

MINUTES OF MEETING

THE DELAWARE RIVER AND BAY AUTHORITY

June 15, 2004

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

F. Michael Parkowski, Chairperson  
Thomas J. Cooper  
Verna W. Hensley  
Samuel E. Lathem (telephonically)  
William E. Lowe, III  
Gary B. Patterson

Warren S. Wallace, Vice Chairperson  
Edward W. Dorn  
Maureen T. Koebig  
Robert Y. McWilliams

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The meeting convened at 11:00 a.m. with Chairperson Parkowski presiding.

The opening prayer was given by Father Stanley Drupieski followed by the Pledge of Allegiance led by the Executive Director.

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

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9057. APPROVAL OF MINUTES: On motion by Commissioner McWilliams and seconded by Commissioner Dorn, the minutes of the May 18, 2004 meeting were approved by a voice vote of 10-0.

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9058. EXECUTIVE DIRECTOR'S REPORT: The Executive Director presented the following highlights that occurred within the Authority during the month of May.

AIRPORTS

Airports personnel made preparations at Delaware Airpark and Dover Civil Air Terminal for the NASCAR races scheduled for the first weekend in June.

In May, construction was completed on the new fuel farm at Cape May Airport. This fuel farm will provide our customers with 24-hour self-serve access to low-lead aviation fuel and satisfies the needs of our customers for Jet "A" fuel. Fueling operations commenced on June 7<sup>th</sup>.

At Millville Airport, maintenance and operations staff managed the Wings and Wheels Airshow that attracted an estimated 93,000 spectators, April 30th through May 2nd. The Airforce Thunderbirds flight demonstration team was the main event.

On Saturday, May 8<sup>th</sup>, the Naval Air Station Wildwood hosted a Korean War Appreciation Day event at the Cape May Airport for 200 attendees. On May 16<sup>th</sup>, the NASW Museum hosted a cookout to honor the return of 13 members of the Army's 253<sup>rd</sup> Transportation Company from Iraq for 200 attendees.

CAPE MAY-LEWES FERRY

In comparison to 2003, vehicle traffic increased 6.5% in May. Passenger traffic increased 10.7% in May from 2003. Year-to-date vehicle and passenger traffic increased 3.8% and 4.7% respectively, from 2003. Memorial Day Week vehicle traffic increased 9.1% and passenger traffic increased 13% as compared to 2003.

Dredging of the Cape May Canal commenced in May and will shift over to the CMLF terminal slips in mid-June.

On May 29<sup>th</sup>, the Horseshoe Crab Festival attracted 3,000 people to our Cape May terminal. On May 20<sup>th</sup>, fifteen Police K-9 teams from throughout New Jersey gathered at the Cape May Terminal for training on the CMLF ferry vessels as part of Homeland Security preparations, under the supervision of the New Jersey Attorney General’s Office and State Police.

DELAWARE MEMORIAL BRIDGE

Total vehicle traffic during May 2004 increased by 1.6% versus 2003. Total traffic year-to-date has increased by 5% over 2003.

E-ZPass traffic continues to rise on the Delaware Memorial Bridge. E-ZPass traffic for May 2004 represented 47.3% of the total. Total E-ZPass traffic year-to-date was 48.5%, representing a 3% increase over the same period for 2003. Currently, the Delaware River and Bay Authority has 29,556 E-ZPass customer accounts with 44,819 transponders.

The annual Memorial Day ceremony was held on May 30<sup>th</sup> at the DMB War Memorial. Over 400 were in attendance, including Governor Minner, Senator Carper, and Senator Biden. Our maintenance crews prepared and readied the site for the ceremony. Cary “Joe” Ridley, senior journeyman carpenter, was selected as the DMB maintenance Employee of the Quarter for the 1<sup>st</sup> quarter of 2004.

HUMAN RESOURCES

<u>Permanent Full-Time:</u>	<u>Authorized Positions</u>	<u>Filled Positions</u>
	481	444

On May 10<sup>th</sup>, Captain Harry Nilsen joined the Authority as the new Director of Ferry Operations. Mr. Nilsen is a U.S. Merchant Marine Academy graduate and has twenty-five years of maritime operations and management experience. He is also certified by the U.S. Coast Guard as an Unlimited Master, Steam and Motor Vessels, Oceans.

POLICE

Summary of Police activities:

<u>Enforcement/Activity</u>	<u>May 2003</u>	<u>May 2004</u>
Traffic Summons	415	635
Criminal Arrests	16	46
Traffic Accidents	37	24
Traffic Reprimands	724	590

<u>Aid to Motorists</u>	<u>May 2003</u>	<u>May 2004</u>
Disabled Vehicles	150	159
Public Assists	69	60
Medical Assists	6	9
Acrophobiacs	28	25

GENERAL

The Chairperson and myself met with the News Journal’s Editorial Board for several hours to answer questions and discuss initiatives that have taken place at the Authority over the past several years. The meeting was productive and cordial.

We held our Planning Session in Cape May. The sessions covered long-range planning initiatives. I thought the sessions were informative and we had a lot of good dialogue. I attended a public event in Rehoboth Beach, Delaware, which was the “kick off” for the summer resort transit season. The Governor, Secretary of Transportation and other officials were also in attendance. We coordinate our routes and activities with DTC, providing a seamless system for passengers from Cape May, New Jersey to Ocean City, Maryland.

As a member of the University of Delaware Civil Engineering Advisory Board, I attended the yearly meeting to review the civil engineering program.

Several Delaware Commissioners and myself met with the new Mayor of Lewes, Jim Ford.

I also attended an Employee of the Quarter luncheon.

Staff attended the Southern New Jersey Development Council Awards dinner honoring Vice-Chairman Wallace. The Council awarded him with the Public Sector Award for 2004.

There will be two events at the Cape May-Lewes Terminals on July 2nd and 3rd. On July 2, the DRBA will be hosting the annual Fourth of July fireworks. The Twin Capes will depart from Lewes for people to view the fireworks on the Bay. Those in Cape May will view them from the Sunset Lounge.

On July 3, there will be events taking place at the Lewes and Cape May Terminals to celebrate the Cape May-Lewes Ferry’s 40<sup>th</sup> Anniversary. Planned are exhibits featuring the history of the Ferry, live entertainment, crafters, music, etc. Press releases will be out shortly advertising the event.

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9059. COMMITTEE REPORTS – BUDGET & FINANCE

Commissioner Patterson presented the following minutes of the Budget & Finance Committee meeting held May 4, 2004.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Committee Chair Patterson

Committee Vice-Chair McWilliams

Commissioner Cooper, Committee Mbr.

Commissioner Koebig, Committee Member

Commissioner Hensley

Commissioner Dorn

Commissioner Lowe

Vice Chairperson Wallace

Chairperson Parkowski

Staff

Jim Johnson

Don Rainear

Brad Hopkins

Jim Walls

Trudy Spence-Parker

Joe Larotonda

Victor Ferzetti

Ken Hynson

Anna Marie Gonnella Rosato

Authority Secretary

Thomas Pankok

Authority Counsel

Mike Houghton - DE

- I. Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:04 a.m. The Authority Secretary reported that the public meeting of the Budget & Finance Committee had been duly advertised in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- II. The Committee reviewed the Community Contribution requests for June. After review of the requested contributions, the Committee approved requests from Delaware totaling \$20,125 and requests from New Jersey totaling \$83,175 for a grand total of \$103,300.
- III. Miscellaneous Finance Matters

IBTTA Conference

Committee Chair Patterson reported that he, Commissioner Koebig, Jack Cawman and Jim Walls attended an IBTTA Conference in Denver, Colorado in May. During the Conference he attended a workshop on E-ZPass Enforcement. It was noted that some of the other toll agencies have greatly increased the fines associated with toll evasion. With the increased signage and publicity, these agencies have reported a decrease in toll evaders. The Committee questioned the Authority's fines associated with toll evaders. Currently, the Authority does not receive funds from any fines from tickets issued by Authority police. The geographical location of where the ticket was issued is where the fine is sent. The CFO reported that the Authority received legislative approval from the State of Delaware to collect a \$25 administrative fee in addition to amount of the toll.

Authority Police Wages

Committee Chair Patterson questioned the funding of wages for Authority Police in light of increased security presence at the Cape May – Lewes Ferry during the summer season. The CFO reported that staff will investigate the staffing requirements for the season and report back to the Committee. If it is necessary to increase the level of manpower at the Ferry it will be necessary to increase the funding for wages.

Standard & Poors

The CFO reported that he has been in contact with Standard & Poors regarding the Authority's Bond Rating as it relates to the Series 2004 Bond Refunding. All paperwork is in place and ready to go should the economics warrant the transaction. It was also reported that Walls Street is interested in how the Authority structures its economic development projects. The Authority currently enjoys an A+ rating but Standard & Poors has sent a signal that the "plus" rating could be in jeopardy if coverages decline.

- IV. The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Koebig, the Session was closed.

The following matters of a confidential nature were discussed.

- Current Litigation Matters

- V. There being no further business to discuss in Executive Session, Committee Chair Patterson motioned to open the Session to the Public.

Committee Vice-Chair McWilliams reported that, as Chairperson for the Audit Committee, he had received the CFO's review of the 4<sup>th</sup> Quarter 2003 and 1<sup>st</sup> Quarter 2004 Travel and Business Expenses, in accordance with the Authority's Travel and Business Expense Policy. It was reported that all expenses were proper, accurate, and within Policy guidelines.

There being no further business to discuss, the Budget & Finance Committee meeting was adjourned at 9:53 a.m.

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9060. COMMITTEE REPORT - PROJECTS COMMITTEE

Commissioner Koebig presented the following minutes of the Projects Committee meeting held May 4, 2004.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Chairman Parkowski  
Commissioner Lowe, Vice-Chair  
Commissioner Hensley, Committee Mbr.  
Commissioner Patterson  
Commissioner Cooper

Vice-Chairman Wallace  
Committee Chair Koebig  
Commissioner Dorn, Committee Mbr.  
Commissioner McWilliams, Committee Mbr.

Staff

Jim Johnson  
Don Rainear  
Jim Walls  
Brad Hopkins  
Trudy Spence-Parker  
John Jones  
Mike Houghton  
Thomas Pankok  
Anne Marie Rosato

- I The Projects Committee meeting convened at approximately 10:00 a.m. Those in attendance were provided an informational package consisting primarily of an agenda, bid opening/award actions, project related information and the monthly contractor payment chart.

II Bid Openings/Award Actions:

- P-04-02, Arcade Equipment Purchase/Amusement Operations (CMLF): On May 27<sup>th</sup>, a bid opening was held to identify a contractor to purchase existing Authority arcade equipment as well as operate/maintain new arcade equipment. Due to three (3) non-responsive bids, staff recommended that all bids be rejected. The Committee concurred with the recommendation.
- Electrical Systems Rehabilitation (DMB-01-06): This project includes the rehabilitation of the electrical infrastructure on the DMB. Eight bidders submitted bids at the April 28<sup>th</sup> public bid opening. The low bid is in line with the engineer's estimate and approved project budget. Mike Houghton, DE Counsel, informed the Projects Committee that both he and NJ Counsel have conducted a legal review and have concluded that there is no basis, under the contract documents and applicable law, to withhold award of this contract to the low bidder. Staff also reported that low bidder reference checking yielded very favorable results. Therefore, staff

recommended award to Cianbro Corporation, the responsive low bidder. The Projects Committee concurred with the staff recommendation and authorized the award action be presented at the June board meeting.

- CMLF-01-06, Cape May Terminal Renovation: This project primarily involves the renovation and conversion of the old Cape May Terminal into office/administrative space. Three firms submitted bids on May 19<sup>th</sup>. The engineer's estimate indicated that the project would not exceed \$2M and therefore not subject to prevailing wage guidelines. The low bidder submitted a bid less than \$2 million, however, provided insufficient bonding which is considered a material omission of the bid documents. The remaining two bids are in excess of \$2 million. Staff recommended rejection of all bids, re-bid the work and incorporate a prevailing wage requirement in the new bid documents. The Committee concurred with the recommendation.
- P-04-05, Five (5) Kubota F-3060 Mowers: This project involves the purchase of five (5) new mowers for use at Authority-wide locations. Four (4) firms submitted proposals at the May 20<sup>th</sup> bid opening. Prices included trade-in of existing used mowers. Staff recommended award of the contract to Rork's Supply, the responsive low bidder. The Projects Committee concurred with the staff recommendation and authorized the action be presented at the June board meeting for award.
- P-04-03, Supplying Employee Uniforms (Authority-Wide), 2004-2005: This agreement involves obtaining a supplier to provide uniforms Authority-wide. Four (4) firms submitted bids at the May 26<sup>th</sup> bid opening. Reference checking of the low bidder proved satisfactory. This contract will expire December 2005, but has the option to be extended through 2006. Staff recommended award of the contract to Polski's Work Wear, the responsive low bidder. The Projects Committee concurred with the staff and authorized the action to be presented at the June board meeting for award.

### III. Resolutions:

- Staff recommended that a resolution be presented at the June Board meeting authorizing the Executive Director to execute and deliver applications, amendments, agreements, certificates or other required or related documents in connection with Federal, State, and Local grant programs. Vice Chairman Wallace suggested that these actions be undertaken with the advice of counsel. The Projects Committee supported the recommendations and directed that a resolution be presented at the June Board meeting.
- Delaware Airpark (DAP) Terminal/Hangar Complex: This project is a joint effort between the Authority and Delaware State University (DSU) regarding the design/construction of a new DAP terminal/hangar complex. The design is currently in progress with construction expected to begin in July. The Authority will utilize EDiS as the construction manager to perform the work under an existing contract. Total cost of the project is estimated to be \$2.4 million. The Authority's share is estimated to be \$900,000 which pays for the pro-rated portion of the facility that the Authority will occupy. It also includes needed infrastructure improvements. The approved Authority CIP budget covers these costs. The remainder of the costs will be paid by DSU. Staff presented a resolution authorizing execution of a lease agreement with DSU which provides up to \$1.25 million to DSU for the development of this facility. The Projects Committee supports the project and authorized the resolution be presented at the June Board meeting

### IV. Contract Close-Outs: Staff reported no contract close- out actions for this month.

- V. CMA Fuel Farm Update: This project entailed replacing the existing obsolete fuel farm at the Cape May Airport with a new system. Staff reported that construction is now complete and all operations testing done. Training on the new system will be complete by June 5<sup>th</sup>. Once the 30-day new system “shake-out” period is over, the old system will be de-commissioned.
- VI. Contractor Payment Review (through May): Staff provided the Committee with summation of payments that will be paid toward active construction contracts in June. Staff recommended that monthly contractor pay charts continue to be presented at monthly committee meetings; however, contractor pay estimates are no longer required to be signed by commissioners due to legal contractual requirements to make these payments. Final contract close-out actions will continue to be voted on at the full board level. The Projects Committee supports the recommendation and authorized staff to proceed in this manner.
- VII. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 10:45 a.m..

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9061. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

A public meeting of the Delaware River and Bay Authority’s Economic Development Committee was held on Tuesday, June 1, 2004, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Committee Chair Hensley

Committee Vice-Chair Koebig

Commissioner Cooper, Committee Member

Commissioner Dorn, Committee Member

Commissioner Lowe

Commissioner McWilliams

Staff

James Johnson, Jr.

Don Raineer

Brad Hopkins

Jim Walls

Trudy Spence-Parker

AJ Crescenzi

Anna Marie Gonnella Rosato

Authority Secretary

Tom Pankok

Authority Counsel

Mike Houghton - DE

John Devlin - NJ

Invited Guests – Rowan University

Anthony Marchese

Charles Dilks

- I. Committee Chair Hensley welcomed the Economic Development Committee and opened the meeting at approximately 1:07 p.m. The Authority Secretary reported that the public meeting of the Economic Development Committee had been duly advertised in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll.

The Deputy Executive Director requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Koebig, the session was closed.

The following matters of a confidential nature were discussed.

- General Economic Development Projects and Updates

There being no further business to discuss in Executive Session, on motion by Commissioner Cooper, the session was opened to the public.

There being no further business to discuss, the Economic Development Committee adjourned at 1:55 p.m.

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A public meeting of the Delaware River and Bay Authority's Economic Development Committee was held on Tuesday, June 15, 2004, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

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

Committee Vice-Chair Koebig  
Commissioner Dorn, Committee Member  
Commissioner McWilliams  
Vice-Chairperson Wallace

Governors' Representatives

Bernard Pepukayi-DE

Keith Barrack-NJ

Staff

James Johnson, Jr.  
Don Rainear  
Brad Hopkins  
AJ Crescenzi  
Anna Marie Gonnella Rosato

I. Committee Chair Hensley welcomed the Economic Development Committee and opened the meeting at approximately 9:32 a.m. The Authority Secretary reported that the public meeting of the Economic Development Committee had been duly advertised in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll. The meeting may be preceded by an Executive Session, closed to the public to discuss matters of a confidential nature.

The Deputy Executive Director requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Dorn, seconded by Commissioner Cooper, the session was closed.

The following matters of a confidential nature were discussed.

- Matters Relating to Economic Development Projects

There being no further business to discuss in Executive Session, on motion by Commissioner Koebig, the session was opened to the Public.

On motion by Commissioner Dorn, seconded by Commissioner Cooper, the Committee unanimously recommended the following Economic Development projects for full Board consideration:

Port of Wilmington Project: A \$4 million funding request from the Diamond State Port Corporation for the construction of a 60,000 +/- square foot refrigerated warehouse at the Port of Wilmington

South Jersey Technology Park at Rowan University: A \$5 million funding request from the DRBA for the development of a 45,000 +/- square foot building known as the Innovation Center Building at the South Jersey Technology Park at Rowan University



Delaware State University Hangar Project: A not-to-exceed \$1.25 million funding request from Delaware State University to develop an aviation hangar and related office facility located at the Delaware Air Park

Resolutions authorizing these projects will be presented to the full Board for consideration during the Public Session.

Committee Chair Hensley also requested an update on the Salem Business Center marketing status. The Deputy Executive Director reported that the marketing firm is meeting with a prospective tenant and will update the Committee as necessary. It was also reported that the requested appraisal of the Business Center should be completed in early July. The Committee also discussed divesting poor performing assets.

There being no further business, the Economic Development Committee was adjourned at 10:10 a.m.

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9062. COMMITTEE REPORT – PERSONNEL & INSURANCE

Commissioner Lathem presented the following minutes of the Personnel & Insurance Committee meeting held June 1, 2004.

A public meeting of the Delaware River and Bay Authority’s Personnel & Insurance Committee was held on Tuesday, June 1, 2004, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Committee Chair Lathem

Commissioner Koebig, Committee Member

Commissioner Cooper, Committee Member

Commissioner McWilliams

Commissioner Hensley

Commissioner Lowe

Chairperson Parkowski

Staff

Authority Secretary

James Johnson, Jr.

Tom Pankok

Don Rainear

Brad Hopkins

Jim Walls

Authority Counsel

Trudy Spence-Parker

Mike Houghton – DE

II. Committee Chair Lathem welcomed the Personnel & Insurance Committee and opened the meeting at approximately 11:35 a.m. The Authority Secretary reported that the public meeting of the Personnel & Insurance Committee had been duly advertised in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll. The meeting may be preceded by an Executive Session, closed to the public to discuss matters of a confidential nature.

The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner McWilliams, the Session was closed.

The following matters of a confidential nature were discussed.

- Personnel Matters

There being no further business to discuss in Executive Session, on motion by Commissioner Cooper, the session was opened to the public.

There being no further business, the Personnel & Insurance Committee Meeting was adjourned at 12:25 p.m.

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9063. DELAWARE RIVER AND BAY AUTHORITY - STATEMENT OF INCOME AND EXPENSE:

The CFO presented a chart showing a statement of income and expenses with comparisons to the same period last year.

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

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9064. DELAWARE RIVER AND BAY AUTHORITY - OPERATING EXPENSE BY DIVISION:

The CFO presented a chart 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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9065. DELAWARE RIVER AND BAY AUTHORITY - CAPITAL IMPROVEMENT PROGRAM:

The CFO presented a chart showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also includes cash expenditures spent to date for the committed projects.

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

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9066. DELAWARE RIVER AND BAY AUTHORITY - CASH POSITION (MARKET VALUE) AS OF MAY 31, 2004:

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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9067. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Parkowski noted the following Resolutions being considered today and asked for public comment.

- Resolution #04-30 - Community Contribution Requests
- Resolution #04-31- Authorizing The Executive Director To Execute and Deliver Applications, Amendments, Agreements, Certificates or Other Required or Related Documents in Connection with Federal, State, or Local Grant Programs
- Resolution #04-32- Authorizing a Project with the South Jersey Technology Park at Rowan University Project
- Resolution #04-33 - Authorizing a Project with Diamond State Port Corporation
- Resolution #04-34 - Authorizing a Project with Delaware State University

Steve Horgan, IBEW Local 313 Electrical Union, stated that he has had the opportunity to follow the Commission and noted the positive direction they have taken including implementing prevailing wage standards in the bidding process and their leadership in economic development. He noted his concerns in awarding Electrical Contract DMB-01-06 to a firm outside of Delaware and New Jersey.

Chairperson Parkowski noted Mr. Horgan's comments but stated that, under the circumstances, the bidder followed the requirements in the bid documents and, therefore, the Commissioner's are obligated to award the Contract.

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9068. SUMMARY OF AUTHORIZED CONTRACT

PAYMENTS:

The COO reviewed the following Summary of Authorized Contract Payments and recommended approval.

<u>Contractor</u>	<u>Payment</u>
Daisy Construction	\$8,944.45
Eastern Highway Specialists	\$17,923.72
Cornell & Co., Inc.	\$68,770.00
Diamond Materials	\$1,057,527.47
Stanker and Galetto, Inc.	\$223,312.40

On motion by Commissioner McWilliams and seconded by Commissioner Dorn, the recommendation of the COO was approved by a roll call vote of 10-0.

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9069. APPROVAL OF AWARD OF CONTRACT NO. DMB-01-06, ELECTRICAL SYSTEMS REHABILITATION DELAWARE MEMORIAL BRIDGE.

The COO reported that bids for Contract DMB-01-06, Electrical Systems Rehabilitation Delaware Memorial Bridge, were opened on April 28, 2004. Cianbro Corporation of Pittsfield, ME submitted the low bid of \$7,740,097.75. A legal review conducted by the Delaware and New Jersey attorney's and staff verifying references concluded that there is no basis for withholding award to the lowest bidder. The COO and the Projects Committee recommend awarding the base bid plus AA No. 2 to the low bidder noted above.

On motion by Commissioner Cooper and seconded by Commissioner McWilliams, the recommendation of the COO and the Projects Committee was approved by a roll call vote of 10-0.

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9070. APPROVAL OF AWARD OF CONTRACT P-04-05 FIVE (5) KUBOTA F-3060 MOWERS AUTHORITY-WIDE.

The COO reported that bids for Contract P-04-05 Five (5) Kubota F-3060 Mowers Authority-wide were opened on May 20, 2004. Rork's Farm Supply, Inc. of Elmer, New Jersey, submitted the low bid of \$52,982.00. The COO and the Projects Committee recommend awarding the bid to the low bidder noted above.

On motion by Commissioner Dorn and seconded by Commissioner Hensley, the recommendation of the COO and the Projects Committee was approved by a roll call vote of 10-0.

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9071. APPROVAL OF AWARD OF CONTRACT NO. P-04 03 SUPPLYING EMPLOYEE UNIFORMS (2004-2005).

The COO reported that bids for Contract P-04-03 Supplying Employee Uniforms (2004-2005) Authority-wide were opened on May 26, 2004. Polski’s Work Wear of Woodbury, New Jersey submitted the low bid of \$130,968.00. The COO and the Projects Committee Recommend awarding the bid to the low bidder noted above.

On motion by Commissioner Lowe and seconded by Commissioner Dorn, the recommendation of the COO and the Projects Committee was approved by a roll call vote of 10-0.

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9072. CONTRACT NO. CMLF-01-06 CAPE MAY TERMINAL BUILDING RENOVATIONS, CAPE MAY-LEWES FERRY.

The COO, as well as the Projects Committee, recommended rejection of all bids. The engineer’s estimate indicated that this project would not exceed \$2M and therefore not be subject to prevailing wage guidelines. The low bidder submitted a bid less than \$2M, however, provided insufficient bonding. The other 2 bids exceeded \$2M. Staff recommended rejection of all bids, re-bid the work and incorporate a prevailing wage requirement in the new bid documents. The Projects Committee concurred with the staff recommendation. A discussion ensued regarding DRBA policy and whether the Authority can accept the second lowest bidder.

A motion to reject Contract CMLF-01-06 was made by Vice-Chairman Wallace and seconded by Commissioner McWilliams. Commissioners Cooper, Lowe, Dorn, Koebig, McWilliams, Wallace and Parkowski voted “yes“. Commissioners Hensley, Lathem and Patterson voted “no“. With 7 “yes” votes and 3 “no” votes from Delaware, the motion failed.

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9073. CONTRACT P-04-02, ARCADE EQUIPMENT PURCHASE/AMUSEMENT OPERATIONS, CAPE MAY-LEWES FERRY.

The COO reported that bids for Contract P-04-02 were held on May 27, 2004. Three (3) bids were received but were rejected as being non-responsive. The COO, as well as the Projects Committee, recommended rejection of all bids.

On motion by Commissioner Patterson and seconded by Commissioner McWilliams, the recommendation of the COO and the Projects Committee was approved by a roll call vote of 10-0.

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9074. THE EXECUTIVE DIRECTOR PRESENTED THE FOLLOWING RESOLUTIONS:

**RESOLUTION 04-30 APPROVAL OF COMMUNITY CONTRIBUTION REQUESTS.**

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

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

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

WHEREAS; the Budget and Finance Committee met and approved Community Contributions for the month of June, 2004; and

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

Community Contributions

**New Jersey**

Alloway Township Youth League	\$ 4,000
Burdette Tomlin Memorial Foundation	\$ 5,000
Cape Educational Fund	\$ 500
Cape May County Junior Golf Foundation Incorporated	\$ 2,500
City of Bridgeton (Bridgeton Youth to Youth)	\$ 5,000
Challenged Children’s Charities Corporation	\$ 1,500
Crusaders Community Development Corporation	\$ 5,000
Elmer Fire Department	\$ 2,000
Glory Tabernacle Family Life Center Incorporated	\$ 5,000
Gloucester County College	\$ 4,000
Historical and Educational Lodge Hall Preservation Incorporated	\$ 10,000
Parents Anonymous of New Jersey Incorporated	\$ 5,000
Rowan University Foundation	\$ 5,000
Spanish Speaking People’s Community Center	\$ 10,000
The Wetlands Institute	\$ 3,175
Third Ware Advisory	\$ 5,000
Township of Woolwich	\$ 3,000
Turnersville Memorial VFW Post 4189	\$ 6,000
Washington Township Memorial Post 6332 VFW	\$ 1,500

**Total** **\$ 83,175**

American Diabetes Association	\$ 1,625
Bayhealth Foundation	\$ 10,000
Cape May County Junior Golf Foundation Incorporated	\$ 2,500
Delaware State Arts Council	\$ 5,000
Delaware Storm Travel Teams Incorporated	\$ 1,000
New Castle Senior Center Incorporated	\$ 2,000

**Total** **22,125**

**Grand Total (New Jersey and Delaware)** **105,300**

A motion was made by Commissioner Patterson and seconded by Commissioner Koebig. With Vice-Chairperson Wallace abstaining from voting on contributions for the Gloucester County College, Resolution 04-30 was approved by a roll call vote of 10-0 with the above noted abstention where such votes were 9 in favor and 1 abstention.

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**RESOLUTION 04-31 – AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AND DELIVER APPLICATIONS, AMENDMENTS, AGREEMENTS, CERTIFICATES OR OTHER REQUIRED OR RELATED DOCUMENTS IN CONNECTION WITH FEDERAL, STATE, OR LOCAL GRANT PROGRAMS**

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

WHEREAS, by virtue of the Compact and the Enabling Legislation, the Authority’s powers include authorization to plan, finance, develop, construct, purchase,

lease, maintain, improve and operate: (i) crossings between the States of Delaware and New Jersey, (ii) transportation or terminal facilities in Delaware and the New Jersey counties of Cape May, Cumberland, Gloucester and Salem and (iii) commerce facilities or development in Delaware and in the New Jersey counties of Cape May, Cumberland, Gloucester and Salem; and

WHEREAS, in furtherance of these powers, the Authority participates in a variety of Federal, State and Local Grant Assistance Programs; and

WHEREAS, these matters are considered routine in the furtherance of the Authority's public purpose and are in the best interest of the Authority; and

WHEREAS, time is of the essence in the Grant process; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director, with the advice of Counsel, is hereby authorized and directed to execute and deliver applications, amendments, agreements, certificates, and/or other required or related documents in connection with Federal, State or Local Grant Assistance Programs.

Resolution 04-30 was moved by Commissioner McWilliams, seconded by Commissioner Koebig and was approved by a roll call vote of 10-0.

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**RESOLUTION 04-32 AUTHORIZING A PROJECT WITH THE SOUTH JERSEY TECHNOLOGY PARK AT ROWAN UNIVERSITY PROJECT**

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

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

WHEREAS, by virtue of Chapter 252, Volume 67, Laws of Delaware, approved by the Governor of the State of Delaware June 28, 1990, and Chapter 192 of the Pamphlet Laws of 1989 of the State of New Jersey, approved by the Governor of the State of New Jersey October 18, 1989 (said Chapter 252 and said Chapter 192, together with the Original Enabling Legislation being hereinafter sometimes collectively called the "Enabling Legislation"), the State of Delaware and the State of New Jersey entered, subject to the consent of the Congress of the United States of America, into certain amendments to the Original Compact (as so amended and as may be further amended from time to time hereinafter sometimes called the "Compact"); and

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

WHEREAS, by virtue of the Compact and the Enabling Legislation, the Authority's powers include authorization to plan, finance, develop, construct, purchase, lease, maintain, improve and operate: (i) crossings between the States of Delaware and

New Jersey, (ii) transportation or terminal facilities in Delaware and the New Jersey counties of Cape May, Cumberland, Gloucester and Salem and (iii) commerce facilities or development in Delaware and in the New Jersey counties of Cape May, Cumberland, Gloucester and Salem; and

WHEREAS, the South Jersey Technology Park at Rowan University, Inc, (“SJTP”) has submitted to the Authority a project application for \$5,000,000 to fund the development of a 45,000+/- square foot building known as the Innovation Center Building (“Building”) a mixed use facility that will accommodate academic and private sector research development programs and provide the resources necessary to incubate small for profit technology start-up companies, which building is part of Phase I of the Technology Park at Rowan University; and

WHEREAS, Rowan University (“RU”) will convey a 15.08+/- acre parcel of land located in Mantua Township, New Jersey (“Land”) (known as Lot 9 of Block 261 as shown on the Tax Map of Mantua Township) to SJTP for the development of a portion of the Technology Park, including the aforementioned 45,000 square foot Innovation Center Building; and

WHEREAS, pursuant to a Project Development and Acquisition Agreement (“Project Development Agreement”) between the Authority and SJTP, SJTP will be responsible to design, plan, obtain all required governmental approvals and permits, and finance the construction of the 45,000 square foot Innovation Center Building; whereupon, at the completion of the Building pursuant to the terms of the Project Development Agreement, the Authority shall purchase the Building for the sum of \$5,000,000.00; and

WHEREAS, SJTP will be responsible for the planning, design and costs of all necessary Improvements to support the Building, including but not limited to appropriate access ways, parking areas, landscaping and lighting; and

WHEREAS, contemporaneous with the purchase of the Building, the Authority will enter into a Lease Purchase Agreement with SJTP (whereby SJTP will lease the Building from the Authority) for a term of 20 years at monthly rental payments sufficient to repay the Authority’s \$5,000,000.00 project funding; said payments shall include interest at a rate which over the term of Agreement provides the Authority an internal rate of return on net present value of 2.8%; and

WHEREAS, when and in the event that the Authority has been paid its’ \$5,000,000 project funding including any outstanding interest together with all other amounts payable by SJTP pursuant to the Lease Purchase Agreement title to the Building will conveyed to SJTP; and

WHEREAS, SJTP will be responsible for the creation of a Technology Park Condominium relating to all Buildings and Improvements constructed on the Land including the preparation of proposed Condominium Documents (Master Deed, By-Laws and Rules and Regulations), subject to the approval of the Authority; whereupon the Land and Improvements will be common elements of the Condominium and the Building will be designated as a separate Unit within the Condominium; and

WHEREAS, the obligations of SJTP to the Authority under the Project Development Agreement and the Lease will be guaranteed by Rowan University pursuant to a Guaranty Agreement; and

WHEREAS, the Authority has determined that it has the power to participate in this project under the powers granted to it under the Compact and that such project would help fulfill the Authority’s mission; and

WHEREAS, the Authority’s staff has completed a due diligence review of the project application and determined that the project meets the substantive criteria of Authority Resolution 94-16 as amended except Section II-5 as amended by Resolution 99-25 requiring that no more than 50% of the Authority’s General Fund balance could be

used to fund “commerce facilities”; and

WHEREAS, the South Jersey Technology Park at Rowan University project is a project of important regional significance, the Economic Development Committee has reviewed and recommended this project and also recommends that Section II-5 of Resolution 94-16, as amended by Resolution 99-25, requiring no more than 50% of the Authority’s General Fund balance be used for “commerce facility projects”, be waived.

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson, Vice Chairperson, and the Executive Director are authorized to execute a Project Development Agreement, a Lease Purchase Agreement, any necessary and appropriate Condominium Documents and any other necessary and appropriate agreements and related documents required to undertake the above described project between the Authority and the South Jersey Technology Park at Rowan University, Inc., subject to final review and approval of the Authority’s Counsel, and subject to the final passage of legislation by the New Jersey Legislature and signed by the Governor of New Jersey authorizing the Authority to undertake the aforementioned project .

BE IT FURTHER RESOLVED that the Chairperson, Vice Chairperson, and Executive Director are hereby authorized, subject to review and approval of counsel, to execute a Guaranty Agreement between the Authority and Rowan University.

BE IT FURTHER RESOLVED that the Section II-5 of Resolution 94-16 as amended by Resolution 99-25 requiring that no more than 50% of the Authority’s General Fund balance be used to fund “commerce facility” projects, along with any other provisions of that Resolution that may be inconsistent herewith, are hereby waived for this South Jersey Technology Park at Rowan University project.

Resolution 04-032 was moved by Commissioner Dorn seconded by Commissioner Cooper and was approved by a roll call vote of 10-0.

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**RESOLUTION 04-33–AUTHORIZING A PROJECT WITH DIAMOND STATE PORT CORPORATION**

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

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

WHEREAS, by virtue of Chapter 252, Volume 67, Laws of Delaware, approved by the Governor of the State of Delaware June 28, 1990, and Chapter 192 of the Pamphlet Laws of 1989 of the State of New Jersey, approved by the Governor of the State of New Jersey October 18, 1989 (said Chapter 252 and said Chapter 192, together with the Original Enabling Legislation being hereinafter sometimes collectively called the “Enabling Legislation”), the State of Delaware and the State of New Jersey entered, subject to the consent of the Congress of the United States of America, into certain amendments to the Original Compact (as so amended and as may be further amended from time to time hereinafter sometimes called the “Compact”); and



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

WHEREAS, by virtue of the Compact and the Enabling Legislation, the Authority's powers include authorization to plan, finance, develop, construct, purchase, lease, maintain, improve and operate: (i) crossings between the States of Delaware and New Jersey, (ii) transportation or terminal facilities in Delaware and the New Jersey counties of Cape May, Cumberland, Gloucester and Salem and (iii) commerce facilities or development in Delaware and in the New Jersey counties of Cape May, Cumberland, Gloucester and Salem; and

WHEREAS, the Diamond State Port Corporation, ("DSPC") has submitted to the Authority a project application that includes the construction, leasing and operation of a 60,000 square foot refrigerated warehouse at the Port of Wilmington. The Diamond State Port Corporation is requesting \$4,000,000.00 from the Authority for the project. The estimated total development cost of the project is \$7,500,000.00; and

WHEREAS, the basic terms for the funding of the project are as follows:

1. The Authority will execute a lease with the DSPC pursuant to which the Authority will lease the warehouse facilities from DSPC for a twenty year term, subject to early termination or extension, for a rent of \$4,000,000.00 which will be paid to the DSPC as construction progresses, but only after the DSPC's share of the construction costs are paid by DSPC.
2. The Authority will execute an Operating Agreement with DSPC pursuant to which DSPC will operate the warehouse facility and retain all revenue from said facility, however, the DSPC will guarantee monthly payments over a maximum term of twenty years for the repayment of the Authority's prepaid rent payment of \$4,000,000. DSPC's guaranteed monthly payments shall include interest at a rate which provides an internal rate of return on net present value of 2.8 %.
3. DSPC will cause the City of Wilmington, ("City") as the holder of mortgages encumbering Port property, to join with the Authority in the execution of a Subordination, Nondisturbance, and Attornment Agreement pursuant to which the City of Wilmington will agree that in the event of a default by DSPC under the City's mortgages, the City will continue to honor the Authority's lease; and

WHEREAS, the Authority has determines that it has the power to participate in this project under the powers granted to it under the Compact and that such project would help fulfill the Authority's mission; and

WHEREAS, the Authority's economic development staff has completed a due diligence review of the project application and determined that the project meets the required criteria of Authority Resolution 94-16 as amended; and

WHEREAS, the Economic Development Committee of the Authority has reviewed and recommended this project; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson, Vice Chairperson, and the Executive Director, upon final review and approval of Authority Counsel and subject to the approval of the project by the Delaware General Assembly, by a three-quarters vote of both Houses, are authorized to execute a Lease Agreement, and Operating Agreement between the Authority and the Diamond State Port Corporation, a Subordination, Nondisturbance, and Attornment Agreement with the City of Wilmington and any other necessary and appropriate agreements and related documents required to undertake the above described project.

Resolution 04-33 was moved by Commissioner Patterson, seconded by Commissioner McWilliams and approved by a roll call vote of 10-0.

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**RESOLUTION 04-34 –AUTHORIZING A PROJECT WITH DELAWARE STATE UNIVERSITY**

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

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

WHEREAS, by virtue of Chapter 252, Volume 67, Laws of Delaware, approved by the Governor of the State of Delaware June 28, 1990, and Chapter 192 of the Pamphlet Laws of 1989 of the State of New Jersey, approved by the Governor of the State of New Jersey October 18, 1989 (said Chapter 252 and said Chapter 192, together with the Original Enabling Legislation being hereinafter sometimes collectively called the “Enabling Legislation”), the State of Delaware and the State of New Jersey entered, subject to the consent of the Congress of the United States of America, into certain amendments to the Original Compact (as so amended and as may be further amended from time to time hereinafter sometimes called the “Compact”); and

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

WHEREAS, by virtue of the Compact and the Enabling Legislation, the Authority’s powers include authorization to plan, finance, develop, construct, purchase, lease, maintain, improve and operate: (i) crossings between the States of Delaware and New Jersey, (ii) transportation or terminal facilities in Delaware and the New Jersey counties of Cape May, Cumberland, Gloucester and Salem and (iii) commerce facilities or development in Delaware and in the New Jersey counties of Cape May, Cumberland, Gloucester and Salem; and

WHEREAS, the Delaware State University (“DSU”) has submitted to the Authority a project that includes the development of a Hangar/office building, (the “Building”) which will house the University’s pilot training and related aviation programs; and

WHEREAS, the Authority has determined that it has the power to participate in this projects under the powers granted to it under the Compact and that such project would help fulfill the Authority's mission.

WHEREAS, the Authority will construct a 15,000+/- square foot office and hangar building at Delaware Air Park, in Cheswold, Delaware with approximately 9,850+/- square foot of the Building to be used by DSU for its pilot training program and related uses; and

WHEREAS, the Authority and DSU will execute a Development Agreement, which inter alia shall include the following terms:

1. Following the construction of the Building, the Authority will prepare an Enabling Declaration establishing a Plan for Condominium Ownership and a Code of Regulations to create a Condominium to be known as the Delaware Air Park Condominium.
2. The Condominium shall consist of two Units to wit: an Authority Unit and a DSU Unit.
3. After the Condominium at Delaware Air Park been created, the Authority will convey to DSU all right, title and interest in the DSU Unit pursuant to the terms and conditions of the Development Agreement and a Special Assessment Agreement.

WHEREAS, pursuant to the Development Agreement and the a Condominium Agreements, the Authority will provide project funding in an amount not to exceed \$1,250,000 toward the development costs of the portion of the aforementioned building (9,850+/- sq. ft.) that will be used be by Delaware State University; and

WHEREAS, Delaware State University as part of their obligations under the Condominium Agreement shall pay to the Authority an amount equal to the amount expended by the Authority for the development of the Delaware State University's portion of the building by monthly payments over a term not to exceed 240 months including interest that provides an internal rate of return of 2.8 % on net present value; and

WHEREAS, the Authority's Economic Development Committee has reviewed and recommended this project; and

NOW, THEREFORE, BE IT RESOLVED, that the Chairperson, Vice Chairperson, and the Executive Director, subject to final review and approval of the Authority's Counsel, are authorized to execute all necessary and appropriate Agreements and related documents between the Authority and Delaware State University to provide project funding in an amount not to exceed \$1,250,000 for the development of an airport hangar/office building project at Delaware Air Park in Cheswold, Delaware.

Resolution 04-34 was moved by Commissioner Patterson, seconded by Commissioner Dorn . With Chairperson Parkowski abstaining, Resolution 04-34 was approved by a roll call vote of 9 in favor and 1 abstention (9-0-1).

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Chairperson Parkowski called for a five minute recess at 12:05 p.m.

Chairperson Parkowski resumed the meeting at 12:10.

A motion was made by Vice-Chairperson Wallace to reconsider the earlier motion on Contract CMLF-01-06, Cape May Terminal Building Renovations and seconded by Commissioner Lowe. With Commissioner Hensley voting no, the motion to reconsider was approved by a roll call vote of 9-1.

Commissioner McWilliams made a motion to reject all bids, re-bid the work and incorporate a prevailing wage requirement in the new bid documents. The motion was seconded by Vice-Chairperson Wallace. With Commissioners Hensley and Patterson voting no, the motion was approved by a roll call vote of 8 yes and 2 no votes (8-2).

9075. COMMISSIONERS PUBLIC FORUM

Chairperson Parkowski asked if any member of the public requested to address the Commission.

Vincent Ascione, Local 542 Representative, stated that Local 542 signed the Election Agreement and was sent to DRBA attorney's. He also questioned whether the DRBA's Prevailing Wage Policy applied to the Authority's economic development projects.

Chairperson Parkowski stated that whether the Prevailing Wage Policy pertains to Authority economic development projects depends upon the type of project and the agreements between the DRBA and the partners of the project.

Deputy Executive Director Rainear noted that New Jersey legislation requires prevailing wages thus, the South Jersey Technology Park at Rowan University will require such.

Vice-Chairperson Wallace thanked the Commissioners for approving the three economic development projects and staff for their efforts in bringing them to the Commission.

Chairperson Parkowski stated the three economic development projects are a major component of the Authority and are significant to the lower counties of New Jersey and the State of Delaware. He complimented staff and legal council in putting together complex projects in such a short period of time.

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

The meeting was adjourned at 12:20 p.m.

Respectfully submitted,  
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok