

DELAWARE RIVER
JOINT TOLL BRIDGE COMMISSION
MINUTES
MEETING OF APRIL 27, 2009

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

MEMBERS OF THE COMMISSION

NEW JERSEY

HONORABLE DAVID R. DEGEROLAMO
Chairman

HONORABLE DONALD HART

HONORABLE HARRY ZIKAS, JR

HONORABLE WILLIAM J. HODAS

VACANT

PENNSYLVANIA

HONORABLE GAETAN J. ALFANO
Vice Chairman

HONORABLE MELISSA HELLER

HONORABLE JAMES L. BROUGHAL

HONORABLE BERNARD GRIGGS, JR.

HONORABLE JOHN PREVOZNIK
Secretary-Treasurer

Revised 11/08

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

STANDING COMMITTEES

FINANCE, INSURANCE, MANAGEMENT OPERATIONS

PENNSYLVANIA: Alfano, Broughal

NEW JERSEY: Hart*, Zikas

Chairman-Ex Officio

HUMAN RESOURCES, AFFIRMATIVE ACTION AND TRAINING AND SAFETY

PENNSYLVANIA: Griggs, Broughal

NEW JERSEY: Hodas*, Vacant

Chairman and Vice Chairman Ex-Officio

PROJECTS, PROPERTY AND EQUIPMENT

PENNSYLVANIA: Griggs*, Alfano

NEW JERSEY: Hart, Hodas

Chairman – Ex-Officio

PROFESSIONAL SERVICES COMMITTEE

PENNSYLVANIA: Alfano*, Heller

NEW JERSEY: Vacant, Zikas

Chairman – Ex Officio

AUDIT COMMITTEE

PENNSYLVANIA: Prevoznik*, Heller,

NEW JERSEY: Hodas, Hart

Chairman and Vice Chairman Ex-Officio

CAI COMMITTEE

PENNSYLVANIA: Alfano, Broughal

NEW JERSEY: DeGerolamo*, Hart

CONTRACTS SUB-COMMITTEE

PENNSYLVANIA: Griggs*, Alfano

NEW JERSEY: DeGerolamo, Hodas

*Chairman of Committee

**DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION
RECAPITULATION OF COMMITTEE MEMBERSHIP
2009**

DeGerolamo	(1) Ex-Officio of all Committees
Alfano	(1) Finance, Insurance, Management Operations Committee (2) Projects, Property and Equipment Committee (3) Contracts Sub-Committee (4) Professional Services Committee (5) CAI Committee (6) Audit Committee * Ex-Officio of all Committees
Broughal	(1) Finance, Insurance, Management Operations Committee (2) Human Resources, Affirmative Action and Training and Safety Committee (3) CAI Committee
Griggs	(1) Human Resources, Affirmative Action and Training and Safety Committee (2) Projects, Property and Equipment Committee (Chairman) (3) Contracts Sub-Committee (Chairman)
Hart	(1) Finance, Insurance Management and Operations Committee (Chairman) (2) Projects, Property and Equipment Committee (3) CAI Committee (4) Audit Committee
Heller	(1) Professional Services Committee (2) Audit Committee
Hodas	(1) Human Resources, Affirmative Action and Training and Safety Committee (Chairman) (2) Projects, Property and Equipment Committee (3) Contracts Sub-Committee
Prevoznik	(1) Audit Committee (Chairman)
Zikas	(1) Finance, Insurance, Management Operations Committee (2) Professional Services

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

PROFESSIONAL ASSOCIATES

CONSULTING ENGINEERS

TRANSYSTEMS CONSULTING ENGINEERS

Paramus, New Jersey

LEGAL COUNSEL

FOX ROTHSCHILD, LLP
Philadelphia, Pennsylvania

FLORIO, PERRUCCI, STEINHARDT & FADER
Phillipsburg, New Jersey

EMPLOYMENT COUNSEL

STRADLEY, RONON, STEVENS & YOUNG
Philadelphia, Pennsylvania

WOLFF AND SAMSON
West Orange, New Jersey

AUDITOR

MERCADIEN
Princeton, New Jersey

FINANCIAL ADVISOR

VACANT

COMMUNICATIONS CONSULTANT

BELLEVUE COMMUNICATIONS
Philadelphia, Pennsylvania

INVESTMENT ADVISOR

TD BANK
Pennsylvania

Revised 2009

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

ORGANIZATION CHART
TUESDAY, FEBRUARY 10, 2009

COMMISSIONERS

Executive Director
Frank G. McCartney

Chief Engineer
George G. Alexandridis

Assistant Chief Engineer
Roy Little

Senior Program Area
Manager
Kevin Skeels

**Deputy Executive Director
of Communications**
Joseph Donnelly

Acting Director of Community
Affairs
Richard McClellan

Director of Policy & Planning
Glenn Reibman

**Chief Administrative
Officer**
Arnold Conoline

Director of Human Resources
Patrick Heron

Director of Purchasing
David Burd

Director of E-ZPass
Yvonne Kushner

**Deputy Executive Director
of Operations**
Frank J. Tolotta

District Superintendents
Jack Prior (Acting), D I
Lendell Jones, D II
Bryan Hill, D III

Director of Plants & Facilities
Frank Beruta

Director of Security Safety
and Training
James P. Steltner

Director of Electronic
Security Surveillance
Matthew Hartigan

Director of Information
Technology
Mary Jane Hansen

Director of Compact
Authorized Investments
Julio Guridy

Chief Financial Officer
Sean P. McNeeley

Comptroller
Stephen Cathcart



DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

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DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Meeting of April 27, 2009

CALL TO ORDER

The Regular Monthly Meeting of the Delaware River Joint Toll Bridge Commission was Called to Order at the New Hope Headquarters and Administration Building, 2492 River Road, New Hope, Pa. 18938-9579 in the Boardroom, on Monday, April 27, 2009 at 11:00 a.m., pursuant to notice properly forwarded to each member in compliance with the By-Laws. David DeGerolamo, Chairman, presided at this Meeting. The Commission met in Executive Session to discuss legal and personnel matters prior to this meeting.

APPEARANCES

COMMISSION MEMBERS:

Hon. Gaetan Alfano (Pennsylvania)
Hon. David DeGerolamo (New Jersey)
Hon. Melissa Heller (Pennsylvania)
Hon. William Hodas (New Jersey)
Hon. Bernard Griggs (Pennsylvania) via Conference Call
Hon. Donald Hart (New Jersey)
Hon. James L. Broughal (Pennsylvania)

COMMISSION MEMBERS ABSENT:

Hon. John Prevoznik (Pennsylvania)
Hon. Harry Zikas, Jr. (New Jersey)

COMMISSION GENERAL COUNSEL:

Marcel Groen, Fox Rothschild, Pennsylvania Legal Counsel
Michael Perrucci, Florio, Perrucci, Steinhardt and Fader, New Jersey Legal Counsel
Levin Czubaroff, Fox Rothschild, Pennsylvania Legal Counsel
Christopher McDemus, Florio, Perrucci, Steinhardt and Fader, New Jersey Legal Counsel

COMMISSION LABOR COUNSEL:

Jonathan Bloom, Stradley Ronon, Pennsylvania Labor Counsel
Steven Burgess Davis, Stradley Ronon, Pennsylvania Labor Counsel
Thomas W. Dymek, Stradley Ronon, Pennsylvania Labor Counsel
John Casey, Wolff and Samson, New Jersey Employment Counsel

GOVERNORS REPRESENTATIVES:

Alex Ficken, PA Governor's Office
Maura Tully, NJ Governor's Authority Unit

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Meeting of April 27, 2009

REPRESENTING THE COMMISSION'S COMMUNICATIONS CONSULTANTS: BELLEVUE COMMUNICATIONS

Pete Peterson, Bellevue Communications

COMMISSION STAFF MEMBERS:

Frank G. McCartney, Executive Director
Frank J. Tolotta, Deputy Executive Director of Operations
Joseph Donnelly, Deputy Executive Director of Communications
Arnold Conoline, Chief Administrative Officer
Sean McNeeley, Chief Financial Officer
Stephen Cathcart, Comptroller
Patrick Heron, Director of Human Resources
Richard McClellan, Acting Director of Community Affairs
Julio Guridy, Director of Compact Authorized Investments
Matt Hartigan, Director of Electronic Security and Surveillance

OTHERS:

Diane Bower, Easton Main Street
Kim Kmetz, Easton Main Street Initiative
Herb Long, Legion Design
Kathy Diringer, NJ DOT
Andrew Carten, City of Trenton
Curt Yeske, Trenton Times

ROLL CALL

Frank G. McCartney, Executive Director, in his capacity as Secretary for this Meeting, called the Roll, and at the conclusion thereof, reported that there was a quorum present- there being four members present from Pennsylvania and three members present from New Jersey.

WELCOMING REMARKS OF CHAIRMAN

Chairman DeGerolamo welcomed those persons whose identities are set forth hereinabove under "Appearances".

INTRODUCE ANY COMMENTS FROM THE PUBLIC

Chairman DeGerolamo addressed the meeting and invited any comments from the Public on items pertaining to today's Agenda.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Meeting of April 27, 2009

EXECUTIVE DIRECTORS REPORT

Thank you, Mr. Chairman.

With the return of consistently warm weather throughout our 140-mile river, our construction season is now in full swing.

Late last week, temporary concrete barriers were installed along the outer lanes of the New Hope-Lambertville Toll Bridge. These barriers provide a safe, confined area for work crews that have begun repairing and strengthening the bridge's 30 cantilever brackets. This project is expected to be completed in six to eight months, with minimal inconvenience – if any – to motorists.

At the I-78 roadway rehabilitation project in New Jersey, work crews have completed the process of grinding down bumpy sections to provide a smoother ride for motorists. Full-depth concrete repairs also are being made to level out the roadway. Paving activities began this past month and are now taking place on a lane-by-lane basis. The project remains on a track for completion this fall.

The rehabilitation and widening project at the Trenton-Morrisville (Route 1) Toll Bridge, from all appearances, is advancing slightly ahead of its original schedule. The replacement of the bridge's entire deck was completed last week. The attainment of this major project milestone now allows crews to begin installing median barriers and pave areas where the barriers get installed. If everything keeps progressing as planned, we should be hosting a rededication ceremony at the bridge in the fall.

Finally, we are less than a month away from reaching substantial completion on the Milford-Montague Toll Bridge rehabilitation project. Construction work at that facility shifted to the fourth and final deck quadrant in early April.

Work schedules have been expanded to include Saturdays in a final drive to meet the pre-Memorial Day substantial-completion target date. We currently are making early preparations for a bridge rededication ceremony that will occur in either late June or early July.

The Electronic Surveillance/Detection System project also is entering its final stages. Camera installations have been completed at every facility except for the Milford-Montague and Trenton-Morrisville crossings – both of which are being addressed right now. We are on target to have all cameras installed and wired by our June 7 target date.

Moving away from projects for a moment, I want to call your attention to two recent achievements.

First, it is my privilege to report that the three-pronged improvement project that the Commission subsidized in Stockton, N.J. last year was recently given a transportation award from the Hunterdon County Planning Board. Commissioners may remember taking part in a ceremonial groundbreaking for this Compact Authorized Investment grant project last June.

Second, I want to commend Frank Tolotta, Frank Beruta, the rest of the operations staff and the Commission's Green Team committee for carrying out a series of tree plantings last week in conjunction with Earth Day and Arbor Day. Trees were planted at this facility and at the administration buildings at Easton-Phillipsburg and the Delaware Water Gap Toll Bridges.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

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Finally, I want to highlight a resolution that is before the Commission today. This measure would establish a list of principles and goals to facilitate the inclusion of public involvement programs in applicable Commission projects. This resolution codifies practices that have been taking place at the Commission since the advent of the Capital Improvement Program in 2001. It puts the Commission on record with an affirmative statement recognizing the merits of public involvement programs. The principles and goals are the basis for a corresponding set of implementation guidelines that will serve as a how-to guide to be used by Commission staff, project managers, and consultants in the execution of capital projects that warrant public involvement programs. This better-defined approach should make our projects more acceptable to the public at large -- facilitating cooperation, mitigating confrontation and ultimately promoting successful outcomes.

The ongoing capital projects, the CAI project award, the tree plantings and the public involvement resolution are examples of how the Commission is seeking to work as a true partner committed to improving the quality of life in the communities it serves.

Mr. Chairman, that concludes my report for the month of April.

APPROVAL OF MINUTES FOR COMMISSION MEETING HELD MARCH 30, 2009

R: 1760-04-09 - ADM-01-04-09

Chairman DeGerolamo addressed the meeting and invited the introduction of a Resolution approving the Minutes of the Commission Meeting held March 30, 2009.

At the conclusion of the review, Commissioner Broughal moved and Commissioner Alfano seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission at it's Regular Meeting assembled this 27th day of April 2009, that the Minutes of the Commission Meeting held on March 30, 2009, be and the same hereby are approved."

Chairman DeGerolamo invited questions on the Resolution. No further questions were presented and the Resolution was unanimously adopted.

OPERATIONS REPORT-MONTH OF MARCH 2009

R: 1761-04-09 - ADM-02-04-09

Chairman DeGerolamo addressed the meeting and asked if there were any questions on any of the reports contained in the "Operations Report".

At the conclusion of the review, Commissioner Alfano moved and Commissioner Hodas seconded the adoption of the following Resolution:

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"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 27th day of April 2009 that the Commission, via this Resolution, acknowledges receipt, understanding and authorizes filing of the report entitled, 'Operations Report, Month of March 2009, as set forth in the Supplement to the Minutes of this Meeting."

Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

APPROVAL OF SOLE SOURCE PURCHASE MARK IV TRANSPONDERS

R: 1762-04-09- ADM-03-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review, Commissioner Broughal moved and Commissioner Alfano seconded the adoption of the following Resolution:

"WHEREAS, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 27th day of April 2009 that the Commission, via this Resolution, authorizes the Executive Director to sole source Mark IV Industries the order of 6,300 Ivory Interior Flat Pack Transponders, with a not-to-exceed amount of \$131,985.00; and

"RESOLVED, Identifying the General Reserve Fund as the source of funds as required for the payment of any and all invoices."

Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

APPROVAL OF SOLE SOURCE PURCHASE FOR DRJTBC GRAND MASTER LOCK SYSTEM

R: 1763-04-09- ADM-04-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review, Commissioner Broughal moved and Commissioner Alfano seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 27th day of April 2009 that the Commission, via this Resolution, the Executive Director be, and hereby is, authorized to issue a sole source purchase order to General Supply Company, Bethlehem, Pennsylvania in the sum of \$53,310.00 to provide the Commission with a new Grand Master Lock System that works in conjunction with the Electronic Security and Surveillance System's Access Control System; and be it

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Meeting of April 27, 2009

“FURTHER RESOLVED, Identifying the General Reserve Fund as the source of funds required for payment of all invoices.”

Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

PUBLIC INVOLVEMENT PRINCIPLES AND GOALS

R: 1764-04-09- ADM-05-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review, Commissioner Heller moved and Commissioner Alfano seconded the adoption of the following Resolution:

“RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it’s Regular Meeting assembled this 27th day of April 2009 that the Commission, via this Resolution, adopts a set of principles and goals to guide the Commission’s public involvement activities.

“WHEREAS, the Delaware River Joint Toll Bridge Commission is a public agency serving the states of Pennsylvania and New Jersey; and

“WHEREAS, the Commission recognizes that it has an inherent responsibility to allow for sufficient public input in capital projects that may significantly impact host communities, motorists, and the regional economy; and

“WHEREAS, the Commission is implementing a Capital Improvement Program, which commenced in 2001 to better preserve, protect, manage and enhance its network of 20 vehicular and pedestrian bridges; and

“WHEREAS, public-involvement plans and activities have been conducted in a variety of the bridge rehabilitation projects planned, implemented and completed under the Capital Improvement Program; and

“WHEREAS, public-involvement helped to shape the way these projects were planned and executed, significantly mitigating traffic, environmental and commercial impacts when actual construction activities took place; and

“WHEREAS, the ongoing success of the capital program’s bridge rehabilitations have underscored the virtue and value of making public-involvement a key ingredient for achieving a satisfactory result in major construction projects; and

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“WHEREAS, practical experience has shown that public-involvement conducted at a reasonable cost has helped to achieve positive project outcomes with the least adverse impacts to affected communities of residents, motorists and business; and

“WHEREAS, public-involvement programs can help facilitate successful capital projects and promote a respectful and informed exchanges of ideas, issues and concerns between the Commission the public at large; and

“WHEREAS, public-involvement programs have provided significant perspectives and insights on issues not initially considered or identified by project designers, engineers, and planners; and

“RESOLVED, the Commission desires to establish public-involvement principles and goals to guide Commission personnel, project managers, consultants and contractors in the execution of applicable capital projects; and be it

“FURTHER RESOLVED, the Commission establishes the following guiding principles for public-involvement programs:

- Public involvement should be encouraged in capital projects that will profoundly affect citizens’ lives.
- A premium should be placed on collaboration and cooperation –rather than confrontation – in project planning so mutually acceptable solutions might be achieved to advance capital projects as scheduled and budgeted; problem solving should be the paramount means of preventing adversarial conflicts.
- The public should be provided information in a timely manner at all critical junctures as a major project proceeds from concept to design, implementation and completion.
- The public should be afforded opportunities to have input through orderly exchanges of information, knowledge and perspectives.
- Issues of contention should be relevant, focusing on issues that matter to the public at large.
- Citizen input should be respected and considered by the Commission’s personnel and assigns; any responses should be made in a timely manner.
- Mutual respect should be maintained by all parties in a particular project.
- By definition, public involvement should be inclusive; where applicable, efforts should be made to facilitate the participation of people with disabilities and disenfranchised communities.

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- Project communications should be clear and easy to understand; jargon and legalese should be avoided.
- Good-neighbor relationships should be sought in an effort to promote two-way dialogues of issues arising with each respective project.
- Commission personnel, consultants and other assigns should conduct themselves in a professional manner that reflects positively upon the Commission when dealing with the public; individuals should refrain from making false promises or providing misleading information that might foster distrust, confrontation or suspicion.
- The Commission's Office of Community Affairs is to be the public's resident advocate for seeking and overseeing public-involvement activities in capital projects.

"FURTHER RESOLVED, the Commission establishes the following goals for public-involvement programs:

- Commission personnel, consultants and contractors should seek to achieve the following goals when executing public-involvement plans and activities in connection with applicable capital projects:
- Promote public recognition of the need to perform an applicable capital project;
- Conduct broad-based outreach to inform and involve the public;
- Make a good-faith effort to gather and accommodate competing interests and points of view prior to execution of an applicable capital project;
- Foster an appreciation on the part of all affected parties that any given project proposal is being undertaken for the greater long-term good of the public at large;
- Involve the public as much as is reasonably possible and address issues to the extent possible while recognizing the importance of cost-effective use of capital-program funds;
- Make it a practice to review individualized public-involvement plans after the completion of each capital project in an effort to improve the Commission's overall public-involvement efforts."

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

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Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

The Public Involvement Implementation Guidelines is reflected on pages A-1 – A-47 as a supplement to the minutes of this meeting.

EMERGENCY TREADLE FRAME REPLACEMENTS AT I-78 TOLL PLAZA

R: 1765-04-09- ENG-01-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review, Commissioner Broughal moved and Commissioner Hodas seconded the adoption of the following Resolution:

“RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it’s Regular Meeting assembled this 27th day of April 2009 that the Commission, via this Resolution, authorize the Executive Director, in consultation with the Chair and Vice Chair of the Commission, to execute a contract with TransCore of Hummelstown, Pennsylvania to immediately proceed with emergency toll lane treadle frame replacements located at the I-78 Toll Plaza for a lump sum amount of \$118,250.00; and be it

“FURTHER RESOLVED, Identify the General Reserve Fund as the source of funds required for payment of any invoices; and be it

“FURTHER RESLOVED, The Executive Director is hereby authorized to approve and execute all necessary contracts and/or purchase orders on behalf of the DRJTBC.”

Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

APPROVAL PUBLIC RECORDS POLICY

R: 1766-04-09- ADM-06-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review, Commissioner Alfano moved and Commissioner Broughal seconded the adoption of the following Resolution:

“RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it’s Regular Meeting assembled this 27th day of April 2009 that the Commission, via this Resolution, provides authorization to the Executive Director to adopt a Public Records Policy.”

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Meeting of April 27, 2009

Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

The Public Records Policy is reflected on pages B-1 – B-10 as a supplement to the minutes of this meeting.

APPOINTMENT OF CUSTODIAL WORKER-I-78 KENNETH HOCKENBURY

R: 1767-04-09- HR-01-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review, Commissioner Hodas moved and Commissioner Hart seconded the adoption of the following Resolution:

“RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it’s Regular Meeting assembled this 27th day of April 2009 that the Commission, via this Resolution, authorizes the appointment of Kenneth Hockenbury to the vacant position of Custodial Worker at I-78 with a compensation established at \$26,588 per annum which is the minimum step in range for the Custodial Worker Classification (\$26,588 - \$33,942), pending satisfactory completion of the required personnel processing; and be it

“FURTHER RESOLVED, that the commission authorizes the Executive Director to effect the employment of Kenneth Hockenbury to this vacant Custodial Worker position, pending satisfactory completion of the required personnel processing.”

Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

PROMOTION OF MAINTENANCE AND SECRETARIAL EMPLOYEES AT VARIOUS LOCATIONS

R: 1768-04-09 – HR-02-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review, Commissioner Hart moved and Commissioner Hodas seconded the adoption of the following Resolution:

“RESOLVED, by The Delaware River Joint Toll Bridge Commission, at its Regular Meeting assembled this 27th day of April 2009, that the Commission, via this Resolution, authorizes the promotion of Anthony Sassani-T-M, to Maintenance Worker I; Aaron Schermerhorn-NH-L, to Maintenance Worker I; Michael Gazzillo-NH-L, to Maintenance Worker I; Michael Schermerhorn-NH-L, to Maintenance Worker I, Mahmoud Awad-I-78, to Maintenance Worker I;

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Harald Simon-I-78, to Maintenance Worker I; Ferdinand Lorenzetti-E-P, to Maintenance Worker I; John Penrose-I-78, to Maintenance Worker II; Leon Werkheiser-DWG, to Maintenance Worker I; William Borger-P-C, to Maintenance Worker II; Michelle Cason-T-M (Exec.), to Secretary I; Beth Dittman-NH-L (Exec.) to Secretary I; and be it

“FURTHER RESOLVED, that the Commission authorizes the Executive Director to effect the promotion of the above referenced Maintenance Workers and Secretaries and to adjust their compensation subject to applicable practices and procedures at the start of the first pay period after this approval.”

Chairman DeGerolamo invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

2009 RETAINER AGREEMENT-FINANCIAL ADVISORY SERVICES-NW FINANCIAL GROUP

R:1769-04-09 – PROF-01-04-09

Chairman DeGerolamo addressed the Meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review Commissioner Alfano moved and Commissioner Hart seconded the adoption of the following Resolution:

“RESOLVED, by The Delaware River Joint Toll Bridge Commission, at its Regular Meeting assembled this 27th day of April 2009, that the Commission, via this Resolution, appoints NW Financial Group as Financial Advisor for the 2009 financial year.”

Chairman DeGerolamo invited questions on the Resolution. No questions were presented, and the Resolution was adopted.

APPROVAL FOR PAYMENT OF INVOICE PARKER MCCAY

R: 1770-04-09 - ACCT-01-04-09

Chairman DeGerolamo addressed the meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review Commissioner Broughal moved and Commissioner Hodas seconded the adoption of the following Resolution:

“RESOLVED, by The Delaware River Joint Toll Bridge Commission, at its Regular Meeting assembled this 27th day of April 2009, that the Commission, via this Resolution, authorizes approval for payment of invoice number #2349105 dated March 16, 2009 for a total amount due of \$1,100.00 to Parker McCay; and be it

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“FUTHRER RESOLVED, identifying the General Reserve Fund as the source of funds required for any and all disbursements.”

Chairman DeGerolamo invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

APPROVAL FOR PAYMENT OF INVOICES FOX ROTHSCHILD

R: 1771-04-09 - ACCT-02-04-09

Chairman DeGerolamo addressed the meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review Commissioner Broughal moved and Commissioner Hodas seconded the adoption of the following Resolution:

“RESOLVED, by the Delaware River Joint Toll Bridge Commission at its Regular Meeting assembled this 27th day of April 2009, that the Commission via this Resolution, authorizes payment of invoices #1108310, #1109974, #1109975, #1108320 #1108322, #1180325, #1108316, #1108321, #1108332, , #1108326, #1108314, #1108317, #1108315, #1108308, #1108312, #1108333, #1108330, #1108334, #1108331, #1108328, #1108327, #1108318, and #1108309 dated January 22, 2009, February 25, 2009 and March 12, 2009 in the total amount due of \$17,884.78 for Capital and Non Capital Improvements to Fox Rothschild PA Legal Counsel; and be it

“FURTHER RESOLVED, identifies the Funds as shown on the invoice distribution sheet as the source required for any and all disbursements.”

Chairman DeGerolamo invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

APPROVAL FOR PAYMENT OF INVOICES FLORIO, PERRUCCI, STEINHARDT AND FADER

R: 1772-04-09 - ACCT-03-04-09

Chairman DeGerolamo addressed the meeting and asked the Commission Members if, after their review, there were any questions.

At the conclusion of the review Commissioner Broughal moved and Commissioner Hodas seconded the adoption of the following Resolution:

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Meeting of April 27, 2009

“RESOLVED, by the Delaware River Joint Toll Bridge Commission at its Regular Meeting assembled this 27th day of April 2009, that the Commission via this Resolution, authorizes payment of invoice number #25684 and #25683 dated April 7, 2009 in the total amount due of \$22,999.08 for Non Capital Improvements to Florio, Perrucci, Steinhardt and Fader, NJ Legal Counsel; and be it

“FURTHER RESOLVED, identifying the Operating Fund and General Reserve Fund as the source of funds required for any and all disbursements.”

Chairman DeGerolamo invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

INVITE ANY COMMENTS FROM PUBLIC

Chairman DeGerolamo addressed the meeting and invited any comments from the Public.

SCHEDULE ANNUAL MEETING OF THE COMMISSION-APPOINTMENT OF NOMINATING COMMITTEE-WAIVER OF BY-LAWS-MAY 2009 MEETING

R:1773-04-09 ADM-07-04-09

Chairman DeGerolamo addressed the Meeting and read the following portion of the Commission's by-laws:

“A. Article IV, entitled, ‘Meeting of the Commission, Paragraph (1) reads:

‘The Annual Meeting of the Commission for the election of officers shall be held on the last Monday in May of each year, in the Board Room of the at the New Hope Headquarters and Administration Building.’

“B. Article V, entitled, ‘Committees,’ Paragraph (6) reads:

‘Nominating Committee: The Nominating Committee shall consist of all the Commissioners except the Commissioners holding office as Chairman and Vice Chairman. It shall make nominations for election to the office of Chairman and Vice Chairman of the Commission. Nominations for election to fill such offices may, however, also be made by any Commissioner at any Meeting at which elections to fill such offices are held.’

‘The Nominating Committee shall meet prior to the Annual Meeting of the Commission. In addition, if the Office of the Chairman or Vice Chairman shall become vacant for any reason, the Nominating Committee shall meet as soon as practical thereafter. Meetings of the Nominating Committee shall be held pursuant to notice given by the Secretary at the request of any Member or Members of the Committee.’

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Meeting of April 27, 2009

'At such Meeting of the Committee, the Members thereof shall elect a Chairman whose duties shall be to preside at such meeting, and to submit or cause to be submitted to the Commission, any reports or recommendations adopted at such meetings.'"

At the conclusion of the review and related discussion Commissioner Hart moved and Commissioner Heller seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at Regular Meeting assembled this 27th day of April 2009, that the Commission, via this Resolution, acknowledges the appointment of all Commission Members as Members of the Nominating Committee, except the Chairman, David DeGerolamo, and Vice Chairman Gaetan Alfano, and directs them to make nominations for the election to the offices of Chairman, Vice Chairman, and Secretary-Treasurer of the Commission at the "Annual Meeting" of the Commission; and be it

"FURTHER RESOLVED, the date of the Commission's May 2009 Meeting, which will serve as the, 'Annual Meeting' of the Commission, will be scheduled for Monday, May 18, 2009."

The Meeting will be called to Order at 10:30 a.m. in the Boardroom at the New Hope Headquarters and Administration Building, New Hope Pennsylvania 18938-9579, on Monday, May 18, 2009.

Executive Director McCartney assured the Commission Members that an "Official Notice of Meeting" would be forwarded to each and every Member of the Commission.

Chairman DeGerolamo invited questions on the Resolution but no questions were presented. No negative votes were cast and the vote was unanimously adopted.

ADJOURNMENT

Chairman DeGerolamo invited a motion for Adjournment.

Commissioner Hart then moved that the Meeting be adjourned and Commissioner Heller seconded the motion. The voice vote was unanimously affirmative and the Meeting was adjourned at 11:30a.m., Monday, April 27, 2009.

Prepared and submitted by:



WENDY VADOLA READING

Assistant Secretary Treasurer to the Commission

Approved by:



FRANK G. McCARTNEY

Executive Director

Public Involvement Implementation Guidelines

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I. Preface

As a public agency serving the states of Pennsylvania and New Jersey, the Delaware River Joint Toll Bridge Commission recognizes that it has an inherent responsibility to allow for sufficient public input in capital projects that may significantly impact host communities, motorists, and the regional economy.

The use of public-involvement strategies in project planning processes and other Commission activities is a relatively recent development in the Commission's 75 year history of operations. In recent years, the Commission has increasingly embraced a more principled and consistent approach with regard to informing and involving the public when undertaking capital projects.

This change became readily apparent with the advent of the comprehensive Capital Improvement Program that the Commission launched in 2001 to better preserve, protect, manage and enhance its network of 20 vehicular and pedestrian bridges.

The Commission's first successful foray into a more progressive public-involvement approach was executed in conjunction with its rehabilitation of the Uhlerstown-Frenchtown Toll-Supported Bridge in 2001. This watershed employment of a concerted public-involvement approach was followed in other projects, such as the rehabilitations of the New Hope-Lambertville Toll-Supported Bridge, the Milford-Montague Toll Bridge and the Trenton-Morrisville Toll Bridge. In all of these instances, public input helped to shape the way these projects were planned and executed – significantly mitigating traffic, environmental, and commercial impacts when actual construction activities took place. These practical experiences – as well as many others in the capital program – underscored the virtue and value of making public participation a key ingredient for achieving a satisfactory result in major construction projects.

In light of the recent mounting utilization of public input in project decision making, the Commission desires to establish a formal policy and guidelines for public involvement in major capital projects. This document is to be used to guide Commissioners, agency executives, engineers, consultants and key personnel in determining when public involvement is needed with a particular project and what steps should be taken for informing stakeholders and gathering public comment.

The Commission's policy is rooted in the belief that effective public involvement – conducted at a reasonable cost – can help achieve maximum positive project outcomes with the least adverse impacts to affected communities of residents, motorists, and businesses. Moreover, the Commission believes that the public can provide perspectives and insights of enormous value on issues not initially identified by project designers, engineers, and planners.

In short, effective public involvement is essential to achieving success and promoting a respectful and informed exchange of ideas, issues and concerns between the Commission and the public at large. By establishing a formal public

involvement policy, the Commission recognizes that, in the long term, decisions made cooperatively are more workable and acceptable to the public it serves; public involvement based on cooperation rather confrontation breeds success.

A. Principles

The crafting of these public involvement implementation guidelines was based on a set of principles adopted by the Commission as follows:

- Public involvement should be encouraged in capital projects that will profoundly affect citizens' lives.
- A premium should be placed on collaboration and cooperation – rather than confrontation – in project planning so mutually acceptable solutions might be achieved to advance capital projects as scheduled and budgeted; problem solving should be the paramount means of preventing adversarial conflicts.
- The public should be provided information in a timely manner at all critical junctures as a major project proceeds from concept to design, implementation and completion.
- The public should be afforded opportunities to have input through orderly exchanges of information, knowledge and perspectives.
- Issues of contention should be relevant, focusing on issues that matter to the public at large.
- Citizen input should be respected and considered by the Commission's personnel and assigns; any responses should be made in a timely manner.
- Mutual respect should be maintained by all parties in a particular project.
- By definition, public involvement should be inclusive; where applicable, efforts should be made to facilitate the participation of people with disabilities and disenfranchised communities.
- Project communications should be clear and easy to understand; jargon and legalese should be avoided.
- Good-neighbor relationships should be sought in an effort to promote two-way dialogues of issues arising with each respective project.

- Commission personnel, consultants and other assigns should conduct themselves in a professional manner that reflects positively upon the Commission when dealing with the public; individuals should refrain from making false promises or providing misleading information that might foster distrust, confrontation or suspicion.
- The Commission's Office of Community Affairs is to be the public's resident advocate for seeking and overseeing public-involvement activities in capital projects.

B. Goals

An effective public involvement program gathers meaningful input from the community at key stages of project development. Ideally, allowances for public input will help foster trust, understanding and consensus on sensitive issues.

The ultimate objective of a project's public-involvement program shall be to seek a state of "informed consent" on the part of the public.

To achieve this objective, the Commission adopted a set of goals for public involvement efforts conducted by its staff and assigns:

- Commission personnel, consultants and contractors should seek to achieve the following goals when executing public-involvement plans and activities in connection with applicable capital projects:
- Promote public recognition of the need to perform an applicable capital project;
- Conduct broad-based outreach to inform and involve the public;
- Make a good-faith effort to gather and accommodate competing interests and points of view prior to execution of an applicable capital project;
- Foster an appreciation on the part of all affected parties that any given project proposal is being undertaken for the greater long-term good of the public at large;
- Involve the public as much as is reasonably possible and address issues to the extent possible while recognizing the importance of cost-effective use of capital-program funds;

- Make it a practice to review individualized public-involvement plans after the completion of each capital project in an effort to improve the Commission's overall public-involvement efforts.

II. Public Involvement Policy Declaration

The Delaware River Joint Toll Bridge Commission seeks to maintain open, inclusive, and responsive relations in the execution of major construction-related activities.

The Commission is committed to providing project details (public information) once they are firmly ascertained so the public may be informed in a timely manner of key decisions and the progression of activities that may impact their travel, their economic livelihoods, and the quality of life in their communities.

Where deemed applicable and appropriate, Commission staff, consultants, and contractors are to initiate public-involvement activities as a facet of project planning work so stakeholder opinions might be heard, chronicled, discussed and weighed.

Through responsible education and outreach efforts, the Commission may in turn receive valuable insights and information to help improve project decision making and increase the prospects of successful project completions.

The Commission pursued these Public Involvement Guidelines in recognition of the fact that community input can improve the design and implementation of capital projects. The Commission also recognizes that public involvement programs can help facilitate cost management and timely project completions.

Through public information, outreach and/or input, the Commission aims to increase public confidence in its operations, improve accountability of project decision makers, and reduce conflict, public distrust and misinformation.

III. Summary – Guidelines’ Purpose and Organization

This public-involvement-guidelines document is to be used by the Delaware River Joint Toll Bridge Commission’s personnel, consultants, contractors, and other assigns as they initiate, design, and construct capital projects directly affecting bridge patrons and host communities.

The primary objective of these guidelines is to foster an appreciation among capital project participants about the need for incorporating public information and public outreach activities prior to the onset of construction activities. Ultimately, well-planned and properly executed public involvement efforts will help foster an appreciation on the part of the public about the need for a capital project; promote awareness of potential impacts that may affect the lives of motorists, business owners, and host-community residents; provide the Commission with valuable insights into previously unrecognized local concerns and issues that could improve project implementation; mitigate misinformation and distrust; and reduce needless and unproductive conflicts.

These guidelines recognize that the scope of public-involvement activities and plans will vary from project to project. Some projects may require extensive outreach, numerous public meetings, and/or independent interactive project-specific Web sites; others may need a single press release or no public involvement activities whatsoever.

The document was prepared primarily to assist Commission senior-staff in the decision-making process for designating public-involvement activities and to help Commission staff and project consultants in designing and executing specific public-involvement plans. As a public agency accountable to the broad base of New Jersey and Pennsylvania residents, the implicit expectation is that all decisions and activities will be carried out to benefit the public.

This document is structured in the following manner: introductory and background materials; designation of public-involvement projects; execution of public-involvement plans; and evaluation of public-involvement activities and plans.

These guidelines assume that project requirements will require flexibility as plans and actions are put into place for individual projects.

This document will not be – nor can it be – the final word on the execution of public involvement programs at the Commission. For a variety of reasons – technological, empirical and governmental, to name just a few – it is anticipated that this document will be regularly refined and improved upon to ensure that the Commission successfully fulfills its overriding public-service mission.

IV. About the Commission

A. Jurisdiction and Governance

The Delaware River Joint Toll Bridge Commission was established in December 1934 under legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey. The Commission operates under a federal Compact first approved by the U. S. Congress in August, 1935. The Compact empowers the Commission to acquire, construct, administer, operate and maintain such vehicular/pedestrian bridges as necessary to advance the interests of the two states.

The Commission owns and operates seven toll bridges and 13 toll-supporting (non-toll) bridges – two of which are pedestrian-only spans – crossing the Delaware River between Pennsylvania and New Jersey. Under its Compact, the Commission's jurisdiction stretches 140 miles along the river from the Philadelphia/Bucks County line to the New York/New Jersey state border. The only exceptions to this jurisdiction are the bridges owned by the Burlington County Bridge Commission, the bridge linking the two state turnpikes, and the privately owned Dingmans Ferry Bridge. In addition to the 20 bridges crossing the Delaware, the Commission owns and operates 32 approach structures (smaller overpass/underpass-type bridges) and various approaches throughout its jurisdiction. The Commission also owns and maintains 6.45 roadway miles of I-78 in Pennsylvania (2.25 miles) and New Jersey (4.2 miles).

A major change to the bistate compact came in 1984 when the two states charged the Commission with assuming full financial responsibility for the non-toll bridges within its jurisdiction. Prior to that time, the costs of operating and maintaining the non-toll bridges were financed by tax revenues from Pennsylvania and New Jersey. Since then, toll revenues have been the sole annual revenue source to operate the non-toll spans: the Commission now refers to these facilities as toll-supported bridges.

A board of 10 commissioners - five from each state -- governs the Commission. The New Jersey members are nominated by the Governor and confirmed by the State Senate for three-year terms. The Pennsylvania members are appointed by the Governor and serve at the Governor's pleasure. A fulltime Executive Director has administrative charge of all Commission activities. Commissioners serve without compensation. They meet monthly to review reports, provide oversight and set policies carried out by the Executive Director and professional staff. Standing committees on Finance, Human Resources, Projects and Property, and Professional Services include membership from both states as assigned by the Commission Chairman.

B. Commission Bridges and Host Communities

The Commission's toll bridges and their respective, immediate host communities are as follows:

- Milford-Montague Toll Bridge
Milford Township, Pa./Montague Township, N.J.
- Delaware Water Gap Toll Bridge
Borough of Delaware Water Gap, Pa./Hardwick Township, N.J.
- Portland-Columbia Toll Bridge
Portland Borough, Pa./Knowlton Township, N.J.
- Easton-Phillipsburg Toll Bridge
City of Easton, Pa./Town of Phillipsburg, N.J.
- Interstate 78 Toll Bridge
Williams Township, Pa./Phillipsburg, N.J.
- New Hope-Lambertville (Route 202) Toll Bridge
Solebury Township, Pa./Delaware Township, N.J.
- Trenton-Morrisville (Route 1) Toll Bridge
City of Trenton, N.J./Morrisville Borough, Pa.

The Commission's toll-supported bridges and their respective, immediate host communities are as follows:

- Portland-Columbia Toll-Supported Pedestrian Bridge
Portland Borough, Pa./Knowlton Township, N.J.
- Riverton-Belvidere Toll-Supported Bridge
Lower Mount Bethel, Pa./Town of Belvidere, N.J.
- Northampton Street Toll-Supported Bridge
City of Easton, Pa./Town of Phillipsburg, N.J.
- Riegelsville Toll-Supported Bridge
Riegelsville Borough, Pa./Pohatcong, N.J.
- Upper Black Eddy-Milford Toll-Supported Bridge
Bridgeton Township, Pa./Milford Borough, N.J.

- Uhlerstown-Frenchtown Toll-Supported Bridge
Tinicum Township, Pa./Frenchtown Borough, N.J.
- Lumberville-Raven Rock Toll-Supported Pedestrian Bridge
Solebury Township, Pa./Delaware Township, N.J.
- Centre Bridge-Stockton Toll-Supported Bridge
Solebury Township, Pa./Stockton Borough, N.J.
- New Hope-Lambertville Toll-Supported Bridge
New Hope Borough, Pa./City of Lambertville, N.J.
- Washington Crossing Toll-Supported Bridge
Upper Makefield Township, Pa./Hopewell Township, N.J.
- Scudder Falls Toll-Supported Bridge
Lower Makefield Township, Pa./Ewing Township, N.J.
- Calhoun Street Toll-Supported Bridge
City of Trenton, N.J./Morrisville Borough, Pa.
- Lower Trenton Toll-Supported Bridge.
City of Trenton, N.J./Morrisville Borough, Pa.

C. Map of Commission's Toll and Toll-Supported Bridges



D. DRJTBC Mission Statement

The Delaware River Joint Toll Bridge Commission provides safe and efficient river crossings between Pennsylvania and New Jersey. Stretching 140 miles from the Philadelphia/Bucks County, Pa. boundary northward to the New Jersey/New York state line, the Commission's jurisdiction encompasses a diverse geographic region featuring bustling cities, quaint river villages, and scenic portions of the Delaware River where nature's beauty abounds.

Committed to improving the quality of life for area residents, the Commission strives to create a synergy of economic vitality, environmental stewardship, historic preservation, customer service and fiscal accountability.

V. Designation of Public-Involvement Programs

Only some capital projects will require the creation of specific public-involvement plans. Some capital programs may not warrant any public-involvement activities whatsoever. Others may require modest levels of public outreach or education, perhaps as little as a press release and a series of phone calls to a handful of affected stakeholders.

These determinations should be made on a case by case basis by the Commission's Chief Engineer in consultation with the Deputy Executive Director of Operations, the Deputy Executive Director of Communications and the Director of Community Affairs. These determinations are subject to review and concurrence by the Commission's Executive Director.

The level of public-involvement activities for Commission capital improvement projects should be based upon the nature and scope of the project proposed to be undertaken and an assessment of the potential impacts to motorists, residents, businesses and other stakeholders who may be affected.

The following factors should be considered:

- Will there be impacts to local businesses in communities where a bridge-related project is being considered?
- Will there be traffic impacts – notably a complete bridge shutdown or extended intermittent shutdown – that will force regular bridge users (job commuters in particular) to utilize other river crossings?
- Will there be noise and other environmental impacts that may profoundly affect residents living near a bridge, recreational users of a bridge's facilities, or river enthusiasts?

Because of the variables involved in each particular project, there is no uniform way for determining when public involvement may be needed. Likewise, the scope and form of project-specific programs need to be made on a case-by-case basis.

The guiding factor is that good-faith efforts must be made by the Commission to determine at the earliest juncture possible when -- and how much -- resources should be deployed for public-involvement purposes with respect to specific projects.

It is incumbent upon Commission personnel to make prudent decisions in these cases because the right amount of public involvement will ultimately help facilitate community acceptance and the ultimate success of any given project.

A. Initial Steps

The first step in any public-involvement process – whether for designating a program or constructing a specific plan – is to make an honest and thorough assessment of the various communities and stakeholders that may be affected by a particular project. In the parlance of public-involvement consultants, this is known as scoping. This function often can be performed for the Commission through its Director of Community Affairs, its designated project manager, or a public-involvement consulting firm.

Other deciding factors that should be considered are project budgeting and scheduling. In many ways, the process mirrors the traditional engineering project-preparation process of scope, schedule and budget. The insights gained through a community scoping and assessment process can help determine the level of public-involvement activities a project may need.

1. Stakeholder Identification

An inventory should be made of the various segments of the public that could be affected by a capital project. Following are some stakeholder examples that may be used to construct such a list:

- a. Motorists served by facility that is the focus of a capital project
- b. Trucking companies
- c. Non-vehicular traffic (pedestrians, bicyclists, disabled people) where applicable
- d. Elected and key-appointed officials
- e. Local/regional public safety leaders (police and fire)
- f. Ambulance and first-aid squads
- g. Adjoining property owners
- h. Businesses, business organizations (chambers of commerce)
- i. Major employers and other large generators of traffic
- j. Community service groups/civic and neighborhood associations
- k. Churches
- l. Professional or trade associations
- m. Advocacy organizations for people with disabilities
- n. Commercial bus or limousine operations
- o. Unconventional transportation – school buses, transportation services for the elderly, disabled, special-ed programs
- p. Anglers, boaters and recreationists who may travel beneath a bridge on the river, on trails or walkways, or canals
- q. Commercial tubing and canoe rental agencies

- r. Tourism officials, hotel operators, etc.

2. Other Practical Considerations

- a. Customer volumes: traffic counts, origins/destinations of traffic
- b. Purposes of customer use (commute, business, recreation, shopping, etc.)
- c. Types of land use in the community in close proximity to the bridge: residential, retail, business, recreation, agricultural
- d. Community environmental concerns identified in news media or through comments provided to the Commission
- e. Categories of businesses and employers in a community
- f. Infrastructure and public services
 - (i) Number and location of schools
 - (ii) Health services – location and mobility/access to/from health services
 - (iii) Description of public transportation
 - (iv) Public safety and emergency services
 - (v) Proximity of community facilities to a bridge
- g. Recreational and seasonal tourism events and activities
- h. Historic, culturally significant or noteworthy places, buildings, views, landscapes, or important natural features

3. Budget

Two principles should apply when considering how much financial resources should be dedicated for public-involvement activities in a given project: cost effectiveness and flexibility.

The cost of public-involvement activities should be budgeted as an investment that generates a return. The major returns are public awareness, consensus building, decreasing or eliminating project delays and improving or maintaining the image of the Commission.

Public-involvement activities should be provided sufficient funds so consultants, contractors, and Commission assigns have enough flexibility to “get the message out” for a particular project and to respond to community comments, concerns and/or requests for heightened levels of communication (in detail, level of interaction/ responsiveness/ transparency, or frequency).

Industry studies show that public-involvement activities generally average from two to five percent of an overall project budget. However, this experience-based average may require upward adjustment to meet

the needs of projects presenting significant public-involvement challenges.

4. Schedule

The timing of when public-involvement activities commence can be critically important to any individual project's success. For this reason, a project's public-involvement needs should be an important aspect of project planning and development by engineers, consultants and/or contractors. Public awareness and public input can save the Commission significant time and expense in the long run for any given project.

The timing of when public-involvement activities get employed is also important. For example, informing the public of a project initiative and any subsequent gathering of public comment should be done early to avoid delays, confrontation, and distrust.

Where applicable, individuals responsible for crafting detailed community involvement plans should strive to coordinate their plans with project milestones.

5. Assessing Need

By assessing the various stakeholder communities, traffic volumes, and related considerations, project managers and other key Commission personnel should have a healthy perspective on the range of public-involvement activities a particular project may warrant.

Optimally, an initial evaluation should be made by the Chief Engineer and other Commission personnel in the preparation of an RFP for concept-study services or preliminary design services.

Subsequent, more-thorough assessments can be made during preliminary design with a project-manager-led "Community Assessment Meeting" involving the Director of Community Affairs, other members of the project design team, and any public-involvement or public-relations consultants who may be contracted for or assigned to the project.

B. Level of Effort

The following table is a generalized guideline that may be used to help determine whether a project merits a public-involvement program and what the extent of activities for a specific program should be. The driving determination factors, however, have little to do with project duration, cost, or difficulty. As a general rule, the primary concern should always be public impacts – bridge shutdowns, extensive lane closures, traffic delays, other motorist inconveniences, and impacts to businesses or a community's quality of life.

Characteristics	Low	Moderate	Extensive
Project Type	Rehabilitation	Rehabilitation	New Bridge or Bridge Replacement
Facility Type	Toll Supported	Toll Supported or Toll Bridge	Toll Bridge
Budget	< \$10 million	\$10 million to \$29 million	>\$30 million
Schedule – Total Project	< 2 years	2 to 4 years	> 4 years
Schedule – Design Phase	< 6 months	6 to 12 months	> 12 months
Schedule – Construction Phase	< 6 months	6 to 12 months	> 12 months
Population Density/Community Environment	Rural to Low	Tourism/Vacation Exurban Small Town	High Density Historic Environmental Issues
Proximity to Homes (within .5 miles of bridge)	Few to no homes	Several homes	High density of homes
Vehicular and Pedestrian Bridge Traffic	Low vehicle & pedestrian volume	Moderate vehicle and pedestrian volume	High speed high volume

VI. Strategies and Tactics

A. Public-Involvement Plan Crafting

As stated earlier in these guidelines, the amount of public-involvement work – if any – to be provided for an individual capital project will be determined on a case-by-case basis.

That said, experience gained since 2001 through the Capital Improvement Program shows most projects of moderate or significant cost warrant development of specific public-involvement plans.

When crafting public-involvement plans, it is generally advisable to structure it along two basic elements: listening to the public and speaking to the public. The speaking component consists of public-awareness-raising activities. The listening component consists of efforts to gather public input on a project in an effort to forge consensus on sensitive issues through “informed consent.”

Generally, a project-specific public involvement plan will employ the following steps of activity: identifying target audiences (scoping); determining what public information to provide as well how and when to provide it; and what methods (and frequency) to employ to gather public input and foster public support on a project.

It is highly recommended that the strategies and tactics employed in a public-involvement effort be fashioned in a manner so that they may correspond with major project milestones.

Whether it consists of a single press release or a sustained campaign of public surveys, advertising, open houses, and public forums, any plan should – at a minimum – provide the public with the following basic project details in advance of construction activities:

- Reason(s) for why a project is being undertaken;
- An easy to understand explanation of the work to be performed;
- Total project costs and project duration/schedule;
- Safety issues, including temporary speed limits for traffic;
- Potential long-term benefits to the public at large;
- Potential construction-related inconveniences such as travel restrictions, noise issues and traffic delays;
- Commission contact information (Director of Community Relations) and/or public-involvement consultant (individual information/project hotline/Web site/etc).

More involved plans may employ a litany of public relations, public outreach, and public input strategies, such as:

- News releases
- Op-eds
- Talking points for Commission personnel
- Fact sheets
- Newsletters
- E-mail communications
- Twitter messaging (traffic alerts)
- Project information line
- Hotline
- Web page on Commission's Internet site – www.drjtb.org
- Flyers
- Posters
- Advertisements in local newspapers (legal and/or display)
- Cable TV advertisements
- Brochures
- Public-service announcements
- Comment forms/surveys
- Internet Web sites
- Internet forum sites
- State-maintained 511 traffic alert systems
- Direct mail
- Direct letters of response to public inquiries
- Road signs
- Field offices/drop-in centers
- Visualization devices – models, high-quality computer graphics, photo montages, photographs, computer-enhanced photography, artist renderings
- Videos/DVDs

- Meetings
 - Stakeholder meetings
 - Public official meetings
 - Open houses/displays
 - Open forum hearings
 - Informational meetings
 - Special-purpose meetings
 - Charettes/workshops
 - Focus groups
 - Public hearings
 - Dual-purpose meetings – “open forum hearings” -- consisting of information stations and handouts with designated collection points (court reporters) for taking project testimony or providing comment sheets that the public may use to register comments and concerns

B. Toolbox

The following table lists possible public-involvement activities by project scope. Definitions for each item in this table are on the next page. The toolbox list is by no means inclusive of all possible strategies and tactics. It is for easy reference purposes only and is not a requirement of what should be employed in similarly sized projects.

	Low	Moderate	Extensive
Business Mitigation	X	X	X
Collaborative Task Forces		X	X
Community Advisory Committees (CAC)			X
Community Assessment/Profile	X	X	X
Design Charette		X	X
Elected Official Databases	X	X	X
Elected/Local Official Briefings	X	X	X
E-lists	X	X	X
Fact Sheets	X	X	X
Focus Groups			X
Individual Outreach Meetings	X	X	X
Interagency Advisory Committees (IAC)		X	X
Key Person Interviews	X	X	X
Logos			X
Mailing Lists	X	X	X
Media Briefings and Editorial Board Meetings	X	X	X
Newsletters		X	X
Open Houses/Open Forum Hearings		X	X
Project Hotlines		X	X
Public Hearings			X
Public Information Forums		X	X
School Programs			X
Signs: Fixed and Variable	X	X	X
Special Programs		X	X
Stakeholder Identification	X	X	X
Surveys			X
Teleconferences			X
Tollbooth Handout Cards		X	X
Visualizations	X	X	X
Web sites (separate from DRJTBC site)			X
Wireless Alerts		X	X

C. Toolbox Definitions

1. **Business Mitigation** is a series of actions taken to determine project related impacts on large and small businesses, and the implementation of measures to alleviate them. The problem-solving measures that get employed to address these impacts are often key determinants of how a project may be received by an affected community. It is very important to assess the needs of businesses and their employees early in the project-planning process so appropriate and cost-effective accommodations can be achieved during the construction phase.
2. **Collaborative Task Forces** are groups that may act as sounding boards on difficult issues. Task force membership may include individuals with technical expertise, local residents or interest-group representatives – all chosen by Commission senior staff. Agency staff or consultants can provide technical support.
3. **Community Advisory Committees (CAC)** are advisory bodies. They may be utilized from time to time on rare large-scale projects to provide input and recommendations about a variety of topics, such as potential visual and aesthetic impacts. These groups are generally comprised of community representatives. Planning, selecting, inviting, scheduling and providing technical briefings are all key components of engaging CAC's.
4. **Community Assessment/Profile** is an analysis/study that describes the various components of a community and produces a composite picture or profile of that community. The Assessment may include geographic boundaries, political constituencies, demographic features and projections, economic/industry drivers and trends, socio-economic advantage/disadvantage data, social/community needs, and access to services. The following list describes steps needed to create a community profile:
 - a. Assess community trends and conditions
 - b. Identify community issues/values
 - c. Inventory stakeholders
 - d. Summarize
5. **Design Charette** is a workshop in which stakeholders work together to provide input concerning design issues. It can be used as a forum for introducing the project to the community, explore needs, and identify design solutions. Participants are asked to brainstorm the design and aesthetics, with their ideas collected and organized. Community preferences identified are provided as input that will be considered along with cost, regulations, security and schedule.

6. **Elected Official Databases** should be organized, updated, and streamlined promote Commission communication with community leaders. This database should include office locations, committee assignments and at least two key staff members. The database also can help keep track of information circulated to officials.
7. **Elected/Local Official Briefings** are meetings or mailings to local elected officials that present project information, such as schedule, public-involvement efforts, technical issues, and impacts. The meetings may include power-point presentations, fact sheets, graphics, plans, charts, or colored drawings. Meeting notices to elected officials should be followed up by phone calls to ensure receipt of a meeting notice and to stress the importance of attendance and input. The frequency of briefings is determined by the length of the project, level of interest and responses to special requests. Mailings can be used as a project introduction, and can be especially helpful to newly elected officials.
8. **E-lists** are electronic mailing lists that participants sign up for through sign-in sheets at meetings or a Web site portal to keep apprised of project activities. These lists can be used for E-mail Bulletins/E-mail Blasts.
9. **Fact Sheets** are concise, informative, public information pieces that describe the project. Fact sheets generally employ bulleted highlight points for easy understanding by the widest cross section of the public. They can include graphics and photographs. They can be distributed to stakeholders at key points during the project process and as handouts at meetings.
10. **Focus Groups** are research tools in which a small group of people (typically eight to 12 individuals) engage in a roundtable discussion of selected topics of interest in an informal setting. The focus group discussion is directed by a moderator who guides the discussion in order to obtain the group's opinions and reactions to specific issues. The group session is audio- and/or video-recorded and the results summarized. By providing qualitative information from well-defined target audiences, focus groups can aid in project decision-making.
11. **Individual Outreach Meetings** can take place throughout the project process with the study/project team and key stakeholders, specific constituencies, or the general public. This technique also includes presentations made to existing groups at regularly scheduled or special meetings.

12. **Interagency Advisory Committees (IAC)** are comprised of relevant agencies that have regulatory and/or approval jurisdiction and may prove helpful in assessing critical transportation, environmental, land use, development, and economic issues. IACs also may provide guidance in defining a range of conceptual alternatives. An IAC meets prior to critical decision milestones to provide guidance and input on alternatives selection, analysis techniques, mitigation measures and the public review process. An IAC can provide assistance in the following ways:
 - a. Examine procedural and regulatory issues, or proposed changes
 - b. Review and provide input on preliminary recommendations and alternative plans, including interim and long-range solutions
 - c. Review data and findings, including proposed methodology, transportation networks, historic and environmental concerns, and computer modeling and simulations
 - d. Help foster communications between the Commission and state, regional and federal agencies in order to maintain ongoing dialogue on issues and concerns
13. **Key-Person Interviews** are one-on-one discussions about a specific topic or issue with an individual recognized or designated as a community leader or key stakeholder. A key person might be an opinion maker, a community spokesperson, an elected official, the head of a civic or business organization, or a local media representative. Interviews are scheduled primarily to elicit the interviewee's reactions and suggestions. The goal is to discuss the project planning/development process, the political setting in which work will be performed and any potential dynamics or issues that may have been overlooked by the Commission or project team.
14. **Logos** are representational identifiers. Although used for a particular project, they should be able to fit in with or complement the agency's style and brand elements.
15. **Mailing Lists** can be created from attendance sheets at public meetings, stakeholder contact information compiled on the project database, or correspondence received via the Internet or mail. With mailing lists, the target audience can be reached with announcements of upcoming events, meeting invitations, newsletters, personalized letters, summary reports, and other information about the project. List size is affected by a number of factors, including stakeholder population, project scope and project impacts. All Commission personnel and project team members must be diligent in maintaining and updating mailing lists to ensure maximum effectiveness.

16. **Media Briefings and Editorial Board Meetings** are structured presentations and can be conducted by agency personnel or staff with the support of members of the project team, as needed. The format is usually informal. Commission representatives should start with a presentation, provide handouts and then take questions and answers from reporters or editorial board members. These briefings should be at the beginning of projects that have an extensive community involvement. Further briefings/meetings can be arranged on an as-needed basis. Specific contact information should be provided at the conclusion of each briefing/meeting.
17. **Newsletters** are printed information pieces that are mailed or distributed by hand. They also may be turned into Web site pages. To be most effective, at least two newsletters should be produced -- one at the initiation of a project and another at the end. Newsletters contain general project information, updates on activities, project schedule, announcements, and contact information.
18. **Open Houses/Open Forum Hearings** are events without fixed agendas that provide opportunities for the public to view information about a proposed project on large-format boards, and speak directly to agency personnel and consultants. Information is generally presented buffet style with maps, photos, models, videos or other visualizations. Tables also should be arranged to provide attendees with fact sheets, brochures and other materials. The purpose of an open house is to inform residents, organizations, businesses and other members of the general public about a project, potential impacts, scheduling, and progress. An open forum hearing has an added element: providing the public an opportunity to provide comment on a project. This gathering of public input can be achieved through the distribution of comment sheets to attendees, through note-taking by Commission staff or project representatives, or through a court reporter (transcription). These meetings may further identify groups of residents or local organizations that need to be targeted for additional coordination.
19. **Project Hotlines** are telephone numbers that can be accessed 24/7 by individuals who have questions or comments. Establishing a hotline carries a responsibility of providing timely responses and periodic reports. Hotlines can serve as a key indicator of which issues and impacts affect stakeholders most. Complaints and issues can be investigated as they are received. A detailed log of each call received can also be synthesized into a report format on either a monthly or weekly basis, which can reveal trends over the course of a project.

20. **Public Hearings** – The following definition is from the Federal Highway Authority: *“Held prior to a decision point, a public hearing gathers community comments and positions from all interested parties for public record and input into decisions. Public hearings are required by the Federal government for many transportation projects and are held in transportation planning at the discretion of the sponsoring organization. Public notices in a general circulation newspaper cite the time, date, and place of a hearing. The period between notice and hearing dates provides time for preparing comments for submission to an agency. During this period, the agency accepts questions and provides clarification.”*
21. **Public Information Forums** are public meetings that provide information and an open exchange of information between agency representatives, elected officials, interested citizens and public interest groups on a project. They allow public input at the earliest stages of a project, enabling potential problems to be identified. Sometimes these are identified as public meetings or community meetings.
22. **School Programs** are initiatives developed to remind school age young people to be careful around construction sites or to educate about construction, transportation or related issues. These activities coincide with a rehabilitation or rebuilding project and can increase community “buy-in” and build credibility for the Commission. Engaging support through local schools and students can create or sustain interest in a public-involvement process.
23. **Fixed and Variable Signs** are stationery or mobile electronic signs in the project area and work zones that can be used to display temporary project information, traffic updates, the project Web site, or hotline information.
24. **Special Programs** can include community events that are either educational or celebratory in nature. Examples include a re-opening celebration, a workshop on facility design, or photographic displays created by people in the community.
25. **Stakeholder Identification** is the identification of affected communities (individuals and/or groups) that directly or indirectly affected by the project. Stakeholders can include:
 - a. Adjacent property owners and renters
 - b. Facility users (commuters, truckers, leisure travelers, emergency services)
 - c. Business organizations (including Chambers of Commerce, economic development agencies, industry associations)

- d. Elected and appointed officials
 - e. Environmental interest groups
 - f. Federal transportation professionals (Federal Highway Administration, Federal Transit Administration)
 - g. Good government interest groups
 - h. Growth management interest groups
 - i. Historic preservation and scenic conservation groups
 - j. Local jurisdiction transportation or technical professionals (public works directors, traffic engineers, planning directors)
 - k. Neighborhood organizations
 - l. Regional transportation professionals (Metropolitan Planning Organization transportation planners)
 - m. State transportation professionals (State DOT highway designers, traffic engineers, environmental planners)
 - n. Tourist and historic attractions
 - o. Transportation interest groups (, bicycle, pedestrian, highway)
 - p. Transportation service providers (transit agencies, airports, marine ports)
26. **Surveys** can be conducted formally by surveying a specific percent of an affected target community, or informally by surveying at a community meeting or workshop. These surveys are conducted to determine what members of a population think about a given topic/issue pertinent to the project process. A survey is administered to a sample group of people via a written questionnaire or in-person, phone, or electronic avenues. In a small-scale application, surveys can be relatively inexpensive.
27. **Teleconferences** are telephone or video meetings between participants in two or more locations.
28. **Tollbooth Handout Cards** are post cards distributed at a tollbooth, or distributed at meetings/open houses. At a minimum, these cards should include the Commission logo and motto, a Web site listing, toll-free hotline number or Commission contact number, and a specific informative message.
29. **Visualizations** are representations, maps, charts and/or photos of various aspects and stages of a proposed project and are a key to productive information exchanges with the public. Visualizations are especially helpful for describing a complex alternatives or plans – cases in which they can augment text-based information – and for soliciting public opinion and comment on a project or plan. They also may be used for brainstorming concepts, such as a design

charette. Visualizations may be shown on a Web site and as often as possible when interacting with the public/community/stakeholders. Before/during/after photos, artist renderings, and traffic simulations are useful, proven visualizations.

30. **Web sites** are increasingly proving to be convenient information-sharing and communications tools for transportation agencies and stakeholders, although their reach is global. The purpose of a project Web site is to provide a location where information about the project can be obtained at the public's convenience. The following lists information that can be included on the website are:
- a. Archives of newsletters and press releases
 - b. Construction look ahead (revised periodically)
 - c. Construction news and photos
 - d. Construction update (revised periodically)
 - e. Meeting notices
 - f. Meeting summaries
 - g. Newsletters
 - h. Overview of project, improvements and schedules
 - i. Press releases
 - j. School Projects
 - k. Sign up feature to receive Email-Bulletins.
 - l. Sign up feature to receive Project Newsletters by email.
 - m. Sign up feature to receive Wireless Alerts: cell or PDA text messages for important lane closures, emergencies, etc.
 - n. Two-way email: ability to email comments to project email operator, responses and bridge bulletins go out through the email
 - o. Weekly lane closure schedule postings

At a minimum, the Commission's public Web site – www.drjtbc.org – should be utilized for publicizing projects, providing updates, and gathering public input. Consideration should be given to creating individual project-specific Web pages on the DRJTBC Web site that the public may access throughout a project's duration. All Web sites and project-specific pages should be updated as necessary.

31. **Wireless Alerts** are cell or PDA text messages that can be used to communicate with the public. When individuals sign-up on a Web site they can elect to receive notifications about meeting announcements, project updates or important lane closures, emergencies, etc. Both New Jersey and Pennsylvania are in the process of creating 511 call systems to provide the public with real-time traffic information.

VII. Execution of Public-Involvement Plans

The following subsections are intended to help guide project managers, Commission staff, and public-involvement consultants in achieving public awareness, public acceptance, and public consensus with respect to any applicable capital project.

A. Overriding Responsibilities for Project Managers and Public-Involvement Personnel

Once a determination is made about whether a particular project warrants an individualized plan and what the scope of that plan should be, personnel responsible for carrying out the directive should adhere to the following overarching guidelines:

1. Any public-involvement activities should be designed, presented and conducted in a manner that presents the Commission as a professional organization that cares about community concerns. Where applicable, formal public-involvement plans should be coordinated in a manner to promote public awareness and successful outcomes for each major phase of a project.
2. Individuals responsible for preparing any public-involvement plans for a specific project should make a thorough assessment of potential impacts from or upon other capital projects, other major public or private construction activities, Compact Authorized Investment grant projects, and Operations Division activities within the same geographic area.
3. Any public-information communications for a major Commission capital project should be written, designed and disseminated in a manner that promotes strong and mutually respectful relationships among the Commission, elected officials, and the general public. Written materials for public dissemination must be reviewed by the Commission's Deputy Executive Director of Communications in consultation with other senior staff and, where applicable, the Commission's communications consultant.
4. Where applicable, public involvement activities should be documented. All public awareness, information, outreach, and input-gathering efforts should be documented for each project phase in a final Public Involvement Report.

5. Commission employees and Commissioners should be utilized when and where possible as resources for assessing community values, concerns, and issues. They should be kept abreast of key project developments and invited to participate in all significant off-site public-involvement meetings and activities.
6. Two entities – elected officials and news media – have a major influence and impact in communities that may be affected by a capital project. The Commission and its assigns should strive to maintain positive and responsive interactions with these entities during key decision-making stages and all construction phases.
7. When a project is determined to warrant its own specific public involvement program, this task shall be initiated early in the project with completion of a proposed project-specific plan no later than the preliminary design phase.
8. Any public-involvement plan that may be devised for a specific project should be kept on file by the Commission's Director of Community Affairs and the respective project manager.
9. Any formal project-specific public-involvement plan should be thoroughly reviewed after project completion by the project manager, an engineering department representative and the Director of Community Affairs. The purpose of this post-project meeting is to identify any shortcomings and problems that might be avoided by better public-involvement planning in future Commission projects. Likewise, this review should identify areas of success that might be replicated in future projects.
10. Listen. Listen. Listen. Commission staff, consultants and project managers assigned to an individual project should discipline themselves to avoid confrontation with members of the public and approach public involvement as a problem-solving strategy rather than a perfunctory job element. At all junctures of project planning, the Commission and its representatives should keep their "ears to the rail" for issues citizens may raise that might have been overlooked by project engineers, consultants and planners.
11. Respond. Respond. Respond. All Commission staff, consultants and project managers assigned to an individual project should make it an absolute priority to respond rapidly to public concerns – especially erroneous information.

B. Prioritizing Contact with Elected Officials

As a public agency, the Commission makes it a point to maintain positive, constructive relations with the federal, state, county and local elected officials affected by its operations and initiatives. This ethic extends to its capital program, where elected officials should never be surprised to learn about an upcoming project except through direct outreach by Commission personnel or assigned consultants.

Reaching out to elected officials on a regular basis with information about upcoming projects and updates on current projects can build important relationships and provide Commission personnel with valuable insights about local issues and concerns. Such utilization of communications with elected officials can exponentially increase the potential success of a public-involvement program.

Where applicable, contractors, public-involvement consultants or assigned Commission personnel are to propose, design and implement elected official communications for each project. Such plans should be reviewed and approved at the Commission's senior staff level.

Only Commission-authorized personnel should have contact with elected officials.

Legislative Briefings (see Toolbox) are mailings and meetings that introduce elected officials to a project as a first step in keeping representatives of the affected communities informed and involved. It is advisable that all local, state and federal elected officials representing a project area be contacted and provided with a summary of pertinent technical work, an outline of any public-involvement activities associated with that project, and contact information for the Commission's Director of Community Affairs and/or any other assigned project representative(s).

Significant effort should be made to contact public officials on a project-specific basis as they can serve both as ambassadors to their communities for the project and also as invaluable sources of community-specific insights and information. In cases where there are changes in representation in a project area, consideration should be given to providing newly elected officials with congratulatory letters and related materials so they may familiarize themselves with the mission and activities of the Commission as well as upcoming or in-process projects.

As active members of a capital project, consultants and contractors may find themselves being contacted by elected officials. In such instances, the inquiries should be referred to the Commission's Director of Community Affairs. A consultant or contractor shall provide assistance in an expedited manner to the Director of Community Affairs when responding to or lending assistance to an elected official with respect to specific project inquiry.

C. Providing Accurate Public Information

The delivery of timely, accurate, and jargon-free project information to the public is absolutely vital if a cooperative spirit is to be achieved in the decision-making-process and eventual execution of a capital project.

Public information enhances the Commission's reputation and credibility while preventing rumor mongering and the spread of misinformation that can pose a barrier to the public's understanding and perception of Commission plans and actions.

When conducted properly, public information can foster an understanding of the need to carry out a project and an appreciation of the long-term benefits resulting from a completed project. The delivery of public information also can expand the range of input the Commission receives when planning and carrying out an individual project.

Some projects may warrant little more than a press release and road signs. Others, however, may require expansive public-awareness elements, including newsletters, project-specific Web pages or sites, direct mail, e-mail alerts, advertisements, brochures, computer-generated audio-visual presentations, "open forum hearings" or other community assemblies.

The amount of public information to be provided for a project shall be made on a case-by-case basis by Commission senior staff, project managers, and consultants. These determinations should be based on a variety of considerations involving – but not limited to -- traffic volumes at an affected facility, economic factors, potential frequency of lane closures, and proximity of residential neighborhoods.

Where applicable, public-involvement consultants and/or the Director of Community Affairs should maintain a list of individuals and organizations seeking information on a specific capital project. Likewise, media contact lists should be compiled and maintained for individual projects, with any information changes regularly forwarded to the Commission's communications personnel.

Public information and public relations activities should be integrated into the project in a manner that allows for coordination with project milestones and developments – such as completion of major construction phases and noteworthy facilities, or in advance of new traffic patterns, lane closures and MPT (maintenance/protection of traffic). Obviously, projects with more noteworthy milestone elements will present greater publicity and outreach opportunities.

Frequent communication with the public mitigates the undesirable possibility that a project – and, by extension, the Commission -- might be perceived as poorly run, behind schedule, or laden with intentional deceptions.

Where possible, the process of publicizing a potential project should begin with the Commission's award of preliminary planning contracts (structural analysis, concept studies, etc.) through clear and concise press releases distributed – at a minimum – among media outlets that are relevant to a proposed project location.

D. Responding to Media Inquiries

The Deputy Executive Director of Communications is ultimately responsible for the content and distribution of all mass communications with the public, including public information provided for capital projects. It is incumbent upon this individual to work closely with the Chief Engineer, project managers, and – where applicable – other Commission personnel to verify the accuracy of all project-related communications.

Any media inquiries about a Commission project are to be promptly referred to the Deputy Executive Director of Communications or the Commission's media consultants. It is the Commission's policy to make concerted efforts to address media inquiries on a same-day basis.

E. Handling of Public Inquiries/Comments

Any inquiries from stakeholders, businesses, community organizations, non-media entities and the general public are to be promptly referred to the Director of Community Affairs or an assigned public-involvement consultant. Public inquiries should be handled in a professional manner that reflects positively upon the Commission's image as a public agency. Where warranted, public inquiries should be responded to as promptly as possible.

Comments and insights gathered through public-outreach efforts should be chronicled and, where deemed appropriate, provided a timely response. Correspondence from the public must be time-stamped and filed physically in an accessible but secure location or scanned into a computer drive for safe keeping.

Where applicable, public testimony, comments, correspondence, call logs, etc. should be compiled and maintained by a project manager, an assigned public-involvement consultant, or the Commission's Director of Community Affairs. Updated summaries and call logs should be shared with appropriate project and Commission personnel on a regular basis. Project related communications from the public should be time-stamped or logged and filed in a manner for later examination and review.

The Commission's assigned Project Manager and its Director of Community Affairs are ultimately responsible for ensuring that the Commission provides responses to public inquiries.

When public comment is gathered as a pre-planning component for a project, summaries of official responses should be recorded in one of three categories:

- No action taken
- Included in design
- Under consideration for possible later inclusion.

Any summaries, call logs, or correspondence reports involving public inquiries/comments during a project should identify the status of response.

F. Right-to-Know/Open Public Record Requests

The Commonwealth of Pennsylvania and the State of New Jersey both have laws governing the manner in which government agencies are to handle requests for public records. Pennsylvania is guided by the Right-to-Know Law (RTKL), which was effective as of January 1, 2009. New Jersey is guided by the Open Public Records Act (OPRA), which was effective as of July 8, 2002. The Commission is a bi-state agency and in an effort to satisfy the spirit of the laws of these two states, the Commission has created its own policy to govern dissemination of public records and the handling of formal requests for such public records. Regardless of the circumstances, if formal public record requests are filed with respect to a Commission project, the request must be submitted to the Commission's Open Records Officer.

G. Internal Coordination on Public Involvement

For public-involvement programs to be workable and successful, coordination will be an absolute necessity among Commission personnel, agency departments, consultants, and contractors.

To achieve this objective, the Commission's assigned project manager will be the individual ultimately responsible for maintaining internal communications within the Commission for a specific capital project.

These coordination activities should commence at the earliest stages and include the organization of a "Community Assessment Meeting" (as explained under the Assessing Need subheading on page 17).

The following Commission departments and program may be helpful in the development and execution of public-involvement elements for capital projects:

1. Operations

The Operations Department has the closest on-going relationship with the communities and customers served by the Commission. This relationship is based on toll-collection personnel who have daily contact with motorists, maintenance personnel who perform various transportation-related tasks in host communities, and bridge officers who are assigned to specific facilities.

The Project Manager should keep the Deputy Executive Director of Operations and respective Division Superintendents informed of project developments – including public involvement activities – that could affect Operations personnel, functions, and services.

It should be the responsibility of the Deputy Executive Director of Communications to provide the Deputy Executive Director of Operations and respective District Superintendents with copies of press releases or other notifications regarding project traffic issues, such a lane closures.

2. Compact Authorized Investment (CAI) Program

The Compact Authorized Investment (CAI) program provides grants to finance local transportation projects for communities impacted by the bridges operated by the DRJTBC. CAI-funded projects are managed by local community partners (which include elected/public officials, community organizations and individual community members). Commission personnel responsible for the administration of the CAI program keep status reports of CAI projects that are under construction, completed, or in development.

Project managers should obtain relevant CAI program information that could prove helpful in securing stakeholder support and public acceptance for a proposed capital project. Likewise project managers should ensure that conflicts do not arise between CAI and capital-project construction activities.

3. E-ZPass Department

The Commission's E-ZPass personnel are an important point-of-public-contact resource. E-ZPass personnel regularly host account application sessions at various locations throughout the jurisdiction. These can be used for information-distribution purposes.

The E-ZPass database also can be a resource for providing toll bridge customers with information about an approaching project that may affect their travels or commutes.

H. Commission Public-Outreach Resources

1. The Director of Community Affairs should maintain and frequently update a Commission-wide Elected Officials Database that can be used on a regular basis for both project-related activities and public information.
2. The Deputy Executive Director of Communications should regularly assess whether capital project developments or information should be placed on the Commission's public Web site or, where applicable, a separately linked project Web site.

I. Commission Resource Guide

Content Categories	Potential Commission Resource
1. Customers served by the Commission facility (the facility that is the focus of this capital project): traffic counts, origins/destinations, purpose of use (commute, business, recreation, shopping, etc.), and non-vehicular traffic	Capital Projects Operations
2. Commission presence in the community: bridges, facilities, signage	Operations
3. Compact Authorized Investment activities (completed, in process, planned, proposed),	CAI
4. Commission Operational and Maintenance activities year-round and proposed	Operations
5. Elected and Key Appointed Officials	Community Affairs
6. Community environmental concerns identified in news media or through comments provided to the Commission	Community Affairs
7. Categories of businesses and employers in community	Community Affairs
8. Infrastructure and public services	Community Affairs, Operations
9. Number and location of schools	Community Affairs
10. Health services – location and mobility/access to/from health services	Community Affairs, Operations
11. Description of public transportation	Community Affairs, Operations
12. Public safety and emergency services	Community Affairs, Operations
13. Proximity of community facilities	Community Affairs, Operations
14. Recreational and seasonal activities	Community Affairs
15. Recognized places, buildings, views, landscapes, or important natural features	Community Affairs, Operations
16. Potential Community Involvement activities	Community Affairs
17. E-ZPass customers/frequent toll bridge users	E-ZPass Department

VIII. Standard Practices for Bridge Rehabilitation Projects

Bridge rehabilitations have been the most common type of project under the Commission's Capital Improvement Program, which began in 2001. The experience gained in the execution of these and other projects has instilled a sense of appreciation at the Commission for incorporating public-involvement elements in project planning and development. These experiences have given rise to a standard approach for developing and executing public-involvement activities for bridge rehabilitation projects.

Many of the following items have been cited previously. These tasks are to take place after the extent of public-involvement needs for a project have been determined. This potential action list is intended to serve as a quick base-reference guide for preparing public-involvement plans for moderate- or large-scale construction or rehabilitation projects:

A. Community scoping revisited

1. The project manager, public-involvement consultant, and/or Director of Community Affairs should schedule a Community Assessment Meeting (see pages 17 and 34) to draw on Commission staff knowledge and create a thorough list of stakeholder and other considerations (intangibles) for the proposed project.
 - a. Include representatives from the following Commission areas: Engineering, Operations, Community Affairs and Compact Authorized Investment.
 - b. Query meeting participants about all potential community involvement activities planned for the project, including any immediate actions that might be required before conclusion of the contracting process. (This might include a project fact sheet to be used in briefings with elected officials or community organizations, or as a handout at concurrent capital project community involvement activities.)

B. Finalizing a public involvement plan

When an outside consultant is hired to create a project-specific public involvement plan, its contents should be examined and refined through a second Community Assessment Meeting attended by various Commission personnel and members of the project team. The draft document should be distributed several days in advance to facilitate maximum practical input. Revisions should be made in a prompt manner and redistributed as a final document by the project manager.

A similar meeting should be arranged if a more limited scope of public involvement activities is proposed for a project and a corresponding plan is drafted in-house by the Director of Community Affairs.

These meetings should be arranged by the project manager, a public-involvement consultant and/or the Director of Community Affairs.

A final plan should fully articulate the various public involvement activities that are to take place with a project.

The activities should be crafted with an eye toward coordination with major project milestones. (See Section IX, Subsection B – “Public Involvement Plan Crafting.”)

C. Articulate project need

To the extent possible, the Department of Community Affairs, public-involvement consultants and Commission communications personnel should work with engineers and project management consultants to accurately relay why a particular capital project is necessary. In essence, an articulation of project need can help foment public understanding of why a project must be undertaken and why the inconveniences of short-term traffic disruptions will be worth the long-term benefits of a safe, secure bridge that will not require repairs or closures for a minimum of 15 years. If obtainable and appropriate, pictures, inspection reports, and renderings of decay or unsafe conditions can all help in articulating project need. Senior staff, however, should be careful about distributing graphic depictions of bridge weaknesses because of security concerns.

D. Project Web pages

At a minimum, the Commission should create project-specific Web pages on its public Web site for capital projects that will inevitably have traffic-related impacts. These pages should provide basic bridge and project information, project phone hotline numbers and/or contact information for the Department of Community Affairs or assigned public-involvement consultants.

E. Project mailing lists

Project consultants and/or Commission staff should maintain extensive project mailing/contact lists for purposes of disseminating information and arranging attendance for open houses or other public meetings. The database of names and addresses should include project-area residents, elected officials, state and federal agency representatives, news media contacts, business community representatives and other stakeholders. The project mailing list should be routinely updated

1. News media lists

The listing of media outlets can include television and radio stations, newspapers, news Web sites, local blogs, community newsletters, local cable-access channels, local Web sites, local business bulletins and other local outlets that may be germane to a specific project. This list should be updated on an ongoing basis by public involvement consultants or Commission staff. The Commission's public relations consultant can assist in this exercise.

F. Presentations for elected officials and the public

The ultimate goal of any public-involvement program is to forge a spirit of understanding and cooperation on the part of the public with respect to capital projects undertaken by the Commission. A premium must be placed on consensus building.

To achieve this aim, meetings should be held with elected officials and open houses/open forum hearings should be arranged for the general public. The meetings should provide opportunities for host communities on both sides of a river bridge to review and comment upon a project and proposed plans. Open houses/open forum hearings should be conducted at suitable venues and at times that are conducive for attracting the largest amount of public participation.

Where applicable, the preferred outreach method for gathering public input or comment on a project is what the Federal Highway Administration (FHWA) refers to as an "open forum hearing." This public involvement technique for decision-making purposes in transportation projects is akin to an open house. The difference is that members of the public have an opportunity to provide input through comment sheets, directly to Commission staff or consultants who take notes, or (formally) to a court reporter.

The FHWA provides a thorough explanation of open forum hearings and open houses – their common characteristics and their differences – in an eight-page report at: www.fhwa.dot.gov/reports/pittd/openhous.htm.

To promote public understanding of a project, the consultant should prepare easy-to-understand handouts that provide general information about a project, such as anticipated construction staging, project schedule and project costs.

The consultant also should provide all audio-visual equipment and display materials – which may include items such as graphics, maps, photos, models, videos and related documents.

As a general rule, it is advised that public involvement consultants make presentations to Commission staff prior to open houses or open forum hearings.

At a minimum, the consultant for a project with its own specific public-involvement plan should prepare minutes of meetings with the public and with public officials. Comments and input gathered at these project presentations, open houses, and/or open forum hearings should be chronicled and provided to Commission staff and/or the project design team for review, consideration and possible response.

IX. Evaluating Public-Involvement Programs

The Commission's assigned project manager must repeatedly assess the various components of a capital project to ensure it is within scope, on time and on budget. Assessments of public-involvement plans and activities also should require a focus on compliance on time, scope, and budget.

Either in the closing days of a project or shortly after a project's completion, the Commission's assigned project manager should conduct an evaluation process of the public-involvement consultant assigned to that project and the plans and activities that were conceived and executed to promote public awareness, address public concerns, and solve problems. Commission personnel should be utilized to assist in this post-project process.

The intent is to identify strategies and tactics that work, pitfalls that should not be repeated, and insights of how the Commission's overall public-involvement efforts may be improved in future projects. Likewise, post-project reviews may provide ideas and insights for improving, expanding, or refining the Commission's Public Involvement Implementation Guidelines.

The following list of items should be utilized by project managers to evaluate the attributes and shortcomings of public-involvement programs:

1. Accessibility to the Process

Were consultations with the public done early and throughout planning or project development so participants view the project process as accountable and flexible to the public's needs?

2. Diversity of Views Represented

- a. Proportion of Stakeholders – Was a diversity of views gained from an assessment or inventory of all potentially affected stakeholder groups (including those who may not reside adjacent to the project)?
- b. Meeting Convenience – Were open houses or other meetings scheduled in a manner that made them convenient for affected residents and motorists? Specific factors include: time and date of meeting, and the accessibility of the meeting venue, etc. Data for this section can be obtained from the evaluation/comment forms distributed at open houses, open forum hearings, or other meetings.

3. Opportunities for Participation

Was the public provided with opportunities to provide input -- meetings, hotline, Web-based "contact us" portal, etc.? (See Toolbox chart on Page 22 for additional ideas.)

4. Integration of Concerns

Was a response provided for each public concern raised? Moreover, what concerns or comments impacted project decision making or influenced the design/staging/scheduling process?

5. Information Exchange

- a. Clarity – Was information provided to the public in a manner that was clear, understandable, timely and complete?
- b. Documentation – Were public inquiries properly recorded and responded to in a timely manner?
- c. Frequency of Events – Were major project milestones publicized and was the driving public given sufficient advance notification of instances of MPT (maintenance/protection of traffic)?

6. Project Acceptability Measures

Were matters of contention and misinformation recognized and addressed? Did public-involvement achieve general acceptance of the need for the project and its planning, design and implementation?

7. Lessons Learned

What lessons did this project provide in terms of public-involvement that might prove useful in the planning and execution of future capital projects?

X. Appendix

A. Resource List

Following is a partial list of resources that may be used to access information about community involvement practices.

Americans with Disabilities Act of 1990 -
(<http://www.usdoj.gov/crt/ada/pubs/ada.htm>)

American Association of State Highway and Transportation Officials (AASHTO) - <http://transportation.org>

Assessing the Effectiveness of Project-based Public Involvement Processes: A Self-Assessment Tool for Practitioners – (January, 1999)
The Transportation Research Board

Context Sensitive Solutions.org – <http://www.contextsensitivesolutions.org>

Contract No. C-444A Delaware River Joint Toll Bridge Commission - Capital Project 0441A Request for Letter of Interest - Upper Black Eddy-Milford Toll Supported Bridge Rehabilitation)

Contract No. CM-380B – Capital Project 0006A – Trenton-Morrisville Toll Bridge Rehabilitation and One Auxiliary Northbound Lane Construction Management & Construction Inspection Services RFP)

Draft Public Outreach/Interagency Coordination Plan – Major Investment Study/Draft Environmental Impact Statement for Penn Station Access – (September 1999) Sponsored By: U.S. Department of Transportation, Federal Transit Administration and Metro-North Railroad, Prepared by: Parsons Brinckerhoff Quade & Douglas, Inc. and Edwards and Kelcey, Inc.

Executive Order 12898 of February 11, 1994 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations – Presidential Document

Riverton-Belvidere Toll Supported Bridge Rehabilitation - Detailed Scope of Services for Public Involvement – DRJTBC Contract No. C-371A: Capital Project No. 0005A – (August, 2005) Prepared by: Greenman-Pedersen, Inc. for the Delaware River Joint Toll Bridge Commission

***Engaging the American People: A Review of EPA's Public Participation Policy and Regulations with Recommendation for Action* – (December, 2000) United States Environmental Protection Agency**

Federal Highway Administration – (<http://www.fhwa.dot.gov>)

Federal Highway Administration Public Involvement Techniques for Transportation Decision Makers: Open Forum Hearings/Open Houses – (<http://fhwa.dot.gov/reports/pittd/openhous.htm>)

Federal Transit Administration (FTA)/Federal Highway Administration (FHWA) Interim Policy on Public Involvement– (<http://ntl.bts.gov/DOCS/FHWA.html>)

***Hear Every Voice: A Guide to Public Involvement in MnDOT* – (December, 1998) Office of Investment Management, Minnesota Department of Transportation**

Milford/Montague Toll Bridge Rehabilitation Construction Management & Construction Inspection Services – Request for Proposal Contract No. CM-430A Capital Project 0456A

New Jersey Department of Transportation (NJDOT) – (<http://www.state.nj.us/transportation/>)

New Jersey Department of Transportation Capital Project Procedures – (<http://www.nj.gov/transportation/eng/documents/procedures/index.shtml>)

North Jersey Transportation Planning Authority Public Participation Plan (NJTPA) – (http://www.njtpa.org/Involved/comment/Pub_Particip_Plan.aspx)

Northerly Crossings Corridor Congestion Mitigation Study Public Participation Plan - (Delaware River Joint Toll Bridge Commission and Baker) (www.northerlycrossings.com/Northerly%20Crossings%20Final%20Report.pdf)

Pennsylvania Department of Transportation (PennDOT) – (<http://www.dot.state.pa.us/>)

Public Involvement Handbook, Publication No. 295 (September, 2005) – Pennsylvania Department of Transportation

(<http://www.dot.state.pa.us/Internet/Bureaus/pdBOS.nsf/FormsAndPubsHomePage?OpenFrameSet>)

Public Involvement Techniques for Transportation Decision-Making - (August, 2002) Federal Highway Administration, Federal Transit Administration, U.S. Department of Transportation

(http://www.planning.dot.gov/PublicInvolvement/pi_documents/toc.asp)

The Transportation Research Board (TRB) Committee on Public Involvement in Transportation – (<http://www.trbpi.com/>)

A Manual for Achieving Effective Community Participation in Transportation Planning (April, 1974) - Portfolio Associates, Inc.

Stakeholder Involvement & Public Participation at the U.S. EPA: Lessons Learned, Barriers, & Innovative Approaches, (January, 2001) - United States Environmental Protection Agency

State of the Practice: White Paper on Public Involvement - Transportation Research Board Committee on Public Involvement in Transportation (www.trbpi.com/publications/trbwhitepaper.pdf)

Transportation Public Involvement Policy – (October, 2007) Metro Regional Government, (<http://www.metro-region.org/index.cfm/go/by.web/id=7715>)

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

TITLE:	PUBLIC RECORDS POLICY
PURPOSE:	The Delaware River Joint Toll Bridge Commission (the "Commission") recently has undertaken a number of actions to promote greater transparency in its dealings and communications with the public, recognizing that an informed citizenry enriches the function of government. The Commission's Public Records Policy ("Records Policy") is designed to provide open, timely and uninhibited access to the Commission's public records. The Commission seeks to achieve these goals by adopting this Records Policy that is based upon best practices and is consistent with the Pennsylvania Right-To-Know Law, 65 P.S. §§ 67.101 <u>et seq.</u> , and the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 <u>et seq.</u> This Records Policy has a particular emphasis on procedures for requesting records and exemptions from disclosure.
POLICY:	It is the policy of the Commission that the Commission's public records be available to citizens of the United States, especially citizens of the Commonwealth of Pennsylvania and State of New Jersey, so that such citizens have the opportunity to observe and monitor the business of the Commission.
DISCLAIMER:	This Records Policy is a unique public records policy applicable to the Commission, an independent bi-state agency, that is based upon the requirements regarding public records access set forth by the Pennsylvania legislature in the Right-To-Know Law, 65 P.S. § 67.101 <u>et seq.</u> , and the New Jersey legislature in the Open Public Records Act, N.J.S.A. § 47:1A-1 <u>et seq.</u>
APPLICABILITY:	This Records Policy applies to all requests for access to public records of the Commission, and applies to all recorded information, regardless of whether the information exists in written or electronic format.
PUBLIC RECORDS / EXEMPTIONS:	Public records of the Commission will be presumed to be public records available for public access. The following records and documents, and those records and documents specifically delineated as exempt from disclosure in applicable statutes, laws and regulations, are exempt from access by a requester: 1. A record the disclosure of which: (i) would result in the loss of Federal or state funds by the Commission; or (ii) would be reasonably likely to result in a substantial and demonstrable risk of physical harm to or the personal security of an individual. 2. A record maintained by the Commission in connection with homeland security, law enforcement or other public safety activity that if disclosed would be reasonably likely to jeopardize or threaten public safety or preparedness or public protection activity. 3. A record, the disclosure of which creates a reasonable likelihood of endangering the safety or the physical security of a building, public utility, resource, infrastructure, facility or information storage system,

which may include:

- a) documents or data relating to computer hardware, source files, software and system networks that could jeopardize computer security by exposing a vulnerability in preventing, protecting against, mitigating or responding to a terrorist act;
 - b) lists of infrastructure, resources and significant special events, including those defined by the Federal Government in the National Infrastructure Protections, which are deemed critical due to their nature and which result from risk analysis; threat assessments; consequences assessments; anti-terrorism protective measures and plans; counter-terrorism measures and plans; and security and response needs assessments; and
 - c) building plans or infrastructure records that expose or create vulnerability through disclosure of the location, configuration or security of critical systems, including public utility systems, structural elements, technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage and gas systems.
4. A record regarding computer hardware, software and networks, including administrative or technical records, which, if disclosed, would be reasonably likely to jeopardize computer security.
5. A record containing all or part of a person's Social Security number; driver's license number; personal financial information; home, cellular or personal telephone numbers; personal email addresses; employee number or other confidential personal information, including, but not limited to, confidential personal information relating to E-ZPass transactions.
6. The following records relating to an employee of the Commission:
- a) A letter of reference or recommendation pertaining to the character or qualifications of an identifiable individual.
 - b) A performance rating or review.
 - c) The employment application of an individual who is not hired by the Commission.
 - d) Workplace support services program information.
 - e) Written criticisms of an employee.
 - f) Grievance material, including, but not limited to, documents related to discrimination or sexual harassment.

	g) Information regarding discipline, demotion or discharge contained in a personnel file. h) An academic transcript. 7. The draft of a bill, resolution, regulation, statement of policy, management directive, ordinance or amendment thereto prepared by or for the Commission. 8. A record that reflects the internal, pre-decisional deliberations of the Commission, its Commissioners, employees, officials or agents and Commissioners, employees, officials or agents of another agency, including, but not limited to, pre-decisional deliberations relating to a budget recommendation, legislative proposal, legislative amendment, contemplated or proposed policy, contract or course of action or any research, memoranda or other documents used in the pre-decisional deliberations. In addition, any record that reflects strategy to be used to develop or achieve the successful adoption of a budget, legislative proposal or regulation. 9. A record that constitutes or reveals a Trade Secret or Confidential Proprietary Information. For purposes of this Records Policy, a Trade Secret shall be defined as information, including a formula, drawing, pattern, compilation, including a customer list, program, device, method, technique or process that: (i) derives independent economic value, actual or potential, from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. Without limiting the foregoing, the term Trade Secret includes data processing software obtained by the Commission under a license agreement prohibiting disclosure. For purposes of this Records Policy, Confidential Proprietary Information shall be defined as commercial or financial information received by the Commission: (i) which is privileged or confidential; and (ii) the disclosure of which would cause substantial harm to the competitive position of the person that submitted the information. 10. Notes and working papers prepared by or for a public official or an employee of the Commission used solely for that official's or employee's own personal use, including, but not limited to, telephone message slips, routing slips and other materials that do not have an official purpose. 11. A record of the Commission relating to or resulting in a criminal
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	investigation, including, but not limited to: a) Complaints of potential criminal conduct other than a private criminal complaint. b) Investigative materials, notes, correspondence, videos and reports. c) A record that includes the identity of a confidential source or the identity of a suspect who has not been charged with an offense to whom confidentiality has been promised. d) A record that includes information made confidential by law or court order. e) Victim information, including any information that would jeopardize the safety of the victim. f) A record that, if disclosed, would do any of the following: (i) Reveal the institution, progress or result of a criminal investigation, except the filing of criminal charges; (ii) Deprive a person of the right to a fair trial or an impartial adjudication; (iii) Impair the ability to locate a defendant or co-defendant; (iv) Hinder the Commission's ability to secure an arrest, prosecution or conviction; (v) Endanger the life or physical safety of an individual. 12. A record of the Commission relating to a non-criminal investigation, including, but not limited to: a) Complaints submitted to the Commission. b) Investigative materials, notes, correspondence and reports. c) A record that includes the identity of a confidential source, including, but not limited to, individuals subject to any whistleblower statutes, laws, regulations or policies. d) A record that includes information made confidential by law. e) Work papers underlying an audit. f) A record that, if disclosed, would do any of the following: (i) Reveal the institution, progress or result of the Commission's investigation, except the imposition of fine or civil penalty, the suspension, modification or revocation of a license, permit, registration, certification or similar authorization issued by the Commission or an executed settlement agreement; (ii) Deprive a person of the right to an impartial adjudication; (iii) Constitute an unwarranted invasion of privacy; (iv) Hinder the Commission's ability to secure an administrative or civil
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	sanction; or (v) Endanger the life or physical safety of an individual. 13. Records or parts of records pertaining to audio recordings, telephone or radio transmissions received by emergency dispatch personnel, including, but not limited to, 911 recordings. This paragraph shall not apply to a 911 recording, or a transcript of a 911 recording, if the Commission or a court determines that the public interest in disclosure outweighs the interest in nondisclosure. 14. Draft minutes of any public meeting of the Commission until the final public meeting minutes are published at the next regularly scheduled meeting of the Commission or minutes of any non-public meeting or executive session and any record of discussions held in such non-public meeting or executive session. 15. The contents of real estate appraisals, engineering or feasibility estimates, environmental reviews, audits or evaluations made for or by the Commission relative to: (i) the leasing, acquiring or disposing of real property or an interest in real property; (ii) the purchase of public supplies or equipment included in the real estate transaction; and (iii) construction projects. This paragraph shall not apply once the decision is made to proceed with the lease, acquisition or disposal of real property or an interest in real property or the purchase of public supply or construction project. 16. A proposal pertaining to the Commission's procurement or disposal of supplies, services or construction prior to the award of the contract or prior to the opening and rejection of all proposals or bids. In addition to the foregoing, a proposal or bid pertaining to the Commission's procurement or disposal of supplies, services or construction if such proposal or bid contains a Trade Secret or Confidential Proprietary Information. 17. Financial information of a bidder or offeror requested in an invitation for bid or request for proposals to demonstrate the bidder's or offeror's economic capability. 18. The identity of members, notes and other records of the Commission's proposal evaluation committees. 19. A record or information relating to a communication between the Commission and its insurance carrier, administrative service organization or risk management office. This paragraph shall not apply to a contract with an insurance carrier, administrative service organization or risk management office or to financial records relating to the provision of insurance. 20. Any other record or document that is protected by a privilege or exempt from being disclosed under any other Federal or state statute, law or
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	regulation or judicial order or decree. In determining whether a record is exempt from access, the Commission shall consider and apply each exemption separately.
REQUESTS:	A written request to the Commission may be submitted in person, by mail, by e-mail or by facsimile. The request must: 1. Be addressed to the Delaware River Joint Toll Bridge Commission Public Records Officer, Arnold J. Conoline ("Open Records Officer"), at: Delaware River Joint Toll Bridge Commission 2492 River Road New Hope, Pennsylvania 18938 Facsimile number: (215) 862-7665 Email: aconoline@drjtbc.org 2. Identify a name and address to which the Commission should address its response; 3. Be sufficiently specific to enable the Commission to ascertain which records are being requested; and 4. Be from a person who is a legal resident of the United States. Requests may be on the form available at the website of the Commission, at http://www.drjtbc.org, and attached hereto as Exhibit A. The regular business hours of the Commission are 8:00 a.m. to 4:00 p.m., Monday through Friday. Any request received by the Open Records Officer at the Commission after regular business hours shall be deemed to have been received by the Open Records Officer on the following business day. A request must identify or describe the records sought with sufficient specificity to enable the Commission to ascertain which records are being requested. The Commission will deny all requests that are insufficiently specific.
RESPONSES:	The Open Records Officer may respond by providing a requester with access to inspect a record electronically or as otherwise maintained by the Commission, either: 1. by providing access to the records at the Commission's offices; 2. by sending a copy to the requester; or 3. by notifying the requester that the record is available through publicly accessible electronic means. Each of these options is a "response", as is the Commission's written notice to the requester granting, denying or partially granting and partially denying

access to a record. The Commission may send written responses to requesters by United States mail, by hand (in person or by delivery service), by facsimile or, by e-mail.

Unless a longer period of time is needed and communicated to the requester by an "interim response" (as discussed in paragraph A below), the Commission will respond to a records request within seven (7) business days. For purposes of determining the end of the seven (7) business day period, the first day of the seven (7) business day period is the next business day after the Commission receives the request.

A. Interim Responses

The Commission may send an interim response if any of the following apply:

1. The request requires redaction of a public record.
2. The request requires retrieval of a record from a remote location.
3. A response within the seven (7) business day period cannot be accomplished due to bona fide staffing limitations, which must be specified in the interim response.
4. A legal review is necessary to determine whether the record requested is subject to access under this Records Policy and other applicable statutes, laws and regulations.
5. The requester has not complied with the Commission's policies regarding access to public records.
6. The requester has not complied with a demand for prepayment of fees, which are required to fulfill the request. The time period for the Commission's response shall be tolled from the time the demand for payment is made until such time as payment is actually received.
7. The extent or nature of the request precludes a response within the required time period.

An interim response must: (i) be sent to the requester on or before the last day of the seven (7) business day period; (ii) state that the request is being reviewed and the reason for the review; (iii) give an estimate of applicable fees owed when the public record becomes available; and (iv) state a reasonable date that a response is expected to be provided. This date must not be more than thirty (30) calendar days from the end of the seven (7) business day period.

If the date of an expected response is in excess of thirty (30) calendar days following the end of the seven (7) business day period, the request will be deemed denied unless the requester has agreed in writing to the date specified in the notice.

	B. Final Responses There are three possible final responses that the requester may receive from the Commission. The request is either granted, denied, or granted in part and denied in part. The Commission's failure to provide a timely final response is deemed to be a denial. If a written request is denied in whole or in part (other than a deemed denial as noted above), the Commission will issue a final written response. The written denial will set forth the specific reasons for the denial. If the denial is a result of a determination that the record requested is exempt from disclosure, the specific reasons for the Commission's determination shall be included. C. Redaction The Commission will not deny access to a record based upon the fact that portions of the record are not public records and, as a result, not subject to disclosure. The Commission will redact the portions that are not public records and produce the portions that are public records.
APPEALS:	If a written request for access to a public record is denied by the Commission or deemed to have been denied by the Commission, the requester may file, within fifteen (15) business days after the denial or deemed denial by the Commission, a written appeal thereto with the appropriate governmental authority, if allowed by applicable statutes, laws and regulations. If the requester fails to file a written appeal to the appropriate governmental authority within such fifteen (15) business day time period, the requester shall be deemed to have waived his or her appeal rights.
FEES:	Applicable fees to be charged by the Commission are as follows: <u>Copies:</u> \$0.25 per page (A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page) <u>Certification of a Record:</u> \$5.00 per record plus notary fees <u>Specialized documents:</u> Actual Cost (For example, but not limited to, blue prints, color copies, non-standard sized documents) <u>Facsimile/Microfiche/Other Media:</u> Actual Cost <u>Conversion to Paper:</u> If a record is only maintained electronically or in other non-paper medium, duplication fees shall be limited to the lesser of the fee for

duplication on paper or the fee for duplication in the original medium unless the requester specifically requests for the record to be duplicated in the more expensive medium.

Postage Fees:

Actual Cost

Other Applicable Fees:

In addition to the fees set forth above, the Commission will charge requesters reasonable fees for necessarily incurred costs. The Commission will determine and charge such fees on a case by case basis.

Prior to granting a request, the Commission may require a requester to prepay an estimate of the fees authorized under the Records Policy.



EXHIBIT A

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

RECORDS REQUEST FORM

DATE REQUESTED: _____

REQUEST SUBMITTED BY: EMAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTER: _____

STREET ADDRESS OF REQUESTER: _____

CITY/STATE/COUNTY (Required): _____

TELEPHONE: _____

RECORDS REQUESTED*:

**Provide as much specific detail as possible so the Commission can identify the information.*

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

=====

FOR COMMISSION USE ONLY

OPEN RECORDS OFFICER: _____

DATE RECEIVED BY THE COMMISSION: _____

COMMISSION'S SEVEN (7) DAY RESPONSE DUE: _____