

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Thursday, January 22, 2009
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 10:06 a.m. with Chairperson Parkowski presiding.

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

Chairperson Parkowski introduced Mr. Cleon L. Cauley, Esq., the new Deputy Counsel liaison to the Governor of Delaware and recognized the presence of James A. Carey, Jr., Esq., Director of New Jersey Governor's Authorities Unit.

Chairperson Parkowski bestowed the Oath of Office to the Authority's new Commissioner, Mr. Gary F. Traynor of Dover, Delaware.

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

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

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Commissioners from Delaware

Commissioners from New Jersey

PRESENT

F. Michael Parkowski, Chairperson
Verna W. Hensley
William Lowe
Gary F. Traynor

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

ABSENT

Thomas J. Cooper
Samuel E. Lathem

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9905. APPROVAL OF THE DECEMBER 16, 2008 MINUTES

Commissioner Simmerman motioned for approval of the December 16, 2008 minutes, seconded by Commissioner Favor, and approved by a voice vote of 10-0.

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9906. EXECUTIVE DIRECTOR'S REPORT

The Executive Director presented the following highlights that occurred within the Authority during December, 2008.

Delaware Memorial Bridge

Total traffic during the month of December increased 1.1% compared to the same period in 2007. Non-commercial traffic increased 2.4% and commercial traffic decreased 7.0%. When

compared to the 3-year average, total traffic for December decreased 1.4%. Total traffic for 2008 decreased 4.2% compared to 2007. When compared to the 3-year average, 2008 total traffic decreased 4.2%.

E-ZPass traffic for December represented 59.3% of the total overall traffic as compared to 57.9% for the previous year. Total electronic traffic for 2008 represented 59.3%, an increase of 2.3% from 2007.

Cape May Lewes Ferry

In December, vehicle and passenger traffic decreased 10% and 7.3%, respectively, when compared to December 2007. Vehicle and passenger traffic for 2008 decreased 7.5% and 6.3% respectively compared to 2007. When compared to the average of the last three years, 2008 vehicle traffic and passenger traffic decreased 9.8% and 8.3%, respectively. In December, fare revenues including reservation fees and discounts decreased 2.0%, when compared to December 2007. Total 2008 fare revenues decreased 2.5% compared to 2007.

In December, CMLF food sales and retail sales decreased 14.4% and 13.9% respectively, as compared to December 2007. Total 2008 food and retail sales decreased 10.7% and 13.7% respectively when compared to 2007.

Airports

The FAA conducted the annual FAA FAR Part 139 inspections at New Castle Airport and the Civil Air Terminal.

Finance

The Authority successfully issued the 2008 Refunding Bonds at a price of 0.75%. This transaction eliminates the 2000B Bonds which we were paying from 6.5% to 9.9% over the last six months because of the downgrade of Ambac, the bond insurer.

Employee Happenings

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

Authorized Positions	456
Positions Filled	412
Positions Filled (on LTD)	5
Total Positions that are Vacant	39

I want to commend all of our employees that helped participate in the delivery of Holiday care packages for the Adopt-a-Family program. This program was conducted in cooperation with two school districts in each state. Employees also delivered packages to about 68 children in the community. Those packages included clothes, shoes and toys.

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

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9907. COMMITTEE REPORT – BUDGET & FINANCE COMMITTEE

Commissioner Simmerman presented the following Budget & Finance meeting minutes of January 5, 2009.

BUDGET & FINANCE COMMITTEE MEETING Monday, January 5, 2009 Delaware Memorial Bridge Complex New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Budget & Finance Committee and Public Hearing was held on Monday, January 5, 2009, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

PRESENT

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

Commissioners from New Jersey

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

Governors Representatives

Rebecca Byrd – DE

Sonia Frontera - NJ

Staff

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

Authority Secretary

Tom Pankok

Committee Chair Patterson welcomed the Budget & Finance Committee and Public Hearing and opened the meeting at approximately 9:37 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.

Proposed Resolutions

- Committee Chair Patterson questioned whether New Jersey had any Community Contribution requests for January and Committee Vice-Chair Simmerman reported that none were being presented. Committee Chair Patterson reported that Delaware also would not be presenting any requests and would wait on the advice of the Authority Chairperson.

- The Acting Chief Financial Officer presented the Over \$25,000 Vendor List for review. The list captures the majority of routine vendors for FY 2009. The Acting CFO reviewed new vendors. Committee Vice-Chair Simmerman questioned the last column heading showing Approximate. The Acting CFO reported that the total was based on historical usage. Vice-Chairperson Hogan added that some of the vendors such as, Attorneys and Cavanaugh Capital Management might be subject to a Request for Proposal. The Acting CFO reported that those, as well as other professional services could be replaced at any time; however, in the interim those services could exceed the \$25,000 threshold. After discussion, on motion by Commissioner Simmerman, seconded by Commissioner Favre, and with Committee Chair Patterson not voting, the Committee recommended approval of the Vendor List. The Resolution will be presented to the full Board for consideration at the January meeting.

III. CMLF Fare Proposal

The Director-Ferry Operations made a presentation on Fare Increase Proposals for 2009 and 2010. The following was presented.

- Measures to “Close the Gap” – including those addressed in 2008 as well as proposed for 2009 and 2010
 - Fare Proposal Scenarios
 - Financial Performance – 2007 Actual & 2008 Projected
 - 2009 Fare Proposal Proforma
 - Financial Projection
 - 2009 Proposed Fares
 - Other Proposed Fare Changes – Peak Fares, Six-Pack Tickets, Bus Passenger Fares, and Expiration Dates

- Fuel Surcharge – Baseline Fuel Price based on 8-year trend
- Fare Bucket Strategy for 2010
- Summary
 - As costs increase (labor, fuel, benefits) either the customer must bear these increases or the Authority will.
 - For 2009, based on projected 2008 operating delta, a price increase of 5.7% is required to avoid a widening of the operating deficit.
 - A fuel surcharge can help to insulate us from skyrocketing expense.
 - Changes to the fare structure will be proposed in 2010 to take advantage of demand (i.e. Yield Management).

The Committee discussed and asked several questions. Commissioner Lowe voiced concern regarding tying the fare increases to expenses rather than CPI and that, as a customer, it would be easier to accept based on the CPI vs. losses. The Director-Ferry Operations reported that Hornblower recommended tying the increases to the CPI; however 2009 could be a deflationary year. The COO added that Hornblower’s recommendation was made in more normal economic times and communication to the customer would need to be shaped. Commissioner Lowe added that any price increase during these times would be a tough sell.

Authority Chair Hogan thanked staff for the presentation and liked what had been presented, but asked whether the toughest questions are being addressed. The Director added that there were ten positions that would not be filled due to attrition and that is the best that could be done without taking more radical steps. Committee Chair Patterson noted that the \$9.4 million projected deficit for 2008 was the largest in the history of the CMLF.

IV. 2008 Refunding Briefing

The Acting CFO reported that the refunding went off without any problems. The initial rate on the variable rate debt was 0.8%. The Committee thanked the Acting CFO as well as Cavanaugh Capital Management for their effort.

V. Miscellaneous

Commissioner Lathem noted that Airports receive a substantial amount of Federal Funding from the FAA and questioned whether the CMLF could receive more Federal Funding and that maybe it was time for discussions with our congressional delegations. The Acting CFO reported that the Authority has received Ferry Discretionary Funds but they are not as abundant; however, those funds would support specific projects and do not support operating costs. The Executive Director added this matter would be discussed further during the Projects Committee meeting.

With no further business to discuss, on motion by Commissioner Favre, seconded by Commissioner Smith, the Budget & Finance Committee adjourned at 10:27 a.m.

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

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9908. COMMITTEE REPORT – PERSONNEL COMMITTEE

In the absence of Commissioner Lathem, Commissioner Dorn presented the following Personnel Committee meeting minutes of January 5, 2009.

PERSONNEL COMMITTEE MEETING
Monday, January 5, 2009
 Delaware Memorial Bridge Complex
 New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Personnel Committee was held on Monday, January 5, 2009, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

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

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

Governors' Representatives

Rebecca Byrd - DE

Sonia Frontera-NJ

Staff

Jim Johnson, Jr.
Don Rainear
Victor Ferzetti
Jim Walls
Gerry DiNicola Owens

Authority Secretary

Tom Pankok

- I. Committee Chair Lathem welcomed the Personnel Committee and opened the meeting at 10:45 a.m. The Authority Secretary reported that the public meeting of the Personnel 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. Committee Chair Lathem requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Dorn, seconded by Commissioner Lowe, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS
- LEGAL UPDATE

With no further business to discuss in Executive Session, on motion by Commissioner Lowe, the Personnel Committee was opened to the public.

With no further business to discuss, on motion by Commissioner Dorn, the Personnel Committee adjourned at 11:37 a.m.

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

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9909. COMMITTEE REPORT – PROJECTS

Commissioner Lowe presented the following Projects Committee meeting minutes of January 5, 2009.

PROJECTS COMMITTEE
Monday, January 5, 2009
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority's Projects Committee was held on Monday, January 5, 2009, 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

Commissioner Favre, Committee Vice Chair
Commissioner Dorn, Committee Mbr

Commissioner Patterson, Committee Mbr
Commissioner Lathem
Commissioner Simmerman, Committee Mbr
Commissioner Smith
Vice-Chairperson Hogan

Governors' Representative

Rebecca Byrd - DE

Sonia Frontera – NJ

Staff

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

Authority Secretary

Tom Pankok

I. The Projects Committee meeting convened at approximately 10:25 a.m. Those in attendance were provided an informational package consisting of an agenda, one (1) contract close-out action, and the monthly contractor payment chart with associated change orders (through December).

II. Contract Close-Out Actions:

- DMB-07-02, Repainting Center Suspended Spans, 1st Structure, Delaware Memorial Bridge. Staff recommended approval for final payment and contract close-out to the contractor, Marini's Bothers, Inc. The total price for this project is \$1,809,030.53. The Projects Committee concurred with the recommendation and authorized the action be presented at the January board meeting.

III. Contractor Payment (through December): The COO informed the Committee of the monthly construction contractor payments to be made in January.

IV. Miscellaneous Items/Updates: The COO provided an update on the Lewes Terminal security gates project. He indicated that the lowest responsive bidder, Eagle Fence, was placed on the Over \$25K resolution that will be voted on at the January Board meeting. Commissioner Lowe asked if the work was going to be completed before the grant expired. Staff responded that the work would be complete in time to meet grant obligations.

V. Open Discussion/Other Issues:

- Vessel Asbestos Removal: The Director of Ferry Operations provided information on the status of asbestos identification and removal/abatement on the Motor Vessels Delaware and New Jersey. The asbestos is primarily in the exhaust lagging of both vessels. The plan is to remove the asbestos on the MV New Jersey over the next 6-8 weeks at an estimated cost of \$250,000. The plan for the MV Delaware (because the asbestos is encapsulated) is to re-evaluate areas containing asbestos for potential removal during the vessel's next dry docking. Staff adequately answered a question from Commissioner Lowe regarding standard procedures to follow during asbestos removal operations.

- Motor Vessel Cape May Sale: Commissioner Lowe asked for a status report of the sale of the MV Cape May. The Director of Ferry Operations advised that once the resolution veto period expired, the Authority would move forward with the designated broker to begin work on the sale of the vessel.

- Economic Stimulus Monies: The Executive Director and the Director of Engineering and Maintenance briefed the Projects Committee on current actions being taken to provide input to the Federal Aviation Administration and the Delaware Department of Transportation in an attempt to obtain economic stimulus money for various important Authority infrastructure projects. All Commissioners in attendance were supportive of the

initiative and indicated to staff that if Commissioner outreach could help with the effort, to please let them know.

There being no further business for the Projects Committee, the public meeting was adjourned at approximately 10:44 a.m.

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

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9910. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Smith presented the following Economic Development Committee meeting minutes of January 5, 2009.

ECONOMIC DEVELOPMENT COMMITTEE
Monday, January 5, 2009
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, January 5, 2009, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

PRESENT

Committee Vice-Chair Hensley
Commissioner Patterson, Committee Member
Commissioner Lathem
Commissioner Lowe

Commissioners from New Jersey

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

Governors Representatives

Rebecca Byrd – DE

Sonia Frontera - NJ

Staff

Jim Johnson
Don Rainear
Victor Ferzetti
Jim Walls
Gerry Owens
Anna Marie Gonnella Rosato
John Jones
AJ Crescenzi
Kelly Phillips Parker

Authority Secretary

Tom Pankok

I. Committee Chair Smith welcomed the Economic Development Committee and opened the meeting at approximately 9:06 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. The Deputy Executive Director provided information regarding an Agreement of Sale at the Salem Business Centre. The Deputy Executive Director reported that the Economic Development Committee had been briefed last month in an Executive Session of the potential sale of a lot at the Salem Business Centre and asked the Business Development Manager to provide an update on the status of the sale. Verizon Wireless made an offer to purchase 11.7 acres of property to construct a 40,000 square foot building. The Business Development Manager reported that the issue regarding the sewer capacity approval had been confirmed and the Carney’s Point Zoning Officer provided a letter confirming Verizon’s proposed use for the site was permitted under the applicable zoning ordinance. He further reported that the new appraisal for the entire Salem Business Centre had also been received. The Business

Development Manager provided the appraisal comparisons from 2004 to 2008. It was also noted that the appraisal was based on other comparables and included deductions for market conditions, location and zoning and that Verizon's offer was consistent with the current value. The Business Development Manager reviewed the draft Resolution authorizing the execution of an Agreement of Sale. The Executive Director asked that the agreement of price be included in the final Resolution. The Deputy Executive Director added that the Authority was fortunate to receive an offer during these economic times. After review, on motion by Commissioner Dorn, seconded by Commissioner Patterson, the Committee recommended authorizing negotiation and execution of an Agreement of Sale at the Salem Business Centre. The final Resolution will be presented to the full Board for consideration at the January meeting.

III. The Deputy Executive Director requested an Executive Session. On motion by Commissioner Dorn, seconded by Commissioner Patterson, the session was closed.

The following matters of a confidential nature were discussed.

- LONG TERM PLANNING ALTERNATIVES

With no further business to discuss in Executive Session, on motion by Commissioner Dorn, the Economic Development Committee was opened to the public.

With no further business to discuss, on motion by Commissioner Dorn, seconded by Commissioner Smith, the Economic Development Committee adjourned at 9:37 a.m.

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

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9911. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

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

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

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9912. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Acting CFO presented charts showing statements of income and expenses for the month of November with comparisons to the same periods last year.

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

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9913. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Acting CFO presented charts for December showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

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

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9914. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Acting CFO presented charts for the month of December showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The charts also include cash expenditures spent to date for the committed projects.

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

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9915. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF DECEMBER 31, 2008.

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

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

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9916. PUBLIC COMMENT ON ACTION ITEMS.

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

Contract Close-out #DMB-07-02 Repainting Center Suspended Spans -1st Structure DMB
Resolution 09-01 Authorizing Authority Expenditures \$25,000 and over
Resolution 09-02 Sale of a Lot of Land at the Salem Business Centre, Carney’s Point, NJ
Resolution 09-03 Recognizing and Saluting Gary B. Patterson for Service to the DRBA

There were no public comments.

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9917. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

<u>Contractor</u>		<u>Payment</u>
DMB-08-01	Allied Painting, Inc.	\$ 556,269.30
DMB-08-02	Marinis Brothers, Inc.	\$ 61,399.89
DMB-07-02	Marinis Brothers, Inc.	\$ 21,153.50
DMB-07-03	Schlosser & Associates, Inc.	\$ 49,950.00
DMB-07-04	Schlosser & Associates, Inc.	\$ 166,070.69
DMB-06-03	J.D. Eckman, Inc.	\$ 62,516.00
DMB-04-01	Mumford and Miller	\$ 1,149,770.88
NCA-06-02	Diamond Materials	\$ 456,736.09
NCA-06-03	Eastern States Construction	\$ 60,120.00
CAT-07-01	Joseph T. Hardy & Sons	\$ 17,289.50

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9918. CONTRACT CLOSE-OUT: REPAINTING CENTER SUSPENDED SPANS – 1ST STRUCTURE, CONTRACT #DMB-07-02

On September 14, 2007 Contract No. DMB-07-02, Repainting Center Suspended Spans – 1st Structure, was awarded to Marini’s Brothers, Inc. of New Castle, Delaware for the bid price of \$1,809,040.28.

During the contract period Change Order No. 1 was approved for the project.

1. November 30, 2008 Adjustment in quantities to reflect actual field conditions.
Subtract: \$9.75.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$1,809,030.53.

A motion to close-out Contract DMB-07-02 was made by Commissioner Favre, seconded by Commissioner Lowe, and unanimously approved by a voice vote of 10-0.

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9919. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOAD

Vice-Chairperson Hogan stated that he met with a small group of delegates including Commissioner Simmerman and the Acting CFO to discuss his concerns with the practice of using sole source methods for obtaining professional services and financial consultants without going through the RFP process. Vice-Chairperson Hogan called for an RFP process for such services to be implemented by May 1, 2009 and that no new contracts be signed without first going through the RFP process. He noted that his concern was not a disapproval of any vendor on the Resolution but a means of managing expenses.

Chairperson Parkowski concurred with Commissioner Hogan’s concerns and stated that those vendors not under contract will go through the RFP process. He stipulated that a review of the Authority’s Procurement Policy (Resolution 98-31 et. al.) should be made.

RESOLUTION 09-01 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2009 THROUGH DECEMBER 31, 2009.

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 1/1/09 THROUGH 12/31/09

VENDOR	SERVICE DESCRIPTION	DETERMINATION
ABS Americas	Inspection Services Vessels	Sole Source
ACS	EZ Pass transaction processing	Contract
Aeris Atlantic	HVAC Coil Restoration/Duct Cleaning	Proprietary
Allied Beverage	Alcoholic Beverage Supplier	Sole Source
Allied Marine Service	Vessel Vacuum Toilet Parts	Sole Source
Armorica Sales Inc.	Vessel Paint	Proprietary
Anite Systems	Maintenance Agreement Ferry Reservation System	Proprietary
Artesian Water Company	Water	Utility
AT&T	Wide area network services NJ	State Contract
Atlantic Cape Community College	Tuition Expenses	Education
Atlantic City Electric	Electricity	Utility
Atlantic City Press	Public advertisements	Sole Source
Bayshore Ford	Purchase of CIP approved equipment	State Contract
Blue Cross Blue Shield of Delaware	Medical, Prescription and Dental Coverage	Benefits
Board of Public Works - Lewes	Water, Sewer and Electric Services	Utility

Bruce Industrial	Davits, Jibs, Overhead Cranes	Proprietary
Carl King, Inc. (Griffith Energy Services)	Diesel fuel for New Castle Airport	State Contract
Carney's Point Tax Office	Taxes – Business Center	Government
Carus AB Ltd	Maintenance Agreement & Programming – Ferry Res System	Proprietary
Cavanaugh Capital Management	Financial Investment Advisor	Benefits
Cherry Valley Tractor Sales, Inc.	Purchase of approved CIP equipment	State Contract
Cryotech Deicing Technology	Runway Deicer	Sole Source
Dave's Trash Removal, Inc.	Trash removal for CMLF	Quotes
DBC Marine Safety Systems	Servicing/Deployment of Vessel	Sole Source
Delaware Division of Revenue	State Income Tax	Government
Delaware Technical Community College	Tuition Expenses	Education
Delaware Transportation Authority	EZ-Pass Reimbursement – Credit Card	EZ Pass
Delmarva Gas	Natural Gas	Utility
Delmarva Power Delivery	Electricity	Utility
Division of Child Support Enforcement	Employee Withholding	Government
DRBA EFCU	Employee Withholding – Credit Union	Credit Union
DRBA/PNC	Employee and Employer Pension Withholding	Benefits
Eagle Fence	Security gates upgrade at Lewes	Targeted Solicitation
Enterprise Flasher, Inc.	Purchase of approved CIP equipment	State Contract
Exxon Company	Vessel M.E., Gear and Steering Oil	Sole Source
Fairbanks Morse	Vessel Engine Parts	Sole Source
Giles and Ransome, Inc.	Bowthruuster and Generator Parts, Caterpillar Parts and Equipment Rental	Sole Source
Harrison Beverage Co.	Alcoholic Beverage Supplier	Sole Source
Hertrich Fleet Service	Purchase of SUVs per approved CIP list	State Contract
Horizon Blue Cross Blue Shield of NJ	Medical, Prescription and Dental Coverage	Benefits
HP/Compaq	PC & Equipment	Proprietary
IBTTA	Conference Contribution	Professional Education
IHI Marine	Vessel Reduction Gear Parts	Sole Source
ING	Defined Contribution Plan	Benefits
Internal Revenue Service	Federal/FICA/Medicare Withholding	Government
International Salt Company	Roadway Salt	State Contract
ISO Bunkers	Diesel Fuel for DMB	State Contract
Johnson & Towers	Vessel Generator Parts	Sole Source
Johnson Controls	HVAC Maintenance and Training	Sole Source
Kent Oil Company	100 LL Aviation Fuel for DAP	Contract
Klenzoid	HVAC/H2O Treatment Systems	Proprietary
Kramer Beverage Co.	Alcoholic Beverage Supplier	Sole Source
Kronos	Time and Attendance System	Sole Source
L.S. Riggins Oil Company	Gasoline for NCA	State Contract
Marine Engineer's Beneficial Association	Employee Withholding	Union
Mark IV IVHS	EZ-Pass Transponders	EZ-Pass
Maryland Transportation Authority	EZ-Pass Reimbursement – Credit Card	EZ Pass
MCI/Intermedia	Network Circuit Provider	Sole Source
Mercer Human Resources Consulting	Pension Actuarial Services	Contract
MetLife Financial Services	Deferred Compensation	Contract

Microsoft Licensing, GP Modern Controls	Enterprise Licensing Agreement HVAC Maintenance and Service at New Castle Airport	Sole Source Quotes
Morris Nichols Arsht & Tunnel Motorola Communications and Electronics	Legal Services 800 MHZ Communications System	Legal State Contract
MTA Bridge & Tunnel Authority	EZ-Pass Reimbursement – Credit Card	EZ Pass
MTM Technologies MUNIS	MIS Professional Services Financial/HR Software Annual Maintenance Fess	Sole Source Proprietary
Neumann College New Castle County Land Use	Tuition Stormwater Management, Erosion/Sediment Control	Benefits Government
New Castle County Sewer New Jersey Division of Revenue New Jersey Family Support New Jersey Regional Consortium	Sewer services Employee Withholding Employee Withholding EZ-Pass Reimbursement – Credit Card	Utility Government Government EZ Pass
New World Systems, Inc.	Installation and Maintenance of Police Computer Aided Dispatch System	State Contract
New York State Thruway Agency	EZ-Pass Reimbursement – Credit Card	EZ Pass
Omnithruster, Inc. Parker McCay P.A. Payflex, Inc. Pedroni Fuel Petroleum Traders Company PNC Bank Port Authority of NY & NJ	Vessel Bowthruster Parts Legal Services Section 125 Administrator Diesel & Unleaded Gasoline Unleaded Gasoline (Lewes) Investment/Banking Services EZ-Pass Reimbursement – Credit Card	Sole Source Legal Benefits State Contract State Contract Contract EZ Pass
Red The Uniform Tailor Reitman Div. – R&R Marketing Rolls-Royce/Ulstein Sales & Use Tax Sea Safety Services	Police Uniforms Alcoholic Beverage Supplier Vessel Steering Parts NJ Sales & Use Tax Inspection Services and Safety Supplies for Vessels	State Contract Sole Source Sole Source Government Proprietary
Service Energy LLC Software Specialists, Inc.	Diesel & Heating Oil Lewes Software Support/Programming for Toll System	State Contract Proprietary
South Jersey Gas Co. Spondulinx Standard Distributing Co., Inc. Star Janitorial State of Delaware	Heat and Cooking Utilities Video Surveillance System Integrator Alcoholic Beverage Supplier Custodial Service at NCA Unemployment Insurance and Tax Withholding	Utility State Contract Sole Source Quotes Government
State of New Jersey – Unemployment Insurance Sunoco Thyssen Krupp	Unemployment Taxes Diesel Fuel Elevator Service and Repairs	Government State Contract Existing Agreement
Township of Lower MUA Transdyn Controls Treasurer of Virginia	Water & sewer Utilities Traffic Management Software EZ-Pass Reimbursement – Credit Card	Utility Proprietary EZ Pass
Verizon - DE Verizon - NJ Verizon - DE Verizon Wireless VSGI Warnock Automotive	Local Telephone Service Local Telephone Service Data Networking Expense Cellular Service Video Teleconferencing Purchase of approved CIP equipment	Utility Utility Utility State Contract Sole Source State Contract

Waste Management

Trash and Recycling Services

Proprietary

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

Commissioner Simmerman made a motion to approve Resolution 09-01 with the stipulation that all vendors not under contract must go through an RFP process by May 1, 2009, seconded by Commissioner Smith, and approved by a roll call vote of 10-0.

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RESOLUTION 09-02 AUTHORIZING THE SALE OF A LOT OF LAND LOCATED AT THE SALEM BUSINESS CENTRE IN CARNEY’S POINT, NEW JERSEY

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is the owner of real property situate in Carney’s Point Township, Salem County, New Jersey, located within the Salem Business Centre (the “Property”), said lot being comprised of 11.70 acres known as Block 192 Lot 3.03 on the Carney’s Point Tax Maps; and

WHEREAS, the Authority has determined it is in its best interest to sell the property; and

WHEREAS, Verizon Wireless has made an offer of One Million, One Hundred-Seventy Thousand dollars (\$1,170,000.00) to purchase the Property in order to construct an approximately 40,000 square foot building containing a new network switching facility ; and

WHEREAS, the Authority has received an updated appraisal identifying the offer as the Fair Market Value of the Property; and

WHEREAS, the Authority’s Economic Development Committee has reviewed, approved, and recommends the sale of the Property to Verizon Wireless.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized, to negotiate the terms and conditions of an Agreement of Sale (the “Agreement of Sale”) to effect the sale of the property and to have the Agreement of Sale and all associated documents related to and required to consummate the sale, with the advice and consent of Counsel, executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 09-02 was made by Commissioner Smith, seconded by Commissioner Lowe, and unanimously approved by a roll call vote of 10-0.

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RESOLUTION 09-03 - RECOGNIZES AND SALUTES GARY B. PATTERSON FOR HIS DEDICATED SERVICE TO THE DELAWARE RIVER AND BAY AUTHORITY

WHEREAS, Gary B. Patterson was appointed by Governor Ruth Ann Minner to serve as a Commissioner for The Delaware River and Bay Authority, participating in his first Commission Meeting on April 17, 2001; and

WHEREAS, Mr. Patterson served with distinction, enthusiasm and dedication as a Delaware River and Bay Authority Commissioner, guiding the Budget and Finance Committee as its Chairman and sharing his expertise as a member of the Budget and Finance, Projects and Economic Development Committees; and

WHEREAS, Mr. Patterson, through the experience and understanding gained in both the public and private sectors, helped to shape and effectuate policy at the Delaware River and Bay Authority; and

WHEREAS, as a DRBA Commissioner, Mr. Patterson supported a number of economic development projects which created jobs for the region's citizens and endorsed the

investment of financial resources to improve and enhance the Authority's major transportation links, the Cape May - Lewes Ferry and Delaware Memorial Bridge facilities, and

WHEREAS, Mr. Patterson was instrumental in the creation of the agency's By-Laws to improve governance and oversight as well as the adoption of numerous policies and procedures that enhanced accountability and strengthened corporate governance; and

WHEREAS, Mr. Patterson willingly supplied his time, talents, and energy to the successful operation of the Delaware Memorial Bridge, Cape May - Lewes Ferry, the DRBA Business Centre, New Castle Airport, Millville Airport, Cape May Airport, Delaware Airpark, Civil Air Terminal at Dover, and the Three Forts Ferry Crossing, all of which are managed by the Delaware River and Bay Authority.

NOW THEREFORE, BE IT RESOLVED that the Delaware River and Bay Authority does hereby praise and congratulate Gary B. Patterson for the invaluable services rendered by him to the States of Delaware and New Jersey through his outstanding contributions as a Delaware River and Bay Authority Commissioner and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, January 22, 2009.

A motion to approve Resolution 09-03 was made by Commissioner Hensley, seconded by Commissioner Simmerman, and unanimously approved by a roll call vote of 10-0.

Vice-Chairperson Hogan wished Mr. Patterson well and thanked him for his service to the Authority.

Chairperson Parkowski noted that Mr. Patterson is a friend and colleague who gave and enormous amount of time to public service. He expressed best wishes to him and thanked him for his dedication to the Authority.

Commissioner Simmerman stated that he worked closely with Mr. Patterson and complimented him on his financial and logical thinking. He wished him and his family well. Commissioner Simmerman then welcomed Commissioner Traynor to the Board.

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9920. COMMISSIONERS PUBLIC FORUM

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

There were no public comments.

Chairperson Parkowski turned the meeting over to the Executive Director.

The Executive Director referred to Article II, Section 2.2 of the By-Laws adopted May 17, 2005 (et al) citing the election and terms of office for the Chairperson and Vice Chairperson. Elections are to be held in January to commence at the February Board of Commissioners meeting. The Executive Director then called for nominations for Chairperson.

Commissioner Parkowski nominated Commissioner Hogan for Chairperson, seconded by Commissioner Smith.

The nominations being closed, a motion to elect Commissioner Hogan as Chairperson to a two year term was approved by a roll call vote of 10-0.

Next, the Executive Director called for nominations for Vice-Chairperson.

Commissioner Hogan nominated Commissioner Parkowski, seconded by Commissioner Simmerman.

The nominations being closed, the motion to elect Commissioner Parkowski as Vice-Chairperson to a two year term was approved by a roll call vote of 10-0.

Chairperson Parkowski noted that he, along with Commissioner Hogan, will be discussing committee assignments and will be making a formal announcement at the February meeting that will take effect in March.

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

The meeting was adjourned 10:50 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Secretary