



ALBANY PORT DISTRICT COMMISSION MEETING

November 29, 2023

Immediately Following the Governance Committee Meeting

AGENDA

- 1) Approval of Minutes from the October 30, 2023 Commission Meeting**
- 2) Public Comment**
- 3) Financial Update (by CFO Stuto)**
- 4) Governance Committee Update**
- 5) CEO Update (by CEO Hendrick)**
- 6) External Affairs and Communications update (by DEA Vavura)**
- 7) Real Property/Development Update (CCO Daly, SCM Yagan)**
- 8) Conveyance of Property (Resolution 44-2023) (Counsel Jordan)**
- 9) Other Business (by Chairperson)**
- 10) Enter Executive Session¹**
- 11) Exit Executive Session**
- 12) Next Meeting: December 20, 2023**

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
OCTOBER 30, 2023

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, SCM Yagan, DEA Vavura, DSI Schneidawin, Director of Security Stock and Administrative Assistant DiLillo.

Chairperson Steffens introduced the minutes of the September 27, 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

Rev. Kate Drefke, Chaplain for Albany Maritime Ministry spoke to the Board about the Maritime Ministry's upcoming events which include the Christmas at Sea Hospitality Program, Maritime Ministry Open House and the Stellamare Memorial.

FINANCIAL UPDATE

Chairperson Steffens noted that the Finance Committee met prior to the Board meeting. Commissioner Coffey reported that the Finance Committee reviewed the financials year to date and discussed the slight changes between the forecast and actual budget. He also reported that CFO Stuto completed the review of the proposed 2024 budget with the Finance Committee, which they recommended to forward to the Board for approval.

CEO UPDATE

CEO Hendrick updated the Board on the following:

- Port staff hosted a tour of the facility to 75 students along with staff from Schoharie County and Capital Region BOCES. Representatives from Callanan Industries, NYSERDA, Port Welding and Springer Welding also participated, engaging in conversation with the students related to job opportunities.
- Port Staff continues to interact with our clean energy partners.

- CEO Hendrick attended the American Association of Port Authorities Annual Convention where he participated on a panel discussing the challenges of the governmental permitting process. While at the conference CEO Hendrick was re-elected to represent the North Atlantic Ports on the AAPA Board of Directors.

EXTERNAL AFFAIRS AND COMMUNICATIONS UPDATE

DEA Vavura provided the Board with an overview of recent media coverage and potential future coverage related to the Expansion Project and terminal work. She noted that Port staff recently hosted a group from the DEC for a project based orientation for new DEC staff at the expansion site. Port staff also provided students and administrators from Schoharie County and Capital Region BOCES with a tour and presentations from Port tenants on economic growth and job opportunities.

DEA Vavura reported that Port staff will be meeting with representatives from the Canadian Counsel General as well as the Sweden Counsel General and hosting a group from Questar III BOCES from Rensselaer, Columbia and Greene counties.

REAL PROPERTY/DEVELOPMENT UPDATE

CCO Daly provided the Board with an overview of NYSERDA's award for the NY Stage 3 Procurement for offshore wind. She also discussed with the Board two additional Request for Information solicitations issued by NYSERDA, one relating to interested stakeholders being invited to review and comment on proposed updates and modifications to the Tier 1 solicitation and the other relating to funding involving port infrastructure improvements.

CCO Daly mentioned that the Port of Albany was chosen as a finalist for the 2023 Ventus Award which recognizes entities that are making a lasting contribution to the advancement of the offshore wind energy supply chain.

SCM Yagan provided the Board with a report on the Expansion Project. He stated that the APDC is awaiting the issuance of permits from DOT. The GMP amendment to the Contract Manager at Risk agreement has been finalized. The Project team is working towards a funding solution for the substation installation.

The contractor is continuing expansion site work, laying out geo-fabric and geo-grid and distributing surcharge aggregates from all building footprints and into the storage yard areas, which will permanently stabilize and cap the site. Approximately 95% of the storage yard area is covered to full depth and 80% of the whole site. Installation of the stormwater system is about 80% complete. Retaining wall materials have been delivered and will be installed within the next few weeks. The Community Air Monitoring Program has been scaled back to align with the current phasing of the Project. Once the surcharge material is distributed and the cap is fully installed a closure certification report will be submitted to NYSDEC.

GROWTH STRATEGY AND MARKET ASSESSMENT GOALS

CCO Daly provided the Board with an overview of the Growth Strategy and Market Assessment noting that back in 2016 the Port team collaborated with the APDC Board members to come up with ideas on how to grow and expand the Port facility. She stated that over the years the effects of the discussions have been used in the many steps taken with the Board's input and support. Through the direction of the Board, the Port team is now revisiting other expansion efforts by initiating new marketing strategies and having discussions with the Port's stevedore partner Logistec. CCO Daly also presented and discussed with the Board a Growth Strategy Reflection Board Exercise which included a categorized list of strategic priorities and action items for their review and feedback. Some discussion took place regarding the plan and next steps.

PROPOSED 2024 BUDGET

Chairperson Steffens presented Resolution 40-2023 related to the 2024 Budget. She called for a motion to approve the 2024 Budget as presented. A motion was made by Commissioner Coffey, seconded by Commissioner Tagliento and passed unanimously.

AMENDMENT TO TERMINAL AND ROADWAY IMPROVEMENTS CONTRACT

CFO Stuto presented Resolution 41-2023 relating to the Terminal and Roadway Improvements contract with New Castle Paving. During construction it was determined that additional work was necessary in order to have proper access to the railway siding adjacent to Shed 1. This additional scope of work includes the removal of two idle railroad tracks and the placement of a new track constructed at the required loading dock height. Port staff recommended that the Board approve an increase of \$255,844.30 in order to proceed with the additional scope of work. Chairperson Steffens called for a motion to authorize the CEO to execute the necessary documents to increase the contract with New Castle Paving for an additional cost not to exceed \$255,844.30. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel and passed unanimously.

Commissioner Coffey asked if the additional work was in the original scope of work. CFO Stuto responded that it was not. Commissioner Coffey suggested that if additional scope work may be necessary, it be added as an alternate within the original procurement.

GOVERNMENT RELATIONS AND REPRESENTATION EXTENSION

CFO Stuto presented Resolution 42-2023 related to the Government Relations and Representation contract with Catalyst New York. In October 2021 the Board authorized a contract with Catalyst New York, LLC for a term of two years with two one year options. Throughout the past two years Catalyst has maintained a high level of service and integrity representing the APDC. Therefore, the staff recommended the Board approve a one-year extension for the Government Relations and Representation contract with Catalyst with a cost not to exceed \$5,000 per month. Chairperson Steffens called for a motion to authorize the CEO to execute the necessary documents to extend the contract with Catalyst New York, LLC for

one year with a cost not to exceed \$5000 per month. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

**AMENDMENT TO MCFARLAND JOHNSON BEACON ISLAND
INFRASTRUCTURE IMPROVEMENTS CONTRACT**

SCM Yagan presented Resolution 43-2023 related to the contract with McFarland Johnson to provide Supplemental Engineering Services for Phase 1 Infrastructure Design and Permitting related to the Expansion Project. During the Project development, there had been changes to the site's power infrastructure, requiring additional design hours and coordination time with National Grid and the Project's contractors. Therefore, the APDC staff recommended that the Board approve an increase of \$118,600 for additional Engineering Services. Chairperson Steffens called for a motion to authorize the CEO to execute the necessary documents to process McFarland Johnson Professional Engineering Services Change Order ECN-07 for an additional cost not to exceed \$118,600. A motion was made by Commissioner Abriel, seconded by Commissioner Tagliento and passed unanimously.

EXECUTIVE SESSION

Chairperson Steffens called for a motion to enter executive session for 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.

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 Wednesday November 29, 2023 immediately following the Governance Committee meeting being held 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.

**RESOLUTION 44-2023
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, section 5 subsection 6 of the APDC Enabling Legislation authorizes the APDC to “acquire, lease, erect, construct, make, equip and maintain port facilities with or outside the district”; and

WHEREAS, in furtherance of the APDC mission, it is necessary for the APDC to invest in strategic land acquisition to support commerce and transportation movements within the district; and

WHEREAS, the APDC finds it necessary to acquire an approximately .258 acre portion of land from the Niagara Mohawk Power Corporation (aka National Grid) adjacent to APDC property located on Normanskill Street (aka Port Road South) (the “Property”) that will enable the construction of a new roadway in the district; and

WHEREAS, pursuant to the APDC property acquisition policy an appraisal report was requested and received detailing the current market value of the property; and

WHEREAS, the purchase price negotiated between the parties is in accordance with the market value of the property.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to facilitate the conveyance of the Property at a purchase price of \$17,000 and any and all costs associated with the closing.

Signed: _____
(Assistant) Secretary

Date of Authorization: November 29, 2023
Prepared by:
Patrick K. Jordan, Esq.

Ships & Barges Report

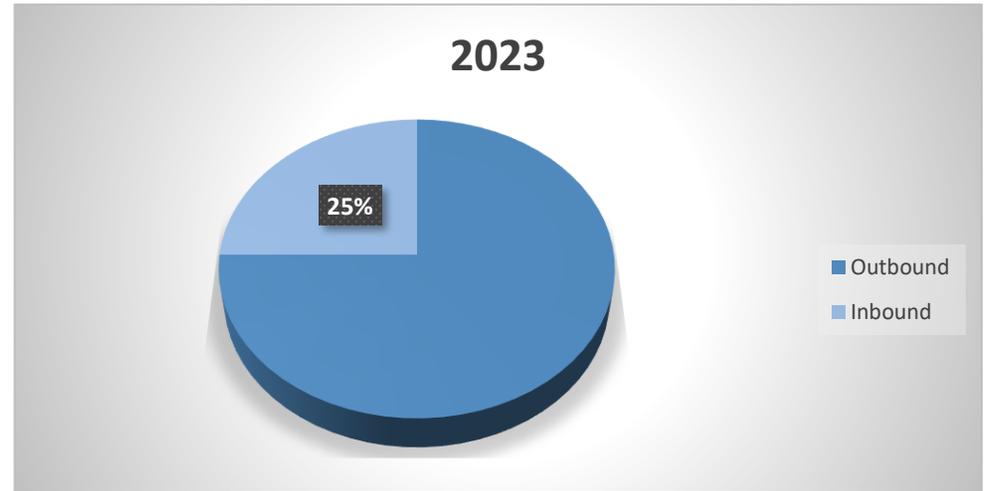
October-2023

Outbound	2022	2023	Change	Percentage
Heavy Lift/Project	0	2	2	200%
Barges-Heavy Lift/Project	1	1	0	0%
Scrap Iron	0	0	0	0%
Steel	0	0	0	0%
Totals	1	3	2	200%

Inbound	2022	2023	Change	Percentage
Heavy Lift/Project	0	0	0	0%
Barges-Heavy Lift/Project	0	0	0	0%
WHEAT	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	2	1	-1	-50%
Totals	2	1	-1	-50%

Year to Date

Total	2022	2023	Change	Percentage
Heavy Lift/Project	11	15	4	36%
Barges-Heavy Lift/Project	9	2	-7	-78%
WHEAT	0	1	1	100%
Molasses/Fertilizer	0	0	0	0%
Scrap Iron	3	4	1	33%
Steel	4	0	-4	-100%
Lumber	0	0	0	0%
Rolled Paper	1	0	-1	-100%
Woodpulp	14	10	-4	-29%
Totals	42	32	-10	-24%



Ships & Barges

	2022	2023	Change	Percentage
Outbound	16	12	-4	-25%
Inbound	26	19	-7	-27%
Totals	42	31	-11	0%

Lay Berth

	2022	2023	Change	Percentage
(barges/vessels) 2023	0	0	0	0%
(tugboats) 20223	0	0	0	0%
Change	0	0	0	0%
%	0%	0%	0%	0%

October-2023

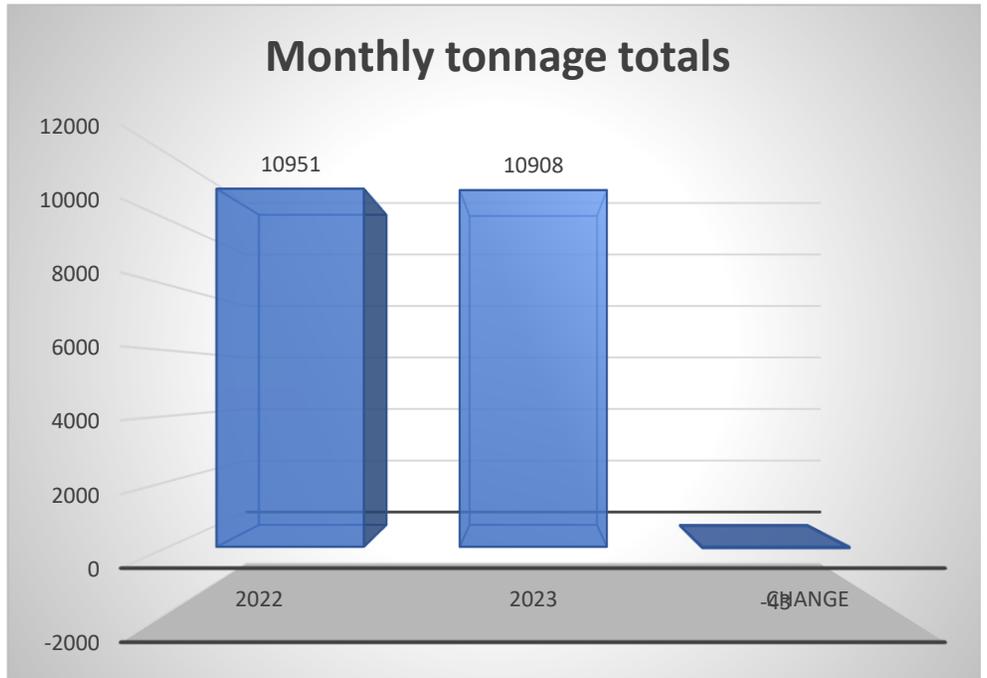
Tonnage Report - Monthly

Outbound	2022	2023	Change	Percentage
Heavy Lift/Project	0	6549	6549	654900%
Barges-Heavy Lift/Project	359	0	-359	-100%
Scrap Iron	0	0	0	0%
Steel				
Totals	359	6549	6190	1724%

Inbound	2022	2023	Change	Percentage
Heavy Lift/Project	0	0	0	0%
Barges-Heavy Lift/Project	0	0	0	0%
WHEAT	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	10592	4359	-6233	-59%
Totals	10592	4359	-6233	-59%

October - 2022-2023 Totals

Total	2022	2023	Change	Percentage
Heavy Lift/Project	0	6549	6549	654900%
Barges-Heavy Lift/Project	359	0	-359	-100%
Calcium Chloride	0	0	0	0%
Molasses/Fertilizer	0	0	0	0%
Scrap Iron	0	0	0	0%
Steel	0	0	0	0%
Lumber	0	0	0	0%
Rolled Paper	0	0	0	0%
Woodpulp	10592	4359	-6233	-59%
Totals	10951	10908	-43	0%



Tonnage Report Monthly

Total	2022	2023	Change	Percentage
Outbound	359	6549	6190	46%
Inbound	10592	4359	-6233	-59%
Totals	10951	10908	-43	0%

October-2023

Tonnage Report - Year to Date

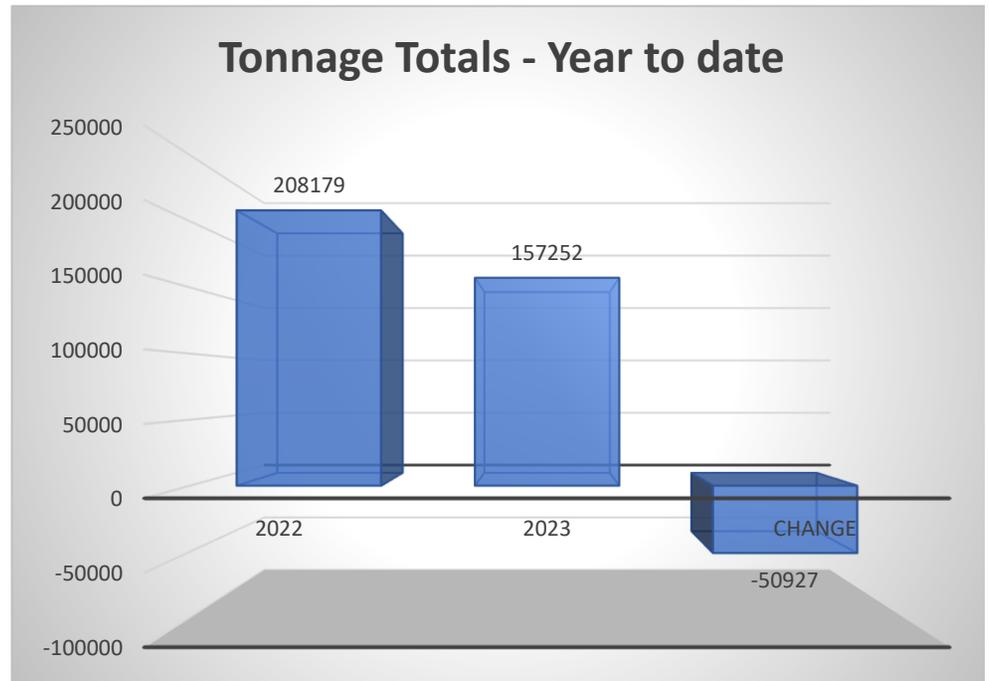
Outbound	2022	2023	Change	Percentage
Heavy Lift/Project	2826	5159	2333	83%
Barges-Heavy Lift/Project	1254	89	-1165	-93%
Scrap Iron	93236	86559	-6677	-7%
Steel	0	0	0	0%
			0	
Totals	97316	91807	-5509	-6%

Inbound	2022	2023	Change	Percentage
Heavy Lift/Project	1390	3712	2322	167%
Barges-Heavy Lift/Project	4616	0	-4616	-100%
WHEAT	0	29698	29698	2969800%
Molasses/Fertilizer	0	0	0	0%
Steel	18616	0	-18616	-100%
Lumber	0	0	0	0%
Rolled Paper	2322	0	-2322	-100%
Woodpulp	83919	32035	-51884	-62%
Totals	110863	65445	-45418	-41%

Year to Date

Total	2022	2023	Change	Percentage
Heavy Lift/Project	4216	8871	4655	110%
Barges-Heavy Lift/Project	5870	89	-5781	-98%
WHEAT	0	29698	29698	2969800%
Molasses/Fertilizer	0	0	0	0%
Scrap Iron	93236	86559	-6677	-7%
Steel	18616	0	-18616	-100%
Lumber	0	0	0	0%
Rolled Paper	2322	0	-2322	-100%
Woodpulp	83919	32035	-51884	-62%
Totals	208179	157252	-50927	-24%

Tonnage Totals - Year to date



Tonnage Report Year to Date

Total	2022	2023	Change	Percentage
Outbound	97316	91807	-5509	-6%
Inbound	110863	65445	-45418	-41%
Totals	208179	157252	-50927	-24%

October 2023

LONGSHORE HOURS

2022-2023 Comparison

	2022	2023
January	3597.5	3079.5
February	4179.0	2067.5
March	8300.5	2484.0
April	4715.5	2065.0
May	3515.0	1790.5
June	4430.0	4147.0
July	4047.0	4231.5
August	4270.0	2215.0
September	4455.0	3554.0
October	2865.5	4447.5
November	1571.0	0.0
December	4215.5	0.0
Total:	50161.5	30081.5

2019-2020-2021-2022-2023 Comparison

	2019	2020	2021	2022	2023
January	1253.0	2709.5	7018.0	3597.5	3079.5
February	3589.0	3317.5	5363.0	4179.0	2067.5
March	2729.0	3214.0	3151.0	8300.5	2484.0
April	2541.0	2531.0	4781.0	4715.5	2065.0
May	3748.0	3280.0	3489.0	3515.0	1790.5
June	3470.0	2159.0	2755.5	4430.0	4147.0
July	2048.5	2504.5	2156.5	4047.0	4231.5
August	1205.0	2351.5	5191.5	4270.0	2215.0
September	2771.5	1870.0	2417.0	4455.0	3554.0
October	2163.0	2831.0	3174.0	2865.5	4447.5
November	1696.0	2775.5	1449.0	1571.0	
December	2850.5	2497.0	3973.5	4215.5	
Total:	30064.5	32040.5	44919.0	50161.5	30081.5

