

**11906 \_\_RESOLUTION 22-07 – TRAFFIC SIGNAL INSTALLATION AND MAINTENANCE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY, THE CITY OF LEWES, THE DELAWARE DEPARTMENT OF TRANSPORTATION, SHOWFIELD, LLC AND GIBBS COMPANY, INC. ON FREEMAN HIGHWAY IN LEWES, DELAWARE**

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 which operates crossings over the Delaware River and Bay between the two states as well as all approaches thereto; including the Cape May-Lewes Ferry; and

WHEREAS, US 9 Theodore C. Freeman Memorial Highway (“Freeman Highway”) in Lewes, Delaware was originally constructed as a limited access highway for the purpose of providing efficient access to the Cape May-Lewes Ferry; and

WHEREAS, Showfield, LLC (“Showfield”) and Gibbs Company, Inc. have sought and obtained approval from the City of Lewes (“City”) for new development in the area of Freeman Highway and Monroe Avenue in Lewes, Delaware; and

WHEREAS, the Delaware Department of Transportation (“DELDOT”) has approved a Traffic Operational Analysis and Traffic Signal Justification Study which demonstrates the need for a new traffic signal in the area of Freeman Highway and Monroe Avenue in Lewes, Delaware; and

WHEREAS, in the interest of traffic safety, while still prioritizing through traffic on Freeman Highway, the Authority is willing to consent to the installation of a traffic control signal at the intersection of Freeman Highway and Monroe Avenue so long as there are no costs to the Authority for the installation, operation and/or maintenance of same; and

WHEREAS, the City, DELDOT, Showfield and Gibbs have allocated the costs for the installation, operation, and maintenance of same amongst themselves;

WHEREAS, the parties desire to execute a Traffic Signal Installation and Maintenance Agreement substantially in the form attached hereto as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, that Executive Director is hereby authorized to finalize the terms of a Traffic Signal Installation and Maintenance Agreement between the Authority, the City, DELDOT, Showfield and Gibbs and with the advice and consent of counsel, to have such agreements executed by the Chairperson, Vice Chairperson, and the Executive Director.

Resolution 22-07 was moved by Vice-Chairperson Lathem, seconded by Commissioner McCann, and was approved by a roll call vote of 9-0-1. Commissioner T. Becker abstained.

**Resolution 22-07 - Executive Summary Sheet**

**Resolution:** TRAFFIC SIGNAL INSTALLATION AND MAINTENANCE AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY, THE CITY OF LEWES, THE DELAWARE DEPARTMENT OF TRANSPORTATION, SHOWFIELD, LLC AND GIBBS COMPANY, INC. ON FREEMAN HIGHWAY IN LEWES, DELAWARE

**Committee:** Projects

**Committee Date:** February 15, 2022

**Board Date:** February 15, 2022

**Purpose and Background for Resolution:**

Showfield, LLC and Gibbs Company, Inc. have obtained approval for new development in the area of Freeman Highway and Monroe Avenue. After the completion of Traffic Operational Analysis and a Traffic Signal Justification Study it was determined that a new signal would be needed at the intersection of Freeman Highway and Monroe Avenue to promote traffic safety. Freeman Highway, an approach road to the Ferry is solely within the control of the Authority and as such, the Authority's consent to any new traffic signal on Freeman Highway is required. The Authority desires to give its' consent subject to the following conditions (1) there are no costs to the Authority for installation, operation, or maintenance and (2) the design, operation and timing of the signal and its' installation/maintenance will be done in such a way to minimize adverse impacts on ferry traffic. A Traffic Signal Installation and Maintenance Agreement has been developed by the parties.