

MINUTES OF MEETING  
THE DELAWARE RIVER AND BAY AUTHORITY  
Tuesday, October 20, 2009  
James Julian Boardroom  
Delaware Memorial Bridge Plaza  
New Castle, Delaware 19720

The meeting convened at 10:00 a.m. with Chairperson Hogan presiding.

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

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

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

PRESENT

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

ABSENT

Susan A. DeLanzo

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10049. APPROVAL OF THE JULY 21 AND SEPTEMBER 15, 2009  
REGULAR MEETING MINUTES

Commissioner Smith requested that the records of the Authority properly reflect and clarify her vote on Resolution 09-52 as a no vote.

A motion was made by Commissioner Lathem to approve the minutes of July 21 and the September 15, 2009 minutes with Commissioner Smiths vote change on Resolution 09-52. The motion was seconded by Commissioner Murphy and unanimously approved by a voice vote of 11-0.

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10050. EXECUTIVE DIRECTOR'S REPORT

The Executive Director presented the following highlights that occurred within the Authority during September, 2009.

***Delaware Memorial Bridge***

In September, total traffic increased 5.7%, non-commercial traffic increased 7.7%, and commercial traffic decreased 5.7%, compared to September 2008. When compared to the 3-year average, total September traffic increased 1.4%. Year-to-date total traffic increased 1.9%, non-commercial traffic increased 3.6%, and commercial traffic decreased 9.1%, compared to the previous year. When compared to the 3-year average, year-to-date total traffic decreased 1.2%.

E-ZPass traffic for September represented 60.2% of the total overall traffic as compared to 59.9% for the previous year. Year-to-date total electronic traffic represented 59.6%, an increase of 0.5% from 2008.

Deck resurfacing on the Delaware Memorial Bridge began in September and will carry on throughout the fall. Most of the work will be focused on the 1<sup>st</sup> span (I-295 NB); however, some work is required on the 2<sup>nd</sup> span. Lane closures are necessary to accomplish this work as 2 of the 4 lanes will be closed from Sunday night around 10:00 pm through Friday at noon. All lanes will be open for weekends and holidays.

Authority Police stopped a vehicle on I-295 southbound at Route 9 for a traffic violation. During a consent search of the vehicle, a loaded .45 caliber semi-auto handgun was located under the driver's seat. New Castle County Police Department K9 responded and conducted a search of the vehicle for narcotics. The K9 responded positively to the vehicle and during a subsequent search approximately 20 grams of suspected cocaine was located in the vehicle, along with various drug distribution paraphernalia. Both occupants of the vehicle were arrested and charged with numerous offenses, arraigned and committed in default of bail.

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

In September, vehicle traffic increased 6.1%, passenger traffic increased 9.0%, and fare revenues increased 17.6%, compared to September 2008. Year-to-date vehicle traffic decreased 6.9%, passenger traffic decreased 7.6%, and fare revenues increased 1.6%, compared to the same period last year. Compared to the 3-year average, year-to-date vehicle traffic decreased 11.2%, passenger traffic decreased 11.7%, and fare revenues increased 4.8%.

In September, CMLF food and beverage revenues increased 21.1% and retail revenues increased 24.0%, compared to September 2008. Year-to-date food and beverage revenues decreased 6.0% and retail revenues decreased 14.3%. When compared to the 3-year average, year-to-date food revenues decreased 10.0% and retail revenues decreased 20.2%.

The 13-Millionth CMLF vehicle was transported across Delaware Bay on Tuesday, September 15<sup>th</sup> on the 4:30 pm sailing from Cape May. Dr. Carole Jones, a veterinarian from Ridgewood, New Jersey traveling with her two golden retrievers, Barnabas and Shirley headed for vacation in Dewey Beach, Delaware. Additionally, thousands of motorcycles travelled on the Ferry to participate in rally weekends in Wildwood, NJ and Ocean City, MD during the month. And back by popular demand, September was Wine Lovers' Cruise month as guests enjoyed food and a varietal wine sampling while watching a beautiful sunset.

#### ***Airports***

The fall NASCAR race at Dover International raceway came roaring back as the Civil Air Terminal received 106 arrivals. Our aircraft ground-handler Atlantic Aviation pumped 22,275 gallons of Jet-A fuel. Delaware Airpark Airport also hosted 20 fan and team aircraft throughout the weekend.

The Naval Air Station (NAS) Wildwood Museum and Cape May Airport hosted the "Wings of Freedom" Tour over Labor Day weekend. The tour consisted of several vintage aircraft - B-17, a B-24, and a P-51 Mustang.

#### ***Economic Development***

Frank Minor and his staff hosted a meeting with Federal, State and local economic development coordinators to discuss economic development opportunities on a regional basis. The purpose of these meetings is to facilitate discussion amongst organizations and provide lead generation.

Meetings were held with Mayor Shannon, Deputy Mayor Derella, other Millville City officials and the Millville Economic Development Director to discuss business opportunities at the Millville Airport. This was the second in a series of meetings to discuss potential opportunities.

Frank Minor and his staff met with Salem County officials, Salem County Chamber of Commerce President, and Commissioner's Dorn and Smith to discuss the counties tourism strategy and Fort Mott. The meeting included a tour of the facilities.

**Employee Happenings**

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

|                                 |     |
|---------------------------------|-----|
| Authorized Positions            | 442 |
| Positions Filled                | 400 |
| Positions Filled (on LTD)       | 4   |
| Total Positions that are Vacant | 38  |

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

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10051.            COMMITTEE REPORT – BUDGET & FINANCE COMMITTEE

Commissioner Van Sant presented the following Budget & Finance Committee meeting minutes of October 5, 2009.

**BUDGET & FINANCE COMMITTEE MEETING**  
**Monday, October 5, 2009**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Budget & Finance Committee Meeting was held on Monday, October 5, 2009, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey

Commissioners from Delaware

**PRESENT**

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

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

Governors Representatives

Sonia Frontera – NJ

Legal Counsel

Phil Norcross – NJ

Mike Houghton - DE

Staff

- Jim Johnson
- Frank Minor
- Victor Ferzetti
- Jim Walls
- Gerry Owens
- Anna Marie Gonnella Rosato
- Ken Hynson
- Joe Larotonda

1. Committee Chair Van Sant opened the Budget & Finance Committee meeting at approximately 9:37 a.m. The Authority Secretary reported that the public meeting of the Budget & Finance Committee had been duly noticed in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll.

2. Proposed Resolutions

- Community Contribution Requests – The Committee reviewed the Community Contribution requests for October. Committee Vice-Chair Traynor made a motion to approve October’s requests, seconded by Commissioner Murphy. Ken Hynson reminded the Committee



if the issue is still unresolved by the end of the year, it will have to be encumbered for 2009.

- Community Donations  
The allocation for Community Donations has been reduced by 20% for the last three years, but will await direction from the Board.
- Advertising & Marketing      64.28% Increase  
The request will be reviewed with the Deputy Executive Director and Public Information Officer.
- Group Medical Coverage      -2.35%  
There has been a reduction in costs from Blue Cross/Blue Shield but staff has not received a quote from Horizon. Staff is also investigating a migration of the Horizon employees to a BCBS PPO which could result in potential cost savings. Staff will update after receiving information from Horizon.
- Defined Benefit Plan            -11.38%  
OPEB Benefits                    106.14%  
The CFO presented a series of four Options identifying the costs associated with some potential considerations to the Defined Benefit and OPEB Trust. The Actuarial Method, Investment Return, Healthcare Inflation Assumption and Amortization Period for the Unfunded Liability were reviewed for both the Defined Benefit and OPEB. The CFO suggested that since both of the funds are for post-retirement benefits, staff evaluated the implications associated with mirroring plan methodologies and assumptions.

Actuarial Cost Method - the CFO reviewed the difference between the Aggregate Cost Method used on the Pension and the Entry Age Method on the OPEB Trust. He noted that GASB now requires new plans to use the Entry Age Method due to its more conservative recognition of future COLA adjustments to salary. In addition, the CFO informed the Committee that staying with the Aggregate Method would result in a \$700,000 increase in expense.

Amortization Period - a 30 year amortization is currently used on the unfunded OPEB liability and is most commonly used by most plans, however, the CFO expressed apprehension about going from the current 10-year amortization on the pension to a 30-year, spreading the cost to future generations while lowering current costs. Staff will investigate a 20-year amortization period and report back on the cost implication.

New Healthcare Inflation Trend - the Committee discussed the New Trend recommendation for Healthcare Inflation Assumption which results in a more gradual reduction in future healthcare costs resulting in higher anticipated expenses. Options were shown reflecting a 50% phase-in of the costs with the remaining 50% to occur as part of the next valuation in two years or a 100% New Trend. The CFO informed the Committee that not recognizing these new trends would result in the inclusion of a note in the Authority financials stating the Actuary made recommendations that the Authority elected not to recognize. Commissioner Murphy questioned if the New Trend in growth will likely require additional change in the future and surprise over the recommendation to implement 100% of the New Trend. The CFO suggested that while Trends could change, he recommended that we implement the best practices known and adjust accordingly if needed. Also, he believed it best to absorb as much expense as possible in a year where we have some other diminishing costs.

Investment Return Assumption - although the Actuary has suggested that the Authority is within an acceptable band of 7 to 8% assumption, the current 8% return on equity and fixed (5%) return assumptions have not been met over a lengthy period of time. The CFO reviewed the cost implication moving to a more conservative 7.5% equity and 4.5% fixed rate assumption.

Authority Chair Hogan added that there currently is a demographic at the Authority of employees soon to be eligible for retirement. The Executive Director added that all conversations regarding eligibility have included age 55 and 10 years of service. The CFO suggested there were options to offset OPEB liabilities such as a tiered cost sharing

based on service time. Commissioner Murphy added that most private sector employers have discontinued healthcare benefits for retirees, although not suggesting this was right for the Authority. The committee requested that the CFO present, at the next meeting, options to help manage post-retirement healthcare expenses.

The CFO reminded the committee that the pension plan lost a substantial amount last year, although not unlike many other plans. He noted that the pension plan was 91% funded last year and will be in the 72-75% range. Chairman Hogan asked if these recommendations were to build back the lost returns and will there be a request to add more cash funding toward the plan. The CFO stated that the considerations presented were not designed to manage the expenses but to look at the pension and OPEB comprehensively instead of individually. Concerning cash contributions, the markets have improved some in 2009 and the impacts will be smoothed over time. He reminded that pension plans are designed to have a long term perspective and suggested that we should not over react after such a poor year of fund performance. The CFO suggested that we continue to monitor fund performance and if we continue to experience negative performance, there may come a time when additional funding may be required.

After discussions, the Committee requested the CFO provide an overview of the Authority's Benefits, Pension and other Post Retirement options at the November Budget & Finance Committee meeting.

- E-ZPass Credit Card Fees      15.95%  
If tolls are increased in 2010, fees also increase. The Chief Information Officer reported that staff is investigating the possibility of piggybacking on both Delaware and New Jersey contracts for potential cost savings.
- Vessel Fuel                              -26.28%  
Fuel prices have come down since last year's highs. Staff has budgeted an average of 2008 and 2009 actual fuel pricing.
- Vessel Drydocking                      150%  
Staff will be meeting with ferry and engineering staff to determine necessary operating costs.
- Insurance                                  3.21%  
Increase in Bridge Property Valuation and P & I rates
- Utilities                                    -0.89%
- Maintenance Contracts/  
Software/Data Lines                      4.65%  
2/3 of the increase is due to the CapSoft Procurement Software
- Gasoline/Diesel                          -24.70%  
Fuel prices have come down and additional usage reductions from discontinuation of take-home vehicles.
- Remaining Categories                  -1.24%  
Commissioner Favre requested a breakdown of this category.

Three new categories will be added as recommended at the previous Budget & Finance Committee meeting

- Operating Equipment                  \$283,760 – Capital Expenses of \$5,000 or Less
- Salem Business Centre                \$752,750 – Previously paid out of the General Fund
- Riverfront Market                        \$358,650 – Previously paid out of the General Fund

The total preliminary FY 2010 Budget in the amount of \$78,576,435 reflects a 3.18% increase over the Adopted FY 2009 Budget of \$76,153,809. The CFO reported that he will continue to review the budget lines for potential reductions. The reviewed Budget will be presented at the November Budget & Finance Committee.

4. Committee Chair Van Sant requested an Executive Session, closed to the Public to discuss matters of a confidential nature. A motion was made by Commissioner Favre, seconded by Commissioner Traynor, and the Session was closed.

The following matters of a confidential nature were discussed.

- LEGAL/CONTRACT MATTERS

With no further business to discuss in Executive Session, a motion to open the Session to the Public was made by Commissioner Downes, seconded by Commissioner Traynor, and the Session was opened to the Public.

5. Investment Update – The CFO reported that negotiations continue on the default of the Menasha, Wisconsin Steam Utility Bond Anticipation Notes and appear to be heading in a positive direction; however, NJ and DE Legal Counsel have been working to resolve whether the Authority should enter into a class action lawsuit and how to handle Cavanaugh Capital Management’s request to seek reimbursement of legal fees paid which CCM would pay up front in conjunction with retaining the law firm Ice Miller to represent the class. Both NJ and DE Legal Counsel agreed that the Authority should be a named Plaintiff against the defaulting party in order to protect the DRBA’s rights, but are uncomfortable with the distance and difficulty in keeping control of legal fees. It was recommended that the amount of the Authority’s contribution to legal fees be authorized up to \$25,000 and updates to be provided by Ice Miller to the CFO and the CFO to the Board on a monthly basis. Legal Counsel added that they are cautiously optimistic for a 70-90% return and hopes the bond holders would be made whole within the next 90-120 days. The CFO added that a review of the Authority’s Investment Policy may be necessary in the future.

6. Procurement Status Update – Committee Chair Van Sant referred to the Procurement List included in the materials provided. If anyone had any questions, please contact the CFO.

With no further business to discuss, a motion to adjourn was made by Commissioner Traynor and the Budget & Finance Committee adjourned at 12:14 p.m.

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

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10052. COMMITTEE REPORT – PERSONNEL COMMITTEE

Commissioner Dorn presented the following Personnel Committee meeting minutes of October 5, 2009

**PERSONNEL COMMITTEE MEETING**  
**Monday, October 5, 2009**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Personnel Committee was held on Monday, October 5, 2009, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey  
PRESENT

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

Commissioners from Delaware

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

Governors’ Representatives  
Sonia Frontera – NJ

Legal Counsel  
Phil Norcross – NJ

Mike Houghton - DE

Staff  
Jim Johnson, Jr.  
Frank Minor  
Victor Ferzetti  
Jim Walls  
Gerry DiNicola Owens

Authority Secretary  
Tom Pankok

I. Committee Chair Dorn welcomed the Personnel Committee and opened the meeting at 12:14 p.m. The Authority Secretary reported that the public meeting of the Personnel Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

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

The following matters of a confidential nature were discussed.

- CONTRACT NEGOTIATIONS
- PERSONNEL MATTERS
- LEGAL MATTERS

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

3. Chief Human Resource Officer Search Update:

The Executive Director introduced Joie Smith, Managing Director at Touchstone Partners, who provided an update on the CHRO search. Ms. Smith outlined the process including the extensive outreach used to obtain a pool of candidates as diverse as possible. Any resumes, including resumes from internal candidates, were funneled through the process. Over 200 resumes were received, scored, and banded. 18 resumes received perfect or minus 1 scoring and 15 of the 18 have undergone preliminary scripted phone interviews. After completion of the 18 scripted phone interviews, a second round of telephone interviews will be conducted, followed by in-person interviews, and finally a short-list of 6-8 recommended candidates will be provided to the Executive Director for consideration. The projected start date will be January, 2010. Ms. Smith added that the candidate pool was very strong without having to consider candidates out of the area, saving relocation costs to the Authority. Commissioner Murphy questioned whether a perfect score could be obtained if the candidate was out of state. Ms. Smith reported that an out of state candidate could have received a perfect score and could be considered if the current pool of candidates were somehow found to be unqualified. Commissioner Murphy also asked whether "Experience" was weighted in the questionnaire, for example, could a secretary be selected over a senior manager. Ms. Smith reported that such a candidate would not make the Professional criteria cut.

4. EEO Recruitment Manager Update:

The Executive Director reported that Mr. Greg Chambers had been selected as the EEO Recruitment Manager and would be starting on October 12, 2009. Any Commissioners interested in meeting Mr. Chambers should contact the Executive Director to schedule.

5. Miscellaneous:

Committee Vice-Chair Lathem reported that the Personnel Committee previously had been titled Personnel & Insurance Committee and had been identified as Personnel Committee in the By-Laws. Committee Vice-Chair Lathem further stressed that some of the presentations

should be made in the Personnel Committee vs. Budget & Finance Committee, as it pertains to insurance. The CFO reported that staff places an insurance topic on the Budget & Finance Committee if it is a budgetary item or the Personnel Committee if it affects benefits. Delaware Legal Counsel referred to Section 8.4 Overlapping Jurisdictions.

“When two or more committees have jurisdiction relating to the same or similar subject matter, none shall be deemed to have exclusive authority, but such committees shall confer and cooperate in regard thereto.”

Also suggested was to conduct joint Committee meetings.

With no further business to discuss, Commissioner Smith made a motion to adjourn, Commissioner Murphy seconded, and the Personnel Committee adjourned at 12:47 p.m.

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

Commissioner Lathem stated that there was not enough time in the Personnel Committee to devote to issues such as the update of the Personnel Manual. He suggested reestablishing meetings with the Executive Director and staff outside of the Personnel Committee to complete the necessary work that needs to be done.

Committee Chair Dorn said that he will pursue the matter.

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10053. COMMITTEE REPORT – PROJECTS

Commissioner Favre presented the following Projects Committee meeting minutes of October 5, 2009.

**PROJECTS COMMITTEE**  
**October 5, 2009**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of the Delaware River and Bay Authority’s Projects Committee was held on Monday, October 5, 2009, at the Delaware Memorial Bridge Administration Building, New Castle, Delaware.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

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

Commissioner Favre, Committee Chair  
Commissioner Smith  
Chairperson Hogan

Governors’ Representatives  
Sonia Frontera – NJ

Authority Secretary  
Tom Pankok

*Staff*

Jim Johnson  
Frank Minor  
Jim Walls  
Victor Ferzetti  
Gerry DiNicola Owens  
Heath Gehrke  
John Jones  
Steve Williams

Counsel  
Mike Houghton, Esq., DE Counsel  
Phil Norcross, Esq., NJ Counsel  
  
Other  
Dan Wolfensburger, Exec., Director  
Central DE Econ. Dev. Council  
Randal Wiedemann, President

1. The Projects Committee meeting convened at approximately 12:47 p.m. Those in attendance were provided an informational package consisting of an agenda, monthly contractor payment chart with associated change orders (through September), and a copy of the energy audit power point presentation

2. Contract Payments (through September). The COO informed the Committee of the monthly construction contractor payments to be made in October.

3. Miscellaneous Items/Updates:

- **Energy Audit Briefing:** The Chief Engineer made a presentation to the Committee regarding a recent energy audit and renewable energy feasibility study completed for the Delaware Memorial Bridge complex. This effort was conducted over a four (4) month period at the cost of approximately \$70,000. The purpose of the effort focused on quantifying current electricity and gas usage, identifying potential energy conservation measures, and assessing renewable energy systems to meet needs and their associated costs and pay-back periods. The Chief Engineer discussed the result of the energy audit as well as presented a few of the energy conservation ideas. Additionally, available sources for renewable energy were evaluated, including, wind, solar, geo-thermal, used-motor oil, and hydrokinetic (river current). The Chief Engineer stated that the wind and solar options appeared to be the most promising. The recommendation was made to further evaluate the energy conservation recommendations, to move forward on the development of a competitive RFI process to assist the Authority in further evaluating wind and solar renewable energy, and to explore conducting a similar audit and study at other Authority locations.

- **Cape May Monopile Update:** The COO and Chief Engineer briefed the Committee on the recent monopile failure at the Cape May turning basin. It was reported that eleven (11) composite monopiles have been installed since 1999 and all have performed well to date until this incident. The broken monopile was installed in November 2008. The broken monopile emergency extraction cost approximately \$185,000 and will be handled via contract modification to an existing Cape May contract (Miscellaneous Dockwork Repairs). Future monopile work is currently on hold pending completion of the forensic analysis to determine the cause for the failure, which should be completed in approximately ninety (90) days. This analysis will also identify product and/or operational improvements to avert a future failure. It was reported that a warranty does exist for the monopile.

- **New Castle Airport Runway 9-27 Project Update:** The Chief Engineer briefed the Committee on an issue surrounding the width of Runway 9-27. This \$9.5M construction project began in December 2008 and is scheduled for completion by December 2009. This project is 95% funded by the FAA. In August 2009, it was discovered that the runway is 148' wide versus 150' wide, as specified in the design documents. Discussions with the FAA resulted in the FAA approving the widening of the runway to 150' at an estimated cost of \$250,000. It was reported that this widening effort is under construction and will be completed in October. The Chief Engineer reported that he had contacted the project designer and they have admitted to an oversight in the design process. The Chief Engineer will also meet with the construction contractor to assess their responsibility on this issue. Upon completion of this assessment, the Chief Engineer will meet with the FAA to determine the appropriate course of action.

- **Dover Civil Air Terminal (CAT) Business Plan:** The Director of Airports and the Authority's airport consultant Randal Wiedemann of the firm R.A. Wiedemann and Associates provided an update to the previously presented CAT Business Plan. Discussions also included the possible accommodation of a proposed air carrier jet service between Florida and CAT Dover, beginning in early 2010. The Committee was advised that CAT is in competition with the Salisbury, Maryland airport for this new service and that an estimated \$150,000 would be required for necessary improvements to the terminal and parking areas. It was also reported that TSA would have to be notified and approve of the action, in order for TSA to make the necessary arrangements to support the operation. Dan Wolfensburger of the Kent Economic Partnership provided comments in support of this air carrier service, in addition to other business

opportunities for CAT. He indicated that in his discussions the State of Delaware would provide funds for improvements. The Projects Committee directed staff to provide further information on this air service initiative for the Committee to review and take appropriate action.

- Marine Master Plan Update: The COO provided an update on the marine master plan and stated the General Engineering Consultant (Naval Architect) contract would be executed in October.

- CMLF Joint Counter Terrorism Exercise: Colonel John McCarnan briefed the Committee on the recent Visual Intermodal Prevention and Response (VIPR) event that took place on August 15, 2009 at the Cape May Lewes Ferry. VIPR is a comprehensive deployment program developed by TSA and consists of local, county, state, and federal resources to mitigate potential terrorist activity by mobilizing resources, training, and coordinating with one another. The operation went as planned and was very beneficial to all participants. Commissioner Lowe asked about who pays for this type of event. John McCarnan stated that the DRBA only paid for the Authority's part of the operation. Commissioner Downes inquired about what we learned from the event. John McCarnan stated that we learned that multiple agencies can work with one another effectively and that such exercises are essential to ensure operational readiness.

4. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 2:10 pm.

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

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10054. COMMITTEE REPORT – ECONOMIC DEVELOPMENT

Commissioner Downes presented the following Economic Development Committee meeting minutes of October 5, 2009.

**ECONOMIC DEVELOPMENT COMMITTEE**  
**Monday, October 5, 2009**  
Delaware Memorial Bridge Complex  
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority's Economic Development Committee was held on Monday, October 5, 2009, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners from New Jersey  
PRESENT

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

Governors Representatives  
Sonia Frontera – NJ

Legal Counsel  
Phil Norcross – NJ

Staff  
Jim Johnson  
Frank Minor  
Victor Ferzetti  
Jim Walls

Commissioners from Delaware

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

Mike Houghton - DE

Gerry Owens  
Anna Marie Gonnella Rosato  
Michelle Griscom-Collins  
AJ Crescenzi  
John Sarro  
Jim Salmon  
Ken Hynson  
John Jones  
Steve Williams  
Joe Larotonda  
Colonel McCarnan  
Dennis Craighton

II. Committee Chair Downes welcomed the Economic Development Committee and opened the meeting at approximately 9:06 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.

2. Millville Airport Update:

Lease Opportunity:

The Deputy Executive Director and Michelle Griscom-Collins reported that Boeing has expressed interest in leasing the former Millville Jet Center and the Multi-Tenant Facility at the Millville Airport for their Chinook Helicopter operation. Although working aggressively, staff is cautiously optimistic as additional sites are under consideration in Alabama and Florida. A meeting with Army representatives has been scheduled for later today to answer questions regarding response to fire, emergency, and to address any additional concerns. There would be potential for Boeing to become an anchor company at the Airport and could provide 50-75 jobs in the area. Staff will provide updates as necessary. The Committee wished staff well in their negotiations and Commissioner Favre commended the Economic Development staff for the fine work they have been doing.

Millville Airport Obstruction Removal:

The Deputy Executive Director reported that he participated in a conference call regarding tree removal at the Millville Airport. It was reported that the NJ Motor Sports Park recently planted trees adjacent to the Airport and is requesting the DRBA to ease requirements relating to FAA's regulations regarding obstructions of trees which tend to create habitat for wildlife and obstruct navigation. John Jones reported that the Authority previously completed an obstruction study at the Airport and subsequently awarded a contract for obstruction removal. This was also included in the release of land by the DRBA to the City of Millville for construction of the Motor Sports Park. Steve Williams reported that the City of Millville and Track representatives are concerned about an area behind their clubhouse and the visual affect, as well as noise from the Track, and believe the trees could act as a buffer. The Deputy Executive Director reported that this issue will be addressed and brought to a close. Staff will continue to update as necessary.

3. New Castle Airport Update:

Michelle Griscom-Collins reported that an FAA Part 16 Complaint had been filed against the Authority by one of the tenants at the New Castle Airport claiming that their business had been discriminated against by not being permitted to sell fuel. The FAA has 20 days to respond, after which notice will be sent to the Authority, who then has 20 days to respond. Staff will continue to update as necessary.

4. Cape May Airport Update:

Michelle Griscom-Collins reported Legal Counsel for Lower Township, New Jersey has taken an aggressive position that the Cape May Airport and the Delaware River and Bay Authority is not tax-exempt and the Cape May Airport should be paying taxes on property

whether occupied or unoccupied. Both Delaware and New Jersey Legal Counsel agreed that the DRBA has no obligation to pay property tax; however, willing to work with tenants to escrow taxes ahead of time and to structure leases with dates consistent with tax due dates. Delaware Legal Counsel added this is a fundamental core issue as a bi-state agency.

5. Salem Business Centre Update:

NAES

AJ Crescenzi reported that a settlement had been reached with NAES, a Salem Business Centre tenant who had been in arrears for electrical, real estate, and common area which had been specified in the Lease Agreement. It was reported that the Settlement amounted to approximately 90% of what was owed of the DRBA's original claim of \$315,000. The terms of the Settlement were presented. New Jersey Legal Counsel added that the parties were able to reach an agreement without litigation; however, the Authority is preserving claims against the former property manager. The Executive Director questioned whether a Resolution would be prepared and ready for the Board meeting and NJ Legal Counsel reported that one would be prepared in accordance to the terms presented, subject to DE Legal Counsel review, and will be presented to the Board at the October meeting.

Verizon Sale:

AJ Crescenzi reported purchase of 11.5 acres at the Salem Business Centre by Verizon is progressing. A small cesspool was found on the property and removed which caused a delay. Staff will continue to update as necessary.

Former DYFS Site:

AJ Crescenzi reported that there is interest in the site formerly occupied by DYFS at the Salem Business Center and he will continue to pursue.

7. Riverfront Market Update:

Commissioner Lathem requested an update on the Riverfront Market. AJ Crescenzi reported that a meeting with the tenants had been conducted and there were some concerns. Commissioner Lathem questioned whether there could be separate restroom facilities installed for the Market area. It was reported the installation of new restrooms was investigated, found to be difficult to do, and the consensus was to upgrade the current restroom facilities. The new property management company will begin after the Governors' Veto Period has expired. The previous property management company will work with the management company during the transition.

8. DRBA Website Update:

The Public Information Officer reported that he is working with Tipton Communications to update the Authority-wide website. Tipton will be meeting with stakeholders for their input. Commissioner Downes questioned whether the Cape May-Lewes Ferry website would be changed and it was reported it would not be changed, but the Authority-wide website would still include the links to the various business entities of the Authority.

With no further business to discuss, a motion to adjourn was made by Commissioner Dorn, seconded by Commissioner Traynor, and the Economic Development Committee adjourned at 9:35 a.m.

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

Deputy Executive Director Minor, fielding a question from Commissioner Lathem, stated that the present Riverfront Market Property Manager was Commonwealth but that it will change soon.

The CFO noted that Deaton McCue and Co, Inc. was selected recently to take over the management.

Deputy Executive Director Minor noted that a meeting is being coordinated with Commissioners DeLanzo, Favre, Dr. Salvatore, and himself, regarding Dr. Salvatore's request to take over the Mess Hall building at the Cape May Airport and convert it into a U.S. Coast Guard Museum.

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10055. COMMITTEE REPORT – AD HOC CMLF

Commissioner Favre presented the following Economic Development Committee meeting minutes of September 30, 2009.

**AD HOC CAPE MAY LEWES FERRY MEETING**  
**Wednesday, September 30, 2009**  
Lewes Terminal Conference Room  
Lewes, Delaware

A public meeting of The Delaware River and Bay Authority's Ad Hoc Cape May Lewes Ferry (CMLF) Committee was held on Wednesday, September 30, 2009, at the Lewes Terminal Conference Room, Lewes, Delaware.

Commissioners from New Jersey  
PRESENT

Committee Chair Favre  
Commissioner DeLanzo, Absent

Commissioners from Delaware  
PRESENT

Committee Vice-Chair Lowe  
Commissioner Murphy, Committee Member  
Vice-Chairperson Green

Staff

Jim Johnson, Jr.  
Jim Walls (after Executive Session)  
Heath Gerhke (after Executive Session)

1. Committee Chair Favre welcomed the members of the Ad Hoc CMLF Committee and opened the meeting at 9:25 a.m. The Executive Director reported that the public meeting of the Ad Hoc CMLF Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.

2. Committee Chair Favre opened the meeting by discussing the purpose of the AD Hoc CMLF Committee. The Committee was established to conduct a bottom-up review of the CMLF. Committee Chair Favre then discussed his thoughts for committee member assignments. The Committee agreed with Chair Favre's thoughts and as such the assignments for each member are:

- Commissioner Lowe – Responsible for a review of the Vessels, Marine Operations to include maintenance, engineering and crews. Evaluate seasonal variations, efficiencies and alternative delivery methods.
- Commissioner Murphy – Responsible for Human Resource functions and issues to include marketing, customer service and reservations. Evaluate hiring, training, employee development, morale, communication.
- Commissioner DeLanzo – Responsible for Food and retail operations (revenue and expenses), sourcing and product positioning, opportunities and alternative delivery methods.
- Commissioner Favre – Responsible for Financials, direct and indirect costs. Analyze the impact to the Authority of having no Ferry operations. Evaluate vessel and facility security plans and police functions.

The Committee agreed that its review would result in a deliverable. This deliverable would be a white-paper that addresses the following question – What is the real cost of the Ferry as it exists today and where does the Committee see opportunities for change now? The first draft of this deliverable will be January 2010. The Committee will meet after either the monthly Committee meetings or the board meeting.

3. The Committee also discussed the seasonality of the business and the need to recommend a level of service – year round or seasonal. The Committee will have access to employees as necessary to conduct their review. The Committee asked staff to search the archives to find documents on the formation of the Ferry. They also requested copies of Executive Director William Miller’s book – The Ferry Tale. Commissioner Green asked staff to identify similar organizations that have a bridge and a ferry. Executive Director Johnson mentioned that the Golden Gate Bridge District has a bridge and ferry system as well as a transit system. He will provide contact information for Commissioner Green’s use.

4. Committee Chair Favre made a request for an Executive Session at 10:10 a.m., closed to the public to discuss matters of a confidential nature. A motion was made by Commissioner Lowe, seconded by Commissioner Murphy, and the Session was closed. Executive Director Johnson was present for a portion of the Executive Session. Commissioner Green was present for the entire Executive Session.

The following matters of a confidential nature were discussed.

• LONG RANGE PLANNING

With no further business to discuss in Executive Session, a motion was made by Commissioner Murphy, seconded by Commissioner Lowe, and the Ad Hoc CMLF Committee was opened to the Public at 10:45 a.m. Executive Director Johnson, Jim Walls and Heath Gehrke returned for the Committee’s public session.

5. The Committee members asked staff several questions concerning the CMLF Marketing program, the Ferry GEC and next steps, the results of the summer secret shopper service, the trial same day return fare, the status of the Loader tubes, and thoughts on efficiencies of the existing operations. Staff provided information concerning reductions that have occurred in the last two years and projected operation expenses for 2009. Based on their questions, staff will provide additional information (secret shopper survey results) to the Committee prior to the next meeting.

With no further business to discuss, a motion was made by Commissioner Lowe, seconded by Commissioner Murphy, and the Ad Hoc CMLF Committee adjourned at 11:30 a.m.

Commissioner Lathem asked if the roll of the Ad Hoc CMLF Committee was expanded. He said he believed the Committee was established to decide if the Ferry’s should be renovated or whether to purchase new ones.

Chairperson Hogan said that the intent of the Ad Hoc CMLF Committee was to get a bottom up review of the entire Ferry operation and that may mean interfacing with the standing committees.

10056. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

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

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

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10057. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

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

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

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10058. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented a chart for September showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

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

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10059. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

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

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

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10060. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF SEPTEMBER 30, 2009.

The CFO presented charts 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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10061. PUBLIC COMMENT ON ACTION ITEMS.

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

- Resolution 09-58 Approval of the Community Contribution Requests
- Resolution 09-59 Authorizes Expenditures Over \$25,000
- Resolution 09-60 (formerly 09-40) Authorizes the Establishment of an Authority Retirement Health Plan Document and other Post Employment Benefits (OPEB) Trust
- Resolution 09-61 (formerly 09-41) Authorizes a Contract with The Bank of New York Mellon to Provide Professional Other Post Employment Benefit Trustee Services in Accordance with the Authority’s OPEB Trust Agreement.

There were no public comments.

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10062. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS.

| No.         | Contractor                        | Current Amount |
|-------------|-----------------------------------|----------------|
| DMB-08-02   | Marinis Brothers, Inc.            | 242,689.30     |
| DMB-08-03   | Eastern Highway Specialists, Inc. | 292,337.90     |
| DMB-04-01   | Mumford and Miller                | 1,362,345.80   |
| CMLF-06-03R | PKF-Mark III, Inc.                | 318,571.29     |
| NCA-04-01   | Diamond Materials                 | 15,595.38      |
| NCA-06-02   | Diamond Materials                 | 78,029.62      |
| NCA-07-01   | Schlosser & Associates            | 23,112.15      |
| NCA-08-01   | Diamond Materials, LLC            | 2,909,501.40   |
| CMA-05-01   | South State, Inc.                 | 145,967.80     |

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10063. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD

**RESOLUTION 09 - 58 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 October 09; and

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

Community Contributions

New Jersey

|   |                         |
|---|-------------------------|
| Habitat for Humanity of New Castle County Incorporated      | \$ 5,000                |
| Historical Educational Lodge Hall Preservatory Incorporated | \$ 6,000                |
| Township of Deerfield Recreation Committee                  | \$ 5,000                |
| <b>Total</b>  | <b><u>\$ 16,000</u></b> |

Delaware

|  |                         |
|--|-------------------------|
| Habitat for Humanity of New Castle County Incorporated | \$ 5,000                |
| Kingswood Community Center Incorporated                | \$ 1,200                |
| The Dover Century Club                                 | \$ 5,000                |
| <b>Total</b>   | <b><u>\$ 11,200</u></b> |

|  |                         |
|--|-------------------------|
| <b>Grand Total (New Jersey and Delaware)</b> | <b><u>\$ 27,200</u></b> |
|--|-------------------------|

A motion to approve Resolution 09-58 was made by Commissioner Van Sant, seconded by Commissioner Smith, and approved by a roll call vote of 11-0.

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**RESOLUTION 09-59 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2009 THROUGH DECEMBER 31, 2009.**

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

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

DELAWARE RIVER & BAY AUTHORITY  
PROJECTED VENDORS TO BE PAID OVER \$25,000  
OPERATION EXPENDITURES  
FOR THE PERIOD 1/1/09 THROUGH 12/31/09

| VENDOR                              | SERVICE DESCRIPTION   | DETERMINATION |
|-------------------------------------|---|---------------|
| Garden State Highway Products, Inc. | Miscellaneous Safety Equipment  | Quotes        |
| Viking Lifesaving Equipment         | Replacement Inflatable Buoyant Apparatus (IBA's) for the CMLF ferries | Proprietary   |

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

A motion to approve Resolution 09-59 was made by Commissioner Lathem, seconded by Commissioner Traynor, and approved by a roll call vote of 11-0.

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**RESOLUTION 09-60 (formerly 09-40) – AUTHORIZES THE ESTABLISHMENT OF AN AUTHORITY RETIREMENT HEALTH PLAN DOCUMENT AND OTHER POST EMPLOYMENT BENEFITS (“OPEB”) TRUST**

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

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

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

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

WHEREAS, the Authority desires to formalize an Authority Retirement Health Benefit Plan Document to govern the benefits and eligibility for plan participants; and

WHEREAS, the Authority desires to establish an irrevocable OPEB trust pursuant to Section 115 of the Internal Revenue Code for the purpose of funding and pre-funding OPEBs provided under its retirement benefit plans in accordance with GASB 43 and GASB 45; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of an Authority Retirement Health Benefit Plan Document and OPEB Trust Document and, upon review and advice of counsel, to have such Documents executed by the Chairperson, Vice-Chairperson, and the Executive Director.

A motion to approve Resolution 09-60 was made by Commissioner Traynor, seconded by Commissioner Favre, and approved by a roll call vote of 11-0.

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**RESOLUTION 09-61 (formerly 09-41)– AUTHORIZES A CONTRACT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE BANK OF NEW YORK MELLON TO PROVIDE PROFESSIONAL OTHER POST EMPLOYMENT BENEFIT (“OPEB”) TRUSTEE SERVICES IN ACCORDANCE WITH THE AUTHORITY’S OPEB TRUST AGREEMENT**

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 in the states of Delaware and New Jersey; and

WHEREAS, the Authority has established an irrevocable OPEB Trust to fund and pre-fund its OPEB requirements pursuant to Internal Revenue Code 115 and the General Accounting Standards Board Statement 43 and Statement 45; and

WHEREAS, the Authority desires to procure professional trustee services in accordance with the Authority’s OPEB Trust Agreement with an initial term of five (5) years with two (2) optional two(2) year renewals; and

WHEREAS, the Authority issued a Request for Proposals (“RFP”) for the required trustee services in compliance with Resolution 98-31 which governs the procedure for the procurement of professional services; and

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

WHEREAS, The Bank of New York Mellon offered to provide the trustee services at the terms most favorable to the Authority; and

WHEREAS, the fees for trustee services will be paid in accordance with The Bank of New York’s cost proposal dated November 17, 2008 which is attached to this Resolution; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Professional Trustee Services Agreement with The Bank of New York Mellon to provide such professional trustee services and to authorize payment and, with the advise and consent of counsel, to have such Professional Trustee Services Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

A motion to approve Resolution 09-61 was made by Commissioner Traynor, seconded by Commissioner Favre, and approved by a roll call vote of 11-0.

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10064. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan asked if any members of the public would like to address the Commissioners.

Frank Bankard, Local 543 spoke. He stated that he was before the Commissioners last month requesting information he asked for in July. To date, he has not received it and wanted to know why. He also stated that an HVAC employee working in Delaware will be filing a grievance today. The employee believes he was denied a raise because he was not willing to relocate to New Jersey. Since his denial of the promotion, he has been receiving phone calls for technical advice.

Chairperson Hogan thanked Mr. Bankard for his comments and asked Commissioner Dorn to address the issue with the Executive Director.

Chris Field, FOP, Lodge 14 spoke. He stated that the Delaware Police Chiefs' Foundation submitted a Community Contribution application to establish a Delaware Law Enforcement Memorial. He noted two fallen DRBA policemen and asked the Commissioners to give serious consideration to the application.

Commissioner Downes stated that the application request was previously approved by the Board and that he received a \$5,000 check today from the Authority's Community Contributions for the Foundation.

Chairperson Hogan noted that there is a delay between the Commissioners approval of Community Contributions and the actual check preparation due to the fact that the Authority must wait until the governors' veto period is over.

Anna Marie Gonnella Rosato, Office of the Deputy Executive Director, spoke. She stated that the Authority was one of 12 organizations that received the prestigious Coastal America 2008 Partnership Award from the White House for its involvement in the Delaware Bay Oyster Revitalization Project, an economic development project between Delaware and New Jersey. The Coastal America Award is the only environmental award given by the White House.

Commissioner Smith distributed Salem County's new Tourism/Marketing materials featuring Fort Mott and the Three Forts Ferry. She noted copies of letters from the New Jersey 3<sup>rd</sup> Legislative District requesting the Authority maintain its operation of the Three Forts Ferry and to continue its partnership with Salem County in its marketing efforts.

Commissioner Dorn said that he endorses Salem County's relationship with the Authority and that the Authority's involvement with the Three Forts Ferry has been helpful in providing ferry service to Salem. He would like the ferry service to continue.

Chairperson Hogan said he received copies of the Legislators letters and forwarded a copy of them to the Executive Director. He noted that the Ferry needs marketing.

Commissioner Smith stated that she attended the Employee Awards dinner held on October 9, 2009 at the Clarion in Delaware. She wanted to recognize Joe Larotonda and the Awards staff for a great job.

Commissioner Downes said that he attended as well. It is one night to recognize the service of employees and encouraged all Commissioners to attend next year.

Commissioner Lathem thanked Kenneth Hynson and Anna Marie Gonnella Rosato for their involvement with the United Way. He also wanted to thank Authority employees for their contributions and the Authority for matching funds. He said that there are people suffering and that the United Way was one manner in help.

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

The meeting was adjourned 10:50 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok  
Secretary