BURLINGTON COUNTY BRIDGE COMMISSION MEETING MINUTES MAY 20, 2019

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 December 14, 2018 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

Joseph Andl, Deputy Executive Director Christine J. Nociti, Chief Financial Officer

Kathleen M. Wiseman, Secretary/Office Mgr/Mgr of Records

Anthony T. Drollas Jr., Solicitor

Constance Borman, Human Resources Director Patrick Reilly, Director of Public Safety and Security Stanley Ozalis, Manager, Technical Operations John Moore, Director, Palmyra Cove Nature Park

Michael McCarron, Director of Tolls and Tower Operations

Ellen Brennan, Manager, HR/Health Benefits

Michelle Chiemiego, Purchasing Agent Al Ziegler, Director of Maintenance Stephanie Brandt, Accounting Manager Sascha Harding, Pennoni Engineering

Freeholder-Director Tom Pullion Freeholder Daniel J. O'Connell

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

Chairman Comegno noted the passing of Garfield DeMarco who was the former Chairman of the Bridge Commission for over two decades. Chairman Comegno acknowledged that Mr. DeMarco was a dear friend and mentor whom he will miss dearly. Commissioner Singleton echoed Chairman Comegno's remarks and also noted that he was very fortunate to have had the pleasure to know Garfield DeMarco and consider him a friend and colleague.

APPROVAL OF THE MINUTES

Commissioner Singleton moved to approve the minutes of April 5, 2019. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

ACCEPTANCE OF ECONOMIC DEVELOPMENT MEETING MINUTES

Vice-Chairman Fattorini moved to accept the minutes of the April 2019 Economic Development Meeting. Commissioner Singleton seconded the acceptance. Acceptance passed unanimously.

DISBURSEMENTS LIST

Commissioner Singleton moved to approve disbursements made from April 6, 2019 through May 20, 2019 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 19-00739; Vice-Chairman Fattorini abstained from Voucher Numbers 19-01079, 19-01219 and 19-00921; Commissioner Singleton abstained from Voucher Numbers 19-01079, 19-01219, 19-01080, 19-01128, 19-00143, 19-00144, 19-00145, 19-00730, 19-01228, 19-01036, 19-01227, 19-01087, 19-01131 and 19-01126.

Chairman Comegno invoked the Doctrine of Necessity for Voucher Numbers 19-01079 and 19-01219. Chairman Comegno moved to approve and affirm Voucher Numbers 19-01079 and 19-01219.

VOTE:

Yeas - Comegno Abstain - Fattorini

Singleton

EXECUTIVE DIRECTOR'S REPORT

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

RESOLUTION NO. 2019-32

RESOLUTION AWARDING OPTION YEAR THREE OF CONTRACT NO. BCBC-201802 FOR THE MAINTENANCE OF BRIDGES, EQUIPMENT AND OTHER FACILITIES TO A.P. CONSTRUCTION, INC.

WHEREAS, the Burlington County Bridge Commission ("Commission") requires the services of a construction firm to provide for the regular maintenance of the Commission's bridges, equipment and other facilities; and

WHEREAS, bids were solicited by the Purchasing Agent for a contract entitled "Maintenance of Bridges, Equipment and Other Facilities (BCBC-201802)" for the first year ending September 30, 2018, with options for the periods October 1, 2018 to September 30, 2019 ("Option Year Two") and October 1, 2019 to September 30, 2020

("Option Year Three"), pursuant to N.J.S.A. 40A:11-15(6); and the Commission accepted and opened said bids on April 3, 2018 and awarded the contract to A.P. Construction, Inc. ("A.P.") as the lowest responsible bidder; and

WHEREAS, the Consulting Engineer has recommended that the Commission award the contract for Option Year Three to A.P., conditioned upon satisfactory performance by the firm during the previous contract 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 Commission hereby awards Option Year Three of this contract for Maintenance of Bridges, Equipment and Other Facilities as set forth above to A.P., and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with A.P.
- 2. The maximum amount of this contract shall not exceed Two Million, Eight Hundred Fifty-Eight Thousand, Seven Hundred Seventy-Eight Dollars (\$2,858,778.00), and the contract shall extend from October 1, 2019 to and until September 30, 2020.

Chairman Comegno invoked the Doctrine of Necessity for Resolution Number 2019-32. Chairman Comegno moved to approve and affirm Resolution Number 2019-32.

VOTE: Yeas - Abstain -

Comegno Fattorini Singleton

RESOLUTION NO. 2019-33

RESOLUTION AWARDING OPTION YEAR TWO OF CONTRACT NO. BCBC-201805 FOR MAINTENANCE AND REPAIRS OF ELECTRICAL EQUIPMENT AND SYSTEMS TO IEW CONSTRUCTION GROUP.

WHEREAS, the Burlington County Bridge Commission ("Commission") requires an electrical contractor to provide maintenance and repairs of electrical equipment and systems on all bridges and facilities; and

WHEREAS, bids were solicited by the Purchasing Agent for a contract entitled "Maintenance and Repairs of Electrical Equipment and Systems (BCBC-201805)" for the first year ending September 30, 2019, with options for the periods October 1, 2019 to September 30, 2020 ("Option Year Two") and October 1, 2020 to September 30, 2021 ("Option Year Three"), pursuant to N.J.S.A. 40A:11-15(6); and the Commission accepted

and opened said bids on July 10, 2018 and awarded the contract to IEW Construction Group ("IEW") as the lowest responsible bidder; and

WHEREAS, the Consulting Engineer has recommended that the Commission award the contract for Option Year Two to IEW, conditioned upon satisfactory performance by the firm during the previous contract 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 Option Year Two of this contract for Maintenance and Repairs of Electrical Equipment and Systems as set forth above to IEW, and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with IEW.
- 2. The maximum amount of this contract shall not exceed Two Million, One Hundred Eighty-Two Thousand, Five Hundred Eighty-Eight Dollars and Eighty Cents (\$2,182,588.80), and the contract shall extend from October 1, 2019 to and until September 30, 2020.
- 3. The Commission will determine in subsequent years whether to exercise its options for Year Three.

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

VOTE:

Yeas - Comegno

Fattorini

Abstain - Singleton

RESOLUTION NO. 2019-34

RESOLUTION AWARDING A CONTRACT TO ALAIMO GROUP FOR ON-CALL ENGINEERING SERVICES FOR THE BURLINGTON COUNTY BRIDGE COMMISSION CAPITAL IMPROVEMENTS AND MAINTENANCE PROJECTS.

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 to perform on-call engineering services for the Commission's capital improvements and maintenance projects; and
- **WHEREAS,** Alaimo Group ("Alaimo") 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 Alaimo, 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 Hundred Ninety Thousand Dollars (\$190,000.00), 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 (<u>N.J.S.A.</u> 40A:11-1 <u>et seq.</u>) 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 Alaimo, and the Executive Director and the Secretary of the Commission are hereby authorized to execute an Agreement with Alaimo.
- 2. This contract is awarded through a fair and open process, pursuant to <u>N.J.S.A.</u> 19:44A-20.4 et seq.
- 3. The amount of this contract shall not exceed One Hundred Ninety Thousand Dollars (\$190,000.00), and the contract shall extend from May 20, 2019 to and until May 18, 2020.

4. 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. 2019-35

RESOLUTION AWARDING A CONTRACT TO REMINGTON & VERNICK ENGINEERS FOR THE 2019 ROUTINE BRIDGE INSPECTIONS OF THE APPROACH PORTIONS OF THE TACONY-PALMYRA AND BURLINGTON-BRISTOL BRIDGES.

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 a routine bridge inspection of the approach portions of the Tacony-Palmyra and Burlington-Bristol Bridges; and

WHEREAS, Remington & Vernick Engineers ("RVE") 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 RVE, 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 Eighty Thousand, Five Hundred Dollars (\$80,500.00), 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 (<u>N.J.S.A.</u> 40A:11-1 <u>et seq.</u>) 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 RVE, and the Executive Director and the Secretary of the Commission are hereby authorized to execute an Agreement with RVE.
- 2. This contract is awarded through a fair and open process, pursuant to <u>N.J.S.A.</u> 19:44A-20.4 et seg.
- 3. The amount of this contract shall not exceed Eighty Thousand, Five Hundred Dollars (\$80,500.00), and the contract shall extend from May 31, 2019 to and until May 30, 2020.
- 4. Notice of adoption of this Resolution shall be published in the Burlington County Times, as required by law.

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

VOTE:

Yeas -

Comegno

Fattorini

Abstain -

Singleton

RESOLUTION NO. 2019-36

RESOLUTION AWARDING A CONTRACT TO T & M ASSOCIATES FOR THE 2019 ROUTINE BRIDGE INSPECTION OF THE BASCULE SPAN OF THE TACONY-PALMYRA BRIDGE.

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 the 2019 annual routine bridge inspection of the Bascule Span of the Tacony-Palmyra Bridge; 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 Fifty-Eight Thousand, Five Hundred Thirty Dollars (\$58,530.00), 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 <u>N.J.S.A.</u> 19:44A-20.4 et seq.
- 3. The amount of this contract shall not exceed Fifty-Eight Thousand, Five Hundred Thirty Dollars (\$58,530.00), and the contract shall extend from May 31, 2019 to and until May 30, 2020.
- 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. 2019-37 RESOLUTION AWARDING A CONTRACT TO CME ASSOCIATES FOR THE 2019 ROUTINE BRIDGE INSPECTION OF THE RIVERSIDE-DELANCO BRIDGE.

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 the 2019 annual routine bridge inspection on the Riverside-Delanco bridge; and

WHEREAS, CME Associates ("CME") 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 CME, 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 Sixty-Two Thousand Dollars (\$62,000.00), 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 (<u>N.J.S.A.</u> 40A:11-1 <u>et seq.</u>) 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 Maser, and the Executive Director and the Secretary of the Commission are hereby authorized to execute an Agreement with CME.
- 2. This contract is awarded through a fair and open process, pursuant to <u>N.J.S.A.</u> 19:44A-20.4 <u>et seq</u>.
- 3. The amount of this contract shall not exceed Sixty-Two Thousand Dollars (\$62,000.00), and the contract shall extend from May 31, 2019 to and until May 30, 2020.
- 4. Notice of adoption of this Resolution shall be published in the Burlington County Times, as required by law.

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

VOTE:

Yeas - Comegno

Fattorini

Abstain - Singleton

RESOLUTION NO. 2019-38

RESOLUTION AWARDING A CONTRACT TO CME ASSOCIATES FOR THE 2019 ROUTINE BRIDGE INSPECTIONS OF THE MINOR BRIDGES AND ROUTE 543.

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 the 2019 annual routine bridge inspection on the

Commission's Minor Bridges, and for its bridges along Route 543 in the Municipalities of Palmyra, Riverton, Cinnaminson, Riverside and Delanco; and

WHEREAS, CME Associates ("CME") 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 CME, 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 Fifty-Four Thousand Dollars (\$54,000.00), 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 (<u>N.J.S.A.</u> 40A:11-1 <u>et seq.</u>) 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 Maser, and the Executive Director and the Secretary of the Commission are hereby authorized to execute an Agreement with CME.
- 2. This contract is awarded through a fair and open process, pursuant to <u>N.J.S.A.</u> 19:44A-20.4 <u>et seq.</u>
- 3. The amount of this contract shall not exceed Fifty-Four Thousand Dollars (\$54,000.00), and the contract shall extend from May 31, 2019 to and until May 30, 2020.
- 4. Notice of adoption of this Resolution shall be published in the Burlington County Times, as required by law.

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

VOTE: Yeas - Comegno

Fattorini

Abstain - Singleton

RESOLUTION NO. 2019-39

MAKING FINDINGS AND DETERMINATIONS WITH RESPECT TO THE APPLICATION OF THE LANDMARK PROPERTY MANAGEMENT, INC; AUTHORIZING THE ISSUANCE AND SALE OF THE BURLINGTON COUNTY BRIDGE COMMISSION'S ECONOMIC DEVELOPMENT BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,300,000; AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF AN AMENDED TRUST AND LOAN AGREEMENT AND RELATED INSTRUMENTS; AND AUTHORIZING OTHER FURTHER AND NECESSARY ACTION IN CONNECTION THEREWITH.

THE EVERGREENS

WHEREAS, the Burlington County Bridge Commission ("Commission") is authorized pursuant to the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934 of the State of New Jersey, as amended ("Act"), to extend credit or make loans to any person for the planning, design, acquisition, construction, improvement, equipping and funding of any project authorized by the Act; and

WHEREAS, an application for financial assistance, dated May 5, 2016, as amended and supplemented ("Application") has been received from Landmark Property Management ("Applicant") for the purpose of financing a project consisting of (i) the refunding the outstanding Burlington County Bridge Commission Economic Development Bonds (Landmark Property Management, Inc. Project), Series 2009, (ii) funding a debt service reserve fund, and (iii) paying certain costs of issuance ("Project"); and

WHEREAS, the Commission proposed to provide financing for the Project, through the issuance of its Economic Development Bonds (Landmark Property Management, Inc. Project), Series 2019 ("Bonds") in an aggregate principal amount not to exceed \$3,000,000; and

WHEREAS, the bonds will be issued and the proceeds of the Bonds will be loaned to the Applicant pursuant to and in accordance with the provisions of the Act and an amended and restated Loan and Trust Agreement ("Agreement") by and among the Commission, the Application and The Bank of New York Trust Company, N.A., as trustee ("Trustee"); and

WHEREAS, pursuant to the Agreement, the Commission will assign (with certain reservations) its rights and benefits under the Agreement and other documents to the Trustee as security for the Bonds; and

WHEREAS, the Bonds will be secured by a mortgage on the Project and a security interest in the Project pursuant to a First Priority Mortgage, Security Agreement and Fixture Filing ("Mortgage"); and

WHEREAS, if required, prior to the issuance of the Bonds, a public hearing will be conducted by the Commission at its offices at 1300 Route 73 North, Palmyra, New Jersey, 08065, after public notice of such hearing being duly published in the Burlington County Times; and

WHEREAS, the Commission desires to authorize the issuance, execution and delivery of the Bonds and the execution and delivery of the Agreement, the Mortgage, and such other documents required to accomplish the foregoing and to authorize all other necessary action.

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

SECTION 1. <u>Determinations Concerning the Project.</u> In accordance with the purposed and objectives of the Act, the Commission hereby determines that the Project will aid and assist in the economic development in the County of Burlington, New Jersey ("County"). Based on such findings and determinations, the Project as described in this Resolution and in the Application is hereby approved and determined to be eligible for financing by the Commission. The Commission hereby determines to finance the project as described in this Resolution and in the Application.

SECTION 2. <u>Authorization of the Financing.</u> Based on the foregoing findings and determinations and with the understanding that the availability of such financial assistance will aid and assist in the economic development in the County, the Commission hereby determines to issue its revenue bonds in an aggregate principal amount not to exceed \$50,000,000, and to expend the bond proceeds to finance the costs of the Project, such bonds to be secured by and payable solely from the revenues to be derived by the Commission under the terms of the Agreement.

SECTION 3. <u>Authorization of the Agreement.</u> The Commission is hereby authorized to enter into the Agreement providing for the issuance of the Bonds; the application of the proceeds of the Bonds; the assignment to the Trustee (subject to certain reservations) of the Commission's rights and benefits under the Agreement and the other security documents executed in connection therewith; the application of the payments to be made by the Applicant to the repayment of the Bonds; the loan of the proceeds of the bonds to the Applicant to finance the Project in the manner set forth therein; and containing certain covenants of the Applicant for the benefit of the Commission and the bondholders. The Applicant is hereby authorized to proceed with the Project in accordance with the terms of

the Agreement.

The form of the Agreement (a copy of which has been filed with the Commission) is hereby approved, and the Chairman, Vice Chairman, Executive Director, Chief Financial Officer, Secretary or Assistant Secretary or any other officer who has the power to execute contracts pursuant to the By-laws of the Commission or any resolution adopted thereunder (each an "Authorized Officer") is hereby authorized and directed to execute or accept and deliver, and (where appropriate) any Authorized Officer is hereby authorized and directed to affix the corporate seal of the Commission to, and attest, documents in substantially such forms and upon the terms and conditions therein set forth, with such changes, insertions and variations therein as are necessary or desirable and as such Authorized Officers shall approve, such approval to be evidenced by their execution thereof.

SECTION 4. Authorization and Issuance of the Bonds. In order to provide funds to finance the Project, the Commission is hereby authorized to issue the bonds in a total aggregate principal amount not to exceed \$3,300,000 to finance the loan to the Applicant. The Bonds shall be dated, shall bear interest at variable rates of interest and shall be payable as to principal, premium, if any, and interest, all as is specified therein. The Bonds shall be issued in the form, shall mature, shall be subject to redemption prior to maturity and shall have such further terms and conditions as are prescribed by the Agreement. The Bonds shall be special, limited obligations of the Commission, payable solely from and secured by payments made by the Applicant pursuant to the Agreement and other revenues pledged by the Applicant pursuant to the terms thereof. Neither the members of the commission nor any person executing the Bonds issued pursuant to this Resolution and the Act shall be liable personally on the bonds by reason of the issuance thereof. The Bonds shall not in any way create a debt or liability of the State of New Jersey ("State"), the County or any political subdivision thereof (other than the Commission) and shall not create or constitute any indebtedness, liability or obligation of the State, the County or any political subdivision thereof (other than the Commission), legal, moral or otherwise.

SECTION 5. Form and Execution of the Bonds. The Bonds, substantially in the form and substance set forth in the Agreement and all of the terms set forth therein are hereby approved and are incorporated as part of this Resolution with the same effect as if the entire test thereof were set forth herein in full. The Authorized Officers of the Commission are hereby authorized to execute the Bonds by manual or facsimile signature in substantially the form set forth in the Agreement with appropriate insertions or variations; and to attest by manual or facsimile signature the seal of the Commission or a facsimile thereof on the Bonds (which is hereby authorized to be impressed or imprinted on the Bonds); following such execution, any of the Authorized Officers of the Commission are authorized to cause the Bonds to be delivered to the Trustee for authentication and, after such

authentication, to cause them to be delivered to the purchasers thereof against receipt of the purchase price and to apply the proceeds of the Bonds to the Project in accordance with the provisions of the Agreement.

SECTION 6. <u>Sale of Bonds.</u> The Commission hereby finds and further determines that a negotiated direct bond sale is warranted based upon, among other things, the nature of the credit of the Applicant and to permit the Applicant to negotiate favorable terms and conditions for the Project.

SECTION 7. <u>Authorization of Bond Purchase Agreement.</u> The Authorized Officers are hereby authorized to execute and deliver on behalf of the Commission a Bond Purchase Agreement, providing for the sale of the Bonds to the underwriter. Such Bond Purchase Agreement shall set forth all terms and conditions under which the Bonds are being purchased by the underwriter.

SECTION 8. Official Statement. The distribution by the underwriter of the preliminary Official Statement setting forth the terms and conditions for the purchase and sale of the Bonds is hereby approved, in substantially the form submitted to the Commission at this meeting, with such changes, insertions and alterations as counsel to the Commission may advise and the Authorized Officer shall approve. The Authorized Officers of the Commission are hereby authorized and directed to execute and deliver a final Official Statement, such approval to be evidenced by the execution thereof.

SECTION 9. Execution and Delivery of Documents. Any Authorized Officer of the Commission is hereby authorized and directed to execute, deliver, attest and affix the seal of the commission to such other instruments, opinions, certificates, affidavits and other documents and to take such other action as may be necessary or appropriate in order to effectuate the execution and delivery of the Agreement and such other documents as are determined to be reasonable and appropriate to complete the financing for the Project, all in accordance with the foregoing sections hereof. Copies of any such documents, together with the other documents referred to in this Resolution and relating to the transactions authorized hereby, in final form as executed and delivered by the parties thereto, shall be filed in the official records of the Commission.

SECTION 10. <u>Binding Effect of Covenants and Agreements.</u> All covenants, obligations and agreements of the Commission set forth in this Resolution and in the documents authorized hereby shall be deemed to be the covenants, obligations and agreements of the Commission to the full extent authorized or permitted by law, and all such covenants, obligations and agreements shall be binding upon the Commission and its successors from time to time and upon any board or body to which any powers or duties affecting the same shall be transferred by, or in accordance with, law. Except as otherwise provided in this Resolution, all rights, powers and privileges conferred and duties

and liabilities imposed upon the commission or the members thereof by the provisions of this Resolution or the documents authorized hereby shall be exercised or performed by such members, officers or other representatives of the commission as may be required or permitted by law to exercise or perform the same. No covenant, obligation or agreement herein contained or contained in any document authorized hereby shall be deemed to be a covenant, obligation or agreement of any member, officer, agent or employee of the Commission in his or her individual capacity and neither the members of the Commission nor any officer executing the bonds, the Agreement, the Mortgage or other documents authorized by this Resolution shall be liable personally thereunder or be subject to any personal liability or accountability by reason of the execution and delivery thereof.

SECTION 11. Official Intent to Reimburse. This Resolution is intended to be and hereby is a declaration of the Commission's official intent to reimburse the expenditure of costs of the Project incurred and paid prior to the issuance of the Bonds with the proceeds of the Bonds in accordance with Treasury Regulation Section 1.150-2.

SECTION 12. Effective Date. This Resolution shall take effect immediately.

Adopted: May 20, 2019

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

RESOLUTION NO. 2019-40 RESOLUTION AWARDING YEAR FOUR OF A CONTRACT FOR SECURITY CONSULTING SERVICES TO IXP CORPORATION.

WHEREAS, the Burlington County Bridge Commission ("Commission") requires the services of a qualified firm to assist in the evaluation of various security measures for Commission facilities; and

WHEREAS, proposals were solicited by the Commission for a contract entitled "Security Consulting Services" for Year one ending May 11, 2017; and

WHEREAS, a contract for Year One was awarded to iXP Corporation ("iXP") in the amount of Sixty-Five Thousand Dollars (\$65,000.00) with the option to award Years Two through Five of the contract pursuant to N.J.S.A. 40A:11-15(6); and

WHEREAS, Commission staff has recommended that the Commission award the contract for Option Year Four (May 12, 2019 through May 11, 2020) to iXP in the amount of Sixty-Five Thousand Dollars (\$65,000.00), 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 Two of a contract for Security Consulting Services as set forth above to iXP, and the Executive Director and the Secretary of the Commission are hereby authorized to execute a contract with iXP.
- 2. The maximum amount of this contract shall not exceed Sixty-Five Thousand Dollars (\$65,000.00), and the contract shall extend from May 12, 2019 to and until May 11, 2020.
- 3. 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.

HUMAN RESOURCES

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

NEW HIRES – Requires Commission Approval		Effective
Robert Wallace	Seasonal Delanco	4/30/19
RESIGNATIONS – Requires Commission Approval		Effective
Zachary Ozalis	PT Administrative Assistant	4/11/19
Robert J. Slocum	FT Police Officer	4/11/19
Charles McCrory	PT Toll Collector	4/12/19
TERMINATION - Requires Commission Approval		Effective
Eric Brennan	PT Toll Collector	4/11/19
PROBATION - Requires Commission Approval		Effective
Michael Bonner	FT Maintenance	4/7/19
VanRoom Richman	FT Maintenance	4/8/19

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

Executive Director Jeffers requested permissions to 1) *ratify* participation and table sponsorship at Burlington County Prosecutor's Office 31st Annual PROCOPS Awards Banquet on May 15th; 2) permission to travel for Joseph Andl, Stanley Ozalis and Stephanie Brandt to Ashville, NC on June 12-13th for the Executive Management Committee of the EZPass Group; 3) permission for John Moore and Peter Dorofy to travel to professional organization meetings at which they are presenters/invited speakers, at no cost to the Commission, as it is covered by grant funds and their attendance is a condition of those grants; 4) permission to bid police uniforms; 5) permission to bid barrier gates, spare parts and 4 strip treadles; and 6) permission to increase seasonal pay to \$10.00 (Year 1), \$10.25 (Year 2), \$10.50 (Year 3) and \$10.75 (Year 4 and over).

Chairman Comegno requested to approve by block items 1 thru 5 above. Commissioner Singleton moved to approve. Vice-Chairman Fattorini seconded the motion. The motion passed unanimously.

Vice-Chairman Fattorini moved to approve item 6 above. Commissioner Singleton seconded the motion.

VOTE: Yeas - Fattorini

Singleton

Abstain - Comegno

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.

Commissioner Singleton expressed his thanks to the exceptional staff at Palmyra Cove Nature Park and noted that he and three dozen volunteers had spent the past Saturday helping clean up the trash that washes ashore on a daily basis. Commissioner Singleton noted that society as a whole must do a better job in keeping our environment clean.

PUBLIC COMMENT

Chairman Comegno called for any additional public comment to come before the Commission.

Commissioner Singleton welcomed Freeholder-Director Tom Pullion and Freeholder Daniel J. O'Connell to our meeting and noted that they are always welcome.

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

Page 19 of 19 Burlington County Bridge Commission Regular Meeting May 20, 2019

Respectfully submitted,

Kathleen M. Wiseman

Secretary