

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, February 26, 2008
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 10:30 a.m. with Chairperson Parkowski presiding.

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

Chairperson Parkowski called on the Secretary to read the meeting notice and take roll.

The Secretary announced that a notice of the meeting had been distributed to the offices of the Governor of New Jersey and the Governor of Delaware, to appropriate staff members and consultants, to the press in both States and to any other individuals who had indicated an interest in receiving a copy of the meeting notice.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

F. Michael Parkowski, Chairperson
Thomas J. Cooper

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

Samuel E. Lathem
William E. Lowe

ABSENT

Verna W. Hensley
Gary B. Patterson

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9728. APPROVAL OF THE JANUARY 15, 2008 MINUTES

Commissioner Lowe motioned for approval of the January 15, 2008 minutes, seconded by Commissioner Dorn, and approved by a voice vote of 10-0.

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9729. EXECUTIVE DIRECTOR'S REPORT

The Executive Director presented the following report for January, 2008.

Delaware Memorial Bridge

Total traffic during the month of January decreased 3.7% compared to January 2007. Non-commercial traffic decreased 4.1% and commercial traffic decreased 1.7%. When compared to the 3-year average, total traffic for January decreased 2.4%.

E-ZPass traffic for January represented 60.2% of the total overall traffic as compared to 57.4% for the previous year.

Cape May Lewes Ferry

In January, vehicle and passenger traffic decreased 8.8% and 9.3%, respectively, when compared to January 2007. When compared to the average of the last three years, year-to-date vehicle traffic and passenger traffic decreased 6.3% and 6.9%, respectively.

In January, fare revenues decreased 8.9% and fee revenues increased 8.0%, when compared to January 2007.

In January, CMLF food sales decreased 26.8% and retail sales decreased 15.3%, compared to January 2007.

The Authority held a public information meeting for the Cape May Approach Road Rehabilitation project at the Cape May Visitor Center. There were approximately a dozen people that attended the public information session in addition to DRBA staff and design consultants. Commissioner Neils Favre attended as well as representatives from both Cape May County Police and Cape May Chamber of Commerce. Overall, the public discussion and feedback was generally positive and supportive.

We continue to work with our vendor, Anite Systems to setup FerryRes – this is our reservation system. Progress has been made on the basic component configuration, internet booking interfaces with the website, testing peripheral lane hardware equipment, continued discussions on the configuration of wireless scanners for boarding, and training for the Port Captain and his designees on setting up the vessel configuration and sailing schedules.

Airports

The obstruction removal contract at Delaware Airpark was initiated. This project consists of harvesting over 31 acres of trees at the approach of the runway 9.

The FAA's Airport Safety and Standards branch conducted its annual FAR PART 139 annual inspection of the Dover Civil Air Terminal's apron and operational records. The facility received no discrepancies.

The FAA's Airport Safety and Standards branch conducted its annual FAR Part 139 inspection at New Castle airport, including, airfield systems and records, FBO compliance, and ARFF response. The airport passed this inspection.

The New Jersey Division of Aeronautics completed its routine inspection of Millville Airport; no discrepancies were noted.

Employee Happenings

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

Authorized Positions (2008 funded)	456
Positions Filled	409
Positions Filled (on LTD)	8
Total Positions that are Vacant	39

Forty-three (43) employees attended the Violence in the Workplace training sponsored by New Haven Consulting Group. At this time, 21% of the Authority's permanent full-time employees have attended this mandatory training initiative. Additional training sessions are scheduled in February.

Roger Conant, a senior toll collector with the Authority Toll Department, retired after 10 years of service. Bill Scartine, Sr., Manager - Maintenance North with the Authority Engineering and Maintenance Department, retired after 17 years of service. We wish Roger and Bill best wishes on their retirement.

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

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9730. COMMITTEE REPORT-BUDGET & FINANCE
COMMITTEE

Commissioner Simmerman presented the Budget & Finance meeting minutes of February 4, 2008.

BUDGET & FINANCE COMMITTEE MEETING

Monday, February 4, 2008

Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Budget & Finance Committee was held on Monday, February 4, 2008, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

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

Commissioner Favre, Committee Member
Commissioner Smith, Committee Member
Commissioner DeLanzo-via phone
Commissioner Dorn
Vice-Chairperson Hogan

Governors Representatives

Sonia Frontera – NJ

Staff

Jim Johnson
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry Owens
Joe Larotonda
Kelly Phillips Parker
Brian McEwing

Authority Secretary

Tom Pankok

Hornblower Marine

John Waggoner
Gary Seabrook
Greg Brown

Sea Transport Solutions

Stewart Ballantyne

Anna Marie Gonnella Rosato
Ken Hynson
AJ Crescenzi
Heath Gehrke

Stephanie Ballantyne

Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:17 a.m. The Authority Secretary reported that the public meeting of the Budget & Finance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

Committee Chair Patterson introduced representatives from Hornblower Marine and Sea Transport Solutions. Hornblower Marine provided a presentation based on the Executive Summary of the Cape May-Lewes Ferry Marine Master Plan, which will be delivered within the next few weeks. The Marine Master Plan has been developed over the course of 15 months and included meetings with staff, Executive Staff and the Ad Hoc Committee. The focus of the presentation was as follows.

- Fleet Configuration
- Price and Presentation
- Staffing Model and CMLF Culture

The Committee questioned Hornblower on a variety of issues included in the presentation as follows.

- Q. How would the reduction in personnel affect Coast Guard requirements for manning?

- A. With the recommended number of and type of vessels, the manning requirement (personnel needed to operate the vessel) would be less.
- Q. Which areas of operation would be affected by the reduction in personnel?
- A. There would be fewer personnel required in Food & Retail, Vessel Maintenance, and Marine Personnel on the vessels as there would be three vessels in operation vs. five; however, there would be a potential increase in the number of shore side engineers needed for repairs.
- Q. With the enhanced marketing and media blitz, would the peak schedule be able to handle any growth?
- A. The current conditions would support a schedule using two new vessels and one existing vessel. They recommended a visible trend of increased traffic before spending dollars for an additional vessel. Building two vessels at the same time would be powerful in visibly altering the look of the fleet, added efficiency and construction savings/economies. However, building three vessels at the same time would be difficult due to construction capacities. Although it is regretful that there are some customers left behind, the recommendation to reconfigure the dock to allow for a double-wide ramp could reduce the turn-around time, thus increasing the number of crossings a vessel could make, therefore reducing the number of left behind customers.
- Q. Although implementing a fare increase for peak pricing was understood, how would the philosophy of increasing fares during the off-season affect the necessity to build traffic during the off-season?
- A. Fare increases should be moderate and measured in growth and linked to a CPI. Work with third party focus groups, conduct surveys and look for ways to build traffic by focusing on marketing. Also, recommended was to utilize an airline yield-management strategy of lowering ticket prices to encourage customers to book vessel during low demand periods.
- The Committee asked Hornblower to provide a justification by ranking how yearly operational costs would be reduced.
 1. Fewer hours, fewer people
 2. Reducing maintenance and drydocking
 3. Fuel consumption- can save more during the off-season

After the discussion, Committee Chair Patterson requested an Executive Session for Commissioners, representatives from Hornblower, and the New Jersey Governor's Representative. On motion by Commissioner Favre, seconded by Commissioner Lowe, the session was closed. The following matters of a confidential nature were discussed.

- LONG RANGE PLANNING ALTERNATIVES

With no further business to discuss in Executive Session, on motion by Commissioner Favre, seconded by Commissioner Hensley, the Budget & Finance Committee was opened to the public.

The Committee reviewed Community Contribution requests and Resolution for February. After review, on motion by Commissioner Hensley, seconded by Commissioner Favre, the Committee recommended approval of the Community Contribution requests. A Resolution will be presented to the full Board for consideration at the February meeting.

The Acting Chief Financial Officer reviewed the Resolution authorizing the Over \$25,000 Vendors. On motion by Commissioner Favre, seconded by Commissioner Hensley, the Committee recommended approval of the Resolution. The Resolution will be presented to the full Board for consideration at the February meeting.

With no further business to discuss, on motion by Commissioner Favre, seconded by Commissioner Hensley, the Budget & Finance Committee adjourned at 12:22 p.m.

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

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9631. COMMITTEE REPORT – PERSONNEL COMMITTEE

Commissioner Lathem presented the Personnel Committee meeting of February 4, 2008.

PERSONNEL COMMITTEE MEETING
Monday, February 4, 2008
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Personnel Committee was held on Monday, February 4, 2008, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Committee Chair Lathem
Commissioner Cooper, Committee Member
Commissioner Lowe, Committee Member
Commissioner Hensley
Commissioner Patterson

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

Governors’ Representatives

Sonia Frontera

Staff

Jim Johnson, Jr.
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Kelly Phillips Parker
Anna Marie Gonnella Rosato

Authority Secretary

Tom Pankok

- I. Committee Chair Lathem welcomed the Personnel Committee and opened the meeting at 12:37 p.m. The Authority Secretary reported that the public meeting of the Personnel & Insurance Committee had been duly noticed in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- II. The Chief Human Resource Officer reported that an RFP for Labor and Employment Legal Services had been conducted and completed. Six proposals from New Jersey firms were received and a short-list of four firms evaluated. Brown & Connery, LLP was designated first from New Jersey. One Delaware proposal was received and evaluated. . After the oral interview was determined to be acceptable, Young Conaway Stargatt & Taylor, LLP was selected. Draft Resolutions authorizing the selections were presented and the Committee had no questions. On motion by Commissioner Cooper, seconded by Commissioner

Dorn, the Committee recommended the approval of both Resolutions. The Resolutions will be presented to the full Board for consideration at the February meeting.

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

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS

With no further business to discuss, on motion by Commissioner Dorn, the Personnel Committee adjourned at 1:15 p.m.

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

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9732. COMMITTEE REPORT – PROJECTS

Commissioner Lowe presented the Projects Committee meeting minutes of February 4, 2008.

PROJECTS COMMITTEE
Monday, February 4, 2008
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority’s Projects Committee was held on Monday, February 4, 2008, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Lowe, Committee Chair
Commissioner Hensley, Committee Mbr
Commission Patterson, Committee Mbr.
Commissioner Parkowski, Chair
Commissioner Cooper
Commissioner Latham

Commissioner Favre, Committee Vice Chair
Commissioner Dorn, Committee Mbr
Commissioner Hogan, Vice Chair
Commissioner Smith

Governor’s Representative

Sonia Frontera - NJ

Staff

Authority Secretary

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

Tom Pankok

- I. The Projects Committee meeting convened at approximately 12:20 p.m. Those in attendance were provided an informational package consisting of an agenda, three contract bid tabs, and the monthly contractor payment chart with associated change orders (through January).

II. Resolutions: None

III. Bid Openings/Award Actions:

- CMLF-07-07, Facility Painting, Cape May and Lewes Terminals. A public bid opening was held on January 29, 2008, in which three bids were received. The COO recommended award of the Base Bid plus Add Alternates No. 1, 2, and 3 to the responsive low bidder, Walt's Professional Painting, for the total amount of \$42,875.00. The Projects Committee concurred with the recommendation and authorized the action be presented at the February board meeting.
- CMA-07-01, Airfield Lighting Generator, Cape May Airport. A public bid opening was held on January 29, 2008, in which three bids were received. The COO recommended award of the contract to the lowest responsive bidder, Scalfo Electric, Inc for the total amount of \$72,000.00. The low bidder, A.D.A. Electrical Contracting, was deemed non-responsive based on not submitting a cashier's check and submitting an invalid proposal bond, as the contract documents required. The Projects Committee concurred with the recommendation and authorized the action be presented at the February board meeting.
- CMLF-07-08, Drydocking & Repairs, M/V Delaware. A public bid opening was held on January 29, 2008, in which two bids were received. The COO recommended award of the contract to the lowest responsive bidder, Colonna's Shipyard, Inc., for the total amount of \$889,810.00. The COO explained that this contract may not be necessary should the M/V Delaware pass an on-site US Coast Guard underwater inspection in March. After staff answered numerous questions about this contract, the Projects Committee concurred with the award recommendation and authorized the action be presented at the February board meeting.

IV. Contract Close-Out Actions: None

V. Miscellaneous Items/Updates: None

VI. Contractor Payment Review (through January): The COO informed the Projects Committee of the construction contractor payments to be made in February.

VII. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 12:40 p.m.

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

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9733. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Smith presented the minutes of the Economic Development Committee meeting of February 4, 2008.

ECONOMIC DEVELOPMENT COMMITTEE
Monday, February 4, 2008
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Economic Development Committee was held on Monday, February 4, 2008, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

PRESENT

Committee Vice-Chair Hensley
Commissioner Cooper, Committee Member
Commissioner Patterson, Committee Member
Commissioner Lathem
Commissioner Lowe
Chairperson Parkowski

Commissioners from New Jersey

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

Governors Representatives

Sonia Frontera - NJ

Staff

Jim Johnson
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry Owens
Joe Larotonda
Kelly Phillips Parker
Brian McEwing

Authority Secretary

Tom Pankok

Hornblower Marine

John Waggoner
Gary Seabrook
Greg Brown

Sea Transport Solutions

Stewart Ballentine

Anna Marie Gonnella Rosato
Ken Hynson
AJ Crescenzi
Heath Gehrke

Stephanie Ballentine

- I. Committee Chair Smith welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 9:12 a.m. The Authority Secretary reported that the public meeting of the Economic Development Committee had been duly noticed in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- II. In the absence of the Deputy Executive Director, AJ Crescenzi provided an update on the following project.

- Isogen

The Access Agreement to allow Isogen on the premises has been completed and executed. A new appraisal of the property will be completed reflecting two options: the value of the property for a Sale and value for a Lease. The last appraisal was completed in 2005. It was also reported that, after speaking with Legal Counsel, the Authority should receive correspondence with preliminary numbers in advance of receipt of the updated appraisal.

With no further business to discuss, on motion by Commissioner Dorn, seconded by Commissioner Hensley, the Economic Development Committee adjourned at 9:16 a.m.

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

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9734. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Acting Chief Financial Officer (CFO) presented a chart showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Three Forts Ferry Crossing, and Food Services for the month December.

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

Acting Chief Financial Officer, fielding a question from Commissioner Lathem, noted that commercial traffic is down due to fuel prices and the overall economy. However, despite the downward trend, companies are using larger vehicles and, as a result, creating higher tolls.

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9735. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Acting CFO presented a chart showing statements of income and expenses for the month of December 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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9736. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Acting CFO presented a chart for January 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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9737. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Acting CFO presented a chart for the month of January 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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9738. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF JANUARY 31, 2008.

The Acting CFO presented a chart indicating the cash fund balances for the entire Authority.

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

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9739. PUBLIC COMMENT ON ACTION ITEMS.

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

Contract CMA-07-01 Airfield Lighting Generator

- Contract CMLF-07-07 Facility Painting
- Contract CMLF-07-08 Drydocking and Repairs
- Resolution 08-08 Approval of the Community Contribution Requests
- Resolution 08-09 Authorizing Authority Expenditures \$25,000 and over
- Resolution 08-10 Authorizes a Contract with Young Conaway Stargatt & Taylor to provide labor and employment legal services representing Authority interests in Delaware
- Resolution 08-11 Authorizes a Contract with Brown & Connery to provide labor and employment legal services representing Authority interests in New Jersey
- Resolution 08-12 Revised Fare Schedule for the Cape May-Lewes Ferry

There were no public comments.

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9740. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

<u>Contractor</u>		<u>Payment</u>
DMB-07-01	Eastern Highway Specialists	\$ 25,809.50
DMB-06-03	J.D. Eckman, Inc.	\$137,667.96
DMB-04-04	J.D. Eckman, Inc.	\$279,387.00
CMLF-07-05	Lyons Shipyard, Inc.	\$244,547.82
CMLF-06-07	Barnegate Bay Dredging Co., Inc.	\$ 67,185.00
NCA-04-01	Diamond Materials	\$145,693.13
MVA-06-02	South State, Inc.	\$390,003.65

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9741 AIRFIELD LIGHTING GENERATOR: CONTRACT # CMA-07-01

A public bid opening was held on January 29, 2008 in which three (3) bids were received. The COO and the Projects Committee recommended award of the contract to the lowest responsive bidder, Salfo Electric, Inc. of Vineland, NJ, in the amount of \$72,000.00. The low bidder A.D.A. Electrical Contracting was deemed non-responsive based on not submitting a cashier's check and submitting an invalid proposal bond, as the contract documents required.

A motion to award Contract CMA-07-01 to the aforementioned was made by Commissioner Lathem, seconded by Commissioner Lowe, and unanimously approved by a roll call vote of 10-0.

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9742. FACILITY PAINTING: CONTRACT #CMLF-07-07

A public bid opening was held on January 29, 2008, in which three (3) bids were received. The COO and the Projects Committee recommended award of the Base Bid plus Add Alternates No. 1,2, and 3 to the responsive low bidder, Walt's Professional Painting of Glenside, PA in the amount of \$42,875.00 (Base Bid \$18,250.00, Add Alt 1: \$3,250.00; Add Alt 2: \$4,500.00; Add Alt 3 \$16,875.

A motion to award Contract #DMB-04-01 to the aforementioned was made by Commissioner Lathem, seconded by Commissioner Lowe and approved by a roll call vote of 10-0.

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9743. DRYDOCKING AND REPAIRS: CONTRACT #CMLF-07-08

A public bid opening was held on January 29, 2008, in which two (2) bids were received. The COO and the Projects Committee recommended award of the contract to the lowest responsive

bidder, Colonna’s Shipyard, Inc. of Norfolk, VA, in the amount of \$889,810.00. This contract may not be necessary should the M/V Delaware pass an on-site US Coast Guard underwater inspection in March.

A motion to award Contract #CMLF-07-08 to the aforementioned was made by Commissioner Lathem, seconded by Commissioner Lowe, and approved by a roll call vote of 10-0.

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9744. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD

RESOLUTION 08 - 08 APPROVAL OF COMMUNITY CONTRIBUTION REQUESTS.

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

WHEREAS, the Authority has developed a Community Contributions Policy which outlines the purpose of the program and process for consideration of requests; and

WHEREAS, the policy requires full board approval for any Community Contribution; and

WHEREAS; the Budget and Finance Committee met and approved Community Contributions for the month of February 08; and

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

Community Contributions

New Jersey

Alzheimer’s Disease and Related Disorders Association Delaware Valley Chapter	\$ 2,500
Appel Farm Arts and Music Center	\$ 2,500
Gloucester County Chamber of Commerce	\$ 5,000
Historic Cold Spring Village Foundation Incorporated	\$ 2,700
HomeCare and Hospice Care of South Jersey	\$ 3,500
Total	<u>\$ 16,200</u>

Delaware

Bayhealth Foundation	\$ 8,000
Children’s Beach House Incorporated	\$ 5,000
Delaware State University Foundation Incorporated	\$ 10,000
Delaware Technical and Community College Educational Foundation	\$ 10,000
Easter Deals Delaware and Maryland’s Eastern Shore	\$ 10,000
Metropolitan Wilmington Urban League	\$ 5,000
Pratt Corcoran Association for the Delaware College of Art and Design	\$ 2,000
St. Patrick’s Center Incorporated	\$ 5,000
The Partnership Incorporated	\$ 5,000
Total	<u>\$ 60,000</u>

Grand Total (New Jersey and Delaware)	<u>\$ 76,200</u>
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A motion to approve Resolution 08-08 was made by Commissioner Dorn, seconded by Commissioner Lathem. With Commissioner Simmerman abstaining on Children’s Beach House, Inc., Resolution 08-08 was approved by a roll call vote of 10-0 except with the above noted abstention where such vote was 9 in favor and 1 abstention.

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RESOLUTION 08-09 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2008.

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 1/1/08 THROUGH 12/31/08

VENDOR	SERVICE DESCRIPTION	DETERMINATION
Allied Waste Services	Trash removal at the Lewes terminal	Quotes
Boca Systems, Inc.	Printers for the CMLF Fare Collection System	Proprietary
Cifaloglio Inc.	Debris hauling services and tipping fees (to the Cumberland County Improvement Authority) for 3 approved MVA demolition projects	Quotes
Zone Striping, Inc.	Pavement Striping for CMLF Cape May approach roads	Quote

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 08-09 was made by Commissioner Lowe, seconded by Commissioner Lathem, and approved by a roll call vote of 10-0.

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RESOLUTION 08-10 – AUTHORIZES A CONTRACT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND YOUNG CONAWAY STARGATT & TAYLOR, LLP TO PROVIDE LABOR AND EMPLOYMENT LEGAL SERVICES REPRESENTING AUTHORITY INTERESTS IN THE STATE OF DELAWARE

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state Authority created by Compact for the purpose of owning, operating and controlling both Crossing and Non-Crossing facilities in the states of Delaware and New Jersey; and

WHEREAS, the Authority desires to procure professional labor and employment legal services to represent Authority interests in the State of Delaware with an initial term of three (3) years and two (2) optional one (1) year renewals; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposals (“RFP”) for the required labor and employment legal services in compliance with Resolution 98-31 which governs the procedure for the procurement of professional services; and

WHEREAS, the Authority received and evaluated a total of one (1) proposal pursuant to the aforementioned requirements which resulted in a short-list of one (1) firm; and

WHEREAS, the Authority conducted an oral interview with the short-listed firm and Young Conaway Stargatt & Taylor, LLP was determined to be acceptable; and

WHEREAS, the Authority negotiated for services at compensation determined to be fair and reasonable, and in making such determination, conducted an analysis of the cost of the services in addition to considering the scope and complexity; and

WHEREAS, the Personnel Committee reviewed the recommendation and concurs with the evaluation.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Labor and Employment Legal Services Agreement with Young Conaway Stargatt & Taylor, LLP to provide such legal services and to have such agreement, upon advice and consent of counsel, executed by the Chairperson, Vice Chairperson and Executive Director.

A motion to approve Resolution 08-10 was made by Commissioner Favre, seconded by Commissioner Simmerman, and approved by a roll call vote of 10-0.

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RESOLUTION 08-11 – AUTHORIZES A CONTRACT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND BROWN & CONNERY, LLP TO PROVIDE LABOR AND EMPLOYMENT LEGAL SERVICES REPRESENTING AUTHORITY INTERESTS IN THE STATE OF NEW JERSEY

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state Authority created by Compact for the purpose of owning, operating and controlling both Crossing and Non-Crossing facilities in the states of Delaware and New Jersey; and

WHEREAS, the Authority desires to procure professional labor and employment legal services to represent Authority interests in the State of New Jersey with an initial term of three (3) years and two (2) optional one (1) year renewals; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposals (“RFP”) for the required labor and employment legal services in compliance with Resolution 98-31 which governs the procedure for the procurement of professional services; and

WHEREAS, the Authority received and evaluated a total of six (6) proposals pursuant to the aforementioned requirements which resulted in a short-list of four (4) firms; and

WHEREAS, the Authority conducted oral interviews with the short-listed firms and Brown & Connery, LLP was designated first on the preference list; and

WHEREAS, the Authority negotiated for services at compensation determined to be fair and reasonable, and in making such determination, conducted an analysis of the cost of the services in addition to considering the scope and complexity; and

WHEREAS, the Personnel Committee reviewed the recommendation and concurs with the evaluation.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Labor and Employment Legal Services Agreement with Brown & Connery, LLP to provide such legal services and to have such agreement, upon advice and consent of counsel, executed by the Chairperson, Vice Chairperson and Executive Director.

A motion to approve Resolution 08-11 was made by Commissioner Lathem, seconded by Commissioner Simmerman, and approved by a roll call vote of 10-0.

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Chairperson Parkowski noted Resolution 08-12 adopting a Revised Fare Schedule for the Ferry. He stated that the increase does have conditions and that the Authority will be discussing the need to develop a comprehensive marketing plan.

RESOLUTION 08-12 - ADOPTION OF A REVISED FARE SCHEDULE FOR THE CAPE MAY-LEWES FERRY.

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is a bi-state agency created by Compact for the purpose of operating crossing facilities between the States of Delaware and New Jersey; and

WHEREAS, the Authority owns and operates the Cape May - Lewes Ferry, which connects Cape May, New Jersey, and Lewes, Delaware; and

WHEREAS, the Authority desires to promote round-trip travel, bus passenger travel, commercial traffic, and Internet ferry reservations; and,

WHEREAS, the proposed fare schedule attached hereto and incorporated herein, includes fare incentives, such as, greater discounts for bus passengers, 15% discount books of tickets for commercial vehicles, elimination of reservation fees for customers pre-booking, \$2.00 fare discounts for customers pre-booking on the Internet; and,

WHEREAS, the Authority has made significant capital investments in safety, landside improvements, vessels, and infrastructure; and,

WHEREAS, there has not been a general fare increase at the Cape May-Lewes Ferry since 2006; and,

WHEREAS, the operating deficit for FY 2007 was approximately \$6.5 million; and,

WHEREAS, the Authority recognizes the need to incorporate reservation fees into the Vehicle and Driver fares; and,

WHEREAS, the projected gross income from the revised fare schedule in 2008 is \$15.3 – 15.9 Million; and,

WHEREAS, the Authority has concluded that the amended fare schedule is necessary to meet the financial requirements of the Authority; and,

WHEREAS, the Authority has concluded that the amended fare schedule is fair to ferry users and in the public interest; and,

WHEREAS, based on the foregoing, the Authority has concluded that the amended fare schedule is just and reasonable, necessary, proper and desirable; and,

WHEREAS, the Authority desires to amend the fare schedule with an effective date of April 1, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the revised fare schedule for the Cape May-Lewes Ferry, attached hereto, is hereby adopted with an effective date of April 1, 2008.

Cape May-Lewes Ferry Fares

(All Fares are One-Way Unless Noted)

Effective April 1, 2008

<u>VEHICLE & DRIVER</u>	<u>NOV-MAR</u>	<u>APR-OCT</u>	<u>PEAK*</u>
Car, SUV, Van, Pick-up Truck (vehicles less than 20' length)	\$28.00	\$34.00	\$41.00
Return-Trip Value Fare	\$24.00	\$29.00	\$30.00

Motorcycle or Motorbike	\$23.00	\$29.00	\$34.00
Return-trip Value Fare	\$20.00	\$25.00	\$25.00
Discount Book of Six (6) Tickets (all vehicles less than 20' length)	\$144.00	\$144.00	\$144.00
Discount Book of Six (6) Tickets (commercial vehicles) (Memorial Day to Labor Day: not valid Sat, Sun, or Holidays between 9 a.m. and 5 p.m.)		15% off scheduled fare	

VEHICLE & FOOT PASSENGERS

Under 6 years of age	FREE	FREE	FREE
Children, age 6-13	\$3.50	\$4.75	\$4.75
Return-Trip Value Fare	\$2.50	\$3.75	\$3.75
14 Years of age and older	\$7.00	\$9.50	\$9.50
Return-Trip Value Fare	\$5.00	\$7.50	\$7.50
Discount Book of Six (6) Adult Tickets		\$42.00	\$42.00

***NOTE: Return-Trip Value Fares must be purchased with initial Sailing**

BUS PASSENGERS

Under 6 years of age	FREE	FREE	FREE
Children, age 6-13	\$1.50	\$2.50	\$2.50
14 Years of age and older	\$3.00	\$5.00	\$5.00

FERRY TERMINAL SHUTTLE FARES

Under 6 years of age	FREE	FREE	FREE
6 Years of age and older	\$3.00	\$3.00	\$3.00

RESERVATION FEES & DISCOUNTS

Internet Reservation Fee Discount	\$2.00	\$2.00	\$2.00
Non-Refundable Reservation Cancellation Fee	\$5.00	\$5.00	\$5.00

OTHER VEHICLES & DRIVER

20' to under 25'	\$32.00	\$39.00	\$47.00
25' to under 35'	\$40.00	\$47.00	\$57.00
35' to under 45'	\$47.00	\$54.00	\$65.00
45' to under 60'	\$58.00	\$66.00	\$80.00
More than 60'	\$80.00	\$88.00	\$107.00

*** PEAK FARES:** Memorial Day to Labor Day between 9:30 a.m. and 7:30 p.m., Fri, Sat, Sun, & Holidays

TICKET EXPIRATION: Purchased ferry tickets expire two years after purchase date

A motion to approve Resolution 08-12 was made by Commissioner Favre, seconded by Commissioner DeLanza, and approved by a roll call vote of 10-0.

Vice-Chairperson Hogan thanked the Delaware Commissioners for giving the New Jersey Commissioners another month to discuss fare rates at the Ferry. He also wanted to thank staff for providing the Commissioners with historical references so that they are able make critical decisions. He then noted that there will be a retreat scheduled in April to discuss ferry issues.

Chairperson Parkowski thanked Vice-Chairperson Hogan for his comments and that he believes that it is a step in the right direction for dealing with ferries long-term.

Commissioner Favre thanked Heath and staff for their hard work at the ferry.

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9745 COMMISSIONERS PUBLIC FORUM

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

Linda Coppinger and Edna Ellett of the NJ and DE Chapters of the Alzheimer’s Association and Bill Denzer, MetLife employee and family caregiver, spoke on the rising numbers of people diagnosed each year with Alzheimer’s and that it is the 7th leading cause of death. They appeared before the Board to thank the Commissioners for the contributions the Association receives through the Authority’s Community Contributions Grant Fund.

Chairperson Parkowski thanked Ms Coppinger, Ms Ellett and Mr Denzer for attending today’s meeting and enlightening the Board on the growing concern over the disease.

Commissioner Dorn noted that Trudy Spence-Parker, CHRO, was a panel member of the Salem County Advisory Panel on Diversity.

Commissioner Dorn congratulated Commissioner Lathem on receiving the A. Philip Randolph Award for his roll in the labor movement. Commissioner Lathem was also the speaker at the Calvary Community Development Corporation’s 2008 Annual Community Awards Banquet.

Commissioner Smith noted that Bill Gallo of the Sunbeam Newspaper received special recognition for his work at the newspaper and in the community.

Vice-Chairperson Hogan stated that the Authority received \$566,000.00 for the Motor Sports Park sale of land at the Millville Airport.

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

The meeting was adjourned 11:17 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Board Secretary