

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, April 18, 2017
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 10:08 a.m. with Chairperson Hogan presiding.

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

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

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Commissioners from Delaware

Commissioners from New Jersey

PRESENT

William E. Lowe, Vice-Chairperson
Crystal L. Carey - **via phone**
James L. Ford, III
Samuel E. Lathem
Terry C. Murphy- **absent**
VACANT

James N. Hogan, Chairperson
James Bennett
Douglas Van Sant- **via phone**
Shirley R. Wilson- **absent**
Ceil Smith
VACANT

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Chairperson Hogan called upon Commissioner Lathem to give the opening prayer.

The opening prayer was given by Commissioner Lathem, followed by the Pledge of Allegiance led by the Executive Director.

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Chairperson Hogan called for the acceptance of the Agenda.

Commissioner Bennett motioned to accept the Agenda, seconded by Commissioner Smith, and the motion carried by a voice vote of 8-0.

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11240. APPROVAL OF THE MARCH 21, 2017 MINUTES

Commissioner Bennett motioned to approve the March 21, 2017 meeting minutes, seconded by Commissioner Smith, and unanimously approved by a voice vote of 8-0.

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11241. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Chief Financial Officer (CFO) presented a chart showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Delaware City-Salem Ferry Crossing, and Food Services for the month of March 2017.

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

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11242. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented a chart showing statements of income and expenses for the month of March with comparisons to the same period last year.

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

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11243. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented a chart for March showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

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

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11244. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented a chart for the month of March showing the capital budget for crossing and economic development projects and dollars committed to date for the projects. The chart also included cash expenditures spent to date for the committed projects.

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

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11245. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF March 31, 2017.

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

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

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11246. AUTHORITY CUSTOMER TRENDS (ACT) REPORT

The Authority Customer Trends (ACT) Report included in the financials allows management to view on a month-to-date basis trends in areas such as traffic, customer service, aircraft landings, and workplace incidents. Copies are distributed daily to employees via email and posted on bulletin boards for those without computers.

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11247. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Hogan noted that there are four (4) Resolutions for consideration.

All action items have been reviewed and recommended for consideration during today’s Committee meetings. Chairperson Hogan called for public comment.

There were no public comments.

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11248. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

RESOLUTION 17-22 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

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

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

DELAWARE RIVER & BAY AUTHORITY
PROJECTED VENDORS TO BE PAID OVER \$25,000
OPERATION EXPENDITURES
FOR THE PERIOD 1/1/17 THROUGH 12/31/17

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Daktronics, Inc.	Variable Message System Boards at CMLF Terminal Entrances	Pending B&F Approval	\$150,000
Elliott Bay Design Group	Propulsion Design Study for CMLF Vessels	Professional Services	\$50,000
Hertrich Fleet Services, Inc.	Replacement Small Dump Truck	State Contract	\$99,000
IBS Direct	CMLF Schedule Printing and Distribution	Quotes	\$28,000
Nat Alexander Company	Replacement Firefighting Equipment for CMLF	State Contract	\$72,000
Overhead Door Co. of Northern Delaware	Five (5) Replacement Doors for DMB Maintenance Buildings	Quotes	\$26,000
Temporary Heating Technologies	Remote Controlled Slope Mower	Quotes	\$45,000

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

A motion to approve Resolution 17-22 was made by Commissioner Bennett, seconded by Commissioner Smith, and approved by a roll call vote of 8-0.

Resolution 17-22 Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2017 through December 31, 2017.

Committee: Budget & Finance

Committee and Board Date: April 18, 2017

Purpose of Resolution:

Authorizes expenditures of \$25,000 or greater with the identified vendors during the 2017 calendar year.

Background for Resolution:

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

Background for the specific purchases:

Daktronics, Inc.: Variable Message System Boards at CMLF Terminal Entrances

The Authority plans to purchase and to owner-furnish VMS Boards manufactured by Daktronics; the graphics and installation of which will be part of a competitively-bid project to add VMS Boards to the entrance booths at the CMLF Terminal. Specific reasons for the decision to owner-furnish the VMS Boards, rather than to allow a contractor to provide an alternative VMS include the following:

-) Uniformity and Continuity: Daktronics VMS Boards are currently installed at the Delaware Memorial Bridge and approaches;
-) Cost: Daktronics VMS boards utilize application software (Vanguard), that is already owned by the Authority; and
-) Operational Needs: Authority personnel are familiar with Vanguard application software and have experience trouble-shooting Daktronics hardware.

Elliott Bay Design Group: Propulsion Design Study for CMLF Vessels

The Authority plans to hire Elliott Bay Design Group to complete an overall propulsion design review study for the repowering of two vessels, the M/V Cape Henlopen and the M/V New Jersey. The consultant will be asked to review the components that were selected for the M/V Delaware and alter them as necessary in order to optimize performance for the other two vessels in the fleet. Deliverables for this project will include confirmation that the engine components and general parameters elected by the Authority will conform to our criteria and a set of performance specifications that we can provide to the engine vendor as a part of a purchase contract.

Hertrich Fleet Services, Inc.: Replacement Small Dump Truck

The Authority is replacing one 2003 Ford F-550 dump truck with 33,600 miles that has exceeded its useful life and meets the vehicle replacement criteria in place for the Authority. The truck will be replaced with an F-550 chassis with a dump body and hydraulics. The pricing at which the Authority will purchase the vehicle is pursuant to the firm’s state contract to supply trucks and vans (GSS16560). The retired vehicle will be sold at public auction.

IBS Direct: CMLF Schedule Printing and Distribution

The Cape May-Lewes Ferry annually selects a vendor to print and distribute the April 1 – October 31, 2017 Ferry schedule. Bids were solicited from three (3) vendors for the printing and delivery of 650,000 schedules. IBS Direct, who was the low bidder, had been previously selected to print the CMLF Pirate Pete Coloring Books, causing total annual expenditures with the vendor to exceed the threshold.

Nat Alexander Company: Replacement Firefighting Equipment for CMLF

The firefighting equipment at the CMLF has exceeded its useful life and requires replacement. The replacement equipment will include various equipment and gear purchased from Nat Alexander Company at their state contract rate (A80946, A80948 and A80961) for Fire Protection Equipment and Supplies.

Overhead Door Co. of Northern Delaware: Five (5) Replacement Doors for DMB Maintenance Buildings

The Authority will be hiring a contractor to furnish and install five (5) replacement steel overhead doors, including power operators and all hardware, at the Delaware Memorial Bridge Maintenance facilities. Quotes to supply and install the new doors were solicited and received from three (3) door contractors, with Overhead Door Co. of Northern Delaware submitting the lowest quote meeting the Authority’s specifications.

Temporary Heating Technologies: Remote Controlled Slope Mower

The Authority will be acquiring one radio-controlled slope mower for use on Authority grounds. The concept of this equipment technology is to enable personnel to more safely mow on the steep banks in areas such as the Delaware Memorial Bridge interchanges. Quotes for the mower were solicited and received from three (3) equipment suppliers, with Temporary Heating Technologies submitting the lowest quote for the specified unit.

Classification Definitions:

Pending B&F Approval. In accordance with Resolution 98-31, Part 3: “The Budget and Finance Committee, in consideration of the overall procurement process, operational needs and issues, the need for uniformity and continuity in materiel and services required by the Authority, the unique and special needs of the Authority including, but not limited to, the desirability of owner-furnished materiel and supplies in vessel repair, maintenance, renovation and rehabilitation, may increase or waive the thresholds established in paragraphs 1 and 2 of this Resolution, and shall report their action at the next meeting of the Commissioners.”

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

State Contract. A purchase of equipment, supplies or non-professional services which, under normal circumstances, would require competitive bidding, however the vendor has agreed to provide the goods or services to the Authority at fees less than or equal to that vendor’s respective contract as awarded by the State of Delaware or New Jersey. *“Any contract for the purchase of materiel and supplies and non-professional services....which contract individually exceeds \$50,000, or in the combination with other contracts, exceeds \$50,000 in any one calendar year shall be pursuant to a contract entered into by the Authority after competitive bidding. This provision shall not apply to purchases by the Authority from suppliers in cases where the Authority is purchasing at prices pursuant to contracts awarded by the States of Delaware or New Jersey for state agencies.”* (DRBA Resolution 11-36 Part 2.a.)

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**RESOLUTION 17-23 AUTHORIZES A LEASE AGREEMENT
BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND DEMONTE
MOTORSPORTS AT THE MILLVILLE AIRPORT**

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Millville Airport (the “Airport”), Millville, New Jersey; and

WHEREAS, Demonte Motorsports (“Demonte”) desires to lease approximately 5,000 square feet of hangar and office space located at 93 Beacon Avenue at the Millville Airport; and

WHEREAS, Demonte has agreed to pay the Authority annual rent in the amount of Twenty-Five Thousand dollars (\$25,000.00); and

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

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Demonte Motorsports and, with the advice and consent of counsel, to have such agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

A motion to approve Resolution 17-23 was made by Commissioner Bennett, seconded by Commissioner Smith, and approved by a roll call vote of 8-0.

Resolution 17-23 Executive Summary

Resolution:	Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Demonte Motorsports, regarding the Millville Airport
Committee:	Economic Development
Committee Date:	April 18, 2017
Board Date:	April 18, 2017
Purpose of Resolution:	To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for space at the Millville Airport.
Background for Resolution:	The Delaware River and Bay Authority owns a hangar facility located at 93 Beacon Street on the Millville Airport. Demonte Motorsports wishes to lease a portion of this facility in order grow their existing business and expand upon the relationship that they have with the Motorsports Park adjacent to the airport. Demonte currently has a contract to operate a driving school at the motors sports park. The lease rate is based upon Fair Market Value.

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RESOLUTION 17-24 AUTHORIZES A LEASE AMENDMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AT & T COMMUNICATIONS, INC. AND ITS AFFILIATES AT THE DELAWARE MEMORIAL BRIDGE

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Delaware Memorial Bridge (the “Bridge”), New Castle, Delaware; and

WHEREAS, AT & T Communications, Inc. and its affiliates (“AT & T”) desires easements to run parallel to Route 9 in Delaware, across the Delaware Memorial Bridge and along Route 130 in New Jersey in order to install a communication fiber line; and

WHEREAS, AT & T has agreed to pay the Authority annual rental at or above the appraised Fair Market Value (FMV); and

WHEREAS, the initial term of the Easement (“Easement Agreement”) shall be for thirty (30) years; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with AT & T Communication, Inc and its affiliates and, with the advice and consent of counsel, to have such agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

A motion to approve Resolution 17-24 was made by Commissioner Lowe, seconded by Commissioner Bennett, and approved by a roll call vote of 8-0.

Resolution 17-24 Executive Summary

Resolution:	Authorizing the Execution of an Easement Agreement between the Delaware River and Bay Authority and AT & T Communication, Inc. and its affiliates regarding the Delaware Memorial Bridge
Committee:	Economic Development
Committee Date:	April 18, 2017
Board Date:	April 18, 2017
Purpose of Resolution:	To permit the Executive Director, Chairman and Vice Chairman to execute and deliver an easement agreement for space at the Delaware Memorial Bridge
Background for Resolution:	AT & T Communications, Inc. and its affiliates is upgrading and improving it communication network in the area. They are looking to install new fiber lines along Route 9. The project is being phased and will eventually tie into a new fiber run planned to be installed over the Bridge and connect in to a line that runs along route 130 in New Jersey. The rate will be based upon an appraised fair market value.

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RESOLUTION 17-25 AUTHORIZES A LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND MIKE HANLEY AT THE CAPE MAY AIRPORT

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Airport (the “Airport”), Cape May, New Jersey; and

WHEREAS, Mike Hanley desires to lease approximately 3,000 sq.ft of space located in 251 Ranger Road in order to operate a gym and personal training facility at the Cape May Airport; and

WHEREAS, Mike Hanley has agreed to pay the Authority annual rent in the amount of Twenty-Seven Thousand Nine Hundred and Thirty dollars (\$27,930.00); and

WHEREAS, the initial term of the Lease (“Lease Agreement”) shall be for three (3) years; and

WHEREAS, Mike Hanley shall have the option of renewing this Lease Agreement for two (2) additional one (1) year terms; and

WHEREAS, rent shall be adjusted annually by the Annual Consumer Price Index (CPI); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Mike Hanley and, with the advice and consent of counsel, to have such agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Resolution 17-05 is hereby rescinded.

A motion to approve Resolution 17-25 was made by Commissioner Bennett, seconded by Commissioner Smith, and approved by a roll call vote of 8-0.

Resolution 17-25 Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Mike Hanley, regarding the Cape May Airport

Committee: Economic Development

Committee Date: April 18, 2017

Board Date: April 18, 2017

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for space at the Cape May Airport.

Background for Resolution: The Delaware River and Bay Authority recently constructed a new light industrial building located at 251 Ranger Rd. in Cape May Airport Industrial Park. Mike Hanley would like to lease 3,000 square feet of space in the new building. He is a personal trainer and recently sold a gym in North Jersey and relocated to Cape May. He plans on opening and operating a gym/training facility at this location. The lease rate is reflective of our current asking price.

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11249. EXECUTIVE DIRECTOR’S COMMENTS

Certificate of Appreciation from Vice-President of the United States (Maintenance Operations) – Certificate of Appreciation from Vice-President of the United States (Airport Operations) – Certificate of Appreciation from Vice-President of the United States (DRBA Police Department)- Letter of Appreciation from Dr. Salvatore (Steve Williams, Cape May Airport) – Girl Scout Troop 1482 (Odyssey of the Mind Winners) – Mike Houghton appointed Chairman of DE Economic Advisory Council

Executive Director Cook reminded the Board of the upcoming airshow at Millville Airport over Memorial Day weekend.

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11250. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan opened the public forum.

Chairperson Hogan called for any comments from the public. There were no public comments.

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There being no further business, a motion to adjourn was made by Commissioner Ford, seconded by Commissioner Bennett, and unanimously carried by a voice vote of 8-0.

The meeting was adjourned at 10:23 a.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Frank W. Minor
Assistant Secretary