

MINUTES OF MEETING

THE DELAWARE RIVER AND BAY AUTHORITY

June 17, 2003

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

F. Michael Parkowski, Chairman
Thomas J. Cooper
Verna W. Hensley - via phone
Samuel E. Lathem
William F. Lowe, III
Gary B. Patterson

Warren S. Wallace, Vice Chairman
Edward W. Dorn
Albert A. Fralinger, Jr.
Maureen T. Koebig
Robert Y. McWilliams
Charles E. Pessagno

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The meeting convened at 11:07, with Chairman Parkowski presiding.

Col. McCarnan opened the meeting with the Pledge of Allegiance, and a prayer by Reverend Dorn.

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

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8879. APPROVAL OF MINUTES: On motion by Commissioner Lathem seconded by Commissioner McWilliams, the minutes of the May 20, 2003, meeting were approved by a voice vote of 12-0.

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8880. DELAWARE MEMORIAL BRIDGE - MONTHLY REPORT: The Executive Director presented the following report:

June 5, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River & Bay Authority
Post Office Box 71
New Castle, Delaware 19720

Dear Mr. Johnson:

The following report outlines the major issues and activities at the Delaware Memorial Bridge complex during May 2003.

Traffic:

Total traffic for May 2003 increased by approximately 1% over May 2002 and established a new record for the month despite the 4% decline in traffic during the rainy Memorial Day holiday weekend. Year-to-date, total traffic has declined approximately 2% (135,750 vehicles).

Class 5 commercial traffic increased marginally during May, but the 143,192 total (unaudited) represents the highest monthly total for 5-axle trucks ever recorded on the Delaware Memorial Bridge.

The discount traffic using the Bridge during the last year has not changed significantly despite the increased popularity of E-ZPass. Approximately 8500 discount transactions are recorded for a normal weekday. This represents 17% of the total traffic or approximately 33% of the E-ZPass traffic. The DRBA discount customers continue to be divided 45% Commuter and 55% Frequent Traveler.

E-ZPass Operations:

E-ZPass traffic represented 43.3% of the total traffic during May 2003 vs 41.3% in May 2002. Year-to-date E-ZPass traffic has increased by over 6% vs the first five months of 2003. E-ZPass use continues to represent approximately 70% of the weekday morning rush hour traffic and 50% of the mid-afternoon traffic. On the weekends, E-ZPass traffic accounts for 32%-37% of the total traffic.

The Authority has approximately 25,500 active E-ZPass accounts, including 287 business accounts. A total of 456 new accounts were opened during May 2003 and year-to-date 2120 new accounts have been opened vs 698 new accounts in May 2002 and 3188 accounts for the first five months of 2002. The DRBA's walk-in center serves approximately 120-150 customers each business day and the majority of the Authority's new E-ZPass accounts continue to be opened by our walk-in customers.

Maintenance Operations:

Bridge Maintenance, Engineering, and MIS personnel completed work on the installation of the "E-ZPass Only" signs on the canopy of the new toll plaza. The five large signs were operational for the Memorial Day holiday weekend and coupled with the larger, brighter flashing yellow lights should greatly improve the early identification of the "E-ZPass Only" lanes for the motorists. These signs were positioned for the lanes in the toll plaza to reduce the weaving of traffic approaching the plaza. The Authority's posted speed for the "E-ZPass Only" lanes remains 5 mph and Authority Police continue to conduct active speed control operations on both sides of the toll plaza.

Memorial Day Services:

The Delaware Commission of Veterans Affairs hosted the annual Memorial Day Service on Friday, May 30th. Approximately 400 people attended the service, including Governor Minner, Lt. Governor Carney, Senator Biden, and Representative Castle. The dedication of the new Korean War Veterans monument was incorporated in the service. The handsome granite monument, brick walkway, landscaping, and flagpoles were all paid for through the fund-raising efforts of the Delaware Korean War Veterans Association. DRBA Maintenance Department personnel assisted with the preparation of the site and will continue to maintain the monument grounds as a part of the overall Veterans Memorial Park maintenance effort.

Respectfully,

Curtis V. Esposito
Director of Bridge Operations

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

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8881. CAPE MAY-LEWES FERRY - MONTHLY REPORT: The Executive Director presented the following Cape May-Lewes Ferry Report:

TO: James T. Johnson Jr., Executive Director-DRBA

FROM: Glenn L. Cox, Director of Operations-CMLF

SUBJECT: Commission Report - May 2003

Traffic & Revenue: Traffic at end of May 2003 fell off 10.18% (3,308) vehicles less than May 2002 and 13.53% (14,160) fewer vehicles transported year to date than last year. Weather was a contributing factor in May as there were 18 days of solid rain and we have had 15 successive weekends with bad weather. Total May 2003 passengers of 73,993 was 15.04% or 13,103 less than last year. The 215,107 revenue passengers carried in 2003 to the end of May was 16.74% or 43,244 fewer than last year. Fare revenue in May 2003 was \$82,383 or 7.20% less than May 2002.

Year to date fare revenue at the end of May is \$266,998 or 8.18% less than 2002, which had the highest revenue ever. Other revenue already received in the form of reservations and discount ticket sales will not show up until the date those tickets are actually used. Total CMLF Revenue, including Fares, Food and Retail, is down \$431,015 or 10.37% compared to last year at the end of May

Vessels: The MV Delaware touched bottom in the Cape May Canal damaging both propellers. The vessel has been scheduled to go to Norfolk, VA on May 27 to replace both propellers with spare ones. The Army Corps has been contacted to see if dredging can begin in the Cape May Canal now, rather than at the end of summer as it is now scheduled.

The MV Cape Henlopen and MV Twin Capes will undergo US Coast Guard inspections next month. The MV Cape Henlopen inspection will be a two day annual certification process.

Events: On June 6, the Delaware River Pilots Association will host a cruise on the MV Twin Capes. The vessel will depart Lewes at 2:00 PM with approximately 650 passengers. On July 3, CMLF will host a fireworks display which will take place at the Cape May Terminal. The MV Twin Capes will sail from Delaware for those who wish to attend from there. On Sept. 13, World Team Sports will be returning with approximately 1,200 bicyclists and 60 support vehicles who are riding in memory of 9-11 from New York to Washington, D.C..

Without objection, the Cape May-Lewes Ferry Report was ordered filed with the permanent records of the Authority.

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8882. POLICE DIVISION REPORT: The Executive Director presented the following Police Report:

June 6, 2003

Mr. James Johnson
Executive Director
Delaware River and Bay Authority
P. O. Box 71
New Castle, Delaware 19720

Dear Mr. Johnson:

A summary of activities and projects during the month of May, 2003, for the Delaware River and Bay Authority Police Department is as follows:

Projects

Employee of the 1st Quarter

S/Cpl. Joseph DiStefano was selected as the employee of the first quarter of 2003 and presented a plaque in recognition of his contribution to the Authority.

Career Ladder Promotion

Ptl. Sheila Exum was promoted to Patrol Officer First Class at a ceremony held on May 21, 2003, in the Training Room of the Julia Center. Sheila achieved this milestone after completing the requirements necessary for a career ladder promotion.

Delaware Valley Regional Planning Commission (DVRPC)

Sgt. Jeff Cook was assigned to attend the DVRPC meeting held on May 29, 2003 in Philadelphia, Pennsylvania. The police department is continuing to monitor the progress of the DVRPC's regional traffic/information/management project.

In-Car Computers for Police Patrol Cars

Delaware State Police MIS Director Mike McDonald has approved our request to test and evaluate one of the state's in-car police computer systems. We are making arrangements to have the system installed in one of our marked patrol vehicles next week, at no cost to the Authority. We are planning a 60-day trial period and will rotate the use among several officers. Our only cost is \$99.00 a month for the wireless electronic network interface (CDMA).

Bicycle Rodeo

On Saturday, May 31, 2003, a combination bicycle rodeo and child safety seat check station was held at the Cape May Terminal between 10 a.m. and 2 p.m. During this period, approximately 36 bicyclists participated in the rodeo. They went through a prescribed course which tested their cycling skills as well as their awareness to hazardous conditions and traffic signals. Officers conducted safety checks on bicycles and helmets. Officers of this department and the Cape May County Prosecutor's Office along with South Jersey Traffic Alliance representatives also conducted a child safety seat check station. The child safety seats were assessed for their general condition and proper installation. Parents were also instructed on the proper installation of the seats. All child safety seats that did not meet standards were replaced free of charge by the South Jersey Traffic Alliance.

Threatening Note Found at Ferry

On Monday, May 5, 2003, the crew of the M.V. Cape Henlopen reported a suspicious event that had occurred on the 8:00 a.m. crossing from Lewes to Cape May. A newspaper (Washington Post) was discovered, in the salon area next to the gift shop, with a handwritten note in bold letters (at the top of the front page), that stated the following: "MUSLIM SUBMARINE SINKS LEWIS FERRY". An initial report of investigation was taken by uniformed police officers at the ferry and the matter was referred to Sgt. Robert Miller (Department Investigator) for a follow-up investigation. Sgt. Miller reviewed credit card receipts and driver sign-in logs to develop a list of potential suspects. He conducted a series of interviews and systematically eliminated people from his list. This investigative tactic, combined with cooperation from several credit card companies, lead Sgt. Miller to the person responsible for leaving the threatening note. During a phone interview with Robert J. Neebling (white male, 71 years old, from Red Bluff, California), Mr. Neebling admitted writing and leaving the note. Mr. Neebling stated that the note was meant as a joke for his sister, who was traveling with him. Mr. Neebling's sister confirmed her brother's statement and the fact that she saw him write the note. The Coast Guard, FBI, and Counter-terrorism task forces in both New Jersey and Delaware were alerted to this incident. This matter has also been referred to the Cape May County Prosecutor's Office for a determination on the filing of criminal charges. It is important to note that identification of the person responsible for this threatening note was a direct result of the new counter-terrorism procedures/training in place at the ferry.

Elderly Motorist Travels in the Wrong Direction Across DMB

On Thursday, May 15, 2003, at 2:00 p.m., a blue Ford Taurus operated by Irvin Blender, male, 93 years old, was observed driving in the wrong direction (eastbound) through the westbound toll gate and plaza. Mr. Blender proceeded to drive his vehicle in the wrong direction in lane 5 of the DMB. He narrowly missed hitting several cars and trucks head-on as he sped across the span. DRBA Police Officers were immediately dispatched to intercept Mr. Blender. He was ultimately stopped in the area of gantry 6 (lane 5) without injury. Fortunately, lane 5 (westbound) was closed for maintenance when Mr. Blender drove in the wrong direction (eastbound) across the bridge. Mr. Blender was disoriented and unaware of his location. An immediate family member was contacted to take custody of Mr. Blender and appropriate notice will be sent to the Pennsylvania Motor Vehicle Division requesting termination of Mr. Blender's driver's license.

Other Police Incidents

On 5/8/03 at 0728 hours, Pfc. Kirchner responded to the toll plaza for a property damage accident involving a tractor trailer. The tractor trailer driver from Maine stated that he fell asleep as he approached the toll plaza, drifted across several traffic lanes and struck two DRBA maintenance vehicles. The damage to the tractor trailer was estimated at \$50,000 and the damage to the DRBA vehicles was estimated at \$40,200. No injuries reported.

On 5/8/03 at 1300 hours, Cpl. Dowd-Olson responded to a minor property damage accident in the toll plaza. A vehicle entering the toll plaza attempted to change lanes and struck the right front fender of another vehicle. Damage to both vehicles is estimated at \$650.00.

On 5/14/03 at 0209 hours, Pfc. Sheeky stopped a vehicle for an equipment violation on Route 9 north at West Avenue. A computer check of the 41 year old female driver revealed two (2) outstanding warrants from JP Court #10. The driver was taken into custody and placed in a patrol vehicle. A search of the defendant's vehicle yielded one (1) crack pipe, one (1) plastic bag containing 100 small glassine baggies, and four (4) short straws coated with white residue. The defendant was issued a criminal summons for possession of drug paraphernalia.

On 5/15/03 at 2052 hours, Pfc. Cinoski stopped a vehicle for a registration violation on 295 north at Lander's Spur. The 41 year old male driver from Claymont, Delaware, was unable to produce valid vehicle documentation. A computer check of the driver revealed two (2) outstanding warrants and was taken into custody. A search of the vehicle revealed a crack pipe and other drug paraphernalia. The driver was charged with possession of drug paraphernalia and three (3) traffic citations. He was remanded to Gander Hill Prison in lieu of posting secured bond.

On 5/16/03 at 2020 hours, Pfc. Moudy responded to the Airport Getty, 129 N. DuPont Highway for a report of an attempted robbery. The victim stated that a female approached his gas station booth with a note. The note threatened that if the victim did not give her any money, a bomb behind the gas station would go off. The victim did not give the suspect any money and the suspect fled. A DSP K-9 conducted a search for explosives with negative results. The suspect is described as approx. 5'7-6'0, 175 lbs. with corn rows. A canvas of the area produced negative results.

On 5/22/03 at 2225 hours, dispatch was notified by the New Castle County Police Department (NCCPD) of a 25 year old female from Claymont, Delaware, that was driving to the DMB to commit suicide. Pfc. Hevelow noticed the suspect's Jeep SUV as it traveled across the bridge in lane 2 and stopped it at the base of the span. The suspect was apprehended and transported to the troop where she was turned over to NCCPD without incident. It was learned that Meadowood Hospital had an open investigation involving the suspect for previous suicide threats and that NCCPD would be seeking a self-committal.

On 5/23/03 at 0442 hours, Ptl. Schaal responded to the Quality Inn, 147 N. DuPont Highway, for a report of a vehicle theft, and a theft of a wallet containing U.S. currency. The 45 year old male victim from Newark, Delaware, picked up a 33 year old female prostitute and transported her to the Quality Inn. After the victim spent the evening with the prostitute, the victim fell asleep. The victim

awoke to find his wallet containing \$100 U.S. currency and credit cards missing and his 1995 Hyundai stolen. The victim positively identified the suspect from a driver's license picture on file. The stolen vehicle was recovered and the investigation continues.

On 5/25/03 at 1445 hours, Ptl. Ingraham stopped a motor vehicle for suspected driving under the influence on I-295 southbound at the Route 9 ramp. The 39 year old driver from Manalapan, New Jersey, smelled strongly of an alcoholic beverage and submitted to field tests. As a result, the driver was transported to the troop for the intoxilizer test. The driver was charged with driving under the influence based upon a .294 BAC. The legal presumption for intoxication in Delaware is .10.

On 5/26/03 at 2324 hours, Ptl. M. Barnett stopped a vehicle at a DUI checkpoint conducted on I-295 northbound at Route 9. As Pfc. Coleman was speaking with the 26 year old male driver from New Castle, Delaware, he detected a slight odor of alcohol. During a pat down search of the driver, 3.5 grams of marijuana was located in the driver's jacket pocket. The 23 year old male passenger was also taken into custody for possessing 2.5 grams of marijuana and three (3) outstanding capiases. The driver was issued a criminal summons for possession of marijuana. The passenger was charged with possession of marijuana and possession of drug paraphernalia. He was released on secured bond on both charges and outstanding capiases.

On 5/28/03 at 0047 hours, Ptl. M. Barnett stopped a vehicle for a traffic violation that occurred on I-295 southbound in the area of Route 9. The 19 year old male driver from Newark, Delaware, immediately began reaching under his seat. Pfc. Coleman conducted a pat down search and located a small bag containing 5.5 grams of marijuana in the driver's left shoe. A search of the vehicle revealed an additional 10 grams of marijuana on the floor of the passenger compartment. The driver was issued a criminal summons for possession of marijuana.

On 5/28/03 at 0636 hours, Pfc. Sheeky stopped a rental vehicle for a traffic violation on I-295 northbound prior to Route 9. The 32 year old male driver from Washington, D.C. was not listed on the rental agreement as a person that was permitted to drive the vehicle and the renter of the vehicle was not present. The driver stated that he did not have a valid license or any identification. Pfc. Sheeky's K-9 Neko indicated on the left rear bumper of the vehicle for drugs. A search of the interior of the vehicle revealed 2.5 grams of marijuana located in the center console. A search of a black canvas bag behind the front passenger seat contained \$25,710 in U.S. currency. The driver was charged with possession of marijuana along with several traffic charges. He was released on secured bail. The driver signed a property receipt for the U.S. currency, but denied ownership of the money. This case has been referred to the Delaware Attorney General for asset forfeiture.

Statistical Summary

Enforcement/Activity	May 2002	May 2003
Traffic Summons	687	352*
Criminal Arrests	10	15
Traffic Accidents	28	37
Traffic Reprimands	915	615*

Aid to Motorists	May 2002	May 2003
Disabled Vehicles	177	150
Public Assists	89	69
Medical Assists	9	6

Acrophobiacs	38	28
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- * The number of traffic summonses and reprimands were lower than usual during May due to patrol officers being re-directed to security assignments (at the bridge, airports and ferry) necessitated by a Threat Level II status.

Sincerely,

Col. John R. McCarnan
Police Administrator

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

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8883. ADMINISTRATION - FINANCE DIVISION REPORT: The Executive Director presented the following monthly report of the activities of the Finance Division.

June 6, 2003

Mr. James T. Johnson, Jr.
Executive Director
Delaware River & Bay Authority
P.O. Box 71
New Castle, DE 19720

Dear Mr. Johnson:

The following is a report of activities by the Finance Division for the month of May 2003 aside from normal accounting routines and procedures which take place on a daily basis.

OLD ISSUES/PROJECTS ACTIVITIES

- Monitored Authority operating revenues versus projected for Fiscal Year 2003. April monthly revenues were \$ 7,378,917 or 0.3% over projected and 3.0% over actual Fiscal Year 2002. Year to date revenues are \$24,055,404 or 24.9% of the total projected revenues for Fiscal Year 2003.
- Monitored Authority operating expenses versus budget for Fiscal Year 2003. May monthly expenditures were \$4,943,893 and 16.7% over actual Fiscal Year 2002. Second quarter to date expenditures are \$9,365,721 or 64.7% of the quarter projected and year to date expenditures are \$22,154,483 or 35.9% of the total approved operating budget.
- Work on the 2002 Annual Audit is complete. Staff worked with representatives from Bowman & Company to review draft copies of the Financial Report. Anticipate final copies for distribution of the Report on Audit of Financial Statements for the year ended December 31, 2002, the week of June 9, 2003.

NEW ISSUES/PROJECTS ACTIVITIES

- Met with members of the Audit Committee and representatives from Bowman & Company, LLC, to present the Authority’s financial results and their findings associated with the 2002 Annual Audit. Bowman & Company reviewed their comments and suggestions toward strengthening internal controls and operating efficiency with the committee.
- Attended the Government Finance Officers Association Annual Conference held May 18-21, 2003. Topics covered during the sessions included Surviving the “Hard” Insurance Market,

Making Internal Auditing Work in the Public Sector, Practical Approaches to Preparing Government Wide Financial Statements, Operational Reviews of Public Sector Agencies, Evaluating Internal Controls, Infrastructure Reporting and Alternative Payment Options. In addition, met with several vendors to discuss their services or products which would be of potential benefit to the Authority. They included Treasury Management Software, Arbitrage Rebate Services, Utility and Telecommunication Consulting, Appraisal Services, Purchase Card Services and other related financial services.

- Developed financial statements for the year ended December 31, 2002, for inclusion in the 2002 Annual Report. Working with staff and representatives from Riverfront Associates to review draft copies of the financial section of the 2002 Annual Report.
- Met with representatives from Zutz Insurance to review the first quarter performance of the Authority's insurance program. Discussions focused on issues surrounding Workers Compensation, Automobile, Commercial Package and Protection & Indemnity policies. Also reviewed the upcoming renewals for Airport Liability, Helicopter Liability and Hull & Machinery, which expire on June 30, 2003.
- Developed a detailed job description for an Electronic Toll Reciprocity Administrator. This position fills a vacancy created by the resignation of Connie Kealey, who served in that capacity since the inception of electronic tolls at the Authority. The position was posted internally and advertised in area newspapers. The Authority received over 100 responses from interested candidates. Initial interviews are scheduled to begin the week of June 9, 2003.
- Staff attended a seminar which highlighted the basics of taking physical inventories and cycle counts. Topics included Mastering the Building Blocks of an Effective Inventory System, Preparing for the Physical Inventory, Conducting an Accurate Count and Making Every Count Go Faster and Smoother.

Sincerely,

Joseph Larotonda
Controller

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

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8884. ADMINISTRATION - ENGINEERING DIVISION: The Executive Director presented the following monthly report of the activities of the Engineering Division.

June 6, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River and Bay Authority
P.O. Box 71
New Castle, Delaware 19720

Dear Mr. Johnson:

The below report summarizes activities, issues and project status significant to the Engineering Department during May 2003.

1. Cape May-Lewes Ferry (CMLF) System Activities:
 - a. M/V Delaware Emergency Repair: During the week of April 23rd, the MV Delaware

sustained damage to both propellers due to low water/shoaling conditions in the Cape May Canal. The MV Delaware went into dry-dock to repair damage in late May and was back in operation early June. Although final costs are still being tabulated, costs will be in the \$25,000 range.

b. Cape May Maintenance Dredging: The US Army Corps of Engineers began maintenance dredging of the navigation channel that services our ferry operation on May 12th. The Authority's maintenance dredging will begin after channel dredging is complete. It is estimated that our work will begin and finish in July.

2. Delaware Memorial Bridge (DMB) and Approach Roads Activities:

a. Delaware Approach Roads Improvements (Phase II): Work on this phase is approximately 56% complete. Work continues primarily with ramp reconstruction, US 13 Northbound and Southbound modifications, high mast lighting installation, and the construction of the new Bridge 12. Schedule slippage has been primarily due to weather conditions and contractor issues. Authority officials met with the President of the construction company on June 4th to discuss the project schedule and path forward. The contractor once again committed to complete the project as soon as possible, which will likely be in November.

b. Toll Canopy Signage: The installation of five (5) new variable message overhead EZPass signs for the toll plaza was completed in May. All signs were installed and operational in time for the Memorial Day weekend. Many favorable comments have been received by DRBA personnel (Police and Toll Collectors) as well as the traveling public.

3. Airport Activities:

a. T-Hangars (Delaware Airpark): On April 21st, an Authority employee discovered a broken roof truss in the T-Hangar complex. We immediately took action and shored the broken truss and safely evacuated the aircraft in that particular space. A structural assessment of the building has been completed and structural repairs/improvements are required. Bids will be received June 20th for this corrective work. Work must be completed prior to Winter.

b. Corporate Hangar Development (New Castle Airport): Work is now substantially complete for both Hangars #9 and #10. The Certificate of Occupancy for both hangars has been issued by New Castle County.

c. Corporate Hangar Development (Millville Airport): Work on Hangar #2 is now 76% complete. All steel erection, siding, roofing, and hangar floor activities are now complete. Interior "fit-out" has started. All work is scheduled to be complete by December 2003.

d. Runway 14-32 Rehabilitation (New Castle Airport): The contractor re-started construction activities on May 12th after a five month "winter shutdown." All work is planned to be complete by July 1st.

e. Aviation Fuel Contract (Cape May Airport): The bid opening for this contract was held May 29th. One fuel supplier submitted a bid which was determined to be responsive. All reference checks have proved to be very favorable. This fuel supplier will provide both Jet A and 100 low lead aviation fuel as well as providing rental aviation fuel trucks. A contract award recommendation will be made at the June Board meeting.

4. Riverfront Restaurant Development (Wilmington, DE): Construction of the tenant "fit-out" portion of the project started April 21st. The project is well underway and on schedule. All under-slab utilities and concrete floor slab are now complete. Completion is set for late October.

5. DRBA Business Centre (Carney's Point, NJ): A project kick-off meeting occurred June 6th with North American Energy Services (NAES) regarding the 5000 SF tenant "fit-out" work in our new office building. NAES will be the Authority's first tenant in the recently finished facility. Design is now underway and construction is planned to begin in early July. NAES wants to begin moving into their new space by September 1st.

Very Respectfully,

John R. Jones, P.E.
Director of Engineering

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

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8885. ADMINISTRATION - PERSONNEL REPORT: The Executive Director presented the following monthly report on the activities of the Personnel Division.

June 5, 2003

Mr. James T. Johnson, Jr., P.E.
Executive Director
Delaware River and Bay Authority
P.O. Box 71
New Castle, DE 19720

Dear Mr. Johnson:

The following is a report of major activities of Human Resources for May 2003, aside from the routine daily operations.

- **Recruitment/Job Postings**

Airports Division - Internal and external recruitment efforts began during the month for a part-time *Administrative Assistant* in the Airports Administrative offices. Five (5) candidates are scheduled for interviews on June 6, 2003.

Authority Administration - The selection process continues for *Equal Employment Opportunity & Recruitment Manager*. Eleven (11) candidates were interviewed during the last week of May. A short-list of four (4) candidates are scheduled for final interviews on June 6, 2003.

Internal and external recruitment efforts began in May for *Electronic Toll Reciprocity Administrator* in the Controller's Office. More than ninety resumes were received in response to this job opportunity. After evaluating resumes, ten (10) qualified candidates have been selected to be interviewed. Interviews are scheduled for the week of June 9, 2003.

Cape May-Lewes Ferry - John "Al" Daisey (permanent part-time 3rd Assistant Engineer) was named permanent full-time 3rd Assistant Engineer effective May 18, 2003.

The selection process for the permanent part-time *Ordinary Seaman/LB* vacancies in Cape May is underway. A written test was administered on May 28. Six (6) internal candidates will be interviewed during the week of June 9, 2003.

- **Education & Training** - Orientation training continues at the bridge and ferry locations. To-date, approximately 300 new and returning seasonal employees have attended these sessions.

During May, several members of the Automotive Department graduated from Delaware Technical & Community College with an Associates in Applied Science (A.A.S) Degree in Automotive Technology. Congratulations to Rocky Costa, Wayne Hearn, Frank Maykut, Mike Romano, Bob Arnold, John Kropilak, Steve Hartel and Jim Watson.

- **Benefits** - Retirement Incentive Window - The Human Resources Department continued with due diligence as related to the Retirement Incentive Window (RIW). An announcement

letter was mailed to all employees on May 15. A general information newsletter was mailed to eligible employees on May 30. Review and final approval of personalized statements, election forms and related documents was completed. A schedule has been developed for small group and individual meetings of eligible participants, slated to begin in mid-June.

Open Enrollment Period - The annual Benefits Open Enrollment Period was announced to all employees. This reopening period allows employees to evaluate and consider their benefit programs and make adjustments accordingly. The open enrollment will be in progress from June 1 through June 15, with an effective date of July 1, 2003 for any benefit changes.

- **Retirement** - Howard Riley, Maintenance Specialist (DMB), retired from the Authority on May 31, 2003.
- **Resignation** - Connie Kealey, Accounting Clerk II (Controller's Office), resigned her employment with the Authority effective May 30, 2003.

Respectfully submitted,

Linda H. Murphy
Director of Human Resources

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DELAWARE RIVER AND BAY AUTHORITY
PERSONNEL STATUS
AS OF JUNE 6, 2003

<u>PERMANENT FULL-TIME PERSONNEL</u>	<u>AUTHORIZED POSITIONS</u>	<u>FILLED POSITIONS</u>
Authority Administration	67	61
Delaware Memorial Bridge	155	150
Cape May-Lewes Ferry	158	152
Food Service/Retail	25	23
Authority Police	75	75
Airports Division	42	41
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TOTAL	522	502
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<u>PERMANENT PART-TIME PERSONNEL</u>	<u>AUTHORIZED POSITIONS</u>	<u>FILLED POSITIONS</u>
Delaware Memorial Bridge	6	6
Cape May-Lewes Ferry	10	6
Food Service/Retail	13	11
Authority Police	1	1

Airports Division	<u>2</u>	<u>1</u>
TOTAL	<u>32</u>	<u>25</u>

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

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8887. AIRPORTS DIVISION REPORT: The Executive Director presented the following Airports Division Report.

June 6, 2003

Mr. James T. Johnson, Jr. Executive Director
Delaware River & Bay Authority
P.O. Box 71
New Castle, DE 19720

Dear Mr. Johnson:

A brief summary of Airports Division May events follows:

New Castle Airport (NCA): Taxiway "A" has been re-opened to aircraft traffic following successful coordination with the tower controllers and local tenants. Portions of the Taxiway had been closed for approximately 3 years due to ongoing tower and hangar construction in the airport mid-field area. The airport manager met with FAA Safety and Standards Branch officials, DRBA engineering staff and E&K Consultants to review the airport's signage plans. The FAA found the plans meet airport guidelines and requested minor changes. An airport noise contour map was sent to Environmental Testing, Inc. in reference to a contract proposal with the Housing and Urban Development Agency. Airport Operations staff met with Engineering and contractor personnel early in May to coordinate plans to restart the FAA funded repaving of Runway 14/32. This important safety project is scheduled to be completed later this summer.

Millville Airport (MIV): Tom Ecker, Millville/Cape May Airport Operations Manager assisted by DRBA Operations and Maintenance personnel from Millville and Cape May Airports played the key supporting role in the most successful aviation event ever to take place in Southern New Jersey. Despite difficult weather conditions, it was estimated that over 90,000 people from all over the United States attended the Millville Air Show on May 17th and 18th. The show, which took place on airport grounds, set a record for event attendance at a DRBA operated facility. Two internationally known flight demonstration teams, the US Navy "Blue Angels" and the Canadian Forces "Snowbirds" plus nearly fifty other military and vintage aircraft performed at Millville. The 2 day event was observed by on-site FAA and New Jersey DOT aviation inspectors to ensure that crowd and flight safety regulations were strictly followed.

Cape May Airport (CMA): Cape May Operations and Maintenance personnel conducted quarterly hangar safety inspections in early May. Airport maintenance continued mowing and clean-up duties. An airfield painting crew from New Castle airport re-stripped worn markings on taxiways and runways

Dover AFB Civil Air Terminal (CAT) - Delaware Air Park (DAP): Airport Operations Manager Ben Clendaniel, two seasonal workers and 6 DRBA New Castle Airport Operations and Maintenance employees coordinated the arrival and departure of over 120 aircraft using the Civil Air Terminal and Delaware Airpark for the NASCAR Races at Dover Downs Speedway on May 30th, 31st and June 1st. The DAP hosted over 30 business aircraft on race weekend including two small passenger jets. DRBA airport personnel provided direct support to crew and passengers each day beginning at 6 AM and ending at 10 PM. The two NASCAR races which take place annually in June and September are the largest public events in Delaware. On Tuesday May 27, DelDOT Secretary Nathan Hayward

visited the airport and was briefed by the Executive Director and DRBA staff on the status of the Airport Master Plan and Environmental Assessment. Earlier in the month, DelDot and airport consultant, Randal Weideman and Associates, hosted a public workshop on Monday, May 12, to solicit public input and provide information on the environmental assessment being undertaken as a part of the Airport Master Plan process. Nearly 40 local citizens attended the 3 hour workshop.

Sincerely,

Rocco Tomanelli
Director of Airport Operations

Without objection, the Airports Division Report was ordered filed with the permanent records of the Authority.

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8888. COMMITTEE REPORT - BUDGET & FINANCE: Commissioner Hensley presented the following minutes of the Budget & Finance Committee Meetings held on May 20, 2003, and June 3, 2003:

May 20, 2003:

- I The Deputy Director reviewed the historical process of formulating the Authority's Community Contributions's Policy and reviewed Resolution 03-21 Authorizing Community Contributions in the amount of \$91,300 for the months of March through June 2003. The Committee asked several questions and staff answered to the Committee's satisfaction; however, Commissioner Hensley recommended that staff revise the cover sheet to include a running total, by state, of the approved contributions to date. Resolution 03-21 will be presented for full Board consideration in the Authority's Public Session.
- II The Deputy Director updated the Committee on the recent Request for Proposal for Real Estate Marketing/Brokerage Services and Property Management. The Authority received fifteen proposals which were reviewed, ranked, and short-listed by a panel of four Authority staff members. The panel then interviewed and ranked the short-listed finalists. Cushman & Wakefield, a national firm, was the top ranked firm. The Terms and Conditions of the proposed contract were discussed and staff answered to the Committee's satisfaction. A Resolution authorizing the Executive Director to negotiate the terms and conditions of a contract with Cushman and Wakefield will be presented for full Board consideration in the Authority's Public Session.
- III The Deputy Director reported that negotiations are continuing with a potential tenant to lease 6000 square feet in the Authority's building in the Corporate Commons. The negotiations should be completed within the next ten days and a Resolution authorizing the lease agreement will be presented for Board consideration at the June Authority meeting.
- IV The Deputy Director reviewed three License Agreements for the use of Authority facilities. The Agreements have been reviewed by the Authority's New Jersey and Delaware Legal Counsel and will formalize expectations of both the Authority and the organizations.
- V The Chief Financial Officer presented a draft of written text to be included in the Authority's 2002 Annual Report to clarify the financial information provided by the Authority's outside Auditors. This summarization should simplify, for the average citizen who receives the Authority's Annual Report, a graphical, as well as written, summary of what revenue was received and what expenses were paid. It was further reported that because of the Authority's 1993 Trust Indenture, the Authority did not depreciate assets; however, for the Authority's 2003 Annual Report, the Authority will be GAAP compliant, and will begin to depreciate

Authority assets, resulting in approximately \$15-\$20M in depreciation currently not included in the Financial Statements.

- VI The Chief Financial Officer updated the Committee on the one day Audit Committee Training conducted in April by the American Institute of Internal Auditors. This seminar was provided to assist the Audit Committee, interested Commissioners, senior staff, and selected staff from the Finance Department in identifying their individual roles and responsibilities. Commissioner Koebig recommended ordering one of the books for all of the Commissioners. It was further reported that the Authority's Controller and Budget Director were currently attending a GFOA Conference to continue to keep up to date on the latest finance and budget practices.

There being no further business, the Budget and Finance Committee was adjourned at 9:10 a.m.

June 3, 2003:

- I Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:05 a.m.
- II Deputy Director reviewed the Community Contributions requested for the month of June. After review, the Committee approved requests from Delaware totaling \$31,500 and requests from New Jersey totaling \$26,570. The Committee delayed decisions on the remaining requests pending further review by the Board.

Committee Chair Patterson suggested in the future, that the Authority Chair and Vice-Chair review each state's requests with their respective Commissioners, prior to the Budget & Finance Committee meeting. The Authority Chair should recommend the approved contributions requested from Delaware and the Vice-Chair should recommend the approved contributions from New Jersey in order to facilitate the approval process during the Committee meeting. Staff was also requested to provide a more detailed breakdown of approved Contributions by each state and individual Commissioner. The Committee concurred with the suggestions.

A Resolution authorizing the approved contributions will be presented for full Board consideration at the Authority's July meeting.

- III The CFO reported that Financial Information packets, including the Authority's 5 Year Plan of Finance, had been prepared as an orientation briefing for the newly appointed Commissioners and would be available to any interested Commissioners at their request.

The CFO reviewed the preliminary structure of a prospective Delaware State University (DSU) transaction. It was reported that the original request from DSU was for the Authority to develop a hangar facility with classroom training space at the Delaware Air Park, at an approximate cost to the Authority of \$2M and to be leased back to DSU. The Committee discussed and debated the possible structure of this project and any possible conflicts to the Authority's Economic Development Policy. The Committee recommended that this project move forward, subject to approval by the Delaware Legislature and review by the Authority's Legal Counsel. It was further reported that Authority Chair Parkowski would recuse himself from any decision pertaining to this transaction, as he is a member of Delaware State University's Board of Trustees.

- IV The CFO reported that he and the Authority's Controller have been meeting with the Authority's insurance broker on a quarterly basis to discuss and review the Authority's insurance policies. Staff is anticipating a significant increase in insurance costs for the 2004 Budget Process. Commissioner Pessagno suggested that the Committee may want to consider larger deductibles and to consider becoming more self-insured. Staff will present options for the Committee's consideration prior to the FY 04 budget process.

- V The CFO reported that the Authority's Controller and Budget Director recently attended a Government Finance Officers' Association conference and presented their travel report as required under the Authority's Travel and Meeting Policy.
- VI The Deputy Director presented the following miscellaneous real estate matters.

Property Sale:

- Hercules Hangar - It was reported that an RFP for the sale of a hangar previously purchased from Hercules and located at the New Castle Airport, would be prepared and advertised in the local newspapers as well as placed on the Authority's web site. Staff reported that in order for the Authority to lease this facility approximately \$500K of Authority funds would be needed to bring the building up to code. The Committee discussed the RFP and the possibility of structuring the transaction as a standard real estate sale rather than an RFP. After discussion, the Committee recommended that staff advertise an Invitation to Bid rather than a Request for Proposals for the sale of the hangar.

Lease Agreements:

- Negotiations for two Lease Agreements at the Cape May Airport are nearing completion and are being reviewed by Authority legal counsel. Resolutions authorizing both Lease Agreements may be presented for full Board consideration at the June Authority meeting.
- Animal Outreach - Staff reviewed a request from an organization to lease approximately 2 acres located in a wooded area of Cape May Airport Industrial Park. The Committee discussed the possible terms and conditions of the lease agreement and provided the necessary guidance to staff.
- Salem Business Center - It was reported that lease negotiations are continuing, but nearing completion on the lease of approximately 6000 square feet. A Resolution authorizing the Lease Agreement will be presented at the June Authority meeting.
- DEMA Building - Negotiations for the possible lease at 12 Penns Way in the Corporate Commons have stalled due to additional parking spaces required at that location. Staff is waiting for an appraisal on an additional parcel to possibly be used as parking. Staff will update the Committee as necessary.

There being no further business, the Budget and Finance Committee was adjourned at 10:20 a.m.

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8889. COMMITTEE REPORT - PERSONNEL & INSURANCE:

Commissioner Pessagno presented the following minutes of the Personnel & Insurance Committee Meeting held on June 3, 2003:

1. Chairperson Pessagno welcomed the Personnel and Insurance Committee and staff, and opened the meeting at 10:25 a.m.
2. Executive Director Johnson reviewed a proposal to allow certain lump sum payments made to a select group of employees in 2001 and 2002 to be included for the purpose of calculating pension. The Committee reviewed the proposal, and will make a recommendation to the full Board at the June meeting. The proposal, if approved, will require an amendment to the Pension Plan. A Resolution authorizing this amendment will be presented for full Board consideration.

There being no further business before the Committee, the meeting was adjourned at approximately 11:05 a.m.

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8890. COMMITTEE REPORT - PROJECTS: Commissioner Koebig presented the following minutes of the Projects Committee Meeting held on June 3, 2003:

I The Projects Committee meeting convened at approximately 11:20 a.m.. The Director of Engineering provided those in attendance with an information package consisting primarily of an agenda, a bid tab, project-related information, and the monthly contractor payment chart.

II Contract Award Actions:

- Aviation Fuel Contract (Cape May Airport): John Jones reported that this contract is for the supply of 100 low lead and Jet A Aviation Fuel to be sold at Cape May Airport. The bid opening occurred on May 29th. One firm submitted a bid (Ascent Technologies Group, Inc.). The bid has been determined to be responsive and all reference checks have proved very favorable. Rocco Tomanelli and Jim Walls indicated that the business plan for the fuel operation would prove beneficial to the Authority. The Projects Committee supports the initiative and directed that a contract award recommendation be presented at the June Commission meeting.

III Miscellaneous On-going Actions:

- Freeman Highway (Lewes) Access Request: John Jones briefed the Projects Committee regarding a request made to the Authority by a private entity to dedicate Authority land to the City of Lewes for the purpose of creating a public road that would have access to Monroe Avenue Extended/Freeman Highway. If granted, this public road would service a planned residential development as well as possible future businesses. John Jones reported that Authority officials would be meeting with the requestor on June 6th to discuss options. A full report and recommendation will be provided to the Projects Committee in July.
- T-Hangar Repair (Delaware Airpark): John Jones reported that on April 21st, an Authority employee discovered a broken roof truss in the T-Hangar complex. A structural assessment of the building has been completed and structural repairs/improvements are required to all roof trusses and purlins. Bids will be received June 20th for this corrective work. It is estimated that the repair/improvements would cost less than \$50,000. Work must be completed prior to Winter weather. The plan is to solicit a minimum of three bids and make a contract award recommendation in July.
- Emergency Repair (MV Delaware): John Jones reported that during the week of April 23rd, the MV Delaware sustained damage to both propellers due to low water/shoaling conditions in the Cape May Canal. The MV Delaware went into dry-dock to repair damage in late May and will be back in operation June 4th. Although final costs are still being tabulated, costs will be approximately \$23,500.
- Maintenance Dredging (Cape May Terminal): John Jones reported that the US Army Corps of Engineers began maintenance dredging of the navigation channel that services our ferry operation on May 12th. The Authority's maintenance dredging will begin after channel dredging is complete. It is estimated that our work will begin and finish in July.

- DRBA Business Centre (Carney's Point, NJ): A project kick-off meeting occurred June 6th with North American Energy Services (NAES) regarding the 5000 SF tenant "fit-out" work in our new office building. NAES will be the Authority's first tenant in the recently finished facility. Tenant "Fit-Out" design is now underway and construction is planned to begin in early July. NAES wants to begin moving into their new leased space by September 1st. The estimated cost for this project is \$160,000.
- Delaware Memorial Bridge (DMB) Deck Resurfacing: John Jones reported that the solicitation process for Contract No. DMB-02-02, annual DMB deck resurfacing is underway. The bid opening is set for June 25th. This work primarily consists of repairing concrete road deck with Latex-Modified Concrete on the 1st structure. The plan is to make a contract award recommendation at the July Board meeting.
- DMB Toll Booth Canopy Fire Suppression System: John Jones reported that the solicitation process for Contract No. DMB-01-05, DMB Toll Booth Canopy Fire Suppression System is underway. The bid opening is set for June 24th. This work includes the installation of a complete Toll Plaza fire suppression system (water and foam). The plan is to make a contract award recommendation at the July Board meeting.
- Toll Canopy Signage: John Jones reported that the installation of five (5) new variable message overhead EZPass signs for the toll plaza was completed in May. All signs were installed and operational in time for the Memorial Day weekend. Many favorable comments have been received by DRBA personnel (Police and Toll Collectors) as well as the traveling public.
- Riverfront Restaurant Development (Wilmington, DE): It was reported that the construction of the tenant "fit-out" portion of the project is on schedule. All under-slab utilities and concrete floor slab are now complete. Completion is set for late October.
- Corporate Hangar Development (Millville Airport): Work on Hangar #2 is now 76% complete. All steel erection, siding, roofing, and hangar floor activities are now complete. Interior "fit-out" has started. All work is scheduled to be complete by December 2003.
- Corporate Hangar Development (New Castle Airport): Work is now substantially complete for both Hangars #9 and #10. The Certificate of Occupancy for both hangars has been issued by New Castle County. The Airports Director reported that a tenant has been identified for Hangar #10.

IV Contractor Payment Review (thru May): The Director of Engineering provided the Committee with a May summation of payments that will be paid towards active construction contracts in June.

There being no further business for the Projects Committee, the meeting was adjourned at approximately 12:30 p.m.. The next Projects Committee meeting is set for July 1st.

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8891. DELAWARE RIVER AND BAY AUTHORITY - TRAFFIC AND REVENUE SUMMARY: 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.

Without objections, the chart were ordered filed with the permanent records of the Authority.

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8892. DELAWARE RIVER AND BAY AUTHORITY - STATEMENT OF INCOME AND EXPENSE: The Executive Director presented a chart showing a statement of income and expenses with comparisons to the same period last year.

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

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8893. DELAWARE RIVER AND BAY AUTHORITY - OPERATING EXPENSE BY DIVISION: The Executive Director presented a chart expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

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

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8894. DELAWARE RIVER AND BAY AUTHORITY - CAPITAL IMPROVEMENT PROGRAM: The Executive Director presented a chart showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also includes cash expenditures spent to date for the committed projects.

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

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8895. DELAWARE RIVER AND BAY AUTHORITY - CASH POSITION (MARKET VALUE) AS OF JANUARY 31, 2003: The Executive Director 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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8896. APPROVAL OF AWARD OF CONTRACT NO. CMA-03-01, SUPPLY OF AVIATION FUEL, CAPE MAY AIRPORT: The Executive Director reported that bids for Contract No. CMA-03-01, Supply of Aviation Fuel, Cape May Airport, were opened on May 29, 2003. The Chairman of the Projects Committee reported that the low bid of \$86,527.60 was submitted by Ascent Technologies Group, Inc. of Parish, New York.

The Executive Director recommended that the award of the contract be made to the low bidder noted above.

On motion by Commissioner Koebig, seconded by Commissioner Patterson, the recommendation of the Executive Director was unanimously approved by a vote of 12-0.

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8897. THE EXECUTIVE DIRECTOR PRESENTED THE FOLLOWING RESOLUTIONS:

RESOLUTION 03-26 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 State 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 request; and

WHEREAS; the Budget and Finance Committee met and approved Community Contribution requests for the months of June and July 2003; and

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

Community Contributions

New Jersey

Atlantic Community College	\$ 2,895
Boys and Girls Clubs of Glassboro	\$ 5,000
Bridgeton-Cumberland Tourist Association	\$ 5,000
Friends of Cape May Jazz	\$ 6,000
Ronald McDonald House of Southern New Jersey	\$ 2,500
Salem Community College Foundation	\$ 2,000
The Wetland Institute	\$ 3,175
Total	\$ 26,570

Delaware

AFL-CIO Community Services of Delaware	\$ 3,600
BayHealth Foundation	\$ 3,500
Beebe Medical Foundation	\$10,000
Boy Scouts of America Del-Mar-Va	\$ 1,000
Children's Beach House	\$15,000
Delaware Building Trades	\$ 400
Kent County Tourism Corporation	\$ 1,000
Kent Sussex Industries	\$ 2,500
Latin American Community Center	\$ 2,500
Metropolitan Wilmington Urban League	\$ 5,000
Ronald McDonald House of Delaware	\$ 2,000
Seamen's Center of Wilmington	\$ 2,000
Stop the Violence Coalition	\$ 500
Total	\$ 49,000

Grand Total (New Jersey and Delaware) \$ 75,570

Resolution 03-26 was moved by Commissioner Pessagno, seconded by Commissioner McWilliams, and was approved by a roll call vote of 12-0

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RESOLUTION 03-27- AUTHORIZES A CONTRACT BETWEEN THE AUTHORITY AND NORTH AMERICAN ENERGY SERVICES.

WHEREAS, The Delaware and River Bay Authority (the "Authority"), desires to lease office space at the Salem Business Center located in Carney's Point, New Jersey; and

WHEREAS, North American Energy Services, headquartered in Issaquah, Washington, either directly or through a subsidiary company is interested in renting approximately

5,000 square feet for office space at the Salem Business Center located in Carney's Point, New Jersey; and

WHEREAS, the Authority has established a fair market rent and has initiated the negotiation of the terms of a lease between the Authority and North American Energy Services Company; 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 containing appropriate guarantees or assurances of payment of the lease obligations between the Authority and the North American Energy Services, Inc. or its assignee/subsidiary for the rental of approximately 5,000 square feet of office space in the Salem Business Center Office building, for an annual rental of no less than \$92,500 and, with the advice and consent of Counsel, have such lease executed by the Chairman, Vice Chairman and the Executive Director.

Resolution 03-27 was moved by Commissioner Koebig, seconded by Commissioner Dorn, and was approved by a roll call vote of 12-0.

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RESOLUTION 03-28 - AUTHORIZES A CONTRACT BETWEEN THE AUTHORITY AND ANIMAL OUTREACH.

WHEREAS, Animal Outreach, a non profit corporation, is interested in constructing and operating an animal shelter and outreach office to assist abandoned and/or abused animals in the Lower Township, Cape May County area; and

WHEREAS, The Delaware and River Bay Authority (the "Authority"), hereinafter referred to as the Authority, desires to lease two acres of land at the Cape May Airport, Lower Township, New Jersey to Animal Outreach; and

WHEREAS, the Authority has identified an area along or in the vicinity of West Road at the Cape May Airport that would be suitable for the proposed Animal Outreach facility and would not restrict/obstruct/inhibit the orderly operation or development of the Airport

WHEREAS, the Budget and Finance Committee has recommended leasing two acres to Animal Outreach for \$300.00 per month; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director, or his designee is hereby authorized to negotiate the terms and conditions of a land lease of two acres of vacant land at the Cape May Airport between the Authority and Animal Outreach of Cape May County, and with the advice and consent of Counsel, have such contract executed by the Chairman, Vice Chairman and the Executive Director.

Resolution 03-28 was moved by Commissioner Koebig, seconded by Commissioner McWilliams, and was approved by a roll call vote of 12-0.

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RESOLUTION 03-29 - AUTHORIZES THE SIXTH AMENDMENT TO THE RESTATED DELAWARE RIVER AND BAY AUTHORITY EMPLOYEES' RETIREMENT PLAN.

WHEREAS, The Delaware River and Bay Authority (the "Authority") desires to amend The Delaware River and Bay Authority Employees' Retirement Plan (the "Plan") by amending the definition of "Compensation" under the Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Plan is hereby amended effective July 1, 2003, as follows:

FIRST: Section 1.12 of the Plan is amended by adding the following to the end thereof:

“Effective July 1, 2003, Compensation shall not include any amount in excess of the base pay amount described on the most recently adopted compensation plan adopted by the Employer applicable to such Participant.”

BE IT FURTHER RESOLVED, the Plan Administrator be, and hereby is, directed to attach a copy of the most recently adopted Compensation Plan to The Delaware River and Bay Authority Employees’ Retirement Plan.

Resolution 03-29 was moved by Commissioner Pessagno, seconded by Commissioner Koebig, and was approved by a roll call vote of 12-0.

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RESOLUTION 03-30 - AUTHORIZES THE FOURTH AMENDMENT TO THE RESTATED DELAWARE RIVER AND BAY AUTHORITY EMPLOYEES’ DEFINED CONTRIBUTION PLAN.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) desires to amend The Delaware River and Bay Authority Employees’ Defined Contribution Plan (the “Plan”) by amending the definition of “Compensation” under the Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Plan is hereby amended effective July 1, 2003, as follows:

FIRST: Section 1.10 of the Plan is amended by adding the following to the end thereof:

“Effective July 1, 2003, Compensation shall not include any amount in excess of the base pay amount described on the most recently adopted compensation plan adopted by the Employer applicable to such Participant.”

BE IT FURTHER RESOLVED, the Plan Administrator be, and hereby is, directed to attach a copy of the most recently adopted Compensation Plan to The Delaware River and Bay Authority Employees’ Defined Contribution Plan.

Resolution 03-30 was moved by Commissioner Cooper, seconded by Commissioner McWilliams, and was approved by a roll call vote of 12-0.

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8898. COMMISSIONERS PUBLIC FORUM: Chairman Parkowski questioned whether any member of the public requested to address the Commission.

Local 542 Union Representative, Frank Bankard, requested an expeditious review and response to Local 542’s request to the Authority to be recognized as the bargaining unit for some of the Authority’s employees. Mr. Bankard asked the Chairman for a Board of Commissioners vote on the matter at today’s meeting. Chairman Parkowski told Mr. Bankard that the Board needed additional time to review the issues.

Local 254 Union Representative , Vincent Ascione, Jr., also requested that the Board recognize Local 254.

Albert Jackson addressed the Board regarding a number of his concerns about the policies of the Authority including: (1) litigation, and (2) hiring practices at the Cape May-Lewes Ferry.

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8899. COMMISSIONERS COMMENTS: Commissioner Fralinger read his letter of resignation to Governor McGreevey. Commissioner Fralinger's resignation is effective on June 30, 2003.

Commissioners Parkowski, Wallace, Pessagno, Dorn, Koebig, McWilliams, Lathem, and Patterson, thanked Commissioner Fralinger for his leadership, dedication, and friendship during his years of service on the Board.

Chairman Parkowski announced he would be interviewed on WHYY public TV.

There being no further business before the Commission, the meeting was adjourned at 12:08 p.m.

The next meeting was set by unanimous consent for Tuesday, July 15, 2003, at the Authority Administration Building, New Castle, Delaware.

Respectfully submitted,
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok
Secretary