

# **BURLINGTON COUNTY BRIDGE COMMISSION**

## **MEETING MINUTES**

**June 14, 2011**

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 November 9, 2010 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 Nociti, CFO/Compliance Officer, Treasurer  
Marie Ozalis, Secretary  
Carmen Saginario Jr., Solicitor  
Elizabeth Verna, Director of Communications  
Clara Ruvolo, Director, Palmyra Cove Nature Park  
Stanley Ozalis, Manager, Technical Operations  
James Fletcher, Manager, Tacony-Palmyra Bridge  
Patrick Reilly, Director of Public Safety and Security  
Constance Borman, Human Resource Director  
Ellen Blau, Human Resources Assistant  
Scott Greenwald, Contract Officer/QPA  
Michelle Chiemiego, Procurement Officer  
Dave Leh, Accountant  
Nancy Johnson, Payroll  
Diane Wolf, Auditor  
Dave Lowdermilk, Pennoni Engineering

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

## **APPROVAL OF THE MINUTES**

Commissioner Singleton moved to adopt the minutes of May 10, 2011. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

## **DISBURSEMENTS LIST**

Commissioner Singleton moved to approve disbursements made from May 10, 2011 through June 14, 2011 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 Numbers 11-01655, 11-01689, 11-01691, 11-01693, 11-01694, 11-01696, 11-01648, 00-01516, and 11-01700. Vice-Chairman Fattorini abstained from Voucher Numbers 11-00061 and 11-01568. Commissioner Singleton abstained from Voucher Numbers 11-01657, 11-01662, 11-01767, 11-01779 and 11-01587.

## **EXECUTIVE DIRECTOR'S REPORT**

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

### **RESOLUTION NO. 2011-58**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD RELATING TO REFUNDING OF OUTSTANDING BRIDGE COMMISSION REVENUE BONDS.**

**WHEREAS**, the Burlington County Bridge Commission (the "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 (i) County-Guaranteed Pooled Loan Revenue Bonds to finance loans to certain local units within the County of Burlington, New Jersey (the "County") to refinance for debt service savings a portion of the Commission's outstanding County-Guaranteed Pooled Loan Revenue Bonds (2003 Governmental Loan Program), Series 2003 and (ii) County-Guaranteed Lease Revenue Bonds to refinance for debt service savings a portion of the Commission's outstanding County Guaranteed Lease Revenue Bonds (Governmental Leasing Program), Series 2003; 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;

(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 and financial advisor, 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.

Adopted: June 14, 2011.

RECORDED VOTE

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

The foregoing is a true copy of a resolution adopted by the governing body of the Burlington County Bridge Commission on June 14, 2011.

\_\_\_\_\_  
/Marie J. Ozalis/

Secretary

06/14/2011

\_\_\_\_\_  
Date

[SEAL]

Commissioner Singleton moved to approve. Vice-Chairman Fattorini seconded the motion. Executive Director Jeffers advised this bond is a \$22.3 million refunding saving participants \$847,000. The motion passed unanimously.

**RESOLUTION NO. 2011-59**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AWARDING A CONTRACT TO KEY ENGINEERS FOR INVESTIGATION  
SERVICES RELATING TO THE BURLINGTON BRISTOL BRIDGE  
PAVEMENT PROJECT.**

**WHEREAS**, the Burlington County Bridge Commission (“Commission”) requires the services of a pre-qualified engineering firm to provide materials investigation of the Burlington Bristol Bridge pavement project for the Commission; and

**WHEREAS**, upon receipt and review of the proposal submitted, it was determined that Key Engineers 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 Key Engineers has the required knowledge and expertise to perform the requisite services; and

**WHEREAS**, the maximum amount of this contract is Twenty Thousand Dollars (\$20,000.00), and sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11 et seq.) requires that the Resolution authorizing the award of contracts for such services and the contract itself must be 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 Key Engineers.
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 Twenty Thousand Dollars (\$20,000.00), and the contract shall extend for the period of one year, from June 14, 2011 to and until June 13, 2012.

4. Notice of adoption of this Resolution shall be published in the Courier Post, as required by law.

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

**RESOLUTION NO. 2011-60**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AWARDING A CONTRACT FOR VOICE SERVICES TO NETCARRIER.**

**WHEREAS**, the Burlington County Bridge Commission (“Commission”) requires the services of a firm to provide various voice communication services for the Commission; and

**WHEREAS**, upon receipt and review of the proposals submitted in response to the RFP, it was determined that NetCarrier 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 NetCarrier has the required knowledge and expertise to perform the requisite services; and

**WHEREAS**, the maximum amount of this contract is Sixty Thousand Dollars (\$60,000.00), and sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11 et seq.) requires that the Resolution authorizing the award of contracts for such services and the contract itself must be 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 NetCarrier.
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 Sixty Thousand Dollars (\$60,000.00), and the contract shall extend for the period of three years, from

June 14, 2011 to and until June 13, 2014 with up to two additional one year renewals at the option of the Commission pursuant to N.J.S.A. 40A:11-4.2.

4. Notice of adoption of this Resolution shall be published in the Courier Post, as required by law.

Vice-Chairman Fattorini moved to approve. Commissioner Singleton seconded the motion. Commissioner Singleton inquired about a typographical error in dollar amounts listed on the resolution. The correct dollar amount was confirmed by Scott Greenwald, Contract Officer/QPA and so noted on the resolution. The motion passed unanimously.

### **RESOLUTION NO. 2011-61**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AWARDING A CONTRACT FOR DATA & INTERNET COMMUNICATIONS SERVICES TO COMCAST.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") requires the services of a firm to provide various data and internet communication services for the Commission; and

**WHEREAS**, upon receipt and review of the proposals submitted in response to the RFP, it was determined that Comcast 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 Comcast has the required knowledge and expertise to perform the requisite services; and

**WHEREAS**, the maximum amount of this contract is Three Hundred Thousand Dollars (\$300,000.00), and sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11 et seq.) requires that the Resolution authorizing the award of contracts for such services and the contract itself must be 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 Comcast.

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 Three Hundred Thousand Dollars (\$300,000.00), and the contract shall extend for the period of three years, from June 14, 2011 to and until June 13, 2014 with up to two additional one year renewals at the option of the Commission pursuant to N.J.S.A. 40A:11-4.2.
4. Notice of adoption of this Resolution shall be published in the Courier Post, as required by law.

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

### **RESOLUTION NO. 2011-62**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AMENDING THE CONTRACT BETWEEN THE BURLINGTON COUNTY BRIDGE COMMISSION AND PENNONI ASSOCIATES.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") requires the services of an engineering firm with expertise in matters involving operation and maintenance of the bridges under the jurisdiction of the Commission, and who shall serve as the Commission's Resident Engineer; and

**WHEREAS**, pursuant to Resolution 2010-112, the Commission entered into a contract with Pennoni Associates, Inc. ("Pennoni") providing for the above services; and

**WHEREAS**, in addition to the performance of in-depth inspections on all Commission bridges and facilities, and project management, and additional engineering services relating to the Tacony-Palmyra Bridge approach span painting, the Tacony-Palmyra Bridge masonry pier rehabilitation, the Tacony-Palmyra Bridge traveler system, the Burlington-Bristol Bridge addition and replacement of festoon cables, and the Burlington-Bristol Bridge replacement of the 480-volt power feed, the Commission has determined that it is necessary to authorize the performance of said services and to increase the contract amount by an additional One Million, Nine Hundred Thousand Dollars (\$1,900,000.00):

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

1. The terms, conditions and duties outlined in Resolution 2010-112, and the contract executed pursuant thereto are incorporated herein by reference, and for the reasons hereinabove expressed, the required additional services are

authorized and an additional sum of One Million, Nine Hundred Thousand Dollars (\$1,900,000.00) be and hereby is appropriated to pay Pennoni under the 2010-112 contract.

2. Sufficient funds are available for payment for the above services provided under the contract, as evidenced by the Certificate of Availability of Funds, attached.

Chairman Comegno asked for a motion to approve. Vice-Chairman Fattorini moved to approve. Commissioner Singleton seconded the motion.

**VOTE:**

<b>Yeas</b>	<b>-- Fattorini</b>
	<b>Singleton</b>
<b>Abstain</b>	<b>Comegno</b>

**RESOLUTION NO. 2011-63**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
REJECTING THE BID RECEIVED FOR THE HVAC ENERGY SAVINGS  
PROJECT AND AUTHORIZING THE NEGOTIATION AND  
SUBSEQUENT PROCUREMENT OF THE SERVICES.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") solicited bids for the project known as "Tacony Palmyra and Burlington Bristol Bridges Building Upgrades for Energy Savings (BCBC-201113)"; and

**WHEREAS**, three bids were received for this project on June 7, 2011, at which time the bids were opened and reviewed by the Commission staff and consulting engineer; and

**WHEREAS**, it is the desire and determination of the Commission to reject the bids, all of which either substantially exceeded the engineer's estimate and/or did not otherwise comply with the bid specifications, based upon the recommendation and analysis of the administrative staff of the Commission, its consulting engineer and its solicitor; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(3), the Commission has advertised and solicited bids for the procurement of the aforementioned construction services, and "no bids have been received on both occasions in response to the advertisement" wherein the bids received were determined to be non-responsive bids:

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

1. The Commission hereby rejects the bids received on June 7, 2011 for the project known as "Tacony Palmyra and Burlington Bristol Bridges Building Upgrades for Energy Savings (BCBC-201113)" for the reasons hereinabove expressed.
2. The Commission hereby authorizes the Executive Director and/or administrative staff to negotiate with those vendors who meet the specifications established in the aforementioned bid in order to procure the required construction services.
3. The negotiation, selection of the vendor, and purchase of the aforementioned construction services shall be ratified by the Commission subsequent to this action.

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

#### **RESOLUTION NO. 2011-64**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD RELATING TO THE BURLINGTON COUNTY GREEN ENERGY LEASE BANK INITIATIVE.**

**WHEREAS**, the Burlington County Bridge Commission (the "Commission") desires to make application to the Local Finance Board for its review, pursuant to N.J.S.A. 40A:5A-6, of a proposed project financing consisting of a capital equipment lease program for energy conservation measures to be known as the Burlington County Green Energy Lease Bank for municipalities, school districts and other government entities located in the County of Burlington, New Jersey (the "County"); 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;
- (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 and financial advisor, 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 Secretary of the Commission is hereby directed to file a copy of this resolution 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.

Adopted: June 14, 2011.

RECORDED VOTE

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

The foregoing is a true copy of a resolution adopted by the governing body of the Burlington County Bridge Commission on June 14, 2011.

/Marie J. Ozalis/

Secretary

06/14/2011

Date

[SEAL]

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

Solicitor Saginario reported that the Commission received notice from the County that the State of New Jersey has questions about the Commission's funding commitment to the County. The Commission sent a letter to the State of New Jersey and adopted a motion at its May 10, 2011 meeting confirming its pledge. He recommended that Commissioners memorialize the motion in a resolution, which will mirror the motion. Solicitor Saginario also asked CFO/Treasurer Christine Nociti to send a copy of the motion to the County tomorrow.

**RESOLUTION NO. 2011-65**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AUTHORIZING APPROPRIATIONS TOTALING \$3,000,000 TO ASSIST  
BURLINGTON COUNTY IN BUDGETARY MATTERS IN CALENDAR  
YEAR 2011.**

**WHEREAS**, the Burlington County Bridge Commission (“Commission”) received correspondence from Burlington County Freeholder-Director Garganio asking for assistance consistent with N.J.S.A. 27:19-26; and

**WHEREAS**, N.J.S.A. 27:19-26 authorizes the Commission to provide assistance for the maintenance, improvement and/or repair of the county’s bridges, approaches, roads and connecting highways; and

**WHEREAS**, the Commission recognizes that the specifics of the payments and uses of funds are to be incorporated in a Memorandum of Understanding:

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

1. The Commission shall make appropriations in an amount totaling \$3,000,000 (“Appropriation”) to be remitted to Burlington County (“County”) in calendar year 2011.
2. The Appropriation shall be consistent with N.J.S.A. 27:19-26 and such other statutory authority that may apply.
3. The specifics of the payments and uses of funds shall be incorporated in a Memorandum of Understanding to be executed by the Executive Director upon review and approval by the Commission Solicitor.

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

**VOTE:**

<b>Yeas</b>	<b>-- Comegno</b>
	<b>Singleton</b>
<b>Abstain</b>	<b>Fattorini</b>

**Palmyra Cove Nature Park**

Ms. Ruvolo reported PCNP hosted 2,500 students this spring including 433 students from Burlington and Camden Counties in June and 20 University City High

School students attending a Drexel Learning Bridge Day on June 2, 2011. The next Drexel Learning Bridge Day will be held August 5, 2011.

Palmyra Cove Nature Park became the lead agency GLOBE partner for New Jersey with John Moore as the Director of GLOBE Programming and Clara Ruvolo the Coordinator for GLOBE Teacher Training Workshops. Ms. Ruvolo confirmed to Vice-Chairman Fattorini GLOBE is an international non-profit organization learning through observation techniques.

### **Human Resources**

Director Constance Borman reported on the following personnel issues:

	<u>New Hires</u>	
Deborah Kappler	P/T Police Officer	Effective 06/01/11
	<u>Terminations</u>	
Deborah A. Connor	P/T Toll Collector	Effective 06/10/11
	<u>Resignations</u>	
Robert A. Carey	P/T Toll Collector	Effective 05/22/11
	<u>Leave of Absence</u>	
Hillary Bryce	P/T Receptionist PCNP (Leave from 5/30/2011 to 9/5/2011)	Request 05/19/11

Commissioner Singleton moved to approve. Vice-Chairman Fattorini 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 any additional public comment to come before the Commission.

## **RESOLUTION REGARDING EXECUTIVE SESSION**

Resolved that pursuant to the Open Public Meetings Act the public shall be excluded from that portion of the meeting involving contractual, collective bargaining, personnel matters and potential litigation. Commissioner Singleton moved to approve. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

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

Executive Director Jeffers asked for permission to bid for portable generator – trailer mounted, electrical testing services, electrical maintenance services, electrical parts and new phone system. Commissioner Singleton moved to grant permission to go out to bid. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

Executive Director Jeffers asked for permission to promote Albert R. Ziegler to Maintenance Supervisor. 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. There being none, Chairman Comegno asked for a motion to adjourn the meeting. Commissioner Singleton moved to approve. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

Respectfully submitted,

---

Marie J. Ozalis  
Secretary