

**SOUTH JERSEY TRANSPORTATION AUTHORITY
BOARD OF COMMISSIONERS MEETING
NOVEMBER 16, 2022**

This Board of Commissioners Monthly Meeting of the South Jersey Transportation Authority was held on November 16, 2022, at the South Jersey Transportation Authority Administration Building, Farley Service Plaza, Atlantic City Expressway, Milepost 21.3 in Elwood, New Jersey 08217 and via teleconference commencing at 9:02 a.m.

Present

Vice Chairman Christopher M. Milam (in person)
Commissioner Maurice B. Hill, Jr., DMD (in person)
Deputy Commissioner Joseph Bertoni (teleconference)
Commissioner James J. McCullough (teleconference)
Commissioner Joseph Ripa (teleconference)
Jeffry Nielsen, Esq., Governor's Authorities Unit (in person)
Stephen F. Dougherty, Executive Director (in person)
Karen Davis, Treasure (in person)
Nicholas Sullivan, Esq., General Counsel (in person)
David Zappariello, Chief of Staff (in person)
Cynthia Blasberg, Board Secretary (in person)

Absent

Chair Diane Gutierrez-Scaccetti
Commissioner Jeffery A. April, Esq.
Commissioner Bryan J. Bush
Commissioner C. Robert McDevitt
Commissioner Christina Fuentes, EDA

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 has also been posted at the Farley Service Plaza, the Atlantic City International Airport, the Atlantic City and Blackwood Offices as prescribed by law.

Roll Call

Commissioner	Present	Absent
Chair Diane Gutierrez-Scaccetti		X
Deputy Commissioner Joseph Bertoni	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 via teleconference*

Approval of the Agenda

Vice Chairman Milam called for a motion to approve the November 16, 2022 agenda. Whereupon a motion was made by Commissioner McCullough and seconded by Commissioner Hill approving said agenda. Vice Chairman Milam 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

Vice Chairman Milam called for a motion to approve the October 19, 2022 meeting minutes. Mr. Sullivan, Esq. noted only three Commissioners participating in today's meeting were eligible to vote on the October 19, 2022 minutes. As such, a quorum could not be met, and the Commissioners will need to be voted upon at another meeting.

Employee Recognition Award

Vice Chairman Milam asked Mr. Dougherty if there was an Employee Award this month. Mr. Dougherty responded affirmatively, presenting Matthew J. Fair with the 1st place award for the Authority's Annual Snow Equipment Road-E-O.

Executive Session

Vice Chairman Milam asked if an Executive Session was needed, to which General Counsel responded affirmatively.

Mr. Dougherty presented Resolution 2022-132 to the Vice Chairman and Commissioners for the exclusion of the public from discussions regarding personnel actions related to the Schedule "A" associated with Resolution 2022-121. Whereupon, the motion was made by Commissioner Hill and seconded by Commissioner McCullough approving Resolution 2022-132. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:07 a.m.

Vice Chairman Milam asked the call operator to place the public audience on hold while the Board conducts the Executive Session.

At the close of Executive Session, Vice Chairman Milam asked for a motion to return to the open portion of the meeting. Whereupon, a motion was made by Commissioner McCullough and seconded by Commissioner Hill. The open portion of the meeting reconvened at 9:13 a.m.

The call operator opened the meeting back up to the public portion of the meeting. Vice Chairman Milam then requested the Secretary call the roll.

Roll Call

Commissioner	Present	Absent
Chair Diane Gutierrez-Scaccetti		X
Commissioner Jeffery A. April, Esq.		X
Commissioner Bryan J. Bush		X
Deputy Commissioner Joseph Bertoni	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

Vice Chairman Milam asked for the presentation of the Executive Report. Mr. Dougherty presented the November 16, 2022 Executive Report: a copy of which is attached hereto and made a permanent part of these official Authority minutes.

Committee Reports

Vice Chairman Milam asked Mr. Dougherty to present the Committee Reports. Mr. Dougherty reported all Committees met on November 2, 2022. During these meetings, briefings were provided on the resolutions being presented this morning as well as a concession agreement with Applegreen USA, Self-Funded Vision Care, PFAS Litigation and a Proprietary Loading Bridge Rehabilitation project. Commissioners were also provided the schedule of upcoming projects, the EO-8 Report and Airport statistics.

Public Response to Agenda Items

Vice Chairman Milam asked the public for comments on any of the agenda items. No comments were made.

Approval of Bills

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

Roll Call

Commissioner	Motion	2nd	Yea	Nay	Abstain	Recused	Absent
Chair Diane Gutierrez-Scaccetti							X
Commissioner Jeffery A. April, Esq.							X
Deputy Commissioner Joseph Bertoni			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				

Resolutions and Motions:

Vice Chairman Milam asked Mr. Dougherty to present the resolutions. Mr. Dougherty advised the Commissioners he would be presenting a total of thirteen (13) resolutions for their consideration. Mr. Dougherty presented Resolutions 2022-119 through 2022-131. Vice Chairman Milam 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. Vice Chairman Milam asked the Commissioners for questions on the motion. Being none, Vice Chairman Milam requested the Secretary call the roll.

Roll Call

Commissioner	Motion	2nd	Yea	Nay	Abstain	Recused	Absent
Chair Diane Gutierrez-Scaccetti							X
Commissioner Jeffery A. April, Esq.							X
Deputy Commissioner Bertoni			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				

Copies of Resolutions 2022-119 through 2022-131 are attached hereto and made a permanent part of these official Authority minutes.

RESOLUTION OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY ADOPTING THE 2023 OPERATING BUDGET FOR THE AUTHORITY

This Resolution authorizes the adoption of the 2023 Operating Budget. The budget will cover all operating expenses, debt service, all other required payments and meet all bond ratio coverage tests.

RESOLUTION OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY ADOPTING THE 2023 CAPITAL BUDGET AND THE TEN-YEAR CAPITAL PLAN FOR THE AUTHORITY

The adoption of the 2023 Capital Budget and Ten-Year Capital Plan is necessary for planning and implementing future projects. The Chief Financial Officer has presented to the Board of Commissioners both the Capital Budget for the fiscal year 2023 and the Ten-Year Capital Plan.

RESOLUTION 2022-121 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 2022-122 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRANCE INTO A PROFESSIONAL SERVICE AGREEMENT FOR THE SELF-FUNDED GROUP HEALTH BENEFIT PROGRAM

The South Jersey Transportation Authority (the "Authority") is permitted to purchase from the New Jersey Interagency Coordinating Committee members contracts without the necessity of bidding when it is in the best interest of the Authority to do so. The Authority as well as the New Jersey Turnpike Authority ("NJTA") are members of the New Jersey Interagency Coordinating Committee. The NJTA issued a Request for Proposals ("RFP") on May 19, 2022, to secure the services of a qualified healthcare firm or firms to administer self-funded vision health benefits program. In response to said RFP, NJTA received three (3) proposals. The NJTA's Evaluation Committee ranked all proposals numerically based upon technical and cost criteria and determined that further consideration be given to all three firms. The firms were invited for oral presentations and each firm was given the opportunity to submit a best and final offer ("BAFO") regarding its fee proposal; After oral presentations and receipt of BAFOs NJTA's Evaluation Committee recommended award of a contract for Vision Benefits Administration Services to EyeMed Vision Care, LLC of Mason, Ohio. On August 23, 2022, the NJTA awarded contract for Self-Funded Vision Health Benefits Program Services to EyeMed Vision Care, LLC. The contract shall commence on or about January 1, 2023, for a term of two (2) years with two (2) one-year extension options. The Authority desires to enter into an agreement with EyeMed Vision Care, LLC for Vision Benefits Administration Services, under the same terms and conditions as the NJTP, effective on or about January 1, 2023, for a term of, two (2) years with two (2) one-year extension options at the discretion of the NJTA, the Authority and with the concurrence of the vendor. The Chief Administrative Officer believes it to be in the best interest of the Authority to enter into a contract with EyeMed Vision Care, LLC for Vision Benefits Administration Services, for the abovementioned terms.

RESOLUTION 2022-123 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXTENSION OF A SHARED SERVICES AGREEMENT BY AND BETWEEN THE CAPE MAY COUNTY BRIDGE COMMISSION AND THE SOUTH JERSEY TRANSPORTATION AUTHORITY

In October 2013, the Authority, via Resolution 2013-139, entered into a contract with Traffic Technologies, Inc., of New Windsor, New York ("TTI") for the provision of toll system consultant services for a term of five years. In July 2015, the Authority, via Resolution 2015-73, entered into a Shared Services Agreement with the Cape May County Bridge Commission, a body politic and corporate of the State of New Jersey (the "CMCBC"), to utilize TTI's services for evaluating toll collection methods and systems for the facilities under its jurisdiction. Following the receipt of TTI's consultation, the CMCBC decided to implement E-ZPass on its toll facilities. The CMCBC contacted the Authority to assist in the implementation, operation, and management of E-ZPass on its bridges, namely the Ocean City Longport Bridge; the Corsons Inlet Bridge; the Townsend's Inlet Bridge; the Grassy Sound Bridge and the Middle Thorofare Bridge. In accordance with N.J.S.A. 40A:65-4, et seq., the Authority and the CMCBC via Resolution 2017-22 entered into a Shared Services Agreement, which authorized the Authority to assist in the implementation, operation, and management of E-ZPass on the CMCBC's bridge facilities. Both parties wish to extend this agreement for a period of at least two years or until such time as is mutually agreeable based on each agency's AET transition plans. The CMCBC shall be responsible for all costs incurred related to the Authority's assistance in addition to costs incurred for the Authority's continued support of the system, once implemented.

RESOLUTION 2022-124 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE 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 such events. The purpose of the special events is to increase concession sales at the Frank S. Farley Service Plaza, motorists on the Atlantic City Expressway as well as provide an economic benefit to the six counties the Authority serves. The Authority seeks approval to participate in and support such events for the calendar year 2023.

RESOLUTION 2022-125 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING SUPPORT OF A TOLL SPONSORSHIP CAMPAIGN FOR 2023 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 provide 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 the region. Resolution 2021-134 authorized approval for calendar year 2022 and the Authority seeks approval to continue this program for the calendar year 2023. Tolls incurred during the "sponsorship period" will be paid in whole by the sponsor.

RESOLUTION 2022-126 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO DELTA LINE CONSTRUCTION COMPANY OF EGG HARBOR TOWNSHIP, NEW JERSEY FOR ATLANTIC CITY INTERNATIONAL AIRPORT (ACY) 2022 AIRFIELD ELECTRICAL UPGRADES PROJECT

On September 21, 2022 and September 22, 2022, the Authority publicly advertised for bids for the Atlantic City International Airport (ACY) 2022 Airfield Electrical Upgrades Project. The project includes the rehabilitation of the airfield lighting series circuit homerun conductors, which have reached the end of their rated life. The conductors megohmmeter readings are poor which is an indication that the cable insulation and splices are deteriorating. The SJTA has initiated a program to replace ACY airfield lighting circuit homerun conductors with new FAA approved L-824 Type C cable. The installation methods used will be done in a manner to minimize impact on airport lighting and operations. In response to said advertisement, on October 20, 2022, three (3) bids were received, opened, and tabulated to ensure all met the requirements of the Bid Specifications. Following a review of the bids, Delta Line Construction Company of Egg Harbor Township, New Jersey was deemed to have submitted the lowest responsive, responsible bid, in an amount not to exceed \$310,516.00. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with Delta Line Construction Company of Egg Harbor Township, New Jersey for the Atlantic City International Airport (ACY) 2022 Airfield Electrical Upgrades Project in an amount not to exceed \$310,516.00.

RESOLUTION 2022-127 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO LEVY CONSTRUCTION CO., INC OF OAKLYN, NEW JERSEY FOR THE ATLANTIC CITY INTERNATIONAL AIRPORT (ACY) 2022 TERMINAL SEATING PROJECT

On August 31, 2022 and September 1, 2022, the Authority publicly advertised for bids for the Atlantic

City International Airport (ACY) 2022 Terminal Seating Project. Work associated with this project includes the replacement of the Gate Hold Room seating between Gates 3-5 and at Gate 6 (+/- 262 seats) with new seating to match that at Gates 7-10 (+/- 250 seats). The scope includes all demolition and removal of the existing seating, and furnishing, assembling, and installing the new seating in the layout as shown in the bid documents. On September 20, 2022, two (2) bids were received, opened, and tabulated with Levy Construction Co., Inc of Oaklyn, New Jersey being deemed to have submitted the lowest responsible bid in an amount not to exceed \$211,600.00. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with Levy Construction Co., Inc of Oaklyn, New Jersey in an amount not to exceed \$211,600.00.

RESOLUTION 2022-128 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO LEVY CONSTRUCTION CO., INC. OF OAKLYN, NEW JERSEY FOR THE ATLANTIC CITY INTERNATIONAL AIRPORT (ACY) 2022 EXIT LANE ESCALATOR REPLACEMENT PROJECT

On August 31, 2022 and September 1, 2022, the Authority publicly advertised for bids for the Atlantic City International Airport (ACY) 2022 Exit Lane Escalator Replacement Project. Work associated with this project include; The replacement of the existing Exit Lane Escalator (KONE Eco 3000), the removal, salvage, and reinstallation of one metal door, frame and hardware, the removal and reconstruction of the gypsum metal-stud framed wall, and the installation of one temporary wall and door for escalator removal and installation. Contractor to coordinate the removal and salvaging of the fire alarm components, security hardware, and related conduits / wiring with ACY and TSA. On September 21, 2022, three (3) bids were received, opened, and tabulated with Levy Construction Co., Inc. of Oaklyn, New Jersey being deemed to have submitted the lowest responsible bid in an amount not to exceed \$784,600.00. The Director of Engineering/Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with Levy Construction Co., Inc. from Oaklyn, New Jersey in an amount not to exceed \$784,600.00, for the Atlantic City International Airport (ACY) 2022 Exit Lane Escalator Replacement Project.

RESOLUTION 2022-129 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING A LEASE AGREEMENT WITH APPLGREEN USA WELCOME CENTRES, LLC FOR THE LEASING AND OPERATION OF THE FARLEY SERVICE PLAZA CONCESSION FACILITY AND FARMERS MARKET

Pursuant to Resolution 2001-110, the Authority entered into a Concession Lease Agreement ("Lease"), dated September 27, 2002, with HMS Host Tollroads, Inc. ("HMS Host") for the leasing and operation of the current concession facility located at the Farley Services Plaza. On January 22, 2019, HMS Host and the Authority entered into the First Addendum to the Lease. On June 27, 2021, Applegreen USA Welcome Centres, LLC ("Applegreen") informed the Authority that HMS Host Corporations had agreed to sell its equity interest in HMS Host to Applegreen, with an anticipated closing date for the transaction on July 16, 2021 (the "Transaction"). Pursuant to Resolution 2021-98 the Authority consented to transfer and assignment of the Lease, with Applegreen assuming all rights, obligations and liabilities under the Lease and all amendments. The Authority has been negotiating a long-term concession lease agreement with Applegreen for the leasing and operation of the concessions at the Farley Service Plaza. Applegreen has submitted a proposal to enter into a long-term agreement that will provide economic benefit to the Authority and ensure uninterrupted provision of concession services to patrons of the Atlantic City Expressway. The Authority desires to authorize the Executive Director to negotiate and execute a contract with Applegreen for the improvements and continued operations of the concession area at the Farley Service Plaza.

RESOLUTION 2022-130 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH CERTAIN ACCEPTABLE FIRMS FOR LEGAL REPRESENTATION RELATED TO PFAS CONTAMINATION

Taft Stettinius & Hollister, LLP; Douglas & London, P.C.; Kennedy & Madonna, LLP; Kelley Drye & Warren LLP; Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, & Mougey P.A.; and SL Environmental Law Group PC (collectively the "Firms") have joined together to assist clients facing

the challenges posed by contamination with per- and polyfluoroalkyl substances (“PFAS”). The Firms currently represent numerous public entities across the country in litigation regarding PFAS contamination by certain global corporations. It has been determined that there is potential PFAS contamination in the soil, groundwater, surface water and/or other real property leased or owned by the Authority at the Airport. The Firms, following pre-litigation investigation of PFAS contamination at the Airport, will represent the Authority in a multi-district litigation regarding PFAS contamination at the Airport. In order to memorialize the scope of services to be provided by the Firms, the Airport and the Firms seek to enter into a Contingent Fee Agreement. The Airport Director believes it is in the best interest of the Authority to enter into Contingent Fee Agreement with the Firms for the reasons specified herein.

**RESOLUTION 2022-131 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY
AUTHORIZING THE PURCHASE AND INSTALLATION OF ALUMINUM CAB BUBBLE
FLOORS AND REPLACEMENT OF VERTICAL DRIVE BALL SCREWS ON FOUR
PASSENGER BRIDGES BY JBT AEROTECH CORPORATION AT THE ATLANTIC CITY
INTERNATIONAL AIRPORT**

On October 24, 2022, JBT AeroTech Corporation (“JBT”) submitted a proposal to U.S. Facilities, on behalf of the Airport, regarding certain services and goods for use at the Airport. JBT proposes to provide and install fire rated aluminum cab bubble floors at Gates 8, 9, and 10 at the Airport and to provide and install vertical drive ball screws on Gates 4, 8, 9, and 10 at the Airport. The Airport seeks JBT to provides these goods and services to repair certain loading bridges at the Airport. The total proposed cost from JBT for the aforementioned services is \$138,485.00, which is below the Authority’s bid threshold amount of \$150,000.00. The Airport Director believes it is in the best interest of the Authority to enter into an agreement with JBT AeroTech Corporation for the reasons specified herein.

Petitions or Communications, Unfinished Business and New Business

Vice Chairman Milam 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. Mr. Dougherty responded there is no new business to discuss.

General Comment

Vice Chairman Milam asked the public for any general comments. The Operator instructed the public to enter the queue for any public for General Comments. No comments were made by the public.

Mr. Nielsen, Esq. (GAU) inquired about the increase in Transportation Services noted in the Executive Report. Mr. Dougherty noted the increase is attributed to the reinstatement of all routes as well as an increase in usage. He further stated the usage will continue to increase as the new Gloucester County Service begins.

Commissioner Hill and Vice Chairman Milam wished everyone a happy and healthy Thanksgiving.

Adjournment

There being no further business, Vice Chairman Milam announced the next meeting will be held on December 21, 2022, at 9:00 a.m.

Vice Chairman Milam called for a motion to adjourn the meeting. Whereupon the motion was made by Commissioner Hill and seconded by Commissioner McCullough to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:25 a.m.

Submitted by: *Cynthia A. Blasberg*

Cynthia A. Blasberg, Board Secretary

Note: An Executive Session was held during this meeting.