

ALBANY PORT DISTRICT COMMISSION

MINUTES OF THE WEDNESDAY, MAY 19, 2010 MEETING

Chairman Cross called the meeting to order at 12:30 p.m. In attendance were Commissioners Dean, Ferrara, Tagliento, General Manager Hendrick, General Counsel Owens, Chief Financial Officer Hurley, Business Manager Comisso, Information Technology Specialist McGuinness, Security & Threat Assessment Director Williams.

GOVERNANCE COMMITTEE

Review of Personnel Policy – General Counsel Owens reviewed with the board the Albany Port District Commission Personnel Policy. General Counsel Owens noted that the last change was made in March 2010 and there were no additional changes at this time. The Policy will be on the Board agenda in June for approval.

Public Document Postings – General Counsel Owens reviewed with the Commission the requirements of the New York State Audit Budget Office in regards to the placement of public documents on the Port of Albany website as required by law.

REGULAR MEETING

The minutes of the previous meeting were approved on a motion by Commissioner Dean, seconded by Commissioner Ferrara and unanimously approved (Attachment A).

Tonnage/Man Hours – Chief Financial Officer Hurley reviewed with the Commission the comparisons in the tonnage/man hours for April 2009 and April 2010 (Attachment B).

Real Property RFP – General Counsel Owens reviewed with the Commission a Request for Proposal for the following properties:

- 10± acres on the Rensselaer side of the Port (Besicorp Parking Lot).
- 2 acres on the Albany side of the Port which is 5 Broadway.
- 2 parcels located at the corner of Boat and Church Streets.

After discussion the Commission approved the issuing of the necessary RFP's for these properties on a motion by Commissioner Dean, seconded by Commissioner Ferrara and unanimously approved.

Lease Extension – Besicorp-Empire Power LLC (“Besicorp”) is a tenant of the APDC on a two acre parcel on the Rensselaer side of the Port at a rental rate of \$1600/month. The lease expires June 30, 2010 and Besicorp has requested an extension to October 1, 2010. The real property leased is part of the APDC land licensed to our stevedore company, and therefore, cannot be leased to another party following Besicorp's lease. After discussion the Commission approved the lease extension with a new termination date of October 1, 2010 on a motion by Commissioner Dean, seconded by Commissioner Ferrara and unanimously approved.

Summer Music in the Park – Mayor Dwyer of Rensselaer has requested the Albany Port District Commission become a sponsor to the City of Rensselaer for the City's Music in the Park Program in the amount of \$6,000. The request was examined in accordance with the APDC Community Sponsorship Guidelines. Dominick Tagliento being a member of the city counsel abstained from the discussion/vote, and left the room. Following discussion, a motion was made by Commissioner Ferrara, seconded by Commissioner Dean and unanimously approved to sponsor this event (Attachment C).

Executive Session – Motion was made by Commissioner Ferrara, seconded by Commissioner Dean and unanimously approved to enter into executive session to discuss issues relative to the negotiation of various items within Commission contracts and leases.

Exit Executive Session – Motion was made by Commissioner Ferrara, seconded by Commissioner Tagliento and unanimously approved to exit the executive session. No actions were taken.

There being no further business a motion was made by Commissioner Ferrara , seconded by Commissioner Tagliento to adjourn the meeting. The next scheduled meeting will be **Wednesday, June 30, 2010 at 12:30 pm.**

DRAFT

DRAFT

ALBANY PORT DISTRICT COMMISSION
MINUTES OF THE MONDAY, APRIL 26, 2010 MEETING

Chairman Cross called the meeting to order at 12:30 p.m. In attendance were Commissioners Dean, Ferrara, Tagliento, Daly, General Manager Hendrick, General Counsel Owens, Chief Financial Officer Hurley, Business Manager Commisso, Information Technology Specialist McGuinness, and Father Leskovar of the Maritime Ministries.

Motion was made by Commissioner Ferrara to enter into the Audit Committee which was seconded by Commissioner Dean and unanimously approved.

AUDIT COMMITTEE

Review of Internal Control Program – General Counsel Owens discussed with the Commission the Internal Control Program which is a process that integrates the activities, plans, resources of an organization (Attachment A). This will be provided for Board approval during the May meeting.

Review of Internal Control Certification – General Counsel Owens discussed the various items related to Internal Control included in the annual Commission Internal Control Certification (see website). He reviewed the Certification's contents, and stated that the final version would be provided later in the week for the Chairman's signature and transmittal to the Governor's Division of Budget.

FINANCE COMMITTEE

Review of Current Year Budget – Chairman Ferrara discussed with the Commission the Balance Sheet and Income statement and cited the reasons for the variables related to the financial activity (Attachment B).

REGULAR MEETING

The minutes were approved on a motion by Commissioner Ferrara and seconded by Commissioner Tagliento and unanimously approved (Attachment C).

By-Laws – General Counsel Owens discussed and reviewed the By-Laws with the members of the Albany Port District Commission. After discussion a motion was made by Commissioner Daly, seconded by Commissioner Ferrara and unanimously passed approving the Commission By-Laws (Attachment D).

Committee Charter – General Counsel Owens discussed the approval of the additional Finance Committee to the Charter. After discussion regarding the addition to the charter a motion was made by Commissioner Ferrara, seconded by Commissioner Tagliento and unanimously approved to add the Finance Committee to its charter (Attachment E). Chairman Cross made the following appointments to the Committee Charter:

Governance – Commissioner Dean as Chair, Commissioner Ferrara and Tagliento as members to the Committee.

Audit – Commissioner Tagliento as Chair, Commissioner Ferrara and Commissioner Daly as members of the Committee.

Finance – Commissioner Ferrara as Chair, Commissioner Dean and Commissioner Daly as Committee members.

Chairman Cross serves as Ex-Officio on all Commission Committees.

Tuition Assistance Policy - General Counsel Owens discussed the draft APDC Tuition Assistance Policy, which if approved by the Board, would be available to assist APDC employees with higher education tuition. Commissioner Ferrara made a motion to approve the APDC Tuition Assistance Policy which was seconded by Commissioner Tagliento and unanimously approved (Attachment F).

Public Access to Records (New York's Freedom of Information Law ("FOIL")): General Counsel Owens discussed with the Commission the APDC Public Access to Records Policy of the Albany Port District Commission. This policy provides for procedures for complying with Freedom of Information requests which are submitted to the Port Commission. Commissioner Ferrara made a motion to approve the Public Access to Records Policy which was seconded by Commissioner Tagliento and unanimously approved (Attachment G).

APDC Records Retention Policy – General Counsel Owens discussed with the Commission the APDC Records Retention Policy. This policy provides procedures to assist in record retention: ie: how long records need to be kept, how records should be marked, and which records should be disposed of. Motion was made by Commissioner Ferrara to approve the Record Retention

Policy which was seconded by Commissioner Tagliento and unanimously adopted (Attachment H).

Executive Session – Motion was made by Commissioner Ferrara to enter into executive session and seconded by Commissioner Dean to discuss various real estate issues and legal matters.

Motion was made by Commissioner Ferrara, seconded by Commissioner Dean to exit the executive session.

Tonnage/Man Hours – Chief Financial Officer Hurley reviewed the comparisons in tonnage and man hours for March 2009 and March 2010 (Attachment I).

Real Estate RFP –Business Manager Commisso discussed with the Commission the response to the RFP for property at 100 Keane Street and the leasing of 1.8± acres. The Commission received responses from Cargill Nutrition and Fort Miller, Inc. The high bidder was Cargill Nutrition pending review by the Albany Port District Commission the contract will be awarded. (Attachment J).

(Commissioner Daly left the meeting due to the meeting running long and her having a previously scheduled appointment.)

Other Business – General Manager Hendrick discussed the APDC response to the Management Comment letter issued by UHY. (Attachment K).

Father's Day Event – Request made to the Albany Port District Commission to be lead sponsor for a Father's Day Event beings sponsored by Special Events which will be held in Corning Park. The Albany Port District discussed the request to support the event in the amount of \$25,000 in accordance with the Commission Policy for Evaluating Requests for Sponsorships and Community Development Activities. Commissioner Cross being employed by the City of Albany abstained from the vote and discussion, and left the room. Motion to approved sponsorship of the event was made by Commissioner Ferrara, seconded by Commissioner Dean and approved unanimously. (Attachment L).

There being no further business motion was made by Commissioner Ferrara, seconded by Commissioner Dean and unanimously approved to adjourn the meeting. The next scheduled meeting will be held on **Wednesday, May 19, 2010 at 12:30 p.m.**

ALBANY PORT DISTRICT COMMISSION

May 13, 2010

Report of Ships-Barges-Tonnages

<u>Ships</u>	<u>April</u>	<u>Year to Date</u>
Grain	1	2
Heavy Lift/Project	2	11
Molasses	0	0
Scrap Iron	1	2
Woodpulp	<u>2</u>	<u>4</u>
Total	6	19

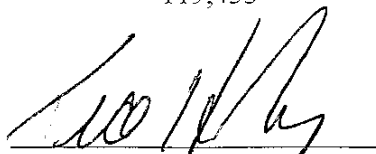
Barges

Heavy Lift/Project	0	1
Lay Berth	0	0

Inbound**Outbound**

<u>Cargo</u>	<u>April</u>	<u>Year to Date</u>	<u>April</u>	<u>Year to Date</u>
Grain	0	0	22,372	46,070
Heavy Lift/Project	0	0	459	5,895
Molasses	0	0	0	0
Scrap Iron	0	0	31,030	55,661
Woodpulp	5,746	11,449	0	0

	<u>April</u>	<u>Year to Date</u>	<u>Previous Year to Date</u>
Inbound	5,746	11,449	11,503
Outbound	<u>53,862</u>	<u>107,627</u>	<u>107,930</u>
	59,608	119,075	119,433



Terrence Hurley
Chief Financial Officer

LONGSHORE HOURS WORKED

2009 – 2010 COMPARSION

	<u>2009</u>	<u>2010</u>
January	4,377.0	2,632.0
February	2,634.5	2,282.5
March	1,838.0	2,248.0
April	<u>3,370.0</u>	<u>2,481.5</u> (234 Grain)
Total	12,219.5	9,644.0



CITY OF RENSSELAER

OFFICE OF THE MAYOR

CITY HALL

62 WASHINGTON STREET
RENSSELAER, NEW YORK 12144

DANIEL J. DWYER
MAYOR

(518) 462-9511
Fax: (518) 462-9895

May 11, 2010

Robert Cross, Chairman
Albany Port District Commission
106 Smith Boulevard
Albany, NY 12202

Dear Mr. Cross,

I support the Kiwanis Club of Rensselaer in their acceptance of responsibility for the summer Music in the Park program. The City of Rensselaer will absorb the costs for Police, Fire, and Department of Public Works activities incurred by this series.

I am especially grateful to you for considering our request for assistance. We welcome your sponsorship and will work with you in educating our citizens in your agency's mission.

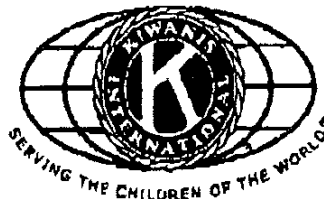
If I may be of further assistance, do not hesitate to call.

Sincerely,

Daniel J. Dwyer
Mayor

DJD/meo

Cc: File



Rensselaer Kiwanis Club, Rensselaer, New York

Wayne Simmons - President
Lester Jeffrey - Vice-President

Clair Dalton - Secretary
Bill Lyons - Treasurer

May 10, 2010

Robert Cross, Chairman
Albany Port District Commission
106 Smith Boulevard
Albany, NY 12202

Dear Chairman Cross:

The Rensselaer Kiwanis Club has agreed to administer the summer Music in the Park program formerly conducted by the Senior Citizen Center. We hope to begin with a July 4th community picnic, and continue with concerts on each Wednesday in July and August. Please see attached tentative schedule for dates and potential performers. Our goal is to provide events which appeal to all age groups and diverse musical tastes.

We are seeking your assistance and support in sponsoring this effort. You should know that Kiwanis is a not-for-profit (501(c)) tax-exempt organization. We are not a 501(c)(3) charity. Funds raised are allocated to a variety of community groups to support their programs.

We have attached a preliminary budget for your consideration. We understand that a donation of this size would earn a large banner with the Commission's logo and billing as "the lead sponsor of the summer program." In addition we will provide a table for you to display your brochures etc. More importantly we look forward to your presence with us as we celebrate summer in our beautiful Riverside Park.

Sincerely,

Wayne Simmons, President
Rensselaer Kiwanis

RENSSELAER KIWANIS BUDGET: MUSIC IN THE PARK - 2010

Expenses	4-Jul	14-Jul	21-Jul	28-Jul	Aug. 4	Aug. 11	18-Aug	Aug. 25	Tot.
Musicians	\$250.00	\$425.00	\$425.00	\$425.00	\$425.00	\$425.00	\$425.00	\$425.00	\$3,225.00
Advertising	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$800.00
Supplies	\$275.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$200.00	\$1,975.00
Total	\$625.00	\$775.00	\$775.00	\$775.00	\$775.00	\$775.00	\$775.00	\$725.00	\$6,000.00

Revenue	
Vendors	
Food (3)	\$600.00
Rides (2)	\$400.00
50/50	\$1,000.00
Total	\$2,000.00

Anticipated revenue will go to the Rensselaer Coalition to support the group's efforts including: development and publication of a directory of services agencies and a community events calendar; support of programs serving the educational, fiscal, social services needs of the Rensselaer community; development of a sustainability plan to ensure long-term ability to meet the needs of the City. Half of the 50/50 revenue will go to the Senior Citizen Center.

The City of Rensselaer is absorbing costs incurred by:
 Police
 Fire
 Ambulance
 Department of Public Works