



**SOUTH JERSEY PORT CORPORATION**  
**OFFICIAL BOARD OF DIRECTORS MEETING MINUTES**  
**CAMDEN, NEW JERSEY**  
**JULY 26, 2022**  
**12:31 p.m.**

<b>Directors Present:</b>	Richard Alaimo	Chairman
	Joseph Maressa	Director ☎
	Robert DeAngelo	Director
	Christopher Chianese	State Treasurer Designee ☎
	Carl Styles	Director ☎
	William Higgins	Director
	Sheila Roberts	Director ☎
	Jonathan Gershen	Director
	Eric Martins	Director ☎

<b>Directors Absent:</b>	Chad Bruner	Director
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<b>In Attendance:</b>	Janice Venables	Governor's Authorities Unit
	Andrew Saporito	Executive Director & CEO
	Jennifer Cordes, Esq.	Conflict Counsel
	Victoria D'Amico	Board Secretary
	Neil Grossman	Financial Advisor
	Brendan Dugan	Assistant ED/Dir Business Dev.
	Jonathan Atwood	Chief of Staff
	Chris Perks	Director of Engineering
	Chuck O'Leary	Security Manager
	George Englehardt	Facilities Engineer ☎
	Dennis Culnan, Jr.	Phoenix Strategies
	Dan Bontempo	Stantec
	Brent Lee	Brent Lee, Assoc.
	Stephen Galati, Esq.	Mattioni, Ltd.
	Harry Trump	Accounting Manager
	Patrick Boyle	Senior Purchasing Agent

**The Board Secretary opened the meeting at 12:31 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 Board 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

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.

Roll call was taken and recorded. **PLEDGE OF ALLEGIANCE RECITED.**

**PRESENTATION OF REGULAR MEETING MINUTES – JUNE 14, 2022**

The minutes for the South Jersey Port Corporation Board of Directors regular session meeting held on June 14, 2022 were presented for approval.

*A motion was made to approve the June 14, 2022 Board of Directors Regular Open Session Meeting Minutes as presented.*

**Moved by:** J. Gershen  
**Seconded by:** J. Maressa  
  
**Voting for motion:** All  
**Voting against motion:** None

**PRESENTATION OF CLOSED MEETING MINUTES – JUNE 14, 2022**

The minutes for the South Jersey Port Corporation Board of Directors closed session meeting held on June 14, 2022 were presented for approval.

*A motion was made to approve the June 14, 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.*

**Moved by:** J. Gershen  
**Seconded by:** J. Maressa  
  
**Voting for motion:** All  
**Voting against motion:** None

**OPERATING BILLS**

The Operating Unpaid Bill list for the period 5/28/2022–7/8/2022 was presented for approval.

*A motion was made to adopt Resolution 2022-07-0067 for the approval of the Operating Unpaid Bill list for the period 5/28/2022-7/8/2022.*

**Moved by:** R. D’Angelo

**Seconded by:** J. Gershen

**Voting for motion:** All

**Voting against motion:** None

**ADVANCE PAYMENT LIST**

The Advance Payment Bill List for the period 5/28/2022– 7/8/2022 was presented for approval.

*A motion was made to adopt Resolution 2022-07-0068 for the approval of the Advance Payment Bills for the period 5/28/2022- 7/8/2022.*

**Moved by:** J. Gershen

**Seconded by:** J. Maressa

**Voting for motion:** All

**Voting against motion:** None

**CREDIT LIST**

The Credit List for the period ending July 26, 2022 was presented for approval.

*A motion was made to adopt Resolution 2022-07-0069 for the approval of the Credit List for the period ending July 26, 2022.*

**Moved by:** R. D’Angelo

**Seconded by:** J. Maressa

**Voting for motion:** All

**Voting against motion:** None

**CHANGE ORDERS**

**CHANGE ORDER #1  
RESOLUTION 2022-07-0070**

**Security Guard Booths at Balzano and Broadway Terminals  
Change Order No. 1  
MJJ Construction, LLC**

Security Guard Booth Replacements at Balzano and Broadway Terminals was awarded to MJJ Construction, LLC of Atco, NJ, in July 2021 by SJPC Resolution Number 2021-07-0070 in the amount of \$208,000.

The scope of the contract included replacement of both security guard booths as designed by French & Parrello Associates.

During visits to the manufacturer’s shop to inspect the progress of the work, concern was expressed about the life span and slip resistance of the bare aluminum diamond plate flooring. The manufacturer indicated that an anti-slip / corrosion resistant floor coating is often applied to extend the life of the floor.

After examining material samples and evaluating the benefits and costs, SJPC staff recommends the addition of the floor coatings to the two booths, and requests SJPC Board Approval of Change Order Number 1 in the amount of \$4,476.25.

The Original Contract Amount	\$ 208,000.00
Change Order Number 1	\$ 4,476.25
Adjusted Contract Amount	\$ 212,476.25

*A motion was made to adopt Resolution 2022-07-0070 for the approval of the change order number 1 for the addition of the floor coatings to the two booths, and request in the amount of \$4,476.25.*

**Moved by:** R. D’Angelo  
**Seconded by:** J. Gershen  
  
**Voting for motion:** All  
**Voting against motion:** None

**CHANGE ORDER #2  
 RESOLUTION 2022-07-0071**

**Replacement of Security Perimeter Protection at Balzano Terminal  
 Change Order No. 1  
 Fox Fence**

Replacement of the Security Perimeter Protection at Balzano Terminal was awarded to Fox Fence Enterprises, Inc., Clifton, NJ, in January 2022 by SJPC Resolution Number 2022-01-0005 in the amount of \$256,259.

The scope of the contract included replacement of the port security perimeter fence as designed by Remington & Vernick Engineers.

At the time of inspection of the existing perimeter protection during the design phase, it was determined the north ornamental gate was in reliable condition and therefore not included in the scope of work. Over the last year, the gate has sustained further damage requiring repair services to structurally maintain the perimeter security.

A proposal from Fox Fence was requested to replace the existing ornamental fence gate. The cost for this custom fabricated gate is reasonable and therefore SJPC requests Board Approval of Change Order Number 1 in the amount of \$13,780.

The Original Contract Amount	\$ 256,259
Change Order Number 1	\$ 13,780
Adjusted Contract Amount	\$ 270,039

*A motion was made to adopt Resolution 2022-07-0071 for the approval of Change Order Number 1 to replace the existing ornamental fence gate in the amount of \$13,780.*

**Moved by:** R. D'Angelo  
**Seconded by:** S. Roberts

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

**CHANGE ORDER #3  
Resolution 2022-07-0072**

**Berth 4 Improvements at Balzano Marine Terminal  
Change Orders No. 1, 2, 3  
RE Pierson Construction Company**

The contract for Berth 4 Improvements at the Balzano Terminal was awarded to R.E. Pierson Construction Company, Woodstown, NJ, in January 2022 by SJPC Resolution Number 2022-01-0006 in the amount of \$1,623,405.00.

The scope of work includes subgrade strengthening with drilled shafts filled with concrete (referred to as inclusions), remediation of various drainage catch basins and pipe replacements, the installation of geogrid fabrics under compacted backfill materials, and a reinforced concrete slab covered with bituminous asphalt paving.

The design engineer was S.T. Hudson Engineers of Cherry Hill, NJ.

During the construction a number of unforeseen underground conditions were uncovered which required additional excavation and disposal of unsuitable soils, as well as demolition of obstructions, and additional inlet and piping repairs.

Also, after testing of the soils for hazardous materials, they were found to be acceptable for routine off-site disposal, which resulted in a credit.

These necessary changes due to field conditions have resulted in three change orders grouped chronologically, as fully tabulated on the attached summary and documented in the detailed change orders.

The net effect of the three change orders is an additional \$75,524.71, increasing the total contract amount from \$1,623,405.00 to \$ 1,698,929.71.

SJPC staff requests Board Approval of Change Orders Number 1, 2, and 3 in the net amount of \$75,524.71.

The Original Contract Amount	\$ 1,623,405.00
Change Order Number 1	\$ 53,617.86
Change Order Number 2	\$ (96,877.35)
Change Order Number 3	\$ 118,784.20
Adjusted Contract Amount	\$ 1,698,929.71

*A motion was made to adopt Resolution 2022-07-0072 for the approval of Change Orders Number 1, 2, and 3 in the net amount of \$75,524.71.*

**Moved by:** R. D’Angelo  
**Seconded by:** S. Roberts  
  
**Voting for motion:** All  
**Voting against motion:** None

**CONSTRUCTION FUND REQUISITIONS**

Staff presented (19) advance construction fund requests in the amount of \$1,762,891.89 and (4) unpaid construction fund requisitions in the amount of \$1,049,748.22

*A motion was made to adopt Resolution 2022-07-0073 for the approval of Construction Fund Requisitions for the period ending July 26, 2022 as presented.*

**Moved by:** R. D’Angelo  
**Seconded by:** J. Gershen  
  
**Voting for motion:** All  
**Voting against motion:** None

**TREASURER’S REPORT**

For the month of June 2022, the SJPC generated net loss before non-operating interest expense and depreciation and amortization in the amount of -\$170,824.00, which is under budget by \$241,003.00 for the month. A delay in mailing forced \$184,201.64 of May Expenses to be recognized in June. Our year-to-date net revenue as of June 30<sup>th</sup> is \$962,410.00 which is over budget by \$541,334.00.

Please be aware that we removed \$119,701.74 from deferred revenue in June and our balance has decreased to \$489,278.17. (This represents truck loading revenue that can only be recognized when the trucks are loaded, and cargo moves off the terminal.) The summer season tends to be slower than winter months in terms of revenue. This in tandem with the 184,201.64

of May's expenses being recognized in the subsequent month prevented SJPC from showing a positive Net Income \$13,377.64 for the month of June.

### **COUNSEL'S REPORT**

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

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

Total cargo tonnage in June was 296,760 s/tons compared to 503,910 s/ tons in June 2021 this is mostly due to a significant drop-in cargo activity at Paulsboro. YTD tonnage through June totalled 1,706,054 s/tons; representing a 27.4% decrease compared to the same period in 2021.

Camden Steel imports in June 2022 showed a 31.4% decrease over June 2021 and a June YTD increase of 25.5% compared to 2021.

There were 4,779 s/ tons of plywood imports in June 2022 compared to no activity in June 2021. June YTD plywood tonnage was 48,974 tons which is 52.6% behind YTD 2021

June cocoa beans imports totalled 11,983 s/tons compared to 8.353 s/tons in June 2021. YTD cocoa bean imports totalled 38,376 tons which is a 46.2% decrease versus YTD 2021.

Bulk activity for June was 116,251 s/tons; a 40% decrease from June 2021. YTD bulk reached 858,509 s/tons; a 9.4% decrease versus YTD 2021.

Exports of recycled metals in June was 58,511 s/tons; a 47% decrease compared to June 2021. YTD recycled metals decreased 12.5% compared to 2021. June Cement increased 4% YTD. Grancem decreased 3% for June 2022 but showed a 9.8% increase YTD. Sand volumes increased 11.8%. There was no Gypsum activity in 2022 YTD compared to 57,873 s/tons YTD 2021.

SJPC handled 21 ships in June 2022 compared to the same in June 2021. YTD the port handled 119 ships, compared to 111 in June 2021 YTD. Total YTD ship days was 476 vs 523 in 2021.

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

### **COVID 19 Update**

Effective March 14<sup>th</sup> all COVID mandated restrictions have been rescinded.

We have one new case to report at this time, making the total numbers of employees infected at 56. Approximately 87 employees have been vaccinated with at least one shot, which is 74 percent of our workforce. We continue to encourage employees to get vaccinated.

The State has lifted most COVID protocols, including the need to socially distance, wear masks, or conduct temperature checks.

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.

### **Paulsboro Update**

EEW continues to make good progress on Phase one of its project. The Circular Weld building is almost complete and EEW hopes to have a temporary certificate of occupancy by the end of July. The Paint and Blast 1 building roof and siding is 97 % complete. Both buildings are

scheduled to be operational by the end of 2022. Site improvements adjacent to the two buildings is nearing completion in advance of paving this summer.

EEW and Orsted and the GCIA to submit a Federal grant application to cover projected overruns.

The permit from the Army Corps for the south barge berth dolphins and dredging has been delayed because US Marine Fisheries unilateral action has added 90 days to the review period for a peer review and will delay the completion and potential delivery of monopile sections. SJPC objected because US Marine Fisheries did not formally request an extension within the allocated time frame. We expect to hear back from the agencies by July 29th

We continue to work with the GCIA and Jacobs to reconcile project funding and remaining work.

### **Meeting with SJTA**

On June 15<sup>th</sup> we hosted executive staff from the South Jersey Transportation Authority (SJTA) to discuss ways both agencies might be able to assist each other. Based on our discussion, there might be an opportunity to join the SJTA on some general construction contracts.

We plan to meet again in the late summer to continue our discussion.

### **Meetings with Salem County and Salem City Representatives**

On June 22<sup>nd</sup>, we met with representatives from Salem County and Salem City to present the Port of Salem Development Plan. John Martin from Martin Associates made the presentation.

We had a follow-up meeting with representatives from the county and city on July 19th to discuss next steps and their desire to see NJ EDA's Wind Institute based in Salem City. Based on our discussions, we will be seeking approval to enter into Non-Disclosure agreements so they can share more details on their redevelopment plans.

### **Camden Job Fair**

On June 23<sup>rd</sup>, SJPC staff participated in the Camden Job Fair at Roosevelt Plaza Park and provided Camden residents with information about employment opportunities at the port.

### **Marketing and Customer Relations**

Over the past month we hosted customers and visitors from TATA Steel, Ports America, Far East America, Prime Charter, Nippon Steel, Optima Steel, and AB Martin.

### **Safety Day 2022**

On July 14<sup>th</sup>, we closed our gates at 11:30 AM to hold our first annual safety day. It provided us with an opportunity to stress the importance of working safely on our terminals and to provide our employees with safety items such as safety shoes and safety glasses. Representatives from the Camden Fire Department and TSA also participated in the event.

### **ACTION ITEMS:**

**RESOLUTION 2022-07-0074: APPROVAL TO AWARD A CONSTRUCTION CONTRACT FOR THE REPAIRS OF THE EXISTING BALZANO AND PIER 5 TERMINALS CATHODIC PROTECTION SYSTEMS**

**REQUEST**

Staff is requesting Board Approval to Award a construction contract to perform cathodic protection system repairs at the Balzano and Pier 5 Marine Terminals.

**BACKGROUND**

Based on the findings of a previous conditional maintenance survey, significant damage had occurred to the water borne wiring apparatus in addition to the degradation of the sacrificial anode assemblies necessary for the corrosion protection of the berths. The Board advised that the SJPC should seek the services of a qualified cathodic protection system firm. The Board adopted Resolution 2018-4-0044 to authorize staff to issue a Request for Proposals. Board Resolution 07-07-2020 was awarded to Atlantic Subsea of Bridgeport, New Jersey and that scope of work has been completed.

This new contract award is to address additional repairs which have been identified.

**PROCEEDINGS**

The bid was advertised on May 9, 2022.

A Pre-Bid meeting was held on May 17th, 2022, with Seven (7) firms in attendance. Bids were received on June 7th, 2022, at 11:00 AM.

One bid was received from Atlantic Subsea of Bridgeport, Logan Township, New Jersey.

<b>Construction-Repairs:</b>	
<b>Berth 5, Broadway Terminal</b>	<b>\$582,000.00</b>
<b>Berths at Balzano Terminal</b>	<b>\$125,500.00</b>
<b>Total Lump Sum Bid</b>	<b>\$707,500.00</b>
<b>One year Inspection and Maintenance</b>	<b>\$41,000.00</b>
<b>Total Contract Award Amount</b>	<b>\$748,500.00</b>

*A motion was made to approve Resolution 2022-07-0074 to award this construction and maintenance contract to complete the cathodic protection system repairs at the Balzano Berths and at Broadway Pier 5 to Atlantic Subsea of Bridgeport in the amount of \$748,500.00.*

**Moved by:** J. Gershen  
**Seconded by:** R. D'Angelo  
**Voting for Motion:** All

**Voting Against Motion:     None**

**RESOLUTION 2022-07-0075: APPROVAL TO ISSUE AN RFP TO PREQUALIFIED CIVIL ENGINEERING FIRMS, TO OBTAIN THE SERVICES OF A LICENSED SITE REMEDIATION PROFESSIONAL**

**REQUEST**

Staff is requesting Board Approval to issue an RFP to prequalified civil engineering firms to obtain the on-call services of a licensed site remediation professional (LSRP).

**BACKGROUND**

SJPC owns a number of properties which are subject to New Jersey Department of Environmental Protection (NJDEP) regulations pertaining to contaminated sites in accordance with the Industrial Site Recovery Act (N.J.A.C. 7:26B), the Site Remediation Reform Act (N.J.S.A. 58:10C-1), and other applicable laws.

As the owner, the SJPC is routinely involved with compliance activities at these sites. In addition, the recent settlement agreement and NJDEP Remedial Action Workplan Permit for the Holcim property requires the SJPC to obtain the services of an LSRP.

Therefore, the SJPC is seeking to retain the on-call services of an LSRP to advise and assist the SJPC with these compliance activities at all the relevant properties.

The SJPC maintains a list of pre-qualified civil engineering firms, many of whom employ one or more LSRPs. This RFP will be distributed to that list.

The selected firm will provide one or more LSRPs to advise or assist the SJPC on an on-call, as needed basis. This would entail document review, site inspections, the preparation of documents, interaction with NJDEP, filings, and other related activities.

The term would be one year with a two one-year renewal options at the discretion of the SJPC. Assignments would be made on a pre-approved task order basis. Total annual fees will not exceed \$50,000.00.

*A motion was made to approve Resolution 2022-07-0075 to issue an RFP to prequalified civil engineering firms to obtain the on-call services of a licensed site remediation professional.*

**Moved by:                     J. Gershen**  
**Seconded by:                S. Roberts**

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

**RESOLUTION 2022-07-0076: AUTHORIZATION TO CONDUCT REVERSE AUCTION BIDDING FOR ELECTRICITY SUPPLY PURCHASING**

**REQUEST**

Staff is requesting Board authorization to again participate in a reverse auction bidding process to secure the lowest competitive price for electricity supply.

**BACKGROUND**

The SJPC has been buying its electricity supply by this method every three years since 2008. The Board most recently authorized a reverse auction bid for the electricity supply at their June 2019 meeting. That process resulted in a reverse auction held in September 2019, and a three-year contract which will expire on December 31<sup>st</sup>, 2022.

The recommended schedule is to prepare now for the actual auction date sometime in September or October, with the intent to have the new contract in place before the expiration of the current one.

Our agent in past auctions has been Apollo Edison of Spring City, PA. They will obtain our historic usage data from PSE&G, model the profile of our usage, prequalify potential bidders, and schedule and perform the reverse auction. There is no direct cost to the SJPC for this service.

As in past cycles, when the reverse auction bidding takes place, the Executive Director in consultation with the Chairman will confirm award to the lowest priced provider at the immediate conclusion of the bidding and auction process.

*A motion was made to approve Resolution 2022-07-0076 to conduct a reverse auction bidding process for electricity supply for a three-year period, and to authorize the Executive Director to award to the lowest priced provider in consultation with the Chairman.*

**Moved by:** R. D'Angelo  
**Seconded by:** W. Higgins

**Voting for Motion:** All  
**Voting Against Motion:** None  
**Not**

**Voting:**

**RESOLUTION 2022-07-0077: APPROVAL TO ISSUE REQUEST FOR BIDS FOR ASPHALT PAVING AT BALZANO AND BROADWAY TERMINALS**

**REQUEST**

Staff is requesting Board approval to issue a Request for Bids for asphalt paving repair services for all areas requiring paving repairs throughout the Balzano and Broadway Marine Terminals.

**BACKGROUND**

Heavy and continuous tractor trailer and forklift traffic at the Balzano and Broadway Marine terminals causes deterioration of the bituminous asphalt paving and creates safety issues. Because the scope of work is too large to be handled with inhouse staff and equipment, there is an ongoing need to issue an invitation for bids and award a paving contract for these routine repairs.

Our current contract for asphalt paving repair services expires on October 14, 2022. The incumbent contractor, Paving Plus LLC was awarded a single year contract with a not-to-exceed cost of \$262,805.00, based on 1,000 tons each of hot mix stabilized base and finish course, installed.

The contract terms for the requested solicitation will be for a one-year term with the option of two additional, one-year extensions.

*A motion was made to approve Resolution 2022-07-0077 to issue a Request for Bids for asphalt paving repair services for all areas requiring paving repairs throughout the Balzano and Broadway Marine Terminals.*

<b>Moved by:</b>	<b>W. Higgins</b>
<b>Seconded by:</b>	<b>R. D'Angelo</b>
<b>Voting for Motion:</b>	<b>All</b>
<b>Voting Against Motion:</b>	<b>None</b>

**RESOLUTION 2022-07-0078: APPROVAL TO SUBMIT AN APPLICATION FOR FOREIGN TRADE ZONE STATUS ON BEHALF OF NATIONAL REFRIGERANTS INC.**

**REQUEST**

Staff recommends Board approval to submit an application for FTZ usage-driven status to the FTZ Board on behalf of National Refrigerants, Inc.

**BACKGROUND**

SJPC is the Grantee of Foreign Trade Zone (FTZ) No. 142 as authorized by the FTZ Board, a division of the US Department of Commerce. SJPC's Grantee status for FTZ No.142 includes any sites that are or may be FTZ-designated within the seven county SJPC Port District comprised of Mercer, Burlington, Camden, Gloucester, Salem, Cumberland and Cape May counties.

FTZs are technically outside the Customs territory of the United States, and as such can allow businesses to reduce, defer, or in some cases eliminate Customs duties on imported products and components. Materials in FTZs can be combined with domestic or other imported components, processed, and then either entered into the US Customs territory or re-exported in order to achieve duty benefits.

**Key Information Items:**

- National Refrigerants, Inc. (NRI) wants to pursue FTZ usage-driven status for its existing manufacturing plant in Bridgeton in Cumberland County, NJ. This plant currently employs 155 full-time staff plus 50 temporary staff
- NRI is a manufacturer as well as an importer of refrigerants used in automotive, refrigeration and HVAC applications
- NRI intends to import compressed refrigerant gas in ISO tank shipping containers, and then extract and transfer the bulk gas into smaller cylinders for subsequent in-bond export to Canada
- This FTZ status activity will allow NRI to avoid payment of U.S. Customs duties on material that is imported and subsequently exported to Canada
- SJPC, as Grantee of FTZ, must submit the application for FTZ status on behalf of NRI
- Per SJPC’s FTZ no.142 Tariff, NRI is to pay SJPC \$10,000 for the application submission on their behalf

*A motion was made to approve Resolution 2022-07-0078 to accordingly submit an application for FTZ usage-driven status to the FTZ Board on behalf of National Refrigerants, Inc.*

<b>Moved by:</b>	<b>J. Gershen</b>
<b>Seconded by:</b>	<b>R. D’Angelo</b>
<b>Voting for Motion:</b>	<b>All</b>
<b>Voting Against Motion:</b>	<b>None</b>

**RESOLUTION 2022-07-0079: APPROVAL TO EXECUTE AN OPERATOR’S AGREEMENT FOR FOREIGN TRADE ZONE ACTIVATION BETWEEN SOUTH JERSEY PORT CORPORATION AND NATIONAL REFRIGERANTS, INC.**

**REQUEST**

Staff recommends Board approval to authorize the Executive Director & CEO to execute an Operator’s Agreement between SJPC and National Refrigerants, Inc.

**BACKGROUND**

SJPC as the Grantee of Foreign Trade Zone (FTZ) No. 142, is responsible for the public utility administration of the FTZ including the adoption of a Zone Schedule (tariff), execution of FTZ agreements with Zone, Subzone and Magnet Site Operators, the filing of applications for Zone expansions and boundary modifications, and submission of the annual report to the Foreign Trade Zones Board. Based on these responsibilities, SJPC requires an Operator's Agreement be established with NRI to allow NRI to activate their Bridgeton NJ manufacturing site as an FTZ and to ensure that NRI complies with US government regulations required of FTZ operators, as well as with SJPC's Foreign Trade Zone 142 Tariff No. 1, as revised in October 2020.

**Agreement Highlights**

- Initial term of the agreement is 3 years, with automatic renewals of 3 x 5-year terms unless either party provides notice of nonrenewal at least 6 months prior to expiration of the initial term or any successive renewal term.

**Operator (NRI) Responsibilities:**

- Submittal of site activation application
- FTZ procedures manual outlining inventory control and record keeping system, and implementation of this as well as operating procedures in conformance with US Customs and Border Protection (CBP) requirements
- Participation in CBP security background checks and submission of information on employees supervising zone merchandise
- Provide annual zone activity reconciliation report to FTZ Board and to Grantee (SJPC)
- Adherence to SJPC FTZ 142 Tariff, including fee payments:
  - \$10,000 Site Establishment fee
  - \$10,000 Site Activation fee
  - \$15,000 Annual Operator fee

**Grantee (SJPC) Responsibilities:**

- Preparation and submittal of Grantee annual consolidated report on FTZ activities to FTZ Board
- Supply Operator with required documentation to allow operator to participate in FTZ program
- Act as liaison with CBP, FTZ Board and any other government agency to advocate for efficient FTZ operations

*A motion was made to approve Resolution 2022-07-0079 to authorize the Executive Director & CEO to execute an Operator’s Agreement between SJPC and National Refrigerants, Inc.*

<b>Moved by:</b>	<b>R. D’Angelo</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>

**RESOLUTION 2022-07-0080: APPROVAL TO AWARD RFP BID CONTRACT FOR CONSULTANT SERVICES TO CONDUCT A 2030 MASTER PLAN STUDY FOR THE BALZANO AND BROADWAY MARINE TERMINALS**

**REQUEST**

Staff is requesting Board approval to award a contract to Martin Associates to conduct a Master Plan Study to address port readiness to meet the region’s future maritime cargo handling needs in 2030 at the Balzano and Broadway Marine Terminals.

**BACKGROUND**

At SJPC’s March 2022 Board meeting, approval was granted to issue an RFP in a not to exceed amount of \$500,000 to SJPC’s pre-approved planning and marine engineering consultants to conduct a Master Plan Study for the Balzano and Broadway Marine Terminals. The study is in furtherance of SJPC’s strategy to create a port readiness program for the Camden ports to remain both competitive and able to handle growth in bulk, breakbulk, warehousing as well as new business. Increasing maritime economic activity translates into growth in employment and revenue generation at the terminals. The RFP was issued in April 2022 to the pre-qualified consultant list, and only one respondent, Martin Associates, provided a proposal by the May 24th submission deadline in the amount of \$425,000. Martin Associates provided a presentation of their proposal to address their study approach and deliverables to the satisfaction of the evaluating committee members.

The Martin Associates together with their subconsultant Hatch are well qualified based on their collective worldwide experience to perform this master plan study.

*A motion was made to approve Resolution 2022-07-0080 to award the 2030 Master Plan Study for the Balzano and Broadway Terminals contract to Martin Associates.*

<b>Moved by:</b>	<b>S. Roberts</b>
<b>Seconded by:</b>	<b>W. Higgins</b>

Voting for Motion: All  
Voting Against Motion: None

**RESOLUTION 2022-07-0081: REQUESTING APPROVAL TO GRANT ONE-YEAR EXTENSION TO CURRENT CONTRACT WITH TRIAD ASSOCIATES; AMEND CURRENT CONTRACT SPENDING THRESHOLD**

**REQUEST**

Staff is requesting Board Approval to issue execute one-year extension option of the current Grant Writing, Management, and Administrative Services contract with Triad Associates, and to amend the current contract to increase the spending threshold to \$125,000.

**BACKGROUND**

The current contract with Triad Associates has, at the Port’s discretion, two one-year extension options. The first year of the contract is set to expire in October, 2022, and Staff is requesting Board approval to pick up the first one-year option.

Working with Triad, SJPC has applied for 5 grants totaling over \$150,000,000 in grant funding since October 2021, including a \$133,000,000 project at our Camden terminals. SJPC has already been awarded three of those applications, including the INFRA grant for the Port of Salem, a Port Security grant for camera systems at the Broadway and Balzano terminals, and a recently awarded NJDOT rail freight grant for an electric rail car mover, two mobile loading docks, and rail extension at the Boadway Terminal. Staff anticipates reaching the contract’s current annual spending limit of \$100,000 before the term is renewed in October and is requesting an additional \$25,000 to cover the additional grant writing expenses.

*A motion was made to approve Resolution 2022-07-0081 to execute one-year extension of the current Grant Writing, Management, and Administrative Services contract with Triad Associates at an annual cost of \$100,000, and to amend the current contract to increase the spending threshold to \$125,000.*

Moved by: J. Gershen  
Seconded by: W. Higgins

Voting for Motion: All  
Voting Against Motion: None

**RESOLUTION 2022-07-0082: APPROVAL TO AUTHORIZE EXECUTIVE DIRECTOR/CEO TO EXECUTE NJDOT FY 2022 RAIL FREIGHT ASSISTANCE PROGRAM GRANT AGREEMENT**

**REQUEST**

Staff is requesting the Board authorize the Executive Director/CEO to execute the NJDOT FY 2022 Rail Freight Assistance Program (RFAP) grant agreement.

**BACKGROUND**

South Jersey Port Corporation has been awarded a grant of \$1,108,254.17 from the New Jersey Department of Transportation's (NJDOT's) FY 2022 Rail Freight Assistance Program (RFAP) for the Port's "Rail Integration Project." The grant will enable SJPC to purchase an electric rail car mover, two mobile rail loading docks, and extend the existing rail at the Broadway Marine Terminal.

*A motion was made to approve Resolution 2022-07-0082 to authorize the Executive Director/CEO to execute the NJDOT FY 2022 Rail Freight Assistance Program (RFAP) grant agreement.*

**Moved by:** J. Gershen

**Seconded by:** J. Maressa

**Voting for Motion:** All

**Voting Against Motion:** None

**RESOLUTION 2022-07-0083: APPROVAL TO EXECUTE NON-DISCLOSURE AGREEMENTS RELATED TO PORT OF SALEM DEVELOPMENT**

**REQUEST**

Staff is requesting Board approval to authorize the Executive Director and CEO to execute one or more Non-Disclosure Agreements (NDAs) with Salem City, Salem County, NJEDA, property developers or investors seeking to develop sites adjacent or near SJPC port property in Salem NJ, subject to individual reviews by legal counsel.

**BACKGROUND**

A combination of initiatives are taking place which provide an opportunity to maximize the potential for port and economic development in Salem. These include SJPC's Infrastructure grant to redevelop and expand the wharf, the Salem Line rail improvements, and the nearby development of the NJ Wind Port. It is anticipated that these factors, combined with the existence of defunct or underutilized industrial properties adjacent to or near SJPC's port property in Salem, will require confidential discussions with public and private entities related to industrial development that will enhance SJPC's port activities in Salem.

*A motion was made to approve Resolution 2022-07-0083 approval to authorize the Executive Director and CEO to execute one or more Non-Disclosure Agreements (NDAs) with Salem City, Salem County, NJEDA, property developers or investors seeking to develop sites*

*adjacent or near SJPC port property in Salem NJ, subject to individual reviews by legal counsel*

**Moved by:** W. Higgins

**Seconded by:** J. Maressa

**Voting for Motion:** All

**Voting Against Motion:** None

**RESOLUTION 2022-07-0084: APPOINTMENT OF PROFESSIONAL SERVICES AGREEMENTS**

**REQUEST**

Staff requests Board approval to enter into Professional Services Agreements for Bond Counsel, Financial Advisor, General Legal Counsel, Health and Insurance Broker, Labor Counsel, Maritime Counsel, and Marketing Consulting services.

**BACKGROUND**

Staff released a Request for Proposals/Qualifications for the above Professional Service categories with proposals due on Wednesday, June 8, 2022, at 2:00 p.m. The solicitation for General Legal Counsel and Maritime Counsel were readvertised and due on Tuesday, July 12, 2022, at 11:00am.

The following proposals were received:

<b><u>Bond Counsel Proposal Submissions</u></b>	<b><u>Proposal Details</u></b>
<p><b>McManimon, Scotland &amp; Baumann, LLC</b>  <b>75 Livingston Ave</b>  <b>Roseland, NJ 07068</b></p>	<p><b>\$225.00 per hour</b></p>
<p><b>Wilentz, Goldman &amp; Spitzer, P.A.</b>  <b>90 Woodbridge Center Dr.</b>  <b>PO Box 10, Suite 900</b>  <b>Woodbridge, NJ 07095</b></p>	<p><b>\$250.00 per hour blended rate,</b>  <b>\$100.00/per hour for paralegals</b></p>

<u>Financial Advisor Proposal Submission</u>	<u>Proposal Details</u>
<p><b>Phoenix Advisors LLC</b>  <b>625 Farnsworth Ave</b>  <b>Bordentown, NJ 08505</b></p>	<p><b>Hourly rate: Specialized Services (\$115-\$195/hour)</b>  <b>Bond Issuance: \$9,500 plus \$0.50 per \$1,000.00 issued (min. \$12,500/max. \$37,500.00)</b>  <b>Note Issuance: \$2,500 plus \$0.25 per \$1,000.00 issued (Min. of \$5,000.00)</b></p>
<p><b>GB Associates</b>  <b>24 Broadlawn Dr</b>  <b>Livingston, NJ 07039</b></p>	<p><b>\$210.00 Hourly rate.</b></p>
<p><b>Acacia Financial Group Inc.</b>  <b>6000 Midlantic Drive, Suite 410</b>  <b>Mt. Laurel, NJ 08054</b></p>	<p><b>Consulting Hourly Rates: \$150.00-\$225.00/hour</b></p> <p><b>Standard Financing: \$0.85 per \$1,000.00 of par vale issued with a minimum fee of \$25,000.00</b></p>

<u>General Legal Counsel Proposal Submissions</u>	<u>Proposal Details</u>
<p><b>McManimon, Scotland &amp; Baumann, LLC</b>  <b>75 Livingston Ave</b>  <b>Roseland, NJ 07068</b></p>	<p><b>Blended hourly rate of \$215.00</b></p>
<p><b>Cooper Levenson, Attorneys at Law</b>  <b>1125 Atlantic Ave</b>  <b>Atlantic City, NJ 08401</b></p>	<p><b>Hourly rate of \$250.00.</b></p>
<p><b>Marmero Law, LLC</b>  <b>44 Euclid Street</b>  <b>Woodbury, NJ 08096</b></p>	<p><b>Hourly rate of \$150.00.</b></p>
<p><b>Brown &amp; Connery LLP</b>  <b>360 Haddon Ave, PO Box 539</b>  <b>Westmont, NJ 08108</b></p>	<p><b>\$215.00/hour for Partners</b>  <b>\$190.00/hour for Associates, all Attorneys</b>  <b>\$95.00/hour Law Clerks/Paralegals</b></p>

<p><b>Florio, Perrucci, Steinhardt, Cappelli, Tipton &amp; Taylor LLC</b>  <b>1010 Kings Highway South, Building 2</b>  <b>Cherry Hill, NJ 08034</b></p>	<p><b>\$225.00/blended hourly rate, all attorneys</b></p>
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<p><b><u>Health/Insurance Broker Proposal Submission</u></b></p> <p><b>Conner Strong &amp; Buckelew</b>  <b>TRIAD1828 Centre, 2 Cooper St.</b>  <b>Camden, NJ 08102</b></p>	<p><b><u>Proposal Details</u></b></p> <p><b>\$15,000.00 per year</b></p>
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<p><b><u>Labor Counsel Proposal Submissions</u></b></p> <p><b>McManimon, Scotland &amp; Baumann, LLC</b>  <b>75 Livingston Ave</b>  <b>Roseland, NJ 07068</b></p>	<p><b><u>Amount</u></b></p> <p><b>\$225.00 blended hourly rate</b></p>
<p><b>Marmero Law, LLC</b>  <b>44 Euclid Street</b>  <b>Woodbury, NJ 08096</b></p>	<p><b>\$150.00 per hour</b></p>

<p><b><u>Maritime Counsel Proposal Submission</u></b></p> <p><b>Mattioni Ltd.</b>  <b>1316 Kings Highway</b>  <b>Swedesboro, NJ 08085</b></p>	<p><b><u>Proposal Details</u></b></p> <p><b>\$300.00/per hour: Attorney</b>  <b>\$125.00/per hour: Paralegal/Law Clerks</b></p>
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<p><b><u>Marketing Consultant Proposal Submission</u></b></p> <p><b>Phoenix Strategies, Inc.</b>  <b>183 Schoolhouse Lane</b>  <b>Mt. Laurel, NJ 08054</b></p>	<p><b><u>Amount</u></b></p> <p><b>\$10,500.00 monthly fee.</b></p>
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The Board Review Committee has reviewed the above proposals and has made the following recommendations:

McManimon, Scotland & Baumann LLC to receive the appointment for Bond Counsel.

GB Associates to receive the appointment for Financial Advisor.

Brown & Connery LLP to receive the appointment for General Legal Counsel.

Conner Strong & Buckelew to receive the appointment for Health and Insurance Broker.

McManimon, Scotland & Baumann to receive the appointment for Labor Counsel.

Mattioni Ltd. to receive the appointment for Maritime Counsel.

Phoenix Strategies, Inc. to receive the appointment for Marketing Consultant.

The following appointments are contingent upon the legal reviews of their proposals.

*A motion was made to approve Resolution 2022-07-0084 to make the following appointments:*

*McManimon, Scotland & Baumann LLC for a term of one (1) year as Bond Counsel and until their successor has been appointed and qualified.*

*GB Associates for a term of one (1) year as Financial Advisor and until their successor has been appointed and qualified.*

*Brown & Connery LLP for a term of two (2) years as General Legal Counsel and until their successor has been appointed and qualified.*

*Conner Strong & Buckelew for a term of two (2) years as Health and Insurance Broker and until their successor has been appointed and qualified.*

*McManimon, Scotland & Baumann LLC for a term of two (2) years as Labor Counsel and until their successor has been appointed and qualified.*

*Mattioni Ltd. for a term of two (2) years as Maritime Counsel and until their successor has been appointed and qualified.*

*Phoenix Strategies, Inc for a term of one (1) year as Marketing Consultant and until their successor has been appointed and qualified.*

<b>Moved by:</b>	<b>R. D'Angelo</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>

**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 if there were any discussions for closed session. There were no closed sessions items to be discussed. The Chairman asked for a motion to adjourn the regular open meeting.

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

<b>Moved by:</b>	<b>J. Gershen</b>
<b>Seconded by:</b>	<b>J. Maressa</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>

At 1:39 p.m. the regular open session was adjourned.

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, July 26, 2022.

*Victoria D’Amico*  
Victoria D’Amico  
Board Secretary

