

**SOUTH JERSEY TRANSPORTATION AUTHORITY
BOARD OF COMMISSIONERS MEETING
SEPTEMBER 15, 2021**

This Board of Commissioners Monthly Meeting of the South Jersey Transportation Authority was held on September 15, 2021, via teleconference commencing at 1:00 p.m.

After calling the meeting to order Chair Gutierrez-Scaccetti stated due to her chairing the meeting via teleconference, Vice Chair Milam would be signing the approved resolutions on her behalf.

Present

Chair Diane Gutierrez-Scaccetti
Commissioner Maurice B. Hill, Jr., DMD
Commissioner James J. McCullough
Vice Chairman Christopher M. Milam
Commissioner Joseph Ripa
Rudy Rodas, Governor’s Authorities Unit
Stephen F. Dougherty, Executive Director
Karen Davis, Director of Finance
Katharine Fina, Esq., General Counsel
Cynthia Blasberg, Board Secretary

Absent

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.

Chair Diane Gutierrez-Scaccetti called for a moment of silence for those impacted by the Tropical Storm Ida, for those who lost property and those who lost their lives.

Roll Call

Commissioner	Present	Absent
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

* One member of the public called into this meeting.

Approval of the Agenda

Chair Diane Gutierrez-Scaccetti called for a motion to approve the September 15, 2021 agenda. Whereupon a motion was made by Vice Chairman Milam and seconded by Commissioner Hill approving said agenda. Chair Diane 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 Diane Gutierrez-Scaccetti called for a motion to approve the August 18, 2021 meeting minutes. Whereupon a motion was made by Commissioner McCullough and seconded by Commissioner Hill approving said minutes. No questions were asked. All Commissioners in attendance voted, approving and adopting the minutes.

Executive Session

Chair Diane Gutierrez-Scaccetti asked General Counsel if an Executive Session was needed, to which General Counsel responded an Executive Session affirmatively.

Mr. Dougherty presented Resolution 2021-116 to the Chair and Commissioners for the exclusion of the public to discuss personnel matters pertaining to the Schedule "A," associated with Resolution 2021-110, a contractual matter relating to the Intercept Lot Development and a litigation matter specific to Gaudelli Brothers, Inc.

Whereupon, the motion was made by Vice Chairman Milam and seconded by Commissioner McCullough approving Resolution 2021-116. A unanimous vote was taken approving the resolution, adjourning the open portion of the meeting at 1:04 p.m.

Chair Gutierrez-Scaccetti asked the Operator to place the public audience on hold while the Board conducts the Executive Session.

At the close of Executive Session, Chair Gutierrez-Scaccetti called for a motion to return to the open portion of the meeting. Whereupon, a motion was made by Vice Chairman Milam and seconded by Commissioner Hill. The open portion of the meeting reconvened at 1:05 p.m.

The Operator opened the meeting back up to the public portion of the meeting. Chair Gutierrez-Scaccetti 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
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

Chair Diane Gutierrez-Scaccetti asked for the presentation of the Executive Report. Mr. Dougherty presented the September 15, 2021 Executive Report: a copy of which is attached hereto and made a permanent part of these official Authority minutes.

Committee Reports

Chair Diane Gutierrez-Scaccetti asked Mr. Dougherty to present the Committee Reports. Mr. Dougherty reported all Committees met on September 1, 2021. During these meetings, briefings were provided on the resolutions being presented this morning as well as an update on savings related to the projected liability insurance premiums. Commissioners were also provided the schedule of upcoming projects, the EO-8 Report and Airport statistics.

Public Response to Agenda Items

Chair Diane Gutierrez-Scaccetti asked the public for comments on any of the agenda items. No comments were made.

Approval of Bills

Chair Diane Gutierrez-Scaccetti 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. Chair Diane Gutierrez-Scaccetti called for a motion to approve the bill list. Whereupon the motion was made by Vice Chairman Milam and seconded by Commissioner McCullough approving said bill list. Chair Diane Gutierrez-Scaccetti asked the Commissioners for questions on the motion. Being none, Chair Diane Gutierrez-Scaccetti 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
Commissioner Bryan J. Bush							X
Commissioner Maurice B. Hill, Jr., DMD			X				
Commissioner James J. McCullough		X	X				
Commissioner C. Robert McDevitt							X
Vice Chairman Christopher M. Milam	X		X				
Commissioner Joseph Ripa			X				

Resolutions and Motions:

Chair Diane Gutierrez-Scaccetti asked Mr. Dougherty to present the resolutions. Mr. Dougherty advised the Commissioners he would be presenting a total of six (6) resolutions for their consideration. Mr. Dougherty presented Resolutions 2021-110 through 2021-115. Chair Diane Gutierrez-Scaccetti called for a motion to approve said resolutions. The motion as presented, was moved by Vice Chairman Milam, and seconded by Commissioner Ripa approving said resolutions. Chair Diane Gutierrez-Scaccetti asked for questions or discussions on the motion. There being none, Chair Diane Gutierrez-Scaccetti asked the Secretary to call the roll.

Roll Call

Commissioner	Motion	2nd	Yea	Nay	Abstain	Recused	Absent
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		X				
Commissioner Joseph Ripa		X	X				

Copies of Resolutions 2021-110 through 2021-115 are attached hereto and made a permanent part of these official Authority minutes.

RESOLUTION 2021-110 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 2021-111 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY APPROVING THE TERMS OF THE COLLECTIVE NEGOTIATIONS AGREEMENT WITH LOCAL 196, CHAPTER 2, I.F.P.T.E., AFL-CIO COVERING PART TIME EMPLOYEES

The Authority and Local 196, Chapter 2 have engaged in negotiations regarding the terms of a Collective Negotiations Agreement (the "Collective Negotiations Agreement") covering the period August 1, 2019 through July 31, 2023. The Executive Director has reported to the Board Chair and the Vice Chairman regarding the results of such negotiations with the Union and the terms tentatively agreed to through such negotiations. The Board Chair and Vice Chairman have recommended that the Board approve the terms of the Collective Negotiations Agreement as presented by the Executive Director and to be prepared by the Authority's Labor Counsel. The Board of Commissioners desires to accept the recommendation of the Board Chair and Vice Chairman and approve the terms of the Collective Negotiations Agreement with the Union. The negotiated terms of the Collective Negotiations Agreement are memorialized by the Memorandum of Agreement ("MOA") attached hereto as "Exhibit A", the Memorandum of Agreement. The Authority hereby approves the terms of the Collective Negotiations Agreement with the Union regarding part time employees, set forth in Exhibit A.

RESOLUTION 2021-112 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 (ACY) 2021 HVAC UPGRADES PROJECT

On July 28 and July 29, 2021, the Authority publicly advertised for bids for the Atlantic City International Airport (ACY) 2021 HVAC Upgrades Project. Work associated with this project includes, the replacement of existing HVAC equipment serving portions of the Airport Terminal, Parking Garage and Snow Equipment Building (SEB). As part of this solicitation, the Authority sought three (3) separate Base Bids. Base Bid #1 All work associated with AC-8 and AC-19 at the Airport Terminal; Base Bid #2 All work associated with AC-8 and AC-19 at the Airport Terminal and all work associated with GF-1/CU-3 and AH-1/CU-1 at the Airport Parking Garage; Base Bid #3 All work associated with AC-8 and AC-19 at the Airport Terminal, all work associated with GF-1/CU-3 and AH-1/CU-1 at the Airport Parking Garage and all work associated with AHU-1/ACCU-1 at the Snow Equipment Building (SEB). On August 17, 2021, three (3) bids were received, opened, and tabulated. Following a review of the bids, the Authority deemed that the award of the Base Bid# 1 represented the best value for the Authority. Falasca Mechanical, Inc. of Vineland, New Jersey was deemed to have submitted the lowest responsible bid for the desired Base Bid #1, in an amount not to exceed \$189,600.00. The Chief Engineer believes it to be in the best interest of the Authority and recommends entering into a contract with Falasca Mechanical, Inc. in an amount not to exceed \$189,600.00.

RESOLUTION 2021-113 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE FIRST AMENDMENT TO AN AGREEMENT WITH TESLA, INC. OF PALO ALTO, CALIFORNIA, ALLOWING THE INSTALLATION AND OPERATION OF EIGHT (8) TESLA SUPERCHARGER STATIONS AT THE FRANK S. FARLEY SERVICE PLAZA ON THE ATLANTIC CITY EXPRESSWAY

Pursuant to Resolution 2020-36, the Authority entered into a License Agreement dated April 29, 2021, with Tesla, Inc. for the installation and operation of eight (8) Supercharger Stations at the Frank S. Farley Service Plaza at Milepost 21.3 on the Atlantic City Expressway. The Authority and Tesla, Inc. now desire to amend the Agreement, as more particularly described in the Amended Agreement attached herein as Exhibit "A" regarding the following:

-Section 14 of the Agreement (Insurance) shall be deleted and replaced in its entirety as stated in the

attached Exhibit “A”

-Section 16 of the Agreement (Indemnification) shall be deleted and replaced in its as stated in the attached Exhibit “A”

Tesla, Inc. shall reimburse the Authority for its reasonable and documented legal fees incurred by the Authority in negotiating the Amendment to the Agreement, provided that such legal fees shall not exceed \$1,000.00. The remaining terms and conditions of the Agreement shall remain unchanged and in full force and effect.

RESOLUTION 2021-114 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE AWARD OF A CONTRACT TO ROAD SAFETY SYSTEMS, LLC, OF SHAMONG, NEW JERSEY FOR THE PURCHASE AND DELIVERY OF GUIDE RAIL TREATMENT ENDS, PARTS AND SUPPLIES

Pursuant to Section 8(a) of the Act, the Authority is required to publicly advertise for all contracts and agreements made pursuant to the Act to be awarded by the Authority only after public advertising. On July 21, 2021 and July 22, 2021, the Authority publicly advertised for bids for the Purchase and Delivery of Guide Rail Treatment Ends, Parts and Supplies. In response to said advertising, on August 11, 2021, one (1) bid was received, opened, and tabulated to determine if same met all the requirements of the Specifications and Instructions to Bidders. The Authority desires to enter into an agreement with Road Safety Systems, LLC of Shamong, New Jersey, for the Purchase and Delivery of Guide Rail Treatment Ends, Parts and Supplies for a term of (1) year, with two (2) one-year extensions at the same prices, agreeable by both parties. The agreement is an open-ended price agreement with funds being encumbered contingent upon the availability of funds in the applicable budget year.

RESOLUTION 2021-115 OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY AUTHORIZING THE SUPPORT OF THE AMERIHEATH NJ ATLANTIC CITY MARATHON & HALF MARATHON

The Milton & Betty Katz Jewish Community Center of Atlantic County has requested permission to utilize the Atlantic City Expressway Connector Tunnel on Sunday, October 17th, 2021 from 7:30 a.m. to 8:30 a.m. for the Atlantic City Marathon and Half Marathon. The race will begin at Bally’s Casino in Atlantic City, through the Brigantine Connector Tunnel and continue onto Brigantine Boulevard. This event will help promote Atlantic City and the region by highlighting its greatest assets. Atlantic City Marathon will also assist in bringing Atlantic City and its surroundings a healthful, non-gaming, family-friendly event as the event will bring 2,500 race participants, with 2,000 running this portion of the course and an additional 3,000 or more spectators throughout the weekend. Due to the recent push for non-gaming activities in Atlantic City, the Atlantic City Marathon serves this purpose on numerous levels. All participants of the Atlantic City Marathon will be required to sign an application and waiver which will discharge the Authority, sponsors of this event, their agents, officers, employees, volunteers, event directors and event holders and anyone associated in any way with the event, from all liabilities, actions, claims, demands and damages. The Authority will be reimbursed by the Atlantic City Marathon for documented Authority-related expenses in connection with this event.

Petitions or Communications, Unfinished Business and New Business

Chair Diane 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 Diane 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 were made.

Adjournment

There being no further business, Chair Diane Gutierrez-Scaccetti announced the next meeting will be held on October 20, 2021, via teleconference at 9:00 a.m.

Chair Diane Gutierrez-Scaccetti called for a motion to adjourn the meeting. Whereupon the motion was made by Commissioner McCullough and seconded by Commissioner Hill to adjourn the meeting. A unanimous voice vote was taken adjourning the meeting at 1:26 p.m.

Submitted by: _____
Cynthia Blasberg, Board Secretary

Note: An Executive Session was held during this meeting.