

SOUTH JERSEY PORT CORPORATION



BOARD OF DIRECTORS MEETING JANUARY 28, 2025

THE CHAIRMAN COMMENCES MEETING WITH PLEDGE OF ALLEGIANCE AND ROLL CALL

OPEN PUBLIC MEETINGS ACT 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 December 3, 2024, 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 2025, 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 2025. The meeting schedule was also placed on the Port Corporation's website at www.southjerseyport.com.

1. APPROVAL OF MINUTES

Regular Open Meeting December 10, 2024

Closed Session Meeting December 10, 2024

Special Open Meeting January 13, 2025

2. APPROVAL OF OPERATING BILLS

RESOLUTION 2025-01-0003

3. APPROVAL OF ADVANCED PAYMENT BILL LIST

RESOLUTION 2025-01-0004

4. APPROVAL OF CREDITS

RESOLUTION 2025-01-0005

5. APPROVAL OF CHANGE ORDERS (FOUR)

RESOLUTION 2025-01-0006: APPROVAL OF CHANGE ORDER NO.9



**TO TRACKS UNLIMITED FOR RAIL REHABILITATION AT
BALZANO MARINE TERMINAL**

**RESOLUTION 2025-01-0007: APPROVAL OF CHANGE ORDER NO.
1 TO PAVING PLUS FOR PAVING OF 551 S. 2ND ST ON BALZANO
MARINE TERMINAL**

**RESOLUTION 2025-01-0008: APPROVAL OF CHANGE ORDER NO.
1 TO PFK-MARK III, INC. FOR HIGH MAST TOWER REPAIRS AT
BALZANO MARINE TERMINAL**

**RESOLUTION 2025-01-0009: APPROVAL OF CHANGE ORDER NO.
1 TO GEI CONSULTANTS, INC. FOR BERTH 1 SLOPE
STABILIZATION AT BALZANO MARINE TERMINAL**

6. **APPROVAL OF CONSTRUCTION FUND REQUISITIONS
RESOLUTION 2025-01-0010**
7. **RECEIPT OF TREASURER’S REPORT**
8. **RECEIPT OF COUNSEL’S REPORT**
9. **RECEIPT OF EXECUTIVE DIRECTOR’S REPORT**
10. **ADDITIONAL AGENDA ITEMS REQUIRING BOARD ACTION:**

ACTION ITEMS

- A. **RESOLUTION 2025-01-0011: APPROVAL TO AWARD A
CONSTRUCTION CONTRACT FOR REPAIRS TO THE PIER 1
SEAWALL AT BROADWAY TERMINAL**
- B. **RESOLUTION 2025-01-0012: APPROVAL TO RENEW THE
CONSTRUCTION CONTRACT FOR ASPHALT PAVING SERVICES
ON AN AS-NEEDED BASIS AT THE BALZANO AND BROADWAY**



MARINE TERMINALS

- C. RESOLUTION 2025-01-0013: APPROVAL OF 2025 PENSION LIABILITY**
- D. RESOLUTION 2025-01-0014: APPROVAL OF INSURANCE RENEWALS**
- E. RESOLUTION 2025-01-0015: APPROVAL OF OFFICE LEASE RENEWAL WITH DELAWARE RIVER STEVEDORES (DRS) AT BALZANO TERMINAL**
- F. RESOLUTION 2025-01-0016: APPROVAL OF OFFICE LEASE WITH DELAWARE RIVER STEVEDORES (DRS) AT BROADWAY TERMINAL**
- G. RESOLUTION 2025-01-0017: APPROVAL TO GRANT FIVE-YEAR TERM EXTENSION TO CAMDEN WATERFRONT DEVELOPMENT LEASE**
- H. RESOLUTION 2025-01-0018: APPROVAL TO PURCHASE ONE (1) 2025 JEEP GRAND CHEROKEE LAREDO 4WD**
- I. RESOLUTION 2025-01-0019: ANNUAL DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR EEO CONTRACT COMPLIANCE**
- J. RESOLUTION 2025-01-0020: APPROVAL TO EXECUTE A THIRD AMENDMENT TO THE BROADWAY PIER 5 LEASE AGREEMENT BETWEEN SOUTH JERSEY PORT CORPORATION AND CAMDEN WATERFRONT DEVELOPMENT, LLC**

11. SUPPLEMENTAL BOARD INFORMATION:



**K. MARKETING COMMITTEE REPORT & PHOENIX/ARTLIP
COMMUNICATIONS REPORT**

L. PORT SECURITY UPDATE

M. PAULSBORO MARINE TERMINAL PROJECT UPDATES

PUBLIC SESSION FOR QUESTIONS / COMMENTS

12. CLOSED SESSION AND/OR ADJOURNMENT



ACTION ITEM:

A. RESOLUTION 2025-01-0011: APPROVAL TO AWARD A CONSTRUCTION CONTRACT FOR REPAIRS TO THE PIER 1 SEAWALL AT BROADWAY TERMINAL

REQUEST

Staff is requesting Board approval to award a construction contract for repairs to the Pier 1 Seawall at the Broadway Marine Terminal.

BACKGROUND

During the construction of sinkhole repair work in Pier 1, it was noted that a section of the inshore concrete seawall had rotated caused by the advanced deterioration of supporting timber and steel piles. The area of concern was cordoned off for safety considerations.

In October of 2023, a contract for design services was awarded to GEI consultants per Board Resolution Number 2023-10-0093. A comprehensive inspection was performed, and the design prepared for the construction of the Pier 1 Seawall repair work. The NJDEP and Army Corp of Engineers permits have been received.

Pursuant to the Board Authorization: RESOLUTION 2024-06-0074 APPROVAL TO ISSUE AN INVITATION FOR BIDS - CONSTRUCTION REPAIRS TO THE PIER 1 SEAWALL AT BROADWAY MARINE TERMINAL, an Invitation for Bidders (IFB) was advertised to solicit public bids.

The IFB was posted on the SJPC website, advertised in three papers, and 23 firms were notified directly of the opportunity. A Prebid meeting was held on Thursday, December 5, 2024, with six contractors in attendance. A total of two addenda were issued, and four bids were received on Thursday, January 9, 2025, as follows:

Company	Amount
PKF Mark III, Inc Newton, PA	\$596,140
Scofield Marine Contractors / Engineers Egg Harbor Township, NJ	\$756,950
JPC Group, Inc Blackwood, NJ	\$949,000
AP Construction, Inc. Blackwood, NJ	\$1,187,000

SOUTH JERSEY PORT CORPORATION

Board of Directors Meeting – January 28, 2025



A low bid meeting was held with the contractor on Monday, January 13, 2025, at which time the contractor demonstrated a clear understanding of the work to be performed. Legal review confirmed that the bid met all the requirements of the IFB.

RECOMMENDATION:

Staff is recommending Board approval to award a construction contract for the Broadway Pier 1 Seawall repairs project to the low bidder, PKF Mark III, Inc., of Newtown, PA, in the Lump Sum Bid Amount of \$596,140.



ACTION ITEM:

B. RESOLUTION 2025-01-0012: APPROVAL TO RENEW THE CONSTRUCTION CONTRACT FOR ASPHALT PAVING SERVICES ON AN AS-NEEDED BASIS AT THE BALZANO AND BROADWAY MARINE TERMINALS

REQUEST

Staff is requesting Board approval to renew the existing construction contract to perform asphalt paving services for all areas requiring maintenance paving at the Balzano and Broadway Marine Terminals.

BACKGROUND

Pursuant to the Board Authorization: RESOLUTION 2022-07-007 APPROVAL TO ISSUE REQUEST FOR BID FOR ASPHALT PAVING AT THE BALZANO AND BROADWAY TERMINALS, a Request for Quotations was advertised for the solicitation of public bids.

The scope of work includes milling and paving of deteriorated asphalt areas at the Balzano and Broadway Marine Terminals all as directed by the SJPC. There are also provisions for resetting settled manhole castings and pipe repairs at the manholes.

The Request for Bids was advertised in three newspapers and posted on the SJPC website. A pre-bid meeting was held on February 15, 2023, and bids were opened on March 2, 2023. Per Board Resolution 2023-03-0032, the contract was awarded to the low bidder, Paving Plus, LLC of Glassboro, New Jersey, in the amount of \$266,880 based on placement of approximately 1,000 tons of asphalt. SJPC General Counsel's review indicated that the bid proposal met all the requirements of the Request for Bids.

The terms included the option to extend the contract for up to two (2), one-year periods at the discretion of the SJPC. Per Board Resolution 2023-12-0115, approval was granted to exercise the first one-year contract renewal for asphalt maintenance paving services.

This contractor has performed well, and staff is recommending the renewal of their contract by exercising the second one-year renewal option with the same terms and conditions.

RECOMMENDATION:

Staff is recommending Board approval to exercise the second one-year renewal of the existing contract for maintenance paving in 2025 to Paving Plus, LLC of Glassboro, New Jersey in the amount of \$266,880.



ACTION ITEM:

C. RESOLUTION 2025-01-0013: APPROVAL OF 2025 PENSION LIABILITY

REQUEST

Staff presents the Employer’s Liability Annual Pension Contribution Invoice for Public Employee’s Retirement System (PERS) for the calendar year 2025. The total amount of \$1,269,539 is due on April 1, 2025. The total amount due includes the Employer’s Contribution for 2024 and early retirement costs. The plan is summarized below.

Normal Cost represents the present value of benefits that have accrued on behalf of the members during the valuation year. The employer’s contribution covers not only the basic pension allowance it also covers the future cost-of-living adjustment along with the premium for group life insurance.

Normal Contribution **\$ 198,624**

Employer Accrued Liability and/or Pension system unfunded actuarial liability contribution consist of the employer’s share of the pension system total unfunded actuarial liability amortized over time (30 to 40 years). The unfunded actuarial liability of a retirement system is the excess of the system’s actuarial liability over the value of its assets.

Accrued Liability **\$ 898,525**
Non-Contributory Group Life Insurance **\$ 49,117**

Accrued Liability-Early Retirement Incentive-ERI-3. The State of New Jersey Division of Pension and Benefits prepared the Schedule of payments for the Early Retirement Incentive.

Accrued Liability-Early Retirement Incentive-ERI-3 **\$ 123,273**

Total Amount Due all Categories **\$ 1,269,539**

	<u>2024</u>	<u>2025</u>		<u>Variance</u>
Normal Contribution	\$ 215,116	\$ 198,624	=	\$ (16,492)
Accrued Liability	\$ 945,775	\$ 898,525	=	\$ (47,250)
Non-Contributory Group Life Insurance	\$ 51,170	\$ 49,117	=	\$ (2,053)
Accrued Liability-ERI	\$ 119,974	\$ 123,273	=	\$ 3,299
Delayed Enrollments	\$ 4,363.43	\$ 0	=	\$ (4,363.43)
Delayed Appropriations	<u>\$ 18,595.17</u>	<u>\$ 0</u>	=	<u>\$ (18,595.17)</u>
Total Amount Due all Categories	<u>\$ 1,354,993.60</u>	<u>\$ 1,269,539</u>	=	<u>\$ (85,454.60)</u> (decrease)

RECOMMENDATION:

Staff recommends Board approval of the 2025 Pension Liability invoice.



ACTION ITEM:

D. RESOLUTION 2025-01-0014: APPROVAL OF INSURANCE RENEWALS

REQUEST

Insurance coverages renewing on March 1, 2025:

- Marine Terminal Operators / General Liability - Primary \$1,000,000
- Marine Bumpershoot Liability - \$20,000,000 X \$1,000,000
- Commercial Auto
- Public Officials & Employment Practices Liability
- Property, Inland Marine, Equipment Breakdown, & Terrorism - \$55,000,000
- Privacy & Security / Cyber Liability
- Workers Compensation & Employers Liability

Overall, the estimated annual renewal cost from your incumbents is \$2,685,767.88, which represents an 16% rate decrease against the annualized adjusted expiring cost of \$3,182,436.00.

Marine Terminal Operators / General Liability - Primary \$1,000,000: AIG offered a renewal for a premium of \$136,605.00 a 2% rate decrease this year and continues to be a market leader for this line of coverage. This renewal is rated on gross receipts which increased 9% since last renewal AIG has been a long-term partner on this line of coverage first writing the business 12 years ago.

Marine Bumpershoot Liability - \$20,000,000 X \$1,000,000: The \$20M x \$1M layer is provided as a quota share between 4 carriers, which came in at a premium of \$152,000 a 4% increase which is in line with the modest increases we are seeing in the global Excess Liability markets.

Commercial Automobile: The Port's incumbent carrier Chubb advised last renewal that it would be their final year on the program. They issued a non-renewal early in the process and we completed a widespread marketing effort to bring in a new primary auto carrier for the port. Selective provided an alternative option for a premium of \$153,349.38 with terms and conditions to match the expiring program at a rate decrease of 23% which is a fantastic result in the extremely turbulent auto market.

Public Officials Liability and Employment Practices Liability Insurance: The Port's incumbent carrier Navigators offered a flat renewal for a premium of \$63,690.50. We approached the following 11 markets who all declined for reasons such as outside of appetite, class of business, size, operations: BRP, Euclid, Great American, Hiscox, Hudson, Intact, Markel, PRU-TX, RLI, USLI, Victor

SOUTH JERSEY PORT CORPORATION

Board of Directors Meeting – January 28, 2025



Property, Inland Marine, Equipment Breakdown, & Terrorism - \$55,000,000: We have confirmed leader (QBE's) support of the primary \$25M layer at \$1,400,000 premium. Please do note that we still have to confirm that the follow markets are in agreement to follow the leader pricing, and we are pushing to confirm this as quickly as possible. Provided the remainder of the \$25M slip fills out at \$1,400,000, the \$55M loss limit program premium (inclusive of terrorism) equates to \$1,729,422, representing a \$0.2341 rate and a 19.57% reduction against the annualized expiring rate.

Privacy & Security / Cyber Liability: TMHCC the Ports incumbent carrier provided a renewal with enhancements \$3M x \$25K for a premium of \$12,780 a 5% increase vs the annualized adjusted expiring cost of \$12,166.00.

Workers Compensation & Employers Liability: NJMs formal quote was provided at a 20% rate decrease vs adjusted expiring. Compared to last year payrolls are up 19%. The strong renewal is largely due to a decrease in rates for 2025 across all of the applicable payroll codes in the program. NJM has committed to a 15% dividend and an additional 5% rating credit. We negotiated 10% of the dividend upfront as in the past in order to reduce the monthly payments throughout the year. This renewal will be due in 11 equal payments of \$39,811.

Conner Strong & Buckelew extensively marketed each line of coverage to ensure the most comprehensive program at the most competitive rate.

RECOMMENDATION:

Staff recommends Board approval of the Renewal of Insurance coverages renewing on March 1, 2025.



ACTION ITEM:

E. RESOLUTION 2025-01-0015: APPROVAL OF OFFICE LEASE RENEWAL WITH DELAWARE RIVER STEVEDORES (DRS) AT BALZANO TERMINAL

REQUEST

Staff is requesting Board approval to renew and expand the lease for office space in Building A-2 at Balzano Terminal to DRS

BACKGROUND

DRS currently leases approximately 562 square feet of office space on the 2nd floor of A Building at Balzano Terminal. The lease commenced on March 1, 2023, with a two year term that expires February 28, 2025. The current rent is \$4,430 per year/\$369 per month (\$7.88 psf/yr). In addition, DRS pays an annual common area shared services fee of \$886 per year/\$74 per month. DRS wishes to add approximately 115 square feet of office space to their lease premises to accommodate an additional staff member, and to extend their renewed lease term for five years.

Based on the foregoing, the key lease renewal terms are as follow:

- Approximately 677 square feet of office space
- Lease term length of 5 years, commencing March 1, 2025 and expiring February 28, 2030
- Starting rent of \$8.16 per square foot per year, reflective of 2024 CPI-U increase of 3.6% = \$5,524.32 per year/\$460.36 per month
- Annual CPI-U rent escalations in each of lease years 2 through 5
- Shared DRS/SJPC use of Building A-2 kitchen, restrooms, and conference room, and with conference room use subject to schedule coordination with SJPC
- DRS to pay share of common area maintenance expenses in the starting amount of \$1,121.48 per year/\$93.45 per month, reflective of the 20% increase in leased area plus the 2024 CPI-U increase of 3.6%..
- Shared common area maintenance expenses to escalate by CPI-U in each of lease years 2 through 5
- DRS responsible for cost of improvements, maintenance, damage and utilities to leased area, as well as any damage to shared common areas

RECOMMENDATION:

Staff is therefore requesting Board approval to renew and expand the lease for office space in Building A-2 at Balzano Terminal to DRS.



ACTION ITEM:

F. RESOLUTION 2025-01-0016: APPROVAL OF OFFICE LEASE WITH DELAWARE RIVER STEVEDORES (DRS) AT BROADWAY TERMINAL

REQUEST

Staff is requesting Board approval to lease office space in I Building at Broadway Terminal to DRS

BACKGROUND

SJPC and DRS wish to conclude a lease agreement for approximately 908 square feet of office space in the southeast quadrant of the first floor of I Building at Broadway Terminal, in order to accommodate terminal operations staff.

Based on the foregoing, the key lease terms are as follow:

- Approximately 908 square feet of office space, including restroom and storage space
- Lease term length of 5 years, commencing March 1, 2025 and expiring February 28, 2030
- Starting rent of \$8.16 per square foot per year = \$7,409.28 per year/\$617.44 per month
- Annual CPI-U rent escalations in each of lease years 2 through 5
- DRS responsible for cost of improvements, maintenance, damage and utilities to leased area.

RECOMMENDATION:

Staff is therefore requesting Board approval to lease office space in I Building at Broadway Terminal to DRS.



ACTION ITEM:

G. RESOLUTION 2025-01-0017: APPROVAL TO GRANT FIVE-YEAR TERM EXTENSION TO CAMDEN WATERFRONT DEVELOPMENT LEASE

REQUEST

Staff is requesting Board approval to grant the first five-year extension to the Camden Waterfront Development (“CWD”) lease pursuant to the Second Amendment to the lease.

BACKGROUND

The Second Amendment to the lease between South Jersey Port Corporation (“SJPC”) and Camden Waterfront Development at the Broadway Pier 5 terminal was executed on February 9, 2023. Among other items, this lease amendment provided for SJPC making a one-time \$ 7.5million investment contribution to upgrade the refrigeration system at the Pier 5 terminal, with CWD responsible for the procurement, installation, maintenance and repair of the refrigeration system, with any cost overruns exceeding \$500 thousand to be the sole responsibility of CWD. The lease amendment further provides for three five-year lease term extension options, with the stipulation that CWD is required to invest a total of \$3 million in capital improvements in the terminal, with the first \$1million to be invested prior to November 30, 2024 prior to being granted the first five-year term extension, a cumulative total of \$2million invested by November 30,2029 prior to being granted a second five-year term extension, and a cumulative total of \$3 million invested by November 30, 2034 prior to being granted a third five-year term extension. SJPC has now verified to its satisfaction that CWD has made the initial \$1 million capital investment in order to qualify for the first five-year term extension, which would take effect February 1, 2025, and extend through January 31, 2030. The Second Amendment to the lease also provides that the current annual rent of \$945,246 would start to escalate annually by CPI-U as of each lease anniversary date.

RECOMMENDATION:

Staff therefore requests Board approval to grant the first five-year extension to the Camden Waterfront Development (“CWD”) lease pursuant to the Second Amendment to the lease.



ACTION ITEM:

H. RESOLUTION 2025-01-0018: APPROVAL TO PURCHASE ONE (1) 2025 JEEP GRAND CHEROKEE LAREDO 4WD

REQUEST

Staff requests Board approval to purchase one (1) 2025 Jeep Grand Cherokee Laredo 4WD.

BACKGROUND

The 2025 Jeep Grand Cherokee Laredo will be utilized by the Executive Director/CEO. Staff has received a quotation from Hetrich Fleet Services for the vehicle under the New Jersey Cooperative Purchasing Contract 20-FLEET-01387 (T2007) in the total amount of \$41,300.90

RECOMMENDATION:

Staff recommends Board approval to purchase one (1) Jeep Grand Cherokee Laredo 4WD in the amount of \$41,300.90.



ACTION ITEM:

I. RESOLUTION 2025-01-0019: ANNUAL DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR EEO CONTRACT COMPLIANCE

REQUEST

Staff is requesting Board approval designating August E. Knestaut, Esquire, SJPC's Director of Legal and Regulatory Affairs, to serve as SJPC's Public Agency Compliance Officer (PACO).

BACKGROUND

In accordance with N.J.A.C 17:27-3.3, each Public Agency in New Jersey is required to designate an individual to serve as its compliance officer. The PACO is the liaison between the Division of Purchase and Property's Contract Compliance and Audit Unit (Division) and the Public Agency. It is the Public Agency's point of contact for all matters concerning implementing and administering the State's Equal Employment Opportunity (EEO) statutes and regulations. The PACO is also responsible for administering equal employment opportunity contracting procedures for both the Public Agency and vendors with public contracts. Vendors shall include but are not limited to, those providing goods, professional services, and general services to and for the Public Agency and construction contractors who contract with the Public Agency. As such, the PACO must have the authority to recommend changes to effectively support the administration and implementation of the applicable EEO statutes and its companion regulations.

Each year, all Public Agencies are required to submit the name, title, address, telephone number, fax number, and e-mail address of the PACO designated by the Public Agency. This information must be submitted to the Division in January of each year. In addition, it shall be the responsibility of the Public Agency to update the PACO designation at any time during the year if any changes are made concerning the designated PACO.

Staff proposes to designate August E. Knestaut, Esquire, Director of Legal and Regulatory Affairs of and for the SJPC, to serve as the SJPC's PACO for the year 2025.

RECOMMENDATION:

Staff recommends Board designation of August E. Knestaut Esquire to serve as SJPC's PACO for 2025.



ACTION ITEM:

J. RESOLUTION 2025-01-0020: APPROVAL TO EXECUTE A THIRD AMENDMENT TO THE BROADWAY PIER 5 LEASE AGREEMENT BETWEEN SOUTH JERSEY PORT CORPORATION AND CAMDEN WATERFRONT DEVELOPMENT, LLC

REQUEST

Staff requests Board approval to execute a Third Amendment to the Broadway Pier 5 Lease Agreement between South Jersey Port Corporation (“SJPC”) and Camden Waterfront Development, LLC (“CWD”) for purposes of amending the Lease to include the “Air Products” parcel located at 2700 Broadway in the City of Camden, which is owned by SJPC (hereinafter the “APCI” Parcel”), as part of the Leased Premises

BACKGROUND

CWD currently leases Pier 5 at the Broadway Marine Terminal in the City of Camden from the SJPC (hereinafter the “Lease”). CWD and SJPC entered into the “Second Amendment To Lease Between South Jersey Port Corporation and Camden Waterfront Development” on or about February 9, 2023 (hereinafter the “Second Lease Amendment”), which provided in part at Paragraph 3, as follows:

“Air Products Site Addition – Upon completion of remediation of the Air Products Site located at 2700 Broadway, Camden, New Jersey, the site will be added to the Lease in “as is”, “where is” condition with “all faults”, and at no rental to CWD. CWD will be responsible for any improvements needed for CWD’s use and occupancy of the Air Products Site, including, but not limited to, all costs and expenses for same; and CWD shall be responsible for the costs and expenses of compliance in filing annual remedial action workplan fees, cap and fence annual inspection, and biannual reporting. CWD will provide SJPC with copies of all filings confirming compliance with the required remedial action permit fees, inspections and reporting concerning the Air Products Site. SJPC shall have no obligations or responsibilities of any kind or nature whatsoever regarding and/or relating to the Air Products Site, inclusive of no responsibilities or obligations for any costs and expenses of any kind or nature related whatsoever related to the said site, once it is added to the Lease.”

The remediation of the APCI Parcel has now been completed by Air Products & Chemicals, Inc (hereinafter “APCI”). As such, in accordance with the above-mentioned provision in Second Lease Amendment, the APCI Parcel can and should now be added to the Lease, so that same is included and part of the premises being leased by CWD from SJPC at Pier 5. A lease amendment is necessary to reflect this addition of the APCI Parcel to the leased premises, and to thereby

SOUTH JERSEY PORT CORPORATION

Board of Directors Meeting – January 28, 2025



accomplish this change in the Lease terms. Accordingly, it is recommended that the Board approve of a Third Amendment to the Broadway Pier 5 Lease Agreement in order to accomplish this expansion of the premises leased to CWD by SJPC at Pier 5.

Beyond the above recommended Lease amendment, all other terms and conditions of the Lease will remain unchanged.

RECOMMENDATION:

Staff recommends Board approval to execute a Third Amendment to the Broadway Pier 5 Lease Agreement between SJPC and CWD, for purposes of amending the Lease to include the APCI Parcel as part of the Leased Premises, subject to SJPC counsel's final review and approval of the said amendment.



INFORMATION ITEM:

**K. MARKETING COMMITTEE REPORT &
PHOENIX/ARTLIP COMMUNICATIONS REPORT**

SOUTH JERSEY PORT CORPORATION
Board of Directors Meeting – January 28, 2025



INFORMATION ITEM:

L. SECURITY UPDATE:



INFORMATION ITEM:

M. PAULSBORO MARINE TERMINAL PROJECT UPDATES

The Paulsboro Marine Terminal Project updates are provided by the Gloucester County Improvement Authority.



MATTERS INVOLVING LITIGATION, PERSONNEL MATTERS & SPECIAL MATTERS

The subject matter is covered by one or more of the following legal exemptions:

- Matters made confidential by state, federal law or rule by court.
 - Disclosure would result in an unwarranted invasion of individual privacy, unless the person affected consents in writing.
 - Disclosure would impair the body's right to receive federal or state funds.
 - Collective bargaining.
 - Lease or acquisition of property, setting of banking rates, investment of public funds if disclosure would harm the public interest.
 - Investigations into violations of law.
 - Strategies to protect public security.
 - Pending, ongoing or anticipated litigation or contract negotiation, including attorney-client privilege. The threat of litigation must be more than theoretical for this exemption to apply.
 - Personnel matters affecting employees of the public bodies, unless all parties request or consent to a public hearing. Prior to discussion of personnel, affected employees must be given notice, known as a Rice notice, which gives the employee the right to request a public hearing.
 - Proceedings that could result in a suspension, civil penalty, or loss of a license or permit.
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1. COUNSEL'S REPORT