

DELAWARE RIVER
JOINT TOLL BRIDGE COMMISSION
MINUTES
SPECIAL MEETING OF AUGUST 17, 2010

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

MEMBERS OF THE COMMISSION

NEW JERSEY

HONORABLE DAVID R. DEGEROLAMO
Chairman

HONORABLE DONALD HART

HONORABLE HARRY ZIKAS, JR

HONORABLE WILLIAM J. HODAS

HONORABLE YUKI MOORE LAURENTI

PENNSYLVANIA

HONORABLE GAETAN J. ALFANO
Vice Chairman

HONORABLE MELISSA HELLER

HONORABLE JAMES L. BROUGHAL
Secretary-Treasurer

HONORABLE BERNARD GRIGGS, JR.

HONORABLE JOHN PREVOZNIK

Revised 6/18/10

X:\Wendy's Files\Commission Mtgs from.2003 to present\Committee Pages\Current\Mbrs of the Commission (1) 6-29-09-
Corrected 6-18-10.doc

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

STANDING COMMITTEES

FINANCE, INSURANCE, MANAGEMENT OPERATIONS

PENNSYLVANIA: Alfano, Broughal
NEW JERSEY: Hart*, Zikas
Chairman-Ex Officio

HUMAN RESOURCES, AFFIRMATIVE ACTION AND TRAINING AND SAFETY

PENNSYLVANIA: Griggs, Broughal
NEW JERSEY: Hodas*, Laurenti
Chairman and Vice Chairman Ex-Officio

PROJECTS, PROPERTY AND EQUIPMENT

PENNSYLVANIA: Griggs*, Alfano
NEW JERSEY: Hart, Hodas
Chairman – Ex-Officio

PROFESSIONAL SERVICES COMMITTEE

PENNSYLVANIA: Alfano*, Heller
NEW JERSEY: Laurenti, Zikas
Chairman – Ex Officio

AUDIT COMMITTEE

PENNSYLVANIA: Prevoznik*, Heller,
NEW JERSEY: Zikas, Hart
Chairman and Vice Chairman Ex-Officio

ADMINISTRATIVE COMMITTEE

PENNSYLVANIA: Griggs, Broughal,
NEW JERSEY: Laurenti*, Hodas
Chairman and Vice Chairman Ex-Officio

CAI COMMITTEE

PENNSYLVANIA: Alfano, Broughal
NEW JERSEY: DeGerolamo*, Hart

CONTRACTS SUB-COMMITTEE

PENNSYLVANIA: Griggs*, Alfano
NEW JERSEY: DeGerolamo, Hodas

*Chairman of Committee

**DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION
RECAPITULATION OF COMMITTEE MEMBERSHIP**

DeGerolamo	(1) Ex-Officio of all Committees
Alfano	(1) Finance, Insurance, Management Operations Committee (2) Projects, Property and Equipment Committee (3) Contracts Sub-Committee (4) Professional Services Committee * Ex-Officio of all Committees
Broughal	(1) Finance, Insurance, Management Operations Committee (2) Human Resources, Affirmative Action and Training and Safety Committee (3) CAI Committee (4) Administrative Committee
Griggs	(1) Human Resources, Affirmative Action and Training and Safety Committee (2) Projects, Property and Equipment Committee (Chairman) (3) Contracts Sub-Committee (Chairman) (4) Administrative Committee
Hart	(1) Finance, Insurance Management and Operations Committee (Chairman) (2) Projects, Property and Equipment Committee (3) CAI Committee (4) Audit Committee
Heller	(1) Professional Services Committee (2) Audit Committee
Hodas	(1) Human Resources, Affirmative Action and Training and Safety Committee (Chairman) (2) Projects, Property and Equipment Committee (3) Contracts Sub-Committee (4) Administrative Committee
Laurenti	(1) Human Resources, Affirmative Action and Training and Safety Committee (2) Professional Services Committee (3) Administrative Committee (Chairman)
Prevoznik	(1) Audit Committee (Chairman)
Zikas	(1) Finance, Insurance, Management Operations Committee (2) Professional Services (2) Audit Committee

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

PROFESSIONAL ASSOCIATES

CONSULTING ENGINEERS

TRANSYSTEMS CONSULTING ENGINEERS
Paramus, New Jersey

LEGAL COUNSEL

FOX ROTHSCHILD, LLP
Philadelphia, Pennsylvania

FLORIO, PERRUCCI, STEINHARDT & FADER
Phillipsburg, New Jersey

EMPLOYMENT COUNSEL

STRADLEY, RONON, STEVENS & YOUNG
Philadelphia, Pennsylvania

WOLFF AND SAMSON
West Orange, New Jersey

AUDITOR

BOWMAN & COMPANY
Voorhees, New Jersey

FINANCIAL ADVISOR

NW FINANCIAL GROUP
Jersey City, New Jersey

COMMUNICATIONS CONSULTANT

BELLEVUE COMMUNICATIONS
Philadelphia, Pennsylvania

INVESTMENT ADVISOR

TD BANK
Pennsylvania

Revised 2009

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

ORGANIZATION CHART
THURSDAY, JULY 23, 2009

COMMISSIONERS

Executive Director
Frank G. McCartney

Chief Engineer
George G. Alexandridis

Assistant Chief Engineer
Roy Little

**Senior Program Area
Manager**
Kevin Skeels

**Deputy Executive Director
of Communications**
Joseph Donnelly

Director of Community Affairs
Richard McClellan

Director of Policy & Planning
Glenn Reibman

**Chief Administrative
Officer**
Arnold Conoline

Director of Human Resources
Patrick Heron

Director of Purchasing
David Burd

Director of E-ZPass
Yvonne Kushner

**Deputy Executive Director
of Operations**
Frank J. Tolotta

District Superintendents
Jack Prior (Acting), D I
Lendell Jones, D II
Bryan Hill, D III

Director of Plants & Facilities
Frank Beruta

**Director of Security Safety
and Training**
James P. Stettner

**Director of Electronic
Security Surveillance**
Matthew Hartigan

**Director of Information
Technology**
Mary Jane Hansen

**Director of Compact
Authorized Investments**
Julio Gundy

Chief Financial Officer
Sean P. McNeeley

Comptroller
Stephen Cathcart



DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

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CALL TO ORDER

The Special Meeting of the Delaware River Joint Toll Bridge Commission was Called to Order at the New Hope Headquarters and Administration Building, 2492 River Road, New Hope, Pa. 18938-9579 in the Boardroom, on Tuesday, August 17, 2010 at 11:05 am pursuant to notice properly forwarded to each member in compliance with the By-Laws. David DeGerolamo, Chairman, 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. James L. Broughal (Pennsylvania)
Hon. David DeGerolamo (New Jersey)
Hon. Donald Hart (New Jersey)
Hon. Melissa Heller (Pennsylvania)
Hon. William Hodas (New Jersey)
Hon. Bernard Griggs (Pennsylvania)
Hon. Yuki Moore Laurenti (New Jersey) (Via conference call)
Hon. Harry Zikas, Jr. (New Jersey)

COMMISSION MEMBER ABSENT:

Hon. John Prevoznik (Pennsylvania)

COMMISSION GENERAL COUNSEL:

Levin Czubaroff, Fox Rothschild Pennsylvania Legal Counsel
Keith Barrack, Florio, Perrucci, Steinhardt and Fader
Marcel L. Groen, Fox Rothschild

COMMISSION LABOR COUNSEL:

Nichole Stover, Stradley Ronon, Pennsylvania Labor Counsel
John Casey, Wolff and Samson, New Jersey Employment Counsel (Via Conference Call)

GOVERNORS REPRESENTATIVES:

Maura Tully, NJ Governor's Authority Unit (Via Conference Call-Executive Session)
Alex Ficken, Pennsylvania

REPRESENTING THE COMMISSION'S COMMUNICATIONS CONSULTANTS: BELLEVUE COMMUNICATIONS

Pete Peterson

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COMMISSION STAFF MEMBERS:

Frank G. McCartney, Executive Director
Frank J. Tolotta, Deputy Executive Director of Operations
George Alexandridis, Chief Engineer
Sean McNeeley, Chief Financial Officer
Stephen Cathcart, Comptroller
Patrick Heron, Director of Human Resources
Arnold Conoline, Chief Administrative Officer

OTHERS:

Ryan Bevitz, Legislative Assistant to Representative Steve Santarsiero
Joseph Becker, The American Legion
Silviu Dochia, Jeffrey Parker
Aaron Barman, AMB Consult, LLC
Christopher Carter, George Harms Construction Co
David Klinges, Piper Jaffray
Kathy Diringer, NJDOT
D. Brice Urquhart, FIGG
Justin Palfreyman, LAZARD

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 the Commonwealth of Pennsylvania and five members present from the State New Jersey.

WELCOMING REMARKS OF CHAIRMAN

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

INTRODUCE ANY COMMENTS FROM THE PUBLIC

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

Ryan Bevitz, Legislative Aide from Representative Santarsiero office addressed the meeting and read a letter from Representative Santarsiero regarding the Scudder Falls Bridge. The referenced letter can be found on page A-1, of the Supplement to the Minutes of this Meeting.

Executive Director McCartney addressed the meeting and stated in regard to Representative Santarsiero's reference in his letter to conduct a diversion study on Scudder Falls Bridge, the

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Commission has commissioned such a diversion study, and we are expecting a draft final report this week or next week. After the Commissioners have reviewed the study, a response will then be provided to Representative Santarsiero's request.

APPROVE THE REQUEST FOR PROPOSAL-FINANCIAL/LEGAL ADVISORY SERVICES FOR A P3 FOR SCUDDER FALLS BRIDGE REPLACEMENT PROJECT, DRJTBC CONTACT NO. C-393G-1- CAPITAL PROJECT NO. 0301A

R: 2094-08-10 - ADM-01-08-10

Chairman DeGerolamo addressed the Meeting and requested a motion to approve the Request for Proposal-Financial/Legal Advisory Services for a P3 for Scudder Falls Bridge Replacement Project.

Commissioner Broughal moved and Commissioner Heller seconded the adoption of the Resolution:

Chairman DeGerolamo requested Executive Director McCartney provide a detailed explanation of this of the proposed Request for Proposal.

At the conclusion of the review, Chairman DeGerolamo invited any comments from the Commissioners regarding the Resolution.

Commissioner Laurenti addressed the meeting and said:

"I am concerned that this RFP automatically tilts the end result since it will be directed to firms with experience in the public private partnership realm.

If we wanted dispassionate impartial guidance, it would be better to use a university or public policy school for a detached view rather than a firm that makes money from this area.

I have confidence in the Commission's staff to execute the Scudder Falls Bridge project. It may well be that a public private partnership is antithetical to the effective provision of public services.

The advocates should make a better case before we spend the Commission's money on this RFP."

Vice Chairman Alfano addressed the meeting and said

"The only comment I have is that there are a couple of decisions that we reached here that I think are irrevocable, and the first is an acknowledgment by the Commission that the bridge over this crossing needs to be replaced. The second is that it's appropriate to toll it primarily because if it is not tolled, then the

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burden of having to fund the replacement of this bridge ultimately will fall in -- on those communities for which we presently have toll bridges predominately in the northeastern part of my state as opposed to the bridge at Scudder Falls. This proposal is innovative. It may ultimately yield and hopefully yield the result the Commission seeks, which is a prompt way and a quick way in which to construct this bridge, but we I think will be in a better position to know that once this RFP is executed, responded to and assessed, we can then evaluate as Commissioners."

Chairman DeGerolamo addressed the meeting and said:

"At this time I would just like to take a moment to acknowledge Commissioner Laurenti's concern. I believe that the good process that we put in place related to the RFP's and the analysis that would be done, we are taking some appropriate steps for the Scudder Falls Bridge project. I think there are some benefits to it that I think we can glean from the responses in regard to the RFP, and at that time we can then make a more informed decision about the best way to move forward, whether it's through a P3 or whether it's through the Commission doing some part of hybrid of a P3 or whether it's the Commission doing this project on its own. I think we have some very good information out of this process. I look forward to engaging in those conversations at the future Commission meetings to see that eventually the Scudder Falls Bridge project does move forward alongside of the other improvements, both the 4.4 miles of road structure that will be improving in both Pennsylvania in New Jersey. So this will, at the end of the day, be a benefit to this area regardless of toll."

At the conclusion of the review, Chairman DeGerolamo requested a Roll Call Vote for the adoption of the Resolution

PENNSYLVANIA		NEW JERSEY			
	<u>Yea</u>	<u>Nay</u>			
Gaetan Alfano	<u>X</u>	_____	David DeGerolamo	<u>X</u>	_____
Melissa Heller	<u>X</u>	_____	William Hodas	<u>X</u>	_____
Bernard Griggs	<u>X</u>	_____	Donald Hart	_____	<u>X</u>
James Broughal	<u>X</u>	_____	Harry Zikas	<u>X</u>	_____
			Yuki Laurenti	_____	<u>X</u>

At the conclusion of the roll call there were 4 affirmative votes from Pennsylvania and three affirmative votes from New Jersey, producing a majority vote, and the following Resolution was adopted:

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"**RESOLVED**, by the Delaware River Joint Toll Bridge Commission at its Regular Meeting assembled this 17th day of August that the Commission, via this resolution, directs the Commission staff to issue/post on its website the Request for Proposal for Financial/Legal Advisory Services for a P3 for Scudder Falls Bridge Replacement Project, DRJTBC Contract No. C-393G-1-Capital Project No. 0301A, on Friday, August 20, 2010."

Chairman DeGerolamo then asked if there were any further questions on the Resolution. No questions were presented and the Resolution was adopted.

INTRODUCE ANY FURTHER COMMENTS

Chairman DeGerolamo addressed the meeting and invited any further comments.

EXECUTIVE SESSION

Chairman DeGerolamo requested a motion to move into Executive Session at the conclusion of this meeting to discuss issues related to an RFP concerning our E-ZPass:

Commissioner Heller moved and Commissioner Laurenti seconded the adoption of the following Resolution:

"**RESOLVED**, by the Delaware River Joint Toll Bridge Commission, at Regular Meeting assembled this 17th day of August 2010, that the Commission, via this Resolution, agrees to conduct an Executive Session for the purpose of discussing RFP concerning EZPass."

Chairman DeGerolamo invited questions on the Resolution, but no questions were presented, and the resolution was unanimously adopted.

ADJOURNMENT

Chairman DeGerolamo invited a motion for Adjournment of the Public Meeting.

Commissioner Zikas then moved that the Meeting be adjourned and Commissioner Laurenti seconded the motion. The voice vote was unanimously affirmative and the Meeting was adjourned at 11:18 p.m. Tuesday, August 17, 2010.

Prepared and submitted by:



WENDY VADOLA READING

Assistant Secretary Treasurer to the Commission

Approved by:



FRANK G McCARTNEY
Executive Director

** All Italicized paragraphs are verbatim from Transcription*

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31ST LEGISLATIVE DISTRICT

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HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

COMMERCE
ENVIRONMENTAL RESOURCES & ENERGY
LOCAL GOVERNMENT
VETERANS AFFAIRS & EMERGENCY
PREPAREDNESS
MAJORITY POLICY

DELEGATION

SOUTHEAST

CAUCUSES

AMERICAN-ITALIAN

August 13, 2010

Frank G. McCartney
Executive Director
Delaware River Joint Toll Bridge Commission
2492 River Road
New Hope, PA 18938-9519

Dear Mr. McCartney:

Thank you again for the hard work that you and the Delaware River Joint Toll Bridge Commission have put into improving the Scudder Falls Bridge.

Much like I did at the January Public Hearing in Falls Township and at the February 22 meeting of the Commission, I would again request that the DRJTBC reconsider its decision to toll the Scudder Falls Bridge. In this economic climate, many of the hard-working residents of the Yardley-Newtown area cannot afford to pay an additional fee to go to work every day.

I also would like to renew my request for a traffic study to determine the impact that a toll would have not only on the Scudder Falls Bridge, but also on nearby crossings that some may use to avoid paying a toll. Enclosed is a copy of the letter I sent dated January 20, 2010 to request an impact study of the proposed tolling. In a letter dated March 12, 2010 you assured me that a traffic study and analysis were in the works. If this traffic study has been completed, I would like to request a copy of it and would be grateful for the opportunity to review it thoroughly and comment on it before a final decision on the issue is made. Further, I ask that any decision on the tolling be postponed until the public has had an adequate opportunity to review and comment on any such study.

I look forward to your reply

Very truly yours,

A handwritten signature in black ink, appearing to read 'Steve Santarsiero', written over a horizontal line.

Steve Santarsiero
31st Legislative District

ss/rjb

cc: Terry Fedorchak, Lower Makefield Township manager