

**MINUTES OF MEETING  
THE DELAWARE RIVER AND BAY AUTHORITY  
Tuesday, January 14, 2014  
James Julian Boardroom  
Delaware Memorial Bridge Plaza  
New Castle, Delaware 19720**

The meeting convened at 12:20 p.m. with Chairperson Hogan presiding.

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

Chairperson Hogan called on the Authority Assistant Secretary to read the meeting notice and take roll.

The Assistant Secretary announced that the 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.

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Commissioners from New Jersey

Commissioners from Delaware

PRESENT

James N. Hogan, Chairperson  
Edward Dorn  
Richard S. Mroz  
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Shirley R. Wilson  
Douglas Van Sant

William E. Lowe, Vice-Chairperson  
Richard W. Downes  
Fernando N. Guajardo  
Samuel E. Lathem  
Terri C. Murphy  
Gary Traynor

ABSENT

Ceil Smith

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Chairperson Hogan called for the acceptance of the Agenda.

Commissioner Dorn motioned to accept the Agenda, seconded by Commissioner Lathem, and the motion carried by a voice vote of 11-0.

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10761. APPROVAL OF THE DECEMBER 17, 2013 MINUTES

Commissioner Mroz motioned to approve the December 17, 2013 meeting minutes, seconded by Commissioner Lowe, and unanimously approved by a voice vote of 11-0.

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10762. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

Prior to giving his report, the CFO noted that the total revenue of the Authority appearing on the Actual YTD column was close to the revenue that was discussed in the July timeframe.

The 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 of December.

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

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10763. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

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

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

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10764. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The 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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10765. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented 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 included 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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10766. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF DECEMBER 31, 2013.

The 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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10767. AUTHORITY CUSTOMER TRENDS (ACT) REPORT

The CFO stated that the Authority Customer Trends (ACT) Report included in the financials allows management to view on a month-to-date basis trends in areas such as traffic, customer service, aircraft landings, and workplace incidents. Copies are distributed daily to employees via email and posted on bulletin boards for those without computers.

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10768. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Hogan noted that there were two (2) Resolutions to be considered today. All action items have been reviewed and recommended for consideration during today’s Committee meetings. He then called for public comments.

There were no public comments.

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**RESOLUTION 14-01 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2014 THROUGH DECEMBER 31, 2014**

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 1/1/14 THROUGH 12/31/14

<b>VENDOR</b>	<b>SERVICE DESCRIPTION</b>	<b>DETERMINATION</b>	<b>APPROX. ESTIMATED \$</b>
Armorica Sales, Inc.	Vehicle Deck and Vessel Paint at CMLF	Quotes	\$31,000
Modern Controls	New HVAC System for NCA Tenant Area	Quotes	\$47,000
Technology Asset Group, Inc.	Replacement Telephones for DMB and CMLF	Quotes	\$29,000

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 14-01 was made by Commissioner Lowe, seconded by Commissioner Mroz, and approved by a roll call vote of 11-0.

**Resolution 14-01 Executive Summary Sheet**

**Resolution:** Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2014 through December 31, 2014.

**Committee:** Budget & Finance

**Committee and Board Date:** January 14, 2014

**Purpose of Resolution:**

Authorizes the expenditure of \$25,000 or greater with the identified vendors for the calendar year.

**Background for Resolution:**

The proposed Resolution meets the requirements of Resolution 01-84, whereby the Authority shall not enter into any contract committing the Authority to spend or make any other expenditures relating to services, material and supplies in the amount of \$25,000 or more unless it has first been approved by a vote of Commissioners.

**Background for the specific purchases:**

Vehicle Deck and Vessel Paint at CMLF

In 2014, the Authority plans to perform a vehicle deck coating overhaul aboard the M/V Cape Henlopen and M/V Delaware. Work aboard the Cape Henlopen will consist of on-site supervision, degreasing and high-power pressure washing of the existing deck surface, shot blasting the old coating material, and recoating the deck with the new paint material. Work aboard the Delaware will consist of spot painting and a finish coat. Additionally, the Authority will acquire vessel paint as-needed throughout the year for deck and side shell work on the entire fleet. The Authority solicited bids for the work and materials from the two (2) sources that provide the required marine vessel paint and services in our region: Armorica Sales, Inc. (\$31,000) and Carboline Company (\$32,000). Armorica Sales, Inc. submitted the lowest quote.

New HVAC System for NCA Tenant Area

The Authority seeks to contract the provision of a new HVAC system for delivery of heating and cooling to Rooms 124, 126, 127 and 131 of Building 603 at New Castle Airport. This system is being provided to allow for reliable temperature control of the tenant’s key occupied spaces. The aforementioned rooms will be removed from the existing system which will remain in place for the remaining building spaces, primarily providing heat. Work includes all associated control work. The Authority solicited quotes from three (3) vendors including: Modern Controls (\$47,000), Berry Refrigeration (\$80,000) and Johnson Controls, who declined to bid. Modern Controls submitted the lowest quote to perform the contract.

Replacement Telephones for DMB and CMLF

The Authority seeks to replace ninety (90) Nortel model 2007 IP telephones that have exceeded their useful life and require replacement, plus acquire ten (10) spare telephones, all for use at Delaware Memorial Bridge and the Cape May-Lewes Ferry Administration Buildings. The Nortel telephones (placed in service in 2008) are increasingly failing, and in most cases irreparable or repair costs exceed replacement cost. The Authority solicited quotes from three (3) vendors for the purchase of one hundred (100) Avaya 1140 IP telephones with a lifetime service warranty. Quotes were submitted by Technology Asset Group, Inc. (\$29,500), Paragon Communications (\$32,000) and AmeriTel Corporation (\$32,800). Technology Asset Group, Inc. submitted the lowest quote.

**Background for Determination category:**

**Quotes:** Quotes items are purchases that are anticipated to be between \$25,000 and \$49,999 for the year for which the Authority has solicited written quotes. Resolution 98-31 (paragraph 4) provides that purchases *“more than \$25,000 but less than \$50,000 in the aggregate require the solicitation of three written quotes or all available sources, whichever is less...”*

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**RESOLUTION 14-02 – AUTHORIZING THE PURCHASE OF LAND AT THE CAPE MAY AIRPORT, RIO GRANDE, NJ**

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

WHEREAS, the Federal Aviation Administration (FAA) has approved the Authority’s Airport Layout Plan which recognizes the importance of safety improvements/enhancements to the continued health and development of the Airport and the County; and

WHEREAS, in recognition of this fact, the Authority and the FAA have agreed to work together to acquire property owned by Pen Turbo Aviation, Inc.(Penn Turbo) which contains an airport Runway Safety Area (RSA): and

WHEREAS, Pen Turbo desires to sell and the Authority desires to purchase approximately 58.09 acres of land (the "Property") located directly adjacent to the Airport and includes the RSA; and

WHEREAS, the Authority and Pen Turbo have negotiated in good faith to purchase the Property for One Million Two Hundred Seventy-Seven Thousand Nine Hundred Eighty Dollars (\$1,277,980.00); and

WHEREAS, the FAA has agreed to provide a grant for the purchase that will pay for 90% of the acquisition cost of the Property; and

WHEREAS, title to the Property is intended to ultimately vest with the County of Cape May as the owner of the Airport and the Authority's Ground Lease Agreement with the County ("Ground Lease") will be modified to reflect the changes to the Airport Property Description to add the Property to the leased premises under the Ground Lease.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Purchase Agreement ("Agreement") with Pen Turbo and, with the advice and consent of counsel, to have such Agreement, together with such other documentation necessary upon advice of counsel for the subsequent conveyance of the Property to the County (or assignment of the Agreement to the County) for inclusion in the Airport including, but not limited to, a deed of conveyance, Ground Lease Amendment and other necessary documents, executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 14-02 was made by Commissioner Murphy, seconded by Commissioner Lowe, and approved by a roll call vote of 11-0.

**Resolution 14-02 Executive Summary Sheet**

**Resolution:** Authorizing the Executive Director to execute a Purchase Agreement with Pen Turbo Aviation, Inc.

**Committee:** Economic Development

**Committee Date:** January 14, 2014

**Board Date:** January 14, 2014

**Purpose and Background for Resolution:**

Pen Turbo Aviation Inc. owns approximately 58.09 acres directly across from the one end of Runway 1-19. Within this property is the Runway Protection zone for the 1-19 Runway. The FAA has issued advisories which state that an airport should control these areas whenever possible in order to prevent safety hazards including any congregation of people.

Several times during the past 10 years the owner of this property has attempted to develop the land. Each time the Airport has objected to the development at local approval hearings. In discussions with the FAA regarding the Airport Layout Plan, it was decided that the Airport should attempt to acquire the property to ensure no future development in this safety area.

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10770. EXECUTIVE DIRECTOR'S COMMENTS

The Executive Director briefed the Board on the activities in and around the Authority including a complimentary letter received from a patron flying back to the area on Frontier Airlines during the snow storm on January 3<sup>rd</sup> and praised DRBA airport employees for clearing the snow off the runways and for removing the snow from their cars; In sponsorship with Lower Township, a Ferry Merry Christmas took place at the Cape May Terminal over the holidays; the 43rd millionth CMLF passenger was recognized and honored; Glasstown Brewing Co at the Millville Airport will be holding its grand opening January 18th.

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10771. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan asked if anyone from the public or Commission would like to speak.

Frank Bankard, Local 542 representative, spoke. He commented on the praise for the exceptional work performed by DRBA airport employees with no minimum salary increase going forward. He stated that it is long enough that union employees work without a contract.

Michael O'Toole, MEBA representative spoke. Agreeing with Mr. Bankard's remarks regarding the length of time union employees are working without a contract, he stated that the wage increase is minimum and asked if there was anything he could bring back to the membership to which there was no reply.

Christopher Field, FOP Lodge #14, spoke. He stated that for the past 15 months negotiations have been taking place and that a resolution has not been brought to the table. He referred to the information he presented to the Board at its July, 2013, meeting indicating the DRBA police salaries were falling behind other law enforcement agencies in the region.

Vincent Ascione, Local 542 representative, spoke. He said that emotions were running high without an agreement and that, with the anniversary of Martin Luther King's birthday, the best way to give tribute to him is to follow his example and help the working people.

Chairperson Hogan thanked everyone for their comments.

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There being no further business, a motion to adjourn was made by Commissioner Van Sant seconded by Commissioner Guajardo, and unanimously carried.

The meeting was adjourned at 12:43 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Frank W. Minor  
Assistant Secretary