

BURLINGTON COUNTY BRIDGE COMMISSION

MEETING MINUTES

February 11, 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
Commissioner Troy E. Singleton

Others Present: John D. Jeffers, Executive Director
Christine J. Nociti, Chief Financial Officer
Kathleen M. Wiseman, Secretary
Anthony T. Drollas Jr., Solicitor
Constance Borman, Human Resource Director
Patrick Reilly, Director of Public Safety and Security
Clara Ruvolo, Director, Palmyra Cove Nature Park
Robert Rein, Director of Tolls and Tower Operations
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
Ellen Brennan, Health and Benefits Coordinator
Dave Leh, Accountant
Russell Adams, Maintenance Superintendent
Al Ziegler, Maintenance Superintendent
Sascha Harding, Pennoni Engineering
Frank T. Harris, Sr., Pennoni Engineering
Sergeant William DeGroff, BCBC Police
Valerie Smith, Toll Collector
Jeffrey Kish, Toll Collector
Mary Haws, Toll Collector

R.J. Minuto, Toll Collector
Gail Fortino, Toll Collector
Tracey Frannecki, Cashier

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 January 21, 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 January 2015 Economic Development Meeting. Chairman Comegno seconded the acceptance. Acceptance passed unanimously.

DISBURSEMENTS LIST

Commissioner Singleton moved to approve disbursements made from January 22, 2015 through February 11, 2015 as included in the list as presented. Vice-Chairman Fattorini seconded the motion. The motion passed with the following abstentions:

Chairman Comegno abstained from Voucher Number 15-00125; and Commissioner Singleton abstained from Voucher Numbers 15-00121, 15-00464, 15-00589, 14-00513, 15-00747, 15-00498, 15-00499, 15-00474, 15-00475, 15-00476, 15-00519, 15-00520, 15-00521, 15-00773, 15-00774, 15-00775, 15-00459, 15-00472, 15-00473, 15-00522, 15-00766, 15-00772 and 15-00776.

EXECUTIVE DIRECTOR'S REPORT

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

RESOLUTION NO. 2015-7

RESOLUTION AWARDING YEAR TWO OF THE MAINTENANCE AND TOLL UNIFORMS TO GRAVES UNIFORMS, LLC.

WHEREAS, the Burlington County Bridge Commission ("Commission") requires a vendor to provide uniforms for its maintenance and toll department employees; and

WHEREAS, bids were solicited by the Purchasing Agent for a contract entitled "Maintenance and Toll Uniforms (BCBC-201404)" for the period March 1, 2014 to February 28, 2015 with an option of a one (1) year extension expiring on February 28, 2016 pursuant to N.J.S.A. 40A:11-16(6); and

WHEREAS, a recommendation from Commission staff identifies the lowest responsive, responsible bidder based on line item grouping, resulting in multiple awards from this solicitation in order for the Commission to receive the lowest price per line item group, which awards are contained in other resolutions for the Commission's consideration; and

WHEREAS, Commission staff recommended that the Commission award a contract for Year One (March 1, 2014 through February 28, 2015) to Graves Uniforms, LLC. ("Graves Uniforms") in the amount of \$4,714.25 with the option to award the contract to Graves Uniforms for Year Two in the amount of \$4,956.95; and

WHEREAS, Commission staff has recommended to the Commission that the Commission award the contract for option Year Two to Graves Uniforms, based upon satisfactory performance during the previous year; and

WHEREAS, the Chief Financial Officer of the Commission has determined that sufficient funds are available for payment for said services, as evidenced by the Certificate of Availability of Funds attached hereto and made a part hereof.

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

1. The Burlington County Bridge Commission hereby awards Year Two of the contract titled "Maintenance and Toll Uniforms (BCBC-201404)" to Graves Uniforms, and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with Graves Uniforms.

2. The maximum amount of this contract shall not exceed Four Thousand, Nine Hundred Fifty-Six Dollars and Ninety-Five Cents (\$4,956.95), and the contract shall extend for the period March 1, 2015 through February 28, 2016.

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

RESOLUTION NO. 2015-8

RESOLUTION AWARDED YEAR TWO OF THE MAINTENANCE AND TOLL UNIFORMS TO RED THE UNIFORM TAILOR.

WHEREAS, the Burlington County Bridge Commission (“Commission”) requires a vendor to provide uniforms for its maintenance and toll department employees; and

WHEREAS, bids were solicited by the Purchasing Agent for a contract entitled “Maintenance and Toll Uniforms (BCBC-201404)” for the period March 1, 2014 to February 28, 2015 with an option of a one (1) year extension expiring on February 28, 2016 pursuant to N.J.S.A. 40A:11-16(6); and

WHEREAS, a recommendation from Commission staff identifies the lowest responsive, responsible bidder based on line item grouping, resulting in multiple awards from this solicitation in order for the Commission to receive the lowest price per line item group, which awards are contained in other resolutions for the Commission’s consideration; and

WHEREAS, Commission staff recommended that the Commission award a contract for Year One (March 1, 2014 through February 28, 2015) to Red The Uniform Tailor, Inc. (“Red The Uniform Tailor”) in the amount of \$69,565.00 with the option to award the contract to Red The Uniform Tailor for Year Two in the amount of \$17,630.00; and

WHEREAS, Commission staff has recommended to the Commission that the Commission award the contract for Option Year Two to Red The Uniform Tailor, based upon satisfactory performance during the previous year; and

WHEREAS, the Chief Financial Officer of the Commission has determined that sufficient funds are available for payment for said services, as evidenced by the Certificate of Availability of Funds attached hereto and made a part hereof.

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

1. The Burlington County Bridge Commission hereby awards Year Two of the contract titled “Maintenance and Toll Uniforms (BCBC-201404)” to Red The Uniform Tailor, and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with Red The Uniform Tailor.

2. The maximum amount of this contract shall not exceed Seventeen Thousand, Six Hundred Thirty Dollars (\$17,630.00), and the contract shall extend for the period March 1, 2015 through February 28, 2016.

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

RESOLUTION NO. 2015-9

RESOLUTION AWARDING YEAR TWO OF THE MAINTENANCE AND TOLL UNIFORMS TO SPECIALTY GRAPHICS, LLC.

WHEREAS, the Burlington County Bridge Commission (“Commission”) requires a vendor to provide uniforms for its maintenance and toll department employees; and

WHEREAS, bids were solicited by the Purchasing Agent for a contract entitled “Maintenance and Toll Uniforms (BCBC-201404)” for the period March 1, 2014 to February 28, 2015 with an option of a one (1) year extension expiring on February 28, 2016 pursuant to N.J.S.A. 40A:11-16(6); and

WHEREAS, a recommendation from Commission staff identifies the lowest responsive, responsible bidder based on line item grouping, resulting in multiple awards from this solicitation in order for the Commission to receive the lowest price per line item group, which awards are contained in other resolutions for the Commission’s consideration; and

WHEREAS, Commission staff recommended that the Commission award a contract for Year One (March 1, 2014 through February 28, 2015) to Specialty Graphics, LLC. (“Specialty Graphics”) in the amount of \$30,270.00 with the option to award the contract to Specialty Graphics for Year Two in the amount of \$66,875.00; and

WHEREAS, Commission staff has recommended to the Commission that the Commission award the contract for option Year Two to Specialty Graphics, based upon satisfactory performance during the previous year; and

WHEREAS, the Chief Financial Officer of the Commission has determined that sufficient funds are available for payment for said services, as evidenced by the Certificate of Availability of Funds attached hereto and made a part hereof.

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

1. The Burlington County Bridge Commission hereby awards Year Two of the contract titled “Maintenance and Toll Uniforms (BCBC-201404)” to Specialty Graphics, and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with Specialty Graphics.

2. The maximum amount of this contract shall not exceed Sixty-Six Thousand, Eight Hundred Seventy-Five Thousand Dollars (\$66,875.00), and the contract shall extend for the period March 1, 2015 through February 28, 2016.

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

RESOLUTION NO. 2015-10

**RESOLUTION APPROVING CHANGE ORDER NO. 3 FOR THE
BURLINGTON-BRISTOL BRIDGE COUNTERWEIGHT
REPAIRS.**

WHEREAS, pursuant to Resolution No. 2014-21, the Burlington County Bridge Commission ("Commission") awarded a contract to IEW Construction Group ("IEW") for the project titled "Burlington-Bristol Bridge Counterweight Repairs (BCBC-20403)"; and

WHEREAS, due to actual field as-built conditions quantity adjustments to various existing pay items are required, the Project Engineer recommended on December 23, 2014 that Change Order No. 3 be approved; and

WHEREAS, this Change Order No. 3 requires both an increase of \$320,075.50 in the contract price, bringing the new contract total to \$3,281,440.50, and an increase in the contract time of 222 calendar days.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission that, based upon the recommendation of its engineer, and after a thorough review of this matter, the Commission hereby approves Change Order No .3 for IEW for the project titled "Burlington-Bristol Bridge Counterweight Repairs (BCBC-201403)".

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

RESOLUTION NO. 2015-11

**RESOLUTION APPROVING CHANGE ORDER NO. 3 FOR
THE BURLINGTON-BRISTOL BRIDGE PA POWERHOUSE
SERVICE AND ELECTRICAL UPGRADES (DECREASE IN
CONTRACT AMOUNT).**

WHEREAS, pursuant to Resolution No. 2013-48, the Burlington County Bridge Commission ("Commission") awarded a contract to Delta Line Construction Company ("Delta Line") for the project titled "Burlington-Bristol Bridge PA Powerhouse Service and Electrical Upgrades (BCBC-201307)"; and

WHEREAS, due to as-built quantity adjustments to various pay items, the Project Engineer recommended on January 23, 2015 that Change Order No. 3 be approved; and

WHEREAS, this Change Order No. 3 requires a decrease of \$368,988.97 in the contract price, bringing the new contract total to \$2,537,715.44.

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Bridge Commission that, based upon the recommendation of its engineer, and after a thorough review of this matter, the Commission hereby approves Change Order No. 3 for Delta Line for the project titled "Burlington-Bristol Bridge PA Powerhouse Service and Electrical Upgrades (BCBC-201307)".

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

RESOLUTION NO. 2015-12

**RESOLUTION AUTHORIZING APPLICATION TO THE
LOCAL FINANCE BOARD PURSUANT TO N.J.S.A.
40A:5A-6.**

WHEREAS, the Burlington County Bridge Commission ("Commission") desires to make application to the Local Finance Board for its review, pursuant to N.J.S.A. 40A:5A-6, of the proposed issuance of General Obligation Lease Revenue Refunding Bonds to refund the outstanding principal amount of the Commission's General Obligation Lease Revenue Bonds, (Resource Recovery Complex Project), Series 2006 for debt service savings; and

WHEREAS, the Commission believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the County of Burlington, New Jersey ("County");
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the County and will not create an undue financial burden to be placed upon the County.

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

Section 1. The application to the Local Finance Board is hereby approved, and the Commission’s bond counsel, along with other representatives of the Commission, are hereby authorized to file such application and to represent the Commission in matters pertaining thereto.

Section 2. The Executive Director of the Commission is hereby directed to prepare and file a copy of the proposed resolution authorizing the issuance of the bonds with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Section 4. This Resolution shall take effect immediately.

RECORDED VOTE

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
John B. Comegno II	✓			
James D. Fattorini	✓			
Troy E. Singleton	✓			

The foregoing is a true copy of a resolution adopted by the governing body of the Burlington County Bridge Commission on February 11, 2015.

Kathleen M Wiseman, Secretary
02/11/2015

Date

[SEAL]

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

PALMYRA COVE NATURE PARK

Ms. Ruvolo reported that Nature Craft and Story Time will continue through the month of February. In addition, John Moore will be teaching two spring semester courses at Burlington County College; Earth SySTEM and GeoSTEM II. Ms. Ruvolo also reported that the Delaware Valley Ornithological Club will be hosting their monthly meeting on February 19, 2015. Lastly, a two-day Wilderness First Aid course will be held over the weekend of February 21st and 22nd.

HUMAN RESOURCES

Director Constance Borman had no personnel issues for Commission approval:

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. 2015-13

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. Commissioner Singleton seconded the motion. The motion passed unanimously.

Chairman Comegno noted that the Commissioners intended to discuss a personnel matter in Executive Session, and that the employee involved, Valerie Smith, had received required notice prior to the meeting giving her the opportunity to request that the closed session discussion of her matter be discussed in public. Commissioner Singleton recused himself from discussion on the matter due to a potential conflict of interest. At the request of Executive Director Jeffers, Director Patrick Reilly provided the remaining Commissioners with a summary of the personnel matter. No further discussion of the matter took place in Executive Session.

MOTION TO RETURN TO PUBLIC SESSION

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

Upon return to open session, Chairman Comegno opened a second public comment portion of the meeting, and afforded those present to address the Commission on any

matter. Valerie Smith requested the opportunity to address the Commissioners on her personnel matter. Chairman Comegno reminded Ms. Smith that she had an opportunity for a further hearing on her personnel matter, which she acknowledged, and she thanked the Commission for the opportunity to participate in that hearing, to be scheduled on a future date. Chairman Comegno also asked Ms. Smith if she had already received her "Loudermill" hearing before the Commission on her matter. Ms. Smith acknowledged that she did receive same. Acknowledging that she had an opportunity to appear at a future hearing to present all of the facts and circumstances surrounding her personnel matter, and stating that she did not wish to address the details of the matter during the public comment portion of this meeting, Ms. Smith addressed the Commission and summarized her view of the incident in question, and requested that the Commission take that view into consideration in any future decision concerning her employment. In addition, Mary Haws, a full-time toll collector, addressed the Commission and spoke in support of Ms. Smith's continued employment with the Commission.

At the conclusion of the second public comment portion of the meeting, Executive Director Jeffers addressed the personnel matter and recommended that the Commission take action to terminate Ms. Smith's employment, subject to her forthcoming hearing. Chairman Comegno moved to accept the Executive Director's recommendation, and Vice-Chairman Fattorini seconded the motion. The motion passed unanimously. Chairman Comegno told Ms. Smith that she would be contacted in writing by the Commission concerning her forthcoming hearing.

Commissioner Singleton returns to meeting.

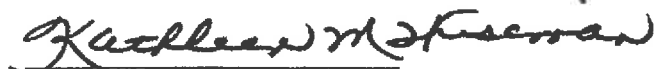
Executive Director Jeffers asked permission to ratify decision to participate in the 200 Club Honor-Valor dinner; and permission for a donation to the Palmyra Ambulance Association Fund in the amount of \$100.00.

Commissioner Singleton 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. Commissioner Singleton seconded the motion. The motion passed unanimously.

Respectfully submitted,



Kathleen M. Wiseman
Secretary