



SOUTH JERSEY PORT CORPORATION
OFFICIAL BOARD OF DIRECTORS MEETING MINUTES
CAMDEN, NEW JERSEY
JULY 25, 2023
12:30 p.m.

Directors Present:	Richard Alaimo	Chairman 🗳️
	Christopher Chianese	State Treasurer Designee
	William Higgins	Director 📞
	Sheila Roberts	Director 🗳️
	Joseph Maressa	Director 🗳️
	Robert D'Angelo	Director 🗳️
	Jonathan Gershen	Director
	Chad Bruner	Director 🗳️
	Carl Styles	Director 🗳️
	Eric Martins	Director 📞

Directors Absent: None

In Attendance:	Janice Venables	Governor's Authorities Unit
	Aaron Creuz	Governor's Authorities Unit
	Andrew Saporito	Executive Director & CEO 🗳️
	Louis Lessig	General Counsel
	Grant McGuire	Special Litigation Counsel 🗳️
	August Knestaut	Dir. of L&R Affairs
	Jonathan Atwood	Acting Board Secretary / Chief of Staff
	Lisa McLaughlin	CFO / Treasurer
	Neil Grossman	Financial Advisor 🗳️
	Kevin Duffy	COO
	Dennis Culnan	Phoenix Strategies 🗳️
	Dan Bontempo	Stantec
	Patrick Boyle	Senior Purchasing Agent
	George Englehardt	Facilities Engineer 📞
	Chris Perks	Director of Engineering
	Brendan Dugan	AED / CCO
	Chuck O'Leary	Security GM / Facility Security Officer
	Stefani Rosenberg	Senior Executive Assistant

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 5, 2023, 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 2023, 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 2023. 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 13, 2023

The minutes for the South Jersey Port Corporation Board of Directors regular session meeting held on June 13, 2023, were presented for approval.

A motion was made to approve the June 13, 2023 Board of Directors Regular Open Session Meeting Minutes as presented.

Moved by:	J. Maressa
Seconded by:	R. DeAngelo
Abstain:	None
Voting against motion:	None

PRESENTATION OF CLOSED MEETING MINUTES JUNE 13, 2023

The minutes for the South Jersey Port Corporation Board of Directors closed session meeting held on June 13, 2023 were presented for approval.

A motion was made to approve the June 13, 2023 Board of Directors Regular Closed Session Meeting Minutes as presented.

Moved by:	J. Maressa
Seconded by:	R. DeAngelo
Abstain:	None
Voting against motion:	None

OPERATING BILLS

The Operating Unpaid Bill list for the period 5/20/2023–6/30/2023 was presented for approval.

A motion was made to adopt Resolution 2023-07-0057 for the approval of the Operating Unpaid Bill list for the period 5/20/2023- 6/30/2023.

Moved by: R. DeAngelo

Seconded by: J. Maressa

Voting for motion: All

Voting against motion: None

ADVANCE PAYMENT LIST

The Advance Payment Bill List for the period 6/1/2023– 6/30/2023 was presented for approval.

A motion was made to adopt Resolution 2023-07-0058 for the approval of the Advance Payment Bills for the period 6/1/2023-6/30/2023.

Moved by: J. Maressa

Seconded by: R. DeAngelo

Voting for motion: All

Voting against motion: None

CREDIT LIST

The Credit List for the period ending July 25, 2023, was presented for approval.

A motion was made to adopt Resolution 2023-07-0059 for the approval of the Credit List for the period ending July 25, 2023.

Moved by: J. Maressa

Seconded by: R. DeAngelo

Voting for motion: All

Voting against motion: None

CHANGE ORDERS - (NONE)

CONSTRUCTION FUND REQUISITIONS

Staff presented (16) advance construction fund requests in the amount of \$406,047.81 and (5) unpaid construction fund requisitions in the amount of \$96,035.00

A motion was made to adopt Resolution 2023-07-0060 to approve the Construction Fund List for the period ending July 25, 2023.

Moved by:	C. Styles
Seconded by:	J. Maressa
Voting for motion:	All
Voting against motion:	None

TREASURER'S REPORT

For the month of June 2023, the SJPC had a net (loss) before non-operating interest expense and depreciation and amortization in the amount of (\$37,725) which is under budget by \$53,891 for the month. Our (year-to-date) YTD net income as of June 30th is \$884,080, which is over budget by \$790,255.

Please note that we added \$45,359 to revenue from deferred income in June. Our deferred revenue balance decreased from May and is \$402,483 at month end. June 2023 month-ended net income is approximately \$100,000 lower as compared to June 2022. The shipping days in June 2023 are 50% lower than June 2022 and the number of ships in port are down 37% as compared to June 2022. This caused a decrease of approximately \$181,000 in revenue from June 2022 to June 2023.

COUNSEL'S REPORT

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

EXECUTIVE DIRECTORS REPORT

The Executive Director & CEO for the South Jersey Port Corporation reports cargo tonnage for June 2023 was 281,377 s/tons compared to 302,407 s/tons in June 2022. Year to date tonnage through June totaled 1,497,509 s/tons; representing a 12% decrease when compared to the same period in 2022.

Breakbulk tonnage for June 2023 totaled 145,143 s/tons. This is a 19.6% decrease when compared to June 2022. June YTD tonnage was 662,652 s/tons; a decrease of 21.8% compared to 2022.

All terminals combined handled a total 134,124 s/tons of import steel during June 2023, representing a 16.9% decrease over June 2022.

Camden steel imports in June 2023 showed a 76.7% decrease over June 2022. There were 11,019 s/tons of plywood/lumber imports from a new customer in June 2023 compared to 4,779 s/tons of plywood in June 2022. June YTD plywood/lumber import tonnage at 11,019 s/tons is 77.4% behind YTD 2022. June 2023 cocoa bean had no cargo activity compared to 11,983 s/tons in June 2022. YTD 2023 cocoa bean imports totaled 40,663 s/tons, a 6% increase vs YTD 2022.

Bulk activity for June 2023 was 136,234 s/tons: an 11.8% increase from June 2022. Total bulk tonnage year-to-date reached 834,858 s/tons: a 3.4% decrease versus YTD 2022. Exports of recycled metals in June were 64,313 s/tons; a 9.9% increase compared to June 2022. Year-to-date recycled metals export volume decreased 13.1%, compared to 2022. June 2023 import activity for cement totaled 52,916 s/tons compared to 21,517 s/tons in 2022 and decreased 5.1% YTD compared to 2022. June 2023 export Grancem at 6,086 s/tons decreased 78.5% compared to 2022 and showed a 30.9% decrease year-to-date. Salem handled 12,919 s/tons of sand in June 2023, compared to 13,593 s/tons in June 2022. June YTD sand at 92,770 s/tons, a 39.9% increase vs 2022 YTD. Gypsum YTD cargo activity at 58,160 s/tons compares to no cargo activity YTD 2022.

SJPC's marine terminals handled 14 ships in June 2023 compared to 22 ships in June 2022. Year-to-date the port handled 102 ships, compared to 120 by June 2022 YTD. The number of ship days (i.e. the number of days a ship is loading or unloading at its terminals) for June 2023 was 43, compared to 68 days in June 2022. June 2023 YTD ship days were 296, compared to 478 YTD 2022.

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

State Appropriation

SJPC was appropriated \$24 million through the "New Jersey Debt Defeasance and Prevention Fund" during the June budget process. The purpose of the funding is for capital projects, including maintenance, repair, technology projects, and site acquisition at our Camden, Salem, and Paulsboro terminals.

Kocks Crane Repair

The Kocks ship-to-shore crane at Balzano Terminal needs repair. This crane is used regularly for the EMR scrap metal loading operation. The crane has two hoist motors that work in unison, one of which has failed. Both motors are original units from 1982. The crane is expected to be out of service for approximately 2 months. Cost estimates and repair plans are in motion.

Governor Murphy Event at Paulsboro Marine Terminal

SJPC directors and staff attended the event where Governor Murphy signed a bill providing tax credit assistance for the Ocean Wind I project. Attending from SJPC were:

- Director DeAngelo
- Director Styles
- Jonathan Atwood
- Kevin Duffy
- Brendan Dugan

Reuters Offshore Wind Conference

Brendan Dugan participated in a Ports Panel at the Reuters Offshore Wind conference in Boston, together with the Connecticut Port Authority, Port of New Bedford, and Port of Albany. The panelists discussed developments, opportunities, and common issues in their respective regions.

Market Diversification Initiatives

In an effort to grow and diversify key business markets, SJPC recently handled approximately 11,000 tons of South American lumber and plywood, as well as 8,000 tons of Asian steel, with the potential of continuing regular ocean carrier services to both markets. It is hoped that these efforts, together with continued service to our key European markets will mitigate business risks associated with any one geographic area and help create steadier volume flows over the course of the year.

SJPC 2nd Annual Safety Day

On July 20th, we closed our gates at 11:30 AM to hold our second 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, DRS and TSA also participated in the event.

Visitors Hosted:

- SNJDC Transportation & Aviation Committee
- Maritime Exchange Delaware River & Bay Government Affairs Committee
- Paulsboro Tour for World Affairs Council of Philadelphia for the International Visitor Leadership Program Delegates
- Paulsboro Tour for National Summer Transport Institute of Rowan University
- Offshore Wind supply chain development meeting with NJEDA and NJMEP
- Port Tour for Journal of Commerce

ACTION ITEMS:

RESOLUTION 2023-07-0061: APPROVAL TO PUBLICLY ADVERTISE FOR A CONSTRUCTION CONTRACTOR TO PERFORM SPRINKLER SYSTEMS REPAIRS AT THE BALZANO MARINE TERMINAL

REQUEST

Staff is requesting Board authorization to advertise for competitive bids of a construction contract to repair the fire protection sprinkler systems at the Balzano Marine Terminal.

BACKGROUND

The eleven operations buildings at the Balzano Marine Terminal have dry pipe sprinkler fire protection systems. There are fourteen pump rooms serving twenty-five individual valve zones.

Recently, all of these systems were inspected by our contractor for the inspections, Harring Fire Protection, Williamstown, NJ, for their required 3 and 5 year scheduled wet

trip tests.

The resulting inspection report identified 33 items requiring corrective repairs, including two pump rebuilds, two compressor replacements, six accelerator replacements, and numerous other parts and piping repairs and replacements. These repairs are required by the fire code.

The estimated construction cost for these repairs is \$150,000.

A motion was made to approve Resolution 2023-07-0061 to advertise for competitive bids of a construction contract to repair the fire protection sprinkler systems at the Balzano Marine Terminal.

Moved by: C. Chianese

Seconded by: S. Roberts

Voting for Motion: All

Voting Against Motion: None

RESOLUTION 2023-07-0062: APPROVAL TO ISSUE AN RFP FOR DESIGN SERVICES TO REPAIR THE INSHORE SECTION OF PIER 1 SEAWALL AT BROADWAY MARINE TERMINAL

REQUEST

Staff is requesting Board approval to issue an RFP to the list of prequalified marine engineering firms to perform design services for the structural repairs to the Pier 1 inshore section of seawall at the Broadway Marine Terminal in Camden, NJ.

BACKGROUND

During the inspection for the Pier 1 sinkholes construction, it was noted in mid-April 2023 that a section of the inshore concrete seawall had rotated, and the supporting steel piles were no longer providing the necessary support to the seawall structure. A “no live load” restriction was placed at the area of concern and the area was cordoned off for safety considerations.

On June 15th, 2023, Mid Atlantic Engineers performed an inspection dive and provided a condition survey report. The findings indicated the auxiliary supporting steel H-piles placed at the seawall are rated in “serious” condition due to advanced deterioration. Design services for repairs are estimated to be approximately \$125,000.

RECOMMENDATION

Staff are therefore recommending Board approval to issue a request for proposals to perform design services for the structural repairs to the Pier 1 inshore section of seawall at the Broadway Marine Terminal.

A motion was made to approve Resolution 2023-07-0062 to issue a request for proposals to perform design services for the structural repairs to the Pier 1 inshore section of seawall at the Broadway Marine Terminal.

Moved by:	S. Roberts
Seconded by:	C. Chianese

Voting for Motion:	All
Voting Against Motion:	None

RESOLUTION 2023-07-0063: APPROVAL TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF SHED 2 ROOF REPAIRS AT THE BALZANO MARINE TERMINAL

REQUEST

Staff is requesting Board approval to advertise for bids for a construction contractor to repair the Shed 2 roof at the Balzano Marine Terminal.

BACKGROUND

Shed 2 is the primary transit shed for ship unloading operations at the Balzano Marine Terminal and must be watertight to protect cargo. The existing roofing system was installed over the original roof circa 1994 and is now past its service life. It requires repeated repairs.

SJPC intends to replace the roof of this building within the next few years. In order to seal the roof during the budgeting, design, and bidding process, SJPC is seeking interim repairs to maintain building roof water tightness until the permanent roof replacement work is performed.

The scope of work includes performing interim repairs to the existing built-up roof on Transit Shed 2 at the Balzano Marine Terminal in Camden, New Jersey. The Shed 2 building roof area measures 366 feet long by 75 feet wide. (Approximately 28,000 square feet).

The contractor shall supply all materials, labor, equipment, and supervision necessary to prepare the surface and inclusively apply an approved leakproof coating system to the roof, including all skylights. The basis of design is a leakproof coating system consisting of; preparation of the existing roof, application of a rubberized flashing cement at all roof penetrations and roof to building end walls, placement of a fiberglass membrane, followed by fibered asphalt coating, or an approved equal roof restoration system.

A motion was made to approve Resolution 2023-07-0063 for Board approval to advertise for bids for the construction services to repair the Shed 2 roof at the Balzano Marine Terminal.

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

Voting for Motion:	All
Voting Against Motion:	None

**RESOLUTION 2023-07-0064: APPROVAL TO AWARD BID FOR TWO
MOBILE RAIL LOADING DOCKS FOR THE BROADWAY MARINE
TERMINAL**

REQUEST

Pursuant to the Board Authorization: RESOLUTION 2022-08-0099 APPROVAL TO ISSUE AN RFP TO PURCHASE TWO MOBILE RAIL LOADING DOCKS, the RFP was prepared and advertised for the solicitation of public bids. This request is for award to the low bidder.

BACKGROUND

The scope of the work includes the purchase of two mobile loading docks for the Broadway Marine Terminal. This purchase is an eligible component of a New Jersey Department of Transportation FY 2022 Rail Freight Assistance Program (RFAP) grant. The total grant is for \$1,108,254.17, and also includes the purchase of an Electric Railcar Mover.

Bids were received and opened on June 13, 2023. The results of the bid opening are below:

Bidder Name and Address	Bid Amount
Technology International Inc 1331 S. International Pkwy Lake Mary, FL 32746	\$96,400.00
Dockzilla 12400 Whitewater Dr., Ste 110 Hopkins, MN 55343	\$106,490.00

A motion was made to approve Resolution 2023-07-0064 to award Technology International Inc. in the Lump Sum Bid Amount of \$96,400.00 for the purchase of two mobile rail loading docks.

Moved by: S. Roberts
 Seconded by: C. Chianese
 Voting for Motion: All
 Voting Against Motion: None

RESOLUTION 2023-07-0065: APPROVAL TO PURCHASE AN ELECTRIC RAILCAR MOVER FOR THE BROADWAY MARINE TERMINAL

REQUEST

Pursuant to the Board Authorization: RESOLUTION 2022-08-0100 APPROVAL TO ISSUE AN RFP TO PURCHASE AN ELECTRIC RAIL CAR MOVER, the RFP was prepared and advertised for the solicitation of public bids.

BACKGROUND

The scope of the work includes the purchase of an electric rail car mover for the Broadway Marine Terminal. This purchase is an eligible component of a New Jersey Department of Transportation FY 2022 Rail Freight Assistance Program (RFAP) grant.

Staff has opted to purchase the NVX-E 140 model, as it can handle heavier loads of cargo and therefore be used at both terminals, rather than just at Broadway. It gives the Port more flexibility in meeting the needs of our tenants and customers. This new railcar mover will replace the one that the Port is currently renting at a cost of \$10,500 per month.

The bids were received and opened on May 24th, 2023. Two bids were submitted by the same firm, Hoffman Equipment Company of Piscataway, New Jersey. Each bid was for a separate piece of equipment which met the specifications.

Hoffman Equipment	Shuttlewagon SWXE 160	\$	759,000
Hoffman Equipment	Shuttlewagon NVX-E 140	\$	1,199,000

A call was held on May 30th, 2023 with the vendor to clarify the specifications, and found to match the criteria of the bid. Counsel attended the meeting and his review indicated that the bid proposal met the requirements of the RFP.

A motion was made to approve Resolution 2023-07-0065 to award a purchase order for the purchase of an electric rail car mover to Hoffman Equipment Company of Piscataway, New Jersey in the Lump Sum Bid Amount of \$1,199,000.00.

Moved by: S. Roberts

Seconded by: J. Maressa

Voting for Motion: All

Voting Against Motion: None

RESOLUTION 2023-07-0066: APPROVAL TO AWARD A CONTRACT FOR CONSULTANT SERVICES REGARDING REDESIGN AND MAINTENANCE OF THE SJPC WEBSITE

REQUEST

Staff requests Board approval to award a two-year contract with a 1-year extension option at SJPC's discretion for consultant services to Spark Creative Group of Collingswood, NJ, to redesign and maintain SJPC's website.

BACKGROUND

After SJPC's Board resolution 2022-10-125 approved the issuance of an RFP to redesign the Port's website, including a maintenance provision, an RFP was issued on May 4, 2023, with proposals due June 8, 2023, at 11:00 a.m. The following proposals were received and evaluated according to several criteria, including staff qualifications, overall experience, ability to perform, public & government experience, understanding of the project, completeness of response, and cost-effectiveness:

Proposer Name and Address	Cost Proposal Summary
Stokes Creative Group Inc. 1666 Route 206 Vincentown, NJ 08088	\$63,680.00 (\$70,280.00 with additional hosting and Maintenance Level 2)
Acuta Digital 447 Broadway, FL. 2 New York, NY 10013	\$64,620.00 - \$89,820.00 (Dependent on plan)
Spark Creative Group 647 Haddon Ave, Floor 2 Collingswood, NJ 08108	\$70,200.00
Infojini Inc 295 Pierson Ave, Suite 104 Edison, NJ 08837	\$39,160.00
Exemplifi 871 Sycamore Dr. Palo Alto, CA 94303	\$111,100.00

A motion was made to approve Resolution 2023-07-0066 to award a two-year contract with a 1-year extension option at SJPC's discretion for consultant services to Spark Creative Group of Collingswood, NJ, for redesign and maintenance of SJPC's website.

Moved by:

S. Roberts

Seconded by:

W. Higgins

Voting for Motion:

All

Voting Against Motion:

None

RESOLUTION 2023-07-0067: APPROVAL TO ENTER INTO JOINT SITE DEVELOPMENT AGREEMENT 2, PAULSBORO, NEW JERSEY, FOR THE CONTINUED FINANCING AND CONSTRUCTION NEEDED TO COMPLETE A MONOPILE MANUFACTURING FACILITY AT THE PAULSBORO MARINE TERMINAL

REQUEST

Staff is requesting Board approval for SJPC to enter into a now second Joint Site Development Agreement with the Gloucester County Improvement Authority ("GCIA"), EEW American Offshore Structures, Inc. ("EEW") and Ocean Wind, LLC ("OWL"), for purposes of facilitating the continued financing and construction needed to complete a monopile manufacturing facility for the offshore wind energy industry at the Paulsboro Marine Terminal ("PMT") (hereinafter referred to as the "JSDA #2"), subject to SJPC's legal counsel's review and approval.

BACKGROUND

At the February 23rd, 2021, Board meeting, the Board approved SJPC's entry into a Joint Site Development Agreement, Paulsboro, New Jersey (hereinafter referred to as "JSDA #1"), which was a multiparty agreement that included the SJPC, GCIA, EEW, and OWL. The JSDA #1 provided for the establishment of a budget and sources of funds (financing) to facilitate the construction of a monopile manufacturing processing facility to support the offshore wind energy industry at the PMT. The JSDA #1 further provided for the development of the monopile manufacturing facility itself on a portion of the PMT site, to include construction activities consisting of the land improvements and the in-water improvements. The JSDA #1 was entered into by all the parties, and effective, on April 29th, 2021. The construction activities provided for in JSDA #1 are substantially completed, and the funding provided for in said agreement for those activities has been substantially exhausted.

There are still land improvements and in-water improvements that need to be completed in order for the monopile manufacturing facility at the PMT to be completed. As such, a second JSDA, JSDA #2, is needed in order to facilitate the financing and construction of these remaining improvements. It is proposed then that JSDA #2, which is substantially in the same form, and includes the same parties as JSDA #1, be entered into in order to facilitate the completing of the monopile manufacturing facility at the PMT. Key provisions of JSDA #2 include, but are not limited to, the following:

1. A Project Work Schedule, including milestones, and associated project development costs for a detailed list of activities to be performed, including permitting, regulatory approvals, and procurement of engineering design and construction contract;
2. EEW and GCIA to bid, hire and manage all contractors to achieve and complete the

remaining land and in-water improvements required to complete the monopile manufacturing facility (joint site development work);

3. GCIA to provide monthly project updates to the parties in order to track compliance with project milestones and budgets, as well as construction and management team meetings to address issues related to budget and/or construction progress;

4. Identification of funding sources for land and in-water improvements, including grant funding, parties' contributions, allocation of responsibility, 3rd party funding; and contingencies if funding fails to materialize; and,

5. EEW, OWL and GCIA agree that the all the land and in-water improvements provided to be undertaken shall be substantially complete when the said work is in sufficient conformity with the contract documents to permit EEW to utilize the PMT land improvements at project site for their intended use as a monopile manufacturing facility, and to permit OWL to fully utilize the in-water improvements for their intend use of delivery of monopile components for manufacture.

A motion was made to approve Resolution 2023-07-0067 to enter into JSDA #2 with the GCIA, EEW, and OWL, for purposes of facilitating the continued financing and construction needed to complete a monopile manufacturing facility for the offshore wind energy industry at the PMT, subject to SJPC's legal counsel's review and approval.

Moved by: W. Higgins

Seconded by: C. Styles

Voting for Motion: All

Voting Against Motion: None

**RESOLUTION 2023-07-0068: APPROVAL FOR EXECUTION OF ESTOPPEL
CERTIFICATE FOR EEW-AOS PAULSBORO URBAN RENEWAL, LLC
REGARDING SJPC'S SUBLEASE AGREEMENT WITH PAULSBORO
WATERFRONT DEVELOPMENT, LLC FOR THE PAULSBORO MARINE
TERMINAL PREMISES**

REQUEST

Staff is requesting Board approval to authorize SJPC's Executive Director and CEO to execute and deliver an Estoppel Certificate to and for EEW-AOS Paulsboro Urban Renewal, LLC ("EEW") concerning SJPC's Sub-Lease Agreement with Paulsboro Waterfront Development, LLC ("PWD") for the Paulsboro Marine Terminal ("PMT") premises, subject to SJPC's legal counsel's review and approval.

BACKGROUND

EEW is currently subleasing a portion of the PMT premises from PWD for purposes of constructing a monopile manufacturing facility for New Jersey's offshore wind turbine installations. In order to obtain financing to complete the monopile manufacturing facility, EEW is requesting an Estoppel Certificate from SJPC for EEW's lenders, and to satisfy title company requirements. The Estoppel Certificate would serve as SJPC's certification to and for the EEW lenders and any of their title companies, that PWD's sublease with SJPC for the PMT premises is unmodified, and in full force and effect, as of the date thereof.

The Estoppel Certificate would also certify as of the date thereof that to SJPC's knowledge, the following:

- (i) there are no continuing defaults in the performance or observance of any covenant, agreement or condition contained in the said sublease to be performed or observed by the parties thereto, and,
- (ii) no event has occurred which would become a default with the giving of notice or passage of time.

Estoppel Certificates, such as the one being requested by EEW, are common in commercial leasing and real estate transactions when financing is being pursued. Accordingly, in order to assist EEW's efforts to obtain financing in order to continue its efforts to construct the monopile manufacturing facility at the PMT premises that it currently subleases, it is recommended that SJPC deliver to EEW the Estoppel Certificate, as requested. SJPC is in a position to deliver same, as its sublease with PWD is in full force and effect, and there are no known defaults, nor events that have occurred that would lead to a default being declared.

A motion was made to approve Resolution 2023-07-0068 to authorize SJPC's Executive Director and CEO to execute and deliver an Estoppel Certificate to and for EEW concerning SJPC's Sub-Lease Agreement with PWD for the PMT premises, subject to SJPC's legal counsel's review and approval.

Moved by:	J. Gershen
Seconded by:	S. Roberts
Voting for Motion:	All
Voting Against Motion:	None

RESOLUTION 2023-07-0069: APPROVAL TO AUTHORIZE REQUEST FOR PROPOSALS OF PROFESSIONAL SERVICES**REQUEST**

Staff is requesting Board approval to authorize the issuance of Request for Qualifications/Proposals ("RFQ/RFP") for eleven (11) professional service categories.

BACKGROUND

All current agreements are and/or will soon be in holdover status, with the exception of the Auditor, whose last audit year was 2022 (final year to extend services). All professional services will have an initial term of one (1) year with either two (2) oneyear options or one (1) two-year option to renew at the prerogative of the Board.

- Auditor
- General Counsel
- Conflict General Counsel
- Maritime Counsel
- Bond Counsel
- Labor Counsel
- Financial Advisor
- General Health and Insurance Broker
- Marketing Consultant
- Grant Administration
- LSRP (Licensed Site Remediation Professional)

The RFQ/RFP response packages received by SJPC will be provided to the Board's Review Committee, and recommendations will be provided to the Board at the December Board meeting for consideration. Each agreement's initial term will be January 1st through December 31st.

A motion was made to approve Resolution 2023-07-0069 to advertise the RFQ/RFPs for the eleven (11) above-mentioned professional services categories.

Moved by:	J. Gershen
Seconded by:	C. Styles
Voting for Motion:	All
Voting Against Motion:	None

RESOLUTION 2023-07-0070: APPROVAL OF RFP FOR TRASH REMOVAL SERVICES**REQUEST**

Staff is requesting Board approval to issue an RFP for trash removal services for the Balzano and Broadway Terminals.

BACKGROUND

The refuse specifications include wood dunnage and metal waste which may be segregated from the mixed solid waste stream. Remaining mixed trash will contain miscellaneous and general debris and must be disposed of in compliance with all applicable laws.

Volumes are estimated to be between 25 to 40, 40 cubic yard containers per month, and three (3), four (4) cubic yard containers to be emptied twice each week. Contractor must supply the 40 cubic yard containers upon request.

This estimate shall in no way be construed as a guarantee of any amount, tonnage, or yardage. The contractor shall also maintain all trash containers utilized under this contract in acceptable condition to the user.

The contract between the successful bidder and the South Jersey Port Corporation will be for one year, with options for two, one (1) year extensions.

A motion was made to approve Resolution 2023-07-0070 to issue an RFP for trash removal services for the Balzano and Broadway Terminals.

Moved by:	S. Roberts
Seconded by:	C. Chianese
Voting for Motion:	All
Voting Against Motion:	None

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. There were no comments received from the public.

The Chairman asked if there were any matters for closed session. There were closed sessions items to be discussed. The Chairman asked for a motion to go into closed session to discuss legal matters, inclusive of the Holtec litigation matter.

A motion was made to go into Closed Session.

Moved by:	J. Maressa
Seconded by:	W. Higgins
Voting for motion:	All
Voting against motion:	None

At 1:15 p.m. the Board went into closed session.

Following closed session, the Regular Session was reopened at 1:47 p.m., and action was taken by the Board, as follows:-

RESOLUTION 2023-07-0071: APPROVAL OF AUTHORIZATION TO FILE AN APPEAL, AND TO UTILIZE MEDIATION PRIOR TO PURSUING THE APPEAL ON ITS MERITS, AND AUTHORIZING COUNSEL TO TAKE ALL REQUIRED ACTION TO PURSUE THE SAID APPEAL AND MEDIATION, REGARDING THE HOLTEC LITIGATION MATTER (Holtec vs. SJPC – Docket No. CAM-55-20)

A motion was made to approve Resolution 2023-07-0071 to authorize the filing of an appeal, and to utilize mediation prior to pursuing the appeal on its merits, and authorizing counsel to take all required action to pursue the said appeal and mediation, in and regarding the Holtec vs. SJPC litigation matter – Docket No. CAM-55-20.

Moved by:	J. Maressa
Seconded by:	C. Styles

Voting for motion: R. Alaimo
C. Bruner
C. Chianese
J. Gershen
J. Maressa
E. Martins
S. Roberts
C. Styles
W. Higgins

Voting against motion: R. DeAngelo


At 1:50 p.m. the Chairman asked for a motion to adjourn the Regular Open Meeting.

A motion was made to adjourn the Regular Open Meeting at 1:50 p.m.

Moved by: J. Maressa
Seconded by: C. Bruner

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, July 25, 2023.


Jonathan Atwood
Acting Board Secretary