

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
FEBRUARY 17, 2009**

The scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on Tuesday, February 17, 2009 commencing at 10:05 a.m. at the South Jersey Transportation Authority Administration Building at the Farley Service Plaza on the Atlantic City Expressway at Milepost 21.3 in Elwood, New Jersey 08217.

**Present:**

Chairman Stephen Dilts (participated via video conference)  
 Commissioner James U. Gaymon, Jr.  
 Commissioner C. Robert McDevitt  
 Commissioner Joseph Ripa  
 Commissioner Louis Toscano (participated via teleconference call)  
 Commissioner Tim Lizura

**Absent:**

Vice Chairman Mark Summerville  
 Commissioner Jeffery A. April, Esq.

**Also Present:**

Bart Mueller, Executive Director  
 Maura Tully, Governor's Authorities Unit  
 Keith Barrack, Esq., General Counsel  
 Susan Drake, Authority Board Secretary

**Statement of Public Notice:**

The scheduled meeting of the Board of Commissioners was opened advising the Commissioners and the public that the meeting, as required by the Open Public Meetings Act, Chapter 231, P.L. of 1975, was advertised in three (3) designated newspapers and sent to the Secretary of the State of New Jersey. Notice was posted in the terminal of the Atlantic City International Airport, the South Jersey Transportation Authority's Atlantic City Office and the Tourist Information Center located at the Farley Service Plaza on the Atlantic City Expressway as prescribed by law.

**Roll Call:**

Commissioner	Present	Absent
Chairman Stephen Dilts	X	
Vice Chairman Mark Summerville		X
Commissioner Jeffery A. April, Esq.		X
Commissioner James U. Gaymon, Jr.	X	
Commissioner C. Robert McDevitt	X	
Commissioner Joseph Ripa	X	
Commissioner Louis Toscano	X	
Commissioner Tim Lizura	X	

A total of four (4) members of the public attended the meeting.

### **Approval of the Agenda:**

Chairman Dilts called for a motion to approve the February 17, 2009 Agenda.

Whereupon, motion was moved by Commissioner Ripa and seconded by Commissioner Gaymon, approving the agenda. Chairman Dilts asked the Commissioners for questions on the motion, no questions were asked. A unanimous vote was taken adopting and approving the agenda. A copy of this agenda is attached to and made a permanent part of these official Authority minutes.

### **Approval of the January 15, 2008 Minutes and February 6, 2009 Special Meeting Minutes pending the running of the Governor's veto period:**

Chairman Dilts called for a motion to approve the January 15, 2008 Minutes and February 6, 2009 Special Meeting Minutes pending the running of the Governor's veto period.

Whereupon, motion was moved by Commissioner Ripa and seconded by Commissioner McDevitt, approving the minutes. Chairman Dilts asked the Commissioners for questions on the motion, no questions were asked. A unanimous vote was taken adopting and approving the minutes.

At this time, Chairman Dilts asked the Commissioners and public if anyone had an objection to take the action items first and move the other agenda items to the back of the agenda. There being no objections, Chairman Dilts moved to the Committee Reports.

### **Committee Reports**

Mr. Mueller reported that all Committees met on Tuesday, February 3, 2009. The Commissioners were briefed on the resolutions being presented this morning, as well as, the Economic Stimulus Projects, Airfield Rescue and Firefighting Facility, Apron Phase 1B, Tri-Generation Facility, Commercial Drivers License Policy, Air Service Development, All Electronic Tolling and the RFP for the Advertising Assets.

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

Chairman Dilts asked the public if there were any comments on any of the agenda items. No comments were made.

### **Approval of Bills:**

Chairman Dilts asked Mr. Mueller for the presentation of the bills. Mr. Mueller stated that the bills have been mailed to the Commissioners for their review prior to this meeting and are recommended for Board approval.

Chairman Dilts called for a motion to approve the bills.

Whereupon, motion was moved by Commissioner Ripa and seconded by Commissioner McDevitt, approving the bills. Chairman Dilts asked the Commissioners for questions on the motion. No questions were asked.

Chairman Dilts requested 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>Absent</b>
Chairman Stephen Dilts			X			
Vice Chairman Mark Summerville						X
Commissioner Jeffery A. April, Esq.						X
Commissioner James M. Gaymon, Jr.			X			
Commissioner C. Robert McDevitt		X	X			
Commissioner Joseph Ripa	X		X			
Commissioner Louis Toscano			X			

## **Resolutions and Motions**

Mr. Mueller presented Resolution 2009-28 from the Executive Department to the Commissioners recognizing the contributions to the Authority by Wade Lawson former Deputy Executive Director. This resolution was recommended for Board approval.

Chairman Dilts called for a motion to approve Resolution 2009-28 of the South Jersey Transportation Authority recognizing the contribution to the Authority by Wade Lawson former Deputy Executive Director of the South Jersey Transportation Authority.

Whereupon, the motion as presented, was moved by Commissioner Toscano and seconded by Commissioner Gaymon, approving Resolution 2009-28. Chairman Dilts asked the Commissioners for questions on the motion, no questions were asked. A unanimous vote was taken adopting and approving the resolution. A copy of Resolution 2009-28 is attached to and made a permanent part of these official Authority minutes.

Mr. Mueller presented four (4) resolutions from the Engineering & Operations Department. The first resolution: award of a contract to South State, Inc. of Bridgeton, New Jersey for construction of the widening of the Berlin Cross Keys Bridge; award of a contract to Jersey Construction, Inc. of Hammonton, New Jersey for improvements to the westbound Sunoco access; award of a contract to B and H Contracting, Inc. of Folsom, New Jersey for electrical and plumbing improvements to potable wells and award of a contract to BR Welding, Inc. of Howell, New Jersey for stair remediation at the New York Avenue Garage. This Consent Agenda was presented for Board approval.

Resolution 2009-29 through Resolution 2009-32 was presented to the Commissioners for approval. These agenda items were presented via Consent Agenda and were voted upon via a single roll call.

Chairman Dilts called for a motion to approve Resolution 2009-29 through Resolution 2009-32 to be voted upon via Consent Agenda.

Whereupon, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner McDevitt, approving Resolution 2009-29 through Resolution 2009-32. Chairman Dilts asked the Commissioners for questions on the motion. No questions were asked.

Chairman Dilts requested the Secretary to call the roll.

## Roll Call

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Absent
Chairman Stephen Dilts			X			
Vice Chairman Mark Summerville						X
Commissioner Jeffery A. April, Esq.						X
Commissioner James M. Gaymon, Jr.			X			
Commissioner C. Robert McDevitt		X	X			
Commissioner Joseph Ripa	X		X			
Commissioner Louis Toscano			X			

A copy of Resolution 2009-29 through 2009-32 are attached to and made a permanent part of these official Authority minutes.

### RESOLUTION 2009-29 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF A CONTRACT TO SOUTH STATE, INC. OF BRIDGETON, NEW JERSEY FOR CONSTRUCTION OF THE WIDENING OF THE BERLIN CROSS KEYS BRIDGE

On November 18<sup>th</sup> and 19<sup>th</sup>, 2008, the Authority publicly advertised for bids for the widening of the existing Berlin-Cross Keys Bridge. On December 11, 2008, six (6) bids were received, opened and tabulated. South State, Inc. of Bridgeton, New Jersey was deemed the lowest responsible bidder in an amount not to exceed \$4,595,252.00. This cost includes widening the existing bridge from a 60' wide structure to a 92'. 2" structure and raising the bridge to a minimum vertical under clearance of 15'. 0". Also included, is the widening of the abutments, installation of new piers adjacent to the existing piers, the raising and widening of the roadway approaches and adjacent ramps to accommodate the new geometry of the structure. The approaches will require new curbing and inlets to facilitate the widening. The cost also includes the replacement of the traffic signal equipment and new signalization timing will be implemented.

### RESOLUTION 2009-30 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF A CONTRACT TO JERSEY CONSTRUCTION, INC. OF HAMMONTON, NEW JERSEY FOR IMPROVEMENTS TO THE WESTBOUND SUNOCO ACCESS

On January 6<sup>th</sup> and 7<sup>th</sup>, 2009, the Authority publicly advertised for bids for improvements to the westbound Sunoco access at Milepost 2.8 on the Atlantic City Expressway. On January 23, 2009, eight (8) bids were received, opened and tabulated. Jersey Construction, Inc. of Hammonton, New Jersey was deemed the lowest responsible bidder in an amount not to exceed \$144,879.00. This work includes extending the deceleration lane, which will allow vehicles more time to decelerate while entering the site improving safety. The cost includes furnishing all labor, equipment and materials, grading, excavation, asphalt paving, striping, construction of a concrete barrier curb and foundations, relocation of lighting and gas station signage and installation of guide rail as specified in the plans.

### RESOLUTION 2009-31 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF A CONTRACT TO B AND H CONTRACTING, INC. OF FOLSOM, NEW JERSEY FOR ELECTRICAL AND PLUMBING IMPROVEMENTS TO POTABLE WELLS

On December 19, 2008, the Authority publicly advertised for bids for improvements to the well sites at the Frank Farley Service Plaza. On January 23, 2009, five (5) bids were received, opened and tabulated. B and H Contracting, Inc. was deemed the lowest responsible bidder in an amount not to exceed \$153,700.00. The cost includes replacing existing piping and antiquated electrical equipment on the potable wells.

**RESOLUTION 2009-32 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF A CONTRACT TO BR WELDING, INC. OF HOWELL, NEW JERSEY FOR STAIR REMEDIATION AT THE NEW YORK AVENUE GARAGE**

On August 20<sup>th</sup> and 21<sup>st</sup>, 2008, the Authority publicly advertised for bids for stairwell remediation at the New York Avenue Garage. On September 19, 2008, one (1) bid was received. Due to the cost of the bid and it being the sole bid, the Authority sought to re-bid the project. On December 19, 2008, the Authority publicly advertised a re-bid for the stair remediation at the New York Avenue Garage. On January 20, 2009, four (4) bids were received, opened and tabulated. BR Welding, Inc. of Howell, New Jersey was deemed the lowest responsible bidder in an amount of \$311,861.00 for the total base bid or Item #BB1. Work includes demolition, repair and reconstruction of three existing stairwells located within the New York Avenue Parking Garage.

Mr. Mueller presented two (2) resolutions from the Airport Department. The first resolution for the execution of a contract with the New Jersey State Police to provide law enforcement services at the airport and the amendment to the Hudson News Lease concession at the airport. This Consent Agenda was presented for Board approval.

Resolutions 2009-33 and Resolution 2009-34 were presented to the Commissioners for approval. These agenda items were presented via Consent Agenda and were voted upon via a single roll call.

Chairman Dilts called for a motion to approve Resolution 2009-33 and Resolution 2009-34 to be voted upon via Consent Agenda.

Whereupon, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner McDevitt, approving Resolution 2009-33 and Resolution 2009-34. Chairman Dilts asked the Commissioners for questions on the motion. No questions were asked.

Chairman Dilts requested 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>Absent</b>
Chairman Stephen Dilts			X			
Vice Chairman Mark Summerville						X
Commissioner Jeffery A. April, Esq.						X
Commissioner James M. Gaymon, Jr.			X			
Commissioner C. Robert McDevitt		X	X			
Commissioner Joseph Ripa	X		X			
Commissioner Louis Toscano			X			

A copy of Resolution 2009-33 and 2009-34 are attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-33 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING EXECUTION OF A CONTRACT WITH THE NEW JERSEY STATE POLICE TO PROVIDE LAW ENFORCEMENT SERVICES AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

The Authority utilizes the New Jersey State Police for law enforcement purposes. The existing Memorandum Of Understanding needed to be revised to reflect the increased New Jersey State Police presence resulting from the Egg Harbor Township Police no longer providing law enforcement services. The revised agreement reflects the need for additional troopers, does not need to be renewed but may be terminated (as opposed to the three year terms in the prior agreement) and will result in long term savings to the Authority as it extends the term for payment of retraining troopers from fifteen (15) to twenty-five (25) years.

**RESOLUTION 2009-34 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AMENDMENT TO THE HUDSON NEWS LEASE TO OPERATE A CONCESSION AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

The Authority entered into an agreement with Hudson News Group on February 1, 2008. The agreement allows the concessionaire to provide news, gifts and specialty retail concessions in certain spaces in the terminal at the airport. The agreement also provided the concessionaire with access to an additional space of approximately 1,457 square feet on February 1, 2009 in order to establish additional concessions. This space will not be available for use until February 1, 2010 therefore, legal counsel has determined that this has created a change to the final aspect of the agreement. The Authority and Hudson News have agreed that Hudson News shall take possession of the future space on or before 2010. Effective February 1, 2009, the Authority shall modify the concessionaire's agreement by reducing their percentage rent. This agreement shall remain in affect until the concessionaire receives written notification that the future space is available. The current agreement expires on January 31, 2020.

Mr. Mueller presented Resolution 2009-35 from the Marketing & Communications Department to the Commissioners authorizing an agreement for new air service at the airport. This resolution was recommended for Board approval.

Chairman Dilts called for a motion to approve Resolution 2009-35 of the South Jersey Transportation Authority authorizing an agreement for new air service at the Atlantic City International Airport.

Whereupon, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner McDevitt, approving Resolution 2009-35. Chairman Dilts asked the Commissioners for questions on the motion, no questions were asked.

Chairman Dilts requested 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>Absent</b>
Chairman Stephen Dilts			X			
Vice Chairman Mark Summerville						X
Commissioner Jeffery A. April, Esq.						X
Commissioner James M. Gaymon, Jr.			X			
Commissioner C. Robert McDevitt		X	X			
Commissioner Joseph Ripa	X		X			
Commissioner Louis Toscano			X			

A copy of Resolution 2009-35 is attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-35 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN AGREEMENT FOR NEW AIR SERVICE AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

The Authority seeks to expand air service at the Atlantic City International Airport. Accordingly, it published a Request for Proposal on February 6, 2009 seeking qualified commercial passenger air service carriers that will provide national air hub connectivity not presently served from the airport. The responses to the Request for Proposals are due in the last week of February. The Authority wishes to commence air service in time to take advantage of Atlantic City's peak tourism season. Airline industry standards require approximately ninety (90) days to properly allocate capital costs, schedule routes and advertise to generate passengers; therefore to meet its goals, the Authority must execute a contract with the most responsive air service carrier in March 2009. The Executive Director seeks a delegation of authority that will enable the execution of the contract in March 2009 which will allow sufficient ramp up time for the successful airline.

Mr. Mueller presented the resolution from the Transportation Services Department for the execution of a lease for parking spaces in the New York Avenue Garage with AtlantiCare Regional Medical Center. This resolution was presented for Board approval.

Chairman Dilts called for a motion to approve Resolution 2009-36 of the South Jersey Transportation Authority authorizing execution of a lease for parking spaces in the New York Avenue garage with AtlantiCare Regional Medical Center.

Whereupon, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner McDevitt, approving Resolution 2009-36. Chairman Dilts asked the Commissioners for questions on the motion. No questions were asked.

Chairman Dilts requested 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>Absent</b>
Chairman Stephen Dilts			X			
Vice Chairman Mark Summerville						X
Commissioner Jeffery A. April, Esq.						X
Commissioner James M. Gaymon, Jr.			X			
Commissioner C. Robert McDevitt		X	X			
Commissioner Joseph Ripa	X		X			
Commissioner Louis Toscano			X			

A copy of Resolution 2009-36 is attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-36 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING EXECUTION OF A LEASE FOR PARKING SPACES IN THE NEW YORK AVENUE GARAGE WITH ATLANTICARE REGIONAL MEDICAL CENTER**

This letter of understanding is to lease to AtlantiCare Regional Medical Center twelve (12) parking spaces in its parking garage facility located at 19 South New York Avenue beginning Monday, January 5, 2009. AtlantiCare shall compensate the Authority in the amount of Forty

(\$40.00) Dollars per vehicle per month. AtlantiCare shall issue to the Authority a deposit in the amount of Four Hundred Eighty (\$480.00) Dollars for the first months parking and One Hundred and Twenty (\$120.00) Dollars for the proximity card deposit upon the execution of this agreement. The Authority agrees to allow AtlantiCare the option to increase the number of leased parking spaces as necessary, up to a total of thirty-five (35) parking spaces. The term of this agreement shall be for a period of one (1) year and shall continue for successive one (1) year terms unless terminated by either party in writing upon thirty (30) days advance notice.

**Employee Awards:**

Regina DeBiase, State Police Communications Operator was honored as the Employee of the Month for February. Mr. Mueller honored Jeff Sabla for his achievement in receiving his New Jersey Professional Engineering License.

**Executive Session:**

Chairman Dilts asked General Counsel if an Executive Session was needed. General Counsel responded there was no need for an Executive Session.

**Executive Report**

Chairman Dilts asked Mr. Mueller for the presentation of the Executive Report. Mr. Mueller presented the report for February 2009.

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

Chairman Dilts asked Mr. Mueller if there were any petitions or communications, unfinished or new business to be brought before the Commissioners. Mr. Mueller responded that all previous petitions and communications were either mailed to the Commissioners prior to the meeting or are at their places, there was no unfinished business or new business.

**General Comment:**

Chairman Dilts asked if there were any general comments. There were no general comments.

**Adjournment:**

Chairman Dilts announced that the next meeting of the South Jersey Transportation Authority Board of Commissioners Meeting would be held on March 17, 2009 at 10:00 a.m. at the South Jersey Transportation Authority Administration Building at the Farley Service Plaza on the Atlantic City Expressway at Milepost 21.3 in Elwood, New Jersey 08217.

There being no further business, Chairman Dilts called for a motion to adjourn the meeting.

Whereupon, motion was moved by Commissioner Gaymon and seconded by Commissioner McDevitt to adjourn the meeting. A unanimous vote was taken adjourning the meeting at 10:25 a.m.

Submitted by:

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Susan Drake, Authority Board Secretary

**Note: An Executive Session was not held at this meeting.**