

MINUTES OF MEETING  
THE DELAWARE RIVER AND BAY AUTHORITY  
**Tuesday, December 20, 2005**  
DRBA Administration Building  
James Julian Board Room  
New Castle, Delaware

The meeting convened at 11:00 a.m. with Chairperson Wallace presiding.

The opening prayer was given by Commissioner Lathem followed by the Pledge of Allegiance led by Colonel McCarnan.

Chairperson Wallace called on the Authority Secretary to read the meeting notice and take roll.

The Secretary announced that a notice of the meeting had been distributed to the offices of the Governor of New Jersey and the Governor of Delaware, to appropriate staff members and consultants, to the press in both States and to any other individuals who had indicated an interest in receiving a copy of the meeting notice.

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Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Warren S. Wallace, Chairperson  
Edward W. Dorn  
Niels S. Favre  
Maureen Koebig  
Gary F. Simmerman

F. Michael Parkowski, Vice Chairperson  
Thomas J. Cooper  
Verna Hensley  
Samuel E. Lathem  
William E. Lowe, III

ABSENT

John M. Jackson

Gary B. Patterson

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Chairperson Wallace stated that the Budget & Finance committee assignments will change and that Committee member Simmerman will replace Commissioner Jackson as chair. Commissioner Jackson will remain on the Budget & Finance Committee as a member.

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9320. APPROVAL OF THE NOVEMBER 15, 2005 MINUTES

On motion by Commissioner Dorn and seconded by Commissioner Lathem, the minutes of the November 15, 2005 meeting was unanimously approved by a voice vote of 10-0.

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9321. EXECUTIVE DIRECTORS REPORT

The Executive Director presented the following highlights that occurred within the month of November, 2005.

**EXECUTIVE DIRECTOR:**

Employee Events and Meetings;

- Conducted several meetings with staff to discuss and ready the FY06 Operating Budget and the 5-year Capital Plan for review by the Board.
- Attended the COO and Engineering and Maintenance Department staff meetings.
- Conducted monthly Airport Property Management and Personnel meetings.

External Affairs:

- Attended the International Bridge Tunnel and Turnpike Association (IBTTA) Transportation Summit with Commissioner Patterson. This two day summit was held in Washington, DC. Discussions focused on the entire toolbox of highway financing and funding options available to states, cities, towns, and regional governments. While in Washington, Commissioner Patterson and I met with Governor Minner's representative to DC.
- Attended the opening night reception at the Council of State Government function held in Wilmington, Delaware.
- Met with William Miller (DRBA 1<sup>st</sup> Executive Director) to discuss retiree matters, historical DRBA matters, and the University of Delaware Sea Grant Advisory Council meeting that I was unable to attend this month.

**DEPUTY EXECUTIVE DIRECTOR:**

Economic Development:

- Continued discussions with Millville Motorsports group and state/Federal officials regarding release of land at MIV.
- Continuing negotiations with interested parties regarding sale of Salem Business Center.

Communications:

- Participated as the guest speaker at the Vineland, New Jersey Chamber of Commerce meeting. Presented an overview of DRBA.
- Distributed press releases regarding the Community Initiatives Committee distribution of food baskets for Thanksgiving.

Marketing:

- Don Rainear, Steve Williams, and Michelle Griscom-Collins attended the annual NBAA Convention and Exposition in Orlando where meetings were held with a number of existing and potential clients for New Castle and Millville Airports. Brief meetings were also held with some of our existing airport tenants at the convention, including, all of the New Castle FBOs, Aeroways, Elcorta, Campbells, and Jet Direct.
- Meeting with staff to develop cooperative marketing approach with City of Millville for multi-tenant hangar. Also met with Cumberland County Empowerment officials to discuss multi tenant hangar at Millville Airport.

Property Management:

- Ongoing negotiations with interested parties concerning leases and purchases of hangars at New Castle Airport.

**CHIEF OPERATIONS OFFICER:**

Airports:

- At New Castle Airport, project preparation activities for Taxiways 'M' and 'K' and the new hold apron and blast wall are underway. A pre-construction meeting was held on November 2<sup>nd</sup> between Engineering, FAA, Airports, and the Contractor. Preliminary work will begin in December. No operational impacts are anticipated until mid-Spring.
- The Authority received payment from DEMA in the amount of \$9,798.44 for partial reimbursement of damages caused by the tornado last year at the New Castle Airport.

- Staff met with officials from the FAA's Harrisburg Airports District Office over two days on matters pertaining to the Delaware Airports CIP, New Castle land release issues, runway safety areas, obstruction removal, and other projects at Delaware Airpark and the Civil Air terminal. The FAA was given a tour of the completed Runway 14-32 reconstruction project at New Castle as well as discussion on planning for the upcoming Taxiway M & K project. The FAA also toured both Delaware Airpark and the Civil Air Terminal at Dover Air Force Base to review safety and certification issues at those facilities.
- Staff attended a DelDOT-sponsored airport security/emergency management meeting held at the Transportation Management Center in Smyrna. Topics discussed were the statewide response to aircraft crashes, the role of the Department of Aeronautics, statewide airport outreach, airport security self-assessment, communications, and the use of the DE anti-terrorism tip line.

#### Cape May-Lewes Ferry:

- In November cumulative vehicle traffic increased 1.5% and passenger traffic increased 3.1% when compared to the same period in 2004. Through November, year-to-date vehicle and passenger traffic increased 0.4% from the same 11-month period in 2004. Compared to the average of the last three years, year-to-date vehicle and passenger traffic declined 3.2% and 5.6% respectively
- An Authority delegation attended the annual MarineLog Ferries Conference and Exposition, November 7<sup>th</sup> through 9<sup>th</sup>. Attendees included: Commissioners Maureen Koebig and Bill Lowe; Captains Rick McCann and John Pulli; Jim Gillespie; Heath Gehrke; and Jim Walls. The ferry conference topics included: safety management systems; ferry grants programs; ferry fare structures; food and beverage strategies; security screening technologies; ferry vessel designs; and cost reduction strategies for ferry operators.
- On Thursday, November 10<sup>th</sup>, the M/V Cape Henlopen and the M/V New Jersey experienced mechanical problems resulting in the cancellation of 3 out of 14 crossings and delays to 3 departures. Fortunately, the prompt and professional actions of our CMLF personnel minimized the impact to our customers. Our Lewes marine crews made an additional round trip, preserving the delayed 4:15 p.m. Lewes crossing. All hands from tolls, reservations, police, and marine operations did an admirable job in communicating with our customers as these events unfolded.
- The MV Delaware traveled to Norfolk for its scheduled maintenance and repair drydocking.
- On November 22<sup>nd</sup> the U.S. Coast Guard performed the annual CMLF Facility inspection. They inspected all security-related items mandated through 33 CFR. We were found to be 100% in compliance with no deficiencies noted.

#### Engineering & Maintenance:

- Annual DMB deck resurfacing work is coming to a close for the winter season with all work being completed by December 9<sup>th</sup>. The electrical rehabilitation and expansion joint replacement/rehabilitation contractors will continue to work through the winter.
- All snow removal equipment has been serviced and readied for the winter season. Snow removal equipment operations refresher training has been completed as well. Maintenance workforces have winterized irrigation and outdoor DMB water pipes in preparation for the winter season.
- On November 11<sup>th</sup>, the Authority hosted the annual Veterans' Day memorial service at the DMB War Memorial. More than 600 guests attended this service. Guests included, Lt. Governor John Carney, U.S. Senator Joe Biden, U.S. Senator Tom Carper, Representative Mike Castle, Senator Dori Connor, and General Frank Valvala, adjutant general of the Delaware National Guard. Jim Walls attended this event on behalf of the Authority. Our maintenance and police employees did an outstanding job in the setup and logistical support for this event.

#### Police:

- The Toll Plaza Safety Awareness Campaign for the month was completed. The major focus was on compliance with speed limits in toll lanes, seatbelt and child

safety seat enforcement, and EZ-Pass/Tolls compliance.

- Col. John McCarnan and Joe Bryant attended the winter CALEA Conference November 18<sup>th</sup>-20<sup>th</sup> in Nashville, Tennessee. Our Police Department was officially reaccredited for the next three (3) years. We received a perfect score of “100”.

Safety & Environmental:

- HAZWOPER Training was conducted in Cape May for Maintenance South and other area employees that could be called upon to respond to an emergency. This comprehensive training, conducted by an outside firm, included such subjects as confined space entry, handling and labeling of hazardous materials and waste, and fire protection rules.
- A committee consisting of Safety, Education & Training, Ferry Operations, and Food & Retail was chartered to develop a training program for galley workers. Galley operations pose some unique challenges, particularly since many of the workers are seasonal and we are exploring improved on-board food items in 2006.
- We will pursue Group Safety Recognition Awards for 2005. They are plaques that have the DRBA logo and numerous insertable panels that will facilitate multi-year recognition. These awards will rotate each year to the site, department, and safety committee that best meet the criteria being established for safety excellence.

Toll Operations:

- Total traffic during the month of November 2005 increased 1.4%, compared to monthly total in 2004, or 20,598 vehicles. Non-commercial traffic increased 1.8% and commercial traffic increased 0.4%.
- As compared with a 3-year average, November traffic increased 2.7% or 37,543 vehicles. Total traffic for the 11 months to-date has increased 1.6% or 238,848 vehicles over the 3-year, 11 months to-date average.
- E-ZPass traffic for November 2005 represented 53.9% of the total overall traffic as compared to 50.8% for the previous year. Total electronic traffic for the 11 months to-date in 2005 represents 52.0%, an increase of 4.0% for the same period in 2004.

CHIEF HUMAN RESOURCES OFFICER:

Staffing (Permanent FT):

- Authorized Positions = 481
- Filled Positions = 441
- Filled Positions (on LTD) = 7
- Total Vacancies = 33
- Vacant Positions in process = 15

Human Resources Initiatives:

- Training and Education began a sexual harassment training program for supervisors and managers during the 4<sup>th</sup> quarter of 2005.
- Staff and consultant are working on the annual pension statements that will be sent to employees by year-end.

Community Initiatives Committee:

- The Community Initiatives Committee collected food stuffs and canned goods for the Thanksgiving food basket drive. The Authority provided an abundance of food to 100 families and one orphanage in the New Jersey and Delaware communities we serve.

CHIEF INFORMATION OFFICER:

MUNIS Upgrade:

- The MIS Department completed the MUNIS upgrade on schedule and without major incident. MUNIS users were able to begin using the new software by that same afternoon and adapted quickly to the new system. The CIO followed up the

implementation with an email survey to all MUNIS users requesting their feedback on the on-line training provided. Although the response has been limited, over 76% stated that the videos were either very helpful or adequate as educational guides for the new system.

LAN/WAN Upgrade:

- The upgrade of the local area and wide area networks is proceeding on schedule. Hardware implementation is scheduled to begin in December 2005 and continue through February 2006. Anticipated switch over to the new network is scheduled for March 2006.

IAG Activities:

- The CIO represented the Authority at the IAG Policy Committee Meeting on November 30, 2005 at the Burlington County Bridge Commission – Palmyra Nature Cove Park Building. Agenda items included approval of the proposed 2006 budget as amended by the committee, a private parking discussion as a clarification for drafting of the Reciprocity III Agreement, the Next Generation Technology Task Force update, Indiana’s request to transfer IAG membership to their private operator upon selection in January 2006, and a subsequent discussion on creating an IAG private membership classification. The next meeting is scheduled for January 26, 2006.

Fare Collection/Reservation System:

- The CIO chaired a meeting to discuss requirements for a new Fare Collection/Reservation System for the Cape May Lewes Ferry. A good cross section of the departments involved were represented including Ferry operations, Reservations, Customer Relations, Port Captain, DRBA Police, Food and Retail, IT and Ferry Reconciliation. Committee members were tasked with preparing and submitting information to the CIO to be used in preparation for a request for proposal for a new system.

E-ZPass Website Changes:

- The CIO met with George Karabin, ACS’ Project Manger for the Transportation Service Center and E-ZPass Operations to review planned enhancements and changes for the DRBA E-ZPass website (<http://www.ezpassdrba.com>). A week before the meeting, Mr. Karabin sent a packet of information for review. Meeting attendees were pleased with the enhancements, such as adding additional credit cards to user accounts and paying violations on-line, as well as, proposed changes that would update and improve the functionality of the existing site. DRBA staff will finalize plans with ACS by November 30<sup>th</sup>. ACS plans to have the changes in place by January 2006.

ACTING CHIEF FINANCIAL OFFICER:

2006 Budget and Capital Improvement Plan Development:

- Conducted several meetings with staff to discuss and ready the FY06 Operating Budget and the 5-year Capital Plan for review by the Board.

Local 542 Activity:

- The DRBA negotiating team met with Local 542 representatives during the month. Talks have been constructive and we believe another tentative is close.

Award Notification:

- The Authority has received notification that it has been recognized with the Certificate of Achievement for Excellence in Financial Reporting for FY 2004 from the Government Financial Officers Associations (GFOA). This is the first year we have submitted for this recognition by GFOA.

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In Commissioner's Jackson and Patterson's absence, Commissioner Simmerman presented the following minutes of the Budget & Finance Committee meetings held December 13 and 19, 2005.

**BUDGET & FINANCE COMMITTEE MEETING**

**Tuesday, December 13, 2005**

Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Budget & Finance Committee was held on Tuesday, December 13, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT

Committee Chair Jackson  
Commissioner Favre, Committee Member  
Commissioner Simmerman, Committee Member  
Commissioner Dorn  
Commissioner Koebig  
Chairperson Wallace

Commissioners from Delaware

Committee Vice-Chair Patterson  
Commissioner Hensley, Committee Member  
Commissioner Lathem, Committee Member  
Commissioner Cooper  
Commissioner Lowe  
Vice Chairperson Parkowski

Governors' Representatives

Keith Barrack – NJ

Staff

Jim Johnson, Jr.  
Don Rainear  
Victor Ferzetti  
Trudy Spence-Parker  
Gerry DiNicola Owens  
Joe Larotonda  
Anna Marie Gonnella Rosato  
Ken Hynson  
John Jones  
Kelly Phillips Parker  
Heath Gehrke

Authority Secretary

Tom Pankok

- I. Committee Chair Jackson welcomed the Budget & Finance Committee and opened the meeting at approximately 8:58 a.m. The Authority Secretary reported that the public meeting of the Budget & Finance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- II. The Committee reviewed and recommended the Community Contribution requests for the month of December. A Resolution will be presented to the full Board for consideration at the December meeting.

Committee Vice Chair Patterson questioned whether donations to fire companies which serve Authority facilities as first responders had been made for 2005. The Acting Chief Financial Officer reported that no donations had been made in FY05 and that the Authority has historically made contributions in the amount of \$2500 to each of the fire companies. The Committee directed staff to do so for 2005. The Committee requested that staff include the approximately \$30,000 in donations as an annual line item in the operating budget. In addition, the Committee requested the list of responders contiguous to Authority facilities.

III. The Acting CFO reviewed the proposed operating budget for FY 2006. The proposed budget total of \$70,450,703 represents an increase of 5.2% over the 2005 Adopted Budget and reflects the maintaining of a 1.45x debt service coverage ratio. The Acting CFO reviewed and discussed the following:

- FY 2006 Potential Major Increases
- Expenditure Analysis by Division for the Period 2002-2006
- Expenditure Analysis by Category for the Period 2002-2006
- Analysis of Wages, Benefits, and Operations 2002-2006
- Comparison of Operating Revenue vs. Operating Expenses by Division
- Review of the Authority Financial Model

The Acting CFO noted that the increase of 44.1% in vessel fuel over the Adopted FY 2005 operating budget, is one of the largest major increases in the proposed operating budget. He provided information on a smoothing technique which could be utilized as a management tool to offset the price fluctuations in vessel fuel. After discussion, the Acting CFO recommended not using the smoothing technique and to absorb the increased cost. The Committee concurred with the recommendation to absorb the costs at this time but may consider the proposal in the future.

The Acting CFO also noted that the Financial Model assumes a proposed 2006 Ferry Fare Increase. If the Fare Increase is implemented in 2006, debt service coverage would be sufficient enough to delay a toll increase at the Delaware Memorial Bridge until 2007. A presentation later in the meeting by the Acting Director-Ferry Operations would address the proposed increase.

IV. Committee Chair Jackson requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Simmerman, seconded by Commissioner Favre, the Session was closed.

The following matters of a confidential nature were discussed.

- MATTERS RELATING TO CONTRACT NEGOTIATIONS

There being no further business to discuss in Executive Session, on motion by Commissioner Lathem, seconded by Commissioner Koebig, the Budget and Finance Committee was opened to the public.

V. The Acting Director-Ferry Operations provided a presentation on a proposed Cape May-Lewes Ferry Fare Proposal. The following was presented and discussed.

- CMLF Performance, 2002-2006
- Fare Proposal Strategy
- Value Fares
- Fare Marketing
- Revenue Projection
- Next Steps

It was reported that the last Ferry Fare increase was in April 2002 resulting in a decrease in ridership; however, it was noted that no focused plan to market ridership was implemented at that time. As a result of the Elliott Bay Marketing Study, and a focus on marketing to families and children earlier in 2005, increased traffic has been reported. The extent of the increase should be determined later after more time for analysis has been conducted.

It was further noted that the fare proposal, as presented, assumes a 3% decrease in traffic, based on traffic figures for 2004, and would result in a \$1.3 million increase in revenue if implemented on April 1, 2006. The Acting Director-Ferry Operations reported that the proposed ferry fare increase would be implemented in conjunction with focused marketing initiatives to offset the possible decrease in ridership.

Commissioner Cooper commended the Acting Director and noted that the initiatives instituted since his coming on board have been very pro-active, targeted, and has resulted in positive changes.

Commissioner Favre requested a more focused effort on increasing business during off-peak times.

The Acting Director reported that staff would be targeting a January timeframe for bond action to achieve an implantation date of April 1, 2005.

With no further business to discuss, on motion by Commissioner Favre, seconded by Commissioner Hensley, the Budget & Finance Committee adjourned at 11:45 a.m.

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**BUDGET & FINANCE COMMITTEE MEETING**  
**Tuesday, December 19, 2005**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Budget & Finance Committee was held on Tuesday, December 19, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Commissioner Favre, Committee Member  
Commissioner Simmerman, Committee Member  
Commissioner Dorn  
Commissioner Koebig

Committee Vice-Chair Patterson  
Commissioner Lathem, Committee Member  
Commissioner Cooper

Staff

Authority Secretary

Jim Johnson, Jr.  
Don Rainear  
Victor Ferzetti  
Jim Walls  
Trudy Spence-Parker  
Gerry DiNicola Owens  
Ken Hynson

Tom Pankok

III. Committee Vice Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 4:07 p.m. The Deputy Executive Director reported that the public meeting of the Budget & Finance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

The Committee Vice Chair opened the public hearing portion of the meeting and the Acting Chief Financial Officer reviewed the proposed operating budget for FY 2006. The proposed budget total of \$70,450,703 represents an increase of 5.2% over the 2005 Adopted Budget and reflects the maintaining of a 1.45x debt service coverage ratio. The Acting CFO reviewed and discussed the following:

- Review 2006 Operating Budget
- Financial Model
- Base Budget – Major Increases
- Budget Exhibits by Division and Category
- Projected Operating Revenue by Source
- Proposed Operating Expense by Division

Commissioner Simmerman questioned whether vacant positions were fully funded or was there a vacancy factor. The Acting CFO reported that, historically, all 481 positions were fully funded so as not to mandate an increased budget for the following year. The Committee discussed different possibilities of funding vacant positions that could be explored in the future.

The Committee Vice Chair questioned whether anyone from the public wished to comment on the budget as presented.

- Mr. Bill Gallo, from the Salem Sunbeam, questioned whether the budget included any toll increase or a decrease to the E-ZPass discounts offered to DRBA customers. Staff reported that no adjustments to toll rates were included as part of the proposed FY 2006 budget

With no further questions or comments from the public, Committee Vice Chair Patterson closed the Public Hearing portion of the meeting.

- II. The Committee Vice Chair questioned whether the Committee had any further questions regarding the proposed FY 2006 Operating Budget. With no further questions, on motion by Commissioner Simmerman, seconded by Commissioner Favre, the Committee approved the 2006 Operating Budget. The Resolution authorizing the FY 2006 Operating Budget will be presented to the full Board for consideration at the December meeting.
- III. The Committee Vice Chair presented an additional request in the amount of \$1600 to the to the Community Contributions total for Delaware, previously approved at the December 13, 2005 Budget & Finance Committee meeting. Commissioner Favre motioned to amend the approved Resolution and the Committee approved the Resolution as amended. The Resolution will be presented to the full Board for consideration at the December meeting.
- IV. The Acting CFO presented a Resolution Authorizing a Purchase Agreement Between the Delaware River and Bay Authority and Aramark Uniform Services. A Request for Proposal had been conducted and it was determined that Aramark provided the best quality and best total pricing for Uniform Services. On motion by Commissioner Favre, seconded by Commissioner Lathem, the Committee approved staff’s recommendation for Uniform Services. The Resolution will be presented to the full Board for consideration at the December meeting.
- V. The Committee Vice Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Favre, seconded by Commissioner Simmerman, the Session was closed.

The following matters of a confidential nature were discussed.

- LONG RANGE PLANNING ALTERNATIVES

There being no further business in the Executive Session, on motion by Commissioner Favre, seconded by Commissioner Simmerman, the Session was opened to the public.

With no further business to discuss, on motion by Commissioner Favre, the Budget & Finance Committee adjourned at 4:31 p.m.

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Commissioner Dorn presented the following minutes of the Personnel Committee meetings held December 13 and 20, 2005.

**PERSONNEL & INSURANCE COMMITTEE MEETING**  
**Tuesday, December 13, 2005**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Personnel & Insurance Committee was held on Tuesday, December 13, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Chair Dorn  
Commissioner Jackson, Committee Member  
Commissioner Koebig, Committee Member  
Commissioner Favre  
Commissioner Simmerman

Committee Vice Chair Lathem  
Commissioner Cooper, Committee Member  
Commissioner Lowe, Committee Member  
Commissioner Hensley  
Commissioner Patterson

Governors' Representatives

Keith Barrack – NJ

Staff

Jim Johnson  
Don Rainear  
Victor Ferzetti  
Trudy Spence-Parker  
Gerry DiNicola Owens  
TJ Murray

Authority Secretary

Tom Pankok

- I. Committee Chair Dorn welcomed the Personnel & Insurance Committee and opened the meeting at approximately 11:46 a.m. The Authority Secretary reported that the public meeting of the Personnel & Insurance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- II. The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Lathem, seconded by Commissioner Lowe, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS
- LONG RANGE PLANNING ALTERNATIVES

Committee Vice Chair Lathem requested a closed session for Commissioners and the Executive Director only. The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS

Staff returned, and, there being no further business in the Executive Session, on motion by Commissioner Lowe, seconded by Commissioner Koebig, the Personnel & Insurance Committee the session was opened to the public.

- III. The Chief Human Resource Officer presented a technical Resolution Authorizing the Seventh Amendment to the Restated Delaware River and Bay Authority

Employees' Retirement Plan and the Fourth Amendment to the Delaware River and Bay Authority Employees' Defined Contribution Plan in order to comply with certain requirements of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). On motion by Commissioner Lowe, seconded by Commissioner Koebig, the Committee recommended approval of the Resolution for full Board consideration. The Resolution will be presented at the December meeting.

The Executive Director presented a Resolution Recognizing and Applauding the Community Initiatives Committee by recording the Commissioners' sincere appreciation by presentation of this Resolution. On motion by Commissioner Lowe, seconded by Commissioner Jackson, the Committee recommended approval of the Resolution for full Board consideration. The Resolution will be presented at the December meeting.

IV. Committee Chair Dorn questioned whether anyone from the public wished to address the Committee. Vincent Ascione, a representative with Local 542 addressed the Committee and reported that a tentative Agreement had been reached and thanked the Commissioners and Staff for their professionalism in working as a team to reach the Agreement. Committee Chair Dorn thanked the negotiating team, as well, and reported that he looked forward to a ratification by the bargaining unit.

With no further business to discuss, on motion by Commissioner Lathem, the Personnel & Insurance Committee meeting adjourned at 12:35 p.m.

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**PERSONNEL & INSURANCE COMMITTEE MEETING**  
**Tuesday, December 20, 2005**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Personnel & Insurance Committee was held on Tuesday, December 20, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT

Committee Chair Dorn  
Commissioner Koebig, Committee Member  
Commissioner Favre  
Commissioner Simmerman  
Chairperson Wallace

Commissioners from Delaware

Committee Vice Chair Lathem  
Commissioner Cooper, Committee Member  
Commissioner Lowe, Committee Member  
Commissioner Hensley  
Vice Chairperson Parkowski

Governors' Representatives

Keith Barrack – NJ

Bernard Pepukayi – DE

Staff

Jim Johnson  
Don Rainear  
Victor Ferzetti  
Jim Walls  
Trudy Spence-Parker  
Gerry DiNicola Owens

Authority Secretary

Tom Pankok

III. Committee Chair Dorn welcomed the Personnel & Insurance Committee and opened the meeting at approximately 9:16 a.m. The Authority Secretary reported that the public meeting of the Personnel & Insurance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

IV. The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Koebig, seconded by Commissioner Lathem, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS
- CONTRACT NEGOTIATIONS

There being no further business in the Executive Session, on motion by Commissioner Lathem, seconded by Commissioner Koebig, the Personnel & Insurance Committee the session was opened to the public.

III. The Acting Chief Financial Officer reported that the Tentative Agreement with Local 542 had been ratified by the bargaining unit. The negotiating team recommended approval of the Agreement. On motion by Commissioner Lathem, seconded by Commissioner Lowe, the Committee recommended approval of the Agreement. The Resolution authorizing the Agreement will be presented for full Board consideration during the Public Session.

IV. Commissioner Cooper questioned the status of the search for Director-Ferry Operations. The Chief Operations Officer reported that 3 external and 2 internal candidates had been interviewed, but staff was not prepared to make a recommendation at this time. The Committee discussed the possibility of continuing the search. Due to the nature of the discussion, Committee Chair Dorn requested a closed session, to include Commissioners only, to continue to discuss matters of a confidential nature. On motion by Commissioner Lowe, seconded by Commissioner Cooper, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS

With no further business to discuss, the Personnel & Insurance Committee meeting adjourned at 10:23 a.m.

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9324. COMMITTEE REPORT – PROJECTS COMMITTEE

Commissioner Hensley presented the following minutes of the Projects Committee meetings held December 13 and 19, 2005.

**PROJECTS COMMITTEE**  
**Tuesday, December 13, 2005, 2:00 PM**  
 Delaware Memorial Bridge Complex  
 New Castle, Delaware

A public meeting of the Delaware River and Bay Authority’s Projects Committee was held on Tuesday, December 13, 2005, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Hensley, Committee Chair  
Commissioner Lowe, Committee Mbr.  
Commissioner Lathem

Commissioner Dorn, Committee Vice Chair  
Commissioner Koebig, Committee Mbr  
Commissioner Favre

Governor’s Representative

Keith Barrack - NJ

Staff

Jim Johnson  
Don Rainear  
Trudy-Spence Parker  
Gerry DiNicola-Owens  
Victor Ferzetti  
John Jones  
Steve Williams  
Heath Gehrke  
Anna Marie Gonnella-Rosato

Authority Secretary

Tom Pankok

- I. The Projects Committee meeting convened at approximately 2:00 p.m. Those in attendance were provided an informational package consisting primarily of an agenda, a coordinating draft of the Five-Year Capital Improvement Program (CIP) Budget for both Crossing and Airports, monthly contractor payment chart, and three draft CIP-related resolutions.
- II. Bid Openings/Award Actions: None.
- III. Contract Close-Out Actions: None.
- IV. Capital Improvement Program (CIP) Budget: The Director of Engineering and Maintenance opened the budget presentation with a major capital project overview through 2021 which focused on the anticipated major projects at both the Delaware Memorial Bridge and Cape May-Lewes Ferry. He then briefed the Committee on the Five-Year and One-Year CIP proposed budgets for both Crossings and Airports. The proposed CIP budgets have been synchronized with the Authority’s financial model and current budget guidance. The process was collaborative and involved key leaders in operations, finance, engineering, and maintenance. A CIP comparative analysis between the 2006 and 2005 budget submission was also presented. The proposed CIP will assure that the public continues to enjoy quality transportation services in a safe and efficient manner as well as prudently maintain and enhance facilities as necessary. Three draft resolutions regarding the CIP Budget were proposed by staff. After discussion, on motion by Commissioner Lowe, seconded by Commissioner Koebig, the Committee recommended the three CIP resolutions for adoption at the December Board meeting.
- V. Minimum Standards/Rules and Regulations (New Castle Airport): It was decided by the Committee to address this topic at a future Projects Committee meeting, perhaps as early as December 19<sup>th</sup>.
- VI. Contractor Payment (through November): Staff informed the Committee on monthly construction contractor payments to be made to contractors in December.
- VII. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 2:30 p.m.

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**PROJECTS COMMITTEE**  
**Tuesday, December 19, 2005**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority’s Projects Committee was held on Tuesday, December 19, 2005, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Hensley, Committee Chair  
Commissioner Cooper  
Commissioner Lathem  
Commissioner Patterson, Committee Mbr.

Commissioner Dorn, Committee Vice Chair  
Commissioner Koebig, Committee Mbr  
Commissioner Favre  
Commissioner Simmerman, Committee Mbr.

Staff

Jim Johnson  
Don Rainear  
Jim Walls  
Trudy-Spence Parker  
Gerry DiNicola-Owens  
Victor Ferzetti  
Steve Williams

- I. The Projects Committee meeting convened at approximately 4:40 p.m. Those in attendance were provided an informational package consisting primarily of draft New Castle Airport Minimum Standards and Rules and Regulations.
- II. The Chief Operations Officer presented the following Resolutions:
  - Resolution 05-58 - Adoption of Minimum Standards for Aeronautical Services at New Castle Airport.
  - Resolution 05-59 - Amendment to the Rules and Regulations for Aeronautical Activities at New Castle Airport.

Following the Director of Airports power point presentation a discussion ensued. On motion by Commissioner Simmerman and seconded by Commissioner Dorn, the Committee recommended Resolutions 05-58 and 05-59 for adoption at the December 20, 2005 Board meeting.

- III. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 5:10 p.m.

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9325. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Koebig presented the following minutes of the Economic Development Committee meeting held December 13, 2005.

**ECONOMIC DEVELOPMENT COMMITTEE**  
**Tuesday, December 13, 2005**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Economic Development Committee was held on Tuesday, December 13, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Chair Koebig  
Commissioner Dorn, Committee Member  
Commissioner Jackson, Committee Member  
Commissioner Favre  
Commissioner Simmerman

Committee Vice-Chair Lowe  
Commissioner Patterson, Committee Member  
Commissioner Hensley

Governors’ Representatives

Staff

Jim Johnson, Jr.  
Don Rainear  
Victor Ferzetti  
Trudy Spence-Parker  
Gerry DiNicola Owens  
Anna Marie Gonnella Rosato  
Michelle Griscom-Collins  
John Jones  
Steve Williams  
Heath Gehrke

Authority Secretary

Tom Pankok

- I. Committee Chair Koebig welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 12:48 p.m. The Authority Secretary reported that the public meeting of the Economic Development Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

ECONOMIC DEVELOPMENT

Committee Chair Koebig requested an "A, B, C" list of current and proposed Economic Development projects for 2006 for Committee review. Staff will provide the requested information.

- II. The Deputy Executive Director provided an update on General Economic Development matters.
- The Deputy Executive Director reported that staff recently began the development of a standardized policy regarding return on Authority investments for Economic Development projects. Recommendations for the policy and a strategic plan for Economic Development will be presented to the Committee at a later date and staff will continue to keep the Committee informed as necessary.

III. Airport Updates:

- Millville Airport: The Deputy Executive Director reviewed an amendment to the Lease Agreement between the Authority and the Federal Aviation Administration at the Millville Airport. This Amendment is necessary due to a roof problem which reduced the usable space by the FAA from 10,000 square feet to 1,260 square feet. This reduction reduces the annual rent payable to the Authority for the facility. On motion by Commissioner Simmerman, seconded by Commissioner Lowe, the Committee recommended approval of the Lease Amendment. A Resolution will be presented to the full Board for consideration at the December meeting.
- New Castle Airport: The Deputy Executive Director provided an update regarding the release of three parcels of land in the Corporate Commons section of the New Castle Airport. The FAA has given preliminary approval that the land is no longer necessary for airport use. Releasing the parcels removes an important encumbrance and will permit the Authority to move forward in the plans to transfer the properties. The FAA provided the Authority a list of requirements for submission and, once received and reviewed, a release of lands can be expected sometime within the 1<sup>st</sup> quarter of 2006. The Deputy Executive Director reported that staff has worked in conjunction with all governmental entities involved to keep them informed and updated. Staff will continue to update the Committee as necessary.

IV. The Deputy Executive Director requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Lowe, seconded by Commissioner Dorn, the Session was closed.

The following matters of a confidential nature were discussed.

- MATTERS RELATING TO ECONOMIC DEVELOPMENT PROJECTS

There being no further business to discuss, on motion by Commissioner Dorn, seconded by Commissioner Lowe, the Economic Development Committee adjourned at 1:25 p.m.

\* \* \* \* \*

9326. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Acting Chief Financial Officer (CFO) presented a chart showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Three Forts Ferry Crossing, and Food Services for the month of October.

Without objection, the chart was ordered filed with the permanent records of the Authority.

\* \* \* \* \*

9327. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Acting CFO presented a chart showing a statement of income and expenses with comparisons to the same period last year.

Without objection, the chart was ordered filed with the permanent records of the Authority.

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9328. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Acting CFO presented a chart showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

Without objection, the charts were ordered filed with the permanent records of the Authority.

\* \* \* \* \*

9329. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Acting CFO presented a chart for the month of November showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also includes cash expenditures spent to date for the committed projects.

Without objection, the charts were ordered filed with the permanent records of the Authority.

\* \* \* \* \*

9330. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF NOVEMBER 30, 2005.

The Acting CFO presented a chart indicating the cash fund balances for the entire Authority.

Without objection, the charts were ordered filed with the permanent records of the Authority.

\* \* \* \* \*

9331. PUBLIC COMMENT ON ACTION ITEMS.

Chairperson Wallace noted the following action items that were being considered today and asked for public comment.

- Resolution 05-51 Approval of Community Contribution Requests
- Resolution 05-52 Authorizes Expenditures \$25,000 and Over
- Resolution 05-53 Authorizes a Purchase Agreement with Aramark Uniform Services, a division of Aramark Uniform & Career Apparel, Inc.
- Resolution 05-54 Adoption of the Authority’s 2006 Operating Budget
- Resolution 05-55 Adoption of the Authority’s 5-Year (2006-2010) Crossings CIP
- Resolution 05-56 Adoption of the Authority’s 2006 Crossings CIP
- Resolution 05-57 Adoption of the Authority’s 2006 Airport CIP
- Resolution 05-58 Adoption of Minimum Standards for Aeronautical Services at New Castle Airport
- Resolution 05-59 Amendment to the Rules and Regulation for Aeronautical Activities at New Castle Airport
- Resolution 05-60 Supplemental Agreement with FAA at Millville Airport
- Resolution 05-61 Collective Bargaining Agreement with Local 542
- Resolution 05-62 Recognizing and Applauding Employee Volunteer Initiatives
- Resolution 05-63 Authorizes the Seventh Amendment of the Restated DRBA Employees’ Retirement Plan and the Fourth Amendment to the Defined Contribution Plan

There were no comments.

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9332. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

The Chief Operating Officer (COO) noted the following Summary of Authorized Contract Payments for December, 2005.

<u>Contractor</u>		<u>Payment</u>
DMB-04-02	Eastern Highway Specialists	\$138,779.37
DMB-04-04	J.D. Eckman, Inc.	\$174,256.65
DMB-02-01	Daisy Construction	\$ 46,250.00
DMB-01-06	Cianbro Corporation	\$420,151.89
DAP-04-02	EDIS	\$ 18,597.80
MVA-04-01	Delta Line Construction	\$173,997.27
CMA-04-01	Delta Line Construction	\$250,352.20

\* \* \* \* \*

9333. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD.

The Executive Director presented the following Resolutions:

**RESOLUTION 05 - 51 APPROVAL OF COMMUNITY CONTRIBUTION REQUESTS.**

WHEREAS, The Delaware River and Bay Authority (the "Authority") is a bi-state agency with public crossing facilities and assets in the States of New Jersey and Delaware; and

WHEREAS, the Authority has developed a Community Contributions Policy which outlines the purpose of the program and process for consideration of requests; and

WHEREAS, the policy requires full board approval for any Community Contribution; and

WHEREAS; the Budget and Finance Committee met and approved Community Contributions for the month of December, 2005; and

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby approves the following Community Contributions.

Community Contributions

**New Jersey**

<b>American Legion Post 521 Washington Township</b>	<b>\$ 4,000</b>
<b>Newfield Terrace Community Action Organization</b>	<b>\$ 3,300</b>
<b>Shore Memorial Health Foundation Incorporated</b>	<b>\$ 4,000</b>
<b>Total</b>	<b><u>\$ 11,300</u></b>

**Delaware**

<b>Delaware Breast Cancer Coalition Incorporated</b>	<b>\$ 1,600</b>
<b>Delmarva Walk to Emmaus</b>	<b>\$ 4,300</b>
<b>YMCA of Delaware (Walnut Street YMCA)</b>	<b>\$ 5,000</b>
<b>YMCA of Delaware (Sussex Family YMCA)</b>	<b>\$ 1,000</b>
<b>Total</b>	<b><u>\$ 11,900</u></b>

<b>Grand Total (New Jersey and Delaware)</b>	<b><u>\$ 23,200</u></b>
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On motion by Commissioner Dorn, seconded by Commissioner Lathem, Resolution 05-51 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-52 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2005.**

WHEREAS, The Delaware River and Bay Authority (the "Authority") adopted Resolution 01-84 requiring Commissioner review and approval of all Authority expenditures in excess of \$25,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$25,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY  
PROJECTED VENDORS TO BE PAID OVER \$25,000  
OPERATION EXPENDITURES  
FOR THE PERIOD 1/1/05 THROUGH 12/31/05

<b>VENDOR</b>	<b>SERVICE DESCRIPTION</b>	<b>DETERMINATI</b>
Plymouth Environmental Co., Inc.	Asbestos Abatement, Old Cape May Administration Building	Lowest Bidder
Tri-State Carpet	Carpet Replacement Services	State Contract
Tri-Supply & Equipment	Telescopic Boom Forklift	Bid Award

NOW, THEREFORE, BE IT RESOLVED, that the Authority authorizes expenditures to the above listed vendors for the described purposes and authorizes payment.

On motion by Commissioner Favre, seconded by Commission Hensley, Resolution 05-52 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-53 – AUTHORIZES A PURCHASE AGREEMENT BETWEEN THE AUTHORITY AND ARAMARK UNIFORM SERVICES, A DIVISION OF ARAMARK UNIFORM & CAREER APPAREL, INC.**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state Authority created by Compact for the purpose of owning, operating and controlling both Crossing and Non-Crossing facilities; and

WHEREAS, the Authority desires to obtain reliable delivery, quality, and consistency of uniforms for its uniformed staff while seeking competitive pricing; and

WHEREAS, the Authority, in accordance with the procedure for the procurement of materials and supplies as outlined in Resolution 98-31, publicly advertised a Request for Proposals (“RFP”) for qualified vendors interested in the supply of uniform items to various Authority locations; and

WHEREAS, the Authority staff received and analyzed those proposals based on the best overall price, delivery, reliability and other specifications as outlined in the RFP to identify a primary uniform supplier (“Staff Recommendation”); and

WHEREAS, the Authority’s Budget and Finance Committee reviewed the Staff Recommendation and concurs with the evaluation.

~~NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of an Agreement with Aramark Uniform Services, a Division of Aramark Uniform & Career Apparel, Inc. for an initial term of three (3) years with two (2) additional one (1) year options and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice-Chairperson and Executive Director.~~

On motion by Commissioner Favre, seconded by Commissioner Koebig, Resolution 05-53 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-54 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S 2006 OPERATING BUDGET.**

WHEREAS, Section 505 of the Trust Agreement, dated October 1, 1993, requires that the Authority adopt a budget for the ensuing fiscal year; and

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WHEREAS, the proposed operating expenses for FY2006, excluding the Airports division, are \$65,571,832; and

WHEREAS, the budget includes funds for salaries and wages of Authority personnel, and materials and services for Authority activities; and

WHEREAS, for FY2006, interest on outstanding bonds is currently approximately \$15,189,728, and amortization of principal will be \$7,095,000 for total debt service of approximately \$22,284,728; and

WHEREAS, the amount to be deposited to the credit of the Reserve Maintenance Fund with respect to Crossing Facilities shall be \$175,000 per month or \$2,100,000 for FY2006; and

WHEREAS, the projected revenue of the Authority for FY2006 excluding the Airports division is approximately \$97,812,584 resulting in a debt service coverage of 1.45x, meeting the toll covenant; and

WHEREAS, the proposed operating budget for the Airports division operated by the Authority is \$4,878,871; and

WHEREAS, the Budget and Finance Committee has conducted publicly advertised hearings and meetings on the proposed 2006 Operating Budget; and

WHEREAS, the Budget and Finance Committee has developed, reviewed, and approved the proposed 2006 Operating Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby adopts an operating budget of \$65,571,832 for the Bridge, Ferry, Food Services, Three Forts Crossing, Police, and Administration Divisions, and a budget of \$4,878,871, for the Airports division operated by the Authority for a total of \$70,450,703 for FY2006, and authorizes the Executive Director to exercise the approved management discretion and spend within the approved FY2006 budget.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that \$6 million of the General Fund Reserve is hereby designated and restricted for the Fiscal Year 2006 as the self insurance fund of the Authority to cover any payments required within the deductible limits of the Authority's various insurance policies.

On motion by Commissioner Dorn, seconded by Commissioner Simmerman, Resolution 05-54 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-55 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S FIVE (5) YEAR (2006-2010) CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET.**

WHEREAS, The Delaware River and Bay Authority (the "Authority") has developed a Five (5) Year Capital Improvement Program (CIP) for the development of capital improvement crossing projects at the Delaware Memorial Bridge, Cape May-Lewes Ferry, and the Three Forts Crossing; and

WHEREAS, the Five (5) Year Crossings CIP budget is adopted in its entirety each year; and

WHEREAS, the current Five (5) Year Crossings CIP (2006-2010) totals \$149,950,000.00; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings on the proposed Five (5) Year Crossings CIP Budget; and

WHEREAS, the Authority's Projects Committee has developed, reviewed and approved the proposed Five (5) Year Crossings CIP Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a Five (5) Year Crossings CIP Budget of \$149,950,000.00, and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

On motion by Commissioner Simmerman, seconded by Commissioner Hensley, Resolution 05-55 was approved by a roll call vote of 10-0.

\* \* \* \* \*

**RESOLUTION 05-56 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S 2006 CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET**

WHEREAS, The Delaware River and Bay Authority (the "Authority") has adopted a Five (5) Year Crossings Capital Program (CIP) budget for the development of capital improvement projects at the Delaware Memorial Bridge, Cape May-Lewes Ferry, and the Three Forts Crossing; and

WHEREAS, the 2006 Crossings CIP budget is \$34,900,000.00; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings on the proposed 2006 Crossings CIP Budget; and

WHEREAS, The Authority's Projects Committee has developed, reviewed and approved the proposed 2006 Crossings CIP Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a 2006 Crossings CIP Budget of \$34,900,000.00 and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

On motion by Commissioner Simmerman, seconded by Commissioner Lathem, Resolution 05-56 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-57 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S 2006 AIRPORT CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET.**

WHEREAS, The Delaware River and Bay Authority (the "Authority") has adopted a Five (5) Year Capital Improvement Program (CIP) budget for the development of airport capital improvement projects; and

WHEREAS, the Five (5) Year CIP for airport infrastructure projects will be adopted on an annual basis for the next fiscal year (2006); and

WHEREAS, the Airports CIP budget for FY 2006 is \$7,985,000.00; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings on the proposed 2006 Airports CIP Budget; and

WHEREAS, The Authority's Projects Committee has developed, reviewed and approved the proposed 2006 Airports CIP Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a CIP Budget of \$7,985,000.00 for FY 2006 for the Airports Division, and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

On motion by Commissioner Simmerman, seconded by Commissioner Lathem, Resolution 05-57 was approved by a roll call vote of 10-0.

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**RESOLUTION NO. 05-58 ADOPTION OF THE DOCUMENT ENTITLED "MINIMUM STANDARDS FOR AERONAUTICAL SERVICES AT NEW CASTLE AIRPORT", DATED DECEMBER, 2005**

WHEREAS, The Delaware River and Bay Authority (the "Authority") under Article VII(d) of the Authority's Compact, may adopt Minimum Standards for Aeronautical Services ("Minimum Standards") pertaining to the commercial operation of New Castle Airport ("Airport"); and

WHEREAS, these Minimum Standards will not take effect until filed with the Secretary of State of the States of Delaware and New Jersey; and

WHEREAS, in establishing these Minimum Standards relating to the commercial use of the Airport, the Authority is to consult with appropriate officials in the States of Delaware and New Jersey to insure, as far as possible, uniformity of such standards with the laws of both states; and

WHEREAS, the Authority has consulted with the Federal Aviation Administration (FAA) as well as the affected airport tenant community at the Airport on the preparation and adoption of these standards; and

WHEREAS, the filing of the Minimum Standards with the Secretary of State of the States of Delaware and New Jersey can, under Article VII(d) of the Compact, occur after the Board of Commissioners approval.

NOW THEREFORE BE IT RESOLVED, that the Minimum Standards for Aeronautical Services at New Castle Airport dated December, 2005 is hereby adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED, that the Secretary of the Board of Commissioners is hereby authorized and directed to file a copy of said Minimum Standards with the Secretary of State of the States of Delaware and New Jersey.

On motion by Commission Dorn, seconded by Commissioner Simmerman, Resolution 05-58 was approved by a roll call vote of 10-0.

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**RESOLUTION NO. 05- 59 AMENDMENT TO THE DOCUMENT ENTITLED "RULES AND REGULATIONS FOR AERONAUTICAL ACTIVITIES AT NEW CASTLE AIRPORT" DATED SEPTEMBER, 2000**

WHEREAS, The Delaware River and Bay Authority (the "Authority") under Article VII(d) of the Authority's Compact, adopted Rules and Regulations for Aeronautical Activities at New Castle Airport ("Rules and Regulations"), pertaining to the operation of New Castle Airport ("Airport") on September , 2000; and

WHEREAS, the Authority finds it necessary to amend these Rules and Regulations; and

WHEREAS, these amended Rules and Regulations dated December, 2005 will not take effect until filed with the Secretary of State of the States of Delaware and New Jersey; and

WHEREAS, in amending these Rules and Regulations relating to certain aeronautical activities at the Airport, the Authority is to consult with appropriate officials in the States of Delaware and New Jersey to insure, as far as possible, continued uniformity of such standards with the laws of both states; and

WHEREAS, the Authority has consulted with the Federal Aviation Administration (FAA) and the airport tenant community at the Airport on the preparation and adoption of these amended Rules and Regulations; and

WHEREAS, the filing of these amended Rules and Regulations dated December, 2005 with the Secretary of State of the States of Delaware and New Jersey can, under Article VII(d) of the Compact, occur after the Board of Commissioners approval.

NOW THEREFORE BE IT RESOLVED, that the "Rules and Regulations for Aeronautical Activities at New Castle Airport" dated September, 2000 and amended December, 2005 are hereby adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED, that the Secretary of the Board of Commissioners is hereby authorized and directed to file a copy of said Rules and Regulations with the Secretary of State of the States of Delaware and New Jersey.

On motion by Commissioner Koebig, seconded by Commissioner Hensley, Resolution 05-59 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-60 - SUPPLEMENTAL AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND FEDERAL AVIATION ADMINISTRATION (FAA) AT MILLVILLE AIRPORT, MILLVILLE, NEW JERSEY**

WHEREAS, The Delaware River & Bay Authority (the "Authority"), is the operator of Millville Airport; and

WHEREAS, the Federal Aviation Administration (FAA) desires to amend its Lease Agreement No. DTFA05-84-L-60824 which provides the FAA with a 10,000 square foot facility to operate a Flight Service Station at the Millville Airport; and

WHEREAS, due to a roof problem in the leased building, the FAA and the Authority agreed to evacuate the building and place a mobile Air Traffic Control Tower in its place and use electric power, gas and water from the original building; and

WHEREAS, this reduced the usable space in the building to 1,260 square feet; and

WHEREAS, this reduction in usable space shall reduce the rent payable for the facility to \$14,950.80 annually.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Supplemental Lease Agreement with the FAA and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

On motion by Commissioner Favre, seconded by Commissioner Lowe, Resolution 05-60 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-61 - COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 542, AT THE DELAWARE MEMORIAL BRIDGE**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) owns and operates the Delaware Memorial Bridge between New Castle, Delaware and Pennsville, New Jersey; and

WHEREAS, certain employees at the Delaware Memorial Bridge voluntarily designated International Union of Operating Engineers, Local 542 (“Local 542”) to represent them in an election on September 23, 2004; and

WHEREAS, the Authority and Local 542 negotiated a Collective Bargaining Agreement (the “Agreement”); and

WHEREAS, the purpose of the Agreement is to promote and maintain a harmonious relationship between the Authority and its employees; and

WHEREAS, the Personnel Committee has reviewed the terms of the Agreement and has recommended approval thereof by the Commissioners; and

WHEREAS, the provisions of this Agreement shall begin January 1, 2005 and will expire on December 31, 2008; and

WHEREAS, the Authority desires to approve the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that, with the advice of Counsel, the Chairperson, Vice Chairperson, and Executive Director are hereby authorized and directed to execute such Agreement.

On motion by Commissioner Simmerman, seconded by Commissioner Favre, Resolution 05-61 was approved by a roll call vote of 10-0.

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**RESOLUTION 05-62 RECOGNIZING AND APPLAUDING EMPLOYEE VOLUNTEER INITIATIVES**

WHEREAS, The Delaware River & Bay Authority (the “Authority”) was created by a Compact between the States of Delaware and New Jersey in 1962 for the public purpose of providing regional transportation and conducting certain other authorized activities between the two States; and

WHEREAS, the Authority, which has a four decade long record of employing dedicated and caring professionals in all aspects of its operations, is an organization of people serving people; and

WHEREAS, certain Authority employees organized and created a Community Initiatives Committee that identifies and implements initiatives to support people in need; and

WHEREAS, while the members of Community Initiatives Committee planned, organized and implemented community-based projects, many other Authority employees willingly volunteered their time and energy to participate and complete these endeavors; and

WHEREAS, the members of the Committee endeavor to engage in community activities that inspire and call to action the employees of the Authority; and

WHEREAS, employee participation in these community-based initiatives is both Authority-wide and voluntary in nature; and

WHEREAS, the members of the Committee developed and implemented both a school outreach project to deliver back-packs and school supplies to disadvantaged children in neighboring communities and Thanksgiving Care packages of food to support families who are less fortunate; and

WHEREAS, the employees also reached out to aid victims of Hurricane Katrina by organizing a donation fund drive to benefit the relief efforts of the American Red Cross; and

WHEREAS, the Committee just recently completed its last community endeavor for 2005, Hope for the Holidays, in which twenty-five less fortunate families were provided food baskets, new clothes, and other gifts during this Season of Giving; and

WHEREAS, the Commissioners of the Authority desire to formally recognize the following employees for their individual and collective volunteer efforts to assist communities and people within the Compact area who are less fortunate:

Donna Bristol	Edward Cole	Camille Dinon
Kathy Eckton	Aretha Farmer	Kristin Flocco
Shannon Goad	Michelle Griscom-Collins	Laura Hanna
Dawn Herman	Peggy Lamanna	Margie Laughlin
Sue Lonergan	Donna McAuliffe	Bernadette Minton
Consuella Petty-Judkins	Sue Polak	Joan Ryan
Alexis Schaal	Kristen Todd	Patricia Stevenson
Mary Beth Winter	Denise Wise	Jill Wolfe
Joseph Zecca		

WHEREAS, the Commissioners also wish to acknowledge the many other Authority employees who participated in or contributed to the success of the various community initiatives undertaken; and

NOW THEREFORE BE IT RESOLVED that the Delaware River and Bay Authority does hereby recognize and applaud the above members of the Community Initiative Committee for their selfless, thoughtful, and compassionate community efforts to support people in need, which reflects favorably on the Authority, and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, December 20, 2005.

On motion by Commissioner Koebig, seconded by Commissioner Dorn, Resolution 05-62 was approved by a roll call vote of 10-0.

Commissioner Lathem wanted to thank all of the Authority's volunteers and asked the Commissioners to join him in giving staff a standing ovation.

Commissioner Dorn and the Executive Director thanked the newspapers in New Jersey and Delaware for covering some of the humanitarian events organized by Authority employees.

\* \* \* \* \*

**RESOLUTION 05-63 – AUTHORIZES THE SEVENTH AMENDMENT OF THE RESTATED DELAWARE RIVER AND BAY AUTHORITY EMPLOYEES’ RETIREMENT PLAN AND THE FOURTH AMENDMENT TO THE DELAWARE RIVER AND BAY AUTHORITY EMPLOYEES’ DEFINED CONTRIBUTION PLAN**

WHEREAS, The Delaware River and Bay Authority (the "Authority") currently maintains The Restated Delaware River and Bay Authority Employees' Retirement Plan (the "Retirement Plan") and The Delaware River and Bay Authority Employees' Defined Contribution Plan (the "Defined Contribution Plan");

WHEREAS, the Authority desires to amend the Retirement Plan and the Defined Contribution Plan to comply with certain requirements of the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA");

WHEREAS, pursuant to EGTRRA, in the case of involuntary distributions to terminated participants, employers sponsoring qualified plans are required to provide that such involuntary distributions are made to a rollover IRA account if such distributions exceed \$1,000;

WHEREAS, alternatively, in order to satisfy the requirements of EGTRRA, employers may reduce the threshold amount for permitted involuntary distributions from \$5,000 to \$1,000;

WHEREAS, the Commissioners have deemed it advisable to amend the Retirement Plan and the Defined Contribution Plan to decrease the involuntary distribution limit from \$5,000 to \$1,000; and

WHEREAS, the Commissioners have deemed it advisable to amend the Retirement Plan to give terminated participants the right to affirmatively elect to receive an outright distribution of accrued benefits under circumstances where such benefits are more than \$1,000 but less than \$5,000.

NOW THEREFORE BE IT RESOLVED, that the Executive Director is authorized (i) to execute an amendment to the Retirement Plan, in accordance with applicable law, to provide that, effective March 28, 2005, the involuntary distribution threshold amount shall be decreased from \$5,000 to \$1,000, but that terminated participants may affirmatively elect to receive an outright distribution of accrued benefits under circumstances where such benefits are more than \$1,000 but less than \$5,000; and (ii) to execute an amendment to the Defined Contribution Plan, in accordance with applicable law, to provide that, effective March 28, 2005, the involuntary distribution threshold amount with respect to terminated participants shall be decreased from \$5,000 to \$1,000.

On motion by Commissioner Favre, seconded by Commissioner Lowe, Resolution 05-63 was approved by a roll call vote of 10-0.

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9334. COMMISSIONERS PUBLIC FORUM

Chairperson Wallace asked if any members of the public would like to address the Commission.

Frank Bankard, Local 542, thanked the Commissioners for passing Resolution 05-61 and added that he appreciated all of their help during the negotiations.

Vincent Ascione, Local 542, stated that this was a monumental day. He thanked everyone, particularly Senator Sweeney from New Jersey, Terry Spence, Delaware Speaker of The House, Delaware Lieutenant Governor Carney, James Johnson, Executive Director, Don Rainear, Deputy Executive Director and the entire negotiating team. Mr. Ascione then wished everyone a happy holiday.

Mike Casey, DRBA Electrical department and Lewes Ferry Terminal shop steward, thanked the Executive Director and the Commissioners for their efforts in the negotiations. He then wished everyone a happy holiday.

Commissioner Dorn thanked the negotiation team and others for resolving Local 542 issues and moving the Authority forward.

Commissioner Lathem thanked Chairperson Wallace and Vice-Chairperson Parkowski for their leadership during the year.

Commissioner Simmerman thanked the Commissioners and staff for briefing him on DRBA activities. He then wished everyone a happy holiday season.

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There being no further business before the Commission, a motion to adjourn was made by Commissioner Favre, seconded by Commissioner Lowe and unanimously carried.

The meeting was adjourned 11:50 p.m.

Respectfully submitted,  
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok  
Secretary