



ALBANY PORT DISTRICT COMMISSION
MINUTES OF A REGULAR MEETING
SEPTEMBER 28, 2022

Prior to the meeting being called to order General Counsel Jordan noted that the meeting was being recorded and transmitted via on-line video. Chairperson Steffens called the meeting to order. In attendance were Commissioners Abriel, Cinquanti and Tagliento. Also present were CEO Hendrick, General Counsel Jordan, CCO Daly, CFO Stuto, SCM Yagan and Administrative Assistant DiLillo.

Chairperson Steffens introduced the minutes of the August 31, 2022 Board of Commissioners 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

Each resident listed below spoke to the APDC Board about their perspective related to the 80-acre site and the Port Expansion Project.

William Biers – 319 Biers Road, Coeymans Hollow
Carolyn McLaughlin – 76 Grandview Terrace, Albany
Robert Snyder - 6909 Fuller Station Road, Guilderland

FINANCIAL UPDATE

Chairperson Steffens noted that the Finance Committee met prior to the Board meeting.

CFO Stuto reported that she presented and reviewed the proposed 2023 Budget with the Finance Committee as well as the highlights for the 2023 goals. She also reviewed with the Committee the August financial report, which did not show any significant changes in the projections for the end of the year.

CEO UPDATE

CEO Hendrick updated the Board on the following:

- Port team continues to meet with Federal Marine Terminals marketing representatives. These meetings have resulted in a positive outcome of obtaining new cargo for next year as well as filling up current storage space.
- Port team has meet with several shipping companies related to utilizing the Port for winter steel shipments.
- Ships are down slightly. Longshore hours and tonnage have both increased since this time last year.

REAL PROPERTY/DEVELOPMENT UPDATE

CCO Daly provided the Board with an update on the Port Expansion Project reporting that due to the Port's withdrawal of the PIDP grant application, the Army Corps of Engineers has been reestablished as the lead agency for federal permitting. With the collaboration of the Army Corps, National Marine Fisheries and the EPA, the project is now able to move forward with its review process of the Federal permit applications submitted and adhere to the expansion project schedule.

SCM Yagan reported that the Army Corps recently facilitated a coordination meeting with several Federal agencies to discuss submerged aquatic vegetation and appropriate mitigation efforts. The project team has submitted answers to the Federal agencies in response to the questions received regarding environmental impacts.

The Port team is working diligently to achieve the required construction permits and necessary approvals to allow for operational permit review and issuance. The Port team submitted a revised proposal to the Department of Health related to their comments regarding the project's Community Air Monitoring Plan. A meeting has been scheduled with a site visit for obtaining samples.

Port staff is preparing the award recommendation for the contract for the 700 Smith Blvd. site. All trade packages bid openings are complete and are currently in the review process for the Guaranteed Maximum Price (GMP) scope for the Beacon Island site. The Project team is expecting to receive a preliminary GMP submission, which will include a milestone schedule for the project. The Contract Manager at Risk contract negotiations are close to completion.

Construction activity remains on hold pending required ACOE and DEC approvals. The Project team continues their outreach efforts with the Bethlehem Town Supervisor, media outlets and the community offering insight into the project and providing clarity and context on their concerns. Port staff holds regular coordination meetings with project partners on scheduling, permitting, estimate reviews, bids progress and equipment and continuously uploads material such as applications, design documents and permits to the Port's dedicated website page.

PURCHASE OF TRUCK DUMP BODIES

Chairperson Steffens presented Resolution 34-2022 regarding the purchase of two Truck Dump Bodies. The Port team obtained three quotes and from the quotes obtained they recommended procuring the equipment from T & T Sales at a purchase price of \$25,742. Chairperson Steffens called for a motion to authorize the Chief Executive Officer to execute the necessary documents to award the purchase of the replacement equipment to T & T Sales at a cost not to exceed \$25,742. A motion was made by Commissioner Abriel, seconded by Commissioner Tagliento and passed unanimously.

UPGRADES TO RADIO SYSTEM

Chairperson Steffens presented Resolution 35-2022 regarding Upgrades to the Radio System for use by security personnel. APDC staff determined that equipment upgrades were necessary to maintain the high level of safety within the Port facilities. The new equipment was selected through a New York State contract competitive bidding process. APDC staff recommended procuring the radio equipment from Motorola Solutions, Inc. at a purchase price of \$21,363.75. Chairperson Steffens called for a motion to authorize the Chief Executive Officer to execute the necessary documents to award the purchase of the new equipment to Motorola Solution, Inc. at a cost not to exceed \$21,363.75. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

PURCHASE OF FORKLIFTS

Chairperson Steffens presented Resolution 36-2022 regarding the purchase of four Forklifts. An RFP was issued and eight responses were received. After thorough review, APDC staff recommended utilizing Alta Equipment Company, the lowest qualified bidder, for the purchase of four forklifts at a price of \$338,500 (\$84,625. per unit). Chairperson Steffens called for a motion to authorize the Chief Executive Officer to execute the necessary documents to award the purchase of the four pieces of Equipment at a cost not to exceed \$338,500. A motion was made by Commissioner Tagliento, seconded by Commissioner Abriel and passed unanimously.

AMENDMENT TO CMAR CONTRACT

SCM Yagan presented Resolution 37-2022 regarding an amendment to the CMAR contract. The APDC engaged with Gilbane, Inc. to serve as the CMAR for the expansion project. Initially the CMAR services to obtain a GMP were for a six-week period of work. During the GMP preconstruction process a number of factors affected the scope of services and required an additional GMP development period. The APDC staff recommended adjusting the initial CMAR services contract with Gilbane to allow for a 19-week period to produce a GMP. Some discussion took place. Chairperson Steffens called for a motion to authorize the Chief Executive Officer to execute the necessary documents to revise the contract for the initial CMAR services to Gilbane at a cost not to exceed \$849,395. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

EXECUTIVE SESSION

Chairperson Steffens called for a motion to enter Executive Session for a discussion regarding proposed, pending or current litigation. 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 **next meeting of the APDC Board of Commissioners will be held on Monday, October 31 2022 immediately following the APDC Finance Committee meeting held at 10:00 am.**

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