



**ALBANY PORT DISTRICT COMMISSION  
MEETING  
FEBRUARY 28, 2024  
12:00 noon**

**AGENDA**

- 1) Approval of Minutes from the January 31, 2024 Commission meeting (attached)**
- 2) Public Comment**
- 3) Financial Update (by CFO Stuto)**
- 4) CEO Update (by CEO Hendrick)**
- 5) Real Property/Development Update (by CCO Daly, SCM Yagan)**
- 6) Amendment to McFarland-Johnson Bacon Island Infrastructure Improvements Contract (Resolution 07-2024)(CFO Stuto)**
- 7) Insurance Brokerage Services Extension - Marshall Sterling (Resolution 08-2024)(CFO Stuto)**
- 8) Mohawk Lease Assignment (Resolution 09-2024)(Cnsl. Jordan)**
- 9) Other Business (by Chairperson)**
- 10) Enter Executive Session<sup>1</sup>**
- 11) Exit Executive Session**
- 12) Next Meeting: March 27, 2023**

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<sup>1</sup> Only if necessary (and if approved by a majority vote of the Commission), to discuss:

- a. matters which will imperil the public safety if disclosed;
- b. any matter which may disclose the identity of a law enforcement agent or informer;
- c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- d. discussions regarding proposed, pending or current litigation;
- e. collective negotiations pursuant to article fourteen of the civil service law;
- f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- g. the preparation, grading or administration of examinations; and
- h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.



**ALBANY PORT DISTRICT COMMISSION**  
**MINUTES OF A REGULAR MEETING**  
**January 31, 2024**

Chairperson Steffens called the meeting to order. In attendance were Commissioners Abriel, Cinquanti, Coffey and Tagliento. Also present were CEO Hendrick, General Counsel Jordan, CCO Daly, CFO Stuto, DSI Schneidawin, DEA Vavura, Security Officer Williams, Administrative Assistant DiLillo and Bill Ring, Jay Baird and David Marceau from Logistec.

Chairperson Steffens introduced the minutes of the December 20, 2023 Commission meeting. No changes were made to the minutes. Chairperson Steffens called for a motion to approve the minutes. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti, and passed unanimously.

**PUBLIC COMMENT**

There were no public comments.

**GOVERNANCE COMMITTEE UPDATE**

Chairperson Steffens noted that the Governance Committee met prior to the Board meeting. She reported that the Board reviewed and discussed the list of Annual APDC Policies as well as the summary of the results of the Confidential Board Evaluations. The Committee made no changes to the APDC Policies as presented and recommended to forward to the full Board for approval. She also noted that all Board and staff members have returned the required Conflict of Interest Declarations.

**FINANCIAL UPDATE**

CFO Stuto noted that UHY will begin the audit on February 5, 2024. She presented to the Board the preliminary financial results through December 31, 2023. She reported a \$300,000 higher change in projection for operating income and a \$130,000 increase in projection for operating revenue. Dockage fees are up by \$35,000 and wharfage fees are up by \$18,000. Operating expenses are \$180,000 lower than what was projected. All expenses except insurance had positive variances than earlier projected. Non-operating expenses have an \$8,500 increase than what was projected, primarily due to depreciation and waterfront development

expenses. Change in net position before capital funding is \$300,000 more than what was expected.

Operating revenue is under budget by \$73,000. Operating expenses are over budget by \$3,000, which includes health insurance, crane repairs and rent and insurance for the Riverside Ave. property. These over budget items are offset by the remaining under budget items. Net operating income before other items came in at \$76,000 under budget. Depreciation and other expenses are under budget by \$232,000. Change in net position is \$156,000 over what was budgeted.

Commissioner Coffey asked if the year-end 2023 results would suggest any needed changes in the 2024 budget. CFO Stuto stated that she did not see any need for changes at this time.

### **CEO UPDATE AND REAL PROPERTY/DEVELOPMENT UPDATE**

DEA Vavura provided the Board members with a copy of Seaports Magazine, which contained a letter from the Port's CEO Richard Hendrick as well as photos of the Port. DEA Vavura reported that staff continues with outreach to Port tenants and partners.

CCO Daly reported that the Port hosted a holiday luncheon last month and will be hosting a morning coffee for Port tenants and nearby stakeholders to provide updates on events taking place within the Port.

The release of the Karp Strategies Economic Impact Analysis of the Port's OSW Project, as well as the coordinated effort with the Port of Coeymans, Albany County Alliance and Center for Economic Growth has gone out to the public and has received press coverage.

The Port staff is currently waiting on the award of the NYS Passenger and Freight Rail Assistance Program (PFRAP) grant, which if received, will assist with improvements to the heavy capacity rail throughout the Port. Staff is also awaiting the applications for Federal grants opportunities to be released.

CEO Hendrick recently attended the AAPA Powers Summit related to renewable energy, offshore wind and green initiatives. CCO Daly and DSI Schneidawin attended an offshore wind event hosted by NYSERDA, which also included 3 offshore wind developers.

The Port team hosted the Southend Community Collaborative as well as Assemblywoman Fahy, local legislators, Capital Region BOCES, the Workforce Development Board, Workforce Development Institute, Mike Lyons, President of the Greater Capital Region Building and Construction Trades Council and local residents to discuss workforce development within the Capital Region.

Commissioner Cinquanti asked if there was any frustration related to workforce development. CCO Daly responded that there seemed to be some regarding the Multi-Craft Apprenticeship Preparation Program (MAPP).

The Port team continues to hold lease meetings to discuss the current leases and preplanning for developing opportunities. CCO Daly was appointed to the Capital Region Economic Development Council.

### **ELECTION OF APDC OFFICERS**

Chairperson Steffens presented Resolution 1-2024 related to the appointment of APDC Officers. She noted that the proposed slate of officers for 2024 was as follows: Chairperson, Georgette Steffens, Treasurer, Joseph Coffey, Secretary, Dominic Tagliento and Assistant Secretary, Michael Cinquanti. Chairperson Steffens called for a motion to approve Resolution 1-2024 as presented. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **ANNUAL MULTI-YEAR CONTRACT REVIEW**

Counsel Jordan presented Resolution 2-2024 related to the review of multi-year contracts. He noted that the review of these contracts is required by the Public Authorities Law and that it will be filed with the NYS Authority Budget Office. Some discussion took place. Chairperson Steffens called for a motion to approve Resolution 2-2024. A motion was made by Commissioner Tagliento, seconded by Commissioner Abriel and passed unanimously.

### **ANNUAL POLICY REVIEW**

Chairperson Steffens presented Resolution 3-2024 related to APDC policies requiring annual review by the Board. She noted that the attached list of policies were reviewed with the Governance Committee and the Committee recommended that the Board approve the current APDC policies as presented. Chairperson Steffens called for a motion to approve Resolution 3-2024. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

### **GORMAN BROS. LEASE EXTENSION AND ASSIGNMENT**

Counsel Jordan presented Resolution 4-2024 related to a lease extension and assignment request from the Port's tenant Gorman Bros. He noted that APDC's current lease with Gorman Bros. will expire as of April 30, 2024. Gorman Bros. is in the process of selling and transferring its business assets and has requested a one year lease extension, accompanied by an increased lease rate, as well as being permitted to assign its rights, interests and obligations under the current lease to All States Construction Inc. Chairperson Steffens called for a motion to approve Resolution 4-2024. A motion was made by Commissioner Abriel, seconded by Commissioner Tagliento and passed unanimously.

### **RIEGEL RAIL CONTRACT**

CFO Stuto presented Resolution 5-2024 related to improvements to the rail track. The APDC in conjunction with the Albany Port Railroad has determined that in order for APDC and its

tenants to import certain heavy weight and over-dimensional products the rail lines leading to the marine terminal and adjacent to the Big Lift Warehouse must be reconstructed to support those commercial efforts. The APDC obtained a proposal from WJ Riegel Rail Solutions, LLC in the amount of \$595,152. for rail infrastructure improvements. Funding for the rail improvements will be under the USDOT Transportation Investment Generating Economic Recovery (TIGER) program. Some discussion took place. Chairperson Steffens called for a motion to approve Resolution 5-2024 authorizing the Chief Executive Officer to execute the necessary documents to award the contract for rail infrastructure improvements to WJ Riegel Rail Solutions, LLC at a cost not to exceed \$595,152. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel and passed unanimously.

### **PURCHASE OF EQUIPMENT**

Counsel Jordan presented Resolution 6-2024 related to the purchase of equipment. The CEO currently utilizes a 2017 Chevy Suburban to perform daily Port operations and responsibilities. Due to the age of the vehicle and the escalating mileage, it was determined that the APDC needs to replace this vehicle. Through a competitive bidding process a new vehicle was selected at a cost of \$50,617.50. Chairperson Steffens called for a motion to approve Resolution 6-2024 authorizing the CEO to execute the necessary documents to facilitate the purchase of the new equipment at a cost of \$50,617.50 and any costs associated with the delivery, title and fees for the new equipment. A motion was made by Commissioner Abriel, seconded by Commissioner Tagliento and passed unanimously.

### **OTHER BUSINESS**

Jay Barid, David Marceau and Bill Ring from Logistec provided the Board with an overview of Logistec and also its acquisition by Blue Wolf, a New York based company. The company now provides services to over 90 terminals and 60 ports. They also focused on Blue Wolf's willingness to invest in infrastructure improvements throughout the Ports they service.

### **EXECUTIVE SESSION**

Chairperson Steffens called for a motion to enter executive session to discuss the proposed acquisition, sale or lease of real property, but only when publicly would substantially affect the value thereof. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

No action was taken during executive session.

**NEXT MEETING**

Chairperson Steffens informed all those in attendance that the **next meeting of the APDC Board of Commissioners will be Wednesday February 28, 2024 at 12:00 noon.**

Chairperson Steffens called for a motion to adjourn the meeting. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously. The meeting was adjourned.

DRAFT

**RESOLUTION 07-2024  
OF THE  
ALBANY PORT DISTRICT COMMISSION**

**WHEREAS**, the Albany Port District Commission (the "APDC") is a public corporation and a district corporation of the State of New York established pursuant to Chapter 192 of the Laws of 1925, as amended; and

**WHEREAS**, the APDC strives to responsibly and effectively manage the publicly-owned maritime Port of Albany-Rensselaer, contributing to the economy of the Capital Region and beyond while emphasizing transparency and public stewardship as prescribed in the APDC Mission Statement; and

**WHEREAS**, in furtherance of the APDC mission the APDC has embarked on the expansion of the Albany Port District in the Town of Bethlehem and a 14.5 acre site in the City of Albany with a proposed offshore wind tower manufacturing plant (the "Project"); and

**WHEREAS**, on March 24, 2021 the APDC Board authorized a contract with McFarland-Johnson, Inc. to provide Supplemental Engineering Services for the Phase 1 Infrastructure Design and Permitting related to the Project ("Engineering Services"); and

**WHEREAS**, the existing contracted services related to stormwater design, inspection services, power infrastructure and construction administration having defined quantities of meetings, hours or inspections have been exhausted; and

**WHEREAS**, aspects of the bridge and roadwork portions of the Project were modified, additional preparation testing was necessary, as well as the APDC being directed to perform additional environmental monitoring on the site by NYDEC, with these also requiring additional design hours and coordination time with the agencies and the Project's contractors; and

**WHEREAS**, these scope changes have led to proposed additional Engineering Services and subconsultant services for the design changes, support services and construction administration.

**NOW, THEREFORE, BE IT RESOLVED**, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to process McFarland-Johnson Engineering Services Change Order ECN-08 for the Phase 1 Infrastructure Design and Permitting related to the Expansion Project at a cost not to exceed \$177,550. The new contract cost will be \$3,281,688.

Signed \_\_\_\_\_  
(Assistant) Secretary

Date of Authorization: February 28, 2024  
Prepared by:  
Patrick K. Jordan, Esq.

**RESOLUTION 08-2024  
OF THE  
ALBANY PORT DISTRICT COMMISSION**

**WHEREAS**, the Albany Port District Commission (the “APDC”) is a public corporation and a district corporation of the state of New York established pursuant to Chapter 192 of the Laws of 1925, as amended; and

**WHEREAS**, the APDC strives to responsibly and effectively manage the publicly-owned maritime Port of Albany-Rensselaer, contributing to the economy of the Capital Region and beyond while emphasizing transparency and public stewardship as prescribed in the APDC Mission Statement; and

**WHEREAS**, the APDC utilizes Insurance Brokerage Services to assist with insurance coverage for all Port facility needs; and

**WHEREAS**, on December 14, 2020 the APDC Board authorized a contract with Marshall Sterling Upstate NY, Inc. (“Marshall Sterling”) for Insurance Brokerage Services for a term of two years with two one year options; and

**WHEREAS**, throughout the past three years Marshall Sterling has maintained a high level of service and integrity representing the APDC regarding all insurance needs;

**WHEREAS**, the APDC wishes to exercise its option to extend the contract with Marshall Sterling for one additional year under the same contractual terms with a cost not to exceed \$30,000 per year.

**NOW, THEREFORE, BE IT RESOLVED**, that the APDC extends the Insurance Brokerage Services contract with Marshall Sterling for an additional one year term at a cost not to exceed \$30,000 per year and authorizes the Chief Executive Officer to execute the necessary documents to facilitate the extension.

Signed: \_\_\_\_\_  
Secretary

Date of Authorization: February 28, 2024  
Prepared by:  
Patrick K. Jordan, Esq.

**RESOLUTION 09-2024  
OF THE  
ALBANY PORT DISTRICT COMMISSION**

**WHEREAS**, the Albany Port District Commission (the “APDC”) is a public corporation and a district corporation of the state of New York (the “State”) established pursuant to Chapter 192 of the Laws of 1925, as amended (the “Act”); and

**WHEREAS**, the APDC strives to responsibly and effectively manage the publicly-owned maritime Port of Albany-Rensselaer, contributing to the economy of the Capital Region and beyond while emphasizing transparency and public stewardship as prescribed in the APDC Mission Statement; and

**WHEREAS**, in furtherance of APDC’s mission, Mohawk Fine Papers Inc. (“Mohawk Paper”) has been a tenant since December 1, 2012 leasing an approximately 198,000 sq/ft building and the associated property located at 108 Smith Blvd in the Albany Port District; and

**WHEREAS**, Mohawk Paper has requested to assign its rights, interest and obligations under the current lease to Fedrigoni SpA via an Assignment; and

**WHEREAS**, Mohawk Paper is current with all lease payments and in compliance with all terms under its current lease with the APDC is not in default of any of the terms under the Lease with APDC; and

**WHEREAS**, in accordance with the terms of the Lease, APDC’s consent to this request may not be unreasonably withheld.

**NOW THEREFORE BE IT RESOLVED**, that the APDC authorizes the Chief Executive Officer to execute any documents necessary to effect the assignment of the lease held by Mohawk Paper to Fedrigoni SpA.

Signed: \_\_\_\_\_  
(Assistant) Secretary

Date of Authorization: February 28, 20204

Prepared by:  
Patrick K. Jordan, Esq.

# Ships & Barges Report

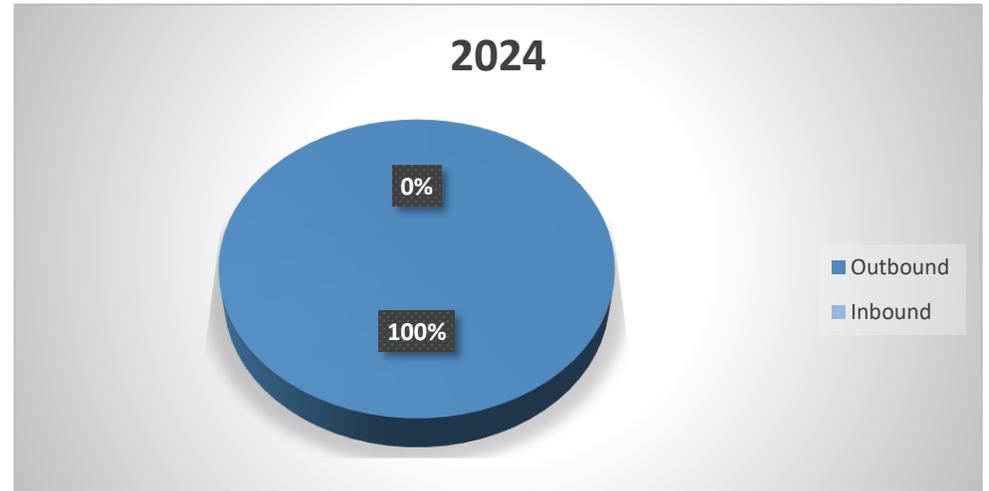
January-2024

Outbound	2023	2024	Change	Percentage
Heavy Lift/Project	0	3	3	300%
Barges-Heavy Lift/Project	1	0	-1	-100%
Scrap Iron	1	0	-1	-100%
Steel	0	0	0	0%
<b>Totals</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>50%</b>

Inbound	2023	2024	Change	Percentage
Heavy Lift/Project	3	0	-3	-100%
Barges-Heavy Lift/Project	0	0	0	0%
Calcium Chloride	0	0	0	0%
Molasses/Fertilizer	0	0	0	0%
Steel	0	0	0	0%
Lumber	0	0	0	0%
Rolled Paper	0	0	0	0%
Woodpulp	1	0	-1	-100%
<b>Totals</b>	<b>4</b>	<b>0</b>	<b>-4</b>	<b>-100%</b>

## Year to Date

Total	2023	2024	Change	Percentage
Heavy Lift/Project	3	3	0	0%
Barges-Heavy Lift/Project	1	0	-1	-100%
Calcium Chloride	0	0	0	0%
Molasses/Fertilizer	0	0	0	0%
Scrap Iron	1	0	-1	-100%
Steel	0	0	0	0%
Lumber	0	0	0	0%
Rolled Paper	0	0	0	0%
Woodpulp	1	0	-1	-100%
<b>Totals</b>	<b>6</b>	<b>3</b>	<b>-3</b>	<b>-50%</b>



## Ships & Barges

	2023	2024	Change	Percentage
Outbound	2	3	1	50%
Inbound	4	0	-4	-100%
<b>Totals</b>	<b>4</b>	<b>3</b>	<b>-3</b>	<b>-75%</b>

## Lay Berth

	2023	2024	Change	Percentage
(barges/Vessels) 2023	7			
(Tug) 2024		6		
<b>Change</b>	<b>-2</b>	<b>5</b>		
<b>%</b>	<b>-29%</b>	<b>500%</b>		

January-2024

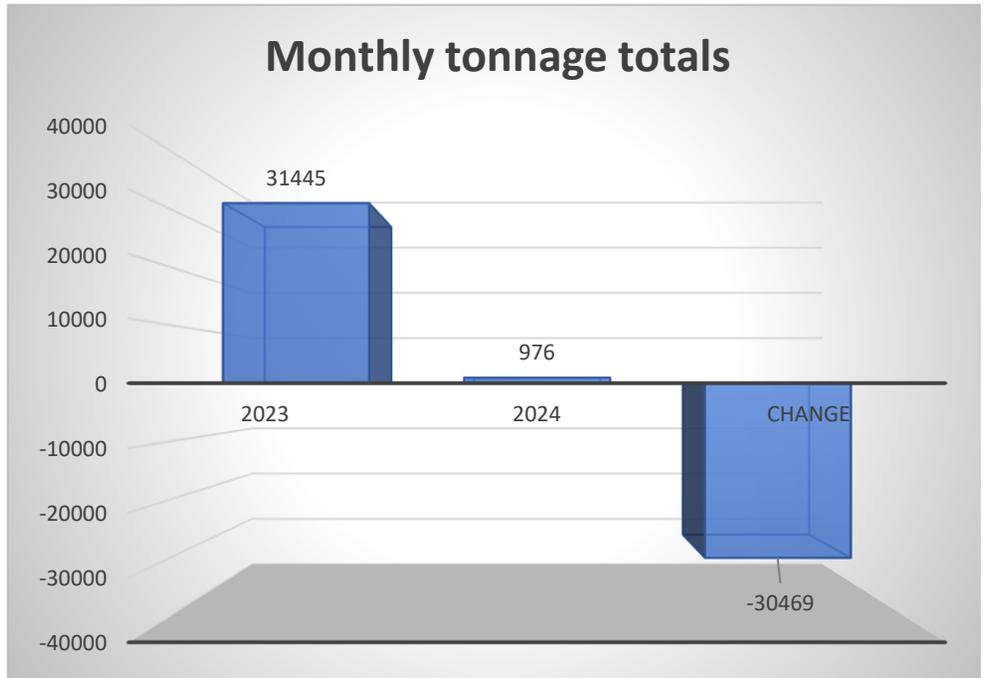
# Tonnage Report - Monthly

Outbound	2023	2024	Change	Percentage
Heavy Lift/Project	0	976	976	97600%
Barges-Heavy Lift/Project	89	0	-89	-100%
Scrap Iron	29056	0	-29056	-100%
Steel	0	0	0	0%
<b>Totals</b>	<b>29145</b>	<b>976</b>	<b>-28169</b>	<b>-97%</b>

Inbound	2023	2024	Change	Percentage
Heavy Lift/Project	613	0	-613	-100%
Barges-Heavy Lift/Project	0	0	0	0%
Calcium Chloride	0	0	0	0%
Molasses/Fertilizer	0	0	0	0%
Steel	0	0	0	0%
Lumber	0	0	0	0%
Rolled Paper	0	0	0	0%
Woodpulp	1687	0	-1687	-100%
<b>Totals</b>	<b>2300</b>	<b>0</b>	<b>-2300</b>	<b>-100%</b>

## January - 2023-2024 Totals

Total	2023	2024	Change	Percentage
Heavy Lift/Project	613	976	363	59%
Barges-Heavy Lift/Project	89	0	-89	-100%
Calcium Chloride	0	0	0	0%
Molasses/Fertilizer	0	0	0	0%
Scrap Iron	29056	0	-29056	-100%
Steel	0	0	0	0%
Lumber	0	0	0	0%
Rolled Paper	0	0	0	0%
Woodpulp	1687	0	-1687	-100%
<b>Totals</b>	<b>31445</b>	<b>976</b>	<b>-30469</b>	<b>-97%</b>



## Tonnage Report Monthly

Total	2023	2024	Change	Percentage
<b>Outbound</b>	<b>29145</b>	<b>976</b>	<b>-28169</b>	<b>-97%</b>
<b>Inbound</b>	<b>2300</b>	<b>0</b>	<b>-2300</b>	<b>-100%</b>
<b>Totals</b>	<b>31445</b>	<b>976</b>	<b>-30469</b>	<b>-97%</b>

January-2024

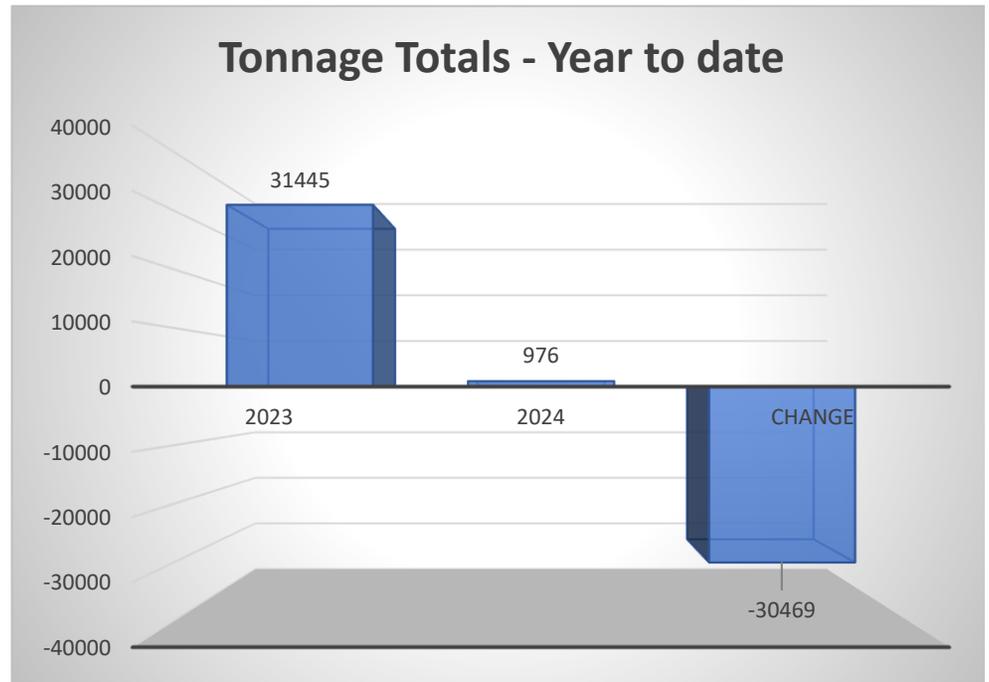
# Tonnage Report - Year to Date

Outbound	2023	2024	Change	Percentage
Heavy Lift/Project	0	976	976	97600%
Barges-Heavy Lift/Project	89	0	-89	-100%
Scrap Iron	29056	0	-29056	-100%
Steel	0	0	0	0%
<b>Totals</b>	<b>29145</b>	<b>976</b>	<b>-28169</b>	<b>-97%</b>

Inbound	2023	2024	Change	Percentage
Heavy Lift/Project	613	0	-613	-100%
Barges-Heavy Lift/Project	0	0	0	0%
Calcium Chloride	0	0	0	0%
Molasses/Fertilizer	0	0	0	0%
Steel	0	0	0	0%
Lumber	0	0	0	0%
Rolled Paper	0	0	0	0%
Woodpulp	1687	0	-1687	-100%
<b>Totals</b>	<b>2300</b>	<b>0</b>	<b>-2300</b>	<b>-100%</b>

## Year to Date

Total	2023	2024	Change	Percentage
Heavy Lift/Project	613	976	363	59%
Barges-Heavy Lift/Project	89	0	-89	-100%
Calcium Chloride	0	0	0	0%
Molasses/Fertilizer	0	0	0	0%
Scrap Iron	29056	0	-29056	-100%
Steel	0	0	0	0%
Lumber	0	0	0	0%
Rolled Paper	0	0	0	0%
Woodpulp	1687	0	-1687	-100%
<b>Totals</b>	<b>31445</b>	<b>976</b>	<b>-30469</b>	<b>-97%</b>



## Tonnage Report Year to Date

Total	2023	2024	Change	Percentage
<b>Outbound</b>	<b>29145</b>	<b>976</b>	<b>-28169</b>	<b>-97%</b>
<b>Inbound</b>	<b>2300</b>	<b>0</b>	<b>-2300</b>	<b>-100%</b>
<b>Totals</b>	<b>31445</b>	<b>976</b>	<b>-30469</b>	<b>-97%</b>

January 2024

# LONGSHORE HOURS

2023-2024 Comparison

	2023	2024
January	3079.5	1676.0
February	2067.5	0.0
March	2484.5	0.0
April	2065.0	0.0
May	1790.0	0.0
June	4147.0	0.0
July	4231.5	0.0
August	2215.0	0.0
September	3554.0	0.0
October	4447.5	0.0
November	2903.0	0.0
December	3261.5	0.0
Total:	36246.0	1676.0

2020-2021-2022-2023-2024 Comparison

	2020	2021	2022	2023	2024
January	2709.5	7018.0	3597.5	3079.5	1676.0
February	3317.5	5363.0	4179.0	2067.5	0.0
March	3214.0	3151.0	8300.5	2484.0	0.0
April	2531.0	4781.0	4715.5	2065.0	0.0
May	3280.0	3489.0	3515.0	1790.5	0.0
June	2159.0	2755.5	4430.0	4147.0	0.0
July	2504.5	2156.5	4047.0	4231.5	0.0
August	2351.5	5191.5	4270.0	2215.0	0.0
September	1870.0	2417.0	4455.0	3554.0	0.0
October	2831.0	3174.0	2865.5	4447.5	0.0
November	2775.5	1449.0	1571.0	2891.0	0.0
December	2497.0	3973.5	4215.5	3261.5	0.0
Total:	32040.5	44919.0	50161.5	36234	1676.0

