



**ALBANY PORT DISTRICT COMMISSION
MEETING
MAY 22, 2024
12:00 P.M.**

AGENDA

- 1) Approval of Minutes from the April 24, 2024 Commission meeting (attached)**
- 2) Public Comment**
- 3) Financial Update (by CFO Stuto)**
- 4) External Affairs and Communications Update (by DEA Vavura)**
- 5) Ships, Barge and Tonnage Report (by Bill Ring)**
- 6) Real Property/Development Update (by CCO Daly, SCM Yagan)**
- 7) Hudson River Trading Game & Navigating the Seas Sponsorship (Resolution 13-2024) (by CFO Stuto)**
- 8) CD Man Lease Approval (Resolution 14-2024) (by Cnsl. Jordan)**
- 9) Other Business (by Chairperson)**
- 10) Enter Executive Session¹**
- 11) Exit Executive Session**
- 12) Next Meeting: June 26, 2024**

¹ 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
APRIL 24, 2024

Chairperson Steffens called the meeting to order. In attendance were Commissioners Coffey Cinquanti, Tagliento and Abriel. Also present were, General Counsel Jordan, CCO Daly, CFO Stuto, Account Manager Criscione, DEA Vavura, SCM Yagan, Director of Security Stock, Administrative Assistant DiLillo and Logistec General Manager Bill Ring. Also in attendance were Raed EL-Farhan and Elke Malin from Weston & Sampson.

Chairperson Steffens introduced the minutes of the March 27, 2024 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 Tagliento, and passed unanimously.

PUBLIC COMMENT

There were no public comments.

FINANCIAL UPDATE

CFO Stuto reported that the Finance Committee met prior and reviewed the year to date income statement. She noted that revenue is below budget by 9% and operating expenses are under by 8%. The forecast at the end of the year is to be at 3% under budget for both operating revenue and expenses. There is an increase in the budgeted depreciation expense. Change in net position projection for the end of the year is \$1.3 mil.

The Committee also reviewed the statement of net position and discussed the current ratio, which has increased from last year. The major variances are in current assets, which are cash on hand offset by deferred revenue and a decrease in accounts payable. These are all related to the Empire Wind Project.

Commissioner Coffey asked CFO Stuto if based on the first quarter would she recommend any changes to the budget. She responded she would not.

CFO Stuto noted that the Finance Committee reviewed the Committee Charter and recommended one amendment. The Committee then voted to approve the amended Committee Charter as presented.

INVESTMENT POLICY

Chairperson Steffens presented Resolution 11-2024 related to the APDC Investment Policy. She reported that the Finance Committee reviewed the APDC Investment Policy and recommended that the Board approve the policy as presented. Chairperson Steffens called for a motion to approve the APDC Investment Policy. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel and passed unanimously.

KIDWIND CHALLENGE SPONSORSHIP

Counsel Jordan presented Resolution 12-2024 related to the sponsorship of three teams that won the Capital District Regional KidWind Challenge Championship event, which is an industry leading renewable energy design and construction student competition that encourages renewable energy education in the classroom. He stated that the APDC had been asked to help sponsor these students representing the Capital District who would be traveling to the World KidWind Challenge in Minneapolis. Chairperson Steffens called for a motion to authorize the CEO to pledge APDC sponsorship of the Capital District Regional KidWind Challenge at a cost not to exceed \$1,500. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel and passed unanimously.

SHIPS, BARGES & TONNAGE UPDATE

Bill Ring presented the Board with an update on maritime activity through the month of March. He reported that six vessels came through which included the first two bulk vessels of the year, one containing scrap and one containing wheat. The other four vessels were project/heavy lift ships carrying GE cargo. Longshore hours have increased by 200% since last month. Bill has also noted that the terminal staff has gone 482 days without any lost time.

REAL PROPERTY/DEVELOPMENT UPDATE

CCO Daly spoke to the Board about the various grant application opportunities that Port staff is considering for applications. She noted that the bridge work is progressing on the Expansion Project. CCO Daly also mentioned that the Chancellor of SUNY Albany would be visiting the Port facility to tour the terminal and expansion site as well as engage in discussions relating to strategic projects, environmental sustainability and workforce development. On May 20, 2024 Port Staff will be hosting a supply chain event and discussions relating to Foreign Trade Zones, in collaboration with CEG, CDRPC and Blue Tiger.

CCO Daly then introduced Raed EL-Farhan, Vice President of Weston and Sampson. Mr. EL-Farhan provided the Board with an in depth presentation and discussion related to the growth strategy of the Port of Albany. He focused on identifying the strategic drivers, the forces influencing the strategies, the enablers which determine the condition the Port needs to be in to ensure success and the potential goals for the Port's future.

OTHER BUSINESS

Chairperson Steffens noted that CEO Hendrick was absent from today's meeting because he was invited by the U.S. Department of Energy to participate in a round table discussion at the White House related to zero emissions infrastructure.

Counsel Jordan noted to the Commissioners that the financial disclosure submissions are due to the NYS Commission on Ethics and Lobbying in Government by May 15th.

EXECUTIVE SESSION

There were no items for discussion in Executive Session.

NEXT MEETING

Chairperson Steffens informed all those in attendance that the **next meeting of the APDC Board of Commissioners will be Wednesday May 22, 2024 at 12:00 noon.**

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

**RESOLUTION 13-2023
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 Sponsorship Policy (“Policy”) permits APDC support of events and activities which advance the APDC mission through providing financial assistance in the areas of maritime commerce or economic development; and

WHEREAS, the APDC has been asked to consider sponsoring the Hudson River Trading Game & Navigating the Seas program (2023-2024 School Year) (“Event”); and

WHEREAS, the Event features activities to educate participants in certain economic and navigational aspects of the maritime-industry; and

WHEREAS, the 2024 approved APDC operating budget allocates an amount sufficient to support the Event at a sponsorship level not to exceed \$3,000.

NOW, THEREFORE, BE IT RESOLVED, that the APDC finds that this sponsorship request is in accordance with the Policy and authorizes the CEO to pledge APDC sponsorship of the Hudson River Trading Game & Navigating the Seas Program in an amount not to exceed \$3,000.

Signed: _____
(Assistant) Secretary

Date of Authorization: May 22, 2024

Prepared by:
Patrick K. Jordan, Esq.



Request for Support: Historic Cherry Hill's Education Programs

Historic Cherry Hill (HCH) requests **\$3,000** from the Port of Albany in support of our highly successful school programs highlighting the historic role of the Hudson River in Albany's economy. Funds will be used to deliver programs during the 2023-24 school year at no cost to Title 1 schools in our region, specifically public school students in the Albany City School District.

During the 2022-23 school year, funding from the Port of Albany supported: Free programs for 220 students in 12 classrooms; much needed maintenance for Hudson River Trading Game program props (including the commission of new 18th century sloops); and a free event for local families- *Community Day*— for the first time since before the Covid-19 pandemic.

In 2022-23, under-resourced schools in our area— particularly in Albany— continued to struggle with reinstating field trips due to an historic loss of staff and transportation costs. HCH remained flexible and responsive to the needs of our school communities. The portable version of the *Hudson River Trading Game* once again allowed this wildly popular, inclusive, and educational activity to travel to classroom audiences in and around our region, and it continues to be our highest rated program. And, new this year, we spearheaded and piloted a new on-site program: *Mining the Untold Stories*.

Much like the *Hudson River Trading Game & Navigating the Seas* partnership, this new program allows local schools to visit multiple historic sites in a day. It highlights the experiences of women and people of African descent often overlooked in the traditional historical narrative. And like the *Hudson River Trading Game*, it highlights the role of the Hudson River in Albany's economy, trade and travel, but this time, focused on change during the 19th century.

Both programs were rated highly by local teachers. In an anonymous post-program evaluation, one teacher wrote of the new *Mining the Untold Stories* program: “...*This was a great opportunity. It worked so well with timing with classroom curriculum and the Hudson river trading game, it all tied together perfectly. I believe we will all be expecting to do it again next year!*” Another teacher wrote that the *Hudson River Trading Game* was: “*Absolutely the best interactive, hands-on, experiential learning around!*” Our flexibility and persistence in bringing free programs to our most under-resourced schools has paid off: This fall, representatives from the Albany City School District requested field trips for their entire 5th *and* 11th grades, across the district!

Our request for 2024: \$3000 to deliver programs to 25 classrooms in underserved communities in our region (up to 750 students).

Thank you so much for considering this request and for your generous support over the years.

Contact: Deborah Emmons-Andarawis, Executive Director, Historic Cherry Hill deborah@historiccherryhill.org

Take a look at photographs of students playing the *Hudson River Trading Game* outreach to schools on the new portable game board!



**RESOLUTION 14-2024
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 desires to enter into a lease agreement with C.D. Man, LLC for the use and occupancy of certain parcels of land totaling up to approximated 9.5 acres located in the Port District (the “Parcel”); and

WHEREAS, the Parcel carries an appraised value of \$21,600 annual rent per acre; and

WHEREAS, C.D. Man, LLC has proposed leasing the Parcel for a term ending in 2033 with two 10-year extension options to continue its current business operations located in the Port District, and to continue to provide a desired service to the local area.

WHEREAS, the lease rate shall be increased annually based on increases in the Consumer Price Index.

NOW, THEREFORE, BE IT RESOLVED, that the APDC concludes that its disposition of the Parcel to C.D. Man, LLC is in the best interests of the APDC and authorizes the Chief Executive Officer to execute any documents necessary, including the filing of a statutory 90-day statement, to affect the disposition of the Parcel for the terms described above at a lease rate of not less than the appraised value of the Parcel.

Signed: _____
(Assistant) Secretary

Date of Authorization: May 22, 2024

Prepared by:
Patrick K. Jordan, Esq.

To: APDC Commissioners

From: Patrick K. Jordan, General Counsel

Date: May 16, 2024

Re: Lease of multiple parcels adjacent to Albany railyard

The proposed lease area is for portions of four parcels that total approximately up to 9.5 acres. The parcels included in the current and requested leasehold are throughout the Port of Albany, with access to the parcels originating from Raft Street and Boat Street. The parcels are located adjacent to lands leased to the Albany Port Rail Road and also adjacent to the Albany County Water Purification Plant, with none of the properties having road frontage and some of the parcels being landlocked.

The parcels are used for construction and demolition debris collection and removal by rail on two of the parcels and two other parcels are used for aggregate storage purposes. The current tenant may not use all of the 9.5 acres available with this proposed lease.

The land was appraised this week at \$21,600 per acre. If all 9.5 acres are utilized the yearly rent would be \$205,000.

The proposal is for an initial term ending in 2033, to coincide with the lease held by Wm. Biers, Inc. lease. That initial term would then have two 10 year extension options, at the pleasure of the Port. C.D. Man and Wm. Biers are controlled by the same owners. There will be an annual increase based on the CPI.

The Port has leased the proposed parcels to C.D. Man for over 20 years. They are currently in good standing with the Port regarding on-time lease payments and lease requirements for the business.

MONTHLY SHIP & BARGE REPORT

HIGHLIGHTS for APRIL 2024:	* First CHPE subsea cable vessel/barges (4) - 20 days of transfer (4,500 MT) * 2 GE project vessels * 1 woodpulp vessel
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WHARF ACTIVITY for APRIL 2024

LINE VESSELS	COMMODITY	TONNAGE-MT	CBM
MOLENGRACHT	IMP CHPE CABLE	4,568	
CMI BARGES	IMP CHPE CABLE*		
FLORETGRACHT	IMP PROJECT CARGO	81	204
WISLABORG	IMP WOODPULP	5,006	
BBC RUSHMORE	EXP PROJECT CARGO	1,007	968
	*TONNAGE TRANSFERRED		
		10,662	1,172

COMMODITY [YTD]

COMMODITY	MT	CBM
WOODPULP	8,574	0
ROLL PAPER	0	0
WHEAT	32,314	0
SCRAP	27,989	0
PROJECT	3,450	3,665
CHPE	4,567	
TOTAL	68,320	3,665

TERMINAL ACTIVITY for APRIL 2024

COMMODITY	TONNAGE-MT	# TRUCKS	# RAIL
WOODPULP	2,604	135	
ROLL PAPER	112	5	
COILS	190	12	
STEEL	556	28	
PROJECT	1,050	6	3
TOTAL	4,512	186	3

STORED CARGO for APRIL 2024

COMMODITY	TONNAGE-MT	CBM
WOODPULP	12,955	
ROLL PAPER	111	
COILS	1,887	
STEEL	1,141	
PROJECT	579	3,682
TOTAL (inside/out)	16,673	3,682

ANTICIPATED for MAY 2024:

- *Wheat vessel - 35,000 mt to discharge
- *GE generator (943,000 lbs) to be rolled onto a barge utilizing the RO-RO Ramp

LONGSHOREMAN HOURS

APRIL 2024	YTD
5,957 (+46% from last month)	13,034 (+34% from last year)

SAFETY RECORD	(as of April 30, 2024)
DAYS W/O LOST TIME	512