

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
DECEMBER 16, 2015**

This regularly scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on December 16, 2015, commencing at 9:00 a.m. at the South Jersey Transportation Authority Administration Building, Farley Service Plaza, Atlantic City Expressway, Milepost 21.3 in Elwood, New Jersey 08217.

**Present**

Chairman Richard T. Hammer  
Vice Chairman Jeffery A. April, Esq.  
Commissioner Peter C. Elco  
Commissioner Maurice B. Hill, Jr., DMD  
Commissioner James J. McCullough  
Commissioner C. Robert McDevitt  
Commissioner Joseph Ripa  
Christopher M. Howard, Governor's Authorities Unit  
Stephen F. Dougherty, Executive Director  
Lauren Staiger, Esq., General Counsel  
Susan Lubrano, Authority Board Secretary

**Absent**

Commissioner Joseph W. Devine  
Commissioner Christine A. Roberts, EDA

**Statement of Public Notice**

The meeting of the Board of Commissioners was opened advising the Commissioners and public that notice of the meeting was duly advertised in the Press of Atlantic City, Camden Courier Post, Newark Star Ledger and with the Secretary of the State of New Jersey as to the time, date and place of convening. Notice was also posted at the Farley Service Plaza, the Atlantic City International Airport, the Atlantic City Office and Blackwood Office as prescribed by law.

**Roll Call**

<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>
Chairman Richard T. Hammer	X	
Vice Chairman Jeffery A. April, Esq.	X	
Commissioner Joseph W. Devine		X
Commissioner Peter C. Elco	X	
Commissioner Maurice B. Hill, Jr., DMD	X	
Commissioner James J. McCullough	X	
Commissioner C. Robert McDevitt	X	
Commissioner Joseph Ripa	X	
Commissioner Christine A. Roberts		X

Two (2) members of the public attended this meeting.

**Approval of the Agenda**

Chairman Hammer called for a motion to approve the December 16, 2015 Agenda. Whereupon, a motion was made by Vice Chairman April and seconded by Commissioner Ripa, approving said agenda. Chairman Hammer asked for questions on the motion. No questions were asked. A unanimous vote was taken adopting and approving the agenda. A copy of the agenda is attached hereto and made a permanent part of these official Authority minutes.

**Approval of Meeting Minutes**

Chairman Hammer called for a motion to approve the November 18, 2015 Meeting Minutes. Whereupon, a motion was made by Commissioner Ripa and seconded by Commissioner McDevitt, approving the November 18, 2015 Meeting Minutes. Commissioner Hill asked that the record reflect his abstention from approving the minutes as he did not participate in the November Board Meeting. Chairman Hammer asked for questions on the motion. No questions were asked. All other Commissioners in attendance voted, approving and adopting the minutes.

### **Executive Session**

Chairman Hammer asked General Counsel if an Executive Session was needed to which General Counsel responded affirmatively.

Mr. Dougherty then presented Resolution 2015-126 to the Chairman, Vice Chairman and Commissioners for the exclusion of the public to discuss personnel matters pertaining to Schedule "A" associated with Resolution 2015-118. The public was advised that the minutes of this Executive Session would be disclosed to the public in accordance with State Law. Chairman Hammer called for a motion to move into Executive Session.

Whereupon, the motion was made by Commissioner Ripa and seconded by Commissioner McDevitt approving Resolution 2015-126. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:01 a.m. A copy of Resolution 2015-126 is attached hereto and made a permanent part of these official Authority minutes.

At the close of Executive Session, Chairman Hammer called for a motion to return to the open portion of the meeting. Whereupon, a motion was made by Commissioner McDevitt and seconded by Commissioner McCullough. The open portion of the meeting reconvened at 9:10 a.m. Chairman Hammer requested the Secretary call the roll.

### **Roll Call**

<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>
Chairman Richard T. Hammer	X	
Commissioner Jeffery A. April, Esq.	X	
Commissioner Joseph W. Devine		X
Commissioner Peter C. Elco	X	
Commissioner Maurice B. Hill	X	
Commissioner James J. McCullough	X	
Commissioner C. Robert McDevitt	X	
Commissioner Joseph Ripa	X	
Commissioner Christine A. Roberts		X

### **Executive Report**

Chairman Hammer asked for the presentation of the Executive Report. Mr. Dougherty presented the December 16, 2015 Executive Report, a copy of which is attached hereto and made a permanent part of these official Authority minutes.

### **Committee Reports**

Chairman Hammer asked Mr. Dougherty to present the Committee Reports. Mr. Dougherty reported that all committees met on December 2<sup>nd</sup>. During these meetings Commissioners were briefed on the resolutions being presented this morning as well as the structural damage to the Egg Harbor Toll Plaza, the Reverse Energy Auction and the UAS Detection System planned for ACY. Commissioners were also provided with the schedule of upcoming projects, the EO-8 Report and Airport statistics.

### **Public Response to Agenda Items**

Chairman Hammer asked the public for comments on any of the agenda items. No comments were made.

### **Approval of Bills**

Chairman Hammer asked Mr. Dougherty for the presentation of bills. Mr. Dougherty stated that the bills were sent to the Commissioners previously for their review and are being recommended for approval. Chairman Hammer called for a motion to approve the bill list. Whereupon the motion was made by Commissioner Ripa and seconded by Commissioner McDevitt, approving said bill list. Chairman Hammer asked the Commissioners for questions on the motion. There being none, Chairman Hammer requested that the Secretary call the roll.

### **Roll Call**

<b>Commissioner</b>	<b>Motion</b>	<b>2<sup>nd</sup></b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Recused</b>	<b>Absent</b>
Chairman Richard T. Hammer			X				
Vice Chairman Jeffery A. April, Esq.			X*				
Commissioner Joseph Devine							X
Commissioner Peter C. Elco			X				
Commissioner Maurice B. Hill, Jr., DMD			X				
Commissioner James J. McCullough			X				
Commissioner C. Robert McDevitt		X	X				
Commissioner Joseph Ripa	X		X				

\*Commissioner April approved all bills; however, abstained from voting on the bills from the firm Cooper Levenson.

### **Resolutions and Motions:**

Chairman Hammer asked Mr. Dougherty to present the resolutions. Mr. Dougherty advised the Chairman and Commissioners that he would be presenting a total of eight (8) resolutions for their consideration. Mr. Dougherty presented Resolutions 2015-118 through 2015-125. Chairman Hammer called for a motion to approve Resolutions 2015-118 through 2015-125. Prior to motioning, Commissioner McCullough requested clarification on Resolution 2015-124, to which Mr. Dougherty responded that the Authority currently operates the BurLink Transportation System for the County of Burlington. The agreement for this service is two years, expiring on December 31, 2015, with a one year extension option. He stated that the Authority provided the County ninety (90) days notice of its intent not to enter into the one year extension. Therefore, the County issued an RFP for the service; however, no responses were received. As they would like to continue the service, the Authority, as a partner and to ease the transition, entered into discussions with the County regarding extending its service through March 31, 2016. Mr. Dougherty explained that by authorizing this resolution it would allow the County time to reissue an RFP and procure a new service provider. Commissioner McCullough thanked Mr. Dougherty for his explanation. Chairman Hammer then called for a motion to approve Resolutions 2015-118 through 2015-125. The motion as presented, was moved by Commissioner McCullough and seconded by Commissioner Ripa, approving said resolutions. Chairman Hammer asked for questions on the motion. There being no further comments or discussion, Chairman Hammer asked the Secretary to call the roll.

### **Roll Call**

<b>Commissioner</b>	<b>Motion</b>	<b>2<sup>nd</sup></b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Recused</b>	<b>Absent</b>
Chairman Hammer			X				
Vice Chairman Jeffery A. April, Esq.			X				
Commissioner Joseph Devine							X
Commissioner Peter C. Elco			X				
Commissioner Maurice B. Hill, Jr., DMD			X				
Commissioner James J. McCullough	X		X				
Commissioner C. Robert McDevitt			X				
Commissioner Joseph Ripa		X	X				

Copies of Resolutions 2015-118 through 2015-125 are attached hereto and made a permanent part of these official Authority minutes.

### **RESOLUTION 2015-118 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING CERTAIN PERSONNEL ACTIONS**

Pursuant to the Authority By-Laws, the Personnel Committee shall advise the Board on issues related to organization structure, equal employment opportunity, labor negotiations, employment practices and personnel actions affecting an individual's employment status or compensation. This resolution seeks Board approval for personnel actions as specified in the "Schedule A" attached to this resolution.

### **RESOLUTION 2015-119 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY READOPTING PROCEDURES FOR THE RELEASE OF THE MINUTES OF CLOSED SESSION MEETINGS OF THE AUTHORITY**

The Open Public Meeting Act ("OPMA"), N.J.S.A. 10:4-12, permits public bodies to exclude the public from portions of the meeting for the purposes of discussing matters specifically enumerated in the Act, such as personnel matters, terms and conditions of employment, collective bargaining agreements, anticipated or pending litigation and any matters involving the purchase, lease or acquisition of real property. Although the OPMA provides that certain matters be considered by the Authority Commissioners in closed session, outside the presence of the public, the Commissioners recognize their legal obligation to make the minutes of any such closed session available to the public as soon as practicable after the circumstance dictating exclusion of the public from any such closed session no longer exists. Accordingly, the Commissioners direct Authority staff and legal counsel to review the minutes of their closed sessions on an ongoing basis to determine those closed session minutes, if any, which may be made legally available to the public at that time. As the Authority's procedures were last adopted in 2002, the Authority desires to readopt the procedures with changes as declared in this resolution.

### **RESOLUTION 2015-120 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE AND EXECUTE DOCUMENTS ON BEHALF OF THE AUTHORITY WITH RESPECT TO THE SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION (SJTPO)**

As host agency to the SJTPO, the Authority regularly enters into agreements to accept FHWA funds on their behalf. This resolution authorizes the Executive Director to approve on behalf of the Authority each Federal Aid Agreement issued by the State, to request reimbursement of eligible costs under each Federal Aid Agreement, to accept reimbursement thereof and execute sub-contracts with sub-regions, consultants or other parties as may be provided for in an approved Federal Aid Agreement for the period of January 1, 2016 through December 31, 2016. The Executive Director's execution of any documents required in connection therewith is conclusive evidence of such authorization and approval.

**RESOLUTION 2015-121 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AWARDED A CONTRACT TO SOUTH STATE, INC., OF BRIDGETON, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY 2015 BRIDGE REHABILITATION PROGRAM**

On November 2, 2015 and November 3, 2015, the Authority publicly advertised for bids for the Atlantic City Expressway 2015 Bridge Rehabilitation Program. Work items for this program include, but are not limited to, furnishing all labor, equipment, and materials and performing all work required for the rehabilitation of bridges on the eastern end of the Atlantic City Expressway as necessary. As part of the solicitation, the Authority sought bids for two separate Base Bids: Base Bid No. 1, which includes the removal and repair of loose and existing concrete from spalled areas of the bridge and its components; pressure injection of concrete cracks; steel repairs to diaphragms and girders; repairs to the steel bearings and components; asphalt repairs to slope protection; backfilling, seeding and top soiling eroded areas; repair of impact damage to concrete median barrier at milepost 1.5 and miscellaneous repairs to secondary bridge components. Base Bid No. 2 includes the aforementioned work; however, the list of bridges is reduced to selective bridges from milepost 2.3 to 13.9. The Authority's selection of the Base Bid is contingent upon available funds. On November 18, 2015, 2 bids were received, opened and tabulated, South State, Inc., of Bridgeton, New Jersey was deemed the lowest responsible, responsive bidder in an amount not to exceed \$870,555.00 for the Atlantic City Expressway 2015 Bridge Rehabilitation Program for the desired Base Bid, No. 1.

**RESOLUTION 2015-122 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF A DEED NOTICE FOR AUTHORITY OWNED PROPERTY KNOWN AS BLOCK 583, PORTION OF LOT 2 IN THE CITY OF ATLANTIC CITY, NEW JERSEY IN ACCORDANCE WITH N.J.S.A. 58:10B-13**

The Authority owns a certain parcel of property known as Block 583, and a Portion of Lot 2, on the tax map of the City of Atlantic City, in Atlantic County, New Jersey, which runs along the Atlantic City Expressway Connector. In the vicinity of this property, Marina Energy, LLC, as owner, and DCO Energy, as the Developer and Operator, developed the expansion of an off-site Central Utility Plant, located at 1077 Absecon Boulevard, Atlantic City, New Jersey. Due to historic fill at the location of this site, Marina Energy constructed a cap system to fully cover the historic fill which includes a portion of Block 583, Lot 2 prior to its construction of the Central Utility Plant. Marina Energy, LLC, has remediated contaminated soil located on the Authority's property, such that soil contamination remains in certain areas of the property, which does not allow for unrestricted use of the property. In accordance with N.J.S.A. 58:10B-13, as a result of this soil contamination there is a statutory requirement for said Deed Notice which is intended to provide notice to any person investigating the property of certain conditions and restrictions and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for this site.

**RESOLUTION 2015-123 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY RESCINDING RESOLUTION 2013-168, WHICH AUTHORIZED THE AWARD OF A CONTRACT TO DOLAN MECHANICAL, INC., OF SICKLERVILLE, NEW JERSEY FOR THE PURCHASE, DELIVERY AND INSTALLATION OF NEW NATURAL GAS HEATING SYSTEMS AT VARIOUS SJTA LOCATIONS**

On November 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup>, 2013, the Authority publicly advertised for bids for the purchase, delivery and installation of Natural Gas Heating Systems at various Authority locations. This project encompassed upgrades at three locations from oil heat systems to natural gas. In response to said advertising, on December 3, 2013, the Authority received 6 bids for project. Based on the review of said bids, Dolan Mechanical, Inc., of Sicklerville, New Jersey was deemed the lowest responsive, responsible bidder in an amount not to exceed \$161,000.00. Dolan Mechanical, Inc. was awarded a contract for the project via Resolution 2013-168. While securing permits, it was determined that additional work was required that was outside the scope of the original bid specification. The Authority and Dolan Mechanical, Inc., mutually agreed that the required specification change would substantially change the costs and as such the project should be re-advertised.

**RESOLUTION 2015-124 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRANCE INTO A SHARED SERVICES AGREEMENT WITH THE COUNTY OF BURLINGTON FOR THE PROVISION OF CERTAIN TRANSPORTATION SERVICES FOR THE COUNTY'S BURLINK FIXED ROUTE SYSTEM**

Since 2000 the County of Burlington has provided a deviated Fixed Route System ("BurLink") that serves the areas of the County that do not have regular NJ Transit service with routes designed to serve the needs of area workers to get to employers or to other regional transportation services. The County of Burlington had undertaken a bid solicitation process in order to retain an operator of said routes for a two year period, commencing January 1, 2012 through December 31, 2013, with the County having the option to extend the term of the agreement for up to an additional two years. The terms of the contract required the County of Burlington provide vehicles for this service with the vendor responsible for the operation and maintenance of said vehicles during the term of the agreement. The Authority, via Resolution 2011-130, entered into an Agreement with the County to provide the required transportation services at a rate of \$45.00 per hour for a two year period. Upon negotiations for a future Shared Services Agreement with the County, who wished to retain the Authority to provide these services, it was determined that an adjusted rate of \$60.00 per hour was necessary to continue operations. The County and the Authority, via Resolution 2013-142, agreed to terminate the existing Agreement and enter into a new Shared Services Agreement at the adjusted rate for a two year period with a one year renewal option upon mutual agreement. The Shared Services Agreement is set to expire on December 31, 2015 and the Authority does not wish to exercise its sole option to renew. To assist with the transition to a new operator, the County has requested that the Authority continue operating the BurLink shuttle services for a specified period of time, commencing January 1, 2016, on a month-to-month basis for a term not to exceed six months. The General Manager of Transportation Services recommends entering into a new Shared Services Agreement with the County of Burlington to assist in the transition as attached to the resolution and entitled Exhibit "A".

**RESOLUTION 2015-125 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRANCE INTO A LEASE AGREEMENT WITH STUFFO ENTERPRISES, OF DELRAN, NEW JERSEY, IN CONNECTION WITH THE PROVISION OF TRANSPORTATION SERVICES TO THE COUNTY OF BURLINGTON FOR THE COUNTY'S BURLINK FIXED ROUTE SYSTEM**

Since 2000 the County of Burlington has provided a Deviated Fixed Route System ("BurLink") that serves the areas of the County that do not have regular NJ Transit service with routes designed to serve the needs of area workers to get to employers or to other regional transportation services. The County publicly advertised a request for bids for an operator of this service in 2011, to which the Authority responded and was awarded the contract via Resolution 2011-130. Said contract expired on December 31, 2013. The County desired that the Authority continue to provide these services; therefore, Resolution 2013-142 authorized the entrance into a Shared Services Agreement with Burlington County, effective November 15, 2013 through December 31, 2015, with a one year renewal option. At this time, the Authority does not wish to exercise its sole renewal option; however, it does wish to assist the County with the transition to a new route operator by continuing to provide said shuttle services, commencing on January 1, 2016, on a month-to-month basis for a term not to exceed six months. Thus, the Agreement with the County requires that the Authority utilize a facility located in Burlington County for the dispatching and storing of vehicles used for the BurLink service. Stuffo Enterprises, of Delran, New Jersey owns a facility with office space located at 3007 Bridgeboro Road, Delran, New Jersey, which is located in Burlington County, New Jersey. Resolution 2013-155 authorized the Authority to enter into a lease agreement with Stuffo Enterprises for a one year period, from January 1, 2014 through December 31, 2014 for a fee of \$2,015.00 per month, with two mutually agreeable one year renewal options, each subject to a 3% yearly increase. The Authority exercised its first extension of the Lease Agreement, via Resolution 2014-115, for a period of one year, commencing on January 1, 2015 through December 31, 2015, for a monthly fee of \$2,075.45. The Authority will not exercise its second extension of the Lease Agreement; however, the General Manager of Transportation Services recommends entering into a new lease agreement with Stuffo, commencing January 1, 2016, on a month-to-month basis for a term not to exceed six months in order to assist the County with the transition.

**Petitions or Communications, Unfinished Business and New Business**

Chairman Hammer asked if there were any petitions or communications, unfinished or new business. Mr. Dougherty responded that all petitions and communications were either mailed prior to the meeting or are at the Commissioners' place. Mr. Dougherty advised that he has no new or unfinished business to discuss.

**General Comment**

Chairman Hammer asked the public for any general comments. No comments were made.

**Adjournment**

There being no further business, Chairman Hammer called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner Ripa and seconded by Commissioner McDevitt to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:20 a.m.

Submitted by:

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Susan Lubrano, Authority Board Secretary

**Note: An Executive Session was held during this meeting.**