

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
NOVEMBER 18, 2015**

This regularly scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on November 18, 2015, commencing at 9:03 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 C. Robert McDevitt \*  
 Commissioner Joseph Ripa  
 Commissioner Christine A. Roberts, EDA  
 Stephen F. Dougherty, Executive Director  
 Christopher M. Howard, Governor’s Authorities Unit  
 Lauren Staiger, Esq., General Counsel  
 Eric Milavsky, Esq., Special Counsel  
 Susan Lubrano, Authority Board Secretary

**Absent**

Commissioner Joseph W. Devine  
 Commissioner Maurice B. Hill, Jr., DMD  
 Commissioner James J. McCullough

**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	

\*Commissioner McDevitt was participating via teleconference at the time of the roll call and arrived in person at 9:12 a.m. during Executive Session.

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

Prior to approving the Agenda, Mr. Dougherty introduced and welcomed newly appointed SJTA Chairman/NJDOT Acting Commissioner Richard T. Hammer.

**Approval of the Agenda**

Chairman Hammer called for a motion to approve the November 18, 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 October 21, 2015 Meeting Minutes. Whereupon, a motion was made by Commissioner Ripa and seconded by Vice Chairman April, approving said minutes. 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 2015-117 to the Chairman and Commissioners for the exclusion of the public to discuss personnel matters pertaining to Schedule "A" associated with Resolution 2015-109. 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 Vice Chairman April approving Resolution 2015-117. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:05 a.m. A copy of Resolution 2015-117 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 Vice Chairman April. The open portion of the meeting reconvened at 9:19 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	
Vice Chairman 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 November 18, 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 November 4<sup>th</sup>. He stated that during these meetings Commissioners were briefed on the resolutions being presented this morning as well as the Authority's 3<sup>rd</sup> Quarter Financials. 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 General Counsel if any agenda items would be discussed in public session. General Counsel replied no; however, she stated that Executive Director Dougherty would be presenting Resolution 2015-109, separate from the consent agenda. Chairman Hammer asked Mr. Dougherty to present the resolution. Mr. Dougherty presented Resolution 2015-109, authorizing certain personnel actions for the Board's consideration. Chairman Hammer called for a motion to approve Resolution 2015-109, where the motion as presented, was moved by Commissioner McDevitt and seconded by Commissioner Ripa, approving said resolution. 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 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				

A copy of Resolutions 2015-109 is attached hereto and made a permanent part of these official Authority minutes.

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

Chairman Hammer asked the public for comments on any of the remaining 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				

### **Resolutions and Motions:**

Chairman Hammer asked Mr. Dougherty for the presentation of the consent agenda. Mr. Dougherty advised the Chairman and Commissioners that he would be presenting the nine (9) remaining resolutions for their consideration. Mr. Dougherty presented Resolutions 2015-107, 2015-108 and 2015-110 through 2015-116. Chairman Hammer called for a motion to approve Resolutions 2015-107, 2015-108 and 2015-110 through 2015-116, where the motion as presented was moved by Vice Chairman April and seconded by Commissioner McDevitt, 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 Richard T. Hammer			X				
Vice Chairman Jeffery A. April, Esq.	X		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				

Copies of Resolutions 2015-107, 2015-108 and 2015-110 through 2015-116 are attached hereto and made a permanent part of these official Authority minutes.

### **RESOLUTION 2015-107 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY ADOPTING THE 2016 OPERATING BUDGET FOR THE AUTHORITY**

This Resolution authorizes the adoption of the 2016 Operating Budget. The budget will cover all operating expenses, debt service, all other required payments and meet all bond ratio coverage tests.

### **RESOLUTION 2015-108 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY ADOPTING THE 2016 CAPITAL BUDGET AND THE TEN-YEAR CAPITAL PLAN FOR THE AUTHORITY**

The adoption of the 2016 Capital Budget and Ten-Year Capital Plan is necessary for planning and implementing future projects. The Chief Financial Officer has presented to the Board of Commissioners both the Capital Budget for the fiscal year 2016 and the Ten Year Capital Plan. All 2015 open commitments payable and encumbered resources will be carried forward to the 2016 Capital Budget.

### **RESOLUTION 2015-109 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 2015-110 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE APPOINTMENT OF JAMES HARTMAN TO SERVE AS CUSTODIAN OF RECORDS AND KIMBERLY A. GIOSTRA TO SERVE AS ALTERNATE CUSTODIAN OF RECORDS OF THE AUTHORITY PURSUANT TO THE OPEN PUBLIC RECORDS ACT**

Under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., (OPRA), the Authority is required to appoint a Custodian of Records, via formal action, to serve as the official officer for the Authority relative to requests for information under OPRA. Due to a recent vacancy, there exists a need within the Authority to appoint a Custodian of Records to serve in this capacity. Moreover, due to the workload involved in assuring the Authority remains in the strictest compliance to the Act, the Authority has determined the need for an Alternate Custodian of Records to assist with requirements as needed or in the absence of the Custodian of Records. The Authority desires to name James Hartman as Custodian of Records and Kimberly A. Giostra as the Alternate Custodian of Records of the Authority pursuant to and in furtherance of OPRA.

**RESOLUTION 2015-111 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRANCE INTO A LEASE AGREEMENT WITH THE ATLANTIC CITY PROFESSIONAL FIREFIGHTERS UNION, LOCAL 198, FOR THE LEASING OF OFFICE SPACE KNOWN AS SUITE 7, LOCATED AT 17 SOUTH NEW YORK AVENUE, ATLANTIC CITY, NEW JERSEY**

The Authority owns a certain public garage located at 17-29 South New York Avenue in the City of Atlantic City, New Jersey, in which contains certain office space and certain parking spaces. On two occasions, February 13th and 14th, 2012 and May 17th and 18th, 2012, the Authority advertised a Request for Proposals (RFP) for the lease of the commercial office space located at 17 South New York Avenue, in the New York Avenue Parking Garage building, which consists of approximately 1040 and 1088 square feet, and is known as "Suite 1" and "Suite 7" respectively. Proposals were due February 23, 2012 and June 7, 2012. In response to said RFP solicitations, no proposals were received and pursuant to N.J.S.A. 27:25A-8(b)(6), the Authority commenced negotiations with the Atlantic City Professional Firefighters Union, Local 198, who had expressed interest in continuing its rental of this space with the Authority. On December 13, 2012, the Atlantic City Professional Firefighters Union, Local 198, proposed the following terms: a two year agreement with a one year option to renew for rental payments as follows: \$300.00 for the first year, \$350.00 for the second year and \$375.00 for the renewal option. Resolution 2013-06 authorized this action for the stated terms. As the term is set to expire on December 31, 2015, the Authority and the Atlantic City Professional Firefighters Union, Local 198, desire to renew the lease agreement for a one year period, commencing on January 1, 2016 through December 31, 2016. The rental payment for this period shall be \$400.00 per month.

**RESOLUTION 2015-112 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE E-ZPASS INTERAGENCY GROUP AMENDED AND RESTATED OPERATING AGREEMENT**

The Authority and other toll operators approved for full membership by the IAG Executive Management Committee are parties to an E-ZPass Operating Agreement, dated February 20, 1998 (the "Operating Agreement"). Due to numerous amendments to the E-ZPass Operating Agreement dated February 20, 1998, and as amended by amendments 1 through 10, dated November 1, 1998, June 8, 2000, August 3, 2000, June 23, 2005, August 29, 2005, December 14, 2006, August 11, 2011, February 9, 2012, June 13, 2012, and November 13, 2013, the Full Member Agencies have determined that it is necessary and convenient to amend and restate the Operating Agreement to include all previously approved amendments. The Full Member Agencies, along with the E-ZPass Executive Management Committee, directed the IAG Legal Committee to draft an Amended and Restated Operating Agreement which incorporates each of the previously approved amendments as well as the technical revisions proposed by the IAG's Policy Committee. As this Agreement has since been drafted, reviewed and approved by each Full Member Agency, the Authority seeks authorization to execute the Amended and Restated Operating Agreement in the form attached to the Resolution entitled Exhibit "A".

**RESOLUTION 2015-113 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE SALE OF AUTHORITY PROPERTY PURSUANT TO N.J.S.A. 27:25A-7(l)**

The Authority desires to hold a public auction to sell property that has outlived its useful life and/or is no longer necessary. Pursuant to N.J.S.A. 27:25A-Section 7(l) the Authority can transfer, recycle, sell or dispose of surplus personal property in accordance with its policy and procedure guidelines. The Authority shall solicit three quotes for Auctioneer services for an auction to be held on or about December 19, 2015. The Authority has in recent years utilized a service that allows government agencies to sell surplus property, or property that has outlived its useful life via an on-line service. As the Authority has numerous items that have not sold and require ample storage space to house, an auction is being recommended as a means to dispose of the property while retrieving the maximum possible residual value. Should any of the property remain at the close of the sale, the Executive Director is authorized to determine if the property can be disposed of or transferred to another public entity without charge, as provided in the Authority's Surplus Property Policy.

**RESOLUTION 2015-114 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRANCE INTO A SHARED SERVICES AGREEMENT WITH THE COUNTY OF ATLANTIC AND AN AGREEMENT WITH CROSS COUNTY CONNECTION FOR THE OPERATION OF SHUTTLE SERVICES FOR THE ROUTE 40 AND ROUTE 54 COMMUNITY SHUTTLE**

The Authority and the County of Atlantic have recognized the need for the provision of a comprehensive transportation system to meet the needs of a Community Shuttle project in the western part of the County along the Route 40 and Route 54 corridors, and to provide a “feeder” service to the existing NJ Transit bus and rail service in the region. This route would fill gaps currently not covered by public transportation and improve accessibility to work locations and other destinations for people traveling within Atlantic County. The Authority and the County desire to enter into a one year term, defined as “Pilot”, for the provision of these services from January 1, 2016 through December 31, 2016. The County received Section 5311 Innovative Grant funding in the amount of \$150,000.00 available for utilization on January 1, 2016 to provide said services. The County currently operates and maintains three 2011 twenty-eight seat passenger Goshen Sentinel Buses which it shall sublease to the Authority for the Authority’s operation in the Community Shuttle project. The Pascale Sykes Foundation, a nonprofit organization devoted to providing programs and supporting intergenerational families of low-income, has offered to provide additional funding as required to support the shuttle. Due to self-imposed restrictions on the Pascale Sykes Foundation’s ability to conduct business with governmental entities, the Authority’s Transportation Management Association, Cross County Connection, a nonprofit organization, will enter into an Agreement with Pascale Sykes, as well as one with the Authority, to transfer the money donated by the Foundation to the Authority.

**RESOLUTION 2015-115 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRANCE INTO AN AGREEMENT WITH UNITED PARCEL SERVICE FOR THE PROVISION OF CERTAIN TRANSPORTATION SERVICES**

The Authority and UPS entered into an Agreement, via Resolution 2014-114, for a term of one (1) year, beginning January 1, 2015 through December 31, 2015, with two (2) mutually agreeable one-year options to renew. Both the Authority and UPS now desire to enter into a new Agreement, in lieu of exercising one of the existing renewal options. The new agreement would be for a term of two (2) years, with a one (1) year renewal option for the provision of transportation service for UPS employees from the Camden Transportation Center in Camden, New Jersey to the UPS facilities located in Philadelphia, Pennsylvania and the surrounding area as well as additional compensable shuttle services as requested by UPS. The term of the new Agreement shall begin January 1, 2016 and continue through December 31, 2017. In exchange for the Authority providing transportation services to UPS, UPS shall pay the Authority \$6,833.33 per month and \$45.00 per hour for additional shuttle services as requested by UPS.

**RESOLUTION 2015-116 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE AND EXECUTE PROJECT PROPOSALS, AWARDS, GRANTS, COOPERATIVE AGREEMENTS AND RELATED DOCUMENTS FOR NJ TRANSIT ON BEHALF OF THE AUTHORITY WITH RESPECT TO THE AUTHORITY’S TRANSPORTATION SERVICES DEPARTMENT**

The Federal Transit Administration (FTA) and the State of New Jersey have been delegated authority to award Federal Financial Assistance and State Assistance for Transportation Projects. NJ Transit serves as the administrator of FTA and State of New Jersey funding programs such as the Job Access and Reverse Commute or “JARC”. The Grants or Cooperative Agreements for Federal Financial Assistance will impose certain obligations upon the NJ Transit which will, in turn, be imposed upon all subrecipients. SJTA, as a subrecipient, will provide all annual certifications and assurances for the awarded projects to NJ Transit, as required by the FTA and the State of New Jersey’s policies governing pass through agreements. This resolution authorizes the Executive Director to approve and execute grant proposals, awards, certifications and assurances, cooperative agreements and other related documents with respect to the Transportation Services Department during the period of January 1, 2016 through December 31, 2016.

**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. Vice Chairman April welcomed the Chairman Hammer, stating the Board has always had a good relationship with its Chairman and looks forward to working together in the future. No additional 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 Vice Chairman April and seconded by Commissioner McDevitt to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:29 a.m.

Submitted by:

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Susan Lubrano, Authority Board Secretary

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