

**MINUTES OF MEETING
THE DELAWARE RIVER AND BAY AUTHORITY
VIDEO/TELECONFERENCE CONDUCTED FROM
Delaware Memorial Bridge Complex
Thursday, July 29, 2021**

Prior to the start of the meeting Chairperson Hogan administered the Oath of Office to Heather Baldini as Commissioner of the Delaware River and Bay Authority.

The meeting convened via Zoom at 10:00 a.m. with Chairperson Hogan presiding.

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

Chairperson Hogan 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.

The Assistant Secretary announced in order to adhere to applicable guidelines, until further notice, the public will not be permitted physical attendance to DRBA Committee and Board meetings. Therefore, until further notice, meetings are held electronically via Zoom.

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

Commissioners from New Jersey

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

Commissioners from Delaware

Samuel Lathem, Vice-Chairperson**
Crystal L. Carey - absent
Henry J. Decker*
James L. Ford III*
Michael Ratchford*
Veronica O. Faust *

*Attended via telephonic/Zoom video

** Physically present in James Julian Boardroom

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Chairperson Hogan called for the acceptance of the Agenda.

Chairperson Smith made a motion to accept the Agenda, seconded by Vice-Chairperson Lathem, and the motion carried by a voice vote of 10-0-1. Commissioner Baldini abstained from voting.

Chairperson Hogan called for the acceptance of the revised Board Committee Assignments for 2021.

Commissioner Smith made a motion to accept the revised Board Committee Assignments for 2021, seconded by Commissioner Ransome, and the motion carried by a voice vote of 11-0.

Chairperson Hogan called for a motion to move to Executive Session. Vice-Chairperson Lathem made a motion, seconded by Commissioner Smith, and the motion carried by voice vote of 11-0.

Members of the public attending via Zoom were placed into the waiting room during the Executive Session.

The Executive Session started at 10:13 a.m. and ended at 10:27 a.m.

At the conclusion of the Executive Session, Chairperson Hogan reopened the meeting to the public, and recessed the Board meeting for the purpose of conducting Committee Meetings.

The Committee meetings started at 10:27 a.m. and ended at 11:46 a.m. During that time, the following committee meetings were held:

- Governance & Audit
- Budget & Finance
- Economic Development
- Projects

At the conclusion of the Committee meetings, Chairperson Hogan called the meeting back to order at 11:55 a.m.

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11818. APPROVAL OF THE JUNE 15, 2021 MINUTES

Commissioner Smith made a motion to approve meeting minutes for June 15, 2021, seconded by Vice-Chairperson Lathem, and approved by a voice vote of 11-0.

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11819. 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 June 2021.

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

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11820. DELAWARE RIVER AND BAY AUTHORITY – STATEMENT OF INCOME AND EXPENSE.

The CFO presented charts showing statements of income and expense for June 2021 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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11821. DELAWARE RIVER AND BAY AUTHORITY – OPERATING EXPENSE BY DIVISION.

The CFO presented charts for June 2021 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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11822. DELAWARE RIVER AND BAY AUTHORITY – CAPITAL IMPROVEMENT PROGRAM.

The CFO presented charts for June 2021 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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11823. DELAWARE RIVER AND BAY AUTHORITY – CASH POSITION (MARKET VALUE) FOR JUNE 30, 2021.

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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11824. PUBLIC COMMENT ON ACTION ITEMS

Chairperson Hogan noted that (3) Contract Awards, (1) Contract Close-Out, and (10) Resolutions were being considered at today’s meeting.

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

There were no public comments.

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11825. AWARD OF CONTRACT #CMLF-C21-12R – CAPE MAY PAINT SHOP DEMOLITION AND CONSTRUCTION

The Chief Operations Officer (COO) noted that a public opening bid was held on July 1, 2021. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder Ocean Construction LLC of Williamstown, New Jersey, in the amount of \$193,706.26.

A motion to award CONTRACT #CMLF-C21-12R to the aforementioned firm was made by Commissioner Ransome, seconded by Commissioner Smith, and approved by a voice vote of 11-0.

11826. AWARD OF CONTRACT #CMLF-C21-04R – ROOFING IMPROVEMENTS TO BUILDING C-2 & C-4 CAPE MAY FERRY COMPLEX

The Chief Operations Officer (COO) noted that a public opening bid was held on July 13, 2021. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder Noble Roofing & Sheet Metal Inc., of Richboro, Pennsylvania, in the amount of \$569,745.00.

A motion to award CONTRACT #CMLF-C21-04R to the aforementioned firm was made by Commissioner Faust, seconded by Commissioner Smith, and approved by a voice vote of 11-0.

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11827. AWARD OF CONTRACT #DMB-22-01 – COATING REMOVAL & REPLACEMENT, SUSPENDED SPANS

The Chief Operations Officer (COO) noted that a public opening bid was held on July 1, 2021. The COO and Projects Committee recommended awarding the contract to the lowest responsible bidder Allied Painting, Inc. of Cherry Hill, New Jersey, in the amount of \$10,510,380.00.

A motion to award CONTRACT #DMB-22-01 to the aforementioned firm was made by Commissioner Smith, seconded by Commissioner Wilson, and approved by a voice vote of 11-0.

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11828. CLOSE-OUT CONTRACT #CMLF-16-04 – FREEMAN HIGHWAY MAINTENANCE GARAGE

Contract #CMLF-16-04 – FREEMAN HIGHWAY MAINTENANCE GARAGE was awarded to EDIS 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 \$2,270,578.09.

A motion to Close-Out Contract #CMLF-16-04 was made by Commissioner Smith, seconded by Commissioner Ford, and approved by a voice vote of 11-0.

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11829. CHAIRPERSON’S CALL FOR RESOLUTIONS BEFORE THE BOARD

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RESOLUTION 21-24 - AUTHORIZING AUTHORITY EXPENDITURES PURSUANT TO RESOLUTION 01-84 FOR THE PERIOD, JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

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
VENDORS PROJECTED TO BE PAID OVER \$25,000
FOR THE PERIOD 1/1/21 THROUGH 12/31/21

VENDOR	PURCHASE DESCRIPTION	CLASSIFICATION	ESTIMATED \$
CDM Smith Inc.	Revised Traffic & Revenue Study	Proprietary	\$130,000
Elmer Door Co., Inc.	Replacement Doors for DMB Maintenance Buildings	Quotes	\$42,000
Jersey Concrete	Concrete Removal and Replacement at Cape May Ferry Terminal	Quotes	\$36,000
Konecranes, Inc.	Annual Crane Inspection and Testing and Crane Repair at MIV	Quotes	\$26,000
Moody's Investors Service, Inc.	Credit Rating Services	Proprietary	\$105,000
Murphy Fence Company, Inc.	Replacement Fencing at Cape May Ferry Terminal	Quotes	\$24,000
Oliver Fire Protection & Security	Dry System Valve Replacement and Fire Suppression Repairs at ILG	Quotes	\$28,000
Pioneer Fence Company, Inc.	Replacement Security Gates at DMB	Quotes	\$35,000
S&P Global Ratings	Credit Rating Services	Proprietary	\$99,000

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 21-24 was made by Commissioner Smith, seconded by Commissioner Faust, and approved by a roll call vote of 11-0.

Resolution 21-24 - Executive Summary Sheet

Resolution: Authorizing Authority Expenditures Pursuant to Resolution 01-84 for the period January 1, 2021 through December 31, 2021.

Committee: Budget & Finance

Committee and Board Date: July 29, 2021

Purpose of Resolution:

Authorizes expenditures of \$25,000 or greater with the identified vendors during the 2021 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.

Purchase Detail:

CDM Smith Inc: Revised Traffic & Revenue Study

The Authority contracted with CDM Smith to perform an independent traffic and revenue study associated with the 2019 Bond issuance. The Authority will be required to update the 2019 traffic study in support of a 2021 refunding of the 2012 Bond issuance.

Elmer Door Co., Inc: Replacement Doors at DMB Facilities

The Authority plans to hire a contractor to furnish and install ten (10) replacement overhead doors at Buildings #1 and #2 at our Delaware Memorial Bridge facilities. Five specialty contractors were contacted to supply quotes and three were received. Elmer Door Co., Inc. submitted the lowest quote to perform the work.

Jersey Concrete: Concrete Removal and Replacement at Cape May Ferry Terminal

The Authority plans to hire a contractor to place approximately 350 square feet of new concrete around the 8-Bay building and to remove and replace approximately 4,000 square feet of concrete in front of the Administrative/Police Building at the Cape May Ferry Terminal. Staff contacted three concrete contractors for quotes to perform the work and Jersey Concrete submitted the lowest quote.

Konecranes, Inc: Annual Crane Inspections and Crane Repair at MIV

The Authority owns, operates, and leases various Lifting and Material-Handling Equipment throughout its Bridge, Ferry and Airport facilities. In late 2020, staff received quotes from four (4) specialty contractors to provide annual crane inspections and replacement materials. Konecranes, Inc. submitted the lowest bid to provide the services and materials and was awarded a potential three-year contract with the Authority. Following a recent inspection of a crane within a leased hangar at our Millville facilities, it was discovered that approximately \$20,000 in repairs will be required. The Authority's lease agreement with the hangar tenant requires the crane to be operational and certified for use. Individually, neither the annual crane inspection contract nor the unexpected crane repair at MIV is estimated to exceed the Authority's minimum threshold, however, the total of the expenditures with Konecranes, Inc. in 2021 is expected to exceed \$25,000.

Moody's Investors Service, Inc: Credit Rating Services

The Authority plans to engage two professional firms to provide a credit rating in support of a 2021 refunding of the 2012 Bond issuance. Moody's enables the Authority to provide the essential independent analytical information that the marketplace needs for a successful bond transaction.

Murphy Fence Company, Inc: Replacement Fencing at Cape May Ferry Terminal

The Authority plans to hire a fencing contractor to remove and dispose of old gates fencing and to furnish and install new at the Cape May Ferry Terminal facilities. Three contractors were contacted for quotes and one was received. Murphy Fence Company submitted the lowest quote to perform the work.

Oliver Fire Protection & Security: Dry System Valve Replacement and Fire Suppression Repairs at ILG

The Authority plans to hire a contractor to provide the necessary labor and materials to replace six (6) 3-inch dry pipe valves at ILG, one in each of six mid-field hangars. Staff contacted three fire suppression contractors for quotes to perform the work and Oliver Fire Protection & Security submitted the lowest quote. The Authority also intends to hire a fire suppression contractor to perform repairs at Building I-143 fire pump room. Individually, neither of these projects are estimated to exceed the \$25,000 threshold, however, the Authority is proactively requesting the Board's approval to exceed the threshold in the case that Oliver Fire Protection is also the low bidder on the fire pump room project.

Pioneer Fence Company, Inc: Replacement Security Gates at DMB

The Authority plans to hire a contractor to provide the necessary labor and materials to replace two (2) security gates and the accompanying electric operators at the base of the Delaware Memorial Bridge on the New Jersey side. Staff contacted three specialty contractors to provide quotes to perform the work and received two bids. Pioneer Fence submitted the lowest quote to perform the work as specified by the Authority.

S&P Global Ratings: Credit Rating Services

The Authority plans to engage two professional firms to provide a credit rating in support of a 2021 refunding of the 2012 Bond issuance. S&P Global Ratings enables the Authority to provide the essential independent analytical information that the marketplace needs for a successful bond transaction.

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 may also be classified as those types of services that are original and creative in character and in a recognized field of artistic endeavor.

Proprietary. A purchase necessary to support or maintain existing Authority equipment for which a vendor has the right to prohibit an equivalent product from being supplied. Similar products or services may be available, however the Authority must purchase from the original equipment manufacturer or service provider to uphold a contract, warranty, etc. A proprietary specification typically restricts the acceptable product or service to one manufacturer or vendor; although the product or service may be available from more than one distributor. In another typical example of this classification, a purchase of closed-source commercial software would be categorized as proprietary because the software remains the property of its owner/creator and is utilized by end-users (such as the Authority) under predefined conditions.

Quotes. A purchase of equipment, supplies or non-professional services or a contract for construction or construction management 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... Construction management contracts or construction contracts... which are less than \$50,000 do not require formal solicitation of competitive prices and, if more than \$25,000 but less than \$50,000 require the solicitation of three written quotes or all available sources, whichever is less...”* (DRBA Resolution 98-31 Part 4).

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RESOLUTION 21-25 AUTHORIZES AN AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND MORRIS, NICHOLS, ARSHT & TUNNELL, LLP TO SERVE AS GENERAL LEGAL COUNSEL REPRESENTING THE AUTHORITY'S INTERESTS IN THE STATE OF DELAWARE

WHEREAS, The Delaware River and Bay Authority (the "Authority") is a hi-state Authority of the State of Delaware and the State of New Jersey, created by Compact, that operates and maintains the Delaware Memorial Bridge, Cape May-Lewes Ferry, Forts Ferry Crossing and five regional airports; and

WHEREAS, the Authority desires to engage a qualified professional legal services provider to serve as outside general legal counsel representing the Authority's interests in the State of Delaware (hereinafter, the "Services"); and

WHEREAS, the Authority publicly advertised and issued a Request for Proposals (“RFP”) for Delaware general legal counsel services in compliance with Resolution 98-31, as amended, which governs the Authority's procedures for the procurement of professional services; and

WHEREAS, the Authority received and evaluated one proposal submitted pursuant to the aforementioned requirements; and

WHEREAS, Morris, Nichols, Arsht & Tunnell, LLP (“MNAT”) was designated as the highest-ranking firm following evaluation; and

WHEREAS, the Authority wishes to enter into a Service Agreement ("Agreement") with MNAT; and

WHEREAS, such Agreement has a base term of three (3) years, with the Authority having the option to extend the Agreement for up to two additional consecutive terms of one year each following the expiration of said base term, either such additional year to be authorized by the originating committee, with the consent of the Chairperson and Vice Chairperson of the Board of Commissioners; and

WHEREAS, the Budget & Finance Committee reviewed the recommendation and concurs; and

WHEREAS, the Authority conducted an analysis of the market to analyze the costs of the Services proposed by MNAT and negotiated with said firm to provide the Services at compensation determined to be fair and reasonable; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Agreement with MNAT to provide the Services to the Authority and to have such Agreement executed by the Chairperson, Vice-Chairperson and Executive Director.

A motion to approve Resolution 21-25 was made by Commissioner McCann, seconded by Commissioner Ransome, and approved by a roll call vote of 11-0.

Resolution 21-25 - Executive Summary Sheet

Committee: Budget and Finance

Committee/Board Date: July 29, 2021

Purpose of Resolution: To authorize an agreement with Morris, Nichols, Arsht & Tunnell, LLP ("MNAT") to provide outside legal counsel to support the Authority's objectives related to its interests in the state of Delaware.

Background for Resolution:

The proposed Resolution meets the requirements of Resolution 98-31, as amended, which governs the Authority's procedures for the procurement of professional services.

The Authority publicly advertised this professional services agreement for approximately one month and received one proposal from Morris, Nichols, Arsht & Tunnell, LLP.

The Authority has analyzed the proposed costs of the services and found them to be fair and reasonable.

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RESOLUTION 21-26 – AUTHORIZES AN AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND AON RISK SERVICES NORTHEAST, INC. TO PROVIDE AUTHORITY-WIDE INSURANCE BROKERAGE AND CONSULTING SERVICES TO THE AUTHORITY

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, created by compact, that operates and maintains the Delaware Memorial Bridge, Cape May-Lewes Ferry, Forts Ferry Operation and five regional airports; and

WHEREAS, the Authority desires to engage a professional insurance broker and consultant for its non-personnel insurance coverage needs (hereinafter, the “Services”); and

WHEREAS, the Authority publicly advertised a Request for Proposals (“RFP”) for the services in compliance with Resolution 98-31, as amended, which governs the Authority’s purchasing thresholds and procurement policy; and

WHEREAS, the Authority received six (6) proposals pursuant to the aforementioned public Request for Proposals; and

WHEREAS, a Selection Committee performed a preliminary evaluation of all proposals received and selected the three (3) highest-ranked proposals for further consideration and conducted interviews with those firms; and

WHEREAS, following interviews and a final evaluation, Aon Risk Services Northeast, Inc. (“Aon”) was designated as the highest-ranked firm; and

WHEREAS, the Authority conducted an analysis of the fees proposed by Aon, and determined the fees to be fair and reasonable; and

WHEREAS, the Authority desires to enter into a Service Agreement (“Agreement”) with Aon for an initial term of three (3) years, with the option to extend the Agreement for up to two (2) additional

consecutive one-year terms, either such additional one-year term to be authorized by the originating committee, with the consent of the Chairperson and Vice Chairperson of the Board of Commissioners; and

WHEREAS, the Budget & Finance Committee reviewed this recommendation and concurs; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of an Agreement with Aon to provide the aforementioned insurance brokerage and consulting services to the Authority and to have the Agreement executed by the Chairperson, Vice-Chairperson and Executive Director.

A motion to approve Resolution 21-26 was made by Commissioner Faust, seconded by Commissioner Ratchford, and approved by a roll call vote of 11-0.

Resolution 21-26 - Executive Summary Sheet

Resolution: Authorizes an agreement between the Delaware River and Bay Authority and Aon Risk Services Northeast, Inc. for Authority-wide insurance brokerage and consulting services.

Committee: Budget & Finance Committee

**Committee/
Board Date:** July 29, 2021

Purpose of Resolution: To authorize the Authority to enter into an agreement with Aon Risk Services Northeast, Inc. to provide insurance brokerage and consulting services.

Background for Resolution: The Authority maintains certain insurance coverages and requires the use of insurance consulting services that are provided by an insurance broker. The procedures leading to this Resolution followed the requirements of Resolution 98-31, as amended, which governs the Authority’s purchasing thresholds and procurement policy.

The Authority received and evaluated proposals submitted by the following six (6) firms:

-) Alliant Insurance Services, Inc.
-) Aon Risk Services Northeast, Inc.
-) Conner Strong & Buckelew Companies, LLC
-) Graham Company
-) USI Insurance Services
-) Willis Towers Watson Northeast, Inc.

The Selection Committee conducted a preliminary evaluation of each proposal received, conducted interviews with the three (3) highest-evaluated firms, and utilized final evaluation criteria to establish a final ranked list, with Aon Risk Services Northeast, Inc. being identified as the highest-ranked firm. The Authority has analyzed the proposed costs of the services and found them to be fair and reasonable.

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RESOLUTION 21-27 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND LUND AIR SERVICES, LLC

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

WHEREAS, Lund Air Services, LLC (“Lund”) desires to lease approximately 10,500 square feet of hangar space located at 5 DRBA Way at the Airport; and

WHEREAS, Lund has agreed to pay the Authority annual rental in the amount of Two Hundred and Sixty-Eight Thousand Dollars (\$268,000.00); and

WHEREAS, the initial term of the lease (“Lease Agreement”) is for ten (10) years; and

WHEREAS, Lund shall have the option of renewing the Lease Agreement for one five (5) year period; and

WHEREAS, rent at the beginning of the option period shall be adjusted to the Fair Market Value (FMV); and

WHEREAS, rent during the initial term and the option period (other than the year rent is adjusted by FMV) shall 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 Lund 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 21-27 was made by Commissioner Smith, seconded by Commissioner Decker, and approved by a roll call vote of 10-0-1. Commissioner Faust abstained from voting.

Resolution 21-27 - Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Lund Air Services, LLC, regarding New Castle Airport

Committee: Economic Development

Committee Date: July 29, 2021

Board Date: July 29, 2021

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 facility located at 5 DRBA Penns Way. The hangar totals approximately 15,000 square feet of space. Lund Aviation Services, LLC wishes to lease 70% this hangar space from the Authority to house a corporate aircraft. Lund has been a tenant at the airport since 2011. The rate is based upon our current FMV.

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RESOLUTION 21-28 - LEASE AGREEMENT 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 (“Airport”); and

WHEREAS, Cape May Brewing LLC (“CMB”) desires to continue to lease approximately 9,000 square feet of warehouse/office space located in Units 5-10 at 241 Ranger Rd at the Cape May Airport; and

WHEREAS, CMB has agreed to pay the Authority annual rental in the amount of Ninety Thousand Dollars 00/100(\$90,000); and

WHEREAS, the initial term of the lease (“Lease Agreement”) is for five (5) years; and

WHEREAS, rent during the initial term shall increase annually by the Consumer Price Index (CPI); and

WHEREAS, CMB shall have the option to renew the Lease Agreement for three (3) additional two (2) year terms; and

WHEREAS, rent shall adjust at the beginning of first renewal term to the current Fair Market Value (FMV); and

WHEREAS, after the initial year of the first renewal term, rent shall adjust by the CPI; and

WHEREAS, CMB requested additional finishes and upgrade to the space totaling \$12,760. CMB has agreed to pay this amount as additional rent over the first year of the lease term; and

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

NOW, THEREFORE, BE IT RESOLVED, that Resolution 21-21 is hereby rescinded.

A motion to approve Resolution 21-28 was made by Commissioner McCann, seconded by Commissioner Ransome, and approved by a roll call vote of 11-0.

Resolution 21-28 - Executive Summary

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

Committee: Economic Development

Committee Date: July 29, 2021

Board Date: July 29, 2021

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for existing lease space at the Cape May Airport.

Background for Resolution: The Delaware River and Bay Authority is in the final stages of the construction of a new light industrial building located at 241 Ranger Rd at the Cape May Industrial Park. The building has 10 units, each comprising approximately 1,500 sq.ft of space. Cape May Brewing, LLC currently Leases space in several buildings at the airport and will be expanding to Units 5-10 in the new building. Cape May Brewing will be housing the administrative offices and warehouse space in the building.

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RESOLUTION 21-29 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND LOVE THE COOK & COMPANY LLC

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

WHEREAS, Love the Cook & Company LLC (“Love the Cook”) desires to lease approximately 3,000 square feet of warehouse/shop space located in Units 1 and 2, 241 Ranger Rd at the Cape May Airport; and

WHEREAS, Love the Cook has agreed to pay the Authority annual rent in the amount of Thirty Thousand Dollars 00/100(\$30,000); and

WHEREAS, the initial term of the lease (“Lease Agreement”) is for Five (5) years; and

WHEREAS, Love the Cook shall have the option to renew the Lease Agreement for one (1) additional two (2) year term; and

WHEREAS, rent shall be adjusted at the beginning of the renewal term to the then Fair Market Value (FMV); and

WHEREAS, rent during the initial term and the second year of the renewal term shall increase annually by the Consumer Price Index (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 Love the Cook and, with the advice and consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 21-19 is hereby rescinded

A motion to approve Resolution 21-29 was made by Commissioner Wilson, seconded by Commissioner McCann, and approved by a roll call vote of 11-0.

Resolution 21-29 - Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Love the Cook & Company, LLC, regarding Cape May Airport

Committee: Economic Development

Committee Date: July 29, 2021

Board Date: July 29, 2021

Purpose of Resolution:

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for space at the Cape May Airport.

Background for Resolution:

The Delaware River and Bay Authority in in the final stages of the construction of a new light industrial building located at 241 Ranger Rd at the Cape May Industrial Park. The building has 10 units each comprising approximately 1,500 sq.ft of space. Love the Cook & Company, LLC currently occupies Units 9a & 10 in Building 96 and will be relocating to Units 1 & 2 in the new building. Love the Cook runs a coffee roasting operation at the airport.

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RESOLUTION 21-30 AUTHORIZES A LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE ISLAND FOODS LLC THE CAPE MAY AIRPORT

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

WHEREAS, Cape Island Foods LLC (“Cape”) desires to lease approximately 3,000 square feet of warehouse/shop space located in Units 3 and 4, 241 Ranger Rd at the Cape May Airport; and

WHEREAS, Cape has agreed to pay the Authority annual rent in the amount of Thirty Thousand Dollars 00/100(\$30,000); and

WHEREAS, the initial term of the lease (“Lease Agreement”) is for Five (5) years; and

WHEREAS, Cape shall have the option to renew the Lease Agreement for two (2) additional one (1) year terms; and

WHEREAS, rent shall be adjusted at the beginning of the first renewal term to the then Fair Market Value (FMV); and

WHEREAS, rent during the initial term and the second renewal term shall increase annually by the Consumer Price Index (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 Cape Island Foods, LLC and, with the advice and consent of counsel, to have such agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 21-20 is hereby rescinded.

A motion to approve Resolution 21-30 was made by Commissioner Smith, seconded by Commissioner Ransome, and approved by a roll call vote of 11-0.

Resolution 21-30 - Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Cape Island Foods LLC, regarding the Cape May Airport

Committee: Economic Development

Committee Date: July 29, 2021

Board Date: July 29, 2021

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a lease agreement for space at the Cape May Airport.

Background for Resolution:
The Delaware River and Bay Authority is in the final stages of the construction of a new light industrial building located at 241 Ranger Rd at the Cape May Industrial Park. The building has 10 units, each comprising approximately 1,500 sq.ft of space. Cape Island Foods, LLC currently occupies space in the terminal building and will be relocating to Units 3 & 4 in the new building. Cape Island Food will be operating a nut butter, olive oil and pasta processing business at the airport.

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RESOLUTION 21-31 - LICENSE OF USE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY AT THE CIVIL AIR TERMINAL

WHEREAS, The Delaware River and Bay Authority (the “Authority”), is the operator of the Civil Air Terminal at the Dover Air Force Base (“Airport”) Dover, Delaware; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) has a mission to carry out the purposes of Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, the Airport has been determined to be a central point in the region for disaster assistance efforts; and

WHEREAS, the Airport shall be utilized as a staging/storage area for equipment and personnel during the emergency in support of future presidentially declared disaster operations; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the License of Use Agreements with the Federal Emergency Management Agency 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 21-31 was made by Commissioner Ratchford, seconded by Commissioner Decker, and approved by a roll call vote of 11-0.

Resolution 21-31 - Executive Summary

Resolution: Authorizing the Execution of a License of Use Agreement between the Delaware River and Bay Authority and the Federal Emergency Management Agency regarding the Civil Air Terminal at the Dover Airbase

Committee: Economic Development

Committee Date: July 29, 2021

Board Date: July 29, 2021

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a License of Use Agreement for use of the Civil Air Terminal at the Dover Air Base.

Background for Resolution: The Delaware River and Bay Authority operates the Civil Air Terminal at the Dover Air Base. The facility is centrally located within the state and a secure location. In preparation and response to a disaster, the Federal Emergency Management Agency has requested to use the facility as staging areas for response equipment in order to carry out its obligations pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

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RESOLUTION 21-32 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND JAMES D. MORRISSEY III AT THE CAPE MAY AIRPORT

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

WHEREAS, James D. Morrissey III. desires to lease approximately 8,585 square feet of land at the Cape May Airport in order to construct a 60’ x 60’ hangar for personal use. The square footage may be adjusted by a final survey; and

WHEREAS, James D. Morrissey III has agreed to pay the Authority annual rent in the amount \$0.20/sq.ft. which will be approximately of One Thousand Seven Hundred and Seventeen Dollars 00/100 (\$1,717.00) for the parcel; and

WHEREAS, the term of the Lease Agreement (“Agreement”) is for Thirty (30) years; and

WHEREAS, rent shall increase annually by the Consumer Price Index (CPI); and

WHEREAS, rent shall adjust at the beginning of year ten (10) and year twenty (20) to the then Fair Market Value (FMV); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Lease Agreement with James D. Morrissey III and, with the consent of counsel, to have such Agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

A motion to approve Resolution 21-32 was made by Commissioner Wilson, seconded by Commissioner Baldini, and approved by a roll call vote of 11-0.

Resolution 21-32 - Executive Summary

Resolution: Authorizing the Execution of the Lease Agreement between the Delaware River and Bay Authority and James D. Morrissey III at the Cape May Airport.

Committee: Economic Development

Committee Date: July 29, 2021

Board Date: July 29, 2021

Purpose of Resolution:

To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Agreement for space at the Cape May Airport.

Background for Resolution:

The Delaware River and Bay Authority operates the Cape May Airport. James D. Morrissey III owns aircraft and he would like to construct and own his own hangar and facility at the airport. He is planning on constructing a 60' x 60' hangar. The annual rent is based upon the current land rental rate at the airport.

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RESOLUTION 21-33 - LEASE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND TEND-AIR, LLC.

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

WHEREAS, Tend-Air, LLC. ("Tend") Desires to lease approximately 6,450 square feet of hangar space and office space in a facility commonly referred to as Hangar 90 at the Millville Airport; and

WHEREAS, Tend has agreed to pay the Authority annual rental in the amount of approximately Twenty-Six Thousand One Hundred and Sixty Dollars (\$26,100.00); and

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

WHEREAS, Tend shall have the right to renew the Lease Agreement for two (2) 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 Tend-Air, LLC. 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 21-33 was made by Commissioner Wilson, seconded by Commissioner McCann, and approved by a roll call vote of 11-0.

Resolution 21-33 - Executive Summary

Resolution: Authorizing the Execution of a Lease Agreement between the Delaware River and Bay Authority and Tend-Air, LLC. regarding Millville Airport

Committee: Economic Development

Committee Date: July 29, 2021

Board Date: July 29, 2021

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a Lease Agreement for space at the Millville Airport.

Background for Resolution:

The Delaware River and Bay Authority owns a hangar located at 90 Easterwood Rd, Millville Airport. Tend-Air, LLC. wishes to lease the hangar and office space for storage and maintenance of two small corporate aircraft. The aircraft are currently at Millville in a common hangar. Tend-Air, LLC desires to have private space. The facility has been vacant since October 2020.

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11830. COMMISSIONERS PUBLIC FORUM

Chairperson Hogan called for comments from the public and Commissioners.

There was no additional public comment.

Commissioner Decker asked the Executive Director if the Authority is requiring all full-time employees to get vaccinated. The Executive Director answered the Authority has not mandated to date but is reviewing all options at this time.

Vice-Chairperson Lathem thanked Commissioner Ford, and stated “It has been a pleasure working with you.”

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11831. EXECUTIVE DIRECTORS COMMENTS

The Executive Director shared a picture of the DRBA Covid-19 Dashboard, regarding Covid cases throughout the Authority. He communicated the DRBA facilities plan to re-open on August 16, 2021, but will continue to monitor Covid cases in New Jersey and Delaware.

The Executive Director thanked Commissioner Ford on behalf of the staff and thanked him for his leadership, and dedication to the Authority. The Executive Director commended Commissioner Ford on his commitment to the citizens of Delaware.

Chairperson Hogan added his thanks to Commissioner Ford for his years of service.

The Executive Director welcomed Commissioner Baldini.

Upcoming Meetings:

Thursday, August 19, 2021 - 11:00 a.m. – Special Meeting

Tuesday, September 21, 2021 at 10:00 a.m. – Wildwood Convention Center

There being no further business, Chairperson Hogan adjourned the meeting at 12:17 p.m.

Respectfully submitted,

THE DELAWARE RIVER AND BAY AUTHORITY

Stephen D. Williams