

**SOUTH JERSEY TRANSPORTATION AUTHORITY
EXECUTIVE SESSION MINUTES**

OCTOBER 17, 2012

Commissioner April called the Executive Session Meeting to order at 9:10a.m. and noted that this Executive Session is being conducted in accordance with Resolution 2012-109 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, litigation and contractual matters authorized pursuant to N.J.S.A. 10:4-12(b)(8).

Present

Chairman James S. Simpson (via video conference)
Commissioner Jeffery A. April, Esq.
Commissioner Joseph W. Devine
Commissioner Maurice B. Hill (via teleconference)
Commissioner Joseph Ripa
Commissioner Christine A. Roberts, EDA
Commissioner Dianne Solomon
Kerstin Sundstrom, Governor's Authorities Unit
Samuel L. Donelson, Acting Executive Director
Stephen F. Dougherty, Chief of Staff
Sharon Gordon, Deputy Executive Director
Frank F. Frankowski, Director of Finance
Timothy Kroll, Deputy Airport Director (for contractual matter only)
Kevin Rehmann, Security and Operations Manager (for contractual matter only)
Jeffery P. Sabla, (for contractual matter only)
Lauren Staiger, Esq., General Counsel
Amy Rudley, Esq., Special Counsel (Firm of Cooper Levenson)
Susan Lubrano, Authority Board Secretary

Contractual Matter

Mr. Donelson discussed Resolution 2012-107, for the Airport HVAC Project, which was pulled from the October 17, 2012 Board Agenda due to procurement concerns. He provided the background on the bid specifications and bids received to those who were unable to participate in the October 3, 2012 Engineering Committee Meeting or the follow up Engineering Committee teleconference call on October 10, 2012. A discussion ensued pertaining to the purchasing procedures, the causes for mandatory rejection of bids and non-responsiveness. General counsel also provided a legal opinion as to the options presented by the issue and recommendations as to how to proceed. The language in the bid was discussed at length which led to a determination that based on ambiguity in the specifications, the language should be clarified and the project rebid.

Litigation Matter

Mr. Dougherty introduced Amy Rudley, Esq., from the firm of Cooper Levenson. Ms. Rudley briefed the Commissioners on the background of Conover vs. SJTA, advising that the suit is also against two Authority employees. Ms. Rudley advised that the case has been in litigation for approximately a year and six months. She further stated that there are many issues being charged by the claimant;

Personnel Matter

Mr. Dougherty briefed the Commissioners on the personnel actions pertaining to Schedule "A" (Resolution 2012-104). He advised that the Authority is seeking to hire an additional full-time driver, a former part-time Route Investigator, to cover the new routes such as the Burlink and Rowan routes. He

advised that this hire would bring the headcount to 288, which is still five positions under the budgeted headcount of 293.

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

Motion was moved by Commissioner Hill and seconded by Commissioner Devine; motion carried adjourning the Executive Session at 9:38a.m.

Submitted by:

Susan Lubrano, Authority Board Secretary