

MINUTES OF MEETING  
THE DELAWARE RIVER AND BAY AUTHORITY  
**Tuesday, May 15, 2007**  
James Julian Boardroom  
Administration Building  
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 Deputy 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.

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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

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

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9594. APPROVAL OF THE APRIL 17, 2007 MINUTES

Commissioner Simmerman motioned for approval of the April 17, 2007 minutes, seconded by Commissioner Favre, and approved by a voice vote of 12-0.

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9595. EXECUTIVE DIRECTOR'S REPORT

The Deputy Executive Director presented the following highlights that occurred within the Authority during the month of April, 2007.

***Delaware Memorial Bridge***

Total traffic in April decreased 8.0% compared to the same period in 2006. Non-commercial traffic decreased 9.5% and commercial traffic increased 1.1%. When compared to the 3-year average, total April traffic decreased 7.1%. Total traffic year-to-date decreased 5.6% compared to 2006. When compared to the 3-year average, year-to-date traffic decreased 4.4%.

The trend so far this year posts four consecutive months of declining non-commercial traffic when compared to last year's figures. However, for the first two months of the year, commercial traffic posted gains over the same period last year. Those gains have been declining and in March posted a slight decline over the same month last year. But, as previously reported for April, commercial traffic rebounded, posting a 1.1% gain over last year.

E-ZPass traffic for April represented 57.2% of the total overall traffic as compared to 56.0% for the previous year. Total electronic traffic for 2007 represented 57.8%, an increase of 2.0% from 2006.

During the month, the World War II submariners held a remembrance ceremony at the War memorial.

#### ***Cape May Lewes Ferry***

In April, vehicle and passenger traffic decreased 12.6% and 12.9%, respectively, when compared to April 2006. When compared to the average of the last three years, 2007 vehicle traffic and passenger traffic decreased 9.8% and 8.2%, respectively.

In April, fare revenues decreased 12.3% and fee revenues decreased 13.3%, when compared to April 2006. This is the first month-to-month comparison that reflects the fare increases implemented last April. Year-to-date fare and fee revenues decreased 4.4% and 4.0% respectively compared to 2006.

In April, CMLF food and beverage sales decreased 15.9% and retail sales decreased 13.6%, from April 2006. Year-to-date food and beverage revenues decreased 8.0% and retail revenues decreased 10.7%, when compared to 2006.

The U.S. Coast Guard completed a quarterly inspection on the M.V. New Jersey, which resulted in no notice of deficiencies.

The roadside CMLF trailblazer sign replacement program is well underway. Replacement signs are being installed at numerous Delaware and New Jersey locations, providing directional and other information to the traveling public. This new signage installation is scheduled for a June 1st completion.

#### ***Airports***

Taxiway J reconstruction at Millville Airport is underway. This project involves reconstruction of the existing but closed Taxiway "J", which links Runway 14 to Runway 10 and will provide convenient and safe access to Runway 10/28 from the Corporate Aviation Campus. The existing Taxiway J pavement is currently closed to operations and will remain closed until the work is substantially complete in December. This project will include new pavement, striping, drainage structures, perimeter road, and taxiway edge lighting. An FAA grant is in place for this project.

#### ***Safety***

Through April, year-to-date injuries total 21 compared to 29 for the same period in 2006. Bob Young and Jay Jones have continued to lead the charge at reducing our injuries through education. They have instituted Safety Incident Reporting Training Sessions in conjunction with the Maintenance staff meetings. This training has improved the quality and thoroughness of safety incident reporting. The reports also include identifying measures that could be instituted to prevent the recurrence of the accident. The first series of Quarterly Safety Talks was initiated at New Castle Airport, Millville Airport, and the Bridge. Additional Safety Talks will be scheduled at various locations across the Authority.

The first meeting of the Authority's Pandemic Flu Committee was held, with representatives from across the Authority. The initial planning included the identification of key functions that must be managed during a pandemic flu outbreak, along with key materials, resources and services that would need to be maintained.

#### ***Information Technology***

Dan Godwin, MIS Application Administrator, completed a major redesign of the DRBA Intranet and launched the new site this month. Dan worked with designees from Operations, Finance and Human Resources to update their areas and add relevant information to their sites.

#### ***Employee Happenings***

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

Authorized Positions (2007 funded)	460
Positions Filled	425
Positions Filled (on LTD)	13
Total Positions that are Vacant	22

Heath Gehrke accepted the offer for Director of Ferry Operations. Congratulations Heath.

M/Cpl. Joseph DiStefano was chosen as the Police Department's Employee of the First Quarter 2007. Congratulations, Joe.

The Engineering Department hosted a contingent of 15 Rowan University engineering students for a professional development session that included bridge engineering followed by a tour of our facilities. Thanks go out to John Jones and Joe Volk.

Andrew Ritchie participated in a Career Fair at Concord High School on 4/25/07. Approximately 1000 students participated in the event. The event highlighted local organizations and the career areas they offer to raise awareness of possible future vocations.

Ken Hynson and Anna Marie Gonnella-Rosato were recognized by United Way of Delaware for their outstanding commitment to helping the United Way exceed its 2006 Campaign goal and successfully raise critical funds.

S/Cpl. William Thomas and Pfc. Melvin McCord were commended for their participation in the Special Olympics of Delaware Basketball 2007 School Competition event held last month. Thank you for your community contributions.

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

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9596. COMMITTEE REPORT – BUDGET & FINANCE

Commissioner Patterson presented the following minutes of the Budget & Finance Committee meeting held on May 7, 2007.

**BUDGET & FINANCE COMMITTEE MEETING**  
**Monday, May 7, 2007**  
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, May 7, 2007, 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

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 Rinear  
Victor Ferzetti  
Jim Walls  
Trudy Spence-Parker  
Gerry DiNicola Owens  
Joe Larotonda  
Anna Marie Gonnella Rosato  
Ken Hynson  
John Jones  
Jim Salmon  
Kelly Phillips-Parker

Authority Secretary

Tom Pankok

- I. Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:15 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.
  
- II. The Acting CFO reviewed a Draft Five Year Capital Plan and Toll Rate Overview for the Delaware Memorial Bridge. This document serves as the presentation for the public workshops/hearings on the proposed 2008 toll increase. The Acting CFO reviewed the Background & Description, 2006 Traffic & Revenue, Delaware Memorial Bridge Toll Rate History, Toll Rate Discount History, the proposed Capital Improvement Program major projects for 2007-2009. The Authority currently will not be able to meet the \$85 million in capital needs for the crossing facilities in the 2007-2009 periods. The Acting CFO then presented three Toll Increase Options and the estimated amount of revenue each would generate. The Authority anticipates the need to generate approximately \$11 million to \$12 million in annual revenue during the 2007-2009 time frame as well as utilize reserve cash from the General Fund to fund the CIP projects during this period. He recommended cash funding the projects in order to maintain the flexibility to complete or postpone projects, to direct funds to operating needs, and to respond to changing market conditions. This would also allow the Authority to preserve its borrowing capacity for the 2010 time frame for the Out Year Capital expenditures of approximately \$314 million for projects such as Bridge Re-decking and Lead Paint Abatement, New Toll Collection System, and Vessel Improvement Program.

The Acting CFO also reported that the Authority has been able to postpone the anticipated 2006 toll increase due to cost saving measures.

- Two Bond Refundings which saved approximately \$750,000 annually
- Early Retirement Option in 2003
- Reduced Staffing by 12%
- Crossings reduced by 10%
- Approved 1.5% FY 2007 Operating Budget

It was further reported that the proposed toll increase will only cover are known necessities until the general toll increase scheduled for 2010/2011. The Authority's has been able to reduce and control spending, has committed the general fund for meeting the needs of the CIP, and will continue to conduct quarterly reviews of every project to maintain cost control measures. The Acting CFO reported that the partial toll increase generated the minimum funding necessary to meet needs and did not allow much funding for other projects without redirecting the allocation of funds.

The Committee discussed the recommended approach of presenting the three toll increase options and there were no objections; however, the Committee noted that other approaches could also be considered. The Committee also instructed staff

to schedule the workshops and public hearings on separate evenings - one workshop and one hearing in each state during the evening hours to allow for public attendance and input.

- III. The Acting CFO updated the Committee on a refunding opportunity that was brought to the Authority's attention. Five options were reviewed with only one to be considered. The Floating Rate Notes (FRNs) option which assumes a floating-to-fixed rate swap removes basis and tax event risk associated with traditional Libor based swaps. The Acting CFO presented the benefits as well as the considerations; however, it was noted that there is a question as to whether the Authority could even use derivatives. In the State of New Jersey, agencies must apply and be approved before using derivatives. The Acting CFO reported that he has asked both New Jersey and Delaware Legal Counsel as well as Bond Counsels to provide a clean opinion as to whether the Authority has the right to use derivatives. Also, in 2004, the Board adopted a policy that no more than 25% of Authority investments can be derivative/variable rate debt. The Acting CFO recommended spending the time and expense to obtain a legal opinion, to clarify this issue for current or future consideration.

After discussion, the Committee authorized the Acting CFO to move forward to get a legal opinion, as well as provide the Committee with additional in-depth information including default provisions and the types of situations which could be financially disastrous to the Authority. Staff will update the Committee as necessary.

- IV. 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 May meeting.
  - Copier Lease and Service Agreement – The Authority advertised and issued a Request for Proposals for an Authority-wide Copier Lease and Service Agreement. Two proposals were received with the Authority unable to reach contract agreement with Canon, the lowest bidder. Staff checked the references and recommends Keystone Digital Imaging, the second bidder. After review, on motion by Commissioner Simmerman, seconded by Commissioner Smith, the Committee recommended approval of the Lease and Service Agreement. The Resolution will be presented to the full Board for consideration at the May meeting.
  - Community Contribution Requests – The Committee reviewed and discussed the Community Contribution Requests for May. After review, on motion by Commissioner Favre, seconded by Commissioner Simmerman, the Committee recommended approval of the requests. The Resolution will be presented to the full Board for consideration at the May meeting.

With no further business to discuss, on motion by Commissioner Simmerman, the Budget & Finance Committee adjourned at 10:37 a.m.

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

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9597. COMMITTEE REPORT – PROJECTS

Commissioner Lowe presented the minutes of the May 7, 2007 Projects Committee meeting.

**PROJECTS COMMITTEE**  
**Monday, May 7, 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, May 7, 2007, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Lowe, Committee Chair  
Commissioner Patterson, Committee Mbr  
Commissioner Latham  
Chairperson Parkowski

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

Governors' Representative

Sonia Frontera – NJ

Staff

Authority Secretary

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

Tom Pankok

- I. The Projects Committee meeting convened at approximately 11:19 AM. Those in attendance were provided an informational package consisting of an agenda, a final coordinating draft capital improvement program (CIP) budget for both crossings and airports, three draft capital budget resolutions, one bid tab, and the monthly contractor payment chart.
  
- II. Resolutions: Staff opened this part of the committee meeting with a CIP budget presentation. The Director of Engineering and Maintenance commenced with a major capital project overview looking out fifteen (15) years for both the Delaware Memorial Bridge and Cape May-Lewes Ferry. He discussed the importance of the 1<sup>st</sup> structure improvement program scheduled for 2011-2021 which includes deck replacement, suspender rope replacement, seismic upgrades, and lead paint abatement of the 1<sup>st</sup> structure for an estimated total cost of \$232 million. The Committee was informed that the proposed CIP budget was synchronized with the Authority's financial model and compliant with current budget guidance. The Committee was then briefed on the Five-Year and One-Year CIP proposed budgets for both Crossings and Airports. It was reported that the CIP development process was collaborative and involved key leaders in operations, finance, information technology, engineering, and maintenance. The proposed CIP will ensure that the public continues to enjoy quality transportation services in a safe and efficient manner as well as prudently maintain and enhance facilities as necessary. The three draft CIP budget resolutions presented by staff were as follows:

- 5-year Crossings (2007-2011) in the amount of \$149,950,000
- 1-Year Crossings (2007) in the amount of \$21,450,000
- 1-Year Airports (2007) in the amount of \$4,350,000

After discussion and a question and answer period, the Projects Committee agreed to move the action out of committee for action at the May board meeting.

III. Bid Openings/Award Actions:

- NCA-04-01, Runway 1-19 Safety Area Improvements, New Castle Airport: A public bid opening was held April 25, 2007, in which five bids were received. The COO recommended award of the Base Bid (\$3,652,809.50) and Add Alternate #2 (\$145,000) to the responsive low bidder, Diamond Materials, LLC in the total amount of \$3,797,809.50. The Federal Aviation Administration (FAA) concurs with the award recommendation and plans to fund the project at the 95% level. The Projects Committee concurred with the recommendation and authorized the action be presented at the May board meeting.

IV. Miscellaneous Items/Updates: The CIO briefed the Committee on the Next Generation of E-ZPass Technology as well as provided an update on the current E-ZPass contract held by Mark IV Industries. The CIO informed the Committee of the E-ZPass Next Generation procurement process and that the Authority, as a member of IAG, could not independently issue an RFP. The CIO advised the Committee that all member agencies are working together to form a consensus on the terms and conditions. The CIO informed the Committee that the current contract will expire in August 2007 before the completion of the procurement; however, advised the Committee that the Authority would execute a three-year extension with Mark IV. The CIO also informed the Committee of the plan to swap-out transponders beginning in 2007.

VI. Contractor Payment (through April): The COO informed the Committee of monthly construction contractor payments to be made in May.

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

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

Chairperson Parkowski noted that staff and the Commissioners will be refining the Authority procedures for the project review and approval process of projects listed in the CIP. A Resolution with changes to the existing procedures will be brought before the Commissioners for review and approval in June.

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9598. COMMITTEE REPORT – PERSONNEL & FINANCE

Commissioner Lathem presented the following minutes of the Personnel committee meeting of May 7, 2007.

**PERSONNEL COMMITTEE MEETING**  
**Monday, May 7, 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, April 2, 2007, 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

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 12:15 p.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.

The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Lowe, seconded by Commissioner Dorn, 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, the Personnel Committee was opened to the public.

- II. The Chief Human Resource Officer reported on the process to be utilized to update the Delaware River and Bay Authority Employees’ Personnel Manual. The current Personnel Manual, which does not reflect current polices and practices, received a general update in 1998 with additional changes in 2000. The CHRO reported that, as each section is updated, it will be brought before the Personnel Committee for review and consideration. By the end of 2007, the Personnel Committee will have reviewed each section and will have recommended the completed Manual to the full Board for consideration and subsequent approval by Resolution.

Committee Chair Lathem reported that he directed the CHRO to add a segment to include union review. The Executive Director reported that each of the Collective Bargaining Agreements for MEBA and Local 542 provide for union review and comment of any new SOPs or Personnel Manual changes. After discussion, the Committee concurred with the recommended process.

With no further business to discuss, on motion by Commissioner Dorn, seconded by Commissioner Favre, the Personnel Committee adjourned at 12:55 p.m.

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

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9599. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Smith noted that a quorum was not present at the May 7, 2007 Economic Development Committee meeting; therefore, one was scheduled this date at 9:30 a.m. in the Lewes Library. Commissioner Smith then proceeded to present the following minutes of the May 15, 2007 meeting.

**ECONOMIC DEVELOPMENT COMMITTEE**  
**Monday, May 7, 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, May 7, 2007, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

PRESENT

Commissioner Patterson, Committee Member  
Commissioner Lathem  
Commissioner Lowe  
Chairperson Parkowski

Commissioners from New Jersey

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

Staff

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

Authority Secretary

Tom Pankok

The Committee Chair Smith welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 12:57 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.

It was determined that a quorum of the Committee was not present. An Economic Development Committee meeting will be scheduled prior to the May Commission meeting.

The Committee adjourned at 12:58 p.m.

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**ECONOMIC DEVELOPMENT COMMITTEE**

**Monday, May 15, 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, May 15, 2007, at the Lewes Public Library, 111 Adams at Kings Highway, Lewes, Delaware.

Commissioners from Delaware

PRESENT

Commissioner Patterson, Committee Member  
Commissioner Cooper, Committee Member  
Commissioner Hensley, Committee Member  
Commissioner Lathem  
Commissioner Lowe  
Chairperson Parkowski

Commissioners from New Jersey

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

Legal Counsel

Mike Houghton – DE

Phil Norcross – NJ

Governors' Representatives

Bernard Pepukayi – DE

Sonia Frontera - NJ

Staff

Jim Johnson  
Don Rainear

Authority Secretary

Tom Pankok

Victor Ferzetti  
Jim Walls  
Trudy Spence-Parker  
Gerry Owens  
Anna Marie Gonnella Rosato  
Jim Salmon  
John Jones

The Committee Chair Smith welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 9:32 a.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.

Due to the lack of a quorum at the May 7, 2007 Economic Development Committee Meeting, no action could be taken.

The Deputy Executive Director provided information regarding the following proposed projects for consideration.

- Purchase of an Existing Physical Asset at the New Castle Airport, New Castle, Delaware from Bank of America (formerly known as the MBNA Hangar). The Deputy Executive Director presented and reviewed the Executive Summary which included the following:
  - Property Description: Corporate Jet Hangar totaling 48,509 square feet, including 5.3 acres of land, 2-12,000 gallon fuel tanks, and a water tower
  - The Property Appraisal by Airport Appraisals
  - Current Asking Price of \$6 million
  - Current DRBA Hangar Rents
  - Projected Income from new Hangar Rents
  - Investment Assumptions
  - Additional Value/Considerations including control of Water Tower for future development, control of Fuel Facility to maximize fuel flowage fee, and need to provide adequate cash flow to support future NCA expenses.
  - Current Demand

The Committee questioned the Deputy Executive Director regarding the discussions of a potential hangar lease with an interested party and the results if unable to fulfill the lease. The Deputy Executive Director reported that staff will review the credentials and complete the due diligence. After discussion, on motion by Commissioner Cooper, seconded by Commissioner Lowe, the Committee recommended authorizing the Executive Director, with the advice and consent of legal counsel, to negotiate the terms and conditions of an agreement for the purchase of the existing Bank of America hangar for \$5 million. A Resolution will be presented to the full Board for consideration during the Public Session, immediately following the Economic Development Committee meeting.

- Oyster Revitalization Project request in the amount of \$134,000 to continue the success of the shell planting project in the Delaware Bay. Authority Chair Parkowski reported that he received correspondence from the Secretary of the Delaware Department of Natural Resources requesting the DRBA to match DNREC's \$33,000 contribution. The request from DNREC seemed reasonable at the time; however, due to the apparent mis-communication and substantial difference in the request for assistance, the Committee recommended no action at this time until more information has been provided and clarified. Commissioner Favre requested that the organization provide a written request outlining all details.

There being no further business to discuss, on motion by Commissioner Patterson, the

Economic Development Committee adjourned at 10:08 a.m.

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

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9600. 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 March.

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

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9601. 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 March 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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9602. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Acting CFO presented a chart for April 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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9603. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Acting CFO presented a chart for the month of April 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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9604. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF APRIL 30, 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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9605. PUBLIC COMMENT ON ACTION ITEMS.

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

- Contract NCA-04-01 Runway 1-19 Safety Area Improvements, New Castle Airport
- Resolution 07-21 Approval of Community Contribution Requests
- Resolution 07-22 Authorizing Authority Expenditures \$25,000 and over
- Resolution 07-23 Authorizes a Copier Lease and Service
- Resolution 07-24 (formerly 06-70) Adopts the Authority’s 5-Year (20078-2001) CIP
- Resolution 07-25 (formerly 06-71) Adopts the Authority’s Crossings CIP
- Resolution 07-26 (formerly 06-72) Adopts the Authority’s 2007 Airport CIP
- Resolution 07-27 Authorizes the Purchase of Existing Physical Asset at the New Castle Airport

There were no comments from the public.

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9606. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

<u>Contractor</u>		<u>Payment</u>
DMB-06-01	Eastern Highway Specialists	\$ 98,513.51
DMB-04-04	J.D. Eckman, Inc.	\$467,272.23
CMLF-06-01	TTI Environmental, Inc.	\$ 49,410.00
MVA-04-02	Glasgow, Inc.	\$106,048.19

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9607. APPROVAL OF RUNWAY 1-19 SAFETY AREA IMPROVEMENTS, NEW CASTLE AIRPORT.

The COO noted that a public bid opening was held on April 25, 2007 and five (5) bids were received. Diamond Materials, LLC, Wilmington, DE was the lowest responsive bidder with a bid amount of \$3,652,809.50 plus Add Alternate two (2) in the amount of \$145,000.00. The COO and the Projects Committee recommend awarding the bid to the above noted contractor for a total amount of \$3,797,809.50.

A motion to award the contract to Diamond Materials, LLC in the amount of \$3,797,809.50 was made by Commissioner Lowe, seconded by Commissioner Favre, and approved by a roll call vote of 12-0.

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9608. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD.

**RESOLUTION 07 - 21 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 (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 May 2007, and

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

Community Contributions

New Jersey

Access to Art Incorporated	\$ 7,000
Appel Farm Arts and Music Center	\$ 3,000
Atlantic Cape Community College Foundation	\$ 5,000
Cape May Stage Incorporated	\$ 5,000
Cumberland County College Foundation	\$ 5,000
Historic Cold Spring Village Foundation	\$ 2,700
Make A Wish Foundation	\$ 10,000
Naval Air Station Wildwood Foundation	\$ 5,000
Salem Community College Foundation	\$ 15,000
South Jersey Health System Foundation	\$ 5,000
The Arc of Salem County	\$ 8,000
The Wetlands Institute	\$ 3,000
<b>Total</b>	<b><u>\$ 73,700</u></b>

Delaware

Alzheimer's Association and Related Disorders Association Incorporated	\$ 2,200
Beebe Medical Foundation on behalf of Beebe Medical Center	\$ 10,000
Children's Beach House Incorporated	\$ 5,000
Delaware Futures Incorporated	\$ 5,000
Delaware Tourism Alliance	\$ 10,000
Delmarva Walk to Emmaus	\$ 4,500
Easter Seals Delaware and Maryland's Eastern Shore	\$ 10,000
Kent County SPCA	\$ 4,000
National Multiple Sclerosis Society	\$ 1,500
Peter Spencer Family Life Foundation (August Quarterly Festival)	\$ 10,000
Special Olympics Delaware Incorporated	\$ 5,500
Sussex County Animal Association Incorporated	\$ 2,500
The Art Committee for the New Castle County Courthouse Incorporated	\$ 5,000
The Partnership Incorporated	\$ 5,000
The Wellness Community Delaware (New Castle)	\$ 3,300
Transportation Management Association of Delaware	\$ 4,000
<b>Total</b>	<b><u>\$ 87,500</u></b>

**Grand Total (New Jersey and Delaware) \$ 161,200**

A motion to approve Resolution 07-21 was made by Commissioner Cooper, seconded by Commissioner Simmerman. With Commissioner Smith abstaining on the Salem Community College Foundation, Commissioner Simmerman abstaining on the South Jersey Health System Foundation, Commissioner Hensley abstaining on Easter Seals Delaware and Maryland's Eastern Shore and Commissioner Parkowski abstaining on Delaware Tourism Alliance, Resolution 07-21 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.

\* \* \* \* \*

**RESOLUTION 07-22 - 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
Bayshore Ford	F550 Dump Truck	Bid
Cushing Manufacturing Company	Toll Booth Door and Window Replacements	Proprietary
Day Fleet Sales	Three (3) Ford Explorers	State Contract
Winner Ford	F-350 Utility Body Truck	State Contract
Zephyr Aluminum LLC	Replacement of Glass, Air Traffic Control Tower, New Castle 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 07-22 was made by Commissioner Favre, seconded by Commissioner Lowe and approved by a roll call vote of 12-0.

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**RESOLUTION 07-23 – AUTHORIZES A COPIER LEASE AND SERVICE AGREEMENT BETWEEN THE AUTHORITY AND KEYSTONE DIGITAL IMAGING INCORPORATED**

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 enter into a copier lease and service agreement for various Authority locations; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposals in compliance with Resolution 98-31 which governs the procedure for the procurement of such items; and

WHEREAS, the Authority received two (2) written proposals and evaluated the proposals pursuant to the aforementioned resolution; and

WHEREAS, Keystone Digital Imaging Incorporated was the lowest responsive bidder; and

WHEREAS, the base term of the contract will be for three (3) years with the option of two (2), one (1) year renewals; and

WHEREAS the Budget & Finance 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 a Copier Lease and Service Agreement (“Agreement”) with Keystone Digital Imaging Incorporated and to have such

Agreement, upon review and advice of counsel, executed by the Chairperson, Vice-Chairperson and Executive Director.

A motion to approve Resolution 07-23 was made by Commissioner Simmerman, seconded by Commissioner Patterson and approved by a roll call vote of 12-0.

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**RESOLUTION 07-24 (formerly 06-70)- ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S FIVE (5) YEAR (2007-2011) CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) has developed a Five (5) Year Capital Improvement Program (CIP) for capital improvement crossing projects at the Delaware Memorial Bridge, Cape May-Lewes Ferry, and the Three Forts Crossing; and

WHEREAS, the Five (5) Year Crossings CIP budget is adopted in its entirety each year; and

WHEREAS, the current Five (5) Year Crossings CIP (2007-2011) totals \$149,950,000; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings April 2, 2007 and May 7, 2007 on the proposed Five (5) Year Crossings CIP Budget; and

WHEREAS, the Authority’s Projects Committee has reviewed, and approved the proposed Five (5) Year Crossings CIP Budget and recommends its adoption to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a Five (5) Year Crossings CIP Budget of \$149,950,000, and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

A motion to approve Resolution 07-24 was made by Commissioner Lowe, seconded by Commissioner Cooper and approved by a roll call vote of 12-0.

Chairperson Parkowski noted that procedures for the project review and approval process of projects listed in the CIP will be refined. A Resolution with changes will be brought before the Commissioners for review and approval in June.

\* \* \* \* \*

**RESOLUTION 07-25 (formerly 06-71)- ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S 2007 CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) has developed a 2007 Crossings Capital Improvement Program (CIP) for capital improvement projects at the Delaware Memorial Bridge, Cape May-Lewes Ferry, and the Three Forts Crossing in the amount of \$21,450,000; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings April 2, 2007 and May 7, 2007 on the proposed 2007 Crossings CIP Budget; and

WHEREAS, the Authority’s Projects Committees has reviewed and approved the proposed 2007 Crossings CIP Budget and recommends its adoption to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a 2007 Crossings CIP Budget of \$21,450,000, and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

A motion to approve Resolution 07-25 was made by Commissioner Simmerman, seconded by Commissioner Lowe and approved by a roll call vote of 12-0.

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**RESOLUTION 07-26 (formerly 06-72)- ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S 2007 AIRPORT CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET**

WHEREAS, The Delaware River and Bay Authority (The “Authority”) has developed a 2007 Airports Capital Improvement Program (CIP) for airport capital improvement projects in the amount of \$4,350,000; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings April 2, 2007 and May 7, 2007 on the proposed 2007 Airports CIP Budget; and

WHEREAS, the Authority’s Projects Committee has developed, reviewed, and approved the proposed 2007 Airports CIP Budget and recommends its adoption to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a 2007 Airports CIP Budget of \$4,350,000, and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

A motion to approve Resolution 07-26 was made by Commissioner Favre, seconded by Commissioner Patterson, and approved by a roll call vote of 12-0.

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**RESOLUTION 07- 27 - AUTHORIZING THE PURCHASE OF EXISTING PHYSICAL ASSET AT THE NEW CASTLE AIRPORT, NEW CASTLE, DELAWARE**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is the operator of the New Castle Airport (the “Airport”) under a long term Lease Agreement with New Castle County (“County”); and

WHEREAS, the Authority’s Federal Aviation Administration (FAA) approved Airport Layout Plan recognizes the importance of corporate aviation to the continued economic health of the Airport and the County; and

WHEREAS, in recognition of this fact, the Authority has developed and leased/sold ten (10) corporate hangars at the Airport; and

WHEREAS, Bank of America desires to sell and the Authority desires to purchase the existing 48,000 sq. ft. corporate hangar facility located at the Airport; and

WHEREAS, the Authority and Bank of America have negotiated an arms length transaction in good faith for the purchase of the existing facility; and

WHEREAS, the Economic Development Committee has reviewed and approved the purchase of this facility for \$5.0 million.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to negotiate the terms and conditions of an agreement for the purchase of the existing Bank of America hangar at the Airport for \$5.0 million and, with the advice and



consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 07-27 was made by Commissioner Smith, seconded by Commissioner Dorn, and approved by a roll call vote of 12-0.

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9609. COMMISSIONERS PUBLIC FORUM

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

There were no public comments.

Commissioner Simmerman extended a welcome to the Commissioners to Cumberland County on May 26-27, 2007 to see the Millville Air Show.

Commissioner Smith congratulated Vice-Chairperson Hogan on becoming a Deacon.

Commission Lathem acknowledged the outstanding work the Acting CFO is doing and for the work he has done thus far.

\* \* \* \* \*

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

The meeting was adjourned 11:11 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok  
Board Secretary