

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Meeting of July 31, 2006

CALL TO ORDER

The Regular Monthly Meeting of the Delaware River Joint Toll Bridge Commission was Called to Order at the Operations/Maintenance Building, New Hope, Pennsylvania, on Monday, July 31, 2006 at 10:05 a.m., pursuant to notice properly forwarded to each member in compliance with the By-Laws. Philip Mugavero, Chairman from the State of New Jersey presided at this Meeting. The Commission met in Executive Session to discuss legal and personnel matters prior to this meeting.

APPEARANCES

COMMISSION MEMBERS:

Hon. Gaetan Alfano (Pennsylvania)
Hon. David DeGerolamo (New Jersey)
Hon. J. Alan Fowler (Pennsylvania) (Conferenced)
Hon. Bernard Griggs, Jr. (Pennsylvania)
Hon. Donald Hart (New Jersey)
Hon. William Hodas (New Jersey)
Hon. Jim P. McManimon (New Jersey)
Hon. Philip Mugavero (New Jersey)
Hon. John Prevoznik (Pennsylvania)
Hon. Robin Wiessmann (Pennsylvania) (Conferenced)

COMMISSION GENERAL COUNSEL:

Loren Danzis, Fox Rothschild, Pennsylvania Legal Counsel
Mark Peck, Florio, Perrucci and Steinhardt, New Jersey General Counsel

COMMISSION LABOR COUNSEL:

John Casey, Wolff and Samson, New Jersey Labor Counsel
Jonathan Bloom, Stradley Ronon, Pennsylvania Labor Counsel

GOVERNORS AUTHORITIES:

James Carey, New Jersey Governor's Office
B. J. Clark, Pennsylvania Governor's Office

**REPRESENTING THE COMMISSION'S COMMUNICATIONS CONSULTANT:
BELLEVUE COMMUNICATIONS**

Pete Peterson, Bellevue Communications
Kim Maialetti, Bellevue Communications

REPRESENTING THE COMMISSION'S INSURANCE CONSULTANTS;

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Pat Maiese, D.E. Love Associates

COMMISSION STAFF MEMBERS:

Frank G. McCartney, Executive Director
Frank J. Tolotta, Deputy Executive Director of Operations
Jerry Fuqua, Chief Administrative Officer
George Alexandridis, Chief Engineer
Stephen Cathcart, Comptroller
Linda Spalinski, Director Community Affairs

OTHERS:

Pat Snyder, NJDOT
Precious Petty, Express
Brian Scheid, Bucks County Courier Times
Bill Doolittle, Pocono Record
Frank Bankard, International Union of Operating Engineers

ROLL CALL

Frank G. McCartney, Executive Director, in his capacity as Secretary for this Meeting, called the Roll, and at the conclusion thereof, reported that there was a quorum present--there being five Members present from Pennsylvania and five Members present from New Jersey.

WELCOMING REMARKS OF CHAIRMAN

Chairman Mugavero welcomed those persons whose identities are set forth hereinabove under "Appearances".

INTRODUCE ANY COMMENTS FROM THE PUBLIC

Chairman Mugavero addressed the meeting and invited any comments from the Public or Press on items pertaining to today's Agenda.

EXECUTIVE DIRECTOR'S REPORT

FLOOD UPDATE

The Flood of 2006 marked the third major flooding of the Delaware River in the past two years, and, like the prior two incidents had a substantial impact on the operations of the Commission. The high flood waters lasted over a three day period from June 27 to June 30 following several days of heavy rains. Beginning on June 27, Commission staff began recording water elevations every hour at our bridge crossings. On the morning of June 28th, Commission staff reported rapidly rising river elevations and increasing river flow velocities consistent with flooding that

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occurred in the spring of 2005. Based on these reports, and on reports from surrounding municipalities that approach roadways were becoming impassable, the Commission determined that low elevation toll-supported structures should be closed.

A total of ten of the Commission's twenty bridges were closed, including the Riverton-Belvedere, Northampton Street, Riegelsville, Upper Black Eddy-Milford, Uhlerstown-Frenchtown, Centre Bridge-Stockton, New Hope-Lambertville, and Washington Crossing Toll Supported Bridges, as well as the Commission's Lumberville-Raven Rock and Portland-Columbia Pedestrian Bridges. The closure of these toll-supported bridges, as well as a number of secondary roads in the region due to flooding, resulted in increased traffic on our toll bridges. To help reduce congestion and reduce the travel time for drivers, the Commission took the step of waiving tolls during the PM commute on Wednesday, June 28th. As the flooding conditions continued, the Commission – in consultation with the Governors of Pennsylvania and New Jersey, again waived toll collections during the morning and evening rush hour on Thursday, June 29th and Friday, June 30th. Although popular with the public, the waived tolls resulted in a net revenue loss of \$214,000, even when off set by the increased traffic volumes on the bridges.

The high water mark at our northern most facility, the Milford-Montague Toll Bridge, occurred at 2:00 pm on June 29th and at 10:00 pm on June 29th at the Calhoun Street Toll Supported Bridge at the southern end of the Commission's jurisdiction. Based on our data, it appears the Flood of 2006 is comparable to the Flood of 2005 with high water elevations ranging from 1.85 feet higher at the Northampton Street Toll Supported Bridge to about half a foot lower at the Centre Bridge-Stockton Toll Supported Bridge. Despite initial fears, the high water marks of the 2006 flood were well below those of the Flood of 1955. Flood water levels ranged from three feet to seven and a half feet below the high water marks of the 1955 storm.

As the flood waters continued to recede on June 30th, inspection teams were dispatched to each of our 10 bridges to assess their condition. Those inspections found that damage or debris accumulation was significant enough on the Northampton Street, Uhlerstown-Frenchtown, and the New Hope-Lambertville Toll Supported Bridges to require the mobilization of emergency contractors. In the case of the New Hope-Lambertville Toll Supported Bridge, the bridge sustained damage to the lower chord that requires repair. Although we are still finalizing a plan to conduct the necessary repairs, a lengthy closure of the bridge will not be necessary

As has been the case with past flooding incidents, the performance of Commission personnel was exemplary – ranging from providing assistance to local communities, coordinating activities with local emergency management officials, keeping the public updated on the status of our bridges, and inspecting and reopening our bridges in a timely manner.

NORTHERLY CROSSINGS CORRIDOR CONGESTION MITIGATION STUDY

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We have with us today Jim Yeager, a consultant from Michael Baker who will provide Commissioners with a briefing on the conclusions and recommendations of the recently completed Northerly Crossings Corridor Congestion Mitigation Study. This comprehensive study assessed current and future transportation needs through the year 2030 on and around our northernmost bridges, the Milford-Montague, Delaware Water Gap (I-80), and the Portland-Columbia Toll Bridges. We will go into some of the details of the report later in today's meeting, but I do want to note that this report provides excellent recommendations to reduce traffic congestions at these facilities, particularly at the Delaware Water Gap (I-80) Toll Bridge.

TRENTON-MORRISVILLE (ROUTE 1) TOLL BRIDGE REHABILITATION

The Commission is moving forward with the rehabilitation of the Trenton-Morrisville (Route 1) Toll Bridge, work that will improve safety and reduce congestion. The rehabilitation project will also enhance toll plaza operations, mitigate noise impacts and improve interchange access. Plans include adding a northbound auxiliary lane. Commissioners will vote today to provide authority to award a contract for construction management and inspection services associated with the project. In addition, construction bid documents are scheduled to be advertised today. Early estimates indicate construction costs will be more than \$50 million. Construction activity is expected to begin in the fall of 2006 and be completed by the end of 2009

RIVERTON-BELVIDERE TOLL SUPPORTED BRIDGE REHABILITATION

The Commission is also making significant progress on the rehabilitation of the Riverton-Belvidere Toll-Supported Bridge. These capital improvements include replacing the floor system, sidewalk and railing; replacing or repairing deteriorated steel members; blast cleaning and painting of the bridge; and performing necessary substructure repairs. Commissioners will vote today to award the construction contract for the project with construction slated to begin September 18, 2006, after Belvidere Victorian Days, and continuing through July 2007. At the request of local residents and businesses, a break from construction will occur from November 18, 2006 through January 2, 2007. Demonstrating our willingness to work with local communities to mitigate disruption, the bridge will remain open Tuesday through Friday during the construction period, with single lane closures during off peak travel times. Closures of the bridge will take place Saturday night through early Tuesday morning to provide the contractor with a necessary 56 hour window of uninterrupted work to conduct repairs.

APPROVAL OF MINUTES FOR COMMISSION MEETING HELD JUNE 26, 2006

R: 1006-07-06 - ADM-01-07-06

Chairman Mugavero addressed the meeting and invited the introduction of a Resolution approving the Minutes of the Commission Meeting held June 26, 2006.

At the conclusion of the review, Commissioner Prevoznik and Commissioner McManimon seconded the adoption of the following Resolution:

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"**RESOLVED**, by the Delaware River Joint Toll Bridge Commission, at its Regular Meeting assembled this 31st day of July 2006, that the Minutes of the Commission Meeting held June 26, 2006, be and the same hereby are approved."

Chairman Mugavero invited any questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

OPERATIONS REPORT-JULY 2006

R: 1007-07-06 - ADM-02-07-06

Chairman Mugavero addressed the meeting and asked if there were any questions on any of the reports contained in the "Operations Report".

At the conclusion of the review, Commissioner McManimon moved and Commissioner Hodas seconded the adoption of the following Resolution:

"**RESOLVED**, by the Delaware River Joint Toll Bridge Commission, at its Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, acknowledges receipt, understanding and authorizes filing of the report entitled, 'Operations Report Meeting of June 26, 2006, as set forth in the Supplement to the Minutes of this Meeting.'"

Chairman Mugavero invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

RIVERTON-BELVIDERE TOLL SUPPORTED BRIDGE REHABILITATION-AWARD OF CONSTRUCTION CONTRACT TS-371

R: 1008-07-06 – ENG-02-07-06

Chairman Mugavero addressed the Meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review Commissioner Hodas moved and Commissioner DeGerolamo seconded the adoption of the following Resolution:

"**RESOLVED**, by the Delaware River Joint Toll Bridge Commission, at its Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes that the Commission award the Riverton-Belvidere Toll Supported bridge Rehabilitation, Contract No. TS-371A to the lowest responsible bidder, J.D. Eckman, Inc. of Atglen, Pennsylvania for an amount of \$7,871,462.25; and

"**RESOLVED**, identifies the General Reserve Fund as the source of funds required for payment of any invoices; and

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“**RESOLVED**, the Executive Director is hereby authorized to approve and execute all necessary contracts on behalf of the DRJTBC.”

Chairman Mugavero invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

EMERGENCY REPAIRS FOR FLOOD OF JUNE 2006

R: 1009-06-06 – ENG-05-07-06

Chairman Mugavero addressed the Meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review, Commissioner Alfano moved and Commissioner McManimon seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes the Executive Director in consultation with the Chair and Vice Chair of the Commission, to execute all appropriate and applicable contracts, based on preliminary and final engineering analysis and reports to address and immediately proceed with the necessary emergency repairs on its facilities resulting from the Flood of June 2006 in an amount not-to-exceed \$1,000,000 ; and

“**RESOLVED**, Identify the General Reserve Fund as the source of funds required for payment of any invoices; and

“**FURTHER RESOLVED**, the Executive Director is hereby authorized to approve and execute all necessary contracts on behalf of the DRJTBC.”

Chairman Mugavero invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

CM/CI SERVICES FOR RIVERTON-BELVIDERE TOLL SUPPORTED BRIDGE REHABILITATION-AWARD OF CONTRACT CM-371A

R: 1010-06-06 – ENG-01-07-06

Chairman Mugavero addressed the Meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review, Commissioner Alfano moved and Commissioner DeGerolamo seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes the Executive Director in consultation with the Chair and Vice Chair of the Commission, to award the contract to the Consultant whose proposal has been deemed qualified through the RFLOI

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procurement process and determined to be fair, reasonable and in the best interest of the Commission. The award to be ratified by the full Commission at the next available Commission Meeting following award by the Executive Director; and

“RESOLVED, Identify the General Reserve Fund as the source of funds required for payment of any invoices; and

“FURTHER RESOLVED, the Executive Director is hereby authorized to approve and execute all necessary contracts on behalf of the DRJTBC.”

Chairman Mugavero invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

**CM/CI SERVICES FOR TRENTON-MORRISVILLE TOLL BRIDGE
REHABILITATION AND ONE AUXILIARY NORTHBOUND LANE, AWARD OF
CONTRACT CM-380B**

R: 1011-06-06 – ENG-03-07-06

Chairman Mugavero addressed the Meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review, Commissioner Prevoznik moved and Commissioner McManimon seconded the adoption of the following Resolution:

“RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it’s Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes the Executive Director in consultation with the Chair and Vice Chair of the Commission, to award the contract to the Consultant whose proposal has been deemed qualified through the RFLOI procurement process and determined to be fair, reasonable and in the best interest of the Commission. The award to be ratified by the full Commission at the next available Commission Meeting following award by the Executive Director; and

“RESOLVED, Identify the General Reserve Fund as the source of funds required for payment of any invoices; and

“FURTHER RESOLVED, the Executive Director is hereby authorized to approve and execute all necessary contracts on behalf of the DRJTBC.”

Chairman Mugavero invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

**CM/CI SERVICES FOR SCUDDER FALLS TOLL SUPPORTED BRIDGE DECK
JOINT REPLACEMENT- AWARD OF CONTRACT CM-393C**

R: 1012-06-06 – ENG-04-07-06

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Chairman Mugavero addressed the Meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review, Commissioner Fowler moved and Commissioner Prevoznik seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes the Executive Director in consultation with the Chair and Vice Chair of the Commission, to award the contract to the Consultant whose proposal has been deemed qualified through the RFLOI procurement process and determined to be fair, reasonable and in the best interest of the Commission. The award to be ratified by the full Commission at the next available Commission Meeting following award by the Executive Director; and

"RESOLVED, Identify the General Reserve Fund as the source of funds required for payment of any invoices; and

"FURTHER RESOLVED, the Executive Director is hereby authorized to approve and execute all necessary contracts on behalf of the DRJTBC."

Chairman Mugavero invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

CREATION OF A POSITION-DIRECTOR OF PLANTS AND FACILITIES

R: 1013-07-06 – HR-01-07-06

Chairman Mugavero addressed the Meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review Commission Hodas moved and Commissioner DeGerolamo seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, the Commission authorizes the creation of a position of Director of Plants and Facilities."

Chairman Mugavero invited questions on the Resolution. No questions were presented and the Resolution was unanimously adopted.

APPOINTMENT OF TOLL COLLECTOR-TRENTON-MORRISVILLE TOLL BRIDGE-NICOLE RINKUS

R: 1014-07-06 - HR-02-07-06

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Chairman Mugavero addressed the Meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review Commission Griggs moved and Commissioner Alfano seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes The Appointment of Nicole Rinkus to the position of Toll Collector at the Trenton-Morrisville Toll Bridge with compensation fixed at \$33,589 per annum, which is the minimum step in range for the Toll Collector position (\$33,589-\$42,870) pending satisfactory completion of the required personnel processing; and

"FURTHER RESOLVED, that the Commission authorizes the Executive Director to effect the employment of Nicole Rinkus to the Toll Collector Position foregoing resolution."

Chairman Mugavero invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

**APPROVAL FOR PAYMENT OF INVOICE
FOX ROTHSCHILD, PA LEGAL COUNSEL**

R: 1015-06-06 - ACCT-01-07-06

Chairman Mugavero addressed the meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review Commissioner Alfano moved and Commissioner Prevoznik seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes approval for payment of invoice dated June 22, 2006 in the total amount of \$4,815.00, for professional services rendered to Fox Rothschild, PA Legal Counsel; and

"FURTHER RESOLVED, the Operating Fund as the source of funds required for any and all disbursements."

Chairman Mugavero invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

**APPROVAL FOR PAYMENT OF INVOICE
STRADLEY RONON, PENNSYLVANIA LEGAL COUNSEL**

R: 1016-07-06 - ACCT-02-07-06

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Chairman Mugavero addressed the meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review Commissioner Alfano moved and Commissioner Prevoznik seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution authorizes approval for payment of invoice dated June 29, 2006 in the total amount due of \$2,805.68 for professional services to Stradley Ronon, PA Labor Counsel; and

"FURTHER RESOLVED, identifies the Operating Fund as the source of funds required for any and all disbursements."

Chairman Mugavero invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

**APPROVAL FOR PAYMENT OF INVOICE
FLORIO, PERRUCCI STEINHARDT AND FADER, NEW JERSEY LEGAL COUNSEL**

R: 1017-07-06 - ACCT-03-07-06

Chairman Mugavero addressed the meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review Commissioner Alfano moved and Commissioner Prevoznik seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes approval for payment of invoice dated July 7, 2006 in the amount of \$4,996.95 for professional services rendered to Florio, Perrucci, Steinhardt and Fader, NJ Legal Counsel;

"FURTHER RESOLVED, the Operating Fund as the source of funds required for any and all disbursements."

Chairman Mugavero invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

**APPROVAL FOR PAYMENT OF INVOICE
WOLFF & SAMSON, NEW JERSEY LABOR COUNSEL**

R: 1018-07-06 - ACCT-04-07-06

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Chairman Mugavero addressed the meeting and asked the Commission Members if after their review, there were any questions.

At the conclusion of the review Commissioner Alfano moved and Commissioner Prevoznik seconded the adoption of the following Resolution:

"RESOLVED, by the Delaware River Joint Toll Bridge Commission, at it's Regular Meeting assembled this 31st day of July 2006, that the Commission, via this Resolution, authorizes approval for payment of invoice dated July 13, 2006 in the amount of \$3,584.75 to Wolff and Samson, New Jersey Labor Counsel;

"FURTHER RESOLVED, the Operating Fund as the source of funds required for any and all disbursements."

Chairman Mugavero invited questions on the Resolution, but no questions were presented. The Resolution was unanimously adopted.

ANNOUNCEMENT MADE BY EXECUTIVE DIRECTOR-UNION MATTER

Executive Director McCartney addressed the meeting and announced that the Commissioners of the Delaware River Joint Toll Bridge Commission have agreed to move forward with an election to determine if employees of the Delaware River Joint Toll Bridge Commission want to be represented by a union.

INTRODUCE ANY COMMENTS FROM THE PUBLIC

Chairman Mugavero addressed the meeting and invited any comments from the Public or Press.

Frank Bankard, representative with the Union of Operating Engineers, addressed the Meeting and thanked the Commissioners for moving toward an election for union representation.

SCHEDULING OF THE REGULAR SEPTEMBER 2006 MEETING

Chairman Mugavero addressed the Meeting and stated that the Commission's next Regular meeting will be held September 25, 2006.

The Meeting will be Called to Order at 10:00 a.m. in the Directors' Room adjacent to the Operations/Maintenance Building, New Hope, Pennsylvania, on Monday, September 26, 2006.

ADJOURNMENT

Chairman Mugavero invited a motion for Adjournment.

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Commissioner Hodas then moved that the Meeting be adjourned and Commissioner Prevoznik seconded the motion. The voice vote was unanimously affirmative and the Meeting was adjourned at 10:55 p.m., Monday, July 31, 2006.

Prepared and submitted by:

WENDY VADOLA READING
Assistant Secretary Treasurer
To the Commission

Approved by:

FRANK G. McCARTNEY
Executive Director