MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, June 15, 2010
University of Delaware
College of Earth, Ocean & Environment
Virden Center
Lewes, Delaware 19958

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

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

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

The Authority 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.

PRESENT

James N. Hogan, Chairperson	Scott A. Green. Vice-Chairperson
Susan A. DeLanzo	Richard W. Downes
Edward W. Dorn	Samuel E. Lathem
---	William E. Lowe
Ceil Smith	Terri C. Murphy
Douglas Van Sant	-----

ABSENT

Niels S. Favre	Gary F. Traynor

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10193. APPROVAL OF THE MAY 18, 2010 REGULAR MEETING MINUTES

A motion was made by Commissioner Dorn to approve the minutes of the May 18, 2010 meeting, seconded by Commissioner Lowe, and unanimously approved by a voice vote of 10-0.

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Chairperson Hogan requested Vice-Chairperson Green preside over the meeting and then removed himself during a motion to amend the Agenda.

Vice-Chairman Green called for a motion to amend the Agenda to include Resolution 10-16, Collective Bargaining Agreement between the DRBA and International Union of Operating Engineers, Local 542 for Certain Employees. The Resolution was tabled at the March 16, 2010 Board of Commissioners meeting.

A motion to add Resolution 10-16 to the Agenda was made by Commissioner Van Sant, seconded by Commissioner Lowe, and approved by a voice vote of 9-0 with Commission Hogan abstaining. Resolution 10-16 was added to the Agenda.

At this point, Chairperson Hogan presided over the meeting.

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10194. EXECUTIVE DIRECTOR'S REPORT

The Executive Director presented the following highlights that occurred within the Authority during May, 2010.

Delaware Memorial Bridge

In May, total traffic decreased 1.4%, non-commercial traffic decreased 1.0%, and commercial traffic decreased 3.6%, compared to May 2009. When compared to the 3-year average, total May traffic decreased 1.0%. Year-to-date total traffic decreased 3.5%, non-commercial traffic decreased 3.4%, and commercial traffic decreased 4.3%, compared to the previous year. When compared to the 3-year average, year-to-date total traffic decreased 4.2%.

E-ZPass traffic for May represented 60.7% of the total overall traffic as compared to 59.6% for the previous year. Year-to-date total electronic traffic represented 61.8%, an increase of 1.5% from 2009.

Work is underway with eight task orders for the First Structure Rehabilitation Program through AECOM. The task orders include Program Management Services, Main Cable and Suspender Rope Investigation, Document Review and Field Inspections, Coatings Evaluation and Lead Abatement Design, DMB Traffic Operations Study, Public Outreach Services, Weigh-in-Motion and Service Monitoring, and Load Testing and Structural Modeling. The consultant has completed their field inspection, deck cores, radar scanning of the deck, and field testing.

Cape May Lewes Ferry

In May, vehicle traffic increased 4.6%, and passenger traffic increased 4.2% compared to May 2009. Year-to-date vehicle traffic decreased 5.3% and passenger traffic decreased 5.3% when compared to the same period in 2009. When compared to the average of the last three years, year-to-date vehicle traffic and passenger traffic decreased 16.6% and 14.9%, respectively.

In May, fare revenues increased 3.4% compared to May 2009. Year-to-date fare revenues decreased 1.7% compared to the same period last year. Compared to the 3-year average, year-to-date fare revenues have increased 3.8%.

In May, CMLF food and beverage revenues increased 3.3% and retail revenues decreased 5.7% compared to May 2009. Year-to-date food and beverage revenues decreased 2.8% and retail revenues decreased 7.9% compared to the same period in 2009. When compared to the 3-year average, year-to-date food and beverage revenues decreased 16.9% and retail revenues decreased 29.5%.

The MV Twin Capes traveled to Caddell's Ship Yard in Staten Island, New York for emergency keel repairs and returned in less than a week before the end of the month. As reported in my monthly report for March 2010, the United States Coast Guard issued a notice of deficiency (USCG835) requiring permanent repairs to the keel cooler despite an appeal. A new keel cooler was installed. The USCG New York inspected the completed work and allowed the MV Twin Capes to be placed back into service.

Dredging of the slips at the Cape May Terminal is completed. The MV Cape May returned from being docked in Lewes where it was moved to make room for the dredging work.

A Special Events Open House was held at Cape May Terminal with event planners and business leaders from throughout Cape May County attending to understand how CMLF facilities, including vessels, can be utilized for meetings, weddings, and other events. Plans for a similar event are being planned for Lewes.

Airports

Staff attended the Fourth Annual Delaware Aviation Summit at Dover Downs. The summit dealt with issues related to funding, Next-Gen, policy and technology at the national level; and

issues particular to the advancement of aviation and airports in the State of Delaware. Featured speakers were Secretary of Transportation Carolann Wicks; Carmine Gallo, Regional Administrator, FAA Eastern Region; William Flanagan, Manager, Airports Division FAA Eastern Region; Henry Ogrodzinski, President & CEO, NASAO; Bill Dunn, Government Affairs Office, AOPA Foundation; and keynote speaker Dean Saucier, Regional Representative, NBAA. Airport's Division staff served as one of the hosts and gave a presentation on the historical perspective of Dover Civil Air Terminal's NASCAR operation; including aircraft and rental car operations.

Field work and data acquisition (survey, geo-technical) activities are now complete for the Delaware AirPark runway project. Overall design is scheduled to be complete by February 2011. An environmental coordination meeting was recently held with all of the resource agencies to review the project impacts. This work is 95% funded by the FAA. Additionally, the Delaware Department of Transportation has been pursuing the acquisition of land adjacent to the airpark. Acquisition of these properties is necessary for the replacement of new T-Hangers which will be displaced by the new runway project.

Airport personnel supported NASCAR aircraft arrivals for the Autism Speaks 400 NASCAR race at the Dover Civil Air Terminal and Delaware Airpark Airport. There were approximately 115 aircraft and helicopter arrivals at the Authority's Dover Civil Air Terminal facility. Atlantic Aviation, Inc. provided ground-handling and fueling services.

Employee Happenings

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

Authorized Positions	434
Positions Filled	391
Positions Filled (on LTD)	2
Total Positions that are Vacant	41
Vacant Positions in Process to fill	8

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

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10195. COMMITTEE REPORT – BUDGET & FINANCE COMMITTEE

Commissioner Van Sant presented the following Budget & Finance Committee meeting minutes of June 1, 2010.

BUDGET & FINANCE COMMITTEE MEETING
Tuesday, June 1, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Budget & Finance Committee Meeting was held on Tuesday, June 1, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT
Committee Chair Van Sant
Commissioner Dorn
Commissioner Smith
Chairperson Hogan

Commissioners from Delaware

Committee Vice-Chair Traynor
Commissioner Downes, Committee Member
Commissioner Murphy, Committee Member
Commissioner Lathem
Commissioner Lowe
Vice-Chairperson Green

Legal Counsel
Mike Houghton - DE

Governors' Representatives
Johanna Jones - NJ

Staff
Jim Johnson
Frank Minor
Victor Ferzetti
Gerry Owens
Charlotte Crowell

Authority Secretary
Tom Pankok

1. Committee Chair Van Sant opened the Budget & Finance Committee meeting at approximately 9:52 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.

2. Resolutions:

a. Over $25,000 Vendor List – Committee Chair Van Sant questioned the CFO as to whether the Resolution conformed to the New Jersey Governor's Unit requirements. The CFO reported that the NJ Governor's Representative submitted questions on three of the listed vendors. Aeris Atlantic provides HVAC duct treatment and coil restoration alleviating deterioration of piping and oils to protect the infrastructure. This is part of the routine maintenance of the infrastructure. It is the only company that provides proprietary AerisGuard technology. This technology safely treats the HVAC water while extending the life of the asset. Capital Soft Inc. was questioned as to whether it went out for bid. Authority Chair Hogan questioned whether it was the same software that had been discussed by the Board. The CFO reported that this phased-in software implementation began last year to provide Procurement and Project Management. The CIO added that the software will provide online bidding and completely creates, tracks, and maintains projects. Two vendors focusing in the transportation industry were identified; however, one of the vendors was used by the larger DOTs and would not be suited to our organization and Capital Soft was selected after presenting to the Budget & Finance Committee and discussing the pros and cons. The Committee authorized a waiver of the bidding requirements of Resolution 98-31 and Capital Soft was procured. The vendor is continuing the implementation and programming. The CFO reported that the CMLF Port Engineer answered the question regarding Exxon Company and why it is a sole source. It was reported that once a particular type of oil is chosen for a vessel, it is an industry best practice to stay with that same type as different oils have different chemistry/mixes which could potentially negatively impact the engines. Committee Chair Van Sant questioned whether that satisfied the NJ Governor's Rep since the previous Resolution had been vetoed. The CFO noted that he could not speak for the Governor's office but, had been in discussions with the NJ Governor's Rep to break down and address the large list of vendors in smaller more manageable submissions. The CFO added that in April, the Committee and subsequent Board, approved the Over $25,000 Vendor List, which included State Contract, Benefits, Utilities, and Government vendors. He added that he would continue to communicate with the Governor's office and if a problem developed he could table the Resolution. After discussion, Commissioner Downes made a motion, Commissioner Traynor seconded, and the Budget & Finance Committee unanimously recommended approval of the Over $25,000 Vendor List. The Resolution will be presented to the full Board for consideration at the June meeting.

3. Review of Authority Funds:

The CFO reported that Commissioner Downes made a request at a previous Budget & Finance Committee for a review of the Authority funds. The CFO presented and reviewed the Summary of Funds, Flow of Funds diagram, and Cash Position chart. The Summary of Funds showed the Depositories and the Balances as of 4/30/2010. Any excess funds are swept periodically into the General Fund, which can be used for any lawful purpose of the Authority,

including Commerce Facilities. Authority Vice-Chair Green questioned whether the $4 million in the Reserve Maintenance Fund, set by the Trust Agreement, should be increased. The CFO reported that it was established and remains as long as there are outstanding Bonds from the 1993 Trust Agreement and Supplemental Trusts. Commissioner Downes questioned Wilmington Trust as custodian and how would the Authority be protected should there be problems with the bank. The CFO reported that he investigated this issue in 2008 and, Wilmington Trust, is a custodian of Authority funds. These funds would not be considered assets of the bank. The Committee also questioned the function of Cavanaugh Capital Management and the CFO reported that CCM does not hold or transfer dollars in any accounts, but directs the custodian to purchase and hold specific investments.

4. Miscellaneous:

The CFO reported that he met with Cavanaugh Capital Management regarding the Investment Policies as it relates to the Pension Trust Agreement and wishes to discuss proposed recommendations and adjustments. As all Board members are Trustees, a presentation to the full Board would be recommended. After discussion, the Committee recommended adding the presentation to the July Budget & Finance Committee; however, any read-ahead materials should be provided in advance of the meeting for review.

With no further business to discuss, a motion to adjourn was made by Commissioner Downes, and the Budget & Finance Committee adjourned at 10:21 a.m.

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

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10196. COMMITTEE REPORT – PERSONNEL COMMITTEE

Commissioner Dorn presented the following Personnel Committee meeting minutes of June 1, 2010.

PERSONNEL COMMITTEE MEETING
Tuesday, June 1, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Personnel Committee was held on Tuesday, June 1, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey
PRESENT

Committee Chair Dorn
Commissioner Smith, Committee Member
Commissioner Van Sant
Chairperson Hogan

Commissioners from Delaware

Committee Vice-Chair Lathem
Commissioner Murphy, Committee Member
Commissioner Traynor, Committee Member
Commissioner Downes
Commissioner Lowe
Vice-Chairperson Green

Legal Counsel
Mike Houghton - DE

Governors' Representatives
Johanna Jones - NJ

Staff
Jim Johnson, Jr.
Frank Minor
Victor Ferzetti
Gerry Owens

Authority Secretary
Thomas Pankok

Charlotte Crowell

1. Committee Chair Dorn welcomed the Personnel Committee and opened the meeting at 10:22 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.

2. Committee Chair Dorn requested an Executive Session, closed to the public to discuss matters of a confidential nature. A motion was made by Commissioner Lathem, seconded by Commissioner Smith, and the Session was closed.

The following matters of a confidential nature were discussed.

- CONTRACT NEGOTIATIONS
- PERSONNEL MATTERS

With no further business to discuss in Executive Session, a motion to open the meeting to the public was made by Commissioner Lathem, seconded by Commissioner Traynor, and the Personnel Committee was opened to the public.

With no further business to discuss, Commissioner Lathem, made a motion to adjourn, Commissioner Traynor seconded, and the Personnel Committee adjourned at 11:14 a.m.

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

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10197. COMMITTEE REPORT – PROJECTS

Commissioner Lowe presented the following Projects Committee meeting minutes of June 1, 2010.

PROJECTS COMMITTEE
June 1, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority's Projects Committee was held on Tuesday, June 1, 2010, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from New Jersey	Commissioners from Delaware
PRESENT	
Commissioner Dorn, Committee Member	Commissioner Lowe, Committee Vice Chair
Commissioner VanSant, Committee Member	Commissioner Lathem, Committee Member
Commissioner Smith	Commissioner Murphy, Committee Member
Authority Chair Hogan	Commissioner Downes
	Authority Vice Chair Green

Staff	NJ Liaison
Jim Johnson	Johanna Jones
Frank Minor	
Victor Ferzetti	Secretary
Gerry DiNicola-Owens	Tom Pankok
Charlotte Crowell	
Steve Williams	
Anna Marie Gonnella-Rosato	
A.J. Crescenzi	
John Sarro	
Jim Salmon	
Kelly Phillips-Parker	

Joseph Volk
David Hoppenjans
Michelle Griscom-Collins

The Projects Committee meeting convened at approximately 11:15 a.m. Those in attendance were provided an informational package consisting of two draft Resolutions, a contract close-out letter, a monthly contractor payment chart (through May), and a draft Airport Capital Improvement Program package.

1. Resolutions:

- Staff introduced a draft resolution authorizing a Project Funding Agreement between the Delaware River and Bay Authority and the New Jersey Department of Transportation for the Cape May-Lewes Ferry, Cape May Approach Road Rehabilitation. The Projects Committee concurred with the recommendation and directed the resolution to be presented at the June Board meeting.

- Staff introduced a draft resolution authorizing an amendment to increase the total compensation for services limit from $1.8 million to $2.2 million for the current Millville and Cape May Airports General Engineering Consultant Services Agreement. The Projects Committee concurred with the recommendation and directed the resolution to be presented at the June Board meeting.

2. Bid Openings: None

3. Contract Close-Out Actions:

- CMLF-09-04, 2010 Maintenance Dredging - Cape May: The Acting COO recommended close-out of the contract and final payment be made to Barnegat Bay Dredging Co., Inc. of Harvey Cedars, New Jersey. The final contract amount is $392,139.13. The Projects Committee concurred with the recommendation and directed that the action be presented at the June Board meeting.

4. Contract Payment Review (through May): The Acting COO informed the Committee of the monthly construction contractor payments to be made in June.

5. Miscellaneous Items/Updates:

- Airport Capital Improvement Program: The Acting COO and staff presented a draft Airport Capital Improvement Program (ACIP) budget overview for 2010-2014 for the New Castle Airport, Millville Airport, Cape May Airport, Delaware Airpark and Civil Air Terminal. Staff reviewed all projected ACIP projects. The Acting COO stated that he planned to review the ACIP in conjunction with the established Airport Business Plans at the July Projects Committee meeting. After discussion and all questions being answered, staff suggested that the Committee and other Commissioners review the draft document and provide any comments.

There being no further business for the Projects Committee, the public meeting was adjourned at approximately 11:55 a.m.

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

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10198. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Downes presented the following Economic Development Committee meeting minutes of June 1, 2010.

ECONOMIC DEVELOPMENT COMMITTEE MEETING
Tuesday, June 1, 2010
Delaware Memorial Bridge Complex

New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Economic Development Committee was held on Tuesday, June 1, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey
PRESENT
Committee Vice-Chair Smith
Commissioner Dorn, Committee Member
Commissioner Van Sant
Chairperson Hogan

Commissioners from Delaware

Committee Chair Downes
Commissioner Lowe, Committee Member
Commissioner Traynor, Committee Member
Commissioner Lathem
Commissioner Murphy
Vice-Chairperson Green

Governors' Representatives
Johanna Jones – NJ

Staff
Jim Johnson
Frank Minor
Victor Ferzetti
Gerry Owens
Charlotte Crowell
Anna Marie Gonnella Rosato
Jim Salmon
Michelle Griscom-Collins
AJ Crescenzi
John Sarro
Steve Williams
Joe Volk
Dave Hoppenjans

Committee Chair Downes welcomed the Economic Development Committee and opened the meeting at approximately 11:55 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.

1. Action Items:

- Resolution Amending Resolution 10-27 Authorizing a Lease Termination Agreement Between the Delaware River and Bay Authority and Dassault Falcon Jet Wilmington ("Dassault") – The Deputy Executive Director reported that Dassault has determined that they need additional time to vacate the facility and they have agreed to change the expiration of the Lease Agreement to August 31, 2010. Dassault will continue to pay rent until such time. The adjusted PV calculation for the remainder of the lease term shall be $1,293,739.07, to be paid at the termination of the lease. After discussion, Commissioner Dorn made a motion to approve the Amendment of the Termination of a Lease Agreement, Commissioner Smith seconded, and the Economic Development Committee unanimously recommended approval. The Resolution will be presented to the full Board for consideration at the June meeting.

- Resolution Authorizing the Execution of a Lease Agreement Between the Delaware River and Bay Authority and Cape Air Foods, LLC ("Cape Air"). The Deputy Executive Director reported that Cape Air began operating the Cape May Airport terminal restaurant in 2007 on a trial basis. The Lease has expired and they would like to continue operating. Cape Air desires to lease approximately 1,425 square feet of space at an annual rent of $3,084 for an initial term of one (1) year with four (4) options renewals of one (1) year each. Authority Vice-Chair Green questioned whether the food service lease had gone out for bid and does the revenue received cover the Authority's insurance costs. He was concerned that it may not be the best use for the facility. Michelle Griscom-Collins reported that there had not been

much interest in the facility. Cape Air also provides a benefit to the airport by providing catering to the FBO's and keeping the public restrooms clean. After discussion, Commissioner Smith made a motion to approve the Lease Agreement, Commissioner Lowe seconded, and the Economic Development Committee unanimously recommended approval. The Resolution will be presented to the full Board for consideration at the June meeting.

- Resolution Authorizing a Lease Agreement Between the Delaware River and Bay Authority and Victoria's Tax Service, LLC ("Victoria's"). The Deputy Executive Director reported that Victoria's Tax Service, LLC began leasing space at the Millville Airport in 2005. The Lease has expired and they would like to continue leasing approximately 1,200 square feet of industrial park space in Building 23 at an annual rent of $5,400 for an initial term of five (5) years with one (1) renewal option of five (5) years. The rent during the option periods shall be based upon the Fair Market Value and adjusted yearly by the CPI. Commissioner Murphy questioned whether $4.50 per square foot of leased space was enough. Michelle Griscom-Collins reported that the dollar amount was based upon an appraisal. Authority Vice-Chair Green again questioned whether the revenue covered the Authority's insurance costs. He would like to see an analysis of the costs for keeping the building. Michelle Griscom-Collins reported that the building is within the designated historic district and cannot be demolished, the tenant pays all utilities, and the lease was based on an appraisal. The CFO added that the largest expense would be for legal fees. After discussion, Commissioner Lowe made a motion to approve the Lease Agreement, Commissioner Smith seconded, and the Economic Development Committee unanimously recommended approval. The Resolution will be presented to the full Board for consideration at the June meeting.

2. Status Reports:

Authority Vice-Chair Green requested a status update on the former Air Transport Command located at the New Castle Airport. The Deputy Executive Director reported that there have been discussions and interest in a high end hotel business. In the discussions, the parties have been told that the Delaware River and Bay Authority was not interested in providing financing for the project and that they would need additional stakeholders. Authority Vice-Chair Green stressed that the property was in a prime commercial area and commented on the current condition. He suggested a Lease Available sign be placed on the property. Michelle Griscom-Collins noted that the building is to be demolished in September. The Deputy Executive Director stated that he agreed that a sign should be placed at the site, but the economy is still dictating how and when businesses move forward. Banks are still reluctant to loan money. The Deputy Executive Director reported that there are on-going efforts every day to generate economic development.

With no further business to discuss, a motion to adjourn was made by Commissioner Dorn, and the Economic Development Committee adjourned at 12:10 p.m.

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

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10199. COMMITTEE REPORT – AUDIT & GOVERNANCE

Commissioner Downes presented the Audit & Governance Committee meeting minutes of June 1, 2010.

AUDIT & GOVERNANCE COMMITTEE MEETING
Tuesday, June 1, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Audit & Governance Committee was held on Tuesday, June 1, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey PRESENT

Commissioners from Delaware

Commissioner Dorn, Committee Member
Commissioner Van Sant, Committee Member
Commissioner Smith
Chairperson Hogan

Committee Chair Downes
Commissioner Lathem, Committee Member
Commissioner Lowe, Committee Member
Commissioner Murphy
Commissioner Traynor
Vice-Chairperson Green

Legal Counsel
Mike Houghton – DE

Governors' Representatives
Johanna Jones - NJ

Staff
Jim Johnson, Jr.
Frank Minor
Victor Ferzetti
Gerry Owens
Charlotte Crowell
Joe Larotonda
Kelly Phillips Parker
Anna Marie Gonnella Rosato

Authority Secretary
Tom Pankok

Invited Guests
Bowman & Company, LLP
Mr. Steve Ryan
Mr. Tim Kiel

1. Committee Chair Downes welcomed the Audit & Governance Committee and opened the meeting at approximately 9:02 a.m. The public meeting of the Audit & Governance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations.

2. Review of 2009 Audit

Committee Chair Downes reported the Audit & Governance Committee quarterly meeting was in accordance with Authority By-Laws, Section 8.11 (e) and turned the meeting to the Chief Financial Officer. The Chief Financial Officer introduced the Authority's Independent Auditors, Steve Ryan and Tim Kiel.

Mr. Steve Ryan provided the Exit Conference Report to all Committee members and Commissioners present. The CFO reported that an Exit Interview conference call was conducted on Thursday, May 27, 2010, and included the Independent Auditors, Audit Committee Chair, CFO, and the Director of Finance to review the Exit Conference Report. The Auditors reported full cooperation with staff during the completion of the Audit as well as improved financial health as compared to 2008. The Key Statistical Highlights were reviewed including Net Assets, GAAP Income and Expenses, Traffic (DMB and CMLF), and Revenue. The Auditors noted that, although there were no findings, there were four items for Committee discussion. The Auditors also noted several other minor items which were discussed with staff, but do not warrant recommendations to management. The items for discussion were as follows.

- Payroll – Due to previous changes made to correct New Jersey tax deductions, New Jersey employees had two sets of wages reported on their W-2s. Employees should have used the larger of the two numbers in each category in order to report the correct earnings on their tax return. Commissioner Murphy questioned whether the numbers were reviewed by staff. The Chief Information Officer reported that the correct number had State of New Jersey with Tax ID next to it and were audited and found to be the correct total. The CFO reported that the CIO will assist staff to determine how this happened. Commissioner Downes suggested a letter of explanation be sent to all New Jersey employees to clarify, including a sample W-2 showing what number should have been used and Commissioner Murphy also suggested instructions on how to re-file if necessary. The Committee questioned whether any employees brought the matter to their attention and the CFO reported he had not heard of any complaints; however, noted that this issue was just reported to staff last week. Authority Chair Hogan recommended engaging the Auditors to rectify the situation with New Jersey employees' W-2s and the Committee concurred with the recommendation. The CFO added that staff will determine any changes needed to the system.

- Grants and Other Joint Projects – The Auditors reported that land purchased with grants from the FAA for expansion at the Delaware Air Park had been incorrectly recorded as the Authority's assets. All land is owned by the State of Delaware; therefore, the land and grant revenue should not have been recorded as an asset in the Authority's financial statements. The three separate transactions occurred in 2006 and 2007 and totaled $7,222,520. The Auditors reported that the misstatements appear to have occurred because of a breakdown in the communication of information between personnel managing the grant projects and those charged with recording the financial transactions. Commissioner Traynor questioned if a restatement was necessary how it would be communicated to the public. A restatement to the 2008 figures in the 2009 Annual Report will be footnoted, while 2007 and 2006 will not be restated. The Auditors recommended all substantial and critical documents be reviewed by accounting and management to determine the proper treatment of the transaction.

- Concession and Food Service Revenue – The Auditors reported that during their testing of food and concession revenues, the point of sale system (POS) did not adequately track sales and discounts, finding some employees had large discounts given or had shortages in their sales which were not investigated by management. Due to the limitations in the POS system it may not be possible for management to adequately track and investigate the shortages and discounts. The POS system also lacks basic capabilities needed to properly manage a merchandising operation, and cannot generate the reports necessary to detail the sales. The Auditors recommended management to investigate a new POS system that will perform the necessary requirements to properly manage Food Service. The CIO reported management had identified a new POS system estimated to cost $300,000-$500,000. As it would be such a large investment, the CIO has been waiting for a determination regarding food service. Vice-Chairperson Green reported that this issue is concerning and understands the limitations of the system and decisions regarding food service are still pending; however the tracking of cash and shortages does not have to do with software – it is a management issue. The Executive Director reported that, in the past, when these issues have occurred, action has been taken. The CFO reported that there are policies in place but aren't being followed. Authority Vice-Chair Green requested staff investigate and report back to the Board. The CFO reported that staff will follow-up and report back to the Committee.

- Inventory – The Auditors reported that when employees perform counts on inventory at the Delaware Memorial Bridge warehouse, estimates are being used rather than actual counts to determine amounts on hand. 60% of the items tested had inaccurate counts. The items tested had a value of $11,024 of which there was $6,276 in errors or a 57% error rate in dollars. The total value of the DMB inventory is approximately $350,000, it was noted that the CMLF inventory valued at approximately $3,700,000 had an error rate of only .25%. The Auditors recommended that the Authority create and institute controls over the tracking and disposition of inventory in order to ensure that all listings are accurate. The CIO reported that she is currently in the process of installing a new work order/inventory system and the Authority will be hiring an outside firm to complete physical inventories of all warehouses in order to start with accurate numbers.

Other Items – Although the Auditors discussed in detail with the finance staff, no recommendations were made as these would be minor issues. The items were related to Bridge Revenue, Purchasing Cards, Airport Revenue, and Expenditures were reviewed by the Committee. During the discussion, the Commissioner Murphy stressed that, although the dollar amounts may be small, if management does not investigate, it could grow into a larger problem. Staff reported that there are procedures in place, however, not being followed. Authority Vice-Chair Green added that allowing small errors lets it appear that procedures don't have to be followed. If there are systems in place, the employee and supervisor should be held accountable. Commissioner Lathem suggested that there are a number of personnel left from the previous administration with a lax mentality. The CFO stressed that things have changed, we do not have those attitudes, standards are in place; however, finance is not set up to reconcile to the penny as that is cost prohibitive – the cost exceeds the value. Reasonable controls are in place and with regard to Authority Purchasing Cards, should the use of the card become abusive; the privilege is taken away, noting it is handled on an individual basis. Commissioner Murphy suggested that a trend may be occurring and there needs to be a middle ground to what is reconciled.

After the discussion and presentation, Committee Chair Downes asked when the 2009 Audit would be complete. The Auditors reported that an electronic copy would be ready later in the day and bound copies would be available by next week. Committee Chair Downes directed the CFO to contact the Auditors to complete the New Jersey W-2 issue and there will be a July Audit Committee meeting scheduled to update the Committee on the issue requiring follow-up.

There being no further business to discuss, a motion was made by Commissioner Lowe, and the Audit Committee meeting adjourned at 9:50 a.m.

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

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10200. COMMITTEE REPORT – AD HOC CMLF

Commissioner Lowe noted that the June 1, 2010 meeting of the Ad Hoc Committee did not take place due to the lack of a quorum.

AD HOC CAPE MAY-LEWES FERRY COMMITTEE MEETING
Tuesday, June 1, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

In the absence of a quorum, the Ad Hoc Cape May-Lewes Ferry Committee did not convene.

With no further business to discuss in executive session, the public meeting reconvened at 11:55 a.m.

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10201. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The 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 April, 2010.

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

10202. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented a chart showing statements of income and expenses for the month of April, 2010 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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10203. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented a chart for May 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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10204. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented a chart for the month of May, 2010 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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10205. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF MAY 31, 2010.

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

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

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10206. PUBLIC COMMENT ON ACTION ITEMS.

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

Resolution 10-16 Collective Bargaining Agreement with Local 542
Resolution 10-29 Authorizing Authority Expenditures Over $25,000
Resolution 10-30 Authorizes Project Funding Agreement with NJDOT for CMLF Approach Road Rehabilitation
Resolution 10-31 Authorizes an Amendment to Increase Compensation Limit for the Millville and Cape May Airports General Engineering Consultant Services Agreement

Resolution 10-32 Amends Resolution 10-27 Authorizing A Lease Termination Agreement with Dassault Falcon Jet Wilmington
Resolution 10-33 Lease Agreement with Cape Air Foods at the Cape May Airport
Resolution10-34 Lease Agreement with Victoria's Tax Service, LLC at Millville Airport

Frank Bankard, Local 542 spoke. He noted that he represents those employees in Local 542 and asked the Commissioners to pass Resolution 10-16. He thanked everyone especially the COO and the CEO for their hard work during the negotiations.

There were no further comments from the public.

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10207. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

Contract No.	Contractor	Current Amount
DMB-09-2	**Mumford and Miller**	134,570.48
DMB-04-01	**Mumford and Miller**	8,225.00
CMLF-09-04	**Barnegat Bay Dredging co., Inc.**	10,000.00
CMLF-06-03R	**PKF-Mark III, Inc.**	290,243.10
CMLF-08-02	**Mumford and Miller**	405,107.32
NCA-09-02	**Puente Construction**	2,230.74
NCA-06-02	**Diamond Materials**	130,659.11
MVA-06-01	**Giberson Plum&Excavating, Inc**	84,220.65
CMA-07-03	**MD Remodeling**	74,259.71

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10208. CONTRACT CLOSE-OUT – 2010 MAINTENANCE DREDGING CAPE MAY-CONTRACT #CMLF-09-04

On March 31, 2010 Contract No. CMLF-09-04 Maintenance Dredging Cape May, was awarded to Barnegat Bay Dredging Co., Inc. of Harvey Cedars, New Jersey for the bid price of $446,200.00.

During the contract period Change Order No. 1 was approved for the project.
1. April 23, 2010 Adjustment in quantities to reflect actual field conditions.
Subtract: $54,060.87

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is $392,139.13.

The Projects Committee concurred with the recommendation of the COO.

A motion to close-out Contract #CMLF-09-04 was made by Commissioner Dorn, seconded by Commissioner Smith, and unanimously approved by a voice vote of 10-0.

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10209. CHAIRPERSON'S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD

RESOLUTION 10-16 - COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 542, FOR CERTAIN EMPLOYEES

WHEREAS, The Delaware River and Bay Authority (the "Authority") operates the Delaware Memorial Bridge, Cape May-Lewes Ferry, Three-Forts Ferry, and five (5) airport facilities; and

WHEREAS, certain maintenance, airport, toll collector, and food service employees voluntarily designated the International Union of Operating Engineers, Local 542 ("Local 542"), to represent them in an election on September 23, 2004; and

WHEREAS, the Authority and Local 542 negotiated and executed a Collective Bargaining Agreement (the "Agreement") which expired on December 31, 2008; and

WHEREAS, the purpose of the Agreement was to promote and maintain a harmonious relationship between the Authority and its employees; and

WHEREAS, the Authority and Local 542 have negotiated a new collective bargaining agreement and desire to execute such agreement ("New Agreement"); and

WHEREAS, the Personnel Committee has reviewed the terms of the New Agreement and has recommended approval thereof by the Commissioners; and

WHEREAS, in view of the current economic challenges facing the Authority and new policies and practices being implemented by various governmental units, including those in New Jersey, Commissioners, members of the Personnel Committee and other stakeholders, including the States of New Jersey and Delaware, have also subsequently conducted a substantial analysis of the Authority's health care program and contributions thereto by employees, including members of Local 542; and

WHEREAS, that analysis, inter alia, shows that, as of this date, Local 542 members enrolled in the Authority's health care plans pay, on an aggregate basis, 2.95% of their

combined base salaries towards health care premiums, which amount is anticipated to increase on January 1, 2011 to 3.09%; and

WHEREAS, the Authority has taken other measures to contain and reduce health care costs, and based upon the foregoing, the Authority believes its current health care plan is not inconsistent with those new practices being undertaken by various governmental units and, in fact, requires employees to make significant contributions toward their health care premiums, thus striking an appropriate balance among the interests of the Authority, its employees, and tollpayers; and

WHEREAS, the Authority and Local 542, in recognition of the current economic climate, have agreed to a compensation plan which provides wage increases generally consistent with other various governmental initiatives, including those in New Jersey;

WHEREAS, the provisions of this New Agreement shall be retroactive to January 1, 2009, and expire on December 31, 2012; and

WHEREAS, the Authority desires to approve the New Agreement.

NOW, THEREFORE, BE IT RESOLVED, that with the advice of Counsel, the Chairperson, Vice Chairperson, and Executive Director are hereby authorized and directed to execute such New Agreement.

A motion to approve Resolution 10-16 was made by Commissioner Van Sant, seconded by Commissioner Downes. With Commissioner Hogan abstaining, Resolution 10-16 was approved by a roll call vote of 9 yes, 0 no, and 1 abstention.

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RESOLUTION 10-29 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2010 THROUGH DECEMBER 31, 2010

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 1/1/10 THROUGH 12/31/10

VENDOR	SERVICE DESCRIPTION	DETERMINATION	APPROX. ESTIMATED $
Aeris Atlantic	HVAC Coil Restoration/Duct Cleaning	Proprietary	100,000
Armorica Sales Inc.	Vessel Paint	Proprietary	50,000
Bruce Industrial	Davits, Jibs, Overhead Cranes	Proprietary	40,000
Capital Soft Inc.	Implementation/Programming	Proprietary	300,000
Carus AB Ltd	Maintenance Agreement & Programming – Ferry Res System	Proprietary	350,000
Efkon AG	Overhead Profilers	Proprietary	25,000
HP	PC & Equipment/Maint. Contract	Proprietary/State Contract	130,000
Tyler Technologies	Financial/HR Software Annual Maintenance Fees/Software Implementation	Proprietary	180,000

VENDOR	SERVICE DESCRIPTION	DETERMINATION	APPROX. ESTIMATED $
Northrup Grumman Systems Corporation (Sperry Marine)	2nd Year of 5 year parts and labor Warranty Agreement for DRBA owned Sperry Bridgemaster Radar Systems (installed on all 5 vessels)	Proprietary	46,000
Sea Safety Services	Inspection Services and Safety Supplies for Vessels	Proprietary	27,000
ABS Americas	Inspection Services Vessels	Sole Source	30,000
Allied Beverage	Alcoholic Beverage Supplier	Sole Source	75,000
DBC Marine Safety Systems	Servicing/Deployment of Vessel	Sole Source	40,000
Exxon Company	Vessel M.E., Gear and Steering Oil	Sole Source	90,000
Fairbanks Morse	Vessel Engine Parts	Sole Source	30,000
Johnson & Towers	Vessel Generator Parts	Sole Source	25,000
Johnson Controls	HVAC Maintenance and Training	Sole Source	50,000
Kronos	Time and Attendance System	Sole Source	30,000
Marine Safety Corporation	Vessel Inspection Services	Sole Source	25,000
Microsoft Licensing, GP	Enterprise Licensing Agreement	Sole Source	50,000
MTM Technologies	MIS Professional Services	Sole Source	300,000
Rolls-Royce/Ulstein	Vessel Steering Parts	Sole Source	25,000
VSGI	Video Teleconferencing	Sole Source	50,000

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

A motion to approve Resolution 10-29 was made by Commissioner Lowe, seconded by Commissioner Van Sant, and approved by a roll call vote of 10-0.

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RESOLUTION 10-30 – AUTHORIZES PROJECT FUNDING AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR CAPE MAY-LEWES FERRY, CAPE MAY APPROACH ROAD REHABILITATION

WHEREAS, The Delaware River and Bay Authority (the "Authority") is a the operator of the Cape May-Lewes Ferry System across the Delaware Bay (the "Ferry"); and

WHEREAS, the Congress of the United States has enacted the Transportation Equity Act for the 21st Century (TEA-21), which encourages activities that enhance the nation's multi-modal transportation systems; and

WHEREAS, marine highway transportation activities include the design and construction of new and renovated ferry terminals and ferry boats; and

WHEREAS, TEA-21 as amended by the Surface Transportation Extension Act of 2004 (STEA04) authorizes the application of federal Ferry Boat Discretionary Program (FBD) funding for such transportation projects; and

WHEREAS, the State of New Jersey (the "State") through its Department of Transportation has received non-competitive setaside FBD funds for marine highway systems that are part of the National Highway System under Section 1101 of TEA-21 as amended by STEA04; and

WHEREAS, the approach roads of the existing Cape May Ferry Terminal are in need of rehabilitation; the existing surface of said roads exhibiting significant spalling and cracking; and

WHEREAS, the Authority has submitted a proposal for the rehabilitation of said approach roads at the existing Cape May Ferry Terminal so as to enhance the usage of the Ferry across the Delaware Bay (which proposal is hereinafter referred to as the "Project"); and

WHEREAS, the State has determined that the Project proposed by the Authority will facilitate the movement of passengers and goods across the Delaware Bay between the States of Delaware and New Jersey; and

WHEREAS, the Authority submitted a Ferry Boat Candidate Project Summary Fact Sheet to the State requesting $2,292,764.00 in Federal Highway Administration FBD funds to finance the Project; and

WHEREAS, the Authority and the State, pursuant to a Project Funding Agreement, propose to specify the conditions applicable to the financing of the Project pursuant to TEA-21 and set forth the obligations of the Authority and the State with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized, with the advice of counsel, to negotiate the terms and conditions of a Project Funding Agreement with the State for the rehabilitation of approach roads servicing the Cape May-Lewes Ferry, and to execute such Agreement on behalf of the Authority.

A motion to approve Resolution 10-30 was made by Commissioner Van Sant, seconded by Commissioner Murphy, and approved by a roll call vote of 10-0.

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RESOLUTION 10-31 – AUTHORIZES AN AMENDMENT TO INCREASE COMPENSATION LIMIT FOR THE MILLVILLE AND CAPE MAY AIRPORTS GENERAL ENGINEERING CONSULTANT SERVICES AGREEMENT

WHEREAS, Resolution 06-54 was approved by the Board and authorized a contract between the Delaware River and Bay Authority (Authority) and C&S Companies (C&S) to provide General Engineering Consultant (GEC) services at two airport facilities in New Jersey for a period of three years commencing December 1, 2006; and

WHEREAS, Resolution 09-65 was approved by the Board and authorized the exercise of the annual renewal of this GEC services contract for the period of 1 year ending December 1, 2010; and

WHEREAS, the Federal Aviation Administration (FAA) recently confirmed their intent to offer the Authority a grant through the Airport Improvement Program to conduct an Airport Layout Plan (ALP) Update at both Millville and Cape May Airports at a 95% funding share; and

WHEREAS, an ALP Update consists of a report and plan set documenting the existing and proposed conditions of an airfield and serves as a key communication and agreement document between the DRBA and the FAA; and

WHEREAS, the scope of work also includes the acquisition and uploading of Airport Global Information System survey data for both airports, in addition to a Runway Safety Area Study and a Drainage Study at Cape May Airport; and

WHEREAS, the cost of the work is estimated at $700,000 which exceeds the $300,000 in uncommitted funding within the current GEC contract; and

WHEREAS, the Authority wishes to amend the GEC contract to increase the total compensation for services from $1,800,000 to 2,200,000; and

WHEREAS, this increase will enable the Authority to receive approximately $665,000 in grant funding to conduct the above efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the amendment and to have such amendment,

upon advice and consent of counsel, executed by the Chairperson, the Vice Chairperson, and the Executive Director.

A motion to approve Resolution 10-31 was made by Commissioner Dorn, seconded by Commissioner Lathem, and approved by a roll call vote of 10-0.

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RESOLUTION 10-32 - AMENDS RESOLUTION 10-27 AUTHORIZING A LEASE TERMINATION AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND DASSAULT FALCON JET WILMINGTON

WHEREAS, The Delaware River and Bay Authority (the "Authority"), is the operator of the New Castle Airport; and

WHEREAS, the Authority's Board of Commissioners approved Resolution 10-27 authorizing the Executive Director to finalize a Lease Termination Agreement with Dassault Falcon Jet Wilmington ("Dassault") for the building commonly referred to as the Atlantic Office Building; and

WHEREAS, Dassault has determined that they need additional time to vacate the facility; and

WHEREAS, Dassault has agreed to pay an early termination fee of One Million Three Hundred Thirty Nine Thousand Seven Hundred Four and 33/00 ($1,339,704.33); and

WHEREAS, the Authority and Dassault agree that the Lease shall expire on August 31, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Termination Agreement with Dassault and, with the advice and consent of counsel, to have such Lease Termination executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 10-32 was made by Commissioner Lowe, seconded by Commissioner Van Sant, and approved by a roll call vote of 10-0.

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RESOLUTION 10-33 – LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE AIR FOODS, LLC AT THE CAPE MAY AIRPORT

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

WHEREAS, Cape Air Foods, LLC. (the "Tenant") desires to lease approximately 1,425 square feet of restaurant space in the Cape May Airport Terminal Building; and

WHEREAS, the Tenant has agreed to pay the Authority annual rent in the amount of Three Thousand and Eight-Four Dollars ($3,084.00); and

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

WHEREAS, the Tenant, with the consent of the Authority, shall have the option of renewing this Agreement for four (4) option periods of one (1) year each; and

WHEREAS, rent during the options years shall increase annually by the Consumer Price Index (CPI).

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Cape Air Foods, LLC., and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 10-33 was made by Commissioner Smith, seconded by Commissioner Murphy. With Commissioner Green voting no, the motion to approve Resolution 10-33 was approved by a roll call vote of 9 yes, 1 no.

Commissioner Green stated that he voted no because he did not feel in was the best use for the site.

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RESOLUTION 10-34 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND VICTORIA'S TAX SERVICE, LLC.

WHEREAS, The Delaware River and Bay Authority (the "Authority"), is the operator of the Millville Airport; and

WHEREAS, Victoria's Tax Service, LLC. (the "Tenant") desires to lease approximately 1,200 square feet of industrial park space in Building 23; and

WHEREAS, the Tenant has agreed to pay the Authority Five Thousand Four Hundred Dollars ($5,400.00) annual rent during the initial term of the Lease Agreement (the "Agreement") with annual Consumer Price Index (CPI) increases; and

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

WHEREAS, the Tenant shall have the option of renewing the Agreement for one (1) period of five (5) years; and

WHEREAS, rent during the option periods shall be based upon the Fair Market Value and shall be adjusted each year by the CPI.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Victoria's Tax Service, LLC., and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 10-34 was made by Commissioner Lowe, seconded by Commissioner Dorn, and approved by a roll call vote of 10-0.

The DED, responding to Commissioner Murphy's question regarding a cost-benefit analysis, stated that Victoria's Tax Service is responsible for its utilities, insurance, etc. The tenant leases the building that is in an historic district.

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10210. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan asked if anyone from the public would like to speak.

Vincent Ascione, Local 542, spoke. He thanked the Commissioners, the COO, CEO, and the governors' offices for finalizing the Local 542 Agreement. Mr, Ascione then thanked the members of Local 542 for their patience.

Commissioner Smith thanked the DED and his staff for their representation at the Salem County Energy Symposium.

Commissioner Van Sant thanked the Director of Airports and the COO for the 3-hour tour given to Saint Augustine's College Prep School students at the Millville Airport. He believes it will have a lasting impression on the students.

Commissioner Dorn thanked everyone involved in the negotiations of the Local 542 Agreement. He stated that the Commissioners do appreciate the workforce and that the Authority employees are the best.

Commissioner Lathem noted that his term on the Board ends at the end of the month. He is uncertain he will be returning and wanted to thank the Commissioners and everyone on staff for the help he received during his 10-year appointment.

Vice-Chairperson Green credited the CFO, COO, and the CHRO for acting quickly to resolve the stalled Local 542 Agreement.

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

The meeting was adjourned 11:14 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Secretary