



**ALBANY PORT DISTRICT COMMISSION**  
**MINUTES OF A REGULAR MEETING**  
**MARCH 31, 2023**

Chairperson Steffens called the meeting to order. In attendance were Commissioners Abriel, Coffey and Cinquanti. Also present were CEO Hendrick, General Counsel Jordan, CCO Daly, CFO Stuto, SCM Yagan, DEA Vavura, Director of Security Williams, Deputy Director of Security Teller and Administrative Assistant DiLillo.

Chairperson Steffens introduced the minutes of the February 28, 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 Coffey, seconded by Commissioner Abriel, and passed unanimously.

**PUBLIC COMMENT**

There were no public comments.

**AUDIT COMMITTEE UPDATE**

Commissioner Cinquanti noted that the Audit Committee met prior to the Board meeting. He reported that UHY Advisors presented the Audited Financial Statements for the year ending 2022, which resulted in a clean audit report. The Audit Committee approved the Audit and Audited Financial Statements as presented and voted to forward them to the Board for approval. Chairperson Steffens asked for a motion to approve the 2022 Audit and Audited Financial Statements as presented to the Audit Committee. A motion was made by Commissioner Coffey and seconded by Commissioner Cinquanti and passed unanimously.

**FINANCIAL UPDATE**

CFO Stuto presented the financials through the end of February 2023. She reported that the year to date income over expenses is a positive \$72,000. The change in net position is a negative \$423,000, which is driven by depreciation expenses and is on target with the year to date budget. Year to date revenue operations, excluding public/private partnership, is under budget by \$144,000, primarily due to the volume in maritime activity and the decrease in tonnage and

longshore hours. Due to the decrease in tonnage, longshore hours and maritime activity, maritime revenue is currently projected to be short by \$100,000 at the end of the year. Year to date operating expenses are under budget by \$110,000 excluding public private expenses, but expenses in maintenance, repairs and utilities are projected to be over budget by the end of the year due to the Riverside Ave. property lease which has been executed. The Port team is finalizing the leasing of the property, which will offset the costs. Year to date other expenses are under budget by 10% and are forecasted to remain under budget through the end of the year.

### **CEO UPDATE**

CEO Hendrick updated the Board on the following:

- Effective April 1, 2023 Logistec will assume stevedoring operations at the Port from FMT. Staff met with Logistec's executive vice president of operations to discuss the Port as well as expectations for the future.
- Port Staff recently attended the AAPA Legislative Summit in Washington DC. The CEO and General Counsel, along with staff from the Port of NY/NJ and Virginia participated in meetings with several Members of the House of Representatives and their staff as well as Senator Gillibrand's office. They also heard from representatives from the Departments of Transportation and Agriculture and Markets, and the newly appointed supply chain envoy to the White House.

### **EXTERNAL AFFAIRS AND COMMUNICATIONS UPDATE**

DEA Vavura provided the Board with an overview of external communications, community outreach and strategies for engaging reactively to any inquiries relating to offshore wind efforts and reaching out proactively to any development within the Port. She also provided an update on internal communication efforts which include tenant events and Port Industry Day.

### **REAL PROPERTY/DEVELOPMENT UPDATE**

CCO Daly reported that the marine improvements related to Shed 1 are moving forward. RFP's have been issued for the Smith Blvd. Roadway Improvements and Terminal Improvements.

CCO Daly noted that the Port team recently met with Riverkeeper. They discussed the progress of the expansion project and monitoring data results as they relate to environmental matters.

SCM Yagan provided the Board with an overview of his experience at the International Offshore Wind Partnering Forum (IPF) which he attended. Noting the training sessions focused on proactive partnerships, communication and risk management. He also noted that the Port of Albany Expansion Project was brought up and well represented at the conference.

SCM Yagan provided the Board with a report on the Expansion Project. He reported that the federal permit package remains with the Army Corps. of Engineers leadership for approval. The NYSDEC Air State Facilities permit is currently being reviewed. DEC is performing an in depth review of the air modeling as well as reviewing the wastewater treatment plant permit package.

The multisector general permit package for the facility's operational stormwater pollution prevention plan has been submitted and we are awaiting comment from DEC. DEC conducted a site visit to observe the Port's approved approach removing contaminated soils and took no exceptions to the methods being utilized. DEC has requested an independent verification of the groundwater well data, which was not included in their original approval plan. Port team is working with DEC to fulfill their request. The Port team submitted a just cause justification letter to continue with limited construction scopes in advance of receiving the operational permits. All requirements have been satisfied to obtain the issuance of building permits from the Town of Bethlehem and the City of Albany.

Site work continues with the main focus on grubbing, surcharging the buildings' footprints and tree cutting for future bridge work. Surcharging work on Buildings A, B, D and the concrete pad between the buildings is complete. Building C surcharging and subgrade work is continuing.

### **SERVER SYSTEM UPGRADES**

CFO Stuto presented Resolution 13-2023 related to Server System upgrades. Due to the age of the existing server system, the increase of staffing and the need to have the most current technology, APDC staff, along with its IT consulting provider had determined that equipment upgrades were necessary. The new equipment was selected through a New York State contract competitive bidding process. Port staff selected Tech II Business Systems to supply and install the necessary upgrades to the APDC Server System at a cost not to exceed \$25,902.20. Chairperson Steffens called for a motion to approve Resolution 13-2023. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **TRUCK, HEAVY EQUIPMENT AND FORKLIFT TIRES**

CFO Stuto presented Resolution 14-2023 related to the Repair and Replacement of Tires. The APDC issued an RFP which included three categories of tires. Responses were received for each category. After thorough review of the bids received, the review team recommended awarding Category One: Truck Tire Services and Category Two: Heavy Equipment Tire Services to Inter City Tire and Auto Center, and Category Three: Forklift Tire Services to McCarthy Tire Service. Chairperson Steffens called for a motion to authorize the Chief Executive Officer to execute the necessary documents to award the contracts as stated, for the prices listed in the corresponding bids. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **ENGINEERING SERVICES FOR SHED 1**

CFO Stuto presented Resolution 15-2023 related to Technical and Engineering Services for Flooring Repairs to Shed 1. Port staff solicited bids and received three responses. After a thorough review of the bids received, staff recommended awarding the Engineering Services contract to Russ Reeves CEng., P.E. for a price not to exceed \$35,000. Chairperson Steffens called for a

motion to approve Resolution 15-2023 authorizing the Chief Executive Officer to execute the appropriate documents to engage in services with Russ Reeves CEng. in the amount of \$35,000 to assist in Technical and Engineering Services related to Shed I Rehabilitation Project Floor Repairs. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

### **ENVIRONMENTAL AND ENGINEERING SERVICES**

CFO Stuto presented Resolution 16-2023 related to Environmental and Engineering Services. The APDC engaged the firm AKRF for supplemental Environmental and Engineering Services related to the environmental permitting process for the Port Expansion Site Preparation Project. During the review and environmental mitigation planning efforts, the requests from regulatory entities required an expanded scope with AKRF. Therefore, APDC staff recommends retaining AKRF Environmental, Planning and Engineering Consultants for professional services at a cost not to exceed \$34,170. Chairperson Steffens called for a motion to approve Resolution 16-2023 authorizing the Chief Executive Officer to execute the necessary documents to facilitate the work for supplemental Environmental and Engineering Services with AKRF Environmental, Planning and Engineering Consultants at a cost not to exceed \$34,170. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **NORTH ATLANTIC PORTS ASSOCIATION SPONSORSHIP**

Chairperson Steffens presented Resolution 17-2023 related to the request for sponsorship by the North Atlantic Ports Association. She noted that the request complied with the Port's Sponsorship Policy. Chairperson Steffens called for a motion to approve Resolution 17-2023 authorizing the Chief Executive Officer to pledge APDC sponsorship for the North Atlantic Ports Association at a cost not to exceed \$2,000. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **AMENDMENT TO EXPANSION SITE PREPARATION CONTRACT**

CFO Stuto presented Resolution 18-2023 related to the Port Expansion Site Preparation Project. During the course of the Project additional municipal, state and federal agency and utility infrastructure requirements and design changes arose causing scope changes to the Project with both civil design and physical construction impacts. The scope changes thereby caused the budgeted costs related to the Port Expansion Site Preparation to increase to account for these specific requirements associated with the necessary changes. Port staff recommended that the Board approve the necessary changes related to the scope of work. Chairperson Steffens called for a motion to authorize the Chief Executive Officer to execute the necessary documents to process Wm. J. Keller & Sons Construction Corp. Change Orders for Port Expansion Site Preparation at cost not to exceed \$1,671,081.24. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

**EXECUTIVE SESSION**

Chairperson Steffens called for a motion to enter into Executive Session for the purpose of discussing current litigation and the proposed acquisition, sale or lease of real property. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

No action was taken during Executive Session. The regular meeting resumed.

**OTHER BUSINESS**

No other business for discussion.

**NEXT MEETING**

Chairperson Steffens informed all those in attendance that the Finance Committee meeting has been rescheduled to Wednesday, May 24, 2023.

**The next meeting of the APDC Board of Commissioners will be Wednesday April 26, 2023 at 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.