

**SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
JANUARY 23, 2013**

The scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on January 23, 2013, commencing at 9:00 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**

Commissioner Jeffery A. April, Esq.  
Commissioner Maurice B. Hill  
Commissioner C. Robert McDevitt (via teleconference)  
Deputy Commissioner Joseph W. Mrozek (via video conference)  
Commissioner Joseph Ripa  
Commissioner Dianne Solomon  
Samuel L. Donelson, Acting Executive Director  
Kerstin Sundstrom, Governor's Authorities Unit  
Lauren Staiger, Esq., General Counsel  
Susan Lubrano, Authority Board Secretary

**Absent**

Chairman James S. Simpson  
Commissioner Joseph W. Devine  
Commissioner Christine A. Roberts, EDA

As Chairman Simpson was not able to participate in person, the Secretary requested a motion nominating another member of the Board to chair the meeting. Whereupon, Commissioner April was nominated to chair the meeting by motion of Commissioner Ripa, which motion was seconded by Commissioner Hill, with all Commissioners present being in favor.

**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 of the time, date and place of convening. Notice was posted at the Farley Service Plaza, the Atlantic City International Airport and the Authority's Atlantic City, New Jersey office as prescribed by law.

**Roll Call**

<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>
Chairman James S. Simpson		X
Commissioner Jeffery A. April, Esq.	X	
Commissioner Joseph W. Devine		X
Commissioner Maurice B. Hill	X	
Commissioner C. Robert McDevitt	X	
Deputy Commissioner Joseph W. Mrozek	X	
Commissioner Joseph Ripa	X	
Commissioner Christine A. Roberts		X
Commissioner Dianne Solomon	X	

Four (4) members of the public attended this meeting.

**Approval of the Agenda**

Commissioner April called for a motion to approve the January 23, 2013 Agenda. Whereupon, motion was made by Commissioner Solomon, seconded by Commissioner Hill, approving the January 23, 2013 agenda. Commissioner April 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**

Commissioner April called for a motion to approve the December 18, 2012 Meeting Minutes. Whereupon, a motion was made by Commissioner Ripa and seconded by Commissioner Solomon, approving the December 18, 2012 minutes. Commissioner April asked for questions on the motion. No questions were asked. A unanimous vote was taken adopting and approving the minutes.

### **Executive Session**

Commissioner April asked General Counsel if there was a need for an Executive Session. Ms. Staiger responded affirmatively.

Mr. Donelson then presented Resolution 2013-11 to the Commissioners for the exclusion of the public to discuss pending personnel matters, specifically personnel actions contained in Resolution 2013-01, a litigation matter pertaining to Henebema v. SJTA and a contractual matter relating to an interest in property involving the Port Authority of New York and New Jersey. The public was advised that the minutes of this Executive Session will be disclosed to the public in accordance with State Law. Commissioner April called for a motion to move into Executive Session.

Whereupon, the motion was made by Commissioner Ripa and seconded by Commissioner Hill approving Resolution 2013-11. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 9:08a.m. A copy of Resolution 2013-11 is attached hereto and made a permanent part of these official Authority minutes. At the close of Executive Session, Commissioner April called for a motion to return to the open portion of the meeting.

Whereupon, motion was made by Commissioner Hill and seconded by Commissioner Ripa. The open portion of the meeting reconvened at 9:15 a.m. Commissioner April requested the Secretary call the roll.

### **Roll Call**

<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>
Chairman James S. Simpson		X
Commissioner Jeffery A. April, Esq.	X	
Commissioner Joseph W. Devine		X
Commissioner Maurice B. Hill	X	
Deputy Commissioner Joseph W. Mrozek	X	
Commissioner C. Robert McDevitt	X	
Commissioner Joseph Ripa	X	
Commissioner Christine A. Roberts		X
Commissioner Dianne Solomon	X	

Ms. Staiger then advised the public that while in Executive Session, an additional personnel matter pertaining to the Airport Fire Chief was discussed.

### **Executive Report**

Commissioner April asked for the presentation of the Executive Report. Mr. Donelson presented the January 23, 2013 Executive Report. A copy of the January 23, 2013 Executive Report is attached hereto and made a permanent part of these official Authority minutes.

### **Committee Reports**

Commissioner April asked Mr. Donelson to present the Committee Reports. Mr. Donelson reported that all committees met on January 8th. Mr. Donelson advised that during these meetings Commissioners were briefed on the resolutions being presented this morning as well as updates on the Port Authority of New York and New Jersey's Airport study, the Bus variance process, the recent Audit Committee meeting and the Motor Vehicle Commission Registration Suspension Program. He stated that Commissioners were also provided with the schedules of upcoming projects, the EO-8 Reports and Airport statistics.

### **Public Response to Agenda Items**

Commissioner April then asked the public for comments on any of the agenda items. No comments were made.

### **Approval of Bills**

Commissioner April asked Mr. Donelson for the presentation of bills. Mr. Donelson stated that the bills had been sent to the Commissioners previously for their review and are being presented for their approval. Commissioner April called for a motion to approve the bill list. Whereupon the motion was made by Commissioner Ripa and seconded by Commissioner Hill approving said bills. Commissioner April asked the Commissioners for questions on the motion. There being none, Commissioner April requested that 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>
Chairman James S. Simpson							X
Commissioner Jeffery A. April			X*				
Commissioner Joseph Devine							X
Commissioner Maurice B. Hill		X	X				
Deputy Commissioner Joseph W. Mrozek			X				
Commissioner C. Robert McDevitt			X				
Commissioner Joseph Ripa	X		X				
Commissioner Dianne Solomon			X				

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

### **Resolutions and Motions:**

Commissioner April asked Mr. Donelson to present the resolutions. Mr. Donelson advised the Commissioners that he will be presenting a total of ten (10) resolutions for their consideration. Mr. Donelson then presented Resolutions 2013-01 through 2013-10. Commissioner April called for a motion to approve Resolutions 2013-01 through 2013-10, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner Hill, approving said resolutions. Commissioner April asked for questions on the motion. No questions were asked. There being no further comment or discussion, Commissioner April 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>
Chairman James S. Simpson							X
Commissioner Jeffery A. April			X				
Commissioner Joseph Devine							X
Commissioner Maurice B. Hill		X	X				
Deputy Commissioner Joseph W. Mrozek			X				
Commissioner C. Robert McDevitt			X				
Commissioner Joseph Ripa	X		X				
Commissioner Dianne Solomon			X				

Copies of Resolutions 2013-01 through 2013-10 are attached hereto and made a permanent part of these official Authority minutes.

### **RESOLUTION 2013-01 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 2013-02 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ACCEPTANCE OF VARIOUS INSURANCE POLICIES NEGOTIATED AND RECOMMENDED BY BROWN & BROWN CONSULTING**

On behalf of the Authority, Brown & Brown Consulting has negotiated and recommended annual insurance policies with United American and Express Scripts via Benistar, of Simsbury, Connecticut, administrator, to provide various insurance policies for Authority Medicare eligible retirees. The Authority wishes to accept

the recommendation of Brown & Brown Consulting and enter into a contract with Benistar, of Simsbury, Connecticut, for such policies. These policies shall be effective March 1<sup>st</sup> 2013 thru December 31, 2013.

**RESOLUTION 2013-03 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY APPOINTING DORIS L. MCCLINTON AS THE PUBLIC AGENCY COMPLIANCE OFFICER FOR THE SOUTH JERSEY TRANSPORTATION AUTHORITY**

Pursuant to N.J.S.A. 10:5-31 and N.J.A.C. 17:27-3.2, the Authority shall designate an individual to serve as its Public Agency Compliance Officer (PACO) to serve as the liaison between the State of New Jersey Department of Treasury, Division and the Authority. The Commissioners of the Authority desire to reappoint the designation of Doris L. McClinton as the Authority's PACO for the calendar year 2013. This is an annual appointment.

**RESOLUTION 2013-04 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY RECOGNIZING THE CONTRIBUTIONS BY LOUIS TOSCANO AS COMMISSIONER OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY**

This resolution serves to recognize the commitment and dedication shown by Commissioner Louis Toscano during his service to the Authority.

**RESOLUTION 2013-05 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ENTRY INTO AN OUTDOOR ADVERTISING LEASE AND MANAGEMENT AGREEMENT WITH GARDEN STATE OUTDOOR, LLC**

Pursuant to *N.J.S.A.* 52:31-1.1a, the SJTA is required to publicly advertise for bids for the lease of portions of the SJTA's right-of-way along the Expressway for the placement of billboards. On April 9 and April 10, 2012, and May 17 and May 18, 2012, the SJTA publicly advertised a Request for Proposals ("RFP") for the relocation of existing billboards/permits to SJTA property. The relocation of such permits/billboards results in locations closer to the Expressway with longer read times for the traveling public. Revenue from the relocations is shared with the SJTA as rent pursuant to a Lease Agreement. Proposals were due May 9 and June 7, 2012. In response to these RFP solicitations, no acceptable proposals were received and pursuant to *N.J.S.A.* 27:25A-8(b)(6), the SJTA commenced negotiations with Garden State Outdoor, LLC, who had expressed an interest in relocating a permit to MP 7.5N. SJTA's Billboard Consultant, John Gobis conducted negotiations with Garden State Outdoor, LLC. Garden State Outdoor, LLC, proposed the following financial terms: Garden State Outdoor, LLC, shall pay to the SJTA the greater of a \$21,000.00 minimum annual guarantee or (35%) of gross revenues over a 25 year lease term. It is estimated that the SJTA will receive approximately Five Hundred Twenty Five Thousand (\$525,000.00) Dollars in rent over the 25 year term of the Lease. All other terms set forth in the lease attached to the resolution were agreed to by Garden State Outdoor, LLC, during direct negotiations.

**RESOLUTION 2013-06 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE ATLANTIC CITY PROFESSIONAL FIREFIGHTERS UNION, LOCAL 198, FOR THE LEASING OF OFFICE SPACE KNOWN AS SUITE 7, LOCATED AT 17 SOUTH NEW YORK AVENUE, ATLANTIC CITY, NEW JERSEY**

The Authority owns a certain parking garage located at 17-29 South New York Avenue in the City of Atlantic City, New Jersey, in which is contained office space and certain parking spaces. On February 13 and 14, 2012 and May 17 and 18, 2012, the Authority advertised proposals for the lease of the commercial office spaces located at 17 South New York Avenue, in the New York Avenue Parking Garage building, which consists of approximately 1040 and 1088 square feet, and is known as "Suite 1" and "Suite 7" respectively. Proposals were due February 23, 2012 and June 7, 2012. In response to these RFP solicitations, no proposals were received and pursuant to *N.J.S.A.* 27:25A-8(b)(6), the SJTA commenced negotiations with the Atlantic City Professional Firefighters Union, Local 198, who had expressed an interest in continuing its rental with the Authority. On December 13, 2012, The Atlantic City Professional Firefighters Union, Local 198, proposed the following terms: Two year agreement with one year option to renew with monthly rental payments as follows: \$300 (year one), \$350 (year two) and \$375 (optional year). It is estimated that the SJTA will receive \$3,600 (year one), \$4,200 (year two) and \$4,500 for the optional year, totaling \$12,300 over the two year plus option year terms of the lease. The Atlantic City Professional Firefighters Union, Local 198, is currently a tenant in good standing with the Authority and has been over the past twenty years and would like to continue utilizing the premises for general office use. The Firefighters also agreed to move to another location within the New York Avenue Parking Garage within 60 days notice. In light of the current economic conditions and the present market, the Deputy

Executive Director of Administration believes the proposed lease is in the best interest of the Authority.

**RESOLUTION 2013-07 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE ISSUANCE OF A LICENSE TO CROSS TO THE TOWNSHIP OF WINSLOW FOR THE INSTALLATION OF A SANITARY SEWER INTERCEPTOR ON THE TOWNSHIP OF WINSLOW'S PROPERTY**

Section 7(x) of the Act authorizes the Authority to enter into any and all agreements or contracts convenient or desirable for the purposes of the Authority. The Township of Winslow has determined it necessary to install a new fifteen inch sanitary sewer pipe on the Township's property which will require the Township to encroach the Expressway's right-of-way. The Project is anticipated to commence in March 2013 and continue for one hundred and eighty days and shall take place in the westbound lane of the Atlantic City Expressway between milepost 37.35 and 37.75. The sewer must be installed to avoid an existing fiber optic cable and to be outside of the riparian zone. The Township of Winslow will be required to establish an escrow account with the Authority to reimburse the Authority for any inspection services, emergency repair costs and other costs outlined in the License to Cross agreement. The Acting Executive Director recommends such permission be extended to the Township of Winslow for this Project via this license to cross.

**RESOLUTION 2013-08 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO FALASCA MECHANICAL, INC., OF VINELAND, NEW JERSEY FOR THE ATLANTIC CITY INTERNATIONAL AIRPORT TERMINAL HVAC UPGRADE PROJECT (REBID)**

On August 17<sup>th</sup> and 18<sup>th</sup>, 2012, the Authority publicly advertised for bids for the Atlantic City International Airport Terminal HVAC Upgrade Project. On September 12, 2012, five (5) bids were received, opened and tabulated; however, prior to making an award, the Authority made a determination to rectify ambiguity within the Bid document and began preparations to re-bid the project. On November 19<sup>th</sup> and 20<sup>th</sup>, 2012, the Authority publicly re-advertised for bids for the Atlantic City International Airport Terminal HVAC Upgrades (Rebid). On December 14<sup>th</sup>, 2012, four (4) bids were received, opened and tabulated. Falasca Mechanical, of Vineland, New Jersey, was deemed the lowest responsive, responsible bidder, in an amount not to exceed One Hundred and Forty Six Thousand Dollars (\$146,000.00). Work to be completed under this project shall include the removal and replacement of rooftop units AC-16 and AC-21 which serve the Passenger Screening Checkpoint area. The contractor shall disconnect the units from the existing ductwork, gas and electrical connections. Replace the removed units with the units specified; connect the ductwork, gas and electrical connections. Provide new ductwork, piping and electrical wire and devices as shown on the drawings. The contractor is responsible to measure the output of the existing units and their diffusers and grilles prior to demolition, and provide a final air balance of the areas served by the rooftop units. The new units shall be connected to the existing building's Building Automation System with new communications wiring. The graphic floor plans of the existing BAS shall be modified to match the current floor plan occupancies.

**RESOLUTION 2013-09 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE EXECUTION OF A PARKING AGREEMENT WITH GM MEDIA & EVENTS FOR PARKING AT THE FAIRMOUNT AVENUE PARKING LOT IN ATLANTIC CITY, NEW JERSEY**

The Authority owns and operates certain parking facilities located in the City of Atlantic City to address parking and transportation needs within the City. The Authority operates a parking lot located at 2313 Fairmount Avenue in Atlantic City, New Jersey, which is known as the Fairmount Avenue Lot. 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. Also pursuant to Section 7(i) of the Act, the Authority has the power to fix and revise charges for its facilities including the ability to offer reduced charge programs as deemed appropriate by the Authority. GS Media & Events will be participating in the Atlantic City RV & Camping Show and has expressed a need for off-street parking during this event. GS Media & Events has requested 319 parking spaces at the Fairmount Avenue Lot from February 11, 2013 through February 20, 2013. The proposed fee for this agreement is \$2,000.00. As there is adequate parking capacity to accommodate the parking requirements and entering into the parking agreement will create additional revenue for the Authority, the Director of Transportation Services believes it is in the best interest of the Authority to enter into this agreement.

**RESOLUTION 2013-10 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY  
AUTHORIZING THE EXECUTION OF A PARKING AGREEMENT WITH THE COUNTY OF  
ATLANTIC AT THE NEW YORK AVENUE PARKING GARAGE IN ATLANTIC CITY, NEW  
JERSEY**

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 Section 7(i) of the Act, the Authority has the power to fix and revise charges for its facilities including the ability to offer reduced charge programs as deemed appropriate by the Authority. The County of Atlantic operates a public facility in close proximity to the New York Avenue Garage and desires to provide additional parking for its employees and invitees. Atlantic County does not or will not have sufficient on-site parking for its tenants at 1300 Atlantic Avenue and is in need of additional off-street parking. They have requested that the Authority enter into an agreement for parking at the New York Avenue Garage that would permit parking of up to one hundred and fifty (150) vehicles per day. The proposed monthly parking rate is nine thousand, seven hundred and fifty-dollars (\$9,750.00) per month, which will be paid regardless of whether all spaces are used. The proposed term of this agreement is three (3) years from March 2013 to February 28, 2016. The Authority believes that there is adequate parking capacity to accommodate the parking requirements requested by Atlantic County and that entering into the parking agreement will create additional revenue for the Authority. The Director of Transportation Services recommends entering into this agreement.

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

Commissioner April asked if there were any petitions or communications, unfinished or new business. Mr. Donelson responded that all previous petitions and communications were either mailed prior to the meeting or are at their places and there is no unfinished or new business to discuss.

**General Comment**

Commissioner April asked for general comments. No comments were made.

**Adjournment**

There being no further business, Commissioner April called for a motion to adjourn the meeting. Whereupon, the motion was made by Commissioner Hill and seconded by Commissioner Solomon to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 9:23 a.m.

Submitted by:

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Susan Lubrano, Authority Board Secretary

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