

MINUTES OF MEETING

THE DELAWARE RIVER AND BAY AUTHORITY

March 18, 2003

Commissioners from Delaware

Commissioners from New Jersey

PRESENT

Richard S. Cordrey, Sr., Chairman
Edward J. Bennett, via telephone
Richard H. Derrickson
Verna W. Hensley
Samuel E. Lathem
Gary B. Patterson

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

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The meeting convened at 11:00 a.m., with Chairman Cordrey presiding.

Father Stanley Drupieski opened the meeting with a prayer, followed by Col. McCarnan with the Pledge of Allegiance.

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

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8813. APPROVAL OF MINUTES: On motion by Commissioner Lathem, seconded by Commissioner Pessagno, the minutes of the February 24, 2003 meeting were approved by a voice vote of 11-0.

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8814. DELAWARE MEMORIAL BRIDGE - MONTHLY REPORT: The Executive Director presented the following report:

March 6, 2003

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

Dear Mr. Johnson:

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

Traffic:

Total traffic in February 2003 vs 2002 declined by 13.9% (approximately 160,000 vehicles) and was the lowest monthly total for February since 1997. The impact of the six snow days during February, including the severe winter storm on February 16-17, was clearly a major factor in the lower traffic totals. Class 5 commercial traffic declined by 5.6% for February 2003 vs 2002, which represents the first monthly decline in 19 months. Less than 5100 vehicles passed thru the toll plaza on Monday, February 17th (Presidents' Day), which represents a single-day decline of over 50,000 vehicles. Fewer than 100 cars per hour passed through the plaza during the heaviest periods of snowfall.

E-ZPass Operations:

E-ZPass traffic during February 2003 accounted for over 46% of the total traffic, which represents a new monthly record for the electronic toll penetration at the Delaware Memorial Bridge. Year-to-date, E-ZPass use has increased approximately 5% vs the same period in 2002. The morning rush hour traffic (6-8 a.m.) continues to reflect 70% E-ZPass traffic.

The Authority opened only 340 new E-ZPass accounts during February. The large majority (85%) of our new customers enrolled using the walk-in center at the Delaware Memorial Bridge complex or the call-center option staffed by DRBA Toll Department personnel. During the 4-month period (November 02 - February 03) following the Regional Consortium's decision to assess a \$1 monthly account service fee, 236 former Consortium account holders are known to have switched their accounts to the DRBA. This represents approximately 13% of the total number of accounts opened during the period. The number of monthly account "jumpers" has declined each month and only 24 customers were identified in February. The DRBA currently has over 24,000 active E-ZPass accounts and has issued over 32,500 transponders.

The InterAgency Group (IAG) continues to pursue Non-Toll Opportunities as one means of off-setting the E-ZPass operational costs. Particularly noteworthy has been the start-up of E-ZPass Plus at Kennedy International Airport, which allows the motorists to use the E-ZPass transponder to pay for airport parking fees. The key to this concept remains the installation of a new file specification which can differentiate toll and non-toll activities. A core issue for the public transportation agencies remains the issue of revenue obtained from public vs private parking and how agencies should share electronic revenue derived from the use of the E-ZPass technology. Additional Non-Toll Opportunities (NTO) include direct marketing and statement advertising and the Delaware River Port Authority has taken the lead for the IAG in issuing a Request for Quotes from parties interested in the development of the concept.

Maintenance Activities:

The sixth winter storm of the month on February 28th produced two serious accidents. An SUV overturned on I-295 southbound during the early morning hours and the driver received multiple facial lacerations. At daybreak, a vehicle with an oversize load struck the toll plaza and destroyed the facing immediately over the toll booth in Lane 8, which is an unstaffed "E-ZPass Only" lane. There were no injuries and no damage to the electronic toll collection equipment. The Authority Maintenance Department personnel fabricated and installed a temporary overhead enclosure for the toll booth, which is fully operational. The driver of the vehicle received a citation from Authority Police for this accident.

Maintenance Department Crafts personnel, including carpenters and painters, have essentially completed the repairs in the DEMA Building which were necessitated by the extensive water damage to that facility several months ago. More than 2000 hours of labor were committed to this project over a 15 week period.

Veterans Memorial Park:

Staff met with the Delaware State Commander of the Korean War Veterans Association to finalize plans for the placement of a monument at the Veterans Memorial Park. The expenses for the monument and materials will be covered by the Veterans Association and Authority personnel will assume responsibility for the site preparation and maintenance. One important change to the concept is that the monument will be dedicated at the annual Memorial Day service in May rather than on July 27th, which is 50th Anniversary of the Armistice Day for the Korean War. The Korean War Veterans Association is coordinating directly with the Delaware Commission of Veterans Affairs to incorporate the dedication of the monument into the Memorial Day service.

Security Update:

Pioneer Fence Company will begin replacement and installation of the improved high security fencing at key locations in the Delaware Memorial Bridge complex area during the next two weeks and these improvements should be completed by mid-April. During the recent complex-wide security assessment by multiple Authority departments, the decision was made to relocate several of the mobile light units to improve the visibility and camera coverage of key locations during the hours of darkness.

Respectfully,

Curtis V. Esposito
Director of Bridge Operations

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

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8815. CAPE MAY-LEWES FERRY - MONTHLY REPORT: The Executive Director presented the following Cape May-Lewes Ferry Report:

TO: James T. Johnson Jr., Executive Director-DRBA
FROM: Glenn L. Cox, Director of Operations-CMLF
SUBJECT: Commission Report - February 2003

Vehicle Traffic: Traffic for the month was down 36.90% (5,172 vehicles) from last year along with a decrease in passengers of 38.9% (12,287 passengers) as compared to the same month in 2002. Approximately 28 round trips were canceled due to severe ice and wind conditions. Please remember February 2002 traffic was the highest in Ferry history for that month.

Presidents weekend was completely washed out and it was necessary to cancel service on Monday. This is historically one of our busiest off-season weekends with three vessels running daily. We transported less than 600 vehicles during the holiday period as compared to 4,200 vehicles last year.

Schedule: A new vessel departure schedule is complete for 2003-2004. There will be earlier departures out of Cape May, NJ, (7:30 A.M.) and later departures out of Lewes, DE, (7:45 P.M.). Our goal is to respond to our customer's requests for earlier and later departures and to improve vessel efficiencies in the off-season in order to reduce operating costs overall. The new schedule will be color coded for quick and easy selection of departures. The new schedule will be effective April 6.

Vessels: The MV New Jersey arrived at Lions Shipyard on February 24 and departed on February

26. The port propeller was replaced with a spare one. The MV Cape Henlopen and MV Twin Capes underwent and passed their USCG annual safety inspection.

Dock #2, Cape May Terminal: Repair work is still underway at the #2 dock and will be complete sometime in early March. As of this date the repair work has not caused delays or cancellations of vessels.

Security: Selection of an Authority Security Officer is underway with interviews taking place in March. The Security Plan for the Ferry will be completed by the end of March 03. After that, training and live exercises will be carried out before the summer season.

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

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8816. POLICE DIVISION REPORT: The Executive Director presented the following Police Report:

March 6, 2003

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

Dear Mr. Johnson:

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

Incident Command Training

The Police Department hosted a three (3) day training program February 25-27, 2003, entitled "Managing Disorder: Law Enforcement's Role in Critical Incidents." Eighty (80) DRBA employees attended this training from the departments that follow: Police, Maintenance, Electricians, Safety, Riggers, Management (Curt Esposito, Rocco Tomanelli, Linda Murphy), Personnel, Education and Training, Electronics, Services and Tolls. Employees from outside of the police department were included in this training program due to the support they provide the police department during critical incidents.

Incident Contact Chart

The Police Staff is working with other Authority departments to create an Incident Contact Notification System. The purpose of this system is to assure that appropriate officials are promptly notified of all emergencies or unusual incidents. A draft proposal has been distributed to senior staff and department heads for review and recommendations. Responses have been requested by March 7, 2003.

Other Police Incidents

On 2/4/03 at 2300 hours, Pfc. Hevelow stopped a vehicle for a traffic violation on I-295 northbound at the Farnhurst area. Upon approaching the vehicle, Pfc. Hevelow detected a strong odor of marijuana. The 22 year old male driver from Wilmington, Delaware, appeared nervous and was asked to exit the vehicle. During a pat down search, 9 grams of marijuana and \$1362.00 in U.S. currency were discovered on the defendant. A search of the vehicle revealed one (1) gram of cocaine in the vehicle's center console. The defendant was issued criminal summonses for charges of

possession of a Schedule II controlled substance and possession of a Schedule I controlled substance. The defendant's cellular phone and the U.S. currency were logged into evidence.

On 2/8/03 at 1554 hours, Pfc. Hevelow stopped a vehicle for a speeding violation on I-295 north at Route 9. The 27 year old male driver from Brooklyn, New York, appeared nervous and was asked to exit the vehicle. As a result of a pat down search, \$3,758 U.S. currency was located in the driver's jacket. A search of the trunk of the vehicle revealed that all of the screws securing the plastic lining and carpet were removed or tampered with. A NCC K-9 searched the trunk area and indicated to the presence of narcotics. However, no narcotics were present. The U.S. currency was logged into evidence. The driver was issued three (3) traffic citations before being released. The case is under review for asset seizure and forfeiture.

On 2/22/03 at 0555 hours, Ptl. Hawkins responded to the eastbound span for a report of a subject that had just jumped from lane 1. A witness stated that the victim stopped his truck in lane 1 and, without hesitation, jumped over the rail. The victim was identified as a 55 year old male from Wilmington, Delaware. Holloway Terrace Rescue searched for the victim's body until it was suspended due to darkness with negative results. The police helicopter has subsequently been used to search the river, but also met with negative results.

On 2/23/03 at 0848 hours, Pfc. Kirchner responded to the scene of a fatal accident on I-295 northbound at the Atlantic City Exit. A 13 year old boy was killed in the crash. Pfc. Kirchner managed the scene until New Jersey State Police arrived. DRBA Police and the maintenance cone crew assisted State Police with detouring traffic around the accident, to reduce a traffic delay on the DMB.

On 2/24/03 at 2311 hours., Ptl. Micken responded to lane 8 of the westbound span on a report of a disabled vehicle. Upon arrival, a 25 year old female driver from Merchantville, New Jersey, was observed standing on the catwalk while looking over the railing. The driver initially stated that she was having car trouble, but later admitted to being depressed. She was transported to Christiana Hospital for a psychological evaluation and later released to a family member.

On 3/3/03 at 1644 hours, Pfc. Kirchner responded to lane 8 of the DMB on a report of a motor vehicle accident. A 1995 Honda Civic was disabled in lane 8 with no operating hazard lights. The 17 year old male driver from Mt. Royal, New Jersey and one of his passengers exited the vehicle. A 17 year old female passenger remained in the backseat of the vehicle. A 2002 Volvo tractor trailer traveling in lane 8 was unable to avoid the Honda and struck it in the rear end. The two males pulled the female from the vehicle as it caught fire. The tractor trailer was traveling approx. 44 mph prior to impact. The female suffered minor lacerations and a neck sprain. One male suffered minor injuries from flying debris. The 40 year old driver of the tractor trailer was not charged. The span was closed approximately one hour and 15 minutes.

Statistical Summary*

Enforcement/Activity	February 2002	February 2003
Traffic Summons	446	298
Criminal Arrests	15	4
Traffic Accidents	25	23
Traffic Reprimands	519	468

Aid to Motorists	February 2001	February 2002
Disabled Vehicles	107	163

Public Assists	33	58
Medical Assists	2	12
Acrophobiacs	17	17

* The number of enforcement activities reported this month are significantly lower, than the same month last year, due to patrol officers dedicating more time to counter-terrorism security assignments and assistance provided to the snow plow crews during the numerous snow storms in February. Conversely, the numbers of disabled vehicles and public assists increased.

Sincerely,

Col. John R. McCarnan
Police Administrator

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

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8817. ADMINISTRATION - FINANCE DIVISION REPORT: The Executive Director presented the following monthly report of the activities of the Finance Division.

March 12, 2003

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

Dear Mr. Johnson:

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

OLD ISSUES/PROJECTS ACTIVITIES

- Monitored Authority operating revenues versus projected for Fiscal Year 2003. January monthly revenues were \$5,656,645 or 2.1% under projected and 2.0% over actual Fiscal Year 2002. Year to date revenues are \$5,656,645 or 5.9% of the total projected revenues for Fiscal Year 2003.
- Monitored Authority operating expenses versus budget for Fiscal Year 2003. February monthly expenditures were \$3,952,898. First quarter to date expenditures are \$8,590,600 or 62.7% of the quarter projected and year to date expenditures are \$8,590,600, or 13.93% of the total approved operating budget.

NEW ISSUES/PROJECTS ACTIVITIES

- Met with a field auditor from RLD Associates, Inc., representing US Underwriter Insurance Company to conduct their 2002 audit of the Authority's Liquor Liability Policy. Our insurance premium under this policy is adjusted annually to reflect actual liquor receipts for the fiscal year. Based on this year's audit, the Authority should earn a return premium of approximately \$2,133.
- Met with a representative from Citizen's Bank to review the Authority's current services and discuss new opportunities and new products Citizen's offers. Citizen's Bank currently provides commercial banking services to the Authority.
- Continue to work with our auditing firm, Bowman and Company, on the 2002 Annual Audit.

The majority of fieldwork was completed during the month of February and follow up fieldwork will continue through the end of March. Staff continues to prepare miscellaneous accounting schedules for all funds as requested by Bowman and Company.

- Met with the field auditor from CNA Insurance to conduct their 2002 audit of the Authority's Public Liability Policy. Our insurance premium for this policy is adjusted to reflect their actual bridge vehicle crossings, ferry passenger crossings, food service restaurant and retail sales, ferry amusement sales and construction project payouts.
- Met with representatives from PNC Bank to review the Authority's current cash management services and discuss new products in the area of treasury management. PNC Bank currently provides custodial, commercial banking, cash management, lockbox and purchasing card services to the Authority.
- Attended, along with the Budget Director, a roundtable meeting, hosted by the Pepco Energy Services, to learn more about the upcoming deregulation in the New Jersey electricity markets. Effective August 1, 2003, large industrial and commercial electricity users in New Jersey must make a choice to remain with their current local distribution company, or select a competitive supplier of electricity. This transition into deregulation will effect the Authority financially at all its New Jersey facilities.

Sincerely,

Joseph Larotonda
Controller

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

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8818. ADMINISTRATION - ENGINEERING DIVISION: The Executive Director presented the following monthly report of the activities of the Engineering Division.

March 6, 2003

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

Dear Mr. Johnson:

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

1. Cape May-Lewes Ferry (CMLF) System Activities:

a. Pier Repair: Despite extreme weather conditions in February, contractor personnel continued pier repair activities at the Cape May Terminal. Slip #2 work was completed and the slip placed back in operations. Remaining work centers on Slip #1 and "buttoning-up" the pier. Work included the installation of new steel piles and tie rods, placement of underwater stone fill and rip rap, utility relocation, and backfill operations. Work will be done week of March 10th.

b. Contract Award Actions: Over the last thirty (30) days, there were three public bid openings on three (3) CMLF-related contracts. They are as follows:

- (1) Contract CMLF-03-01, Supply of No. 2D Diesel Fuel: Four (4) firms attended the

mandatory pre-bid meeting and one bidder (Pedroni Fuel Company) chose to submit a bid on February 27th. This firm is currently the diesel fuel provider for CMLF. The plan is to make a contract award recommendation at the March Board meeting.

(2) Contract CMLF-02-07, Provide/Install Ferry Vessel Radar Sets: The bid opening was February 20th in which three firms submitted proposals. Proposals are being analyzed and sample radar sets from each firm are being tested and evaluated against the pre-established specifications. The plan is to make an award recommendation at the April Board meeting.

(3) Contract No. CMLF-02-05, Drydocking and Repairs, MV Delaware and MV Cape May: The bid opening was February 27th in which two (2) qualified firms submitted acceptable bids. The plan is to make an award recommendation at the March Board meeting.

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

a. Delaware Approach Roads Improvements (Phase II): Work on this phase is approximately 45% complete. Work continues primarily with ramp reconstruction, high mast lighting installation, and the construction of the new Bridge 12. The Bridge 12 portion of the project is 38% complete. Adverse weather conditions in January and February have significantly impacted progress.

b. Contract No. DMB-01-06, Electrical Systems Rehabilitation: The bid opening was February 25th in which six (6) firms submitted bids. All bids are being evaluated. The work primarily involves the upgrade and replacement of the original electrical infrastructure for the DMB with a new 12,000 volt loop feeder system that will provide the Authority with a redundant power supply. This work also includes permanent security lighting. The plan is to make a contract award recommendation at the April Board meeting.

3. Airport Activities:

a. Hangar Demolition (Delaware Airpark): On February 18th, the roof of the maintenance hangar that is connected to the terminal building collapsed under a snow load. A critical needs determination was recommended by the Director of Engineering in order to remove this hazard as quickly as possible. Seven bids were received to execute the work. Work will begin the week of March 10th. Estimated cost of the work is less than \$75,000.

b. Corporate Hangar Development (New Castle Airport): Work is now 70% complete on Hangars #9 and 60% complete on Hangar #10. Close-in activities are now substantially complete. The plan is to finish Hangar #9 by May 1st and Hangar #10 by June 1st.

c. Corporate Hangar Development (Millville Airport): Work is now 50% complete on Hangar #2 at Millville Airport. Steel erection and roofing activities are now substantially complete. All work is scheduled to be complete by December 2003.

4. Wilmington Riverfront Restaurant Development: Design for the tenant "fit-out" portion of the project was completed in February and documents provided to contractors for bidding purposes. Construction activities are planned to begin late March, subject to receipt of necessary permits and bid prices being within budget.

Very Respectfully,

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

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

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SERVICES REPORT. The Executive Director presented the following monthly report on the activities of the Management Information Services Division.

April 7, 2003

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

Dear Mr. Johnson:

Apart from routine operations, listed below are the major activities of the Management Information Services Division for the month of February 2003.

Old Issues/Project(s) Activities:

- **Toll Collection System/CSC:** This month work continued on the implementation of the new E-ZPass signs. ACS submitted wiring/interface drawings to the DRBA which were reviewed by DRBA project engineers. Problems were discovered involving the number of interfaces proposed by ACS to operate the E-ZPass signs and lane signals in the four required lane modes (dedicated, closed, mixed and manual). These issues were addressed with ACS and the DRBA is awaiting a solution. The anticipated delivery date for the signs is the end of March. In the interim, if the signs arrive prior to a resolution, they will be mounted and wired to operate in either a dedicated, mixed or closed mode.

During the week of February 10th, SSI was on site to perform testing and modifications to the Tolls Management System. Design work and coding continued on the Payment Processing database to handle violations rejected due to no DMV agreements. The database design and duplex printing of notices were completed. In preparation parallel testing and eventual production cut-over, database safeguards were added to insure data accuracy, the batch job analysis screen was coded and error reporting was refined. SSI is scheduled to return in March to install the production scripts to begin parallel testing.

- **IT Consulting Services Contract:** On February 13th, I met with Info Systems to review the project status on the IT Consulting Services Contract and to accept delivery of the IT Strategic Plan Interview Analysis. I reviewed the analysis and found discrepancies between the interview data and the assumptions drawn. I presented my findings to Info Systems and requested that the appropriate corrections be made. Due to severe weather conditions throughout the month, Info Systems delayed delivery of the Network Assessment and the Network Security Assessment until March.
- **E-ZPass Interagency Group:** On February 25th, the Reciprocity Task Force met at the offices of the Metropolitan Transportation Authority in New York. The primary focus of the meeting was to discuss the plans for the Delaware Department of Transportation (DelDOT) to leave the Regional Consortium and open their own customer service center. Due to timing constraints, DelDOT will not issue transponders or open their customer service center until the Summer 2003. However, they will begin to operate under their own agency code (019) when the Regional Consortium changes their service center provider on March 25th. DelDOT will remain with JPMorgan Chase; whereas, the Regional Consortium will move their customer service center to Newark, New Jersey with ACS State and Local Solutions as their customer service center provider. The meeting addressed the testing required among the E-ZPass agencies to ensure that services are not interrupted and transaction processing will not be effected. Also discussed was Burlington County Bridge Commission plans to begin accepting E-ZPass at the Burlington-Bristol and Tacomy-Palmyra Bridges on March 15th. They will operate under the Delaware River Port Authority Customer Service Center and will not issue transponders. The Port Authority of New York and New Jersey reported that all parking lots at the Kennedy Airport now accept E-ZPass Plus. The average market

penetration rate is 15%. The next Reciprocity Task Force Meeting is scheduled for April 3rd at the offices of the Delaware River Port Authority.

New Issues/Project(s) Activities:

- **Frame Relay:** On February 10th, the final leg on the existing Delaware River and Bay Authority's wide area network was moved from SMDS to Frame Relay. These sites encompass New Castle, Cape May, Lewes and the New Castle Airport. The ISDN backup lines are up in New Castle, Lewes and Cape May with testing completed on the Lewes line. Verizon needs to address connectivity issues before testing can be completed in Cape May and New Castle. The Internet router to the State of Delaware is still on SMDS. The switch over to Frame Relay will be coordinated with the State in the near future. The final phase to this project will be to network Millville. This work will be scheduled after the network equipment has arrived and cabling is run to the offices.
- **Toll Collection/CSC System Warranty:** On February 21st, I met with George Karabin of ACS to discuss contract close out and entering into the first year of software maintenance. An agreement was reached that ACS and the DRBA will develop a list of all outstanding warranty issues which must be resolved by ACS prior to the DRBA issuing the first year's maintenance payment. In addition, Mr. Karabin informed me that the DRBA must pick up the maintenance agreement on the Customer Service Center Integrated Voice Response System. Mr. Karabin is to supply DRBA with a copy of the agreement. Mr. Karabin will also check into the remaining programming hours from the Customer Service Center contract and provide the DRBA with an estimate to program DelDOT's discounts and the new reciprocity file specification (1.51) to process E-ZPass Plus transactions.

Very truly yours,

Geraldine DiNicola Owens
Director of MIS

Without objection, the Management Information Services Report was ordered filed with the permanent records of the Authority.

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8820. ADMINISTRATION - PERSONNEL REPORT: The Executive Director presented the following monthly report on the activities of the Personnel Division.

March 7, 2003

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

Dear Mr. Johnson:

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

- **Recruitment/Job Postings**
Authority Police - An internal notice was posted in the Police Department for a promotional opportunity to the rank of *Lieutenant*, to serve as *Counter-terrorism Coordinator* for the Authority. Five (5) qualified police officers have applied to participate in this process. Oral interviews are scheduled for March 27.

Delaware Memorial Bridge - An internal recruitment notice was posted February 24, 2003

for a permanent part-time *Stock/Utility Worker* in the DMB Café. The deadline for applying was March 3, 2003. In addition to the internal notice, the position was also posted on the DRBA website and advertised on America's Job Bank (website). Nine (9) applications/resumes were received in response to the notices for this position (one internal and eight external).

- **New Hire** - Effective February 3, 2003, Jonathan G. Micken was hired as *Patrol Officer* for the DRBA Police Department. Officer Micken was previously employed by the Authority as an officer from November 1999 until April 2001.
- **DRBA Scholars Program** - The 2003 scholarship application deadline was extended from February 15 to February 19, 2003 due to the holiday and weather conditions. Ten (10) applications were received and have been forwarded to the Scholarship Selection Committee for review. The committee is scheduled to meet Wednesday, March 12, 2003 to discuss the applications and select the finalists.
- **Retirement** - John Gamble, Superintendent of Maintenance (CMLF), retired from the Authority effective February 22, 2003 after twenty-one (21) years of service at the Cape May-Lewes Ferry.
- **Resignations** - K. Paige Cohan, Administrative Assistant, Guest Relations (CMLF) resigned from the Authority February 6, 2003.

Respectfully submitted,

Linda H. Murphy
 Director of Human Resources

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DELAWARE RIVER AND BAY AUTHORITY
 PERSONNEL STATUS
 AS OF MARCH 7, 2003

<u>PERMANENT FULL-TIME PERSONNEL</u>	<u>AUTHORIZED POSITIONS</u>	<u>FILLED POSITIONS</u>
Authority Administration	67	64
Delaware Memorial Bridge	155	152
Cape May-Lewes Ferry	158	152
Food Service/Retail	25	23
Authority Police	75	75
Airports Division	42	41
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TOTAL	522	507
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<u>PERMANENT PART-TIME PERSONNEL</u>	<u>AUTHORIZED POSITIONS</u>	<u>FILLED POSITIONS</u>
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Delaware Memorial Bridge	6	5
Cape May-Lewes Ferry	10	6
Food Service/Retail	13	12
Authority Police	1	1
Airports Division	<u>2</u>	<u>1</u>
TOTAL	<u>32</u>	<u>25</u>

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

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8821. AIRPORTS DIVISION REPORT: The Executive Director presented the following Airports Division Report.

March 6, 2003

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

Dear Mr. Johnson:

A brief summary of Airports Division February events follows:

New Castle Airport (NCA): New Castle Airport Operations and Maintenance personnel were kept busy with snow removal operations throughout the month with accumulations ranging from two inches to two feet of snow. The DRBA snow removal operation at New Castle was highlighted on local PBS TV station WHY Y Channel 12. New Castle Airport staff received numerous compliments on snow removal from the businesses, corporate tenants and itinerant users of the airport. Food services met with airport staff to review vending machine options and placement in the terminal building. Approval was obtained from the Army National Guard for use of their conference facility for the DRBA Police sponsored Emergency Response Agencies conference. Operations met with and briefed Gary Mascelli, P.E. on airport project areas. Airport Operations, in conjunction with Edwards and Kelcey, is updating the Airport Layout Plan and Airport Certification Manual. Management received and responded to several noise complaints including calls concerning Delaware Air National Guard C 130 night flying operations.

Millville Airport (MIV): The recently hired Millville/Cape May Airport Operations Manager has been meeting with airport tenants at both the Cape May and the Millville Airports. A series of Millville Blue Angel Air Show weekly planning meetings began in February. Following a particularly difficult series of snow storms, airport staff began a review of existing snow removal procedures and lessons learned. Runway 10-28 lights have been repaired and are operational.

Cape May Airport (CMA): Maintenance personnel completed routine field work, attended to work order items, conducted snow removal operations, and assisted with wildlife hazard control. The airport was closed for a total of nine days during the month as a result of two different snow storms. Total measured accumulation on runways and taxiways for the month was 18 inches. CMLF maintenance personnel gave greatly appreciated assistance in snow removal on airport access roads and ramps and in the terminal building parking lot. Lomax & Morey environmental consultants informed airport staff that they will be taking photos in the near future of the deer fence and ditch

areas in order to prepare NJDEP permit applications.

Dover AFB Civil Air Terminal (CAT) - Delaware Air Park (DAP): Airports operations and maintenance staff ensured both facilities were open for arrivals and departures during the recent heavy snow storms. Winter weather on the East Coast delayed or canceled three flights into the Civil Air Terminal. All canceled arrivals have been rescheduled for next month. In preparation for the upcoming NASCAR races, the Dover Air Force Base commander made a formal request to the Pentagon for additional aircraft parking on base property. At Delaware Airpark, high snow accumulation caused the partial collapse of the 5600 square foot maintenance hangar roof. The hangar is scheduled to be demolished. Maintenance work on DSU training aircraft is being temporarily conducted in a vacant T hangar.

Sincerely,

Rocco Tomanelli
Airports Director

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

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8822. COMMITTEE REPORT - BUDGET & FINANCE: Commissioner Derrickson presented the following minutes of the Budget & Finance Committee Meeting held on March 11, 2003:

- I Chairperson Derrickson welcomed the Budget & Finance Committee and opened the meeting at approximately 9:05 a.m.

- II The Committee began discussions to Amend the Community Contributions Policy by formulating guidelines for the distribution of Community Contributions. Chairperson Derrickson reviewed the options previously proposed by staff which included the following.
 - Keep the Community Contributions budget at \$450,000, allocating each Commissioner with \$37,500
 - Allocate each Commissioner with \$25,000 with the remaining \$150,000 to be allocated equally between States.

The Committee discussed and debated various topics including the necessity to increase the current approved FY 2003 Community Contributions Budget to 1% of the Operating Budget as allowed within the Community Contributions Policy. The Committee concurred and Commissioner Patterson motioned to increase the Community Contributions Budget to 1% of the FY 2003 Operating Budget. Commissioner McWilliams seconded the motion, with the Committee approving the recommendation by voice vote.

The Committee further discussed the allocation of the community contributions. After discussion, Commissioner Patterson motioned that 25% of the allocated funds be allocated for multi-year commitments and/or projects recommended by staff through the Executive Director and Commissioners to the Budget and Finance Committee. These funds would be equally divided among the States. Commissioner McWilliams seconded the motion, with Committee approving the recommendation by voice vote.

A Resolution amending the Community Contributions Policy will be presented for full Board consideration at the March Authority meeting.

The Committee delayed decisions on the Community Contribution requests for March pending Board approval of the Amendment. Subject to approval, each State will caucus to review the respective requests.

- III Staff presented and reviewed the proposed Real Property and Tangible Assets Disposition Policy, which incorporated the Committee’s previous recommendations to the draft. The purpose of the Policy is to “provide a formal review and approval procedure for the disposition of real property and tangible assets no longer required by the Delaware River and Bay Authority for public purposes.” After review, on motion by Commissioner McWilliams, and seconded by Commissioner Patterson, the Real Property and Tangible Assets Disposition Policy was approved and recommended to the full Board for consideration at the March Authority meeting.
- IV Staff reviewed and discussed Authority lease transactions:
- A tenant in Corporate Commons recently approached the Authority to re-negotiate the current lease and to lock into a long-term lease agreement. Staff reviewed the proposed terms and conditions and will continue to update the Committee as necessary.
 - A State of Delaware agency has expressed interest in leasing the former Cytometrics Building, located at the New Castle Airport. It was further reported that there continues to be interest from other outside groups. Staff will continue to update the Committee as necessary.
 - Staff updated the Committee on a potential land sale. An Authority appraisal was completed and concurred with the appraisal provided by the prospective purchaser. Staff will update the Committee as necessary.
 - Staff informed the Committee of a recent lawsuit brought against the Authority and the City of Millville by an FBO at the Millville Airport. Staff will continue to update the Committee as necessary.
- V Staff reported that a decision last year to switch from a traditional Workers Compensation Plan to a Retro Adjustment Premium Plan will result in a substantial return of premium, based on the Authority’s favorable claims activity for the fiscal year.
- VI In an effort to simplify and clarify the monthly financial data reports, staff presented draft financial reports and reviewed the proposed changes. It was noted that the income reports still reflected the one month lag necessary for the reconciliation of E-ZPass reciprocity among the different toll agencies. The Committee agreed to continue to report the income with the one month lag.
- VII The Executive Director gave an update on the proposed ERO. After the Governors’ veto period has expired, staff will begin to officially communicate to employees toward the end of March.
- VIII Staff presented the Committee with information on a proposed on-site training seminar entitled “Audit Committee Training.” This information was previously presented to the Audit Committee for their review and the Committee recommended offering the training to all Commissioners, the Leadership Team, and selected staff. It was requested that interested Commissioners complete the questionnaire so that the seminar can be designed to address Authority issues.

There being no further business before the Committee, the meeting was adjourned at 10:58 a.m.

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8823. COMMITTEE REPORT - PERSONNEL & INSURANCE: Commissioner Pessagno presented the following minutes of the Personnel & Insurance Committee Meeting that was held on March 11, 2003:

- I. Chairperson Pessagno welcomed the Personnel and Insurance Committee and opened the meeting at 11:05 a.m.
- II. The Committee discussed the RFP for Brokerage Services relating to Healthcare and decided to take no action at this time.
- III. The Executive Director reviewed the roles and responsibilities of each member of the Leadership Team. To ensure accountability, each member has a written job description and a Performance Plan. The Committee asked several questions and provided the necessary input.
- IV. Staff presented an update on the status of the Early Retirement Option. After expiration of the Governors veto period, staff will begin the roll out of a formal communications plan to all employees explaining the details of the option. The Committee concurred with the recommendation and approved the staff to change order the existing contract with Mercer to provide the scope of work necessary to ensure a professional quality communications plan.
- V. The Executive Director discussed an outline for the next series of employee meetings scheduled in March. These ten meetings are designed to continue communications with all employees, introduce the CHRO and COO, update staff on the ERO, and answer any questions. The Committee concurred that these meetings were an effective format for internal communications.

There being no further business before the Committee, the meeting was adjourned at 12:02 p.m.

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8824. COMMITTEE REPORT - PROJECTS COMMITTEE: Commissioner Hensley presented the following minutes of the Projects Committee Meeting that was held on March 11, 2003:

- I. The Projects Committee meeting convened at approximately 12 Noon. The Director of Engineering provided those in attendance with an information package consisting primarily of an agenda, four (4) bid tabulations, and on-going project data.
- II. Award Actions: The Director of Engineering reported the there were four bid openings over the last thirty (30) days and are as follows:
 - Contract No. CMLF-02-05, Drydocking and Repairs, MV Delaware and MV Cape May: The bid opening was February 27th in which two firms submitted acceptable bids. John Jones recommended award of the contract to the lowest responsive bidder, Norfolk Ship Repair and DryDock Company. The Projects Committee concurred and authorized the action be presented at the March Board meeting for award.
 - Contract No. CMLF-03-01, Supply of No. 2D Diesel Fuel, Cape May & Lewes Terminals: The bid opening was February 27th in which one firm submitted an acceptable bid. John Jones recommended award of the contract to Pedroni Fuel Company. The Projects Committee concurred and authorized the action be presented at the March Board meeting for award.
 - Contract No. CMLF-02-07, Provide/Install Ferry Vessel Radar Sets: The bid opening was February 20th in which three firms submitted proposals. Proposals are being analyzed and sample radar sets from each firm are being tested and evaluated against the pre-established specifications. The plan is to make an award recommendation at the April Board meeting.

- Contract No. DMB-01-06, Electrical Systems Rehabilitation, Delaware Memorial Bridge: The bid opening was February 25th in which six (6) firms submitted bids. The low bidder (The Chappy Corporation) has provided the Authority a letter indicating that their bid is defective, contains material errors and has requested that the Authority allow the bid to be withdrawn. John Jones recommended that the Authority allow The Chappy Corporation to formally present their case to the Authority before a recommendation can be made regarding disposition. Based on this issue, John Jones recommended that the award recommendation be postponed to the April Board meeting. The Projects Committee concurred with the recommendation.
- III. Contract Close-Out Actions: The Director of Engineering reported that there will be no contract close out recommendations for the March Board meeting.
- IV. Miscellaneous On-going Actions:
- Cape May Pier Repair Update: Despite extreme weather conditions in February, contractor personnel were able to stay on schedule and finish pier repair activities at the Cape May Terminal. John Jones reported that all work is complete and the contractor has started to de-mobilize. Although costs are not yet finalized, the project cost remains in the \$1.75 million range.
 - Emergency Repair, M/V New Jersey Update: John Jones reported that the MV New Jersey recently sustained propellor damage requiring an emergency dry-docking in Norfolk, Va. Work was complete and the vessel is now back in operation. Cost of the repair was \$20,285.00 (\$30,000 estimated).
 - Freeman Highway Requests: John Jones reported that two requests have been recently submitted to the Authority for consideration. One request is from a property owner asking the Authority to dedicate 1900 SF of land to the City of Lewes for purpose of establishing a public road to gain access to a privately-owned development site adjacent to Freeman Highway. John Jones recommended that he be provided time to evaluate this request and report back to the committee. The 2nd request is from the City of Lewes asking the Authority to allow the City to erect twelve (12) temporary wooden utility poles or six (6) permanent utility poles along Freeman Highway in order to allow the City to modernize an electrical substation and feeder line. John Jones recommended that we allow the temporary installation. The Projects Committee concurred with the recommendation.
 - Three Forts/Delaware City/New Castle Conservation District (NCCD) Project: John Jones provided an update on this collaborative effort regarding the construction of a new parking lot and site drainage system in support of the Three Forts operation in Delaware City. Construction work has started with NCCD having the lead. The Authority's role is to provide up to \$315,000 to fulfill agreed upon project financial obligations in accordance with Resolution 00-18. The Authority is now in receipt of its first invoice from NCCD.
 - Delaware Airpark (DAP) Hangar Collapse: John Jones reported that on February 18th, the roof of the DAP maintenance hangar that is adjoined to the terminal building collapsed under a snow load. A critical needs determination was recommended by the Director of Engineering in order to remove this hazard as quickly as possible. The Executive Director concurred with the recommendation. Seven bids were received to execute the work with George & Lynch of Dover, DE being the responsive low bidder. Work began March 10th and is expected to be complete in less than four (4) weeks. Estimated cost of the work is less than \$75,000.
 - Riverfront Restaurant Project Update: John Jones reported that the design for the tenant "fit-out" portion of this project is now complete and documents have been provided to contractors for bidding purposes. Construction activities are planned to begin early April, subject to receipt of permits and bid prices being within budget.

- Over \$25K Resolution: John Jones briefed the Projects Committee regarding Resolution 03-09, pursuant to Resolution 01-84, requiring Commission review and approval of all Authority expenditures in excess of \$25,000. He recommended that two vendors (Chas Winter Ford and EFKON) be included in this resolution for passage in March. Chas Winter is under Delaware State contract to provide vehicles as requirements dictate and EFKON manufactures Overhead Vehicle Profilers for the Authority's EZ Pass operation. The Projects Committee concurred with the recommendation.
- V. Contractor Payment Review (thru February): The Director of Engineering provided the Committee with a February summation of payments that will be paid towards active construction contracts in March.

There being no further business for the Projects Committee, the meeting was adjourned at approximately 1:10 p.m.. The next Projects Committee meeting is set for April 1st.

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8825. DELAWARE RIVER AND BAY AUTHORITY - TRAFFIC AND REVENUE SUMMARY: The Executive Director presented a chart showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Three Forts Ferry Crossing, and Food Service.

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

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8826. DELAWARE RIVER AND BAY AUTHORITY - STATEMENT OF INCOME AND EXPENSE: The Executive Director presented a chart showing a statement of income and expenses with comparisons to the same period last year.

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

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8827. DELAWARE RIVER AND BAY AUTHORITY - OPERATING EXPENSE BY DIVISION: The Executive Director 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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8828. DELAWARE RIVER AND BAY AUTHORITY - CAPITAL IMPROVEMENT PROGRAM: The Executive Director presented a chart showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also includes cash expenditures spent to date for the committed projects.

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

8829. DELAWARE RIVER AND BAY AUTHORITY - CASH POSITION (MARKET VALUE) AS OF JANUARY 31, 2003: The Executive Director presented a chart indicating the cash fund balances for the entire Authority.

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

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8830. APPROVAL OF AWARD OF CONTRACT NO. CMLF-02-05, DRYDOCKING AND REPAIRS, M.V. DELAWARE AND M.V. CAPE MAY, CAPE MAY-

LEWES FERRY. The Executive Director reported that bids for Contract no. CMLF-02-05, Drydocking and Repairs, M.V. Delaware and M.V. Cape May, Cape May-Lewes Ferry, were opened on February 27, 2003. The Chairman of the Projects Committee reported that the low bid of \$393,910.00 was submitted by Norfolk Shiprepair & Drydock Co., Inc. of Norfolk, Virginia.

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

On motion by Commissioner Derrickson, seconded by Commissioner Patterson, the recommendation of the Executive Director was approved by a roll call vote of 11-0.

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8831. APPROVAL OF AWARD OF CONTRACT NO. CMLF-03-01, SUPPLY OF NO. 2D DIESEL FUEL, 2003-2005, CAPE MAY & LEWES TERMINALS. The Executive Director reported that bids for Contract No. CMLF-03-01, Supply of No. 2D Diesel Fuel, 2003-2005, Cape May & Lewes Terminal, were opened on February 27, 2003. The Chairman of the Projects Committee reported that the low bid of \$3,333,375.00 was submitted by Pedroni Fuel Co. of Vineland, New Jersey.

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

On motion by Commissioner Lathem, seconded by Commissioner Pessagno, the recommendation of the Executive Director was approved by a roll call vote of 11-0.

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8830. THE EXECUTIVE DIRECTOR PRESENTED THE FOLLOWING RESOLUTIONS:

RESOLUTION 03-09 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1 THROUGH DECEMBER 31, 2003.

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

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

DELAWARE RIVER & BAY AUTHORITY
PROJECTED VENDORS TO BE PAID OVER \$25,000
OPERATION EXPENDITURES
FOR THE PERIOD 1/1/03 THROUGH 12/31/03

VENDOR	SERVICE DESCRIPTION
Sperry Marine	Voyage Management System Upgrade
Chas Winter Ford	DE State Contract for Ford Vehicles
EFKON	Overhead Vehicle Profiler

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

Resolution 03-09 was moved by Commissioner McWilliams, seconded by Commissioner Patterson, and was approved by a roll call vote of 11-0.

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RESOLUTION 03-10 - ADOPTING OF A REAL PROPERTY AND TANGIBLE ASSETS DISPOSITION POLICY.

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is the owner and/or operator of the Delaware Memorial Bridge, Cape May-Lewes Ferry, Three Forts Ferry Crossing, and five airport facilities; and

WHEREAS, as a result of these operations, the Authority has substantial real property and tangible assets; and

WHEREAS, the Authority from time to time deems it prudent and necessary, and in it’s best interest to divest itself of real property and tangible assets; and

WHEREAS, the Authority desires to adopt a formal review and approval procedure for the disposition of real property and tangible assets no longer required by the Authority for public purposes; and

WHEREAS, the Authority’s Budget and Finance Committee has reviewed and approved a policy, and recommends it’s adoption by the full Board; and

WHEREAS, the Policy on Real Property and Tangible Assets Disposition is here by attached and made a part hereof of this Resolution; and

WHEREAS, upon adoption, the policy shall be incorporated into the Authority’s Accounting Manual; and

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts the Real Property and Tangible Assets Disposition Policy, attached hereto, with an effective date upon the expiration of the Governors’ veto period or April 1st, whichever is later.

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**Purpose of Policy:**

- This policy is designed to provide a formal review and approval procedure for the disposition of real property and tangible assets no longer required by the Delaware River and Bay Authority for public purposes.

No real property or tangible asset shall be sold, leased, transferred, or otherwise conveyed until a review of the proposed conveyance is completed in accordance with this policy and the property or tangible asset is deemed to be no longer necessary for Authority purposes.

- **Periodic Review of Real Property and Assets:**

On a periodic basis, but in no event less than once each year, under the direction of the Director of Engineering, the Authority shall undertake a review of all real property and tangible assets under its control to determine what, if any, real property or tangible assets are in excess of its reasonably foreseeable needs and report such findings in writing to the Chief Financial Officer.

On a periodic basis, but no less than annually, the Chief Financial Officer shall report to the Budget and Finance Committee annually any real property and tangible assets reported as no longer necessary for Authority purposes, and make recommendations as to the disposition of the real property or tangible assets by sale or otherwise.

Whenever any real property or tangible asset is reported as no longer necessary for Authority purposes pursuant to this policy, such property or tangible asset may be sold to the highest bidder. However, sale of Authority property or tangible assets, shall not be less than the full fair market value.

The Budget and Finance Committee shall report to the Board of Commissioners on a periodic basis with respect to any real property approved and recommended for sale or other disposition under this policy by providing the following information:

- A description and picture, or other information identifying the property.
- The present status or use of property, including any known easements or restrictions on property.
- An accurate, current appraisal of the fair market value of the property.
- An estimate of the amount of Authority funds, if any, expended in acquiring, preserving, improving, restoring, or reclaiming the property.
- Reason for Disposition.

Upon review by the Board of Commissioners of the recommendations of the Budget and Finance Committee, the full Board may authorize the sale or other disposition of said property pursuant to the following procedures:

#### Real Property

- All real property shall be appraised by a qualified appraiser impartially prepared setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.
- Upon completion of the appraisal, all real property approved for sale by the Board of Commissioners may be publicly advertised for sale in a publication of general circulation in the States of Delaware and New Jersey. Such advertisement shall be published at least once a week for two consecutive weeks. Such advertisement may contain a general description, size and location of such property, and shall include the date, time, and all relevant contact information, including the date that bids are due to the Authority.
- The Authority specifically reserves the right to first offer any real property to either the current lessor or any contiguous property owners for the appraised fair market value.
- All sealed bids for real property shall be accompanied by a cashiers check, which will serve as a Bid Guaranty, made payable to the Delaware River and Bay Authority in an amount equal to 25% of the total bid price. Each bid will be publicly opened and read at the specified time and location. The Bid Guaranty of all but the two lowest bidders, will be returned as soon as possible after the bids have been tabulated and checked. The Bid Guaranty of the two lowest bidders will be returned when the property sale/auction has been finalized (i.e. property closing).
- All property shall be sold “as is, where is” with all faults.
- The Authority reserves the right to reject any non-conforming bids. Bids below the appraisal value shall not be considered a responsive bid, unless waived by the Authority.
- Upon public reading of such bids, the Authority shall tabulate each bid and present such findings within 60 days to the Budget and Finance Committee.

With Authority Counsel review and consent, a Resolution authorizing the sale of the real property to the highest responsible bidder shall be prepared and reviewed at an upcoming Commission meeting. Upon Board approval and requisite expiration of Governors' veto period of Board action, staff and Counsel shall be authorized to draft and execute all necessary Agreements to formally close on the sale of real property. The successful bidder shall be notified within ten (10) business days after the veto period expiration.

- Immediately upon closing, all net proceeds from the sale of real property shall be deposited in the proper Delaware River and Bay Authority accounts. Such deposits may be subject to annual audits.

Tangible Assets

- All tangible assets deemed to be no longer necessary for Authority purposes shall be sold at auction to the highest bidder. The auction shall be a regionally recognized, professionally licensed and operated facility. The Authority is authorized to pay the normal and customary auction fees and percentages. The result of all auctions shall be reported to the Chief Financial Officer not more than three business days after the auction. The CFO shall have the responsibility to report the results of the auction at the next scheduled Budget and Finance Committee Meeting.
- All Tangible Property shall be sold "as is, where is" with all faults.
- All proceeds from any authorized auction shall be deposited immediately in the proper Delaware River and Bay Authority accounts. Such deposits may be subject to annual audits.

Resolution 03-10 was moved by Commissioner Pessagno, seconded by Commissioner Derrickson, and was approved by a roll call vote of 11-0.

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**RESOLUTION 03-11 AMENDING THE COMMUNITY CONTRIBUTIONS POLICY.**

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 a long history of supporting worthy non-profit charitable/community organizations; and

WHEREAS, the Authority has adopted a Community Contribution Policy which outlines the purpose of the program and process for the consideration of requests; and

WHEREAS the Authority is interested in establishing a clear policy that Community Contributions shall be allocated equally between the State of Delaware and the four southern counties in the State of New Jersey; and

WHEREAS, the Authority is interested in establishing a policy of allocating a portion of Community Contributions annual funding for multi-year commitments and to encourage Executive staff and Authority Commissioners to work together to recommend charitable/community organizations for funding.

NOW, THEREFORE, BE IT RESOLVED, that the Authority's Community Contribution Policy is hereby amended as follows:

Section C of the **Introduction** entitled "**Geographic Focus**" shall cease to read as heretofore

and shall hereafter read as follows: “The Authority supports causes that further its core mission and benefits citizens in the State of Delaware and the counties of Cape May, Cumberland, Gloucester and Salem. Accordingly, Community Contributions shall be allocated equally between the State of Delaware and the State of New Jersey, within the counties of Cape May, Cumberland, Gloucester, and Salem.

Section B of the **Administrative Guidelines** entitled “**Budget Guidelines**” shall cease to read as heretofore and shall hereafter read as follows: The Authority adopts an annual operating budget which shall include an appropriate funding level for Community Contributions. As a general guide the Authority will not appropriate more than 1% of its total annual operating budget towards Community Contributions. Twenty-five percent (25%) of the annual budgeted allocation for Community Contributions shall be allocated for multi-year commitments to charitable/community organizations and/or projects recommended by Executive Staff and/or members of the Authority’s Board of Commissioners.

Resolution 03-11 was moved by Commissioner Koebig, seconded by Commissioner Pessagno, and was approved by a roll call vote of 11-0.

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8833. COMMISSIONERS PUBLIC FORUM: Chairman Cordrey questioned whether any member of the public requested to address the Commission.

One such request was received, but the speaker indicated he was unable to attend the meeting.

Chairman Cordrey asked if any Commissioner wished to comment.

Commissioner Hensley inquired as to the status of the due diligence related to the proposed ethanol plant project. Deputy Executive Director Rainear addressed the issue.

Commissioner Pessagno welcomed both the new Chief Operations Officer, and the new Chief Human Resources Officer to the Authority.

Commissioner Fralinger inquired as to the status of the Salem Business Centre. Deputy Executive Rainear responded to the inquiry.

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There being no further business before the Commission, Chairperson Cordrey adjourned the meeting at 11:34 a.m.

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

Respectfully submitted,  
THE DELAWARE RIVER AND BAY AUTHORITY

Thomas A. Pankok  
Secretary