

CERTIFICATION

I hereby certify that the foregoing is a TRUE COPY of the meeting minutes from the Delaware River and Bay Authority meeting held on Tuesday, July 17, 2018 in the James Julian Boardroom, Administrative Building, New Castle, DE 19720, a quorum being present.

A handwritten signature in black ink, appearing to read 'Stephen D. Williams', written over a horizontal line.

**Stephen D. Williams, Assistant Secretary
Delaware River and Bay Authority**

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY

Tuesday, July 17, 2018
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 11:40 a.m. with Chairperson Hogan presiding.

Chairperson Hogan called upon Commissioner Lathem to give the opening prayer.

The opening prayer was given by Commissioner Lathem, followed by the Pledge of Allegiance led by the Executive Director.

Chairperson Hogan called on the Authority Assistant Secretary to read the meeting notice. The Assistant 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.

Chairperson Hogan called on the Assistant Secretary to take the roll.

Commissioners from Delaware

William E. Lowe, Vice-Chairperson
Crystal L. Carey - Teleconference
Henry J. Decker
James L. Ford III
Samuel E. Lathem
Michael Ratchford

Commissioners from New Jersey

James N. Hogan, Chairperson
James Bennett - Teleconference
Sheila McCann
Shirley R. Wilson
Ceil Smith
M. Earl Ransome, Jr.

* * * * *

Chairperson Hogan called for the acceptance of the Agenda.

Commissioner Decker made a motion to accept the Agenda, seconded by Commissioner Lathem and the motion carried by a voice vote of 12-0.

* * * * *

11403. APPROVAL OF THE JUNE 19, 2018 MINUTES

Commissioner Lathem made a motion to approve the June 19, 2018 meeting minutes, seconded by Commissioner Wilson and unanimously approved by a voice vote of 12-0.

* * * * *

11404. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Chief Financial Officer (CFO) presented a chart showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Delaware City-Salem Ferry Crossing, and Food Services for the month of June 2018.

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

* * * * *

11405. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSES.

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

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

* * * * *

11406. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented a chart for June 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.

* * * * *

11407. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

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

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

* * * * *

11408. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF JUNE 30, 2018.

The CFO presented charts indicating the cash fund balances for the entire Authority.

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

* * * * *

11409. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Hogan noted that there are (5) Contract Awards, (2) Contract Close-Outs, and (2) Resolutions for consideration.

All action items have been reviewed and recommended for consideration during today’s Committee meetings. He then called for public comment.

There were no public comments.

* * * * *

11410. AWARD OF CONTRACT #ILG-18-D - RECONSTRUCT TAXIWAY B SOUTH, NEW CASTLE COUNTY AIRPORT

The Chief Operations Officer (COO) noted that a public opening bid was held on June 22, 2018. The COO and the Projects Committee recommended awarding the contract to the lowest responsible bidder, Diamond Materials of Wilmington, DE, in the amount of \$4,159,577.50.

A motion to award CONTRACT #ILG-18-D – Reconstruct Taxiway B South, New Castle County Airport to the aforementioned firm was made by Commissioner Ratchford, seconded by Commissioner Ransome, approved by a vote of 12-0.

* * * * *

11411. AWARD OF CONTRACT #ILG-18-B - ON AND OFF AIRPORT OBSTRUCTION REMOVAL, NEW CASTLE COUNTY AIRPORT

The Chief Operations Officer (COO) noted that a public opening bid was held on June 28, 2018. The COO and the Projects Committee recommended awarding the contract to the lowest responsible bidder, Diamond Materials of Wilmington, DE, in the amount of \$557,410.00.

A motion to award CONTRACT #ILG-18-B – On and Off Airport Obstruction Removal, New Castle County Airport to the aforementioned firm was made by Commissioner Ford, seconded by Commissioner Smith, approved by a vote of 12-0.

* * * * *

11412. AWARD OF CONTRACT #WWD-18-B – CARRIER VEHICLE WITH FRONT-MOUNTED ROLL-OVER PLOW AND CENTRAL HYDRAULIC SYSTEM, CAPE MAY AIRPORT

The Chief Operations Officer (COO) noted that a public opening bid was held on June 27, 2018 and (2) bids were received. The COO and the Projects Committee recommended awarding the contract to the lowest responsible bidder, Penn Jersey Machinery of Lionville, PA, in the amount of \$377,412.00.

A motion to award CONTRACT #WWD-18-B – Carrier Vehicle with Front-Mounted Roll-Over Plow and Central Hydraulic System, Cape May Airport to the aforementioned firm was made by Commissioner Decker, seconded by Commissioner Wilson, approved by a vote of 12-0.

* * * * *

11413. AWARD OF CONTRACT #MIV-18-C – BEACON RELOCATION, MILLVILLE AIRPORT

The Chief Operations Officer (COO) noted that a public opening bid was held on June 28, 2018 and (2) bids were received. The COO and the Projects Committee recommended awarding the contract to the lowest responsible bidder, Scalfo Electric Inc. of Vineland, NJ in the amount of \$142,500.00

A motion to award CONTRACT #MIV-18-C – Beacon Relocation, Millville Airport to the aforementioned firm was made by Commissioner Ransome, seconded by Commissioner Wilson, and approved by a vote of 12-0.

* * * * *

11414.
MILLVILLE AIRPORT

AWARD OF CONTRACT #MIV-17-02, AVIATION FUEL FACILITY,

The Chief Operations Officer (COO) noted that a public opening bid was held on June 28, 2018. The COO and the Projects Committee recommended awarding the contract to the lowest responsible bidder, A&J Construction of Farmingdale, NJ, in the amount of \$794,870.00.

A motion to award CONTRACT #MIV-17-02 – Aviation Fuel Facility, Millville Airport, to the aforementioned firm was made by Commissioner Ford, seconded by Commissioner Smith, and approved by a vote of 12-0.

* * * * *

11415. CLOSE-OUT CONTRACT #WWD-17-A - DRAINAGE SWALE IMPROVEMENTS, CAPE MAY AIRPORT

On July 19, 2017 Contract No. #WWD-17-A - DRAINAGE SWALE IMPROVEMENTS, CAPE MAY AIRPORT, was awarded to Mathis Construction of Little Egg Harbor, New Jersey for the bid price of \$996,543.60.

It is recommended that the Authority accept the project and make final payment to the contractors. The final cost of this project is \$711,751.84.

A motion to Close-Out Contract #WWD-17-A was made by Commissioner Wilson, seconded by Commissioner McCann, and approved by a voice vote of 12-0.

* * * * *

11416. CLOSE-OUT CONTRACT #DMB-16-12 – PAINT SHOP HVAC UPGRADES, NEW CASTLE

On June 20, 2017 Contract No. #DMB-16-12 – PAINT SHOP HVAC UPGRADES, NEW CASTLE, was awarded to ID Griffith Company of Wilmington, Delaware for the bid price of \$99,087.00.

It is recommended that the Authority accept the project and make final payment to the contractors. The final cost of this project is \$99,087.00.

A motion to Close-Out Contract #DMB-16-12 was made by Vice-Chairperson Lowe, seconded by Commissioner McCann, and approved by a voice vote of 12-0.

11417. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

RESOLUTION 18-25 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND FRED BOYLE AT THE CAPE MAY AIRPORT

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Airport (“Airport”), Cape May, New Jersey; and

WHEREAS, Fred Boyle desires to lease approximately 8,585 square feet of land at the Cape May Airport in order to construct a hangar for personal use; and

WHEREAS, Fred Boyle has agreed to pay the Authority annual rent in the amount of One Thousand Five Hundred and Forty-Five Dollars 30/100 (\$1,545.30) for the parcel; and

WHEREAS, the term of the Lease Agreement (“Agreement”) is for Thirty (30) years; and

WHEREAS, rent shall increase annually by the Consumer Price Index (CPI); and

WHEREAS, rent shall adjust at the beginning of year ten (10) and year twenty (20) to the then Fair Market Value (FMV); and

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

NOW, THEREFORE, BE IT RESOLVED, that Resolution 17-32 is hereby rescinded.

A motion to approve Resolution 18-25 was made by Commissioner Ford, seconded by Commissioner Wilson, and approved by a roll call vote of 12-0.

Resolution 18-25 Executive Summary

- Resolution:** Authorizing the Execution of the Lease Agreement between the Delaware River and Bay Authority and Fred Boyle at the Cape May Airport.
- Committee:** Economic Development
- Committee Date:** July 17, 2018
- Board Date:** July 17, 2018

Purpose of Resolution:

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Agreement for space at the Cape May Airport.

Background for Resolution:

The Delaware River and Bay Authority operates the Cape May Airport. Fred Boyle has been a longtime aircraft operator and tenant at the Cape May Airport. He would like to construct and own his own facility at the airport. He is planning on constructing a 65' x 63' hangar. The annual rent is based upon the current land rental rate at the airport.

* * * * *

RESOLUTION 18-26 – COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND FRATERNAL ORDER OF POLICE LODGE NO. 14, FOR SWORN NON-SUPERVISORY EMPLOYEE POLICE OFFICERS

WHEREAS, the Delaware River and Bay Authority (the “DRBA” or “Authority”) operates the Delaware Memorial Bridge, Cape May-Lewes Ferry, the Forts Ferry, and five (5) airport facilities; and

WHEREAS, sworn non-supervisory employee police officers voluntarily designated the Fraternal Order of Police, Lodge No. 14 (“Union”), to represent them in an election on February 19, 2010; and

WHEREAS, the Authority and FOP Lodge 14 negotiated and executed a Collective Bargaining Agreement (the “Agreement”) which expired on December 31, 2017; and

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

WHEREAS, the Authority and FOP Lodge 14 have negotiated a new collective bargaining agreement and desire to execute such agreement (“New Agreement”); and

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

WHEREAS, the provisions of the New Agreement shall be retroactive to January 1, 2018, and expire on December 31, 2022; and

WHEREAS, the Authority desires to approve the New Agreement.

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

A motion to approve Resolution 18-26 was made by Commissioner Ransome, seconded by Commissioner Decker, and approved by a roll call vote of 12-0.

Resolution 18-26 Executive Summary Sheet

Resolution: Execute a New Agreement between the Delaware River and Bay Authority and the Fraternal Order of Police, Lodge No. 14

Committee: Personnel Committee

Committee Date: July 17, 2018

Board Date: July 17, 2018

Purpose of Resolution:

To approve a five (5)-year collective bargaining agreement (CBA) between the Delaware River and Bay Authority (the "Authority") and the Fraternal Order of Police Lodge No. 14 ("Union").

Background for Resolution:

Negotiations have been ongoing since the expiration of the Agreement. The Authority and Union concluded negotiations on July 11, 2018 with a Tentative Agreement.

This collective bargaining agreement includes the following terms:

1. Five (5) year contract;
2. Rank nomenclature changed to Recruit and Patrol Officers 1 through 5;
3. Recruit (entry level) salary increased by \$2,700 in 2018, retroactive to January 1;
4. A 2019 wage scale increase of \$1,000 plus 1%, effective January 1
5. A 2020 wage scale increase of \$1,000 plus 1%, effective January 1.
6. A 2021 wage scale increase of \$1,000 plus 1%, effective January 1.
7. A 2022 wage scale increase of \$1,000 plus 1%, effective January 1.
8. Wage scale maximum point increased from 17 years to 18 years.
9. In lieu of an hourly shift differential payment, a flat shift differential supplement of \$2,000 per officer will be paid annually.

Commissioner Lowe made a motion to consider a Resolution not on the Agenda, changing the date of the August meeting to August 14, 2018. The motion was seconded by Commissioner Decker, and the Resolution was approved by a roll call vote of 12-0.

* * * * *

RESOLUTION 18-27 – CHANGES THE DATE OF THE AUGUST 2018 BOARD OF COMMISSIONERS MEETING

WHEREAS, pursuant to Section 5.1 of the Bylaws adopted by the Delaware River and Bay Authority (the “Authority”), the regular monthly meeting of the Commissioners shall be held on the third Tuesday of each month; and

WHEREAS, the Commissioners desire to reschedule the next meeting to the second Tuesday of August, August 14, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the August monthly meeting of the Board of Commissioners of the DRBA shall be moved to August 14, 2018.

Resolution 18-27 Executive Summary Sheet

Resolution: Changes the date of the August 2018 Board of Commissioners’ Meetings

Committee: N/A

Committee Date: N/A

Board Date: July 17, 2018

Purpose of Resolution:

To change the date of the August monthly meeting from the third Tuesday of the month to August 14, 2018.

Background for Resolution:

Board meetings are regularly scheduled for the third Tuesday of each month. The Board of Commissioners wishes to hold the August meeting on the second Tuesday, August 14, 2018.

* * * * *

11418. EXECUTIVE DIRECTOR'S COMMENTS

The Executive Director reported on events in and around the Authority as follows:

The July 4th celebrations in Lewes brought in approximately 4,000 – 5,000 people to the terminal with 15,000 in town. Coordination went well with the town and various agencies. The night was a great success with all and \$30,000 in sales at On the Rocks Bar & Grille that evening.

Commissioners Ford and Lowe congratulated everyone on a job well done and noted that the fireworks display lasted 45 minutes.

Williamstown High School Academy of Engineering Sciences visited for a tour of bridge operations.

Summer concert series is going well thanks in part to the police officers on duty during the events.

M/V Twin Capes went to its final resting place. Divers have already been to visit and the vessel is doing what it was meant to do.

The Executive Director noted plans for improvements for next year are already in the works.

The Executive Director reminded the Commissioners of the following upcoming events:

August 14, 2018 – Next Commissioners Meeting – 9:00 a.m.;

September 12, 2018 – 50th Anniversary – DMB Twin Span – 10:00 a.m.;

September 18, 2018 – September Board Meeting – 9:00 a.m.;

September 25, 2018 – Gold Star Memorial Monument Dedication at Veteran's Memorial Park – 11:00 a.m.;

* * * * *

11419. PUBLIC FORUM

Chairperson Hogan opened the public forum.

Chairperson Hogan called for any comments from the public.

No public comment.

* * * * *

11420. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan opened the Commissioners' forum and called for any comments from Commissioners.

Commissioner Lowe request staff to make sure all public notices web updated with the new date for the August meeting.

* * * * *

There being no further business, Chairperson Hogan adjourned the meeting at 12:00 p.m.

Respectfully Submitted,

THE DELAWARE RIVER AND BAY AUTHORITY



Stephen D. Williams
Assistant Secretary