

# **SOUTH JERSEY PORT CORPORATION**



## **BOARD OF DIRECTORS MEETING APRIL 29, 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](http://www.southjerseyport.com).

#### **1. APPROVAL OF MINUTES**

Regular Open Meeting March 25, 2025

Closed Session Meeting March 25, 2025

Regular Open Special meeting April 1, 2025

#### **2. APPROVAL OF OPERATING BILLS**

**RESOLUTION 2025-04-0057**

#### **3. APPROVAL OF ADVANCED PAYMENT BILL LIST**

**RESOLUTION 2025-04-0058**

#### **4. APPROVAL OF CREDITS**

**RESOLUTION 2025-04-0059**

#### **5. APPROVAL OF CHANGE ORDERS (TWO)**

**RESOLUTION 2025-04-0060: APPROVAL OF CHANGE ORDER  
NUMBER 1 TO ON-BOARD ENGINEERING CORPORATION  
BERTH 4 REPAIRS AT BALZANO MARINE TERMINAL**

**RESOLUTION: 2025-04-0061: APPROVAL OF CHANGE ORDER  
NUMBER 1 HARRING FIRE PROTECTION D BUILDING  
SPRINKLER SYSTEM REPLACEMENT AT THE BROADWAY  
MARINE TERMINAL**

- 6. APPROVAL OF CONSTRUCTION FUND REQUISITIONS  
RESOLUTION 2025-04-0062**
- 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 2025-04-0063: APPROVAL TO AWARD A  
CONSTRUCTION CONTRACT FOR A&B BUILDINGS ROOF  
SCUPPER REPAIRS AT THE BALZANO MARINE TERMINAL**
- B. RESOLUTION 2025-04-0064: APPROVAL TO AWARD A CONTRACT  
FOR HIGH VOLTAGE SUBSTATION MAINTENANCE AND REPAIRS  
AT THE BROADWAY MARINE TERMINAL**
- C. RESOLUTION 2025-04-0065: APPROVAL TO AWARD A  
CONSTRUCTION CONTRACT FOR REPAIRS TO THE CRANE RAIL  
SUPPORT BEAMS, DRAINAGE AND OUTER DECK PAVING ON  
BERTH 4 THE AT BALZANO MARINE TERMINAL**
- D. RESOLUTION 2025-04-0066: APPROVAL TO AWARD A CONTRACT  
TO CTCI FOR THE INSTALLATION OF 10 NEW SECURITY  
CAMERAS AT THE BALZANO AND BROADWAY TERMINALS**
- E. RESOLUTION 2025-04-0067: APPROVAL TO ISSUE A REQUEST FOR  
QUALIFICATIONS TO PROFESSIONAL FIRMS FOR CIVIL  
ENGINEERING, CERTIFIED DIVERS, CONSTRUCTION**

**MANAGEMENT, GEOTECHNICAL AND MARINE ENGINEERING SERVICES**

**F. RESOLUTION 2025-04-0068: APPROVAL TO ISSUE A REQUEST FOR QUALIFICATIONS TO PREQUALIFY PROFESSIONAL FIRMS FOR PORT PLANNING SERVICES**

**G. RESOLUTION 2025-04-0069: APPROVAL TO ADVERTISE A REQUEST FOR BIDS FOR THE N-1 BUILDING ROOF REPAIRS AT THE BROADWAY MARINE TERMINAL**

**H. RESOLUTION 2025-04-0070: APPROVAL OF ANNUAL SCI SUPPORT FOR SERVICES**

**I. RESOLUTION 2025-04-0071: APPROVAL OF BLUE MINT LLC LEASE**

**J. RESOLUTION 2025-04-0072: RESOLUTION 2025-04-0072: APPROVAL TO PURCHASE A 2025 KUBOTA TRACTOR, FOUR WHEEL DRIVE UTILITY MODEL MX60000HSTC**

**K. RESOLUTION 2025-04-0073: APPROVAL TO EXECUTE SIDETRACK AGREEMENT WITH CONSOLIDATED RAIL CORPORATION ("CONRAIL") REGARDING USE, CONSTRUCTION AND MAINTENANCE OF RAIL TRACK FACILITIES AT THE BROADWAY MARINE TERMINAL**

**11. SUPPLEMENTAL BOARD INFORMATION:**

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

**M. PORT SECURITY UPDATE**

**N. PAULSBORO MARINE TERMINAL PROJECT UPDATES**

**PUBLIC SESSION FOR QUESTIONS / COMMENT**

**12. CLOSED SESSION AND/OR ADJOURNMENT**

**ACTION ITEM:**

**A. RESOLUTION 2025-04-0063: APPROVAL TO AWARD A CONSTRUCTION CONTRACT FOR A&B BUILDINGS ROOF SCUPPER REPAIRS AT THE BALZANO MARINE TERMINAL**

**REQUEST**

Staff is requesting Board approval to award a construction contract for A & B Building roof scupper repairs and replacement of downspouts at the Balzano Marine Terminal.

**BACKGROUND**

Conditions of the A & B Building scuppers and downspouts have deteriorated and now cause water infiltration down the inside walls, endangering customer cargo. Drawings and specifications were prepared by S.T. Hudson Engineers.

Pursuant to the Board Resolution 2025-02-0029, an Invitation for Bidders (IFB) was advertised to solicit public bids.

The IFB was posted on the SJPC website, advertised in three papers, and eight (8) roofing firms were notified of the opportunity. A Prebid meeting was held on Thursday, March 27, 2025, with four (4) contractors in attendance. One (1) addendum was issued, and two (2) bids were received on Thursday, April 15, 2025, as follows:

Company	Amount Bid
Kupex Exteriors, LLC Trenton, NJ	\$189,390
Jottan, Inc. Delran, NJ	\$314,287

The engineer's estimate for this project was \$190,000. 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 Balzano

# **SOUTH JERSEY PORT CORPORATION**

## **Board of Directors Meeting – April 29, 2025**

---



Terminal A & B Buildings scupper repairs project to the low bidder, Kupex Exteriors, LLC., of Trenton, NJ, in the Lump Sum Bid Amount of \$189,390.

**ACTION ITEM:**

**B. RESOLUTION 2025-04-0064: APPROVAL TO AWARD A CONTRACT FOR HIGH VOLTAGE SUBSTATION MAINTENANCE AND REPAIRS AT THE BROADWAY MARINE TERMINAL**

**REQUEST**

Staff is requesting Board approval to award a contract for the maintenance and repairs of the Boadway Main Electrical Substation.

**BACKGROUND**

Pursuant to Board Resolution Number 2025-04-0055, bid documents were prepared for this work.

The RFP was advertised in three newspapers and posted on the SJPC website. In addition, the documents were sent directly to seven (7) specialty firms. A Prebid meeting was held on April 4 with two (2) firms attending. There was one (1) Addendum issued. Bids were opened on Tuesday April 15, 2025, with two (2) bids received.

Company	Amount Bid
North Central Electric, Inc. Langhorne, PA	\$95,200
LND Technical Services Bronx, NY	\$137,000

The bid was reviewed for legal completeness. After the 2025 scheduled maintenance service, this contract will continue for three years of on-call services, with the SJPC's option to renew.

**RECOMMENDATION:**

Staff is requesting Board authorization to award a contract to North Central Electric of Langhorne, PA, in the amount of \$95,200 for high voltage electrical maintenance and repair services to the Broadway Main Electrical Substation.

**ACTION ITEM:**

**C. RESOLUTION 2025-04-0065: APPROVAL TO AWARD A CONSTRUCTION CONTRACT FOR REPAIRS TO THE CRANE RAIL SUPPORT BEAMS, DRAINAGE, AND OUTER DECK PAVING ON BERTH 4 AT BALZANO MARINE TERMINAL**

**REQUEST**

Staff requests Board approval to award a construction contract for repairs to the Berth 4 crane rail concrete support beam, drainage, and outer deck pavement at the Balzano Marine Terminal.

**BACKGROUND**

Berth 4 is the designated loading location for scrap ships at the Balzano Marine Terminal. During the crane outages experienced last year, alternate means for loading ships were implemented, which, due to the additional heavy transport equipment movements, accelerated the degradation of the crane rail support beam concrete, and the deck paving. This project will repair the crane rail concrete support beams, repair drainage, and repave Berth 4.

Pursuant to the Board Authorization Resolution 2025-02-0030, an Invitation for Bidders (IFB) was advertised soliciting public bids to construct concrete repairs to the crane rail support beams and to the drainage and paving on Berth 4.

The IFB was posted on the SJPC website, advertised in three papers, and seven (7) civil general contractor firms were notified of the opportunity. A Prebid meeting was held on March 26, 2025, with seven contractors in attendance. Two (2) addenda were issued, and two (2) bids were received on Tuesday, April 15, 2025, as follows:

**SOUTH JERSEY PORT CORPORATION**  
**Board of Directors Meeting – April 29, 2025**

---



Company	Amount Bid
Kyle Conti Construction, LLC Mt. Laurel, NJ	\$1,828,828
Tracks Unlimited Mountainside, NJ	\$1,874,500

Legal review confirmed that the bid proposal met all the requirements of the IFB.

**RECOMMENDATION:**

Staff recommends Board approval to award a construction contract to Kyle Conti Construction, LLC of Mt. Laurel, NJ, in the Lump Sum Bid Amount of \$1,828,828.



**ACTION ITEM:**

**D. RESOLUTION 2025-04-0066: APPROVAL TO AWARD A CONTRACT TO CTCI FOR THE INSTALLATION OF 10 SECURITY CAMERAS AT THE BALZANO AND BROADWAY MARINE TERMINALS**

**REQUEST**

Staff requests Board approval to award a contract to Commercial Technology Contractors Incorporated (CTCI) for the supply and installation of 10 new cameras at the Balzano and Broadway Marine Terminals.

**BACKGROUND**

In 2022, SJPC installed new security camera systems at the two Camden marine terminals. That contract was funded in part by a Port Security Grant from the U.S. Department of Homeland Security.

In March 2023, SJPC applied for and was awarded a second Port Security Grant which was used to add camera locations and to purchase four new TWIC card readers.

In March 2024, SJPC applied for and was awarded a third Port Security Grant from Homeland Security for 10 additional camera locations.

SJPC then obtained pricing from three firms for the purchase of the new cameras, networking, cabling, and installation, using available New Jersey state cooperative purchasing agreements

The lowest cost proposal was from Commercial Technology Contractors Incorporated (CTCI), under New Jersey State Contract - BC-BID-24-38 - Computer Equipment and Peripherals, Contract T2989, and NJ State Contract 23-TELE-45464-T2989 - Communications Wiring Services, in the total amount of \$103,270.

The federal grant amount for the 2024 Port Security Grant was \$65,930, making the local match cost to SJPC \$37,340.

**RECOMMENDATION:**

Staff recommends Board approval to award a contract to Commercial Technology Contractors Incorporated (CTCI), from Clifton, NJ, in the amount of \$103,270, for the installation of 10 new cameras for the port security camera systems at the Balzano and Broadway Marine Terminals.

**ACTION ITEM:**

**E. RESOLUTION 2025-04-0067: APPROVAL TO ISSUE A REQUEST FOR QUALIFICATIONS TO PROFESSIONAL FIRMS FOR CIVIL ENGINEERING, CERTIFIED DIVERS, CONSTRUCTION MANAGEMENT, GEOTECHNICAL AND MARINE ENGINEERING SERVICES**

**REQUEST**

Staff requests Board approval to issue a Request for Qualifications (RFQ) to professional firms for Civil Engineering, Certified Divers, Construction Management, Geotechnical, and Marine Engineering Services.

**BACKGROUND**

The RFQ seeks qualification proposals from qualified engineering firms, in accordance with the terms, conditions, and specifications contained in the RFQ, to be considered pre-qualified for the opportunity to submit cost proposals for future projects.

The prequalification process operates over a three-year cycle. We are in the third year of the cycle that began in 2023. This advertisement will give new firms the opportunity to become prequalified for the remaining (third) year of the cycle.

This specific prequalification term will be for one (1) year, commencing on July 1, 2025, and expiring on June 30, 2026.

**RECOMMENDATION:**

Staff recommends Board approval to issue a Request for Qualifications (RFQ) to professional firms for Civil Engineering, Certified Divers, Construction Management, Geotechnical, and Marine Engineering Services.

**ACTION ITEM:**

**F. RESOLUTION 2025-04-0068: APPROVAL TO ISSUE A REQUEST FOR QUALIFICATIONS TO PREQUALIFY PROFESSIONAL FIRMS FOR PORT PLANNING SERVICES**

**REQUEST**

Staff requests Board approval to issue a Request for Qualifications (RFQ) to professional firms for Port Professional Planning Services.

**BACKGROUND**

In July 2020 by Board Resolution: 2020-07-0058, the Board approved a list of four prequalified professional firms for port planning services for a 5-year period expiring in July 2025. The port planning services include port land use, master plan studies, market analysis, supply chain management, strategic planning, bulk and project cargo, preparation of simulation studies, intermodal rail analysis, auto processing, containerization, and warehousing and break bulk distribution.

An RFQ will be publicly advertised again seeking qualification proposals from qualified engineering / planning firms, in accordance with the terms, conditions, and specifications contained in the RFQ, to be considered pre-qualified for the opportunity to submit cost proposals for future projects.

**RECOMMENDATION:**

Staff recommends Board approval to issue a Request for Qualifications (RFQ) to professional firms for Port Planning services for a term of 5-years, from August 2025 – July 2030.

**ACTION ITEM:**

**G.     RESOLUTION 2025-04-0069: APPROVAL TO**  
**ADVERTISE A REQUEST FOR BIDS FOR THE N-1**  
**BUILDING ROOF REPAIRS AT THE BROADWAY**  
**MARINE TERMINAL**

**REQUEST**

Staff requests Board approval to issue a publicly advertised request for bids to perform roof replacement to the N-1 Building roof at the Broadway Marine Terminal.

**BACKGROUND**

The existing roof, due to its age and state of deterioration, has received numerous local leak repairs over the years. During high wind and rain events in March of this year, the roof incurred significant damage exposing the support wood decking. SJPC Maintenance staff were able to construct a series of large patches as a temporary measure to avoid water damage to the cargo in storage below. A roof replacement project to address these conditions is now warranted.

**RECOMMENDATION:**

Staff requests Board approval to publicly advertise for competitive bids to perform roof replacement work on the N-1 Building at the Broadway Marine Terminal.

**ACTION ITEM:**

**H. RESOLUTION 2025-04-0070: APPROVAL OF ANNUAL SCI SUPPORT FOR SERVICES**

**REQUEST**

Staff requests Board approval of the Port's annual contribution to the Seaman's Church Institute.

**BACKGROUND**

The Seamen's Church Institute (SCI) provides services to seafarers who visit the ports along the Delaware River, including SJPC's facilities. SCI visits every ship that calls both the Balzano Marine Terminal and the Broadway Terminal. Those services include hospitality, transportation, telephone, computer, spiritual, and many other necessary and vital services. SCI has requested \$8,000 for services rendered at our terminals. This is the same amount as SJPC contributed last year.

The payment will be funded through the Operations account.

**RECOMMENDATION:**

Staff recommends Board approval to pay Seaman's Church Institute \$8,000.

## **ACTION ITEM:**

### **I. RESOLUTION 2025-04-0071: APPROVAL OF BLUE MINT, LLC LEASE**

#### **REQUEST**

Staff requests Board approval to execute a three- year lease with Blue Mint, LLC at 1101 South 2<sup>nd</sup> Street, Camden, NJ.

#### **BACKGROUND**

Blue Mint is an affiliated entity of Allied Salt, LLC, of Princeton, NJ. Allied Salt has been leasing the subject premises from SJPC on a month-to-month basis since November of 2023. Blue Mint is contracted to supply retailers such as Home Depot with bagged salt. The month-to-month lease with Allied Salt would be terminated with 30 days' notice, per provisions of the current lease. Blue Mint would then become the Lessee, and would import salt to Camden, and bag, palletize and distribute the salt from the S. 2<sup>nd</sup> St. premises. Key provisions of the proposed lease include:

- **Premises/Space:** Approximately 2.5 acres of paved and fenced lot at 1101 S. 2<sup>nd</sup> street Camden, NJ.
- **Lease Term:** 3 years, commencing upon the first day of the first month following execution of the lease.
- **Termination Rights:** 90 day written termination notice by either party.
- **Permitted Uses:** Premises to be used for bulk salt storage and for bagging, packaging, palletizing, and distribution of packaged salt. No other uses allowed without prior written consent by landlord.
- **Rental Fee:** Effective as of the first day of the first month following execution of the lease in 2025, the Lessee shall pay a monthly rental of \$12,037.00 (\$144,444.00 per year). Annual rent will increase by CPI-U starting on the first lease anniversary date in 2026, and then per each subsequent 12-month period.
- **Variable Fees:** Lessee is responsible for all fees, costs and expenses of any kind associated with supply of electric and natural gas at premises.

# **SOUTH JERSEY PORT CORPORATION**

## **Board of Directors Meeting – April 29, 2025**

---



- **Security Deposit:** Sum equivalent to one month's rent.
- **Lessee Insurance:** \$2 million and \$4 million liability combined single limit for bodily injury liability and property damage liability.
- **Lessee Maintenance Responsibility:** Lessee accepts premises as is. Lessee is responsible for keeping bulk material tarped and break bulk material palletized. Lessee will be responsible for cost of compliance with all federal, state, or municipal regulations required for allowed storage area operations; Tenant shall comply with all laws and ordinances. Lessee will also be responsible for keeping the area free of dust and other pollutants.
- **Lessor Maintenance Responsibility:** Lessor has no obligation to make repairs or alterations. Lessor shall not furnish water for sanitary purposes to serve the premises.
- **Assignment of Lease:** Lease assignment requires Lessor's written consent to occupy the premises in any other manner or any other purpose. Lessee cannot assign, mortgage, pledge or sublease without the Lessor's written consent.

### **RECOMMENDATION:**

Staff is therefore requesting Board approval to execute a three-year lease with Blue Mint, LLC at 1101 South 2<sup>nd</sup> Street, Camden NJ.

**ACTION ITEM:**

**J.     RESOLUTION 2025-04-0072: APPROVAL TO PURCHASE**  
**A 2025 KUBOTA TRACTOR, FOUR WHEEL DRIVE**  
**UTILITY MODEL MX60000HSTC**

**REQUEST**

Staff requests Board approval to purchase a 2025 Kubota tractor Model MX60000HSTC.

**BACKGROUND**

The tractor is replacing an older 2005 model that is beyond repair and did not meet recently enacted NJ Requirements for marine terminal equipment. The new tractor will have a tier 4 diesel engine as required by the NJDEP. Staff received a quotation of \$54,043.00 from Cherry Valley Tractor Sales with 0% interest for 60 months provided by the manufacturer. Staff also request the purchase of the following accessories.

Quantity			Total
1	Foam Fill all four tires		\$2,310.00
1	Heavy Duty, power angle Sweeper Broom		\$19,007.00
2	New set of 50/50 Erskine 84" brush refill set	\$1,045.00 ea.	\$2,090.00
	Extended warranty:		
1	MX6000: 2 years Tractor		\$1,250.00
1	IA1065A loader: 2 years loader		\$400.00

**RECOMMENDATION:**

Staff recommends Board approval to purchase 2025 Kubota tractor, accessories and extended warranties.



**ACTION ITEM:**

**K. RESOLUTION 2025-04-0073: APPROVAL TO EXECUTE SIDETRACK AGREEMENT WITH CONSOLIDATED RAIL CORPORATION (“CONRAIL”) REGARDING USE, CONSTRUCTION AND MAINTENANCE OF RAIL TRACK FACILITES AT THE BROADWAY MARINE TERMINAL**

**REQUEST**

Staff requests Board approval to authorize the South Jersey Port Corporations’s (“SJPC”) Executive Director and CEO to execute a Sidetrack Agreement with Consolidated Rail Corporation (“Conrail”) setting forth each of the party’s rights, responsibilities, and obligations concerning the use, construction, and maintenance of certain rail track facilities located at, and servicing, the SJPC’s Broadway Marine Terminal (“Broadway”), subject to final review and approval as to form by SJPC’s legal counsel.

**BACKGROUND**

Staff are presenting a proposed new, revised, and updated Sidetrack Agreement from and with Conrail regarding the use, construction and maintenance of the rail track facilities located at, and servicing, Broadway. SJPC previously entered into a Sidetrack Agreement with Conrail regarding the use, construction, and maintenance of the rail track facilities at Broadway made and effective April 25, 2025, (hereafter the “Original Agreement”). However, SJPC currently is in the process of constructing an extension to, and upgrading of, the rail track facilities at Broadway that are the subject of the Original Agreement. Conrail has advised SJPC that whenever alterations and/or additions are made to an existing sidetrack configuration (rail track facilities) that are the subject of an existing agreement, that Conrail will require the execution of a new Sidetrack Agreement in order to generate a new exhibit to reflect the newly constructed rail track configuration. Since the rail track facilities being extended and upgraded at Broadway by SJPC are already the subject of the Original Agreement, Conrail has requested that SJPC execute a new and updated Sidetrack Agreement for Broadway which incorporates an exhibit reflecting the alterations to the sidetrack configuration. The updated Sidetrack Agreement presented by Conrail contains the same language as to each party’s respective rights, responsibilities and obligations as to the rail track facilities at Broadway and is thereby in the same form as the Original Agreement. The only difference between the Original Agreement, and the new Sidetrack Agreement, as proposed, is the exhibit being attached thereto, which said exhibit contains the new rail track configuration based upon

# **SOUTH JERSEY PORT CORPORATION**

## **Board of Directors Meeting – April 29, 2025**

---



the construction, upgrades, and extensions currently being undertaken by SJPC through its Broadway rail project. Thus, Board approval is requested for the SJPC's Executive Director to sign an updated Sidetrack Agreement with Conrail for the Broadway rail track facilities that is in the same form as the Original Agreement, but that incorporates a new and updated exhibit setting out the new rail track configuration at Broadway.

### **RECOMMENDATION:**

Staff recommends Board approval to authorize the SJPC's Executive Director and CEO to execute a Sidetrack Agreement with Conrail setting forth each of the said parties' rights, responsibilities, and obligations concerning the use, construction, and maintenance of certain rail track facilities located at, and servicing, Broadway, subject to final review and approval as to form by SJPC's legal counsel.

**SOUTH JERSEY PORT CORPORATION**  
**Board of Directors Meeting – April 29, 2025**

---



**INFORMATION ITEM:**

**L. MARKETING REPORT:**

**SOUTH JERSEY PORT CORPORATION**  
**Board of Directors Meeting – April 29, 2025**

---



**INFORMATION ITEM:**

**M. SECURITY UPDATE:**



**INFORMATION ITEM:**

**N. 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.
- 

### **1. COUNSEL'S REPORT**