

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
SEPTEMBER 15, 2009**

The regularly scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on September 15, 2009 commencing at 10:10 a.m. at the South Jersey Transportation Authority Administration Building at the Farley Service Plaza on the Atlantic City Expressway at Milepost 21.3 in Elwood, New Jersey 08217.

**Present**

Chairman Stephen Dilts  
 Vice Chairman Mark Summerville  
 Commissioner Jeffery A. April, Esq.  
 Commissioner Joseph W. Devine (Participated via Conference Call)  
 Commissioner James U. Gaymon, Jr.  
 Commissioner C. Robert McDevitt  
 Commissioner Joseph Ripa  
 Commissioner Louis Toscano  
 Bart Mueller, Executive Director  
 Joseph Neal, Governor's Authorities Unit  
 Keith Barrack, General Counsel  
 Ben Neville, New Jersey Department of Transportation  
 Susan Drake, Authority Board Secretary

**Absent**

Commissioner Timothy J. Lizura

**Statement of Public Notice**

The meeting of the Board of Commissioners was opened advising the Commissioners and the public that notice of this regularly scheduled meeting of the South Jersey Transportation Authority 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 of the time, date and place of convening. Notice was posted at the Farley Service Plaza on the Atlantic City Expressway in Elwood, New Jersey, the Terminal Building at the Atlantic City International Airport in Egg Harbor Township, New Jersey and at the South Jersey Transportation Authority's Atlantic City, New Jersey office as prescribed by law.

**Roll Call**

Commissioner	Present	Absent
Chairman Stephen Dilts	X	
Vice Chairman Mark Summerville	X	
Commissioner Jeffery A. April, Esq.	X	
Commissioner Joseph W. Devine	X	
Commissioner James U. Gaymon, Jr.	X	
Commissioner C. Robert McDevitt	X	
Commissioner Joseph Ripa	X	
Commissioner Louis Toscano	X	
Commissioner Timothy J. Lizura		X

Commissioner Divine joined the meeting at 10:15 a.m.

A total of four (4) members of the public attended the meeting.

**Approval of the Agenda**

Chairman Dilts called for a motion to approve the September 15, 2009 Agenda. Whereupon, motion was moved by Commissioner Toscano and seconded by Commissioner Gaymon, approving the agenda. Chairman Dilts asked for questions on the motion. No questions were asked. A unanimous vote was taken adopting and approving the agenda. A copy of this agenda is attached to and made a permanent part of these official Authority minutes.

**Approval of Meeting Minutes**

Chairman Dilts called for a motion to approve the August 26, 2009 Meeting Minutes. Whereupon, motion was moved by Commissioner Summerville and seconded by Commissioner Gaymon, approving the minutes. Chairman Dilts asked for questions on the motion. No questions were asked. A unanimous vote was taken adopting and approving the minutes.

**Employee Awards**

Thomas Hughes was honored as "Employee of the Month". Sharon Shaner was honored for her thirty years of service to the Authority, Jan Holts and Thomas Ballistreri for their twenty-five years of service to the Authority and Ada Mathis for her twenty years of service to the Authority.

**Executive Session**

Chairman Dilts asked General Counsel if an Executive Session was needed. General Counsel responded there was a need for an Executive Session. Resolution 2009-150 was presented to the Commissioners for approval. Minutes of this Executive Session will be disclosed to the public as and when required by law. Chairman Dilts called for a motion to move into Executive Session. Whereupon, motion was moved by Commissioner Toscano and seconded by Commissioner Summerville, approving Resolution 2009-150. A unanimous vote was taken approving the resolution, adjourning the open session of the meeting at 10:15 a.m. A copy of Resolution 2009-150 is attached to and made a permanent part of these official Authority minutes. The open session reconvened at 10:25 a.m. Chairman Dilts requested the Secretary to call the roll.

**Roll Call**

Commissioner	Present	Absent
Chairman Dilts	X	
Vice Chairman Summerville	X	
Commissioner April	X	
Commissioner Devine	X	
Commissioner Gaymon	X	
Commissioner McDevitt	X	
Commissioner Ripa	X	
Commissioner Toscano	X	
Commissioner Timothy Lizura		X

**Executive Report**

Chairman Dilts asked for the presentation of the Executive Report. Mr. Mueller presented the report for September 2009.

**Committee Reports**

Chairman Dilts asked for the presentation of the Committee Reports. Mr. Mueller reported that all Committees met on September 1, 2009, the Commissioners were briefed on the resolutions being presented, as well as: SJTA Bond Transaction Cost of Insurance, All Electronic Tolling, IAG Next Generation Technology Procurement, Status of a New Air Service, Widening Environmental Permits, Widening Ground Breaking Ceremonies, Airport Winter Chemical Supplies and Emergency Aircraft Apron Repairs.

**Public Response to Agenda Items**

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

**Approval of Bills**

Chairman Dilts asked for the presentation of the bills. Mr. Mueller stated that the bills had been mailed for review prior to the meeting and were presented for approval. Chairman Dilts called for a motion to approve the bills. Whereupon, motion was moved by Commissioner Summerville and seconded by Commissioner Toscano, approving the bills. Chairman Dilts asked for questions on the motion. No questions were asked. Chairman Dilts requested the Secretary to call the roll.

**Roll Call**

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Recused	Absent
Chairman Dilts			X				
Vice Chairman Summerville			X				
Commissioner April			X				
Commissioner Devine			X				
Commissioner Gaymon			X				
Commissioner McDevitt			X				
Commissioner Ripa			X				
Commissioner Toscano			X				

Commissioner April approved all bills but recused from voting on the bills from the firm Cooper, Levenson, April, Niedelman & Wagenheim.

**Resolutions and Motions: Finance Department**

Resolution 2009-142 was presented to the Commissioners for approval. Chairman Dilts called for a motion to approve Resolution 2009-142. Whereupon, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner McDevitt, approving Resolution 2009-142. Chairman Dilts asked for questions on the motion. No questions were asked. Chairman Dilts requested the Secretary to call the roll.

**Roll Call**

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Recused	Absent
Chairman Dilts			X				
Vice Chairman Summerville			X				
Commissioner April			X				
Commissioner Devine			X				
Commissioner Gaymon			X				
Commissioner McDevitt		X	X				
Commissioner Ripa	X		X				
Commissioner Toscano			X				

A copy of Resolution 2009-142 is attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-142 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING USE OF PROCEEDS FROM THE CAPITAL PROJECT REVOLVING FUND (SWAPTION) FOR CONSTRUCTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE ATLANTIC CITY INTERNATIONAL AIRPORT APRON EXPANSION PHASE 1B IN ADVANCE OF ANTICIPATED PFC FUNDS**

The purpose of this resolution is to authorize the use of funds from the Capital Program Revolving Fund to advance funds for the Apron Phase 1B project-funding gap caused by not receiving the discretionary FAA grants previously anticipated in Resolutions 2009-96 and 2009-97. The Authority currently is in the process of applying for a PFC application, which will provide funding anticipated replenishing these funds.

**Resolutions and Motions: Policy & Planning Department**

Resolution 2009-143 was presented to the Commissioners for approval. Chairman Dilts called for a motion to approve Resolution 2009-143. Whereupon, the motion as presented, was moved by Commissioner April and seconded by Commissioner McDevitt, approving Resolution 2009-143. Chairman Dilts asked for questions on the motion. No questions were asked. Chairman Dilts requested the Secretary to call the roll.

**Roll Call**

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Recused	Absent
Chairman Dilts			X				
Vice Chairman Summerville			X				
Commissioner April	X		X				
Commissioner Devine			X				
Commissioner Gaymon			X				
Commissioner McDevitt		X	X				
Commissioner Ripa			X				
Commissioner Toscano			X				

A copy of Resolution 2009-143 is attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-143 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY APPOINTING HEATHER MARTIN TO THE POSITION OF CUSTODIAN OF RECORDS FOR THE AUTHORITY**

Public Law N.J.S.A. 47: 1A-1.1 requires that the Authority appoint a Custodian of Records to comply with the mandatory of the Open Public Meetings Act. Heather Martin will replace Greg Brandley in this position.

**RESOLUTIONS AND MOTIONS: Engineering and Operations Department**

Resolution 2009-144 through Resolution 2009-147 was presented to the Commissioners for approval. These agenda items were presented via Consent Agenda and were voted upon via a single roll call. Chairman Dilts called for a motion to approve Resolution 2009-144 through Resolution 2009-147 to be voted upon via Consent Agenda. Whereupon, the motion as presented, was moved by Commissioner Summerville and seconded by Commissioner Ripa, approving Resolution 2009-144 through Resolution 2009-147. Chairman Dilts asked for questions on the motion. Commissioner Toscano asked if any vendors that submitted bids for the purchase and delivery of the aerial truck were closer than Alabama. Mr. Barrack responded that they were the lowest responsive/responsible bidder. Chairman Dilts requested the Secretary to call the roll.

**Roll Call**

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Recused	Absent
Chairman Dilts			X				
Vice Chairman Summerville	X		X				
Commissioner April			X				
Commissioner Devine			X				
Commissioner Gaymon			X				
Commissioner McDevitt			X				
Commissioner Ripa		X	X				
Commissioner Toscano			X				

A copy of Resolution 2009-144 through 2009-147 are attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-144 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING EXTENSION OF THE CONTRACT WITH M.L. RUBERTON CONSTRUCTION COMPANY OF FOLSOM, NEW JERSEY FOR GUIDE RAIL PARTS AND SUPPLIES**

On October 9<sup>th</sup> and 10<sup>th</sup>, 2008, the Authority publicly advertised for bids for guide rail parts and supplies. On October 24, 2008, two (2) bids were received, opened and tabulated. M.L. Ruberton was deemed the lowest responsible bidder and was awarded a contract via Resolution 2008-137 for a period of one (1) year with a one (1) year option to renew at the Authority's discretion. This contract is an open-ended price agreement whereby items are ordered as needed contingent upon the availability of funds in the applicable budget year. This extension exercises the Authority's final option to renew for one (1) additional year.

**RESOLUTION 2009-145 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING EXTENSION OF A CONTRACT WITH WARRINER'S CONSTRUCTION, INC. OF EGG HARBOR TOWNSHIP, NEW JERSEY FOR SNOW REMOVAL SERVICES AT SEVERAL SJTA FACILITIES**

On August 6<sup>th</sup> and 7<sup>th</sup>, 2007, the Authority publicly advertised for bids for the de-icing, anti-icing and snow removal services of Authority facilities for two (2) years with the option to renew for two (2) additional one (1) year terms. This service is for specified areas 1): Expressway facilities, 2): Airport facilities and 3): the Expressway Connector if and when the Director of Engineering & Operations determines it necessary for the contractor to render the required contract services. On August 28, 2007, one (1) bid was received opened and tabulated. Warriner's Construction, Inc. of Egg Harbor Township, New Jersey was the sole responsible bidder for these areas in the amounts of \$153.33, \$160.00 and \$166.66 per hour respectively. This extension exercises the Authority's option to renew for the first one (1) additional year.

**RESOLUTION 2009-146 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF A CONTRACT TO ALTEC INDUSTRIES, INC. OF BIRMINGHAM, ALABAMA FOR THE PURCHASE AND DELIVERY OF A NEW TRUCK MOUNTED SIXTY FOOT MATERIAL HANDLING AERIAL TOWER AND AERIAL TOWER BODY OR EQUAL**

On August 3<sup>rd</sup> and 4<sup>th</sup>, 2009, the Authority publicly advertised for bids for the purchase and delivery of one (1) Truck Mounted Sixty Foot Material Handling Aerial Tower and Aerial Tower Body or Equal. On August 19, 2009, two (2) bids were received, opened and tabulated. Altec Industries, Inc. of Birmingham, Alabama was deemed the lowest responsive/responsible bidder in an amount not to exceed \$179,802.00. This bucket truck will be use for work such as: bridgework, tree-trimming, painting, sign repairs, light replacement/repairs, tunnel cleaning, etc.

**RESOLUTION 2009-147 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING EXTENSION OF A CONTRACT WITH JMA APPRAISAL GROUP OF MOUNT LAUREL, NEW JERSEY TO PROVIDE APPRAISAL SERVICE TO THE AUTHORITY**

On August 29<sup>th</sup> and 30<sup>th</sup>, 2006, the Authority publicly advertised a Request for Proposals for appraisal services for the Authority. On September 19, 2006, three (3) proposals were received. The Consultant Selection Committee met on September 26, 2006 for the purpose of ranking the reviewed proposals. JMA Appraisal Group of Mount Laurel, New Jersey was deemed to be the most qualified and was awarded a contract via Resolution 2006-86 for a period of three (3) years with an option to renew for one (1) additional year at the Authority's discretion. This extension exercises the Authority's option to renew for one (1) additional year.

**Resolutions and Motions:      Airport Department**

Resolution 2009-148 and Resolution 2009-149 were presented to the Commissioners for approval. These agenda items were presented via Consent Agenda and were voted upon via a single roll call. Chairman Dilts called for a motion to approve Resolution 2009-148 and Resolution 2009-149 to be voted upon via Consent Agenda. Whereupon, the motion as presented, was moved by Commissioner Summerville and seconded by Commissioner Toscano, approving Resolution 2009-148 and Resolution 2009-149. Chairman Dilts asked for questions on the motion. No questions were asked. Chairman Dilts requested the Secretary to call the roll.

## Roll Call

Commissioner	Motion	2 <sup>nd</sup>	Yea	Nay	Abstain	Recused	Absent
Chairman Dilts			X				
Vice Chairman Summerville	X		X				
Commissioner April			X				
Commissioner Devine			X				
Commissioner Gaymon			X				
Commissioner McDevitt			X				
Commissioner Ripa			X				
Commissioner Toscano		X	X				

A copy of Resolution 2009-148 and Resolution 2009-149 are attached to and made a permanent part of these official Authority minutes.

### **RESOLUTION 2009-148 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING EMERGENCY CONCRETE LOADING BRIDGE PAD REPAIRS AT THE ATLANTIC CITY INTERNATIONAL AIRPORT**

It has been determined that the asphalt underneath loading bridges one (1), three (3) and four (4) is severely depressed and rutting has occurred. As the damages were deemed a safety hazard by the Director of Engineering and Operations, the Authority waived the public bidding requirements of the Act and enter into contracts and agreements without public bidding which is consistent with Section 8(b)(3) of the Act. The Authority directly solicited proposals for emergency concrete loading bridge pad repairs on September 1, 2009 at the cost of Sixty Five Thousand One Hundred Sixty (\$65,160.00) Dollars.

### **RESOLUTION 2009-149 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AN AGREEMENT FOR NEW AIR SERVICE AT THE ATLANTIC CITY INTERNATIONAL AIRPORT WITH WESTJET AIRLINES**

The Authority has recently opened a covered parking deck, renovated the Airport Air Terminal and expanded the tarmac facilities, which provides additional air service capacity. The Airport is presently served by two (2) regularly scheduled commercial passenger air service providers and the Authority wishes to expand the number of cities of origin that are served by the Airport. Accordingly, the Authority is seeking to enter into a signed agreement with WestJet Airlines, another qualified commercial passenger air service carrier, which will provide international air hub connectivity not presently served from the Airport. The Authority wishes to commence air service between Toronto, Canada and Atlantic City International Airport in October 2009 in order to take advantage of their tourism season.

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

Chairman Dilts asked if there were any petitions or communications, unfinished or new business. Mr. Mueller responded that all previous petitions and communications were either mailed to the Commissioners prior to the meeting or are at their places, there was no new business or old business.

### **General Comment**

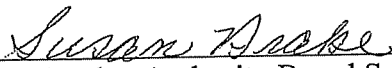
Chairman Dilts asked for any general comments. There were no general comments.

**Adjournment**

Chairman Dilts announced that the next meeting of the South Jersey Transportation Authority Board of Commissioners Meeting would be held on October 20, 2009 at 10:00 a.m. at the South Jersey Transportation Authority Administration Building at the Farley Service Plaza on the Atlantic City Expressway at Milepost 21.3 in Elwood, New Jersey 08217.

There being no further business, Chairman Dilts called for a motion to adjourn the meeting. Whereupon, motion was moved by Commissioner Toscano and seconded by Commissioner Gaymon to adjourn the meeting. A unanimous vote was taken adjourning the meeting at 10:40 a.m.

Submitted by:

  
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Susan Drake, Authority Board Secretary

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