

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, July 17, 2007
James Julian Boardroom
Administration Building
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.

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
William E. Lowe, III
Gary B. Patterson (via phone)

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

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9628. APPROVAL OF THE JUNE 19, 2007 MINUTES

Commissioner Favre motioned for approval of the June 19, 2007 minutes, seconded by Commissioner Lathem, and approved by a voice vote of 12-0.

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9629. EXECUTIVE DIRECTOR'S REPORT

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

Delaware Memorial Bridge

Total traffic during the month of June increased 2.3% compared to the same period in 2006. Non-commercial traffic increased 2.4% and commercial traffic increased 1.7%. When compared to the 3-year average, total June traffic increased 1.7%. Total traffic year-to-date decreased 0.5% compared to 2006. When compared to the average of the last three years, year-to-date total traffic for 2007 decreased 0.2%.

E-ZPass traffic for June represented 55.8% of the total overall traffic, as compared to 54.3% for the previous year. Total electronic traffic for 2007 represented 57.4%, an increase of 2.0% from 2006.

Throughout the month of June, staff conducted an extensive outreach campaign for the proposed toll increase at the bridge that included public workshops and hearings in both states, briefings to the media and communication with employees and area legislators. Chairperson Parkowski, Vice Chairperson Hogan as well as several other Commissioners attended the public sessions. I would like to thank staff for their efforts.

Cape May Lewes Ferry

In June, vehicle and passenger traffic increased 6.9% and 10.1%, respectively, when compared to June 2006. When compared to the average of the last three years, 2007 vehicle traffic and passenger traffic year-to-date increased 2.9% and 5.1%, respectively.

In June, fare revenues increased 9.0% and fee revenues increased 20.7%, when compared to June 2006. Year-to-date fare and fee revenues increased 9.5% compared to 2006.

In June, CMLF food sales increased 20.0% and retail sales increased 21.2%, when compared to June 2006. Year-to-date food and beverage revenues increased 5.5% and retail revenues increased 4.0%, when compared to 2006.

We have been working with the US Army Corps of Engineers (USACE) to conduct dredging in the Cape May canal due to an unsatisfactory situation that impacts our Ferry operations. Recent discussions with USACE have had a positive impact resulting in the bid opening for dredging work in the canal being moved up three weeks. Based on the current schedule, the USACE plans to begin dredging in mid-July.

The TSA delivered two Z-Backscatter Scanner package x-ray machines to the Cape May-Lewes Ferry; one in Lewes, one in Cape May. These units will be utilized this summer as a Test and Evaluation program for TSA. TSA provided training for our personnel. In addition, the TSA tested a device that scans patrons for material that could be bomb-making components.

Airports

The Authority and Delta celebrated the one-year anniversary of successful commercial service at New Castle Airport at the end of June with a press conference and reception for the media, Delta, and DRBA employees.

Over 150 aircraft arrivals were handled at Dover Civil Air Terminal during the June NASCAR race weekend events. The terminal's aircraft ground-handler, Atlantic Aviation delivered more than 22,000 gallons of Jet-A fuel, exceeding past sales by more than 10,000 gallons.

Finance

The Authority's 2006 Annual Report and Comprehensive Annual Financial Report have been completed. Both documents are available on our website.

Victor Ferzetti and Joe Larotonda attended the Government Finance Officers Association annual conference. They participated in sessions on Accounting & Auditing, Cash Management & Investment, Debt Management, Management & Policy, Pension & Benefits, and Technology.

Safety

Bob Young and Jay Jones continue to work with Department leadership throughout the organization to reduce workplace injuries. Six workplace injuries were reported during the month of June. None involved a lost day of work. Year-to-date work-related injuries total 32 versus 46 in 2006. This performance is excellent for a June month at the Authority.

Employee Happenings

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

Authorized Positions (2007 funded)	460
Positions Filled	421
Positions Filled (on LTD)	10
Total Positions that are Vacant	29

Approximately 25 employees attended a two-day Terrorism Training Course conducted by the Johns Hopkins University at the Delaware National Guard facility, New Castle Airport. The training included history of terrorism, risk management, defense in depth, emergency management response, biohazards, and a DMB terrorism table top exercise.

The Authority attended the Wilmington Hourly/Trades Job Fair, a local job fair, to help “market” the Authority to a diverse group of candidates to compete for existing open positions at the Authority.

John Jones and Jim Salmon met with 25 Penns Grove High School students to discuss the history of the Authority, as well as, provided career guidance, conveyed Authority employment opportunities, and stressed the importance of education.

Four police officers received professional advancements in rank. Sgt. Jeffery Cook advanced to Staff Sergeant; Patrol Officer’s William Cullen, Michael Murphy and James Spahr advanced to Patrol Officer First Class. Congratulations to these officers.

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

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9630. COMMITTEE REPORT – JOINT BUDGET & FINANCE AND PERSONNEL COMMITTEE MEETING

Commissioner Patterson deferred the report of the joint Budget & Finance and Personnel Committees held July 2, 2007 to Commissioner Simmerman. Commissioner Simmerman then reported on the following.

**JOINT BUDGET & FINANCE
AND PERSONNEL COMMITTEE MEETING
Monday, July 2, 2007
Delaware Memorial Bridge Complex
New Castle, Delaware**

A joint public meeting of The Delaware River and Bay Authority’s Budget & Finance and Personnel Committees was held on Monday, July 2 2007, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

PRESENT (Budget & Finance)
Committee Chair Patterson
Commissioner Cooper, Committee Member
Commissioner Hensley, Committee Member
Chairperson Parkowski

PRESENT (Personnel)
Committee Chair Lathem

Governors’ Representatives
Sonia Frontera – NJ

Staff
Jim Johnson, Jr.
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Joe Larotonda
TJ Murray
Anna Marie Gonnella Rosato

Commissioners from New Jersey

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

Committee Vice-Chair Dorn

Authority Secretary
Tom Pankok

Invited Guests
Blue Cross/Blue Shield
Dr. Kaplan, Chief Medical Officer
Andrew Brancati, Account Manager

- I. Committee Chair Patterson and Committee Chair Lathem welcomed the Budget & Finance and Personnel Committees and opened the meeting at approximately 9:15 a.m. The Authority Secretary reported that the public meetings of the

Budget & Finance Committee and Personnel Committees 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 Patterson requested an Executive Session, closed to the public, to discuss matters of a confidential nature. On motion by Commissioner Simmerman, seconded by Commissioner Smith, the Session was closed.

The following matters of a confidential nature were discussed.

- LONG RANGE PLANNING

With no further business to discuss in Executive Session, on motion by Commissioner Simmerman, the joint Budget & Finance and Personnel Committee was opened to the public.

- II. The Acting Chief Financial Officer reported that all Public Workshops, Hearings and independent meetings regarding the proposed Toll Increase were completed during the month of June and official transcripts of the Public Hearings had been sent to Committee members for their review. At the request of Commissioner Simmerman, the Acting CFO presented information regarding Cash vs Debt Financing of Capital Improvement Projects. Scenarios were reviewed with respect to Cash Funding with each toll option or by utilizing a \$30 million Debt Funding. The Chart provided the corresponding Debt Service Ratios and General Fund Balances for years 2008, 2009, and 2010. The Acting CFO stressed that in considering a minimal toll increase the Authority's debt service coverages are not as strong as desired, when evaluating the issuance of additional debt.

Commissioner Simmerman voiced concern with cash funding and explained to the Committee that by cash funding the possibility of future economic development projects would be at stake and that the Authority can not borrow money for economic development projects. Chair Patterson then reported that he was uncomfortable touching the cash in the General Fund. Mr. Patterson suggested incremental increases and toll increases across the board and did not support the scenario of \$1.00/axle increase to commercial vehicles. Chairperson Parkowski stressed that these scenarios had been discussed and agreed upon for months and now was the time to take action. The Deputy Executive Director then reported that he received a call from the New Jersey Authorities Unit, who voiced concern over the Authority's all cash funding and would like the opportunity to have their representatives review the issue.

Committee Chair Patterson requested a break at that time.

After returning from the break, Commissioner Hensley, proposed a compromise and an attempt to improve equity, suggested an alternative scenario and made a motion to approve a toll increase of \$1.00/axle increase to commercial vehicles and a \$0.25 increase to discount customers. There was no second and the motion failed.

Commissioner Smith then motioned, seconded by Commissioner Simmerman, for Scenario 3, increasing by \$1.00/axle for commercial vehicles. A roll call vote was taken resulting in 2 Yes, and 2 No. The motion failed.

- III. The Acting CFO reported that the Director-Ferry Operations made a presentation to the Board in June, at which time a recommendation to sell the M/V Cape May was discussed as one of the 2007 measures to "Close the Gap." After the presentation and discussion, the Board recommended this action be reviewed by the Budget & Finance Committee before moving the matter to the full Board for action.

The Acting CFO reviewed the process, in accordance with the Authority's Policy on Real Property and Tangible Assets Disposition, and presented the required material.

- A description and picture, or other information identifying the property
- The present status or use of the property, including any known easements or restrictions on property
- An accurate, current appraisal of their fair market value of the property
- An estimate of the amount of Authority funds, if any, expended in acquiring, preserving, improving, restoring, or reclaiming the property
- Reason for Disposition

After discussion and based on the recommendations in the presentation, the Committee concurred with the recommendation and authorized the Acting CFO to declare the M/V Cape May as surplus property, to obtain brokerage services and to proceed with the sale to the highest bidder.

- The Acting CFO reviewed the proposed Resolutions for consideration.
 - Over \$25,000 Vendor List – After review, on motion by Commissioner Simmerman, seconded by Commissioner Smith, the Committee recommended approval of the Vendor List. The Resolution will be presented to the full Board for consideration at the July meeting.
 - Community Contribution Requests – Commissioner Simmerman noted that two additional requests, which were not approved in June due to abstentions, should be added to the current list. After review, on motion by Commissioner Simmerman, seconded by Commissioner Smith, the Committee recommended approval of the Community Contribution requests with the noted inclusions. A Resolution will be presented to the full Board for consideration at the July meeting.

With no further business to discuss, on motion by Commissioner Simmerman, the joint Budget & Finance and Personnel Committee adjourned at 11:55 a.m.

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

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9631. COMMITTEE REPORT – PERSONNEL COMMITTEE

Commissioner Lathem noted that a quorum was not present at the July 2, 2007 Personnel Committee meeting; however, a confidential discussion took place.

PERSONNEL COMMITTEE MEETING
Monday, July 2, 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, July 2, 2007, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Committee Chair Lathem
Commissioner Hensley
Commissioner Patterson
Chairperson Parkowski

Committee Vice-Chair Dorn
Commissioner Simmerman
Commissioner Smith
Vice-Chairperson Hogan

Governors' Representatives

Sonia Frontera - NJ

Staff

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

Authority Secretary

Tom Pankok

- I. Committee Chair Lathem welcomed the Personnel Committee and opened the meeting at approximately 11:56 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.

It was determined that a quorum of the Committee was not present; however, Committee Chair Lathem requested a confidential discussion with Commissioners and Executive Staff only.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS
- LEGAL MATTERS

After the discussion, the meeting ended at 12:15 p.m.

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

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9632. COMMITTEE REPORT – PROJECTS

Commissioner Lowe presented the minutes of the July 2, 2007 Projects Committee meeting.

PROJECTS COMMITTEE

Monday, July 2, 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, July 2, 2007, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Hensley, Committee Mbr
Commissioner Patterson, Committee Mbr
Commissioner Latham
Chairperson Parkowski

Commissioner Simmerman, Committee Mbr
Commissioner Dorn, Committee Mbr
Commissioner Smith
Vice-Chairperson Hogan

Governors' Representative

Sonia Frontera – NJ

Staff

Jim Johnson
Don Rainear

Authority Secretary

Tom Pankok

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

- I. The Projects Committee meeting convened at approximately 12:20 PM. The Authority Secretary reported that the public meeting of the Projects Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll. Those in attendance were provided an informational package consisting of an agenda, two bid tabs, a contract close-out letter, and the monthly contractor payment chart.

The COO requested an Executive Session, closed to the public, to discuss a confidential contract matter. The request was approved. The confidential contract matter was discussed in closed session. With no further business to discuss in Executive Session, the Projects Committee was re-opened to the public.

- II. Resolutions: None

- III. Bid Openings/Award Actions:

- DMB-06-03, South Norfolk Southern Railroad Bridge Overpass, Replacement I-295 Northbound – Delaware Memorial Bridge: A public bid opening was held May 23, 2007, in which six bids were received. The COO recommended award to the responsive low bidder, J.D. Eckman, Inc. in the amount of \$7,077,200.00. The Projects Committee concurred with the recommendation and authorized the action be presented at the July board meeting.
- MVA-06-02, Runway 14-32 Rehabilitation, Millville Airport: A public bid opening was held on June 27, 2007, in which six bids were received. The COO recommended award to the responsive low bidder, South State, Inc. for the base bid of \$1,279,170.00. The Projects Committee concurred with the recommendation and authorized the action to be presented at the July board meeting.

- IV. Contract Close-Out Action:

- CMLF-05-04, Drydocking and Repairs MV Cape May and M/V Twin Capes, Cape May-Lewes Ferry. The COO recommended approval for final payment and contract close-out to the contractor, Colonna's Shipyard, Inc. of Norfolk, Virginia. The total price for this project is \$2,433,759.88. The Projects Committee concurred with the recommendation and authorized the action be presented at the July board meeting.

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

- VI. Miscellaneous Items/Updates:

- Cape May Channel Dredging Update: The COO reported that on June 10th, the M/V Twin Capes was entering the Cape May Canal and touched bottom. Soundings taken by the US Army Corps of Engineers (USACE) on June 4, 2007, shows that an unsatisfactory situation exists in the USACE-maintained navigation channel that services our ferry operation. The CMLF Port Captain

issued immediate guidance to Authority marine officers regarding the situation. Discussions with USACE have had positive impact resulting in the bid opening for this work being moved up three weeks to June 29. It was reported that the low bidder is Barnegat Bay Company, a company that has previously done this work. Based on the current schedule, USACE plans on commencement of dredging the week of July 15th. The Director of Engineering & Maintenance was commended for his efforts to facilitate prompt remedial action from the USACE. Staff also suggested that action be taken, including political support, to obtain an annual commitment from USACE for spring maintenance dredging of the channel to preclude further occurrences of this nature.

- **CMLF Fare Collection System Upgrade:** The CIO provided the Committee with an update on efforts to upgrade the CMLF Fare Collection System. Staff refreshed the Committee’s memory regarding the public RFP solicitation for this work, originally reported on at the December 2006 Commission Meeting, in which the Authority received 3 proposals; however, upon evaluation it was determined that none of the proposals were a complete solution, therefore no award recommendation was made. The Authority’s current supplier (Anite) did not submit an RFP proposal; however, instead submitted an offer to install a “free” software upgrade to the existing system. Staff has completed their due diligence, including on-site demonstration and reference checking, on the offer and has determined that it is in the best interest of the Authority. Staff reported that despite the free software upgrade, the Authority will still expend approximately \$135,000 for items such as project management and supplemental modules. Staff informed the Committee of its intent to accept the Anite offer and proceed with the installation of the upgrade so it is in place for the 2008 Ferry Season. After all questions were answered to the Committee’s satisfaction, the Projects Committee concurred with the recommendation.

VII. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 12:38 PM.

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

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9633. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Smith presented the following minutes of the Economic Development committee meeting of July 2, 2007.

ECONOMIC DEVELOPMENT COMMITTEE
Monday, July 2, 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, July 2, 2007, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware
 PRESENT
 Committee Vice-Chair Hensley
 Commissioner Lathem
 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 Rosato
Jim Salmon
John Sarro
John Jones
AJ Crescenzi

Authority Secretary

Tom Pankok

The Committee Chair Smith welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 12:40 p.m. The Authority Secretary reported that the public meeting of the Economic Development Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

The Deputy Executive Director provided information regarding the following proposed Lease Agreement for Committee consideration.

- United States Postal Service Lease Agreement for a Branch Office located in Delaware City, Delaware. The current lease of 10,604 square feet on a land parcel of 14,920 square feet will expire on June 30, 2008. The federal government would like to lock into the continued use of this facility as a Post Office for Delaware City for five years with two five year options at a cost of \$24,000 annually. Commissioner Patterson questioned if there were any potential future uses of this building by the Authority in any long range goals and also requested that an evaluation of the building be conducted. Staff reported that there were no future needs identified within the Five Year Capital Plan and that a recent evaluation had been completed resulting in the Authority completing upgrades to the building. Commissioner Patterson also requested that staff contact the Delaware City Manager for more information before acting on this issue. The Committee did not recommend approval of the Lease Agreement at this time, pending Commissioner Patterson's request for additional information.

III. Commissioner Patterson requested an update on the recent marketing campaign at the New Castle Airport. The Director-Airport Operations reported that Delta, in conjunction with the Delaware River and Bay Authority, celebrated its One Year Anniversary at the New Castle Airport. As a result of the marketing focus toward business travelers, Delta reported that April 2007 brought the highest number advance bookings since the service began. During the year, and with a total of 2500 enplanements, the NCA went from a classification of General Aviation facility to Commercial facility. A threshold of 10,000 enplanements would result in becoming a Primary Commercial Service facility with FAA entitlement funding increasing from \$150,000 to \$1,000,000 annually. The Director-Airport Operations reminded the Committee that any entitlement dollars would be earned in 2007, programmed in 2008 and received in 2009. The Committee was pleased with the work and thanked the Director-Airport Operations.

There being no further business to discuss, on motion by Commissioner Patterson, seconded by Commissioner Hensley, the Economic Development Committee adjourned at 12:48 p.m.

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

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9634. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Controller 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 May.

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

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9635. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Controller presented a chart showing statements of income and expenses for the month of May 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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9636. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Controller presented a chart for May 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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9637. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

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

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

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9638. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF JUNE 30, 2007.

The Controller 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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9639. PUBLIC COMMENT ON ACTION ITEMS.

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

Contract DMB-60-03 South Norfolk Southern RR Bridge Overpass
 Contract MVA-06-02 Runway 14-32 Rehabilitation
 Contract Close-out CMLF-05-04 Drydocking & Repairs M/V Cape May & M/V Twin Capes
 Resolution 07-35 Approval of Community Contribution Requests
 Resolution 07-36 Authorizing Authority Expenditures \$25,000 and over
 Resolution 07-38 Adopts a Revised Toll Schedule for the DMB

There were no comments from the public.

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9640. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

<u>Contractor</u>		<u>Payment</u>
DMB-06-02	Marinis Brothers, Inc.	\$118,618.42
DMB-06-01	Eastern Highway Specialists	\$ 39,751.70
DMB-04-04	J.D. Eckman, Inc.	\$323,801.37
CMLF-06-01	TTI Environmental, Inc.	\$ 17,842.50
CMLF-05-04	Colonna's Shipyard, Inc.	\$ 33,950.00
NCA-01-02	Diamond Materials	\$ 26,400.00
MVA-04-02	Glasgow, Inc.	\$389,686.86

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9641. SOUTH NORFOLK SOUTHERN RAILROAD BRIDGE OVERPASS REPLACEMENT I-295 NORTHBOUND – DMB – CONTRACT #DMB-06-03

The Chairperson noted that a public bid opening was held on May 23, 2007 and six (6) bids were received. J.D. Eckman, Inc. of Atglen, PA was the lowest responsive bidder with a bid amount of \$7,077,200.00. The COO and the Projects Committee recommend awarding the bid to the above noted contractor for the total amount noted above.

A motion to award Contract #DMB-06-03 to J.D. Eckman, Inc. in the amount of \$7,077,200.00 was made by Commissioner Lowe, seconded by Commissioner Favre, and approved by a roll call vote of 11-0 with Commissioner Patterson unable to vote due to telephone communication difficulties.

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9642. APPROVAL OF RUNWAY 14-32 REHABILITATION, MILLVILLE AIRPORT – CONTRACT #MVA-06-02

The Chairperson noted that a public bid opening took place on June 27, 2007 in which six (6) bids were received. South State, Inc. of Bridgeton, NJ was the lowest responsive bidder with a bid amount of \$1,279,170.00. The COO and the Projects Committee recommend awarding the bid to the above noted contractor for the total amount noted above.

A motion to award Contract #MVA-06-02 was made by Commissioner Simmerman, seconded by Commissioner Favre, and approved by a roll call vote of 11-0 with Commissioner Patterson unable to vote due to telephone communication difficulties.

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9643. CONTRACT CLOSE-OUT – DRYDOCKING AND REPAIRS M/V CAPE MAY AND M/V TWIN CAPES – CONTRACT #CMLF-05-04

On February 15, 2006 Contract No. CMLF-05-04, Drydocking and Repairs M/V Cape May and M/V Twin Capes, was awarded to Colonna’s Shipyard, Inc. of Norfolk, Virginia for the bid price of \$2,238,000.00.

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

1. June 22, 2007 Adjustments in quantities to reflect actual field conditions.
Add: \$195,759.88.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$2,433,759.88.

A motion to close-out Contract #CMLF-05-04 was made by Commissioner Simmerman, seconded by Commissioner Lowe, and approved by a roll call vote of 11-0 with Commissioner Patterson unable to vote due to telephone communication difficulties.

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9644 CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD.

RESOLUTION 07 - 35 APPROVAL OF COMMUNITY CONTRIBUTION REQUESTS

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

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

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

WHEREAS; the Budget and Finance Committee met and approved Community Contributions for the month of July 07; and

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

Community Contributions

<u>New Jersey</u>	
HomeCare and HospiceCare of South Jersey Incorporated	\$ 5,000
Stand Up For Salem Incorporated	\$ 5,000
Total	<u>\$ 10,000</u>
<u>Delaware</u>	
Connections Community Support Programs Incorporated	\$ 1,000
Delaware Hospice Incorporated	\$ 4,000
Delaware Humanities Forum	\$ 1,000
Delaware Technical and Community College Educational Foundation	\$ 12,500
DFRC	\$ 1,500
Habitat for Humanity of New Castle County	\$ 10,000
Mom’s House Incorporated	\$ 5,000
* Pencader Hundred Community Center Incorporated	\$ 10,000
Pratt-Corcoran Association for the Delaware College of Art and Design	\$ 2,000
Seamen’s Center of Wilmington Incorporated	\$ 3,000

St. Patrick's Center Incorporated	\$ 5,000
The Achievers Incorporated	\$ 2,500
The Overfalls Maritime Museum Foundation	\$ 2,500
Tri-State Bird Rescue and Research Incorporated	\$ 7,000
YMCA of Delaware (Bear-Glasgow Branch)	\$ 1,000
YMCA of Delaware (YMCA Resource Center)	\$ 2,500
Total	<u>\$ 70,500</u>
Grand Total (New Jersey and Delaware)	<u>\$ 80,500</u>

A motion to approve Resolution 07-35 was made by Commissioner Lowe, seconded by Commissioner Dorn. With Commissioner Simmerman abstaining on HomeCare and HospiceCare of South Jersey, Inc. and Commissioner Smith abstaining on Stand Up for Salem, Inc., Resolution 07-35 was approved by a roll call vote of 12-0 except with the above noted abstentions, where such votes were 11 in favor and 1 abstention.

* Pencader Hundred Community Center Inc. was inadvertently left out of Resolution 07-35 and discovered after the Resolution was approved by the Board of Commissioners. Because of the time sensitivity of the project and no scheduled Commissioner meeting in August, the Community Relations Manager contacted each Commissioner from NJ and DE to determine their acceptance to adding Pencader Hundred Community Center to Resolution 07-35 and to ask for their vote. All 12 Commissioners accepted the addition of Pencader Hundred Community Center to Resolution 07-35 and voted in favor of the \$10,000 contribution to the organization.

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RESOLUTION 07-36 - 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
Vistar/VSA	Misc. Food products CMLF	Quotes
Wade Aulffo Roofing	Roof Repairs and Renovations at Millville Airport	Quotes

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

A motion to approve Resolution 07-36 was made by Commissioner Lowe, seconded by Commissioner Dorn. With Commissioner Simmerman abstaining from voting on Wade Aulffo Roofing, Resolution 07-36 was approved by a roll call vote of 12-0 except with the above noted abstention, where such votes were 11 in favor and 1 abstention.

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RESOLUTION 07-38 - ADOPTS A REVISED TOLL SCHEDULE FOR THE DELAWARE MEMORIAL BRIDGE

WHEREAS, the Delaware River and Bay Authority (the “Authority”) has evaluated scenarios, alternatives and projections of future revenues and toll requirements of the Authority for the period 2007 through 2009; and

WHEREAS, future revenues based upon present toll schedules will be insufficient to fulfill Authority obligations to maintain, upgrade, and expand its facilities to provide safe and efficient transportation in and between the states of Delaware and New Jersey; and

WHEREAS, the toll schedule attached hereto as Attachment A has been proposed for the Delaware Memorial Bridge; and

WHEREAS, the Authority has concluded that the revised toll schedule attached hereto is necessary to meet the financial needs of the Authority and specifically to generate revenue sufficient to support its activities and to provide sufficient coverage for financing; and

WHEREAS, the Authority has further concluded that the revised toll schedules are fair to bridge users and are in the public interest; and

WHEREAS, based on the foregoing, the Authority has concluded that the revised toll schedules are reasonable and just, and are necessary, proper, and desirable; and

NOW, THEREFORE, BE IT RESOLVED, that the revised toll schedule attached hereto, be approved and placed into operation effective January, 2008, with respect to Delaware Memorial Bridge tolls.

BE IT FURTHER RESOLVED, that the Authority shall on January 1, 2008, begin to charge E-ZPass Account Holders Account Management Fees and Transponder costs associated with such accounts held by the Authority, it being understood that such Management Fees and Transponder costs shall be established in such amounts as are necessary to recover the Authority’s costs in administering its E-ZPass program.

**DELAWARE RIVER AND BAY AUTHORITY
DELAWARE MEMORIAL BRIDGE
TOLL RATE SCHEDULE**

	NO. OF AXLES	UNIT COST	CLASS NO.*
PASSENGER CARS (ALL TYPES).....	2	\$3.00	1
Including:			
All Four Tire Types: Vans, Pickups			
Hearses (Except in Funeral Procession)			
COMMUTATION TICKETS.....	2	\$0.75	8
Book of 25 Tickets good for one calendar month only. (\$18.75 per book)			
Issued to Four Tire-Two Axle Types			
FREQUENT TRAVELER TICKETS	2	\$1.00	7
Book of 20 Tickets good for six calendar months sold every quarter. (\$20.00 per book)			
Issued to Four Tire-Two Axle Types			

PASSENGER CAR WITH ONE AXLE TRAILER	3	\$4.50	
PASSENGER CAR WITH TWO AXLE TRAILER	4	\$6.00	
PASSENGER CAR WITH THREE AXLE TRAILER	5	\$7.50	
TWO AXLE TRUCKS	2	\$8.00	2
Including: All Six Tire Types Buses & Tractors			
THREE AXLES TRUCKS OR COMBINATION	3	\$12.00	3
Including: Tractors of Combination Tractor & Trailer Buses (All Three Axle Types)			
FOUR AXLE TRUCKS OR COMBINATION	4	\$16.00	4
Including: Tractor or Combination Tractor & Trailer			
FIVE AXLE TRUCKS OR COMBINATION	5	\$20.00	5
Any combination of axles amounting to five axles			
SIX AXLE TRUCKS OR COMBINATION	6	\$24.00	6
Any combination of axles amounting to six axles			
SPECIAL	per axle	\$4.00	
Any combination of axles over six axles			
WIDE LOAD	N/A	\$50.00	
Any over width vehicle			

A motion to approve Resolution 07-38 was made by Commissioner Simmerman, seconded by Commissioner Cooper.

Chairperson Parkowski noted that the Resolution contains toll increases to certain classes of vehicles at the Delaware Memorial Bridge and provisions to recover EZPass management fees and transponder costs.

Vice-Chairperson Hogan thanked the New Jersey and Delaware Commissioners for working out their differences on the commuter class rate that would have affected Gloucester, Salem and New Castle commuters. He stated that this Toll Structure is the best way to go for now but the Authority will look to 2010 for possible changes again.

Chairperson Parkowski stated that he appreciated the cooperation of everyone on the Board. He said that the restructuring of the tolls was not an easy issue but that it was needed to make the necessary capital improvements at the bridge. He spoke briefly about the reluctance by some Commissioners to narrow the gap between the \$0.75 commuter rate and the \$3.00 commuter rate. Chairperson Parkowski then commended staff for their presentations at the public meetings.

Commissioner Favre noted that this was a difficult decision to reach and that all of the Commissioners take this seriously. He stated that, as we go forward, the Commissioners will take a look at all of the rates for all users.

Commissioner Hensley, referring to the increase in axle rates and not commuter rates, stated that it was not fair to have one class of people affected. She believes that the commuters will face an even higher rate in a couple of years. Commissioner Hensley then thanked the Board members for their belt tightening on the budget but said that she cannot support something that she said is unfair.

Commissioner Simmerman thanked the Chair, Vice-Chair, the Acting Chief of Finance and staff for their efforts over the last year and a half on this issue. He said that the Authority has to continue looking at expenses as it moves forward into the next few years and that the issue will be back on the agenda as we try to find ways to cover capital projects.

Commissioner Dorn commended the Chair and Vice-Chair on their leadership. He stated that an increase to the commuter class would affect the residents of Salem more than anyone and that consumers cannot be taken for granted—they cannot pay for everything.

Commissioner Smith also thanked the Chair and Vice-Chair for their leadership. She stated that tightening the belts of the Authority is an indication to people that we are serious about controlling costs.

Commissioner Cooper stated that he is reluctantly voting yes to the Resolution recognizing that this is a mere bandage.

Commissioner Lathem said that he wears many hats, one of which is that of a labor leader; however, he recognizes that this Board has a fiduciary obligation to see that the Authority works well and it sometimes means making hard decisions. Commissioner Lathem stated that the Commissioners will have to make the decision again in 2010.

Chairperson Parkowski stated that the Authority is operating on one of the lowest increases in budgets in 2007 and that he feels comfortable in supporting the Resolution.

With no further comments, the Secretary took a roll call vote. Resolution 07-38 was approved by a roll call vote of 11-1 with Commissioner Hensley voting no for reasons noted above.

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9645. COMMISSIONERS PUBLIC FORUM

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

There were no public comments.

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

The meeting was adjourned 11:25 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Board Secretary