

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, March 16, 2010
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720**

The meeting convened at 10:33 a.m. with Chairperson Hogan presiding.

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

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

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

PRESENT

| | |
|-----------------------------|----------------------------------|
| James N. Hogan, Chairperson | Scott A. Green, Vice-Chairperson |
| Susan A. DeLanzo | Richard W. Downes |
| Edward W. Dorn | Samuel E. Lathem |
| Niels S. Favre | William E. Lowe |
| Ceil Smith | Terri C. Murphy |
| Douglas L. Van Sant | Gary F. Traynor |

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Chairperson Hogan called for the acceptance of the Agenda by the Board. The Agenda was accepted by all Commissioners.

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10137. APPROVAL OF THE FEBRUARY 16, 2010 REGULAR MEETING MINUTES

A motion was made by Commissioner Favre to approve the minutes of the February 16, 2010 meeting, seconded by Commissioner DeLanzo, and unanimously approved by a voice vote of 12-0.

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10138. EXECUTIVE DIRECTOR'S REPORT

The Executive Director introduced the Authority's new Chief Human Resources Officer, Charlotte L. Crowell.

The Executive Director commented on the performance of Authority personnel in removing snow and keeping our operations open during the winter storms. He stated that Resolution 10-19 entitled Recognizing and Applauding Outstanding Employee Performance will be presented to the Board for approval in recognition of their dedication and outstanding public service. He then presented the following highlights that occurred within the Authority during February, 2010.

During the month of February, we were battered by three winter storms. Our employees did a fantastic job keeping our facilities operating but, the weather had a significant impact on our traffic at the bridge and ferry.

Delaware Memorial Bridge

In February, total traffic decreased 16.7%, non-commercial traffic decreased 17.7%, and commercial traffic decreased 10.5%, compared to February 2009. When compared to the 3-year average, total February traffic decreased 17.6%. Year-to-date total traffic decreased 9.1%, non-commercial traffic decreased 9.1%, and commercial traffic decreased 9.0%, compared to the previous year. When compared to the 3-year average, year-to-date total traffic decreased 10.0%.

E-ZPass traffic for February represented 62.7% of the total overall traffic as compared to 61.1% for the previous year. Year-to-date total electronic traffic represented 62.3%, an increase of 1.5% from 2009.

Cape May Lewes Ferry

In February, vehicle traffic decreased 37.5%, and passenger traffic decreased 38.6% compared to February 2009. Year-to-date vehicle traffic decreased 26.9% and passenger traffic decreased 27.3% when compared to the same period in 2009. When compared to the average of the last three years, year-to-date vehicle traffic and passenger traffic decreased 36.0% and 33.9%, respectively.

Because of the poor weather, our two vessels, the MV New Jersey and MV Delaware completed 40 less crossings (208 versus 248) than planned for the month.

In February, fare revenues decreased 32.8% compared to February 2009. Year-to-date fare revenues decreased 21.1% compared to the same period last year. Compared to the 3-year average, year-to-date fare revenues have decreased 15.2%.

In February, CMLF food and beverage revenues decreased 41.9% and retail revenues decreased 40.6%, compared to February 2009. Year-to-date food and beverage revenues decreased 32.9% and retail revenues decreased 24.0%, compared to the same period in 2009. When compared to the 3-year average, year-to-date food and beverage revenues decreased 44.1% and retail revenues decreased 46%.

The Freeman Highway Bridge project kicked off at the end of the month with a press conference and briefing to the Town of Lewes. Work is expected to begin the first week of March. The project work will be done by Mumford & Miller of Middletown, Delaware, at a cost of approximately \$1.8 million. The project will be constructed in two phases. The first phase will be completed on or before June 25 so that both lanes on the Bridge can be open for the busy summer season. The overall project is scheduled to be completed by the end of September 2010.

Finance

A series of four sessions were held with employees providing an understanding of the importance of diversity in procurement activities. The sessions were conducted by Ms. Devona Williams of Goins-Williams Associates, a certified WBE/MBE firm. The training was well received and thanks goes to Michael Schirmer, Kelly Phillips Parker, Sandra McKinney and Victor Ferzetti for their efforts to organize and provide these sessions.

Employee Happenings

I presented an update on the Authority, the Cape May Airport and the Cape May Lewes Ferry at the 6th Annual Cape May County Transportation Infrastructure Conference.

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

| | |
|---|-----|
| Authorized Positions (2010 Budget Year) | 434 |
| Positions Filled | 394 |
| Positions Filled (on LTD) | 4 |
| Total Positions that are Vacant | 36 |
| Vacant Positions in Process to fill | 8 |

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

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The Executive Director said that he, along with the Deputy Executive Director, Chief Financial Officer, Chairperson Hogan, and representatives of the NJ Authorities Unit met in Trenton, New Jersey to discuss the Authority budget, resolutions consisting of expenditures over \$25,000 and other matters, including resolutions before the Board today. He noted that New Jersey Governor Chris Christy requested the following Resolutions be tabled. Resolution 10-13, Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the Period January 1, 2010 through December 31, 2010, Resolution 10-14 Adoption of the Delaware River and Bay Authority's 2010 Operating Budget, Resolution 10-15 Amending The 2010 Operating Budget for Other Post Employment Benefits, Resolution 10-16 Collective Bargaining Agreement Between the DRBA and International Union of Operating Engineers, Local 542, Resolution 10-18, Authorizing a Contract with Parker McCay to Provide General Counsel Legal Services Representing the DRBA Interests in the State of New Jersey, Resolution 10-20 Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the Period January 1, 2010 through December 31, 2010.

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10139. COMMITTEE REPORT – BUDGET & FINANCE COMMITTEE

Commissioner Van Sant presented the following Budget & Finance meeting minutes of March 2, 2010.

BUDGET & FINANCE COMMITTEE MEETING
Tuesday, March 2, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Budget & Finance Committee Meeting was held on Tuesday, March 2, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT

Committee Chair Van Sant
Commissioner DeLanzo, Committee Member,
Arrived after the roll call
Commissioner Favre, Committee Member
Commissioner Dorn
Commissioner Smith
Chairperson Hogan

Commissioners from Delaware

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

Legal Counsel

Mike Houghton - DE

Governors' Representatives

Johanna Jones - NJ

Staff

Jim Johnson
Frank Minor
Victor Ferzetti
Jim Walls
Gerry Owens
Joe Larotonda
Anna Marie Gonnella Rosato
Joe Larotonda
Kelly Phillips Parker
John Sarro
AJ Crescenzi
Joe Volk
Dave Hoppenjans
Heath Gehrke

Michelle Griscom-Collins
Jim Salmon

1. Committee Chair Van Sant opened the Budget & Finance Committee meeting at approximately 9:07 a.m. The Authority Secretary reported that the public meeting of the Budget & Finance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

2. Proposed Resolutions:

a. Over \$25,000 Vendor List – The Chief Financial Officer presented the Over \$25,000 Vendor List. Commissioner Downes questioned why the CFO thought this Resolution would pass when it had been vetoed by the New Jersey Governor in January. The CFO reported that there have been subsequent discussions with the New Jersey Governor's office, and the Resolution before them was forwarded last week in an attempt to reformat in a manner agreeable to the New Jersey Governor's office. The submissions for approval are some of the routine vendors needed to operate the Authority. An additional item has been included, Mars Direct, for the printing of the 2010 Cape May-Lewes Ferry schedules for the upcoming season. Although discussions will continue with the Governor's office, the CFO reported that he did not want to stop the process because he continues to make payments to many of the vendors despite not being authorized by Resolution. Authority Chair Hogan questioned Cryotech Deicing Technology and upon being informed it was for runway deicer, he noted that this product is necessary for the safety of Authority Airports. After discussion, a motion was made by Commissioner Traynor, seconded by Commissioner Favre, and the Budget & Finance Committee recommended approval of the Over \$25,00 Vendor List. The Resolution will be presented to the full Board for consideration at the March meeting.

b. FY 2010 Operating Budget – Although discussions need to occur with the New Jersey Governor's office with regard to a 0% increase for FY 2010, the Chief Financial Officer presented proposed changes to FY 2010 Operating Budget.

- Reduced the Ferry Marketing Budget by \$43,000 by eliminating the Annual Fireworks display in Cape May. Commissioner Lathem questioned whether that had been discussed. Committee Chair Van Sant questioned why the Marketing Budget was targeted and not other budget lines if we felt the issue was the OPEB Liability. Authority Chair Hogan reported that this item had been in question since 2006 by former Chairperson Parkowski as a possible budget cut. Staff reported that the Annual Fireworks Display had been held for 16 years. Commissioner Lowe added that it is not just an expense, but also two boats are filled due to the event. Chairperson Hogan added that Authority Vice-Chair Green previously discussed whether the event could be cost neutral. Authority Vice-Chair Green added that there were on-going discussions with the Director-Ferry Operations with regard to alternative sponsors/funding and advised leaving it out of the Operating Budget to present as clean a budget as possible to the Governors for review. The issue will be handled separately. The Director-Ferry Operations reported that April 15, 2010, would be the cut-off to engage the fireworks company.

- Other Post Employment Benefit (OPEB) Liability – The CFO reported that, as discussed and previously Board approved, the \$2.6 million increase to fund 2010's phased in contribution of the Annual Required Contribution (ARC), has been removed from the proposed Operating Budget. While not suggesting it should not be funded, where it could be funded was in question. Funding could come from the General Fund, which would be permissible, as the General Fund can be used for any lawful purpose; however, for transparency and consistency purposes the preference was to fund it in the Operating Budget. Even if paid for out of the General Fund, it would be classified as a Current Expense. Committee Vice-Chair Traynor questioned whether, ultimately, fully funding in the future would be from the Operating Budget and the perception of an increased Operating Budget. Commissioner Murphy questioned whether there was transparency in the General Fund. The CFO informed the Committee that he anticipates the ARC will increase by approximately \$1.6 million in 2011, and by as much or more in 2012 depending on the new appraisal. The longer it is left out of the Operating Budget, the harder the climb to get it into the Operating Budget. The CFO noted that it is not as transparent as the Operating Budget, but we have been transparent in our desire to fund the liability. The Executive Director reported that the Authority's Annual Financial Report, shows transactions from the General Fund. The CFO added that this liability expense is the result of new

accounting rules, GASB 45, discussed in 2007. It did not exist previously and, although the staff will continue to evaluate operations, reduce positions, and is committed to controlling expenses, we were being proactive and transparent by including in the Operating Budget which caused the year-over-year increase. Delaware Legal Counsel added that, both the State of Delaware and New Jersey have the obligation to identify this liability as well; however, the Authority not only identified the liability but has also undertaken efforts to fund the liability, unlike most governmental agencies that have chosen to not fund. The Committee began to discuss the facts behind the Board's decisions with regard to the Actuarial Assumptions. Commissioner Lathem stressed that the issues were discussed many times, agreed upon by the Board, now being second guessed and to review again is a waste of time.

Authority Vice-Chair Green added that he understood we are going through a transition period, as Delaware had a transition last year; however, was perplexed by New Jersey's position and not receiving any direction as to what the Governor's office actually objects to in the Operating Budget. The Committee discussed various scenarios and the necessity to get a 2010 Operating Budget passed in a timely manner. Commissioner Downes made a motion to amend the draft Resolution, and subsequently withdrew the motion after further discussions. The Committee questioned how long the Authority could operate without a FY 2010 Budget. Delaware Legal Counsel advised that it would prudent to do whatever we could to get a budget passed to avoid running the risk of having to impact operations. Normally, the Operating Budget should adopted by the end of the calendar year.

Commissioner Lathem questioned what if the Budget did not pass again for some other reason. Authority Vice-Chair Green reported that there had been no direction; however it should be incumbent on both Governors to tell us what they did not approve. The goal is to put a clean Budget before the Governors and should it be vetoed we may have to discuss how to continue operating without a Budget.

After all discussions, Commissioner Traynor clarified the discussions. The Committee would recommend the proposed FY 2010 Operating Budget in accordance with the recommendations of the CFO, removing the \$43,000 from the Ferry Marketing Budget, and removing all of the proposed \$4.9 million of OPEB Liability funding for a total proposed Budget of \$73,528,341, then to draft a companion Resolution modifying the Operating Budget to include funding the OPEB Liability in the amount of \$4.9 million.

Commissioner Downes made a motion, Commissioner Traynor seconded, and the Budget & Finance Committee recommended approval of the FY 2010 Operating Budget as presented and the recommendation to present a supporting Resolution modifying FY 2010 Operating Budget to include the \$4.9 OPEB Liability funding.

Commissioner Favre requested that staff attempt to provide preliminary information to the New Jersey Governor's Unit in advance of Board action at the March meeting.

With no further business to discuss, a motion to adjourn was made by Commissioner Downes, and the Budget & Finance Committee adjourned at 10:07 a.m.

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

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10140. COMMITTEE REPORT – PERSONNEL COMMITTEE

Commissioner Dorn presented the following Personnel Committee meeting minutes of March 2, 2010.

PERSONNEL COMMITTEE MEETING
Tuesday, March 2, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Personnel Committee was held on Tuesday, March 2, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

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

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

Legal Counsel

Mike Houghton - DE

Governors' Representatives

Johanna Jones - NJ

Staff

Jim Johnson, Jr.
Frank Minor
Victor Ferzetti
Jim Walls
Gerry Owens
Anna Marie Gonnella Rosato

Authority Secretary

Thomas Pankok

Committee Chair Dorn welcomed the Personnel Committee and opened the meeting at 10:08 a.m. The Authority Secretary reported that the public meeting of the Personnel Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

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

The following matters of a confidential nature were discussed.

- CONTRACT NEGOTIATIONS
- PERSONNEL MATTERS

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

2. Committee Chair Dorn requested a motion to recommend the Collective Bargaining Agreement Between the Delaware River and Bay Authority and International Union of Operating Engineers, Local 542, for Certain Employees, retroactive to January 1, 2009, and expiring December 31, 2012. A motion was made by Commissioner Traynor, seconded by Commissioner Lathem, and the Personnel Committee recommended approval of the Bargaining Agreement. A Resolution will be presented to the full Board for consideration at the March meeting.

3. The Executive Director reported that an additional Employee Appreciation Resolution will be drafted and presented to the full Board at the March meeting. This Resolution addresses employees' exemplary efforts during the snowstorms.

With no further business to discuss, Commissioner Lathem made a motion to adjourn, Commissioner Smith seconded, and the Personnel Committee adjourned at 10:28 a.m.

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

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10141. COMMITTEE REPORT – PROJECTS

Commissioner Favre deferred the report of the March 2, 2010 Projects Committee meeting minutes to Commissioner Lowe. Commissioner Lowe presented the following.

PROJECTS COMMITTEE
March 2, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority’s Projects Committee was held on Tuesday, March 2, 2010, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Commissioner Favre, Committee Chair
Commissioner Dorn, Committee Member
Commissioner VanSant, Committee Member
Commissioner Smith
Commissioner DeLanzo
Authority Chair Hogan

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

Staff

Jim Johnson
Frank Minor
Jim Walls
Victor Ferzetti
James Salmon
A.J. Crescenzi
Anna Marie Gonnella-Rosato
Kelly Phillips-Parker
John Sarro
Heath Gehrke
Joseph Volk
David Hoppenjans
Michelle Griscom-Collins

Counsel

Mike Houghton, Esq., DE Counsel

NJ Liaison

Johanna Jones

Secretary

Tom Pankok

1. The Projects Committee meeting convened at approximately 10:30 a.m. Those in attendance were provided an informational package consisting of one (1) bid tab and a monthly contractor payment chart (through February.)
2. Resolutions: None
3. Bid Openings:
 - DMB-05-01R, Elevator Replacement, First and Second Structures, Delaware Memorial Bridge. A public bid opening was held on January 26, 2010 in which four (4) bids were submitted. The COO described the work included in the project and recommended the award of the base bid to the lowest responsive bidder, Cornell & Company, Inc. in the amount of \$12,123,348.00. The COO also advised the Projects Committee that staff intended to repackage

and re-bid Add Alternates 3, 4 5 and 6 at a later date. The Projects Committee concurred with the recommendation and authorized the action to be presented at the March board meeting.

4. Contract Close-Out Actions: None.

5. Contract Payment Review (through February): The COO informed the Committee of the monthly construction contractor payments to be made in March.

6. Miscellaneous Items/Updates:

- Marine Master Plan Update: The COO briefed the Committee that task order #1 (Master Plan Pier Review) under the CMLF GEC agreement was underway and should be completed by early April. He also informed the Committee that task order #2 (design of replacement loader tubes) recently had its kick off meeting and the plan is to complete design and begin procurement in 2010 with installation planned for 2011.

7. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 10:37 am.

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

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10142. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Downes presented the following Economic Development Committee meeting minutes of March 2, 2010.

ECONOMIC DEVELOPMENT COMMITTEE MEETING

Tuesday, March 2, 2010

Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Economic Development Committee was held on Tuesday, March 2, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT

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

Commissioners from Delaware

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

Legal Counsel

Mike Houghton - DE

Governors’ Representatives

Johanna Jones - NJ

Staff

Jim Johnson
Frank Minor
Victor Ferzetti
Jim Walls
Gerry Owens
Anna Marie Gonnella Rosato
Michelle Griscom-Collins
AJ Crescenzi

John Sarro
Jim Salmon
Ken Hynson
Heath Gehrke
Dave Hoppenjans
Joe Volk

Committee Chair Downes welcomed the Economic Development Committee and opened the meeting at approximately 10:37 a.m. The Authority Secretary reported that the public meeting of the Economic Development Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

1. Action Item:

Riverfront Market Lease Agreement:

The Deputy Executive Director presented a draft Resolution authorizing a Lease Agreement Between the Delaware River and Bay Authority and R.S. Artemide II, Inc., to lease 524 square feet of space at the Riverfront Market, at \$40 per square feet during the first year, with increments of fifty-cents (\$0.50) per square foot annually, for a period of ten (10) years with two (2) renewal options of five (5) years each with an early termination option following the seventh (7th) year. The Committee questioned the type of business and it was reported it was a pizza vendor. After discussion, Commissioner Lowe made a motion, Commissioner Smith seconded, and the Economic Development Committee recommended approval of the Lease Agreement. The Resolution will be presented to the full Board for consideration at the March meeting.

2. Status Updates:

Millville Airport:

- Boeing: The Deputy Executive Director reported that Boeing is moving forward and IT work has begun. Staff visited the facility and Boeing currently is operating with 10-12 employees. Staff will continue to make weekly visits and continue discussions on future projects. Authority Vice-Chair Green questioned whether any noise issues reported and the DED reported that there had been none. Authority Vice-Chair Green also questioned a date for a dedication. The DED reported that Boeing is looking at early April, as schedules are being coordinated for possible White House attendance, State, and local officials. The DED will update as necessary.

- Piasecki Helicopter: The Deputy Executive Director reported that preliminary discussions continue for a possible relocation from Essington to the Millville Airport. The DED requested continued cooperation from staff, the Committee and the Board to be athletic and nimble in handling these potential projects.

- Federal Marshall Inquiry: Authority Chair Hogan reported that he received an inquiry from the Federal Marshall for New Jersey regarding space at the Millville Airport to establish a base of operation in conjunction with the Federal Prison in Cumberland County. Discussions are very preliminary and staff is continuing to investigate for a potential long term lease from the Federal Government.

Civil Air Terminal:

- The DED reported that a meeting has been scheduled on March 19, 2010 with Colonel Morris, Base Commander of Dover Air Force Base, to obtain clarity from the Department of Defense regarding the Business Plan recommendations. Committee Chair Downes requested to attend. The DED reported that the meeting is being organized through the Delaware Economic Development Office, and would make the request.

3. Miscellaneous:

The DED reported that a meeting with local colleges in Delaware and New Jersey will be scheduled in April to discuss current and future plans, regarding college training programs in order to prepare a skilled workforce for potential jobs coming into the area. Any interested Commissioners are invited to attend.

With no further business to discuss, a motion to adjourn was made by Commissioner Lowe, and the Economic Development Committee adjourned at 10:54 a.m.

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

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10143. COMMITTEE REPORT – AD HOC CMLF

Commissioner Favre deferred the reporting of the Ad Hoc Committee meeting minutes of March 2, 2010 to Commissioner Lowe. Commissioner Lowe reported the following.

AD HOC CAPE MAY-LEWES FERRY COMMITTEE MEETING
Tuesday, March 2, 2010
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Ad Hoc Cape May-Lewes Ferry (CMLF) Committee was held on Tuesday, March 2, 2010, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Commissioner DeLanzo, Committee Member

Committee Vice-Chair Lowe

Commissioner Murphy, Committee Member

Commissioner Downes

Authority Vice-Chair Green

Staff

Jim Johnson, Jr.

Jim Walls

Heath Gehrke

Anna Marie Gonnella Rosato

1. Committee Vice-Chair Lowe welcomed the members of the Ad Hoc CMLF Committee and opened the meeting at 11:05 a.m. The Ad Hoc CMLF Committee had been duly noticed in accordance with the Authority’s Freedom of Information Regulations.

2. Committee Vice-Chair Lowe made a motion for an Executive Session, closed to the public to discuss matters of a confidential nature. Commissioner Murphy seconded, and the session was closed. The following matters of a confidential nature were discussed.

- LONG RANGE PLANNING

During the Executive Session, the Ad Hoc Committee recessed for lunch and reconvened at 1:00 p.m., at which time the Committee Vice-Chair requested a discussion for Commissioners only. Staff returned at 1:20 p.m. and the Session continued.

With no further business to discuss, a motion to adjourn was made by Commissioner Murphy and the Ad Hoc CMLF Committee adjourned at 1:48 p.m.

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Commissioner Traynor noted that he was present at the February 16, 2010 Board meeting and requested the minutes reflect his presence.

A motion to amend the February 16, 2010 minutes to reflect Commissioner Traynor's presence was made by Commissioner Lowe, and seconded by Commissioner Van Sant. The motion carried by a voice vote of 12-0.

10144. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Chief Financial Officer (CFO) presented charts showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Three Forts Ferry Crossing, and Food Services for the month of January, 2010.

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

10145. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented a chart showing statements of income and expenses for the month of January, 2010 with comparisons to the same periods last year.

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

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10146. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented a chart for February 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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10147. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented a chart for the month of February, 2010 showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also includes cash expenditures spent to date for the committed projects.

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

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10148. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF FEBRUARY 28, 2010.

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

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

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10149. PUBLIC COMMENT ON ACTION ITEMS.

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

- Resolution 10-13 Authorizing Authority Expenditures in Excess of \$25,000
- Resolution 10-14 Adoption of the Authority's 2010 Operating Budget
- Resolution 10-15 Amending the Authority's 2010 Operating Budget

Resolution 10-16 Collective Bargaining Agreement with Local 543
 Resolution 10-17 Lease Agreement with R.S. Artemide, II, Inc at the Riverfront Market
 Resolution 10-18 Agreement with Parker McCay to Provide General Legal Services in NJ
 Resolution 10-19 Recognizing and Applauding Outstanding Employee Performance
 Resolution 10-20 Authorizing Authority Expenditures in Excess of \$25,000

There were no public comments.

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10150. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

| Contract No. | Contractor | Current Amount |
|--------------|-------------------------------|----------------|
| DMB-04-01 | Mumford and Miller | 846,497.23 |
| CMLF-09-02 | Caddell Dry Dock & Repair Co. | 366,515.96 |
| CMA-05-01 | South State, Inc. | 31,148.00 |

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10151. APPROVAL OF CONTRACT – ELEVATOR REPLACEMENT, FIRST AND SECOND STRUCTURES, DMB- CONTRACT #DMB-05-01R

The COO stated that a public bid opening was held on January 26, 2010 in which four (4) bids were received. He and the Projects Committee recommend the award of the base bid only to the lowest responsive bidder, Cornell & Company, Inc., of Westville, NJ, in the amount of \$12,123,348.00. Staff will repackage and re-bid Add Alternatives 3, 4, 5, and 6 at a later date.

A motion to award Contract #DMB-05-01R to the above aforementioned was made by Commissioner Favre, seconded by Commissioner Murphy. With Commissioner Hogan abstaining, the motion was approved by a roll call vote of 11 yes, 0 no, and 1 abstention.

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10152. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD

RESOLUTION 10-13 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

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

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

DELAWARE RIVER & BAY AUTHORITY
 PROJECTED VENDORS TO BE PAID OVER \$25,000
 OPERATION EXPENDITURES
 FOR THE PERIOD 1/1/10 THROUGH 12/31/10

| VENDOR | SERVICE DESCRIPTION | DETERMINATION | APPROX. ESTIMATED \$ |
|------------------------|---|---------------|----------------------|
| Blue Cross Blue Shield | Medical, Prescription and Dental Coverage | Benefits | 8,000,000 |

| | | | |
|--|--|----------------|-----------|
| Delaware Transportation Authority | EZ-Pass Reimbursement – Credit Card | Government | 75,000 |
| Maryland Transportation Authority | EZ-Pass Reimbursement – Credit Card | Government | 145,000 |
| MTA Bridge & Tunnel Authority | EZ-Pass Reimbursement – Credit Card | Government | 100,000 |
| New Jersey Regional Consortium | EZ-Pass Reimbursement – Credit Card | Government | 315,000 |
| New York State Thruway Agency | EZ-Pass Reimbursement – Credit Card | Government | 250,000 |
| Port Authority of NY & NJ | EZ-Pass Reimbursement – Credit Card | Government | 55,000 |
| Treasurer of Virginia | EZ-Pass Reimbursement – Credit Card | Government | 30,000 |
| Mark IV IVHS | EZ-Pass Transponders | Government | 175,000 |
| Carney’s Point Tax Office | Taxes – Business Center | Government | 300,000 |
| New Castle County Land Use | Stormwater Management, Erosion/Sediment Control | Government | 30,000 |
| Sales & Use Tax State of Delaware | NJ Sales & Use Tax | Government | 60,000 |
| State of New Jersey – Unemployment Insurance | Unemployment Taxes | Government | 60,000 |
| Mars Direct | Unemployment Taxes | Government | 55,000 |
| | Cape May-Lewes Ferry 2010 Schedule | Quotes | 38,000 |
| CTM Brochure Display, Inc. | CMLF Brochure Distribution | Sole Source | 38,000 |
| Cryotech Deicing Technology | Runway Deicer | Sole Source | 40,000 |
| AT&T | Wide area network services NJ | State Contract | 163,000 |
| Bayshore Ford | Purchase of CIP approved equipment | State Contract | 175,000 |
| Carl King, Inc. (Griffith Energy Services) | Diesel fuel for New Castle Airport | State Contract | 35,000 |
| Cherry Valley Tractor Sales, Inc. | Purchase of approved CIP equipment | State Contract | 50,000 |
| Hertrich Fleet Service | Purchase of Vehicles per approved CIP list | State Contract | 200,000 |
| International Salt Company | Roadway Salt | State Contract | 100,000 |
| ISO Bunkers | Diesel Fuel for DMB | State Contract | 80,000 |
| L.S. Riggins Oil Company | Gasoline for NCA | State Contract | 45,000 |
| New World Systems, Inc. | Maintenance of Police Computer Aided Dispatch System | State Contract | 40,000 |
| Pedroni Fuel | Diesel & Unleaded Gasoline | State Contract | 150,000 |
| Petroleum Traders Company | Unleaded Gasoline (Lewes) | State Contract | 50,000 |
| Red The Uniform Tailor | Police Uniforms | State Contract | 30,000 |
| Service Energy LLC | Diesel & Heating Oil Lewes | State Contract | 50,000 |
| Spondulinx | Video Surveillance System Integrator | State Contract | 35,000 |
| Sunoco | Diesel Fuel | State Contract | 200,000 |
| Verizon Wireless | Cellular Service | State Contract | 100,000 |
| Warnock Automotive | Purchase of approved CIP equipment | State Contract | 150,000 |
| Artesian Water Company | Water | Utility | 200,000 |
| Atlantic City Electric | Electricity | Utility | 1,300,000 |
| Board of Public Works - Lewes | Water, Sewer and Electric Services | Utility | 300,000 |
| Delmarva Gas | Natural Gas | Utility | 1,000,000 |
| Delmarva Power Delivery | Electricity | Utility | 450,000 |
| New Castle County Sewer | Sewer services | Utility | 50,000 |
| South Jersey Gas Co. | Heat and Cooking Utilities | Utility | 200,000 |
| Township of Lower MUA | Water & sewer Utilities | Utility | 60,000 |
| Verizon - DE | Local Telephone Service | Utility | 100,000 |
| Verizon - NJ | Local Telephone Service | Utility | 60,000 |
| Verizon - DE | Data Networking Expense | Utility | 107,000 |

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

A motion to table Resolution 10-13 was made by Commissioner Favre, seconded by Commissioner Downes, and approved by a roll call vote of 12-0. Resolution 10-13 was tabled.

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RESOLUTION 10-14 (formerly 10-02) - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S 2010 OPERATING BUDGET

WHEREAS, Section 505 of the Trust Agreement, dated October 1, 1993, requires that The Delaware River and Bay Authority (the “Authority”) adopt a budget for fiscal year; and

WHEREAS, the proposed operating expenses for FY2010, excluding the Airports division are \$ 67,644,651; and

WHEREAS, the budget includes funds for salaries and wages of Authority personnel, and materials and services for Authority activities, but excludes any funding for Other Post Employment Benefits(OPEB) with the intention of addressing such liability by future board action; and

WHEREAS, for FY2010, interest on outstanding bonds is currently approximately \$13,492,288, and amortization of principal will be \$8,400,000 for total debt service of approximately \$21,892,288; and

WHEREAS, the amount to be deposited to the credit of the Reserve Maintenance Fund with respect to Crossing Facilities shall be \$175,000 per month or \$2,100,000 for FY2010; and

WHEREAS, the projected revenue of the Authority for FY2010, excluding the Airports division is approximately \$103,476,000 resulting in a debt service coverage of 1.43x; and

WHEREAS, the proposed operating budget for the Airports division is \$5,883,690; and

WHEREAS, the Budget and Finance Committee has conducted publicly advertised hearings and meetings on the proposed 2010 Operating Budget; and

WHEREAS, the Budget and Finance Committee has developed, reviewed, and approved the proposed 2010 Operating Budget and recommends its adoption to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby adopts an operating budget of \$67,644,651 for the Bridge, Ferry, Food Services, Three Forts Crossing, Police, and Administration Divisions, and a budget of \$5,883,690 for the Airports division for a total of \$ 73,528,341 for FY2010, and authorizes the Executive Director to exercise the approved management discretion and spend within the approved FY2010 budget.

A motion to table Resolution 10-14 was made by Commissioner Traynor, seconded by Commissioner Downes, and approved by a roll call vote of 12-0. Resolution 10-14 was tabled.

* * * * *

RESOLUTION 10-15 – AMENDING THE FY2010 OPERATING BUDGET FOR OTHER POST EMPLOYMENT BENEFITS (“OPEB”)

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

WHEREAS, the Authority has established and maintains certain employee benefit plans that provide post-employment benefits other than pensions (hereinafter “other post employment benefits” or “OPEBs”), such as but not limited to medical, dental, vision and prescription drug coverage, to OPEB participants who are eligible for coverage there under; and

WHEREAS, the Governmental Accounting Standards Board (“GASB”) has issued Statement 43 (hereinafter “GASB 43”) and Statement 45 (hereinafter “GASB 45”), which establish standards for accounting and financial reporting for state and local governmental employers that offer OPEBs to their OPEB Participants; and

WHEREAS, among other things, GASB 43 and GASB 45 require the Authority to account for its unfunded actuarial accrued liability, i.e. the present value of OPEBs earned but not funded and amortized over a period not to exceed thirty (30) years; and

WHEREAS, the Authority has adopted a Retirement Health Benefit Plan Document to govern the benefits and eligibility for plan participants; and

WHEREAS, the Authority has established an irrevocable OPEB Trust pursuant to Section 115 of the Internal Revenue Code for the purpose of funding its Annual Required Contribution (“ARC”); and

WHEREAS, GASB 43 and GASB 45 requires the Authority to conduct an updated actuarial valuation every two years; and

WHEREAS, the Authority received an updated independent actuarial valuation for its OPEB Liability, resulting in an estimated ARC of \$11,200,000;

WHEREAS, the Authority has implemented a 5 Year Phase-In approach to fund its ARC;

WHEREAS, the Authority is currently in the third year of its OPEB funding program;

WHEREAS, the Authority recommends amending the 2010 Operating Budget to include \$4,900,000 of funding for OPEB Benefits;

WHEREAS, the Budget and Finance Committee reviewed the recommendation and concurs with the funding proposal; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority Amend its Fiscal Year 2010 Operating Budget by \$4,900,000 to fund the OPEB Benefits.

A motion to table Resolution 10-15 was made by Commissioner Favre, seconded by Commissioner Downes, and approved by a roll call vote of 12-0. Resolution 10-15 was tabled.

* * * * *

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

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

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

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

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

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

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

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

WHEREAS, the Authority desires to approve the New Agreement.

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

A motion to table Resolution 10-16 was made by Commissioner Smith, seconded by Commissioner Dorn and a roll call vote was taken. Commissioners DeLanzo, Dorn, Favre, Smith, Van Sant, Downs, Lowe, Traynor, and Hogan voted in favor of tabling Resolution 10-16. Commissioners Lathem, Murphy, and Green voted against. The votes were 9 yes and 3 no. The motion to table Resolution 10-16 failed.

Chairperson Hogan called for an executive session at 11:08 a.m. A motion was made by Commissioner Dorn to enter into executive session to discuss personnel issues relating to the Resolution, seconded by Commissioner Van Sant, and approved by a voice vote of 12-0. The meeting was closed to the public.

With no further business to discuss in executive session, a motion to open the meeting to the public was made by Commissioner Smith, seconded by Commissioner Dorn, and approved by a voice vote of 12-0. The public meeting resumed at 11:18 a.m.

Another motion to reconsider tabling Resolution 10-16 was called by Commission Downs, seconded by Commissioner Dorn. With Commissioner Lathem voting no, the motion to table Resolution 10-16 was approved by a roll call vote of 11 yes and 1 no. Resolution 10-16 was tabled.

* * * * *

RESOLUTION 10-17 – LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND R.S. ARTEMIDE II, INC.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state agency created by Compact that owns and manages that the Riverfront Market located along the Christina River, Wilmington, Delaware; and

WHEREAS, R.S. Artemide II, Inc. (“R.S. Artemide”) desires to lease approximately 524 square feet of space in the Riverfront Market and desires to have the Authority provide a tenant improvement allowance in the amount of Twenty Five Thousand Dollars (\$25,000); and

WHEREAS, R.S. Artemide has agreed to pay rent starting at \$40 per square foot during the first year of the lease with fifty cents (\$0.50) per square foot annual increases thereafter; and

WHEREAS, the initial term of the lease agreement (the “Lease”) is ten (10) years with an early termination option following the seventh (7th) year of the term; and

WHEREAS, the Lease provides for two (2) renewal options of five (5) years each.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to negotiate and finalize the terms conditions of the Lease with R.S. Artemide and,

with the advice and consent of counsel, to have such Lease executed by the Chairperson, Vice-Chairperson and Executive Director.

A motion to approve Resolution 10-17 was made by Commissioner Favre, seconded by Commissioner Van Sant, and approved by a roll call vote of 12-0.

* * * * *

RESOLUTION 10-18 (formerly 10-08) – AUTHORIZES A CONTRACT BETWEEN THE AUTHORITY AND PARKER MCCAY P.A. TO PROVIDE GENERAL COUNSEL LEGAL SERVICES REPRESENTING THE DELAWARE RIVER & BAY AUTHORITY’S INTERESTS IN THE STATE OF NEW JERSEY

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state Authority of the State of Delaware and the State of New Jersey created by Compact that owns, operates and controls the Delaware Memorial Bridge, Cape May-Lewes Ferry and five (5) regional airports; and

WHEREAS, the Authority desires to procure professional general counsel legal services representing the Authority’s interests in the State of New Jersey with an initial term of three (3) years with one (1) optional one-year renewal, such renewal to be authorized by the originating committee with the consent of the Chairperson and Vice Chairperson of the Board of Commissioners; and

WHEREAS, the Authority publicly advertised and issued a Request for Proposal (“RFP”) for the required general counsel legal services in compliance with Resolution 98-31, as amended by Resolution 09-52, which governs the procedure for the procurement of professional services; and

WHEREAS, the Authority received and evaluated five (5) proposals pursuant to the aforementioned requirements; and

WHEREAS, the Authority short-listed three (3) firms and conducted oral interviews; and

WHEREAS, Parker McCay P.A. (“Parker McCay”) was designated first on the preference list; and

WHEREAS, the Authority desires to award services at compensation not-to-exceed \$325,000 per year at a maximum hourly rate of \$250.00 per hour determined to be fair and reasonable; and

WHEREAS, the Budget & Finance Committee reviewed the recommendation and concurs with the evaluation; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Services Agreement with Parker McCay to provide general counsel legal services for the Authority and to have such agreement executed by the Chairperson, Vice-Chairperson and Executive Director.

A motion to table Resolution 10-18 was made by Commissioner Van Sant, seconded by Commissioner Dorn, and approved by a roll call vote of 12-0. Resolution 10-18 was tabled.

* * * * *

RESOLUTION 10-19 - RECOGNIZING AND APPLAUDING OUTSTANDING EMPLOYEE PERFORMANCE

WHEREAS, the Delaware River and Bay Authority (“the Authority”) is the owner and operator of the Delaware Memorial Bridge and the Cape May Lewes Ferry and manages regional airport facilities, including the New Castle Airport, Delaware Airpark, Millville Airport and Cape May Airport; and

WHEREAS, the Delaware Memorial Bridge and the Cape May Lewes Ferry serve as vital interstate transportation links on the East Coast, handling more than 34 million vehicles annually and accounting for more than 85% of the agency's revenue; and

WHEREAS, the Authority's regional airport facilities are important hubs of regional commerce and business activity; and

WHEREAS, the Authority employs caring, dedicated and highly trained individuals to respond to all types of emergency situations; and

WHEREAS, during the 2009-2010 Winter Season, the mid-Atlantic region experienced a number of historic nor'easters and blizzards, which occurred on December 18-19, February 6-7, February 9-11 and February 25-26; and

WHEREAS, these storms battered Delaware and New Jersey with more than 70" of snowfall, paralyzing the region and causing both States to declare statewide emergencies on more than one occasion; and

WHEREAS, the Authority's employees throughout the organization braved these elements and worked around-the-clock to insure that employees, travelers, and businesspeople could use the Authority facilities in a safe manner; and

WHEREAS, our employees steadfastly manned their posts, collecting necessary revenue for the agency, which funds the operations and capital projects of the Authority; and

WHEREAS, our employees worked long hours to clear snow and ice from the bridge, approach roads at the Bridge and Ferry, runways, and taxiways as well as the agency's many parking lots and facilities; and

WHEREAS, our employees operated the Ferry providing customers safe passage between southern New Jersey and the Delmarva Peninsula; and

WHEREAS, our police officers maintained constant vigilance on the roadways, making sure the traveling public obeyed posted speed limits, aiding disabled motorists, and clearing minor motor vehicle accidents; and

WHEREAS, our employees worked long hours behind the scenes to maintain the equipment that was on the roads and runways and provide the necessary nourishment to sustain them while they battled these storms; and

WHEREAS, the Commissioners of the Authority desire to formally recognize our Authority employees for their individual sacrifice, professionalism, and dedication to their jobs; and

NOW, THEREFORE BE IT RESOLVED, that the Delaware River and Bay Authority does hereby recognize and applaud our employees for their collective sacrifices under difficult, adverse conditions and their dedication to outstanding public service, which reflects favorably on the Authority, and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, March 16, 2010.

A motion to approve Resolution 10-19 was made by Commissioner Lathem, seconded by Commissioner Smith, and approved by a roll call vote of 12-0.

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RESOLUTION 10-20 (formerly 10-07)- AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2010 THROUGH DECEMBER 31, 2010

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

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

DELAWARE RIVER & BAY AUTHORITY
 PROJECTED VENDORS TO BE PAID OVER \$25,000
 OPERATION EXPENDITURES
 FOR THE PERIOD 1/1/10 THROUGH 12/31/10

| VENDOR | SERVICE DESCRIPTION | DETERMINATION | APPROX. ESTIMATED |
|--------------------------------|--|----------------|-------------------|
| Canon Business Solutions, Inc. | Authority-wide copier lease and services | State Contract | \$60,000 |
| Duramax Marine LLC | Drydock repair requirement of 12 keel Cooler heads for the Cape Henlopen | Sole Source | \$30,000 |
| Randive Inc. | Labor to replace keel coolers on the M/V Twin Capes and diving services for the Cape May Lewes Ferry as needed | Quotes | \$25,000+ |
| R.W. Fernstrum & Company | Keel coolers for the M/V Twin Capes | Quotes | \$80,000 |

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

A motion to table Resolution 10-20 was made by Commissioner Favre, seconded by Commissioner Van Sant, and approved by a roll call vote of 12-0. Resolution 10-20 was tabled.

* * * * *

10153. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan asked if anyone would like to speak.

Vincent Ascione, Local 542, spoke. He thanked everyone involved in the union negotiations. He said that it was a long process and hoped the governor's of both States remember the working people.

Chairperson Hogan stated that, at the request of the Commissioners, he, along with Counsel, and the Vice-Chairperson meet with Mr. Ascione after the meeting to discuss the tabling of Resolution 10-16.

Commissioner Van Sant requested the Community Contributions be suspended until further notice. Since there has been no action taken in regard to this program, the time spent in preparing the information for the Commissioners and the cost of postage could be saved. He suggested a letter be sent to the applicants that applied this year explaining that the program has been suspended.

Chairperson Hogan stated that he has had lengthy meetings with the Delaware Commissioners. New Jersey will not participate in the Community Contribution program.

Commissioner Lathem said that he was frustrated. He stated that he attends Committee and Board meetings that go on for hours, making decisions, only to know that the decisions made are not honored. Commissioner Lathem said he feels like a hypocrite honoring workers with Resolution 10-19 then not rewarding them by tabling Resolution 10-16. He also voiced his frustration over the delay in getting the budget passed and the suspension of the Community Contribution program.

Commissioner Traynor stated that the Authority put the word out that there is a Community Contribution program and now the rug is being pulled out from under those that applied. The

Commissioners voted in Committee to approve the Local 542 resolution (Resolution10-16) and then voted to table it. He said that his vote to table the Resolution does not mean he is reconsidering his vote, it just means that it was tabled. Commissioner Traynor stated that he cannot fathom what would make him change his mind in support of the Resolution.

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There being no further business, a motion to adjourn was made by Commissioner Downes, seconded by Commissioner Van Sant and unanimously carried.

The meeting was adjourned 11:40 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Secretary