

**11237. RESOLUTION 17-21 - AUTHORIZES THE FERRY LANDING AND OPERATING AGREEMENT WITH THE STATE OF DELAWARE**

WHEREAS, the Delaware River and Bay Authority (the "Authority") operates a crossing within the meaning of the Delaware-New Jersey Compact, Public Law 87-678, 76 Stat. 560 (1962), 17 Del. C. § 1701 et seq., N.J. Stat. § 32:11E-1 et seq. (the "Compact"); and

WHEREAS, the Authority owns and operates the "Delafort" (the "Vessel") to provide passenger ferry service ("Ferry Service") between the Park's Delaware City, Delaware docks ("Delaware City"), Pea Patch Island and locations in the state of New Jersey; and

WHEREAS, the State of Delaware ("Delaware") owns and operates Fort Delaware State Park located in both Delaware City, Delaware and on Pea Patch Island in the Delaware River (the "Park"), ramps, platforms, piers and docks (the "Dock") located at the Park; gasoline and diesel fueling facilities (the "Fueling Facility"); and

WHEREAS, in order to operate the Ferry Service, the Authority desires to enter into an Agreement with Delaware regarding operations of the Ferry Service, the Docks, the Park and the Fueling Facility; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of a Ferry Landing and Operating Agreement with the State of Delaware 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 17-21 was made by Commissioner Van Sant, seconded by Commissioner Smith, and approved by a roll call vote of 10-0.

## **Resolution 17-21 Executive Summary Sheet**

**Resolution:** Ferry Landing and Operating Agreement with the State of Delaware  
**Committee:** Projects  
**Committee Date:** March 21, 2017  
**Board Date:** March 21, 2017  
**Purpose and Background for Resolution:**

From April to October, the Authority operates the Forts Ferry Crossing between Fort Mott in New Jersey, Fort Delaware State Park on Pea Patch Island and Delaware City in Delaware. Visitors are charged a fee that is split between the State of Delaware, the State of New Jersey and the Authority. This Ferry Landing and Operating Agreement will continue the longstanding agreement between the parties.