

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
FEBRUARY 19, 2020**

This regularly scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on February 19, 2020, commencing at 9:04 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**

Chair Diane Gutierrez-Scaccetti (videoconference)  
Deputy Commissioner Joseph D. Bertoni (via videoconference)  
Commissioner Jeffery A. April, Esq.  
Commissioner Bryan J. Bush (via teleconference)  
Commissioner Maurice B. Hill, Jr., DMD  
Commissioner James J. McCullough  
Vice Chairman Christopher M. Milam  
Commissioner Joseph Ripa (via teleconference)  
Daniel J. Kelly, Esq. Governor’s Authorities Unit  
Stephen F. Dougherty, Executive Director  
Cynthia Blasberg, Board Secretary  
Debra Murphy, Alternate Board Secretary  
Nicholas Sullivan, Esq. General Counsel

**Absent**

Commissioner C. Robert McDevitt  
Commissioner Christina Fuentes

**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>
Chair Diane Gutierrez-Scaccetti	X	
Commissioner Jeffery A. April, Esq.	X	
Commissioner Bryan J. Bush	X	
Commissioner Maurice B. Hill, Jr., DMD	X	
Commissioner James J. McCullough	X	
Commissioner C. Robert McDevitt		X
Vice Chairman Christopher M. Milam	X	
Commissioner Joseph Ripa	X	
Commissioner Christina Fuentes		X

Two members of the public attended this meeting.

**Approval of the Agenda**

Chair Gutierrez-Scaccetti called for a motion to approve the February 19, 2020 agenda. Whereupon, a motion was made by Vice Chairman Milam and seconded by Commissioner Bush approving said agenda. Chair Gutierrez-Scaccetti 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**

Chair Gutierrez-Scaccetti called for a motion to approve the January 15, 2020 meeting minutes. Whereupon, a motion was made by Commissioner McCullough and seconded by Vice Chairman Milam approving the January 15, 2020 meeting minutes. Chair Gutierrez-Scaccetti asked for questions on the motion. No questions were asked. All Commissioners in attendance voted, approving and adopting the minutes.

### **Executive Session**

Chair Gutierrez-Scaccetti asked General Counsel if an Executive Session was needed, to which General Counsel responded affirmatively.

Mr. Dougherty presented Resolution 2020-18 to the Commissioners for the exclusion of the public to discuss personnel matters pertaining to the Schedule "A" associated with Resolution 2020-09.

Whereupon, the motion was made by Commissioner McCullough and seconded by Commissioner April approving Resolution 2020-18. A unanimous vote was taken approving the resolution, adjourning the public portion of the meeting at 9:07 a.m. A copy of Resolution 2020-18 is attached hereto and made a permanent part of these official Authority minutes.

At the close of Executive Session, Chair Gutierrez-Scaccetti called for a motion to return to the public portion of the meeting. Whereupon, a motion was made by Commissioner April and seconded by Commissioner McCullough. The public portion of the meeting reconvened at 9:12 a.m. Chair Gutierrez-Scaccetti then requested the Secretary call the roll.

### **Roll Call**

<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>
Chair Diane Gutierrez-Scaccetti	X	
Commissioner Jeffery A. April, Esq.	X	
Commissioner Bryan J. Bush	X	
Commissioner Maurice B. Hill, Jr., DMD	X	
Commissioner James J. McCullough	X	
Commissioner C. Robert McDevitt		X
Vice Chairman Christopher M. Milam	X	
Commissioner Joseph Ripa	X	
Commissioner Christina Fuentes		X

### **Executive Report**

Chair Gutierrez-Scaccetti asked for the presentation of the Executive Report. Mr. Dougherty presented the February 19, 2020 Executive Report: a copy of which is attached hereto and made a permanent part of these official Authority minutes. Chair Gutierrez-Scaccetti thanked all employees of SJTA who participated in NJECC.

### **Committee Reports**

Chair Gutierrez-Scaccetti asked Mr. Dougherty to present the Committee Reports. Mr. Dougherty reported all Committees met on February 5, 2020. During these meetings, Commissioners were briefed on the resolutions being presented this morning as well as the Employee Assistance Program. Commissioners received the schedule of upcoming projects, the EO-8 Report, and Airport statistics.

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

Chair Gutierrez-Scaccetti asked the public for comments on any of the agenda items. No comments were made.

### **Approval of Bills**

Chair Gutierrez-Scaccetti asked Mr. Dougherty for the presentation of bills. Mr. Dougherty stated the bills have been sent to the Commissioners previously for their review and are being recommended for approval. Chair Gutierrez-Scaccetti called for a motion to approve the bill list. Whereupon the motion was made by Commissioner April and seconded by Vice Chairman Milam, approving said bill list. Chair Gutierrez-Scaccetti asked the Commissioners for questions on the motion. Being none, Chair Gutierrez-Scaccetti requested 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>
Chair Diane Gutierrez-Scaccetti			X				
Commissioner Jeffery A. April, Esq.	X		X				
Commissioner Bryan J. Bush			X				
Commissioner Maurice B. Hill, Jr., DMD			X				
Commissioner James J. McCullough			X				
Commissioner C. Robert McDevitt							X
Vice Chairman Christopher M. Milam		X	X				
Commissioner Joseph Ripa			X				

### **Resolutions and Motions:**

Chair Gutierrez-Scaccetti asked Mr. Dougherty to present the resolutions. Mr. Dougherty advised the Chair and Commissioners he would be presenting a total of ten (10) resolutions for their consideration. Mr. Dougherty presented Resolutions 2020-08 through 2020-17.

Chair Gutierrez-Scaccetti called for a motion to approve said resolutions. The motion as presented, was moved by Commissioner McCullough and seconded by Commissioner Hill, approving said resolutions. Chair Gutierrez-Scaccetti asked for questions on the items of which none were made. Chair Gutierrez-Scaccetti then commended Stephen and the team for their cooperation on the Memorandum of Understanding on stormwater rules that are being promulgated by the Department of Transportation. Chair Gutierrez-Scaccetti 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>
Chair Diane Gutierrez-Scaccetti			X				
Commissioner Jeffery A. April, Esq.			X				
Commissioner Bryan J. Bush			X				
Commissioner Maurice B. Hill, Jr., DMD		X	X				
Commissioner James J. McCullough	X		X				
Commissioner C. Robert McDevitt							X
Vice Chairman Christopher M. Milam			X				
Commissioner Joseph Ripa			X				

### **RESOLUTION 2020-08 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF CERTAIN SOLE SOURCE CONTRACTS TO VARIOUS VENDORS FOR ESSENTIAL OPERATIONS OF THE ATLANTIC CITY EXPRESSWAY AND ATLANTIC CITY INTERNATIONAL AIRPORT**

The purpose of this resolution is to consolidate all known "Sole Source" vendors who provide goods and or services that exceed the Authority's current bid threshold of \$40,000. On an annual basis, the Purchasing division creates a matrix that details all sole source Purchase Orders (POs) issued the previous year to determine the Authority-wide usage of its Sole Source vendors. Based on the information obtained, the Purchasing division makes initial recommendations for each Sole Source vendor. The matrix is then forwarded to executive management for review and additional recommendations or changes. For the purposes of the Sole Source Resolution, if a recommendation of \$40,000 or more is made, then that vendor is added to the resolution. Sole Source vendors that do not meet the \$40,000 threshold are issued POs and are not subject to inclusion on the Sole Source Resolution. These POs will be issued on an as needed basis and all proper sole source documentation

will be attached to the PO. A list of the identified sole source vendors, the product or service they provide and the estimated cost for same has been attached to the resolution entitled Exhibit "A."

**RESOLUTION 2020-09 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 2020-10 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF A CONTRACT WITH CONNOR STRONG OF MARLTON, NEW JERSEY FOR PROFESSIONAL CONSULTANT/BROKER SERVICES FOR GENERAL LIABILITY INSURANCE**

On January 28<sup>th</sup>, 2019 and January 29<sup>th</sup>, 2019, the Authority publicly advertised for Request for Proposals for Professional Consultant/Broker Services for General Liability Insurance to assist the Authority in the selection of appropriate Liability Insurance programs. On February 15<sup>th</sup>, 2019, in response to said advertising two (2) proposals were received for Professional Consultant/Broker Services for General Liability Insurance. The Consultant Selection Committee met on February 21<sup>st</sup>, 2019 and determined that the highest ranked proposal was submitted by Connor Strong of Marlton, New Jersey. The Authority, via Resolution 2019-15, entered into a contract with Connor Strong of Marlton, New Jersey, for a term of one (1) year with an option to renew for one (1) additional year. The initial term of said agreement is set to expire on or about April 11, 2020. The Authority desires to exercise its option to renew the contract with Connor Strong of Marlton, New Jersey for the sole one (1) year renewal period extending the contract through April 11, 2021.

**RESOLUTION 2020-11 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO ARAWAK PAVING COMPANY, INC. OF HAMMONTON, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY 2020 RESURFACING PROGRAM**

On January 6<sup>th</sup> and January 7<sup>th</sup>, 2020, the Authority publicly advertised for bids for the Atlantic City Expressway 2020 Resurfacing Program. Work for this project consists of furnishing all labor, equipment, and materials and performing all work required to resurface various sections of the Westbound Atlantic City Expressway including both shoulders and resurfacing to the exiting concrete median barrier and steel beam guide rail. The areas include Interchange 9 Off Ramp and On Ramp, Interchange 12 Off Ramp and Interchange 14 On Ramp for all three (3) Base Bids. Additionally, the work includes the restriping of the Atlantic City Expressway Connector for all three (3) Base Bids including all ramps and tunnel. Existing striping shall be matched along the Atlantic City Expressway Connector except the lane lines shall be 6 inches. Toll Loop Detection shall be re-installed at the Interchange 9 Ramps. The areas to be resurfaced for the three (3) base bids are as follows: Base Bid 1: Resurfacing of the Westbound Atlantic City Expressway from Milepost 9.0 to Milepost 13.8; Base Bid 2: Resurfacing of the Westbound Atlantic City Expressway from Milepost 9.0 to Milepost 14.3; Base Bid 3: Resurfacing of the Westbound Atlantic City Expressway from Milepost 9.0 to Milepost 14.8. The Authority's selection of the Base Bid is contingent upon available funds. On January 23, 2020, three (3) bids were received, opened and tabulated. Following a review of the bids, the Authority deemed that the Base Bid No. 2 represented the best value for the Authority. Arawak Paving Company, Inc. of Hammonton, New Jersey was deemed to have submitted the lowest responsible bid for the desired Base Bid #2. The Authority now desires to enter into a contract with Arawak Paving Company, Inc. of Hammonton, New Jersey, for the Atlantic City Expressway 2020 Resurfacing Program, Base Bid No. 2, in an amount not to exceed \$2,387,000.00.

**RESOLUTION 2020-12 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A LICENSE TO CROSS TO ATLANTIC CITY ELECTRIC TO CONSTRUCT A NEW ELECTRICITY DISTRIBUTION LINE ACROSS THE ATLANTIC CITY EXPRESSWAY WESTBOUND AT MILEPOST 21.3**

Section 7(x) of the Act authorizes the Authority to enter into any and all agreements or contracts convenient or desirable for the purposes of the Authority. Atlantic City Electric wishes to remove aerial crossing over the Westbound Atlantic City Expressway at milepost 21.3 and replace said crossing with an underground distribution line in order to improve reliability and resiliency of the electricity distribution system into the Frank S. Farley Service Plaza (the “project”). It is in the best interest of the Authority to protect its facilities via a License to Cross for permanent installations such as utility crossing and for temporary impacts, such as construction easements. The Authority will waive all application fees due to the new distribution and service connection is being constructed by Atlantic City Electric to the sole benefit of the Authority. The Director of Engineering recommends authorizing a License to Cross to Atlantic City Electric to construct an electricity distribution line beneath the Atlantic City Expressway right-of-way.

**RESOLUTION 2020-13 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRY INTO A MEMORANDUM OF UNDERSTANDING WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP), NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT), NEW JERSEY TURNPIKE AUTHORITY (NJTA), AND NEW JERSEY TRANSIT CORPORATION (NJ TRANSIT) REGARDING TRANSPORTATION AGENCY COMPLIANCE WITH AND WAIVER REQUIREMENTS FOR IMPLEMENTATION OF NJDEP AMENDED STORMWATER MANAGEMENT RULES N.J.A.C. 7:8, *ET SEQ.***

On December 3, 2018, NJDEP proposed amendments to the Stormwater Management Rules, N.J.A.C. 7:8, (“Amended Rules”) requiring the use of green infrastructure to comply with the design and performance standards for groundwater recharge, stormwater runoff quality, and stormwater runoff quantity (“design and performance standards”) under certain circumstances described therein. The NJDEP recognizes the unique challenges faced by the Transportation Agencies, including the Authority, undertaking major development projects along existing public roadways and railroads and acknowledges that in certain instances strict compliance with the Stormwater Rules may not be feasible. The NJDEP and the Transportation Agencies, including the Authority, have jointly draft the MOA for the purpose of providing clarification of stormwater rule applicability to certain linear development projects undertaken by the Transportation Agencies. The MOU is drafted in part to reduce the number of waiver requirements necessary for large scale linear development projects undertaken the Transportation Agencies as it relates to strict compliance with the green stormwater infrastructure requirements of the amended Stormwater Management Rules. The Authority has reviewed the MOU, and finds that it clearly and accurately sets forth what is required of the Authority under the amended Stormwater Management Rules N.J.A.C. 7:8. This resolution will authorize the Authority to enter into a MOU with the NJDEP, NJDOT, NJTA, and NJ TRANSIT in a form similar to the MOU attached hereto entitled Exhibit “A,” with such changes therein as the Executive Director, may, by his execution thereof, conclusively approve.

**RESOLUTION 2020-14 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN AIRPORT INCENTIVE PROGRAM FOR AIR SERVICE DEVELOPMENT AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

As part of its ongoing effort to improve the marketability of the Airport, the Authority desires to increase the availability of airline service for the patrons of Atlantic City International Airport and to increase the number of destinations/carriers currently serving the Airport. Under the Policy and Procedures Concerning the Use of Airport Revenue issued by the Federal Aviation Administration (FAA), the Airport can offer economic incentives on a nondiscriminatory basis for a promotion period to attract new air service and new Airline maintenance bases to the Airport. The Airport, via 2019-05 modified its former Incentive Program in order to offer Airlines certain incentives to attract such new air service. The Authority now desires to offer incentives as outlined in the Air Service Incentive Program in the form attached hereto entitled Exhibit “A”. This Incentive Program enrollment is open to airlines for a period of one (1) year beginning January 1, 2020 through December 31, 2020. Once an airline is enrolled, the incentives themselves as outlined in Exhibit “A,” will be provided to the airline for a period of two (2) years.

**RESOLUTION 2020-15 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF THE PERMIT AGREEMENT WITH GATE SERVE, LLC OF RESTON, VIRGINIA FOR AIRCRAFT IN-FLIGHT CABIN SERVICES AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

It is necessary for airlines occupying the Airport to secure certain services for cleaning and to stock their aircrafts with snacks. The Authority must grant a permit to any company involved in providing such services to Airlines. The Authority, pursuant to Resolution 2017-34, authorized a permit to Gate Serve, LLC of Reston, Virginia (“Gate Serve”) to provide in-flight cabin services to Spirit Airlines, including, but not limited to, cleaning and providing and stocking the aircrafts with snacks, beverages and food. The term of this agreement was three (3) years, with two (2) mutually agreeable one (1) year renewal options. As the initial term of the agreement is set to expire on or about June 30, 2020, both parties desire to exercise the first one (1) year renewal option (pursuant to the same terms as the initial agreement) commencing on or about July 1, 2020. In exchange for the services permit, the Airport will receive 3% of the monthly gross receipts of Gate Serve up to \$800,000.00 and 4% of the monthly gross receipts over \$800,000.00.

**RESOLUTION 2020-16 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A TWO-MONTH EXTENSION OF A CONTRACT WITH HUDSON GROUP RETAIL, LLC D/B/A HUDSON GROUP FOR RETAIL CONCESSIONS AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

On December 18, 2007, the Authority passed Resolution No. 2007-99 authorizing the execution of an Agreement with Airport Management Services, LLC, d/b/a Hudson Group (“Hudson Group”) to provide News, Gift, and Specialty Retail Concessions at the Airport (the “2007 Agreement”). Pursuant to Paragraph 4.2 of the 2007 Agreement, unless an extension is mutually agreed to by the parties, the 2007 Agreement shall expire on January 31, 2020. On November 20, 2019, after publicly advertising a Request for Proposals, the Authority passed Resolution No. 2019-111 authorizing the award of an agreement with the Hudson Group to provide Travel Convenience and Specialty Retail and Food Concessions at the Airport. On December 18, 2019, the Authority passed Resolution No. 2019-121, approving the assignment of its existing Food & Beverage Lease Agreement with OHM Concession Group, LLC to OHM ACY, LLC. The Authority has received notice from OHM Concession Group LLC (“OHM”) advising that OHM has entered into an agreement to sell certain assets to the Hudson Group and, as a result, on or about April 1, 2020, each of OHM’s existing stores currently in operation at the Atlantic City International Airport (“ACY”) will be owned and operated by OHM ACY, LLC. As a result of the aforementioned sale of certain assets to the Hudson Group, which shall be final on or about April 1, 2020, OHM ACY, LLC will be jointly owned by Hudson Group (80%) and OHM (20%). As a result of the aforementioned Agreement awarded to the Hudson Group on November 20, 2019, the anticipated acquisition of certain OHM assets by the Hudson Group on or about April 1, 2020, and the January 31, 2020 expiration of the 2007 Agreement, has requested a two-month extension of the 2007 Agreement to March 31, 2020. Pursuant to Section 20.20 of the 2007 Agreement, the Authority and the Hudson Group have agreed to sign, upon the passage of this Resolution, an addendum authorizing the extension of the 2007 Agreement to March 31, 2020. The Airport Director believes it is in the best interest of the Authority to extend the expiration of the 2007 Agreement with the Hudson Group to March 31, 2020.

**RESOLUTION 2020-17 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT WITH WASTE MANAGEMENT OF NEW JERSEY, INC. OF EWING, NEW JERSEY FOR REFUSE REMOVAL SERVICES AT VARIOUS SOUTH JERSEY TRANSPORTATION AUTHORITY LOCATIONS**

On December 4<sup>th</sup>, and December 5<sup>th</sup>, 2019, the Authority publicly advertised for bids for Refuse Removal Services at Various South Jersey Transportation Authority Locations, including the Farley Service Plaza in Elwood, New Jersey, the Authority’s office location at the New York Avenue Garage in Atlantic City, New Jersey, East Maintenance Yard at milepost 5.8 westbound on the Atlantic City Expressway, the West Maintenance Yard, located at milepost 39.0 eastbound on the Atlantic City Expressway, Central Maintenance Yard at 100 Trooper Lane, Hammonton, New Jersey and the Atlantic City International Airport, Egg Harbor Township, New Jersey. On January 15<sup>th</sup>, 2020, one (1)

bid was received, opened and tabulated. Waste Management of New Jersey, Inc. of Ewing, New Jersey was deemed the sole responsive, responsible bidder. The Authority now desires to enter into a contract with Waste Management of New Jersey, Inc. for Refuse Removal Services at Various South Jersey Transportation Authority Locations as outlined on Exhibit "A" attached hereto. The term of said contract shall be for two (2) years beginning on or about April 1, 2020 to March 31, 2022 with the option to renew for one (1) additional year.

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

Chair Diane Gutierrez-Scaccetti asked if there were any petitions or communications, unfinished or new business. Mr. Dougherty responded all petitions and communications were mailed prior to the meeting or are at the Commissioners' place. Further, he stated he has no new business to discuss

**General Comment**

Chair Gutierrez-Scaccetti asked the public for any general comments. Commissioner April made note of gas prices on the Atlantic City Expressway being cheaper than on the Parkway and congratulated the persons responsible. No additional comments were made.

**Adjournment**

There being no further business, Chair Gutierrez-Scaccetti called for a motion to adjourn the meeting. Whereupon, the motion was made by Vice Chairman Milam and seconded by Commissioner McCullough to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:20 a.m.

Submitted by:

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Cynthia A. Blasberg, Board Secretary

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