

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
MAY 17, 2023**

This Board of Commissioners Monthly Meeting of the South Jersey Transportation Authority was held on May 17, 2023, with Chair Gutierrez-Scaccetti calling the meeting to order at 9:02 a.m.

**Present**

Chair Diane Gutierrez-Scaccetti (teleconference)  
Vice Chairman Christopher M. Milam (teleconference)  
Deputy Commissioner Joseph Bertoni (teleconference)  
Commissioner Bryan J. Bush (teleconference)  
Commissioner Maurice B. Hill, Jr., DMD (teleconference)  
Commissioner James J. McCullough (teleconference)  
Commissioner C. Robert McDevitt (teleconference)  
Commissioner Joseph Ripa (teleconference)  
Thomas Holl, Governor's Authorities Unit (teleconference)  
Stephen F. Dougherty, Executive Director (in person)  
Karen Davis, Chief Financial Officer (in person)  
Sandra Graise, Esq., General Counsel (teleconference)  
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)

**Absent**

Commissioner Jeffery A. April, Esq.  
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.

**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

*\* Six (6) members of the public called into this meeting.*

**Approval of the Agenda**

Chair Gutierrez-Scaccetti called for a motion to approve the May 17, 2023 agenda. Whereupon a motion was made by Commissioner McCullough and seconded by Commissioner Hill 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 April 20, 2023 meeting minutes. Whereupon a motion was made by Vice Chairman Milam and seconded by Commissioner McCullough approving said minutes. No questions were asked. All Commissioners in attendance voted, and approved, adopting the minutes.

### **Executive Session**

Chair Gutierrez-Scaccetti asked if an Executive Session was needed, Stephen responded, affirmatively. Mr. Dougherty presented Resolution 2023-35 to the Chair and Commissioners for the exclusion of the public from discussions related to personnel actions related to the Schedule "A" associated with Resolution 2023-28. Whereupon, the motion was made by Commissioner McCullough and seconded by Vice Chairman Milam approving Resolution 2023-35. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:06 a.m. Chair Gutierrez-Scaccetti asked the call operator to place the public audience on hold while the Board conducted the Executive Session.

At the close of Executive Session, Chair Gutierrez-Scaccetti asked for a motion to return to the open portion of the meeting. Whereupon, a motion was made by Commissioner McCullough and seconded by Vice Chairman Milam. The open portion of the meeting reconvened at 9:11 a.m.

The call operator opened the meeting back up to the public portion of the meeting. Chair Gutierrez-Scaccetti then requested the Secretary call the roll.

### **Executive Report**

Chair Gutierrez-Scaccetti asked for the presentation of the Executive Report. Mr. Dougherty presented the May 17, 2023 Executive Report: a copy of which is attached hereto and made a permanent part of these official Authority minutes.

### **Committee Reports**

Chair Gutierrez-Scaccetti asked Mr. Dougherty to present the Committee Reports. Mr. Dougherty reported all Committees met on May 3, 2023. During these meetings, briefings were provided on the resolutions presented this morning as well as the Authority's 1st Quarter Financials and the announcement by Sun Country Airlines regarding the canceled launch of new air services at the Airport. Commissioners were also provided with 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 had 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 Vice Chairman Milam and seconded by Commissioner Hill 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
Commissioner Bryan J. Bush			X				
Commissioner Maurice B. Hill, Jr., DMD		X	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 Commissioners he would be presenting a total of eleven (11) resolutions for their consideration. Mr. Dougherty presented Resolutions 2022-24 through 2022-34. Chair Gutierrez-Scaccetti 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. Chair Gutierrez-Scaccetti asked for questions or discussions on the motion. There being none, 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				
Commissioner C. Robert McDevitt	X		X				
Vice Chairman Christopher M. Milam			X				
Commissioner Joseph Ripa			X				

*Copies of Resolutions 2023-24 through 2023-34 are attached hereto and made a permanent part of these official Authority minutes.*

### **RESOLUTION 2023-24 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF THE APPOINTMENT OF PHOENIX ADVISORS, LLC, OF BORDENTOWN, NEW JERSEY TO PROVIDE FINANCIAL ADVISORY SERVICES TO THE AUTHORITY**

The Authority, via Resolution 2020-40, entered into an agreement with Phoenix Advisors, LLC of Bordentown, New Jersey to provide Financial Advisory Services to the Authority for a term of two (2) years commencing on or about July 1, 2020 with the option to renew for two (2) additional one-year periods. The Authority, via Resolution 2022-40, authorized the first one (1) year renewal option which is set to expire on or about June 30, 2023. The Authority and Phoenix Advisors, LLC wish to exercise the second and final one (1) year renewal option commencing on or about July 1, 2023.

### **RESOLUTION 2023-25 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF THE APPOINTMENT TO CHIESA SHAHINIAN AND GIANTOMASI, P.C., OF WEST ORANGE, NEW JERSEY TO PROVIDE GENERAL BOND COUNSEL SERVICES AND DECOTIIS, FITZPATRICK, COLE & GIBLIN OF TEANECK, NEW JERSEY TO PROVIDE CONFLICT BOND COUNSEL SERVICES FOR THE AUTHORITY**

The Authority, via Resolution 2020-41, awarded contracts to Chiesa Shahinian & Giantomasi, of West Orange, New Jersey to provide General Bond Counsel Services and DeCotiis, FitzPatrick Cole & Giblin, LLP of Teaneck, New Jersey to provide Conflict Bond Counsel Services for a term of two (2) years with two (2) one-year renewal options. The Authority, via Resolution 2022-41, authorized the first one (1) year renewal option which is set to expire on or about June 30, 2023. The Authority, Chiesa Shahinian & Giantomasi and DeCotiis, FitzPatrick Cole & Giblin, LLP wish to exercise the second and final one (1) year renewal option commencing on or about July 1, 2023.

### **RESOLUTION 2023-26 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO THE BANK OF NEW YORK MELLON OF NEW YORK, NEW YORK FOR OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUSTEE AND SAFEKEEPING SERVICES TO THE AUTHORITY**

On March 29th, 2023 and March 30th, 2023, the Authority publicly advertised a Request for Proposals for Other Post Employment Benefits (OPEB) Trustee and Safekeeping Services. On April 19th, 2023, in response to said advertising, the Authority received two (2) proposals for Other Post Employment Benefits (OPEB) Trustee and Safekeeping Services. On May 1, 2023, the Consultant Selection

Committee (“CSC”) meeting was held and based on the selection criteria outlined in the RFP it was determined that The Bank of New York Mellon of New York, New York submitted the highest ranked proposal that would best serve the interest of the Authority. The term of the contract for Other Post Employment Benefits (OPEB) Trustee and Safekeeping Services beyond the completion of the initial proposed transactions will be for ten (10) years with one five (5) year renewal option that can be executed at the Authority’s discretion.

**RESOLUTION 2023-27 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF AN AGREEMENT BETWEEN THE SOUTH JERSEY TRANSPORTATION AUTHORITY AND THE STATE OF NEW JERSEY FOR THE PROVISION OF FEEDER ROAD MAINTENANCE COST SHARING**

The State of New Jersey (the “State”) provides road and bridge maintenance on State Highways which intersect with six interchanges for the Atlantic City Expressway. These portions of the State Highways which intersect and interconnect with Authority interchanges support the efficient and effective ingress and egress of vehicles using the Authority facilities, hereinafter referred to as “Feeder Roads.” Pursuant to Resolution 2009-120, the Authority executed an agreement with the State dated December 14, 2009, entitled Agreement Between the South Jersey Transportation Authority and the State of New Jersey Feeder Road Maintenance Cost Sharing Agreement (the “Cost Sharing Agreement”) to provide for reimbursement by the Authority to the State for the reconstruction, maintenance and repair of the six feeder road segments that interconnect and intersect Authority interchanges. The Authority, via subsequent resolutions, most recently Resolution 2021-141 and extended via Resolution 2022-86, continued this Cost Sharing Agreement through the State fiscal year 2023, which is set to expire on June 30, 2023. Language in the extension agreement dated October 19, 2022, allows the agreement to be renewed up to and including three (3) times, each for a one-year period, upon agreement in writing by both Parties. The Authority, and the State now desire to extend the agreement for an additional one (1) year for the period beginning July 1, 2023 and ending June 30, 2024 (State Fiscal Year 2024.)

**RESOLUTION 2023-28 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 2023-29 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF A CONTRACT TO ONYX RENEWABLE PARTNERS, L.P. OF NEW YORK, NEW YORK FOR THE ISSUANCE OF A POWER PURCHASE AGREEMENT FOR SOLAR PHOTOVOLTAIC ENERGY GENERATION SYSTEMS WITH REMOTE NET-METERING FOR THE AUTHORITY**

On March 7<sup>th</sup> and March 8<sup>th</sup>, 2023, the Authority publicly advertised for Request for Proposals (RFP) for Power Purchase Agreement for Solar Photovoltaic Energy Generation Systems with Remote Net-Metering for the South Jersey Transportation Authority. The Authority is seeking to utilize its excess owned or leased property for a solar project that would help to offset the Authority’s energy costs via Remote Net Metering. The Authority requested proposals from qualified firms that could finance, design, build, install, own, operate and maintain a complete photovoltaic energy system located on the Authority’s owned or leased property. Specifically, to further this goal, the Authority intends to lease portions of its property to deploy renewable energy technologies that will provide for the Authority’s energy needs and potentially generate additional revenue to support the South Jersey region’s transportation system. On March 29, 2023, the Authority received five (5) responses to the RFP for Power Purchase Agreement for Solar Photovoltaic Energy Generation Systems with Remote Net-Metering for the South Jersey Transportation Authority. On April 12<sup>th</sup> and April 28<sup>th</sup>, 2023, the Consultant Selection Committee met for the purpose of ranking the reviewed proposals. Based on the results of the Consultant Selection Committee meeting, Onyx Renewable Partners, L.P. of New York, New York was deemed to have submitted the highest ranked proposal. The Chief Administrative Officer believes it to be in the best interest of the Authority and recommends entering into a contract

with Onyx Renewable Partners, L.P., of New York, New York, for Power Purchase Agreement for Solar Photovoltaic Energy Generation Systems with Remote Net-Metering for the South Jersey Transportation Authority for a term of twenty (20) years from the date of the Contract, plus any agreed-upon extensions.

**RESOLUTION 2023-30 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO GREENMAN-PEDERSEN, INC. OF LEBANON, NEW JERSEY FOR THE CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION SERVICES FOR ATLANTIC CITY EXPRESSWAY ALL ELECTRONIC TOLLING & ITS UPGRADES PROJECT**

On March 1<sup>st</sup> and March 2<sup>nd</sup>, 2023, the Authority publicly advertised a request for proposals for Construction Management and Inspection Services for Atlantic City Expressway All Electronic Tolling & ITS Upgrades Project. In response to said advertising, four (4) proposals were received by the Authority on March 28<sup>th</sup>, 2023, and were reviewed by the Consultant Selection Committee on April 11, 2023 to determine if same met all of the requirements of the Request for Proposals. Based on the Consultant Selection Committee's review and ranking of the proposals, the firm of Greenman-Pedersen, Inc. of Lebanon, New Jersey was deemed to have submitted the most technically qualified proposal. Greenman-Pedersen, Inc. has submitted a scope of work and cost proposal for said services in the amount not to exceed \$3,835,000. The Authority desires to enter into a contract with Greenman-Pedersen, Inc., for Construction Management and Inspection Services for Atlantic City Expressway All Electronic Tolling & ITS Upgrades Project, in an amount not to exceed \$3,835,000.

**RESOLUTION 2023-31 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 ALL ELECTRONIC TOLLING & ITS UPGRADES PROJECT**

On March 1<sup>st</sup> and March 2<sup>nd</sup>, 2023, the Authority publicly advertised for bids for the Atlantic City Expressway All Electronic Tolling & ITS Upgrades Project. The project consists of the installation of components of an All Electronic Tolling (AET) System. The proposed AET system shall be constructed as a separate and independent system from the existing Atlantic City Expressway tolling system. There is one (1) base bid and two (2) add alternates each defined below and in the Instructions to Bidders, ITB-1, Section 1:

Base Bid: The proposed AET system will consist of eleven (11) toll zones that will each have a set of gantries with appurtenant structures to accommodate both eastbound and westbound travel along the ACE. Major work items include but are not limited to the installation of components of an All Electronic Tolling (AET) System, including gantries, cameras, variable message signs, utility structures and structure foundations, as well as installation of ITS facilities on constructed gantries, demolition of existing legacy tolling plaza structures, and roadway restoration.

Add Alternate #1: includes the installation of a set of gantries with appurtenant structures to accommodate both eastbound and westbound travel along the ACE at one additional toll zone designated as Toll Zone 1.

Add Alternate #2: includes the installation of a set of gantries with appurtenant structures to accommodate both eastbound and westbound travel along the ACE Connector at one additional toll zone designated as Toll Zone BC.

The award of the contract is contingent upon the availability of funds. On April 14<sup>th</sup>, 2023, five (5) bids were received, opened, and tabulated. Following a review of the bids, the Authority deemed that the Base Bid, of which limits are indicated above, represented the best value for the Authority. South State Inc., of Bridgeton, New Jersey was deemed the lowest responsive, responsible bidder in an amount not to exceed \$30,597,711.50 for the desired Base Bid.

**RESOLUTION 2023-32 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO ZONE STRIPING, INC. OF GLASSBORO, NEW JERSEY FOR THE RUNWAY RUBBER AND CONTAMINANT REMOVAL AND RUNWAY/TAXIWAY PAINTING AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

On March 22<sup>nd</sup> and March 23<sup>rd</sup>, 2023, the Authority publicly advertised for Bids for the Runway Rubber and Contaminant Removal and Runway/Taxiway Painting at the Atlantic City International Airport. The scope of work for this project is described in two separate items: Item #1 shall be furnishing all labor, equipment and materials required for the removal of rubber and/or other contaminants. Item #2 shall be preparation and painting of numbers, markings, and stripes on the surface of runways, taxiways, and aprons. Item #1 and Item #2 must be bid together as the re-painting must follow immediately after the removal and preparation. On April 12th, 2023, one (1) bid was received, opened, and tabulated. Zone Striping, Inc. of Glassboro, New Jersey was deemed to have submitted the sole responsive, responsible bid, in an amount not to exceed \$127,757.83. The Airport Director believes it to be in the best interest of the Authority and recommends entering into a contract with Zone Striping, Inc. of Glassboro, New Jersey for the Runway Rubber and Contaminant Removal and Runway/Taxiway Painting at the Atlantic City International Airport in an amount not to exceed \$127,757.83.

**RESOLUTION 2023-33 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE SOUTH JERSEY TRANSPORTATION AUTHORITY AND MEET AC, INC. D/B/A/ VISIT ATLANTIC CITY IN REGARD TO THE TAKEOFF 2023 EVENT**

The Authority and Meet AC, Inc. d/b/a/ Visit Atlantic City (“Visit Atlantic City”) are hosting an event in Atlantic City called TakeOff 2023 (the “Event”) commencing on August 13th through August 15th, 2023, at the Hard Rock Hotel and Casino in Atlantic City, New Jersey. The Authority and Visit Atlantic City have agreed to split the costs of hosting the Event. The sponsor fee is anticipated to be \$120,000. The Executive Director of the Authority believes it is in the best interest of the Authority and recommends hosting and supporting Atlantic City TakeOff 2023.

**RESOLUTION 2023-34 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ADOPTION OF REVISIONS TO THE PERSONNEL POLICIES MANUAL**

The Authority has established by-laws, policies and procedures governing its employment actions. Pursuant to Resolution 1993-02, the Authority adopted a Personnel Policy Manual establishing employee policies and procedures. Article II, Section 13(e) of the by-laws require changes to employment practices and personnel actions be approved by the Board of Commissioners in order to take effect. In accordance with such by-laws and personnel policies, the Authority has determined the need to revise certain policies within the Personnel Policy Manual so to comply with federal and state laws. The Authority desires to adopt the revised policies within the Personnel Policy Manual as outlined in the attached Fact Sheet entitled Exhibit “A.” The Director of Business Administration recommends adopting the revisions, of which copies of the revised policies in their entirety are attached to the resolution entitled Exhibit “B.”

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

Chair 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. We have no new business to discuss this morning.

**General Comment**

Chair Gutierrez-Scaccetti 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 Gutierrez-Scaccetti announced the next meeting will be held on Wednesday, June 21, 2023, at 9:00 a.m.

Chair Gutierrez-Scaccetti called for a motion to adjourn the meeting. Whereupon the motion was made by Vice Chairman Milam and seconded by Commissioner Bush to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:22 a.m.

Submitted by: *Cynthia A. Blasberg*

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Cynthia Blasberg, Board Secretary

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