

**SOUTH JERSEY TRANSPORTATION AUTHORITY
EXECUTIVE SESSION MINUTES**

DECEMBER 17, 2014

Vice Chairman April called the Executive Session Meeting to order at 9:08 a.m. and noted that this Executive Session is being conducted in accordance with Resolution 2014-130 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, contractual and litigation matters authorized pursuant to N.J.S.A. 10:4-12(b)(8).

Present

Chairman Jamie Fox (via video conferencing)
Vice Chairman Jeffery A. April, Esq.
Commissioner Peter C. Elco
Commissioner Maurice B. Hill, Jr., DMD
Commissioner C. Robert McDevitt (via teleconference)
Commissioner Joseph W. Devine (via teleconference)
Commissioner James J. McCullough
Commissioner Joseph Ripa
Commissioner Christine A. Roberts, EDA
Frank F. Frankowski, Interim Executive Director
Stephen F. Dougherty, Chief of Staff
Michael R. Cort, Interim Director of Finance
Paul C. Heck, Director of Business Administration
Timothy Kroll (*for personnel matter and contractual matter regarding AFCO AvPORTS Management, LLC only*)
Jean Cipriani, Esq., General Counsel
William Tambussi, Special Counsel
Michael DiPiero, Special Counsel
Susan Lubrano, Authority Board Secretary

Personnel Matter (Personnel Action)

Mr. Dougherty advised that a number of items would be discussed during this morning's Executive Session. He began by asking the Commissioners to turn the Schedule, associated with Resolution 2014-119. Mr. Dougherty stated that the Authority's full time headcount is currently 272, and the budgeted headcount is 292 for 2014 and 289 for 2015. Mr. Dougherty then discussed the Schedule A, and the recommendation of Mr. Michael Bent for the Airport Operations and Security Manager position. He stated that of over one hundred applications received, Mr. Bent was deemed most qualified for the position. A discussion ensued about the declining revenue and increased operational expenses. Mr. Frankowski advised that the employee who previously held this position wore multiple hats, and after consultation with the Port Authority, a determination was made that the position, in itself, should be a full-time. Mr. Dougherty then moved to the part-time positions, advising that Mr. John Evans is recommended for the on-call ESP driver position and Ms. Carole Miller, who has a vast background in grants, is recommended for the part-time grant specialist position. Lastly, Ms. Nancy Hammer, a current SJTPO employee, has been recommended by SJTPO's Executive Director Timothy Chelius, for the Budget Analyst position within SJTPO. Mr. Dougherty asked if there were any questions on the schedule. No questions were asked.

Contractual Matter (AFCO AvPORTS Management, LLC)

Ms. Cipriani, Esq., General Counsel, briefed the Commissioners on the RFP process for the Management and Operation of the Airport.

Commissioner McCullough asked about the key points being negotiated. Ms. Cipriani deferred to Mr. Kroll,

Ms. Cipriani asked if the Commissioners had any questions, no questions were asked.

Litigation Matter (Silva v. SJTA)

Ms. Cipriani then briefed the Commissioners on the background of the Silva v. SJTA matter. She advised that Mr. Silva was an employee of Allied Painting, a contractor hired by the Authority for a bridge painting project. Mr. Silva was injured while working on the Expressway, resulting in a suit against Mr. Silva's employer as well as the Authority. Mr. Silva's claim against the Authority was that the work was supervised

Litigation Matter continued

by the Authority, which was not the case. Ms. Cipriani indicated that Mr. Silva has since settled with his employer's insurance company, but that the Authority was also asked to settle in an amount of \$10,000.00 plus attorney's fees, to which the Authority refused. Ms. Cipriani advised that after negotiations, the Authority has agreed to a \$5,000 settlement and half of the attorney's fees, for a total of \$12,500.00. Ms. Cipriani asked the Commissioners if they had any questions on the matter. No questions were asked.

Contractual Matter (Union Issue)

Mr. Dougherty introduced Mr. William Tambussi, Authority Special Counsel, advising that he has asked Mr. Tambussi to attend to brief the Commissioners on management's position concerning claims made by Local 196 representatives during last month's Executive Session. Mr. Tambussi began by advising that Mr. Chris Orlando had been handling the matter, but has since taken on another position. Mr. Tambussi advised the Commissioners that the Union had previously filed an unfair labor practice claim that was settled by mutual agreement.]

Mr. Tambussi then introduced Mr. DiPiero, who is now handling the matter as well as all collective bargaining negotiations and asked him to provide a brief update on their status.

Mr. DiPiero advised that the Authority and Union have been meeting; however,

A discussion ensued about the step policies and how to protect the Authority from similar claims in the future.

Vice Chairman April called for a motion to adjourn the Executive Session. Said motion was moved by Commissioner McCullough and seconded by Commissioner Hill; motion carried adjourning the Executive Session at 9:40 a.m.

Submitted by:



Susan Lubrano, Authority Board Secretary