

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
JULY 16, 2014**

This regularly scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on July 16, 2014, 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 Joseph D. Bertoni  
Commissioner Jeffery A. April, Esq.  
Commissioner Joseph W. Devine  
Commissioner Peter C. Elco  
Commissioner Maurice B. Hill  
Commissioner James J. McCullough  
Commissioner Joseph Ripa  
Frank F. Frankowski, Interim Executive Director  
Christopher Howard, Governor's Authorities Unit  
Michael Sullivan, Governor's Authorities Unit  
Lauren Staiger, Esq., General Counsel  
Susan Lubrano, Authority Board Secretary

**Absent**

Commissioner Christine A. Roberts, EDA  
Commissioner C. Robert McDevitt

**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 of the time, date and place of convening. Notice was posted at the Farley Service Plaza, the Atlantic City International Airport and the Authority's Atlantic City, New Jersey office as prescribed by law.

**Roll Call**

<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>
Chairman Joseph D. Bertoni	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

Three (3) members of the public attended this meeting.

Chairman Bertoni began the meeting by advising that Commissioner April was recently nominated by the Governor and confirmed by the Senate for re-appointment to the South Jersey Transportation Authority's Board of Commissioners. He asked that Commissioner April come forward to be officially sworn in. Ms. Lubrano initiated the swearing in.

**Approval of the Agenda**

Chairman Bertoni called for a motion to approve the July 16, 2014 Agenda. Whereupon, motion was made by Commissioner Devine and seconded by Commissioner April, approving the agenda. Chairman Bertoni 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 Bertoni called for a motion to approve the June 18, 2014 and July 2, 2014 Meeting Minutes. Whereupon, a motion was made by Commissioner Ripa and seconded by Commissioner April, approving the June 18, 2014 and July 2, 2014 minutes. Commissioner McCullough abstained from approving the June

18, 2014 Meeting Minutes as he was not yet a Commissioner at that time. Chairman Bertoni asked for questions on the motion. No questions were asked. A unanimous vote was taken adopting and approving the minutes.

### **Employee Awards**

Ralph D'Amelio, of the Engineering & Operations Department, was presented with the Quarterly Employee Award. Commissioner McCullough commented that he had worked with Mr. D'Amelio in the 1990s during many severe winter storms. He advised of Mr. D'Amelio dedication to ensuring the roadway was safe for our patrons, employees and State Police.

### **Executive Session**

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

Mr. Frankowski then presented Resolution 2014-75 to the Chairman and Commissioners for the exclusion of the public to discuss personnel matters pertaining to Schedule "A" associated with Resolution 2014-74. The public was advised that the minutes of this Executive Session will be disclosed to the public in accordance with State Law. Chairman Bertoni called for a motion to move into Executive Session.

Whereupon, the motion was made by Commissioner Ripa and seconded by Commissioner April approving Resolution 2014-75. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:07 a.m. A copy of Resolution 2014-75 is attached hereto and made a permanent part of these official Authority minutes. At the close of Executive Session, Chairman Bertoni called for a motion to return to the open portion of the meeting.

Whereupon, motion was made by Commissioner McCullough and seconded by Commissioner April. The open portion of the meeting reconvened at 9:13 a.m. Chairman Bertoni requested the Secretary call the roll.

### **Roll Call**

<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>
Chairman Joseph D. Bertoni	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 Bertoni asked for the presentation of the Executive Report. Mr. Frankowski presented the July 16, 2014 Executive Report. A copy of the July 16, 2014 Executive Report is attached hereto and made a permanent part of these official Authority minutes.

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

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

### **Committee Reports**

Chairman Bertoni asked Mr. Frankowski to present the Committee Reports. Mr. Frankowski reported that all committees met on July 2<sup>nd</sup>. During these meetings Commissioners were briefed on the resolutions being presented this morning as well liability insurance renewals, the concession agreement with Cape Atlantic Food Services, the ACE 50<sup>th</sup> Anniversary and the 14<sup>th</sup> Street Bridge accident. Commissioners were also briefed on the ACY Runway 13-31 Concrete Pavement Repair, new FAA requirements related to grant awards and the Customs Border Protection's Reimbursable Pilot Program. Commissioners were provided with the schedule of upcoming projects, the EO-8 Report and Airport statistics.

### **Approval of Bills**

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

## Roll Call

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Recused	Absent
Chairman Joseph D. Bertoni			X				
Commissioner Jeffery A. April			X				
Commissioner Joseph Devine	X		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	X				

\*Commissioner April approved all bills but abstained from voting on the bills from the firm Cooper, Levenson, April, Niedelman & Wagenheim.

## Resolutions and Motions:

Chairman Bertoni asked Mr. Frankowski to present the resolutions. Mr. Frankowski advised the Commissioners that he will be presenting a total of thirteen (13) resolutions for their consideration. Mr. Frankowski presented Resolutions 2014-62 through 2014-74. Chairman Bertoni called for a motion to approve Resolutions 2014-62 through 2014-74, the motion as presented, was moved by Commissioner Devine and seconded by Commissioner Hill, approving said resolutions. Chairman Bertoni asked for questions on the motion. No questions were asked. There being no further comment or discussion, Chairman Bertoni asked the Secretary to call the roll.

## Roll Call

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Recused	Absent
Chairman Joseph D. Bertoni			X				
Commissioner Jeffery A. April			X				
Commissioner Joseph Devine	X		X				
Commissioner Peter C. Elco			X				
Commissioner Maurice B. Hill		X	X				
Commissioner James J. McCullough			X				
Commissioner C. Robert McDevitt							X
Commissioner Joseph Ripa			X				

Copies of Resolutions 2014-62 through 2014-74 are attached hereto and made a permanent part of these official Authority minutes.

## **RESOLUTION 2014-62 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY ADOPTING THE ANNUAL NOTICE OF MEETINGS**

In accordance with the Authority By-Laws, the adoption of regularly scheduled monthly Board of Commissioners meetings shall be made by the adoption of the Annual Notice of Meetings required by the "Open Public Meetings Act". This resolution is to adopt the meeting dates from August 2014 through July 2015, which is the Authority's Annual Re-organization Meeting.

## **RESOLUTION 2014-63 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF FRANK F. FRANKOWSKI TO THE POSITION OF TREASURER AND DAVI S. NICHOLSON TO THE POSITION OF DEPUTY TREASURER**

An annual reorganization meeting shall be held in July of each year or as soon thereafter as is reasonably possible, at which time the Board shall designate a Treasurer pursuant to the Act (Section 5(e) and Article IV, Section 4 of these By-Laws. Pursuant to Article IV, Section 4.2 of the By-Laws, the Board shall designate a Deputy Treasurer. This resolution is for the appointment of Frank F. Frankowski as Treasurer and Davi S. Nicholson as Deputy Treasurer of the Authority.

## **RESOLUTION 2014-64 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY ACKNOWLEDGING THE ELECTION OF COMMISSIONER JEFFERY A. APRIL AS VICE CHAIRMAN**

Authority By-Laws require an annual appointment of a Vice Chairman to the Authority's Board of Commissioners. The Authority desires to appoint Commissioner Jeffery A. April to serve as Vice Chairman to the Board of Commissioners, effective July 16, 2014 and expiring on the date of the July 2015 Annual Re-Organization Meeting or until such time as a successor is elected.

## **RESOLUTION 2014-65 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF SUSAN LUBRANO TO THE POSITION OF BOARD SECRETARY AND CAROLINE ROSEBORO TO THE POSITION OF ASSISTANT BOARD SECRETARY**

An annual reorganization meeting shall be held in July of each year or as soon thereafter as is reasonably possible, at which time the Board shall designate a Board Secretary pursuant to Article II, Section 4b of the By-Laws. Pursuant to Article IV, Section 3.2 of the By-Laws, the Board shall designate an Assistant Board Secretary. This resolution serves to appoint Susan Lubrano to the position of Board Secretary and Caroline Roseboro to the position of Assistant Board Secretary for a term of one (1) year effective July 16, 2014 and expiring on the date of the July 2015 Annual Re-Organization Meeting.

**RESOLUTION 2014-66 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF WILLIAM W. SPEARMAN TO SERVE AS THE ETHICS LIAISON OFFICER AND PAUL C. HECK TO SERVE AS THE ALTERNATE ETHICS LIAISON OFFICER OF THE AUTHORITY PURSUANT TO NEW JERSEY EXECUTIVE ORDER #24**

On February 28, 2002, the New Jersey Code of Ethics Act, N.J.S.A. 52:13D-23 et seq. was enacted into law to assure the strictest conformance with the Conflicts of Interest Law by all departments, agencies, boards, bureaus, commissions, division or other instrumentality within a department of State government. This Code of Ethics Act required that each public agency designate an individual to serve as Ethics Liaison Officer to act on the behalf of that agency in fulfillment of its obligations. Pursuant to the Code of Ethics Act and Executive Order #24 (Chris Christie), the Authority desires to appoint William W. Spearman to serve as Ethics Liaison Officer. Due to the workload involved in assuring the Authority remains in strictest conformance with the Conflicts of Interest Law, in 2005, the Authority determined the need for an alternate Ethics Liaison Officer. Thus, the Authority desires to appoint Paul C. Heck to serve as Alternate Ethics Liaison Officer. In this capacity, the aforementioned designees shall act on and serve all purposes as set forth in the Code of Ethics Act and to undertake all duties necessary and appropriate in order to discharge on behalf of the Authority its obligations under the Code of Ethics Act. The appointments are effective July 16, 2014 and expire on the date of the July 2015 Annual Re-Organization Meeting or until such time as a successor is appointed.

**RESOLUTION 2014-67 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF DORIS L. MCCLINTON AS THE PUBLIC AGENCY COMPLIANCE OFFICER FOR THE SOUTH JERSEY TRANSPORTATION AUTHORITY**

Pursuant to N.J.S.A. 10:5-31 and N.J.A.C. 17:27-3.2, the Authority shall designate an individual to serve as its Public Agency Compliance Officer. This individual shall serve as the liaison between the State of New Jersey Department of Treasury and the Authority. The Commissioners of the Authority desire to appoint Doris L. McClinton to the position of Public Agency Compliance Officer for the term of one year, beginning on July 16, 2014 and expiring on the date of the July 2015 Annual Re-Organization Meeting or until such time as a successor is designated.

**RESOLUTION 2014-68 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF DAVI S. NICHOLSON TO THE POSITION OF POST ISSUANCE COMPLIANCE OFFICER FOR GOVERNMENTAL TAX ADVANTAGED BONDS**

The Internal Revenue Service has strongly recommended that issuers of municipal bonds adopt written policies and procedures that are intended to assure that appropriate compliance measures are implemented by such issuers after their bonds have been issued. This resolution constitutes and is intended to memorialize formally the written post-issuance compliance policies and procedures that the Authority has previously adopted and/or followed in connection with the issuance or future issuance of the Authority's Tax-Advantaged Bonds, which include tax-exempt bonds, tax credit bonds, and direct pay issuer subsidy Build America Bonds, and the appointment of a Post Issuance Compliance Officer (PICO) to ensure the Authority remains in compliance with the policies and procedures. In accordance with the Post Issuance Compliance Policies and Procedures adopted via Resolution 2012-54 in July 2012, the Authority appointed Davi S. Nicholson to the position of Post Issuance Compliance Officer. The Authority desires to appoint Davi S. Nicholson as PICO for one additional (1) year, effective July 16, 2014 and expiring on the date of the July 2015 Annual Re-Organization Meeting or until such time as a successor is appointed.

**RESOLUTION 2014-69 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO PNC BANK, N.A., OF WESTFIELD, NEW JERSEY FOR AUTOMATIC TELLER MACHINES (ATMS) FOR THE ATLANTIC CITY INTERNATIONAL AIRPORT AND THE TRAVEL PLAZA AT THE FARLEY SERVICE AREA**

On May 14<sup>th</sup> and 15<sup>th</sup>, 2014, the SJTA advertised a Request for Proposals (RFP) for Automatic Teller Machines (ATMs) at the Atlantic City International Airport and the Travel Plaza at the Farley Service Area. On June 4, 2014, the Authority received four (4) responses to the RFP. On June 11, 2014, the Authority's Consultant Selection Committee met to review and rank the proposals and determined that PNC Bank N.A.,

of Westfield, New Jersey was most qualified to perform the required services. The Authority desires to award a contract to PNC Bank N.A., of Westfield, New Jersey, for terms as outlined in Exhibit "A" attached to the resolution. The term of said contract shall be for one year, commencing on August 13, 2014, with two mutually agreeable one year renewal options.

**RESOLUTION 2014-70 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY APPOINTING GILMORE & MONAHAN, P.A., OF TOMS RIVER, NEW JERSEY AS GENERAL COUNSEL AND BROWN & CONNERY, LLP AS SPECIAL COUNSEL FOR THE AUTHORITY**

On May 6th & 7th, 2014, the Authority publicly advertised a Request for Proposals (RFP) for General and/or Special Legal Counsel Services for the Authority. On May 29, 2014, in response to said advertising, seven (7) proposals were received. The Consultant Selection Committee (CSC) met on June 4, 2014 to review and rank the proposals and determine if same met all the requirements of the specifications and instructions to proposers. Based on the CSC's evaluation and the recommendation of the CSC Chair, Gilmore and Monahan, PA of Toms River, New Jersey is being recommended as General Counsel and Brown and Connery, LLP of Westmont, New Jersey as Special Counsel to the Authority. Gilmore and Monahan, PA shall provide legal services regarding all General Legal matters, Aviation and Airport matters, and Outdoor Advertising matters. As Special Counsel, Brown and Connery, LLP shall provide legal services regarding all Employment and Labor matters and Environmental matters. The term of the appointments shall be one year with a one year renewal option at the Authority's discretion. The hourly rates, as set forth in the RFP are \$200.00 per hour for partners, \$175.00 per hour for associates, and \$125.00 per hour for Workers' Compensation matters. All other hourly rates for paralegals, clerks, law assistants and law school graduates, and all other expense limits, are as indicated in the RFP.

**RESOLUTION 2014-71 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY SUPPORTING THE 4<sup>TH</sup> ANNUAL DELMOSPORTS ATLANTIC CITY INTERNATIONAL TRIATHLON**

DelMoSports and the Atlantic City International Triathlon have requested permission to utilize portions of the Atlantic City Expressway on Sunday, September 14th, 2014 from 6 a.m. to 11a.m. The Atlantic City International Triathlon consists of two separate events simultaneously: an "International" distance consisting of a 1 mile swim, 20 mile bike and a 10k run and a "Sprint" distance event consisting of a .25 mile swim, 10 mile bike and 5k run. The event will begin and end at Bader Field. Competitors complete a 1 mile or ¼ mile loop in the basin next to Bader Field. Athletes will then exit the water via a temporary dock, enter Bader Field and grab their bicycles in the transition area. The bicycle course has athletes beginning at Porter & Albany Avenues and riding west via Rt. 322 to the Exit 2 On-Ramp. The proposed course has athletes riding the shoulder while also having a right lane closure west to Interchange #4; back onto the ACE eastbound at Interchange #4. Sprint distance athletes will then make a right at Interchange #2 and head eastbound on Route 40 to Porter & Albany Avenues, and make a left onto Bader Field. International Distance athletes will pass Interchange #2 and proceed eastbound to the Connector northbound, turnaround just before the train tracks, proceed southbound and re-enter the ACE going westbound for a 2<sup>nd</sup> loop around Interchange #4. After their 2<sup>nd</sup> loop, International Distance athletes will follow Interchange #2 eastbound to Route 40 then make a left on Porter & Albany back to Bader Field. After racking their bikes, athletes will then run either a 5k or a 10k incorporating Albany Avenue and the Atlantic City Boardwalk. All participants of this event will be required to sign a hold-harmless waiver. The Atlantic City International Triathlon will assist in bringing Atlantic City and its surroundings a positive, healthful, non-gaming event. Last year, it was estimated by ACCVA that the economic impact of this event brought over \$700K to the economy in Atlantic City. This year that amount has grown to between \$775K - \$1.3M. SJTA will receive payment from DelMoSports to cover all SJTA related costs associated with this event.

**RESOLUTION 2014-72 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN AGREEMENT WITH THE AMERICAN RED CROSS, SOUTH JERSEY REGION FOR THE PROVISION OF RELIEF SERVICES IN THE EVENT OF A TRANSPORTATION INCIDENT**

The American Red Cross, South Jersey Region ("Red Cross") has offered to provide relief services and assistance to the Authority and community in the event of a transportation incident occurring at, or in close proximity to the Airport. The Authority desires to accept the services of the Red Cross for the local community and those utilizing the Airport in the case of such an incident. In connection with accepting these services, a Memorandum of Understanding must be executed between both parties.

**RESOLUTION 2014-73 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN AGREEMENT WITH ACS, A XEROX COMPANY FOR THE PROVISION OF CERTAIN TRANSPORTATION SERVICES**

The purpose of this resolution is to approve an agreement between ACS, a Xerox Company ("ACS) and the Authority for the provision of round trip transportation services for employees of ACS from the PATCO Woodcrest Station in Cherry Hill, New Jersey to their workplace located at 101 Woodcrest Road Cherry Hill, New Jersey. The contract shall be for the period beginning September 1, 2014 through August 31, 2017. The amount to be paid by ACS for this service is \$42.00 per hour. The hours of operation for the shuttle are 6:45 a.m. to 12:45 p.m. and 3:45 p.m. to 9:45p.m., Monday through Friday. The Authority has previously entered into a similar agreement with ACS and with its predecessor Hewlett Packard for the same service for prior years. Changes to the terms of the agreement, previously approved via Resolution 2011-95, have been incorporated and specified herein.

#### **RESOLUTION 2014-74 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.

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

Chairman Bertoni asked if there were any petitions or communications, unfinished or new business. Mr. Frankowski responded that all previous petitions and communications were either mailed prior to the meeting or are at their place, he stated that one communication of particular mention is a letter from the pilot involved in the small engine plane crash in Hamilton Township on May 9<sup>th</sup>. His letter relayed his gratitude, and that of his family, to our Airport Fire fighters for their quick response and rescue. Mr. Frankowski publically commended the Airport Fire & Rescue Department for their swift, life saving response to the accident. Mr. Frankowski then advised the Chairman that he has no new or unfinished business to discuss.

#### **General Comment**

Chairman Bertoni asked for general comments. No comments were made.

#### **Adjournment**

There being no further business, Chairman Bertoni called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner Ripa and seconded by Commissioner April to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:21 a.m.

Submitted by:

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Susan Lubrano, Authority Board Secretary

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