

BURLINGTON COUNTY BRIDGE COMMISSION

MEETING MINUTES

June 8, 2015

Chairman Comegno called the meeting to order. The Compliance Statement was read by the Secretary:

“This meeting is to be conducted in accordance with notice requirements of P.L. 1975, CH. 231. A ‘Notice of Meeting’ was posted in a public place on December 5, 2014 at the entrance to the Administration Building, Headquarters of this Commission, with copies of such notice being delivered to the Camden Courier Post and Burlington County Times for publication and posted on the Burlington County Bridge Commission Website.”

Commissioners Present: Chairman John B. Comegno II
Vice-Chairman James D. Fattorini

Others Present: John D. Jeffers, Executive Director
Christine J. Nociti, Chief Financial Officer
Kathleen M. Wiseman, Secretary
Anthony T. Drollas Jr., Solicitor
Elizabeth Verna, Director of Communications
Constance Borman, Human Resource Director
Patrick Reilly, Director of Public Safety and Security
Clara Ruvolo, Director, Palmyra Cove Nature Park
Mark Remsa, Dir. Economic Development & Regional Planning
James Fletcher, Manager, Tacony-Palmyra Bridge
Phillip Adams, Manager, Burlington-Bristol Bridge
Stanley Ozalis, Manager, Technical Operations
Michael McCarron, Asst. to Dir. of Tolls & Tower Operations
Michelle Chiemiego, Procurement Officer
Dave Leh, Accountant
Russell Adams, Maintenance Superintendent
Sascha Harding, Pennoni Engineering
John Zarsky, Pennoni Engineering
Frank Harris, Pennoni Engineering

Chairman Comegno led the flag salute followed by a moment of silence.

APPROVAL OF THE MINUTES

Vice-Chairman Fattorini moved to adopt the minutes of May 12, 2015. Chairman Comegno seconded the motion. The motion passed unanimously.

ACCEPTANCE OF ECONOMIC DEVELOPMENT MINUTES

Vice-Chairman Fattorini moved to accept the minutes of the May 2015 Economic Development Meeting. Chairman Comegno seconded the acceptance. Acceptance passed unanimously.

DISBURSEMENTS LIST

Chairman Comegno moved to hold the disbursements until the July 2015 commission meeting due to the absence of Commissioner Singleton. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Jeffers asked the Commission to consider the following resolutions:

RESOLUTION NO. 2015-43

RESOLUTION AWARDING A CONTRACT TO DREXEL UNIVERSITY TO PROVIDE ENGINEERING RELATED RESEARCH AND ASSISTANCE.

WHEREAS, the Burlington County Bridge Commission ("Commission") has determined that it requires the services of an organization at the forefront of engineering research and education related to transportation infrastructure systems, capable of designing and implementing smart bridge technologies for the Commission related to maintaining the safety and enhancing the serviceability and affordability of the Commission's bridges, as well as other engineering-related research and assistance; and

WHEREAS, the Commission is committed to maintaining and operating safe, affordable, and accessible bridges and facilities; and

WHEREAS, the Commission has aggressive maintenance and inspection programs in place to ensure that these objectives are fulfilled; and

WHEREAS, the Commission is satisfied that Drexel University (“Drexel”) has the required knowledge and expertise to perform the requisite services as demonstrated by, among other things, Drexel’s partnering with the Commission and its engineers on various smart-technology initiatives currently being implemented on the Commission’s bridges; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et seq.) requires that the Resolution authorizing the award of contracts for such “Extraordinary Unspecifiable Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, this contract is not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Drexel University has completed the Business Entity Disclosure Certification as required pursuant to N.J.S.A. 19:44A-20.8, attached; and

WHEREAS, the maximum amount of this contract is One Hundred Thousand Dollars (\$100,000.00), and sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission as follows:

1. The Executive Director and Secretary of the Commission are hereby authorized to execute an Agreement with Drexel.
2. The amount of the contract shall not exceed One Hundred Thousand Dollars (\$100,000.00), and the contract shall extend from June 9, 2015 to and until June 8, 2016.
3. Sufficient funds are available for payment for the above services provided under the contract, as evidenced by the Certificate of Availability of Funds, attached.
4. This contract is awarded without competitive bidding as an “Extraordinary Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law because the contract is for the performance of services that are specialized and qualitative in nature requiring expertise, extensive training, and proven reputation in the field of endeavor.

Vice-Chairman Fattorini moved to approve. Chairman Comegno seconded the motion. The motion passed unanimously.

RESOLUTION NO. 2015-44

**RESOLUTION AWARDING A CONTRACT TO MADDEN &
MADDEN, P.A. FOR HEARING OFFICER SERVICES.**

WHEREAS, the Burlington County Bridge Commission ("Commission") has determined that it requires the services of a firm to provide hearing officer services to the Commission for labor and employment matters, including but not limited to hearings involving Commission employee disciplinary matters; and

WHEREAS, upon receipt and review of the proposals submitted in response to an RFP, it was determined that Madden & Madden, P.A. ("Madden & Madden") submitted a proposal that provided favorable contract terms and conditions for the Commission; and

WHEREAS, this contract is being awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Commission is satisfied that Madden & Madden has the required knowledge and expertise to perform the requisite hearing officer services; and

WHEREAS, the maximum amount of this contract is Fifty Thousand Dollars (\$50,000.00), and sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached hereto; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of such professional services and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission as follows:

1. The Executive Director and Secretary of the Commission are hereby authorized to execute an Agreement with Madden & Madden.
2. This contract is awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.
3. The amount of the contract shall not exceed Fifty Thousand Dollars (\$50,000.00), and the contract shall extend for the period of one year, from June 9, 2015 to and until June 8, 2016.

Chairman Comegno moved to invoke the Doctrine of Necessity in light of Commissioner Singleton's absence, Chairman Comegno's conflict with the Madden &

Madden firm, and the urgency necessary to award this contract. Chairman Comegno moved to approve. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

VOTE: Yeas Fattorini
 Abstain.....Comegno

RESOLUTION NO. 2015-45

**RESOLUTION AUTHORIZING THE BURLINGTON COUNTY
BRIDGE COMMISSION TO ESTABLISH MEMBERSHIP IN
THE BURLINGTON COUNTY INSURANCE FUND
COMMISSION FOR HEALTH BENEFITS COVERAGES.**

WHEREAS, on June 8, 2015 the Board of Chosen Freeholders of the County of Burlington ("County") established a Burlington County Insurance Fund Commission for the purposes provided by law; and

WHEREAS, the existence of the Burlington County Insurance Fund Commission is intended to provide Burlington County's various boards, agencies, authorities and commissions with the opportunity to combine resources to manage their liability and casualty risks and employee health insurance, as may be authorized; and

WHEREAS, pursuant to N.J.S.A._40A:10:8 et seq. the County appointed three County officials to serve as Commissioners of the Burlington County Insurance Fund Commission; and

WHEREAS, pursuant to the rules and regulations adopted by the Burlington County Insurance Fund Commission, the commissioners shall be officials of the County and are authorized to perform all the duties as set forth in N.J.S.A. 40A:10-10 and all applicable rules and regulations; and

WHEREAS, the various County boards, agencies, authorities and commissions shall have representation on the safety committee and the advisory committee established by the Burlington County Insurance Fund Commission; and

WHEREAS, the Burlington County Bridge Commission ("Commission") has determined it is in the best interest of the residents of Burlington County for the Commission to establish its membership in the Burlington County Insurance Fund Commission for the coverage of health benefits; and

WHEREAS, membership in the Burlington County Insurance Fund Commission shall be for a period not to exceed three (3) years beginning on July 1, 2015 and ending on June 30, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission as follows:

1. The Commission hereby accepts the finding that participation in the Burlington County Insurance Fund Commission will continue to result in cost savings and administrative efficiencies in the management of its employee health insurance to the benefit of the residents of Burlington County.

2. The Clerk/Secretary is hereby authorized and directed to publish and/or file any notices that may be required by applicable law.

3. The Executive Director or his designee is hereby authorized to execute any agreement, including an indemnity and trust agreement, or other documents required by the Burlington County Insurance Fund Commission to effect the purposes of this resolution.

4. This resolution shall take effect immediately upon the adoption and shall be published in the Burlington County Times, as required by law.

BURLINGTON COUNTY BRIDGE COMMISSION

BY: _____
John D. Jeffers, Executive Director

ATTEST: _____

DATED: _____

Vice-Chairman Fattorini moved to approve. Chairman Comegno seconded the motion. The motion passed unanimously.

PALMYRA COVE NATURE PARK

Ms. Ruvolo reported that PCNP hosted 872 students from 9 different schools in Burlington and Camden Counties during the month of June. Ms. Ruvolo also reported that the NASA RV was utilized for a "Globe-to-Go" class at the Medford Memorial School on June 3rd which will be featured in the fall on New Jersey Public Television. Finally, Ms. Ruvolo reported that two separate beach clean-ups are scheduled for June 11th and June 23rd by the employees of the Nielson Group and TD Bank respectively.

HUMAN RESOURCES

Director Constance Borman reported on the following personnel issues for Commission approval:

<u>NEW HIRES – Requires Commission Approval</u>		<u>Effective</u>
Stephanie Klinger	P/T Tolls	5/18/15
<u>PROBATION – Requires Commission Approval</u>		<u>Effective</u>
Michelle Ptaszenski	P/T Tolls	5/5/15
Linda Thomson	F/T Tolls	5/11/15
<u>RESIGNATIONS – Requires Commission Approval</u>		<u>Effective</u>
Dana Borden	P/T Tolls	5/23/15
Theodore Scott	Delanco Bridge Operator	5/25/15
Peter Rodan	P/T Tolls	5/26/15

Chairman Comegno requested to approve by block. Vice-Chairman Fattorini moved to approve. Chairman Comegno seconded the motion. The motion passed unanimously.

Executive Director Jeffers requested his report remain open until after Executive Session.

OLD BUSINESS

Chairman Comegno called for any old business to come before the Commission.

NEW BUSINESS

Chairman Comegno called for any new business to come before the Commission.

PUBLIC COMMENT

Chairman Comegno called for public comment to come before the Commission; none was received.

RESOLUTION NO. 2015-46

RESOLUTION TO CONVENE EXECUTIVE SESSION MEETING

WHEREAS, the Burlington County Bridge Commission ("Commission") is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Commission to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to, information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privileges. Any pending or anticipated litigation or contract negotiation in which the public body is, or may become, a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- (9) Matters Relating to Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission, County of Burlington, State of New Jersey, assembled in public session, that an Executive Session executive to the public shall be held in the Administration Building of the Commission, 1300 Route 73 North, Palmyra, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in executive session may be disclosed to the public upon the determination of the Commission that the public interest will no longer be served by such confidentiality.

Vice-Chairman Fattorini moved to approve. Chairman Comegno seconded the motion. The motion passed unanimously.

MOTION TO RETURN TO PUBLIC SESSION

Vice-Chairman Fattorini moved to return to public session. Chairman Comegno seconded the motion. The motion passed unanimously.


Executive Director Jeffers asked permission to bid salt and permission to bid electrical maintenance contract.

Chairman Comegno moved to approve. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

Chairman Comegno asked for any further business to come before the Commission.

Chairman Comegno asked for a motion to adjourn the meeting. Vice-Chairman Fattorini moved to approve. Chairman Comegno seconded the motion. The motion passed unanimously.

Respectfully submitted,


Kathleen M. Wiseman
Secretary