

# South Jersey Transportation Authority

Friday, January 6, 2023

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## Doing Business with SJTA

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## Public Notices

### Board Meeting Minutes

#### Board Meeting Minutes - April 21, 2009

SOUTH JERSEY TRANSPORTATION AUTHORITY  
BOARD OF COMMISSIONERS MEETING  
APRIL 21, 2009

The scheduled Board of Commissioners Meeting of the South Jersey Transportation Authority was held on Tuesday, April 21, 2009 commencing at 10:05 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 (Participated via Conference Call)  
Vice Chairman Mark Summerville  
Commissioner Jeffery A. April, Esq.  
Commissioner James U. Gaymon, Jr.  
Commissioner Joseph Ripa  
Commissioner Louis Toscano  
Commissioner Timothy J. Lizura

Absent:  
Commissioner C. Robert McDevitt

Also Present:  
Bart Mueller, Executive Director  
James Carey, Governor's Authorities Unit  
Keith Barrack, Esq., General Counsel  
Susan Drake, Authority Board Secretary

Statement of Public Notice:  
The scheduled meeting of the Board of Commissioners was opened advising the Commissioners and the public that the meeting, as required by the Open Public Meetings Act, Chapter 231, P.L. of 1975, was advertised in three (3) designated newspapers and sent to the Secretary of the State of New Jersey. Notice was posted in the terminal of the Atlantic City International Airport, the South Jersey Transportation Authority's Atlantic City Office and the Tourist Information Center located at the Farley Service Plaza on the Atlantic City Expressway 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 James U. Gaymon, Jr. X  
Commissioner C. Robert McDevitt X  
Commissioner Joseph Ripa X  
Commissioner Louis Toscano X  
Commissioner Timothy J. Lizura X  
Commissioner James U. Gaymon, Jr. arrived at 10:15.

A total of seven (7) members of the public attended the meeting.

Approval of the Agenda:  
Vice Chairman Summerville called for a motion to approve the April 21, 2009 Agenda.

Whereupon, motion was moved by Commissioner Toscano and seconded by Commissioner April, approving the agenda. Vice Chairman Summerville asked the Commissioners 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 the March 17, 2009 Meeting Minutes:  
Vice Chairman Summerville called for a motion to approve the March 17, 2009 Meeting Minutes.

Whereupon, motion was moved by Commissioner April and seconded by Commissioner Dilts, approving the minutes. Vice Chairman Summerville asked the Commissioners for questions on the motion. No questions were asked. A unanimous vote was taken adopting and approving the minutes.

Employee Awards:  
Mr. Mark Horn was honored as the "Employee of the Month" for April 2009. Davi Nicholson and James Griffin were honored for their twenty (20) years of service to the

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Authority. William Williams was honored for his thirty (30) years of service to the Authority. Sean Keating was congratulated on earning a B.S. Degree in Business Management.

**Executive Session:**

Vice Chairman Summerville asked General Counsel if an Executive Session was needed. General Counsel responded there was a need for an Executive Session.

Mr. Mueller presented Resolution 2009-58 to the Board of Commissioners stating this resolution authorizes the Authority to meet in a closed session for discussions relating to litigation matters. The minutes of this brief meeting will be disclosed to the public as and when required by law.

Vice Chairman Summerville called for a motion to move into Executive Session.

Whereupon, motion was moved by Commissioner Toscano and seconded by Commissioner April, approving Resolution 2009-58. A unanimous vote was taken, adopting and approving the resolution, adjourning the open session of the meeting at 10:10 a.m. A copy of Resolution 2009-58 is attached to and made a permanent part of these official Authority minutes. The open session reconvened at 10:25 a.m.

Vice Chairman Summerville requested the Secretary to call the roll.

**Roll Call**

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

**Executive Report:**

Vice Chairman Summerville asked Mr. Mueller for the presentation of the Executive Report. Mr. Mueller presented the report for April 2009.

**Committee Reports:**

Mr. Mueller reported that all Committees met on Tuesday, April 7, 2009 and that the Commissioners were briefed on the resolutions presented, as well as: the second and final extension of the ATM Contract; overview of the Plan of Finance 2009 Bonds; All Electronic Tolling; Atlantic City Electric property acquisition and the Jurisdictional Agreement with NJDOT for Interchange No. 17.

**Public Response to Agenda Items:**

Vice Chairman Summerville asked the public if there were any comments on any of the agenda items. No comments were made.

**Approval of Bills:**

Vice Chairman Summerville asked Mr. Mueller for the presentation of the bills.

Mr. Mueller stated that the bills have been mailed to the Commissioners for their review prior to this meeting and are recommended for Board approval.

Vice Chairman Summerville called for a motion to approve the bills.

Whereupon, motion was moved by Commissioner Toscano and seconded by Commissioner Gaymon, approving the bills. Vice Chairman Summerville asked the Commissioners for questions on the motion. No questions were asked.

Vice Chairman Summerville requested the Secretary to call the roll.

**Roll Call:**

Commissioner Motion 2nd Yea Nay Abstain Absent  
 Chairman Stephen Dilts X  
 Vice Chairman Mark Summerville X  
 Commissioner Jeffery A. April, Esq. X  
 Commissioner James M. Gaymon, Jr. X X  
 Commissioner C. Robert McDevitt X  
 Commissioner Joseph Ripa X  
 Commissioner Louis Toscano X X  
 Commissioner April approved all bills but abstained from voting on the bills from the firm Cooper, Levenson, April, Niedelman & Wagenheim.

**Resolutions and Motions:**

Mr. Mueller presented two (2) resolutions from the Finance Department: authorization to accept the 2008 Financial Audit and authorization to negotiate and execute term sheets for Direct Pay Letters of Credit for the issuance of certain Variable Rate Transportation System Revenue Bonds. This Consent Agenda was presented for Board approval.

Resolution 2009-48 and Resolution 2009-49 was presented to the Commissioners for approval. These agenda items were presented via Consent Agenda and were voted upon via a single roll call.

Vice Chairman Summerville called for a motion to approve Resolution 2009-48 and Resolution 2009-49 to be voted upon via Consent Agenda.

Whereupon, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner Gaymon, approving Resolution 2009-48 and Resolution 2009-49. Vice Chairman Summerville asked the Commissioners for questions on the motion. No questions were asked.

Vice Chairman Summerville requested the Secretary to call the roll.

## Roll Call:

Commissioner Motion 2nd Yea Nay Abstain Absent  
 Chairman Stephen Dilts X  
 Vice Chairman Mark Summerville X  
 Commissioner Jeffery A. April, Esq. X  
 Commissioner James M. Gaymon, Jr. X X  
 Commissioner C. Robert McDevitt X  
 Commissioner Joseph Ripa X X  
 Commissioner Louis Toscano X

A copy of Resolution 2009-48 and 2009-49 are attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-48 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY  
 ACCEPTING THE 2008 FINANCIAL AUDIT**

The Audit Committee met on January 29, 2009 and March 25, 2009 in accordance with Executive Order No. 122 and has reviewed the 2008 Financial Audit Report and discussed the findings with the independent auditor. The Audit Committee desires to recommend that the Board of Commissioners accepts the 2008 Financial Audit and directs the Executive Director to file a copy of the audit with the Treasurer of the State of New Jersey.

**RESOLUTION 2009-49 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY  
 AUTHORIZING THE NEGOTIATION AND EXECUTION OF ONE OR MORE TERM SHEETS  
 FOR THE PROVISION OF ONE OR MORE DIRECT PAY LETTERS OF CREDIT IN  
 CONNECTION WITH THE ISSUANCE OF CERTAIN VARIABLE RATE TRANSPORTATION  
 SYSTEM REVENUE BONDS OF SOUTH JERSEY TRANSPORTATION AUTHORITY**

This resolution authorizes the Executive Director to execute a term sheet and negotiate a reimbursement agreement with the letter of credit banks associated with the variable rate debt.

Mr. Mueller presented three (3) resolutions from the Engineering & Operations Department: award of a contract to Hoffman Services for the purchase and delivery of a mobile electro-hydraulic jack and four (4) jack stands; extension of the contract with Road Safety Systems for guide rail treatment ends, parts and supplies and award of a contract to Allied Painting for the painting of Bridge Nos. B-1 and 43-B. This Consent Agenda was presented for Board approval.

Resolution 2009-50 through Resolution 2009-52 was presented to the Commissioners for approval. These agenda items were presented via Consent Agenda and were voted upon via a single roll call.

Vice Chairman Summerville called for a motion to approve Resolution 2009-50 through Resolution 2009-52 to be voted upon via Consent Agenda.

Whereupon, the motion as presented, was moved by Commissioner April and seconded by Commissioner Ripa, approving Resolution 2009-50 through Resolution 2009-52. Vice Chairman Summerville asked the Commissioners for questions on the motion. No questions were asked.

Vice Chairman Summerville requested the Secretary to call the roll.

## Roll Call:

Commissioner Motion 2nd Yea Nay Abstain Absent  
 Chairman Stephen Dilts X  
 Vice Chairman Mark Summerville X  
 Commissioner Jeffery A. April, Esq. X X  
 Commissioner James M. Gaymon, Jr. X  
 Commissioner C. Robert McDevitt X  
 Commissioner Joseph Ripa X X  
 Commissioner Louis Toscano X

A copy of Resolution 2009-50 through 2009-52 are attached to and made a permanent part of these official Authority minutes.

Mr. Mueller presented one (1) resolution from the Information & Tolls Technology Department for the authorization of a Memorandum of Understanding with the New Jersey Office of Information Technology for the implementation and development of the Carrier Ethernet Closed User Group Network Project. This resolution was recommended for Board approval.

Vice Chairman Summerville called for a motion to approve Resolution 2009-53 of the South Jersey Transportation Authority authorizing a Memorandum of Understanding with The New Jersey Office of Information Technology for the mutually beneficial implementation and development of the Carrier Ethernet Closed User Group Network (Cugnet) Project.

Whereupon, the motion as presented, was moved by Commissioner Toscano and seconded by Commissioner April, approving Resolution 2009-53. Vice Chairman Summerville asked the Commissioners for questions on the motion. No questions were asked.

Vice Chairman Summerville requested the Secretary to call the roll.

## Roll Call:

Commissioner Motion 2nd Yea Nay Abstain Absent  
 Chairman Stephen Dilts X  
 Vice Chairman Mark Summerville X  
 Commissioner Jeffery A. April, Esq. X X  
 Commissioner James M. Gaymon, Jr. X  
 Commissioner C. Robert McDevitt X  
 Commissioner Joseph Ripa X  
 Commissioner Louis Toscano X X

A copy of Resolution 2009-53 is attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-53 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY  
 AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE NEW JERSEY OFFICE  
 OF INFORMATION TECHNOLOGY FOR THE MUTUALLY BENEFICIAL IMPLEMENTATION**

**AND DEVELOPMENT OF THE CARRIER ETHERNET CLOSED USER GROUP NETWORK (CUGNET) PROJECT.**

The New Jersey Office of Information Technology (NJOIT), in cooperation with the SJTA, NJTA and the NJDOT is developing the CUGNET network to leverage existing statewide fiber optic resources to advance the wide area networking capabilities of the Garden State Network. This MOA will provide for the housing and power requirements of NJOIT network equipment at the Farley Administration Building, and in so doing, the SJTA will receive 10 Megabytes of internet connectivity, a reconstructed fiber optic lateral to the ACE mainline fiber bundle and preferential network connectivity to other state departments.

Mr. Mueller presented one (1) resolution from the Airport Department for the award of a contract to Bayhead Investments for the purchase and delivery of an emergency medical vehicle. This resolution was presented for Board approval.

Vice Chairman Summerville called for a motion to approve Resolution 2009-54 of the South Jersey Transportation Authority authorizing award of a contract to Bayhead Investments, Inc. of Berlin, New Jersey for the purchase and delivery of one (1) 2009 Ford E-450 XLT Emergency Medical Vehicle.

Whereupon, the motion as presented, was moved by Commissioner Toscano and seconded by Commissioner Gaymon, approving Resolution 2009-54. Vice Chairman Summerville asked the Commissioners for questions on the motion.

Commissioner April asked if the emergency vehicle was for the airport and if this vehicle replaces an existing one. Thomas Rafter responded that it is replacing the vehicle that the FAA has to return to the General Services Administration.

Vice Chairman Summerville requested the Secretary to call the roll.

**Roll Call:**

Commissioner Motion 2nd Yea Nay Abstain Absent

Chairman Stephen Dilts X

Vice Chairman Mark Summerville X

Commissioner Jeffery A. April, Esq. X

Commissioner James M. Gaymon, Jr. X X

Commissioner C. Robert McDevitt X

Commissioner Joseph Ripa X

Commissioner Louis Toscano X X

A copy of Resolution 2009-54 is attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-54 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY  
AUTHORIZING AWARD OF A CONTRACT TO BAYHEAD INVESTMENTS, INC. OF BERLIN,  
NEW JERSEY FOR THE PURCHASE AND DELIVERY OF ONE (1) 2009 FORD E-450 XLT  
EMERGENCY MEDICAL VEHICLE**

On March 18 and 19, 2009, the Authority publicly advertised for bids for one (1) 2009 Ford E-450 XLT Emergency Medical Vehicle. On April 1, 2009, one (1) bid was received, opened and tabulated. Bayhead Investments, Inc. of Berlin, New Jersey was deemed to be the lowest responsive and responsible bidder for all locations.

Mr. Mueller presented one (1) resolution from the Tourist Services Department for authorization to enter into second amendments to the Outdoor Advertising Lease and Management Agreements with AllVision. This resolution was presented for Board approval.

Vice Chairman Summerville called for a motion to approve Resolution 2009-55 of the South Jersey Transportation Authority authorizing entry into second amendments to the Outdoor Advertising Lease and Management Agreements dated January 10, 2006 and First Amendments thereto dated June 12, 2007 with All Vision, LLC.

Whereupon, the motion as presented, was moved by Commissioner April and seconded by Commissioner Gaymon, approving Resolution 2009-55. Vice Chairman Summerville asked the Commissioners for questions on the motion.

Commissioner Toscano asked if this was a new billboard. General Counsel responded that the billboard is on the Connector and was not a new billboard.

Vice Chairman Summerville requested the Secretary to call the roll.

**Roll Call:**

Commissioner Motion 2nd Yea Nay Abstain Absent

Chairman Stephen Dilts X

Vice Chairman Mark Summerville X

Commissioner Jeffery A. April, Esq. X X

Commissioner James M. Gaymon, Jr. X X

Commissioner C. Robert McDevitt X

Commissioner Joseph Ripa X

Commissioner Louis Toscano X

A copy of Resolution 2009-55 is attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-55 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY  
AUTHORIZING ENTRY INTO SECOND AMENDMENTS TO THE OUTDOOR ADVERTISING  
LEASE AND MANAGEMENT AGREEMENTS DATED JANUARY 10, 2006 AND FIRST  
AMENDMENTS THERETO DATED JUNE 12, 2007 WITH ALLVISION, LLC**

AllVision received the award of three Outdoor Advertising Lease Agreements on the Atlantic City Connector. All Vision proposed licensing the three locations to a third party billboard operator, Coastal Outdoor. Coastal Outdoor and AllVision received all governmental approvals for the construction of billboards at these locations. As part of AllVision's Management Agreement, it was to pay the Authority \$400,000.00. Due to economic conditions, AllVision notified the Authority that it was unable to make said payment within the period provided in the management agreement. The Authority and AllVision renegotiated its leases and Management Agreement. The amendments before the Board for approval are the result of said renegotiation.

Mr. Mueller presented two (2) resolutions from the Transportation Services Department:

authorization for the promulgation of Rules and Regulations and the filing of a notice of additional proposed amendments to the Bus Management Rules and Regulations and award of a contract to Arcola Sales for the purchase and delivery of two (2) 28-passenger buses. This Consent Agenda was presented for Board approval.

Resolution 2009-56 and Resolution 2009-57 was presented to the Commissioners for approval. These agenda items were presented via Consent Agenda and were voted upon via a single roll call.

Vice Chairman Summerville called for a motion to approve Resolution 2009-56 and Resolution 2009-57 to be voted upon via Consent Agenda.

Whereupon, the motion as presented, was moved by Commissioner Ripa and seconded by Commissioner April, approving Resolution 2009-56 and Resolution 2009-57. Vice Chairman Summerville asked the Commissioners for questions on the motion.

Commissioner April asked if the buses were new or replacing buses. Mr. Mueller responded that they were replacing buses.

Vice Chairman Summerville requested the Secretary to call the roll.

**Roll Call:**

Commissioner Motion 2nd Yea Nay Abstain Absent

Chairman Stephen Dilts X

Vice Chairman Mark Summerville X

Commissioner Jeffery A. April, Esq. X X

Commissioner James M. Gaymon, Jr. X

Commissioner C. Robert McDevitt X

Commissioner Joseph Ripa X X

Commissioner Louis Toscano X

A copy of Resolution 2009-56 and 2009-57 are attached to and made a permanent part of these official Authority minutes.

**RESOLUTION 2009-56 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE PROMULGATION OF RULES AND REGULATIONS AND THE FILING OF A NOTICE OF ADDITIONAL PROPOSED AMENDMENTS OF RULES AND REGULATIONS AS CODIFIED AT N.J.A.C. 19:75-1 ET SEQ. FOR BUS MANAGEMENT**  
Pursuant to the South Jersey Transportation Authority Act (SJTA Act), N.J.S.A. 27:25A-1 et seq., specifically N.J.S.A. 27:25A-7(q), the South Jersey Transportation Authority is empowered to promulgate rules and regulations necessary for the management and regulations of its affairs and the management, control and regulations of motorbus route and motorbus charter services, except for those operated pursuant to the New Jersey Public Transportation Act of 1975, N.J.S.A. 27:25-1 et seq.

The proposal is that N.J.A.C. 19:75 be readopted with certain amendments. The amendments fall into categories of: (1) revision of definitions; (2) revising the bus routes removing Sands Hotel and Casino references; (3) revising the time period for renewal of certificate of approved facilities; and (4) raising bus permit and medallion fees. The Authority proposes to specify the sunset of the rules to be five (5) years, in accordance with N.J.A.C. 1:30-6.4 and to undertake any needed amendments as they arise.

**RESOLUTION 2009-57 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING AWARD OF A CONTRACT TO ARCOLA SALES OF CARLSTADT, NEW JERSEY FOR THE PURCHASE AND DELIVERY OF (2) 28-PASSENGER BUSES**  
On February 4th, 2009 the Authority publicly advertised for bids for the purchase and delivery of (2) 28-passenger buses. On February 20, 2009, four (4) bids were received, opened and tabulated. Arcola Sales of Carlstadt, New Jersey was deemed the lowest responsible bidder in an amount not to exceed \$155,956.00.

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

Vice Chairman Summerville asked Mr. Mueller if there were any petitions or communications, unfinished or new business to be brought before the Commissioners. 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.

Mr. Mueller stated that under old business, the Authority is releasing Executive Session Minutes that have been approved but were not publicly released at the time of the meeting due to their containing matters not yet resolved. The following meeting minutes were presented for release: June 19, 2007; September 20, 2007 and November 20, 2007. Mueller stated that the minutes have been reviewed by General Counsel and noted that some portions of the minutes have been redacted where the need for confidentiality still exists.

Vice Chairman Summerville called for a motion to approve the release of the Executive Session Meeting Minutes.

Whereupon, motion was moved by Commissioner Toscano and seconded by Commissioner April, approving the release of the Executive Session Meeting Minutes. Vice Chairman Summerville asked the Commissioners for questions on the motion, no questions were asked. A unanimous vote was taken approving the release of the Executive Session Meeting Minutes.

**General Comment:**

Vice Chairman Summerville asked if there were any general comments. There were no general comments.

**Adjournment:**

Vice Chairman Summerville announced that the next meeting of the South Jersey Transportation Authority Board of Commissioners Meeting would be held on May 21, 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, Vice Chairman Summerville called for a motion to adjourn the meeting.

Whereupon, motion was moved by Commissioner Toscano and seconded by

Commissioner April to adjourn the meeting. A unanimous vote was taken adjourning the meeting at 10:35 a.m.

Submitted by:

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Susan Drake, Authority Board Secretary

Note: An Executive Session was held at this meeting.

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