

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
AMENDED EXECUTIVE SESSION MINUTES**

**AUGUST 20, 2014**

Chairman Bertoni called the Executive Session Meeting to order at 9:04 a.m. and noted that this Executive Session is being conducted in accordance with Resolution 2014-91 of the South Jersey Transportation Authority, which provides for the following:

The general nature of the subject matter of this closed session meeting pertains to personnel and litigation matters authorized pursuant to N.J.S.A. 10:4-12(b)(8).

**Present**

Chairman Joseph D. Bertoni  
Vice Chairman Jeffery A. April, Esq. \*  
Commissioner Joseph W. Devine (via teleconference)  
Commissioner Peter C. Elco  
Commissioner James J. McCullough  
Commissioner C. Robert McDevitt (arrived at 9:08 a.m.)  
Commissioner Joseph Ripa  
Commissioner Christine A. Roberts, EDA  
Christopher Howard, Governor's Authorities Unit  
Frank F. Frankowski, Interim Executive Director  
Stephen F. Dougherty, Chief of Staff  
Sharon L. Gordon, Deputy Executive Director of Administration  
Robert Damminger, Deputy Executive Director of Operations  
Kevin Rehmann, Communications Manager  
Lauren Staiger, Esq., General Counsel  
Kevin O'Connor, Esq., Peckar & Abramson, P.C. (participated in the litigation matter only)  
Susan Lubrano, Authority Board Secretary

\*As noted in the open session minutes, prior to the start of the Executive Session, Chairman April advised that he serves as Township Attorney for the Township of Buena Vista, where Mr. Chiarello serves as Mayor; therefore, he must recuse himself from the litigation discussion. Vice Chairman April excused himself from the meeting at 9:04 a.m. and at the close of the litigation discussion, at 9:12 a.m., he was asked to return to the closed session meeting to participate in the personnel matter discussion.

**Litigation Matter**

Mr. Dougherty advised that Mr. Kevin O'Connor, Esq., of Peckar & Abramson has joined the meeting via teleconference to brief the Chairman and Commissioners on the Chiarello vs. SJTA matter. Mr. O'Connor greeted the Board. He advised that the case has been active for approximately four years; however, his firm has only been defending the matter for one year. He indicated that Mr. Chiarello, a former employee, had alleged a hostile work environment. He discussed the allegations as well as Mr. Chiarello's retirement history. He advised of the Court's recent decision to grant the Authority summary judgment. Mr. Dougherty asked if there were any next steps, to which Mr. O'Connor responded that there is the possibility of an appeal; however, he did not think it was likely. Mr. O'Connor asked if there were any questions on the matter. No questions were asked. Mr. Dougherty advised the Commissioners that should an appeal be filed within forty-five days, an additional update would be provided.

**Personnel Matter**

Mr. Frankowski stated that Mr. Dougherty would be briefing the Board on the Schedule A. Mr. Dougherty advised that the Authority's full time headcount, currently 278, would be 281, should the Schedule be approved as recommended. He indicated that the Schedule provided earlier this month included an electrical journeyman position, which was requested to backfill Daniel McPartland, a thirty-year employee who has filed for retirement. The position requires that the candidate hold a Certificate of Registration to practice as a qualified Journeyman Electrician. Interviews have been conducted and a strong candidate has been recommended; however, the candidate has informed the Authority that although he has a certificate, he cannot locate it. He is confident he will be able to provide it and has contacted the licensing division in Washington D.C. for a replacement. Mr. Dougherty advised that the recommendation is being tabled until the candidate can produce the certificate, as he would not be comfortable making the recommendation

without it. Further, we will continue to have coverage, as Mr. McPartland will not be retiring until later this year. He then discussed the Network & Systems Administrator position, advising that Sean Keating, a current IT employee, is being recommended to backfill Mark Davis, who recently resigned. As for the Systems Analyst II Position, David Forbes, an outside hire, is being recommended and will backfill Sean Keating. Based on Mr. Forbes work history and experience, we expect he will be a great addition to the ITT Department. Mr. Dougherty then discussed the Airport Facilities Manager, advising that Greg Brandley, currently serving as Superintendent of Fleet, is being recommended and will backfill Tom Ballistreri, a recent retiree. Mr. Dougherty discussed the three Driver II positions advising that the original intent was to hire one driver to backfill Robert O'Brien; however, due to two additional retirements within the past month, as well as additional requests for services, it is in the Authority's best interest to backfill all three positions. He then discussed the part-time driver positions, advising that they are needed due to two employees who have recently been terminated for not responding when called for work. Lastly, he discussed the On-Call Emergency Service Patrol (ESP) recommendations and the many compliments the Authority receives from the general public about this service. He advised the Authority would ideally like to hire one or two full time ESP providers; however, it is more cost effective to hire several part time employees. Mr. Dougherty asked if there were any questions on the schedule. No questions were asked.

Prior to adjourning the meeting, Commissioner McCullough asked for Ms. Staiger's legal opinion on the matter of holding public committee or "working group" meetings to avoid Commissioners having to leave the room if they are not assigned to the committee. Ms. Staiger advised that the manner in which business is currently conducted is appropriate pursuant to the Open Public Meetings Act ("OPMA"). She noted that the Board is authorized to conduct public "working group" sessions, so long as they are publicly advertised and provided counsel as to the differences between holding a public "working group" session versus a smaller committee session. Chairman Bertoni indicated that, although he appreciates Commissioner McCullough's concerns, the format of the meetings should not be changed as it is consistent with other State Authorities.

Chairman Bertoni called for a motion to adjourn the Executive Session. Said motion was moved by Commissioner McCullough and seconded by Commissioner McDevitt; motion carried adjourning the Executive Session at 9:29 a.m.

Submitted by:



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Susan Lubrano, Authority Board Secretary

The August 18, 2014 Executive Session minutes were amended on June 8, 2015.