

9037. RESOLUTION 04-16 - ADOPTION OF BY-LAWS FOR THE DELAWARE RIVER & BAY AUTHORITY. The Executive Director presented the following Resolution.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a body politic and an agency of government of the State of Delaware and the State of New Jersey; and

WHEREAS, the Authority was created in 1962 by a Compact between the States of Delaware and New Jersey with the consent of the Congress of the United States of America and approval of the President; and

WHEREAS, the Authority was established for the purpose of providing crossings of the Delaware River and the Delaware Bay between the two States, and to undertake transportation and terminal facilities, and performance of such other functions as may be approved by the two states and consented to by Congress; and

WHEREAS, the original Compact was amended in 1990 for the purpose of authorizing the Authority to undertake certain Commerce facilities and developments within the State of Delaware or in the New Jersey counties of Cape May, Cumberland, Gloucester and Salem; and

WHEREAS, the Authority’s responsibilities have expanded and changed over its forty-two year existence; and

WHEREAS, the Authority periodically reviews its corporate governance to ensure it is accountable, meets the objectives for which the Authority was created, and in the best interest of the public; and

WHEREAS, the Authority has determined that these aforementioned objectives will be best met by the adoption of By-Laws; and

WHEREAS, these By-Laws shall take effect immediately upon the expiration of the respective Governors’ veto period; and

NOW THEREFORE BE IT RESOLVED, that the Authority hereby adopts the attached By-Laws.

Motion to approve was made by Commissioner Patterson and seconded by Commissioner Koebig.

Commissioner Hensley congratulated the By-Laws Committee for the time and effort that was put into the making of them. She also wanted to thank former Chairman Albert Fralinger for his persistence in seeing that By-Laws were drafted. Commissioner Hensley noted that she fully supports the passage of the By-Laws but spoke about Article X, Code of Ethics, Section 10.1 (f) regarding political contributions. She felt that this section should include vendors doing business with the Authority.

With no further discussion, a roll call vote was taken and Resolution 04-16 was approved by a vote of 9-0.

Commissioner Patterson requested copies signed by the Commissioner's, be sent to former Chairman Albert Fralinger and to the Governors of each State.