

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, July 18, 2006
James Julian Board Room
DRBA Administration Building
New Castle, Delaware 19720

The meeting convened at 11:15 a.m. with Vice-Chairperson Parkowski presiding.

The opening prayer was given by Reverend Dorn followed by the Pledge of Allegiance led by Colonel John McCarnan.

Vice-Chairperson Parkowski 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

Edward W. Dorn
Niels S. Favre
Maureen T. Koebig
Gary F. Simmerman
Ceil Smith

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

Vice-Chairperson Parkowski requested an amendment to the June 20, 2006 minutes regarding the presentation of a \$10,000 check to Delaware State University. He stated that, although he was present, the Chair and Vice-Chair of the Budget & Finance Committee made the presentation to Dr. Sessoms and that he abstained from voting on the contribution due to his position as a member of Board of Directors of the University.

Vice-Chairperson Parkowski noted the occurrence of several vacancies at the Committee level with the resignation of Mr. Jackson from the Board of Commissioners. He then appointed Commissioner Smith to the vacant positions on the Economic Development, Budget & Finance and Ad Hoc By-Laws Committees and Commissioner Favre to the vacant position on the Personnel & Insurance Committee.

Commissioner Simmerman motioned to accept the appointments of Commissioners Smith and Favre to the aforementioned Committees, seconded by Commissioner Patterson and approved by a voice vote of 11-0.

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9444. APPROVAL OF THE JUNE 20, 2006 MINUTES

Commissioner Lathem motioned for approval of the June 20, 2006 minutes with the above noted change requested by Commissioner Parkowski, seconded by Commissioner Lowe and approved by a voice vote of 11-0.

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The Executive Director presented the following highlights that occurred within the Authority during the month of June.

Delaware Memorial Bridge

Total traffic during the month of June decreased 1.9%, compared to June 2005. Non-commercial traffic decreased 1.6% and commercial traffic decreased 0.5%. When compared to the three-year average, June traffic was virtually flat. Total traffic year-to-date increased 1.6% over the three-year average. E-Z Pass traffic for June represented 54.3% of the total traffic, compared to 50.7% for the previous year.

The rehabilitation of the \$6 million Delaware Memorial Bridge electrical infrastructure system was completed, with the exception of some minor punchlist items. The new security lighting is operational. All portable security lighting was removed from the bridge.

The Tactical Operations Center (TOC) tabletop exercise was completed on June 27th. The focus of this exercise was a test of the Authority's communications readiness in the event of a major operational incident occurring simultaneously at New Castle Airport and the Cape May Lewes Ferry. Technical and procedural enhancements were identified in this exercise and will be implemented.

Cape May Lewes Ferry

In June, vehicle traffic decreased 6.8% and passenger traffic decreased 8.0%, when compared to June 2005. Compared to the average of the last three years, year-to-date vehicle traffic and passenger traffic decreased 5.4% and 8.2%, respectively. In June 35.7% of all ferry reservations were made on the Internet.

In June, CMLF food and retail sales decreased 8.0% and 5.5%, respectively, from June 2005.

The Customer Appreciation Day event was held in Cape May terminal on June 9th and in Lewes on June 23rd. Our customers enjoyed special food and product presentations. Our employees contributed strongly to our customers' enjoyment of this event.

During the month of June, the Cape May Zoo trips, historic Lewes tour and guided trolley tour, Saturday night Sunset cruises and the Rock the Boat festivities commenced.

Contractor maintenance dredging in the Cape May turning basin was completed.

Airports

As a prelude to the new Atlanta service by Delta/ASA, a joint DRBA/State of Delaware/ASA ceremony was held at New Castle Airport (NCA) on June 28 with approximately 150 persons in attendance, including Governor Minner and New Castle County Executive Coons. Commissioner's Lathem, Patterson, Simmerman and Smith attended. Other State and New Castle County officials were also present. The new service commenced operations on June 29. Delta is reporting good customer demand for the new service with flights. Don Rainear's staff coordinated all press releases and particulars of the open house.

Many thanks go out to our in-house maintenance work crews and contractors. They completed the necessary renovations and improvements to the New Castle Airport terminal to accommodate the inaugural commercial flight by Delta Airlines on June 29. Improvements included lighting, security, interior renovations, aesthetic improvements, and baggage-handling accommodations. And kudos goes out to our Food and Retail staff for the extensive food offerings that were prepared and served at the Open House.

Approximately 20,000 spectators attended the Millville Airport Airshow on June 24-25. Weather conditions cooperated and spectators enjoyed the full Saturday airshow event. However, the Sunday show was cancelled due to an overnight storm that dumped six inches of rain on the airport, flooding infield areas and damaging event tents.

Race weekend aircraft arrival data has been compiled from this past June's NASCAR race in Dover. The Civil Air Terminal assisted 114 aircraft arrivals with a net revenue of \$9,000. Revenue from car rental concessionaires is estimated at \$20,000 for the weekend.

Finance

The 2005 Annual Report was received from the printers and is being distributed. This report is also being placed on our website.

The technical evaluation committee received the proposal presentations of the four vendor finalists for the Marine Master Plan. A staff recommendation to award the contract to Hornblower Marine was presented to the Projects Committee and is subject for Board action this month.

Employee Happenings

Permanent Full-time staffing levels at the end of June:

| | |
|--|-----|
| Authorized Positions | 481 |
| Positions Filled | 447 |
| Positions Filled (on LTD) | 6 |
| Total Positions that are Vacant | 28 |
| Vacant Positions in the Hiring process | 12 |

Human Resources conducted Authority-wide presentations for employees concerning the pension plan. Thirty-two (32) meetings were held at the New Castle, Cape May, and Lewes facilities from June 5th to June 19th, 2006. Approximately 300 employees participated in the meetings. We are preparing “make up” sessions for employees that were unable to attend the initial pension plan meetings in June.

Consuella Petty-Judkins, Linette Ambrose, and Paola Balsa attended a job fair sponsored by The Courier Post and Nuestra Comunidad at Campbell’s Field in Camden, New Jersey on June 13th.

On Friday, June 16th, Gay Walker of the Engineering and Maintenance Department retired from the Delaware River and Bay Authority with 19 ½ years of service. Congratulations and best wishes to Gay!

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9446. COMMITTEE REPORT – BUDGET & FINANCE

Commissioner Simmerman stated that, due to his absence at the July 5, 2006 Budget & Finance Committee, he would defer the briefing of the minutes to Commissioner Patterson. Commissioner Patterson presented the July 5, 2006 Budget & Finance Committee meeting minutes. Commissioner Simmerman then presented the Budget & Finance Committee meeting minutes of today at 9:32 a.m. held in the James Julian Board Room.

BUDGET & FINANCE COMMITTEE MEETING
Wednesday, July 5, 2006
 Delaware Memorial Bridge Complex
 New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Budget & Finance Committee was held on Wednesday, July 5, 2006, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Commissioner Favre, Committee Member
 Commissioner Dorn

Committee Vice-Chair Patterson
 Commissioner Hensley, Committee Member

Commissioner Koebig
Commissioner Smith

Commissioner Lathem, Committee Member
Commissioner Cooper
Commissioner Lowe

Staff

Authority Secretary

Jim Johnson, Jr.
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Ken Hynson
Kelly Phillips Parker
AJ Crescenzi
Heath Gehrke
TJ Murray
Anna Marie Gonnella Rosato
John Jones

Tom Pankok

- I. Committee Vice-Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:10 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. The Authority Secretary initially reported that a quorum was not present; however, Commissioners Lathem and Hensley arrived at approximately 9:17 a.m.
- II. The Acting Chief Financial Officer reviewed the proposed Resolution listing vendors over \$25,000. After review, on motion by Commissioner Favre, seconded by Commissioner Lathem, the Committee recommended approval of the vendor list. A Resolution will be presented to the full Board for consideration at the July meeting.
- III. At the June Board meeting, Commissioner Simmerman, Budget & Finance Committee Chairperson, requested the Board remove Optima Bus Company from the Over \$25,000 Vendor List and requested that staff evaluate other possible alternatives. The Executive Director then directed staff to provide one comprehensive proposal for presentation to the Budget & Finance Committee for consideration at the July Committee meeting. The Chief Operations Officer provided a presentation on Shuttle Operations at the Cape May-Lewes Ferry. The following information was provided and discussed.
 - Cape May & Lewes Shuttle Histories
 - Cape May & Lewes Shuttle Operations
 - Cape May & Lewes Routes
 - Cape May & Lewes Shuttle Buses
 - Cape May & Lewes Shuttle Considerations
 - Financial Comparisons for 2005 & 2006 (projected)

The COO reported that, for the 2006 season, staff has been able to contract with Metropolitan, to provide bus service at a cost of \$100 per day. The Executive Director reported that no recommendations were given at this time in order for the Committee to have time to review and provide any further input. Commissioner Cooper questioned whether all walk-on customers were getting service. Staff reported that the Authority is providing full service. The Executive Director reported that staff will continue to monitor the service as the season progresses.

Staff provided information regarding the on-site inspection of Blue Bird buses and provided a comparison to the Optima buses, noting that they were two very different buses, with the less expensive Blue Bird bus being more like a school bus, the handicap lift being located in the back of the bus, and a handicapped individual would require assistance from the driver. The Centralized Purchasing

Manager also reported that the contract option to purchase the Optima buses expired July 1; however, the buses are currently available and on the market.

Commissioner Lathem added that the Optima buses were superior to the Blue Bird buses in terms of safety and handicap accessibility and made a motion to add Optima Bus Company, by amendment, to the Over \$25,000 Vendor List. Committee Vice-Chair Patterson reminded the Committee that Committee Chair Simmerman had expressed an interest in the buses and requested if the Committee wished to defer the decision at this time. The Committee discussed the matter and determined they had sufficient information to vote on the issue. Commissioner Favre seconded the motion. A roll call vote was taken with Commissioners Favre, Hensley, and Lathem voting Yes, and Commissioner Patterson voting No.

The Executive Director clarified the action by explaining that the Budget & Finance Committee waived the bidding process and that the Over \$25,000 Vendor List would be amended to reflect the addition of Optima Bus. The Deputy Executive Director stated that the proposed Resolution would need to reflect the waiver of the bidding process by adding the appropriate language; however, the Acting CFO responded that, in accordance with the Authority's Procurement Resolution, 98-31, the Budget & Finance Committee had the authority to waive the bidding process and to report their action to the full Board. This action was taken in the previous Budget & Finance Committee and reflected in the June 6, 2006 Budget & Finance Committee Minutes presented to the full Board. The Executive Director reminded the Committee that this was the same action as was discussed and taken at the June Committee meeting.

IV. At the request of the Board, the Acting CFO provided additional information regarding the Employees' Pension Plan and Lump Sum Distributions. The following option was discussed.

- Participants with > 10 Years of Service: Allow to continue Lump Sum withdrawals with benefit sweeteners
- Participants with < 10 Years of Service: Discontinue Lump Sum withdrawals with benefit sweeteners

The option would require an additional \$6.4 Million contribution to the plan, versus the proposed \$2.3 Million associated with discontinuing the Lump Sum withdrawals with benefit sweeteners after 1/1/07

The Committee questioned the status of the Employee Informational Meetings and the CHRO reported that 64% of the workforce had participated in the meetings; however, additional sessions would need to be completed for ferry personnel and others who were unable to participate due to the busy season. The Executive Director added that he expected these meetings to be scheduled and completed and should be able to report back to the Committee in September.

V. The Acting CFO presented a time-line schedule for the 2007 Budget Process. The Acting CFO noted that, due to lack of interest the previous year, no Public Hearings were held in 2005 and none had been scheduled for 2006. After discussion, the Committee recommended that staff allow for time in the schedule in the event that Public Hearings become advisable.

VI. Commissioner Lathem requested a review of the Community Contribution requests. Committee Vice-Chair Patterson reported that all requests were being put on hold. The Executive Director added that this would be the second month that an incomplete Resolution would be forwarded to the Governors' offices. Committee Vice-Chair Patterson requested an Executive Session for Commissioners only. On motion by Commissioner Favre, seconded by Commissioner Lowe, the Session was closed.

After the discussion, staff returned and the Committee reviewed the Community Contribution requests for the month of July. The CHRO made a request on

behalf of the Authority's Community Initiatives Committee to participate in a Habitat for Humanity project and made a request of \$50,000 or \$10,000 per year for five years. The CHRO discussed the details of the project. After discussion, the Committee made a one-year commitment of \$10,000. After review of the requests, on motion by Commissioner Lathem, seconded by Commissioner Favre, the Committee recommended approving the requests as presented. A Resolution will be presented to the full Board for consideration at the July meeting.

Committee Vice-Chair Patterson noted that a Budget & Finance Committee meeting would be scheduled for the morning of July 18, 2006.

With no further business to discuss, on motion by Commissioner Lathem, the Budget & Finance Committee adjourned at 10:40 a.m.

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BUDGET & FINANCE COMMITTEE MEETING
Tuesday, July 18, 2006
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, July 5, 2006, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT

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

Legal Counsel

Phil Norcross – NJ

Governors' Representatives

Sonia Frontera – NJ

Staff

Jim Johnson, Jr.
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Ken Hynson
Anna Marie Gonella Rosato
Kelly Phillips Parker
Steve Williams
John Sarro
John Jones

Commissioners from Delaware

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

David Hamilton – DE

Bernard Pepukayi – DE

Authority Secretary

Tom Pankok

VII. Committee Chair Simmerman welcomed the Budget & Finance Committee and opened the meeting at approximately 9:32 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.

VIII. Due to his absence from the July 5, 2006 Budget & Finance Committee Meeting, Committee Chair Simmerman requested a briefing on the meeting. Committee Vice-Chair Patterson reported the addition of Optima Bus Company to the Over \$25,000 Vendor List, the Pension information, and the FY 2007 Budget Schedule. Committee Chair Simmerman chose to defer any comments to the Executive Session scheduled later in the morning.

With no further business to discuss, on motion by Commissioner Favre, the Budget & Finance Committee adjourned at 9:37 a.m.

Committee Chair Simmerman requested that the Budget & Finance Committee re-open the meeting to discuss Community Contribution requests. On motion by Commissioner Patterson, seconded by Commissioner Lathem, the Budget & Finance Committee re-opened at 9:45 a.m.

IX. Committee Vice-Chair Patterson requested an Amendment to the proposed Resolution to include an additional request from the Delaware Wrestling Alliance. After discussion, the Committee recommended placing the request from Delaware Wrestling Alliance on hold for review during the September Budget & Finance Committee Meeting. Further, the Resolution Authorizing Community Contribution Requests would be presented to the full Board, without Amendment, for consideration during the Public Session.

With no further business to discuss, on motion by Commissioner Favre, the Budget & Finance Committee adjourned at 9:50 a.m.

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9447. COMMITTEE REPORT – PERSONNEL & INSURANCE

Commissioner Dorn presented the following Personnel & Insurance meeting minutes for July 5, 2006.

PERSONNEL & INSURANCE COMMITTEE MEETING
Wednesday, July 5, 2006
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Personnel & Insurance Committee was held on Wednesday, July 5, 2006, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Chair Dorn
Commissioner Koebig, Committee Member
Commissioner Favre
Commissioner Smith

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

Staff

Jim Johnson
Don Rainear
Victor Ferzetti
Jim Walls
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 10:41 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 Lowe, seconded by Commissioner Koebig, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS
- CURRENT LITIGATION

With no further business to discuss in Executive Session, on motion by Commissioner Lowe, seconded by Commissioner Lathem, the session was opened to the public.

MediGuide

During the May Personnel & Insurance Committee Meeting, the Chief Human Resource Officer provided a briefing on MediGuide, a second opinion benefit provider. After discussion, the Committee was concerned that this benefit may not be available to all Authority employees and directed the CHRO to investigate whether all of the Authority's healthcare providers would be willing participate. The CHRO reported that all of the Authority's healthcare providers would participate and would provide the appropriate Member Release waivers. After discussion, on motion by Commissioner Lathem, seconded by Commissioner Koebig, the Committee recommended providing MediGuide as a benefit to all employees, retirees, and dependants at a cost of \$19,500 to the Authority. Commissioner Cooper also reported that the State of Delaware purchased this benefit for their employees, and provided statistics on usage since June 1, 2006. A Resolution will be presented to the full Board for consideration at the July meeting.

With no further business to discuss, on motion by Commissioner Lathem, seconded by Commissioner Cooper, the Personnel & Insurance Committee meeting adjourned at 10:25 a.m.

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9448. COMMITTEE REPORT – PROJECTS

Commissioner Hensley presented the following Projects Committee meeting minutes for July 5, 2006.

PROJECTS COMMITTEE
Wednesday, July 5, 2006
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority's Projects Committee was held on Wednesday, July 5, 2006, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

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

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

Staff

Jim Johnson
Don Rainear
Jim Walls
Trudy Spence-Parker
Gerry DiNicola-Owens
Victor Ferzetti
John Jones
Steve Williams
Kelly Phillips-Parker
A. J. Crescenzi
John Sarro
Anne Marie Gonnella-Rosato

Authority Secretary

Tom Pankok

- I. The Projects Committee meeting convened at approximately 11:30 AM. Those in attendance were provided an informational package consisting of an agenda, one resolution, three bid tabs, and the monthly contractor payment chart.

- II. Resolutions: COO presented one resolution recommending authorization of a contract between the Authority and Hornblower Marine Services, Inc to provide marine master planning services at CMLF. Staff reported that the RFP process was competitive, that four shortlisted firms were interviewed, and that Hornblower Marine was designated first based upon the interview scores. The proposal submitted by Hornblower Marine consisted of a five step master planning process (reconnaissance, analysis, alternatives, recommendations, and plan development) that will take 12 months. Staff reported that the submitted cost proposal by Hornblower Marine was \$312,500 plus an estimated \$36,500 in allowed reimbursables with a total cost estimate of \$349,000 which is within the amount stated in the approved CIP budget. The motion carried to present the resolution at the July board meeting for approval. (Commissioner Patterson voted in the negative for the resolution).

- III. Bid Openings/Award Actions: COO presented three bid tabs to the Committee for consideration:
 - MVA-04-02, Rehabilitation of Taxiway “J”: This contract is being awarded to rehabilitate an existing closed taxiway at Millville Airport. Four bids were received at the June 14th bid opening. Upon review of the four bids, it was determined that the apparent low bidder (South State) had a material defect in their proposal bond rendering their submission non-responsive. Staff recommended rejection of the non-responsive apparent low bidder and award to the responsive 2nd low bidder, Glasgow, Inc. in the amount of \$1,329,286.25 (base bid only). Both FAA and staff recommended no award for either Add Alternate in the contract documents. COO reported that the Authority does not have any direct experience with Glasgow but due diligence reference checking of Glasgow yielded “good to excellent” comments regarding past work for other owners. This project is supported by a 95% funded FAA grant. The Projects Committee concurred with the recommendation and authorized the award action to be presented at the July board meeting.

 - CMLF-06-02, Drydocking and Repairs, MV New Jersey: This contract is being awarded to remedy any items of work required to be addressed based upon the upcoming routine required inspection by the USCG, which will include an underwater survey. COO informed the committee that if the inspection and underwater survey determines that the condition of the vessel is satisfactory, the work in this contract would not be required and the contract would be cancelled. The results of the survey are due in late September. Two bids were received at the June 30 bid opening. Staff recommended award to the lowest responsive bidder, Colonna’s Shipyard in the amount of \$688,061. The Projects Committee concurred with the recommendation and authorized the award action to be presented at the July board meeting.

- PA-06-02, 4x4 Plow Truck with Dump Body: This contract is to provide the Authority with the stated piece of equipment to be used for miscellaneous maintenance tasks (snow removal, etc.) at both of the Authority's New Jersey airports. One bid was received at the June 30 bid opening. COO recommended award to the responsive bidder, Penn Jersey in the amount of \$215,899. This contract is supported by a 95% funded FAA grant. The Projects Committee concurred with the recommendation and authorized the award action to be presented at the July board meeting.

IV. Contract Close-Out Actions: None

- Miscellaneous Items/Updates: COO provided an update on the initial operational start-up of ASA (Delta) Airlines service out of New Castle Airport. Delta Airlines/Atlantic Southeast Airlines (ASA) started service to and from Atlanta, Georgia twice daily, seven days a week beginning June 29th. A very successful ribbon cutting/inaugural flight ceremony was held at the airport on June 28th. It was reported that weekday bookings are at 60% of airplane capacity, slightly less over the July 4th holiday weekend which is not unusual for the industry.

V. Contractor Payment (through June): COO informed the Committee of monthly construction contractor payments to be made in June.

VI. The COO requested a closed executive session to discuss matters of a confidential nature. On passed motion, the committee went into closed session. There being no further business to discuss in closed executive session, the Projects Committee re-convened the public open session.

VII. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 12:10 PM.

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9449. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Koebig presented the following Economic Development meeting minutes for July 5, 2006.

ECONOMIC DEVELOPMENT COMMITTEE
Wednesday, July 5, 2006
 Delaware Memorial Bridge Complex
 New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Economic Development Committee was held on Wednesday, July 5, 2006, 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 Favre
 Commissioner Smith

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

Staff

Jim Johnson
 Don Rainear
 Victor Ferzetti
 Jim Walls

Authority Secretary

Tom Pankok

Trudy Spence-Parker
Gerry Owens
AJ Crescenzi
Michelle Griscom-Collins
Anna Marie Gonnella Rosato
Heath Gehrke
John Sarro
Kelly Phillips Parker
Steve Williams

- I. The Committee Chair Koebig welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 12:15 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.
- II. The Deputy Executive Director provided an update on the following projects.

Easter Seals:

Staff has completed negotiations and reached a tentative agreement regarding the sale of the Easter Seals property. All of the land release requests have been submitted to the proper agencies.

Sports at the Beach:

The Deputy Executive Director reported that he is working in conjunction with Commissioner Cooper to complete the due diligence process.

Salem Business Centre:

The Deputy Executive Director reported that the documents for the Lease with Clement Papas are currently in process.

There being no further business to discuss, on motion by Commissioner Koebig, the Economic Development Committee adjourned at 12:30 p.m.

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9450. 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 May.

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

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9451. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Acting CFO presented a chart showing a statement of income and expenses for the month of May 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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94352. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Acting CFO presented a chart showing expenses by division for the quarter to date (through June 30, 2006) 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.

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9453. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Acting CFO presented a chart for the month of June 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.

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9454. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF JUNE 30, 2006.

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.

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9455. PUBLIC COMMENT ON ACTION ITEMS.

Vice-Chairperson Parkowski presented the following action items that were being considered and asked for public comment.

- Contract MVA-04-02 Rehabilitation of Taxiway “J”
- Contract CMLF-06-02 Drydocking and Repairs MV New Jersey
- Purchase Agreement PA-06-02 4x4 Plow Truck with Dump Body
- Resolution 06-35 Approval of Community Contribution Requests
- Resolution 06-36 Authorizes Expenditures \$25,000 and Over
- Resolution 06-37 Authorizes a Contract with MediGuide America for the Second Opinion Program Benefits
- Resolution 06-38 Authorizes a Contract with Hornblower Marine Services Inc.

There were no comments from the public.

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9456. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

The Chief Operating Officer (CFO) read the following Summary of Authorized Contract Payments for July, 2006.

| <u>Contractor</u> | | <u>Payment</u> |
|-------------------|-----------------------------|----------------|
| DMB-06-01 | Eastern Highway Specialists | \$ 6,091.20 |
| DMB-04-04 | J.D. Eckman, Inc. | \$229,740.30 |
| DMB-02-01 | Daisy Construction | \$ 31,537.07 |
| DMB-01-06 | Cianbro Corporation | \$538,914.02 |
| CMLF-05-04 | Colonna's Shipyard, Inc. | \$123,690.98 |
| NCA-01-02 | Diamond Materials | \$298,529.04 |
| NCA-01-04 | EDIS | \$149,744.75 |
| MVA-04-01 | Delta Line Construction | \$ 20,182.73 |

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9457. APPROVAL OF CONTRACT MVA-04-02-REHABILITATION OF TAXIWAY "J" CONTRACT

The COO noted that the project is being awarded to rehabilitate an existing closed taxiway at the Millville Airport. Four (4) bids were received; however, the apparent lowest bidder was determined to be non-responsive thus the bid was rejected. Glasgow, Inc. of Glenside, PA was the next lowest bidder with a bid amount of \$1,329,286.25 (base bid only). Glasgow's references were verified and the company received a "good to excellent" rating from those contacted. The COO and the Projects Committee recommend awarding the contract to Glasgow, Inc. in the amount noted above. The project is 95% funded by an FAA grant.

A motion to award the contract to Glasgow was made by Commissioner Simmerman, seconded by Commissioner Hensley and approved by a roll call vote of 11-0.

9458. APPROVAL OF CONTRACT CMLF-06-02 - DRYDOCKING AND REPAIRS MV NEW JERSEY

The COO noted that the contract is being awarded to remedy any items of work that may be required based upon an upcoming routine inspection, including an underwater survey, by the USCG. He also noted that, if the inspection and underwater survey determines that the condition of the vessel is satisfactory, the work in this contract would not be required and the contract would be cancelled. Two (2) bids were received. Colonna's Shipyard of Norfolk, VA was the lowest responsive bidder with a bid amount of \$688,061. The COO and the Projects Committee recommend awarding the contract to the lowest bidder noted above.

A motion to award the contract to Colonna's Shipyard was made by Commissioner Favre, seconded by Commissioner Lowe and approved by a roll call vote of 11-0.

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9459. APPROVAL OF PURCHASE AGREEMENT PA-06-02 - 4X4 PLOW TRUCK WITH DUMP BODY, MILLVILLE AIRPORT

The COO stated that the equipment is to be used for miscellaneous maintenance tasks at both of the Authority's New Jersey airports. Penn Jersey of Lionville, PA was the only bidder with a bid amount of \$215,899. The COO and the Projects Committee recommend awarding the contract to the bidder noted above. The contract is supported by a 95% funded FAA grant.

A motion to award the contract to Penn Jersey was made by Commissioner Dorn, seconded by Commissioner Smith and approved by a roll call vote of 11-0.

* * * * *

9460. CHAIRPERSON'S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD.

RESOLUTION 06 - 35 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 July 06; and

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

Community Contributions

New Jersey

| | |
|---|-------------------------|
| Access to Art Incorporated | \$ 5,000 |
| Cape May Stages | \$ 5,000 |
| Marine Mammal Stranding Center | \$ 6,000 |
| Meals on Wheels of Salem County Incorporated | \$ 5,000 |
| The Wetlands Institute | \$ 5,000 |
| YMCA of Salem County | \$ 5,000 |
| Total | <u>\$ 31,000</u> |

Delaware

| | |
|--|-------------------------|
| Connections Community Support Programs Incorporated | \$ 2,000 |
| Delaware Association of Rehabilitation Facilities Corporation | \$ 2,000 |
| Habitat for Humanity of New Castle County | \$ 10,000 |
| Peter Spencer Family Life Foundation (August Quarterly Festival) | \$ 2,500 |
| Pratt-Corcoran Association for the Delaware College of Art and Design | \$ 3,000 |
| Rehoboth Beach Film Society | \$ 2,000 |
| Tri-State Bird Rescue and Research Incorporated | \$ 7,500 |
| University of Delaware (Coast Day) | \$ 2,000 |
| Total | <u>\$ 31,000</u> |
| Grand Total (New Jersey and Delaware) | <u>\$ 62,000</u> |

A motion to approve Resolution 06-35 was made by Commissioner Smith, seconded by Commissioner Dorn. With Commissioner Koebig abstaining from voting on the Marine Mammal Stranding Center and Commissioner Smith from voting on Meals on Wheels of Salem County, Inc., Resolution 06-35 was approved by a roll call vote of 11-0 with the above noted abstentions where such votes were 10 in favor and 1 abstention.

* * * * *

RESOLUTION 06-36 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2006.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 01-84 requiring Commission 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 1/1/06 THROUGH 12/31/06

| VENDOR | SERVICE DESCRIPTION | DETERMINATION |
|-------------------------------|---|---------------------|
| Betson Baltimore Distributing | Purchase of Video Games for Cape May – Lewes Ferry terminals | Quotes |
| Farm Rite, Inc. | Front-end Bucket Loader for Cape May Airport | State Contract |
| Optima Bus Corporation | Bus Purchase for Lewes Ferry System | Contract Piggy Back |
| Seaworthy Systems, Inc. | Heat Pump Analysis/Drawings for HVAC installation (Henlopen & NJ) | Quotes |

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

A motion to approve Resolution 06-36 was made by Commissioner Lowe, seconded by Commissioner Cooper. With Commissioner Simmerman voting no, Resolution 06-36 was approved by a roll call vote of 10 in favor and 1 opposed.

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RESOLUTION 06-37 AUTHORIZING A CONTRACT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND MEDIGUIDE AMERICA OF GREENVILLE, DELAWARE FOR THE SECOND OPINION PROGRAM BENEFITS

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is the operator of several crossing facilities across the Delaware River and Bay and several regional aviation facilities; and

WHEREAS, the Authority desires to enter into a Pilot Program Agreement with MediGuide America to provide professional services for a Second Opinion Benefit Program (“SOBP”) to its employees who are diagnosed with a specific “Qualifying Medical Condition”; and

WHEREAS, the SOBP will allow employees the ability to secure expert medical advice related to their diagnosis and treatment; and

WHEREAS, the Personnel Committee has discussed the SOBP and, by a vote of the Committee, directed staff to prepare said Resolution for consideration by the Board; and

WHEREAS, the Authority has reviewed the SOBP and desires to offer it to Authority employees and retirees who participate in Authority medical benefits at a cost to the Authority NTE \$20,000 during the twelve (12) month pilot program period; and

WHEREAS, the Authority has determined that funds are available from the 2006 Operating Budget for the cost of the SOBP; and

NOW THEREFORE, BE IT RESOLVED, that the Chairperson, Vice-Chairperson and the Executive Director, with the advice and consent of Counsel, is hereby authorized to negotiate the terms and conditions of an Agreement with MediGuide America for professional services relating to the Second Opinion Benefit Program.

A motion to approve Resolution 06-37 was made by Commissioner Dorn, seconded by Commissioner Koebig and approved by a roll call vote of 11-0.

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RESOLUTION 06-38 – AUTHORIZES A CONTRACT BETWEEN THE AUTHORITY AND HORNBLOWER MARINE SERVICES INC. TO PROVIDE MARINE MASTER PLANNING SERVICES

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 retain the professional services of an outside independent firm for the purpose of providing marine master planning services; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposal (RFP) for the required marine master planning services in compliance with Resolution 98-31 which governs the procedure for the procurement of professional services; and

WHEREAS, the Authority evaluated the proposal(s) pursuant to the aforementioned requirements and regulations; and

WHEREAS, the Projects Committee reviewed the recommendation and concurs with the evaluation; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Consulting Services Agreement with Hornblower Marine Services Inc. to provide a marine master planning services and to have such agreement, upon review and advice of counsel, executed by the Chairperson, Vice-Chairperson and Executive Director.

A motion to approve Resolution 06-38 was made by Commissioner Favre, seconded by Commissioner Dorn. With Commissioner Patterson voting no, Resolution 06-38 was approved by a roll call vote of 10 in favor and 1 opposed.

* * * * *

9461. COMMISSIONERS PUBLIC FORUM

Vice-Chairperson Parkowski asked if any members of the public would like to address the Commission.

There were no public comments.

Commissioner Simmerman commended staff in bringing Delta Airlines to the New Castle Airport. He was pleased to be among those representing the Authority at the opening ceremonies.

Commissioner Favre complemented staff, particularly the food service employees during the 4th of July celebration at the Ferry Terminal.

Vice-Chairperson Parkowski also wanted to thank staff for a great evening during the 4th of July celebration.

Commissioner Patterson spoke of the loss of the Farmers Market at the Lewes Ferry Terminal and that it is an unfortunate lost opportunity.

Vice-Chairperson Parkowski stated that Agriculture plays an important roll in both states and that the Authority should assist in fostering it in any way possible.

* * * * *

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 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Secretary