

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Delaware Memorial Bridge Complex
Tuesday, November 15, 2022**

The meeting convened at 10:00 a.m. at the Delaware Memorial Bridge Complex, with Chairperson Hogan presiding.

The opening prayer was given by Vice-Chairperson Lathem, followed by the Pledge of Allegiance.

Chairperson Hogan called on the Authority Assistant Secretary to read the meeting notice. The Assistant 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.

Chairperson Hogan called on the Assistant Secretary to take the roll.

Commissioners from New Jersey

James N. Hogan, Chairperson
Shirley R. Wilson via: Zoom
Ceil Smith
Sheila McCann
M. Earl Ransome, Jr.
Heather Baldini via: Zoom

Commissioners from Delaware

Samuel Lathem, Vice-Chairperson*
Crystal L. Carey
Henry J. Decker
Michael Ratchford
Veronica O. Faust
Theodore Becker

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Chairperson Hogan called for the acceptance of the Agenda.

Vice-Chairperson Lathem made a motion to accept the Agenda, seconded by Commissioner Decker, and the motion carried by a voice vote of 12-0.

Chairperson Hogan opened the meeting for public comment on any matters of interest.

Chairperson Hogan administered the Oath of Office to Colonel E. McFadden to lead the Authority's Police Department.

Will Morey, Board of Cape May County Commissioner, discussed DRBA & Cape May County collaborations at the Cape May Airport (KWWD). Mr. Morey presented slides showing a vision and masterplan for KWWD developed over the years clearing the way for redevelopment and focus on the partnership. He described previous demolition costs of around \$4.14 million dollars, and infrastructure upgrades of about \$7 million dollars. From a property perspective, roughly 75% of the airport is managed and developed by the DRBA, the remainder held by Cape May County (CMC). CMC invested \$6.64

million dollars to develop the Tech Hangars. The County Open Spaces Program also supports historic preservation at the airport. Chairperson Hogan noted Mr. Morey’s vision is incredible and very much appreciated.

There were no additional comments.

Chairperson Hogan called for a motion to move to Executive Session. Vice-Chairperson Lathem made a motion, seconded by Commissioner Decker, and the motion carried by voice vote of 12-0.

Members of the public and certain staff were excused from the room during the Executive Session.

The Executive Session started at 10:30 a.m. and ended at 11:57 a.m.

At the conclusion of the Executive Session, Chairperson Hogan called for a motion to close Executive Session, and recess to conduct Committee Meetings. Vice-Chairperson Lathem then made a motion, seconded by Commissioner Becker, and the motion carried by a voice vote of 12-0.

The Committee meetings started at 12:00 p.m. and ended at 12:20 p.m. During that time, the following Committee meetings were held:

- Budget & Finance
- Economic Development
- Personnel
- Projects

At the conclusion of the Committee meetings, Chairperson Hogan called the Board meeting back to order at 12:20 p.m.

*Vice-Chairperson Lathem left the meeting at 12:12 p.m.

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12022. APPROVAL OF THE OCTOBER 18, 2022 MINUTES

Commissioner Decker made a motion to approve meeting minutes for October 18, 2022, seconded by Commissioner Faust, and approved by a voice vote of 11-0.

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12023. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Chief Financial Officer (CFO) presented charts showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Delaware City-Salem Ferry Crossing and Food Service for October charts were ordered filed with the permanent records of the Authority.

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12024. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for October 2022 with comparisons to the same periods last year

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

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12025. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for October 2022 showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

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

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12026. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for October 2022 showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also included cash expenditures spent to date for the committed projects.

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

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12027. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR OCTOBER 31, 2022.

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

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

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12028. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Hogan noted that (4) Contract Awards, (2) Contract Close-Outs, and (5) Resolutions were being considered at today's meeting.

All action items have been reviewed, and recommended for consideration, during today's Committee meetings. He then called for public comment on any action items.

There was no public comment on action items before the Board.

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12029. AWARD OF CONTRACT #CMLF-C19-06R2 – CAPE MAY TERMINAL POLICE DISPATCH CENTER REHABILITATION

The Chief Operations Officer (COO) noted that a public opening bid was held on October 20, 2022. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder Aliano Brothers General Contractors Inc. of Vineland, New Jersey, in the amount of \$412,485.00.

A motion to award CONTRACT #CMLF-C19-06R2 to the aforementioned firm was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12030. AWARD OF CONTRACT #CMLF-22-05 – PIER FENDERS REPLACEMENT AND REPAIRS AT CAPE MAY AND LEWES TERMINALS

The Chief Operations Officer (COO) noted that a public opening bid was held on October 20, 2022. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder Agate Construction Company Inc. of Clermont, New Jersey, in the amount of \$833,650.00.

A motion to award CONTRACT #CMLF-22-05 to the aforementioned firm was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12031. AWARD OF CONTRACT #CMLF-L22-06 – LEWES BIKE PATH CONNECTOR

The Chief Operations Officer (COO) noted that a public opening bid was held on October 26, 2022. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder A-Del Construction of Newark, Delaware, in the amount of \$88,000.00.

A motion to award CONTRACT #CMLF-L22-06 to the aforementioned firm was made by Commissioner Ratchford, seconded by Commissioner Becker, and approved by a voice vote of 11-0.

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12032. AWARD OF CONTRACT #DMB-23-01 – 2023&2025 – DECK PAVEMENT REPAIRS

The Chief Operations Officer (COO) noted that a public opening bid was held on November 2, 2022. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder Mumford & Miller Concrete, Inc. of Middletown, Delaware, in the amount of \$1,405,875.00.

A motion to award CONTRACT #DMB-23-01 to the aforementioned firm was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12033. CLOSE-OUT CONTRACT #DMB-22-01 – FIRST STRUCTURE – COATING REMOVAL & REPLACEMENT, SUSPENDED SPANS

CONTRACT #DMB-22-01 – FIRST STRUCTURE COATING REMOVAL & REPLACEMENT, SUSPENDED SPANS was awarded to Allied Painting, Inc. of Cherry Hill, New Jersey.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$10,521,501.00.

A motion to Close-Out Contract #DMB-22-01 was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 11-0.

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12034. CLOSE-OUT CONTRACT #DMB-21-15R – REPLACEMENT OF FUEL DISPENSERS

CONTRACT #DMB-21-15R – REPLACEMENT OF FUEL DISPENSERS was awarded to Chesapeake Pump & Electric LLC of Chesapeake City, Maryland.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$275,000.00.

A motion to Close-Out Contract #DMB-21-15R was made by Commissioner Ransome, seconded by Commissioner Becker, and approved by a voice vote of 11-0.

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12035. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

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RESOLUTION 22-56 – CHANGES THE DATE OF THE JANUARY, FEBURARY AND JUNE 2023 BOARD OF COMMISSIONERS MEETINGS

WHEREAS, pursuant to Section 5.1 of the Bylaws adopted by the Delaware River and Bay Authority (the “Authority”), the regular monthly meeting of the Commissioners shall be held to the third Tuesday of each month; and

WHEREAS, the January 2023 meeting is currently scheduled for Tuesday, January 17, 2023; and

WHEREAS, due to scheduling conflicts with Martin Luther King Day, the Commissioners desire to reschedule the meeting to the third Wednesday of January, January 18, 2023; and

WHEREAS, the February 2023 meeting is currently scheduled for Tuesday, February 21, 2023; and

WHEREAS, due to scheduling conflicts with Presidents’ Day, the Commissioners desire to reschedule the meeting to the third Wednesday of February, February 22, 2023; and

WHEREAS, the June 2023 Board meeting is currently scheduled for Tuesday, June 20, 2023; and

WHEREAS, due to scheduling conflicts with Juneteenth, the Commissioners desire to reschedule the meeting to the third Wednesday of June, June 21, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the January monthly meeting of the Board of Commissioners of the DRBA shall be moved from January 17, 2023, to January 18, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the February monthly meeting of the Board of Commissioners of the DRBA shall be moved from February 21, 2023, to February 22, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the June monthly meeting of the Board of Commissioners of the DRBA shall be moved from June 20, 2023, to June 21, 2023.

Resolution 22-56 was moved by Commissioner Decker, seconded by Commissioner Becker, and was approved by a roll call vote of 11-0.

Resolution 22-56 - Executive Summary

Resolution: Changes the Date of the January, February, and June 2023 Board of Commissioners Meetings

Committee: N/A

Committee/Board Date: November 15, 2022

Purpose of Resolution: To change the date of the January, February and June regular monthly meetings of the Board of Commissioners from January 17, 2023 to January 18, 2023; from February 21, 2023 to February 22, 2023 and from June 20, 2023 to June 21, 2023.

Background for Resolution:

Due to the Martin Luther King Holiday, there are scheduling conflicts with the regularly scheduled January meeting.

Due to the Presidents' Day Holiday, there are scheduling conflicts with the regularly scheduled February meeting.

Due to the Juneteenth Holiday, there are scheduling conflicts with the regularly scheduled June meeting.

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RESOLUTION 22-57 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2022, THROUGH DECEMBER 31, 2022

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

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

DELAWARE RIVER & BAY AUTHORITY
VENDORS PROJECTED TO BE PAID OVER \$25,000
FOR THE PERIOD 1/1/22 THROUGH 12/31/22

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
CDW, LLC d/b/a CDW Government	Computer Equipment & Supplies	Committee Waiver	\$27,000
Evergreen Environmental, LLC	Wetland Mitigation Credits for Construction in the Delaware River	Sole Source	\$322,000
Matteo Family Kitchens, Inc.	Maintenance Breakroom Renovations	Quotes	\$30,000
Tri-State Battery & Alternator, LLC	Batteries for DMB Vehicles & Equipment	Committee Waiver	\$27,000

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

Resolution 22-57 was moved by Commissioner Ratchford, seconded by Commissioner Ransome, and was approved by a roll call vote of 11-0.

Resolution 22-57 - Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2022, through December 31, 2022.

Committee: Budget & Finance

Committee and Board Date: November 15, 2022

Purpose of Resolution:

Authorizes expenditures of \$25,000 or greater with the identified vendors during the 2022 calendar year.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 01-84, whereby the Authority shall not enter into any contract committing the Authority to spend or make any other expenditures relating to services, material and supplies in the amount of \$25,000 or more unless it has first been approved by a vote of Commissioners.

Purchase Detail:

CDW, LLC d/b/a CDW Government: Computer Equipment & Supplies

The Authority purchased various computer equipment and supplies for Authority-owned computer, laptops, and I-Pads. While these individual purchases were under the threshold, CDW Government has now been added to this Resolution as the expenditures have exceeded the threshold. The Authority requests a Committee Waiver for this vendor in 2022.

Evergreen Environmental, LLC: Wetland Mitigation Credits for Construction in the Delaware River

The Army Corp. of Engineers requires as a condition of approval of our plans for the future construction of eight (8) dolphin cells in the Delaware River for protection of the Delaware Memorial Bridge, that the Authority provide wetland mitigation. The Authority plans to purchase the amount needed to satisfy the permit condition(s) for mitigating wetland impacts resulting from the Project. Evergreen Environmental, LLC is the owner of Evergreen Abbot Creek Mitigation Bank, a 142.82-acre Watershed Management Area located along Abbot Creek in Cumberland County, NJ. The Mitigation Bank sells “Wetland Credits” to provide compensatory mitigation for the disturbance of wetlands and/or other aquatic resources during construction activities such as transportation projects.

Matteo Family Kitchens, Inc.: Maintenance Breakroom Renovations

In 2021, staff solicited quotes from three (3) vendors to purchase materials to renovate the DMB Maintenance breakroom with new kitchen cabinets, counter tops, sinks, and back splash. Matteo Family Kitchens submitted the lowest quote in accordance with the Authority’s specifications. While this was an under-threshold purchase, the vendor has been added to this Resolution as payment was made in 2022 and the Authority plans to purchase additional materials from the vendor to complete the renovations.

Tri-State Battery & Alternator, LLC: Batteries for DMB Vehicles & Equipment

The Authority purchased various replacement batteries for DMB fleet vehicles and equipment. While these individual purchases were under the threshold, Tri-State Battery

& Alternator has now been added to this Resolution as the expenditures have exceeded the threshold. The Authority requests a Committee Waiver for this vendor in 2022.

Classification Definitions:

Committee Waiver.

The Budget and Finance Committee, in consideration of the overall procurement process, may increase or waive the thresholds established in paragraphs 1 and 2 of Resolution 98-31 for the following reasons: operational needs and issues, a need for uniformity and continuity in materiel and services required by the Authority, and unique or special needs of the Authority including, but not limited to, the desirability of owner furnished materiel and supplies in vessel repair, maintenance, renovation and rehabilitation (DRBA Resolution 98-31 Part 3).

Quotes. A purchase of equipment, supplies or non-professional services or a contract for construction or construction management that is anticipated to cost between \$25,000 and \$49,999 during a calendar year and for which the Authority has solicited written quotes. *“Contracts for materiel and supplies and non-professional services, awarded to any [vendor for an amount of] more than \$25,000 but less than \$50,000 in the aggregate require the solicitation of three written quotes or all available sources, whichever is less... Construction management contracts or construction contracts...which are less than \$50,000 do not require formal solicitation of competitive prices and, if more than \$25,000 but less than \$50,000 require the solicitation of three written quotes or all available sources, whichever is less...”* (DRBA Resolution 98-31 Part 4).

Sole Source. A purchase made without a competitive process, based on the justification that only one known source exists or that only one single supplier can fulfill the requirements of the Authority. Sole source procurement is appropriate when the goods or services being acquired: are uniquely qualified to meet the objectives of the Authority; must be compatible with existing equipment; are available within a limited geographic boundary (e.g., distributor with exclusive rights or sales area); are required for use in conjunction with a grant or contract, etc. *“A contract may be awarded without competition if the General Manager or Director of Operations of an Authority facility, or Police Administrator, prior to procurement, determines in writing that there is only one source for the required contract and no other reasonable alternative sources exist that will satisfy the requirements of the Authority”.* (DRBA Resolution 98-31 Part 2.f.)

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RESOLUTION 22-58 – ADOPTION OF THE DELAWARE RIVER AND BAY AUTHORITY’S 2023 OPERATING BUDGET

WHEREAS, Section 505 of the Trust Agreement, dated October 1, 1993, requires that The Delaware River and Bay Authority (the “Authority”) adopt a budget for each fiscal year; and

WHEREAS, the proposed operating expenses for FY2023, excluding the Airports division is \$83,244,498 and

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

WHEREAS, for FY2023, principal and interest on outstanding bonds are \$33,928,269 in aggregate debt service; and

WHEREAS, the amount to be deposited to the credit of the Reserve Maintenance Fund with respect to Crossing Facilities shall be \$175,000.00 per month or \$2,100,000.00 for FY2023; and

WHEREAS, the projected revenue of the Authority for FY2023, excluding the Airports division is approximately \$181,831,000 resulting in a debt service coverage of 2.77x; and

WHEREAS, the proposed operating budget for the Airports division is \$9,788,323; and

WHEREAS, the proposed operating budget for FY2023 has incorporated principles of activity-based budgeting, which allocate certain costs to individual divisions rather than a central administrative budget: and

WHEREAS, the Budget and Finance Committee has developed, reviewed, and approved the proposed 2023 Operating Budget and recommends its adoption to the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby adopts an operating budget (see Exhibit A attached hereto and incorporated by reference) of \$83,244,498 for the Bridge, Ferry, Food Services, Forts Ferry, Police, and Administration Divisions, and a budget of \$9,788,323 for the Airports division for a total of \$93,032,821 for FY2023 and authorizes the Executive Director to exercise the approved management discretion and spend within the approved FY2023 budget.

BE IT FURTHER RESOLVED that the Executive Director is authorized to exercise management discretion to transfer funds within a division, as well as, between divisions for such identified costs associated with ED, DED, ITS, HR, Finance, Engineering, Education, Communications and Infrastructure Preservation expenses as long as such transfer does not exceed the total expenditures of the Authority.

(See Exhibits A & B attached hereto and incorporated by reference).

**DELAWARE RIVER & BAY AUTHORITY
EXPENDITURE ANALYSIS
BY DIVISION
FOR THE PERIOD 2019-2023**

EXHIBIT A

	2019 Adopted	% +,-	2020 Adopted	% +,-	2021 Adopted	% +,-	2022 Adopted	% +,-	2023 Proposed	% +,-
1 Administration	\$ 16,151,001	3.25	\$ 16,653,157	3.11	\$ 16,484,772	(1.01)	\$ 17,300,679	4.95	\$ 17,495,681	1.13
2 Bridge	20,817,707	3.19	21,390,095	2.75	21,447,528	0.27	23,459,612	9.38	23,510,693	0.22
3 Ferry	26,438,029	3.08	26,907,660	1.78	25,251,810	(6.15)	26,466,111	4.81	26,982,641	1.95
4 Authority Police	10,814,995	4.17	11,567,634	6.96	11,673,313	0.91	11,759,982	0.74	11,609,892	(1.28)
5 Sub-Total	74,221,732	3.31	76,518,546	3.09	74,857,423	(2.17)	78,986,384	5.52	79,598,907	0.78
6 Food Services	5,906,681	(1.30)	4,234,774	(28.31)	3,981,350	(5.98)	3,455,321	(13.21)	3,508,048	1.53
7 Forts Ferry Crossing	125,458	3.96	126,797	1.07	126,519	(0.22)	128,130	1.27	137,543	7.35
8 Sub-Total	80,253,871	2.95	80,880,117	0.78	78,965,292	(2.37)	82,569,835	4.56	83,244,498	0.82
9 Airports Division	8,029,493	3.02	8,284,620	3.18	8,568,366	3.42	9,257,841	8.05	9,788,323	5.73
10 Economic Development	711,932	(15.33)	714,159	0.31	627,656	(12.11)	313,828	(50.00)	0	(100.00)
11 Total DRBA Budget	\$ 88,995,296	2.78	\$ 89,878,896	0.99	\$ 88,161,314	(1.91)	\$ 92,141,504	4.51	\$ 93,032,821	0.97

**DELAWARE RIVER & BAY AUTHORITY
ALLOCATION OF ADMINISTRATIVE EXPENSES
BUDGET SUMMARY
FOR THE YEAR 2023**

DEPARTMENT	ADMIN.	DMB	CMLF	POLICE	AIRPORTS	FOOD & RETAIL	FORTS FERRY	TOTAL
EXECUTIVE DIRECTOR	\$ 1,952,930	\$ 50,200	\$ 5,000	\$ 2,500	\$ 12,500	\$ -	\$ -	\$ 2,023,130
DEPUTY EXECUTIVE DIRECTOR	920,778	-	222,744	-	748,850	-	-	1,892,372
HUMAN RESOURCES	2,184,623	-	208,369	21,000	-	-	-	2,413,992
EDUCATION & DEVELOPMENT	232,999	127,973	128,553	48,796	6,800	3,425	-	548,546
INFORMATION SERVICES	3,139,361	249,245	669,621	332,485	224,330	63,395	-	4,678,437
SAFETY	639,683	88,750	113,250	-	82,400	7,500	-	931,583
ELECTRONICS DEPARTMENT	1,084,612	219,120	324,061	70,500	162,375	5,000	-	1,865,668
FINANCE	2,169,441	2,457,922	1,910,564	435,663	741,930	112,096	24,545	7,852,161
ENGINEERING	741,824	1,369,092	382,182	-	116,565	-	12,500	2,622,163
TOTAL ADMINISTRATION:	\$ 13,066,251	\$ 4,562,302	\$ 3,964,344	\$ 910,944	\$ 2,095,750	\$ 191,416	\$ 37,045	\$ 24,828,052
FLEET VEHICLE LEASING	60,870	213,043	121,739	177,536	126,812	-	-	700,000
INFRASTRUCTURE PRESERVATION:	-	484,500	150,000	-	365,500	-	-	1,000,000
GRAND TOTAL:	\$ 13,127,121	\$ 5,259,845	\$ 4,236,083	\$ 1,088,480	\$ 2,588,062	\$ 191,416	\$ 37,045	\$ 26,528,052

Resolution 22-58 was moved by Commissioner Smith, seconded by Commissioner Becker, and was approved by a roll call vote of 11-0.

Resolution 22-58 - Executive Summary Sheet

Resolution: Resolution 22-58 – Adoption of the Delaware River and Bay Authority’s 2023 Operating Budget

Committee: Budget & Finance

Committee Date: November 15, 2022

Board Date: November 15, 2022

Purpose of Resolution:

Resolution 22-58 formally authorizes funds for the fiscal year’s current operating expenses.

Background for Resolution:

The Authority has issued outstanding debt under a Trust Agreement dated October 1, 1993. Section 505 of the Agreement stipulates that the Authority covenants to adopt a final budget for each ensuing fiscal year. The budget is to address Current Expenses, Amounts Deposited into the Reserve Maintenance Fund, Revenue Projections and Compliance with the Covenant as to tolls, in Section 501 (a) (i).

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RESOLUTION 22-60 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AERO WAYS INC d/b/a FLY ADVANCED

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the Wilmington Airport (“Airport”); and

WHEREAS, Aero Ways, Inc. (“Aero Ways”) desires to lease hangar space in a facility commonly referred to as Hangar B located at 135 North DuPont Hwy. at the Wilmington Airport; and,

WHEREAS, Aero Ways has agreed to pay the Authority annual rental in the amount of Three Hundred and Eighty-Four Thousand Dollars (\$384,000); and,

WHEREAS, the initial term of the Lease (“Lease Agreement”) is for one (1) year; and,

WHEREAS, Aero Ways shall have the right to renew the Lease Agreement for Four (4) one (1) year renewal options; and,

WHEREAS, rent shall adjust annually by the Consumer Price Index (CPI); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Aero Ways Inc, d/b/a Fly Advanced and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson, and the Executive Director.

Resolution 22-60 was moved by Commissioner Ransome, seconded by Commissioner Becker, and was approved by a roll call vote of 11-0.

Resolution 22-60 - Executive Summary

- Resolution:** Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Aero Ways Inc., regarding Wilmington Airport
- Committee:** Economic Development
- Committee Date:** November 15, 2022
- Board Date:** November 15, 2022
- Purpose of Resolution:** To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Agreement for space at the Wilmington Airport.
- Background for Resolution:** The Delaware River and Bay Authority owns a hangar located at 135 North DuPont Hwy. at the Wilmington Airport. Aero Ways Inc, d/b/a Fly Advanced wishes to lease 100% of the hangar in support of their FBO operation at the Airport. The rate is reflective of the current FMV for hangars of this type at the airport.

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RESOLUTION 22-62 – COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND FRATERNAL ORDER OF POLICE LODGE NO. 14, FOR SWORN NON-SUPERVISORY EMPLOYEE POLICE OFFICERS

WHEREAS, the Delaware River and Bay Authority (the “DRBA” or “Authority”) operates the Delaware Memorial Bridge, Cape May-Lewes Ferry, the Forts Ferry, and five (5) airport facilities; and

WHEREAS, sworn non-supervisory employee police officers voluntarily designated the Fraternal Order of Police, Lodge No. 14 (“Union”), to represent them in an election on February 19, 2010; and

WHEREAS, the Authority and FOP Lodge 14 negotiated and executed a Collective Bargaining Agreement (the “Agreement”) which expires on December 31, 2022; 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 FOP Lodge 14 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 the New Agreement shall commence on January 1, 2023, and expire on December 31, 2025; and

WHEREAS, the Authority desires to approve the New Agreement.

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.

Resolution 22-62 was moved by Commissioner Ransome, seconded by Commissioner Faust, and was approved by a roll call vote of 11-0.

Resolution 22-62 - Executive Summary Sheet

Resolution: Execute a New Agreement between the Delaware River and Bay Authority and the Fraternal Order of Police, Lodge No. 14

Committee: Personnel Committee

Committee Date: November 15, 2022

Board Date: November 15, 2022

Purpose of Resolution:

To approve a three (3)-year collective bargaining agreement (CBA) between the Delaware River and Bay Authority (the “Authority”) and the Fraternal Order of Police Lodge No. 14 (“Union”).

Background for Resolution:

Negotiations began earlier this year. The Authority and Union concluded negotiations on October 25, 2022, and the Union membership unanimously ratified the new CBA on October 26, 2022.

This collective bargaining agreement includes the following terms:

- 1. Three (3)-year contract.
- 2. Removal of some obsolete contract language.
- 3. Wage scale maximum point increased from 18 years’ service to 25 years’ service (equal to normal DRBA Police retirement).
- 4. The existing longevity wage scale of 1-18 years was extended to 25 years.
 - i. Year 1-5 and 16-25 increase at 2% per year of longevity.
 - ii. For years 6-15 of experience, there is a one-time average adjustment of 5.4%.
- 5. A 2024 wage scale increase of 2%, effective January 1, 2024.
- 6. A 2025 wage scale increase of 2%, effective January 1, 2025.
- 7. Each officer will receive a \$3,000 bonus per year for achieving CALEA accreditation.

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12036. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan called for comments from the Commissioners.

There were no additional comments.

There being no further business, Chairperson Hogan adjourned the meeting at 12:41 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Stephen D. Williams
Assistant Secretary