

MINUTES OF MEETING

THE DELAWARE RIVER AND BAY AUTHORITY

April 16, 2003

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Richard S. Cordrey, Sr., Chairman
Edward J. Bennett
Richard H. Derrickson
Verna W. Hensley
Samuel E. Lathem
Gary B. Patterson

Warren S. Wallace, Vice Chairman
Edward W. Dorn
Albert A. Fralinger, Jr.
Maureen T. Koebig
Robert Y. McWilliams
Charles E. Pessagno

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The meeting convened at 11:44 a.m., with Chairman Cordrey presiding.

Col. McCarnan opened the meeting with the Pledge of Allegiance, and a prayer by Reverend Dorn.

The Chairman of the Authority called the meeting to order. 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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8834. NEW COMMISSIONER FROM NEW JERSEY: Vice Chairman Wallace swore in Reverend Edward W. Dorn as Commissioner from New Jersey. Commissioner Dorn, thanked the Commission.

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8835. APPROVAL OF MINUTES: On motion by Commissioner Lathem, and seconded by Commissioner Hensley, the minutes of the March 18, 2003 meeting were approved by a voice vote of 12-0.

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8836. DELAWARE MEMORIAL BRIDGE - MONTHLY REPORT: The Executive Director presented the following report:

April 4, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River and Bay Authority
Post Office Box 71
New Castle, Delaware 19720

Dear Mr. Johnson:

The following report outlines the major issues and activities at the Delaware Memorial Bridge complex during March 2003.

Traffic:

Total traffic for March 2003 vs 2002 declined by approximately 70,000 vehicles (-5.2%); however, this total was still the second largest total ever recorded for March. In part, the large decline reflects the timing of the Easter Holiday weekend which fell at the end of March in 2002. Holiday weekends normally produce 20-25% more traffic or 10,000 vehicles per day more than a normal weekend. An increase in April's total traffic figures for 2003 vs 2002 should therefore be anticipated barring any unusual events or severe weather.

Overall commercial traffic during the month declined fractionally but Class 5 (5-axle truck) traffic rebounded from the weather-reduced totals in February to post a modest 0.6% gain for March 2003 vs 2002. While not a record, the 2003 total is the second highest monthly total ever recorded for Class 5 traffic in March.

E-ZPass Operations:

The use of E-ZPass as a toll payment method has increased by almost 3% during the first three months of 2003 vs 2002 despite the 5.2% decline in total traffic during the same period. E-ZPass traffic represents over 70% of the rush hour traffic, approximately 52% of the weekday traffic, and over 45% of the total traffic in 2003.

The Authority opened 372 new E-ZPass accounts during March including 139 discount plans. Since the start-up of E-ZPass in June 2001, the Authority has opened over 25,000 accounts and issued approximately 34,000 transponders. The DRBA currently has over 20,000 active discount plans, which are divided approximately two-thirds Frequent Travelers and one-third Commuters.

Maintenance Activities:

A significant effort was made throughout the month to start the lengthy Spring clean-up process following the many Winter storms in early 2003. The washdown of the Twin Spans to remove salt deposits and the clearance of all drains and catch basins received priority. The arrival of warmer weather signals the start of the busy season for the Grounds and Gardens personnel. HVAC work has focused on the conversion of the control system for the cooling equipment on the newer vessels of the Cape May - Lewes Ferry. The repairs to the DEMA building have essentially been completed by personnel from the Crafts, Electric, and HVAC sections.

Veterans Memorial Park:

During 2003 there will be 5 ceremonies conducted at the Veterans Memorial Park. In addition to the annual Memorial Day (May 30) and Veterans Day (Nov. 11) services, which are sponsored by the Delaware Commission of Veterans Affairs, there will be three other ceremonies including the reunion of the 1st Battalion, 5th Mechanized Infantry (Vietnam) (July 19), the dedication of the Military Order of the Purple Heart monument (Aug. 3), and the wreath-laying ceremony of the 2nd and 4th Naval Beach Battalions (WWII, Italian Campaign) (Sept. 6). The Memorial Day service on Friday, May 30th will start at 10:30 a.m. and will include the dedication of the Korean War Veterans monument.

Respectfully,

Curtis V. Esposito
Director of Bridge Operations

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

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8837. CAPE MAY-LEWES FERRY - MONTHLY REPORT: The Executive Director presented the following Cape May-Lewes Ferry Report:

TO: James T. Johnson Jr., Executive Director-DRBA

FROM: Glenn L. Cox, Director of Operations-CMLF

SUBJECT: Commission Report - March 2003

Vehicle Traffic: March 2003 vehicle traffic ranked the 4th highest in the past fifteen years, and the best since 1997. However, traffic for the month was down 18% (3,459 vehicles) from last year along with a decrease in passengers of 24.24% (11,518 passengers) as compared to the same month in 2002. Still, passenger traffic was the 7th highest in the last fifteen years.

Schedule: Beginning April 6, there will be earlier departures out of Cape May, NJ, (7:30 A.M.) and later departures out of Lewes, DE, (7:45 P.M.). Our goal is to respond to our customer's requests for earlier and later departures and to improve vessel efficiencies in the off-season in order to reduce operating costs overall. The new schedule is now "clickable" on the Internet and is color coded for easier viewing. Distribution of the new schedules is already underway.

Vessels: The underwater inspection of the MV Delaware was completed this month and USCG and ABS will recommend no drydocking necessary. The vessel proceeded five miles offshore where the four-hour dive took place. There are some minor dings in the propeller but nothing else of significance was found. This effort saved the Authority a substantial amount of money. The next vessel up is the MV Cape May and her inspection will begin before the end of the month.

Dock #2, Cape May Terminal: Repair of the #2 dock is complete and is being utilized by the operating vessels. A great job was done by all those involved in this three-month project.

Events: Already we have 26 special events booked for 2003. We have the Horseshoe Crab Festival in Cape May on May 24, with about 3,000 attending, the July 3, fireworks with about 6,000 attending, and on Sept. 13, World Team Sports will be returning with approximately 1,200 bicyclists and 60 support vehicles who are riding in memory of 9-11 from New York to Washington, D.C.. Also, we have booked six wedding receptions to date at the Sunset Lounge.

Without objection, the Cape May-Lewes Ferry Report was ordered filed with the permanent records of the Authority.

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8838. POLICE DIVISION REPORT: The Executive Director presented the following Police Report:

April 4, 2003

Mr. James Johnson
Executive Director
Delaware River and Bay Authority
P. O. Box 71
New Castle, Delaware 19720

Dear Mr. Johnson:

A summary of activities and projects during the month of March, 2003, for the Delaware River and Bay Authority Police Department is as follows:

Projects

Incident Contact Chart

The Police Staff worked jointly with other Authority departments to create an Incident Contact Notification System. The purpose of this system is to assure that appropriate officials are promptly notified of all emergencies or unusual incidents. Our proposal was approved by the Chief Operations Officer and is now in effect.

Enforcement Activity

The Police Department has resumed high visibility traffic enforcement in the toll plaza. These activities had been suspended due to the recent inclement weather and poor road conditions.

Threat Level Change

The Federal Homeland Security Advisory System (HSAS) was raised to high (orange) from elevated (yellow) on 3/17/03. As a result, the Authority reviewed its security status.

After considering available information and recommendations, all Authority managers and supervisors were instructed to increase protective measures within their respective work areas. Personnel at the Delaware Memorial Bridge (DMB) upgraded their security status from threat Level I to Threat Level II, as defined in the DMB Threat Response Plan. The DMB Cafeteria will remain open to the public for breakfast and lunch. Ferry and airport personnel were provided specific security guidelines by their respective department head. These guidelines follow the DMB Threat Response Level II requirements as closely as possible. The Police Administrator and Director of Bridge Operations were authorized to make minor adjustments to the Threat Level II response consistent with current risk assessment and available resources. Employees have been instructed to report all unusual or suspicious activity, while at work, to the nearest DRBA Police Troop. All employees were asked to remain alert to the possibility of terrorist acts and take reasonable precautions as they conduct their daily activities.

800 MHZ Radio

Police Patrol Operations at the DMB transitioned to the new 800 MHz radio system during the past week and is fully operational at that troop. Training and issuing of radio equipment to police officers assigned to the CMLF is nearly complete and will be operational in a few days.

Lieutenant (Counter-Terrorism Coordinator) Promotional Process

On Thursday, 3/27/03, four (4) candidates for the Counter-terrorism Coordinator's position (Police Lieutenant) were interviewed by a promotional board comprised of Glenn Cox, Joe Bryant and John McCarnan. Linda Murphy was also present and served as the Human Resource Representative and panel monitor. Scoring sheets were submitted to Linda and she has combined these scores with the results of the written examination portion of the selection process to determine a final grade and ranking. A certified promotional list has been prepared by the Human Resources Department and a promotional recommendation will be made to the Chief Operations Officer within a few days.

Other Police Incidents

On 3/12/03 at 1840 hours, employees of H and F Powerwashing presented their identification prior to starting work at the Terminal Restaurant. A background check revealed that one male employee had three (3) outstanding warrants, as follows: assault 2nd, aggravated menacing, and a family court capias. He was taken into custody by M/Cpl. Reinhart and was remanded to Sussex County Institution in lieu of posting \$40,000 cash bail.

On 3/13/03 at 2058 hours, Pfc. Marchese responded to the toll plaza for a subject with no funds. The 25 year old male motorist from New Castle, Delaware appeared nervous and consented to a search

of his vehicle. As a result of the search, 60 small baggies containing approximately 74 grams of marijuana, 1 prescription bottle containing 9 Ceftin tablets, and 41 baggies for marijuana packaging were located in a backpack behind the driver's seat. The items were valued at approximately \$333. The defendant was charged with possession of marijuana with intent to distribute, maintaining a vehicle for the delivery of controlled substances, possession of drug paraphernalia, and possession of non-controlled prescription drug. The defendant was transported to JP Court #11 and released on \$5,000 bond.

On 3/18/03 at 0030 hours, Ptl. Hawkins stopped a vehicle for a traffic violation on I-295 and Route 13. The 36 year old male driver from Wilmington, Delaware, smelled strongly of an alcoholic beverage. A pat down revealed 1.75 grams of marijuana in the driver's front pants pocket. A search of the vehicle revealed 14.7 grams of cocaine under the driver's side seat. The defendant was charged with driving under the influence, possession of marijuana and trafficking cocaine. He was committed to Gander Hill Prison in lieu of posting \$11,000 secured bond.

On 4/2/03 at 2140 hrs., Ptl. Furman stopped a vehicle for a traffic violation on Route 9 at Memorial Drive. The 38 year old male from New Castle smelled of an alcoholic beverage and was asked to perform field tests. The driver passed the field tests and was asked to get back into his vehicle. At that time, Ptl. Furman noticed two empty plastic baggies in the driver's ash tray. Ptl. Furman gained a consent a search and found one (1) prescription bottle on the rear passenger side floor containing seven (7) baggies of cocaine weighing 2.9 grams, a second bottle containing Ambien and Diazepam, and a digital scale. The defendant was charged with maintaining a vehicle, drugs not in original container, possession of schedule II narcotic substance, possession of drug paraphernalia, and unsafe lane change.

Statistical Summary

| Enforcement/Activity | March 2002 | March 2003 |
|-----------------------------|-------------------|-------------------|
| Traffic Summons | 666 | 569 |
| Criminal Arrests | 1 | 6 |
| Traffic Accidents | 20 | 25 |
| Traffic Reprimands | 777 | 919 |

| Aid to Motorists | March 2002 | March 2003 |
|-------------------------|-------------------|-------------------|
| Disabled Vehicles | 163 | 156 |
| Public Assists | 73 | 48 |
| Medical Assists | 6 | 6 |
| Acrophobiacs | 18 | 12 |

Sincerely,

Col. John R. McCarnan
Police Administrator

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

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8839. ADMINISTRATION - FINANCE DIVISION REPORT: The Executive Director presented the following monthly report of the activities of the Finance Division.

April 7, 2003

Mr. James T. Johnson, Jr.
Executive Director
Delaware River & Bay Authority
P.O. Box 71
New Castle, DE 19720

Dear Mr. Johnson:

The following is a report of activities by the Finance Division for the month of March 2003 aside from normal accounting routines and procedures which take place on a daily basis.

OLD ISSUES/PROJECTS ACTIVITIES

- Monitored Authority operating revenues versus projected for Fiscal Year 2003. February monthly revenues were \$4,824,909 or 14.4% under projected and 11.6% under actual Fiscal Year 2002. Year to date revenues are \$10,463,536 or 10.8% of the total projected revenues for Fiscal Year 2003.
- Monitored Authority operating expenses versus budget for Fiscal Year 2003. March monthly expenditures were \$4,053,792 and 1.7% under actual Fiscal Year 2002. First quarter to date expenditures are \$12,495,807 or 91.2% of the quarter projected and year to date expenditures are \$12,495,807 or 20.3% of the total approved operating budget.

NEW ISSUES/PROJECTS ACTIVITIES

- Met with a representative from Liberty Mutual Insurance Group to review the Authority's 2003 Workers Compensation coverage and premiums. Reviewed with the auditor, general operations at each Authority facility and their 2002 actual payroll by job classification and location code. Liberty Mutual assumed responsibility as the Authority's workers' compensation insurer effective January 1, 2003. The Authority's previous insurer, PMA Insurance Group, had provided this service since 1998.
- Met, along with Budget Director, the regional energy manager for Pepco Energy Services as a follow up to learn more about the upcoming deregulation in the New Jersey electricity markets.
- Continue to work with our auditing firm, Bowman and Company, on the 2002 Annual Audit. Final steps to complete fieldwork were accomplished with fixed asset testing and federal grant testing. Staff has begun to develop draft preliminary financial statements with associated notes and schedules for review by Bowman. We anticipate draft financial reports by the end of April.
- Met, along with the Budget Director, the Regional Business Developer for Constellation Energy Source to discuss electricity procurement services in connection with the upcoming deregulation in the State of New Jersey. Constellation provides a range of services within the energy field, including facility improvements, energy management and payment services, energy consultation and design/build services.
- Made arrangements with the Institute of Internal Auditors to conduct a course in Audit Committee Training on April 14, 2003. This training is intended for the Commissioners and Executive Staff. Prepared and forwarded financial and operational information on the Authority to assist the instructor in preparation for the training.

- Finalized policies and procedures to report payments made to Authority vendors as miscellaneous income as defined under IRS regulations. Distributed and received current W-9 forms from vendors who qualify under IRS guidelines.

Sincerely,

Joseph Larotonda
Controller

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

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8840. ADMINISTRATION - ENGINEERING DIVISION: The Executive Director presented the following monthly report of the activities of the Engineering Division.

April 4, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River and Bay Authority
P.O. Box 71
New Castle, Delaware 19720

Dear Mr. Johnson:

The below report summarizes activities, issues and project status significant to the Engineering Department during March 2003.

1. Cape May-Lewes Ferry (CMLF) System Activities:

a. Cape May Pier Repair: Work was completed on March 12th and both slips are now back in operation. Final cost was approximately \$1.75 million. The contract will be formally closed out at the April Board meeting.

b. Contract CMLF-02-07, Provide/Install Ferry Vessel Radar Sets: The bid opening was February 20th in which three firms submitted proposals. Proposal and sample radar set evaluation is now complete. The plan is to make an award recommendation at the April Board meeting.

c. Contract CMLF-02-01, Dike Repair and Bank Stabilization, Cape May: A portion of the dike containment wall surrounding the dredge disposal site requires corrective action. This project also includes the stabilization of the eroding southern bank of the terminal complex. Construction started mid-March and is in full swing. All work is scheduled to be done by Memorial Day weekend.

2. Delaware Memorial Bridge (DMB) and Approach Roads Activities:

a. Delaware Approach Roads Improvements (Phase II): Work on this phase is approximately 50% complete. Work continues primarily with ramp reconstruction, high mast lighting installation, and the construction of the new Bridge 12. The Bridge 12 portion of the project is 50% complete. The project will likely finish up in late August.

b. Contract No. DMB-01-06, Electrical Systems Rehabilitation: The bid opening was February 25th in which six (6) firms submitted bids. All bids are being evaluated. The low bidder did make a request to withdraw their bid. That request is being evaluated. The work primarily involves the upgrade and replacement of the original electrical infrastructure for the DMB with a new 12,000 volt loop feeder system that will provide the Authority with a redundant power supply. This work also includes permanent security lighting. The plan is to make a contract award recommendation at the April Board meeting.

c. Contract No. DMB-01-03, Steel Repairs and Safety Features: Work includes such items as new access ladders, handrails, and working platforms for maintenance forces to have better and safer access to bridge areas. Work started in October 2002 and is now 25% complete. All work is scheduled to be complete in December 2003.

3. Airport Activities:

a. Hangar Demolition (Delaware Airpark): On February 18th, the roof of the maintenance hangar that is connected to the terminal building collapsed under a snow load. Demolition and clean-up work began March 10th and is now finished with the exception of the beacon re-location and some miscellaneous punchlist items. Final costs for this project will be in the \$60,000 to \$65,000 range.

b. Corporate Hangar Development (New Castle Airport): Work is now 95% complete on Hangars #9 and 90% complete on Hangar #10. The plan is to substantially complete Hangar #9 by May 1st and Hangar #10 by June 1st.

c. Corporate Hangar Development (Millville Airport): Work on Hangar #1 is now complete with the facility being fully utilized by the tenant, Air Castle. The last two items of work (installation of an overhead utility crane and parking canopy) are now complete. The contract will be formally closed out at the April Board meeting. Work on Hangar #2 is now 60% complete. Steel erection, siding and roofing activities are now substantially complete. All work is scheduled to be complete by December 2003.

4. Wilmington Riverfront Restaurant Development: Design for the tenant "fit-out" portion of the project was completed in February and documents provided to contractors for bidding purposes in early March. Subcontractor bids have been received by the construction manager and costs are in-line with the budget. Late March meetings with the tenant to review project costs and schedule went well. The intent is to start construction mobilization activities April 7th. The schedule calls for the project to be substantially complete by mid-October.

Very Respectfully,

John R. Jones, P.E.
Director of Engineering

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

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8841. ADMINISTRATION - MANAGEMENT INFORMATION SERVICES REPORT. The Executive Director presented the following monthly report on the activities of the Management Information Services Division.

May 9, 2003

Mr. James T. Johnson, Jr.
Executive Director
Delaware River & Bay Authority
P.O. Box 71
New Castle, DE 19720

Dear Mr. Johnson:

Apart from routine operations, listed below are the major activities of the Management Information Services Division for the month of March 2003.

Old Issues/Project(s) Activities:

- **Toll Collection System/CSC:** On March 27th, a meeting was held with ACS to discuss contract closeout for the Toll Collection System (DMB-00-007). The DRBA and ACS agreed upon the scope of work required to be completed prior to release of the bonds and entering into the first year warranty. I am working with ACS on the transition.

On Thursday March 6th, a conference call was held between ACS and the DRBA on the implementation of the E-ZPass signs. The focus of the call was to discuss the modes of lane operations pertaining to the sign interfaces. ACS agreed to correct the design to incorporate the “Cash Only” display in a manual lane mode. The scheduled delivery date for the signs is April 16th. This modification should be completed upon receipt.

During March, SSI continued work on the Toll Management System with biweekly onsite visits. Development progressed on the plaza to host interface, the Cummings Allison deposit interface, and violation processing for the non-8 states. During active testing, problems were uncovered and corrected with shift one postings and the collector reconciliation reports. Testing and development will continue into April.

- **IT Consulting Services Contract:** During March work continued to progress on the IT Consulting Services Contract. Biweekly status meetings were held with Info Systems to review the budget and project plan. A meeting was held on March 7th to present and review the Network Assessment and the Network Security Assessment. In addition, meetings were held on March 14th to discuss the development of proposal to assess the need and requirements for enterprise data storage and on March 26th to review the proposal for Info Systems to perform a software assessment for the Delaware River and Bay Authority. Delivery of the IT Strategic Plan is scheduled for the end of April.
- **E-ZPass Interagency Group:** Throughout March, I was a participant in weekly reciprocity conference calls to discuss the transition of the Regional Consortium from JPMorgan Chase, as their service center operator, to Affiliated Computer Systems (ACS). Simultaneously, the Delaware Department of Transportation (DelDOT) was preparing to implement the first phase of the separation from the Regional Consortium with the independent processing of transactions at their toll plazas. Much co-ordination and planning was required from the E-ZPass toll agencies and service providers to meet the proposed transition date. All requirements were met and on March 25th, New Jersey began processing transactions under ACS and DelDOT successfully began processing transactions under agency code 019.
- **Frame Relay:** During March, the MIS Department worked on the final phase of the frame relay implementation. This major portion of this phase was to bring the Millville Airport up on the Delaware River and Bay Authority wide area network. The networking equipment and circuits were installed and data cabling was run to the specified offices. MIS is currently working on configuring the desktop units and setting of the Internet.

New Issues/Project(s) Activities:

- **Data Cabling:** As an outcome of the Network and Network Security Assessments, a meeting was held with the Director of Technical Operations to discuss the data cabling at the Delaware River and Bay Authority. Due to outdated cabling, networking issues are resulting and Info Systems recommends that the cabling be replaced prior to any system upgrades or application implementations. I requested that the Director of Technical Operations present an estimate of the cost and time schedule to replace all outdated cabling, label all cabling and prepare the corresponding documentation.
- **Expense Report:** At the request of the Chief Financial Officer and the Budget Director, I worked with SSI to create a report to track all Delaware River and Bay Authority expenditures on a monthly, quarterly and yearly basis. This report will be incorporated in the monthly commission reports.

- **Outlook Web Access:** On Saturday, March 29th, the Microsoft Exchange Server was upgraded and the software for Outlook Web Access was installed. The exchange server is the Authority's electronic mail server and the existing unit did not have enough disk space or memory to handle the load placed on it. Furthermore, Microsoft Outlook Web Access could not be installed on this system. Outlook Web Access will give DRBA staff the capability to check their electronic mail remotely. The MIS Department is currently working on configuring and testing the application.

Very truly yours,

Geraldine DiNicola Owens
Director of MIS

Without objection, the Management Information Services Report was ordered filed with the permanent records of the Authority.

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8842. ADMINISTRATION - PERSONNEL REPORT: The Executive Director presented the following monthly report on the activities of the Personnel Division.

April 4, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River and Bay Authority
P.O. Box 71
New Castle, DE 19720

Dear Mr. Johnson:

The following is a report of major activities of Human Resources for March 2003, aside from the routine daily operations.

- **Recruitment/Job Postings**
Authority Police - Oral interviews for *Counter-terrorism Coordinator (Police Lieutenant)* were conducted March 27, 2003 by a promotional board comprised of Glenn Cox, John McCarnan and Joseph Bryant. The certification list was completed by this office and forwarded to Colonel McCarnan for selection recommendation.

Delaware Memorial Bridge - The selection process for *Stock/Utility Worker (permanent part-time)* in the DMB Café was completed during the month. Four (4) candidates were tested and interviewed on March 20, 2003. The certification list was completed and forwarded to Curtis Esposito, Director of Bridge Operations, for selection recommendation.

Cape May-Lewes Ferry - Internal recruitment notices were posted for the following position vacancies in the Marine Department: *3rd Assistant Engineer (Lewes)* and permanent part-time *Ordinary Seaman/LB (Cape May)*. These vacancies have been posted on the DRBA website and will be advertised locally and in marine industry publications.

- **Education & Training** - Orientation training has commenced at both the bridge and ferry locations. Approximately 61 employees have participated in either the new or returning hire programs. These training programs are designed to familiarize employees with Authority operations, policies and procedures, customer service and safety.

Leadership for Results training program is underway at the Cape May site. Participants will be provided an opportunity to enhance skills and abilities in the areas of leadership, performance management, navigating change, goals & priorities, recognition, and teamwork. This five-week intensive program, equivalent to *Frontline Leadership* offered by the State of Delaware, is being presented by certified Authority instructors.

- **Benefits** - The Human Resources Department released a schedule of events to employees related to the Early Retirement Option. Key dates include:

April 14 -30 Communication plan with directors, managers and supervisors
 May Staff due diligence in preparation for eligible communications
 June 13 - July 28 Retirement election period/Targeted communications with eligibles
 July 29 - August 7 Repeal period
 September 14 Retirement date

Continuing with the series of communications with Authority employees, the Human Resources staff will distribute the 2003 Annual Total Compensation Statements. The statements are a vital piece of communication that reinforces the value of Authority provided benefits and compensation.

- **Retirement** - Anna M. Erhart, Clerk-Typist, Engineering Department, retired March 28, 2003 after ten (10) years of service with the Authority.

Respectfully submitted,

Linda H. Murphy
 Director of Human Resources

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DELAWARE RIVER AND BAY AUTHORITY
 PERSONNEL STATUS
 AS OF APRIL 4, 2003

| <u>PERMANENT FULL-TIME PERSONNEL</u> | <u>AUTHORIZED POSITIONS</u> | <u>FILLED POSITIONS</u> |
|--------------------------------------|-----------------------------|-------------------------|
| Authority Administration | 67 | 62 |
| Delaware Memorial Bridge | 155 | 152 |
| Cape May-Lewes Ferry | 158 | 152 |
| Food Service/Retail | 25 | 23 |
| Authority Police | 75 | 75 |
| Airports Division | 42 | 41 |
| TOTAL | 522 | 505 |

| <u>PERMANENT PART-TIME PERSONNEL</u> | <u>AUTHORIZED POSITIONS</u> | <u>FILLED POSITIONS</u> |
|--------------------------------------|-----------------------------|-------------------------|
| Delaware Memorial Bridge | 6 | 5 |
| Cape May-Lewes Ferry | 10 | 6 |
| Food Service/Retail | 13 | 12 |
| Authority Police | 1 | 1 |

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|-------------------|----|----|
| Airports Division | 2 | 1 |
| TOTAL | 32 | 25 |

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

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8843. AIRPORTS DIVISION REPORT: The Executive Director presented the following Airports Division Report.

April 3, 2003

Mr. James T. Johnson, Jr. Executive Director
Delaware River & Bay Authority
P.O. Box 71
New Castle, DE 19720

Dear Mr. Johnson:

A brief summary of Airports Division March events follows:

All Airports:

Airport operations and maintenance personnel attended a two day FAA Conference in Hershey PA on 12 and 13 March. During the conference, airport officials met with FAA Harrisburg Airport District Office representatives to discuss FY 03 and 04 federal funding plans for projects at DRBA Delaware airports.

New Castle Airport (NCA): Airport officials met several times during the month with local emergency services representatives to finalize plans for the FAA mandated Emergency Drill scheduled to take place in June, 2003. On the Maintenance side, personnel added fencing for an operational holding area for large delivery trucks as well as conduits for security cameras on the public aircraft ramp behind the terminal. The grounds crew is also busy repairing plow damage and ruts on the airfield from the harsh winter of 2002-03.

Fleet change-over has begun with the plows and sanders being removed and the mowers placed in service. The Airport Operations Manager accompanied DNREC officials on an annual inspection of the oil/water separator and containment system in the Midfield and East Corporate Ramp Hangars. He also provided information to the New Castle County Planning and Engineering Division on county plans to replace active underground storage tanks with above ground tanks on property adjacent to the airport.

Millville Airport (MIV): Airport Operations and Maintenance Managers met in Millville on Wednesday 5 March to review snow removal operations procedures, personnel requirements and resource needs in light of last month's extreme snow conditions. On Friday, 7 March, the Airports Director met with a New Jersey based investor to discuss potential hangar development at Millville adjacent to the existing Air Castle and Multi-tenant facilities. On Saturday, March 8th, airport officials met with Air Show organizers to review crowd safety and access issues for the Blue Angels Air Show scheduled to take place May 17th and 18th. Throughout the month, airport personnel continued airfield preparation for the show. NJ DOC supplied personnel to help clear brush and trees for a new access road to be used by buses bringing people into the air show. Local county and DRBA maintenance personnel worked together to grade the road and clear debris. Congressman LoBiondo held a press conference on March 24th to announce the award of FAA funds to construct an airport security fence. The Airport staff is coordinating with consultants and contractors on the design and location of the fence.

Cape May Airport (CMA): Three non-flying transport aircraft owned by Penn Turbo, an aircraft modification firm, were vandalized in mid-March. DRBA police and local authorities investigated the incident. NJ DOT Division of Aeronautics conducted a facilities safety inspection of the airport and awarded the airport an overall satisfactory rating. Maintenance personnel continued to work on routine maintenance around the airport. Operations conducted Storm Water Pollution Prevention Program (SWPPP) inspections. The FAA installed a new CPU for the Automated Weather Observation System (AWOS).

Dover AFB Civil Air Terminal (CAT) - Delaware Air Park (DAP): Civil Air Terminal staff have been busy preparing for May/June NASCAR Race. The request for aircraft overflow parking onto Dover AFB has been granted. Staff attended the Air Force Quarterly airfield operations board meeting and briefed Air Force officials on NASCAR. Arrivals for the month of March included Dover Downs Motorsports and executive charter operations. Local police were notified when a car-jacked truck destroyed and penetrated the Civil Air Terminal's entrance gate. Work crews quickly installed temporary fencing to secure the perimeter. At Delaware Airpark, contractor George & Lynch demolished the maintenance hangar damaged in a February snowstorm. Airports' staff reviewed this year's CIP projects for Delaware Airpark with engineering staff. To show an increased security presence, Delaware State Police have begun patrolling the airport during nighttime hours. The Delaware State Historic Preservation Office and archeologists from John Milner and Associates finalized the scope of work of the archeological study portion of the airport's environmental assessment plan. Fuel sales and flight operations have returned to normal levels with improved weather conditions.

Sincerely,

Rocco Tomanelli
Airports Director

Without objection, the Airports Division Report was ordered filed with the permanent records of the Authority.

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8844. COMMITTEE REPORT - BUDGET & FINANCE: Commissioner Derrickson presented the following minutes of the Budget & Finance Committee Meeting held on April 1, 2003:

- I Chairperson Derrickson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:07 a.m.
- II Staff presented the Community Contributions Memo dated March 10, 2003 which reflected the approved Community Contributions for January and February; however, none of these requests have been processed and released. Commissioners from both States will meet to discuss how each State will disburse the contributions as well as discuss an additional request presented today from Delaware Technical and Community College. After the States come to an agreement as to how the disbursements will be made within each State, a Resolution will be presented for full Board consideration.
- III Staff reviewed the bids received for the Cape May Bus Service. Two bids were received and evaluated. It was reported that one bid was rejected due to technical omissions in their bid package. The Committee discussed the rejected bid and Staff provided the necessary information. Staff recommended awarding the contract to Lyons Tours. On motion by Commissioner Patterson, seconded by Commissioner McWilliams, the Committee recommended awarding the 2003 Cape May Bus Service contract to Lyons Tours, with three one-year extensions to be negotiated by the Executive Director.
- IV Staff provided the following updates.

- The on-site Commissioners' Audit Committee Training will be held on April 14th, from 9:30 a.m. - 4:30 p.m. This training is provided to all Commissioners as well as the Leadership Team and selected staff.
- Staff reported that Conectiv has terminated its land purchase transaction with a potential buyer and has elected to purchase the land. This transaction will be under the same terms and conditions proposed in the other land transaction; however, Conectiv will be the purchasing the land instead.
- Staff reported that the previous 1980 Delaware Bay Bridge Tunnel Study had been reviewed and concluded that a Bridge-Tunnel across the Delaware Bay was not warranted. Staff recommended that a review of this alternative crossing facility be incorporated into the Ferry's upcoming study on alternative modes of transportation. The Committee concurred with this recommendation. The Committee also recommended that the Executive Director respond, in writing, to the recent inquiries from the Delaware Legislature requesting that the Delaware River and Bay Authority conduct a study.
- The Executive Director reported on the progress of the Early Retirement Opportunity. Correspondence has been sent to all employees indicating a general time table of June 13 through July 28 for eligible employees to elect the opportunity, with the effective retirement date of September 13th. Staff will begin to meet with Directors, Managers, and Supervisors as part of the communications plan. Mercer Human Resources has been retained to prepare employee packages. Staff will continue to update the Committee as necessary.

V Miscellaneous:

Delaware Air Park:

Commissioner Patterson reported that Delaware State University will be installing a new President on July 1, 2003 and the Authority may want to delay decisions pertaining to the Delaware Air Park until the new President has the opportunity to review their Aerospace Education program. The University currently has single engine aircraft parked at the Delaware Air Park and their possible program expansion could include dual engine aircraft requiring hangar space. The University's review may involve a possible expansion of that program and could impact the proposed replacement of the hangar which was demolished due to the collapse from February's snow storm. The Committee concurred with the recommendation.

There being no further business before the Committee, the meeting was adjourned at 9:37 a.m.

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8845. COMMITTEE REPORT - PROJECTS: Commissioner Hensley presented the following minutes of the Projects Committee Meeting that was held on April 1, 2003:

- I The Projects Committee meeting convened at approximately 10:30 a.m.. The Director of Engineering provided those in attendance with an information package consisting primarily of an agenda, contract award/close-out information and the monthly contractor payment chart.
- II Award Actions: The Director of Engineering reported the following award recommendations for the month of April:
 - Contract DMB-01-06, Electrical Systems Rehabilitation, Delaware Memorial Bridge: The bid opening for this project was February 25th. The low bidder, The Chappy Corporation ("Chappy") requested that their bid be withdrawn based on the Cappy bid containing material errors. John Jones along with Authority Counsel (DE), Michael Houghton, met with the Chappy President, Chief Estimator and their counsel in order for Chappy to present their case. Based on this meeting and Authority procurement policies, both John Jones and Mike Houghton recommended that the Authority allow the bid to be withdrawn but with penalty. The penalty would consist of forfeiture of the \$40,000 cashier's check that Chappy submitted as a Proposal Guaranty at the time

of the bid. Preliminary indications are that Chappy would accept this penalty providing this action was final. The Projects Committee agreed with the recommendation and directed that a letter be sent to Chappy finalizing the action. The Director of Engineering, with the advice of Counsel, then made the recommendation to award this contract to the next lowest bidder, Philips Brothers Electrical Contractors, Inc. (“Philips Brothers”). John Jones indicated that the Phillips Brothers bid is responsive, that all reference checks have proved to be outstanding, and that their bid was below the budgeted amount and engineer’s estimate. There was a discussion regarding the option to reject all bids versus award to second lowest bidder. Sam Lathem indicated that he would like to see all bids rejected. The Projects Committee voted and concurred with the recommendation of both the Director of Engineering and DE Counsel to award to the second lowest bidder (Philips Brothers) and authorized the action to be presented at the April Board meeting for award.

- Ferry Vessel Radar Replacement: John Jones and Brian McEwing (Port Captain) briefed the Projects Committee regarding this procurement action. Brian McEwing reported that the analysis of proposals and evaluations of sample radar sets from all firms is now complete. Sperry Marine is the low bidder and had the best scores regarding radar set evaluation. Brian McEwing recommended that the contract be awarded to Sperry Marine and that only Add Alternate (AA) items #1, 2, 3, and 5 be awarded. AA #4 is not needed because it is a subset of AA #5. It was also determined that the bid submitted by Radio Holland USA was non-responsive because the firm failed to provide a price for AA #5. Brian McEwing did indicate that once the contract is awarded, a modification to the contract would be needed in the amount of \$32,373.00 to more fully address the needs of this initiative. Bid prices were below the capital budgeted amount. The Projects Committee supported the recommendation and directed that it be presented at the April Board meeting for award.

III Contract Close-Out Actions: The Director of Engineering recommended that Contract CMLF-02-04, Emergency Bulkhead Repairs, Cape May Terminal be closed. Final contract price is \$1,746,533.59. The Director of Engineering also recommended that Contract MVA-01-01, Aviation Hangar #1, Millville Airport be closed. Final contract price is \$6,494,661.72. The Projects Committee concurred with both recommended close-out actions.

IV Miscellaneous On-going Actions:

- Riverfront Restaurant Project: It was reported that design is complete and documents were provided to contractors for bidding purposes in early March. Subcontractor bids have been received by the construction manager (EDiS) and costs are in-line with the budget. Late March meetings with the tenant to review project costs and schedule went well. The intent is to start construction mobilization activities April 7th. The schedule calls for the project to be substantially complete by mid-October.
- Hangar Demolition (Delaware Airpark): John Jones reported that demolition and clean-up work that began March 10th is now finished with the exception of the beacon re-location and some miscellaneous punchlist items. Final costs for this project will be in the \$60,000 to \$65,000 range.
- DRBA/DNREC Sand Sedimentation Study Update: This study will look at the effects of sand/silt deposits in and around the Lewes ferry turning basin and possible impacts to ferry operations. Proposals were received and interviews conducted with four “shortlisted” firms. A firm was designated first. Once a cost proposal is received, discussions will take place to finalize cost. The Authority cost share for this study is expected to be less than \$25,000.
- DEMA Building: John Jones reported that the repairs to the DEMA Building are now substantially complete. The Projects Committee received a project close-out summary. Although costs are not yet finalized, it was reported that repair costs are in the \$166,000 range (versus the estimated \$175,000).

- Bancroft Construction Company (BCC) Request: Steve Mockbee, BCC President requested the Authority pay \$120,635.00 regarding the installation of a security system in the DEMA Building. This work was done via a contract with the tenant (Cytometrics) and not with the Authority. When the tenant went bankrupt, BCC did not receive payment. It was reported that a large part of the security system was sold during the bankruptcy proceedings. It was also reported that the previous Executive Director indicated that he would do all he could to remedy the situation. Based on that, Mr Mockbee indicated that he did not place a lien on the property. After the presentation and subsequent discussion, it was determined that the request for payment by BCC would not be honored. The Projects Committee asked John Jones to convey the decision to BCC.

V Contractor Payment Review (thru March): The Director of Engineering provided the Committee with a March summation of payments that will be paid towards active construction contracts in April.

There being no further business for the Projects Committee, the meeting was adjourned at approximately 11:40 p.m..

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8846. COMMITTEE REPORT - ECONOMIC DEVELOPMENT:

Commissioner Bennett presented the following minutes of the Economic Development Committee Meeting held on April 1, 2003:

- I Committee Chair Bennett welcomed the Economic Development Committee and opened the meeting at approximately 1:05 p.m. The Deputy Director welcomed and introduced Rev. Dorn to the Committee. Rev. Dorn will be sworn in as a New Jersey Commissioner at the April Authority meeting.
- II Staff updated the Committee on the historical background of the Garden State Ethanol Project (GSE) and the Authority's due diligence process. GSE has requested \$8M in Authority funds for this project. Although in a recent meeting with representatives from GSE, various New Jersey governmental officials, and Authority Staff, requests were made for the Authority to invest funds early on in this project, Staff has made no commitment of Authority funds at this time. The Authority has structured a proposal with several terms and conditions that are necessary to be met before any DRBA funds would be expended on this project. One of the conditions to be met is for GSE to have all permitting approved and in place, which is estimated to take at least twelve months to accomplish. Also reported, as part of the due diligence process, the Authority has spent \$15,000 for an appraisal of the property and currently awaiting an environmental file review from Hudson Engineering. Staff reported that no action by the Committee is required at this time and Staff will continue to update the Committee as necessary. Staff was directed by the Committee to keep them informed of any future expenditures on this project.
- III Staff updated the Committee on interest in the DEMA/former Cytometrics Building located at the New Castle Airport. It was reported that a Request for Proposals for purchase and/or lease of the building has been drafted and will be advertised in all local newspapers. The Committee discussed the necessity of an utilizing an RFP vs direct negotiations with the interested parties. After discussion, the Committee recommended utilizing an RFP with responses due by April 14, 2003. Staff will report back to the Committee.
- IV Staff reported proposals had been received in response to the recent Request for Proposal for Marketing, Commercial Real Estate and Property Management. The four-person panel reviewed and scored all proposals and interviews will be scheduled with the selected short-listed firms. Staff will present a recommendation at the next Committee meeting.

- V Staff reported that “Animal Outreach” has approached the Authority about the possibility of leasing property at the Cape May Airport for an animal shelter. Staff is currently waiting for results from an appraisal of the property and will investigate the Authority’s options. Staff will report back to the Committee as necessary.
- VI Staff updated the Committee on a request from a former tenant, who defaulted on their lease and vacated the property, to purchase the building that they had previously been leasing and vacated, defaulting on their lease. Staff will negotiate the with the former tenant; however, the Authority will still take steps to recover its losses from the default. The Committee concurred with Staff’s recommendation.
- VII Commissioner Patterson requested an update on hangar space and prospective tenants at the New Castle Airport. Staff reported that negotiations are continuing. The Chief Operations Officer also reported that correspondence has been sent to all airport tenants requiring up-to-date insurance documents as well as executed lease documents.

There being no further business before the Committee, the meeting was adjourned at approximately 1:55 p.m.

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8847. COMMITTEE REPORT - PERSONNEL & INSURANCE:

Commissioner Pessagno presented the following minutes of the Personnel and Insurance Committee Meeting held on April 1, 2003:

- I Chairperson Pessagno welcomed the Personnel and Insurance Committee and opened the meeting at 2:30 p.m.
- II Executive Director Jim Johnson discussed the status of the ERO. A March 28, 2003 memorandum was sent to all employees by Trudy Spence-Parker providing details/timeline for the ERO. The timeline was discussed with the Committee.
- III Commissioner Koebig asked about the Town Hall meetings. Staff provided their feedback from these meetings. Approximately 300-350 employees attended the ten (10) meetings that were held between March 12 and 20, 2003. The Town Hall meetings provided employees with an update on Authority matters, an introduction of Trudy Spence Parker and Jim Walls – our newest Team members and the status of the ERO.

There being no further business before the Committee, the meeting was adjourned at 3:05 p.m.

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8848. DELAWARE RIVER AND BAY AUTHORITY - TRAFFIC AND REVENUE SUMMARY: The Executive Director 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.

Without objections, the chart were ordered filed with the permanent records of the Authority.

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8849. DELAWARE RIVER AND BAY AUTHORITY -STATEMENT OF INCOME AND EXPENSE: The Executive Director presented a chart showing a statement of income and expenses with comparisons to the same period last year.

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

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8850. DELAWARE RIVER AND BAY AUTHORITY - OPERATING EXPENSE BY DIVISION: The Executive Director presented a chart expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

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

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8851. DELAWARE RIVER AND BAY AUTHORITY - CAPITAL IMPROVEMENT PROGRAM: The Executive Director presented a chart 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 were ordered filed with the permanent records of the Authority.

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8852. DELAWARE RIVER AND BAY AUTHORITY - CASH POSITION (MARKET VALUE) AS OF JANUARY 31, 2003: The Executive Director 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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8853. APPROVAL OF FINAL PAYMENT OF CONTRACT NO. CMLF-02-04, EMERGENCY BULKHEAD REPAIRS, CAPE MAY TERMINAL, CAPE MAY, NEW JERSEY: The Executive Director presented the following letter:

April 1, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River and Bay Authority
Post Office Box 71
New Castle, Delaware 19720

RE: Contract No. CMLF-02-04
Emergency Bulkhead Repairs - Cape May
Cape May-Lewes Ferry

Dear Mr. Johnson:

On December 4, 2002, Contract No. CMLF-02-04, Emergency Bulkhead Repairs - Cape May, was awarded to Commerce Construction Corp. of Bridgeport, New Jersey for the bid price of \$1,746,533.59.

There were no change orders during the project period.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$1,746,533.59.

Very truly yours,

Dale A. Findlay
Contract Administrator

The Director recommended approval of Final Payment.

On motion by Commissioner Bennett, seconded by Commissioner Patterson, the recommendation of the Director was unanimously approved by a vote of 12-0.

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8854. APPROVAL OF FINAL PAYMENT OF CONTRACT NO. MVA-01-02, AVIATION HANGAR NO. 1, MILLVILLE AIRPORT: The Executive Director presented the following letter:

April 1, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River and Bay Authority
Post Officer Box 71
New Castle, Delaware 19720

RE: Contract No. MVA-01-02
Aviation Hangar No. 1
Millville Airport

Dear Mr. Johnson:

On October 1, 2001, Contract No. MVA-01-02, Aviation Hangar No. 1, was awarded to Stanker and Galetto, Inc. of Vineland, New Jersey for the bid price of \$7,500,000.00.

During the contract period, change order No.'s 1 and 2 were approved for the project.

August 31, 2002 Adjustments in quantities to reflect actual field conditions.
Subtract \$1,005,338.28

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$6,494,661.72.

Very truly yours,

Dale A. Findlay
Contract Administrator

The Executive Director recommended approval of Final Payment.

On motion by Commissioner Derrickson, seconded by Commissioner Bennett, the recommendation of the Executive Director was unanimously approved by a vote of 12-0.

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8855. APPROVAL OF AWARD OF CONTRACT NO. P-02-07, PROVIDE/INSTALL FERRY VESSEL RADAR SETS, CAPE MAY-LEWES FERRY: The Executive Director reported that bids for Contract No. P-02-07, Provide/Install Ferry Vessel Radar Sets, Cape May-Lewes Ferry, were opened on February 20, 2003. The Chairman of the Projects Committee reported that the low bid of \$708,929.00 was submitted by Sperry Marine of Crawford, New Jersey.

The Executive Director recommended that the award of the contract be made to the low bidder noted above.

On motion by Commissioner Derrickson, seconded by Commissioner Bennett, the recommendation of the Executive Director was unanimously approved by a vote of 12-0.

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8856. APPROVAL OF AWARD OF CONTRACT NO. DMB-01-06, ELECTRICAL SYSTEMS REHABILITATION, DELAWARE MEMORIAL BRIDGE. The Executive Director reported that bids for Contract No. DMB-01-06, Electrical Systems Rehabilitation, Delaware Memorial Bridge, were opened on February 25, 2003. The Chairman of the Projects Committee reported that the low bid of \$5,388,785.00 was submitted by The Chappy Corporation of Chelsea, Maryland.

The Director of Engineering, John Jones, reported that The Chappy Corporation was the low bidder, but contacted the Authority to request approval to withdraw it's bid on the basis that it made an error in calculating its bid. Director Jones stated the he met with The Chappy Corporation representative and Authority Counsel, Michael Houghton to discuss the issue. Director Jones and Delaware Counsel agreed to allow The Chappy Corporation to withdraw with a \$40,000 forfeiture to the Authority.

Director Jones recommended award of the Contract to the second lowest bidder, Philips Brothers Electrical Contractors, Inc. of Glenmoore, Pennsylvania in the amount of \$7,086,875.75.

Motion to award Contract No. DMB-01-06 was made by Commissioner Derrickson, seconded by Commissioner Bennett.

After discussion, the motion failed to pass. The vote was as follows: Commissioners Bennett, Cordrey, Derrickson, Hensley, and Patterson voted yes. Commissioners Dorn, Fralinger, Lathem, McWilliams, Pessagno, and Wallace voted no. Commissioner Koebig abstained.

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8857. THE EXECUTIVE DIRECTOR PRESENTED THE FOLLOWING RESOLUTIONS:

RESOLUTION 03-12 - AUTHORIZING THE SALE OF A 2.85 ACRE PARCEL OF LAND OWNED BY THE DELAWARE RIVER AND BAY AUTHORITY.

WHEREAS, The Delaware River & Bay Authority ("the Authority") is the owner of a certain parcel of land located proximate to I-295 and Route 9; and

WHEREAS, the Authority received a written request to purchase this property from a contiguous property owner; and

WHEREAS, the Authority's Policy on Real Property and Tangible Assets Disposition, adopted pursuant to Resolution 03-10, specifically reserves the right to offer any real property to any contiguous property owner for the appraised fair market value; and

WHEREAS, the contiguous property owner is offering to purchase this parcel for the appraised fair market value and is willing to enter into a Purchase and Sale Agreement; and

WHEREAS, the Authority desires to sell the 2.85 acre parcel to Paul Elton LLC for the purchase price of \$400,000; and

WHEREAS, the Authority's Budget and Finance Committee has reviewed, approved and recommends this sale; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to negotiate the terms and conditions of a Purchase and Sale Agreement with Paul Elton LLC for a 2.85 acre parcel located proximate to I-295 and Route 9 for a total purchase price of \$400,000 and have such Agreement, with the advice and consent of Counsel, executed by the Chairperson, Vice-Chairperson and Executive Director.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized and directed to execute the Deed and all other documents necessary to effect the transfer of this property pursuant to this Resolution.

Resolution 03-12 was moved by Commissioner Patterson, seconded by Commissioner Hensley, and was approved by a vote of 12-0.

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RESOLUTION 03-13 - PROVIDING SHUTTLE BUS TRANSPORTATION SERVICE FROM CAPE MAY FERRY TERMINAL TO THE CAPE MAY COUNTY ZOO.

WHEREAS, The Delaware River and Bay Authority (the "Authority"), under its federal interstate authority, advertised and requested proposals for the provision of shuttle bus service to the Cape May County Zoo from the Cape May Ferry terminal; and

WHEREAS, the Authority received one proposal and the staff of the Authority reviewed it for its responsiveness to the RFP, technical qualifications and cost; and

WHEREAS, the proposal submitted by Lion Tours was responsive and met all the technical qualifications and its cost proposal was found to be within reasonable limits; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby authorizes the Executive Director of the Authority to negotiate the terms and conditions of an agreement with Lion Tours to provide shuttle bus service to the Cape May County Zoo for a one year period, an option for a second year and thereafter up to three one-year extensions to be negotiated by the Executive Director and to have such Agreements executed by the Chairperson and Vice Chairperson, and Executive Director at the cost of \$4,536.00 for the 2003 year and \$4,764.00 in the option 2004 year. Thereafter, the DRBA may negotiate up to three one-year extensions of the Agreement with the Carrier subject to negotiations and availability of funds.

Resolution 03-13 was moved by Commissioner Lathem, seconded by Commissioner Koebig, and was approved by a vote of 11-0. Commissioner Pessagano abstained.

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RESOLUTION 03-14 - PROVIDING SHUTTLE BUS TRANSPORTATION SERVICE FROM CAPE MAY FERRY TERMINAL TO DOWNTOWN CAPE MAY.

WHEREAS, The Delaware River and Bay Authority (the "Authority"), under its federal interstate authority, advertised and requested proposals for the provision of shuttle bus service to the Cape May City Transportation Depot from the Cape May Ferry terminal; and

WHEREAS, the Authority received two proposals and the staff of the Authority reviewed them for their responsiveness to the RFP, technical qualifications and cost; and

WHEREAS, one proposal submission was found to be non-responsive to the bid specifications and rated low in the evaluations and, therefore, rejected; and

WHEREAS, the proposal submitted by Lion Tours was responsive and met all the technical qualifications and its cost proposals were found to be within reasonable limits; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby authorizes the Executive Director of the Authority to negotiate the terms and conditions of an agreement with Lion Tours to provide shuttle bus service to the City Depot for a one year period, an option for a second year and thereafter up to three one-year extensions to be negotiated by the Executive Director and to have such Agreements executed by the Chairperson and Vice Chairperson, and Executive Director at a cost of \$67,800.00 for the 2003 year and \$71,200.00 in the option 2004 year. Thereafter, the DRBA may negotiate up to three one-year extensions of the Agreements with the Carrier subject to negotiations and availability of funds.

Resolution 03-14 was moved by Commissioner Lathem, seconded by Commissioner Koebig, and was approved by a vote of 11-0. Commissioner Pessagno abstained.

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RESOLUTION 03-15 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2003.

WHEREAS, The Delaware River and Bay Authority (the "Authority") adopted Resolution 01-84 requiring Commission 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 1/1/03 THROUGH 12/31/03**

| VENDOR | SERVICE DESCRIPTION |
|---------------|----------------------------|
| Gambacorta | Purchase of Dodge Durangos |

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby authorizes expenditures to the above listed vendors for the described purposes and authorizes payment.

Resolution 03-15 was moved by Commissioner Derrickson, seconded by Commissioner McWilliams, and was approved by a vote of 12-0.

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RESOLUTION 03-16 APPROVAL OF COMMUNITY CONTRIBUTION REQUESTS.

WHEREAS, The Delaware River and Bay Authority is a bi-state agency with public crossing facilities and assets in the State of New Jersey and Delaware; and

WHEREAS, the Authority has developed a Community Contributions 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 request; and

WHEREAS; the Budget and Finance Committee met and approved Community Contribution requests for the months of January and February, 2003; and

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby approves the following Community Contribution requests:

Community Contributions

Delaware

| | |
|--|----------|
| American Red Cross of Delmarva Peninsula | \$ 5,000 |
| Delaware Foundation for Science and Math Education | \$ 2,000 |
| The Delaware Center for the Contemporary Arts | \$ 5,000 |
| The Lewes Historical Society | \$ 2,500 |

| | |
|---|------------------|
| Saint Patrick's Center | \$ 2,500 |
| Easter Seal Delaware and Maryland's Eastern Shore | \$ 8,000 |
| Girl Scouts of the Chesapeake Bay | \$ 500 |
| Moms House of Wilmington | \$ 1,000 |
| Opportunity Center | \$ 2,500 |
| Delaware Crime Stoppers | \$ 1,000 |
| Delaware Heritage Commission | \$ 1,000 |
| Good Samaritan Aids Organization | \$ 2,500 |
| Delaware National Guard | \$ 5,000 |
| Buttonwood Civic Association | \$ 10,000 |
| New Castle County Community Partnership | \$ 1,500 |
| Delaware Technical and Community College Owens Campus | \$ 5,000 |
| Meals on Wheels Delaware | \$ 600 |
| Read-Aloud Delaware | \$ 1,000 |
| Williams P. Frank Scholarship Fund | \$ 3,500 |
| Delaware Coalition for Literacy | \$ 500 |
| Christiana Conservancy | \$ 2,000 |
| Total | \$ 62,600 |

New Jersey

| | |
|--|-----------------|
| Atlantic Cape Community College Foundation | \$ 2,500 |
| Boardwalk Basketball Classic | \$ 2,500 |
| Cape Educational Fund | \$ 500 |
| Historic Cold Spring Village | \$ 1,000 |
| American Red Cross of Cape May County | \$ 1,000 |
| Total | \$ 7,500 |

Grand Total (Delaware and New Jersey) \$70,100

Resolution 03-16 was moved by Commissioner Lathem, seconded by Commissioner Derrickson, and was approved by a vote of 11-0. Commissioner Hensley abstained.

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RESOLUTION 03-17 - MODIFICATION OF MEMORANDUM OF LEASE BETWEEN NEW CASTLE COUNTY AND THE DELAWARE RIVER AND BAY AUTHORITY.

WHEREAS, The Delaware River and Bay Authority (the "Authority"), is the operator of the New Castle Airport pursuant to that certain Ground Lease dated June 30, 1995 between New Castle County (the "County") and the Authority, a Memorandum of which was recorded in the Office of the Recorder of Deeds in and for New Castle County to give notice of the existence of the Lease (the "Ground Lease"); and

WHEREAS, in connection with the widening of State Route 141, the Department of Transportation of the State of Delaware ("DelDot") has requested that the County convey to the State of Delaware two parcels of land, one consisting of approximately 0.0935 acres and the other consisting of approximately 0.0285 acres (collectively, the "Parcels"), which land is leased to the Authority pursuant to the Ground Lease; and

WHEREAS, the Parcels are currently vacant, are essentially unusable, and the Authority has no plans for the development or sublease of the Parcels; and

WHEREAS, the Authority has obtained all approvals from the Federal Aviation Administration ("FAA") necessary for the release of the Parcels from the Airport and all necessary assurances from DelDot that it shall comply with all FAA requirements;

WHEREAS, the County has entered into a Purchase Contract with DelDot, dated October 18, 2002 in connection with the conveyance of the Parcels to the State of Delaware; and

WHEREAS, in connection with the conveyance of the Parcels to the State of Delaware, it is necessary that the Ground Lease and the Memorandum of Ground Lease be amended to remove the Parcels from the land being leased by the County to the Authority; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson, Vice Chairperson, and Executive Director are hereby authorized, with the advice and consent of Counsel, to execute the Modification of Memorandum of Lease.

Resolution 03-17 was moved by Commissioner Patterson, seconded by Commissioner McWilliams, and was approved by a vote of 12-0.

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8858. COMMISSIONERS PUBLIC FORUM: Chairman Cordrey questioned whether any member of the public requested to address the Commission.

Commissioner Koebig reported on the training session she attended in February at the Trustees and Administrators Institute, relating to her duties as a trustee of the Employee's Pension Plan. She learned about a Trustee's responsibility and the fiduciary role as they relate to pension plans. It was very informative and she recommended that everyone attend one session.

Commissioner Lathem asked if a report was prepared on the Audit training session held yesterday. Commissioner Hensley said there wasn't enough time to prepare one for today since the session lasted all day.

Commissioner Derrickson announced that he was being replaced by the Governor of Delaware. He thanked everyone at Authority, and the Commissioners for all the help he received over the years.

Chairman Cordrey thanked Commissioner Derrickson for his expertise that he brought to the Board.

Commissioner Bennett also announced that the Governor of Delaware would be replacing him in the near future. He thanked everyone around the table for helping him during his tenure and that he enjoyed meeting and working with a special group of people.

Commissioner Patterson said that he appreciated Commissioner Cordrey's leadership. He also mentioned that he wanted to commend Corporal Calhoun at the ferry terminal for his service to our ferry customers.

Commissioner Hensley wanted to thank the Commissioners that are leaving. They spent a number of hours together on the Commission, and for reaching out to teach her. She is indebted to them. She also thanked Commissioner Cordrey for his leadership.

Commissioner Lathem said he wanted to especially thank Commissioner Derrickson for helping him through the Marine contract negotiations last year. He also thanked Glenn Cox and his employees for saving the Authority money by taking the ferries out in the bay for maintenance rather than dry docking them.

Commissioner Dorn looks forward to working with the board. He believes he brings his transportation expertise to the table.

Commissioner McWilliams wanted to congratulate Commissioner Dorn for his appointment and to thank the Commissioners that were leaving.

Commissioner Koebig wanted to recognize Commissioner Dorn's appointment to the board. She thanked the Commissioners that were leaving. She will miss her friends.

Commissioner Pessagno noted that it has been difficult for the past few years. The time and commitment of Commissioner Cordrey, Commissioner Derrickson, and Commissioner Bennett will be sadly missed.

Commissioner Fralinger said that he hated to see the Commissioners leave and that Commissioners Cordrey and Bennett helped him put the Committee system together. He emphasized the need for Authority By-Laws. He welcomed Commissioner Dorn to the Commission.

Commissioner Wallace appreciated the service of the Commissioners. He recognized Commissioner Dorn and welcomed him to the Commission.

Commissioner Cordrey too welcomed Commissioner Dorn. He said he sent a letter to the Governor of Delaware on March 21, tendering his resignation as a Commissioner effective April 16. He regrets leaving, but the timing is now. He believes we have a strong Commission doing a great job for both Delaware and New Jersey.

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There being no further business before the Commission, Chairperson Cordrey adjourned the meeting at 12:10 a.m.

The next meeting was set by unanimous consent for Tuesday, May 20, 2003, in the Gallery of the Cape May Terminal, Cape May, New Jersey.

Respectfully submitted,
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Secretary