



**SOUTH JERSEY PORT CORPORATION**  
**OFFICIAL BOARD OF DIRECTORS MEETING MINUTES**  
**TELECONFERENCE**  
**CAMDEN, NEW JERSEY**  
**February 22, 2022**  
**12:30 p.m.**

<b>Directors Present:</b>	Joseph Maressa	Acting Chairman 🗳️
	Christopher Chianese	State Treasurer Designee 🗳️
	Carl Styles	Director 🗳️
	Robert DeAngelo	Director 🗳️
	William Higgins	Director 🗳️
	Jonathan Gershen	Director 🗳️
	Sheila Roberts	Director 🗳️
	Eric Martins	Director 🗳️
<b>Directors Absent:</b>	Richard Alaimo	Chairman
	Chad Bruner	Director
<b>In Attendance:</b>	Janice Venables	Governor's Authorities Unit 🗳️
	Andrew Saporito	Executive Director & CEO 🗳️
	Raymond Zane, Esq.	General Counsel– Zane & Assoc. 🗳️
	Bruno Cellucci	AssistantED/CFO/ActingBoardSec🗳️
	Brendan Dugan	AssistantED/Bus. Development🗳️
	Jonathan Atwood	Chief of Staff & External Affairs🗳️
	Neil Grossman	GB Associates – FA 🗳️
	Kevin Duffy	Assistant ED/COO 🗳️
	Chris Perks	Director of Engineering 🗳️
	Chuck O'Leary	Security Manager/FSO 🗳️
	George Englehardt	Facilities Engineer 🗳️
	Dennis Culnan, Jr.	Phoenix Strategies 🗳️
	Dan Bontempo	Stantec 🗳️
	Grant McGuire	McManimom,Scotland,&Baumann🗳️

**The Acting Board Secretary opened the meeting at 12:30 p.m. with the following statement:**  
Pursuant to the provisions of the Open Public Meetings Act, Chapter 231, Public laws of 1975, adequate notice of this meeting has been provided. On January 10, 2022, the Acting Secretary of the Corporation sent a legal notice with a schedule of Regular Meetings to be held by the South Jersey Port Corporation's Board of Directors, during the calendar year 2022, indicating the time

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and place to the County Clerks within the seven counties of the Port District and the Secretary of State. A legal notice was sent to the following newspapers: Courier-Post, South Jersey Times and the Burlington County Times.

In addition, the meeting schedule was posted at the Port Corporation's designated Bulletin Board at the main entrance to the Broadway Terminal, its official place for posting and maintaining a schedule of the monthly Board of Director's Meetings for 2022. The meeting schedule was also placed on the Port Corporation's website at [www.southjerseyport.com](http://www.southjerseyport.com).

Roll call was taken and recorded. [PLEDGE OF ALLEGIANCE RECITED](#).

#### **PRESENTATION OF REGULAR MEETING MINUTES – JANUARY 25, 2022**

The minutes for the South Jersey Port Corporation Board of Directors regular session meeting held on January 25, 2022 were presented for approval.

*A motion was made to approve the January 25, 2022 Board of Directors Regular Open Session Meeting Minutes as presented.*

<b>Moved by:</b>	<b>W. Higgins</b>
<b>Seconded by:</b>	<b>R. DeAngelo</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>
<b>Abstaining:</b>	<b>None</b>

#### **PRESENTATION OF CLOSED MEETING MINUTES – JANUARY 25, 2022**

The minutes for the South Jersey Port Corporation Board of Directors closed session meeting held on January 25, 2022 were presented for approval.

*A motion was made to approve the January 25, 2022 Board of Directors Closed Meeting Minutes, as presented, with the condition that any matters contained in the closed session minutes may be withheld and not disclosed to the public until the need for the closed session has passed.*

<b>Moved by:</b>	<b>W. Higgins</b>
<b>Seconded by:</b>	<b>R. DeAngelo</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>
<b>Abstaining:</b>	<b>None</b>

#### **PRESENTATION OF SPECIAL MEETING MINUTES – FEBRUARY 7, 2022**

The minutes for the South Jersey Port Corporation Board of Directors regular session meeting held on February 7, 2022 were presented for approval.

*A motion was made to approve the February 7, 2022 Board of Directors Regular Open Session Meeting Minutes as presented.*

<b>Moved by:</b>	<b>W. Higgins</b>
<b>Seconded by:</b>	<b>R. DeAngelo</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>
<b>Abstaining:</b>	<b>None</b>

#### **PRESENTATION OF CLOSED MEETING MINUTES – FEBRUARY 7, 2022**

The minutes for the South Jersey Port Corporation Board of Directors closed session meeting held on February 7, 2022 were presented for approval.

*A motion was made to approve the February 7, 2022 Board of Directors Closed Meeting Minutes, as presented, with the condition that any matters contained in the closed session minutes may be withheld and not disclosed to the public until the need for the closed session has passed.*

<b>Moved by:</b>	<b>W. Higgins</b>
<b>Seconded by:</b>	<b>R. DeAngelo</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>
<b>Abstaining:</b>	<b>None</b>

#### **OPERATING BILLS**

The Operating Unpaid Bill list for the period 1/12/2022 – 2/8/2022 was presented for approval.

*A motion was made to adopt Resolution 2022-02-0018 for the approval of the Operating Unpaid Bill list for the period 1/12/2022-2/8/2022.*

<b>Moved by:</b>	<b>R. DeAngelo</b>
<b>Seconded by:</b>	<b>W. Higgins</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>

#### **ADVANCE PAYMENT LIST**

The Advance Payment Bill List for the period 1/12/2022–2/8/2022 was presented for approval.

*A motion was made to adopt Resolution 2022-02-0019 for the approval of the Advance Payment Bills for the period 1/12/2022-2/8/2022.*

**Moved by:** R. DeAngelo  
**Seconded by:** W. Higgins

**Voting for motion:** All  
**Voting against motion:** None

### **CREDIT LIST**

No Credit List

### **CHANGE ORDERS**

No Change Orders

### **CONSTRUCTION FUND REQUISITIONS**

Staff presented (1) advance construction fund requests in the amount of \$24,775

*A motion was made to adopt Resolution 2022-02-0020 for the approval of Construction Fund Requisitions for the period ending February 22, 2022 as presented.*

**Moved by:** W. Higgins  
**Seconded by:** C. Chianese

**Voting for motion:** All  
**Voting against motion:** None

### **TREASURER'S REPORT**

For the month of January 2022, the SJPC generated a net loss before non-operating interest expense and depreciation and amortization in the amount of -\$128,481.00, which is under budget by -\$198,660.00 for the month.

Please be aware that we have \$988,705.34 on the books in deferred revenue. This represents truck loading revenue that can only be recognized when the trucks are actually loaded and cargo moves off the terminal. A significant amount of cargo still remains on the terminal. This deferred revenue will benefit future periods. The January loss is only a paper loss as we have close to \$1 million in revenue waiting to be recognized and booked.

The rate of inflation continues to affect all of us but we are managing our costs very closely. Our marketing team is actively seeking out business, nurturing our existing customer base and

revisiting and adjusting our rates accordingly. Our ship schedule remains robust and the terminals are bustling.

COVID testing for employees continues. Because of the FEMA grant program we are participating in, the net effect on the bottom line is zero.

### **COUNSEL'S REPORT**

The Counsel's Report will be discussed in closed session.

### **EXECUTIVE DIRECTOR'S REPORT**

Executive Director and CEO for the South Jersey Port Corporation reported total tonnage for January 2022 was 246,752 short tons, which represents a 4% decrease compared to January 2021. Camden steels cargoes increased by 40.6% compared to January 2021. Overall breakbulk cargo has increased 38.5% for January 2022. January 2022 cocoa beans totaled 7,246 tons, a 24.4% decrease compared to January 2021. There was no plywood cargo activity in January 2022. YTD plywood was 98.4% ahead of December 2020 YTD. Recycled metals decreased 43.8% compared to 2021 YTD. There was no cargo activity for cement in January 2022 or January 2021.

All SJPC terminals handled 15 ships in January 2022, compared to 14 ships in January 2021. The number of ship days for January 2022 was 65, compared to 43 days in January 2021.

The Executive Director also updated the Board on the below topics as well:

### **COVID 19 Update**

All office and administrative staff returned to the office full time on January 31, 2022. We have 1 new case to report at this time bringing the total numbers of employees who have had COVID to 52. Approximately 87 employees have been vaccinated with at least one shot, which is 73 percent of our workforce. We continue to encourage employees to get vaccinated. We experienced a surge after the holidays, but the number of reported cases is declining. Weekly COVID Testing for all unvaccinated employees utilizing the services of the state authorized continues and we are being reimbursed by the state and FEMA. Temperature scans and other protocols continue at our terminals. We have been advised that public meetings must continue to remain virtual until further notice.

### **AAPA Standout Ports 2021**

South Jersey Port Corporation was recognized as a 2021 Standout Port in the fourth quarter edition of Seaports Magazine. Our ongoing development of Paulsboro, improvements to our terminals in Camden, planned redevelopment of the Port Salem in order to support offshore wind were cited as reasons we chosen with several other ports for this designation.

### **Paulsboro Update**

On Friday February 11, 2022 Chris Perks and I met with EEW's European and US Executive teams to discuss the overall project and timing for production.

EEW continues to make good progress on Phase one their development. We are also working with the GCIA to reconcile project funding and remaining work and will be also discussing potential grant opportunities. Once we have completed this review we plan to sit with EEW, Orsted and the GCIA to discuss funding for Phase 2 of the EEW project.

### **Bruno Cellucci selected as a Top CFO**

South Jersey Biz recognized our CFO Bruno Cellucci as one of the top 20 CEO's and CFO's of South Jersey in its January edition  
Congratulations Bruno!

### **Tampa Steel Conference**

Brendan Dugan and I attended the 2022 Tampa Steel Conference on February 15<sup>th</sup> and 16<sup>th</sup>. This live event was well attended by over 400 people representing shippers, logistics transportation providers and ports. Many of our steel import customers and shipping lines attended, and we were able to network on current and future business opportunities.

### **New SJPC Office Space/ Headquarters**

The landlord is making good progress on the buildout of our new office space and has a targeted completion date of March 1, 2022.

Based on this information, we plan to relocate staff the week of March 14<sup>th</sup> and anticipate that full operations in our new offices will start on Monday 21<sup>st</sup>.

### **ACTION ITEMS:**

#### **RESOLUTION 2022-02-0021: AUTHORIZATION TO ADVERTISE CONSTRUCTION BIDS FOR MAINTENANCE DREDGING AT BALZANO AND BROADWAY TERMINALS**

##### **REQUEST**

Staff is requesting Board approval to advertise construction bids for maintenance dredging of the berths and piers at the Balzano and Broadway Marine Terminals.

##### **BACKGROUND**

Maintenance dredging was last completed at the Camden terminals in January of 2019, and since then, the need for maintenance dredging activity is becoming critical for berthing.

S.T. Hudson Engineers has provided a checklist of tasks for securing the necessary permits as required by the NJDEP and U.S. Corp of Army. Hudson Engineers will also prepare the final specifications for the dredging Request for Proposals.

The RFP will be reviewed by General Counsel prior to being released, with the results of the RFP then presented to the Board for consideration and approval.

Funding is available for this project in the 2017A Capital Projects Account.

*A motion was made to approve Resolution 2022-02-0021 to advertise construction bids for maintenance dredging of the berths and piers at the Balzano and Broadway Marine Terminals.*

**Moved by:** C. Chianese  
**Seconded by:** R. DeAngelo

**Voting for Motion:** All  
**Voting Against Motion:** None

**RESOLUTION 2022-02-0022: APPROVAL OF QUALIFIED ENGINEERING FIRMS FOR MARINE, CIVIL, CONSTRUCTION MANAGEMENT, GEO TECH, AND CERTIFIED DIVERS**

**REQUEST**

Staff is requesting Board approval of the Board Review Committee's recommendations to add several firms to the pre-qualified engineer list for a term of one year beginning April 1, 2022.

**BACKGROUND**

The SJPC prequalifies Professional Engineering and related service firms on a three-year cycle. Each year during the three-year term, the Board considers additional engineering firms who wish to be added to the prequalified list for the remaining term through an RFQ process.

Accordingly, Staff released a Request for Qualifications (RFQ) for Engineering Services for each of the categories of Civil Engineer, Certified Diver, Construction Management, Geotechnical Services, and Marine Engineer. The RFQ seeks qualifications statements from interested firms in accordance with the terms and conditions contained in the RFQ, in order for them to be considered pre-qualified for opportunities to submit cost proposals on upcoming projects.

We are beginning the third year of the three-year cycle, so this round of qualifications carries a term of one (1) year, commencing on April 1, 2022, and expiring on March 31, 2023.

The deadline to submit qualifications was on February 2, 2022, and there were six (6) new qualifications packages to consider.

Civil Engineering	CHA Consulting, Inc.	Parsippany, NJ
Marine Engineering	Matrix New World Engineering	Eatontown, NJ
	Greenman Pedersen, Inc.	Lebanon, NJ
Construction Management	Matrix New World Engineering	Eatontown, NJ
	InfoTran Engineers, PC	East Orange, NJ
Geotechnical Engineering	Matrix New World Engineering	Eatontown, NJ
Certified Divers	No Responses	

The Review Committee consisting of Board and Staff has reviewed and ranked the submissions.

*A motion was made to approve Resolution 2022-02-0022 consideration of the Board Review Committee's recommendation to add these firms to the pre-qualified engineer list for a term of one year beginning April 1, 2022.*

**Moved by:**  
**Seconded by:**

**C. Chianese**  
**R. DeAngelo**

**Voting for Motion:**  
**Voting Against Motion:**  
**Not Voting:**

**All**  
**None**

#### **RESOLUTION 2022-02-0023: APPROVAL OF CAMDEN INTERNATIONAL COMMODITIES TERMINAL LEASE ASSIGNMENT AND ASSUMPTION**

##### **Request**

Staff is requesting Board approval to consent to the assignment and assumption of the lease with Camden International Commodities Terminal, LLC (CICT), to Lyons & Sons, Inc.

##### **Background**

CICT, a New Jersey company, leases approximately 254,000 square feet of warehouse space from SJPC for the purpose of cocoa bean storage in Buildings H1-H2, and F1 and F2 in a lease agreement dating from 2004, which with extension options terminates July 31, 2035. CICT is affiliated with Lyons & Sons, Inc., a Pennsylvania company engaged in trucking and also in cocoa bean warehousing, and now CICT desires to assign their lease with SJPC to Lyons & Sons as part of a merger of the two entities. All tenant obligations and responsibilities under the lease will be assigned to and assumed by Lyons & Sons. The assignment requires SJPC written consent, and the lease will continue to be subject to New Jersey Law

*A motion was made to approve Resolution 2022-02-0023 to accordingly consent to the assignment and assumption of the Camden International Commodities Terminal lease to Lyons & Sons, Inc.*

Moved by:	R. DeAngelo
Seconded by:	C. Styles
Voting for Motion:	All
Voting Against Motion:	None
Not Voting:	

#### **RESOLUTION 2022-02-0024: APPROVAL OF AIR PRODUCTS REMEDIAL ACTION AGREEMENT**

##### **Request**

Staff is requesting Board approval to approve the Remedial Action Agreement between South Jersey Port Corporation and Air Products and Chemicals, Inc. on Block 457, Lot 10 at 2710 Broadway in Camden, NJ.

##### **Background**

The above - referenced approximately 3.9-acre site was previously leased by Air Products from SJPC starting in 1964. In 2002 the lease was assigned to Air Gas East although Air Products retained responsibility for environmental remediation. The lease was terminated, and the site vacated in 2010 and left in a contaminated non-remediated state. SJPC then initiated a lawsuit against Air Products to recover lost rent and loss in value incurred by environmental contamination. In 2012 the parties executed a Release and Settlement Agreement which provided for a lump sum payment by Air Products to SJPC as well as site remediation, shoreline stabilization, capping, and fencing to be paid for by Air Products. The 2012 settlement agreement also provided for SJPC assumption of the inspection and maintenance of the cap and shoreline stabilization, including the reporting and certification requirements provided for by environmental regulations. The purpose of the requested Remedial Action Agreement is to detail the specific activities of each party pursuant to the 2012 Release and Settlement Agreement.

##### **Key Agreement Terms**

Air Products Costs (direct payment by Air Products or reimbursable to SJPC):

- Installation of the 6 ft. high chain link fence, including permitting and construction  
(reimbursable to SJPC)

- LSRP Retention, Annual Fee form, and submission of Confirmed Discharge Notification form (reimbursable to SJPC)
- NJDEP annual remediation fee (reimbursable to SJPC)
- Revision/resubmission of the Site and Remedial Investigation reports and Remedial Action workplans and permits (direct payment)
- Installation of the environmental cap at the site (direct payment)
- Issuance of Response Action Outcome (direct payment)

SJPC Costs (non-reimbursable):

Remedial Action Permit fees, Cap/Fence Inspection & Biennial Reporting. SJPC remains responsible for these actions but the cost of compliance may be assigned to a future tenant.

*A motion was made to approve Resolution 2022-02-0024 to accordingly approve the Remedial Action Agreement with Air Products and Chemicals, Inc.*

<b>Moved by:</b>	<b>C. Styles</b>
<b>Seconded by:</b>	<b>R. DeAngelo</b>
<b>Voting for Motion:</b>	<b>All</b>
<b>Voting Against Motion:</b>	<b>None</b>
<b>Not Voting:</b>	

#### **RESOLUTION 2022-02-0025: APPROVAL OF TRI-STATE BULK HANDLING, INC. LEASE RENEWAL**

##### **Request**

Staff is requesting Board approval to renew the lease with Tri-State Bulk Handling, Inc.

##### **Background**

Tri-State Bulk Handling is a stevedoring company who performs bulk material vessel stevedoring services at SJPC's Camden terminals. Tri-State leases open space and building space for equipment storage and for Tri-State's office trailer placement.

##### **Key Anticipated Lease Terms**

- Five-year term for 2,600 sf of open space for Tri-State's office trailer, commencing April 1, 2022 and expiring March 31, 2027
- Two-year term for an additional 40,320 sf open area and 8,355 sf building for equipment storage, commencing April 1, 2022 and expiring March 31, 2024
- \$58,275 annual rental in Year 1 (+5% increase from current rental)

- Annual increase @ CPI

*A motion was made to approve Resolution 2022-02-0025 to accordingly renew the lease with Tri-State Bulk Handling, Inc.*

<b>Moved by:</b>	<b>C. Styles</b>
<b>Seconded by:</b>	<b>W. Higgins</b>
<b>Voting for Motion:</b>	<b>All</b>
<b>Voting Against Motion:</b>	<b>None</b>
<b>Not Voting:</b>	

**RESOLUTION 2022-02-0026: APPROVAL OF TATA STEEL IJMUIDEN BV (TATA) FRAMEWORK AGREEMENT RENEWAL**

**Request**

Staff is requesting Board approval to execute a renewal of its terminal services “Framework Agreement” with Tata Steel Ijmuiden BV in order to continue the commercial and operational relationship between SJPC and Tata related to the importation, handling, storage, and distribution of Tata steel products via SJPC’s Camden port facilities.

**Background**

Tata has been a customer of SJPC for approximately 20 years and utilizes Balzano Terminal for the importation and distribution of steel coils in order to supply its manufacturing customers in the US, including an active rail and truck logistics supply chain between Camden and Midwest points. Tata is one of the largest global steel producers and currently one of the largest import customers in Camden. Tata Steel imports to Camden originate in both the Netherlands and the UK, with most of the imports being sourced from the Netherlands. The current Framework Agreement is with Tata Steel Ijmuiden BV (the Netherlands) and has a one-year term expiring on April 1, 2022.

**Requested Framework Agreement Key Terms**

The following key terms would be incorporated into the Framework Agreement

- Initial term of the Agreement would be for two years expiring on March 31, 2024 corresponding to Tata’s fiscal contracting year
- Term of the Agreement can be extended for a third year from April 1, 2024 by mutual agreement
- Year 1 of the agreement provides for a 5% rate increase, and the subsequent year(s) provide for CPI-U rate increases, with a 2% minimum 5% maximum

- New Jersey law is the governing law for the terms and conditions of the Agreement
- The Agreement includes stevedoring and terminal handling conditions and procedures as agreed by the parties
- The Agreement requires adherence to Tata Steel's Global Ports & Warehousing Standards, (which SJPC has already been following)
- The Agreement contains various other provisions for such items as liability limits, invoicing, and handling of claims

*A motion was made to approve Resolution 2022-02-0026 to execute the Framework Agreement with Tata Steel Ijmuiden BV.*

<b>Moved by:</b>	<b>R. DeAngelo</b>
<b>Seconded by:</b>	<b>W. Higgins</b>

<b>Voting for Motion:</b>	<b>All</b>
<b>Voting Against Motion:</b>	<b>None</b>
<b>Not Voting:</b>	

**RESOLUTION 2022-02-0027: APPROVAL FOR A SECOND AMENDMENT TO RESOLUTION 2022-01-0007 (APPROVAL TO ISSUE AN EMERGENCY CONSTRUCTION CONTRACT TO DEMOLISH AND REMOVE THE COLLAPSED PUMPHOUSE AT THE BROADWAY TERMINAL, INSTALL RIPRAP TO STABILIZE THE SHORELINE, AND TO REPAIR THE DAMAGED ROADWAY) FOR PHASE THREE TO STABILIZE THE TIMBER BULKHEAD NORTH OF THE PUMP HOUSE AT THE BROADWAY TERMINAL**

**REQUEST**

Staff is requesting Board approval to issue a second amendment to the emergency construction contract to demolish and remove and remediate the collapsed pumphouse area at the Broadway Marine Terminal. This amendment is in response to a court order (DOCKET C-55-20), to remediate the area directly north of the pumphouse.

**BACKGROUND**

On May 26, 2020, a pump house structure owned by South Jersey Port Corporation and leased by Holtec Technology Center, LLC collapsed into the Delaware River. Originally slated for demolition during the Holtec site construction, the building was not demolished, at the request of Holtec, with their intent of possible reuse. Holtec's attempted renovation of the pump house structure and subsequent deterioration appears to have resulted in the eventual collapse. The collapse of the building led to litigation pursuant to which the Court has issued a preliminary finding that the perimeter roadway for the site, which is used for emergency vehicles, may be compromised. The Court has further issued a preliminary ruling, that the Port take immediate remedial action,

including but not limited to the demolition of the remaining pump house structure, embankment stabilization, and repairs to the roadway.

### PROCEEDINGS

Following the collapse, South Jersey Port Corporation was issued a court order on July 29, 2020 and again on October 28, 2021 requiring us to remove the collapsed pumphouse and stabilize the shoreline. Holtec has since filed a motion in aid of litigant's rights seeking immediate remedial action. At the direction of Counsel regarding the ongoing Holtec litigation proceedings (DOCKET C-55-20), Staff had requesting Board Approval to issue an Emergency Construction Contract to demolish and remove the remaining building remnants from the river, install riprap along the deteriorated bulkhead sea wall, and repair the adjoining damaged roadway.

Staff had previously directed SJPC consulting engineers ST Hudson to prepare plans and specifications for the work. On January 12, 2022, Staff issued the resulting Invitation for Bids to five (5) prequalified construction firms. On Monday, January 17, 2022, 3 bids were received:

On January 25, 2022, SJPC Board of Directors voted to approve Resolution 2022-01-0007, which allowed for the expedited execution of a construction contract to demolish and remove the collapsed Pumphouse and to install riprap to stabilize the shoreline and to repair the damaged roadway.

On February 1, 2022, the Court ruled that the current condition of the North Side Seawall of the Broadway Marine Terminal is an emergent condition that was not adequately addressed by SJPC to date. The Court imposed the following conditions against SJPC:

- 1) A continuing monetary sanction of \$5,000.00 per calendar day to be held in trust or abeyance until further order by the Court beginning on February 2, 2022 and continuing until either (a) the parties agree in writing that all remediation and related issues pertaining to compliance with the Court's Orders dated July 29, 2020 on October 28, 2021, or (b) by Order of the Court;
- 2) SJPC is to pay the monetary sanction every two (2) week period, beginning on February 2, 2022, with the first payment due on February 15, 2022;
- 3) Both parties are directed to meet through counsel every two (2) weeks to review the progress of Defendant in fully complying with the above-referenced Court Orders; and
- 4) Every three (3) weeks SJPC's counsel shall be responsible for sending the Court a written Status Report that shall be initially drafted by Defendant, to the Court (copying Holtec's counsel), and that through the Status Report Defendant may request that the Court either stop, freeze, or otherwise end the sanctions for good cause shown.

SJPC counsel is currently negotiating the final terms of the above mentioned order. The next Case Management Conference is scheduled to occur on February 23, 2022 and

presents an opportunity for the SJPC to lift the above mentioned sanctions and conditions so long as emergency powers are used to expedite repairs for the North Side Seawall of the Broadway Marine Terminal.

During Counsel's communications with opposing counsel, concern over the area just north of the pump house was raised. This area is also in critical condition, had also been recommended for stabilization, and was identified as a third phase of work.

The construction contractor's contract contains unit pricing whereby the stabilization treatment can be continued north from the pump house during this emergency mobilization. The additional cost is estimated to be \$220,000.

*A motion was made to approve Resolution 2022-02-0027 to add this phase three area to the emergency contract.*

<b>Moved by:</b>	<b>C. Styles</b>
<b>Seconded by:</b>	<b>R. DeAngelo</b>
<b>Voting for Motion:</b>	<b>All</b>
<b>Voting Against Motion:</b>	<b>None</b>

### **INFORMATION ITEMS:**

#### **MARKETING COMMITTEE REPORT & PHOENIX/ARTLIP COMMUNICATIONS REPORT**

The report was received and filed.

#### **PORT SECURITY UPDATE**

The report was received and filed.

#### **PAULSBORO MARINE TERMINAL PROJECT UPDATE**

The report was received and filed.

### **PUBLIC COMMENTS**

The Chairman asked if there were any public comments.

Hearing none, the Chairman asked for a motion to adjourn the regular session meeting and enter into closed session.

*A motion was made to adjourn the Regular Open Meeting.*

<b>Moved by:</b>	<b>W. Higgins</b>
<b>Seconded by:</b>	<b>C. Styles</b>
<b>Voting for motion:</b>	<b>All</b>

**Voting against motion:** None

At 1:25 p.m. the regular open session was adjourned.

Following closed session, the Regular Session was reopened at 1:57 p.m.

The Chairman asked for a motion to adjourn the regular session meeting and enter into a second closed session.

*A motion was made to adjourn the Regular Open Meeting at 1:59 p.m.*

**Moved by:** R. DeAngelo  
**Seconded by:** C. Chianese

**Voting for motion:** All  
**Voting against motion:** None

Following closed session, the Regular Session was reopened at 2:27 p.m.

*A motion was made to adjourn the Regular Open Meeting at 2:28 p.m.*

**Moved by:** C. Styles  
**Seconded by:** R. DeAngelo

**Voting for motion:** All  
**Voting against motion:** None

I certify that this is a true copy of the Minutes of the South Jersey Port Corporation's Regular Open Session of the Board of Director's Meeting held Tuesday, February 22, 2022.



Bruno Cellucci  
Acting Board Secretary