

DELAWARE RIVER PORT AUTHORITY

BOARD MEETING

One Port Center
2 Riverside Drive, 11th Fl. Board Room
Wednesday, October 21, 2020

Due to the coronavirus pandemic, all participants, except where noted, attended via telephone/web conference.

Pennsylvania Commissioners

Ryan Boyer, Chairman of the Board
Sean Murphy (for Pennsylvania Auditor General Eugene DePasquale)
Donna Powell
Angelina Perryman
Kathleen McGinty
Marcy Rost (for Pennsylvania Treasurer Joseph M. Torsella)
Joseph Martz
Christopher Lewis

New Jersey Commissioners

Jeffrey Nash, Esq., Vice Chairman of the Board
Albert Frattali
Sara Lipsett
Charles Fentress
Bruce Garganio
Aaron Nelson
Daniel Christy

DRPA/PATCO Staff

John T. Hanson, Chief Executive Officer (in person)
Maria Wing, Deputy Chief Executive Officer
Raymond J. Santarelli, General Counsel and Corporate Secretary (in person)
Stephen M. Holden, Deputy General Counsel (in person)
Narisa Sasitorn, Deputy General Counsel
James White, Chief Financial Officer (in person)
Toni P. Brown, Chief Administrative Officer
David Aubrey, Inspector General
John Rink, General Manager, PATCO
Michael Venuto, Chief Engineer
Richard Mosback, Director, Procurement DRPA/PATCO
William Shanahan, Director, Government Relations
Mike Williams, Director, Corporate Communications
Tonyelle Cook-Artis, Manager, Government Relations
Michael Reher, Sergeant, Public Safety
John Lotierzo, Director of Finance
Steve Reiners, Director of Fleet Management
Richard Tutak, Construction & Maintenance, Manager
Darlene Callands, Manager Community Relations
Elizabeth Saylor, Administrative Coordinator, Corporate Secretary, OGC (in person)
Dawn Whiton, Executive Assistant of the CEO

Others Present

Craig Ambrose, Associate Counsel, New Jersey Governor's Authorities Unit
Alan Kessler, PA Counsel, Duane Morris, LLP
Christopher Gibson, NJ Counsel, Archer & Greiner, P.C.
Monique Curry-Mims, S & S Consultants LLC
Ismail Shahid, S&S Consulting, LLC
Nedia Ralston, Director, Pennsylvania Governor's Southeast Regional Office
Daniel McArdle, Citizens Advisory Committee

OPEN SESSION

Notice

The Corporate Secretary announced that pursuant to its by-laws public notice of this meeting of the DRPA Board of Commissioners had been given by posting proper notice in the lobby at One Port Center and by issuing proper notice to the public and news media. The Secretary also noted that, due to the ongoing pandemic, the public was not allowed inside the One Port Center building but had been invited to attend via telecast and to submit any questions or comments electronically prior to the meeting.

Roll Call

Chairman Boyer called the meeting to order at 9:04 a.m. and asked that the Corporate Secretary call the roll. The following Commissioners were present, constituting a quorum: Chairman Boyer, Vice Chairman Nash, Powell, Perryman, Fentress, Garganio, Murphy, Frattali, Lipsett, Nelson, Rost, McGinty, Lewis, Martz and Christy.

Public Comment

There was no public comment.

Report of the Chief Executive Officer

CEO Hanson stated that the CEO Report stood as previously submitted. Commissioner Martz moved to approve the CEO's Report and Commissioner Rost seconded the motion. All Commissioners in attendance voted to approve the CEO's Report. The motion carried.

Report of the Chief Financial Officer

CFO White stated that his report stood as previously submitted. CFO White commented on the traffic on the bridges and ridership on PATCO.

Approval of the September 16, 2020 DRPA Board Meeting Minutes

Chairman Boyer stated that the Minutes of the September 16, 2020 DRPA Board Meeting were previously provided to the Governors of New Jersey and Pennsylvania and to the DRPA Commissioners. There were no comments or corrections. Commissioner Fentress moved to approve the Minutes and Commissioner Frattali seconded the motion. Commissioner Lipsett and Commissioner Nelson abstained from the vote. All other Commissioners in attendance voted in the affirmative to approve the Minutes as submitted. The motion carried.

Receipt and Filing of the Previously Approved List of Payments, the List of Previously Approved Purchase Orders and Contracts Covering the Month of September 2020.

Chairman Boyer stated that the Monthly List of Payments and the Monthly List of Purchase Orders and Contracts covering the month of September 2020 were previously provided to all Commissioners. Commissioner Fentress moved to receive and file the lists and Commissioner Lipsett seconded the motion. There were no questions or comments. All Commissioners in attendance voted in the affirmative. The motion carried.

Receipt and Filing of the 2nd Quarter Financial Statement.

Chairman Boyer stated that the 2nd Quarter Financial Statement was previously provided to all Commissioners. Commissioner Christy moved to receive and file the lists and Commissioner Rost seconded the motion. There were no questions or comments. All Commissioners in attendance voted in the affirmative. The motion carried.

Approval of Operations & Maintenance Committee Meeting Minutes of October 6, 2020

Chairman Boyer stated that the Minutes of the October 6, 2020 Operations & Maintenance Committee Meeting were previously provided to all Commissioners. There were no comments or corrections. Commissioner Martz moved to approve the Minutes and Commissioner Frattali seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Minutes as submitted. The motion carried.

Adoption of Resolutions Approved by the Operations & Maintenance Committee on October 6, 2020

Chairman Boyer stated that there were seven (7) Resolutions from the October 6, 2020 Operations & Maintenance Committee Meetings for consideration:

DRPA-20-109 Design Services for PATCO ROW Embankment Restoration, Drainage Improvements and Retaining Wall Rehabilitation.

Chief Engineer Venuto presented Resolution No. DRPA-20-109 that the Board authorize staff to negotiate an agreement with Gannett Fleming, Inc. to provide Design, Bidding and Award, and Construction Support Services for PATCO ROW embankment restoration, drainage improvements and retaining wall rehabilitation, in an amount not to exceed \$809,687.00. Commissioner Martz moved to adopt Resolution No. DRPA-20-109 and Commissioner Garganio seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Resolution. The motion carried.

DRPA-20-110 Capital Project Contract Modification.

Chief Engineer Venuto presented Resolution No. DRPA-20-110 that the Board authorize staff to execute contract modifications to certain Authority Capital Project contracts and that the Board amend the 2020 Capital Budget to include the increase in contract amount being requested; this was for the PATCO Station Enhancements Program, in an amount not to exceed \$95,055.90. Commissioner Christy moved to adopt Resolution No. DRPA-20-110 and Commissioner Murphy seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Resolution. The motion carried.

DRPA-20-111 Maintenance Contract for Andover Traffic Control and HVAC Systems for DRPA Bridge Facilities.

Chief Operating Officer Hicks presented Resolution No. DRPA-20-111 that the Board authorize staff to negotiate a contract with The Tri-M Group for the maintenance of Traffic Control and HVAC Systems for DRPA's four bridge facilities, in an amount not to exceed \$175,920.00. Commissioner Lewis moved to adopt Resolution No. DRPA-20-111 and Commissioner Frattali seconded the motion. Commissioner McGinty abstained from the vote. All other Commissioners in attendance voted in the affirmative to approve the Resolution. The motion carried.

DRPA-20-112 Part-Time and Temporary Toll Collectors at DRPA Bridges. (TABLED)

Chief Operating Officer Hicks presented Resolution No. DRPA-20-112 that the Board authorize staff to negotiate a three (3) year contract, with two (2) one-year exercisable options with LAZ Parking/Cofiroute for the use of Temporary Toll Collectors (weekdays), Part-Time Collectors (weekends and holidays), in an amount not to exceed \$5,660,573.85. Following discussion and without objection, this matter was tabled until the next meeting.

DRPA-20-113 Fuel Contract for DRPA and PATCO.

Director of Fleet Management Reiners presented Resolution No. DRPA-20-113 that the Board authorize staff to negotiate a contract with Riggins, Inc. for the purchase of unleaded gasoline, low-sulfur automotive diesel fuel, diesel 2% biofuel and low-sulfur heating fuel oil, in an amount not to exceed \$750,000.00. Commissioner Lipsett moved to adopt Resolution No. DRPA-20-113 and Commissioner Perryman seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Resolution. The motion carried.

DRPA-20-114 Public Safety 800 MHz Radio End User Equipment Upgrade.

DRPA Public Safety Sergeant Reher presented Resolution No. DRPA-20-114 that the Board authorize staff to negotiate an agreement with Tactical Public Safety for the purchase of new Harris Communications P25 compliant 700-800 MHz radios, firmware features, and accessories, in an amount not to exceed \$199,940.92. Commissioner Fentress moved to adopt Resolution No. DRPA-20-114 and Commissioner Martz seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Resolution. The motion carried.

DRPA-20-115 Walt Whitman Bridge Enhance Cybersecurity – Electronic Security System (ESS) and Infrastructure Protection Investment.

Director of Government Relations Shanahan presented Resolution No. DRPA-20-115 that the Board authorize staff to enter into an agreement with the successful selected vendor, selected under the DRPA RFP procurement process, for the project purpose to Enhance Cybersecurity – Electronic Security System (ESS) and Infrastructure Protection Investment for the Walt Whitman Bridge, in an amount not to exceed \$1,002,700.00. . The project will be 75% (\$752,025.00) funded by the FY2020 PSGP Grant Project Fund and 25% (\$250,675.00) from the DRPA General Fund. Commissioner Frattali moved to adopt Resolution No. DRPA-20-115 and Commissioner Fentress seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Resolution. The motion carried.

Approval of Finance Committee Meeting Minutes of October 7, 2020

Chairman Boyer stated that the Minutes of the October 7, 2020 Finance Committee Meeting were previously provided to all Commissioners. There were no comments or corrections. Commissioner Lewis moved to approve the Minutes and Commissioner Murphy seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Minutes as submitted. The motion carried.

Adoption of Resolutions Approved by the Finance Committee on October 7, 2020

Chairman Boyer stated that there were nine (9) Resolutions from the October 7, 2020 Finance Committee Meetings for consideration:

DRPA-20-100 Age 65 & Over Retiree Medicare Part D Prescription Benefits – 2021 (DRPA/PATCO).

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-100 seeking Board authorization for staff to accept the flat renewal from Horizon Medicare Blue Group Rx for Plan Year 2021 to continue to provide a quality and enhanced Medicare Part D Prescription Drug benefit plan for DRPA/PATCO Medicare-eligible retirees and Medicare-eligible dependents, at an estimated annual premium of exceed \$612,374.00. Commissioner Martz moved to adopt Resolution No. DRPA-20-100 and Commissioner Lewis seconded the motion. Commissioner Fentress and Commissioner Rost abstained from the vote. All other Commissioners in attendance voted in the affirmative to approve the Resolution. The motion carried.

Chief Administrative Officer Brown presented the following eight (8) Resolutions as a group:

DRPA-20-101 Renewal of DRPA/PATCO Commercial Non-Bridge Property Policy.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-101 seeking Board authorization for staff to accept the proposed renewal *indication* from incumbent, Affiliated FM Global, of the DRPA/PATCO Commercial Non-Bridge Property Policy for Policy Year 2021, at an estimated premium of \$599,670.00 (including TRPRA and the NJ PLIGA tax; net of commission).

DRPA-20-102 Renewal of DRPA/PATCO Commercial General Liability Policy.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-102 seeking Board authorization for staff to accept the proposed 12-month premium *indication* from Lexington Insurance Company, as the new carrier for the Authority's Commercial General Liability Policy, at an estimated premium of \$106,380.00.

DRPA-20-103 Renewal of DRPA/PATCO Commercial Automobile Liability Policy.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-103 seeking Board authorization for staff to accept the proposed 24-month renewal policy quote from incumbent, Selective Insurance Company of America, for the Authority's Commercial Automobile Liability Policy, at the estimated term premium of \$963,086.00.

DRPA-20-104 Renewal of DRPA/PATCO Commercial Umbrella Liability Policy.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-104 seeking Board authorization for staff to accept the proposed 12-month renewal quotation from incumbent, National Fire and Marine Insurance Company, for the Authority's Commercial Umbrella Liability Policy, at an estimated premium of \$277,750.00.

DRPA-20-105 Renewal of DRPA/PATCO Public Officials and Employment Practices Liability Policy and Excess Public Officials and Employment Practices Liability Policy.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-105 seeking Board authorization for staff to accept the 12-month quotation from ACE American Insurance Company, as the new carrier for the DRPA/PATCO Public Officials and Employment Practices Liability Policy and Excess Public Officials and Employment Practices Liability Policy, including coverage for the volunteer members of the CAC, at an estimated premium of \$180,974.00 (\$15 million limits; including TRIPRA and the NJ PLIGA tax; net of commission).

DRPA-20-106 Renewal of DRPA Law Enforcement/Police Professional Liability Policy.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-106 seeking Board authorization for staff to accept the proposed 12-month renewal *indication* from incumbent, Greenwich Insurance Company, for the \$2 million per occurrence and \$2 million aggregate limit, for the DRPA Law Enforcement/Police Professional Liability Policy, at an estimated premium *indication* of \$147,298.00 (including a \$395 annual policy fee).

DRPA-20-107 Renewal of DRPA/PATCO Network Security and Privacy Liability Policies.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-107 seeking Board authorization for staff to accept the proposed 12-month *indication* from ACE American Insurance Company, as the new carrier for the Authority's \$10 million primary claims-made Cyber Enterprise Risk Management Policy at an annual estimated premium of \$79,035; and, further that the Board authorize staff to accept the proposed 12-month renewal *indication* from the incumbent, Greenwich Insurance Company, for the \$10 million excess limit claims-made Cyber Liability Policy, at an annual estimated minimum premium \$60,000, for a total estimated annual premium of \$139,035.

DRPA-20-108 Renewal of DRPA/PATCO Claims Made Excess

Liability Insurance Policies.

Chief Administrative Officer Brown presented Summary Statement and Resolution No. DRPA-20-108 seeking Board authorization for staff to accept the proposed 12-month premium *indication* from the incumbent, Queen's Island Insurance Company, for the lead \$15 million limit for the Authority's Claims Made Excess Liability Insurance Policies, for an estimated annual premium of \$710,000.00; and, further that the staff accept the placement of a 12-month premium *indication* proposed by Aegis Casualty Consortium, Apollo Liability Consortium 9984, replacement syndicate Hiscox Consortium 9330, and new syndicate Canopus Consortium 1861 for the \$10 million excess of \$15 million limit for an estimated annual premium of \$357,500.00; for a total premium *indication* of \$1,067,500.00.

Commissioner Garganio moved to approve Summary Statements and Resolutions DRPA-20-101, DRPA-20-102, DRPA-20-103, DRPA-20-104, DRPA-20-105, DRPA-20-106, DRPA-20-107, and DRPA-20-108 and Commissioner Martz seconded the motion. There were no questions or comments. All Commissioners in attendance voted to approve the motion.

Citizens Advisory Committee Report

Mr. Daniel McArdle gave the report of the Citizens Advisory Committee.

Unfinished Business

There was no unfinished business.

New Business

Chairman Boyer reported there are two (2) items of New Business for consideration, and introduced the following:

DRPA-20-116 Consideration of Pending DRPA Contracts (Between \$25,000 and \$100,000).

Chairman Boyer presented Resolution No. DRPA-20-116 for the consideration of pending DRPA contracts between \$25,000 and \$100,000. There were three contracts for consideration. There were no questions or comments. Commissioner Fentress moved to adopt Resolution No. DRPA-20-116 and Commissioner Perryman seconded the motion. All Commissioners in attendance voted to approve the motion. The motion carried and the Board adopted the Resolution.

DRPA-20-117 Authorization of DRPA to Execute Change Order #18 Amending the Services Contract Between NJ E-ZPass Group Agencies and Conduent State and Local Solutions.

Chief Financial Officer White presented Resolution No. DRPA-20-117 for the Board to authorize staff to execute Change Order #18, as an amendment to the existing Services Contract with the NJ E-ZPass Group Agencies/Conduent State and Local Solutions dated October 15, 2015, in the amount not to exceed \$360,318.85. There were no questions or comments. Commissioner Lipsett moved to adopt Resolution No. DRPA-20-117 and Commissioner Fentress seconded the motion. All Commissioners in attendance voted to approve the motion. The motion carried and the Board adopted the Resolution.

Meeting Held in Abeyance

At 9:47 a.m., Chairman Boyer stated that the DRPA Board meeting would be held in abeyance and the PATCO Board Meeting would convene.

Adjournment

With no further business, Commissioner Fentress moved to adjourn. Commissioner Nelson seconded the motion. All Commissioners in attendance voted to approve the motion and the meeting adjourned at 9:53 a.m.

Respectfully Submitted,



Raymond J. Santarelli, Esquire
General Counsel and Corporate Secretary