

12575. RESOLUTION 26-12 – AUTHORIZES A LEASE TERMINATION BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND CAPE AIR FOODS, LLC AT CAPE MAY AIRPORT (RESCINDING RESOLUTION 24-62)

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

WHEREAS, Cape Air Foods, LLC, dba Flight Deck Diner (“Flight Deck”) currently leases approximately 1,425 square feet within the former Cape May Airport Terminal Building (“Building”) at Cape May Airport; and

WHEREAS, the Building has been rendered partially or wholly untenable by casualty occurring on February 3, 2026; and

WHEREAS, the damage cannot, in the Authority’s reasonable estimation, be materially restored within ninety (90) days of such damage; and

WHEREAS, the Authority wishes to exercise its option to terminate the lease as of the date of the casualty; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to exercise the Authority’s option to terminate the lease by written notice within sixty (60) days of the casualty, and, with the advice and consent of counsel, to have such termination executed by the Chairperson, Vice Chairperson and the Executive Director.

NOW, THEREFORE, BE IT RESOLVED, that Resolution 24-62 is hereby rescinded.

Resolution 26-12 was moved by Commissioner Ratchford, seconded by Commissioner Faust, and was approved by a roll call vote of 11-0.

Resolution 26-12 - Executive Summary

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

Committee: Economic Development

Committee Date: March 17, 2026

Board Date: March 17, 2026

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

Background for Resolution: The Cape Air Foods, LLC, dba Flight Deck Diner, currently leases space in the former terminal building at the Cape May Airport, with a term expiring on February 28, 2027. They entered into a Lease Agreement on March 1, 2025.

The former terminal building experienced a casualty on February 3, 2026, which rendered the building partially or wholly untenable. The damage cannot, in the Authority's reasonable estimation, be materially restored within ninety (90) days of such damage and the Authority wishes to exercise its option to terminate the lease as of the date of the casualty.