

**SOUTH JERSEY TRANSPORTATION AUTHORITY
EXECUTIVE SESSION MINUTES**

APRIL 17, 2012

Commissioner April called the Executive Session Meeting to order at 10:05 a.m. and noted that this Executive Session was being conducted in accordance with Resolution 2012-34 of the South Jersey Transportation Authority, which provides for the following:

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

Present

Chairman James S. Simpson (via video conferencing)
Commissioner Jeffery A. April
Commissioner Joseph Devine
Commissioner Maurice B. Hill
Commissioner Joseph Ripa
Commissioner Dianne Solomon
Commissioner David Nuse, EDA
Brett Tanzman, Governor's Authorities Unit
Bart R. Mueller, Executive Director
Stephen F. Dougherty, Chief of Staff
Samuel L. Donelson, Deputy Executive Director
Jean Cipriani, Esq., General Counsel
Lauren Staiger, Esq., General Counsel
Russell L. Lichtenstein, Esq., Special Counsel (via teleconference for the litigation portion only)
Susan Lubrano, Authority Board Secretary

Personnel Matter

Mr. Dougherty advised the Commissioners of the personnel actions associated with Schedule "A" (Resolution 2012-26), stating that the positions being presented this morning are part-time positions, which include four part-time BurLink drivers and one part-time media planning specialist, as discussed in the April Personnel Committee. Mr. Dougherty asked if there were any questions pertaining to the schedule. No questions were asked.

Mr. Dougherty then asked to address the Commissioners on a recent development he had just learned of the evening before. He advised that he had received an email alert pertaining to a news article reporting that Nantucket Memorial Airport had offered Thomas Rafter an Airport Manager position. Mr. Dougherty advised that at this point we are only aware that the position was offered to Mr. Rafter and nothing more. Mr. Dougherty said that his intent is to make the Commissioners aware of the situation prior to them learning about it from another source. Mr. Mueller stated that he would have a conversation with Mr. Rafter upon his return from vacation and based on the discussion, will advise the Commissioners as appropriate.

Mr. Dougherty then advised the Commissioners that he would be teleconferencing in Mr. Russell Lichtenstein, Esq., Special Counsel, from the firm of Cooper Levenson, to brief the Commissioners on three litigation matters.

Litigation Matter

Mr. Lichtenstein began by briefing the Commissioners on the Fleming vs. SJTA case, advising that the case had settled

Mr. Lichtenstein then briefed the Commissioners on the Conover vs. SJTA

Lastly, Mr. Lichtenstein briefed the Commissioners on the Chiarello vs. SJTA case stating that Mr. Chiarello is also a former employee who had recently resigned.

Commissioner Devine suggested that the Commissioners be supplied with a synopsis of all Authority cases so to prepare them prior to these types of discussions. Mr. Mueller advised the Commissioner that a matrix exists that provides this information and that it was recently updated. Mr. Dougherty advised that the matrix will be provided to all Commissioners prior to the next meeting.

Commissioner April asked if there were any questions on any of the matters discussed during this Executive Session. There being none, Commissioner April called for a motion to adjourn Executive Session.

Motion was moved by Commissioner Ripa and seconded by Commissioner Solomon; motion carried adjourning the Executive Session at 10:26a.m.

Submitted by:

Susan Lubrano, Authority Board Secretary