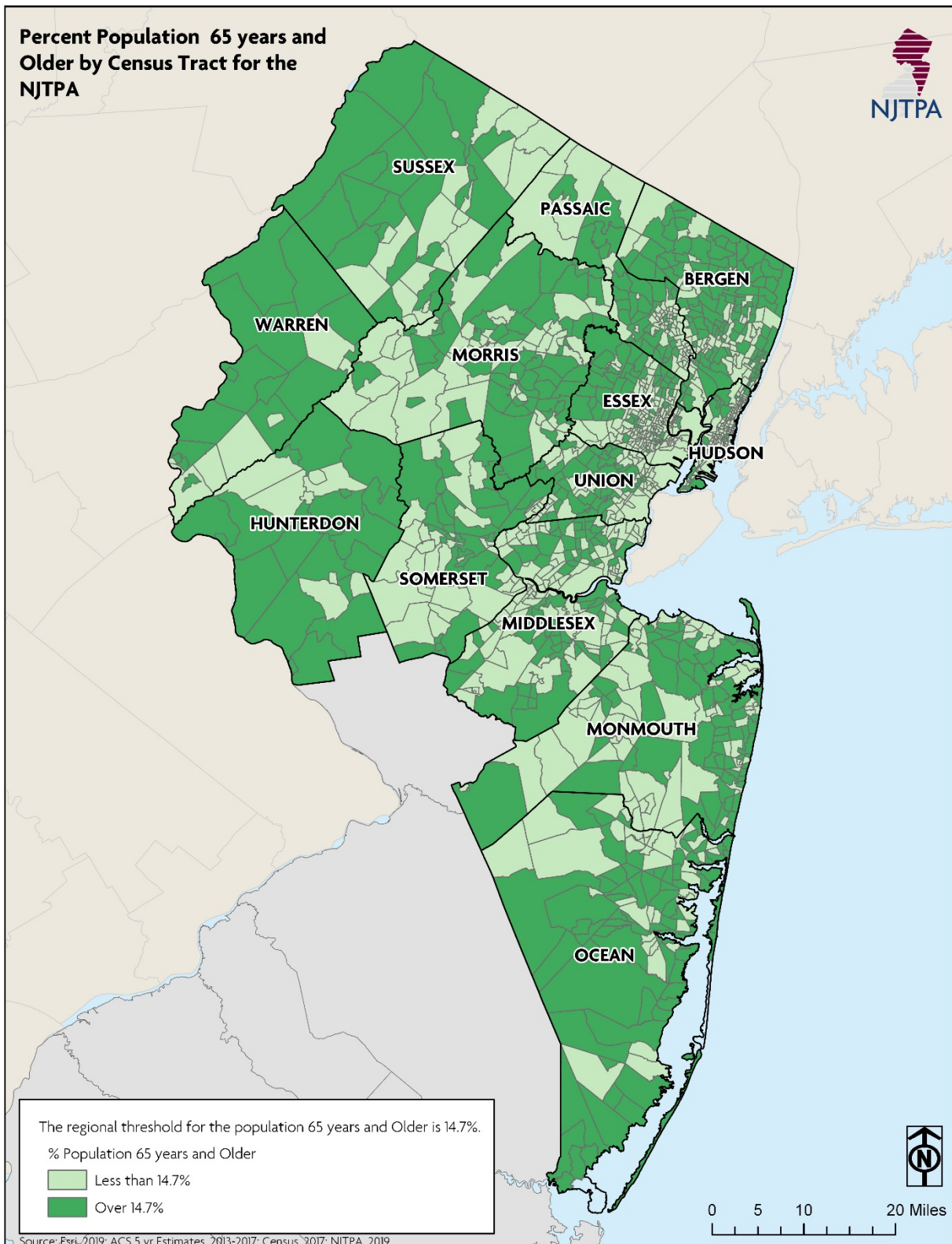


Table 8 and Figure 7 show the percentage of population under 5 in the NJTPA region, as well as the spatial distribution of the population under 5 years old. Based on the data, 5.9 percent of the population in the NJTPA region is under 5 years old.

Table 8: Population Under 5 years old by County

County	Total Population	Total Pop. Under 5 years old	% Pop. Under 5 years old
Hudson	679,756	47,441	7%
Ocean	589,699	40,591	6.9%
Passaic	510,563	34,842	6.8%
Essex	800,401	52,804	6.6%
Union	557,320	35,278	6.3%
Middlesex	837,288	49,144	5.9%
Somerset	333,316	17,653	5.3%
Bergen	937,920	49,660	5.3%
Monmouth	627,551	31,705	5.1%
Morris	498,847	24,949	5%
Warren	107,088	5,059	4.7%
Sussex	143,570	6,605	4.6%
Hunterdon	125,717	4,992	4%
NJTPA	6,749,036	400,723	5.9%

Source: ACS, 2017 Five Year Estimates, Table S0101

Figure 7: Percent Population Under 5 years old by Census Tract

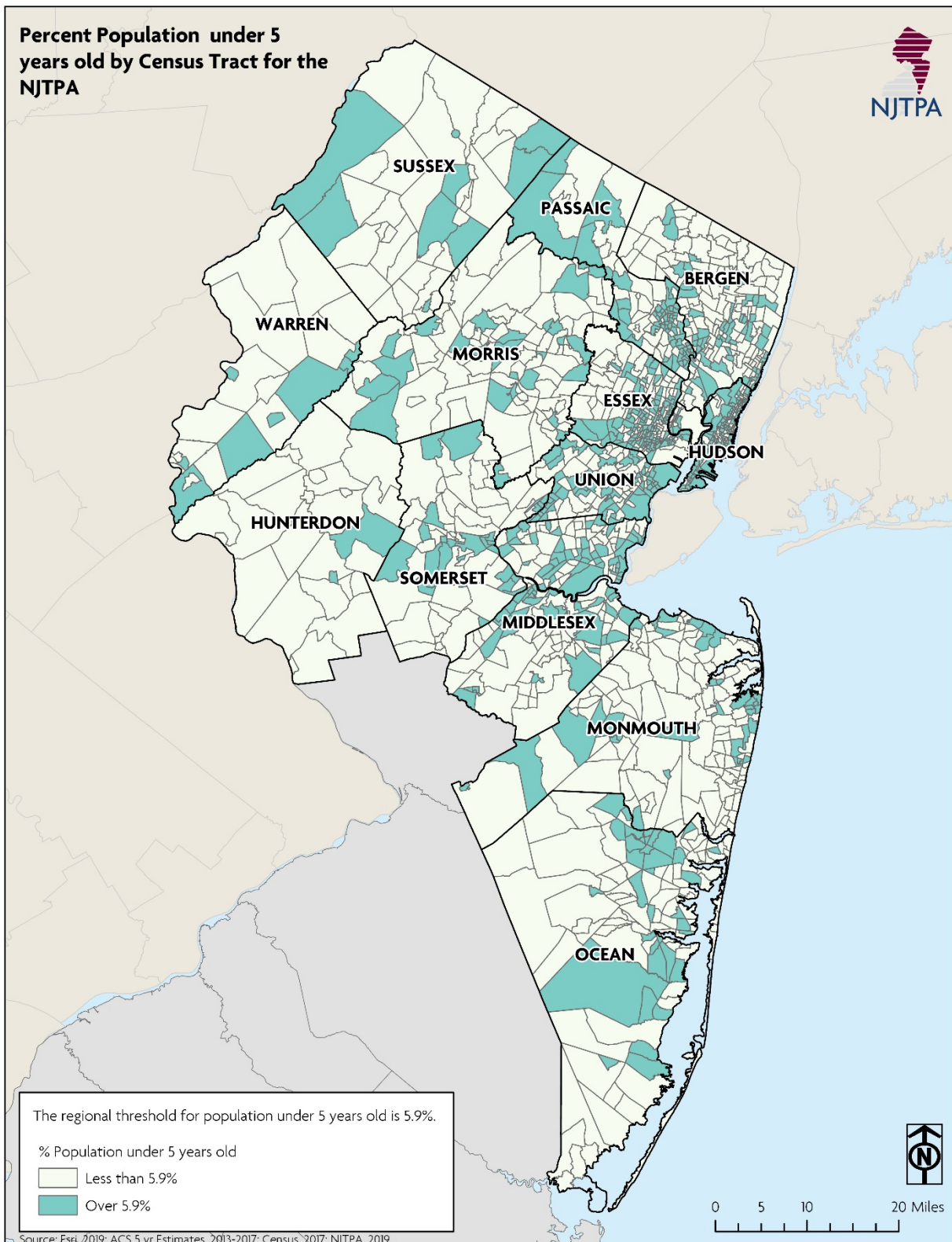


Table 9 shows that 16.5 percent of the population in the NJTPA region is between the ages of 5 and 17.

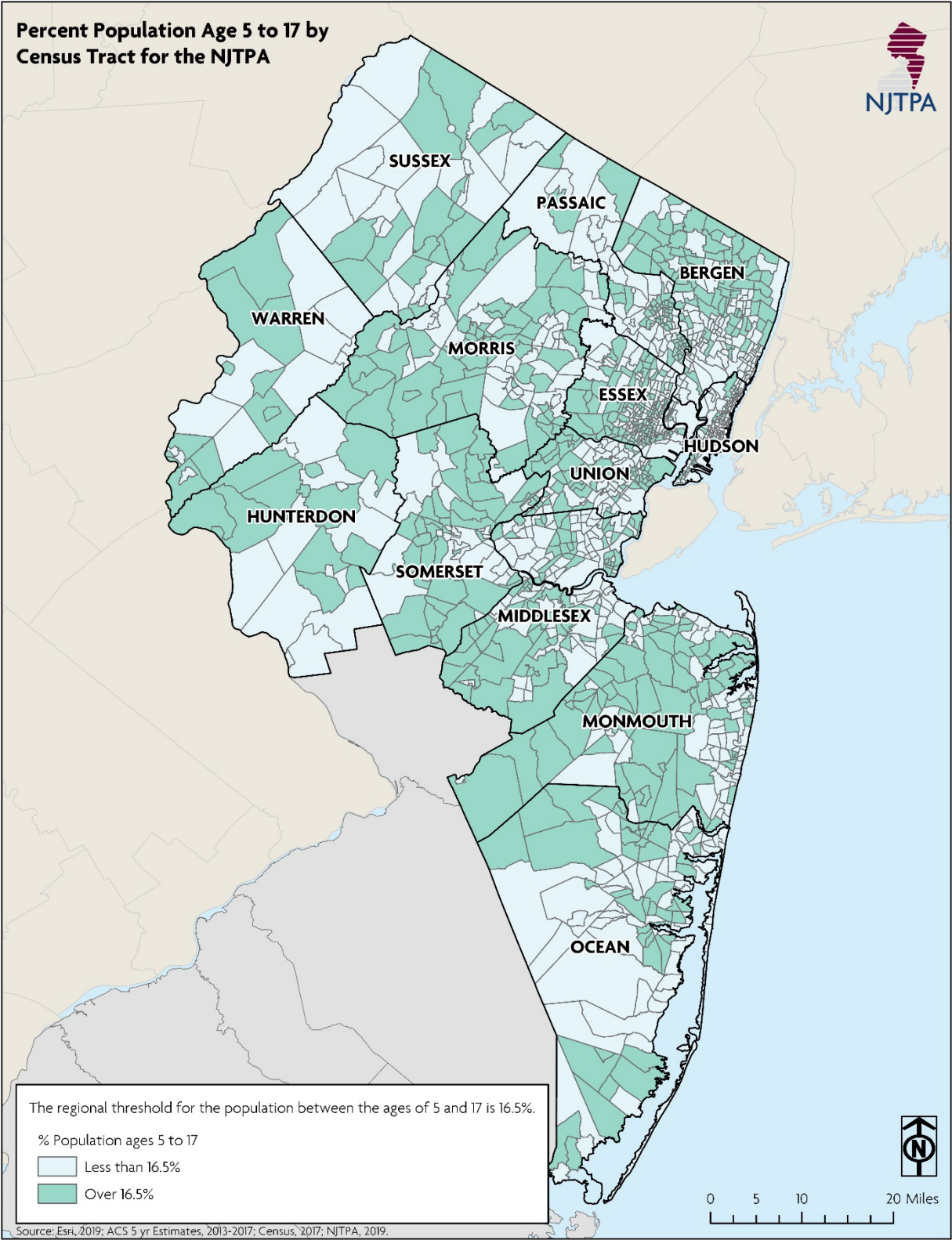
Table 9: Population ages 5 to 17 years old by County

County	Total Population	Total Pop. 5 to 17 years old	% Pop. 5 to 17 years old
Somerset	333,316	58,491	17.5%
Passaic	510,563	88,330	17.3%
Essex	800,401	138,356	17.3%
Union	557,320	96,166	17.3%
Morris	498,847	84,605	17%
Monmouth	627,551	106,146	16.9%
Ocean	589,699	98,567	16.7%
Hunterdon	125,717	20,872	16.6%
Sussex	143,570	23,589	16.4%
Bergen	937,920	152,356	16.2%
Warren	107,088	17,336	16.2%
Middlesex	837,288	134,432	16.1%
Hudson	679,756	91,438	13.5%
NJTPA	6,749,036	1,110,684	16.5%

Source: ACS, 2017 Five Year Estimates, Table S0101

The figure on the next page depicts the spatial distribution by census tract.

Figure 8: Percent Population of age 5 to 17 by Census Tract



Section 4.6: Mobility Needs of Minority Populations

MPOs are required to include in the Title VI Implementation Plan a description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process. In developing the NJTPA's planning activities, the NJTPA seeks out and considers the needs of those traditionally underserved by existing transportation systems, including minorities. The NJTPA strives to include all stakeholders, including protected classes, in its planning activities.

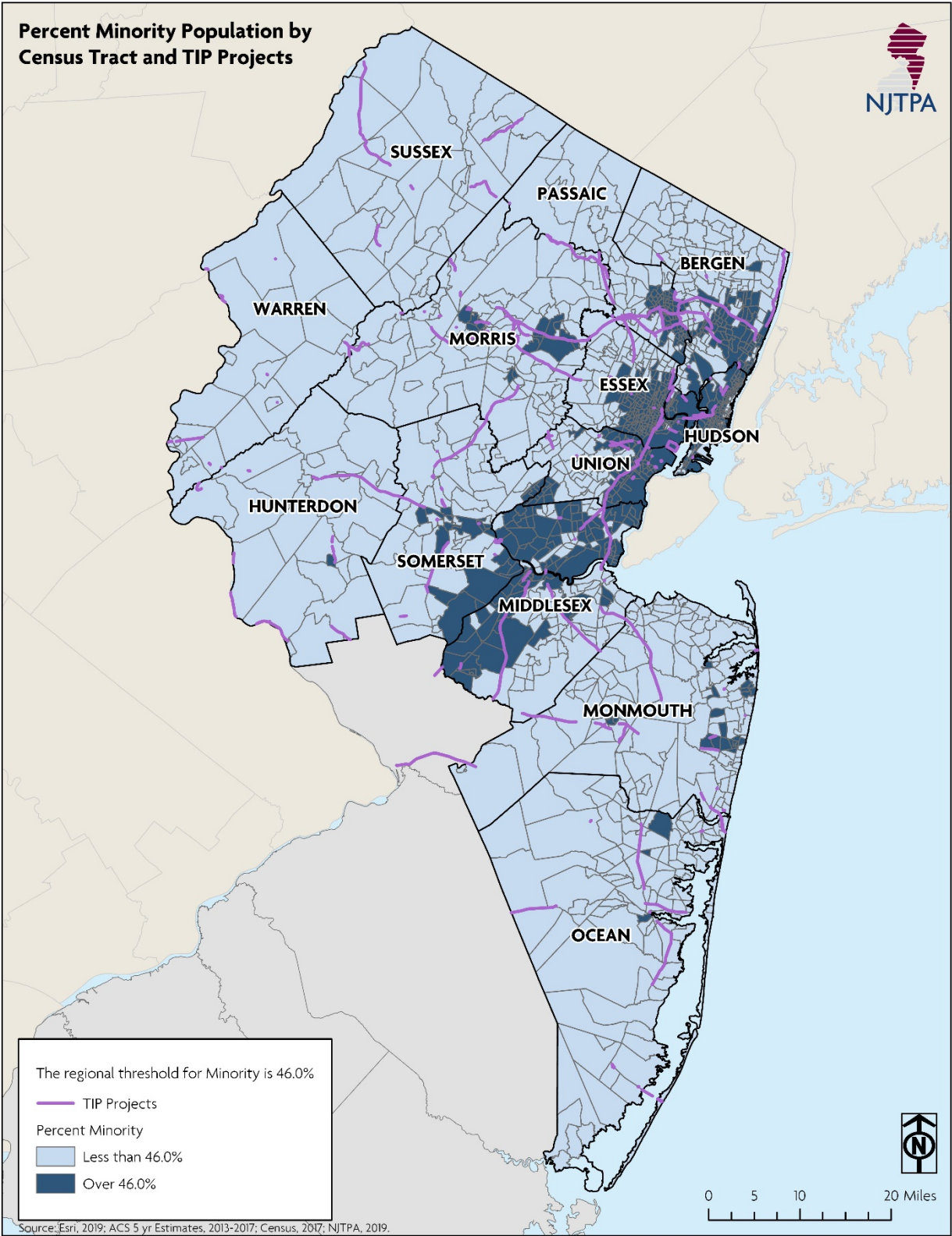
The NJTPA updated its Coordinated Human Services Transportation Plan, *Go Farther*, in 2017. The plan offers comprehensive recommendations for meeting the transportation needs of four target populations: persons ages 65 and older, low-income individuals, people with disabilities and veterans. The planning process included extensive public outreach to gather input from the target populations. The multi-faceted public and stakeholder outreach included focus groups, surveys, and community planning sessions; in total, nearly 5,000 people representing the four target populations provided input through the public outreach effort.

Section 4.7: Transportation Improvement Program

The TIP is a four-year fiscally constrained listing of projects and programs that is updated and adopted by the NJTPA Board every two years. Each year over \$2 billion in state and federal funding is invested in transportation projects and programs in the NJTPA region. The TIP encompasses a wide range of infrastructure improvements including redesigned intersections, repaved roads, new bicycle/pedestrian paths, added trains and buses, rehabilitated bridges and upgraded traffic signals. The NJTPA developed and maintains its NJTPA Online Transportation Information System (NOTIS) which provides information on projects and allows users to explore how their state and federal tax dollars are being invested to improve the transportation system in the NJTPA region.

As part of federal regulation FTA C 4702.1B, MPOs are required to provide a demographic map that overlays the percent of minority and non-minority populations as identified by Census or ACS data, at census tract or block group level, and charts that analyze the impacts of the distribution of state and federal funds in the aggregate for transportation purposes, including federal funds managed by the MPO as a designated recipient. This implementation plan uses the ACS Five Year Estimates for 2017 at the census tract level. Figure 9 on the next page illustrates those census tracts above and below the minority regional threshold of 46 percent and the FY2018-FY2021 TIP projects.

Figure 9: Percent Minority Population by Census Tract and TIP projects



The FY2018-FY2021 TIP projects were used to determine investment made in minority and non-minority communities. The TIP includes several state and region-wide programs and projects that cannot be associated with a specific geographic location and therefore are not mapped. The funding for these programs and projects was distributed based on population to estimate the minority community transportation investment. Projects that are mapped and intersect with the minority communities were added to determine the total minority community transportation investment in the FY2018–FY2021 TIP.

Table 10: Distribution of TIP Investment by Minority and Non-Minority Populations

Population	TIP Investment	% of Investment
Minority	\$ 7,245,981,828.87	52.1%
Non-minority	\$ 6,672,263,432.49	47.9%
	\$ 13,918,245,261.35	100%

Table 10 above shows that 52.1 percent of the TIP funds are invested in minority areas. While 47.9 percent of the funding is invested in non-minority areas. As new data becomes available, the analysis of the distribution of state and federal funds in the minority areas will be updated.

Section 4.8: Disparate Impacts

Recipients of funding approved by the NJTPA are required to analyze, based on the information provided in Section 4.7, if there are any disparate impacts on the basis of race, color, or national origin. The NJTPA consistently considers transportation equity when developing studies for the UPWP, selecting projects for inclusion in the LRTP, and programming projects into the TIP. These three documents are complementary and inform each other. Efforts undertaken in the UPWP support the goals and objectives identified in the LRTP and are often the foundation of the project development process for those projects that will eventually be included in the TIP.

Taken as a whole, the transportation planning services provided by the NJTPA do not pose disproportionate or adverse impacts on minority populations.

Section 4.9: Analysis & Monitoring Projects and Processes

As stated previously in Section 3.1, the NJTPA will seek to ensure compliance by annually collecting data on race, low income, LEP, people with disabilities, zero-vehicle households, and age of residents in its planning area. This data will be used to analyze and measure transportation investment benefits and burdens to minority populations. Data gathering procedures will be reviewed regularly to ensure it sufficiently meets the requirements of the Title VI program. NJTPA will continue to use this information to inform not only the planning activities, but also support the TIP scoring criteria to ensure equitable investments in the region.

Using findings and lesson learned from the recently completed Regional Performance Measures project, the NJTPA will look to incorporate (where applicable) metrics that allow the monitoring of progress in regard to the Title VI Implementation Plan.

Section: 5 Conclusion

This NJTPA Title VI Implementation Plan has been prepared pursuant to Title VI of the Civil Rights Act of 1964, FTA Circular 4702.1B, Title VI and Title VI Dependent Guidelines for FTA Recipients (October 1, 2012). The NJTPA Board of Trustees approved this plan on September 9, 2019 (See Appendix E for documentation confirming approval).

The Implementation Plan provides a necessary framework for ensuring:

- that federally-assisted benefits and related services are made available and are equitably distributed,
- that the level and quality of federally-assisted services are sufficient to provide equal access and mobility to all persons, and,
- that there are adequate opportunities for all to participate in planning and decision-making processes.

Additionally, this plan serves as a foundation to ensure corrective and remedial actions are taken for all applications and receipts of federal funding to prevent discriminatory treatment of any beneficiary, provides procedures for investigating Title VI complaints, ensures that meaningful access to programs and activities is provided for LEP populations, and provides steps for informing the public of their rights under Title VI.

Appendices

Appendix A: Title VI Assurance

For signed document click [here](#).

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

USDOT Order No. 1050.2A

The North Jersey Transportation Planning Authority, Metropolitan Planning Organization (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (USDOT), through the Federal Highway Administration (FHWA) and New Jersey Department of Transportation (NJDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964*);
- 23 C.F.R. Part 200 (Title VI Program and Related Statutes – Implementation and Review Procedures);
- USDOT Order 1050.2 (Standard USDOT Title VI Assurances);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects);
- Section 162(a) of the Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs

or activities" to include all of the programs or activities of the federal-aid recipients, sub-recipients and contractors, whether such programs or activities are federally funded or not);

- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits Discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); and
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from USDOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is federally-assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally-assisted USDOT programs.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all FHWA federally-assisted programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The North Jersey Transportation Planning Authority in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures

or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the North Jersey Transportation Planning Authority also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA and NJDOT access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the FHWA and NJDOT. You must keep records, reports, and submit the material for review upon request to FHWA and NJDOT, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

North Jersey Transportation Planning Authority gives this ASSURANCE in consideration of and for obtaining any federal grants, loans, contracts, agreements, property, and/or discounts, or other federal-aid and federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under USDOT programs. This ASSURANCE is binding on the State of New Jersey, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in all USDOT programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

North Jersey Transportation

Planning Authority, Inc.

Mary D. Ameen

Executive Director



Title VI Notice to the Public

The North Jersey Transportation Planning Authority (NJTPA) hereby gives public notice that it is the policy of the NJTPA to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities.

NJTPA assures that no person or group(s) of persons shall, on the grounds of race, color, age, disability, national origin, gender, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination through the federally-mandated metropolitan transportation planning process undertaken by NJTPA, whether the activities are federally funded or not.

It is also the policy of NJTPA to ensure that all its plans, programs, procedures, policies, and activities do not have disproportionate adverse effects on minority and low-income populations. Minority and low-income communities, as identified through the U.S. Census, will be engaged to facilitate their full and fair participation in the metropolitan transportation planning process. In addition, NJTPA will provide meaningful access to services for persons with limited English proficiency.

Regarding the distribution of federal-aid funds to eligible subrecipients, NJTPA will include Title VI language in all written agreements entered into through its administrative host, the New Jersey Institute of Technology, and will monitor those agreements for compliance.

NJTPA's Executive Director is responsible for initiating and monitoring the organization's Title VI Program, for preparing related reports, and for other requirements and responsibilities under Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint. Any such complaint must be filed in writing using the form provided or in person with NJTPA's Title VI Coordinator within one hundred eighty (180) days from the date of the alleged discriminatory act or upon notice of the discriminatory act. Title VI discrimination complaint forms may be obtained from the NJTPA website: www.njtpa.org or by calling 973-639-8400.

Mary D. Ameen, Executive Director

September 9, 2019

Appendix C: Title VI Complaint Form

NJTPA Form 07/2019

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

TITLE VI NON-DISCRIMINATION COMPLAINT FORM

It is the policy of the North Jersey Transportation Planning Authority (NJTPA) to abide by Title VI of the Civil Rights Act of 1964, Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, and 23 U.S.C. Section 324, which provides in part that: *No person in the United States shall, on the grounds of race, color, sex, age, national origin, low income or disability, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving federal financial assistance.*

This form may be used to file a complaint with the NJTPA for alleged violations of Title VI of the Civil Rights Act of 1964. If you need assistance completing this form due to a physical impairment or other reasons, please contact us by phone at (973) 639-8400 or via FAX at (973) 639-1953.

Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within the 180 days period, you have 60 days after you became aware of the discrimination to file your complaint.

Only the complainant or the complainant's designated representative should complete both pages (sides) of this form.

Name: _____	
Street Address: _____	
City: _____	State: _____ ZIP Code: _____
Home Telephone: _____	Work Telephone: _____ Cell Phone: _____
Individual(s) discriminated against, if different from above (use additional page(s) if necessary):	
Name: _____	
Street Address: _____	
City: _____	State: _____ ZIP Code: _____
Home Telephone: _____	Work Telephone: _____ FAX: _____
Please explain your relationship to the individual(s) indicated above: _____	
Name of Agency and Department or Program that discriminated:	
Agency and Department or Program name: _____	
Name of Individual (if known): _____	
Street Address: _____	
City: _____	State: _____ ZIP Code: _____
Telephone: _____	FAX: _____
Date alleged discrimination began: _____ Last or most recent date of discrimination: _____	
Basis of Discrimination:	
<input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Color <input type="checkbox"/> Age <input type="checkbox"/> National Origin	
<input type="checkbox"/> Disability <input type="checkbox"/> Sex <input type="checkbox"/> Income <input type="checkbox"/> Limited English Proficiency (LEP)	
How were you discriminated against? Please give specific information, including names.	
<div style="border: 1px solid black; height: 40px;"></div>	
Were there any witnesses? <input type="checkbox"/> No <input type="checkbox"/> Yes	
If so, please provide their contact information:	
Witness #1	Witness #2
Name: _____	Name: _____
Address: _____	Address: _____
City: _____ State: _____ ZIP: _____	City: _____ State: _____ ZIP: _____
Telephone Number: _____	Telephone Number: _____
Signature _____ Date _____	

NOTE: The laws enforced by this organization prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint or if you have questions regarding the completion of this form please contact:

Title VI Coordinator
North Jersey Transportation Planning Authority
One Newark Center, 17th Floor
Newark, NJ 07102
Phone: 973-639-8400 Fax: 973-639-1953
TitleVI@njtpa.org

NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

Title VI Complaint Process

The North Jersey Transportation Planning Authority (NJTPA) will investigate written complaints that have been filed by any person or class of persons who believe they have been subjected to discrimination or retaliation based on race, color, sex, age, national origin, low income or disability. To file a complaint, an individual or his/her representative should:

1. Complete and sign both sides of the complaint form. Include the complainant's name, address, and telephone number.
2. Initiate the filing no more than 180 days after the date of the alleged act of discrimination; the date when the individual(s) became aware of the alleged discrimination; or where there has been a continuing course of conduct, the date that the conduct was discontinued or the latest instance of the conduct.

These procedures do not preclude any agency from attempting to resolve issues and complaints that are non-written, e.g., sexual harassment. Complaints must detail the facts and circumstances of the alleged discrimination.

NJTPA will use procedures approved by the Federal Highway Administration (FHWA) to investigate complaints filed directly with the NJTPA against contractors and sub-recipients. This is in accordance with 23 CFR 200.9 (b) (3). The NJTPA cannot investigate complaints filed against itself; therefore, if a complaint is filed against the NJTPA, then it will be forwarded to the New Jersey Department of Transportation (NJDOT) for processing and investigation.

NJTPA's Title VI Coordinator will acknowledge in writing the receipt of every complaint filed with the NJTPA within ten business days of receiving it. If additional information is required, the Title VI Coordinator will extend the response time by ten business days. If the complaint is rejected, the Title VI Coordinator will inform the complainant of the appropriate appeal authority and set up a time-line for an appeal.

With the complainant's consent, and in the best interests of all parties involved in the complaint, attempts may be made to resolve the matter informally. However, if the complainant is dissatisfied with the NJTPA's decision, he or she may bring the matter to the attention of the NJDOT, FHWA, US Department of Transportation (USDOT), and the US Department of Justice (USDOJ).

If the complaint has merit, the Title VI Coordinator will supervise a thorough investigation and submit a written Report of Findings to the NJTPA's Senior Director of Finance and Administration for a final determination.

Within 60 days of the receipt of the complaint, NJTPA will notify the complainant of its findings, the proposed disposition of the matter, the avenues available for appeal and the time-line to appeal if there is dissatisfaction with the NJTPA's decision. The proposed remedy will include the actions necessary to correct and prevent future occurrences.

NJTPA will issue letters of findings for all investigations processed or develop informal settlements for all complaints processed. In accordance with regulations at 23 CFR 200, NJTPA will forward a copy of the complaint and a copy of the its report of the investigation to the NJDOT and the FHWA Division Office, within 60 days of the date the complaint was received. The FHWA may grant an extension of an additional 60 days for justifiable reasons. NJTPA has the responsibility to periodically inform the NJDOT and FHWA Division Office of the status of all complaints.

Title VI Complaint Consent/Release	
Name: _____	
Address Line 1: _____	
Address Line 2: _____	
City: _____	State: _____ ZIP Code: _____
Please read the information below, check the appropriate box, and sign this form.	
I have read the Notice of Investigatory Uses of Personal Information by the NJTPA. As a complainant, I understand that in the course of an investigation it may become necessary for NJTPA to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of NJTPA to honor requests under the Freedom of Information Act. I understand that it may be necessary for NJTPA to disclose information, including personal identifying details, which it has gathered as a part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by federal regulations from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes enforced by FHWA.	
Consent/Release	
<input type="checkbox"/> CONSENT – I have read and understand the above information and authorize NJTPA to reveal my identity to persons at the organization or institution under investigation. I authorize NJTPA to receive material and information about me pertinent to the investigation of my complaint. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release, and do so voluntarily.	
<input type="checkbox"/> CONSENT DENIED – I have read and understand the above information and do not want NJTPA to reveal my identity to the organization or institution under investigation, or to review, receive copies of, or discuss material and information about me, pertinent to the investigation of my complaint. I understand that this is likely to impede the investigation of my complaint and may result in the closure of the investigation.	
Signature _____	Date _____

Please return this application to:

Title VI Coordinator
North Jersey Transportation Planning Authority
One Newark Center, 17th Floor
Newark, NJ 07102
Phone: 973-639-8400 FAX: 973-639-1953
TitleVI@njtpa.org



Title VI Policy Statement

The following is the NJTPA's nondiscrimination policy statement, which covers all of its programs and activities:

The NJTPA is committed to compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and all related nondiscrimination statutes, rules, regulations and executive orders.

The NJTPA assures that no person or group(s) of persons shall, on the grounds of race, color, age, disability, national origin, gender, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination through the federally-mandated metropolitan transportation planning process undertaken by NJTPA, whether the activities are federally funded or not.

It is also the policy of the NJTPA to ensure that all its plans, programs, procedures, policies, and activities do not have disproportionate adverse effects on minority and low-income populations. Minority and low-income communities, as identified through the U.S. Census, will be engaged to facilitate their full and fair participation in the metropolitan transportation planning process. In addition, the NJTPA will provide meaningful access to services for persons with limited English proficiency.

Regarding the distribution of federal-aid funds to eligible subrecipients, the NJTPA will include Title VI language in all written agreements entered into through its administrative host, the New Jersey Institute of Technology, and will monitor those agreements for compliance.

NJTPA's Executive Director is responsible for initiating and monitoring the organization's Title VI Program, for preparing related reports, and for other requirements and responsibilities under Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.

Mary D. Ameen, Executive Director
North Jersey Transportation Planning Authority

September 9, 2019

Appendix E: Board Approval of Title VI Implementation Plan

Appendix F: Public Engagement Plan
For complete document click [here](#).

North Jersey Transportation Planning Authority

Public Engagement Plan

November 2018



Appendix G: Subrecipient Title VI Compliance Tool



Sub-Recipient Title VI Compliance Assessment Tool

23 Code of Federal Regulations (CFR) Part 200 requires that the North Jersey Transportation Planning Authority, Inc. conduct periodic reviews of subrecipients of federal-aid highway funds to ensure they are complying with Title VI of the Civil Rights Act of 1964. Title VI states that “no person in the United States shall be excluded from participation, denied the benefits of, or be subjected to discrimination in any Federally-funded program, policy or activity on the basis of race, color or national origin.”

NJTPA has developed this questionnaire as a means of determining sub-recipient compliance; helping sub-recipients understand their Title VI responsibilities; and assisting NJTPA and NJDOT in planning future training and technical assistance.

This assessment is part of NJTPA’s Compliance Review process and has been designed to take only a few minutes of your time. Please email or mail the completed questionnaire with attachments, to Karen Rosenberger, Compliance Manager/ Title VI Coordinator, by no later than _____. NJTPA, One Newark Center, 17th Floor, Newark, NJ 07102.

Form, questions or concerns may be e-mailed to krosenber@njtpa.org or you may reach Ms. Rosenberger at (973) 639-8406.

Questionnaire

1. Please provide the Name, Title and contact information of the person responding to questionnaire.

Name:

Title:

Email:

Phone:

Name of your Agency:

Mailing Address:

2. Who is the Title VI Coordinator or contact person for your agency? Does this person accept complaints from the public? If not, who does? Please include title, email and telephone number for each person listed.
3. Does your agency have a signed Title VI Policy Statement? Yes No
(please provide link to policy statement)
4. Does your agency have a current Title VI/Nondiscrimination Plan? Yes No

If so, is the plan available online to the general public? Yes No
(Please provide link or attach a copy)

5. In the past three years, has your agency been named in a discrimination complaint or lawsuit?

Yes No

If so, when and what was the nature of the complaint or lawsuit and the outcome?

6. Does your agency have a written discrimination complaint process? Yes No
(please provide a copy as an attachment)

7. Has your agency made the public aware of the right to file a complaint? Yes No
If yes, by what mechanism? (provide as attachment)

8. Does your agency have a Limited English Proficient (LEP) Plan? Yes No
If so, please provide link or attach a copy

9. Does your agency provide free translation services for persons with Limited English Proficiency (LEP)? Explain.

10. How does your agency ensure that Limited English Proficient (LEP) individuals have access to the agency's programs and services? Explain

11. In the past twelve months, what has your agency done to receive and consider input from all citizen groups, especially minority, low income, disabled and transit-dependent? Provide attachment, if applicable

12. Does your agency have a method to collect racial and ethnic data on citizens impacted by your projects? If so, please describe.

13. Has your agency provided written Title VI Assurances to NJTPA? Please attach a copy.

14. Does your agency include the required DBE assurance language at 49 CFR 26.13 (a) and (b) verbatim in all financial agreements, contracts and subcontracts (see Exhibit A)?

15. Does your agency physically include the Civil Rights Special Provisions (FHWA-1273) in all contracts and ensure they are included in all sub-contracts, including the third-tier?

16. Does your agency monitor DBEs compliance on its contract agreements? If so, where is this documented? If a DBE is not performing, what corrective actions or steps are taken? Who is notified of non-compliance?

17. Would your agency like Title VI training or other Civil Rights technical assistance from NJTPA?

18. Please list each attachment provided with the assessment.

Thank You!

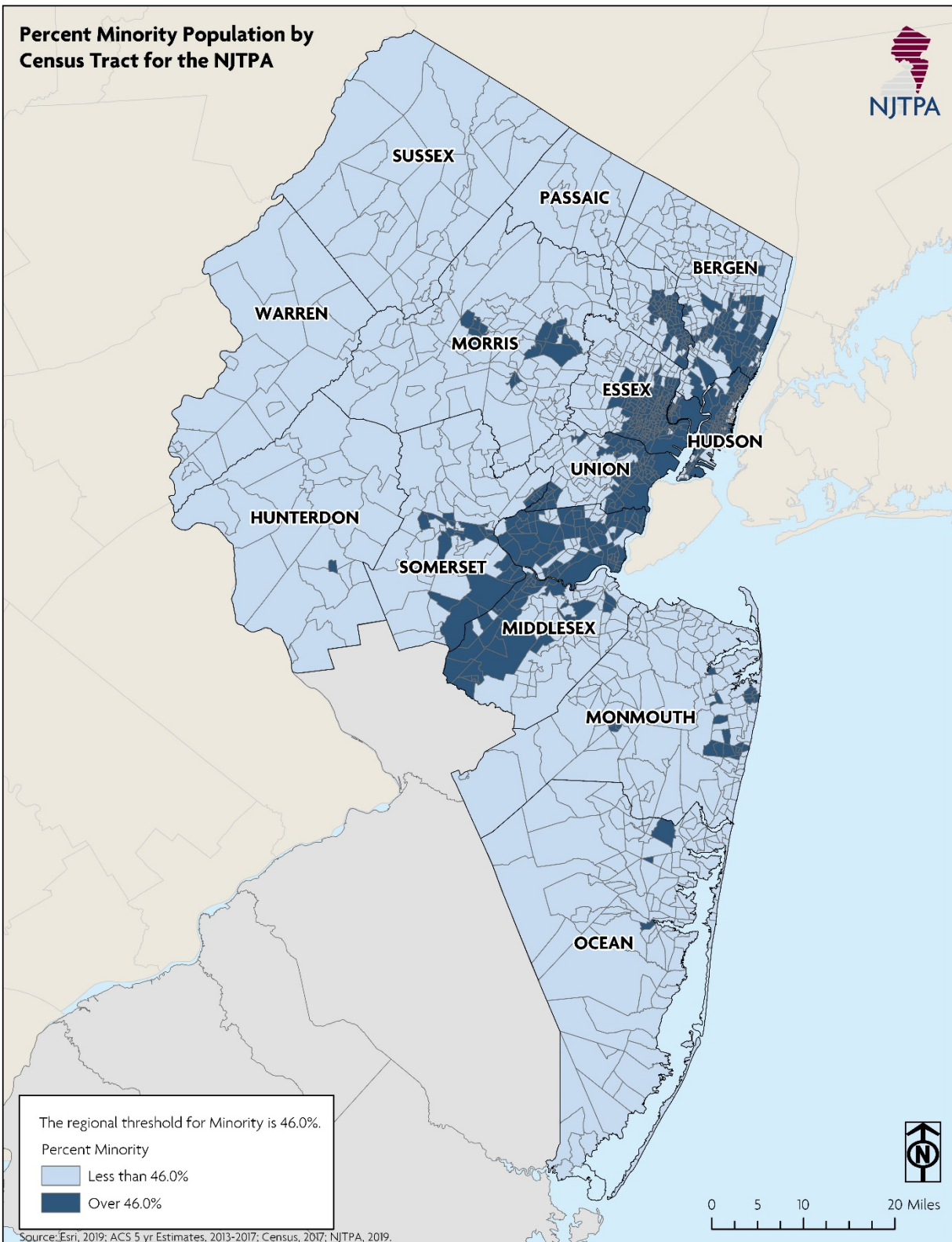
Exhibit A

§ 26.13 What assurances must recipients and contractors make?

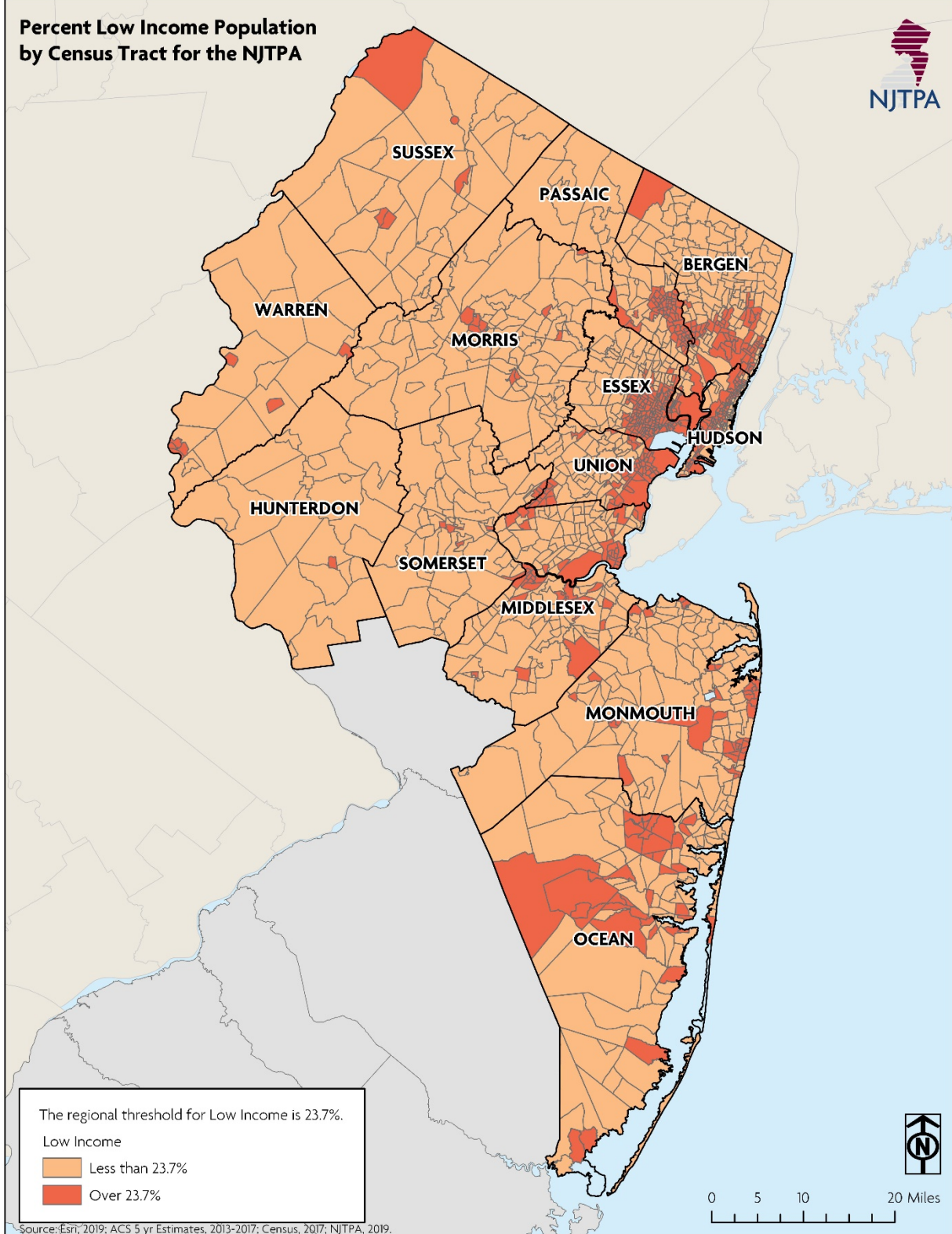
Each financial assistance agreement you sign with the NJTPA must include the following assurance: see website for more information on procurement guidelines <https://www.njtpa.org/Get-Involved/RFPs/RFP-RFQ/Procurement-Guidance.aspx>.

- (A) By executing this Subcontract, SUBCONTRACTOR hereby agrees during the performance of this Subcontract it is subject to and will comply with USDOT Order 1050.2A, USDOT Standard Title VI/Non-Discrimination Assurances, attached hereto as Exhibit X; and shall notify each potential subcontractor or supplier of the contractor's obligations under this Subcontract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
- (B) The SUBCONTRACTOR and its subcontractors, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and 49 CFR Part 26, shall not discriminate on the basis of race, color, national origin or sex in the award and performance of USDOT-assisted contracts. The SUBCONTRACTOR will affirmatively ensure that Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26, and Emerging Small Business Enterprises (ESBE), as defined by the New Jersey Department of Transportation (NJDOT), will be afforded full and fair opportunity to submit proposals in response to solicitations, will not be discriminated against on the grounds of race, color, or national origin in consideration for an award, and shall have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this Agreement. For this agreement, the DBE/ESBE goal, as previously established, shall be (XX.XX%). Should SUBCONTRACTOR be unable to achieve this goal, a request, in writing must be provided to the CONTRACTOR for a waiver. At this time, the CONTRACTOR will provide a determination. Failure to meet this goal, or obtain a waiver from the CONTRACTOR, may result in lack of reimbursement to SUBCONTRACTOR.

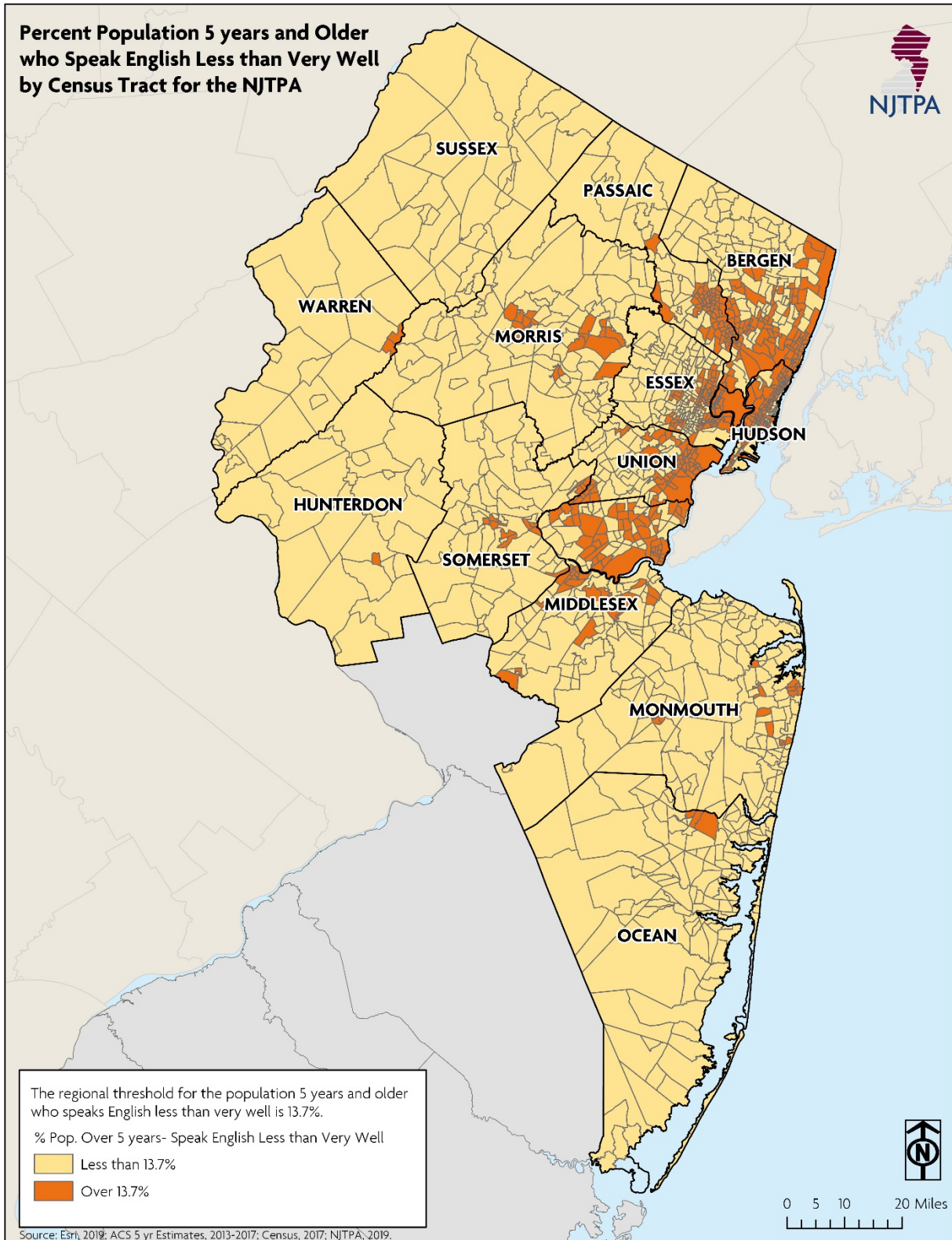
Appendix H: Demographic Profile and TIP Maps



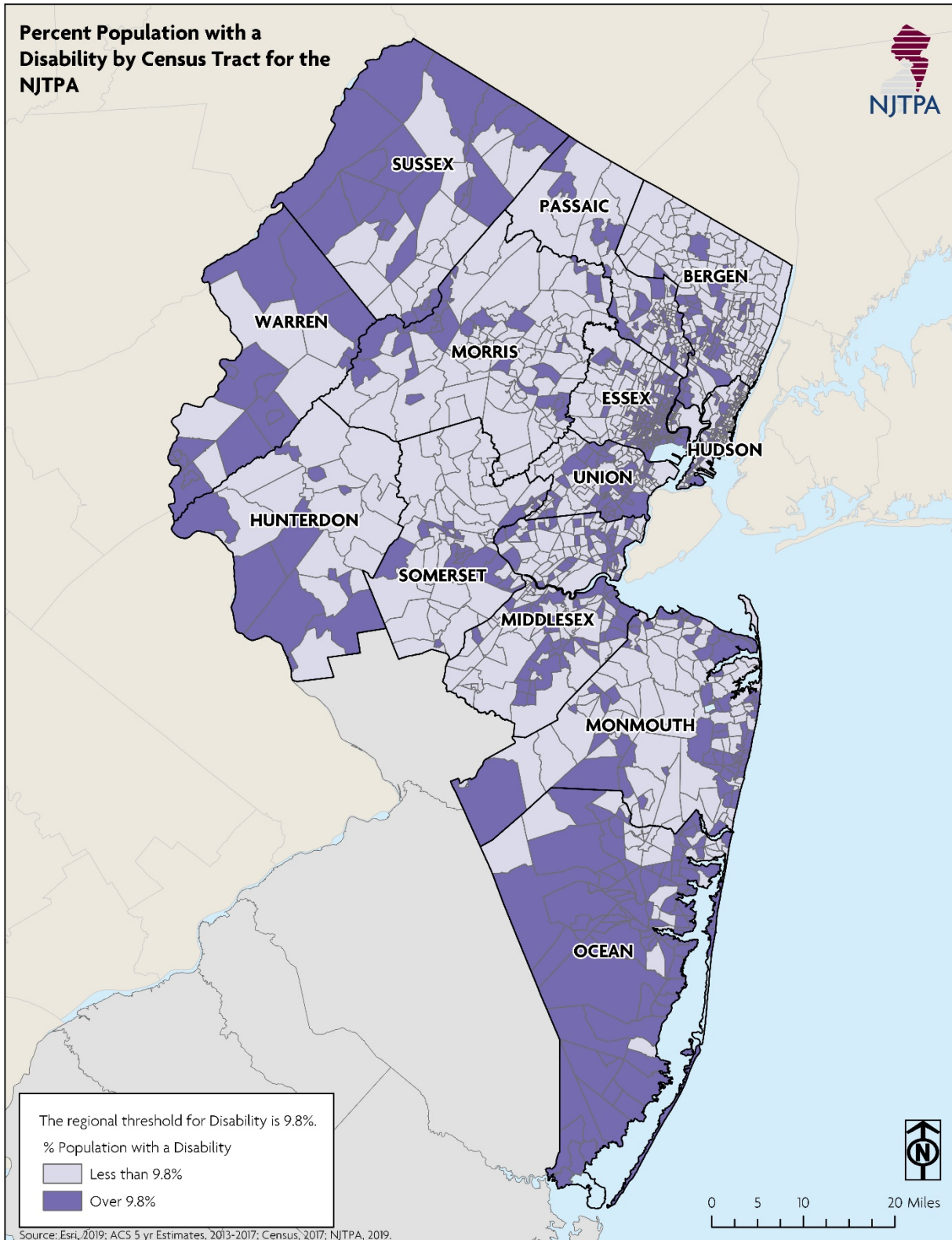
**Percent Low Income Population
by Census Tract for the NJTPA**



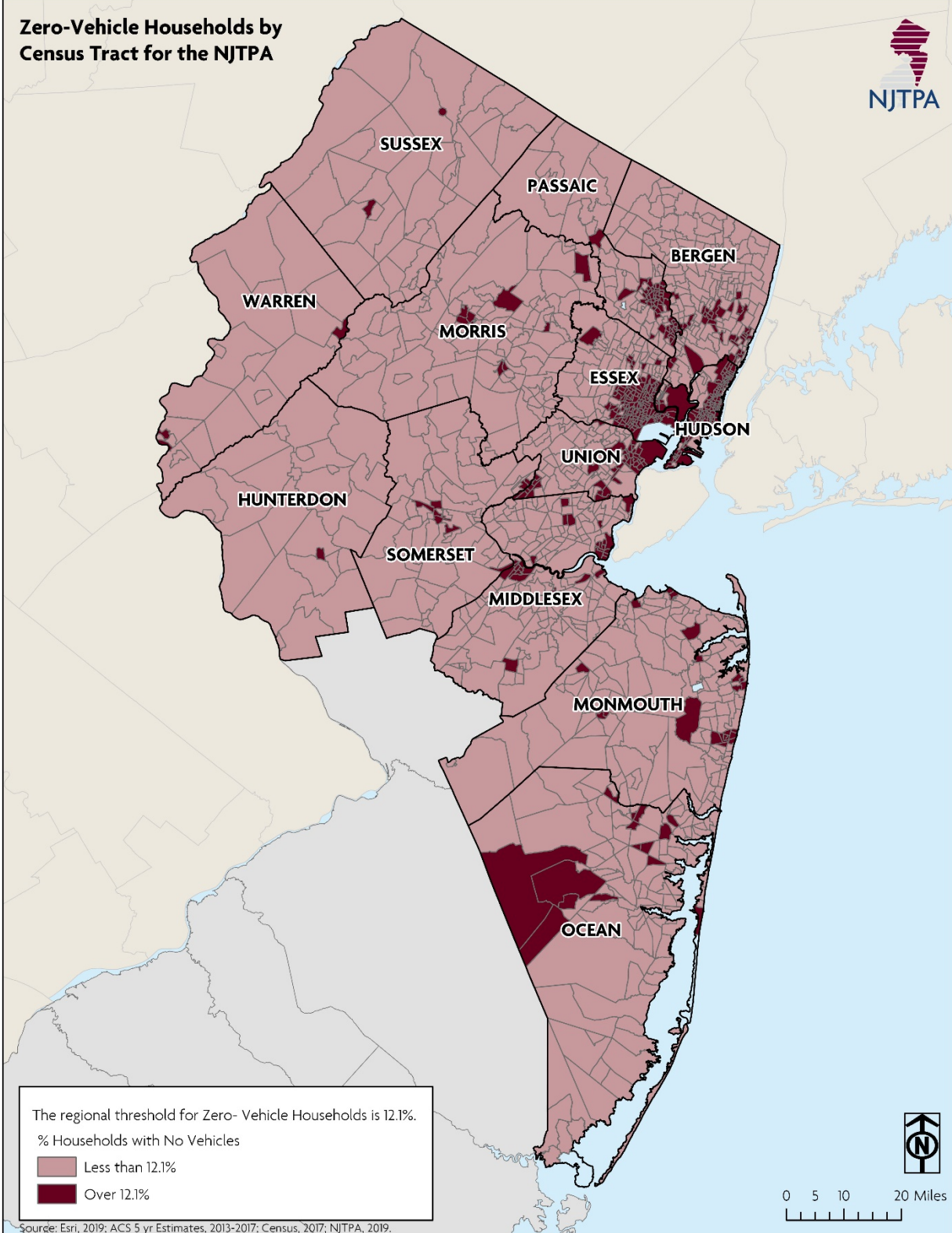
**Percent Population 5 years and Older
who Speak English Less than Very Well
by Census Tract for the NJTPA**



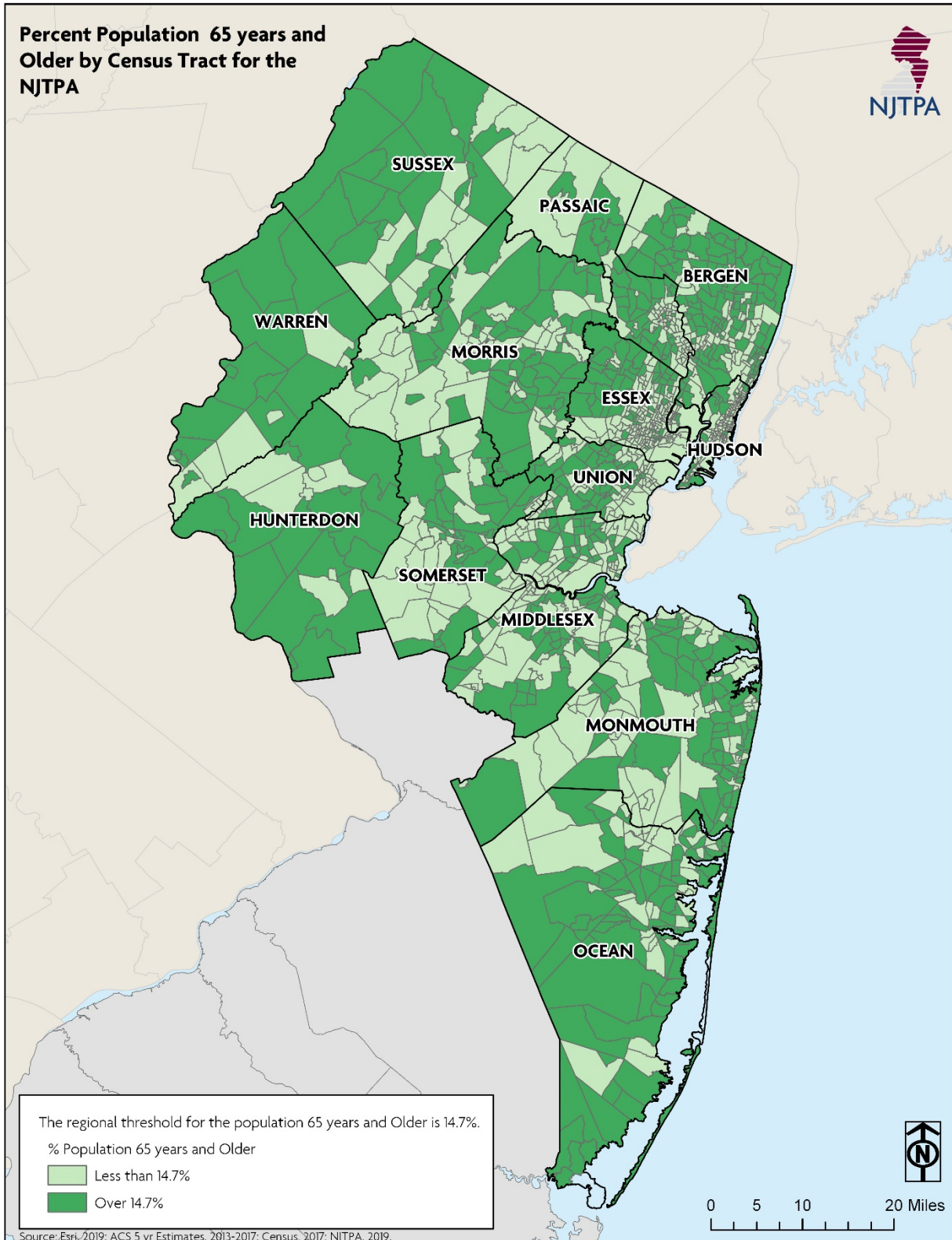
Percent Population with a Disability by Census Tract for the NJTPA



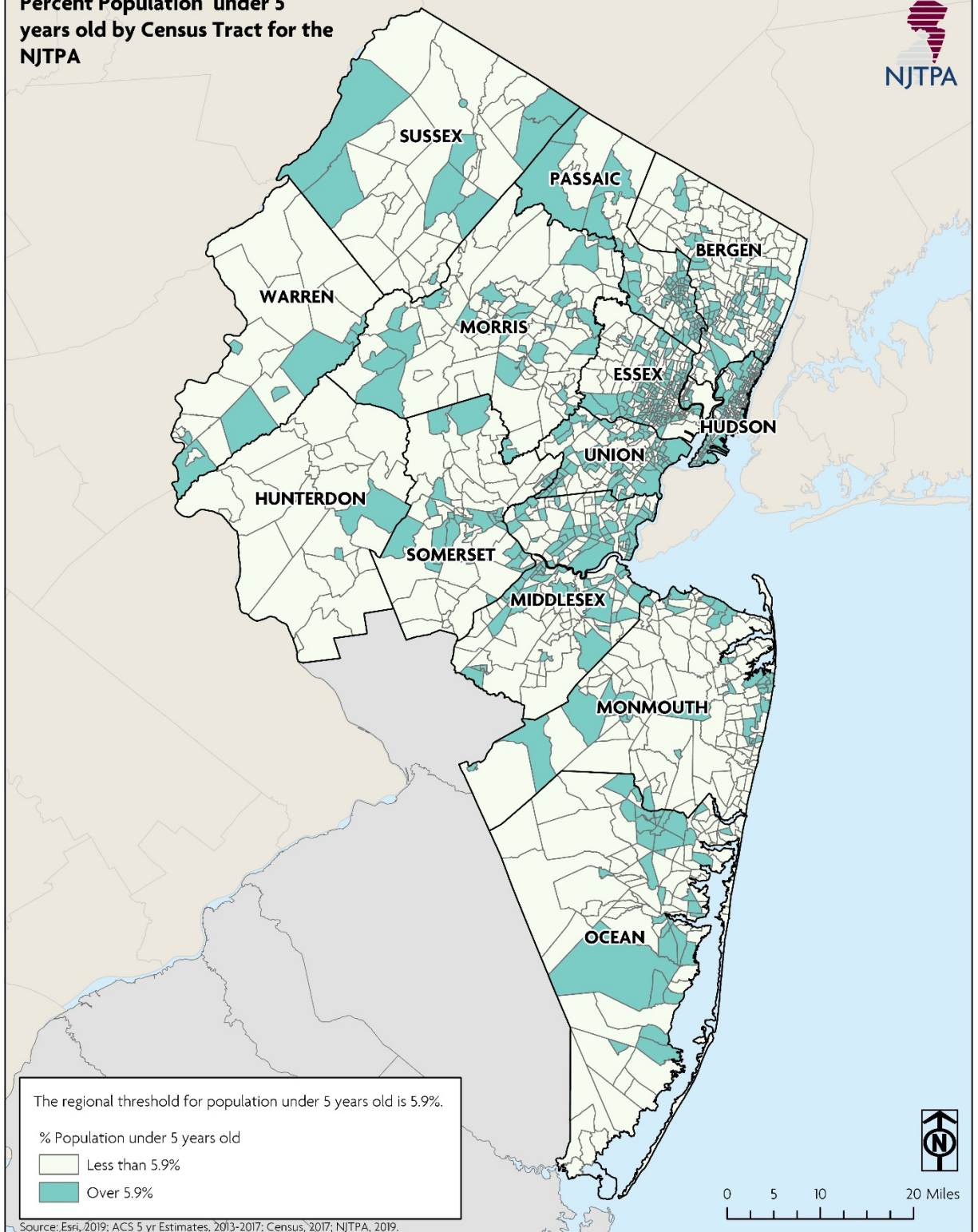
Zero-Vehicle Households by Census Tract for the NJTPA



Percent Population 65 years and Older by Census Tract for the NJTPA

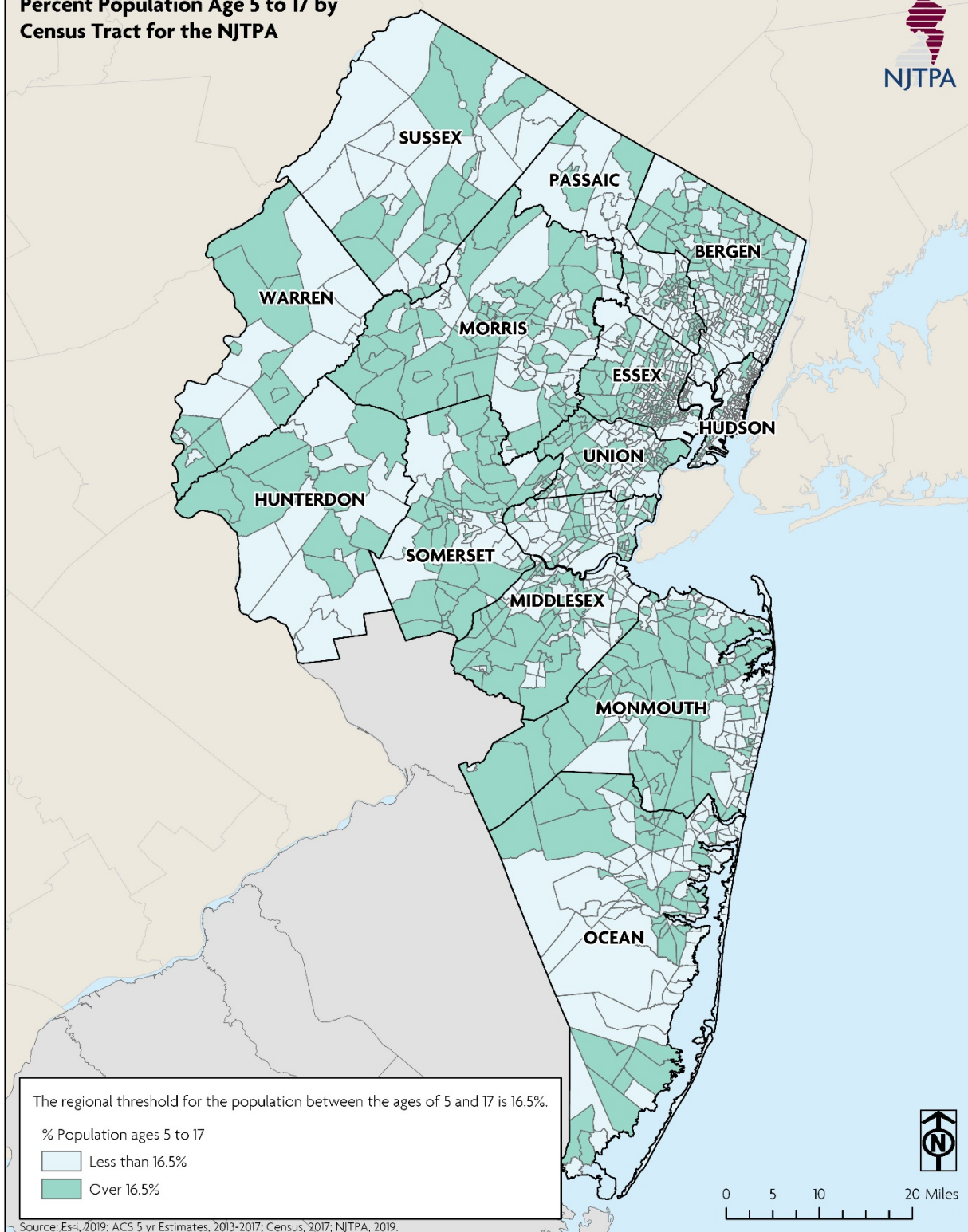


Percent Population under 5 years old by Census Tract for the NJTPA

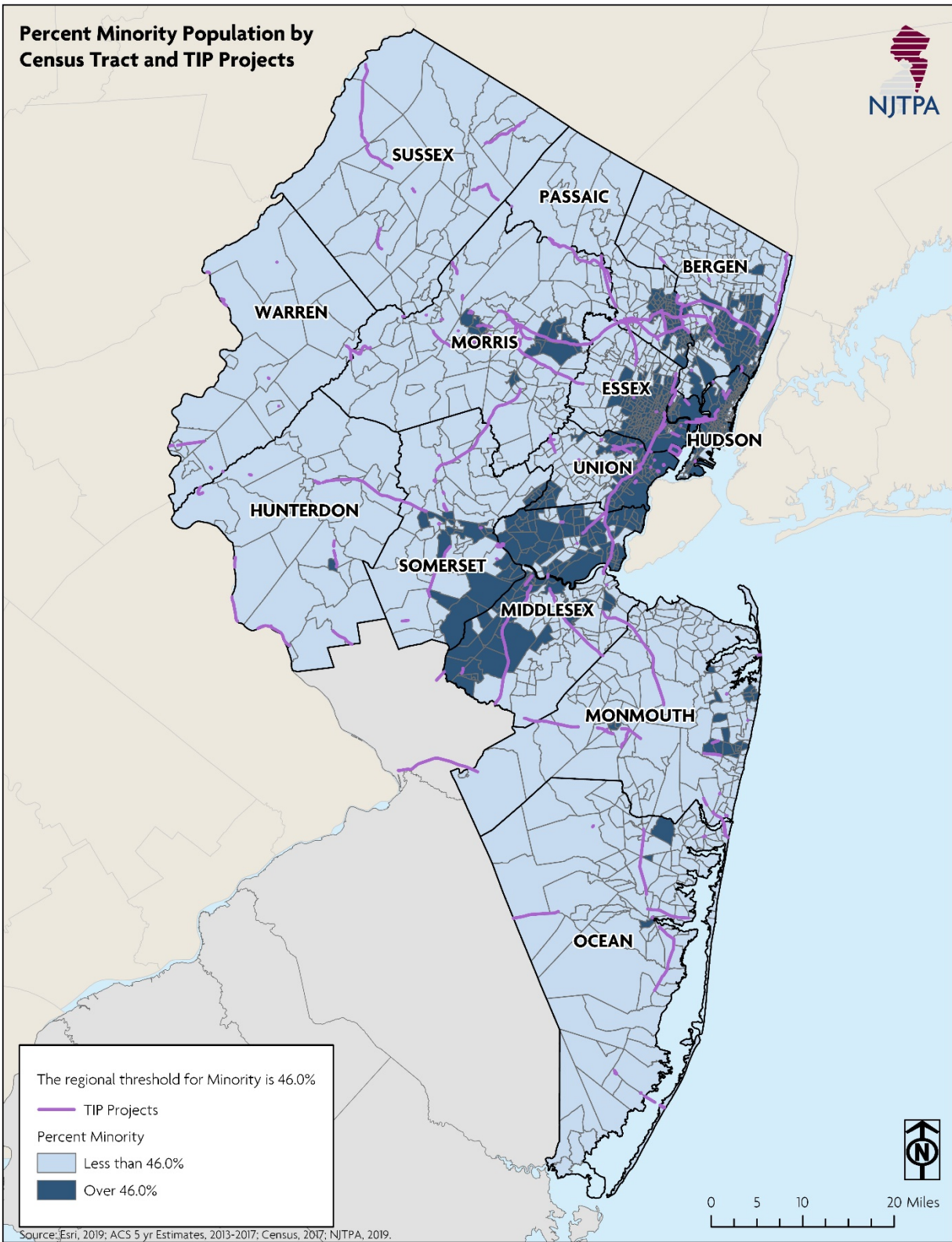


Source: Esri, 2019; ACS 5 yr Estimates, 2013-2017; Census, 2017; NJTPA, 2019.

**Percent Population Age 5 to 17 by
Census Tract for the NJTPA**



Percent Minority Population by Census Tract and TIP Projects



Attachment F.5.

DRAFT RESOLUTION: SUPPORT FOR PUBLIC TRANSIT AGENCY SAFETY PLAN TARGETS SET BY THE NEW JERSEY TRANSIT CORPORATION

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor of New Jersey as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, Title 23, Section 134 of the United States Code requires that each MPO undertake a transportation planning process that shall provide for the establishment and use of a performance-based approach to transportation decision-making to support national goals; and that each MPO shall establish performance targets that address the performance measures to use in tracking progress toward attainment of critical outcomes for the region and integrate those targets into their planning documents and processes; and

WHEREAS, the U.S. Department of Transportation (USDOT) rules on performance management requires that MPOs and operators of public transportation coordinate on setting performance targets for the transit safety measures; and

WHEREAS, the New Jersey Transit Corporation (NJ TRANSIT) is an operator of public transportation within the NJTPA region; and

WHEREAS, the Federal Transit Administration (FTA) has established eleven national performance measures for transit safety; and

WHEREAS, the FTA has also directed each transit operator to prepare a Public Transit Agency Safety Plan (PTASP), outlining how people, processes, and tools come together to address transit safety policy and goals, supporting planning, budgeting, and communications to internal and external stakeholders, and providing accountability and visibility for transit safety practices; and

WHEREAS, the NJTPA coordinated with NJ TRANSIT on its transit safety targets; and

WHEREAS, NJ TRANSIT provided transit safety targets to the NJTPA on October 5, 2020 from the NJ TRANSIT PTASPs for Bus Operations and the Newark Light Rail as well as the PTASP for the Hudson Bergen Light Rail prepared with NJT oversight; and

WHEREAS, based on the USDOT final rule on metropolitan planning, MPOs must establish targets for transit safety measures within 180 days of the date that these targets are provided to the MPO by all applicable transit agencies; and

WHEREAS, the final rule on metropolitan planning states that MPOs have two options to establish targets: 1) agree to program investments in support of each transit agency's targets, or 2) set their own quantifiable targets; and

WHEREAS, NJ TRANSIT's targets appropriately reflect and will serve as suitable benchmarks for the planning goals and desired outcomes for the projects and programs of the NJTPA Regional Transportation Plan and Transportation Improvement Program (TIP); and

WHEREAS, the FHWA metropolitan planning rule also requires that MPO TIPs “shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets”; and

WHEREAS, no action authorized by the NJTPA shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Board of Trustees has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, that the NJTPA hereby supports the NJ TRANSIT targets for the safety of their transit system; and

BE IT FURTHER RESOLVED, that the NJTPA agrees to plan and program investments that support the achievement of these performance targets; and

BE IT FURTHER RESOLVED, that the NJTPA will add language to the FY 2018-2021 Transportation Improvement Program (TIP), discussing these measures and targets, and the anticipated effect of the TIP toward achieving these targets; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the New Jersey Department of Transportation and NJ TRANSIT for submission to the Federal Transit Administration.

Summary of Action

Support for Public Transit Agency Safety Plan Targets Set by the New Jersey Transit Corporation

Action: Support for targets for six sets of national performance measures for transit safety, set by the New Jersey Transit Corporation (NJ TRANSIT). The NJTPA will plan and program projects that will help NJ TRANSIT meet its targets. The NJTPA will add language to the TIP discussing these measures and targets, and the anticipated effect of the TIP toward target achievement.

Background: In 2018, the Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Rule, requiring public transportation providers to develop a new safety plan, referred to as the PTASP. Each agency must establish a Safety Management System (SMS), which is the data-driven process to proactively manage public transportation system risks. The SMS is intended to change the safety culture to reduce safety-related events by making safety everyone's responsibility, empowering employees to play a role in safety, and encouraging employees and contractors to report safety concerns to senior management.

The PTASP rule initially required transit agencies to complete an initial plan by July 20, 2020. However, in light of the extraordinary operational challenges presented by the COVID-19 public health emergency, FTA effectively extended the PTASP compliance deadline to December 31, 2020.

The six sets of PTASP performance measures are listed below.

- *Fatalities*
 - The total number of fatalities reported to the National Transit Database (NTD), by mode.
 - The rate of fatalities, per revenue vehicle mile (RVM), by mode.
- *Injuries*
 - The total number of injuries reported to the NTD, by mode.
 - The rate of injuries, per RVM, by mode.
- *Collision Events*
 - The total number of collision events reported to the NTD, by mode.
 - The rate of collision events, per RVM, by mode.
- *Employee Injuries*
 - The total number of employee injuries reported to the NTD, by mode.
 - The rate of employee injuries, either per RVM (for the light rail systems), or per 200,000 hours (for the bus operations), by mode.
- *Fire Events*
 - The total number of fire events reported to the NTD, by mode.
 - The rate of fire events, per RVM, by mode.
- *System Reliability*
 - The mean distance between major service failures, by mode.

The first five sets of performance measures (fatalities, injuries, collisions, employee injuries, and fires) relate to “reportable events” as defined by FTA (in the *NTD Safety and Security Reporting Manual*). These measures include any events (either planned or unplanned) occurring on a transit right-of-way, in a transit revenue facility, in a transit maintenance facility, or involving a transit revenue vehicle that meets NTD reporting thresholds provided below. (Occupational safety events occurring in administrative buildings are excluded from NTD reportable events.)

- Fatalities involving passengers, others (people waiting or leaving), transit vehicle operators, bicyclists, pedestrians, and occupants of other vehicles.
- Injuries requiring transportation away from the scene for medical attention.
- Substantial property damage.
- Towaways of any motor vehicle.
- Smoke, fire evacuations for life safety reasons, fire (suppression).

The “rates” for the first five sets of performance measures are per vehicle revenue mile, except for the rate of employee injuries for the NJ TRANSIT bus system, which is reported per 200,000 hours worked (an OSHA standard representing the number of hours that 100 employees working 40 hours a week for 50 weeks would accumulate).

The last performance measure (system reliability) is measured as the average distance between major mechanical failures that inhibit vehicle movement or prevent the start or completion of a scheduled revenue trip due to safety concerns. Examples of factors and/or components impacting system reliability include: tires, brakes, doors, engine/transmission, cooling systems, steering, axles, and suspension.

NJ TRANSIT has oversight of four PTASPs—one for the NJ TRANSIT bus operations (systemwide), and one for each of the three NJ TRANSIT light rail operations: Newark Light Rail, Hudson Bergen Light Rail, and River Line. The PTASPs contain targets for each of the performance measures described above. Targets have thus been identified for four systems within two different transit modes:

Non-Rail Mode

- 1) Systemwide bus operations

Rail Modes

- 2) Newark Light Rail
- 3) Hudson Bergen Light Rail
- 4) River Line.

Because the River Line is not located within the NJTPA planning region, targets for that system are not included in this action.

PTASPs are not required for the NJ TRANSIT commuter rail system and the Port Authority of New York & New Jersey’s Port Authority Trans Hudson (PATH) rail system. Those systems are regulated by the Federal Rail Authority (FRA) and not by FTA. FRA requires different safety planning and monitoring procedures, and USDOT regulations do not require MPOs to be involved in that planning. However, NJ TRANSIT has indicated that it will share the FRA

System Safety Program (SSP) Plan with the NJTPA, once the FRA has reviewed and approved it (likely to be some time in 2021).

USDOT's statewide and nonmetropolitan and metropolitan transportation rule further required that MPOs develop targets for the PTASP performance measures, coordinating with the transit agencies. The rule provides MPOs with two options for setting targets: 1) agreeing to plan and program investments in support of transit agencies' targets, or 2) setting their own quantifiable targets for the MPO planning region. Based on NJTPA's coordination with NJ TRANSIT, this NJTPA action takes the first option (agreeing to plan and program investments in support of the NJ TRANSIT's targets). These targets are to support agency performance-based planning and programming and to be included in documents such as the Long Range Transportation Plan and Transportation Improvement Program. The short-term targets will serve as useful benchmarks toward achieving longer-term agency goals.

Targets established by NJ TRANSIT for the various performance measures are found below. The bus safety targets were developed by taking the average for the performance measure values from calendar years 2017, 2018, and 2019. The light rail system targets were set at the performance measure values from calendar year 2019. Note that these are short-term targets; NJ TRANSIT's long-term goal is to reduce all of these performance measures to zero.

Fatalities: Total number and rate per million vehicle revenue miles (MVRM)

<i>System</i>	<i>Total Number</i>	<i>Rate (per MVRM)</i>
Newark Light Rail	0	0.00
Hudson Bergen Light Rail	2	0.96
NJT Bus Operations	4	0.055

Injuries: Total number and rate per million vehicle revenue miles (MVRM)

<i>System</i>	<i>Total Number</i>	<i>Rate (per MVRM)</i>
Newark Light Rail	8	15.98
Hudson Bergen Light Rail	5	2.40
NJT Bus Operations	244	3.35

Collision Events: Total number and rate per million vehicle revenue miles (MVRM)

<i>System</i>	<i>Total Number</i>	<i>Rate (per MVRM)</i>
Newark Light Rail	6	11.91
Hudson Bergen Light Rail	7	3.36
NJT Bus Operations	264	3.63

Employee Injuries: Total number and rate

<i>System</i>	<i>Total Number</i>	<i>Rate</i>
Newark Light Rail	9	17.87 per MVRM
Hudson Bergen Light Rail	1	0.48 per MVRM

NJT Bus Operations	423	7.99 per 200K hrs.
--------------------	-----	--------------------

Fire Events: Total number and rate per million vehicle revenue miles (MVRM)

<i>System</i>	<i>Total Number</i>	<i>Rate (per MVRM)</i>
Newark Light Rail	8	15.89
Hudson Bergen Light Rail	1	0.48
NJT Bus Operations	12	0.16

System Reliability: Mean distance between major service failures

<i>System</i>	<i>Distance</i>
Newark Light Rail	5,408 miles
Hudson Bergen Light Rail	26,461 miles
NJT Bus Operations	135.45 million miles

Justification for Action: In order to comply with federal regulations, the NJTPA is required to either support NJ TRANSIT's targets for these performance measures or establish quantitative targets for its region. These targets were developed by NJ TRANSIT, coordinating with the NJTPA. This is the first time that these specific performance measures have been explored. The targets were developed by examining various data sources and trends, considering established agency policies. Given these factors, it is appropriate for the NJTPA to support NJ TRANSIT's targets by agreeing to plan and program projects that help to meet those targets. Following this Board action, NJTPA staff will work to develop text for the current TIP that discusses these measures and targets, and how the TIP helps to meet the established targets.

Staff Recommendation: Central Staff recommends approval of this action.