

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

DELAWARE RIVER PORT AUTHORITY

BOARD MEETING

Pennsylvania Convention Center
1101 Arch Street
Philadelphia, Pennsylvania

Wednesday, August 20, 2014

FREE STATE REPORTING, INC.
Court Reporting Transcription
D.C. Area 301-261-1902
Balt. & Annap. 410-974-0947

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

PRESENT

PENNSYLVANIA

Jim Cawley, Esquire, Chairman
William Sasso, Esquire
Michelle Kichline, Esquire
Walter D'Alessio (via telephone)
Joann Bell
John Lisko, Esquire (for Robert McCord)
(via telephone)
Eugene DePasquale (via telephone)
John J. Dougherty

NEW JERSEY

Jeffrey L. Nash, Esquire, Vice Chairman
(via telephone)
Charles Fentress
Denise Mason
Tamarisk Jones
E. Frank DiAntonio (via telephone)

Officers and Chiefs

John Hanson, Chief Executive Officer
Michael Conallen, Deputy Chief Executive Officer
Danielle McNichol, General Counsel and Corporate
Secretary
Kristen Mayock, Deputy General Counsel
James White, Acting Chief Financial Officer
Toni Brown, Chief Administrative Officer
Mike Venuto, Chief Engineer
John Rink, PATCO General Manager
Bennett Cornelius, Assistant General Manager, PATCO
Thomas Raftery, Inspector General
Jack Stief, Chief, Public Safety

1 DRPA Staff

2 Nancy Farthing, Executive Assistant to CEO
Howard Korsen, Contract Administration
3 Kevin LaMarca, Director, IS
Christina Maroney, Manager, Special Projects
4 Elizabeth McGee, Administrative Coordinator
Sheila Milner, Administrative Coordinator
5 William Shanahan, Director, Gov. Relations
Susan Squillace, Manager, Purchasing
6 Dawn Whiton, Administrative Coordinator
Mike Williams, Graphic Design Administrator

7
8 Counsel

9 Christopher Gibson, Esquire, Archer & Greiner,
New Jersey Counsel
10 Thomas Ellis, Esquire, Duane Morris, Pennsylvania
Counsel
11

12 Others

13 Joshua Wilson, Chief of Staff, Office of Lt. Gov.
Peter Simon, Esquire, New Jersey, Gov. Authorities
14 Unit
Michael Mustokoff, Esquire
15 Daniel Walworth, Esquire
John Boyle (CAC)
16 James Thornton
Jenny Robinson, AAA MidAtlantic
17 Lesley Kirsch, Friends of Cooper River West
Kevin Barfield, Friends of Cooper River West
18 Tom Knoche, Friends of Cooper River West
Frank Keel
19 Brian Stevenson
Tara Chupka
20 James Bloom
Stephen Benigno
21 Richard Rivera
22

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

Page

Roll Call	8
Report of the CEO	12
Report of the Interim CFO Key Performance Indicators	17
Approval of July 16, 2014 Board Meeting Minutes	22
Monthly List of Payments - Covering Month of July 2014	24
Monthly List of Purchase Orders and Contracts of July 2014	24
Approval of Audit Committee Minutes of July 30, 2014	25
Adopt Resolution Approved by Audit Committee of July 2014	26
DRPA-14-097, Selection of Independent Firm to Conduct Yellow Book Management Audit	
Approval of Operations & Maintenance Committee Minutes of August 6, 2014	27
Adopt Resolutions Approved by Operations & Maintenance Committee of August 6, 2014	28
DRPA-14-098 Contract No. BR-15-2012, Betsy Ross Bridge Resurfacing and Approach Roadway Rehabilitation	29

Field Code Changed

Field Code Changed

I N D E X

(continued)

		<u>Page</u>
1		
2		
3		
4	DRPA-14-099	29
5	Construction Monitoring Services for Betsy Ross Bridge Resurfacing and Approach Roadway Rehabilitation	
6	DRPA-14-100	31
7	Capital Project Contract Modifications	
8	DRPA-14-101	32
9	FY 2013 TSGP Regional Public Security Awareness Public Service Announcement Project, Phase IV	
10	Approval of Finance Committee Minutes of August 6, 2014	32
11		
12	Adopt Resolutions Approved by Finance Committee of August 6, 2014	34
13	DRPA-14-102	
14	Camera & Call Box Maintenance Agreement	
15	DRPA-14-103	
16	DRPA/PATCO Medical Service Provider for Drug and Alcohol Testing/Training, Physical Exams, Medical Evaluation and Health Screening	
17		
18	DRPA-14-104	
19	Benefits Administration Third Party Administrator DRPA/PATCO	
20	DRPA-14-105	
21	Extension of Blue Horizon Loan Satisfaction Agreement	
22	Unfinished Business	35

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

I N D E X

(continued)

Page

New Business	36
DRPA-14-106 Consideration of Pending DRPA Contracts (Between \$25,000 and \$100,000)	36
DRPA-14-107 Interim Collective Bargaining Agreements Extension	36
Citizens Advisory Committee Report	37
Public Comment	42
Executive Session	55

P R O C E E D I N G S

(10:15 a.m.)

COMMISSIONER SASSO: The first thing I would like to do is have a moment of silence, and then we will have the Pledge of Allegiance.

Please stand for a moment of silence.

(Moment of silence.)

COMMISSIONER SASSO: And now Pledge of Allegiance.

(Pledge of Allegiance.)

COMMISSIONER SASSO: And now I'd like to ask the Corporate Secretary to call the roll.

MS. McNICHOL: Commissioner Sasso?

COMMISSIONER SASSO: Here.

MS. McNICHOL: Vice Chairman Nash?

Commissioner Bell?

COMMISSIONER BELL: Here.

MS. McNICHOL: Commissioner Dougherty?

COMMISSIONER DOUGHERTY: Present.

MS. McNICHOL: Commissioner D'Alessio?

COMMISSIONER D'ALESSIO: On the phone.

Here.

1 MS. McNICHOL: Commissioner DiAntonio?
2 COMMISSIONER DIANTONIO: Here.
3 MS. McNICHOL: Commissioner Lisko?
4 COMMISSIONER LISKO: On the phone.
5 MS. McNICHOL: Commissioner Kichline?
6 COMMISSIONER KICHLINE: Here.
7 MS. McNICHOL: Commissioner Fentress?
8 COMMISSIONER FENTRESS: Here.
9 MS. McNICHOL: Commissioner Mason?
10 COMMISSIONER MASON: Here.
11 MS. McNICHOL: Commissioner Jones?
12 COMMISSIONER JONES: Here.
13 MS. McNICHOL: Is Governor Cawley on the
14 phone?
15 CHAIRMAN DEPASQUALE: Danielle this is
16 Eugene. I'm here. We lost you for a second.
17 Actually, I moved the phone and it hung --
18 MS. McNICHOL: Thank you, sir.
19 Governor Cawley?
20 CHAIRMAN CAWLEY: I'm here on the phone.
21 MS. McNICHOL: Thank you, sir.
22 Vice Chairman Nash?

1 COMMISSIONER SASSO: Well, see if Jeff joins
2 us.

3 Do we need Vice Chairman Nash for a quorum
4 or do we have a quorum?

5 MS. McNICHOL: We need Vice Chairman Nash
6 for a quorum, sir.

7 COMMISSIONER SASSO: And he was on the
8 phone?

9 MS. McNICHOL: He was briefly on the phone,
10 sir, and I --

11 COMMISSIONER SASSO: Maybe somebody could
12 call him and see what the --

13 MS. McNICHOL: Yes, we'll try to reach him.

14 COMMISSIONER SASSO: -- problem right there.

15 MR. HANSON: I was just talking to him and
16 he said he was calling. He was calling in right now,
17 so --

18 COMMISSIONER BELL: I don't know what
19 happened, right.

20 MR. HANSON: I mean, I literally just came
21 in from a conversation that I had with him. So I

22

1 think he's --

2 MS. McNICHOL: Vice Chairman Nash?

3 COMMISSIONER SASSO: Procedurally, can we
4 begin with the reports and then wait until we have a
5 quorum?

6 MS. McNICHOL: Hi. I'm sorry. Did someone
7 join, please?

8 VICE CHAIRMAN NASH: Hi. I'm sorry, Jeff
9 Nash.

10 MS. McNICHOL: Thank you, Vice Chair.
11 You can proceed. We have a quorum, sir.

12 COMMISSIONER SASSO: Good.

13 Vice Chairman Nash, I indicated that our
14 Chairman is on his way here fighting the traffic. He
15 is participating by phone. With your permission, he
16 has asked me to chair the proceedings with your
17 permission as Vice Chair given the fact that you are
18 also on the phone, I will do so.

19 VICE CHAIRMAN NASH: I'm having a very hard
20 time hearing you.

21 COMMISSIONER SASSO: Do you have any problem
22

1 if I chair the meeting in your absence and the
2 Chairman's absence?

3 VICE CHAIRMAN NASH: No, that's fine, of
4 course.

5 COMMISSIONER SASSO: Okay.

6 VICE CHAIRMAN NASH: Thank you,
7 Commissioner.

8 COMMISSIONER SASSO: Thank you.

9 The first item on the agenda is the report
10 of the CEO, John Hanson.

11 John, you've given us an excellent written
12 report. Do you have anything you'd like to add to it?

13 MR. HANSON: I do have a couple of comments
14 that I'd like to add, Commissioner.

15 First, I'd like to -- I would like to let
16 you know that in less than two months, PATCO has
17 received three compliments about train operator Jim
18 Franks. On June 26th, a customer recognized Jim's
19 professionalism and courtesy during a delay,
20 describing Jim as a model to emulate. Quote, "PATCO
21 employees like Jim make the ride through the track
22

1 rehab a little more enjoyable," end quote.

2 On July 29th, another customer dubbed this
3 train operator as "awesome" for the way he responded
4 to the challenge of a disabled train on the bridge.
5 After making announcements over the loudspeaker about
6 what was going on, the operator quickly started to
7 work to resolve the problem. His actions and manner
8 were reassuring to the customers on the train.

9 And on August 14th during a morning peak
10 service, a young man dropped his cell phone battery
11 into the track at the Woodcrest area. To the dismay
12 of onlookers, the distraught juvenile was about to
13 jump onto the tracks to retrieve the battery. Jim
14 Franks delayed movement of the train to the station,
15 communicating with the control center and they were
16 able to prevent an accident.

17 Staff recently identified a need to enhance
18 information available to employees about safety
19 products in DRPA central, in DRPA's central storeroom.
20 A cross-functional team lead by CAO Toni Brown and
21 Project Analyst Ann DuVall, included Risk Management
22

1 and Safety Director Marianne Staszewski, HRS Director
2 Kelly Forbes, Safety Specialist Mark Armbruster,
3 Khalil Christian, Procurement Manager Susan Squillace,
4 Central Storeroom Supervisor Gail Polk. They created
5 a comprehensive user-friendly Internet catalog with
6 safety items that now enables employees to locate
7 quickly and easily through pictures of the items to
8 maximize workplace safety and access to safety tools.

9 Also on August 9th at 8 p.m., Sergeant Andre
10 Brown came to the aid of a customer in need, who
11 responded via email with the following thank you.

12 "Just wanted to offer my sincere gratitude
13 for the help I received from an officer the other day.
14 My tire blew out on the Commodore Barry Bridge. I
15 pulled off to the other side before the toll booths
16 when an officer saw I was in need of assistance. Not
17 once, but twice, did he drive back to the station to
18 get tools that were needed to fix my flat tire and
19 even helped me change the tire. Reassured me that not
20 all police officers are out to punish, but they are
21 truly there to help civilians in need."
22

1 Finally, tomorrow, the PATCO Track Rehab
2 Project moves from the south side to the north side.
3 We'll be running on the new tracks on the south side,
4 and we've got a significant change to the continuous
5 track outage schedule and that schedule has been
6 dramatically improved.

7 During the morning rush going westbound,
8 we've reduced the number of gaps from four to three.
9 So there's one less gap. We've also shortened gap
10 time by 40 minutes during the morning rush.

11 In the afternoon, during the afternoon rush,
12 we've taken the number of gaps from two to four.
13 There are 2 less gaps going eastbound, and reduced the
14 number of gaps by 62 minutes. The gap time in the
15 afternoon rush is one-third of what it was during the
16 last track outage.

17 In addition, we've improved weekend train
18 headways and also been able to improve for the reverse
19 commuters during the morning.

20 That concludes my comments.

21 COMMISSIONER SASSO: Are any of those
22

1 employees here today, John?

2 MR. HANSON: No.

3 COMMISSIONER SASSO: Please convey our
4 thanks as Commissioners.

5 We're not really the face of the DRPA and
6 PATCO. It's really the employees who are on the front
7 line day-by-day, the working men that make an
8 impression on the general public and enhance our
9 reputation. So please thank them on behalf of all --
10 the entire Board of Commissioners.

11 MR. HANSON: And I said no, but, of course,
12 Toni Brown is here, who led the cross-functional
13 safety team and --

14 MS. BROWN: Sue Squillace, Sue Squillace is
15 here.

16 MR. HANSON: I'm sorry -- and Sue Squillace.

17 COMMISSIONER SASSO: Well, thanks to both of
18 you.

19 Okay. The report of the Chief Financial
20 Officer.

21 Anything -- oh, we have to have a motion
22

1 accepting the CEO's report.

2 Can I have such a motion and a second?

3 MS. JONES: Second.

4 MS. MASON: Second.

5 COMMISSIONER SASSO: Been moved and
6 seconded.

7 Any further discussion or comments?

8 All those in favor?

9 COMMISSIONER FENTRESS: Aye.

10 COMMISSIONER KICHLINE: Aye.

11 COMMISSIONER JONES: Aye.

12 COMMISSIONER SASSO: Opposed?

13 It's carried.

14 COMMISSIONER SASSO: We now have a report of
15 our Chief Financial Officer.

16 Jim, do you have anything you want to add to
17 your report?

18 MR. WHITE: Just a couple of summary items
19 that I'll just mention, okay?

20 Mr. Chair and Mr. Vice Chair, good morning,
21 and Commissioners, good morning.

22

1 My brief remarks will essentially echo the
2 comments made in the Finance Committee meeting notes,
3 which are in your packet. I just wanted to bring to
4 your attention that June was a very, very good month
5 with regard to DRPA traffic and revenues. We expect
6 these trends to continue as it seems as the unaudited
7 traffic and revenues for July, we expect to also
8 exceed July 2013. So we're on a good path
9 particularly related to traffic and revenues.

10 Even though we are still under the 2013
11 numbers and, again, we've emphasized that's because of
12 bad weather in January and February -- there was a
13 \$1.2 million improvement over 2013 for the month of
14 June. So that gap, which is \$1.2 million -- and I'm
15 sorry, I should have referred to the fact I'm using
16 the unaudited financial summary, which is in your
17 packet.

18 The numbers for 2014 are still \$1.2 million
19 below last year's numbers, but we have finally reached
20 a position because of a healthy June, where our
21 numbers versus budget are over a half a million
22

1 dollars better than budget. So June was a very, very
2 good month as it relates to traffic and revenue.

3 As it relates to PATCO, revenues and
4 ridership are still under budget and still lagging
5 versus 2013, but that is expected obviously because of
6 the Ben Franklin PATCO Track Rehabilitation Project.

7 One thing I will note related to PATCO,
8 related to its operating expenses, in the month of
9 June there's been a fairly significant swing. So now
10 the PATCO operating budget or actuals are under
11 budget, which is a healthy sign and shows some good
12 cross control as far as that's concerned.

13 I'll turn your attention, if you will
14 briefly to the DRPA Dashboard, which is in your
15 packet. And, again, the Dashboard gives you
16 historical trends by month over a 12-month period.

17 As mentioned, related to bridge traffic and
18 if you look at the DRPA Dashboard, you'll see
19 particularly for the months of March, April, and June,
20 that the bridge traffic is over budget. So, again,
21 we're seeing that healthy sign, which is basically
22

1 eliminating some of the deficits that we had in
2 January and February related to traffic.

3 As it relates to revenue, again, if you look
4 at the DRPA bridge revenue columns, you'll see that we
5 are over -- the actuals are over budget for the last
6 four months. So that's an excellent positive trend.

7 If you look at the DRPA operating budget, it
8 still is significantly under budget, roughly \$2.5
9 million at this point. And a lot of that relates to
10 the fact that our payroll expenses in terms of the
11 actuals are less than budgeted.

12 Capital budget expenditures, you'll see are
13 healthy actuals during the month of June. That's
14 largely related to the Ben Franklin PATCO Track
15 Rehabilitation Project where we've -- I think payments
16 roughly \$16 million during the month of June. So that
17 project is causing our capital expenditures to
18 increase relative to budget.

19 If you look at PATCO ridership, you will see
20 the trend generally has been under budget, but for the
21 month of June 2014, it was a lot closer to 100
22

1 percent. So, again, the impact of the rehab project
2 on the tracks is largely impacting those ridership
3 numbers.

4 As it relates to PATCO revenue, we also see
5 a lag, which you would expect, because of the
6 ridership numbers.

7 In terms of PATCO operating budget, as I
8 mentioned, during the month of June, we finally saw
9 that the numbers came year-to-date under -- the actual
10 numbers came under budget. So, again, that's a
11 positive sign. Both DRPA and PATCO operating budgets
12 reflect actuals under budget year-to-date through
13 June.

14 And PATCO's on-time performance, you can see
15 the trend the last three months where it has improved
16 to the point where it's above 96 percent. Now, that's
17 still under the goal of 98 percent. But that
18 improvement is a very positive sign, particularly the
19 last three months.

20 And the final comments I wanted to make were
21 related to the open positions. Open positions at this
22

1 point are around 67 positions when you combine DRPA
2 and PATCO and that is one of the reasons why our
3 actuals are below budget for both PATCO and DRPA.

4 Thank you.

5 COMMISSIONER SASSO: Thank you, Jim.

6 Any comments or questions?

7 If not, I'll accept a motion approving the
8 report of the Chief Financial Officer.

9 COMMISSIONER FENTRESS: Move the motion.

10 COMMISSIONER SASSO: May I have a second?

11 MS. JONES: Second.

12 COMMISSIONER SASSO: Moved and seconded.

13 Any further discussion?

14 All in favor?

15 COMMISSIONER D'ALESSIO: Aye.

16 COMMISSIONER MASON: Aye.

17 COMMISSIONER JONES: Aye.

18 COMMISSIONER SASSO: Opposed?

19 It is carried.

20 Next, is the Approval of the July 16, 2014
21 DRPA Board Minutes. They have been previously
22

1 provided to all the Commissioners.

2 Are there any additions, corrections?

3 Commissioner Dougherty?

4 COMMISSIONER DOUGHERTY: Just between pages
5 26 and 43, there's a series of questions where I
6 questioned legal bills; the process in which we
7 assigned attorneys; tools to the attorneys on behalf
8 of the DRPA; and a detailed explanation of Executive
9 Sessions as we move forward. It's in the document. I
10 don't want it to seem that I was answered, and there
11 were questions that are still open-ended, and I'll
12 hope to get some resolved today.

13 COMMISSIONER SASSO: Okay. Thank you,
14 Commissioner.

15 Any other comments or questions?

16 If not, I'll accept a motion approving them
17 as submitted.

18 COMMISSIONER BELL: So moved.

19 COMMISSIONER KICHLINE: Second.

20 COMMISSIONER SASSO: And seconded.

21 Any further discussion?
22

1 All in favor?

2 COMMISSIONER BELL: Aye.

3 COMMISSIONER MASON: Aye.

4 COMMISSIONER JONES: Aye.

5 COMMISSIONER SASSO: Opposed?

6 It's carried.

7 Next, is the monthly list of payments and
8 the monthly list of purchase orders and contracts
9 covering the month of July 2014.

10 I will accept a motion to receive and file
11 the monthly list of payments and the monthly list of
12 purchase orders and contracts for the month of July
13 absent any comments or questions.

14 Anyone have any comments or questions?

15 If not, can I have a motion and a second?

16 COMMISSIONER BELL: Move the motion.

17 COMMISSIONER SASSO: It's been moved.

18 COMMISSIONER DEPASQUALE: Second.

19 COMMISSIONER SASSO: And seconded.

20 Any further discussion?

21 All in favor?

22

1 COMMISSIONER FENTRESS: Aye.

2 COMMISSIONER MASON: Aye.

3 COMMISSIONER JONES: Aye.

4 COMMISSIONER D'ALESSIO: Aye.

5 COMMISSIONER DEPASQUALE: Aye.

6 COMMISSIONER SASSO: Opposed?

7 It is carried.

8 Next, is the approval of the Audit Committee
9 Minutes of July 30, 2014.

10 Again, they were previously provided to all
11 Commissioners. Absent any comments, changes,
12 additions, corrections, I'll accept a motion to
13 approve the minutes as submitted.

14 COMMISSIONER KICHLINE: So moved.

15 COMMISSIONER FENTRESS: Second.

16 COMMISSIONER SASSO: It's been moved and
17 seconded.

18 COMMISSIONER SASSO: Moved and seconded.

19 Comments, questions?

20 All in favor?

21 COMMISSIONER D'ALESSIO: Aye.

22

1 COMMISSIONER FENTRESS: Aye.

2 COMMISSIONER MASON: Aye.

3 COMMISSIONER BELL: Aye.

4 COMMISSIONER DEPASQUALE: Aye.

5 COMMISSIONER DOUGHERTY: On pages 22 to 27,
6 there was a discussion about the ethics policy, which
7 and again, that's something that we submitted quite a
8 few years ago and I think that's something that needs
9 to be fast-forwarded on the agenda.

10 COMMISSIONER SASSO: Okay. Good point.

11 Thank you, Commissioner.

12 It's been moved and seconded.

13 Any further comments or questions?

14 If not, all in favor?

15 COMMISSIONER DEPASQUALE: Aye.

16 COMMISSIONER MASON: Aye.

17 COMMISSIONER SASSO: Opposed?

18 It is carried.

19 COMMISSIONER SASSO: Next, we have the
20 adoption of a resolution approved by the Audit
21 Committee, the selection of an independent firm to
22

1 conduct the Yellow Book Management Audit.

2 I'll accept a motion to adopt DRPA-14-097.

3 Can I have a motion approving that?

4 COMMISSIONER KICHLINE: So moved.

5 COMMISSIONER SASSO: It's been moved and a
6 second.

7 We did get a second?

8 COMMISSIONER JONES: Second.

9 COMMISSIONER SASSO: I'm sorry. I -- when
10 we have a motion on the phone, do people recognize the
11 person doing it?

12 Do you recognize them, Sheila, so we don't
13 have to ask them to identify themselves?

14 MS. MILNER: Yes.

15 Okay. It's been moved and seconded.

16 All in favor?

17 COMMISSIONER FENTRESS: Aye.

18 COMMISSIONER DEPASQUALE: Aye.

19 COMMISSIONER SASSO: Opposed?

20 It's carried.

21 Next, we have the approval of the Operations
22

1 and Maintenance Committee Meeting Minutes of August 6,
2 2014.

3 Again, they have been previously provided to
4 all Commissioners. Absent any comment or questions,
5 I'll accept a motion to accept --

6 COMMISSIONER DEPASQUALE: Move it.

7 COMMISSIONER SASSO: -- the minutes.

8 Did I hear a motion?

9 COMMISSIONER FENTRESS: Move the motion.

10 COMMISSIONER JONES: Second.

11 COMMISSIONER SASSO: It's been moved and
12 seconded.

13 Any further comments or questions?

14 All in favor?

15 COMMISSIONER FENTRESS: Aye.

16 COMMISSIONER MASON: Aye.

17 COMMISSIONER D'ALESSIO: Aye.

18 COMMISSIONER DEPASQUALE: Aye.

19 COMMISSIONER SASSO: It's carried.

20 Next, we have the adoption of resolutions
21 approved by the Operations and Maintenance Committee
22

1 at their meeting of August 6, 2014.

2 The first is Contract Number BR-15-2012, the
3 Betsy Ross Bridge Resurfacing and Approach Roadway
4 Rehabilitation.

5 I will accept a motion and a second.

6 COMMISSIONER FENTRESS: Move the motion.

7 COMMISSIONER JONES: Second.

8 COMMISSIONER SASSO: It's been moved and
9 seconded.

10 Any comments, questions?

11 Mr. Venuto is available to answer any
12 questions, if anyone has any.

13 If not, all in favor?

14 COMMISSIONER MASON: Aye.

15 COMMISSIONER DIANTONIO: Aye.

16 COMMISSIONER FENTRESS: Aye.

17 COMMISSIONER SASSO: Opposed?

18 It's carried.

19 Next, is Contract DRPA-14-099, Construction
20 Monitoring Services for the Betsy Ross Bridge
21 Resurfacing -- oh, this is the Construction Monitoring
22

1 Services for the Betsy Ross Bridge Resurfacing and
2 Approach Roadway Rehabilitation.

3 Again, any questions may be directed to
4 Mr. Venuto, if you have any. If not, I'll accept a
5 motion approving the contract.

6 COMMISSIONER DEPASQUALE: Moved.

7 COMMISSIONER SASSO: It's been moved. Do I
8 have a second?

9 COMMISSIONER FENTRESS: Second.

10 COMMISSIONER SASSO: Moved and seconded.

11 All in favor?

12 COMMISSIONER FENTRESS: Aye.

13 COMMISSIONER D'ALESSIO: Aye.

14 COMMISSIONER DEPASQUALE: Aye.

15 COMMISSIONER SASSO: Opposed?

16 It is carried.

17 COMMISSIONER SASSO: Why don't we give the
18 Chairman a minute.

19 CHAIRMAN CAWLEY: I'm not entirely sure,
20 Commissioner Sasso, that I should take over as you
21 have so expertly handled this morning's business.

22

1 COMMISSIONER SASSO: How about if I finish
2 up O&M and give you a chance to --

3 CHAIRMAN CAWLEY: Go right ahead, please, if
4 you would.

5 COMMISSIONER SASSO: And then I will gladly
6 pass the mantle, Commissioner --

7 CHAIRMAN CAWLEY: Thank you.

8 COMMISSIONER SASSO: Next, is DRPA-14-100,
9 Capital Project Contract Modifications. Again,
10 questions may be directed to Mr. Venuto.

11 Any comments or questions? If not, I'll
12 accept a motion approving the contract as submitted.

13 COMMISSIONER FENTRESS: Move the motion.

14 COMMISSIONER SASSO: It's been moved, and do
15 I have a second?

16 MS. JONES: Second.

17 COMMISSIONER SASSO: It's been moved and
18 seconded.

19 All in favor?

20 COMMISSIONER JONES: Aye.

21 COMMISSIONER MASON: Aye.

22

1 COMMISSIONER D'ALESSIO: Aye.

2 COMMISSIONER SASSO: Opposed?

3 It's carried.

4 Next, is DRPA-14-101, Regional Public
5 Service Awareness -- Public Service Announcement
6 Project, Phase IV.

7 Any questions may be directed to Mr.
8 Shanahan. Comments, questions? If not, I'll accept a
9 motion approving this resolution.

10 COMMISSIONER FENTRESS: Move the motion.

11 COMMISSIONER MASON: Second.

12 COMMISSIONER SASSO: Seconded.

13 All in favor?

14 COMMISSIONER JONES: Aye.

15 COMMISSIONER MASON: Aye.

16 COMMISSIONER D'ALESSIO: Aye

17 COMMISSIONER SASSO: Opposed?

18 It's carried.

19 Next, is the Approval of Finance Committee
20 Minutes of August 6, 2014. They have been previously
21 provided to all the Commissioners.

22

1 May I have a motion to approve the Finance
2 Committee minutes?

3 COMMISSIONER MASON: So moved.

4 COMMISSIONER SASSO: It's been moved. Do I
5 have a second?

6 COMMISSIONER FENTRESS: Second.

7 COMMISSIONER SASSO: Moved and seconded.

8 Comments, questions?

9 All in favor?

10 COMMISSIONER MASON: Aye.

11 COMMISSIONER JONES: Aye.

12 COMMISSIONER D'ALESSIO: Aye.

13 COMMISSIONER SASSO: Opposed?

14 It's carried.

15 Mr. Chairman --

16 CHAIRMAN CAWLEY: Thank you. Thank you,
17 Commissioner. I appreciate that.

18 And while it is not within the purview of
19 this Authority, I think we should all turn our
20 attention toward trying to alleviate traffic on the
21 Schuylkill Expressway as soon as possible.

22

1 We'll now move to Item No. 11, which is the
2 adoption of the resolutions that were approved by the
3 Finance Committee on August 6, 2014. There are, in
4 fact, four such resolutions ranging from DRPA-14-102
5 through to 105.

6 Are there any questions, concerns,
7 observations regarding those resolutions?

8 Seeing none, I'll entertain a motion to
9 approve those resolutions.

10 COMMISSIONER FENTRESS: Move the motion.

11 COMMISSIONER SASSO. Second.

12 CHAIRMAN CAWLEY: It's been moved and
13 seconded.

14 Discussion on the motion?

15 Seeing none, all those in favor will signify
16 by saying aye.

17 COMMISSIONER JONES: Aye.

18 COMMISSIONER MASON: Aye.

19 COMMISSIONER FENTRESS: Aye.

20 CHAIRMAN CAWLEY: Those opposed, nay.

21 The opinion of the Chair, the ayes have it,
22

1 and those resolutions have been adopted.

2 We'll now move to any Unfinished Business.

3 Does any Commissioner have any Unfinished
4 Business that they wish to bring up to the Board at
5 this time?

6 Seeing none, we'll move to New Business.

7 COMMISSIONER DOUGHERTY: Excuse me.

8 CHAIRMAN CAWLEY: Oh, excuse me. I'm sorry,
9 Commissioner.

10 COMMISSIONER DOUGHERTY: Mr. Chairman, we
11 had some questions earlier in the approval of the
12 minutes in which I said there were some open-ended
13 legal issues that were, you know, even though it read
14 as if I just asked questions, you know, so I don't
15 know at what point, you know, I heard that we might
16 have an Executive Session today.

17 CHAIRMAN CAWLEY: That is, in fact, the plan
18 to have Executive Session. That is correct.

19 COMMISSIONER DOUGHERTY: Okay, and I'm
20 hoping that --

21 CHAIRMAN CAWLEY: To discuss legal issues.
22

1 COMMISSIONER DOUGHERTY: I'm hoping that we
2 have a discussion based on the meeting that we had --

3 CHAIRMAN CAWLEY: Oh, most certainly.

4 COMMISSIONER DOUGHERTY: -- okay, versus
5 where we are going with answering, not only the
6 questions for myself and the other Commissioners, but
7 in a more public forum.

8 CHAIRMAN CAWLEY: Absolutely. Thank you,
9 Commissioner.

10 We'll move to now New Business. There were
11 originally four items for consideration under new
12 business.

13 Now, do we need a motion to table 108 and
14 109? Are they just on the table?

15 MS. McNICHOL: Just on the table.

16 CHAIRMAN CAWLEY: They're automatically on
17 the table.

18 So the only two resolutions to be considered
19 today are DRPA-14-106 and 107.

20 Is there any discussion, concerns,
21 observations regarding those two resolutions?

22

1 If not, I'll entertain a motion to approve
2 those resolutions?

3 COMMISSIONER SASSO: So moved.

4 COMMISSIONER FENTRESS: Second.

5 CHAIRMAN CAWLEY: It's been moved.

6 Is there a second?

7 COMMISSIONER FENTRESS: Second.

8 CHAIRMAN CAWLEY: It's been moved and
9 seconded.

10 Discussion on the motion?

11 Seeing none, all those in favor will signify
12 by saying aye.

13 COMMISSIONER SASSO: Aye.

14 COMMISSIONER MASON: Aye

15 COMMISSIONER BELL: Aye.

16 COMMISSIONER JONES: Aye.

17 CHAIRMAN CAWLEY: Those opposed nay.

18 Opinion of the Chair the ayes have it, and
19 those resolutions are adopted.

20 We will now move to the Citizens Advisory
21 Committee Report.

22

1 MR. BOYLE: Thank you, Commissioner.

2 So for the month of August, the Citizens
3 Advisory Committee did not meet, but I do have a
4 couple of items that I wanted to bring up.

5 The first one was the -- we would like to
6 here at some point, maybe it's a written response,
7 maybe it's a response later, of what the status of
8 Gateway Park is.

9 I noticed that the park is still technically
10 closed, although anybody can access the park, ride
11 their bike and get through. But we've heard reports
12 that the park was going to reopen in short order, but
13 we really haven't heard anything since.

14 CHAIRMAN CAWLEY: Okay, let's get an answer
15 on that.

16 Mike Conallen, can you give us an update on
17 the Gateway Park?

18 MR. CONALLEN: Yes, sir. As we speak the
19 prospective counsels for both CCMUA have agreed to
20 take ownership of those parcels and our outside
21 counsel have been negotiating the last points,
22

1 remaining points, of contention. We've completed the
2 title work on the transfer of the properties, and we
3 have -- but some of the properties won't be
4 immediately transferred. They're going through the
5 final environmental remediation efforts.

6 But based on our conversations with outside
7 counsel and with CCMUA's leadership, I believe we're
8 close to finalizing the legal documents that would
9 effectuate the transfer.

10 CHAIRMAN CAWLEY: How long, Mike? Do we
11 know how long? Because, you know, like I -- it was
12 either my second or my third meeting I said get the
13 park open. People cheered. It was a grand thing.
14 Everyone was happy. And I believed it was done. And
15 here we are learning that it is not done. How long
16 until the park is open?

17 MR. CONALLEN: Yes, sir. We -- in my last
18 conversations with Andy Kricun from the CCMUA we were
19 trying to get it on his Board's approval for Monday
20 when they met. Sir, I'm going to tell you within two
21 weeks, we're going to get it back open.
22

1 CHAIRMAN CAWLEY: That's what I like to
2 hear. Thank you.

3 MR. BOYLE: The second issue was something
4 we did discuss in our July CAC meeting and it involves
5 the future of the ferry across the river.

6 We have -- we support more and increased
7 frequent ferry service in 2015. Whether this is
8 performed by the DRPA or the Delaware River Waterfront
9 Corporation as a water taxi service is irrelevant to
10 us. But this came from my observations during the
11 PATCO outage and the Ben Franklin Bridge walkway
12 detour to the north walkway.

13 I bicycle to work every day. I take the
14 River Line, and I either bike over the bridge or I
15 take PATCO depending how late I am for work. So with
16 the bike restrictions on the PATCO trains, I had to
17 look for alternatives. Most days I did take the
18 walkway, but I did find that taking the ferry was a
19 very pleasant alternative to not only get to work, but
20 in the evening to connect with the River Line Train at
21 the Aquarium Station. It's about a 6-minute walk from
22

1 the ferry terminal.

2 We don't discuss ferry service too much as
3 part of DRPA's mission. But to be honest with you,
4 getting from the eastern part of Center City
5 Philadelphia to the Camden Waterfront is very
6 difficult, and it shouldn't be so difficult. You have
7 to, for example, if you take PATCO you either have to
8 walk 6 or 7 blocks, or you wait every half-hour for
9 the River Line, or somehow you miraculously know when
10 the New Jersey Transit Bus is going to pick you up.

11 So one of the issues that we've sort of have
12 -- we've heard in the past is that people from
13 Pennsylvania would like to work at the DRPA, but
14 transportation seems to be one of the barriers that
15 prevents people from accepting jobs. So I think that
16 the ferry would be a great asset to not only the DRPA
17 and the offices on the Waterfront, but also to the
18 Coopers Grant neighborhood, and also help increase the
19 synergy between the two sides of the Waterfront.

20 Thank you.

21 CHAIRMAN CAWLEY: Thank you.

22

1 Any questions for the Citizens Advisory
2 Committee?

3 Seeing none, we'll now move to public
4 comment. I believe there are three individuals who
5 have already asked to be recognized for the public
6 comment.

7 The first being Lesley Kirsch --

8 MS. KIRSCH: Good morning. I spoke recently
9 at the meeting in Camden. I also had a great meeting
10 with Freeholder Nash and others from Cooper River,
11 Friends of Cooper River Park West. And I greatly
12 appreciate all the administrative work that the DRPA
13 has done.

14 I'm just sort of new to this whole process,
15 and I realize that with the financial reports and all
16 the efforts that we make on both sides of the river,
17 you are trying to create more economic revenue. But
18 that economic revenue really trickles up not down.
19 And the Friends of Cooper River Park need to see a
20 visual that the people in Camden and the people
21 surrounding Camden, where I live in Audubon, where I
22

1 work in Haddonfield, that we have this synergy that
2 this gentleman spoke of where people can get to and
3 from jobs without a car; that people can walk and bike
4 and jog and take their families no matter their
5 economic background within these parks, within the
6 county park system, and be able to really use them
7 because they're free, and it helps make people feel
8 that they're actually moving up.

9 So my focus here listening to these meetings
10 and getting educated by all your efforts is that most
11 of the things that you're doing here at this level if
12 they're not trickling down properly, if we're not
13 giving jobs to people in Camden and the old minimum
14 wage, all of that ends up having a negative impact on
15 companies making money. And you guys are here to make
16 money. And if you pay attention to people in the
17 economic infrastructure of Camden County along the
18 Delaware River, I think you'll increase revenue.

19 Thank you.

20 CHAIRMAN CAWLEY: Thank you, ma'am.

21 Next, is Kevin Barfield.

22

1 MR. BARFIELD: Good morning. Again, I'm a
2 resident of Camden, New Jersey.

3 One of my questions would have been asking
4 what was the update on the transfer of the property on
5 Gateway.

6 And it just so happened that a gentleman had
7 already asked the question. So with that being said,
8 you know, glad to hear that, you know, the situation
9 should be resolved in two weeks so we can move forward
10 with that as a concerned citizen and a resident.

11 Again, my dual purpose is to constantly be
12 on and attend these meetings to make sure that this
13 doesn't fall, you know, behind any further and that we
14 move forward. So, again, as Ms. Kirsch said that it
15 could be a trickle up effect on the region.

16 So thank you for the time to speak.

17 CHAIRMAN CAWLEY: Thank you.

18 And we have Tom -- forgive me, Tom. I'm
19 undoubtedly going to butcher your name.

20 MR. KNOCHE: *Knoche*, sir.

21 CHAIRMAN CAWLEY: What is it?
22

1 MR. KNOCHE: *Knoche*.

2 CHAIRMAN CAWLEY: *Knoche*. Thank you.

3 MR. KNOCHE: Thank you for your efforts to
4 nail down the timing on -- I'm also with Friends of
5 Cooper River Park West.

6 But I have some specific questions that
7 cause us some concerns. There's some confusion about
8 the timing. Freeholder Nash told us that the
9 transfer, as you said, would happen probably in a
10 couple of weeks. But then the New Jersey Conservation
11 Foundation, which is one of the key players in this
12 process, said the agreement between the DRPA, the
13 CCMUA, and New Jersey Conservation may be done in two
14 weeks, but his understanding is that there's still
15 problems with the title work, and that that may not
16 happen for several months and I want clarification on
17 that.

18 CHAIRMAN CAWLEY: Those are the outstanding
19 parcels, correct?

20 Is that what is being referenced there,
21 Mike?

22

1 MR. CONALLEN: I am also asking our General
2 Counsel --

3 MR. KNOCHE: Can you speak up, please?

4 MR. CONALLEN: Sure. I'd also like our
5 General Counsel to confirm, but our outside counsels
6 completed their title work on the properties. Whether
7 CCMUA or the New Jersey Conservation Fund is going to
8 do their own title work, I have no -- I can't answer
9 that question.

10 Our outside counsel has completed the title
11 work on the properties that we currently own and we're
12 going to share that information with the other
13 parties. Whether CCMUA or New Jersey Conservation
14 Fund plan on doing their own independent title work,
15 I'm sorry, sir, I can't answer that question.

16 CHAIRMAN CAWLEY: Dani?

17 MS. McNICHOL: Mr. Knoche, to answer the
18 question further, our understanding from the meeting
19 with our outside counsel yesterday was that CCMUA had
20 an additional list of questions and information that
21 they were requiring; and there's a plan for all the
22

1 counsels, CCMUA and New Jersey Conservation, to get
2 together so we understand what the requirements are
3 and what the needs are of CCMUA at this time so we can
4 try to effectively make the transfer work.

5 But at this time they have -- they, CCMUA,
6 have all of the documentation that we have. We've
7 provided everything to them and we're waiting for
8 CCMUA's response, sir.

9 MR. KNOCHE: Yeah, my understanding was that
10 New Jersey Conservation and CCMUA looked at all this
11 title stuff back a ways and had submitted all their
12 questions, and that that was all being resolved. Not
13 the case?

14 MS. McNICHOL: I can't speak to that, sir.
15 I really don't know what CCMUA and New Jersey
16 Conversation are doing at this time.

17 CHAIRMAN CAWLEY: Let me understand
18 something. Because initially when we talked about
19 this park and said just open the park, there were
20 still parcels that title was unclear. As I recall --
21 and I'm using round numbers admittedly -- but there
22

1 were something like 18 or 20 parcels involved and 15
2 or 14 of them we had clear title to. There were four
3 remaining. We said just put a fence around those
4 until we figure out what we can do with them. But
5 open the rest of it.

6 Is that what we're talking about here?

7 One of you answer, please.

8 MS. McNICHOL: Go ahead, Mike.

9 MR. CONALLEN: Sir, so originally there are
10 19 parcels that are in question. They are the Gateway
11 Park Parcels.

12 CHAIRMAN CAWLEY: Right.

13 MR. CONALLEN: 16 of those parcels from the
14 DRPA's perspective do not require any additional
15 environmental remediation. They go back to
16 environmental reports that we had conducted in '99,
17 2000, and 2001.

18 There are an additional three properties
19 that do require additional environmental remediation.

20 CHAIRMAN CAWLEY: Okay.

21 MR. CONALLEN: We went through an RFP
22

1 process. We selected a licensed site remediation
2 professional. That LSRP will continue to do his work.

3 The agreement in principle that we reached
4 with CCMUA and the New Jersey Conservation Fund was
5 that we would transfer those properties that don't
6 require any additional environmental remediation, and
7 once we completed the environmental remediation, those
8 other properties would also be transferred.

9 So in that process we agreed to that
10 agreement in principle. Now, we've gone through the
11 process of documenting that agreement. CCMUA, they're
12 -- in doing their due diligence says we need
13 documentation that establishes those 16 parcels that
14 you say are clean are actually clean. We forwarded
15 them our environmental report. Their experts are
16 reviewing -- reviewed their environmental reports.
17 They've come back with additional questions.

18 There were provisions in that agreement that
19 the DRPA wanted to make sure that once we did transfer
20 these parcels, that there wouldn't be additional
21 questions or additional questions that could be -- or
22

1 concerns that could be raised by other parties that
2 the transfer wasn't effective.

3 The title work that we've done, that our
4 outside counsel has done, has been completed on all
5 the parcels that we own, and we shared that
6 information with CCMUA. Now, if CCMUA in their effort
7 to accept the parcels wants to do their own
8 independent title research, I can't answer that
9 question. But it's not part and parcel of the
10 agreement.

11 We are in the process now, sir, of just
12 determining the exact language of the agreement that
13 says these 16 parcels, -- everybody agrees they are
14 clean and are going to be transferred. And that once
15 we clean the additional three, they'll take those as
16 well. That's the last piece that we're negotiating
17 with CCMUA.

18 CHAIRMAN CAWLEY: Got it.

19 MR. CONALLEN: Once that is absolutely
20 completed -- and I've stated here, hopefully, that I'm
21 going to get that done hopefully within the next two
22

1 weeks. Once those provisions are agreed upon, we're
2 ready to go.

3 Now, that does -- that means there's three
4 parcels that still --

5 CHAIRMAN CAWLEY: Understood.

6 MR. CONALLEN: -- require remediation.

7 CHAIRMAN CAWLEY: Understood.

8 MR. CONALLEN: Will not be transferred or
9 open to the public until --

10 CHAIRMAN CAWLEY: That's why I wanted to be
11 clear. I knew there was something, it's the
12 environmental remediation, not title. We've got title
13 on everything now.

14 MR. CONALLEN: I know it's the title -- the
15 title from the DRPA's standpoint is clear.

16 CHAIRMAN CAWLEY: And satisfied.

17 MR. CONALLEN: -- and ready to go.

18 CHAIRMAN CAWLEY: Got it.

19 MR. CONALLEN: And what we originally
20 agreed, we didn't talk about even a quit claim. That
21 CCMUA and New Jersey were going to take these
22

1 parcels --

2 CHAIRMAN CAWLEY: Right.

3 MR. CONALLEN: -- subject to their own title
4 search later.

5 CHAIRMAN CAWLEY: Right.

6 MR. CONALLEN: And that hasn't changed. So
7 it really isn't a title issue. It's really the issue
8 of --

9 CHAIRMAN CAWLEY: Remediation.

10 MR. CONALLEN: -- agreeing upon what
11 environmental work has been done, completed, and is
12 acceptable to CCMUA and New Jersey Conversation Fund
13 and how we deal with those parcels that still require
14 additional remediation.

15 CHAIRMAN CAWLEY: Very good.

16 MR. KNOCHE: So let me just be clear. So
17 the agreement negotiations are still underway and
18 that's what you expect to be completed in a couple of
19 weeks?

20 MR. CONALLEN: Yes, sir.

21 MR. KNOCHE: And then we may still have some
22

1 issues regarding the transfer of title.

2 MR. CONALLEN: No. That agreement will
3 transfer the title.

4 MR. KOCHE: That agreement, okay.

5 MR. CONALLEN: At the time that agreement is
6 finalized, CCMUA and New Jersey Conversation Fund will
7 own those properties.

8 COMMISSIONER SASSO: If I understand you,
9 Mike, the transfer of title is separate from who is
10 responsible for the remediation if it has to be done.

11 MR. CONALLEN: Correct, sir.

12 COMMISSIONER SASSO: So then technically if
13 CCMUA wanted to accept title subject to our
14 responsibility to make sure it's clean, they could do
15 that.

16 MR. CONALLEN: And that is what we're
17 contemplating, sir.

18 COMMISSIONER SASSO: And they have to make
19 that determination.

20 MR. CONALLEN: Yes, sir.

21 COMMISSIONER SASSO: So I would suggest,
22

1 sir, that you might want to talk to CCMUA. I think
2 our -- I mean, we live up to our obligations here at
3 the DRPA. And if we're saying we're going to make it
4 right, I -- if I was on CCMUA and I wanted to open up
5 this park, I would accept the title subject to that
6 obligation.

7 So you might want to pay a visit to them
8 just to find out what their position is.

9 MR. KNOCHE: I hear you loud and clear.

10 Just one other thing. On September 20th,
11 there's a planned art festival that the Girl Scouts
12 have planned in the park. We requested that the park
13 be open for that day. It should be a fairly major
14 event with a lot of participants. We hope that you
15 will cooperate and/or the CCMUA, depending on where
16 this all stands at that time.

17 Thank you.

18 COMMISSIONER SASSO: Thank you, sir.

19 CHAIRMAN CAWLEY: Thank you, sir.

20 Are there any additional members of the
21 public that wishes to address the Board? Any other
22

1 additional members of the public? Third and final
2 call.

3 Seeing none, at this point I believe it
4 would be appropriate for us to recess into Executive
5 Session.

6 I'll need a motion for that purpose. Is
7 there such a motion?

8 COMMISSIONER SASSO: Move the motion.

9 COMMISSIONER FENTRESS: Second.

10 CHAIRMAN CAWLEY: Been moved and seconded.

11 Discussion on the motion?

12 Seeing none, all those in favor will signify
13 by saying aye.

14 COMMISSIONER FENTRESS: Aye.

15 COMMISSIONER MASON: Aye.

16 COMMISSIONER JONES: Aye.

17 COMMISSIONER KICHLINE: Aye.

18 CHAIRMAN CAWLEY: Those opposed nay?

19 The opinion of the Chair, the ayes have it.

20 We are now recessed into Executive Session.

21 CHAIRMAN CAWLEY: We are now back in Open
22

1 Session. I will ask for a motion to adjourn the DRPA
2 meeting.

3

4 COMMISSIONER FENTRESS: Move to motion.

5 COMMISSIONER SASSO: Second.

6 CHAIRMAN CAWLEY: Been moved and seconded.

7 Those opposed nay. Seeing none, all those in favor
8 will signify by saying aye.

9 Opinion of the Chair the ayes have it, and
10 the DRPA has been adjourned.

11 (Whereupon, the meeting ended on August 20, 2014 at
12 11:00 a.m.)

13

14 There being no further business, on motion duly
15 made and seconded, the meeting was adjourned.

16

17 Respectfully submitted,

18

19 Danielle L. McNichol
20 Corporate Secretary

21

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

C E R T I F I C A T E

This is to certify that the attached proceedings before the Delaware River Port Authority, Board Meeting, on August 20, 2014, were held as herein appears, and that this is the original transcript thereof for the file of the Agency.

Tim Atkinson

Timothy J. Atkinson, Jr.
Official Reporter