

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, January 15, 2008
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 10:35 a.m. with Chairperson Parkowski presiding.

The opening prayer was given by Reverend Dorn, followed by the Pledge of Allegiance led 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

James N. Hogan, Vice-Chairperson

Verna W. Hensley

Susan Atkinson DeLanzo

Samuel E. Lathem

Rev. Edward W. Dorn

William E. Lowe

Niels S. Favre

Gary B. Patterson

Gary F. Simmerman

Ceil Smith

ABSENT

Thomas J. Cooper

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9711. APPROVAL OF THE DECEMBER 18, 2007 MINUTES

Commissioner Simmerman motioned for approval of the December 18, 2007 minutes, seconded by Commissioner Lathem, and approved by a voice vote of 11-0.

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Chairperson Parkowski noted that a proposed fare increase at the Cape May-Lewes Ferry will be considered at the February meeting of the Commissioners.

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The Executive Director stated that, due to the time constraints this morning, the Economic Development Committee did not meet; however, the Deputy Executive Director will report to the Commissioners on the status of the Isogen proposal at Corporate Commons.

Deputy Executive Director Rainear briefed the Commissioners on Isogen's seriousness to purchase 1012 Penns Way at Corporate Commons and to have the building completed by the end of 2009. He and staff have been meeting with DEDO and New Castle County officials regarding the project. The Authority received a letter from the Director of DEDO in support of the project. The letter requested that the DRBA allow Isogen access to the proposed development site at Corporate Commons to perform soil and environmental testing. Mr Rainear stated that Isogen would create 120-150 new good paying jobs.

Executive Director Johnson noted that he and staff have been talking with counsel to craft an agreement to allow access. He further stated that it would be in the best interest of the Authority to move further along with the project.

Chairperson Parkowski stated that the testing would be necessary if financing is required.

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9712. EXECUTIVE DIRECTOR'S REPORT

The Executive Director presented the following report for 2007.

During 2007, the organization accomplished much under the leadership of the Board and the efforts of our dedicated and professional employees. Throughout the year, the Commissioners devoted a significant amount of their personal time attending monthly Board and Committee meetings, visiting facilities, attending employee functions, attending professional trade seminars with staff and reading a tremendous amount of materials that are required for the conduct of the Authority's business.

The year ended on a sad note with the passing of two former Commissioners from Delaware. Dr. Garrett Lyons, Sr. was appointed by Governor Sherman Tribbitt in 1974 and served 27-years as a Commissioner, including 24 of those years as either Chairperson or Vice Chairperson. Edward Bennett was appointed by Governor Thomas Carper in 1997 and served as a Commissioner for 6-years. Both of these Commissioners contributed much to the organization and will be missed by the communities they served.

The Delaware Memorial Bridge

Over 17.6 million vehicles passed through the Delaware Memorial Bridge (DMB) Toll Plaza last year accounting for an estimated \$73.5 million in revenue. Total traffic remained relatively flat when compared to 2006 actually decreasing by 63,000 vehicles. When compared to the three-year average, total traffic for 2007 is virtually flat, decreasing by 3,000 vehicles. E-Z Pass continues to be a popular choice for our customers increasing 2% from last year to 57% of the overall traffic.

During the year, the Authority increased its efforts to crackdown on habitual toll violators. Working cooperatively with the Delaware State Police and the Delaware Department of Transportation to identify and share information on habitual toll evaders, individuals were arrested and charged with various counts of toll evasion throughout the year.

During the summer, the Authority held public workshops and hearings in both states to inform the public concerning the need to raise toll rates on the bridge. After seeking public input, the board took action to increase the commercial rate from \$3.00 to \$4.00 per axle effective in January 2008. The new rate is expected to generate an additional \$10.8 million that will fund an \$85 million Capital Improvement Plan through 2009. Additionally, the board approved the recovery of certain administrative costs associated with E-ZPass accounts resulting in a savings of approximately \$700,000. I want to thank Gerry DiNicola Owens for leading her team over the past several months in implementing the toll rate increase.

Public bids were opened on two major capital projects during the year valued at over \$33 million. The first project includes the replacement of the I-295 structure over the Norfolk Southern Railroad. The second project includes the third phase of the I-295 northbound approach roadway widening, repaving and modifications. Both of these projects represent the Authorities continual commitment to maintaining and improving its infrastructure.

The Cape May Lewes Ferry

A combined total of over 1.3 million vehicles and passengers enjoyed the Ferry in 2007 resulting in an estimated \$13.5 million of revenue. Annual vehicle and passenger traffic decreased 2.7% and 2.0% respectively, when compared to 2006. However, because of

product line improvements, our annual 2007 food and beverage revenues increased 7.8% and retail revenues increased 6.0%, when compared to 2006.

The Authority had a host of programs and packages for the summer season. From the popular “Rock the Boat” to the “Lighthouse Pete’s Family Fun Cruise” on the ferry to the various Destination Delaware and New Jersey land side packages, the ferry was your ticket to fun destinations and entertainment. Additionally, the use restrictions on the “Six-Pack” tickets were relaxed enabling our loyal and frequent customers to use these tickets Monday through Friday, Holidays and off-peak periods on the weekend from Memorial Day through Labor Day.

In April, the Authority announced the selection of Heath Gehrke as the Director of Ferry Operations. Heath previously served as the Assistant Director of Ferry Operations from October 2004.

Hornblower Marine Services, Inc. worked throughout the year developing the comprehensive marine master plan. During the fall, utilizing some of the results of their work, the Authority authorized the sale of the MV Cape May. The sale is part of a comprehensive plan to improve efficiency and reduce the operating deficit at the Ferry which was \$6.8 million in 2006. Additionally, we announced plans to consolidate marine operations into a single facility in Cape May. Beginning in November 2008, all marine crews and vessels will be based in Cape May. We expect the Hornblower study to be completed by early 2008. The results of their effort will help us determine what the future of the ferry fleet should look like, including the size, speed and number of vessels as well as provide recommendation for optimizing operations and assets.

A CMLF Enhanced Security Operation exercise was conducted at the Cape May Terminal during the summer. This exercise included Transportation Security Administration (TSA) screening personnel and screening equipment. Personnel from the TSA Surface Transportation Security Inspector Program, Federal Air Marshals Service, DRBA Police, New Jersey State Police and Bomb Squad, Atlantic City Bomb Squad, Cape May Sheriffs, and Lower Township Police Department performed screening of passengers and vehicles at the CMLF Toll Plaza and provided surveillance detection operations.

New roadside CMLF trailblazers (75 signs on DE side including two in Maryland and Virginia and 59 trailblazers in New Jersey) were installed. The new signs provide directional and other information to the traveling public. These signs were produced by our in-house forces. Special thanks to Steve Melniczuk, Vincent Manetti, John Cornwell, Paul Barnard, and Charles Short who helped achieve this mission.

Airports

While scheduled air service was discontinued at our New Castle facility in the fall, Steve Williams continued to lead the effort to find other service. Early this month, Skybus announced its intent to initiate service to Columbus, Ohio and Greensboro, North Carolina. Thank you Steve for your efforts!

In July, the Authority and the Delaware Emergency Management Agency scheduled an emergency disaster exercise. The planned scenario simulated a coordinated terrorist threat to the New Castle Airport involving several aircraft and explosive materials. This exercise tested emergency plans and procedures, communication and coordination abilities of federal, state and local agencies.

Dassault announced a multi-year expansion at the New Castle facility that will result in new jobs and allow for aircraft completions at this site. Governor Minner and Dassault’s President Jack Young attended the open house. I want to thank Don Rainear for spearheading the effort on behalf of the Authority to find and get Dassault additional space that was instrumental in this expansion!

The New Jersey Motorsports Park broke ground for the first phase of the \$150 million complex on land that was released by the Federal Aviation Administration from the Millville Airport.

Two of our facilities – Millville, and Cape May were hosts to public air shows and static displays of aircraft. These events were a big hit for the local community.

Authority-wide Safety Initiatives

Safety performance in 2007 set a new record for the Authority! There were 69 work-related injuries in 2007 compared to 108 injuries in 2006, an injury reduction of 36%. All departments are commended for their outstanding safety performance, particularly, Engineering & Maintenance, Ferry Operations, Police, and the Lewes and Cape May work sites – all had double-digit reductions in injuries. Airport Operations experienced only one injury in 2007 and Millville Airport had its second consecutive injury-free year. I want to particularly thank Bob Young, our Superintendent of Safety and Environment for his leadership, dedication and professionalism with this effort.

Legislative Review

The Delaware Legislative Joint Sunset Committee completed its rules review of the organization. We attended two public sessions – I presented written testimony and answered a variety of questions. Chairperson Parkowski, Commissioner Patterson, and Delaware Legal Counsel Mike Houghton also attended and provided responses to questions as well. The Chair and Vice Chair of the Joint Sunset Committee indicated that they were pleased with the information that was provided for their rules review and appreciated our cooperation. The committee offered several complementary comments concerning the progress that the Authority has made over the last five years.

Authority Recognized for Excellence in Financial Reporting

In November, the Authority received notification from the Government Finance Officers Association that we had been awarded the Certificate of Achievement for Excellence in financial reporting for the 2006 Comprehensive Annual Financial Report (CAFR) for the third consecutive year. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The CAFR was judged by an impartial panel to meet the high standards of the program including demonstrating a constructive “spirit of full disclosure” to clearly communicate its financial story and motivate the public to read the CAFR.

The Leadership Institute

During the course of the year, over 100 employees representing frontline management through senior leadership attended several Diversity sessions. Conducted by our consultant, participants learned about conducting crucial conversations thereby increasing each individual’s personal consciousness of workplace demeanor and improving interpersonal skills and relationships. Sessions focused on motivating employees, respect for others, and open, honest communication.

In addition to the training, the Equal Employment Opportunity and Anti-Harassment policy was revised and distributed and discussed with employees.

Community Initiatives

The Community Initiative Committee continued to identify and implement initiatives that support people in need. Members of this committee, along with countless other employees, volunteered their time and energy to plan and complete several projects.

The group’s efforts began in August with a school outreach project - providing backpacks and school supplies - 100 book bags filled with school supplies to the following school districts: Christina, Delmar, Dennis Township, and Deptford Township. Authority employees donated additional school supplies through donation boxes placed throughout the various complexes.

During Thanksgiving, food baskets containing turkey and food stuffs for families were delivered by many Authority employees throughout the community. And during the Holidays, the employees generously provided food baskets, new clothes and other gifts for less fortunate families in our communities.

The Board, through the auspices of the Community Contribution Program, furnished over \$600,000 to non-profit organizations throughout Delaware and the four southern New Jersey counties.

Employee Recognition

Over 200 employees, retirees and guests gathered in the fall to recognize and celebrate employee contributions and service to the Authority. Over 60 employees were recognized for service awards from five year to thirty-five year milestones. Earlier in the year, an Awards Committee was established to develop a program of awards for employees that placed emphasis upon the values that are important to the organization. Special recognition awards were presented to employees that consistently and significantly exceeded expectations in volunteerism, customer service, operational excellence, teamwork and leadership. Congratulations to all who received awards.

Again, I want to personally thank each of the Commissioners for their dedication, counsel and leadership. Additionally, I want to thank the employees for their hard work, day in and day out. Together, we will continue to build upon our successes. I am optimistic about the opportunities and look forward to working with you as we face the challenges that 2008 will bring.

The Executive Director noted that a compromise was reached last Friday with Local 542 and that the members need to ratify the agreement.

Commissioner Patterson was concerned with the lack of quorums at the committee meetings causing delays in passing action items and wanted to remind and thank the Commissioners for their commitment.

Mr. Norcross stated that the By-Laws Committee will be meeting to discuss quorum issues.

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

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9713. COMMITTEE REPORT-BUDGET & FINANCE
COMMITTEE

Commissioner Patterson presented the Budget & Finance meeting minutes of January 7 and 15, 2008.

BUDGET & FINANCE COMMITTEE MEETING
Monday, January 7, 2008
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, January 7, 2008, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Committee Chair Patterson
Commissioner Lathem
Commissioner Lowe
Chairperson Parkowski

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

Governors Representatives

Sonia Frontera - NJ

Staff

Jim Johnson, Jr.
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Joe Larotonda
Brian McEwing
Jim Salmon
Anna Marie Gonnella Rosato
John Jones
AJ Crescenzi
Kelly Phillips Parker
Larry Sharp

Authority Secretary

Tom Pankok

I. Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:16 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 Acting Chief Financial Officer reviewed the Resolution of Over \$25,000 Vendor List. The Acting CFO noted that the list consisted of mostly recurring vendors with estimates based on the previous year's expenditures. Five new vendors had been added to the list and reviewed each.
 - Day Chevrolet
 - Kippertool
 - Motors Fleet
 - Penske
 - Rickerman Tree Service

The Committee asked several questions regarding the list and the Acting CFO answered to their satisfaction. After review, on motion by Commissioner Simmerman, seconded by Commissioner Smith, and a Roll Call Vote with Commissioner Patterson Abstaining, the Committee recommended approval of the Vendor list. Commissioner Patterson noted conflicts with two of the vendors and the Committee discussed whether a simple majority of the Committee could recommend approval without a voting member from the other state. Subject to any legal issues related to the vote, a Resolution will be presented to the full Board for consideration at the January meeting.

II. The Acting CFO provided a Review of the Authority's Five Year Plan of Finance. The following was reviewed.

- Plan of Finance Supports the Goals and Objectives of the Organization
- Demonstrates Public Accountability of Resources
- Meets External Scrutiny of Rating Agencies and Insurers
- Assumes No New Operating Entities
- Maintains General Fund Balance of \$30.0 Million Asset/Liability Match as a Hedge Against Variable Rate Exposure
- Requires a Toll Increase in 2010

The Acting CFO reported that the Financial Plan reflects the aforementioned goals and criteria and is based on past policy directives and priorities of the Board. The Plan is not set in stone and can be modified and adapted to meet changing circumstances or needs of the time. The Authority's Financial Model was reviewed in detail covering assumptions related to future revenues, expenses, debt, Capital Improvement Program, Airports and other undefined Economic Development provisions contained in the Five Year Plan of Finance. After review of the Financial Model, the Committee began a lengthy discussion on the need for a coherent Economic Development Plan. Chairperson Parkowski added that some of the airport assets could be considered asset management and not considered economic development. The Authority receives a return on investment and does not provide grants. Vice-Chairperson Hogan added that, in the past, the community tended to direct the activities of the airports and, although the Authority recognizes the community and should work with the community, projects should be in the best interest of the Authority. It was decided that a more thorough discussion should take place at the next Economic Development Committee meeting in February in order to move forward in the development of an Economic Development Plan. The Executive Director requested this topic be included on the Agenda for February.

Commissioner Lowe questioned what the magnitude would be to Authority finances should there be a recession. The Acting CFO reported that the Bridge traffic has historically been positive with possibly one or two years of modest reductions. He speculated that revenue would not likely be impacted by more than a couple of million; however, a larger concern could be compounding a recession with construction and lost revenue from traffic diverting to alternate routes. This would also be more of a concern if there were additional debt because the Authority would be committed to the debt and would diminish its ability to adapt to the economic change. The Acting CFO noted that this is also why we model a cushion with the targeted 1.40x debt service coverage ratio.

The Acting CFO questioned whether there was any Committee input or direction regarding the 5-Year Financial Plan and there was none.

III. The Chief Operations Officer and Cape May-Lewes Ferry Port Captain presented and reviewed the Proposed 2008 CMLF Fare Schedule. The following was presented and reviewed.

- Closing the Gap
- Traffic Analysis
- Vessel Schedule
- Hornblower Fare Observations
- Fare Strategy
- Proposed Fares
- Fare Marketing
- Revenue Projections

The Proposed Fare Strategy was discussed and included the following.

- Increase Vehicle & Driver fares – Larger Increases During Peak Demand Periods
- Return-Trip Fares Increased Less – Increased Value Relative to One-Way Fares
- No Increases in Passenger Fares – Less Impact on Families & Groups
- Reduced Bus Passenger Fares
- 6-Pack Fares for Commercial Vehicles – 15% Discount
- 50% Off Internet Reservation Fees

The COO reviewed the proposed Resolution containing the November – March Fares; April – October Fares; Peak Fares; provided a Family Round-Trip Comparison showing the impact the new fares would have on a family of four; and discussed the Other Fare Changes (i.e. Six-Pack, Bus, Ferry Reservation Fees, and Over 20' Vehicles & Driver).

The COO presented the Revenue Projections as follows.

Revenue Impact Range – Effective Date: April 1, 2008

- + \$ 900,000 Assumes 2% Traffic Decrease
 - + \$ 1,200,000 Maintains 2007 Traffic Level
 - + \$ 1,500,000 Assumes 2% Traffic Increase
- (Projections Include \$400K for Vessel Schedule Changes)

The Committee discussed the schedule changes made in 2007 and Commissioner Lathem reported that customers were being left at the dock and questioned how the Authority would re-capture those customers. Chairperson Parkowski added that the operation loses between \$6-\$7 million per year and what would be the cost analysis to capture these individuals. The COO added that the delta had been improved from the \$7 million deficit in 2006 to the \$6.3 million deficit in 2007, by incorporating schedule changes, as well as other reductions in expenses. The COO added that the goal is to continue to reduce the delta by strategically modifying the schedule to pick up some of the “left behinds,” increasing fares in targeted areas, and continuing efforts to control expenses.

The Committee discussed the fact that the Hornblower Study had not been presented and were uncomfortable making a decision without reviewing the Study. The COO reported that an Executive Summary would be distributed in January with the final report to be presented in the February Committee meeting. After discussion, on motion by Commissioner Simmerman, seconded by Commissioner Smith, and a roll call vote of 2-2, the Resolution was not recommended for approval. The Committee recommended that a Budget & Finance Committee meeting be scheduled prior to the January Board meeting, inviting a representative from Hornblower to attend to discuss and to answer any questions from the Committee regarding the proposed 2008 Fare Increase before recommending approval to the full Board for consideration.

With no further business to discuss, on motion by Commissioner Favre, seconded by Commissioner Simmerman, the Budget & Finance Committee adjourned at 11:07 a.m.

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BUDGET & FINANCE COMMITTEE MEETING

Tuesday, January 15, 2008

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, January 15, 2008, 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
Chairperson Parkowski, arrived after the roll call

Committee Vice-Chair Simmerman
Commissioner Favre, Committee Member
Commissioner Smith, Committee Member
Commissioner DeLanzo
Commissioner Dorn
Vice-Chairperson Hogan

Legal Counsel

Mike Houghton – DE

Phil Norcross - NJ

Governors Representatives

Bernard Pepukayi - DE

Sonia Frontera - NJ

Staff

Jim Johnson, Jr.

Don Rinear

Victor Ferzetti

Jim Walls

Trudy Spence-Parker

Gerry DiNicola Owens

Anna Marie Gonnella Rosato

Brian McEwing

Bob Young

Heath Gehrke

AJ Crescenzi

Steve Williams

Jim Salmon

John Jones

Authority Secretary

Tom Pankok

Invited Guest

Gary Seabrook, Hornblower Marine

IV. Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:11 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.

V. At the January 7th Budget & Finance Committee meeting, the Committee deferred a recommendation concerning the Proposed 2008 Fare Increase at the Cape May-Lewes Ferry and subsequently scheduled an additional Budget & Finance Committee meeting in order for a representative from Hornblower to be available for questions regarding the proposed 2008 Fare Increase.

The Chief Operations Officer presented and reviewed the same presentation given at the January 7th Committee meeting for the benefit of Committee members not in attendance. After the review, the COO then presented three scenarios and the corresponding financial implications for Committee consideration and recommendation.

Scenario A – No Fare Increase (Revenue: \$14.7 - \$15.3M)

Scenario B – New Peak Fare Class – No Change to April-October and November-March Fare Classes (Revenue: \$15.0 - \$15.6M)

Scenario C – The Staff Recommended Fare Proposal, as presented to the January 7th Budget & Finance Committee meeting. (Revenue: \$15.5 - \$16.1M)

Also, at the request of Commissioner Favre, the COO presented additional information regarding a Same-Day Return Trip Fare. The COO reported that it was difficult to determine the number of people who might take advantage of this fare because the information is not readily available in the reservation system. Staff determined a "best estimate" based on off-season usage by regular customers. Staff estimated an average of 10 trips per day or 1500 round trips, during the off season. The reduction in revenue would be approximately \$15,000. The Director-Ferry Operations added that, in order to break even, an average of 3.3 additional passengers per day would need to use the CMLF. This fare classification could potentially create a marketing opportunity. The COO presented a Resolution which would authorize a Same-Day Return Trip Value Fare of \$10, applied to the return segment only, from November through March for a trial period of one year, affective April 1, 2008. The Fare would apply to a car, SUV, or pickup truck (vehicles less than 20' in length).

The COO then introduced a representative from Hornblower Marine, Mr. Gary Seabrook. Mr. Seabrook was invited to answer any questions from the Committee regarding the Hornblower Study as it relates to the proposed Fare increases. Mr. Seabrook reported that the proposed Fare increases would be in line with the recommendations contained in the Study and that he would be in support of the proposed Fare increases. He also would not hesitate to recommend the Same-Day Return Trip Value Fare as well. He further reported that the Executive Summary, when presented, would outline various yield management strategies such as asking for peak pricing, general fare increases, business class, hot lane, etc.

Commissioners then questioned Mr. Seabrook on several items including response to peak fares; rationale for the overall increase total; increasing and stabilizing off-season traffic; fuel surcharge; and focus groups. Mr. Seabrook responded to each question to the satisfaction of the Committee. Mr. Seabrook reported that the demand during the peak season is such that it would support an increased fare. He believed that the off-season would require enhanced marketing, and recommended regularly scheduled fare increases based on CPI. Mr. Seabrook also added that, another New Jersey ferry system used focus groups to query customers and established a fuel surcharge containing triggering thresholds. Commissioner Favre added that enhanced communication with the public regarding the significant cost increases to fuel would be necessary in implementing a possible fuel surcharge. Vice-Chairperson Hogan questioned the effectiveness of a focus group and whether the Authority should replicate a focus group to study the CMLF. He also questioned the potential to utilize the data from the Monmouth County study. Mr. Seabrook also added that the determination of inelasticity was based on staff's report that ridership had been consistently turned away during the peak season.

After the discussions, Committee Chair Patterson asked for staff's recommendation. The COO reported that staff recommended Scenario C – which was the proposal as presented to the January 7th Budget & Finance Committee. Committee Chair Patterson asked for a motion to recommend the 2008 Cape May-Lewes Ferry Fare Proposal. Commissioner Hensley made a motion; however, there was no second. The Fare Increase was not recommended at this time.

Committee Chair Patterson asked for a motion to recommend the Creation of a New Fare Class for Same-Day Return Trip Travel on a Trial Basis for the Cape May Lewes Ferry. Commissioner Favre made a motion, and was seconded by Commissioner Smith. With no opposition, the Committee recommended approval.

Chairperson Parkowski then reminded the Committee that if there was no adoption of a fare increase at this meeting, time constraints could prevent any implementation of a fare increase for 2008 and for Board members to also recognize the consequences. The Committee then began discussions to determine if altering the proposals would be supported. The Director-Ferry Operations stressed that the CMLF made exceptional strides in cost savings and that it is unlikely to replicate new savings to offset increased expenses again in 2008. The only way to hold the line in the deficit is to have a fare increase. Commissioner Hensley questioned how the Authority could go to the public for a toll increase at the bridge in 2010 without first addressing this increase.

Committee Chair Patterson requested a break in order to allow Delaware and New Jersey to caucus and the Committee recessed at 10:00 a.m.

After the break, the Committee returned and on motion by Commissioner Favre, seconded by Commissioner Smith, the Budget & Finance Committee adjourned at 10:40 a.m.

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

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Commissioner Lathem presented the Personnel Committee meeting of January 7, 2008.

PERSONNEL COMMITTEE MEETING
Monday, January 7, 2008
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Personnel Committee was held on Monday, January 7, 2008, 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 Patterson
Chairperson Parkowski

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

Governors' Representatives

Sonia Frontera

Staff

Jim Johnson, Jr.
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Anna Marie Gonnella Rosato
John Jones

Authority Secretary

Tom Pankok

- I. Committee Chair Lathem welcomed the Personnel Committee and opened the meeting at 11:10 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. 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.

- III. The Executive Director presented two Resolutions in honor of former Commissioners Garrett B. Lyons and Edward J. Bennett, on the passing of both in December. The Resolutions express appreciation for their service to the Authority and extend condolences to their respective families. Unanimously, the Committee recommended approval of the Resolutions for full Board

consideration. The Resolutions will be presented to the full Board at the January meeting.

- IV. The Chief Human Resource Officer presented and reviewed the following Sections to the Delaware River and Bay Authority Employees' Personnel Manual. The CHRO noted that the Sections had been reviewed by New Jersey and Delaware Counsel and all union contracts have been considered and no conflicts or comment have been received from union representatives.
- a. Section II - Application, Recruitment and Selection for Employment – There were no substantive changes to this section; however, after discussion, it was recommended this section be reviewed further to include revisions regarding job postings and third party referrals.
 - b. Section XVI – Performance Review – There were no substantive changes to this section; however, it was noted that Supervisors will receive the necessary training prior to implementation of Performance Reviews.
 - c. Section XVII – No-Smoking Policy – The CHRO noted that this policy was guided by Delaware State Law.
 - d. Section XX – Safe Harbor Policy – This is a NEW Section and had been recommended to be included by both Delaware and New Jersey Labor Counsel to reflect updated FLSA regulations.
 - e. Section XXI – Grievance Procedure – There were no substantive changes to this section; however, after discussion, it was recommended that a statement be added to the beginning of the Personnel Manual to indicate application to all non-union employees.
 - f. Section XXII – Hearings – There were no substantive changes to this section; however, Committee Chair Lathem reported that he had always been concerned with the employee hearing process in which the employee could appeal the decision of the Grievance Committee to the Personnel Committee. The Committee discussed the matter at length, but came to no conclusion. It was recommended this section be reviewed again at a later date.
 - g. Section XXIII – Employee Status and Obligations – There were no substantive changes to this section.

The CHRO reported that two final sections remain to be reviewed by the Committee.

- h. Section I – Employment Procedure
- i. Section XIX – Employment Tenure and Conduct

With no further business to discuss, on motion by Commissioner Dorn, seconded by Commissioner Lowe, the Personnel Committee adjourned at 12:10 p.m.

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

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9715. COMMITTEE REPORT – PROJECTS

Commissioner Lowe presented the Projects Committee meeting minutes of January 7, 2008.

PROJECTS COMMITTEE
Monday, January 7, 2008
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority's Projects Committee was held on Monday, January 7, 2008, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

PRESENT

Commissioner Lowe, Committee Chair
Commissioner Patterson, Committee Mbr
Commissioner Lathem

Governor's Representative

Sonia Frontera - NJ

Staff

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

Commissioners from New Jersey

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

Authority Secretary

Tom Pankok

I. The Projects Committee meeting convened at approximately 12:20 p.m. Those in attendance were provided an informational package consisting of an agenda, three draft resolutions, a contract bid tab, a contract close-out letter, and the monthly contractor payment chart with associated change orders (through December).

II. Resolutions:

- Land Conveyance: The COO briefed the Committee on the draft resolution authorizing the Executive Director to negotiate the terms and conditions of a land transfer and easement agreement with the Delaware Solid Waste Authority associated with the conveyance of a 21.24 acre parcel located adjacent to the western approach roadways of the Delaware Memorial Bridge, of which 10 acres is a part of the Pigeon Point landfill. It was reported that in exchange for the conveyance of this land at no cost, the agreement will provide the Authority a general release which will relieve the Authority from any obligations for closure costs (past, current, and future) and all liability related to the property. The resolution also states that the appraiser has determined that the property likely has a \$0 value. Commissioner Patterson asked that the resolution be modified, in that, the execution signatories include the Chairman of the Budget and Finance Committee versus the Chairman. The Projects Committee concurred with the recommendation and authorized the resolution be presented at the January Board meeting for approval.
- Staff reported that the competitive RFP process has been completed regarding identifying a firm to conduct professional authority-wide bridge and highway inspection services with an initial contract term of three years and two optional one-year renewals. Staff recommended that Greenman-Pederson, Inc be awarded this professional services contract. The Projects Committee concurred with the recommendation and authorized the resolution be presented at the January Board meeting for approval.
- Staff reported that the competitive RFP process has been completed regarding identifying a firm to conduct professional authority-wide airport, ferry, and building services with an initial contract term of three years and two optional

one-year renewals. Staff recommended that KCI Technologies, Inc be awarded this professional services contract. The Projects Committee concurred with the recommendation and authorized the resolution be presented at the January Board meeting for approval.

- III. Bid Openings/Award Actions: DMB-04-01, West Approach Repaving and Modifications, I-295 Northbound to Landers Lane. A public bid opening was held on December 19, 2007, in which five bids were received. The COO recommended award of the Base Bid plus Add Alternates No. 1 (Berms and Fencing), No. 2 (DRBA Complex Parking Lot), and No. 4 (Replacing Existing Fence); however, Add Alternate No. 3 (Pedestrian Underpasses), may be added depending on discussions with DelDOT and New Castle County. The recommendation was to award to the responsive low bidder, Mumford & Miller, for the total amount of \$25,681,467.50 (Base Bid plus Add Alternates 1, 2, and 4). If the decision is made to award Add Alternate No. 3 in the amount of \$560,000, the total contract award would be \$26,241,467.50. The Director of Engineering & Maintenance reported that this project would be cost shared by DelDOT and that the bid prices were below the approved adopted CIP budget amount and engineer's estimate. The Projects Committee concurred with the recommendation and authorized the action be presented at the January board meeting.
- IV. Contract Close-Out Actions:
- DMB-06-02, Repainting West Approach Truss Span, 2nd Structure, Delaware Memorial Bridge. The COO recommended final payment and contract close-out to the contractor, Marinis Brothers, Inc for the total final contract price of \$2,804,439.00. The Projects Committee concurred with the recommendation and authorized the action be presented at the January board meeting.
- V. Miscellaneous Items/Updates:
- New Castle Airport: The Director of Airports briefed the Committee on the New Castle Airport Business Plan which included background, history, market analysis, SWOT analysis, financial outlook and impact, business alternatives, recommended plan, and next steps. An executive closed session was also held to discuss a future New Castle Airport business opportunity. Staff answered all questions to the satisfaction of the Committee. Additionally, the Projects Committee concurred with the staff recommendation to modify an existing construction contract to construct parking lot fencing by March 2008, subject to review by counsel, to create additional parking at the airport.
 - Civil Air Terminal Fuel Farm: The COO recommended the design and construction of an aviation fuel farm at the Civil Air Terminal to support airport operations. The Director of Engineering and Maintenance discussed two options (design-bid-build and design-build) and their respective pros and cons. Staff recommended the design-build option to ensure the facility is in place by September 2008. The Director of Engineering and Maintenance reported that Committee authorization was required to spend up to \$350,000 on the project utilizing the existing URS contract (CS-06-02) to execute the design-build initiative (subject to legal review), and that the monetary contract limit may have to be increased to accommodate this additional work. The Projects Committee concurred with the recommendation and authorized staff to proceed with the design-build option, subject to legal review.
 - The Deputy Executive Director briefed the Committee on Cape May-Lewes Ferry marketing. Staff answered all questions to the satisfaction of the Committee.
- VI. Contractor Payment (through December): The COO informed the Projects Committee of the current monthly construction contractor payments.

VII. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 3:00 p.m.

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

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9716. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

A quorum was not present at the Economic Development Committee meetings of January 7 and 15, 2008.

ECONOMIC DEVELOPMENT COMMITTEE
Monday, January 7, 2008
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, January 7, 2008, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

PRESENT
Commissioner Lathem
Commissioner Lowe
Chairperson Parkowski

Commissioners from New Jersey

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

Governors Representatives

Sonia Frontera - NJ

Staff

Jim Johnson
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry Owens
Anna Marie Gonnella

Authority Secretary

Tom Pankok

Due to the lack of a quorum, the Economic Development Committee meeting was cancelled. An Economic Development Committee meeting will be scheduled prior to the January Commission meeting.

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ECONOMIC DEVELOPMENT COMMITTEE MEETING
Tuesday, January 15, 2008
Delaware Memorial Bridge Complex
New Castle, Delaware

THERE WERE NO ACTION ITEMS AND, DUE TO TIME CONSTRAINTS, THE MEETING WAS CANCELLED

The Deputy Executive Director provided an update regarding the possible sale/lease of an Authority asset located at the Corporate Commons. This update was provided during the presentation of the Executive Director’s Report in the Public Session later that day.

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

* * * * *

9717. 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 November.

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

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9718. 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 November 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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9719. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Acting CFO presented a chart for December 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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9720. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Acting CFO presented a chart for the month of December 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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9721. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF December 31, 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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9722. PUBLIC COMMENT ON ACTION ITEMS.

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

- Contract DMB-04-01 West Approach Repaving and Modifications
- Contract Close-out DMB-06-02 Repainting West Approach Truss Spans-2nd Structure
- Resolution 08-01 (formerly 07-51) Land Transfer to the Delaware Solid Waste Authority
- Resolution 08-02 Authorizing Authority Expenditures \$25,000 and over
- Resolution 08-03 Authorizes a Contract with Greenman-Pederson, Inc. to Provide Authority-Wide Bridge and Highway Inspection Services
- Resolution 08-04 Authorizes a Contract with KCI Technologies, Inc. to Provide Authority-Wide Inspection Services for Airport, Ferry and Building Services
- Resolution 08-05 Extends Sympathies and Condolences to the Family of Former Commissioner Dr. Garrett B. Lyons, Sr.
- Resolution 08-06 Extends Sympathies and Condolences to the Family of Former Commissioner Edward J. Bennett

There were no public comments.

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9723. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

<u>Contractor</u>		<u>Payment</u>
DMB-07-01	Eastern Highway Specialists	\$113,215.20
DMB-06-03	J.D. Eckman, Inc.	\$303,711.80
DMB-06-02	Marinis Brothers, Inc.	\$ 25,100.00
DMB-04-04	J.D. Eckman, Inc.	\$178,648.00
CMLF-06-07	Barnegate Bay Dredging Co., Inc.	\$ 35,100.00
NCA-04-01	Diamond Materials	\$138,901.12
NAC-01-04	EDIS	\$ 19,314.00
MVA-06-02	South State, Inc.	\$365,061.50
MVA-04-02	Glasgow, Inc.	\$ 425.25

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9724. WEST APPROACH REPAVING AND MODIFICATIONS 1-295 NORTHBOUND – 1-95 TO LANDERS LAND – CONTRACT DMB-04-01

The COO noted that a bid opening was held on December 19, 2007 and five bids were received. The COO then recommended the award of the Base Bid plus Add Alternates No. 1, No. 2 and No. 4. Add Alternate NO. 3 may be added depending on discussions with DelDOT and New Castle County. The recommendation was to award the contract to the responsive low bidder, Mumford & Miller of Middletown, Delaware, for the total amount of \$25,681,467.50 (Base Bid- \$24,469,622.50; AA 1- \$841,700.00; AA2- \$247,745.00; AA 4- \$122,400.00)

A motion to award Contract #DMB-04-01 was made by Commissioner Lowe, seconded by Commissioner Simmerman and approved by a roll call vote of 11-0.

9725. CONTRACT CLOSE-OUT-, CONTRACT #DMB-06-02 - REPAINTING WEST APPROACH TRUSS SPANDS – 2ND STRUCTURE

On September 5, 2006 Contract No. DMB-06-02, Repainting West Approach Truss Spans – 2nd Structure, was awarded to Marinis Brothers, Inc. of New Castle, Delaware for the bid price of \$2,804,725.00.

During the contract period Change Order No.'s 1 & 2 were approved for the project.

1. December 4, 2007 Adjustment in quantities to reflect actual field conditions.
Subtract: \$286.00.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$2,804,439.00.

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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9726. CHAIRPERSON'S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOAD

RESOLUTION 08-01 (FORMERLY 07-51) –AUTHORIZING THE TRANSFER OF LAND BY THE DELAWARE RIVER AND BAY AUTHORITY TO THE DELAWARE SOLID WASTE AUTHORITY

WHEREAS, The Delaware River and Bay Authority (the "Authority") is the owner of a 21.24 acre parcel of land located proximate to the western approach roadways of the Delaware Memorial Bridge; and

WHEREAS, approximately 10 acres of this 21.24 acre parcel (the "Parcel") has for many years been included within the 120 acre Pigeon Point landfill (the "Landfill") which is operated by the Delaware Solid Waste Authority ("DSWA"); and

WHEREAS, the Landfill operated from 1968 until 1985 and contains approximately 8 million tons of solid waste; and

WHEREAS, after discussions with the DSWA, the Authority proposes to convey the Parcel to the DSWA in order, for among other reasons, to avoid maintenance and environmental compliance expenses related to the Parcel and, in connection with the proposed conveyance of the Parcel, has recently obtained an appraisal to determine the fair market value of the Parcel; and

WHEREAS, that appraisal notes the fact that the DSWA currently pays nearly \$450,000 annually in closure expenses for the Landfill, which includes approximately \$37,500 annual expense attributable to the Parcel, and that this accrued and ongoing potential liability - combined with a geographic location which significantly diminishes its commercial value - as well as other environmental encumbrances that sharply limit its market and value, has lead the appraiser to determine the property likely has a \$0 value; and

WHEREAS, in exchange for the conveyance of this land to DSWA at no cost, DSWA will provide the Authority a general release which will relieve the Authority from any obligations for closure costs (past, current and future) and all liability related to the property; and

WHEREAS, in addition to the Land Transfer Agreement, an Easement Agreement shall be prepared that allows the DSWA to access the landfill maintenance road and several groundwater monitoring wells; and

WHEREAS, the Authority has also consistently been concerned about the threats to the safety of the traveling public posed by billboards and similar display structures being constructed and used on property proximate or adjacent to the approaches to the Authority's bridges and related facilities and, therefore, its conveyance of the Parcel to the DSWA will be conditioned on a total prohibition on the installation, construction or use of billboards and similar display structures on the Parcel; and

WHEREAS, the Projects Committee has reviewed, approved and recommends the Land Transfer and Easement Agreements.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to negotiate the terms and conditions of the Land Transfer and Easement Agreements with the Delaware Solid Waste Authority for a 21.24 acre parcel located adjacent to the western approach roadways of the Delaware Memorial Bridge, on terms consistent with this resolution, and have such Agreements, with the advice and consent of Counsel, executed by the Chairperson of the Budget and Finance Committee, Authority Vice Chairperson and the Executive Director.

A motion to approve Resolution 08-01 was made by Commissioner Lathem, seconded by Commissioner Simmerman. With Chairperson Parkowski abstaining, Resolution 08-01 was approved by a roll call vote of 10-0 with 1 abstention.

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RESOLUTION 08-02 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2008.

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 1/1/08 THROUGH 12/31/08

VENDOR	SERVICE DESCRIPTION	DETERMINATION
ABS Americas	Inspection Services Vessels	Sole Source
ACS	EZ Pass transaction processing	Contract
Allied Beverage	Alcoholic Beverage Supplier	Sole Source
Allied Marine Service	Vessel Vacuum Toilet Parts	Sole Source
Armorica Sales Inc.	Vessel Paint	Proprietary
Anite Systems	Maintenance Agreement Ferry Reservation System	Proprietary
Artesian Water Company	Water	Utility
AT&T	Wide area network services NJ	State Contract
Atlantic Cape Community College	Tuition Expenses	Education
Atlantic City Electric	Electricity	Utility
Atlantic City Press	Public advertisements	Sole Source
Bayshore Ford	Purchase of dump truck per approved CIP list	State Contract
Blue Cross Blue Shield of Delaware	Medical, Prescription and Dental Coverage	Benefits
Board of Public Works - Lewes	Water, Sewer and Electric Services	Utility
Bruce Industrial	Davits and Jibs	Proprietary
Carney’s Point Tax Office	Taxes – Business Center	Government
Cavanaugh Capital Management	Financial Investment Advisor	Benefits
Fairbanks Morse	Vessel Engine Parts	Sole Source
Cryotech Deicing Technology	Runway Deicer	Sole Source
Dave’s Trash Removal, Inc.	Trash removal for CMLF	Quotes
Day Chevrolet	Purchase of Sedans and SUVs as per approved CIP list	State Contract

DBC Marine Safety Systems	Servicing/Deployment of Vessel	Sole Source
Delaware Division of Revenue	State Income Tax	Government
Delaware Technical Community College	Tuition Expenses	Education
Delaware Transportation Authority	EZ-Pass Reimbursement – Credit Card	EZ Pass
Delmarva Power Delivery	Electricity	Utility
Division of Child Support Enforcement	Employee Withholding	Government
DRBA EFCU	Employee Withholding – Credit Union	Credit Union
DRBA/PNC	Employee and Employer Pension Withholding	Benefits
Exxon Company	Vessel M.E., Gear and Steering Oil	Sole Source
FlexAmerica	Section 125 Administrator	Benefits
Giles and Ransome, Inc.	Bowthruuster and Generator Parts	Sole Source
Harrison Beverage Co.	Alcoholic Beverage Supplier	Sole Source
Hertrich Fleet Service	Purchase of SUVs per approved CIP list	State Contract
Horizon Blue Cross Blue Shield of NJ	Medical, Prescription and Dental Coverage	Benefits
HP/Compaq	PC & Equipment	State Contract
IBTTA	Conference Contribution	Professional Education
IHI Marine	Vessel Reduction Gear Parts	Sole Source
ING	Defined Contribution Plan	Benefits
Internal Revenue Service	Federal/FICA/Medicare Withholding	Government
International Salt Company	Roadway Salt	State Contract
Johnson & Towers	Vessel Generator Parts	Sole Source
Johnson Controls	HVAC Maintenance and Training	Sole Source
Kippertool	Purchase of one Bobcat per approved CIP list	GSA Contract
Kramer Beverage Co.	Alcoholic Beverage Supplier	Sole Source
Kronos	Time and Attendance System	Sole Source
Marine Engineer’s Beneficial Association	Employee Withholding	Union
Mark IV IVHS	EZ-Pass Transponders	EZ-Pass
Maryland Transportation Authority	EZ-Pass Reimbursement – Credit Card	EZ Pass
MCI/Intermedia	Network Circuit Provider	Sole Source
Mercer Human Resources Consulting	Pension Actuarial Services	Contract
MetLife Financial Services	Deferred Compensation	Contract
Microsoft Licensing, GP	Enterprise Licensing Agreement	Sole Source
Modern Controls	HVAC Maintenance and Service at New Castle Airport	Quotes
Morris Nichols Arsht & Tunnel	Legal Services	Legal
Motors Fleet	Purchase of trucks and vans per approved CIP list	State Contract
MTA Bridge & Tunnel Authority	EZ-Pass Reimbursement – Credit Card	EZ Pass
MTM Technologies	MIS Professional Services	Sole Source
MUNIS	Financial/HR Software Annual Maintenance Fess	Proprietary
Neumann College	Tuition	Benefits
New Castle County Sewer	Sewer services	Utility
New Jersey Division of Revenue	Employee Withholding	Government
New Jersey Family Support	Employee Withholding	Government
New Jersey Regional Consortium	EZ-Pass Reimbursement – Credit Card	EZ Pass

New World Systems, Inc.	Installation and Maintenance of Police Computer Aided Dispatch System	
New York State Thruway Agency	EZ-Pass Reimbursement – Credit Card	EZ Pass
Omnithruster, Inc.	Vessel Bowthruster Parts	Sole Source
Parker McCay P.A.	Legal Services	Legal
Pedroni Fuel	Unleaded Gasoline	State Contract
Penske	Purchase of pick ups trucks per approved CIP list	State Contract
Petroleum Traders Company	Unleaded Gasoline (Lewes)	State Contract
PNC Back	Investment/Banking Services	Contract
Port Authority of NY & NJ	EZ-Pass Reimbursement – Credit Card	EZ Pass
Reitman Div. – R&R Marketing	Alcoholic Beverage Supplier	Sole Source
Rickerman Tree Service	Obstruction Removal at NCA	Quotes
Rolls-Royce/Ulstein	Vessel Steering Parts	Sole Source
Sales & Use Tax	NJ Sales & Use Tax	Government
Sea Safety Services	Inspection Services and Safety Supplies for Vessels	Proprietary
Service Energy LLC	Heating Oil Lewes	State Contract
Softmart	Software and Hardware Purchases	State Contract
Software Specialists, Inc.	Software Support/Programming for Toll System	Proprietary
South Jersey Gas Co.	Heat and Cooking Utilities	Utility
Spondulinx	Video Surveillance System Integrator	State Contract
Standard Distributing Co., Inc.	Alcoholic Beverage Supplier	Sole Source
Star Janitorial	Custodial Service at NCA	Quotes
State of Delaware	Unemployment Insurance and Tax Withholding	Government
State of New Jersey – Unemployment Insurance	Unemployment Taxes	Government
Verizon - DE	Local Telephone Service	Utility
Verizon - NJ	Local Telephone Service	Utility
Verizon - PA	Data Networking Expense	Utility
Verizon Wireless	Cellular Service	State Contract
VSGI	Video Teleconferencing	Sole Source
Warnock Automotive	Purchase of Police Vehicles per approved CIP List	State Contract
Waste Management	Trash and Recycling Services	Sole Source
Winner Ford	Purchase of pick up trucks per approved CIP list	State Contract

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 08-02 was made by Commissioner Simmerman, seconded by Commissioner Smith. With Commissioner Patterson abstaining, Resolution 08-02 was approved by a roll call vote of 10-0 with 1 abstention.

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RESOLUTION 08-03 – AUTHORIZES A CONTRACT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND GREENMAN-PEDERSON, INC. TO PROVIDE AUTHORITY-WIDE BRIDGE AND HIGHWAY INSPECTION 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 procure professional authority-wide bridge and highway inspection services with an initial term of three (3) years and two (2) optional one (1) year renewals; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposals (“RFP”) for the required authority-wide bridge and highway inspection services in compliance with Resolution 98-31 which governs the procedure for the procurement of professional services; and

WHEREAS, the Authority received and evaluated a total of four (4) proposals pursuant to the aforementioned requirements which resulted in a short-list of two (2) firms; and

WHEREAS, the Authority conducted Oral interviews with the short-listed firms and Greenman-Pederson, Inc. was designated first on the preference list; and

WHEREAS, the Authority negotiated for services at compensation determined to be fair and reasonable, and in making such determination, conducted an analysis of the cost of the services in addition to considering the scope and complexity; and

WHEREAS, the Projects Committee reviewed the 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 Authority-wide Bridge and Highway Inspection Services Agreement with Greenman-Pederson, Inc. to provide such inspection services and to have such agreement, upon advice and consent of counsel, executed by the Chairperson, Vice Chairperson and Executive Director.

A motion to approve Resolution 08-03 was made by Commissioner Dorn, seconded by Commissioner Patterson, and approved by a roll call vote of 11-0.

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RESOLUTION 08-04 – AUTHORIZES A CONTRACT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND KCI TECHNOLOGIES, INC. TO PROVIDE AUTHORITY-WIDE INSPECTION SERVICES FOR AIRPORT, FERRY AND BUILDING 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 procure professional authority-wide inspection services for airport, ferry and building services with an initial term of three (3) years and two (2) optional one (1) year renewals; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposals (“RFP”) for the required authority-wide inspection services for airport, ferry and building services in compliance with Resolution 98-31 which governs the procedure for the procurement of professional services; and

WHEREAS, the Authority received and evaluated a total of one (1) proposal pursuant to the aforementioned requirements; and

WHEREAS, the Authority conducted an Oral interview with the Proposer and KCI Technologies, Inc. was determined suitable for providing the services; and

WHEREAS, the Authority negotiated for services at compensation determined to be fair and reasonable, and in making such determination, conducted an analysis of the cost of the services in addition to considering the scope and complexity; and

WHEREAS, the Projects Committee reviewed the 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 Authority-wide Inspection Services Agreement for Airport, Ferry and Building Services with KCI Technologies, Inc. to provide such inspection services and to have such agreement, upon advice and consent of counsel, executed by the Chairperson, Vice Chairperson and Executive Director.

A motion to approve Resolution 08-04 was made by Commissioner Lathem, seconded by Commissioner Smith, and approved by a roll call vote of 11-0.

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RESOLUTION 08-05 - EXTENDS SYMPATHIES AND CONDOLENCES TO THE FAMILY OF FORMER COMMISSIONER DR. GARRETT B. LYONS, SR.

WHEREAS, Dr. Garrett B. Lyons, Sr. was appointed by Governor Sherman W. Tribbitt to serve as a Commissioner for the Delaware River and Bay Authority, participating in his first Commission Meeting on July 16, 1974; and

WHEREAS, Dr. Lyons served with distinction, enthusiasm and dedication as a Delaware River and Bay Authority Commissioner for twenty-seven years, including twenty-four of those years as either Chairman or Vice-Chairman of the twelve member Board of Commissioners; and

WHEREAS, as a DRBA Commissioner, Dr. Lyons willingly supplied his time, talents, and energy to the successful operation of the Delaware Memorial Bridge, Cape May - Lewes Ferry, the DRBA Business Centre, New Castle Airport, Millville Airport, Cape May Airport, Delaware Airpark, Civil Air Terminal at Dover, and the Three Forts Ferry Crossing, all of which are managed by the Delaware River and Bay Authority; and

WHEREAS, following his service as a Captain in the United States Air Force Dental Corps during the Korean War, Dr. Lyons established his own dental practice in 1961, a career that lasted more than 40 years; and

WHEREAS, the successful Wilmington dentist also served as Dental Director at the Alfred I. DuPont Institute, providing essential dental services for young patients; and

WHEREAS, Mr. Lyons had a record of deep community involvement, serving on the Boards of Mellon Bank, Blood Bank of Delaware, Beebe Hospital and was elected Commissioner of the Town of Henlopen Acres from 1995-2001; and

WHEREAS, Dr. Lyons passed away on Friday, December 14, 2007.

NOW THEREFORE, BE IT RESOLVED that the Delaware River and Bay Authority does hereby recognize and appreciate Dr. Lyons' outstanding, invaluable contributions to the bi-state agency and his community.

BE IT FURTHER RESOLVED that the Delaware River and Bay Authority extends its condolences and sympathies to the family of Dr. Garrett B. Lyons, Sr. and does hereby record these proclamations by the presentation of this Resolution, adopted today, January 15, 2008.

A motion to approve Resolution 08-05 was made by Commissioner Patterson, seconded by Commissioner Hensley, and approved by a roll call vote of 11-0.

Commissioner Hensley stated that she was appointed to the Commission as Dr. Lyons was leaving the Board and that he was a tremendous leader in helping children with special needs.

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RESOLUTION 08-06 - EXTENDS SYMPATHIES AND CONDOLENCES TO THE FAMILY OF FORMER COMMISSIONER EDWARD J. BENNETT

WHEREAS, Edward J. Bennett was appointed by Governor Thomas R. Carper to serve as a Commissioner for the Delaware River and Bay Authority, participating in his first Commission Meeting on November 18, 1997; and

WHEREAS, Mr. Bennett served with distinction, enthusiasm and dedication as a Delaware River and Bay Authority Commissioner for six years; and

WHEREAS, as a DRBA Commissioner, Mr. Bennett willingly supplied his time, talents, and energy to the successful operation of the Delaware Memorial Bridge, Cape May - Lewes Ferry, the DRBA Business Centre, New Castle Airport, Millville Airport, Cape May Airport, Delaware Airpark, Civil Air Terminal at Dover, and the Three Forts Ferry Crossing, all of which are managed by the Delaware River and Bay Authority; and

WHEREAS, Mr. Bennett also served as an effective Delaware State Representative from 1976 to 1994, not only representing the needs and interests of the citizens of the 32nd District, but also gaining experience and insight that helped to shape and effectuate policy at the Delaware River and Bay Authority; and

WHEREAS, a successful Dover businessman for more than thirty years, Mr. Bennett operated Bennett Security Services, the first privately-owned security company on the Delmarva Peninsula; and

WHEREAS, Mr. Bennett had a record of deep community involvement, serving on the Board of Trustees for the University of Delaware and on the boards of many other organizations, including Wesley College, the Better Business Bureau and the Delaware State Chamber of Commerce; and

WHEREAS, Mr. Bennett passed away on Monday, December 17, 2007.

NOW THEREFORE, BE IT RESOLVED that the Delaware River and Bay Authority does hereby recognize and appreciate Mr. Bennett's outstanding, invaluable contributions to the bi-state agency and his community.

BE IT FURTHER RESOLVED that the Delaware River and Bay Authority extends its condolences and sympathies to the family of Edward J. Bennett and does hereby record these proclamations by the presentation of this Resolution, adopted today, January 15, 2008.

A motion to approve Resolution 08-06 was made by Commissioner Patterson, seconded by Commissioner Lathem, and approved by a roll call vote of 11-0.

Chairperson Parkowski noted that he replaced Mr. Bennett on the Commission and that Mr. Bennett was a fine individual in the legislature and on the DRBA Board of Commissioners. He was a model in Delaware for public service and will be missed.

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

Ronald Riley, Operations Clerk, Airports Division, DRBA spoke. He said that suggestions to develop a minority issues committee fell on deaf ears and that he requested the Commissioners continue the Community Contributions grant program.

Chairperson Parkowski noted that he was not able to comment due to pending litigation. However, he mentioned that he was interviewed by a reporter regarding the Community Contributions Grant Program and that he appreciates the concern for it.

Howard Moon, Manager, Reservations Department, DRBA, spoke. He talked on several issues regarding diversity. He referred to his 2004 letter addressing the issue and his appearances before the Board of Commissioners in January and November, 2006. Mr. Moon suggested talking points that included mandating a minority at the executive staff and other positions, creating an ad hoc committee to meet with employees of color and an Affirmation Action Plan.

Chairperson Parkowski thanked Mr. Moon for his comments and noted that he was not in a position to comment because of Mr. Moon's lawsuit with the Authority.

Vice-Chairperson Hogan requested copies of Mr. Moon's 2004 letter and other correspondence, including the January and November 2006 minutes, to be supplied to the new Commissioners.

Chairperson Parkowski requested that all of the information be distributed to all members of the Board.

Elder Tyrone C. Johnson, Vice President, IMAC, spoke. He thanked the Commissioners for having everyone today and stated that he is aware the Commissioners were not able to comment because of the lawsuits, but did ask if everyone will review all of the records and let their conscious be their guide.

Chairperson Parkowski thanked Elder Johnson for his comments and noted that, since Mr. Johnson's employment, minority hires were up 37% and that is a commendable effort by the Executive Director.

Syl Woolford, Accountant with AAA and Delaware State alumni spoke next. He urged everyone to make a concerted effort to resolve the issues of diversity.

Chairperson Parkowski thanked Mr. Woolford for his comments.

Gregory Chambers, EEO Manager, State of Delaware spoke. He noted that he has had an occasion to interface with this administration and has met with seven to eight employees. He is requesting everyone to address the diversity issues and resolve differences.

Chairperson Parkowski thanked Mr. Chambers for his comments.

Vice-Chairperson Hogan stated that he was aware of the litigation and that he and Chairperson Parkowski spent two hours discussing the concerns raised.

Howard Moon added that the Authority cannot treat those with litigation any different than other employees.

Chairperson Parkowski said that he appreciated the comment.

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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 11:59 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Board Secretary