

MINUTES OF MEETING

THE DELAWARE RIVER AND BAY AUTHORITY

December 21, 2004

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

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

Chairperson Parkowski introduced John M. Jackson as the Authority’s newest Commissioner replacing Robert McWilliams. He welcomed Senator Stephen Sweeney, 3rd Legislative District in New Jersey who will administer the Oath of Office to Mr. Jackson.

Senator Sweeney issued the Oath of Office to Mr. Jackson and congratulated him on his appointment.

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

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

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Commissioners from Delaware

Commissioners from New Jersey

PRESENT

F. Michael Parkowski, Chairperson
Thomas J. Cooper
Verna W. Hensley
Samuel E. Lathem
Gary B. Patterson

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

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9144. APPROVAL OF MINUTES:

On motion by Commissioner Dorn and seconded by Commissioner Lathem, the minutes of the November 16, 2004 meeting were approved by a voice vote of 10-0.

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9145. EXECUTIVE DIRECTOR’S REPORT:

The Executive Director presented the following highlights that occurred within the Authority during the month of November.

AIRPORTS

At Delaware Airpark, construction of the new Delaware State University-DRBA hangar/terminal complex is well underway. The foundation and steel erection work was completed in November. This facility will enter service in May, 2005.

At Cape May and Millville Airports, perimeter security fencing and gates construction is

in progress and will be completed in early 2005. Also, new vehicle storage and operations facilities are under construction at both airports and will enter service in fall 2005. The drainage improvement project was completed at Cape May Airport in November.

CAPE MAY-LEWES FERRY

In November, vehicle traffic declined 3.8%, when compared to the 3-year (2001-2003) November average. Passenger traffic in November was off 10.7% in comparison to the 3-year average. Year-to-date vehicle traffic declined 8.1%, and passenger traffic was off 12.9%, when compared to the 3-year averages. Internet ferry reservations in November represented 31.8% of total ferry reservations.

The MV Delaware successfully completed its U.S. Coast Guard quarterly inspection in November. On November 30, the MV Henlopen departed Cape May to undergo its scheduled dry-docking and inspection in Norfolk, VA. The MV Henlopen will return to service in mid-December.

The Authority partnered with the Transportation Security Administration (TSA) on a 30-day pilot project to evaluate a new vehicle scanning technology that detects explosives on vehicles prior to boarding the ferries. This project commenced on October 21 and ended on November 20. Ferry customers responded favorably to this pilot program.

DELAWARE MEMORIAL BRIDGE

In November, total bridge traffic increased by approximately 2.2% when compared to the 3-year (2001-2003) November average. Total bridge traffic year-to-date rose 2.1% over the 3-year average.

E-ZPass traffic continues to rise. E-ZPass traffic for November was 50.6% of the total overall traffic as compared to 45.3% for the previous year. E-ZPass traffic represents 48.1% year-to-date, an increase of 4.5% for the same period in 2003.

In the early morning of November 28, a tractor-trailer vehicle crash occurred on I-295 South at the Route 13 overpass. The southbound vehicle struck the right guardrail and jackknifed to the left causing a portion of the tractor and trailer to be suspended over the Route 13 northbound lanes. Vehicle speed and weather conditions were factors in this accident. Southbound vehicle traffic was impacted for approximately seven hours until the roadway was cleared by two commercial cranes and one tow service.

HUMAN RESOURCES

<u>Permanent Full-Time:</u>	Authorized Positions	Filled Positions
	481	449

POLICE

On November 1, Delaware State Police and Authority Police Officers conducted a joint vehicle/counter-terrorism screening campaign near the Delaware Memorial Bridge Toll Plaza. During this six-hour effort, 196 commercial trucks were randomly stopped and inspected for required documents, equipment violations, contraband, and any suspicious vehicle contents. The joint effort resulted in: 29 motor vehicle citations; 8 vehicles removed from service due to unsafe conditions; 6 commercial drivers prohibited from continuing their trips due to operator violations; and 1 citation for an overweight vehicle. Thirty-one counter-terrorism screening checks were performed, including the usage of Authority K-9 Units to assist in explosive detection. Authority Engineering & Maintenance employees provided attenuator trucks and traffic cones to ensure a safety barrier during this operation. Delaware Memorial Bridge toll collection operations were not affected by this joint effort.

Summary of Police activities:

Enforcement/Activity	November 2003	November 2004
Traffic Summons	529	343
Criminal Arrests	25	10
Traffic Accidents	31	49
Traffic Reprimands	552	360
Aid to Motorists	November 2003	November 2004
Disabled Vehicles	135	131
Public Assists	53	49
Medical Assists	4	9
Acrophobiacs	25	35

The Executive Director thanked the employees for their extraordinary efforts during the Holiday season. Over 40 employees volunteered their time during the Thanksgiving holiday to collect, pack and distribute baskets of food to 101 families and one orphanage. For the Christmas holiday, the Authority adopted 31 families providing clothes, food, toys, and other needed items.

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9146. COMMITTEE REPORTS – BUDGET & FINANCE

Commissioner Patterson presented the following minutes of the Budget & Finance meeting held December 21, 2004 at 9:10 a.m. in the James Julian Boardroom, DRBA Administration Building, New Castle, Delaware.

Commissioners from Delaware

PRESENT

Committee Chair Patterson
 Commissioner Cooper, Committee Member
 Commissioner Hensley, Committee Member
 Commissioner Lathem
 Chairperson Parkowski

Commissioners from New Jersey

Commissioner Dorn, Committee Member
 Commissioner Koebig, Committee Member
 Commissioner Favre
 Vice-Chairperson Wallace

Authority Legal Counsel

Mike Houghton – DE
 Phil Norcross - NJ

Governor’s Representative

Keith Barrack - NJ

Staff

Jim Johnson
 Don Rainear
 Brad Hopkins
 Jim Walls
 Trudy Spence-Parker
 Gerry DiNicola Owens
 Joe Larotonda
 Victor Ferzetti
 Anna Marie Gonnella Rosato
 AJ Crescenzi
 John Jones
 Bob Young

Authority Secretary

Tom Pankok

- I. Committee Chair Patterson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:17 a.m. The Chair reported that the public meeting of the Budget & Finance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll.
- II. The Committee reviewed the Community Contribution requests for December. After review of the requested contributions, on motion by Commissioner Patterson, seconded by Commissioner Hensley, the Committee approved requests from Delaware totaling \$22,875 and requests from New Jersey totaling \$3,445 for a grand total of \$26,320. A Resolution authorizing the approved requests will be presented for full Board consideration during the Public Meeting.

Commissioner Lathem made a request that the Authority match the United Way 2005 Campaign contributions pledged by Authority employees. The Committee agreed and recommended a matching contribution in the amount of approximately \$8,106.00. Executive Director Johnson indicated that the match would be taken out of the operating fund since there are no remaining funds in the Community Contribution account.

- III. The Chief Financial Officer reported that the operating revenues have exceeded projections and the expenses are under budget for the end of FY 2004. The Authority finances will end the year in sound order.

There being no further business to discuss, the Budget and Finance Committee adjourned at 9:30 a.m.

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9147. COMMITTEE REPORT – PERSONNEL & INSURANCE

Commissioner Lathem presented the following minutes of the Personnel & Insurance meeting held December 7, 2004.

<u>Commissioners from Delaware</u> PRESENT Committee Chair Lathem Commissioner Cooper, Committee Member Commissioner Hensley	<u>Commissioners from New Jersey</u> Committee Vice-Chair Koebig Commissioner Dorn, Committee Member Vice-Chairperson Wallace
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Governors' Representatives
Keith Barrack

<u>Staff</u> James Johnson, Jr. Don Rainear Brad Hopkins Jim Walls Trudy Spence-Parker Gerry DiNicola Owens TJ Murray Andrew Ritchie	<u>Authority Secretary</u> Tom Pankok
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- I. Committee Chair Lathem welcomed the Personnel & Insurance Committee and opened the meeting at approximately 10:15 a.m. The Authority Secretary reported that the public meeting of the Personnel & Insurance Committee had been duly noticed in accordance with the Authority's Freedom of Information Regulations, read the Statement of Notice, and called the roll. The meeting may be preceded by an Executive Session, closed to the public to discuss matters of a confidential nature.

The Committee Chair requested an Executive Session, closed to the public to discuss matters of a confidential nature. On motion by Commissioner Dorn, seconded by Commissioner Koebig, the Session was closed.

The following matters of a confidential nature were discussed.

- Personnel Matters
- Contract Negotiations

Local 542 Update:

The Executive Director reported that the Authority's Delaware Labor Counsel and the Chief Financial Officer attended an introductory meeting with representatives of Local 542 and discussed and agreed upon the ground rules for conducting future bargaining sessions. Local 542 provided their opening proposal. Additional sessions have been scheduled to discuss the Local 542 proposal and Authority response. The Executive Director will provide an informational update to the full Board during the Executive Session at the December meeting.

Benefits Update:

The Benefits Administrator outlined the proposed changes to Authority benefits as an attempt to control increasing costs to employee benefit plans. A comparison of like agencies was provided and, after discussion, the Committee concurred with staff's recommendation. On motion by Commissioner Koebig, seconded by Commissioner Dorn, the Committee recommended approval of the proposed changes affecting new hires after March 1, 2005. A Resolution authorizing the change will be presented to the full Board for consideration at the December meeting.

Recognition Resolutions:

At the Board's request, the Executive Director reviewed proposed Resolutions recognizing certain employees and a Resolution recognizing former Commissioner Pessagno. The Resolutions will be presented to the full Board at the December meeting.

Miscellaneous:

The Executive Director reported that the Chief Financial Officer resigned effective January 2, 2005 in order to pursue a new employment opportunity. The Committee recognized and thanked the CFO for his dedicated years of service, his wit, wisdom, straightforward approach. The Committee agreed with the Executive Director's recommendation to utilize the services of a professional placement firm for the search of a Chief Financial Officer. This position will be advertised, both locally and posted internally. The use of a placement firm will follow the same protocols as utilized for other Authority positions.

There being no further business in the Executive Session, on motion by Commissioner Dorn, the session was opened to the public.

Authority Vice-Chair Wallace requested a Closed Session for Commissioners, the Executive Director, and New Jersey Governor's Representative.

There being no further business, the Personnel & Insurance Committee Meeting adjourned at 10:45 a.m.

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Chairperson Parkowski noted the impending departure of Brad Hopkins, Chief Financial Officer. He asked that all acknowledge him and stated that a Resolution congratulating him will be presented later in the meeting. A standing ovation was given Mr. Hopkins.

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9148. COMMITTEE REPORT – PROJECTS COMMITTEE

Commissioner Koebig presented the following minutes of the Projects Committee held on December 7, 2004.

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Commissioner Hensley, Committee Mbr.
Commissioner Lathem, Committee Mbr.
Commissioner Cooper

Committee Chair Koebig
Commissioner Dorn, Committee Mbr
Vice Chairman Wallace

Governor's Representative
Keith Barrack - NJ

Staff

Authority Secretary

Jim Johnson
Don Rainear
Jim Walls
Brad Hopkins
Trudy-Spence Parker
Gerry DiNicola-Owens
John Jones
Anna Marie Gonnella Rosato

Tom Pankok

- I. The Projects Committee meeting convened at approximately 9:00 a.m. Those in attendance were provided an informational package consisting primarily of an agenda, a coordinating draft of the Five-Year Capital Improvement Program (CIP) Budget for both Crossing and Airports, proposed award actions, monthly contractor payment chart, and three draft CIP-related resolutions.
- II. Bid Openings/Award Actions: Staff briefed the committee that the qualifications-based RFP process to identify a firm (s) to conduct Authority-wide inspection services is complete. Staff recommended that highway and bridge inspection work be awarded to Greenman-Pedersen, Inc. (GPI) and that airports, ferry, and building services inspection work be awarded to Rummel, Klepper & Kahl, LLP (RK&K). Due diligence on both firms proved satisfactory. Both contracts would be three (3) year contracts with not-to-exceed annual rates of \$500,000. The Projects Committee concurred with staff and authorized the award recommendation be presented at the December Board meeting.
- III. Contract Close-Out Actions: None.
- IV. Capital Improvement Program (CIP) Budget: The Executive Director opened the budget presentation with a major capital project overview through 2020 which focused on the anticipated major projects at both the Delaware Memorial Bridge and Cape May-Lewes Ferry. The Director of Engineering and Maintenance then briefed the Committee on the Five-Year and One-Year CIP Budgets for both Crossings and Airports. The proposed CIP budgets have been synchronized with the Authority's financial model and current budget guidance. The process was collaborative and involved key leaders in operations, finance and engineering. A CIP comparative analysis between the 2005 and 2004 budget submission was also presented. The proposed CIP will assure that the public continues to enjoy quality transportation services in a safe and efficient manner as well as prudently maintain and enhance facilities as necessary. Three draft resolutions regarding the CIP Budget were proposed by staff. After all questions were answered to the

satisfaction of the Projects Committee, staff was directed to present the three CIP resolutions for adoption at the December Board meeting.

V. Contractor Payment (through November): Staff briefed the Committee on monthly construction contractor payments.

VI. There being no further business for the Projects Committee, the public meeting was adjourned at approximately 10:00 a.m.

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9149. DELAWARE RIVER AND BAY AUTHORITY - TRAFFIC AND REVENUE SUMMARY:

The CFO presented a chart showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Three Forts Ferry Crossing, and Food Services for the month of November.

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

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9150. DELAWARE RIVER AND BAY AUTHORITY - STATEMENT OF INCOME AND EXPENSE:

The CFO presented a chart showing a statement of income and expenses with comparisons to the same period last year.

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

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9151. DELAWARE RIVER AND BAY AUTHORITY - OPERATING EXPENSE BY DIVISION:

The CFO presented a chart 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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9152. DELAWARE RIVER AND BAY AUTHORITY - CAPITAL IMPROVEMENT PROGRAM:

The CFO 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 was ordered filed with the permanent records of the Authority.

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9153. DELAWARE RIVER AND BAY AUTHORITY - CASH POSITION (MARKET VALUE) AS OF NOVEMBER 30, 2004:

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

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

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9154. PUBLIC COMMENT ON ACTION ITEMS:

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

- Authority-wide Inspection Services–Bridge and Highway Bid Opening Award
- Authority-wide Inspection Services–Airports, Ferry, Bldg Services Bid Opening Award
- Resolution #04-54 Adoption of the DRBA Operating Budget for 2005
- Resolution #04-55 Collective Bargaining Agreement between DRBA and MEBA
- Resolution #04-61 Adoption of the DRBA’s Five-Year Crossings CIP budget
- Resolution #04-62 Adoption of the DRBA’s 2005 Crossings CIP budget
- Resolution #04-63 Adoption of the DRBA’s 2005 Airport CIP budget
- Resolution #04-64 Community Contributions Request
- Resolution #04-65 Amends the Authority’s Personnel Manual
- Resolution #04-66 Recognizing Outstanding Employee Performance by George Iannetta
- Resolution #04-67 Recognizing Outstanding Employee Performance by Margaret Mitchell
- Resolution #04-68 Recognizing Commissioner Charles E. Pessagno
- Resolution #04-69 Recognizing Commissioner Robert McWilliams
- Resolution #04-70 Recognizing CFO Brad Hopkins

There were no public comments.

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9155. SUMMARY OF AUTHORIZED CONTRACT PAYMENTS:

The Chairperson noted the following Summary of Authorized Contract Payments.

<u>Contractor</u>	<u>Payment</u>
DMB-04-02 Eastern Highway Specialists	\$168,202.68
DMB-04-03 Allied Painting, Inc.	\$191,196.00
DMB-02-01 Daisy Construction	\$147,652.35
DMB-01-06 Cianbro Corporation	\$262,720.16
CMLF-01-06 Stanker & Galetto	\$ 68,400.00
NCA-02-03 Diamond Materials	\$163,817.06
MVA-02-02 State Hi-Way Safety	\$624,041.96
DAP-04-02 EDIS	\$217,264.15
CMA-02-01 Agate Construction Co., Inc.	\$ 71,468.03
CMA-04-03 Stanker & Galetto	\$ 54,000.00

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9156. APPROVAL OF AWARD OF AUTHORITY-WIDE INSPECTION SERVICES FOR BRIDGE AND HIGHWAY.

The COO reported that five (5) proposals were submitted for Authority-wide Inspection Services for bridge and highway on November 16, 2004. The five firms were interviewed and scored based on DRBA’s qualification-based RFP process. Due diligence and reference checking was also completed on all five firms. Upon completion of the RFP process, the firm of Greenman-Pedersen, Inc. of Lebanon, New Jersey was designated first. The contract period is three (3) years and the annual not-to-exceed budget amount for the contract is \$500,000. The COO and the Projects Committee recommend awarding the contract to the firm noted above.

On motion by Commissioner Hensley and seconded by Commissioner Dorn, the recommendation of the COO and the Projects Committed was approved by a roll call vote of 10-0.

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9157. APPROVAL OF AWARD OF AUTHORITY-WIDE INSPECTION SERVICES – AIRPORTS, FERRY, BUILDING SERVICES.

The COO reported that five (5) proposals were submitted for Authority-wide Inspection Services for airports, ferry, building services on November 16, 2004. The five firms were interviewed and scored based on DRBA’s qualification-based RFP process. Due diligence and reference checking was also completed on all five firms. Upon completion of the RFP process, the firm of Rummel, Klepper & Kahl, LLP of Baltimore, Maryland was designated first. The contract period is three (3) years and the annual not-to-exceed budget amount for the contract is \$500,000. The COO and the Projects Committee recommend awarding the contract to the firm noted above.

On motion by Commissioner Hensley and seconded by Commissioner Koebig, the recommendation of the COO and the Projects Committee was approved by a roll call vote of 10-0.

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9158. CHAIRPERSON’S CALL FOR ACTION ON THE RESOLUTIONS BEFORE THE BOARD

Chairperson Parkowski presented the following Resolutions.

RESOLUTION 04-54 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S 2005 OPERATING BUDGET

WHEREAS, Section 505 of the Trust Agreement dated October 1, 1993, requires that the Authority adopt a budget for the ensuing fiscal year; and

WHEREAS, the proposed operating expenses for FY2005, excluding the Airports division, are \$62,079,261; and

WHEREAS, the budget includes funds for salaries and wages of Authority personnel, and materials and services for Authority activities; and

WHEREAS, for FY2005, interest on outstanding bonds is currently approximately \$15,936,852, and amortization of principal will be \$6,600,000 for a total debt service of approximately \$22,536,852; and

WHEREAS, the amount to be deposited to the credit of the Reserve Maintenance Fund with respect to Crossing Facilities shall be \$175,000 per month or \$2,100,000 for FY2005; and

WHEREAS, the projected revenue of the Authority for FY2005 excluding the Airports division is approximately \$93,651,590 resulting in a debt service coverage of 1.40x, meeting the toll covenant; and

WHEREAS, the proposed operating budget for the Airports division operated by the Authority is \$4,861,970; and

WHEREAS, the Budget and Finance Committee has conducted publicly advertised hearings and meetings on the proposed 2005 Operating Budget; and

WHEREAS, the Budget and Finance Committee has developed, reviewed, and approved the proposed 2005 Operating Budget and recommends its adoption to the

Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby adopts an operating budget of \$62,079,261 for the Bridge, Ferry, Food Services, Three Forts Crossing, Police, and Administration Divisions, and a budget of \$4,861,970, for the Airports division operated by the Authority for a total of \$66,941,231 for FY2005, and authorizes the Executive Director to exercise the approved management discretion and spend within the approved FY2005 budget.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that \$6 million of the General Fund Reserve is hereby designated and restricted for the Fiscal Year 2005 as the self insurance fund of the Authority to cover any payments required within the deductible limits of the Authority’s various insurance policies.

Commissioner Patterson motioned to remove Resolution 04-54 from the table, seconded by Commissioner Lathem.

Resolution 04-54 was moved by Commissioner Patterson, seconded by Commissioner Favre and approved by a roll call vote of 10-0.

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RESOLUTION 04-55 - COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND DISTRICT NO. 1 - PCD, MARINE ENGINEERS’ BENEFICIAL ASSOCIATION, AFL-CIO, FOR CERTAIN MARINE EMPLOYEES AT THE CAPE MAY LEWES FERRY

WHEREAS, The Delaware River and Bay Authority (the “Authority”) owns and operates the Cape May-Lewes Ferry system between Cape May, New Jersey and Lewes, Delaware; and

WHEREAS, certain Marine employees at the Cape May-Lewes Ferry voluntarily designated District No. 1 - PCD, Marine Engineers’ Beneficial Association, AFL-CIO (“MEBA”) to represent them in an election on March 29, 2001; and

WHEREAS, the Authority and MEBA negotiated and executed a Collective Bargaining Agreement (the “Agreement”) which expired on June 30, 2004; and

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

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

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

WHEREAS, the provisions of this New Agreement shall be retroactive to July 1, 2004, and expire on June 30, 2007; and

WHEREAS, the Authority desires to approve the New Agreement; and

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

Commissioner Dorn motioned to remove Resolution 04-54 from the table, seconded by Commissioner Koebig.

Resolution 04-55 was moved by Commissioner Cooper, seconded by Commissioner Wallace and approved by a roll call vote of 10-0.

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RESOLUTION 04-61 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S FIVE (5) YEAR (2005-2009) CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

WHEREAS, The Delaware River and Bay Authority (the "Authority") has developed a Five (5) Year Capital Improvement Program (CIP) for the development of capital improvement crossing projects at the Delaware Memorial Bridge, Cape May-Lewes Ferry, and the Three Forts Crossing; and

WHEREAS, the Five (5) Year Crossings CIP budget is adopted in it's entirety each year; and

WHEREAS, the current Five (5) Year Crossings CIP (2005-2009) totals \$150,050,000; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings on the proposed Five (5) Year Crossings CIP Budget; and

WHEREAS, the Authority's Projects Committee has developed, reviewed and approved the proposed Five (5) Year Crossings CIP Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a Five (5) Year Crossings CIP Budget of \$150,050,000, and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

Resolution 04-61 was moved by Commissioner Lathem, seconded by Commissioner Dorn and approved by a roll call vote of 10-0.

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RESOLUTION 04-62 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S 2005 CROSSINGS CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

WHEREAS, The Delaware River and Bay Authority (the "Authority") has adopted a Five (5) Year Crossings Capital Program (CIP) budget for the development of capital improvement projects at the Delaware Memorial Bridge, Cape May-Lewes Ferry, and the Three Forts Crossing; and

WHEREAS, the 2005 Crossings CIP budget is \$36,815,000; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings on the proposed 2005 Crossings CIP Budget; and

WHEREAS, The Authority's Projects Committee has developed, reviewed and approved the proposed 2005 Crossings CIP Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a 2005 Crossings CIP Budget of \$36,815,000, and authorizes the Executive Director to

proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

Resolution 04-62 was moved by Commissioner Hensley, seconded by Commissioner Favre and approved by a roll call vote of 10-0.

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RESOLUTION 04-63 - ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY'S 2005 AIRPORT CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

WHEREAS, The Delaware River and Bay Authority (the "Authority") has adopted a Five (5) Year Capital Improvement Program (CIP) budget for the development of airport capital improvement projects; and

WHEREAS, the Five (5) Year CIP for airport infrastructure projects will be adopted on an annual basis for the next fiscal year (2005); and

WHEREAS, the Airports CIP budget for FY 2005 is \$12,275,000; and

WHEREAS, the Projects Committee has conducted publicly advertised meetings on the proposed 2005 Airports CIP Budget; and

WHEREAS, The Authority's Projects Committee has developed, reviewed and approved the proposed 2005 Airports CIP Budget and recommends its adoption to the Board of Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts a CIP Budget of \$12,275,000 for FY 2005 for the Airports Division, and authorizes the Executive Director to proceed on these projects as they are individually reviewed by the Projects Committee and approved by the Authority.

Resolution 04-63 was moved by Commissioner Lathem, seconded by Commissioner Koebig, and approved by a roll call vote of 10-0.

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RESOLUTION 04 - 64 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 December, 2004; and

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

Community Contributions

New Jersey

Cape May New Jersey State Film Festival Incorporated	\$ 1,000
Naval Air Station Wildwood Foundation	\$ 2,445

Total	<u>\$ 3,445</u>
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Delaware

Bus Zebble Youth Baseball	\$ 4,000
Connections Community Support Programs Incorporated	\$ 2,000
Delaware Hospice Incorporated	\$ 2,000
Epilepsy Foundation of Delaware	\$ 1,000
Grand Opera House Arts and Education Program	\$ 3,000
Kent County Tourism	\$ 1,000
Metropolitan Wilmington Urban League	\$ 2,000
The Ministry of Caring Incorporated	\$ 2,875
University of Delaware College of Engineering	\$ 5,000

Total	<u>\$ 22,875</u>
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<u>Grand Total (New Jersey and Delaware)</u>	<u>\$ 26,320</u>
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Resolution 04-64 was moved by Commissioner Patterson and seconded by Commissioner Koebig. With Commissioner Patterson abstaining from voting on the contribution for Delaware Hospice, Inc., Resolution 04-64 was approved by a roll call vote of 10-0 with the above noted abstention where such vote was 9 in favor and 1 abstention.

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RESOLUTION 04-65 - AUTHORIZING AMENDMENTS TO THE AUTHORITY’S PERSONNEL MANUAL.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is committed to providing its employees and retirees a comprehensive core benefit program; and

WHEREAS, the Authority is responsible for prudent financial governance with respect to those core benefit programs; and

WHEREAS, the Authority is responsible for taking appropriate action to control escalating core benefit program costs; and

WHEREAS, the Authority reviews and amends the Personnel Manual from time to time; and

WHEREAS, the Authority has determined that it is in the Authority’s best interest to amend its Personnel Manual to provide for employees hired on or after March 1, 2005, individual medical, dental and vision coverage at retirement; and

WHEREAS, the Authority has determined that it is in the Authority’s best interest to amend its Personnel Manual by requiring employees, hired on or after March 1, 2005, to be provided life insurance coverage equal to one times their annual base salary or wages; and

WHEREAS, the Personnel & Insurance Committee has reviewed the proposed changes and recommends approval thereof to the Commissioners; and

NOW, THEREFORE, BE IT RESOLVED, that Section X., of the Personnel Manual, entitled Employee Benefits, Subsection F., Retirement Program, and Subsection G., Life Insurance Program, is hereby amended by inserting the following paragraphs.

Section F. Retirement Program

1. Medical Insurance – Employees hired on or after March 1, 2005, will be eligible to receive upon retirement, individual medical, dental and vision coverage provided by the Authority.

Section G. Life Insurance Plan

Basic Life Insurance

Permanent full-time employees hired on or after March 1, 2005, will be provided at no personal cost, term life insurance in an amount equal to one times the employee's base annual salary or wages.

Supplemental Life Insurance

In addition to Basic Group Life Insurance, permanent full-time employees, hired on or after March 1, 2005, may purchase, at their personal expense, an amount of life insurance equal to one times the employee's base annual salary or wages, according to the available group rates.

Resolution 04-65 was moved by Commissioner Dorn, seconded by Commissioner Wallace and approved by a roll call vote of 10-0.

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RESOLUTION 04-66 RECOGNIZES AND APPLAUDS GEORGE S. IANNETTA FOR OUTSTANDING EMPLOYEE PERFORMANCE

WHEREAS, the Delaware River and Bay Authority (“the Authority”), a bi-state agency, operates the Delaware Memorial Bridge, Cape May - Lewes Ferry, Three Forts Ferry, and five regional airports in Delaware and New Jersey; and

WHEREAS, George S. Iannetta was hired on February 10, 1999 to manage and operate the Authority's Café inside the Vincent A. Julia Center and was recently promoted to the position of Superintendent of Food and Retail; and

WHEREAS, Mr. Iannetta developed a partnership with Delaware Elwyn to provide individuals with special challenges the opportunity to learn and succeed in a business environment; and

WHEREAS, the Delaware Governor's Committee on Employment of People with Disabilities (GCEPD) annually recognizes businesses, organizations, and agencies for their efforts to recruit and employ people with disabilities; and

WHEREAS, the GCEPD not only conducted a telephone interview with Mr. Iannetta to discuss his team approach and the working environment at the café, but also stopped by for lunch to witness his employee team in action; and

WHEREAS, on December 8, 2004, George S. Iannetta was presented with the 2004 New Castle County Employer of the Year honor at an awards ceremony and luncheon held at the Bank One Center on the Riverfront; and

WHEREAS, the Commissioners of the Authority desire to formally recognize Mr. Iannetta for this outstanding career achievement and his dedication to equal employment opportunity for all; and

NOW THEREFORE BE IT RESOLVED that the Delaware River and Bay Authority does hereby recognize and applaud George S. Iannetta for his commitment to equal employment opportunity and dedication to outstanding service and professionalism to the public, which reflects favorably on the Authority and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, December 21, 2004.

Resolution 04-66 was moved by Commissioner Hensley, seconded by Commissioner Dorn and unanimously approved.

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RESOLUTION 04-67 RECOGNIZES AND APPLAUDS MARGARET J. MITCHELL FOR OUTSTANDING EMPLOYEE PERFORMANCE

WHEREAS, The Delaware River and Bay Authority (the "Authority") is the owner and operator of the Cape May - Lewes Ferry, which handles more than 375,000 vehicles and 1.1 million passengers annually; and

WHEREAS, Margaret J. Mitchell was hired as the Manager of Food and Retail at the Lewes Terminal of the Cape May - Lewes Ferry on December 3, 2000; and

WHEREAS, the State of Delaware recognizes one restaurant and one institution every year for setting the standard in food safety excellence; and

WHEREAS, the Governor's Award for Excellence in Retail Food Safety, which is sponsored by the Delaware Food Safety Council, is awarded based on established criteria, including on-site inspections, training programs, cleanliness, and customer service; and

WHEREAS, on October 7, 2004, Margaret J. Mitchell was presented with the prestigious Delaware Governor's Award for Excellence in Retail Food Safety at a public ceremony held at the Delaware Division of Public Health offices in Dover, Delaware; and

WHEREAS, the Commissioners of the Authority desire to formally recognize Ms. Mitchell for this outstanding career achievement and her dedication to customer service and food excellence at the Cape May - Lewes Ferry; and

NOW THEREFORE BE IT RESOLVED that the Delaware River and Bay Authority does hereby recognize and applaud Margaret J. Mitchell for her outstanding service, dedication, and professionalism to the public, which reflects favorably on the Authority and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, December 21, 2004.

Resolution 04-67 was moved by Commissioner Koebig, seconded by Commissioner Favre and unanimously approved.

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RESOLUTION 04-68 - RECOGNIZES AND SALUTES CHARLES E. PESSAGNO FOR HIS DEDICATED SERVICE TO THE DELAWARE RIVER AND BAY AUTHORITY.

WHEREAS, Charles E. Pessagno was appointed by Governor James J. Florio to serve as a Commissioner for the Delaware River and Bay Authority, participating in his first Commission Meeting on July 20, 1993; and

WHEREAS, Mr. Pessagno served with distinction, enthusiasm and dedication as a Delaware River and Bay Authority Commissioner for more than ten years, sharing his

business expertise as a member of the Budget and Finance Committee and Personnel and Insurance Committee; and

WHEREAS, Mr. Pessagno helped to guide and develop the first-ever Master Plan for the Cape May - Lewes Ferry, which included the renovation of the five vessel ferry fleet, construction of new passenger terminal facilities, and implementation of on-site vessel maintenance projects that were traditionally completed at a shipyard; and

WHEREAS, during Mr. Pessagno's tenure, he supported a number of economic development projects, including the acquisition of the Cape May Airport, which created jobs for the region's citizens and endorsed the investment of financial resources to improve and enhance the Authority's major transportation links, the Cape May - Lewes Ferry and Delaware Memorial Bridge facilities, and

WHEREAS, Mr. Pessagno willingly supplied his time, talents, and energy to the successful operation of the Delaware Memorial Bridge, Cape May - Lewes Ferry, the Salem County Business Center, New Castle Airport, Millville Airport, Cape May Airport, Delaware Airpark, Civil Air Terminal at Dover, and the Three Forts Ferry Crossing, all of which are managed by the Delaware River and Bay Authority; and

NOW THEREFORE, BE IT RESOLVED that the Delaware River and Bay Authority does hereby praise and congratulate Charles E. Pessagno for the invaluable services rendered by him to the States of New Jersey and Delaware through his outstanding contributions as a Delaware River and Bay Authority Commissioner and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, December 21, 2004

Resolution 04-68 was moved by Commissioner Koebig, seconded by Commissioner Dorn and unanimously approved.

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RESOLUTION 04-69 - RECOGNIZES AND SALUTES ROBERT Y. MCWILLIAMS, SR. FOR HIS DEDICATED SERVICE TO THE DELAWARE RIVER AND BAY AUTHORITY

WHEREAS, Robert Y. McWilliams, Sr. was appointed by Acting Governor Donald T. DiFrancesco to serve as a Commissioner for the Delaware River and Bay Authority, participating in his first Commission Meeting on January 15, 2002; and

WHEREAS, Mr. McWilliams served with distinction, enthusiasm and dedication as a Delaware River and Bay Authority Commissioner, sharing his business expertise as chairman of the Audit Committee and vice-chairman of the Budget and Finance Committee; and

WHEREAS, as chairman of the Audit Committee, Mr. McWilliams worked diligently to strengthen corporate governance and enhance public accountability at the Authority, advocating a Community Contribution Policy, Real Property and Tangible Asset Disposition Policy, and the adoption of Generally Accepted Accounting Principles; and

WHEREAS, during Mr. McWilliams' tenure, he supported a number of economic development projects, including the proposed South Jersey Technology Park at Rowan University, the Delaware State University Hangar Project, and the Wilmington Port warehouse, which will create jobs for the region's citizens and endorsed the investment of financial resources to improve and enhance the Authority's major transportation links, the Cape May - Lewes Ferry and Delaware Memorial Bridge facilities; and

WHEREAS, Mr. McWilliams willingly supplied his time, talents, and energy to the successful operation of the Delaware Memorial Bridge, Cape May - Lewes Ferry, the

Salem County Business Center, New Castle Airport, Millville Airport, Cape May Airport, Delaware Airpark, Civil Air Terminal at Dover, and the Three Forts Ferry Crossing, all of which are managed by the Delaware River and Bay Authority; and

NOW THEREFORE, BE IT RESOLVED that the Delaware River and Bay Authority does hereby praise and congratulate Robert Y. McWilliams, Sr. for the invaluable services rendered by him to the States of New Jersey and Delaware through his outstanding contributions as a Delaware River and Bay Authority Commissioner and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, December 21, 2004.

Resolution 04-69 was moved by Commissioner Patterson, seconded by Commissioner Dorn and unanimously approved.

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RESOLUTION 04-70- RECOGNIZES AND SALUTES BRADFORD E. HOPKINS FOR HIS DEDICATED SERVICE TO THE DELAWARE RIVER AND BAY AUTHORITY.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) was created by a compact between the States of Delaware and New Jersey in 1962 for the public purpose of providing regional transportation and conducting certain other authorized activities between the two States; and

WHEREAS, Bradford E. Hopkins began his employment with the Authority on January 4, 1993 and served with professionalism, integrity, enthusiasm and dedication for his twelve years of service during a period of rapid growth and expansion; and

WHEREAS, under the leadership of Mr. Hopkins as the Chief Financial Officer, he was responsible for the introduction of many prudent financial practices such as the Operation and Capital Budgeting process, the five year financial planning process, the investment guideline policy for the pension plan, the well-defined procurement guidelines for the purchase of professional services, material and supplies, and construction and construction management contracts; and

WHEREAS, during Mr. Hopkins tenure, his expertise touched all phases of the organization as he authored over 300 resolutions which authorized financial, operational and economic actions of the Authority; and

WHEREAS, the compact was amended in 1990 to authorize the Authority to undertake economic development projects subject to the requirements stated in the compact; and

WHEREAS, Mr. Hopkins was instrumental in developing the carefully drawn parameters, which were adopted by the Board, that have been used to good cause over the years to assist the economic future of the respective counties in Delaware and New Jersey, and negotiating major economic development projects that led to the Authorities expanded role in transportation at five regional airports; and

WHEREAS, because of his sound, financial recommendations the Authority has been well-served and recognized by Wall Street with strong bond ratings.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Delaware River and Bay Authority does hereby praise and congratulate Bradford E. Hopkins for the invaluable services rendered by him to the States of Delaware and New Jersey through his outstanding contributions as an employee of the Delaware River and Bay Authority and does hereby record the Commissioners sincere appreciation by the presentation of this Resolution, adopted today, December 21, 2004.

Resolution 04-70 was moved by Commissioner Dorn, seconded by Commissioner Lathem and unanimously approved.

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9159. COMMISSIONERS PUBLIC FORUM

Dr. Joseph Salvatore, retired orthopedic surgeon and member of the Naval Air Station Wildwood (NASW) Foundation in New Jersey spoke. He informed the Commissioners that the Cape May Airport Museum it is now registered on the National Historic Registry as being Nationally Significant and thanked the Authority for providing assistance to the Museum in the past. A Preservation Plan was recently completed through a grant provided by The State of New Jersey Historic Trust. He spoke of the closing of the airport restaurant several years ago and DRBA's recent negotiations with a private operator to reopen it. Mr. Salvatore also touched on insurance issues that inhibit his ability to conduct airplane rides and air shows. He requested assistance from the Authority to help facilitate the efforts of the NASW Foundation with implementing the Preservation Plan. Mr. Salvatore was successful in securing approximately 1.4 million dollars in grants from outside agencies to restore the Museum.

Next, Vincent Ascione, Local 542 spoke. He asked the Chairperson for the amount of Community Contribution requests for December. He also asked about security issues at DRBA facilities.

Commissioner Patterson stated that the amount of Community Contributions approved totaled \$26,320.00 - \$3,445.00 in New Jersey and \$22,875 in Delaware.

Chief Operating Officer Walls indicated that there is adequate manpower at DRBA facilities. He stated that there are five police vacancies. The Authority is presently screening people to fill them and will complete this process in January. He also stated that the new Director of Airports will be on board the first of the year and will address any outstanding issues regarding security at the airports.

Mrs. Annie Salvatore, Historic Cold Spring Village, spoke about the All Aboard, All Ashore-Destination History partnership package that includes the Cape May-Lewes Ferry, DRBA land transportation, the Cape May Seashore Line and Historic Cold Spring Village. Marketing this program has increased ridership over the last couple years; however, she is encouraging additional investments in marketing opportunities to increase tourism in Cape May. Mrs. Salvatore noted that there are cooperative marketing grants available through the Office of New Jersey Travel and Tourism.

Chairperson Parkowski stated that both Delaware and New Jersey have mutual interests in historical venues to promote the historic aspect of the two states linked by the Cape May-Lewes Ferry.

Deputy Executive Director Rainear noted the Marketing Study being performed by Elliott-Bay Design Group for the DRBA. He stated that staff is reviewing the Interim Report and will be meeting with Elliott-Bay next week. The Final Report is due in March.

Commissioner Dorn stated that he was impressed with the financial management of Brad Hopkins and wishes him God speed.

Commissioner Lathem wished everyone a happy holiday.

Chairperson Parkowski thanked the present and past Commissioners and staff for aiding him during his Chairmanship. He stated that the DRBA is a fine organization and he particularly wanted to thank Vice-Chairperson Wallace for his assistance.

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

The meeting was adjourned at 11:55 a.m.

Respectfully submitted,
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok