

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, September, 2005
Solarium of the Music Pier
Moorlyn Terrace and The Boardwalk
Ocean City, New Jersey 08226

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

The opening prayer was given by Reverend Dorn followed by the Pledge of Allegiance led by Colonel McCarnan.

Chairperson Wallace 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

Warren S. Wallace, Chairperson
Edward W. Dorn
Niels S. Favre
John M. Jackson
Maureen T. Koebig

F. Michael Parkowski, Vice Chairperson
Verna W. Hensley
Samuel E. Lathem
William E. Lowe, III
Gary B. Patterson

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9263. APPROVAL OF THE JULY 22, 2005 MINUTES

On motion by Commissioner Lathem and seconded by Commissioner Favre, the minutes of the July 22, 2005 meeting was unanimously approved by a voice vote of 10-0.

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9264. EXECUTIVE DIRECTORS REPORT

The Executive Director presented the following highlights that occurred within the Authority during the months of July and August, 2005.

EXECUTIVE DIRECTOR:

Employee Events and Meetings:

- Conducted three “Lunch with Jim” sessions. Met with employees from the Human Resources Department, Deputy Executive Director’s Department and the Airports Director’s Department. These meetings continue to be beneficial and productive.
- Conducted monthly Personnel, Airport Property Management and Economic Development meetings with staff.

External Affairs:

- On July 20th, Jim Crawford, IAG Executive Director, paid a courtesy visit to the DRBA. Mr. Crawford, formerly with South Jersey Transportation Authority, assumed the role of Executive Director for the IAG in April 2005. Mr. Crawford was reaching out to all executive committee members to discuss the challenges facing the IAG within the coming year, in particular issues of governance and the pending August 2007 expiration of the Mark IV Irrevocable Offer for the purchase and license of electronic toll collection equipment. This meeting was organized by Gerry DiNicola Owens, CIO and she attended. Gerry is a member of one of the IAG Technical Committees and has been attending Executive Committee meetings on my behalf.
- Initiated a meeting with Ms. Verice Mason and Keith Barrack, NJ Authorities Unit, Governor's Office. Don Rainear also participated in the meeting. The purpose of the meeting was to brief Ms. Mason on current issues with the DRBA. I conducted similar meetings with the Governor's Office in Delaware.
- The DRBA and Delaware State University (DSU) hosted a ribbon-cutting ceremony at the new joint-use hangar terminal facility at Delaware Airpark on August 9, 2005. Commissioners Parkowski, Dorn, Lathem and Hensley attended the event. Guest speakers included Governor Ruth Ann Minner, Senator Thomas Carper, Dr. Allen Sessoms (President, DSU); Commissioner Parkowski, Dr. Alain Hunter (Manager, US Air Force Small Business) and Richard Cathcart (Associate VP for Business Services). Media present included two television stations and local newspapers. Commissioner Parkowski acknowledged the DRBA's role in economic development projects and thanked Commissioner Patterson for his perseverance in seeing this project go from a dream into reality. Our staff did an excellent job in assisting during the construction activities, preparing the ceremony and providing the magnificent food and beverage service during the event. Many kudos go out to all involved.
- Executed a license Agreement between DRBA and Pilots' Association for the Bay and River Delaware allowing the Association to install, operate and maintain an Automatic Identification System (AIS) transponder on the tower of the Delaware Memorial Bridge. The Association operates a Vessel Traffic Information Service at Cape Henlopen. This new system will supplement the Cape Henlopen system.
- Responded to the Joint Sunset Committee's (Delaware legislative committee) request for a "rules review". Copies of the Compact, By-Laws, and the rules and regulations for four airports was provided. Response was coordinated with legal counsel. We have received correspondence from the Joint Sunset Committee's (Delaware legislative committee) Co-chairs that they have received the information packet we sent and are reviewing the information.

DEPUTY EXECUTIVE DIRECTOR:

Economic Development:

- Executed the South Jersey Technology Park project development agreement and related documents.
- The Authority is partially funding the Port of Wilmington Refrigerated Warehouse Project. Staff visited the construction site to stay current on the project status. John Jones is a member of the project construction committee. This refrigerated warehouse facility is approximately 92,000 square feet, with 14 shipping docks and 23 receiving docks. Construction has started and work is scheduled for completion by March 2006.
- Met with representatives of New Jersey's Department of Environmental Protections and the South Jersey Motorsports Park to discuss FAA land release.
- Conducted meetings with several entities concerning the Salem Business Park and associated building. These entities have varied interest in these assets.

Marketing:

- The CMLF celebrated Lighthouse Pete the Pirate's birthday on both sides of the bay on Friday, August 12th. Despite the sweltering heat, children from New Jersey and Delaware were treated to guest appearances from other famous

mascots (including Swoop, the Eagles mascot), live music, games, free mini-golf, face painting, balloons, and free birthday cake. A great time was had by all. The media was present at the event.

Property Management:

- Finalized the policy recommendations for “self fueling” at New Castle Airport (NCA) with Jim Walls, Steve Williams, Michele Griscom-Collins and legal counsel. This policy will be formalized in the NCA Minimum Standards and Rules & Regulations documents that are being prepared for Board review and action in October.
- Met with T Hangar Developers to finalize site location for their hangars at the Cape May Airport.

Freedom of Information Act Responses:

- Responded to a request from the IBEW, Local 313, New Castle, Delaware for certified payroll for a contractor on the DMB Electrical Contract. This is the second request that we have responded.

CHIEF OPERATIONS OFFICER:

Airports:

- Airports staff met with the Wilmington Manor Fire Company (WMFC) to define the issues surrounding emergency notification procedures in the event of an incident at New Castle Airport. Non-Authority stakeholders in this process include: the Air Traffic Control Facility (ATCT); the Air National Guard’s ARFF unit; and the off-airport WMFC. The tentative procedure will be for the ATCT to provide notification to both the National Guard and the Wilmington Manor Fire Company in the event of an airport incident requiring emergency response.
- Airport Operations staff completed Stormwater and Spill Control Training sessions. This training was documented and made a part of our employees’ training records, as required by law.
- On August 24th, the roof of the FAA Flight Service Station at Millville Airport partially collapsed. No one was injured and the building was evacuated safely. On inspection, fourteen roof trusses were found damaged. The structural engineer determined the cause of the truss failure to be the result of a fire-retardant chemical used to impregnate the structural lumber and plywood of the facility, which structurally weakened the wood over time, leading to collapse. The FAA redistributed the Flight Service Station work to other FAA facilities. The facility remains closed for safety reasons. Airport Operations, Engineering & Maintenance, Property Management and the FAA are working closely to identify short and long-term solutions to restore FAA operations at Millville.

Engineering & Maintenance:

- The SRE storage/maintenance buildings at Cape May Airport and Millville Airport are now substantially complete. The plan is to begin utilization of these new facilities in September.
- The DMB electrical rehabilitation project is progressing as planned. Final cable-pulling and testing will occur over the next few weeks. This project is expected to be completed in May 2006, as scheduled.
- The Cape May terminal renovation was substantially completed, with only punch list items remaining. Employee relocation to this new administrative workspace commenced on July 25th. The old administrative office building will be demolished in the fall.

Ferry Operations:

- In July and August, cumulative vehicle traffic increased 4% and passenger traffic increased 4.6% compared to the same period in 2004. As of August 2005, year-to-date vehicle and passenger traffic increased .03% and .01% compared to the same period in 2004. Compared to the average of the last three years, year-to-date vehicle traffic and passenger traffic declined 4.8% and 7.6% respectively.

- The U.S. Coast Guard raised the MARSEC level to Level 2 for passenger ferries certificated to carry more than 150 passengers for the period July 7 – August 12, 2005. As a result, increased security measures were placed into effect, as outlined in our USCG-approved CMLF Threat Security Plan.
- The M/V Cape May experienced bowthruuster problems on Saturday, July 23rd, which resulted in the cancellation two round-trips on a very busy weekend. Vessel maintenance traced the problem to a motor-control solenoid that broke from its mounts. Marine mechanical staff did a great job in identifying and correcting the problem, getting the vessel back into service for the following day. Ferry Operations and Police staff worked diligently to minimize the inconvenience to our customers. On Sunday, July 24th, broken bolts on a butterfly valve controlling the bowthruuster on the M/V Cape Henlopen caused that vessel to miss two round-trips. Customer traffic was accommodated by the remaining scheduled departures. Fortunately, repairs were coordinated through the Port Engineer's office with underwater divers, saving the need for a trip to the shipyard for repairs.
- In Lewes, Ferry Operations and Police staff implemented an alternate method of expediting entry to the parking lot pre-boarding staging lanes for reserved vehicles. This involved routing reserved vehicle customers through the foot passenger lot and into the staging lanes, instead of cueing in a long tollbooth line with unreserved vehicle customers. Variable message signs were used along Cape Henlopen Drive to direct reserved vehicle customers to this alternate entrance where staff greeted each vehicle, checked customers in, and guided them to their appropriate staging lane. This pilot program was successful. It expedited the entry of reserved customers into the pre-boarding staging area. This strategy will be used during peak travel periods.
- Ferry Operations and Police implemented a policy to assist handicapped CMLF customers with vehicles. In part, this policy provides for Police personnel to drive handicapped customers' vehicles on and off the ferries, allowing these customers to board and disembark through the ferry terminal passenger gangways.
- Ferry Operations and Food & Retail introduced a hot weather contingency plan to ensure the safety of CMLF customers and crew on non-air conditioned vessels (M/V Cape Henlopen & M/V New Jersey) during extreme hot weather conditions. In part, this plan educates our employees on the warning signs of heat exhaustion or heat stroke and it empowers our employees to provide customers with free bottled water in extreme hot weather conditions.
- Jim Walls, Heath Gehrke, George Iannetta, and Brian McEwing visited two New England ferry systems, August 04-05: the Cross Sound Ferry, operating between New London, CT, and Orient Point, NY; and the Bridgeport – Port Jefferson Ferry, operating between Bridgeport, CT, and Port Jefferson, NY. Both operations are comparable to the CMLF in some aspects of their operation including vessel and crew size, voyage distance, traffic, and reservations. Differences between our operation and theirs include size of surrounding metro area from which they draw their customer base, drive-around alternatives, security procedures, size of loading/staging areas, size of terminal, number of personnel, etc. Staff will review findings from their visit and make improvements to our operation, as appropriate.
- Staff worked with MEBA on an Election Agreement for ten (10) non-supervisory employees and this Agreement will be presented to the Board for action in September.

Police:

- The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) conducted a five (5) day on-site assessment of the Delaware River & Bay Authority Police Department to determine compliance with nationally adopted operational, administrative, training, and personnel management standards. A three (3) member assessment team arrived on Saturday, August 27, 2005 and departed on Wednesday, August 31, 2005. The assessment team reviewed four hundred and forty six (446) compliance files, conducted interviews, inspected equipment, and observed daily operations. In addition, members of the Police Department made panel presentations to the assessors on the topics that follow:

community service programs, victims programs, 800 MHz radio system, communications enhancements, operational analysis, tactical patrol programs, security officer program, counter-terrorism/Tactical Operation Center (TOC), in-car camera systems/lap-top computers, and the police E-ZPass enforcement program. The assessment team's examination of the Police Department was thorough and focused on compliance with standards of excellence for a law enforcement agency of our size and function.

The assessors conducted an exit interview on Wednesday, August 31, 2005 and reported that they had found the department to be in compliance with all mandatory and other-than-mandatory standards applicable to our agency. The assessment team leader will submit a detailed report to the Accreditation Commission. The Authority will receive a copy of that report in approximately 6-8 weeks. Police Administrator John McCarnan and Deputy Police Administrator Joe Bryant will appear before the Accreditation Commission in November 2005 and represent the Police Department at an accreditation hearing.

- Authority Police conducted another DMB Toll Plaza Enforcement Campaign during the week of August 15th. Once again, the focus of this campaign was to encourage motorists to operate their vehicles safely while using our facilities.
- Police Sergeant Pat Canning participated in the Lower Township National Night Out program and PFC Rich Moudy attended this program in Milton, DE, as Authority representatives. National Night Out is a program to heighten crime and drug prevention awareness, to generate support of local anti-crime programs, and to strengthen neighborhood spirit and police/community partnerships.
- As the result of a grant request from our Police Department, the State of Delaware will provide funding of \$23,729 to cover the annual cost of the wireless phone bill for our in-car laptop computers and to cover the cost of purchasing one in-car digital camera system. In addition, the State of New Jersey will provide our Police Department with two (2) Automated External Defibrillators (AED), valued at \$5,000, as a result of a grant request from the Police Department.
- On August 23rd, Authority Police handled a motorist shooting and motor vehicle accident that occurred at 2:16 p.m. on I-295 northbound at the Route # 9 interchange in New Castle. The preliminary investigation revealed that the driver of a 2000 Honda Van lost control of his vehicle following a self-inflicted gunshot wound to the abdomen, striking the guardrail and a passing truck. Both motorists were transported to the Christiana Medical Center for treatment. Four lanes of I-295 northbound were closed for approximately 90 minutes until the accident site was cleared

Safety and Environmental:

- The year-to-date safety performance of the Delaware River and Bay Authority has been excellent. Through August 21st, year-to-date employee injuries numbered 59. This is better than the record-setting safety performance of 61 employee injuries for the same year-to-date period in 2004. Setting the pace were Engineering & Maintenance, Police, and Central Administration. The increased focus on safety by our operating department is clearly paying dividends in reduced employee injuries.

Toll Operations:

- Total traffic during the month of July 2005 increased by approximately 2.00% (37,100 vehicles) vs. the monthly total in 2004. As compared with a 3-year average, July traffic increased by 3.58% or approximately 63,400 vehicles. Total traffic seven-month to-date has increased by approximately 2.59% or 262,000 vehicles over the 3-year seven-month to-date average. Total traffic during the month of August 2005 traffic remained flat increasing by only 0.20% or 3,700 vehicles vs. the monthly total in 2004. As compared with a 3-year average, August traffic decreased by -1.45% or approximately 25,400 vehicles. Total traffic eight-month to-date has increased by approximately 1.99% or 236,000 vehicles over the 3-year eight-month to-date average.
- E-ZPass traffic for July 2005 represented 47.9% of the total overall traffic as compared to 44.6% for the previous year. Total electronic traffic for the seven-month to-date in 2005 represents 51.7%, an increase of 3.5% for the same period in 2004. E-ZPass traffic for August 2005 represented 51.0% of the total overall

traffic as compared to 46.2% for the previous year. Total electronic traffic for the eight-month to-date in 2005 represents 51.0%, an increase of 3.9% for the same period in 2004.

- The Toll Operations' E-ZPass Customer Service Center began an ongoing customer satisfaction survey of walk-in customers in August. Some of the survey results of 225 customers are:
 - Extremely or Very Satisfied with Service Center employees - 95.0%
 - Extremely or Very Satisfied with E-ZPass - 86.0%
 - Extremely or Very Satisfied with Service Center hours of operation - 76.0%
 - Extremely or Very Satisfied with DRBA cleanliness & atmosphere - 99.6%

CHIEF HUMAN RESOURCES OFFICER:

Staffing:

- Eighteen job postings were posted. Following are the postings:
 - Micro-Computer Specialist
 - Dispatcher
 - HR Administrator – Benefits
 - 2 Supervisor Maintenance South (Cape May / Lewes)
 - Manager Maintenance North
 - Warehouse Supervisor
 - Airport Maintenance Supervisor
 - 2 Maintenance Specialist III's
 - Maintenance Specialist I
 - Maintenance Specialist IV
 - Pilot
 - Director of MIS
 - Director of Ferry Operations
 - Supervisor – Food and Retail
 - Administrative Assistant
 - Toll Supervisor
- During this period, eleven positions were successfully filled.
- The permanent and full-time count as of September 1, 2005 is 439.

Community Initiatives:

- The DRBA Community Initiatives Committee has completed the internal fundraiser for their Book Bag event. Employees raised \$1760 through a Penny Jar competition that occurred amongst the departments throughout the DRBA. The losing team (Sr. Leadership) will serve lunch to the winning team (Finance). The group assembled 100 filled book bags for distribution to local schools in New Jersey and Delaware. The event was covered by newspapers and radio.
- The employees are presently raising monies for the Campbell children scholarship fund. Neal Campbell's (Cape May Lewes Ferry) wife recently died and a scholarship fund has been established for their two children. Funds are being raised through a raffle of 18 baskets that were created by another employee and his fiancée. The baskets are located at the cafeteria and will move to Cape May and then Lewes. This Authority-wide event will conclude with the drawing to take place in October.

External Affairs:

- The CHRO served as a guest speaker at Lincoln University for the 2005 Summer Transportation Institute Program.

CHIEF INFORMATION OFFICER:

MUNIS Upgrade and Consulting:

- IT staff worked on the upgrades of the MUNIS application server and the MUNIS forms server. The application server arrived and staff set it up and loaded the operating system. IT worked with MUNIS to finalize plans for the first and

second phase of the server migration. On August 4th, the existing NT server was replaced with a Windows 2003 system and MUNIS remotely loaded the latest release of software. This upgrade should improve speed and reliability.

- MUNIS was onsite to install the new application server for the financial/payroll/human resources systems. This process included loading the database engine, moving all user accounts, print queues and data. Concurrently, MIS staff installed the new MUNIS client on all desktops with minimal interruption of services to the end users. Initial reports indicate that the new server has dramatically improved processing time and performance.
- MUNIS Consulting Services Group was onsite to complete Phase I of the Human Resources Consulting agreement. Phase I was to increase the functionality of MUNIS through training and the implementation of HR best practice for the payroll and human resources modules. During this time, HR staff was trained on the new release of MUNIS and those programs which were applicable to their areas of responsibilities. All training sessions were conducted using the new manuals specially created by MUNIS for the DRBA. The entire HR team attended training with a representative present from IT to provide support. Initial feedback has been positive.

Wide Area Network Update:

- An agreement was signed by the DRBA to move forward with the installation of Transparent LAN Services (TLS), a new Verizon product available under Delaware state contract. This service will significantly increase the DRBA's wide area network bandwidth at a fraction of the cost. TLS is not currently available in New Jersey and therefore the agreement only covers installations in New Castle and Lewes. Due to the high demand for this service, anticipated implementation is the fourth quarter of 2005. IT staff is still investigating economical wide area solutions for facilities in New Jersey and remote Delaware locations.

Wireless Seminar:

- On Wednesday, September 7th, members of the IT staff attended a Verizon wireless seminar. The purpose of the seminar was to introduce state agencies to the new exclusive Verizon Wireless contract with the State of Delaware. Information on wireless pricing and ordering specific to this contract was given, as well as, an overview of the improvements to the national wireless network. The Authority currently uses the Delaware State wireless contract for cell phones and connectivity for the DRBA Police laptops and is in the process of investigating wireless networking for remote Authority locations.

IAG Activities:

- Attended via phone the IAG Policy Committee Meeting. New Hampshire, who had just opened E-ZPass operations two weeks prior, hosted the meeting. Agenda items included a report on the Next Generation Technology Task Force, an IAG working group assigned with looking at new electronic toll collection technology, a Violation Sub-Committee recommendation to enhance customer service processing through reciprocity file transfer specifications changes and issues with Mark IV, the E-ZPass vendor.
- On Thursday, August 4th, provided input to an E-ZPass Member Survey on Non-Toll Opportunities. The survey was conducted by PB Consult, Parsons Brinckerhoff, Jeffrey A Parker & Associates, Inc. and NuStats. The study commissioned by the IAG looked at potential revenue-generating opportunities for member agencies.

ACTING CHIEF FINANCIAL OFFICER:

Local 542:

- Throughout the period, negotiations continued and were completed when a tentative Agreement was signed by Local 542 on August 25, 2005. The Local had indicated to the Delaware River and Bay Authority that they will be conducting informational meetings with the bargaining unit members in the near future.

2005/2006 Budget:

- Analyzed revenue and expense projections for fiscal year-end 2005 to identifying issues and solutions designed to manage within the FY05 adopted budget. Initiated preliminary preparations and analysis for the development of the 2006 budget and Authority financial model. Reviewed information with the Executive Director.

Federal Medicare Modernization Regulations:

- Met with Mercer Consulting to review the impact and requirements related to Part D (RX) Regulations, which is a new federally sponsored prescription benefit. The Federal government will offer a subsidy to employers who provide actuarially equivalent plans. It is expected that the Authority’s plan will be deemed an equivalent plan and that we will be eligible for a subsidy estimated at \$668 per retiree or dependent. This would result in the Authority receiving an estimated \$100,000 to \$120,000 payment.

DBE Program:

- Reviewed and approved DBE goals and methodology related to submission for FAA funded projects. The program goals have been submitted and approved in accordance with FAA guidelines. This completes the development of Phase I of the DBE program implementation. Work has begun on Phase II concerning Authority funded contracts. This phase includes an historical analysis, methodology development, and the formulation of a recommended program. Staff briefed the Executive Director on the status of progress reached thus far.

Centralized Purchasing:

- Reviewed staff recommended modifications to the Authority’s current public bid opening policy and practices. A recommendation was made to the Projects Committee that future bid opening results be posted on the Authority internet to improve the public accessibility to the bid information. The committee accepted the recommendation and the change will be implemented accordingly.

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9265. COMMITTEE REPORT – BUDGET & FINANCE

Commissioner Jackson presented the following minutes of the Budget & Finance Committee meeting held September 6, 2005 while Commissioner Patterson briefed the Board on the community contributions for September.

BUDGET & FINANCE COMMITTEE MEETING
Tuesday, September 6, 2005
 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, September 6, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Chair Jackson
 Commissioner Favre, Committee Member
 Commissioner Koebig, Committee Member
 Commissioner Dorn
 Chairperson Wallace

Committee Vice-Chair Patterson
 Commissioner Hensley, Committee Member
 Commissioner Lathem, Committee Member
 Commissioner Patterson
 Vice Chairperson Parkowski

Governors’ Representatives

Keith Barrack - NJ

Staff

Jim Johnson, Jr.
Don Rainear
Victor Ferzetti
Jim Walls
Trudy Spence-Parker
Gerry DiNicola Owens
Joe Larotonda
Anna Marie Gonnella Rosato
Ken Hynson

Authority Secretary

Tom Pankok

Invited Guest

Young Conaway Stargatt & Taylor
Bill Bowser

- I. Committee Chair Jackson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:18 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 recommended the Community Contribution requests for the month of September. A Resolution will be presented to the full Board for consideration at the September meeting.
- III. The Acting Chief Financial Officer reviewed the preliminary projections for Revenues and Expenses, by Division, for the remainder of FY 2005. The Acting CFO reported that the projections were conservative in nature.

Major Revenue and Expense highlights include the following:

- Administration Division Expense: Expenses projected to be \$1.1 million under budget due to vacancies and healthcare savings.
- Bridge Division Expense: Increases in utility expenses and pension costs result in projected expenditure of the Adopted Budget.
- Ferry Division Expense: Vessel fuel and employee pension expense result in projected budget short-fall. Although operations personnel have been able to decrease the amount of the short-fall by reducing the ferry schedule and managing operations, the Acting CFO will meet with ferry operations to investigate the possibility of transferring resources to cover fuel costs.
- Police Division Expense: Increases in Temp Wages and Overtime due to coverage for vacancies and costs due to heightened security as a result of the terrorist attacks in London. Applications have been submitted to the Federal Government to possibly recover some of the costs incurred.
- Airports Division Revenue: Sizeable shortfall due to lost tenants and decreased landing fuel flowage fees.

The Committee questioned airport tenant vacancies and what was being done to market the facilities. The Deputy Executive Director reported that several parties were interested in leasing the former Annenberg Hangar; however, delays have occurred while the Authority develops a policy and position on self-fueling. Staff will develop an outline for Board discussion and consideration which will conform to FAA requirements and regulations and should assist the Authority in the efforts to market the New Castle Airport.

In summary, total Authority revenues are expected to meet or exceed projections while the Budget is expected to be approximately \$1.5 million under the \$66.9 million adopted FY 2005 Operating Budget.

With thoughts toward the victims of Hurricane Katrina, Commissioner Lathem questioned whether the Authority had disaster plans, whether by natural disaster or terrorist attack, in place to reach out to the community. The Chief Operations Officer reported that the Authority had comprehensive plans in place but confined to services and operations of the DRBA. The Executive Director reported that the Authority currently does not have plans in place to specifically reach out to the surrounding communities but will investigate. The Authority currently attends and participates with both New Jersey and Delaware Homeland Security during emergency situations.

- IV. The Acting CFO reviewed the proposed Resolution listing vendors over \$25,000. Commissioner Koebig questioned whether limitations were in place regarding purchase amounts. The Acting CFO reported that the Authority's procurement policy regulates purchases and that any purchase over \$25,000 but less than \$50,000 would require three bids and purchases over \$50,000 would require staff to follow the a request for proposal. Exceptions to this include emergency situations, state contracts and sole source purchases. The Executive Director reported that most purchases are under \$25,000 and, although not required, staff still obtains three bids. After discussion, on motion by Commissioner Lathem, seconded by Commissioner Favre, the Committee recommended approval of the vendor list. The Resolution will be presented to the full Board for consideration at the September meeting.

There being no further business to discuss, on motion by Commissioner Favre, seconded by Commissioner Koebig, the Budget and Finance Committee adjourned at 9:53 a.m.

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9266. COMITTEE REPORT – PERSONNEL & INSURANCE

Commissioner Dorn presented the following minutes of the Personnel & Insurance Committee meetings held September 6, 2005.

PERSONNEL & INSURANCE COMMITTEE MEETING
Tuesday, September 6, 2005
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, September 6, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

PRESENT

Committee Chair Dorn
Commissioner Jackson, Committee Member
Commissioner Koebig, Committee Member
Commissioner Favre
Chairperson Wallace

Commissioners from Delaware

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

Governors' Representatives

Keith Barrack-NJ

Staff

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

Authority Secretary

Tom Pankok

Invited Guest

Young Conaway Stargatt & Taylor
Bill Bowser

- I. Committee Chair Dorn welcomed the Personnel & Insurance Committee and opened the meeting at approximately 10:03 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 Lowe, seconded by Commissioner Lathem, the Session was closed.

The following matters of a confidential nature were discussed.

- CONTRACT NEGOTIATIONS:

- Local 542 Update:

- The Acting Chief Financial Officer provided an update regarding the negotiations with Local 542. The Acting CFO reported that an Agreement had been signed subject to the ratification of the bargaining unit and subsequent full Board approval.

- MEBA Update:

- The Chief Operations Officer provided an update regarding the negotiations with MEBA. The COO reported that an Election Agreement had been signed identifying the bargaining unit and outlining the process to be followed. On motion by Commissioner Lowe, seconded by Commissioner Koebig, the Committee recommended approval of the Election Agreement. A Resolution authorizing the Election Agreement will be presented to the full Board for consideration at the September meeting.

- CURRENT LITIGATION:

- The Chief Human Resource Officer reported on a current litigation matter.

- PERSONNEL MATTERS:

- CFO Search:

- Committee Chair Dorn informed the Committee that a new search would be conducted for Chief Financial Officer and new search firm engaged.

There being no further business in the Executive Session, on motion by Commissioner Lathem, seconded by Commissioner Lowe, the Personnel & Insurance Committee the session was opened to the public.

- Professional Services Contract:

- The CHRO reported that an RFP for Strategic Direction and Leadership Initiatives had been conducted and a total of nine proposals had been received and evaluated. Two firms were interviewed and, as a result of the interviews, The Jennings Group was selected to provide Strategic Leadership Consulting and The Touchstone Partnership, Ltd. was selected to provide Executive Recruiting Consulting. The Committee questioned the scope of work for each of the contracts. The CHRO reported that the contracts focused on the

areas of Strategic Planning, the Leadership Institute, Succession Planning and Strategic Recruitment. The Committee had numerous questions and requested staff to provide additional information. Committee Chair Dorn requested an additional Personnel & Insurance Committee meeting to discuss the issue. The Executive Director reported that a meeting would be scheduled and noticed accordingly.

- Employee Appreciation Week:

The Executive Director reported that the week of September 26, 2005 had been designated as Employee Appreciation Week with three separate events to be held at various Authority locations throughout the week. It was also reported that the Employee Recognition Dinner had been scheduled for Saturday, November 12, 2005 and would be held in Dewey Beach, DE. The Board was encouraged to attend any and all events. On motion by Commissioner Lowe, seconded by Commissioner Koebig, the Committee recommended approval of Employee Appreciation Week. A Resolution will be presented to the full Board for consideration at the September meeting.

Commissioner Dorn questioned whether anyone from the public wished to address the Committee.

Vincent Ascione, a representative with Local 542, addressed the Committee and thanked them for their involvement in finalizing an Agreement. It was further reported that Information Sessions have been scheduled in order for representatives from Local 542 to present the Agreement to the bargaining unit.

In addition, Mr. Ascione also informed the Committee of the Operating Engineers' involvement with Homeland Security and that Operating Engineers had been previously called upon to provide assistance with manpower and machinery in recovery and clean up efforts after terrorist attack and natural disasters. Committee Chair Dorn encouraged Mr. Ascione to direct any future discussions regarding involvement with Homeland Security to the Authority's Police Administrator.

With no further business to discuss, the Personnel & Insurance Committee meeting adjourned at 11:25 a.m.

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9267. COMMITTEE REPORT – PROJECTS COMMITTEE

Commissioner Hensley presented the following minutes of the Projects Committee meeting held September 6, 2005.

PROJECTS COMMITTEE
Tuesday, September 6, 2005
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority's Projects Committee was held on Tuesday, September 6, 2005, Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Vice-Chair Dorn
Commissioner Koebig, Committee Member
Chairman Wallace

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

Staff

Jim Johnson

Authority Secretary

Tom Pankok

Don Rainear
Jim Walls
Trudy Spence-Parker
Liaison
Gerry DiNicola Owens
Victor Ferzetti
John Jones
COL John McCarnan
Steve Williams
Anna Marie Gonnella Rosato

Attorney
Keith Barack – NJ Authority Unit

I. The Projects Committee meeting convened at approximately 11:45 a.m. Those in attendance were provided an informational package consisting of an agenda, a bid tabulation, contract close-out letters, and a contractor payment chart. 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 roll.

II. Bid Openings/Award Actions/Resolutions:

- CMA-04-04R, Rehabilitate Portions of Taxiway “A” and “B”: This work consists primarily of the rehabilitation of portions of Taxiways “A” and “B” as well as pavement marking, signage and drainage improvements at Cape May Airport. One bid was submitted on August 15th and was significantly above the engineer’s estimate, the FAA grant amount, and the project budget. Both the FAA and DRBA staff recommend bid rejection. The COO reported that the FAA supports using a significant portion of this grant money before it expires for design of other approved taxiway projects for both Cape May and Millville airports. The Projects Committee concurred with the recommendation.

III. Contract Close-Out Actions:

- MVA-02-02, Security Fencing: This contract was awarded to Statewide Hi-Way Safety, Inc., of Hammonton, New Jersey for the bid price of \$1,426,991.00. Changes in quantities to reflect actual field conditions added \$27,586.68 to the original price. Staff recommended and the Projects Committee concurred that the contract be closed at a final contract price of \$1,454,577.68.
- CMA-04-02, Inadvertent Entry Fence: This contract was awarded to Delta Line Construction Company, of Egg Harbor Township, New Jersey for the bid price of \$415,700.00. Changes in quantities to reflect actual field conditions add \$1,992.80 to the original price. Staff recommended and the Projects Committee concurred that the contract be closed at a final contract price of \$417,692.80.
- CMA-02-02, Perimeter/Deer Fence: This contract was awarded to Highway Safety Systems, Inc., of Hammonton, New Jersey for the bid price of \$518,525.00. Changes in quantities to reflect actual field conditions subtracted \$825.00 from the original price. Staff recommended and the Projects Committee concurred that the contract be closed at a final contract price of \$517,700.00.
- DMB-01-03, Safety Features and Miscellaneous Steel Work: This contract was awarded to Cornell & Company, of Woodbury, New Jersey for the bid price of \$4,149,625.00. Changes in quantities to reflect actual field conditions added \$177,597.19 to the original price. Staff recommended and the Projects Committee concurred that the contract be closed at a final contract price of \$4,327,222.19.

- Contract No. 574, Traffic Management System: This contract was awarded to Transdyn Controls, Inc., of Norcross, Georgia for the bid price of \$5,861,810.00. Changes in quantities to reflect actual field conditions added \$1,292,717.00 to the original price. Staff recommended and the Projects Committee concurred that the contract be closed at a final contract price of \$7,154,527.00.

IV. Miscellaneous Actions:

- 800 MHz Radio System: The CIO briefed the Projects Committee regarding this initiative. Phase I is completed which primarily entailed fielding for the Police Department plus some airport and ferry operations cells. The final phase consists of fielding the new system to the Engineering and Maintenance Division as well as other departments and solves the New Jersey coverage issue. This final phase will cost approximately \$1.2 million, as planned and approved in the Authority's capital budget. Motorola, a state contractor, is the supplier of the new radio system. The Projects Committee supports the initiative.
- Police Computer Aided Dispatch System: The CIO and Police Administrator briefed the Projects Committee on this initiative which entails the replacement of the existing obsolete computer-based dispatch system with a new advanced system that aids in dispatch, call scheduling, call stacking, complaints management, briefing notes, enhancement of dispatcher capability, management of law enforcement records, evidence property management, and management of traffic citations and warrants. This new system is compatible and supported in both New Jersey and Delaware police organizations and will enhance the Authority's ability to analyze incidents and manage resources. Estimated cost of the new system is \$600,000 and is an approved item in the Authority's capital budget. The CIO stated that a competitively bid Delaware state contract with New World Systems will be used for procurement of this new system and that system replacement is scheduled to begin soon. The Projects Committee supports the initiative.
- FAA Service Center Update: The COO, Director of Engineering & Maintenance and Director of Airports briefed the Projects Committee on the recent events regarding the FAA Service Center located at Millville Airport. On August 24th, the roof of the FAA Service center partially collapsed. No one was injured and the building was safely evacuated. Quick actions to stabilize the 20-year old building were taken. Fourteen roof trusses were damaged in this event. The structural engineer concluded that the cause of the truss failure was the use of a fire-retardant chemical to impregnate the structural lumber and plywood of the facility which structurally weakened the wood over time and in certain climatic conditions leading to collapse. The facility remains closed for safety reasons until further notice except for a small portion of the facility that has been deemed safe. It was reported that approximately thirty (30) FAA employees are currently displaced and their operations transferred to other FAA facilities. Three FAA representatives were present for the meeting and provided information to the committee about impacts and possible solutions. Staff reported that discussions are planned with the FAA to map out the path forward. Staff conveyed to the Projects Committee that an update will be presented at the September 20th board meeting.
- Bid Opening Information Distribution Discussion: The COO briefed the Projects Committee regarding a suggested modification of the Authority's public bid release process. Typically, bid opening information is released only at the public bid opening and then after all bids have been reviewed, tabulated and presented to the Projects Committee. After a review of our

current procedures and comparing them with other public agencies, staff recommended modifying the current procedure. The suggested modification is that the Authority provide the same information that was available at the public bid opening immediately on the DRBA web site (with stipulated disclaimers) for review by the general public. The Projects Committee concurred with the staff recommendation.

- Marine Master Plan Update: The COO distributed a draft Marine Master Plan RFP for the Cape May-Lewes Ferry system and solicited feedback over the next few weeks. The purpose of the RFP is to create a comprehensive marine master plan that will analyze all current operations and develop a plan to maximize Authority marine operations over the next five (5) years and beyond.

V. Contractor Payment (through August): Staff informed the Projects Committee on monthly construction contractor payments to be made to contractors in September.

VI. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 12:40 p.m.

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9268. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Koebig presented the following minutes of the Economic Development Committee meeting held September 6, 2005.

ECONOMIC DEVELOPMENT COMMITTEE
Tuesday, September 6, 2005
Delaware Memorial Bridge Complex
New Castle, Delaware

A joint public meeting of The Delaware River and Bay Authority’s Projects & Economic Development Committee was held on Tuesday, September 6, 2005, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

PRESENT

Committee Chair Koebig,
Commissioner Dorn, Committee Member
Commissioner Jackson, Committee Member
Chairperson Wallace

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

Governors’ Representatives

Keith Barrack-NJ

Staff

Jim Johnson, Jr.
Don Rainear
Jim Walls
Victor Ferzetti
Trudy Spence-Parker
Gerry DiNicola Owens
Anna Marie Gonnella Rosato
AJ Crescenzi
John Jones
Colonel McCarnan

Authority Secretary

Tom Pankok

- II. Committee Chair Koebig welcomed the meeting of the Economic Development Committee and opened the meeting at approximately 11:26 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 for both Committees.

ECONOMIC DEVELOPMENT

Salem Business Center Update:

The Deputy Executive Director reported that the New Jersey Division of Youth and Family Services (DYFS) has committed to lease 8400 square feet of office space at the Salem Business Center. The Deputy Executive Director discussed the cost of the fit out and completion of the shell and core. After discussion, on motion by Commissioner Lowe, seconded by Commissioner Jackson, the Committee recommended approval of the project. A Resolution authorizing the Executive Director or designee to negotiate the terms and conditions of a Lease Agreement at a fair market value will be presented to the full Board for consideration at the September meeting.

The Committee also questioned the status of the vacant house located on the property of the Salem Business Center. It was reported that staff investigated the possibility of donating the property to a non-profit organization, but the property is in such poor condition staff recommends it be demolished. The Committee concurred with staff's decision to demolish the property.

South Jersey Technology Park at Rowan University:

The Deputy Executive Director reported that the all necessary agreements relating to the project have been completed.

Delaware State University:

The Deputy Executive Director reported that the newly constructed multi-use Hangar had been recently dedicated and is in use.

Refrigerated Warehouse at the Port of Wilmington:

The Deputy Executive Director reported that the staff had recently visited the project and construction is on schedule. The Director of Engineering is on the Construction Committee for the project and will provide updates as necessary.

New Castle Airport:

The Deputy Executive Director reported that the Authority is now prepared to move forward with negotiations with certain parties interested in leasing some of the Hangar at the New Castle Airport. Delays in negotiations had occurred pending the Authority's development of a position and policy regarding self-fueling. Staff's development of a policy regarding self-fueling conforming to FAA requirements and regulations should be beneficial in future marketing efforts.

There being no further business to discuss, on motion by Commissioner Lowe, seconded by Commissioner Jackson, the Economic Development Committee adjourned at 11:43 a.m.

The Executive Director 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 months of July and August.

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

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9270. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The Executive Director presented charts for July and August showing statements of income and expenses with comparisons to the same period last year.

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

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9271. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The Executive Director presented charts for July and August showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

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

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9272. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The Executive Director presented charts for July and August 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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9273. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF JULY, 31 2005 AND AUGUST 31, 2005.

The Executive Director presented charts for July and August 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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9274. PUBLIC COMMENT ON ACTION ITEMS.

Chairperson Wallace noted the following action items that were being considered today and asked for public comment.

- Contract #CMA-04-04R Rehabilitate Portions of Taxiways A and B, Cape May Airport
- Contr Closeout CMA-02-02 Perimeter/Deer Fence, Cape May Airport

Contr Closeout CMA-04-02 Inadvertent Entry Fence, Cape May Airport
 Contr Closeout DMB-01-03 Safety Features and Misc. Steelwork, DMB
 Contr Closeout #574 Traffic Management System, DMB
 Contr Closeout MVA-02-02 Security Fencing, Millville Airport
 Resolution 05-31 Approval of Community Contribution Requests
 Resolution 05-32 Authorizes Expenditures \$25,000 and Over
 Resolution 05-33 Lease Agreement with NJ Div. of Youth and Family Services (DYFS)
 Resolution 05-34 Authorizes an Election Agreement with MEBA
 Resolution 05-35 Employee Appreciation Week

There were no public comments.

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9275. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

The Chief Operating Officer (COO) noted the following Summary of Authorized Contract Payments for August, 2005.

<u>Contractor</u>		<u>Payment</u>
DMB-04-02	Eastern Highway Specialists	\$ 2,672.07
DMB-04-04	J. D. Eckman, Inc.	\$522,670.50
DMB-01-03	Cornell & Company, Inc.	\$ 100.00
DMB-01-07	J. D. Eckman, Inc.	\$ 24,054.00
DMB-01-06	Cianbro Corporation	\$347,657.25
Contract #574	Transdyn Controls, Inc.	\$ 100.00
CMLF-01-06	Stanker & Galetto	\$ 73,434.69
DAP-04-02	EDIS	\$ 51,264.70
MVA-02-02	State HiWay Safety	\$ 100.00
MVA-04-01	Delta Line Construction	\$442,089.25
MVA-04-03	Stanker & Galetto, Inc.	\$110,849.21
CMA-02-02	Highway Safety Systems, Inc.	\$ 100.00
CMA-04-01	Delta Line Construction	\$310,485.23
CMA-04-02	Delta Line Construction	\$ 500.00
CMA-04-03	TNT Construction Co., Inc.	\$ 32,652.00

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9276. REHABILITATE PORTIONS OF TAXIWAYS "A" AND "B", CAPE MAY AIRPORT – CONTRACT NO. CMA-04-04R

The COO reported that at the July 22, 2005 Commissioners meeting the Board rejected all three proposals received because they were significantly above the engineer's estimate, the FAA grant amount, and the project budget. The project was rebid on August 15, 2005. One proposal was received and it too was significantly above the engineers cost estimate. The COO, as well as the Projects Committee, recommended rejection of the bid due to the significant cost differential between the engineers estimate and the proposal received. The FAA withdrew participation due to the high proposal cost.

Commissioner Patterson motioned to reject all bids, seconded by Commissioner Favre. Contract No. CMA-04-04R was rejected by a voice vote of 10-0.

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9277. APPROVAL OF FINAL PAYMENT OF CONTRACT NUMBER CMA-02-02, PERIMETER/DEER FENCE, CAPE MAY AIRPORT.

The COO presented the following contract closeout and, along with the Projects Committee, recommended approval of Final Payment.

On July 20, 2004 Contract No. CMA-02-02, Perimeter / Deer Fence, was awarded to Highway Safety Systems, Inc. of Hammonton, New Jersey for the bid price of \$518,525.00.

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

1. June 29, 2005 Adjustments in quantities to reflect actual field conditions.
Subtract: \$825.00.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$517,700.00.

On motion by Commissioner Dorn, seconded by Commissioner Lowe, the recommendation of the COO and the Projects Committee to close out Contract CM-02-02 was approved by a voice vote of 10-0.

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9278. APPROVAL OF CONTRACT CLOSEOUT – CONTRACT NO. CMA-04-02 INADVERTENT ENTRY FENCE, CAPE MAY AIRPORT

The COO presented the following contract closeout and, along with the Projects Committee, recommended approval of Final Payment.

On September 21, 2004 Contract No. CMA-04-02, Inadvertent Entry Fence, was awarded to Delta Line Construction Co. of Egg Harbor Township, New Jersey for the bid price of \$415,700.00.

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

1. July 31, 2005 Adjustments in quantities to reflect actual field conditions.
Add: \$1,992.80.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$417,692.80.

On motion by Commissioner Dorn, seconded by Commissioner Lowe, the recommendation of the COO and the Projects Committee to close out Contract CMA-04-02 was approved by a voice vote of 10-0.

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9279. APPROVAL OF CONTRACT CLOSEOUT – DMB-01-03, SAFETY FEATURES AND MISCELLANEOUS STEELWORK, DELAWARE MEMORIAL BRIDGE

The COO presented the following contract closeout and, along with the Projects Committee, recommended approval of Final Payment.

On April 16, 2002 Contract No. DMB-01-03, Safety Features and Miscellaneous Steelwork, was awarded to Cornell & Company of Woodbury, New Jersey for the bid price of \$4,149,625.00.

During the contract period, Change Order No's. 1-5 were approved for the project.

1. June 30, 2005 Adjustments in quantities to reflect actual field conditions.
Add: \$177,597.19.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$4,327,222.19.

On motion by Commissioner Dorn, seconded by Commissioner Lowe, the recommendation of the COO and the Projects Committee to close out Contract DMB-01-03 was approved by a voice vote of 10-0.

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9280. APPROVAL OF CONTRACT CLOSEOUT – CONTRACT #574, TRAFFIC MANAGEMENT SYSTEM, DELAWARE MEMORIAL BRIDGE

The COO presented the following contract closeout and, along with the Projects Committee, recommended approval of Final Payment.

On September 21, 1999 Contract No. 574, Traffic Management System, was awarded to Transdyn Controls, Inc. of Norcross, Georgia for the bid price of \$5,861,810.00.

During the contract period, Change Order No’s. 1-8 were approved for the project.

- 1. July 31, 2005 Adjustments in quantities to reflect actual field conditions.
Add: \$1,292,717.00.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$7,154,527.00.

On motion by Commissioner Dorn, seconded by Commissioner Lowe, the recommendation of the COO and the Projects Committee to close out Contract #574 was approved by a voice vote of 10-0.

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9281. APPROVAL OF CONTRACT CLOSEOUT- MVA-02-02, SECURITY FENCING, MILLVILLE AIRPORT

The COO presented the following contract closeout and, along with the Projects Committee, recommended approval of Final Payment.

On April 13, 2004 Contract No. MVA-02-02, Security Fencing, was awarded to Statewide Hi-Way Safety, Inc. of Hammonton, New Jersey for the bid price of \$1,426,991.00.

During the contract period, Change Order No.’s 1-5 were approved for the project.

- 1. June 29, 2005 Adjustments in quantities to reflect actual field conditions.
Add: \$27,586.68.

It is recommended that the Authority accept the project and make final payment to the contractor. The total price for this project is \$1,454,577.68.

On motion by Commissioner Dorn, seconded by Commissioner Lowe, the recommendation of the COO and the Projects Committee to close out Contract MVA-02-02 was approved by a voice vote of 10-0.

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9282. CHAIRPERSON'S CALL FOR ACTION ON THE
RESOLUTIONS BEFORE THE BOARD.

The Executive Director presented the following Resolutions:

**RESOLUTION 05 - 31 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 September, 2005; and

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

Community Contributions

New Jersey

Abilities Center of Southern New Jersey	\$ 5,000
Cape May County Council on Alcoholism and Drug Abuse Incorporated	\$ 2,000
Cape May County Junior Golf Foundation Incorporated	\$ 4,000
Cape May Stage	\$ 5,000
Deerfield Township Recreation Committee	\$ 2,500
Educational Information and Resource Center (EIRC)	\$ 10,000
Gloucester County NAACP	\$ 15,000
Lower Township Rotary	\$ 3,300
Project New Start Community Development Corporation Incorporated	\$ 2,000
Salem County Humane Society	\$ 500
Salem County Inter Agency Council of Human Services	\$ 1,500
Township of ELK	\$ 2,500
Underwood Memorial Hospital	\$ 2,500
Total	<u>\$ 55,800</u>

Delaware

Delaware Association of Rehabilitation Facilities Corporation	\$ 2,000
Delaware Breast Cancer Coalition Incorporated	\$ 1,000
Delaware State University	\$ 10,000
DFRC Incorporated	\$ 2,000
Friends of the Capitol Theater Incorporated	\$ 6,000
Goodwill Industries of Delaware and Delaware County Incorporated	\$ 2,000
International Association of Approved Basketball Officials	\$ 5,000
Opera Delaware Incorporated	\$ 2,000
Opportunity Center Incorporated	\$ 2,500
Pencader Hundred Community Center Incorporated	\$ 5,000
Rehoboth Beach Film Society	\$ 2,000
The Family and Workplace Connection	\$ 500
University of Delaware	\$ 5,000
VSA Arts of Delaware (VSADE)	\$ 1,000
Total	<u>\$ 46,000</u>
Grand Total (New Jersey and Delaware)	<u>\$ 101,800</u>

Resolution 05-31 was moved by Commissioner Patterson and seconded by Commissioner Dorn. With Commissioner Parkowski abstaining from voting on the contribution for the

Delaware State University and Commissioner Wallace abstaining from the Educational Information and Resource Center (EIRC), Resolution 05-31 was approved by a roll call vote of 10-0 with the above noted abstentions where such votes were 9 in favor and 1 abstention.

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RESOLUTION 05-32 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2005.

WHEREAS, The Delaware River and Bay (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 1/1/05 THROUGH 12/31/05

VENDOR	SERVICE DESCRIPTION	DETERMINATION
Computer Dynamics	Toll System Touch Screens	Sole Source
Cherry Valley Tractor Sales	Equipment Purchase	State Contract
Delaware Technical Community College	Community Contributions	Board of Commissioners
DLT Solutions Inc.	Replacement of AutoCad systems Cape May and New Castle	Federal contract
Enercon Construction Services	Fuel Oil Tanker Replacement and Transformer Containment DMB	Quotes
J. Wilhelm Roofing Company	Replace roof at Millville Airport	Quotes
McFoy Refrigeration Services	HVAC system services	Quotes
New World Systems Inc.	Computer Aided Dispatch (CAD) System	State Contract
Tennant Company	Purchase Toll Plaza Scrubber/Sweeper	Federal contract

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 Lathem, Resolution 05-32 was approved by a roll call vote of 10-0.

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RESOLUTION 05-33 AUTHORIZING A LEASE AGREEMENT BETWEEN THE AUTHORITY AND THE NEW JERSEY DIVISION OF YOUTH AND FAMILY SERVICES (DYFS)

WHEREAS, The Delaware River & Bay Authority (the “Authority”), owns a two story 80,000 square foot office building in the Salem Business Centre (“Salem Business Center”), located in Carneys Point Township, Salem County, New Jersey; and

WHEREAS, the Authority desires to lease office space at the Salem Business Center; and

WHEREAS, the New Jersey Division of Family Services (DYFS), a department of the State of New Jersey with its primary office located in Trenton, is interested in renting office space of approximately 8,400 square feet; and

WHEREAS, the fit out of the space necessary to meet the requirements of DYFS will total \$250,000.00 allocated as follows: (i) \$170,000 for DYFS tenant fit out; (ii) and \$80,000 for completion of shell and core; and

WHEREAS, the term of the lease will be for two (2) years with three (3) one year options; the rental rate being as follows: Year one (1) \$24.75/SF Plus Tenant Electric; Year two (2) \$25.25/SF Plus Tenant Electric; Option Year one (1) \$20.50/SF Plus Tenant Electric; Option Year two (2) \$21.00/SF Plus Tenant Electric; Option Year three (3) \$21.50/SF Plus Tenant Electric; and

WHEREAS, Tenants will be responsible for its share of all Operating Expenses over the Base Year of 2005 in accordance with Landlord's review of Tenant's list of acceptable exclusions and inclusions; and

WHEREAS, Landlord and Tenant to agree to a mutually acceptable form of lease; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director, or his designee, is hereby authorized to negotiate the final terms and conditions of a lease between the Authority and DYFS for approximately 8400 square feet of rental space and, with the advice and consent of Counsel, have such lease executed by the Chairperson, Vice Chairperson, and the Executive Director.

Resolution 05-33 was moved by Commissioner Dorn, seconded by Commissioner Favre and was approved by a roll call vote of 10-0.

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RESOLUTION 05-34 – AUTHORIZES AN ELECTION AGREEMENT BETWEEN THE AUTHORITY AND THE MARINE ENGINEERS' BENEFICIAL ASSOCIATION.

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 is fortunate to employ skilled and dedicated employees to operate and maintain these facilities; and

WHEREAS, the Marine Engineers' Beneficial Association (the "Union") has requested to open a dialogue with the Authority regarding representation of ten (10) non-supervisory marine mechanical employees at the Cape May-Lewes Ferry; and

WHEREAS, the Authority and the Union have agreed upon a process as stated in an Election Agreement (the "Agreement") that is necessary to allow the identified employees to express their desires; and

NOW THEREFORE BE IT RESOLVED, that the Chairperson, Vice Chairperson, and Executive Director, upon the review and advice of counsel, are authorized to execute said Agreement.

Resolution 05-34 was moved by Commissioner Favre and seconded by Commissioner Jackson and was approved by a roll call vote of 10-0.

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RESOLUTION 05-35 – EMPLOYEE APPRECIATION WEEK

WHEREAS, The employees of The Delaware River & Bay Authority (the “Authority”) dedicate themselves to providing safe, efficient and modern transportation, while participating in balanced economic development within the State of Delaware and within Gloucester, Salem, Cumberland and Cape May Counties in New Jersey; and

WHEREAS, our employees provide this important public service with professionalism and dedication to the organization, our customers and the communities we serve; and

WHEREAS, our employees value integrity, honesty, accountability, diversity, competency, leadership and teamwork as those principles are important to them as they carryout their responsibilities; and

WHEREAS, Employee Appreciation Week provides an opportunity to express our appreciation to our employees who contribute so much to the efficient and effective operation of the Delaware River and Bay Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby proclaim the week of September 26, 2005 as Employee Appreciation Week and we take this opportunity to say Thank You for all that you do.

Resolution 05-35 was moved by Commissioner Favre, seconded by Commissioner Hensley and was approved by a roll call vote of 10-0.

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9283. COMMISSIONERS PUBLIC FORUM

Chairperson Wallace asked if any members of the public would like to address the Commission.

Frank Bankard, Local 542, approached the Board. He noted that the Authority employees voted down a tentative agreement and that the union would like to go back to the bargaining table and continue the negotiations.

Vincent Ascione, Local 542, spoke. He also noted the overwhelming rejection of the tentative agreement by Authority employees and wanted to work together to get back to the bargaining table as soon as possible.

Chairperson Wallace stated that the Board will take the comments under advisement.

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

The meeting was adjourned 11:55 p.m.

Respectfully submitted,
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Secretary

