

**SOUTH JERSEY TRANSPORTATION AUTHORITY
BOARD OF COMMISSIONERS MEETING
November 15, 2017**

This regularly scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on November 15, 2017, 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

Chairman Richard T. Hammer
Vice Chairman Jeffery A. April, Esq.
Commissioner Maurice B. Hill, Jr., DMD
Commissioner James J. McCullough
Commissioner C. Robert McDevitt
Commissioner C. M. Milam
Commissioner Joseph Ripa (via teleconference)
Commissioner Donna T. Sullivan
Stephen F. Dougherty, Executive Director
Lauren R. Staiger, Esq., General Counsel
Tyler Yingling, Governor's Authorities Unit
Cynthia Blasberg, Authority Board Secretary
Davi S. Nicholson, Alternate Authority Board Secretary

Absent

All Commissioners were present.

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

| Commissioner | Present | Absent |
|--|---------|--------|
| Chairman Richard T. Hammer | X | |
| Vice Chairman Jeffery A. April, Esq. | X | |
| Commissioner Maurice B. Hill, Jr., DMD | X | |
| Commissioner James J. McCullough | X | |
| Commissioner C. Robert McDevitt | X | |
| Commissioner Christopher M. Milam | X | |
| Commissioner Joseph Ripa | X | |
| Commissioner Donna T. Sullivan | X | |

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

Approval of the Agenda

Chairman Hammer called for a motion to approve the November 15, 2017 agenda. Whereupon, a motion was made by Vice Chairman April and seconded by Commissioner Hill, 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 18, 2017 meeting minutes. Whereupon, a motion was made by Vice Chairman April and seconded by Commissioner McDevitt approving the October 18, 2017 meeting minutes. Commissioner Hill asked that the record reflect his abstention from approving the minutes as he did not participate in the October Board Meeting. 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 presented Resolution 2017-102 to the Chairman and Commissioners for the exclusion of the public to discuss personnel matters pertaining to the Schedule “A,” associated with Resolution 2017-92 and a contractual matter pertaining to the New Jersey Pinelands Commission.

Whereupon, the motion was made by Commissioner McDevitt and seconded by Commissioner Hill approving Resolution 2017-102. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:06 a.m. The public was advised the minutes of this Executive Session would be disclosed to the public in accordance with State Law. At this time, the public and staff exited the Board room. A copy of Resolution 2017-102 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 Milam and seconded by Commissioner Hill. The open portion of the meeting reconvened at 9:37 a.m. Once the public returned to the meeting room, Chairman Hammer then requested the Secretary call the roll.

Roll Call

| Commissioner | Present | Absent |
|--------------------------------------|----------------|---------------|
| Chairman Richard T. Hammer | X | |
| Vice Chairman Jeffery A. April, Esq. | X | |
| Commissioner Maurice B. Hill | X | |
| Commissioner James J. McCullough | X | |
| Commissioner C. Robert McDevitt | X* | |
| Commissioner Christopher M. Milam | X | |
| Commissioner Joseph Ripa | X | |
| Commissioner Donna T. Sullivan | X | |

*Commissioner McDevitt stepped out of the room at 9:35 a.m. during Executive Session and returned at 9:41 a.m. during the Open Session.

Following roll call Ms. Staiger, Esq., advised, for the record, three (3) additional contractual matters relating to Fresh Air, Shore Sign and the Port Authority were discussed during Executive Session.

Executive Report

Chairman Hammer asked for the presentation of the Executive Report. Mr. Dougherty presented the November 15, 2017 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 all Committees met on November 1, 2017. During these meetings, Commissioners were briefed on the resolutions being presented this morning as well as personnel matters, Repairs to Bridge Number 4, Bus Rules and Regulations and U.S. Customs and Boarder Protection at the Airport. Commissioners received the schedule of upcoming projects, the EO-8 Report, and Airport statistics.

Public Response to Agenda Items

Chairman Hammer asked the public for comments on any of the agenda items. No comments were made by the public.

Approval of Bills

Chairman Hammer 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. Chairman Hammer called for a motion to approve the bill list. Whereupon the motion was made by Commissioner McDevitt and seconded by Commissioner Hill, approving said bill list. Chairman Hammer asked the Commissioners for questions on the motion. Being none, Chairman Hammer requested the Secretary call the roll.

Roll Call

| Commissioner | Motion | 2nd | Yea | Nay | Abstain | Recused | Absent |
|--|---------------|-----------------------|------------|------------|----------------|----------------|---------------|
| Chairman Richard T. Hammer | | | X | | | | |
| Vice Chairman Jeffery A. April, Esq. | | | X | | | | |
| Commissioner Maurice B. Hill, Jr., DMD | | X | X | | | | |
| Commissioner James J. McCullough | | | X | | | | |
| Commissioner C. Robert McDevitt | X | | X | | | | |
| Commissioner Christopher M. Milam | | | X | | | | |
| Commissioner Joseph Ripa | | | X | | | | |

*Vice Chairman April approved all bills; however, abstained from voting on the bills from the firm Cooper Levenson.

Resolutions and Motions:

Chairman Hammer asked Mr. Dougherty to present the resolutions. Mr. Dougherty advised the Chairman and Commissioners he would be presenting a total of ten (10) resolutions for their consideration. Mr. Dougherty presented Resolutions 2017-92 through 2017-101. Chairman Hammer called for a motion to approve said resolutions. The motion as presented, was moved by Commissioner McDevitt and seconded by Commissioner Hill, approving said resolutions. Chairman Hammer asked for questions on the motion. There being no comments or discussion, Chairman Hammer asked the Secretary to call the roll.

Roll Call

| Commissioner | Motion | 2nd | Yea | Nay | Abstain | Recused | Absent |
|--|---------------|-----------------------|------------|------------|----------------|----------------|---------------|
| Chairman Hammer | | | X | | | | |
| Vice Chairman Jeffery A. April, Esq. | | | X | | | | |
| Commissioner Maurice B. Hill, Jr., DMD | | X | X | | | | |
| Commissioner James J. McCullough | | | X | | | | |
| Commissioner Christopher M. Milam | | | X | | | | |
| Commissioner C. Robert McDevitt | X | | X | | | | |
| Commissioner Joseph Ripa | | | X | | | | |

Copies of Resolutions 2017-92 through 2017-101 are attached hereto and made a permanent part of these official Authority minutes.

RESOLUTION 2017-92 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 2017-93 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE NEGOTIATION AN OUT-OF-HOME ADVERTISING DEVELOPMENT AND MANAGEMENT AGREEMENT WITH GARDEN STATE OUTDOOR, LLC, OF ATLANTIC CITY, NEW JERSEY.

Pursuant to *N.J.S.A. 52:31-1.1a*, the Authority is required to publicly advertise for bids for the lease of real property owned by the Authority for the purpose of displaying any advertisement. The Authority publicly advertised a Request for Proposals ("RFP"), for Out-of-Home Advertising Development and Management on September 21 and September 22, 2017. In response to said RFP, three (3) proposals were submitted by Garden State Outdoor, LLC of Atlantic City New Jersey and received by the Authority on October 12, 2017. The Authority's Consultant Selection Committee met on November 8, 2017 and concluded that Garden State Outdoor, LLC, met the requirements of the RFP and recommends negotiations to finalize the terms of an agreement. The Authority believes it to be in its best interest and in the interest of the users of the Expressway to enter into an Agreement with Garden State Outdoor, LLC of Atlantic City, New Jersey. The Authority desires to accept the recommendation of its Outdoor Advertising Consultant, Gobis and Company and authorize negotiations for a contract to Garden State Outdoor, LLC of Atlantic City, New Jersey.

RESOLUTION 2017-94 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING SUPPORT OF SPECIAL EVENTS DESIGNED TO PROMOTE THE ATLANTIC CITY EXPRESSWAY AND THE SIX SOUTHERN MOST COUNTIES IT SERVES

The Authority is keenly interested in supporting events that promote tourism and provide an economic benefit to the six southernmost counties it serves. Members of the Authority have participated in planning committees comprised of regional stakeholders, which from time to time have included representatives from Host Marriott, Sunoco, casinos and businesses, and civic groups desiring to participate and/or sponsor these events for the purpose of: increasing concession sales at the Frank S. Farley Service Plaza; increasing motorists on the Atlantic City Expressway; increasing tourism to the region and lastly, providing an economic benefit to the region. The Authority seeks approval to participate in and support such events for calendar year 2018.

RESOLUTION 2017-95 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING SUPPORT OF A TOLL SPONSORSHIP CAMPAIGN FOR 2018 DESIGNED TO PROMOTE THE ATLANTIC CITY EXPRESSWAY AND THE SIX SOUTHERN MOST COUNTIES IT SERVES

The Authority is keenly interested in supporting events that promote tourism as well as an economic benefit to the six southernmost counties it serves. In the past, the Authority, in conjunction with regional stakeholders, including local industry associations, businesses, civic organizations and casinos have met and recommended sponsorship programs that bolster visitor trips to these areas. The group proposed a “Toll Sponsorship Campaign,” whereby an organization would sponsor tolls for a proposed period for the purpose of advertising or promoting regional businesses or a local event, providing benefit to the entity, the Authority and the region as a whole. The Toll Sponsorship Campaign is designed to provide an incentive for motorists to travel the Atlantic City Expressway and to the region. This program is currently in effect and was approved for calendar year 2017 via Resolution 2016-120. The Authority seeks approval to continue this program for the calendar year 2018. Tolls incurred during the “sponsorship period” will be paid in whole by the sponsor.

RESOLUTION 2017-96 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH THE NEW JERSEY E-ZPASS GROUP AGENCIES

The South Jersey Transportation Authority (the “Authority”), the New Jersey Turnpike Authority, the Delaware River Port Authority, the Delaware River and Bay Authority, the Burlington County Bridge Commission, and the Delaware River Joint Toll Bridge Commission, collectively (the “Agencies”) each own and operate toll roads and/or bridges and other facilities within the State of New Jersey. The Authority adopted Resolution 2016-110 on October 19, 2016, authorizing entry into an Memorandum of Agreement “MOA” 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 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 Agreement provides that, upon agreement of both the Lead Agency and a majority of the other Agencies, approval may be granted to admit one or more new members to become signatories to the Agreement and to any CSC Contract, subject to whatever conditions and fees that the Lead Agency and a majority of the other Agencies shall agree upon. The New Jersey Turnpike Authority is designated as the Lead Agency for the New Jersey E-ZPass Group. The Cape May Country Bridge Commission (CMCBC) is seeking membership in the New Jersey E-ZPass Group. The Lead Agency and all Agencies agree and concur that the CMCBC should be admitted as a member of the New Jersey E-ZPass Group. The Authority has determined that it is in the best interest to join-in or otherwise authorize entrance into the First Amendment to the Memorandum of Agreement with the New Jersey E-ZPass Group Agencies to add the CMCBC as a member of the New Jersey E-ZPass Group Agreement.

RESOLUTION 2017-97 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO CHARLES MARANDINO LLC, OF MILMAY, NEW JERSEY FOR THE ATLANTIC CITY INTERNATIONAL AIRPORT TERMINAL SIDEWALK BOLLARDS PROJECT

On September 20th and 21st, 2017, the Authority publicly advertised for bids for the Atlantic City International Airport Terminal Sidewalk Bollards Project. Work associated with this project includes, but is not limited to, the installation of thirty-six (36) steel bollards with custom fabricated bollard sleeves at the sidewalk in front of the Atlantic City International Terminal. The work will be conducted in two stages to minimize interference with Airport Operations. As part of the solicitation, the Authority sought bids for the Base Bid as described above as well as Alternate Bid 1 which includes the installation of 12” bollards in lieu of 8” bollards as shown on the plan sheets. The selection of the Base Bid and or Alternate Bid 1 is contingent upon the availability of funds. On October 19, 2017, six (6) bids were received, opened and tabulated with Charles Marandino LLC, of Milmay, New Jersey being deemed the lowest responsive, responsible bidder in an amount not to exceed \$124,000.00 for the desired Base Bid. The Authority desires to enter into a contract with Charles Marandino LLC, of

Milmay, New Jersey, in an amount not to exceed \$124,000.00, for the desired Base Bid for the Atlantic City International Airport Project Sidewalk Bollards Project.

RESOLUTION 2017-98 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 – ATLANTIC CITY BRIGANTINE CONNECTOR (ACBC) TUNNEL REPAIRS AND JET FAN REPLACEMENT

On September 20th and 21st, 2017 the Authority publicly advertised for Bids for the Atlantic City Expressway – Atlantic City Brigantine Connector (ACBC) Tunnel Repairs and Jet Fan Replacement Project, which consists of furnishing all labor, equipment, testing, and materials and performing all work required to perform maintenance and protection of traffic; concrete spall repairs; removal of four (4) existing jet fans; and replacement, testing, and commissioning of four (4) new jet fans in the ACBC Tunnel within the jurisdiction of the Authority in Atlantic City. On October 19, 2017, four (4) bids were received, opened and tabulated, South State, Inc., of Bridgeton, New Jersey was deemed to have submitted the lowest responsive, responsible bid. The Authority desires to enter into a contract with South State, Inc. of Bridgeton, New Jersey, for the Atlantic City Expressway – Atlantic City Brigantine Connector (ACBC) Tunnel Repairs and Jet Fan Replacement Project, in an amount not to exceed \$808,000.00. The Chief Engineer recommends the award of a contract to South State, Inc., of Bridgeton, New Jersey for the Atlantic City Expressway – Atlantic City Brigantine Connector (ACBC) Tunnel Repairs and Jet Fan Replacement Project, in an amount not to exceed Eight Hundred Eight Thousand Dollars \$808,000.00.

RESOLUTION 2017-99 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO SOUTH STATE, INC. OF BRIDGETON, NEW JERSEY FOR THE PRIORITY REPAIRS TO BRIDGE 28 (THE MCGAHN BRIDGE OVER BEACH THOROFARE)

As a result of a motor vehicle collision significant damage was done to Bridge 28 over Beach Thorofare (McGahn Bridge), Milepost 0.3, Atlantic City Expressway, Atlantic City, New Jersey. Engineering inspections have been conducted, including structural inspections by the Authority's Chief Engineer, along with its general engineering consultant, Remington & Vernick Engineers to determine the extent of the damage. Based on these inspections, the scope of work for this project shall include the complete replacement of the eight sections of reinforced concrete median barrier, repairs to the south bridge parapet, repairs to guiderail connections at the south bridge parapet, and the replacement of a steel barrier expansion plate. In order to ensure continued safe operation on the Expressway, it was determined that the left lane in both the eastbound and westbound directions on the bridge must be closed indefinitely unless repairs are made. Further, as the safety of the motoring public is paramount, pursuant to the deficiencies and N.J.A.C. 19:2-7.7, the Executive Director declared the damage to Bridge 28 emergent and as such authorized an emergency procurement for the priority repairs. Inasmuch as the damage required immediate action, the Authority contacted South State, Inc, of Bridgeton, New Jersey who was working nearby and South State mobilized immediately to begin demolition work and install permanent lane closures. A repair cost to complete said work was negotiated with South State, Inc. in the amount not to exceed \$124,314.79.

RESOLUTION 2017-100 THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF A "SECTION 481" SERVICE FEE AGREEMENT BETWEEN THE AUTHORITY AND THE US CUSTOMS AND BORDER PROTECTION

The Authority operates and maintains the Atlantic City International Airport ("Airport") terminal. The Authority by Resolution 2003-35 entered in a User Fee Agreement with US Customs and Border Protection for services of on full time inspector for the purpose of clearing international flights. The Authority in the future may need additional services from US Customs and Border Protection. The Authority recently applied for and was approved by US Customs and Border Protection for the "Section 481" Reimbursable Services Program. The Authority and the US Customs and Border Protection desire to enter into a "Section 481" Service Fee Agreement to provide additional or expanded services at Atlantic City International Airport, if and when those services are needed as defined in this "Section 481" Service Agreement. The

term of this agreement shall commence on the day that all signatures of the required parties have been made. The Deputy Airport Director recommends the execution of a "Section 481" Service Fee Agreement.

RESOLUTION 2017-101 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ADOPTION OF RULES AND REGULATIONS AND THE FILING OF A NOTICE OF ADOPTED AMENDMENTS OF RULES AND REGULATIONS AS CODIFIED AT N.J.A.C. 19:75-1 ET SEQ. FOR BUS MANAGEMENT

NJ.S.A. 27:25A-7(q) authorizes the Authority to establish rules and regulations pursuant to the Administrative Procedures as necessary for the management and regulation of its affairs, the use, maintenance and operation of the transportation system, including, but not limited to, the management, control and regulation of motorbus regular routes and motorbus charter service (the "Bus Management Program"). Pursuant to the sunset provisions of NJ.S.A. 52:14B-5.1c, N.J.A.C. 19:75, South Jersey Transportation Authority Bus Management Program Rules of Operation, expired on November 20, 2016. The Authority desires to adopt New Rules related to its Bus Management Program with certain amendments to the expired rules (the "Proposed New Rules") and intends to file such Proposed New Rules with the New Jersey Office of Administrative Law. The Commissioners have reviewed the Proposed New Rules and determined they are necessary, reasonable and proper for the purposes for which they were originally promulgated, and have approved the Proposed New Rules for filing with the OAL, in the form as attached hereto and incorporated herein entitled Schedule "A." Pursuant to the Rules of the OAL, a public comment period was commenced and public hearings held on Monday, July 31, 2017 at the Frank S. Farley Service Plaza and on August 10, 2017 at the Atlantic City International Airport. In accordance with the Administrative Procedures Act, the Proposed New Rules filed with the OAL, and subsequently published in the New Jersey Register on July 3, 2017.

Petitions or Communications, Unfinished Business and New Business

Chairman Hammer asked if there were any petitions, 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

Chairman Hammer asked the public for any general comments. Don Krouger from Shore Sign Service, stated that this will be his third time in front of the Authority asking for assistance regarding two of his current lease agreements with the Authority. Mr. Crouger asked for consideration to change the conditions within the agreements specifically related to the Minimum Annual Guarantee.

Adjournment

There being no further business, Chairman Hammer called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner McDevitt and seconded by Vice Chairman April to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:49 a.m.

Submitted by:

Cynthia Blasberg, Board Secretary

Note: An Executive Session was held during this meeting.