



**SOUTH JERSEY PORT CORPORATION**  
**OFFICIAL BOARD OF DIRECTORS MEETING MINUTES**  
**BROADWAY TERMINAL**  
**CAMDEN, NEW JERSEY**  
**December 9, 2008**  
**9:30 a.m.**

<b>Directors Present:</b>	Richard Alaimo	Chairman
	Chad Bruner	Director
	Robert DeAngelo	Director
	Jonathan Gershen	Director
	Joseph Maressa, Jr.	Director
	Eric Martins	Director
	Carl E. Styles	Director
	Craig Remington	Director

**Directors Absent:** None

<b>In Attendance:</b>	Joseph A. Balzano	Executive Director & CEO
	Maura Tully, Esq.	Governor's Authorities Unit
	Bernie McLaughlin	Treasury
	Clifford Goldman	Financial Advisor
	William Mayer	Bond Counsel
	John Maier	Board Secretary
	Jay Jones	Dep. Exec. Dir.
	Kevin Castagnola	Assist. Exec. Dir. / Operations
	Hank D'Andrea	Facilities Engineer
	Pat Abusi	Treasurer
	Marlin Peterson	GCIA
	Michael Angelini, Esq.	General Counsel
	James Pierson, Esq.	General Counsel
	Linda Artlip	Riverfront/Phoenix Strategies
	Dennis Culnan	Riverfront/Phoenix Strategies
	Michael Smith	Conner Strong
	Edward O'Malley	Conner Strong
	Barbara Tomalino	Former Board Member
	Eileen Stillwell	Courier-Post
	Matt Katz	Philadelphia Inquirer

**SEE ATTACHED SIGN-IN SHEET FOR ADDITIONAL ATTENDANCE NAMES**

**Chairman Alaimo opened the meeting at 9:30 a.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 2, 2008 the Secretary of the Corporation sent an ad with a schedule of Regular Meetings to be held at the South Jersey Port Corporation's Board of Directors, during the calendar year 2008 indicating the time and place to the following newspapers:

- ❑ **Courier-Post**
- ❑ **Gloucester County Times**
- ❑ **Burlington County Times**

In addition, the same notice was sent by Certified Mail to the Secretary of the State's office and the following clerks:

<b>Mercer County</b>	<b>Cape May County</b>	<b>Camden County</b>
<b>Cumberland County</b>	<b>Gloucester County</b>	<b>Burlington County</b>
<b>Salem County</b>		

These seven counties comprise the Port's district.

In addition, the Port Corporation has designated the Bulletin Board at its main entrance of the Broadway Terminal, its official place for posting and maintaining a schedule of the monthly Board of Director's Meetings for 2008. On January 2, 2008, said schedule was posted.

#### **PLEDGE OF ALLEGIANCE RECITED**

**Roll call was taken and recorded. The Chairman and Board welcomed new member, Robert DeAngelo.**

#### **PRESENTATION OF REGULAR MEETING MINUTES - October 28, 2008**

The minutes for the South Jersey Port Corporation Board of Directors regular session meeting held on October 28, 2008 were presented for approval.

*A motion was made to approve the October 28, 2008 Board of Directors Regular meeting minutes as presented.*

<b>Moved by:</b>	<b>J. Gershen</b>
<b>Seconded by:</b>	<b>C. Styles</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>
<b>Abstaining:</b>	<b>R. DeAngelo</b>

#### **PRESENTATION OF CLOSED MEETING MINUTES – October 28, 2008**

The minutes for the South Jersey Port Corporation Board of Directors closed meeting session held on October 28, 2008 were presented for approval.

*A motion was made to approve the October 28, 2008 Board of Directors Closed meeting minutes as presented.*

**Moved by:** J. Maressa, Jr.  
**Seconded by:** C. Remington

**Voting for motion:** All  
**Voting against motion:** None  
**Abstaining:** R. DeAngelo

**OPERATING BILLS**

The Operating Unpaid Bill list for the period 10/18/08 to 11/24/08.

*A motion was made to approve the Operating Unpaid Bill list for the period 10/18/08 to 11/24/08 as presented.*

**Moved by:** J. Maressa, Jr.  
**Seconded by:** C. Styles

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

**ADVANCE PAYMENT LIST**

The Advance Payment Bill List for the period 10/18/08 to 11/24/08 was presented for approval.

*A motion was made to approve the Advance Payment Bills for the period 10/18/08 to 11/24/08 as presented.*

**Moved by:** J. Gershen  
**Seconded by:** J. Maressa, Jr.

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

**CREDIT LIST**

Two (2) credits totaling \$320.22 were presented for approval.

<b>CUSTOMER</b>	<b>AMOUNT</b>
Liberty Woods	\$26.39
McCorry	293.83
<b>Total</b>	<b>\$320.22</b>

**A motion was made to approve the Credit List as presented.**

**Moved by:** C. Remington  
**Seconded by:** J. Maressa, Jr.

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

CHANGE ORDERS / NONECONSTRUCTION FUND REQUISITIONS

Staff presented seven (7) construction fund requisitions totaling \$468,811.78 as follows:

REQ. #	VENDOR	AMOUNT
177	S.T. Hudson Engineers	\$12,510.00
178	S.T. Hudson Engineers	390.00
179	S.T. Hudson Engineers	165.00
180	Corrpro Companies	12,550.00
181	Aecom	4,250.18
182	Gloucester County	100,938.74
183	SJPC Reimbursement / Paulsboro	338,007.86
	<b>Total</b>	<b>\$468,811.78</b>

*A motion was made to approve the Construction Fund Requisitions as presented totaling \$468,811.78.*

**Moved by:** J. Gershen  
**Seconded by:** J. Maressa, Jr.

**Voting for motion:** All  
**Voting against motion:** None  
**Abstaining (Paulsboro Inv. 181, 182 and 173):** C. Remington  
 C. Bruner

TREASURER'S REPORT

Patrick Abusi presented the Treasurer's report. He reported that for the period ending October 31, 2008, the gross operating revenue less pass thru's was \$1,655,214. For the same period, the net income before interest, depreciation and amortization totaled \$148,537 versus our estimated budgeted amount of \$340,481. The monthly net income before interest, depreciation and amortization compared to budget amount is a decrease of \$192,244. On the year, net income before interest, depreciation and amortization is \$2,755,581. A deviation of (\$542,225) compared to budget. The Board reviewed the A/R reports and the Analysis of Investments.

*A motion was made to accept the Treasurer's Report as presented.*

**Moved by:** J. Gershen  
**Seconded by:** E. Martins

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

COUNSEL'S REPORT

Michael Angelini, Esq. reported that he has business to discuss in closed session.

**EXECUTIVE DIRECTOR'S REPORT**

The Executive Director and CEO presented the Executive Director's Report. He highlighted the October 2008 port activity statistics, forecast and year-end estimate. He discussed the TWIC program and the ongoing enrollment and compliance activities.

The Executive Director's Report was received and filed.

**ACTION ITEMS**

The following action items were considered:

**2009 BOARD OF DIRECTOR'S MEETING SCHEDULE**

Staff presented the official schedule of SJPC Board of Directors meetings for the calendar year 2009. The schedule will be placed in three designated newspapers and posted on the bulletin board at the Beckett Street and Broadway Terminals.

DATE	MEETING	TIME
Tuesday, January 27, 2009	Regular	12:30 P.M.
Tuesday, February 24, 2009	Regular	12:30 P.M.
Tuesday, March 31, 2009	Regular	12:30 P.M.
Tuesday, April 28, 2009	Regular	12:30 P.M.
Tuesday, June 2, 2009	Regular	12:30 P.M.
Tuesday, June 30, 2009	Regular	12:30 P.M.
Tuesday, July 28, 2009	Regular	12:30 P.M.
Tuesday, August 25, 2009	Regular	12:30 P.M.
Tuesday, September 29, 2009	Regular	12:30 P.M.
Tuesday, October 27, 2009	<u>Regular</u>	12:30 P.M.
Tuesday, December 8, 2009	Regular	9:30 A.M.

*A motion was made to approve the 2009 SJPC Board of Directors meeting schedule.*

**Moved by:** J. Gershen  
**Seconded by:** C. Remington

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

**2009 HOLIDAY SCHEDULE**

Staff presented the 2009 Union and Nonunion Holiday Schedule for approval.

HOLIDAY	DATE OBSERVED
New Year's Day	Thursday, January 1, 2009
Martin Luther King Day	Monday, January 19, 2009
President's Day	Monday, February 16, 2009
Good Friday	Friday, April 10, 2009
Memorial Day	Monday, May 25, 2009
Independence Day	Friday, July 3, 2009

Labor Day	Monday, September 7, 2009
Veteran's Day	Wednesday, November 11, 2009
Thanksgiving Day	Thursday, November 26, 2009
Day After Thanksgiving Day (Union only)	Friday, November 27, 2009
Christmas Eve	Thursday, December 24, 2009
Christmas Day	Friday, December 25, 2009

*A motion was made to approve the 2009 Holiday Schedule for Union and Nonunion employees to reflect the observed dates.*

**Moved by:** J. Gershen  
**Seconded by:** C. Styles

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

### **2009 CAMDEN COUNTY PILOT AGREEMENT**

James Pierson, Esq., representing General Counsel, presented the 2009 Camden County PILOT Agreement. He advised that the agreement is for the same amount as the 2008 agreement in the amount of \$419,000.

*A motion was made to approve the 2009 Camden County PILOT agreement in the amount of \$419,000.*

**Moved by:** C. Styles  
**Seconded by:** J. Gershen

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

### **DEBT SERVICE CERTIFICATION LETTER**

Staff presented the Certification Letter for the Governor for the Debt Service and Tax Reserve Requirements. Staff prepared the letter with guidance from Cliff Goldman, SJPC's financial advisor.

*A motion was made to approve the Debt Service and Tax Reserve Requirements Certification Letter as presented.*

**Moved by:** J. Gershen  
**Seconded by:** C. Remington

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

### **RESOLUTION TO AUTHORIZE NEGOTIATED BOND SALE**

William Mayer, Esq., representing SJPC's Bond Counsel, presented a resolution authorizing the negotiated sale of Marine Terminal Revenue Bonds, Series 2008 O, pursuant to Executive Order

26. He stated that he has been working closely with the NJ Office of Public Finance, SJPC staff and Cliff Goldman on the preparation of documentation for the competitive sale of the Series 2008 O Bonds authorized by the Twelfth Supplemental Marine Terminal Revenue Bond Resolution adopted on October 28, 2008.

Due to the current uncertainty in the bond market, the State Office of Public Finance and the Corporation's financial advisor recommend that the Board provide for the possibility of a negotiated sale of the bonds, if deemed advisable. The attached resolution is intended to comply with Executive Order No. 26 (Whitman 1994), and to delegate to the Chairman, Executive Director or Treasurer of the Corporation the authority to approve a contract of purchase for the bonds with an underwriter or underwriters selected from the State's pool of underwriting firms, which pool was selected in accordance with Executive Order No. 26.

*A motion was made to approve the Resolution Authorizing the Negotiated Sale of Marine Terminal Revenue Bonds, Series 2008 O, pursuant to Executive Order 26 as presented by Bond Counsel.*

<b>Moved by:</b>	<b>C. Remington</b>
<b>Seconded by:</b>	<b>E. Martins</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>

### **2008 RATE STUDY**

The draft 2008 Rate Study prepared by S.T. Hudson was presented to the Board at the October 2008 Board of Directors meeting. The executive summary of the study compares the 2008 rates and charges with 2007 result. The study states that the SJPC should not entertain any significant increases at this time. Staff recommends Board approval.

*A motion was made to approve the 2008 Rate Study as prepared by S.T. Hudson Engineers.*

<b>Moved by:</b>	<b>C. Remington</b>
<b>Seconded by:</b>	<b>J. Maressa, Jr.</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>

### **ANNUAL BOARD SECRETARY APPOINTMENT**

A recommendation was made to reappoint John R. Maier as the Board Secretary for a term of one (1) year at a compensation of \$15,000 per annum.

*A motion was made to reappoint John R. Maier as Board Secretary for a term of one year with compensation of \$15,000 per annum.*

<b>Moved by:</b>	<b>J. Gershen</b>
<b>Seconded by:</b>	<b>C. Bruner</b>

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

### **CITY OF SALEM PORT AUTHORITY 2009/2010 BUDGET**

Staff has received and reviewed the City of Salem Municipal Port Authority budget for 2009/2010. SJPC is responsible for funding the budget as stipulated in the agreement when the SJPC acquired the City of Salem Municipal Port Authority. The Board is requested to approve the budget for 2009/2010.

The budget consists of one (1) position with benefits and moderate expenses for office rental, office supplies, accounting/auditing services and telephone. The proposed budget for the 2009/2010 period totals \$48,973.00 compared to the current budget of \$46,363.00. The proposed new budget represents a 5.63% increase over the current budget totals.

*A motion was made to approve the City of Salem Municipal Port Authority budget for 2009/2010 as presented.*

**Moved by:** J. Maressa, Jr.  
**Seconded by:** E. Martins

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

### **INDUSTRIAL COMMERCIAL LEASE RENEWAL**

Industrial Commercial, who has the janitorial contract for the Port, is requesting a two (2) year renewal for their current leasehold of 1,081 square feet (Round House) at the Broadway Terminal due to expire on January 31, 2009. The annual rental rate will increase from \$3,264.00 to \$3,384.00 with a CPI increase on February 1, 2010.

*A motion was made to approve the lease renewal with Industrial Commercial as presented.*

**Moved by:** J. Gershen  
**Seconded by:** J. Maressa, Jr.

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

### **CENTRAL METALS LEASE RENEWAL**

Central Metals, a long-term tenant who leases approximately 7,850 square feet of open space, is requesting a one (1) year lease renewal. The current lease expires January 31, 2009. The annual rental rate would increase from \$3,540.00 to \$3,672.00.

*A motion was made to approve the lease renewal with Central Metals as presented.*

**Moved by:** C. Remington  
**Seconded by:** C. Styles



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

### **HARRY WILSON WELDING LEASE RENEWAL**

Harry Wilson Welding, a long-term tenant who leases a small under block building of 240 square feet at the Broadway Terminal, requests a one (1) year renewal. The current lease expires January 31, 2009. The annual rental rate would increase from \$468.00 to \$480.00.

*A motion was made to approve the lease renewal with Harry Wilson Welding as presented.*

**Moved by:** R. DeAngelo  
**Seconded by:** C. Bruner

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

### **OPEN SPACE LEASE – KNIGHT TRUCKING**

Knight Trucking requests to lease open space (i.e. no buildings) at the Air Product Site on a month-to-month basis starting December 29, 2008 at a rate of \$3,500.00 per month. They plan to provide a service to truck drivers who arrive to the Port without a Transportation Worker Identification Credential card to drive their trucks for the load/unloading at a fee. This service will be a benefit to port operations, lessening the anticipate slowdown in cargo movements due to a large population of truck drivers who have not applied for or possess a TWIC.

*A motion was made to approve a month-to-month lease with Knight Trucking for open space at the Air Product site at a rate of \$3,500 per month.*

**Moved by:** R. DeAngelo  
**Seconded by:** C. Bruner

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

### **CATHODIC PROTECTION – CONSTRUCTION MANAGEMENT AWARD**

The Board Committee comprised of Chairman Alaimo, Director Remington and Director Maressa met prior to the Board meeting to review the specifications and the quotations for the construction management services for the Cathodic Protection project. At the July 29, 2008 SJPC Board of Directors meeting, a motion was approved to assign to Corr Pro the task of preparing the bid documents for the cathodic protection system to be installed for Berths 2, 3, 4 and 4 ½ at the Beckett Street Terminal and Pier 5 at the Broadway Terminal. The Board action also permitted including Corr Pro to quote on the construction management portion of the project due to their expertise in this highly specialized discipline. Staff sent the “scope of work” for construction management to the four firms that are on the Ports short list (T&M Associates, CH2M Hill, S.T. Hudson and CMX) plus Corr Pro.

The following quotes were received:

<b>FIRM</b>	<b>QUOTATION</b>
Corr Pro Comp. West Chester, PA	\$65,500.00
S.T. Hudson Engineers Camden, NJ	\$66,000.00
CHM2 Hill Philadelphia, PA	\$88,000.00
T&M	No quotation
CMX	No quotation

As noted, T&M and CMX chose not to submit a quotation. The Board committee and staff recommend approval of Corr Pro in the amount not-to-exceed \$65,500.00 for construction management services for the Cathodic Protection Project. Funding for the Cathodic Protection Project will come from the \$3.5 million allocated for this project in 2007 Series N Bond fund.

*A motion was made to award the construction management services contract for the Cathodic Protection Project to Corr Pro at a cost not-to-exceed \$65,500.00.*

**Moved by:** C. Remington  
**Seconded by:** J. Maressa, Jr.

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

#### **MID-ATLANTIC SALT LEASE RENEWAL**

Staff reported Mid-Atlantic Salt's current lease expires December 31, 2008 with a guaranteed annual commitment of 50,000 tons imported through the Port's facility. To date approximately 24,500 tons were imported. SJPC discharged a vessel in October but could only handle 24,500 tons of the 44,000 tons with the balance going to another Port. This was caused by a space limitation on Mid-Atlantic's leasehold because of the warmer winter in 2007-08 which less salt was used. Any amount less than 50,000 tons guarantee will be paid by the tenant to the Port at a rate of \$2.15 per net ton.

The tenant requests an extension of the current lease to February 28, 2009, since they have another vessel scheduled to discharge within this time period. The tenant would be committed to import the shortfall tonnage. All amounts over the short fall would be credited to the future requested three-year lease to begin on March 1, 2009 thru February 28, 2012 with a guarantee total volume of 150,000 tons for the three years. Any amount less than 150,000 tons guarantee will be paid by the tenant to the Port at a rate of \$2.45 per net ton.

Current rental rate of \$61,116.00 (0.56 per sq/ft) per year would increase to \$63,396.00 (0.58 per sq/ft) effective March 1, 2009. Annual CPI increases will start March 1, 2010.

*A motion was made to approve the lease extension to February 28, 2009 and a renewal for three-years for Mid-Atlantic Salt as presented.*

**Moved by:** C. Bruner  
**Seconded by:** J. Maressa, Jr.

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

#### **HEALTH INSURANCE RENEWAL**

Ed O'Malley with Conner Strong Insurance presented a recommendation to renew the present self-funded health insurance program with AmeriHealth Administrators at the \$40,000 individual deductible. SJPC has seen the premium decrease two years in maximum exposure due to factors such as good employee health. The total expected plan cost for the renewal is \$1,681,142.73 compared to the expiring plan's cost of \$1,716,445.74.

*A motion was made to approve the recommendation from Conner Strong to renew the health insurance plan with AmeriHealth Administrators / Marlton Risk as presented.*

**Moved by:** C. Remington  
**Seconded by:** J. Maressa, Jr.

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

#### **REAPPOINTMENT – PUBLIC AGENCY COMPLIANCE OFFICER**

Staff presented a resolution to reappoint Patrick A. Abusi as the Public Agency Compliance Officer for the period January 1, 2009 through December 31, 2009. The Public Agency Compliance Officer is assigned to implement Affirmative Action Regulations.

*A motion was made to approve the resolution to appoint Patrick A. Abusi to serve as the Public Agency Compliance Officer for the period January 1, 2009 through December 31, 2009.*

**Moved by:** C. Remington  
**Seconded by:** C. Styles

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

#### **PAULSBORO MARINE TERMINAL – AECOM CHANGE ORDER**

Marlin Peterson, from the Gloucester County Improvement Authority, prior to presenting the AECOM change order, advised the Board that DMJM Harris has changed their name to AECOM. AECOM was requested by the SJPC staff to undertake three specific additional engineering tasks in advance of final design efforts to expedite coordination with State and

Federal regulatory agencies, on-going BP remediation activities and the NJ Department of Transportation.

In response to the SJPC request, a detailed Grading & Drainage plan was created by AECOM to depict the proposed site wide contours and associated storm water management system. The proposed storm water management approach will rely on surface flow, perimeter outfalls and grit / oil separators, all of which are coordinated with BP’s on-going ground water remediation activities. The detailed final elevations will assist with on-site coordination between BP’s continuing monitoring well installation, on-going remedial measures and the terminal’s earthwork operations. The cost for AECOM to perform this work is \$18,478.75.

Per SJPC request, AECOM prepared a Railroad Intersection Detail Plan and Section of the proposed mainline rail spur that will lead into the terminal. The plan and section are required submittal elements, along with supporting resolutions, to commence the NJDOT Railroad Engineering & Safety Unit’s Diagnostic Team review process. The purpose of this review is to recommend the appropriate safety measures to be implemented for the planned rail crossing into the terminal. The cost for AECOM to perform this work is \$5,442.90.

After consultation with NJDEP Office of Dredging and Sediment Technology, the SJPC requested that AECOM prepare a Sediment Sampling Plan and corresponding Dredge Material Sampling Sections. The sediment sampling plan locates the proposed sediment core samples per reach section that will be drilled and analyzed as part of the terminal’s Dredge Material Management Plan. The sampling sections indicate the volume of material that is to be dredged for each of the station locations. The plan and sections are used by DEP to confirm dredge material characteristics and establish their subsequent disposal process. The cost for AECOM to perform this work is \$16,250.00.

A recap of AECOM’s current contract is as follows:	
Current Contract Value	\$ 714,478.90
Changes Detailed Above:	
- Grading & Drainage Plan	\$ 18,478.75
- Rail Intersection Plan & Section	\$ 5,442.90
- Sediment Sampling Plan & Section	\$ 16,250.00
Revised Contract Value	\$ 754,650.55

In an effort to expedite project implementation with on-going BP site remediation activities and with various State and Federal Agencies, such as the NJDEP, USACOE and NJDOT, Staff recommends approval of a revised contract value for additional engineering tasks to AECOM. The Treasurer certifies funding for this expenditure would come from the 2007 Series N Bond Issue for the Paulsboro Marine Terminal project.

*A motion was made to approve the change order for AECOM as presented.*

<b>Moved by:</b>	<b>J. Maressa, Jr.</b>
<b>Seconded by:</b>	<b>J. Gershen</b>

<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>
<b>Abstaining:</b>	<b>C. Remington</b> <b>C. Bruner</b>

The Chairman asked for a motion to adjourn the open session to enter closed session.

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

<b>Moved by:</b>	<b>C. Remington</b>
<b>Seconded by:</b>	<b>E. Martins</b>

<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>

At 10:05 p.m. the regular open session was adjourned.

I certify that this is a true copy of the Minutes of the South Jersey Port Corporation's Open Session of the Board of Director's Meeting held Tuesday, December 9, 2008.

John R. Maier  
Board Secretary / JRM/JJ

At 10:58 p.m. the regular open session was reopened.

### METHADONE CLINIC RELOCATION

In accordance with the State of New Jersey's program to relocate an existing Methadone Clinic to accommodate economic redevelopment within the City of Camden, the Board is requested to approve authorizing the Executive Director to negotiate an agreement with National Health Service to renovate and lease existing, non-utilized office space within the SJPC's Broadway Terminal.

*A motion was made to authorize the Executive Director to negotiate a lease with NHS regarding the clinic relocation program.*

**Moved by:** C. Remington  
**Seconded by:** J. Maressa, Jr.

**The Chairman opened up the floor to the public for comments regarding the motion.**

### **PUBLIC COMMENTS:**

**Gordon Sunkett (address listed on sign in sheet as "Community"):** Expressed his support to the SJPC Board to approve the relocation of the clinic to the Broadway Terminal leasehold.

**Mark Boogard, 436 Chambers Avenue, Camden, NJ:** Expressed his support to the SJPC Board to approve the relocation of the clinic to the Broadway Terminal leasehold.

**Sheila Roberts, 578 Washington Street, Camden, NJ:** Expressed her support to the SJPC Board to approve the relocation of the clinic to the Broadway Terminal leasehold. She displayed photos of both the current location of the clinic and the proposed location of the clinic. She also present sign petition from residents in support of the relocation.

**Roquel Jeffers, Department of Human Services/Division of Addiction Services, 129 S. Stockton Street, Trenton, NJ:** Expressed her support to the SJPC Board to approve the relocation of the clinic to the Broadway Terminal leasehold.

**Anthony Lingo, 214A City Hall, Camden, NJ:** Expressed his support to the SJPC Board to approve the relocation of the clinic to the Broadway Terminal leasehold. He presented a copy of a MOU between the City of Camden, the Camden City AIDS Advisory Council and the Camden Area Health Education Centers, Inc. He also presented a copy of AIDS statistics and a news article from SJ Magazine.

**Jennifer Davis, 1469 S. 10<sup>th</sup> Street, Camden, NJ:** Expressed her support to the SJPC Board to approve the relocation of the clinic to the Broadway Terminal leasehold.

**Charles Green, 417 Broadway, Camden, NJ:** Expressed his support to the SJPC Board to approve the relocation of the clinic to the Broadway Terminal leasehold.

19 letters supporting the relocation of the clinic to the proposed SJPC location at the Broadway Terminal were entered into the record.

1. Louis Baxter, MD, State of New Jersey, Department of Human Services, Division of Addiction Services
2. Charles B. Green, MA, LCADC, Executive Director, NHS Human Services
3. Emery Troy, President, Dooley House City Organization, City of Camden
4. Jennifer Davis, Executive Director, Village Wrap, Inc.
5. Arthur H. Dion, President, Aids Coalition
6. Pat Taylor, Executive Director, Faces & Voices of Recovery
7. Joycelyn Sue Woods, M.A., C.M.A., Executive Director, National Alliance of Methadone Advocates
8. Joseph Guadagnino, M.Ed., President, New Jersey Association for the Treatment of Opiate Dependence
9. Nicholas Reuter, Senior Public Analyst, Department of Health & Human Services, Division of Pharmacologic Therapy, Center for Substance Abuse Treatment
10. Mark W. Parrino, MPA, President, American Association for the Treatment of Opioid Dependence, Inc.
11. Maria Berrios, Partner, Armstrong & Berrios Consultants, LLC.
12. Maria E. Ygleias, Principal, M&M Development LLC., Newark
13. Richard Stagliano, President & CEO, Center for Family Services, Camden
14. Chris Kelly, Director, Advocates for Recovery through Medicine, Washington D.C.
15. Mark & Lorsley Boogaard, Camden Residents
16. Sheila Roberts, Chair, Broadway Main Street Board of Directors, Camden
17. Sheila Roberts, President, Cooper/Lanning Civic Association, Camden
18. Sean M. Brown, Camden Resident
19. LaPree Burgess, Camden Resident

Cooper Lanning Civic Association presented a petition supporting the relocation of the Parkside Recovery Methadone Clinic.

The Chairman asked if there were any others wishing to address the Board. Hearing none, he opened the standing motion for a vote. Director Remington offered to amend the standing motion.

*An amended motion was made to authorize the Executive Director to negotiate with NHS to renovate and lease existing offices space and to present the proposed agreement to the Board at a special SJPC Board of Directors meeting to be scheduled in January 2009.*

<b>Moved by:</b>	<b>C. Remington</b>
<b>Seconded by:</b>	<b>J. Maressa, Jr.</b>
<b>Voting for motion:</b>	<b>All</b>
<b>Voting against motion:</b>	<b>None</b>

## INFORMATION ITEMS

The following information items were presented:

### RIVERFRONT ASSOCIATES / PHOENIX STRATEGIES

Linda Artlip presented the marketing report and the status of activities performed by Riverfront Associates/Phoenix Strategies. The report was received and filed.

### PORT SECURITY UPDATE

Jay Jones presented the Port Security Updated. **Transportation Worker Identification Credential (TWIC):** The compliance date for Transportation Worker Identification Credential regulations in Sector Delaware Bay is **December 30, 2008**. SJPC has been preparing for compliance.

- A revised SJPC Facility Security Plan has been submitted to the USCG COTP.
- All SJPC employees have been directed to the TWIC Enrollment Center. To date, several employees still have not received their TWIC cards.
- A policy memo for employees has been prepared for distribution.
- An area outside the Broadway Terminal has been designated to stage any truck drivers arriving to the facility who do not possess a TWIC. At the Beckett Street Terminal, trucks already stage outside the terminal.
- SJPC will hold TWIC Escort training for employees and tenants mid-December.

The Camden TWIC Enrollment Center and the federal TWIC system continues to experience problems and delays, making it extremely challenging for individuals to enroll and to activate their TWIC card. Activations, which are to take only about 15 minutes, are now taking up to as much as an hour. The federal TWIC system also continues to have problems since the power outage occurred impacting the servers. News articles from around the country are reporting problems and delays with the TWIC enrollment.

On Thursday, December 4, 2008, Joe Balzano and Jay Jones attended a meeting hosted by the Port of Wilmington, DE with RADM Fred Rosa, Commander USCG District 5 and USCG COPT David Scott, USCG and other key port representatives for Sector Delaware Bay to discuss the TWIC program and compliance. Several serious issues were raised regarding the problems with the implementation of the TWIC program including:

- Delay by TSA/Lockheed Martin in processing and activating TWIC cards which will result in a large population of port employees and truck drivers who will not have TWIC by the December 30, 2008 compliance date.
- Perishable and breakbulk cargoes will be impacted severely due to the inability of the TWIC system to produce cards and the challenge to promote the TWIC program to truck drivers who rarely call port facilities.
- Defect in a series of TWIC cards issued that prevent changing the personal PIN.



- Lack of consideration for accommodating the use of casual labor which may create a labor shortage and loss of business. During peak ship days, labor requirements employ day workers who have never worked in port before and may never again. These individuals would not possess a TWIC. No accommodation for a temporary pass.

RADM Fred Rosa advised that he will prepare a briefing for his superiors, along with the request from the port community to postpone the TWIC deadline or offer special provisions to allow individuals to be permitted unescorted access if they can show proof of TWIC enrollment. The USCG did advised that they will be flexible and cooperative in considering creative ideas to meet compliance with the TWIC regulations.

**FY07 Port Security Grant:** The SJPC grant application submitted through the NJ Office of Homeland Security and Preparedness (NJOHSP) for the DHS FY07 Port Security Grant Program last was approved in the amount of \$804,000 for a TWIC Card Reader program. The NJOHSP submitted final modified budgets this summer and we are waiting on the federal government to issue the GANN. This delay will be beneficial for SJPC as the TSA has not finalized requirements on the TWIC Card readers. A final regulation on TWIC card readers is expected sometime in 2009.

**FY07 Supplemental Port Security Grant:** The Area Maritime Security Committee (AMSC) for U.S. Coast Guard Sector Delaware Bay opened applications for over \$5 million in FY 2007 Supplemental Port Security Grant Program (PSGP) funds. The Maritime Exchange for the Delaware River and Bay serves as Fiduciary Agent to the AMSC. The AMSC expects to release an additional \$19.1 million in funds for the FY08 program sometime this fall. We are waiting for the announcement on application submitted by SJPC.

**FY08 and FY09 Port Security Grant Programs:** Sector Delaware Bay members are waiting for the USCG/AMSC and the fiduciary agent (Maritime Exchange), to open the FY08 Port Security Grant Program for applications. DHS announced the FY09 Port Security Grant Program and the fiduciary agent for Sector Delaware Bay has a deadline in January to apply for the \$19 million allocated to our sector. The process for FY09 will be similar to the FY08 program. The local USCG/AMSC and the fiduciary agent will then schedule and announce when applications will be accepted.

**Delaware River Infrastructure Protection Project (DRIPP):** Staff met with the team working under the NJOSHP DRIPP on Wednesday, October 22, 2008 to further define potential enhancements to the SJPC facilities add sensors and other communication system that will aid SJPC and provide data feed to the NJ State Police Regional Operation Information Center (ROIC). Funding is available under this program for the enhancements. Additional information can be provided to the Board during closed session due to the confidentiality nature of port security information.

#### **PROFESSIONAL APPOINTMENTS - RFQ**

Per the Board's direction, staff advertised a Request for Qualifications for Professional Services for twelve (12) different disciplines. As a result of the request, SJPC received seventy-seven (77) completed RFQ packages from 55 different firms. Staff sent out 189 packets to 109 firms. Only 7 qualification packages were incomplete applications. Staff presented a recap of the RFQ

requirements, companies and categories that were submitted. The Board requested staff to email the reports to the Board.

### WORLD ENERGY

Hank D'Andrea reported that World Energy Solutions, Inc. is the consultant SJPC used when performing the reverse auction bidding for the third party supplier of electrical energy. The third party supplier pays their fee. The one-year contract with World Energy Solutions expired on November 14, 2008. SJPC. An amendment to the service contract has been entered into to extend the term until November 14, 2009. SJPC uses World Energy for information about what is happening in the electric energy market and insight on short and long term electric energy solutions strategies. SJPC would be committed to using World Energy if reverse auction bidding is required within the time frame of the amendment.

### PAULSBORO MARINE TERMINAL PROJECT UPDATES

Marlin Peterson, the Director of Port Development for the Gloucester County Improvement Authority provided the following updates on the Paulsboro Marine Terminal project.

**Access Road and Bridge:** The Gloucester County Improvement Authority (GCIA) through their design consultant – Pennoni Associates – continues to move forward with the design and implementation of the proposed access road for the terminal. A 60% design submittal was received at the end of October 2008. In addition to the design effort, a pilot surcharge program is moving forward with field related activities planned for late this year or early next year (Jan 09). The pilot surcharge program is intended to refine the timing and quantity of settlement that is expected from a layer of silty material associated with previous dredge material disposal activities (circa 1930 - 1960).

From a schedule standpoint, final design activities are planned to complete by summer 2009 with construction to commence as early as fall 2009 following environmental permit approvals.

From an operational perspective, the SJPC has selected the use of aluminum high mast light poles to be installed along the roadway and bridge alignment. The light poles will be installed as part of the construction project. Power for the light poles will be provided from the proposed marine terminal substation. Coordination meetings with AC Electric and PSE&G are planned as the roadway / bridge and terminal projects move through the design process and into construction.

**Seaboard Fisheries / Delaware Estuary Study:** The above project commenced in September 2008. A team-wide Kick-Off meeting was held at the Broadway Terminal on October 8, 2008. Meeting minutes are available upon request. Fish tagging of the sturgeon commenced in the October / November 2008 timeframe. Attached is a graphic of a successful tag. A subsequent team-wide meeting is scheduled for December 4, 2008. Staff will provide a brief update from the meeting during the Board meeting. On river - field activities will resume in the February /March 2009 timeframe.

**Final Design and Project Management:** The solicitation for the Final Design and Project Management scope of services for the Paulsboro Marine Terminal is scheduled to be advertised during the week of December 8 – 12, 2008. The solicitation will include a Request For Qualifications (RFQ) process, followed by SJPC Board approval of a qualified Short List of

“design teams”, which will receive a Request For Proposals (RFP). The current schedule indicates receipt of the Qualification Packages from interested firms on Thursday, January 8, 2009. Staff expect to present a proposed Short List to the Board for approval at the scheduled January 27, 2008 Board meeting.

**Paulsboro Marine Terminal – 2008 Series Revenue Bonds:** Pursuant to approvals by the NJ Governor’s Office, the NJ Department of the Treasury and the SJPC Board, a Public Offering Statement for the above revenue bonds has been developed. Based on the type of projects to be implemented, a preliminary structure for the revenue bonds has been established as follows: \$25,660,000 MARINE TERMINAL REVENUE BONDS, SERIES 2008 O, which consists of the following:

- ✓ \$19,615,000 Marine Terminal Revenue Bonds, Series 2008 O-1
- ✓ \$940,000\* Marine Terminal Revenue Bonds, Series 2008 O-2
- ✓ \$5,105,000\* Marine Terminal Revenue Bonds, Series 2008 O-3 (AMT)

In general, Series 2008 O-2 pertains to the acquisition of the Terraces Property whereas Series 2008 O-3 relates to the Skylight Renovation at Broadway Terminal. The balance of the projects, particularly the 2008 Paulsboro Marine Terminal and the 2008 Additional Projects, correlate to Series 2008 O-1. A Public Hearing regarding the issuance by the SJPC of its Marine Terminal Revenue Bonds, Series 2008 O-3 (AMT) is schedule for Wednesday, December 17, 2008 at 11:00 A.M. in the Board Room of the Broadway Marine Terminal.

## **PUBLIC COMMENTS**

The Chairman asked if there were any public comments.

**George Gallenthin (address listed on sign-in sheet as “Iraq”):** He addressed the Board regarding the Paulsboro Marine Terminal project. He discussed the history of the Port of Paulsboro and that the co-tenants of the port area need to coexist in a neighborly and appropriate manner. He said that a second tractor of his was burned. He asked for a realignment of the roadway. He mentioned that he did ask, through his wife, for agreements regarding the project to understand the roles of the various agencies involved with the project. He discussed that T&M Associates entered his property and he had the police escort them off. He said that T&M returned to his property. Mr. Gallenthin advised that the Board should have better control of its vendors and knowledge of what they are doing. He mentioned that he was back from Iraq. He then stated that the proposed bridge should not be 25 feet high which will block river traffic from navigating the Mantua Creek and render this federal waterway unusable. He said the bride should be approximately 49 feet high above the creek. He also commented about a Mr. George Strachan signed a document that he owned a lot/block number that he does not own. He got a permit for my property. He again told the Board to please know what your people are doing and have some control over the project.

The Chairman asked if anyone else wished to addressed the Board. Hearing none, he asked if there was any additional business for the regular open session.

## **SALEM PILOT AGREEMENT**

James Pierson presented the terms of the Salem PILOT agreement for 2009/2010. He advised that the payments should be \$28,206.30 for 2009 and \$31,224.30 for 2010.

*A motion was made to approve the Salem PILOT Agreement for 2009/2010 as presented by general counsel.*

**Moved by:** C. Styles  
**Seconded by:** C. Remington  
**Voting for motion:** All  
**Voting against motion:** None

**PRESENTATION TO BARBARA TOMALINO**

The Board Chairman and Executive Director made a special presentation to Barbara Tomalino for her exemplary service to the South Jersey Port Corporation and the State of New Jersey as member of the SJPC Board of Directors for 12 years and for serving as Chair for one year.

Chairman Alaimo asked if there was any additional business for the regular open session. Hearing none, the Chairman asked for a motion to adjourn the open session.

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

**Moved by:** C. Remington  
**Seconded by:** E. Martins  
**Voting for motion:** All  
**Voting against motion:** None

At 12:10 p.m. the regular open session was adjourned.

I certify that this is a true copy of the Minutes of the South Jersey Port Corporation's Open Session of the Board of Director's Meeting held Tuesday, December 9, 2008.

John R. Maier  
Board Secretary / JRM/JJ

# **SOUTH JERSEY PORT CORPORATION**



## **BOARD OF DIRECTORS MEETING DECEMBER 9, 2008**

### **THE CHAIRMAN COMMENCES MEETING WITH PLEDGE OF ALLEGIANCE AND ROLL CALL:**

- 1. APPROVAL OF MINUTES**  
Regular Meeting October 28, 2008  
Closed Meeting October 28, 2008
- 2. APPROVAL OF OPERATING BILLS**
- 3. APPROVAL OF ADVANCE PAYMENT BILL LIST**
- 4. APPROVAL OF CREDITS**
- 5. APPROVAL OF CHANGE ORDERS - 0**
- 6. APPROVAL OF CONSTRUCTION FUND REQUISITIONS**
- 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**

- A. 2009 BOARD OF DIRECTORS MEETING SCHEDULE**
- B. 2009 HOLIDAY SCHEDULE**
- C. 2009 CAMDEN COUNTY & SALEM PILOT AGREEMENTS**
- D. DEBT SERVICE RESERVE CERTIFICATION LETTER**
- E. RESOLUTION – NEGOTIATED BOND SALE**
- F. 2008 RATE STUDY**
- G. BOARD SECRETARY APPOINTMENT**
- H. PORT OF SALEM 2009/2010 BUDGET**
- I. INDUSTRIAL COMMERCIAL LEASE RENEWAL**
- J. CENTRAL METALS LEASE RENEWAL**
- K. HARRY WILSON WELDING LEASE RENEWAL**
- L. OPEN AREA LEASE – AIR PRODUCTS SITE**
- M. CATHODIC PROTECTION – CONSTRUCTION MGT AWARD**
- N. MIDATLANTIC SALT LEASE RENEWAL**
- O. HEALTH INSURANCE RENEWAL**
- P. REAPPOINTMENT – PUBLIC AGENCY COMPLIANCE OFFICER**
- Q. PAULSBORO MARINE TERMINAL – DMJM HARRIS**
- R. METHADONE CLINIC RELOCATION**

**11. SUPPLEMENTAL BOARD INFORMATION**

- S. MARKETING COMMITTEE REPORT & RIVERFRONT ASSOCIATES REPORT**
- T. PORT SECURITY UPDATE**
- U. PROFESSIONAL APPOINTMENTS - RFQ**
- V. PRESENTATION TO BARBARA TOMALINO**
- W. WORLD ENERGY UPDATE**
- X. PAULSBORO MARINE TERMINAL – PROJECT UPDATES**

**PUBLIC SESSION FOR QUESTIONS / COMMENTS**

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