



**SOUTH JERSEY TRANSPORTATION AUTHORITY
BOARD OF COMMISSIONERS MEETING
FEBRUARY 21, 2024**

This Board of Commissioners Monthly Meeting of the South Jersey Transportation Authority was held on February 21, 2024, with Chair Francis K. O’Connor calling the meeting to order at 9:00 a.m.

Present

- Chair Francis K. O’Connor (in person)
- Vice Chairman Christopher M. Milam (teleconference)
- Commissioner John F. Amodeo (teleconference)
- Commissioner Zoe Baldwin (teleconference)
- Deputy Commissioner Joseph Bertoni (in person)
- Commissioner Bryan J. Bush (teleconference)
- Commissioner Barbara Holcomb (in person)
- Commissioner C. Robert McDevitt (teleconference)
- Thomas Holl, Governor’s Authorities Unit (in person)
- Christopher Scales, COS, NJDOT (in person)
- Stephen F. Dougherty, Executive Director (in person)
- Karen Davis, Chief Financial Officer/Treasurer (in person)
- David Zappariello, Chief of Staff (in person)
- Paul Heck, Chief Administrative Officer (in person)
- James G. Sullivan, Chief of Field Operations (in person)
- Cynthia Blasberg, Board Secretary (in person)
- Caroline Roseboro, Alternate Board Secretary (in person)
- Nicholas Sullivan, General Counsel (in person)
- Louis Cappelli Jr., General Counsel (in person)

Absent

- Commissioner Joseph Ripa
- Commissioner Christina Fuentes, EDA Representative

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, the Camden Courier Post, and with the Secretary of the State of New Jersey as to the time and date of convening. Notice had also been posted at the Farley Service Plaza, the Atlantic City International Airport, and Blackwood Offices as prescribed by law.

The following members were in attendance.

Roll Call

Commissioner	Present	Absent
Chairman Francis K. O’Connor	X	
Commissioner John F. Amodeo	X	
Commissioner S. Zoe Baldwin	X	
Commissioner Bryan J. Bush	X	
Commissioner Barbara Holcomb	X	
Commissioner C. Robert McDevitt	X	
Vice Chairman Christopher M. Milam	X	
Commissioner Joseph Ripa		X
Commissioner Christina Fuentes		X

** One (1) member of the public called into the meeting.*

Approval of the Agenda

Chair O'Connor called for a motion to approve the February 21, 2024 agenda. Whereupon a motion was made by Commissioner Holcomb and seconded by Commissioner Bush approving said agenda. Chair O'Connor asked for questions on the motion. No questions were asked. A unanimous vote was taken approving and adopting 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 O'Connor called for a motion to approve the January 17, 2024 meeting minutes. Whereupon a motion was made by Commissioner Amodeo and seconded by Commissioner Bush approving said minutes. No questions were asked. All Commissioners in attendance voted affirmatively, approving, and adopting said minutes.

Executive Session

Chair O'Connor asked if an Executive Session was needed, Counsel responded, affirmatively. Mr. Dougherty presented Resolution 2024-16 to the Chair and Commissioners for the exclusion of the public from discussions related to a contractual matter specific to Outstanding Hospitality Management, LLC, a litigation matter specific to the Estate of Khiev, et al. v. SJTA and personnel matters related to the Schedule "A" associated with Resolution 2024-06. Whereupon, the motion was made by Commissioner Holcomb and seconded by Commissioner Baldwin approving Resolution 2024-16. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:04 a.m. Chair O'Connor asked the call operator to place the public audience on hold while the Board conducted the Executive Session.

At the close of the Executive Session, Chair O'Connor asked for a motion to return to the open portion of the meeting. Whereupon, a motion was made by Commissioner Holcomb and seconded by Commissioner Baldwin. The open portion of the meeting reconvened at 9:35 a.m.

The call operator opened the meeting back up to the public portion of the meeting. Chair O'Connor then requested the Secretary call the roll.

Roll Call

Commissioner	Present	Absent
Chairman Francis K. O'Connor	X	
Commissioner John F. Amodeo	X	
Commissioner S. Zoe Baldwin	X	
Commissioner Bryan J. Bush	X	
Commissioner Barbara Holcomb	X	
Commissioner C. Robert McDevitt	X	
Vice Chairman Christopher M. Milam	X	
Commissioner Joseph Ripa		X
Commissioner Christina Fuentes		X

Executive Report

Chair O'Connor asked for the presentation of the Executive Report. Mr. Dougherty presented the February 21, 2024 Executive Report. A copy of the Executive Report is attached hereto and made a permanent part of these official Authority minutes.

Committee Reports

Chair O'Connor asked Mr. Dougherty to present the Committee Reports. Mr. Dougherty reported all Committees met on February 7, 2024. During these meetings, briefings were provided on the resolutions being presented this morning as well as the 2024 sole source vendor's list.. Commissioners were also provided with the schedule of upcoming projects, the EO-8 Report and Airport statistics.

Public Response to Agenda Items

Chair O’Connor asked the public for comments on any of the agenda items. No comments were made.

Approval of Bills

Chair O’Connor asked Mr. Dougherty for the presentation of bills. Mr. Dougherty stated the bills had been sent to the Commissioners previously for their review and are being recommended for approval. Chair O’Connor called for a motion to approve the bill list. Whereupon the motion was made by Commissioner Amodeo and seconded by Commissioner McDevitt approving said bill list. Chair O’Connor asked the Commissioners for questions on the motion. Being none, Chair O’Connor requested the Secretary call the roll.

Roll Call

Commissioner	Motion	2 nd	Yea	Nay	Abstain	Recused	Absent
Chairman Francis K. O’Connor			X				
Commissioner John F. Amodeo	X		X				
Commissioner Zoe Baldwin			X				
Commissioner Bryan J. Bush			X				
Commissioner Barbara Holcomb			X				
Commissioner C. Robert McDevitt		X	X				
Vice Chairman Christopher M. Milam			X				
Commissioner Joseph Ripa							X

Resolutions and Motions:

Chair O’Connor asked Mr. Dougherty to present the resolutions. Mr. Dougherty advised the Commissioners he would be presenting a total of ten (10) resolutions for their consideration. Mr. Dougherty presented Resolutions 2024-06 through 2024-15. Chair O’Connor called for a motion to approve said resolutions. The motion as presented was moved by Commissioner Holcomb and seconded by Commissioner Baldwin. approving said resolutions. Chair O’Connor asked for questions or discussions on the motion. Chair O’Connor asked the Secretary to call the roll. Before calling roll, The Secretary noted the Chair will be recusing from voting on Resolution 2024-11.

Roll Call

Commissioner	Motion	2 nd	Yea	Nay	Abstain	Recused	Absent
Chairman Francis K. O’Connor			*X			*2024-11	
Commissioner John F. Amodeo			X				
Commissioner Zoe Baldwin		X	X				
Commissioner Bryan J. Bush			X				
Commissioner Barbara Holcomb	X		X				
Commissioner C. Robert McDevitt			X				
Vice Chairman Christopher M. Milam			X				
Commissioner Joseph Ripa							X

**Chairman Francis K. O’Connor voted yes on all resolutions with a comment recusing himself from Resolution 2024-11.*

Copies of Resolutions 2024-06 through 2024-15 are attached hereto and made a permanent part of these official Authority minutes.

RESOLUTION 2024-06 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 2024-07 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY CONFIRMING THE APPOINTMENT OF MADDEN & MADDEN, P.A., AS SPECIAL LEGAL COUNSEL FOR A CONTRACTUAL MATTER AT THE ATLANTIC CITY INTERNATIONAL AIRPORT

The Airport required expedited legal counsel related to an existing lease agreement to develop land on its property. All of the Authority's current counsel possess a conflict of interest with one or more parties to the existing agreement. The Authority has confirmed that the law firm Madden & Madden, P.A. does not currently possess a conflict of interest. Due to the time-sensitive nature of the required legal work, the Authority has appointed Madden & Madden, P.A. for the limited purpose of engaging in the ongoing contractual negotiations and/or litigation related to the lease agreement. The Chief Administrative Officer believes it is in the best interest of the Authority and recommends that the Commissioners confirm the appointment of Madden & Madden, P.A. at the negotiated rates for this limited engagement.

RESOLUTION 2024-08 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO GANNETT FLEMING, INC. OF MARLTON, NEW JERSEY TO PROVIDE ELECTRONIC TOLL SYSTEM (ETS) CONSULTANT SERVICES TO THE AUTHORITY

On November 30th, 2023, and December 1st, 2023, the Authority publicly advertised a Request for Proposals (RFP) for an Electronic Toll System (ETS) Consultant. The purpose of this RFP is to solicit and obtain proposals from firms interested in providing consulting services for expansion, integration, and support of the Electronic Tolls System on the Atlantic City Expressway. In response to said advertisement, on December 28th, 2023 the Authority received one (1) proposal for Electronic Toll Systems (ETS) Consultant. The Consultant Selection Committee met on January 10, 2024 to review the received proposal and determined that Gannett Fleming, Inc. of Marlton, New Jersey has met all the requirements of the specifications and instructions to proposers to perform the required services. Consultant service fees will be task order based. Each discrete task order will require an individual fee estimate and will be approved based on a "cost plus" basis with a "not to exceed" ceiling. The Chief Administrative Officer and Director of Tolls Technology have determined that it is in the best interest of the Authority and recommends entering into a contract with Gannett Fleming, Inc. of Marlton, New Jersey for a term of five (5) years, commencing on or about April 4, 2024.

RESOLUTION 2024-09 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO SOUTH STATE, INC. OF BRIDGETON, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY 2024 SPRING RESURFACING PROGRAM

On December 13, 2023 and December 14, 2023, the Authority publicly advertised for bids for the Atlantic City Expressway 2024 Spring Resurfacing Program. The project consists of furnishing all labor, equipment, and materials and performing all work required to mill and resurface the Westbound and Eastbound Atlantic City Expressway excluding both shoulders. The areas to be milled and resurfaced for the three (3) base bids are as follows:

Base Bid 1: • Westbound Atlantic City Expressway from Milepost 31.6 to Milepost 37.5 and Eastbound Atlantic City Expressway from Milepost 43.0 to Milepost 35.8

Base Bid 2: • Westbound Atlantic City Expressway from Milepost 31.6 to Milepost 37.5 and Eastbound Atlantic City Expressway from Milepost 43.0 to Milepost 36.5

Base Bid 3: • Westbound Atlantic City Expressway from Milepost 31.6 to Milepost 37.5 and Eastbound Atlantic City Expressway from Milepost 43.0 to Milepost 35.0

On January 10, 2024, three (3) bids were received, opened, and tabulated. The Authority deemed that Base Bid 3 represented the best value for the Authority. South State, Inc. of Bridgeton, New Jersey was deemed to have submitted the lowest responsive, responsible bid for Base Bid 3. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with South State, Inc. for the Atlantic City Expressway 2024 Spring Resurfacing Program, Base Bid 3, in an amount not to exceed \$2,693,000.00.

RESOLUTION 2024-10 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH WEATHERBY CONSTRUCTION & RENOVATION CORP. OF ATLANTIC CITY, NEW JERSEY FOR THE ATLANTIC CITY EXPRESSWAY EAST MAINTENANCE GARAGE PROJECT

On March 31, 2021, and April 1, 2021, the Authority publicly advertised for bids for the Atlantic City Expressway East Maintenance Garage Project. Pursuant to Resolution 2021-46, the Authority awarded a contract to Weatherby Construction & Renovation Corp. of Atlantic City, New Jersey, for the Atlantic City Expressway East Maintenance Garage Project, Base Bid #2, in an amount not to exceed \$1,993,000.00. During construction, Change Orders #1 through #8 were issued for a total amount of \$206,611.07 for this project. Change Order #9 has been requested in the amount of \$113,058.00 for additional costs to install additional HVAC equipment, due to an error in the original design. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends approval of said Change Order #9.

RESOLUTION 2024-11 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A SETTLEMENT AGREEMENT WITH T & M ASSOCIATES REGARDING ADDITIONAL COSTS RELATED TO CHANGE ORDER #9 WITH WEATHERBY CONSTRUCTION & RENOVATION CORP. RELATED TO THE ATLANTIC CITY EXPRESSWAY EAST MAINTENANCE GARAGE PROJECT

Pursuant to Section 7(x) of the Act, the Authority is authorized to enter into any and all agreements or contracts convenient or desirable for the purposes of the Authority. Pursuant to Resolution 2024-10, the Authority entered into Change Order #9 (the "Change Order") with Weatherby Construction & Renovation Corp. ("Weatherby") for completion of the East Maintenance Garage Project (the "Project") in the amount of \$113,058.00. The need for the Change Order was necessitated due to a design error plans for the Project prepared by T & M Associates. The Authority and T & M Associates have agreed to a settlement for sharing the costs of the Change Order. The Authority shall be responsible for \$51,641.00 for the Change Order and T & M Associates shall be responsible for \$61,417.00 and other required fees. The Director of Engineering believes it is in the best interest of the Authority to enter into the Settlement Agreement with T & M Associates for the specific reasons stated herein.

RESOLUTION 2024-12 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A LICENSE TO CROSS TO ATLANTIC SHORES OFFSHORE WIND PROJECT 1, LLC TO LOCATE AND INSTALL UNDERGROUND ELECTRICAL TRANSMISSION LINES ON SJTA PROPERTY KNOWN AS BLOCK 473, LOT 3 IN THE CITY OF ATLANTIC CITY

Atlantic Shores Offshore Wind Project 1, LLC is the developer of one of New Jersey's Offshore Wind Farms. Atlantic Shores is in the process of securing real estate, easements, and license to transmit offshore wind energy to Atlantic City Electric's Cardiff Substation in Egg Harbor Township. Atlantic Shore's proposed route is along State Route 40 in Atlantic City and into Egg Harbor Township and Pleasantville. The proposed route crosses beneath property owned by the Authority, known as Block 473, Lot 3, in the City of Atlantic City. The property is located on the south side of Route 40 and includes the ramp from Expressway eastbound Exit 2. We've reviewed the proposed plans and determined that the location of the conduit runs would not impact any potential future reconstruction of the ramp. Due to the location of the new utility a License to Cross the Atlantic City Expressway is required. Atlantic Shores has paid the \$900.00 non-refundable application fee. Prior to construction Atlantic Shores will apply for Highway Occupancy Permit that will include all necessary construction permit fees, lane and shoulder closures fees, as well as establishing an escrow account to cover the cost of any necessary New Jersey State Trooper coverage and the Authority's Engineering Consultant Inspection Fees.

RESOLUTION 2024-13 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT BETWEEN THE AUTHORITY AND HOLMAN, FRENIA ALLISON, P.C. OF LAKEWOOD, NEW JERSEY TO CONDUCT A BENCHMARK COMPENSATION STUDY OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY

On December 14th and December 15th, 2023, the Authority advertised a Request for Proposals to procure a firm for the purposes of conducting a Benchmark Compensation Study of the South Jersey Transportation Authority. The Authority sought proposals from qualified firms to conduct a comprehensive benchmark market study to ensure that all positions within SJTA's non bargaining unit are internally equitable and externally competitive. In response to said advertising, one (1) proposal was received by the Authority on January 25th, 2024. In accordance with the Authority's Policy and Procedures, the Consultant Selection Committee (CSC) met on February 1, 2024, and has determined Holman, Frenia Allison, P.C. of Lakewood, New Jersey to have met the criteria as outlined in the request for proposal. The Authority's Director of Business Administration recommends the Authority award a contract to Holman, Frenia Allison, P.C. of Lakewood, New Jersey in an amount not to exceed \$50,820.00 for the purposes of conducting a Benchmark Compensation Study of the South Jersey Transportation Authority for a term of one (1) year with a (1) one-year renewal option.

RESOLUTION 2024-14 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH THE NEW JERSEY E-ZPASS GROUP AGENCIES

The Authority adopted Resolution 2016-110, authorizing entry into an Memorandum of Agreement "MOA" dated October 18, 2016, to establish a multi-agency group (the "New Jersey E-ZPass Group") to operate and maintain, through an outside vendor, the New Jersey E-ZPass Customer Service Center ("CSC") to provide electronic toll collection services to the Agencies, including, but not limited to those services relating to the establishment and maintenance of customer accounts, the distribution of transponders, and the processing of tolls and violations. The Agencies are operating from an existing Service Contract with Conduent State & Local Solutions, Inc. (previously known as Xerox State and Local Solutions, Inc.), dated October 15, 2015 (the "Service Contract") and authorized by the Authority via Resolution 2015-102, for the operation and maintenance of the New Jersey E-ZPass Customer Service Center ("CSC") which is set to expire by its terms on October 16, 2025. In recognition of the imminent expiration of the Conduent Contract, the Agencies desire to amend and supplement the MOA, as previously amended by the First and Second Amendments, to expressly set forth the rights, duties and obligations of the Agencies with respect to new contract(s) being procured by NJTA, as Lead Agency on behalf of the New Jersey E-ZPass Group, through a Request for Proposals for New Jersey E-ZPass Services (the "RFP"), which services consist of customer service center services, license plate review services, collections services and merchant services (collectively, the "Services"). The Authority has determined that it is in the best interest to join-in or otherwise authorize entrance into the Third Amendment to the Memorandum of Agreement with the New Jersey E-ZPass Group Agencies in similar form as the Exhibit "A" attached hereto.

RESOLUTION 2024-15 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE FIRST AMENDMENT TO THE AIRPORT MAINTENANCE AND JANITORIAL SERVICES AGREEMENT WITH U.S. FACILITIES, INC.

Following the publishing of Requests for Proposals, pursuant to Resolution 2021-123, the Authority entered into an Airport Maintenance and Janitorial Services Agreement (the "Agreement") with U.S. Facilities, Inc. ("U.S. Facilities") for performance of janitorial and maintenance services at the Airport. Due to the ongoing labor shortages and increase in the cost of living in the United States, U.S. Facilities negotiated an increase in hourly wages for its labor force at the Airport. Due to these increases in the cost of labor at the Airport and to retain employees, the Authority and U.S. Facilities have negotiated an increase in the lump sum payment paid by the Authority to U.S. Facilities for janitorial and technical services at the Airport in accordance with Exhibit C of the Agreement and attached hereto. The Chief Administrative Officer believes it is in the best interest of the Authority to enter into the First Amendment of the Agreement for the specific reasons stated herein.

Petitions or Communications, Unfinished Business and New Business

Chair O'Connor 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. There was no new business to discuss.

General Comment

Chair O'Connor asked the public for any general comments. Whereas the Operator instructed the public to enter the queue for any public for General Comments. No comments by the public were made.

Adjournment

There being no further business, Chair O'Connor announced the next meeting will be held on Wednesday, March 20, 2024, at 9:00 a.m.

Chair O'Connor called for a motion to adjourn the meeting. Whereupon the motion was made by Commissioner Holcomb and seconded by Commissioner McDevitt to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:46 a.m.

Submitted by: Cynthia A. Blasberg

Cynthia A. Blasberg, Board Secretary

Note: An Executive Session was held during this meeting.