

SOUTH JERSEY TRANSPORTATION AUTHORITY

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EXECUTIVE SESSION MINUTES

February 20, 2003

The Chairman called the Executive Session to order at 10:40 A.M. and noted that this Executive Session was being conducted in accordance with Resolution 2003-11 of the South Jersey Transportation Authority, which provides for the following:

The General nature of the subject matter of this closed meeting shall pertain to matters authorized pursuant to N.J.S.A. 10:4-12[b] [4], [5], [7] and [8]

The following Commissioners were present:

VICE-CHAIRMAN STANLEY R. GLASSEY
COMMISSIONER CARL W. BLOCK
COMMISSIONER JAMES M. DWYER
COMMISSIONER CHARLES E. OWENS
COMMISSIONER LOUIS TOSCANO
COMMISSIONER JAMES WASHINGTON
COMMISSIONER MADELYN RUMOWITZ for COMMISSIONER JAMES P. FOX, NJDOT
EDWARD DIETZ, ACCOUNT EXECUTIVE, NJ COMMERCE

The following Commissioner was absent:

CHAIRMAN FRANK SPENCER

Also present:

James A. Crawford, Executive Director
James R. Iannone, Deputy Executive Director
Lloyd D. Levenson, Esq., General Counsel
Michael Jacobson, Esq. General Counsel's Office
Paul Cohn, NJDOT
Michael Angelini, Esq., Special Counsel's Office
Noreen M. Giblin, Governor's Authority's Unit
Mary Ann Iulucci, Board Secretary

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Lawsuit -

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Contract for Police Service at ACY:

Vice Chairman Glassey addressed those present and explained his position regarding the manner this topic has been dealt with and why he is in favor of the Egg Harbor Township [EHT] police department designation as the law enforcement agency at the airport.

He further stated his disappointment that a presentation by both EHT and the State Police was attended by only Commissioner Owens and himself. He stated he is very upset that the resolution was taken off the agenda for this meeting and is requesting direction and an explanation from the Governor's office. He is also upset that General Counsel has advised him not to vote on this resolution because he is an Egg Harbor Township Committeeman and may have a possible conflict of interest. He stated he felt this resolution was removed from today's agenda because he will not be at the March meeting. He further stated he wanted this issued placed back on today's agenda.

Mr. Crawford responded that the resolution was taken off the agenda at the request of the Chairman who could not be in attendance today and wanted to vote on this resolution.

General Counsel Lloyd Levenson responded his legal advice to exclude Commissioner Glassey from voting on this resolution did not account for the geographical make up of the Board which he needs to research further to determine if this alters the basic position that service on both boards involved in a potential contract would usually represent a conflict of interest. Commissioner Glassey is a Councilman for Egg Harbor Township which could create a conflict of interest. He stated he would investigate the situation further and advise the Board. He assured Commissioner Glassey that no one from the State or the Authority was trying to "stop" his vote.

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Police presence at ACY - continued:

Commissioner Glassey stated that in the past Commissioner Toscano was able to vote on issues that affected Atlantic City during his employment with the City.

Commissioner Owens asked what would be required to place the resolution back on today's agenda.

Mr. Crawford responded a motion would be needed to add a resolution and a minimum of five [5] votes to place the item on an agenda and five affirmative votes for a resolution

Commissioner Block stated that he would not vote on the issue today. He stated he has concerns about the costs involved and wants to see a cost comparison. He also wants clarification on the EHT's police chief's specific line of authority. His concern is that if a situation arose involving both the Township and the Airport, would both areas be covered.

Commissioner Dwyer stated the main issue is costs but agreed the location of EHT would be beneficial to the airport. He also agreed with the Chairman's reason to remove the resolution from today's agenda.

Commissioner Owens stated he was getting mixed signals from the Finance Committee members.

Mr. Crawford stated that he would do a comparison of the costs and have it ready for the next subcommittee meeting.

Commissioner Toscano stated he was ready to vote today.

Commissioner Block stated he wanted all issues resolved before he votes. He further stated he wanted no perception problems to exist since the Mayor of Egg Harbor Township is an employee and a Commissioner is a Councilman for the Township.

Ms. Noreen Giblin, Governor's Authority representative addressed those present and stated the Governor's office did not suggest the resolution be removed from the agenda. She further stated that this office did not have a formal position on this resolution. Her office wanted this issue to go through the committee process and it will support the SJTA staff decision. She also suggested changing the date of the March meeting so that Commissioner Glassey could attend.

Upon further discussion it was decided to place this issue on the March board agenda.

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There being no additional business at this time, Vice Chairman Glassey requested a motion to adjourn the Executive Session meeting.

Whereupon, motion was moved by Commissioner Block seconded by Commissioner Toscano and unanimously adopted, adjourning the executive session at 11:30 A.M.

Respectfully submitted



Mary Ann Iuliucci
Authority Board Secretary

Recorded and Transcribed by:
Mary Ann Iuliucci,
Authority Board Secretary