

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Delaware Memorial Bridge Complex
Tuesday, October 17, 2023**

The meeting convened at 10:02 a.m. at the Delaware Memorial Bridge Complex, with Chairperson Lathem presiding.

The opening prayer was given by Chairperson Lathem, followed by the Pledge of Allegiance.

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

Commissioners from Delaware

Samuel Lathem, Chairperson
Crystal L. Carey – Zoom*
Henry J. Decker
Michael Ratchford
Veronica O. Faust – Zoom*
Theodore Becker

Commissioners from New Jersey

James N. Hogan, Vice-Chairperson
Shirley R. Wilson – Zoom*
Ceil Smith
Sheila McCann – Zoom*
M. Earl Ransome, Jr.
Heather Baldini

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Chairperson Lathem called for the acceptance of the Agenda.

Commissioner Becker made a motion to accept the Agenda, seconded by Commissioner Ransome, and the motion was carried by a voice vote of 8-0.

Chairperson Lathem opened the meeting for public comment on any matters of interest.

The Executive Director discussed the UHPC (Ultra-High Performance Concrete) work on the Delaware Memorial Bridge, and stated that this project was a great accomplishment for the engineering department. Vincent Meconi recognized the engineering team for UHPC Phase 1 success that was completed before Thanksgiving 2022. Mr. Meconi introduced Dave Hoppenjans, Chief Engineer, Shekhar Scindia, Project Engineer III, Colleen Parris, Project Engineer I and Jennifer Farina Project Engineer II and thanked them for a job well done.

Chairperson Lathem acknowledged the Executive Director and his team. Chairperson Lathem stated that he hadn't received any complaints about traffic regarding the UHPC Phase 2. Chairperson Lathem thanked and recognized the team.

*Commissioner Carey, Commissioner Faust, Commissioner McCann, and Commissioner Wilson joined the meeting by Zoom at 10:04 a.m.

Chairperson Lathem called for a motion to move to the Executive Session. Commissioner Becker made a motion, seconded by Commissioner Smith, and the motion was carried by voice vote of 12-0.

Members of the public and certain staff were excused from the room during the Executive Session.

The Executive Session started at 10:06 a.m. At 11:55 a.m. Chairperson Lathem called for a motion to close the Executive Session, and recess to conduct Committee Meetings. Commissioner Decker made a motion, seconded by Commissioner Becker, and the motion was carried by a voice vote of 12-0.

The Committee meetings started at 11:56 a.m. and ended at 12:42 p.m. During that time, the following Committee meetings were held:

Budget & Finance
Projects

At the conclusion of the Committee meetings, Chairperson Lathem called the Board meeting back to order at 12:42 p.m.

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12188. APPROVAL OF THE SEPTEMBER MINUTES

Commissioner Becker made a motion to approve meeting minutes for September 19, 2023, seconded by Commissioner Decker, and approved by a voice vote of 12-0.

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12189. DELAWARE RIVER AND BAY AUTHORITY – TRAFFIC AND REVENUE SUMMARY.

The Chief Financial Officer (CFO) presented charts showing Actual versus Projected Revenues for the Delaware Memorial Bridge, the Cape May-Lewes Ferry, Airports, Delaware City-Salem Ferry Crossing and Food Service for September charts were ordered filed with the permanent records of the Authority.

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12190. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for September 2023 with comparisons to the same periods last year.

Without objection, the charts were ordered filed with the permanent records of the Authority.

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12191. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for September 2023 showing expenses by division for the quarter to date vs. the projected quarter and for year to date vs. total budget.

Without objection, the charts were ordered filed with the permanent records of the Authority.

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12192. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for September 2023 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 charts were ordered filed with the permanent records of the Authority.

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12193. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR SEPTEMBER 30, 2023.

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

Without objection, the charts were ordered filed with the permanent records of the Authority.

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12194. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Lathem noted (3) Contract Awards, (1) Contract Close-Out, and (2) Resolutions were being considered at today’s meeting.

All action items requiring committee action have been reviewed and recommended for consideration during today’s Committee meetings. He then called for public comment on any action items.

There was no public comment on action items before the Board.

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12195. AWARD OF CONTRACT #WWD-22-02R – CONSTRUCTION OF MULTI-TENANT BUILDING #3 AND SITEWORK

The Chief Operations Officer (COO) noted that a public bid opening was held on September 26, 2023. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, Arthur J. Ogren, Inc. of Vineland, New Jersey in the amount of \$4,335,000.02.

A motion to award CONTRACT #WWD-22-02R to the aforementioned firm was made by Commissioner Ratchford, seconded by Commissioner Ransome, and approved by a voice vote of 11-0-1. Vice- Chairperson Hogan abstained from voting.

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12196. AWARD OF CONTRACT #CMLF-C23-50R – ROUGH TERRAIN SCISSOR LIFT

The Chief Operations Officer (COO) noted that a public bid opening was held on September 20, 2023. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, JESCO Inc. of Plainfield, New Jersey in the amount of \$48,040.00.

A motion to award CONTRACT #CMLF-23-50R to the aforementioned firm was made by Commissioner Becker, seconded by Commissioner Ransome, and approved by a voice vote of 12-0.

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12197. AWARD OF CONTRACT #CMLF-L23-50R – SELF-PROPELLED ARTICULATED BOOM LIFT

The Chief Operations Officer (COO) noted that a public bid opening was held on September 20, 2023. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder, Evergreen Specialty Services of Commack, New York in the amount of \$117,250.00.

A motion to award CONTRACT #CMLF-L23-50R to the aforementioned firm was made by Commissioner Becker, seconded by Commissioner Wilson, and approved by a voice vote of 12-0.

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12198. CLOSE-OUT CONTRACT #33N-22-01 – HVAC SYSTEM MODERNIZATION

CONTRACT #33N-22-01 – HVAC SYSTEM MODERNIZATION to I.D. Griffith, Inc. of Wilmington, Delaware.

It is recommended that the Authority accept this project and make the final payment to the contractor. The final cost of this project is \$114,591.25.

A motion to Close-Out Contract #33N-22-01 was made by Commissioner Becker, seconded by Commissioner Wilson, and approved by a voice vote of 12-0.

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12199. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

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RESOLUTION 23-55 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 23-28 FOR THE PERIOD, JANUARY 1, 2023, THROUGH DECEMBER 31, 2023

WHEREAS, The Delaware River and Bay Authority (the “Authority”) adopted Resolution 23-28 requiring Commissioner review and approval of all Authority expenditures in excess of \$50,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$50,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY
VENDORS PROJECTED TO BE PAID OVER \$50,000
FOR THE PERIOD 1/1/23 THROUGH 12/31/23

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
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VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Assurance Media, LLC	Authority-wide Conference Room Upgrades	State Contract	\$220,000
Keystone Outdoor Advertising Company, Inc.	Digital Billboard Advertising Associated with Commercial Air Service at ILG	Committee Waiver	\$53,000

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

Resolution 23-55 was moved by Commissioner Decker, seconded by Commissioner Becker, and was approved by a roll call vote of 12-0.

Resolution 23-55 - Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 23-28 for the period January 1, 2023, through December 31, 2023.

Committee: Budget & Finance

Committee and Board Date: October 17, 2023

Purpose of Resolution:

Authorizes expenditures of \$50,000 or greater with the identified vendors during the 2023 calendar year.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 23-28, 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 \$50,000 or more unless it has first been approved by a vote of Commissioners.

Purchase Detail:

Assurance Media, LLC: Authority-wide Conference Room Upgrades

The Authority plans to upgrade (1) conference room at the New Castle Airport, one (1) at the Cape May Administration Building, one (1) at the Lewes Administration Building, and two (2) at the Delaware Memorial Bridge Administration Building to enhance functionality, incorporating modern technology and design elements for improved meeting experiences. The upgrade is aimed at improving flexibility and collaboration among conferencing sites. The replacement equipment, professional services, and

implementation will be procured at prices pursuant to Assurance Media’s state contract (GSS21745-AV_EQPTCONF).

Keystone Outdoor Advertising Company, Inc.: Digital Billboard Advertising Associated with Commercial Air Service at ILG

The Authority plans to contract with Keystone Outdoor Advertising to provide digital billboard advertising related to the Air Service Incentive Agreement and the airport marketing associated with commercial air service at ILG.

**Classification Definitions:
Committee Waiver.**

The Budget and Finance Committee, in consideration of the overall procurement process, may increase or waive the thresholds established in paragraphs 1 and 2 of Resolution 98-31 for the following reasons: operational needs and issues, a need for uniformity and continuity in materiel and services required by the Authority, and unique or 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 (DRBA Resolution 98-31 Part 3).

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 23-56 – AUTHORIZES A DECLARATION OF SURPLUS PROPERTY AND DONATION FOR CERTAIN AUTOMATED EXTERNAL DEFIBRILLATORS

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state agency created by Compact for the purpose of developing the areas in Delaware and New Jersey bordering the Delaware River and Bay for transportation, port and terminal purposes; and

WHEREAS, it is necessary to update the Authority’s safety equipment from time to time; and

WHEREAS, the Authority has 12 Automated External Defibrillators (“AEDs”) which were purchased more than 10 years ago; and

WHEREAS, the Authority has replaced the AEDs with newer models; and

WHEREAS, the Budget and Finance Committee, at a meeting on October 17, 2023, following the recommendation of the CFO, authorized the declaration of these AEDs as surplus property in accordance with the Authority’s Real Property and Tangible Assets Disposition Policy (the “Policy”); and

WHEREAS, the items declared as surplus have nominal value, have no viable resale market, and cannot be easily maintained by the Authority’s current vendors, and would cost more to continue maintaining than they are worth; and

WHEREAS, several community-based, non-profit youth sports organizations have expressed an interest in acquiring the AEDs and undertaking any necessary future maintenance and training necessary for continued use of these devices; and

WHEREAS, the Budget and Finance Committee recommends donation of the AEDs to the following youth sports organizations:

- Roberto Clemente Baseball League
- Bear Babe Ruth Baseball League
- New Castle Little League
- Merchantville/Pennsauken Little League
- Rancocas Valley Little League
- Oaklyn Little League

WHEREAS, should there be any AEDs remaining after donation to the above-referenced organizations or should any of these organizations later decline the donation, the Budget and Finance Committee recommends donation of the AEDs to other similarly situated youth sports organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby authorizes the donation of certain AEDs to various youth sports organizations.

Resolution 23-56 was moved by Commissioner Decker, seconded by Commissioner Becker, and was approved by a roll call vote of 12-0.

Resolution 23-56 - Executive Summary Sheet

Resolution: AUTHORIZES A DECLARATION OF SURPLUS PROPERTY AND DONATION FOR CERTAIN AUTOMATED EXTERNAL DEFIBRILLATORS

Committee: Budget & Finance

Committee Date: October 17, 2023

Board Date: October 17, 2023

Purpose of Resolution:

Resolution 23-57 formally authorizes donation of Automated External Defibrillators to various youth sports organizations.

Background for Resolution:

The Authority periodically updates its’ safety equipment. It currently has 12 Automated External Defibrillators (AEDs) which are still in usable condition, but not suitable for Authority purposes. The Authority desires to dispose of unnecessary items in its inventory. These units are approximately 13 years old and no longer serviced by Authority vendors. The Authority has replaced these units with new models. The Authority has identified a number of youth sports organizations who have expressed interest in utilizing these devices. The items are of nominal value and there is not a resale market for same. The Authority believes it is reasonable and proper to donate these items to youth sports organizations.

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12200. EXECUTIVE DIRECTOR’S COMMENTS

The Executive Director discussed the DRBA participation in the Governor’s Central Delaware Career Expo focusing on middle school students.

Commissioner Becker joined the DRBA to acknowledge the 50 millionth passenger on the Cape May Lewes Ferry.

The Executive Director presented a video of Dancing with the SCC Stars. The Executive Director danced for a good cause and raised over \$8,000.00 for Salem Community College Foundation.

DRBA Police “Drug Take Back Initiative” 10 a.m. – 2 p.m. - Saturday, October 28, 2023
Wilmington Airport - Lewes Ferry Terminal - Cape May Ferry Terminal.

Tuesday, November 21, 2023 – Board of Commissioners Meeting – 10 a.m., James Julian Board Room

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12201. COMMISSIONERS PUBLIC FORUM

Chairperson Lathem called for comments from Commissioners.

Commissioner Smith thanked the Executive Director for participating in Dancing with the SCC Stars. Salem Community College Foundation raised over \$100,000.00.

Commissioner Lathem called for comments from the Public.

No comments from the public.

A motion to adjourn the Board meeting at 12:53 p.m. was made by Commissioner Becker, seconded by Commissioner Ratchford, and approved by a voice vote of 12-0.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Stephen D. Williams, A.A.E.
Assistant Secretary