

MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
Tuesday, April 19, 2016
James Julian Boardroom
Delaware Memorial Bridge Plaza
New Castle, Delaware 19720

The meeting convened at 11:50 a.m. with Chairperson Lowe presiding.

The opening prayer was given by Rev. Dorn, followed by the Pledge of Allegiance led by the Executive Director.

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

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Commissioners from Delaware

Commissioners from New Jersey

PRESENT

William E. Lowe, Chairperson
Crystal L. Carey
Richard W. Downes
Samuel E. Lathem
Terry C. Murphy

James N. Hogan, Vice-Chairperson
James Bennett
Edward W. Dorn
Ceil Smith
Shirley R. Wilson

ABSENT

James L. Ford, III

Douglas Van Sant

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Chairperson Lowe called for the acceptance of the Agenda.

Commissioner Lathem motioned to accept the Agenda, seconded by Commissioner Dorn, and the motion carried by a voice vote of 10-0.

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11088. APPROVAL OF THE MARCH 15, 2016 MINUTES

Commissioner Lathem motioned to approve the March 15, 2016 meeting minutes, seconded by Commissioner Bennett, and unanimously approved by a voice vote of 10-0.

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11089. 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 Services for the month of March.

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

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11090. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expenses for the month of March with comparisons to the same period last year.

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

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11091. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented a chart for March 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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11092. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented a chart for the month of March 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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11093. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) AS OF MARCH 31, 2016.

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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11094. AUTHORITY CUSTOMER TRENDS (ACT) REPORT

The Authority Customer Trends (ACT) Report included in the financials allows management to view on a month-to-date basis trends in areas such as traffic, customer service, aircraft landings, and workplace incidents. Copies are distributed daily to employees via email and posted on bulletin boards for those without computers.

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11095. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Lowe noted that there are two (2) Contract Awards and four (4) Resolutions to be considered today. All action items have been reviewed and recommended for consideration during today's Committee meetings. He then called for public comments.

There were no public comments.

11096. AWARD OF CONTRACT # DMB-16-02 – MISCELLANEOUS STEEL REPAIRS, FIRST & SECOND STRUCTURES

The Chief Operating Officer (COO) noted that a public bid opening was held on April 5, 2016, in which three (3) bids were received. The COO and the Projects committee recommend awarding the contract to the lowest responsible bidder, J.D. Eckman, Inc., of Atglen, PA in the amount of \$3,330,975.00.

A motion to award Contract #DMB-16-02 to the aforementioned firm in the amount of \$3,330,975.00 was made by Commissioner Murphy, seconded by Commissioner Smith, and unanimously approved by a voice vote of 10-0.

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11097. AWARD OF CONTRACT #CMLF-14-01 – MATERIAL STORAGE AREA RECONSTRUCTION – CAPE MAY

The Chief Operating Officer (COO) noted that a public bid opening was held on April 6, 2016, in which two (2) bids were received. The COO and the Projects committee recommend awarding the contract to the lowest responsible bidder, West Bay Construction, Inc., of Absecon, NJ, in the amount of \$311,150.00.

A motion to award Contract #CMLF-14-01 to the aforementioned firm in the amount of \$311,150.00 was made by Commissioner Carey, seconded by Commissioner Murphy, and unanimously approved by a voice vote of 10-0.

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11098. CHAIRPERSON'S CALL FOR RESOLUTIONS BEFORE THE BOARD

RESOLUTION 16-14 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2016 THROUGH DECEMBER 31, 2016

WHEREAS, The Delaware River and Bay Authority (the "Authority") adopted Resolution 01-84 requiring Commissioner review and approval of all Authority expenditures in excess of \$25,000; and

WHEREAS, the Authority anticipates expenditures at or over the \$25,000 amount to the following vendors:

DELAWARE RIVER & BAY AUTHORITY
PROJECTED VENDORS TO BE PAID OVER \$25,000
OPERATION EXPENDITURES
FOR THE PERIOD 1/1/16 THROUGH 12/31/16

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
Beyer Ford	Four (4) Replacement Vehicles	State Contract	\$99,000
Clark Equipment Company d/b/a Bobcat Company	Replacement Compact Track Loader at ILG	State Contract	\$57,000
Highwater Management	Food Service Consulting at CMLF	Professional Service	\$50,000
Laurel Lawnmower, Inc.	Two (2) Replacement Mowers for CMLF Terminals	Quotes	\$25,000
Murphy Fence Company, Inc.	Pilot Stairwell Security for M/V Cape Henlopen and New Jersey	Quotes	\$42,000
Navistar International c/o Hunter Truck Sales & Service, Inc.	Aerial Tower Body and Cab Chassis	State Contract	\$239,000
New Jersey Overhead Door	Nine (9) Replacement Overhead Doors for Cape May Maintenance Buildings	Quotes	\$45,000
New Jersey Turnpike Authority	Operations and Maintenance Costs for New Jersey E-ZPass CSC	Sole Source	\$75,000
Reality Employment and Training Group, LLC	Tow Truck Operators for I-295 SB Reconstruction Project	Quotes	\$94,000

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

A motion to approve Resolution 16-14 was made by Commissioner Dorn, seconded by Commissioner Murphy, and approved by a roll call vote of 10-0.

Resolution 16-14 Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2016 through December 31, 2016.

Committee: Budget & Finance

Committee and Board Date: April 19, 2016

Purpose of Resolution: Authorizes the expenditure of \$25,000 or greater with the identified vendors for the calendar year.

Background for Resolution: The proposed Resolution meets the requirements of Resolution 01-84, 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 \$25,000 or more unless it has first been approved by a vote of Commissioners.

Background for the specific purchases:

Beyer Ford: Four (4) Replacement Vehicles

The Authority is replacing four pool vehicles that have exceeded their useful life and meet the vehicle replacement criteria in place for the Authority. The following vehicles are being replaced: 2006 Ford Explorer with 117,000 miles (Cape May Terminal); 2005 Ford Explorer with 84,000 miles (Cape May Terminal); 2004 Ford Explorer with 84,000 miles (Engineering); and a 2005 Ford Explorer with 75,000 miles (Engineering). The Cape May vehicles have considerable body rust. The replacement vehicles will be 2016 Ford Explorers, purchased at competitively-bid state contract prices [#83013: Vehicles, Sport Utility (SUV)] via the authorized dealer, Beyer Ford. The four retired vehicles will be sold at public auction.

Clark Equipment Company d/b/a Bobcat Company: Replacement Compact Track Loader at ILG

The DRBA is replacing a 2000 Bobcat skid-steer loader housed at New Castle Airport which has exceeded its useful life and meets the Authority's equipment replacement criteria. The replacement skid-steer will be a similar Bobcat Compact Track Loader, and will be purchased at competitively-bid state contract prices (#GSS15751 - Medium Equipment) via the authorized dealer, Bobcat of New Castle. The retired skid-steer will be sold at public auction.

Highwater Management: Food Service Consulting at CMLF

The Authority has entered into a new agreement with Highwater Management to continue to provide professional food service consulting services at the CMLF. The scope of work includes specific tasks and consultant services in support of CMLF Food & Retail operations. Highwater Management will provide the following professional services: point of sale merchandising plans; recruitment plans and staffing for events; design of food menu and menu engineering for OTR operations and development of catering menu and procedures; design assistance for new kitchen and OTR layouts and support for owner/architects/general contractor; design seating charts (staffing stations); onsite training; management expertise for daily operations and long term planning, provide a vision for the 2016 marketing strategy.

Laurel Lawnmower, Inc.: Two (2) Replacement Mowers for CMLF Terminals

The Authority will be acquiring two replacement 29 HP 60" lawn mowers for use on the grounds at both Ferry Terminals. Quotes for the mowers were solicited and received from three (3) landscape supply businesses, with Laurel Lawnmower, Inc. submitting the lowest quote for the necessary equipment. The actual cost of this purchase is approximately \$20,500, however the Authority finds it within its best interest to proactively include the vendor on this April report to avoid future delay should additional parts be needed timely.

Murphy Fence Company, Inc.: Pilot Stairwell Security for M/V Cape Henlopen and New Jersey

The Authority will be hiring a fencing contractor to design, furnish and install security fencing with lockable gates for the protection of each pilot house stairwell on the M/V Cape Henlopen and M/V New Jersey. Quotes to supply and install the materials were solicited and received from three (3) fencing contractors, with Murphy Fence Company submitting the lowest quote to meet Authority specifications.

Navistar International c/o Hunter Truck Sales & Service, Inc.: Aerial Tower Body and Cab Chassis

The Authority plans to purchase a new articulated/telescopic aerial device to be installed aboard a new International Truck chassis. The resulting “bucket lift” will be used by Maintenance staff to safely work at heights of up to 55 feet. Hunter Truck S&S is an authorized distributor of International branded trucks and will also be responsible for coordinating with Versalift East, Inc. to outfit the vehicle with the aerial equipment. Hunter Truck S&S has quoted the Authority at price pursuant to their recent contract to provide the New Jersey Turnpike Authority a similar vehicle and lift combination. NJTA awarded the contract to Hunter Truck S&S after public advertisement and competitive bidding (“50’ Material Aerial Tower Body and Cab Chassis”).

New Jersey Overhead Door: Nine (9) Replacement Overhead Doors for Cape May Maintenance Buildings

The Authority will be hiring a contractor to furnish and install nine (9) replacement insulated steel overhead doors at the Cape May Terminal Maintenance facilities. Quotes to supply and install the new doors were solicited and received from three (3) overhead door providers, with New Jersey Overhead Door submitting the lowest quote to meet Authority specifications.

New Jersey Turnpike Authority: Operations and Maintenance Costs for New Jersey E-ZPass CSC

The Authority is a member of the New Jersey E-ZPass Group, a multi-agency group of tolling authorities and commissions. The lead agency, the New Jersey Turnpike Authority, on behalf of the Group, issued a Request for Proposals and has hired a vendor to design, install and operate a new NJ E-ZPass Customer Service Center (CSC) to serve the motoring public on NJ roadways accepting E-ZPass. The selected vendor will be migrating E-ZPass customers to the new CSC systems as necessary, providing support for the NJ E-ZPass electronic toll collection system and obtaining motor vehicle information necessary in performance of the services. NJTA has incurred certain expenses relating to the CSC. The Authority may participate in a pro rata share of such expenses based on the percentage allocations as determined and agreed upon by the New Jersey E-ZPass Group.

Reality Employment and Training Group, LLC: Tow Truck Operators for I-295 SB Reconstruction Project

To relieve the Authority Maintenance staff who will be performing towing operations during standard work hours, the Authority has entered into an agreement with the above employment firm (RETG) to recruit, screen, interview, and assign three (3) of RETG’s Class B CDL licensed-employees to the I-295 Southbound Reconstruction Project. These persons will be responsible for towing and removing vehicles during the hours of 3PM to 8PM, Monday through Friday, throughout the length of the project. Quotes were solicited from the two applicable employment agencies in the work area (Labor Ready and Reality Employment and Training). Labor Ready declined to submit a proposal. Reality Employment and Training produced a proposal that was reviewed, critiqued, revised and approved by our insurer and DRBA staff.

Classification Definitions:

Professional Service. A purchase of services valued less than \$50,000 that are provided by a professional acting in a capacity that requires specialized education, knowledge, judgment, and skill, and is predominantly mental or intellectual (as opposed to physical or manual) in nature, also including any clerical or administrative support that is required for the proper delivery of the professional service. Professional services are also those types of services that are original and creative in character and in a recognized field of artistic endeavor.

Quotes. A purchase of equipment, supplies or non-professional services that is anticipated to cost between \$25,000 and \$49,999 during a calendar year and for which the Authority has solicited written quotes. *“Contracts for materiel and supplies and non-professional services, awarded to any [vendor for an amount of] more than \$25,000 but less than \$50,000 in the aggregate require the solicitation of three written quotes or all available sources, whichever is less...”* (DRBA Resolution 98-31 Part 4).

Sole Source. A purchase made without a competitive process, based on the justification that only one known source exists or that only one single supplier can fulfill the requirements of the Authority. Sole source procurement is appropriate when the goods or services being acquired: are uniquely qualified to meet the objectives of the Authority; must be compatible with existing equipment; are available within a limited geographic boundary (e.g., distributor with exclusive rights or sales area); are required for use in conjunction with a grant or contract, etc. *“A contract may be awarded without competition if the General Manager or Director of Operations of an Authority facility, or Police Administrator, prior to procurement, determines in writing that there is only one source for the required contract and no other reasonable alternative sources exist that will satisfy the requirements of the Authority”.* (DRBA Resolution 98-31 Part 2.f.)

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 16-15 – AUTHORIZING THE EXECUTION OF A CONTRACT FOR ANCHORAGE AND TOWER PIER SECURITY IMPROVEMENTS AT THE DELAWARE MEMORIAL BRIDGE

WHEREAS, The Delaware River and Bay Authority (the “Authority”) is a bi-state Authority of the State of Delaware and the State of New Jersey that owns, operates and controls the Delaware Memorial Bridge, the Cape May-Lewes Ferry, the Forts Ferry and five (5) regional airports; and

WHEREAS, the Authority’s application to receive federal financial assistance for anchorage and tower pier security improvements at the Delaware Memorial Bridge has been approved by the U.S. Department of Homeland Security (DHS) Port Security Grant Program; and

WHEREAS, the DHS Port Security Grant Program directly supports maritime transportation infrastructure security activities as part of a comprehensive set of measures used to strengthen our nation’s critical infrastructure against the risks associated with potential terrorist attacks; and

WHEREAS, the DHS cost-reimbursable portion of the security improvements project accounts for approximately 60% of the estimated amount needed to complete the project; and

WHEREAS, the Authority has publicly advertised project specifications and is currently accepting bids from Contractors to complete the bridge security project; and

WHEREAS, the bid opening for this project will occur on April 27, 2016, and the next regularly scheduled Board of Commissioners meeting will not occur until May 17, 2016, with the subsequent veto period ending in early-June; and

WHEREAS, time is of the essence, and in an effort to lock-in the grant benefit by entering into a Contract with the low responsive/responsible bidder as soon as possible, the Authority wishes to be granted pre-approval to award under specific conditions; and

WHEREAS, the Projects Committee has reviewed this recommendation and concurs with it; and

NOW, THEREFORE, BE IT RESOLVED that the that the Commission hereby authorizes the Chairman, Vice Chairman and Executive Director, with the advice of counsel, to finalize the terms and conditions of the contract for Anchorage and Tower Pier Security Improvements at the Delaware Memorial Bridge, provided that the contract be awarded to the responsible bidder who submits the lowest responsive bid and provided that the total awarded amount of the contract does not exceed the Authority's engineer's estimate plus 10%.

A motion to approve Resolution 16-15 was made by Commissioner Smith, seconded by Commissioner Murphy, and approved by a roll call vote of 10-0.

Resolution 16-15 Executive Summary Sheet

Resolution: Authorizes the execution of a contract to perform anchorage and tower pier security improvements at the Delaware Memorial Bridge

Committee: Projects Committee

Committee Date: April 19, 2016

Board Date: April 19, 2016

Purpose of Resolution: To authorize the execution of a contract to perform anchorage and tower pier security improvements at the Delaware Memorial Bridge, provided the contract is awarded to the lowest responsible bidder and the contract award amount does not exceed the Authority's engineer's estimate plus 10%, of which approximately 60% will be reimbursed by the U.S. Department of Homeland Security (DHS) Port Security Grant Program

Background for Resolution: The DHS Port Security Grant Program directly supports maritime transportation infrastructure security activities as part of a comprehensive set of measures used to strengthen our nation's critical infrastructure against the risks associated with potential terrorist attacks.

The Authority applied for and received a DHS Port Security Grant, and has been notified that the project award must be accelerated to guarantee receipt of grant funds.

Based on the Authority's engineer's estimate, the cost-reimbursable portion of the project accounts for approximately 60% of the total cost, thus the Authority will have to self-fund 40% of the cost of project; and

The Authority is currently accepting bids from Contractors to complete the bridge security project, however under contracting regulations it will be constrained until June before a contract could begin the signature process, which is a lengthy process itself.

Because time is of the essence, the Authority requests to be granted pre-approval to finalize the terms and conditions of a contract for Anchorage and Tower Pier Security Improvements at the Delaware Memorial Bridge, provided that the contract be awarded to the

responsible bidder who submits the lowest responsive bid and provided that the total awarded amount of the contract does not exceed the Authority engineer's estimate plus 10%.

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RESOLUTION 16-16 – LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AERO WAYS, INC.

WHEREAS, The Delaware River and Bay Authority (the "Authority"), is the operator of the New Castle Airport ("Airport"); and

WHEREAS, Aero Ways, Inc. ("Aero Ways") desires to lease approximately 7,500 square feet of hangar space in a facility commonly referred to as 13 Penns Way at the New Castle Airport; and

WHEREAS, Aero Ways has agreed to pay the Authority annual rental in the amount of Seventy Two Thousand Dollars (\$72,000.00); and

WHEREAS, the initial term of the Lease ("Lease Agreement") is for one (1) year; and

WHEREAS, Aero Ways and the Authority, upon mutual agreement, shall have the right to renew the Lease Agreement for three (3) one (1) year renewal options; and

WHEREAS, rent during the renewal terms shall be adjusted each year by the CPI; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with Aero Ways Inc, and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

A motion to approve Resolution 16-16 was made by Commissioner Carey, seconded by Commissioner Dorn, and approved by a roll call vote of 10-0.

Resolution 16-16 Executive Summary

- Resolution:** Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Aero Ways Inc., regarding New Castle Airport
- Committee:** Economic Development
- Committee Date:** April 19, 2016
- Board Date:** April 19, 2016
- Purpose of Resolution:** To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Agreement for space at the New Castle Airport.
- Background for Resolution:** The Delaware River and Bay Authority owns a hangar located at 13 Penns Way at the New Castle Airport. Aero Ways Inc wishes to lease the hangar space in support of their FBO operation at the Airport. The facility has been occupied by Aero Ways under a short term agreement for the past year.

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**RESOLUTION 16-17 – LEASE AMENDMENT BETWEEN THE
DELAWARE RIVER AND BAY AUTHORITY AND CAPE MAY BREWING, LLC.**

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Airport (the “Airport”); and

WHEREAS, Cape May County is the owner of the property operated as the Cape May County Airport; and

WHEREAS, Cape May Brewing, LLC (“CMB”) currently leases Building 97 and Units 4-8 in Building 96 at the Airport with original lease terms that expire on June 30, 2017 and February 28, 2017 respectively; and

WHEREAS, CMB desires the right to purchase Building 97 and/or associated land in order to undertake a major expansion of their brewery operation

WHEREAS, the Authority agrees that it will execute an amendment to the Lease Agreement with the County removing the Premises from its leasehold interest if the following conditions are met:

- (i) obtains the County’s agreement to release the Premises from the Ground Lease upon terms reasonably satisfactory to Landlord;
- (ii) obtains the County’s agreement to sell the Premises to Tenant at no less than the then-current fair market value (“FMV”), as determined pursuant to the then-current policies issued by the Federal Aviation Administration (the “FAA”);
- (iii) obtains the County’s agreement that the purchase price for the Premises shall be paid to the Landlord for its airport fund, which is administered by the Landlord as the sponsor of the Airport for the development, improvement, operation and maintenance of Cape May Airport;
- (iv) CMB expands their current operation at facility to be acquired;
- (v) agrees to purchase the Premises in its “AS-IS” condition pursuant to a special warranty deed, with no representations or warranties given by Landlord or the County other than those customary representations or warranties given by a “grantor” with respect to title to the Premises;
- (vi) agrees to enter into a more definitive purchase agreement consistent with the foregoing and with such additional terms and conditions as are required by Landlord, in its sole discretion;
- (vii) obtains a deed of release in recordable form from the FAA releasing the Premises, or any portion thereof that is subject to FAA regulation, from FAA regulation and the conditions, reservations, exceptions and restrictions imposed pursuant to that certain Instrument of Transfer dated December 1, 1947 and effective as of December 29, 1948, as the same is of record in the Office of the Recorder of Deeds in and for Cape May County, New Jersey in Deed Book 719, page 442;
- (viii) executes a restrictive covenant, in form and substance satisfactory to Landlord and the County, in their sole discretion, prohibiting any activity on the Premises that would be incompatible with airport operations or would create a hazard or interference to the operation of aircraft and/or to communication facilities;
- (ix) grants to the Landlord and the County an easement in form and substance satisfactory to Landlord and the County, in their sole discretion, that would
 - (a) establish the maximum height for structures and objects of natural

growth, (b) provide a right of flight for the passage of aircraft in the space above the Premises, and (c) provide Landlord, the County and airport tenants and users the right to create or generate such noise as may be inherent in the operation of aircraft now known or hereafter used for navigation of or flight using said airspace;

- (x) enters into an amendment terminating the Lease upon Tenant's purchase of the Premises; and
- (xi) agrees to execute such additional instruments, certificates, documents or agreements that may be reasonably requested to complete the sale of the Premises;

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Amendment with Cape May Brewing, LLC and, with the advice and consent of counsel, to have such Amendment executed by the Chairperson, Vice Chairperson and the Executive Director.

A motion to approve Resolution 16-17 was made by Commissioner Murphy, seconded by Commissioner Carey, and approved by a roll call vote of 9-0 with an abstention by Commissioner Bennett.

Resolution 16-17 – Executive Summary Sheet

Resolution: Authorizing the Execution of a Lease Amendment between the Delaware River and Bay Authority and Cape May Brewing, LLC, regarding the Cape May Airport, Cape May, NJ

Committee: Economic Development

Committee Date: April 19, 2016

Board Date: April 19, 2016

Purpose of Resolution: To permit the Executive Director, Chairperson and Vice Chairperson to execute and deliver a lease amendment for land at the Cape May Airport.

Background of Resolution: The Delaware River and Bay Authority operates the Cape May Airport. Cape May Brewing, LLC currently lease Building 97 and Units 4-8 in Building 96 to operate a craft brewing facility at the airport. Cape May Brewing desires to expand their business and made a request to have the right to purchase the property during the lease term. Since the DRBA does not own the property but operates under a long term lease County consent is required. Also the property has FAA restrictions on use and an official release request from these restrictions will be required from the FAA. This amendment grants DRBA approval of the right of Cape May Brewing to purchase the property pending various approvals and consents from the County and the FAA.

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11099. EXECUTIVE DIRECTOR'S COMMENTS

The Executive Director (ED) asked if the Commissioners would be open to a change of date for the September retreat to be held on Monday & Tuesday September 19th and 20th instead of Tuesday & Wednesday September 20th and 21st – venue to be determined. Most of the Commissioners were okay with the change. He reminded Commissioners and staff of events and

activities including Delaware UAS Taskforce drone event to be held on Thursday April 21st in Dover @ 1:00 p.m.; the Cape May County Emergency Management UAS symposium at the ferry terminal on April, 22nd; the dedication of the new T-hangars at Cheswold on April 29th; and Cape May OTR is under construction and should be ready for the Mother's day brunch event on May 8, 2016.

Past events included the triennial disaster drill exercise held at the New Castle airport (ILG) on April 16th; successful sold out Breakfast with Easter Bunny and the Easter egg hunt held at both CMLF terminals; the final beer dinner of the season featuring Pinelands Brewing; the engineering department test of a drone for bridge inspections; and the filming of parts of a major motion picture "Wetlands" at the Cape May ferry terminal on April 7, 2016.

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11100. COMMISSIONERS PUBLIC FORUM

Chairperson Lowe called for comments from the public and the Commissioners.

Vince Ascione, financial secretary and business agent of Local 542 thanked the Commissioners, Executive Director and staff for the execution of the Local 542 contracts. Commissioner Lowe thanked Mr. Ascione for his hard work in resolving the contract negotiations.

Commissioner Wilson thanked the ED and staff for providing and supporting fun events such as the Beer Dinner fest to the Cape May and Lewes areas; and lastly Commissioner Lathem thanked the ED and management for restoring the food services to the staff and the community at the bridge.

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There being no further business, a motion to adjourn was made by Commissioner Downes, seconded by Commissioner Lathem, and unanimously carried by a voice vote of 10-0.

The meeting was adjourned at 12:14 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Frank W. Minor
Assistant Secretary