

**DELAWARE RIVER PORT AUTHORITY
BOARD MEETING**

**One Port Center
Camden, New Jersey
Wednesday, August 21, 2024**

Pennsylvania Commissioners

James Schultz, Esq., Chairman of the Board (via Teams)
James Snell, for Pennsylvania Treasurer Stacy Garrity (via Teams)
Donna Powell (via Teams)
Gregory Schwab, Esq.
Vaughn Ross (via Teams)
Keiwana McKinney-Forde (via Teams)
Robert Ghormoz (via Teams)

New Jersey Commissioners

Jeffrey Nash, Esq., Vice Chairman of the Board (via Teams)
Albert Frattali
Richard Sweeney
Charles Fentress (via Teams)
Aaron Nelson (via Teams)
Daniel Christy (via Teams)

DRPA/PATCO Staff

John Hanson, Chief Executive Officer
Jalila D. Parker, Deputy Chief Executive Officer
Raymond J. Santarelli, Esq., General Counsel and Corporate Secretary
Toni Brown, Chief Administrative Officer
Jerry Sahi, Chief Financial Officer
Michael Venuto, Chief Engineer
John Rink, PATCO General Manager
Robert Hicks, Chief Operating Officer
Robert Finnegan, Chief Safety and Security Officer
David Aubrey, Inspector General
Ed Cobbs, Jr., Chief of Police
Stephen M. Holden, Esq., Deputy General Counsel
Rohan Hepkins, PATCO Deputy General Manager
Christopher Jones, Director, Information Services
Matthew Licata, Director, Fleet Management (via Teams)
Ricardo DeOliveira, Director, WWB/CBB (via Teams)
Joseph McAroy, Director, BFB/BRB (via Teams)
Darlene Callands, Acting Director, Government Relations & Grants Administration
Christina Maroney, Director, Strategic Initiatives
Darcie DeBeaumont, Director, Finance, DRPA
Mark Ciechon, Director, Finance, PATCO
Jesse Mickel, Acting Manager, Purchasing & Stores
Gerald Faber, Esq., Assistant General Counsel (via Teams)
Kathleen P. Vandy, Esq., Assistant General Counsel
Amy Ash, Manager, Contract Administration
Carol Herbst, Senior Accountant, Finance (via Teams)

Mike Williams, Manager, Corporate Communications
Dawn Whiton, Executive Assistant to the CEO
Barbara Wagner, Executive Assistant to the CEO
Nicole Major, Contract Administration Intern
Jennifer Rivera, Legal Secretary, Office of General Counsel
Tiffany N. Taylor, Legal File Clerk, Office of General Counsel
Amanda Hammock, Administrative Coordinator, Corporate Secretary
Katherine Hilinski, Records Manager, Office of General Counsel
Anne Nelson, Executive Legal Secretary to the General Counsel

Others Present

Anthony Luker, SE Regional Director, Office of the Pennsylvania Governor (via Teams)
Allison Deibert, Esq., Deputy Chief Counsel, Pennsylvania Treasury (via Teams)
Alexis Franklin, Esq., Associate Counsel, New Jersey Governor's Authorities Unit
Christopher Gibson, Esquire, Archer Greiner (via Teams)
Alan Kessler, Esq., Duane Morris, LLP (via Teams)
Jessica Priselac, Esq., Duane Morris, LLP (via Teams)
Ryan Frascella, Board Liaison, Bellevue Strategies, LLC (via Teams)
Pranav Maneel, Board Liaison, Bellevue Strategies, LLC (via Teams)
Meredith Rubin, Esq., Connell Foley

OPEN SESSION

Roll Call

Chairman Schultz called the meeting to order at 9:05 a.m. and asked that the Corporate Secretary call the roll. The following Commissioners were present, constituting a quorum: Chairman Schultz, Vice Chairman Nash, Commissioners Frattali, Fentress, Ghormoz, Powell, McKinney-Forde, Snell, Nelson, Schwab, Ross, Christy, and Sweeney.

Public Comment

There was no public comment.

Report of the Chief Executive Officer

Chief Executive Officer Hanson stated that his Report stood as previously submitted. CEO Hanson read the following statement:

On July 2, the NJ Office of State Comptroller (OSC) issued a subpoena for the production of documents to the DRPA (the "Document Subpoena"). On July 17, the OSC issued a second subpoena to have a records custodian from DRPA testify in person (the "Testifying Subpoena"). One bedrock principle governing bi-state authorities is that they are not subject to the unilateral regulation or investigation of either of the founding states. Over the years, the DRPA has gone to court on multiple occasions to defend against any erosion of that principle. The OSC claimed to have the right to issue these subpoenas to the DRPA pursuant to two New Jersey statutes. Outside counsel reviewed these statutes and concluded that they did not apply to a bi-state authority like the DRPA. Nevertheless, DRPA made substantial efforts to find a middle ground and offered to voluntarily provide the information

to the OSC in exchange for OSC's withdrawal of the subpoenas. These efforts to achieve a reasonable compromise were summarily rejected by the OSC. As a result, after thorough vetting by DRPA inside and outside counsel, with approval from the Chair and Vice-Chair, and because the dates for record production and the testimony of our General Counsel were imminent, we made the decision to file a declaratory judgment action in federal court and to have a federal judge determine what are the appropriate rights, responsibilities and limitations of the OSC and the DRPA.

Chairman Schultz thanked CEO Hanson and staff for taking appropriate action to uphold the spirit and the letter of the law on this issue. There were no further comments from Commissioners on the CEO's Report. Commissioner Fentress moved to approve the CEO's Report and Commissioner Sweeney seconded the motion. All Commissioners in attendance voted to approve the CEO's Report. The motion carried.

Report of the Chief Financial Officer

Chief Financial Officer Sahi stated that his Report stood as previously submitted. There were no questions or comments from the Commissioners.

Approval of the July 17, 2024 DRPA Board Meeting Minutes

Chairman Schultz stated that the July 17, 2024 DRPA Board Meeting Minutes were previously provided to all Commissioners and to the Governors of New Jersey and Pennsylvania. There were no comments or corrections to the Minutes. Commissioner Schwab moved to approve the Minutes and Commissioner Sweeney seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Minutes as submitted. The motion carried.

Receipt and Filing of the List of Previously Approved Payments covering the Month of July 2024

Chairman Schultz stated that the List of Previously Approved Payments covering the month of July 2024, was previously provided to all Commissioners. There were no questions or comments. Commissioner Fentress moved to receive and file the List and Commissioner Sweeney seconded the motion. All Commissioners in attendance voted in the affirmative. The motion carried.

Receipt and Filing of the List of Previously Approved Purchase Orders and Contracts covering the Month of July 2024

Chairman Schultz stated that the List of Previously Approved Purchase Orders and Contracts covering the month of July 2024, was previously provided to all Commissioners. There were no questions or comments. Commissioner Fentress moved to receive and file the List and Commissioner Sweeney seconded the motion. All Commissioners in attendance voted in the affirmative. The motion carried.

Approval of Operations & Maintenance Committee Meeting Minutes of August 6, 2024

Chairman Schultz stated that the Minutes of the August 6, 2024 Operations & Maintenance Committee Meeting were previously provided to all Commissioners. There were no comments or corrections. Commissioner Fentress moved to approve the Minutes and Commissioner Frattali seconded the motion. All Commissioners in attendance voted in the affirmative to approve the Minutes as submitted. The motion carried.

Adoption of Resolutions Approved by the Operations & Maintenance Committee on August 6, 2024

Chairman Schultz stated that there were two (2) Resolutions from the Operations & Maintenance Committee Meeting for consideration:

DRPA-24-074 E-Builder License Renewal 2024-2025

Chief Engineer Venuto presented the Summary Statement and Resolution seeking Board authorization to negotiate an agreement with e-Builder, Inc. in an amount not to exceed \$118,065.50 to renew licensing for www.e-Builder.net to support the functions of the DRPA Engineering Department for Capital Projects for 2024-2025. Chairman Schultz inquired whether the Commissioners had any questions for staff concerning the Resolution. There were no questions. Commissioner Sweeney moved to adopt the Resolution and Commissioner McKinney-Ford seconded the motion. All Commissioners in attendance voted in the affirmative. The motion carried and the Board adopted the Resolution.

DRPA-24-075 TUV Tunnel Wash Down Arch

PATCO General Manager Rink presented the Summary Statement and Resolution seeking Board authorization for staff to negotiate a contract with ARVA Industries to fabricate and install a Tunnel Wash Down Arch for PATCO's existing Track Utility Vehicle (TUV) for an amount not to exceed \$180,500.00. Chairman Schultz inquired whether the Commissioners had any questions for staff concerning the Resolution. There were no questions. Commissioner Fentress moved to adopt the Resolution and Commissioner Sweeney seconded the motion. All Commissioners in attendance voted in the affirmative. The motion carried and the Board adopted the Resolution.

Citizens' Advisory Committee Report

There was no Citizens' Advisory Committee Report.

Unfinished Business

There were no Unfinished Business items.

New Business

Chairman Schultz stated that there was one (1) New Business item for consideration:

DRPA-24-076 Consideration of Pending DRPA Contracts (Between \$25,000 and \$100,000)

Purchasing Agent Mickel presented the Summary Statement and Resolution seeking Board authorization for staff to negotiate and enter into one (1) pending DRPA contract identified in the attachment to the Resolution. Chairman Schultz inquired whether the Commissioners had any questions for staff concerning the Resolution. There were no questions. Commissioner Fentress moved to adopt the Resolution and Commissioner Sweeney seconded the motion. All Commissioners in attendance voted to approve the motion. The motion carried and the Board adopted the Resolution.

DRPA Board Meeting Held in Abeyance

At 9:16 a.m., the DRPA Board meeting was held in abeyance to allow the PATCO Board Meeting to convene.

ADJOURNMENT

With no further business, Commissioner Fentress moved to adjourn the Meeting. Commissioner Ross seconded the motion. All Commissioners in attendance voted in the affirmative. The Meeting adjourned at 9:26 a.m.

Respectfully submitted,



Raymond J. Santarelli, Esquire
General Counsel and Corporate Secretary