

**DELAWARE RIVER AND BAY AUTHORITY
BUDGET & FINANCE COMMITTEE MEETING**

Wednesday, June 21, 2023
Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Budget & Finance Committee Meeting was conducted on Wednesday, June 21, 2023, from the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners of Delaware

Committee Chair Decker
Commissioner Becker, Comm. Member
Commissioner Ratchford, Comm. Member
Commissioner Carey - Absent
Commissioner Faust - Zoom

Chairperson Lathem

Phillip Norcross - NJ

Governors’ Representatives

Robert Davidow – New Jersey

Staff

Tom Cook
Steve Williams
Victor Ferzetti
Charlotte Crowell
Gerry Owens
Michelle Warner
TJ Murray
James Salmon
Tara Donofrio
Michelle Pyle

Commissioners of New Jersey

Committee Vice-Chair Baldini - Zoom
Commissioner Smith, Comm. Member
Commissioner Wilson Comm. Member - Zoom
Commissioner McCann
Commissioner Ransome

Vice-Chairperson Hogan -Absent

Kate Betterly – DE
Mike Houghton – DE

Governor’s Representatives

Guests

Wali Rushdan II
Barnes & Thornburg

1. Committee Chair Decker opened the Budget & Finance Committee meeting at approximately 10:38 a.m. The Deputy Executive Director (DED) reported that the public meeting of the Budget & Finance Committee had been duly notified in accordance with the Authority’s Freedom Information Regulations, read the Statement of Notice, and called the roll.
2. Committee Chair Becker called for a voice vote to accept the Budget & Finance Committee Minutes from May 16, 2023. Commissioner Ratchford made a motion, Commissioner Smith seconded, and the Committee Minutes were accepted.

3. Action Items:

RESOLUTION 23-26 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2023, THROUGH DECEMBER 31, 2023

The CFO discussed and answered questions regarding purchasing parking blocks to expand the Wilmington Airport parking lot. Given the service expansion with Avelo Airlines the parking spots would be paid and generate airport revenue. Commissioner Ratchford asked about the location of Lot C. The CFO confirmed Lot C is the old Air Transport Command restaurant parking lot. With no additional questions, Commissioner Ransome made a motion, Commissioner Ratchford seconded, and the Budget & Finance Committee recommended forwarding Resolution 23-26 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-27 – AUTHORIZES A CONTRACT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND KAPLAN KIRSCH & ROCKWELL LLP TO PROVIDE PROFESSIONAL “ON CALL” AIRPORT LEGAL COUNSEL TO THE AUTHORITY

The CFO confirmed the Authority went out for an RFP and received 5-6 responses with the committee recommending KKR. Commissioner Ratchford inquired about what kind of issues do we have that require a specialized law firm. The Deputy Executive Director noted the audit at Millville Airport mid-July, the termination process with New Castle County and other on-going issues with the FAA. With no additional questions, Commissioner Becker made a motion, Commissioner Ratchford seconded, and the Budget & Finance Committee recommended forwarding Resolution 23-27 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-28 – AUTHORIZING AN AMENDMENT TO RESOLUTION 01-84, TO ADJUST THE SPENDING THRESHOLD REQUIRING PRIOR BOARD AUTHORIZATION TO \$50,000.00

Commissioner Decker noted that this action proposes amending Resolution 01-84 and the number of years since the \$25,000 threshold was established. With no additional questions, Commissioner Becker made a motion, Commissioner Ratchford seconded, and the Budget & Finance Committee recommended forwarding Resolution 23-28 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

With no further business to discuss, Committee Chair Becker adjourned the Budget and Finance Committee 10:50 a.m.

**DELAWARE RIVER AND BAY AUTHORITY
ECONOMIC DEVELOPMENT COMMITTEE MEETING**

Wednesday, June 21, 2023

Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Economic Development Committee Meeting was conducted on Wednesday, June 21, 2023, at the Delaware Memorial Bridge Complex, New Castle, Delaware.

Commissioners of New Jersey

Committee Chair Baldini – via Zoom
Commissioner Wilson, Comm. Member – via Zoom
Commissioner Ransome, Comm. Member
Commissioner McCann
Commissioner Smith

Vice-Chairperson Hogan - Absent

Phillip Norcross – Counsel NJ

Governors’ Representatives

Robert Davidow, New Jersey

Staff

Tom Cook
Steve Williams
Victor Ferzetti
Vince Meconi
Charlotte Crowell
Gerry Owens
Michelle Warner
Jim Salmon
TJ Murray
Tara Donofrio
Michele Pyle

Commissioners of Delaware

Committee Vice-Chair Becker
Commissioner Carey, Comm. Member - Absent
Commissioner Ratchford, Comm..Member
Commissioner Decker
Commissioner Faust – via Zoom

Chairperson Lathem

Kate Betterly - Counsel DE
Mike Houghton - Counsel DE

Governors’ Representatives

Guests

Wali Rushdan II,
Barnes & Thornburg LLP

1. Committee Chair Baldini opened the Economic Development Committee meeting at approximately 10:50 a.m. The Deputy Executive Director (DED) reported that the public meeting of the Economic Development Committee had been duly noticed in accordance with the Authority’s Freedom of Information Regulations, read the Statement of Notice, and called the roll.
2. Committee Chair Baldini called for a motion to accept the Economic Development Committee Minutes from the May 2023 meeting. Commissioner Wilson made a motion, Commissioner Becker seconded, and the Committee Minutes were accepted.

3. Resolutions:

RESOLUTION 23-29 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE MAY BREWING LLC FOR BUILDING 97 AT THE CAPE MAY AIRPORT

The Deputy Executive Director presented and reviewed the Resolution. With no questions, Commissioner Becker made a motion, Commissioner Ransome seconded, and the Economic Development Committee recommended forwarding Resolution 23-29 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-30 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE MAY BREWING LLC AT THE SRE BUILDING AT THE CAPE MAY AIRPORT

The Deputy Executive Director presented and reviewed the Resolution. With no questions, Commissioner Becker made a motion, Commissioner Ransome seconded, and the Economic Development Committee recommended forwarding Resolution 23-30 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-31 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE MAY BREWING LLC FOR BUILDING 96 AT THE CAPE MAY AIRPORT

The Deputy Executive Director presented and reviewed the Resolution. With no questions, Commissioner Becker made a motion, Commissioner Ransome seconded, and the Economic Development Committee recommended forwarding Resolution 23-31 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-32 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND HERITAGE TILE, INC. AT THE MILLVILLE AIRPORT

The Deputy Executive Director presented and reviewed the Resolution. With no questions, Commissioner Wilson made a motion, Commissioner Ransome seconded, and the Economic Development Committee recommended forwarding Resolution 23-32 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-33 - AUTHORIZES A LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND MICHAEL E. WEEKS D/B/A GEORGE'S AUTO AT THE CAPE MAY AIRPORT

The Deputy Executive Director presented and reviewed the Resolution. With no questions, Commissioner Ransome made a motion, Commissioner Becker seconded, and the Economic Development Committee recommended forwarding Resolution 23-33 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-34 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE MAY STORAGE, LLC AT THE CAPE MAY AIRPORT

The Deputy Executive Director presented and reviewed the Resolution. With no questions, Commissioner Wilson made a motion, Commissioner Becker seconded, and the Economic Development Committee recommended forwarding Resolution 23-34 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-35 - PURCHASE AND SALE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY, NEW CASTLE COUNTY AND THE OFFICE OF MANAGEMENT AND BUDGET ON BEHALF OF THE DELAWARE ARMY GUARD FOR PROPERTY LOCATED AT THE WILMINGTON AIRPORT

Kate Betterly, Esquire discussed the 12 Penn's Way Resolution involving a transaction for the sale of 12 Penns Way at Wilmington Airport. DRBA has received a deed of release from the FAA, and modifications to the sale language are necessary to ensure compliance with that document. The Deputy Executive Director presented and reviewed the Resolution. With no additional questions, Commissioner Becker made a motion, Commissioner Ratchford seconded, and the Economic Development Committee recommended forwarding Resolution 23-35 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-36 - LEASE AMENDMENT TO THE GROUND LEASE BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND NEW CASTLE COUNTY

Kate Betterly, Esquire presented and discussed the Resolution. With no additional questions, Commissioner Ransome made a motion, Commissioner Becker seconded, and the Economic Development Committee recommended forwarding Resolution 23-36 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

10618. RESOLUTION 23-37 – AMEND THE ACQUISITION AND GROUND LEASE BETWEEN THE COUNTY OF CAPE MAY AND THE DELAWARE RIVER & BAY AUTHORITY RELATING TO THE CAPE MAY AIRPORT

Kate Betterly, Esquire presented and discussed the Resolution. Chairperson Lathem inquired about environmental contamination at the Cape May Airport. Mr. Norcross confirmed some remaining spots have contamination. Cape May County is required to clean up the contaminated areas at no cost to the Authority. With no additional questions, Commissioner Becker made a motion, Commissioner Ransome seconded, and the Economic Development Committee recommended forwarding Resolution 23-37 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

RESOLUTION 23-38 - CERTAIN EASEMENTS FOR IMPROVEMENTS TO PICCARD ROAD

The Deputy Executive Director presented and discussed the Resolution which involves both the acknowledgment and extinguishment of certain easements on airport property necessary for an off-airport development. Delaware General Counsel, Kate Betterly provided an overview of the timeline of the project, noting that the development involves off-airport property not under the control of the DRBA, so the DRBA was not aware of any issues until seeing a newspaper article on state funding for the development in 2022. Ms. Betterly noted that the developer has been working with the DRBA to address our concerns since that time. As with other issues impacting airport property, FAA approval is necessary for this Resolution to be fully effectuated. With no additional questions, Commissioner Becker made a motion, Commissioner Ratchford seconded, and the Economic Development Committee recommended forwarding Resolution 23-38 to the full Board. The Resolution will be presented to the full Board for consideration at the June meeting later today.

Committee Chair Baldini adjourned Economic Development Committee at 11:30 a.m.

DELAWARE RIVER AND BAY AUTHORITY

PERSONNEL COMMITTEE MEETING

Wednesday June 21, 2023

Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Personnel Committee Meeting was conducted in person and via Zoom on Wednesday, June 21, 2023, from the Delaware Memorial Bridge Complex, New Castle, Delaware.

Delaware Commissioners

Committee Chair Carey - absent

Commissioner Decker, Committee Member

Commissioner Faust, Committee Member - via Zoom

Commissioner Becker

Commissioner Ratchford

New Jersey Commissioners

Committee Vice-Chair Smith

Commissioner Ransome, Committee Member

Commissioner McCann, Committee Member

Commissioner Wilson- via Zoom

Commissioner Baldini – via Zoom

Chairman Lathem

Vice Chairman Hogan - absent

Legal Counsel

Mike Houghton – DE

Kate Betterly - DE

Phil Norcross– NJ

Governors’ Representatives

Jon Sheehan –DE absent

Robert Davidow – NJ

Staff

Tom Cook

Steve Williams

Victor Ferzetti

Vince Meconi

Charlotte Crowell

Gerry Owens

Jim Salmon

Michelle Warner

Michele Pyle

Tara Donofrio

TJ Murray

Andy Houghton

Kyle Bickhart

Guests

Wali Rushdan II, Esq.

Barnes & Thornburg LLP

2. Committee Vice-Chair Smith opened the Personnel Committee meeting at 11:31 a.m.
3. Committee Vice-Chair Smith called for a motion to accept the Personnel Committee Minutes from May 16, 2023. Commissioner Faust made a motion, Commissioner McCann seconded, and the Committee Minutes were accepted.

4. Discussion Items

- **Summary of the Organization**

The HR Demographics are available for the Board's individual review.

5. Resolution

- **RESOLUTION 23-39 Resolution by the DRBA to revise the Authority-Wide Drug-Free Workplace Policy**

CHRO presented the resolution to which Chairman Lathem inquired if an employee is found to be using alcohol on the job, are they terminated to which the CHRO noted they are offered alcohol abuse assistance same as drug abuses. Chairman Lathem inquired if the new state marijuana laws create a need for a new policy for marijuana use to which the CHRO noted the zero tolerance includes marijuana. Staff Legal Counsel noted that with respect to medical marijuana use, the DRBA would need to undertake an individual review of any reasonable accommodations requested by an employee.

After discussion, Committee Vice-Chair Smith called for a motion, Commissioner McCann made a motion, Commissioner Ransome seconded, and the Personnel Committee recommended forwarding Resolutions 23-39 to the full Board for approval. The Resolution will be presented to the full Board for consideration at the June meeting later today.

6. With no further business to discuss, Committee Vice-Chair Smith called for a motion to adjourn; Commissioner McCann made a motion, Commissioner Ransome seconded, and the Personnel Committee adjourned at 11:45 a.m.

DELAWARE RIVER AND BAY AUTHORITY

PROJECTS COMMITTEE MEETING

Wednesday, June 21, 2023

Delaware Memorial Bridge Complex
New Castle, Delaware

A public meeting of The Delaware River and Bay Authority’s Projects Committee Meeting was conducted in person and via Zoom on Wednesday, June 21, 2023, from the Delaware Memorial Bridge Complex, New Castle, Delaware.

Delaware Commissioners

Committee Chair Ratchford
Commissioner Faust, Committee Member via Zoom
Commissioner Becker, Committee Member

Commissioner Decker
Commissioner Carey- absent

Chairman Lathem

Legal Counsel

Mike Houghton– DE
Kate Betterly- DE

Governors’ Representatives

Jon Sheehan – DE Absent

Staff

Tom Cook
Steve Williams
Victor Ferzetti
Vince Meconi
Charlotte Crowell
Gerry Owens
Michelle Warner
Michele Pyle
Jim Salmon
TJ Murray
Tara Donofrio
Andy Houghton
Kyle Bickhart

New Jersey Commissioners

Committee Vice-Chair Ransome
Commissioner McCann, Committee Member
Commissioner Baldini, Committee Member-
via Zoom

Commissioner Smith
Commissioner Wilson- via Zoom

Vice Chairman Hogan - absent

Phil Norcross- NJ

Robert Davidow– NJ

Guests

Wali Rushdan II, Esq.
Barnes & Thornburg LLP

1. Committee Chair Ratchford opened the Projects Committee meeting at 11:45a.m.
2. Committee Chair Ratchford called for a motion to accept the Projects Committee Minutes from May 16, 2022. Commissioner Faust made a motion, Commissioner Becker seconded, and the Committee Minutes were accepted.
3. Discussion Items

- **Construction Highlights Report**

COO noted the report can be found in the Board materials. There were no questions or comments about this report.

4. Bid Openings

- **WWD-22-01 Hangar Pavement – Phase 1**

A public bid opening was held on May 18, 2023, in which (2) bids were submitted.

The COO recommended awarding the contract, in the amount of \$1,832,748.00, to South State Inc, NJ.

Committee Chair Ratchford called for a motion to accept the award, to which Committee Vice-Chair Ransome made a motion, seconded by Commissioner Becker and Projects Committee concurred with the recommendation to accept and authorize the action to be presented to the full Board of Commissioners later today.

- **CMLF-C22-30 Cape May Terminal Building C-8 Roof**

A public bid opening was held on May 18, 2023, in which (4) bids were submitted.

The COO recommended awarding the contract, in the amount of \$553,000.00 to Firstline Contracting, New Hyde Park, NY.

Committee Chair Ratchford called for a motion to accept the award, to which Commissioner Becker made a motion, seconded by Commissioner McCann and Projects Committee concurred with the recommendation to accept and authorize the action to be presented to the full Board of Commissioners later today.

- **DMB-21-26 ITS Office Renovations**

A public bid opening was held on May 17, 2023, in which (2) bids were submitted.

The COO recommended awarding the contract, in the amount of \$268,000.00 to BSS Contractors, LLC of West Grove, PA

Committee Chair Ratchford called for a motion to accept the award, to which Commissioner Becker made a motion, seconded by Committee Vice-Chair Ransome and Projects Committee concurred with the recommendation to accept and authorize the action to be presented to the full Board of Commissioners later today.

- **DMB-22-10AR Julia Building Fitness Center Flooring**

A public bid opening was held on May 31, 2023, in which (1) bid was submitted.

The COO recommended awarding the contract, in the amount of \$60,000.00 to Tri-State Carpet, Inc. of Wilmington, DE.

Committee Chair Ratchford called for a motion to accept the award, to which Commissioner Becker made a motion, seconded by Committee Vice-Chair Ransome and Projects Committee concurred with the recommendation to accept and authorize the action to be presented to the full Board of Commissioners later today.

- **CMLF-C23-50 Self-Propelled Rough Terrain Scissor Lift**

A public bid opening was held on May 18, 2023, in which (1) bid was submitted.

The COO recommends rejecting the contract, in the amount of \$100,000.00 to Eastern Lift Truck Co, Inc of Maple Shade, NJ.

- **CMLF-L23-50 Self-Propelled Articulated Boom Lift**

A public bid opening was held on May 18, 2023, in which (1) bid was submitted.

The COO recommends rejecting the contract, in the amount of \$250,000.00 to Eastern Lift Truck Co, Inc of Maple Shade, NJ.

Committee Chair Ratchford called for a motion to **reject** both CMLF-C23-50 and CMLF-L23-50 contracts, to which Committee Vice-Chair Ransome made a motion, seconded by Commissioner McCann and Projects Committee concurred with the recommendation to reject and the action will to be presented to the full Board of Commissioners later today.

- **DMB-21-13R Paint Booth Replacement**

A public bid opening was held on May 31, 2023, in which (1) bid was submitted.

The COO recommends rejecting the contract, in the amount of \$740,000.00, to L.J. Paoella Construction, Inc. Brookhaven, PA.

Committee Chair Ratchford called for a motion to **reject** the contract, to which Commissioner Becker made a motion, seconded by Commissioner Faust and Projects Committee concurred with the recommendation to reject and the action will be presented to the full Board of Commissioners later today.

- **DMB-22-10B Julia Building Fitness Center Equipment**

A public bid opening was held on May 31, 2023, in which (1) bid was submitted.

The COO recommends rejecting the contract, in the amount of \$108,947.12, to Fitness Superstore, LLC.

Committee Chair Ratchford called for a motion to **reject** the contract, to which Committee Vice-Chair Ransome made a motion, seconded by Commissioner McCann and Projects Committee concurred with the recommendation to reject and the action will be presented to the full Board of Commissioners later today.

5. Project Contract Closeouts

- **ILG-22-11 Installation of Owner-Furnished HVAC Units at Buildings I-135 & I-137**

The COO recommended close-out of the contract and final payment to Guadelli Bros. Inc of Millville, NJ with a final contract amount of \$253,800.00.

Committee Chair Ratchford called for a motion to approve the contract closeout, to which Commissioner Becker made a motion, seconded by Committee Vice-Chair Ransome and the Projects Committee concurred with the recommendation and authorized the close-out action to be presented to the full Board for consideration at the May meeting later today.

- **33N-20-A Apron Expansion – Phase 1**

The COO recommended close-out of the contract and final payment to Eastern Construction Service, Inc of Wilmington, DE with a final contract amount of \$1,734,463.07.

Committee Chair Ratchford called for a motion to approve the contract closeout, to which Commissioner McCann made a motion, seconded by Commissioner Becker and the Projects

Committee concurred with the recommendation and authorized the close-out action to be presented to the full Board for consideration at the May meeting later today.

6. Contractor Payment Review:

The COO reviewed for the Committee the monthly construction contractor payment summary to be made for the work completed through May 2023 for (9) payments totaling approximately \$9.8 million for projects at the bridge, ferry, and airports.

7. With no further business to discuss, Committee Chair Ratchford called for a motion to adjourn; Commissioner Becker made a motion and Committee Vice-Chair Ransome seconded, and the Projects Committee adjourned at 11:51 a.m.