

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, December 18, 2007
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 10:40 a.m. with Chairperson Parkowski presiding.

The opening prayer was given by Reverend Dorn, followed by the Pledge of Allegiance let by the Executive Director.

Chairperson Parkowski called on the 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.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

F. Michael Parkowski, Chairperson
Thomas J. Cooper
Verna W. Hensley
Samuel E. Lathem

Gary B. Patterson

James N. Hogan, Vice-Chairperson
Susan Atkinson DeLanzo
Rev. Edward W. Dorn
Niels S. Favre
Gary F. Simmerman
Ceil Smith

ABSENT

William E. Lowe

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9696. APPROVAL OF THE NOVEMBER 20, 2007 MINUTES

Commissioner Lathem motioned for approval of the November, 2007 minutes, seconded by Commissioner Favre, and approved by a voice vote of 11-0.

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9697. EXECUTIVE DIRECTOR'S REPORT

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

Delaware Memorial Bridge

Total traffic during the month of November decreased 1.5% compared to the same period in 2006. Non-commercial traffic decreased 1.6% and commercial traffic decreased 0.6%. When compared to the 3-year average, total traffic for November decreased 0.4%. Total traffic year-to-date increased 0.03% compared to 2006. When compared to the 3-year average, total traffic year-to-date increased 0.2%.

E-ZPass traffic for November represented 58.9% of the total overall traffic as compared to 56.1% for the previous year. Total electronic traffic for 2007 represented 57.2%, an increase of 2.1% from 2006.

At the end of the month, Frank X. Maier, of Abingdon, Maryland, drove his tractor-trailer through a DMB toll lane designated for “E-ZPass Customers Only,” although he was not an E-ZPass customer. During the past 10 months, Mr. Maier traveled through the DMB toll plaza 70 times without paying. The vehicle license plate had black electrical tape on the letters to change the appearance of the license plate. The driver was charged with felony theft of services and altering his license plate. Maier owes the DRBA \$2,800.00 in tolls and administrative violation fees. The Authority works closely with other toll facilities in NJ, DE, and MD, to identify and prosecute habitual toll offenders. DRBA Police have shared the information obtained in the Maier investigation with these agencies. Press releases were issued on this arrest and WBOC interviewed Jim Salmon for a small spot on the evening news.

I would like to commend all our employees involved in getting the War Memorial grounds ready for the Veteran’s Day ceremony which was held on November 11th.

Cape May Lewes Ferry

In November, vehicle and passenger traffic decreased 8.4% and 7.6%, respectively, when compared to November 2006. Year-to-date vehicle and passenger traffic decreased 2.4% and 1.6%, respectively when compared to 2006. When compared to the average of the last three years, year-to-date vehicle traffic and passenger traffic decreased 10.6% and 9.8%, respectively.

In November, fare revenues decreased 8.0% and fee revenues increased 24.8%, when compared to November 2006. Year-to-date fare and fee revenues decreased 6.2% when compared to 2006.

In November, CMLF food sales decreased 9.7% and retail sales decreased 6.5%, compared to November 2006. Year-to-date food revenues increased 8.4% and retail revenues increased 6.7% when compared to 2006.

Economic Development

Congratulations to Don Rainear and his staff for completing the purchase and closing on the MBNA Hanger and the subsequent leasing of the facility to a new tenant, XO Jet.

Finance

The sale of the MV American River was finalized at a total compensation of \$480,000 to the Authority. Thanks to Steve Russell, Brian McEwing and Victor Ferzetti for successfully completing this transaction.

Safety

Congratulations goes out to Bob Young, his staff and all Department leaders, supervisors and employees for their efforts at an improved 2007 safety performance record! Four work-related injuries occurred in the month of November, bringing the year-to-date injury total to 62 versus 98 for the same period in 2006. The Authority is on track to set an all-time annual record for safety performance in 2007.

Employee Happenings

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

Authorized Positions (2007 funded)	460
Positions Filled	415
Positions Filled (on LTD)	7
Total Positions that are Vacant	38

Trudy and her staff completed the open-enrollment period for the healthcare, voluntary benefit offerings and the flex spending accounts this month.

Several Authority employees (Bob Young, John Jones, Lt. Dennis Craighton, Sgt. Adam Thompson, Richard Frassetto, Mike Lindsay, Lee McGaughan, Pete Thomas, Wayne Hearn, Andrew Ritchie, Trudy Spence-Parker, Laura Hanna, and Jill Wolfe) attended the Eastern States Transportation Network’s 37th annual meeting in Philadelphia, PA. These

employees participated in workshops pertaining to their respective business units. Trudy Spence-Parker was a guest speaker at the meeting. She spoke on the Leadership Institute and the impacts of training on cultural change in an organization. Additionally, John Jones co-chaired the maintenance committee with a DRPA representative.

Trudy Spence-Parker was also a guest speaker at the Salem County Chamber of Commerce Breakfast. She spoke on "Leadership in the Workplace."

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

Commissioner Patterson asked if there were any updates regarding the fatality at the New Castle Airport.

The Executive Director noted that he was not able to discuss the incident at this time because of the on-going investigation. He expressed his gratitude for the assistance from the Delaware State Police.

Commissioner Lathem thanked staff for their handling of the media coverage.

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9698. COMMITTEE REPORT – BUDGET & FINANCE
COMMITTEE MEETING

Commissioner Patterson presented the Budget & Finance Committee meeting minutes of December 3, 2007. He noted that there was an amendment to the Community Contributions Resolution 07-53 and copies of the amendment were distributed to all.

BUDGET & FINANCE COMMITTEE MEETING
Monday, December 3, 2007
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Budget & Finance Committee was held on Monday, December 3, 2007, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

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

Committee Vice-Chair Simmerman
Commissioner Favre, Committee Member
Commissioner Smith, Committee Member
Commissioner Dorn

Governors Representatives

Sonia Frontera - NJ

Staff

Jim Johnson, Jr.
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Joe Larotonda
Ken Hynson
John Jones
Colonel McCarnan

Authority Secretary

Tom Pankok

Heath Gehrke
AJ Crescenzi
Jim Salmon
Anna Marie Gonnella Rosato

I. Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:28 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 Acting Chief Financial Officer reviewed the proposed Resolutions for consideration.

- Community Contribution Requests – The Committee reviewed the Community Contribution requests for November. After review, on motion by Commissioner Simmerman, seconded by Commissioner Favre, the Committee recommended approval of the Community Contribution requests for December. A Resolution will be presented to the full Board for consideration at the December meeting.

- Over \$25,000 Vendor List – the Acting CFO reviewed each one of the Vendors.

Commissioner Favre questioned whether the Authority was seeking reimbursement from the customer who caused the damage to the Transfer Bridge. The Acting CFO reported that the Authority is pursuing reimbursement through the customer's insurance company. The Acting CFO reported that ZS Technologies is the former Hardcore Composites, the manufacturer of the fiberglass fendering panels at the Cape May-Lewes Ferry. The Acting CFO reported that staff is not aware of any other manufacturer of these panels. Approximately five years ago the Authority conducted an RFP for the product and only received one response. The Director of Engineering has questioned our marine engineering firm, and they also are unaware of any alternative sources. Therefore, the vendor has been presented as a sole source, waiving the requirement of Resolution 98-31. Currently, three panels need to be replaced, two panels are cracked and will need to be replaced in the future, and five will go into storage. Purchasing ten panels provides the best price, reducing from \$41,000 each to \$34,000 each. The Committee questioned how the panels got broken. The Director-Ferry Operations reported that the panels received a hard hit due to extreme wind and weather conditions during a landing in Delaware. Commissioner Hensley questioned whether there were any other technologies available and what are the types used at other ports. The Executive Director reported that this will be investigated during the development of the Marine Master Plan.

After review, on motion by Commissioner Simmerman, seconded by Commissioner Smith, the Committee recommended approval of the Vendor list. A Resolution will be presented to the full Board for consideration at the December meeting.

III. The Acting CFO reported on the following items.

- The Delaware River and Bay Authority received the Certificate of Excellence in Financial Reporting by the Government Finance Officers Association for the third consecutive year. The Acting CFO took the opportunity to thank the Controller, Joe Larotonda, and his staff for all of their hard work in maintaining this high standard. Copies of the Certificate will be included in the Commissioners' Read-Ahead material.
- On November 19, 2007, the Authority closed on the sale of the American River for \$480,000. The Acting CFO thanked Port Engineer, Bryan McEwing and Manager-Maintenance South, Steve Russell. Their help was critical to the completion of this process. Commissioner Simmerman

questioned how the sale price was determined. The Acting CFO reported that a survey had been completed determining the value to be approximately \$490,000.

- The Acting CFO reported that the annual firehouse donations in the amount of \$2500 each will be distributed this month to the thirteen emergency response agencies which service Authority locations. If any Commissioners would like to personally deliver any of these checks, to please notify the Acting CFO and the checks will be available the December meeting.

With no further business to discuss, on motion by Commissioner Smith, seconded by Commissioner Simmerman, the Budget & Finance Committee adjourned at 9:45 a.m.

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

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9699. COMMITTEE REPORT – PERSONNEL COMMITTEE

Commissioner Lathem presented the Personnel Committee meeting of December 3, 2007.

PERSONNEL COMMITTEE MEETING
Monday, December 3, 2007
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Personnel Committee was held on Monday, December 3, 2007, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

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

Committee Vice-Chair Dorn
Commissioner Favre, Committee Member
Commissioner Simmerman
Commissioner Smith

Governors’ Representatives

Sonia Frontera

Staff

Jim Johnson

Authority Secretary

Tom Pankok

- I. Committee Chair Lathem welcomed the Personnel Committee and opened the meeting at 9:45 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.

Committee Chair Lathem requested an Executive Session, closed to the public to discuss matters of a confidential nature. The Executive Director further requested the session include Commissioners, Executive Director, and New Jersey Governor’s Representative only. On motion by Commissioner Favre, seconded by Commissioner Lowe, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS

With no further business to discuss in Executive Session, on motion by Commissioner Dorn, seconded by Commissioner Favre, the Personnel Committee was opened to the public.

With no further business to discuss, on motion by Commissioner Favre, seconded by Commissioner Dorn, the Personnel Committee adjourned at 11:20 a.m.

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

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9700. COMMITTEE REPORT – PROJECTS

Commissioner Favre presented the Projects Committee meeting minutes of December 3, 2007 for Commissioner Lowe.

PROJECTS COMMITTEE
Monday, December 3, 2007
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority’s Projects Committee was held on Monday, December 3, 2007, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Lowe, Committee Chair
Commissioner Hensley, Committee Mbr
Commissioner Patterson, Committee Mbr
Commissioner Latham

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

Governor’s Representative

Sonia Frontera - NJ

Staff

Jim Johnson
Don Rainear
Jim Walls
Trudy Spence-Parker
Gerry DiNicola-Owens
Victor Ferzetti
John Jones
Colonel John McCarnan
Heath Gehrke
A. J. Crescenzi
Anne Marie Gonnella-Rosato

Authority Secretary

Tom Pankok

- I. The Projects Committee meeting convened at approximately 11:20 a.m. Those in attendance were provided an informational package consisting of an agenda, draft of the Capital Improvement Program (CIP) Budget for Crossings and Airports with three associated draft CIP resolutions, a contract close-out letter, and the monthly contractor payment chart with associated change orders (through November).
- II. Resolutions: The Director of Engineering and Maintenance reviewed the CIP document as well as the changes made to the November draft CIP document with

the committee; however, he reported that the overall five-year budget amounts for both Crossings and Airports remained unchanged. It was decided that the Airports CIP document would be tabled until the January meeting. Two draft CIP resolutions (5-Year Crossings and 1-Year Crossings) were proposed by staff. Commissioner Patterson asked staff to make a presentation of the DMB Ship Collision Protection System initiative at a future committee meeting with an objective being to determine project timing. After discussion and all questions being answered, the Committee recommended that both crossings resolutions be presented at the December board meeting.

III. Contract Close-Out Actions:

- DMB-01-07 Miscellaneous Steel Enhancements, Towers and Cables, Delaware Memorial Bridge. The COO recommended final payment and contract close-out to the contractor, J. D. Eckman, Inc. of Atglen, Pennsylvania. The total price for this project is \$6,164,994.80. The Projects Committee concurred with the recommendation and authorized the action be presented at the December board meeting.

IV. Miscellaneous Items/Updates:

- Vessel Evacuation System Update: The Director of Ferry Operations briefed the Committee on the procurement strategy of the new vessel evacuation system to replace the existing systems on three vessels (excluding M/V Cape May and Twin Capes). Staff recommended that a competitive proposal process be utilized in lieu of competitive bidding in accordance with paragraph 5, Resolution 98-31, Procedure for Procurement of Professional Services, Materials, and Supplies which was felt to be in the best interest of the Authority. Commissioner Lathem asked if this project was budgeted for in 2008. Staff confirmed that the project was budgeted for 2008. After discussion and all questions being answered to the satisfaction of the Committee, the Committee concurred with the recommendation.
- Police Operations Center Update: The Police Administrator followed up with the Committee on the question of having three Police Operations Centers in the Authority. He shared information on what other Authorities do regarding this matter, as well as discussed various state restrictions, communications concerns, and duties of the operations centers. After discussion and all questions being answered to the satisfaction of the Committee, the Committee concurred with keeping the CIP budget as is regarding the initiative to upgrade the three exiting operations centers.

VI. Contractor Payment (through November): The COO informed the Projects Committee of the monthly construction contractor payments to be made in December.

VII. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 12:00 p.m.

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

Chairperson Parkowski noted that it was decided that the Airports CIP document would be tabled until the January meeting.

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9701. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Smith noted that a quorum was not present at the Economic Development Committee meeting of December 3, 2007; however, she presented the notes from a discuss that ensued.

ECONOMIC DEVELOPMENT COMMITTEE

Monday, December 3, 2007

Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Economic Development Committee was held on Monday, December 3, 2007, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

PRESENT

Committee Vice-Chair Hensley
Commissioner Lathem

Governors Representatives

Sonia Frontera - NJ

Staff

Jim Johnson
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry Owens
Joe Larotonda
John Jones
Ken Hynson
AJ Crescenzi
Anna Marie Gonnella Rosato

Commissioners from New Jersey

Commissioner Dorn, Committee Member
Commissioner Favre
Commissioner Simmerman

Authority Secretary

Tom Pankok

Committee Vice-Chair Hensley welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 12:06 p.m. It was determined that there was no quorum; however, the Deputy Executive Director provided an informational update on the following project.

The Deputy Executive Director provided informational updates on the following projects.

MBNA Hangar Purchase and XO Jet Lease

The Deputy Executive Director reported that on Wednesday, November, 28, 2007, the Authority closed on the purchase of the former MBNA Hangar. The Lease with XO Jet has been fully executed and is effective December 1, 2007. XO Jet took possession of ½ of the hangar space and will take possession of the remainder March 1, 2008. The Deputy Executive Director thanked everyone for their cooperation in completing this project.

The discussion ended at 12:06 p.m.

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

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9702. 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 October.

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

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9703. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Acting CFO presented a chart showing statements of income and expenses for the month of October with comparisons to the same periods last year.

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

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9704. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

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

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

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9705. 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 chart was ordered filed with the permanent records of the Authority.

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9706. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF NOVEMBER 30, 2007.

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

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

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9707. PUBLIC COMMENT ON ACTION ITEMS.

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

- Contract Close-out DMB-01-07 Misc. Steel Enhancements-Towers & Cables, DMB
- Resolution 07-53 Approval of the Community Contribution Requests
- Resolution 07-54 Authorizing Authority Expenditures \$25,000 and over
- Resolution 07-55 Adoption of the Authority’s Five (5) Year Crossings CIP Budget
- Resolution 07-56 Adoption of the Authority’s 2008 Crossings CIP Budget

Chairperson Parkowski noted two additional action items:

1. The designation of Christmas Eve, December 24, 2007, as an additional official employee holiday.

2. Adjusting salaries for senior management by 4% retroactive January 1, 2007.

There were no public comments.

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9708. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

<u>Contractor</u>		<u>Payment</u>
DMB-07-01	Eastern Highway Specialists	\$107,726.40
DMB-06-02	Marinis Brothers, Inc.	\$175,433.20
DMB-04-04	J.D. Eckman, Inc.	\$939,410.59
DMB-01-07	J.D. Eckman, Inc.	\$ 45,749.00
NCA-04-01	Diamond Materials	\$142,351.52
MVA-06-02	South State, Inc.	\$ 43,425.00
MVA-04-02	Glasgow, Inc.	\$ 33,592.66

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9709. CONTRACT CLOSE-OUT- MISCELLANEOUS STEEL ENHANCEMENTS – TOWERS AND CABLES, DMB, CONTRACT #DMB-01-07

On April 12, 2002 Contract No. DMB-0-07, Miscellaneous Steel Enhancements-Towers and Cables, was awarded to J.D. Eckman, Inc. of Atglen, Pennsylvania for the bid price of \$5,892,228.00.

During the contract period, Change Order No.’s 1-5 were approved for the project.

- 1. November 9, 2007 Adjustment in quantities to reflect actual field conditions. Add: \$272,766.80.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$6,164,994.80.

A motion to close out Contract #DMB-01-07 was made by Commissioner Simmerman, seconded by Commissioner Favre, and approved by a roll call vote of 11-0.

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9710. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD.

RESOLUTION 07 -53 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, 2007; and

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

Community Contributions

New Jersey

American Red Cross Cape May County Chapter	\$ 1,500
Bay Atlantic Symphony Incorporated	\$ 5,000
Bridgeton Cumberland Tourist Association	\$ 5,000
Cape Regional Medical Center Foundation (Burdette Tomlin Memorial Foundation)	\$ 5,000
Gloucester County Habitat For Humanity	\$ 15,000
Millville Army Air Field Museum Incorporated	\$ 10,000
Project New Start Community Development Corporation Incorporated	\$ 9,750
Total	<u>\$ 51,250</u>

Delaware

Delaware Tourism Alliance	\$10,000
Eastlawn Area Human Services Incorporated	\$ 2,500
First State Roundball	\$ 1,850
Nativity Preparatory School of Wilmington	\$ 3,000
Total	<u>\$ 7,350</u>

Grand Total (New Jersey and Delaware) \$68,600

A motion to approve Resolution 07-53 was made by Commissioner Lathem, seconded by Commissioner Dorn, and approved by a roll call vote of 11-0.

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RESOLUTION 07-54 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2007

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 1/1/07 THROUGH 12/31/07

VENDOR	SERVICE DESCRIPTION	DETERMINATION
Commerce Construction Corporation	Repair Transfer Bridge Main Counter-Weight Wire Cables Damaged by CMLF customer	Quotes
Joseph T. Hardy & Son, Inc.	Repair Sewer Lift Station at New Castle Airport	Quotes
ZS Technologies	Purchase of 10 fiberglass reinforced fendering panels for the Cape May Lewes Ferry Pier repairs and replacements	Sole Source

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 07-54 was made by Commissioner Favre, seconded by Commissioner Simmerman, and approved by a roll call vote of 11-0.

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RESOLUTION 07-55 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S FIVE (5) YEAR (2008-2012) CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

WHEREAS, The Delaware River and Bay Authority (The "Authority") has developed a Five (5) Year Capital Improvement Plan for 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 (2008-2012) totals \$173,410,000; 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 Committees has 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 \$173,410,000.

A motion to approve Resolution 07-55 was made by Commissioner Lathem, seconded by Commissioner Simmerman, and approved by a roll call vote of 11-0.

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RESOLUTION 07-56 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S 2008 CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

WHEREAS, The Delaware River and Bay Authority (The "Authority") has developed a 2008 Crossings Capital Plan for capital improvement projects at the Delaware Memorial Bridge, Cape May-Lewes Ferry, and the Three Forts Crossing in the amount of \$33,010,000; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings on the proposed 2008 Crossings CIP Budget; and

WHEREAS, The Authority's Projects Committees has reviewed and approved the proposed 2008 Crossings CIP Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that The Authority hereby adopts a 2008 Crossings CIP Budget of \$33,010,000.

A motion to approve Resolution 07-56 was made by Commissioner Simmerman, seconded by Commissioner Patterson, and approved by a roll call vote of 11-0.

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Chairperson Parkowski asked for a motion to designate December 21, 2007 as an employee holiday.

A motion was made by Commissioner Patterson, seconded by Commissioner Smith and was approved by a roll call vote of 11-0.

Commissioner Patterson stated that he was more than pleased to support this action as a means of thanking Authority employees.

Vice-Chairperson Hogan stated that he can support such an action because the employees had to absorb out-of-pocket increases in medical expenses.

Chairperson Parkowski stated that this was one way to thank employees for their service and that this action was well deserved.

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Chairperson Parkowski asked for a motion for pay increases for senior management retroactive January 1, 2007.

A motion to approve a 4% increase for senior management retroactive January 1, 2007 was made by Commissioner Simmerman, seconded by Commissioner Favre, and approved by a roll call vote of 11-0.

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9711. COMMISSIONERS PUBLIC FORUM

Chairperson Parkowski asked if any members of the public would like to address the Commissioners.

Vincent Ascione, Local 542, spoke. He asked if the Authority does a background check on contract awards and if the management and administration is overseen. Mr. Ascione is aware of an on-going process of investigating companies that produce poor workmanship and do not provide workers with the benefits solicited in the bid. He then stated that it was admirable of the Board of Commissioners to give employees off on December 24th and wished everyone a Merry Christmas.

Director of Engineering and Maintenance stated that the Authority performs a due diligence on the apparent low bid firm via review of the Bidders Qualification Questionnaire which addressed areas such as, safety, quality and performance. The Bidders Qualification Questionnaire is an integral part of the bid documents. Work is typically done by the general contractor yet contract administration is done in-house. Staff also receives certified payroll documents on a monthly basis to insure compliance with prevailing wages.

Vice-Chairperson Hogan asked Mr. Ascione if he had knowledge of any specific contractor to notify the Authority.

Commissioner Patterson noted the passing of two previous commissioners, Commissioners Garrett B. Lyons and Edward J. Bennett and the flying of Authority flags at half mast in their honor. Commissioner Patterson suggested the Commissioners pass a Resolution honoring their contribution to the Authority.

Commissioner Dorn noted the general financial wellbeing of the Authority compared to other organizations of this type and then wished everyone and their families a joyous Christmas.

Chairperson Parkowski thanked the Commissioners for the service during the year.

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There being no further business, a motion to adjourn was made by Commissioner Lathem, seconded by Commissioner Dorn and unanimously carried.

The meeting was adjourned 11:17 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Board Secretary