

BURLINGTON COUNTY BRIDGE COMMISSION
MEETING MINUTES
March 13, 2018

Chairman Comegno called the meeting to order. The Compliance Statement was read by the Commission 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 16, 2017 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/Office Mgr/Mgr of Records
Anthony T. Drollas Jr., Solicitor
Elizabeth Verna, Chief of Staff
Constance Borman, Human Resources Director
Patrick Reilly, Director of Public Safety and Security
John Moore, Director, Palmyra Cove Nature Park
Stanley Ozalis, Manager, Technical Operations
Phillip Adams, Director, Burlington-Bristol Bridge & Tacony-Palmyra Bridge
Michael McCarron, Director of Tolls and Tower Operations
Al Ziegler, Director of Maintenance
Ellen Brennan, Manager, HR/Health Benefits
Michelle Chiemiego, Purchasing Agent
John Zarsky, Pennoni Engineering
Sascha Harding, Pennoni Engineering

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

APPROVAL OF THE MINUTES

Commissioner Singleton moved to approve the minutes from the February 13, 2018 Commission Meeting. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

DISBURSEMENTS LIST

Vice-Chairman Fattorini moved to approve disbursements made from February 14, 2018 through March 13, 2018 as included in the list as presented. Commissioner Singleton

seconded the motion. The motion passed with the following abstentions:

Vice-Chairman Fattorini abstained from Voucher Number 18-00617; Commissioner Singleton abstained from Voucher Numbers 18-00798; 18-00802; 18-00220; 18-00240; 18-00221; 18-00701; 18-00800 and 18-00797.

EXECUTIVE DIRECTOR'S REPORT

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

RESOLUTION NO. 2018-16

RESOLUTION AWARDING A CONTRACT TO T & M ASSOCIATES FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE TACONY-PALMYRA BRIDGE PAINTING PROJECT.

WHEREAS, the Burlington County Bridge Commission ("Commission") has entered into a Shared Services Agreement with the Burlington County Board of Chosen Freeholders ("County"), Rowan College at Burlington County, Burlington County Institute of Technology/Special Services School and Burlington County Library Commission ("Shared Services Entities") whereby those entities agreed to share services as agreed to by the parties; and

WHEREAS, pursuant to that agreement, the Commission utilizes a shared, publicly-advertised Request for Qualifications ("RFQ") and a shared pool of qualified professionals for the years 2018-2019, with the County acting as the lead agency for the issuance of the RFQ and the creation of the pool; and

WHEREAS, the Commission, and each Shared Service Entity, solicits proposals and enters into contracts for specified project assignments, as needed; and

WHEREAS, the Commission has determined that it requires the services of an engineering firm capable of performing construction inspection services of the Tacony-Palmyra Bridge Painting Project; and

WHEREAS, T & M Associates ("T&M") has been approved as a qualified professional and is a member of the shared pool; and

WHEREAS, upon receipt and review of the proposal submitted by T&M, it was determined that the proposal provided acceptable and appropriate 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 maximum amount of this contract shall be One Million, One Hundred Fifteen Thousand, Five Hundred Sixty-One Dollars (\$1,115,561.00), 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 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 Commission hereby awards a contract for the services as set forth above to T&M, and the Executive Director and the Secretary of the Commission are hereby authorized to execute an Agreement with T&M.

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 this contract shall not exceed One Million, One Hundred Fifteen Thousand, Five Hundred Sixty-One Dollars (\$1,115,561.00), and the contract shall extend from March 13, 2018 to and until the end of the project.

4. Notice of adoption of this Resolution shall be published in the Burlington County Times, as required by law.

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

RESOLUTION NO. 2018-17

RESOLUTION AWARDING YEAR THREE OF A CONTRACT FOR CPA ECONOMIC DEVELOPMENT LOAN EVALUATION SERVICES TO CHARLES A. LAMBIASE, CPA.

WHEREAS, the Burlington County Bridge Commission ("Commission") requires the services of a certified public accountant to assist in the evaluation of various loan applications in conjunction with economic development opportunities in Burlington County; and

WHEREAS, proposals were solicited by the Commission for a contract entitled "CPA Economic Development Loan Evaluation Services" for the first year ending April 13, 2017 with options for the periods April 14, 2017 to April 13, 2018 and April 14, 2018 to April 13, 2019 pursuant to N.J.S.A. 40A:11-15(6); and

WHEREAS, a contract for Year One was awarded to Charles A. Lambiase, CPA. ("Charles A. Lambiase") in the amount of Twenty-Five Thousand Dollars (\$25,000.00) with the option to award Years Two and Three of the contract; and

WHEREAS, Commission staff has recommended that the Commission award the contract for Option Year Three (April 14, 2018 through April 13, 2019) to Charles A. Lambiase in the amount of Twenty-Five Thousand Dollars (\$25,000.00), 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 Three of a contract for CPA Economic Development Loan Evaluation Services as set forth above to Charles A. Lambiase, and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with Charles A. Lambiase.

2. The maximum amount of this contract shall not exceed Twenty-Five Thousand Dollars (\$25,000.00), and the contract shall extend from April 14, 2018 to and until April 13, 2019.

3. Notice of adoption of this resolution shall be published in the Burlington County Times, as required by law.

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

RESOLUTION NO. 2018-18

RESOLUTION AMENDING THE CONTRACT WITH WSP USA, INC. FOR THE TACONY-PALMYRA BRIDGE BASCULE SPAN MECHANICAL SYSTEM UPRGRADE PROJECT.

WHEREAS, the Burlington County Bridge Commission ("Commission") determined that it requires the services of an engineering/architectural firm capable of performing an in-depth inspection and construction management for the Tacony-Palmyra Bridge bascule span mechanical system upgrades; and

WHEREAS, pursuant to Resolution No. 2015-69, the Commission entered into a contract with WSP USA, Inc. ("WSP") to provide those professional engineering services; and

WHEREAS, additional construction management and inspection services are required to cover the additional construction period, and it is necessary to increase the appropriation for such services by an additional One Hundred Forty-Nine Thousand, Five Hundred Forty-Two Dollars and Fifty Cents (\$149,542.50).

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

1. The terms, conditions and duties outlined in Resolution No. 2015-69 appointing WSP are incorporated herein by reference, and for the reasons hereinabove expressed, an additional sum of One Hundred Forty-Nine Thousand, Five Hundred Forty-Two Dollars and Fifty Cents (\$149,542.50) be and hereby is appropriated to pay the fees, expenses and costs pursuant to the existing contract between the Commission and WSP.

2. Sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached hereto.

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

RESOLUTION NO. 2018-19

RESOLUTION AUTHORIZING THE EXECUTION OF VARIOUS LEASE AGREEMENTS BY AND AMONG THE COMMISSION, BANK OF AMERICA AND THE LENAPE REGIONAL HIGH SCHOOL DISTRICT IN CONNECTION WITH THE COMMISSION'S GREEN ENERGY LEASE BANK.

WHEREAS, the Burlington County Bridge Commission ("Commission") has been duly created by Resolution of the Board of Chosen Freeholders of the County of Burlington, New Jersey ("County"), duly adopted on October 22, 1948, as a public body corporate and politic of the State of New Jersey ("State"), pursuant to the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934, of the State of New Jersey and the acts amendatory thereof and supplemental thereto ("Act"); and

WHEREAS, the Commission established the Green Energy Lease Bank to encourage local governments to identify and implement cost-effective energy conservation measures to reduce energy costs and to save taxpayer dollars; and

WHEREAS, the Commission also established the Green Energy Lease Bank, with the support of the County of Burlington ("County"), to assist local governments with the financing of the Energy Conservation Projects, using on-demand tax-exempt lease purchase financing; and

WHEREAS, the Lenape Regional High School District, in the County of Burlington,

New Jersey ("School District") determined to participate in the Greenbacks-To-Go-Green Program and has approved an Energy Savings Plan to develop an Energy Conservation Project; and

WHEREAS, the School District intends to finance the energy Conservation Project consisting of the costs of design, engineering, acquisition, construction and installation of certain equipment (collectively, "Energy Conservation Project") through the Green Energy Lease Bank, which Energy Conservation Project shall be leased by the Commission to the School District pursuant to the terms of one or more sublease agreements; and

WHEREAS, under the Green Energy Lease Bank, the Commission, as lessee, executed a Lease Purchase Agreement ("Master Lease") with Bank of America, as lessor ("Lessor") pursuant to which the Lessor will provide lease financing for the Green Energy Lease Bank; and

WHEREAS, under the Green Energy Lease Bank, the Lessor provided funds to acquire the Energy Conservation Project, and immediately lease the Energy Conservation Project to the Commission, all pursuant to the terms of the Master Lease; and

WHEREAS, simultaneously, the commission entered into a sublease related to the Energy Conservation Project to the School District pursuant to the terms of a Sublease Purchase Agreement between the Commission, as Sublessor, and the School District, as Sublessee ("Original Sublease"), under which Original Sublease the School District will make rental payments in an amount sufficient to pay the corresponding rental payments applicable to the Energy Conservation Project, plus all administrative expenses allocated to the Participant under the Green Energy Lease Bank; and

WHEREAS, under the Master Lease, the Commission shall make rental payments to the Lessor solely from amounts received by the School District under the Original Sublease; and

WHEREAS, the equipment comprising the Energy Conservation Project set forth in Schedule A to the Original Sublease ("Original Equipment") has been acquired and the total cost of said Original Equipment is less than the Equipment Cost for said Original Equipment of \$2,175,000; and

WHEREAS, Sublessee has identified other Energy Related Capital Improvements to undertake for its properties ("Additional Equipment") and has requested that Sublessor and Lessor agree to the amendment of the Original Equipment to include the Additional Equipment and to allow the financing of the acquisition of the Additional Equipment with funds remaining in the Escrow Account; and

WHEREAS, Lessor is agreeable to the financing of the Additional Equipment with funds remaining in the Escrow Account subject to amendment of the Original Sublease

by execution of an Amendment to Sublease Purchase Agreement, in form attached hereto as Exhibit A "Sublease Amendment #1", and the amendment of the Original Lease by execution of an Amendment to Lease Purchase Agreement, in form attached hereto as Exhibit B ("Lease Amendment #1" and together with the Sublease Amendment #1, "First Amendments to the Leases"), to include such Additional Equipment in the definition of Equipment by amending Schedule A to the Original Sublease; and

WHEREAS, the Burlington County Bridge Commission now desires to approve the form of the Master Lease and the Original Sublease relating to the Energy Conservation Project, and to authorize the execution and delivery of the Master Lease and Original Sublease by the Commission.

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

Section 1. The First Amendments to the Leases, in the forms presented to this meeting, are hereby approved, and the Chairman, the Vice Chairman, the Executive Director and the Chief Financial Officer (each, an "Authorized Representative") are each hereby authorized to execute and deliver the First Amendments to the Leases and the Secretary is hereby authorized to attest the validity of such signature, with such additions, deletions or modifications as such Authorized Representative shall approve, and to deliver the same on behalf of the Commission. The execution of each of the First Amendments to the Leases by the Authorized Representative shall evidence the commission's approval of the terms thereof and no further action therefore shall be required.

Section 2. Any Authorized Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for the execution and delivery of the First Amendments to the Leases and for carrying out the sale, issuance and delivery of the lease obligations, and all related transactions contemplated by this Resolution, including but not limited to execution and delivery, for and on behalf of the commission, of any and all instruments, opinions, affidavits, certificates, documents, Internal Revenue Service forms or other papers, and to do and to perform or cause to be done any and all acts as they may deem necessary or appropriate in order to implement the execution and delivery of the Leases and the matters herein.

Section 3. 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			x	
James D. Fattorini	x			
Troy E. Singleton	x			

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 public comment to come before the Commission.

Executive Director Jeffers asked for permission for Stanley Ozalis to travel to Washington DC on April 11-12, 2018 to attend the Executive Management Committee meeting hosted by VDOT.

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

Chairman Comegno asked for any further business to come before the Commission. Hearing none, Commissioner Singleton moved to adjourn the meeting. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

Respectfully submitted,


Kathleen M. Wiseman
Secretary