

9091. RESOLUTION 04-36 — AUTHORIZING THE BREAKWATER LIGHTHOUSE OPERATING AGREEMENT BETWEEN THE AUTHORITY AND THE DELAWARE RIVER AND BAY LIGHTHOUSE FOUNDATION. The Executive Director presented the following Resolution.

WHEREAS, pursuant to Resolution 01-04, The Delaware River and Bay Authority (the “Authority”) entered into the Breakwater Lighthouse Lease Agreement (the “Lease”) with the State of Delaware for the purpose of incorporating the Breakwater Lighthouse as an appurtenance to the ferry system and an enhancement to the Authority’s foot-passenger and educational-outreach programs; and

WHEREAS, the Authority is obligated to preserve and maintain the lighthouse and establish an educational outreach program pursuant to the terms and conditions of the Program of Preservation and Utilization of the Lease; and

WHEREAS, the Authority wishes to enter into an operating agreement with the Delaware River and Bay Lighthouse Foundation (the “Foundation”) for the performance of those obligations based upon the Foundation’s expertise, mission, resources and formidable reputation relating to lighthouse preservation, research and education; and

WHEREAS, the Foundation has a desire to enter into such an operating agreement; and

WHEREAS, pursuant to the Lease, the State of Delaware, Department of State, Division of Historical and Cultural Affairs supports such an operating agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to negotiate the terms and conditions of a Breakwater Lighthouse Operating Agreement with the Delaware River and Bay Lighthouse Foundation, and, with advice and consent of counsel, have such agreement executed by the Chairperson, Vice Chairperson and Executive Director.

Resolution 04-36 was moved by Commissioner Patterson, seconded by Commissioner Pessagno and was approved by a roll call vote of 9-0.