

MINUTES OF THE REGULAR MEETING
OF THE MEMBERS OF THE
CAPE MAY COUNTY BRIDGE COMMISSION

September 19, 2019

The regular meeting of the members of the Cape May County Bridge Commission was held on the nineteenth day of September 2019 in the County Administration Building, Cape May Court House, New Jersey.

The meeting was called to order by Chairman Carol Brand with the announcement that the meeting was being conducted pursuant to the requirements of the "Open Public Meeting Act."

Mrs. Brand then led everyone in the Pledge of Allegiance.

The following answered "present" as their names were called:

Carol Brand, Chairman
Scott Halliday, Vice Chairman
Maryanne K. Murphy, Secretary/Treasurer

Also present were Karen Coughlin, Executive Director, Lewis Donofrio, Commission Engineer and Kyle Weinberg, Commission Counsel.

Public present: Joe Ragusa, Remington & Vernick Engineers

Ms. Coughlin reported the cash analysis/traffic for the month of August 2019, which indicated an increase in revenue in the amount of \$24,239 compared to August 2018. The Ocean City-Longport Bridge had an increase in revenue by \$15,896. The revenue for the month of July 2019 at Townsends Inlet Bridge was down compared to the previous year by \$3,336. The Middle Thorofare Bridge had an increase of \$4,869 in revenue. The Corsons Inlet Bridge showed an increase in revenue by \$2,204. The Grassy Sound Bridge was up in revenue by \$4,605.

There were 8,915 tickets used in the month at the bridges. The E-ZPass percentage rate was 80%.

For the month of August, the revenue at each bridge was as follows: Ocean City-Longport - \$153,027; Middle Thorofare - \$172,156; Corsons Inlet - \$87,756; Townsends Inlet - \$107,131; Grassy Sound - \$64,807. The total revenue for the month for all bridges was \$584,876. These figures reflect a decrease of \$34,428 for the current fiscal year over 2018.

The next topic of the meeting was the resolutions.

The following resolution numbers 19-3334 through 19-3336 were part of the Consent Agenda:

**RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN THE OFFICER'S
CERTIFICATE**

BE IT RESOLVED, by the **CAPE MAY COUNTY BRIDGE COMMISSION**, that the Chairman be and is hereby authorized to sign the Officer's Certificate certifying that all expenditures made by the Commission from the Operating Fund during August 2019 were for operating expenses and were in accordance with the terms of the annual budget.

BE IT FURTHER RESOLVED, that said certification be filed with the Trustee, in accordance with Article V, Section 505, item (3), of the General Bond Resolution adopted December 11, 1990.

**RESOLUTION CERTIFYING MONTHLY DEPOSITS IN THE REVENUE ACCOUNT FOR
AUGUST 2019**

BE IT RESOLVED, by the **CAPE MAY COUNTY BRIDGE COMMISSION**, that the revenue deposited, prior to full reconciliation, in our in-house revenue account at the Sturdy Savings Bank, located in Cape May Court House, New Jersey, amounted to \$587,936.85 for the month of August 2019.

BE IT FURTHER RESOLVED, that said Resolution be filed with the Trustee, in accordance with Article V, Section 503, of the General Bond Resolution adopted December 11, 1990.

**RESOLUTION APPROVING A CEILING AMOUNT FOR HEALTH BENEFITS AND
PAYROLL EXPENSES IN BETWEEN BRIDGE COMMISSION MEETINGS**

WHEREAS, the Cape May County Bridge Commission (hereinafter referred to as "Commission") must approve the payment of Health Benefits for its active and retired employees in addition to all payroll expenses for periods in between Commission meetings; and

WHEREAS, the precise amount of this payment is not known until after the Commission meeting each month and cannot wait until the subsequent monthly meeting; and

WHEREAS, the most practical solution to this problem is to allow the Commission to endorse and approve payment for these items at a ceiling amount, and be informed of the precise amount at the following monthly meeting;

NOW, THEREFORE, BE IT RESOLVED, that the **CAPE MAY COUNTY BRIDGE COMMISSION**, hereby approves payment for Health Benefits for Retirees not to exceed \$40,000, payment for Health Benefits for Active Employees not to exceed \$30,000, and monthly payroll expenses not to exceed \$300,000.

BE IT FURTHER RESOLVED, that the Commission acknowledges that the precise amount of the payment will be recorded on next month's bill list.

Resolutions 19-3334 through 19-3336 were moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COMMISSION AND INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, LOCAL 196, TERM OF MAY 1, 2019 THROUGH APRIL 30, 2023

WHEREAS, the Cape May County Bridge Commission reached an agreement between the Commission representatives and its bargaining unit employees represented by Chapter 6, Local 196, International Federation of Professional and Technical Engineers (IFPTE), and it is desired to authorize the execution of a formal written contract; and

WHEREAS, the draft of this four-year labor agreement has been reviewed by the Commission’s representatives;

NOW, THEREFORE, BE IT RESOLVED, by the **CAPE MAY COUNTY BRIDGE COMMISSION**, that the proper officers of the Commission, to wit, the Chairman and Secretary/Treasurer, be and they are hereby authorized and directed to execute a contract between the Commission and IFPTE for the period of May 1, 2019 through April 30, 2023.

Resolution 19-3337 was moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

RESOLUTION DECLARING AN EMERGENCY DUE TO VESSEL ALLISION ON MIDDLE THOROFARE BRIDGE AND AUTHORIZING THE BRIDGE COMMISSION TO ENGAGE IN A CONTRACT FOR REPAIRS

WHEREAS, at approximately 12:45 am on Friday, August 16, 2019 the commercial fishing vessel Ocean’s Pride, while inbound from sea, allided with Pier 10 of the Middle Thorofare Bridge causing severe damage to the west concrete cheek wall, ladder and pier concrete; and

WHEREAS, the extent of damage to Pier 10 created a public safety hazard due to a large piece of concrete which had been partially broken off of the pier column and was resting upon the safety cage of the pier ladder, requiring immediate repairs, and

WHEREAS, the Chief Engineer responded to the site that morning, assessed the extent of damage, and subsequently determined an outside contractor would be required along with additional engineering support in order to safely mitigate the damage and complete temporary and permanent repairs; and

WHEREAS, Thomas Barry Marine Construction (TBMC) had recently completed the bridge railing emergency repairs on Span 14 of the Middle Thorofare Bridge and had the availability, labor and equipment to complete an emergency repair; and

WHEREAS, the engineering firm WSP USA of Lawrenceville, NJ is currently working on the bridge railing replacement project and has first-hand engineering knowledge of the existing railing system’s condition and structural capacity which needed to be inspected; and

WHEREAS, the engineering firm Churchill Consulting Engineers of Berlin, NJ specializes in underwater inspection and has prior on-site knowledge of Middle Thorofare Bridge and was available to evaluate the bridge below the water surface after this allision; and

WHEREAS, the Chief Engineer has prepared a written certification describing in detail the background of this emergency and the work to be performed is attached hereto and made a part hereof as Schedule “A”; and

WHEREAS, the existence of this emergency allows a contract to be authorized without public bidding, and if the Local Public Contract Laws for procurement were followed another 8 weeks or more would pass before permanent repairs could begin; and

WHEREAS, this action is being taken by the Chief Engineer in continuous consultation with the Executive Director and County Director of Finance and Purchasing.

NOW, THEREFORE, BE IT RESOLVED, by the **CAPE MAY COUNTY BRIDGE COMMISSION** as follows:

1. The recitals set forth above are incorporated as if set forth in full herein.
2. The preconditions prescribed by N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 and 6.2 are hereby found to exist because the damaged Pier 10 is an immediate threat to public health, safety and welfare.
3. The Executive Director is hereby directed to sign for and on its behalf Contracts with responsible contractors and engineering firms in a form acceptable to Commission Counsel.
4. Pursuant to the rules of the Local Finance Board of the State of New Jersey, that once a contract amount is agreed upon that a certificate showing the availability of funds required is completed by the County Treasurer and shall be charged to BOND ORDINANCE NO. 1-18B for a not to exceed amount of \$100,000.

Resolution 19-3338 was moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

RESOLUTION CERTIFYING TO THE LOCAL FINANCE BOARD THAT EACH COMMISSIONER HAS REVIEWED THE ANNUAL AUDIT REPORT

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2018 has been completed and filed with the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled “General Comments and Recommendations” and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the audit report entitled “General Comments and Recommendations” in accordance with N.J.S.A. 40A:5A-17;

NOW, THEREFORE, BE IT RESOLVED, that the **CAPE MAY COUNTY BRIDGE COMMISSION** hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2018, and specifically has reviewed the sections of the audit report entitled “General Comments and Recommendations” and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

Resolution 19-3339 was moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

RESOLUTION APPROVING A CONTRACT FOR GROUP TERM LIFE INSURANCE THROUGH USABLE LIFE

WHEREAS, Marsh & McLennan Agency has solicited quotations for group term life insurance and has determined that USable Life is the lowest priced per employee than other quotes; and

WHEREAS, Marsh & McClennan Agency has recommended a contract with USable Life for group term life insurance benefits;

NOW, THEREFORE, BE IT RESOLVED, that the **CAPE MAY COUNTY BRIDGE COMMISSION** hereby enters into a contract with USable Life at a rate of \$2.93 per \$1,000 per employee, commencing October 1, 2019 and ending September 30, 2021; and

BE IT FURTHER RESOLVED, that this expense shall be paid from the Operating Budget Fund; and

BE IT FURTHER RESOLVED, that the Chairman is hereby authorized and directed to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1)(a).

Resolution 19-3340 was moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

RESOLUTION AWARDING A COMPETITIVE CONTRACT TO MICHAEL BAKER INTERNATIONAL, INC. FOR 2019-20 NBIS BRIDGE INSPECTION PROGRAM

WHEREAS, the Cape May County Bridge Commission (hereinafter referred to as “Commission”) advertised for proposals for competitive contracting in accordance with N.J.S.A. 40A:11-4.1 et seq. and N.J.A.C. 5:34-4.1-4 under the Fair and Open Process for the 2019-20 NBIS Bridge Inspection Program; and

WHEREAS, on August 20, 2019, at 2:00 P.M. the Commission received and evaluated one (1) proposal which was from the following firm:

Michael Baker International, Inc., Hamilton, New Jersey - \$281,256.37

WHEREAS, upon the recommendation of the Chief Engineer, the Cape May County Bridge Commission hereby awards the professional engineering services contract for the 2019-20 NBIS Bridge Inspection Program to Michael Baker International, Inc., Hamilton, New Jersey, for a not-to-exceed amount of \$281,256.37;

NOW, THEREFORE, BE IT RESOLVED, by the **CAPE MAY COUNTY BRIDGE COMMISSION**, that the professional engineering services contract for the 2019-20 NBIS Bridge Inspection Program be awarded Michael Baker International, Inc., Hamilton, New Jersey, in the amount of \$281,256.37; and

BE IT FURTHER RESOLVED, that the funds shall be paid from the Operating Account for the cost of this project.

Resolution 19-3341 was moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

RESOLUTION AUTHORIZING A SALARY INCREASE FOR THE BRIDGE COMMISSION’S CHIEF ENGINEER

WHEREAS, the Cape May County Bridge Commission currently employs Lewis Donofrio, Jr. as the Bridge Commission’s Chief Engineer at a salary of \$109,513.41 per year; and

WHEREAS, such salary does not include overtime and the Engineer is compensated separately for such overtime, over and above the salary amount; and

WHEREAS, the Commission believes it is in the best interest of the Commission to modify the salary so that all overtime is included in a flat fee;

NOW, THEREFORE, BE IT RESOLVED, by the **CAPE MAY COUNTY BRIDGE COMMISSION** that the Commission hereby authorizes the salary increase, to \$120,000 per year for Mr. Donofrio, effective October 1, 2019, with the proviso that no further overtime shall be paid and all excess hours shall be included in the base salary.

Resolution 19-3342 was moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

Update on Capital Projects:

Mr. Donofrio provided his report on capital improvement projects for the month to the Commissioners. A copy of the report is attached to the minutes.

There was no correspondence to discuss.

There was no old business to discuss.

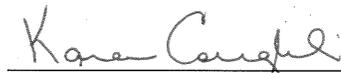
There was no new business to discuss.

There were no public comments.

A motion to pay the bills was moved by Mrs. Murphy, seconded by Mr. Halliday and unanimously approved.

A motion to adjourn was moved by Mrs. Murphy, seconded by Mr. Halliday, and unanimously approved.

Respectfully submitted,



Karen Coughlin, Executive Director