

MINUTES OF MEETING  
THE DELAWARE RIVER AND BAY AUTHORITY  
**Tuesday, April 18, 2006**  
Delaware Memorial Bridge  
New Castle, Delaware

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

The opening prayer was given by Father Drupieski followed by the Pledge of Allegiance led by Colonel McCarnan.

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

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

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Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Edward W. Dorn  
Niels S. Favre  
Maureen T. Koebig  
Gary F. Simmerman

F. Michael Parkowski, Vice-Chairperson  
Thomas J. Cooper  
Verna Hensley  
Samuel E. Lathem  
William E. Lowe, III

ABSENT

Warren S. Wallace, Chairperson

Gary B. Patterson

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9392. APPROVAL OF THE MARCH 21, 2006 MINUTES

On motion by Commissioner Simmerman and seconded by Commissioner Lathem, the minutes of the March 21, 2006 meeting was unanimously approved by a voice vote of 9-0.

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9393. EXECUTIVE DIRECTORS REPORT

To maintain a quorum of the Board, the Executive Director dispensed with the reading of his report of April, 2006 but noted that the report will be included in the Board minutes.

***Delaware Memorial Bridge***

Total traffic during the month of March decreased 1.1% compared to March 2005. Non-commercial traffic decreased 1.8% and commercial traffic increased 2.9%. When compared to the three-year average, March traffic increased 1.9%. E-ZPass traffic for March represented 55.8% of the total overall traffic when compared to 52.6% for the previous year.

Annual spring maintenance work is underway at the Bridge in addition to the ongoing expansion joint and electrical rehabilitation projects. The Maintenance work which

includes bridge painting, deck resurfacing, and miscellaneous steel work requires weekly lane closures through May 2006. All lanes on the bridge will be open for weekend and holiday traffic. During the time period, two of the four lanes will be closed beginning after 10:00 p.m. on Sunday and will include a limited third lane closure between 11:00 p.m. and 5:30 a.m. All of the lanes will re-open on Friday morning and will remain open for weekend traffic. Because of these impacts, we distributed a Press Release that detailed the dates and time restrictions for both spans.

Planning is underway for the DRBA Tactical Operations Center (TOC) exercise that will be held in May. This joint exercise will include our neighboring emergency response, police, and regulatory agencies, and will enable us to evaluate and improve our incident command and communications capabilities.

### ***Cape May Lewes Ferry***

In March, vehicle traffic decreased 1.9% and passenger traffic decreased 8.7%, when compared to March 2005. Compared to the average of the last three years, year-to-date vehicle traffic and passenger traffic increased 7.1% and 4.5%, respectively. In March, 40.9% (1,752) of all ferry reservations were made on the Internet.

Despite the decline seen in ridership in March, CMLF food and retail sales were up 4.2% and 7.5%, respectively, from March 2005. New products were introduced for sale in the retail shops, such as, new T-shirt product line, children activities, CMLF logo dog collars and leashes, and miscellaneous CMLF-logo items.

Maintenance of our vessels continued as scheduled. The MV Cape May is at Colonna's shipyard in Norfolk, Virginia. She was taken out of the drydock and re-floated at the yard. Both refurbished reduction gears are being reinstalled. The MV Cape May is scheduled in Norfolk through April 7<sup>th</sup>. Our Marine mechanical personnel completed the main engine overhauls, and vessel maintenance personnel are painting the 03 deck bulwarks and railings on the M/V Twin Capes. The Delaware marine crews are making good progress in chipping and painting the car-deck overheads aboard the M/V Cape Henlopen in Lewes.

### ***Three Fort Crossings***

At Three Forts Crossing, the drydock work on the loading barges for Pea Patch Island and Fort Mott was completed and has been re-installed for the upcoming season. Tours to the Fort will operate on an abbreviated schedule this year due to repairs warranted at the Fort. We will begin the seasonal operation towards the end of April and carry through till late July. The Fort will be closed from August to October 15<sup>th</sup>. During this time we have been working with both States to facilitate additional opportunities to see the Fort and adjacent landmarks so the interest in the Fort is not lost.

### ***Airports***

Delta announced its intent to offer non-stop air service between Wilmington and Atlanta. This service will be provided by Delta Connection carrier Atlantic Southeast Airlines beginning on June 29<sup>th</sup> with two daily non-stop flights to Atlanta. Staff is working with Delta Airlines and Transportation Security Administration to finalize operational and contractual details related to the successful introduction of commercial airline service at New Castle Airport in June.

The Authority received a final payment of \$17k from the Delaware Emergency Management Agency (DEMA). This payment was a pass through reimbursement from the Federal Emergency Management Agency (FEMA) for cleanup and repairs at New Castle County Airport following tornado damage in September 2004. The Authority received the maximum allowable federal reimbursement share of 75%, which included reimbursement for overtime, supplies and materials. A well deserved Thank You goes out to Deputy Police Administrator Joseph Bryant whom successfully represented the Authority in pursuing this FEMA reimbursement.

Staff participated in an emergency response planning session at the Dover Air Force Base, in relation to the upcoming Civil Air Terminal Part 139 Emergency Plan. In attendance were Dover ARFF Team, Air Base Security, Delaware State Police, Kent

County Emergency Planning, DEMA, and DRBA. As an element of new FAA Part 139 requirements, all Class IV airports must submit written Airport Emergency Plans (AEP) to the FAA by June 9<sup>th</sup>.

External plans are underway to convert the Ponderlodge Golf Course in Lower Township, NJ, into a bird sanctuary. This property is located along the extended centerline for Runway 10-28 at Cape May Airport, and its planned use for birds would present a serious safety hazard for aircraft arriving or departing from this runway. Don Rainear and Steve Williams attended the public meeting that was held.

### ***Economic Development***

Vice Chairperson Parkowski was one of the guest speakers at the Port of Wilmington Warehouse H dedication ceremony. Commissioner's Patterson and Hensley attended the event along with staff. The 92,267 square foot warehouse is located on 5.5 acres near the Dole container yard. The new warehouse will increase Dole's refrigerated warehouse space at the Port by 57 percent. Dole signed a 15-year lease for the expanded property. Dole received \$12 million from the state and \$4 million from the Authority for the project.

The Penns Way/Corporate Commons property at New Castle Airport was featured in a full page advertisement touting existing properties that could suit business relocation or expansion in Delaware. The expose will be an insert to the in-flight US Air magazine and was produced by the Delaware Economic Development Office.

A Pre bid meeting with prospective bidders for the purchase and land lease or lease of the Annenberg hangar (as is) was conducted. The Annenberg Hanger is a 19,000 square foot hanger and office facility located at New Castle Airport. The bid opening is scheduled for April 11, 2006.

Throughout the month, Don Rainear has been working with an individual to enter into a short term lease for half of the Multi-tenant hangar at Millville Airport. This effort has culminated in a resolution that will be presented to the Board for action in April.

### ***Information Technology***

Gerry DiNicola Owens represented the Authority at the IAG Strategic Planning Session on March 27<sup>th</sup> and 28<sup>th</sup> in Atlantic City, New Jersey. Presentations were given from industry experts on two major subjects facing the toll industry today, 5.9GHz (interoperability through dedicated short-range communication) and privatization.

IT staff worked with the Cape May-Lewes Ferry Customer Relations Manager and her designees setting up a test system for training on the new toll rate structure. IT installed the new rates and corresponding packages in the live system, and designed and programmed the new six pack tickets for vehicles and passengers. Representatives from IT were on site on April 1<sup>st</sup> to provide hands on support when the new fare schedule became effective.

### ***Finance***

Victor Ferzetti and members of his staff met with a representative of Constellation Energy concerning electric deregulation in Delaware. The Authority is evaluating how to best transition and position the organization given the new electric rates beginning May 1, 2006 in Delaware. Staff will continue to meet with providers and consultants and quickly formulate an action plan to best mitigate the oncoming energy costs.

Victor Ferzetti and staff met with a consultant concerning GASB No. 45 compliance. The new rule will require that the Authority identify the liability associated with Other Post Employment Benefits (OPEB) in future financial statements. The most significant component of this liability will be the costs associated with post employment healthcare expenses.

Victor Ferzetti and I met with NJ Governor's Authorities Unit representative Keith Barrack to review and discuss the Authority's procurement process and methods to provide Commissioner's monthly review of contracts/change orders.

***Public Relations***

Commissioner Simmerman, Don Rainear and I were invited guest speakers at the Bridgeton Chamber of Commerce monthly meeting. During this meeting we had the opportunity to present a historical overview of the Authority, the institutional reforms that have taken place over the last four years, and the overall economic development activities that the organization has participated in while focusing on those in Cumberland County.

Later in the month, I was an invited guest speaker at the Lewes Chamber of Commerce monthly breakfast meeting. During this meeting I provided a presentation on the Cape May Lewes Ferry. In particular, the Elliot Bay Study findings and how we have begun to implement the many recommendations.

***Employee Happenings***

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

|  |     |
|--|-----|
| Authorized Positions                   | 481 |
| Positions Filled                       | 445 |
| Positions Filled (on LTD)              | 9   |
| Total Positions that are Vacant        | 27  |
| Vacant Positions in the Hiring process | 16  |

The March job postings for a total of 11 positions closed on April 3, 2006. The Authority has received approximately 700 resumes and applications in response to these postings.

Throughout the month the Authority participated in a wide range of job fairs including the News Journal Career Fair, the Wilmington Diversity Job Fair hosted by Latin American Community Center and City of Wilmington, Celebrate Diversity hosted by JobCircle, Wilmington College Career Fair, Wildwood One-Stop Career Center and the King Recreation Center in Whitesboro, New Jersey. We also met with representatives from the Puerto Rican Action Committee of South Jersey, Inc. to discuss upcoming job opportunities at the Authority.

Our Human Resources staff completed Authority-wide informational meetings on retirement issues related to the Defined Contribution Plan benefit options. Approximately 115 employees attended the seminars. Approximately 80 employees have scheduled one-on-one meetings with representatives from Brandywine Benefits Company to discuss individual retirement issues.

Darrin Singley, AB Seaman, Lewes, obtained his USCG Pilot’s license and began final training in March. Darrin is commended for his hard work and dedication in earning this USCG certification.

A member of our Police force completed a three (3) day Crisis Intervention Training Course (Train-the Trainer) in Memphis, Tennessee.

The 2005 DRBA Safety Recognition Ceremony and Luncheon were held at the Delaware Memorial Bridge Complex. Following a review of 2005 safety goals and accomplishments by Authority personnel, a series of recognition awards were distributed by DRBA Management. The Delaware Memorial Bridge was recognized as the Safest Site across the Authority. Ferry Operations received the award for the safest Large Operations Department. Electronics Dept had an injury-free year, and won the award for Safest Small Operations Department. The Best Safety Committee Award was given to the Delaware Memorial Bridge Committee on a very close vote. Special recognition was also given to the Auto Shop Supervision and Employees for excellence in the implementation of the STOP Safety Management Program. An Individual Safety Excellence Award was given to Jay Jones for more than a decade of meritorious service in the field of occupation safety at the DRBA. The celebration was capped-off with an exceptional luncheon prepared by our DRBA Café Staff. Congratulations to all award recipients and to Bob Young, Superintendent of Safety and Environment for his leadership.

The Community Initiatives Committee, in partnership with food and retail staff, has volunteered to deliver surplus food from events to the Sunday Breakfast Mission in Wilmington, Delaware.

The Authority sponsored an employee team “The DRBA Spikers” to participate in the 25<sup>th</sup> Annual CAI/Easter Seals Volleyball Challenge held on March 17-19, 2006 at the University of Delaware Carpenter Sports Building. The team was comprised of the following individuals: Jill Wolfe (Team Captain), George Iannetta, Jan Jackson, Andrew Ritchie, Mary Beth Ritchie, Melvin McCord, Kevin James, John Jones, Patty Jones and Commissioner Verna Hensley. The team was coached/cheered on by Ken Hynson and Trudy Spence-Parker. The DRBA Spikers were one of approximately 200 teams that participated. Thank you to those employees whom participated.

***Upcoming Events***

|              |                    |                          |
|--------------|--------------------|--------------------------|
| May 2, 2006  | Committee Meetings | Delaware Memorial Bridge |
| May 16, 2006 | Board Meeting      | Cape May Terminal        |

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9394. COMMITTEE REPORT – BUDGET & FINANCE

Commissioner Simmerman dispensed with the reading of his report in order to maintain a quorum and noted that the minutes of the Budget & Finance meeting held April 4, 2006 will be included in the Board minutes.

**BUDGET & FINANCE COMMITTEE MEETING**

**Tuesday, April 4, 2006**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Budget & Finance Committee was held on Tuesday, April 4, 2006, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Chair Simmerman  
Commissioner Favre, Committee Member  
Commissioner Dorn

Commissioner Hensley, Committee Member  
Commissioner Lathem, Committee Member  
Commissioner Cooper  
Vice-Chairperson Parkowski arrived after the roll call

Staff

Authority Secretary

Jim Johnson, Jr.  
Victor Ferzetti  
Jim Walls  
Trudy Spence-Parker  
Gerry DiNicola Owens  
Ken Hynson  
Joe Larotonda  
TJ Murray  
AJ Crescenzi  
Anna Marie Gonnella Rosato

Tom Pankok

- I. Committee Chair Simmerman welcomed the Budget & Finance Committee and opened the meeting at approximately 9:10 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.

- II. The Committee reviewed and the Community Contribution requests for the month of April. In the absence of Committee Vice-Chair Patterson, requests for Delaware were put on hold pending further discussion. A Resolution will be presented to the full Board for consideration at the April meeting.
- III. The Acting Chief Financial Officer reviewed the proposed Resolution listing vendors over \$25,000. The Committee recommended approval of the list. A Resolution will be presented to the full Board for consideration at the April meeting.
- IV. The Acting CFO provided a presentation on the Authority's Employee Pension Plan in order to facilitate discussion concerning the Pension Plan's potential future liability. It was reported that the Plan was amended in 1997 to allow for a Lump Sum Benefit. The Authority's funding assumptions anticipate that 25% of retiree's will elect a lump sum distribution. The following was discussed regarding the Lump Sum Benefit.
  - Advantages and Disadvantages of allowing Lump Sum distributions
  - Lump Sums versus Retirements from 2001-2005, With ERO Program averaged 31%
  - Lump Sums versus Retirements from 2001-2005, Without ERO Program averaged 67%
  - Lump Sum Specific and Potential Cost Implications
  - Authority Plan Demographics

The Acting CFO informed the Committee that, by law, the lump sum benefit earned could not be retracted. However, the following recommendations were reviewed and discussed regarding future benefits.

- Discontinue offering Lump Sum to new employees effective at adoption of Board Resolution
- Discontinue future lump sum benefit to existing employees effective after January 1, 2007

The Committee questioned staff regarding Labor Agreements, Lump Sum Calculations, and 2005 Plan Assumption Changes. After discussion, the Committee recommended staff investigate and provide additional statistical analysis and formulate options in order to facilitate further discussion.

With no further business to discuss, the Budget & Finance Committee adjourned at 10:00 a.m.

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9395. COMMITTEE REPORT – PERSONNEL & INSURANCE

Commissioner Dorn dispensed with the reading of his report in order to maintain a quorum and noted that the minutes of the Personnel & Insurance meeting held April 4, 2006 will be included in the Board minutes.

**PERSONNEL & INSURANCE COMMITTEE MEETING**  
**Tuesday, April 4, 2006**  
 Delaware Memorial Bridge Complex  
 New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Personnel & Insurance Committee was held on Tuesday, April 4, 2006, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Chair Dorn  
Commissioner Favre  
Commissioner Simmerman

Committee Vice Chair Lathem  
Commissioner Cooper, Committee Member  
Commissioner Hensley  
Vice-Chair Parkowski

Staff

Jim Johnson  
Victor Ferzetti  
Jim Walls  
Trudy Spence-Parker  
Gerry DiNicola Owens

Authority Secretary

Tom Pankok

- I. Committee Chair Dorn welcomed the Personnel & Insurance Committee and opened the meeting at approximately 10:10 a.m. The Authority Secretary reported that the public meeting of the Personnel & Insurance Committee had been duly noticed in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- II. The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Lathem, seconded by Commissioner Cooper, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS
- CURRENT LITIGATION

With no further business to discuss, on motion by Commissioner Lathem, the Personnel & Insurance Committee meeting adjourned at 10:55 a.m.

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9396. COMMITTEE REPORT – PROJECTS COMMITTEE

Commissioner Hensley dispensed with the reading of her report in order to maintain a quorum. The following Projects meeting was scheduled for April 4, 2006; however, it lacked a quorum and will be noted in the Board minutes.

**PROJECTS COMMITTEE**  
**Tuesday, April 4, 2006**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting was scheduled for the Delaware River and Bay Authority’s Projects Committee on Tuesday, April 4, 2006, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Hensley, Committee Chair  
Commissioner Parkowski  
Commissioner Cooper  
Commissioner Lathem

Commissioner Dorn, Committee Vice Chair  
Commissioner Simmerman, Committee Mbr

Staff

Jim Johnson  
Jim Walls  
Trudy Spence-Parker  
Gerry DiNicola-Owens  
Victor Ferzetti  
John Jones  
Steve Williams  
Kelly Phillips-Parker  
A. J. Crescenzi  
Anne Marie Gonnella-Rosato

Authority Secretary

Tom Pankok

Chairperson Hensley welcomed the meeting of the Projects Committee and opened the meeting at approximately 11:00 a.m. The Authority Secretary reported that the public meeting of the Projects Committee had been duly noticed in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll. It was determined that a quorum of the Committee was not present; therefore, no meeting was held.

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9397. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Koebig dispensed with the reading of her report in order to maintain a quorum and noted that the report of the Economic Development Committee held April 4, 2006 and the minutes of the April 18, 2006 meeting will be included in the Board minutes. She further stated that, at the April 18<sup>th</sup> Committee meeting, the Committee recommended three resolutions to be presented to the Board.

**ECONOMIC DEVELOPMENT COMMITTEE**  
**Tuesday, April 4, 2006**  
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, April 4, 2006, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Commissioner Dorn, Committee Member  
Commissioner Simmerman

Commissioner Cooper, Committee Member  
Commissioner Hensley  
Vice-Chairperson Parkowski

Staff

Jim Johnson, Jr.  
Victor Ferzetti  
Jim Walls  
Gerry DiNicola Owens  
AJ Crescenzi  
Michelle Griscom-Collins  
John Jones  
Steve Williams

Authority Secretary

Tom Pankok

- I. In the absence of the Deputy Executive Director, the Chief Operations Officer welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 12:07 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. It was determined that a quorum of the



Committee was not present. The COO requested an update on certain projects and an informal discussion ensued.

- Lease Agreement at the Millville Airport for 50% (13,000 square feet) of a hangar located at 2 Thunderbolt Way, to be used for aircraft maintenance and storage.
- Staff and Legal Counsel have been finalizing the drafts for a tenant Lease Agreement at the Salem Business Centre and subsequent sale of the Salem Business Centre.
- Vice-Chair Parkowski reported that the Authority was authorized by Resolution to fund Economic Development projects at 50% of the Operating Budget. In an effort to provide a clearer understanding of the Authority's investment in Economic Development projects, staff has been preparing to present an update that will include projects, value, when initiated, return on investment, and remaining capacity for future projects.
- Commissioner Cooper questioned whether the Authority has been receiving a percentage from the restaurant at the Riverfront. Staff provided the information requested.

II. Following the discussion, the meeting ended at approximately 12:15 p.m.

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**ECONOMIC DEVELOPMENT COMMITTEE**

**Tuesday, April 18, 2006**

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, April 18, 2006, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT

Committee Chair Koebig  
Commissioner Dorn, Committee Member  
Commissioner Favre  
Commissioner Simmerman

Legal Counsel  
John Devlin – NJ

Staff

Jim Johnson, Jr.  
Don Rainear  
Victor Ferzetti  
Jim Walls  
Trudy Spence-Parker  
AJ Crescenzi  
Michelle Griscom-Collins  
Steve Williams  
Anna Marie Gonnella Rosato

Commissioners from Delaware

Committee Vice-Chair Lowe  
Commissioner Cooper, Committee Member  
Commissioner Hensley, arrived after roll call  
Commissioner Lathem

Mike Houghton - DE

II. The Committee Chair Koebig welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 9:08 a.m. The Deputy Executive Director 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.

- III. Due to the lack of a quorum at the April 4, 2006 Economic Development Committee Meeting, no action could be taken. The Deputy Executive Director reviewed the following projects.

Millville Airport

The Deputy Executive Director reviewed a Lease Agreement between the Authority and Thomas Duffy for 50% (13,000 square feet) of the Multi-Tenant Hangar at the Millville Airport to be used for aircraft maintenance and storage. The term of the Agreement is for a period of six months at a cost of \$68,250. Commissioner Simmerman questioned whether airport management was informed of these decisions and the Deputy Executive Director reported that the Director-Airport Operations had been informed and concurred with the decision.

The Deputy Executive Director further reported that the short-term lease could potentially result in a sale of the hangar and reminded the Committee that this particular hangar was constructed as a joint venture involving the Delaware River and Bay Authority, the Federal EDA, the City of Millville and the Empowerment Zone. If, in the future, the hangar were to be sold, an allocation formula would be used to distribute the proceeds and it would be necessary for the DRBA to repay the Federal EDA Grant portion. After discussion, on motion by Commissioner Dorn, seconded by Commissioner Lowe, the Committee recommended approval of the Lease Agreement. A Resolution will be presented to the full Board for consideration during the Public Session.

New Castle Airport

The Deputy Executive Director reported that, during the course of adopting the Minimum Standards and Rules and Regulations for the New Castle Airport, Aero Ways, a current tenant, agreed to become an FBO and agreed to meet the minimum standards of an FBO. As part of meeting those requirements, Aero Ways expressed interest in purchasing the Annenberg Hangar. A Request for Bids for the Sale of the Annenberg Hangar was advertised and Aero Ways, the sole bidder, met all criteria. Aero Ways required additional hangar space, and submitted a bid for Hangar C as well. Aero Ways met the asking price; however, the purchase of Hangar C would be contingent on the sale of the Annenberg Hangar. After discussion, on motion by Commissioner Cooper, seconded by Commissioner Dorn, the Committee recommended approval of the sale of Annenberg Hangar and the sale of Hangar C, and the respective Ground Leases. Resolutions will be presented to the full Board for consideration during the Public Session.

The Authority's Delaware Legal Counsel commended staff and all of those involved in the lengthy process to finalize these negotiations.

Salem Business Centre

The Deputy Executive Director reported that staff is moving forward to finalize negotiations on the Lease Agreement with Clement Pappas for space at the Salem Business Centre. With the Lease included, the sale price of the Salem Business Centre would be \$11 million rather than \$9.1 million without the Lease. Staff will continue to update the Committee as necessary

There being no further business to discuss, on motion by Commissioner Lowe, the Economic Development Committee adjourned at 9:26 a.m.

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9398. AD HOC COMMITTEE FOR THE CFO SEARCH

Commissioner Lathem dispensed with the reading of his report in order to maintain a quorum and noted that the minutes of the Ad Hoc Committee for the CFO Search meeting held March 20, 2006 will be included in the Board minutes.

**AD HOC COMMITTEE MEETING FOR THE CFO SEARCH**

**Monday, March 20, 2006**

Lewes Administration Conference Room  
Cape May-Lewes Ferry  
Lewes, Delaware

A public meeting of The Delaware River and Bay Authority's Ad Hoc Committee for the CFO Search was held on Monday, March 20, 2006, at the Lewes Administration Conference Room at the Lewes Terminal of the Cape May-Lewes Ferry, 43 Henlopen Drive, Lewes, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Vice Chair Dorn  
Commissioner Favre, Committee Member  
Commissioner Koebig, Committee Member

Committee Chair Lathem  
Commissioner Hensley, Committee Member

Staff

Jim Johnson  
Trudy Spence-Parker

- III. Committee Chair Lathem welcomed the Ad Hoc Committee for the CFO Search and opened the meeting at approximately 4:10 p.m. The Chief Human Resource Officer reported that the public meeting of the Ad Hoc Committee for the CFO Search had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- IV. The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Koebig, seconded by Commissioner Dorn, the Session was closed.

The following matters of a confidential nature were discussed.

- PERSONNEL MATTERS RELATING TO THE CFO SEARCH

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

With no further business to discuss, on motion by Commissioner Koebig, the Ad Hoc Committee Meeting for CFO Search adjourned at 4:50 p.m.

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9399. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

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

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

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9400. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Acting CFO presented a chart showing a statement of income and expenses for the month of February 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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9401. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Acting CFO presented a chart showing expenses by division for the quarter to date (through March 31, 2006) vs. the projected quarter and for year to date vs. total budget.

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

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9402. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Acting CFO presented a chart for the month of March 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 charts were ordered filed with the permanent records of the Authority.

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9403. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF MARCH 31, 2006.

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

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

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9404. PUBLIC COMMENT ON ACTION ITEMS.

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

- Resolution 06-17 Approval of Community Contribution Requests
- Resolution 06-18 Authorizes Expenditures \$25,000 and Over
- Resolution 06-19 Lease Agreement with Thomas Duffy, Millville Airport
- Resolution 06- 20 Sale and Ground Lease of the Annenberg Hangar with Aero Ways, Inc.,  
New Castle Airport
- Resolution 06-21 Sale and Ground Lease of Hangar “C” with Aeroways, New Castle Airport

There were no comments.

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9405. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

The Chief Operating Officer (CFO) dispensed with the reading of the Summary of Authorized Contract Payments for April, 2006 in order to maintain a quorum and noted that the summary will be included in the Board minutes.

| <u>Contractor</u> |                           | <u>Payment</u> |
|-------------------|---------------------------|----------------|
| DMB-04-04         | J.D. Eckman, Inc.         | \$444,445.66   |
| DMB-01-06         | Cianbro Corporation       | \$554,816.63   |
| CMLF-04-11R2      | General Ship Repair       | \$ 92,115.80   |
| CMLF-05-04        | Colonna's Shipyard, Inc.  | \$739,139.15   |
| CMLF-05-03        | Lyons Shipyard, Inc.      | \$ 20,000.00   |
| NCA-01-02         | Diamond Materials         | \$600,794.50   |
| NCA-01-04         | EDIS                      | \$ 63,900.00   |
| MVA-04-01         | Delta Line Construction   | \$ 32,940.00   |
| MVA-04-03         | Stanker and Galetto, Inc. | \$ 61,507.76   |

The COO noted that the close-out of Contract No. CMLF-05-03 will not be acted upon this month but will be brought before the Projects Committee at its May, 2006 meeting.

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9406. CHAIRPERSON'S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD.

The Executive Director presented the following Resolutions:

**RESOLUTION 06 - 17 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 April, 2006; and

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

| Community Contributions                            |                         |                                |
|--|-------------------------|--------------------------------|
| <u>New Jersey</u>                                  |                         |                                |
| Bayshore Discovery Project Incorporated            | \$ 5,000                |                                |
| Bridgeton Area Chamber of Commerce                 | \$ 3,500                |                                |
| Bridgeton Cumberland Tourist Association           | \$ 5,000                |                                |
| * <del>Burdette Tomlin Memorial Foundation</del>   | <del>\$ 10,000</del>    |                                |
| Friends of Cape May Jazz Incorporated              | \$ 5,000                |                                |
| * <del>Kiwanis Club of Cape May Foundation</del>   | <del>\$ 3,500</del>     |                                |
| Rob Shannon Slo Pitch Tournament                   | \$ 4,000                |                                |
| South Jersey Health System Foundation Incorporated | \$ 5,000                |                                |
| Woodstown Rotary Foundation Incorporated           | \$ 2,500                |                                |
| <b>Total</b>                                       | <b><u>\$ 43,500</u></b> | <b><u>\$30,000</u> Revised</b> |

**Delaware**

|  |                         |                                |
|--|-------------------------|--------------------------------|
| <b>Delaware State University (Scholarship Funding)</b>     | <b>\$ 10,000</b>        |                                |
| <b>Kent-Sussex Industries Incorporated</b>                 | <b>\$ 2,750</b>         |                                |
| <b>Morgan State University National Alumni Association</b> | <b>\$ 2,000</b>         |                                |
| <b>Nativity Preparatory School of Wilmington</b>           | <b>\$ 5,000</b>         |                                |
| <b>Seamen’s Center of Wilmington Incorporated</b>          | <b>\$ 3,000</b>         |                                |
| <b>Special Olympics Delaware</b>                           | <b>\$ 1,500</b>         |                                |
| <b>Troop 2540 Boy Scouts of America</b>                    | <b>\$ 750</b>           |                                |
| <b>Total</b>   | <b><u>\$ 25,000</u></b> |                                |
| <b>Grand Total (New Jersey and Delaware)</b>               | <b><u>\$ 68,500</u></b> | <b><u>\$55,000</u> Revised</b> |

Resolution 06-17 was moved by Commissioner Dorn, seconded by Commissioner Koebig.

\* Commissioner Koebig abstained from voting on the contribution for Burdette Tomlin Memorial Foundation and Commissioner Favre abstained from voting on the Kiwanis Club of Cape May Foundation. With those abstentions, New Jersey lacked a quorum to approve the contributions for Burdette Tomlin Memorial Foundation and Kiwanis Club of Cape May Foundation. They were removed from the Community Contribution Resolution and will be presented again at the May Commissioners meeting.

With the aforementioned abstentions and deletions, Resolution 06-17 was approved by a roll call vote of 9-0 with the above noted abstentions and deletions where such votes were 8 in favor and 1 abstention.

\* \* \* \* \*

**RESOLUTION 06-18 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2006.**

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 01-84 requiring Commission review and approval of all Authority expenditures in excess of \$25,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$25,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY  
PROJECTED VENDORS TO BE PAID OVER \$25,000  
OPERATION EXPENDITURES  
FOR THE PERIOD 1/1/06 THROUGH 12/31/06

| <b>VENDOR</b>                                       | <b>SERVICE DESCRIPTION</b>                      | <b>DETERMINATION</b>  |
|---|---|-----------------------|
| Barnegat Bay Dredging Company, Inc.                 | Maintenance Dredging (Cape May)                 | Federal Gov. Contract |
| Enercon Construction Services, Inc.                 | NCA- Fuel dispensing and monitoring system      | Quotes                |
| Joseph T. Hardy & Son, Inc.                         | DAP -Fuel dispensing and monitoring system      | Quotes                |
| Northstar Marine, Inc.                              | Firework Services, Tank removal, Bilge cleaning | Quotes                |
| Prestige Floors, Inc.                               | Carpet replacement – Twin Capes                 | Quotes                |
| Schlosser & Associates Mechanical Contractors, Inc. | Renovation and repair of sanitary piping        | Quote                 |
| Wolfe Painting, Inc.                                | FBO and T-Hangar Painting Cape May Airport      | Quotes                |

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

On motion by Commissioner Favre, seconded by Commissioner Cooper, Resolution 06-18 was approved by a roll call vote of 9-0.

\* \* \* \* \*

**RESOLUTION 06-19 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THOMAS DUFFY, MILLVILLE AIRPORT, MILLVILLE, NEW JERSEY**

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the Millville Airport (“Airport”), Millville, New Jersey; and

WHEREAS, Thomas Duffy desires to lease 50% of the hangar space at 2 Thunderbolt Drive, commonly referred to as the “Multi-Tenant Hangar” totaling approximately 13,000 sq. ft. at the Airport in order to use the facility for the storage and maintenance of aircraft; and

WHEREAS, Thomas Duffy has agreed to pay the Authority \$68,250.00 rent during first term of the Lease Agreement; and

WHEREAS, the term of the Lease Agreement is for six (6) months with no options for renewal.

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

On motion by Commissioner Simmerman, seconded by Commissioner Hensley, Resolution 06-19 was approved by a roll call vote of 9-0.

\* \* \* \* \*

**RESOLUTION 06-20 - AUTHORIZES THE SALE OF THE ANNENBERG HANGAR AND GROUND LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AEROWAYS, INC. AT THE NEW CASTLE AIRPORT**

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

WHEREAS, the Authority accepted Request for Proposals from interested parties for the purchase and ground lease or lease of an existing structure known as the Annenberg Hangar (the “Hangar”) located at 131 N. DuPont Highway, New Castle, Delaware; and

WHEREAS, the Hangar measures approximately 19,250 square feet and contains a 20,000 gallon fuel facility; and

WHEREAS, the underlying land measures seventy-eight thousand seven hundred twenty six (78,726) square feet; and

WHEREAS, Aero Ways, Inc., being the sole respondent, agreed to purchase the Hangar in the amount of \$2,012,500.00; and

WHEREAS, Aero Ways also agreed to enter into a Ground Lease Agreement (the “Lease Agreement”) for the underlying land at the rate of sixty-five cents (\$0.65) per

square foot for a total of Fifty-One Thousand One Hundred Seventy Two Dollars (\$51,172) per year with annual Consumer Price Index adjustments (“Philadelphia Index”); and

WHEREAS, the term of the Lease Agreement shall be for a minimum of ten (10) years and negotiated during the finalization of the terms and conditions; and

WHEREAS, Aero Ways proposal was deemed to be in compliance with the terms and conditions of the Request for Proposals.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Sale and Ground Lease Agreement of the Annenberg Hangar with Aero Ways, Inc. and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

On motion by Commissioner Cooper, seconded by Commissioner Favre, Resolution 06-19 was approved by a roll call vote of 9-0.

Vice-Chairperson Parkowski thanked staff for bringing this long standing issue regarding the Annenberg Hangar to a close.

\* \* \* \* \*

**RESOLUTION 06-21 - AUTHORIZES THE SALE OF HANGAR “C” BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AEROWAYS, INC. AT THE NEW CASTLE AIRPORT**

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

WHEREAS, the Authority is desirous to sell Hangar “C” (the “Hangar”) totaling approximately 19,525 square feet of hangar space and 4,000 square feet of office space, located at DuPont Highway, New Castle, Delaware and lease the underlying lands measuring approximately 58,740 square feet; and

WHEREAS, Aero Ways, Inc., agreed to purchase the Hangar in the amount of \$1.8 million dollars; and

WHEREAS, Aero Ways also agreed to enter into a Ground Lease Agreement (the “Lease Agreement”) for the underlying land at the rate of \$0.65 per square foot for a total of \$38,181.00 per year with annual Consumer Price Index adjustments (“Philadelphia Index”); and

WHEREAS, the initial term of the Lease Agreement shall be for a minimum of ten (10) years and negotiated during the finalization of the terms and conditions; and

WHEREAS, the sale and ground lease is contingent upon Aero Ways acquiring the Annenberg Hangar at the New Castle Airport.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Sale and Ground Lease Agreement of Hangar “C” with Aero Ways, Inc. and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

On motion by Commissioner Dorn, seconded by Commissioner Favre, Resolution 06-21 was approved by a roll call vote of 9-0.

\* \* \* \* \*



Vice-Chairperson Parkowski asked if any members of the public would like to address the Commission.

There were none.

Vice-Chairperson Parkowski then asked if there were any comments from the Commissioners.

Commissioner Favre thanked the Board for shortening the meeting to accommodate his schedule.

\* \* \* \* \*

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

The meeting was adjourned 11:20 a.m.

Respectfully submitted,  
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok  
Secretary