

MINUTES OF MEETING  
**THE DELAWARE RIVER AND BAY AUTHORITY**  
**Tuesday, July 17, 2012**  
James Julian Boardroom  
Delaware Memorial Bridge Plaza  
New Castle, Delaware 19720

The meeting convened at 11:17 a.m. with Chairperson Lowe presiding.

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

It is noted that Commissioners Shirley R. Wilson and Richard S. Mroz from the State of New Jersey were sworn in as the newest members of the Board of Commissioners prior to the full Board meeting. Further, the Chairperson and Vice-Chairperson distributed, and the Commissioners approved, new committee assignments.

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

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.

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Commissioners from Delaware

Commissioners from New Jersey

PRESENT

William E. Lowe, Chairperson  
Richard W. Downes  
Fernando N. Guajardo  
Samuel E. Lathem  
Terry C. Murphy  
Gary F. Traynor

James N. Hogan, Vice-Chairperson  
Edward W. Dorn  
Richard S. Mroz  
Ceil Smith  
Douglas Van Sant  
Shirley R. Wilson

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Chairperson Lowe called for the acceptance of the Agenda.

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

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10547. APPROVAL OF THE JUNE 19, 2012 MINUTES

Commissioner Guajardo motioned to approve the June 19, 2012 meeting minutes, seconded by Commissioner Smith, and unanimously approved by a voice vote of 12-0.

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10548. 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, Three Forts Ferry Crossing, and Food Services for the month of June.

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

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10549. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expenses for the month of June 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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10550. 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.

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10551. 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 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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10552. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF JUNE, 2012.

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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10553. 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.

10554. PUBLIC COMMENT ON ACTION ITEMS

The Executive Director noted the following action items that were being considered and asked for public comment.

Resolution 12-23 – Authorizes Authority Expenditures Pursuant to Resolution 01-84 For The Period , January 1, 2012 Through December 31, 2012

Resolution 12-24 – Declaring the Official Intent of the DRBA to Reimburse Itself from the Proceeds of Debt for Capital Expenditures, Certain Preliminary Expenditures and Costs of Issuance Temporarily Funded From

Expenditures and Costs of Issuance Temporarily Funded from Revenues or Other Sources.

Resolution 12-25 – Lease Agreement with SRL Floor Covering at the Cape May Airport  
Resolution 12-26 – Lease Agreement with Staraero Partners Group LLC at the Millville Airport

There were no public comments.

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10555. REHABILITATE TAXIWAY”G” AND HANGAR TAXILANES, CAPE MAY AIRPORT, CONTRACT #CMA-05-01-02

The COO noted that a bid opening was held on June 26, 2012 in which three (3) bids were received. The lowest bidder, GWP Enterprises, Inc. of Williamstown, NJ submitted a proposal bond of 10% of the bid rather than the required 50% and did not include the required bid guarantee cashier’s check of \$20,000.00. The bid was therefore non-responsive and rejected. South State, Inc., of Bridgeton, NJ was the second lowest bid with a bid total of \$1,095,712.00. All requirements for the bid were met. The COO and the Projects committee recommend approval contingent upon a 90% grant confirmation from FAA.

A motion to award Contract CMA-05-01-02 to the aforementioned firm in the amount of \$1,095,712.00 contingent upon a 90% grant confirmation from FAA was made by Commissioner Lathem, seconded by Commissioner Dorn, and approved by a voice vote of 12-0.

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10556. NEW CASTLE AIRPORT SECURITY IMPROVEMENTS, CONTRACT #NCA-06-01

The COO noted that a bid opening was held on June 28, 2012 in which three (3) bids were received. Abel Fence, LLC of Wilmington, DE was the lowest responsive bidder with a bid total of \$1,418,431.64. The COO and the Projects committee recommend approval contingent upon a 90% grant confirmation from FAA.

A motion to approve Contract NCA-06-01 to the aforementioned firm in the amount of \$1,418,431.64 contingent upon a 90% grant confirmation from FAA was made by Commissioner Dorn, seconded by Commissioner Wilson, and approved by a voice vote of 12-0.

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10557. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

**RESOLUTION 12-23 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2012 THROUGH DECEMBER 31, 2012**

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 1/1/12 THROUGH 12/31/12

VENDOR	SERVICE DESCRIPTION	DETERMINATION	APPROX. ESTIMATED \$
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VENDOR	SERVICE DESCRIPTION	DETERMINATION	APPROX. ESTIMATED \$
1 <sup>st</sup> State Petroleum Services	Waste Oil Tank Replacements at New Castle Airport	Quotes	\$ 32,000
Barr International	One Heavy Duty Truck with Plow and Sander Body for the Delaware Memorial Bridge	State Contract	\$180,000
Elsag North America, LLC	License Plate Camera and Software System for the Delaware Memorial Bridge	State Contract	\$125,000
Frank Mazza & Son Inc.	Removal and Replacement of Carpet and Flooring in the Passenger Areas of the M/V Cape Henlopen, M/V New Jersey and the M/V Delaware	State Contract	\$138,000
Eastern Aviation Fuels, Inc.	AV Gas for Delaware Airpark	Sole Source	\$ 50,000
Kent Oil	AV Gas for Delaware Airpark	Sole Source	\$100,000
MLS Lawns and Landscapes	Concrete Swale Replacement at New Castle Airport	Quotes	\$ 30,000
Networkfleet, Inc.	Authority-wide Wireless Fleet Management Services	State Contract	\$163,000
Winner Ford of Cherry Hill	Eight (8) New Vehicles for Various locations at the Delaware River and Bay Authority	State Contract	\$240,000

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 12-23 was made by Commissioner Dorn, seconded by Commissioner Van Sant, and approved by a roll call vote of 12-0.

#### **Resolution 12-23 Executive Summary Sheet**

**Resolution:** Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period, January 1, 2012 through December 31, 2012.

**Committee:** Budget & Finance

**Committee and Board Date:** July 17, 2012

**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:**

Waste Oil Tank Replacements at New Castle Airport

New Castle Airport currently utilizes 500-gallon waste oil tanks at four (4) of its corporate hangar facilities, which are subject to periodic testing and accompanying maintenance. A professional review of the current systems determined that four (4) of them are deficient and in need of repair. The DRBA plans to replace these four (4) tanks with 100-gallon tanks that utilize oil separator

systems, which do not require periodic testing, thereby preventing the need for similar future repairs.

#### Heavy Duty Truck with Plow and Sander Body for Delaware Memorial Bridge

The DRBA evaluates its vehicles and equipment for replacement according to written replacement criteria. The average useful life of DRBA dump truck is twelve (12) years. The dump truck being replaced is # 17, a 1989 Ford L8000 that is more than twelve (12) years old and has exceeded its useful life. The truck will be moved into a reserve fleet to replace # 721 Attenuator Truck. Attenuator Truck #721 1989 Ford F-800 will be sold at public auction.

#### License Plate Camera and Software System for the Delaware Memorial Bridge

Elsag North America, LLC provides a camera and software system to capture and identify license plate numbers on moving vehicles. This system will be permanently mounted on the Delaware Memorial Bridge West Bound Structure and will provide the DMB Police Department with a tool to apprehend egregious toll violators, suspected terrorists, felons, etc. thereby protecting the traveling public and identifying and collecting DMB revenues.

#### AV Gas for Delaware Airpark

The fuel tanks at Delaware Airpark have the capacity to hold 5,000 gallons of AV gas. Most fuel companies deliver AV gas in 10,000 gallon containers. The price of AV gas is a rack price per gallon plus a delivery fee for the container. The delivery fee is proportionate to the size of the container, not the size of the load. The DRBA unsuccessfully solicited quotes for the delivery of AV gas in the past. Kent Oil, Co. and Eastern Aviation Fuels, Inc. are the only companies that the DRBA was able to identify that routinely deliver AV gas in small container loads. Using smaller containers allows the AV gas providers to charge a delivery fee that is proportionate to the size of the container making AV gas purchases more economical than purchases from the other companies who charge a larger delivery fee based on the size of the container. The DRBA will solicit quotes from both companies for every purchase in order to ensure that it pays the lowest available price for each delivery.

#### Concrete Swale Replacement at New Castle Airport

The Delaware Department of Natural Resources and Environmental Control (“DNREC”) performed a routine inspection of the storm drain systems at New Castle Airport (“NCA”) and issued a citation for the poor condition of Outfall #3, a storm drain outlet point at NCA which is preceded by a concrete lined swale. Prior to DNREC’s next inspection the DRBA must remove and replace the existing swale and perform all necessary restoration work.

#### Authority-wide Wireless Fleet Management Services

Networkfleet, Inc. is a leader provider of wireless fleet management services. Their technology solution combines remote diagnostic monitoring with a GPS-based automatic vehicle locations system. This tool will improve the Authority’s fleet operations by decreasing fuel use, optimizing vehicle utilization, decreasing maintenance costs with vehicle diagnostics, and improving driver management.

#### Eight (8) New Vehicles for Various locations at the Delaware River and Bay Authority

The DRBA evaluates its vehicles and equipment for replacement according to written replacement criteria. The DRBA plans to replace eight (8) existing vehicles with new vehicles. The average useful life of DRBA trucks and vans is eight (8) years. All eight (8) of the trucks and vans to be replaced are more than eight (8) years old and have exceeded their useful life.

Removal and Replacement of Carpet and Flooring in the Passenger Areas of the M/V Cape Henlopen, M/V New Jersey and the M/V Delaware

Prior to the new seat installation, each vessel will have the carpet and flooring replaced in the passenger areas. The carpet is over ten (10) years old, worn, stained and in need of replacement. There are no official Authority guidelines for the replacement of carpets and flooring.

**Background for Determination categories:**

**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...”

**Sole Source:**

Sole source items are goods and services that the Authority requires that cannot be provided by another source. Resolution 98-31 (paragraph 2, subsection f) provides that “[a] contract may be awarded without competition if the General Manager or Director of Operations of an Authority facility, or Police Administrator, prior to procurement, determines in writing that there is only 1 source for the required contract”.

**State Contracts:**

Resolution 98-31, as amended by Resolution 11-36 (paragraph 2, subsection a) provides that “[t]his [competitive bidding] provision shall not apply to purchases by the Authority from suppliers in cases where the Authority is purchasing at prices pursuant to contracts awarded by the States of Delaware or New Jersey for state agencies.

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**RESOLUTION 12-24 DECLARING THE OFFICIAL INTENT OF THE DELAWARE RIVER AND BAY AUTHORITY TO REIMBURSE ITSELF FROM THE PROCEEDS OF DEBT FOR CAPITAL EXPENDITURES, CERTAIN PRELIMINARY EXPENDITURES AND COSTS OF ISSUANCE TEMPORARILY FUNDED FROM REVENUES OR OTHER SOURCES**

BACKGROUND

WHEREAS, The Delaware River and Bay Authority (the “Authority”) was created as a body politic and an agency of government of the State of Delaware and the State of New Jersey, by virtue of Chapters 145 and 146, Volume 53, Laws of Delaware, approved by the Governor of the State of Delaware July 21, 1961, and Chapter 66 of the Pamphlet Laws of 1961 of the State of New Jersey, approved by the Governor of the State of New Jersey June 3, 1961 (said Chapters 145 and 146 and said Chapter 66 being hereinafter sometimes collectively called the “Original Enabling Legislation”), pursuant to which the State of Delaware and the State of New Jersey entered, subject to the consent of the Congress of the United States of America, into a compact (hereinafter sometimes called the “Original Compact”) creating the Authority; and

WHEREAS, the consent of the Congress of the United States of America was given to the States of Delaware and New Jersey to enter into the Original Compact by a Joint Resolution of the Congress, approved September 20, 1962 (Public Law 87-678, 87th Congress); and

WHEREAS, by virtue of Chapter 252, Volume 67, Laws of Delaware, approved by the Governor of the State of Delaware June 28, 1990, and Chapter 192 of the Pamphlet Laws of 1989 of the State of New Jersey, approved by the Governor of the State of New Jersey October 18, 1989 (said Chapter 252 and said Chapter 192, together with the Original Enabling Legislation being hereinafter sometimes collectively called the “Enabling Legislation”), the State of Delaware and the State of New Jersey entered, subject to the consent of the Congress of the

United States of America, into certain amendments to the Original Compact (as so amended and as may be further amended from time to time hereinafter sometimes called the “Compact”); and

WHEREAS, the consent of the Congress of the United States of America was given to the State of Delaware and New Jersey to enter into the Compact by a Joint Resolution of the Congress, approved November 15, 1990 (Public Law 101-565, 101st Congress); and

WHEREAS, by virtue of the Compact and the Enabling Legislation, the Authority’s powers include authorization to plan, finance, develop, construct, purchase, lease, maintain, improve and operate crossings, including bridges, tunnels and ferries and all approaches thereto and connecting and service routes, between the State of Delaware and the State of New Jersey across the Delaware River or Bay at any location south of the boundary line between the State of Delaware and the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said River; and

WHEREAS, the Authority owns, operates and maintains twin bridges spanning the Delaware River from a point between Pigeon Point near the City of Wilmington in the State of Delaware and New Castle in said State to a point near the Salem Canal in the State of New Jersey, together with their approaches, appurtenances and property; and

WHEREAS, the Authority also owns, operates and maintains a public ferry system across Delaware Bay between Cape May in the State of New Jersey and the Town of Lewes in the State of Delaware, including vessels, marine facilities, approaches and connecting and service routes and appurtenances and equipment incidental thereto; and

WHEREAS, the Authority desires to finance with the proceeds of debt the acquisition, construction, improvement, renovation, equipping and design of a portion of the projects (collectively, the “Project”) planned to be carried out as part of the [Five (5) Year Strategic Plan], prepared and reviewed in conjuncture with the 2012 Capital Improvement Plan approved by the Board of Commissioners of the Authority (“Board”) on April 14, 2012, a copy of which is attached hereto as Exhibit “A” and made a part hereof; and

WHEREAS, the Authority has paid, beginning no earlier than May 19, 2012 and will pay, on and after the date hereof, certain expenditures (the “Expenditures”) in connection with the Project; and

WHEREAS, the Authority has determined that those moneys previously advanced no earlier than May 19, 2012 and to be advanced on and after the date of the adoption of this Resolution to pay the Expenditures are available only for a temporary period, and it is necessary to reimburse the Authority for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (the “Bonds”); and

WHEREAS, the Authority intends that this Resolution be determined to be a declaration of official intent under Treasury Regulations §1.150-2 promulgated under the Internal Revenue Code of 1986, as amended (“Code”) to reimburse itself with a portion of the proceeds of such Bonds for certain Expenditures in accordance with the code; and

WHEREAS, the Authority will reimburse itself only for capital expenditures, certain preliminary expenditures and certain cost of issuance incurred in connections with the issuance of the Bonds, in each case determined in accordance with the Code; and

WHEREAS, the Authority is not making this declaration of intent to reimburse as a matter of course or in amounts substantially in excess of the amounts expected to be necessary for the Project, and does not have a pattern of failure to reimburse actual original expenditures covered by prior declarations of intent to reimburse, if any;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE DELAWARE RIVER AND BAY AUTHORITY HEREBY RESOLVE, AS FOLLOWS:

Section 1. Declaration of Official Intent. The Authority hereby declares its intent:

- (a) that the issuance of the Bonds for the Project by the Authority be in an aggregate principal amount reasonably expected not to exceed \$100,000,000;
- (b) that the Authority be reimbursed from the proceeds of the Bonds for the Expenditures with respect to the Project made on and after May 19, 2012 and the Authority reasonably expects on the date of the adoption of this Resolution that it will reimburse the Expenditures with the proceeds of the Bonds;
- (c) that this Resolution be determined to be a declaration of official intent under Treasury Regulations §1.150-2 promulgated under the Code; and
- (d) that the Authority will make a written allocation that evidences the Authority's use of proceeds of the Bonds to reimburse an Expenditure no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid.

Section 2. Effective Date. This Resolution shall take effect immediately upon its passage, subject to cancellation by the Governor of the State of Delaware or the Governor of the State of New Jersey within ten (10) business days of the receipt by the respective offices of the Governors of the minutes of the meeting at which this Resolution was adopted.

RESOLUTION 12-24 – EXHIBIT A

<i>Five Year Strategic Plan (x1000) - CROSSINGS</i>									
			2012	2013	2014	2015	2016	Total	
DELAWARE MEMORIAL BRIDGE (DMB)			22,463	22,995	22,770	15,265	13,000	96,493	
CAPE MAY-LEWES FERRY (CMLF)			11,390	12,170	6,250	6,050	7,880	43,740	
THREE FORTS CROSSING (3 FORTS)			10	210	195	10	10	435	
<b>TOTALS</b>			<b>33,863</b>	<b>35,375</b>	<b>29,215</b>	<b>21,325</b>	<b>20,890</b>	<b>140,668</b>	
<b>COMMITTED</b>			DMB	11,683	1,350	300	0	0	13,333
			CMLF	1,200	40	30	20	20	1,310
<b>UNCOMMITTED</b>			DMB	10,780	21,645	22,470	15,265	13,000	83,160
			CMLF	10,200	12,340	6,415	6,040	7,870	42,865

<i>Delaware Memorial Bridge</i>		Current Working Estimate	2012	2013	2014	2015	2016	2012-2016 CIP Total
<b>Annual Projects</b>								
Deck Resurfacing	Committed							
	Uncommitted	1,000	200	200	200	200	200	1,000
Miscellaneous Steelwork Repairs	Committed							
	Uncommitted	7,000	2,000	2,000	1,000	1,000	1,000	7,000
Miscellaneous Capital Equipment	Committed							
	Uncommitted	3,750	750	750	750	750	750	3,750
Minor Capital Maintenance	Committed							
	Uncommitted	1,165	545	320	100	100	100	1,165
Automation/Telecom Upgrades	Committed							
	Uncommitted	4,100	1,705	990	680	575	150	4,100
<b>Totals</b>			<b>5,200</b>	<b>4,260</b>	<b>2,730</b>	<b>2,625</b>	<b>2,200</b>	<b>17,015</b>



<i>Cape May-Lewes Ferry</i>		Current Working						2012-2016 CIP Total
<b>Annual Projects</b>		Estimate	2012	2013	2014	2015	2016	
<b>Minor Capital Equipment</b>	Committed							
	Uncommitted	1,000	200	200	200	200	200	1,000
<b>Minor Capital Maintenance - Landside</b>	Committed							
	Uncommitted	1,290	865	125	100	100	100	1,290
<b>Maintenance &amp; Dry Docking</b>	Committed							
	Uncommitted	12,865	2,295	2,930	2,230	2,510	2,900	12,865
<b>Dredging</b>	Committed	660	660					660
	Uncommitted	2,000	400	400	400	400	400	2,000
<b>Automation/Telecom Upgrades</b>	Committed							
	Uncommitted	1,390	415	275	250	250	200	1,390
<b>Totals</b>			<b>4,835</b>	<b>3,930</b>	<b>3,180</b>	<b>3,460</b>	<b>3,800</b>	<b>19,205</b>

<i>Three Forts Crossings</i>		Current Working						2012-2016 CIP Total
<b>Annual Projects</b>		Estimate	2012	2013	2014	2015	2016	
<b>Minor Capital Maintenance</b>	Committed							
	Uncommitted	135	10	10	95	10	10	135
<b>Three Forts Crossings Projects</b>								
<b>Floating Dock Replacement - Delaware City</b>		275						300
	Pre-Construction U	50		50				
	Construction U	250		150	100			
<b>TOTALS</b>			<b>10</b>	<b>210</b>	<b>195</b>	<b>10</b>	<b>10</b>	<b>435</b>

<i>Delaware Memorial Bridge</i>		Current Working						2012-2016 CIP Total
<b>Delaware Memorial Bridge Projects</b>		Estimate	2012	2013	2014	2015	2016	
<b>Misc. Steelwork/Elevator Repl./Security Impr.</b>		14,050						3,200
	Pre-Construction CF	550						
	DMB-05-01R Construction C	13,200	3,200					
<b>1st Structure Improvement Program</b>		300,000						13,400
	Project Management C/U	6,400						
	Pre-Construction C/U	3,400	300	300	300			
	DMB-10-04 Main Cable & Susp. Rope Invest. Construction C	6,800	6,000	800				
	1st Structure Deck Sealing Construction U	1,700		1,700				
	1st Str. Safety Walk & Curb Drainage Retrofits Construction U	4,000			4,000			
<b>Phase IV - DE Appr.Rds (I-295 SB)</b>		29,300						29,150
	Pre-Construction C	1,900	1,550	200				
	Construction U	27,400		5,500	12,000	8,000	1,900	
<b>Steelwork Full Overcoat Rehab System - 2nd Structure</b>		22,200						16,830
	Pre-Construction U	30	30					
	Suspended Spans Construction U	7,000	3,500	3,500				
	Tower Exteriors - 1st & 2nd Structures Construction U	7,000			3,500	3,500		
	East Girder Spans Construction U	2,800					2,800	
<b>Security Improvements</b>								2,215
	Construction U	2,215	100	485	190	840	600	
<b>Electronic Toll Collection</b>		6,000						6,000
	Pre-Construction U	500	100	400				
	Construction U	5,500		5,500				
<b>Toll Plaza Improvements</b>		5,800						5,800
	Pre-Construction U	300				300		
	Construction U	5,500					5,500	
<b>Traffic Management System</b>		2,210						2,170
	Software C	530	530					
	Pre-Construction C	80	40					
	Construction U	1,600	1,400	200				
<b>Police Operations Center Upgrade</b>		350						263
	Pre-Construction C	40	13					
	Construction U	250	250					
<b>Energy Conservation Measures</b>		620						450
	Various HVAC/Electrical Projects Pre-Construction C	170	50	50				
	Construction U	450	200	100	50			
<b>TOTALS</b>			<b>17,263</b>	<b>18,735</b>	<b>20,040</b>	<b>12,640</b>	<b>10,800</b>	<b>79,478</b>

<i>Cape May-Lewes Ferry</i>		Current Working						2012-2016 CIP Total
<b>Cape May-Lewes Ferry Projects</b>		Estimate	2012	2013	2014	2015	2016	
<b>Dolphins/Misc. Fendering Impr./Lighthouse</b>		7,900						7,500
	Pre-Construction C	650	100					
	CMLF-06-03R Construction C	3,650	400					
	Construction U	7,000	1,000	1,000	1,000	2,000	2,000	
<b>Passenger Loader Walkways</b>		6,750						6,500
	Pre-Construction C	250						
	Construction U	6,500	2,500	4,000				
<b>Rehabilitation of CM Approach Roads (Phase I)</b>		6,300						2,500
	Pre-Construction C	800						
	Construction U	2,500	2,000	500				
<b>Pier/Bulkhead Rehabilitation</b>		2,200						2,200
	Pre-Construction U	100	100					
	Construction U	2,100		1,100	1,000			
<b>Police Operations Center Upgrade - Cape May</b>		175						175
	Construction U	175	175					
<b>Motor Vessel Program</b>		84,100						2,000
	Pre-Construction U	2,000		1,350	650			
	Construction U	82,100						
<b>Energy Conservation Measures</b>		910						910
	Various HVAC/Electrical Projects Pre-Construction C/U	150	40	40	30	20	20	
	Construction U	760	240	250	140	70	60	
<b>Approach Roads Rehab (Lewes)(CM Phase II)</b>		9,750						2,750
	Pre-Construction U	750			250	500		
	Construction U	9,000					2,000	
<b>TOTALS</b>			6,555	8,240	3,070	2,590	4,080	24,535

A motion to approve Resolution 12-24 was made by Commissioner Smith, seconded by Commissioner Van Sant, and approved by a roll call vote of 12-0.

**Resolution 12-24 Executive Summary Sheet**

**Resolution:** 12-24

**Committee:** Budget & Finance

**Committee Date:** July 17, 2012

**Board Date:** July 17, 2012

**Purpose of Resolution:** Adoption of Resolution 12-24 provides the Authority the ability to reimburse itself from tax-exempt bond proceeds for expenditures made during the period beginning on May 19, 2012 and ending on a date occurring not later than 18 months after the date of the original expenditure, subject to specific exceptions.

**Background for Resolution:** Pursuant to Treasury Regulation Section 1.150-2(d) of the Internal Revenue Code of 1986, issuers must timely adopt an official intent that an original expenditure will be reimbursed with the proceeds of a subsequent reimbursement bond resolution. Adoption of the reimbursement resolution allows the Authority to evaluate its financial and capital needs with future market conditions to best optimize a future bond issuance.

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**RESOLUTION 12-25 – LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND SRL FLOOR COVERING AT THE CAPE MAY AIRPORT**

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

WHEREAS, SRL Floor Covering(“SRL”) desires to lease approximately 1,500 square feet of space in a building located at 1298 Hornet Rd., commonly referred to as Building 96 Unit #9 at the Cape May Airport; and

WHEREAS, SRL has agreed to pay the Authority annual rent in the amount of Eight Thousand Four Hundred Dollars (\$8,400.00); and

WHEREAS, the initial term of the Lease Agreement (“Agreement”) is for one (1) year; and

WHEREAS, SRL with the consent of the Authority, shall have the option of renewing this Agreement for two (2) option periods of one (1) year each; and

WHEREAS, rent during the first option shall be Eleven Thousand Dollars (\$11,000.000) annually and rent during the second option shall be Twelve Thousand (\$12,000.00) annually.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Agreement with SRL 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 12-25 was made by Commissioner Dorn, seconded by Commissioner Smith, and approved by a roll call vote of 12-0

#### **Resolution 12-25 Executive Summary Sheet**

**Resolution:** Authorizing the Executive Director to execute a Lease Agreement with the SRL Floor Covering

**Committee:** Economic Development

**Committee Date:** July 17, 2012

**Board Date:** July 17, 2012

#### **Purpose and Background for Resolution:**

The SRL would like to lease approximately 1,500 square feet of space in a building commonly referred to as Building 96 unit #9. The initial rental rate is a negotiated rate. This unit has been vacant since January of 2008. This building was appraised in 2007. Over the first two years of occupancy the rental rate escalates so that the rental rate in the 3<sup>rd</sup> year will be \$8.00 per square foot. With this lease and the planned Brewery expansion, this building will be fully leased.

\* \* \* \* \*

#### **RESOLUTION 12-26 – LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND STARAERO PARTNERS GROUP LLC AT THE MILLVILLE AIRPORT**

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

WHEREAS, Staraero Partners Group LLC (“Staraero”) desires to lease approximately 6,540 square feet of space in a hangar located at 90 Easterwood Street, commonly referred to as Hangar 90 at the Millville Airport; and

WHEREAS, Staraero has agreed to pay the Authority annual rent in the amount of Thirty-Four Thousand Three Hundred Thirty Five Dollars and Twelve Cents (\$34,335.12); and

WHEREAS, the initial term of the Lease Agreement (“Agreement”) is for five (5) years; and

WHEREAS, Staraero, with the consent of the Authority, shall have the option of renewing this Agreement for two (2) option periods of five (5) years each; and

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

WHEREAS, rent shall be adjusted to the Fair Market Value of the property at the beginning of the renewal term.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Agreement with Staraero 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 12-26 was made by Commissioner Dorn, seconded by Commissioner Van Sant, and approved by a roll call vote of 12-0.

**Resolution 12-26 Executive Summary Sheet**

**Resolution:** Authorizing the Executive Director to execute a Lease Agreement with the Staraero Partners Group LLC.

**Committee:** Economic Development

**Committee Date:** July 17, 2012

**Board Date:** July 17, 2012

**Purpose and Background for Resolution:**

Staraero was an original tenant at the Millville Airport when the DRBA took over the operations at the airport in 1998. The original lease with Staraero expired and a new appraisal was commissioned for the hangar. The rate in this lease reflects the new appraised value of the hangar. Staraero provides maintenance services at the airport. They are also looking to sublet the facility to Atlantic Helicopter, an emergency medical service provided in the area.

\* \* \* \* \*

10558. EXECUTIVE DIRECTOR’S COMMENTS

Executive Director Green briefed the Board on the following activities in and around the Authority including important dates, and reminders.

- Staff Sergeant Adam Thompson attended the prestigious FBI National Academy in Quantico, VA. Adams was one of 250 officers selected from around the world to participate and the only police officer from the State of Delaware. Officer Cpl. Luther Dashiell participated in the 2012 Take 25 Campaign, a program of the National Center for Missing and Exploited Children. Cpl. Dashiell’s submitted photograph was awarded first place in the connection with the Campaign.
- The 2012 intern program is going well under the direction of Anna Marie Gonnella Rosato. Along with their responsibilities, they have been touring DRBA sites.

- Executive Director Green received a letter from Commissioner Mroz regarding his attorney client list for the purpose of avoiding conflicts of interest. Green and Chairperson Lowe and Vice-Chair Hogan will develop a course of action to avoid such conflicts. Vice-Chairperson Hogan requested a copy of Commissioner Mroz' s letter.
- The Commissioners were reminded of the Hawker Beachcraft opening on July 19<sup>th</sup> and the Annual Commissioners Retreat September 18 and 19, 2012 in Cape May.
- Retired Executive Director William Miller is being elected to the Delaware Maritime Hall of Fame. A special event will take place in Lewes on October 13<sup>th</sup>.
- Executive Director Green thanked staff for performing their duties in the extreme heat.

10546. COMMISSIONERS PUBLIC FORUM

Chairperson Lowe called for comments from the public and the Commissioners.

Frank Bankard, Local 542 spoke. He stated that he sent a letter to Chairperson Lowe regarding seasonal painters. There are presently seven seasonal painters that he requested be recognized and absorbed into the union.

Chairperson Lowe thanked Mr. Bankard for his comments and stated that he will receive a response from the Commissioners shortly.

Executive Director Green stated that a van is waiting at the main entrance for those Commissioners wishing to tour the New Castle Airport along with the newly appointed Commissioners.

\* \* \* \* \*

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

The meeting was adjourned at 11:42 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Frank W. Minor  
Assistant Secretary