



**ALBANY PORT DISTRICT COMMISSION
MEETING
JUNE 26, 2024
12:00 P.M.**

AGENDA

- 1) Approval of Minutes from the May 22, 2024 Commission meeting (attached)**
- 2) Public Comment**
- 3) Financial Update (by CFO Stuto)**
- 4) CEO Update (by CEO Hendrick)**
- 5) External Affairs and Communications Update (by DEA Vavura)**
- 6) Ships, Barge and Tonnage Report (by Bill Ring)**
- 7) Real Property/Development Update (by CCO Daly, SCM Yagan)**
- 8) Website Design & Technology Services Award (Resolution 15-2024) (by CFO Stuto)**
- 9) NYSDOT PFRAP Grant Contract Authorization (Resolution 16-2024) (by CCO Daly)**
- 10) Other Business (by Chairperson)**
- 11) Enter Executive Session¹**
- 12) Exit Executive Session**
- 13) Next Meeting: Friday, July 19, 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

May 22, 2024

Commissioner Cinquanti called the meeting to order. In attendance were Commissioners Tagliento and Abriel. Also present were, General Counsel Jordan, CCO Daly, CFO Stuto, DSI Schneidawin, DEA Vavura, SCM Yagan, Deputy Director of Security Teller, Administrative Assistant DiLillo and Logistec General Manager Bill Ring. Also in attendance was Rev. Kate Drefke, Chaplin of the Albany Maritime Ministry.

Commissioner Cinquanti introduced the minutes of the April 24, 2024 Commission meeting. No changes were made to the minutes. Commissioner Cinquanti called for a motion to approve the minutes. A motion was made by Commissioner Tagliento, seconded by Commissioner Abriel, and passed unanimously.

PUBLIC COMMENT

There were no public comments.

FINANCIAL UPDATE

CFO Stuto presented the forecast and preliminary results through April 30, 2024. She reported that the actual revenue from year to date has improved from last month. Revenue projection at the end of the year has also improved, expecting to be just under budget by 2%. Expenses year to date remain just under budget by \$132,000. There is a year-end projection of \$152,000 under budget. Year to date operating income is at \$104,000 compared to the year to date budget of \$45,000. CFO Stuto expects to have a positive budget variance of \$40,000 at the end of the year in operating income. Depreciation remains over budget due to an asset relating to road construction. The capital funding from the public private partnership and development expense are close to budget year to date. Grant revenue is trailing behind, primarily due to a timing issue. The year to date projected change in net position is consistent with the prior month. It is projected to be \$440,000 at the end of the year.

EXTERNAL AFFAIRS AND COMMUNICATIONS UPDATE

DEA Vavura provided the Board with an update on the recent media coverage related to maritime activity and offshore wind developments. She reported that Port staff continues to maintain communication check-ins with Logistec staff while also working with them on initiatives with their partner ports. Port staff has received many letters of support from local partners and community organizations for the various grant applications submitted. The Port team has been moving forward working on various events and marketing initiatives.

DSI Schneidawin provided the Board with an overview of the Foreign Trade Zone (FTZ) and Supply Chain event that Port staff hosted along with members of the Capital Region Foreign Trade Zone, Capital District Regional Planning Commission and the Center for Economic Growth. The event offered various guest speakers and a panel discussion, which included Ashley Armstrong, Curia; Kathryn Bamberger, NYS ESD Global NY; Thomas Cook, Blue Tiger International; Megan Daly, Port of Albany; Cathy Gibbons, US Dept of Commerce; Richard Hendrick, Port of Albany; Kate Maynard, Capital District Regional Planning Commission; John Polowczyk, Ernst & Young; Bill Ring, Logistec Stevedoring; Mercedes Sanchez-Moore, NYSBDC; and Dan Wiesenforth, Center for Economic Growth. Prior to the FTZ discussion, the attendees participated in a tour of the terminal and Expansion Site. DSI Schneidawin noted that the event had a great turnout and very positive feedback.

SHIPS, BARGES & TONNAGE UPDATE

Logestic General Manager Bill Ring presented the Board with an update on maritime activity through the month of April. He reported that the first Champlain Hudson Power Express Vessel carrying cable came into the Port along with two GE project vessels, one import and the other an export, and one wood pulp vessel. For the month of April, the terminal received 4,512 tons of cargo, 186 trucks and 3 rail cars. Longshore hours have increased by 46% from last month and are up by 34% from last year. Terminal staff have gone 512 days without any lost time.

REAL PROPERTY/DEVELOPMENT UPDATE

CCO Daly noted that CEO Hendrick was invited to Washington, D.C. by Rear Admiral Ann Phillips, Administrator for the Department of Transportation Maritime Administration to meet with her and her team to discuss commercial maritime issues.

CCO Daly reported that Port staff recently submitted a grant application under the Port Infrastructure Development Program with the US DOT. This submission is directly related to the Expansion Project as it involves the movement of goods and the support of maritime infrastructure. The application included a benefit to cost analysis and letters of support from elected officials and commercial and neighborhood partners. CCO Daly expects a response from this submittal early this fall.

CCO Daly along with DSI Schneidawin and Procurement Compliance Coordinator Lansing have been working on a Federal EPA Clean Ports grant submittal. This grant would give the Port an opportunity to purchase zero emissions equipment and the associated planning efforts. This work would also align with the Greene Marine recertification the Port recently received.

SCM Yagan provided the Board with an update on the Expansion Project. He reported that the concrete work on the south side of the bridge is two thirds complete while the north side is fully completed. Contractors are finishing up utility work. Once done, the site cap will be complete. The River Road work on the west side is complete. The contractor is now working on the east side. Rail crossing work will be starting soon and work on Corning Hill will begin this fall.

Milling work is currently taking place on Normanskill Street. The contractor has been working during a second shift in order not to interfere with tenant business and to ease congestion within the Port terminal.

HUDSON RIVER TRADING GAME & NAVIGATING THE SEAS PROGRAM SPONSORSHIP

CFO Stuto presented Resolution 13-2024 related to the sponsorship of the Hudson River Trading Game & Navigating the Seas Program (23/24SY). She noted that the program educates students about the maritime industry and the challenges of sailing and trading along the Hudson River. She noted that this request complies with the Port's Sponsorship Policy. Commissioner Cinquanti called for a motion to approve Resolution 13-2024. A motion was made by Commissioner Tagliento, seconded by Commissioner Abriel and passed unanimously.

CD MAN LEASE APPROVAL

Counsel Jordan presented Resolution 14-2024 related to a lease agreement with CD Man, LLC. He noted that the current lease is due to expire later this year. The proposed lease will be for an initial term ending in 2033, which will coincide with the lease held by Wm. Biers, Inc., who holds the same ownership interest. The lease agreement could include up to four noncontinuous sites, totaling 9.5 acres. Counsel Jordan mentioned that an appraisal was completed and that the land was appraised at \$21,600 per acre. Commissioner Cinquanti called for a motion to approve Resolution 14-2024 authorizing the CEO to negotiate a lease agreement with CD Man, LLC at a lease price not less than \$21,600 per acre. A motion was made by Commissioner Tagliento, seconded by Commissioner Abriel and passed unanimously.

OTHER BUSINESS

No other business for discussion.

EXECUTIVE SESSION

There were no items for discussion in Executive Session.

NEXT MEETING

Commissioner Cinquanti informed all those in attendance that the **next meeting of the APDC Board of Commissioners will be Wednesday June 26, 2024 at 12:00 noon.**

Commissioner Cinquanti 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.

DRAFT

ALBANY PORT DISTRICT COMMISSION
2024 Forecast - Preliminary Results through May 31, 2024

	May 2024	Year to Date May-24	Year to Date Budget May-24	Actual to Budget Variance YTD	Forecast June-Dec	Forecast 2024	Budget 2024	Forecast to Budget Variance
Operating Revenue:								
Rental Income	358,506	1,766,319	1,781,151	(14,832)	2,509,541	4,275,860	4,274,763	1,097
Dockage Fees	98,272	243,478	142,083	101,395	300,869	544,347	341,000	203,347
Wharfage Fees:	9,755	79,613	133,333	(53,720)	111,458	191,071	320,000	(128,929)
Buckeye Revenue	-	50,000	62,500	(12,500)	100,000	150,000	150,000	-
Stevedore Fees and Services	24,676	124,782	187,500	(62,718)	320,983	445,765	450,000	(4,235)
Crane Equipment Rental	3,360	50,190	83,333	(33,143)	70,266	120,456	200,000	(79,544)
Security Fees	36,625	163,208	103,250	59,958	228,491	391,698	413,000	(21,302)
Public Private Administrative Revenue	16,634	101,634	95,545	6,089	185,000	286,634	300,000	(13,366)
Other Services and Revenue	4,288	13,008	4,750	8,257	18,211	31,218	11,401	19,817
Total Operating Revenue	552,115	2,592,231	2,593,446	(1,215)	3,844,818	6,437,049	6,460,164	(23,115)
Operating Expenses:								
Payroll, Payroll Taxes and Fringe Benefits	279,563	1,568,095	1,586,163	(18,068)	1,887,829	3,455,924	3,350,790	105,134
Other Post Retirement Benefit Expense	-	-	-	-	100,000	100,000	100,000	-
Repairs, Maintenance and Utilities	45,591	283,820	277,423	6,397	365,863	649,683	665,816	(16,133)
Crane Parts and Repairs	17,430	36,356	62,500	(26,144)	115,000	151,356	150,000	1,356
Insurance	28,959	146,968	154,132	(7,164)	202,715	349,683	369,917	(20,234)
Professional and Consulting Fees	5,376	87,974	172,708	(84,734)	261,000	348,974	414,500	(65,526)
Service Contracts	17,191	96,368	79,167	17,201	134,915	231,282	190,000	41,282
Security and Safety Costs	1,543	14,786	64,583	(49,797)	126,500	141,286	155,000	(13,714)
Education and Training	-	2,405	6,250	(3,845)	10,000	12,405	15,000	(2,595)
Office Supplies and Expense	1,799	8,770	26,292	(17,522)	46,190	54,960	63,100	(8,140)
Advertising, Promotion and Association Dues	10,781	59,839	108,672	(48,833)	199,500	259,339	260,812	(1,473)
Contingency	-	-	-	-	-	-	180,000	(180,000)
Total Operating Expense	408,233	2,305,381	2,537,890	(232,509)	3,449,512	5,754,892	5,914,935	(160,043)
Operating Income (Expense) before other items	143,882	286,850	55,557	231,293	395,306	682,156	545,229	136,927
Depreciation and Other (Income) Expenses:								
Depreciation Expense	270,838	1,322,784	1,166,667	156,117	1,895,864	3,218,648	2,800,000	418,648
Interest Income	(239)	(10,429)	(8,333)	(2,096)	(13,000)	(23,429)	(20,000)	(3,429)
Interest Expense	5,086	31,545	69,683	(38,138)	125,000	156,545	167,240	(10,695)
Waterfront Development	12,284	270,608	129,246	141,362	38,000	308,608	310,190	(1,582)
Municipal Support	-	-	-	-	-	-	-	-
(Gain)Loss on Asset	(7,540)	(15,149)	-	(15,149)	-	(15,149)	-	(15,149)
Net Depreciation and Other (Income) Expenses	280,428	1,599,359	1,357,263	242,097	2,045,864	3,645,223	3,257,430	387,793
Change in Net Position Before Capital Funding	(136,546)	(1,312,509)	(1,301,706)	(10,803)	(1,650,557)	(2,963,066)	(2,712,201)	(250,865)
Public Private Partnership Revenue	5,370,545	17,675,727	15,504,455	2,171,272	18,000,000	35,675,727	36,500,000	(824,273)
Capital Grant Revenue	-	247,747	1,875,000	(1,627,254)	4,250,000	4,497,747	4,500,000	(2,254)
Grant and Private Partner Revenue	5,370,545	17,923,474	17,379,455	544,019	22,250,000	40,173,474	41,000,000	(826,526)
Development Expense Empire Wind Project	(5,387,179)	(17,955,216)	(15,500,000)	(2,455,216)	(18,000,000)	(35,955,216)	(36,500,000)	544,784
Change in Net Position	(153,180)	(1,344,251)	577,750	(1,922,001)	2,599,443	1,255,191	1,787,799	(532,608)

MONTHLY SHIP & BARGE REPORT

HIGHLIGHTS for MAY 2024:	* 1 Wheat Vessel * Received GE generator (944,000 lbs) by rail
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WHARF ACTIVITY for MAY 2024

	LINE VESSELS	COMMODITY	TONNAGE-MT	CBM
IMPORT	ARD VICTORIA T	WHEAT	35,399	
			35,399	0

TERMINAL ACTIVITY for MAY 2024

COMMODITY	TONNAGE-MT	# TRUCKS	# RAIL
WOODPULP	2,626	131	
ROLL PAPER	56	3	
COILS	172	16	
STEEL	287	16	
PROJECT	475	8	1
TOTAL	3,616	174	1

ANTICIPATED for JUNE 2024:

* GE generator (944,000 lbs) to be rolled onto a barge via RORO * 1 import project vessel (4 transformers/260 mt ea to rail + 113 crates) * 1 export scrap vessel (25,000-30,000 mt) * 1 import woodpulp vessel (4000 mt)

COMMODITY [YTD]

COMMODITY	MT	CBM
WOODPULP	8,574	0
ROLL PAPER	0	0
WHEAT	67,713	0
SCRAP	27,989	0
PROJECT	3,450	3,665
CHPE	4,568	0
TOTAL	103,720	3,665

STORED CARGO APRIL

COMMODITY	TONNAGE-MT	CBM
WOODPULP	3,483	
ROLL PAPER	60	
COILS	1,715	
STEEL	719	
PROJECT	115	188
TOTAL	6,092	188

LONGSHOREMAN HOURS

APRIL 2024	YTD
3,326 (-56% from last month)	16,358 (+43% from last year)

SAFETY RECORD

DAYS W/O LOST TIME	18
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**RESOLUTION 15-2024
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, to achieve secure, accessible and up-to-date operations, the APDC requires a firm to provide website design and technology services; and

WHEREAS, the APDC issued a Request for Quotes (“RFQ”) dated April 18, 2024, soliciting bids for website design and technology services; and

WHEREAS, in response to the RFQ, five quote and qualification submissions were received and subsequently reviewed by a committee that included APDC management and administrative staff (“Review Team”) to evaluate the proposals and then interview the shortlisted respondents based on the proposed services offered, experience, qualifications and cost value; and

WHEREAS, based on the responses and evaluation process, the Review Team determined Upside Collective to be a qualified and responsible bidder and recommends that the Board award the contract for website design and technology services to Upside Collective.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the documents necessary to award the Website Design and Technology Services contract to Upside Collective at a cost not to exceed \$58,920.

Signed: _____
(Assistant) Secretary

Date of Authorization: June 26, 2024

Prepared by:
Patrick K. Jordan, Esq.

**RESOLUTION 16-2024
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 Port of Albany Heavy Lift Wharf Deck and Rail Enhancement Project, Project Identification Number 1936.08.301 (“the Project”) has been awarded \$9,907,703 of Passenger and Freight Rail Assistance Program funds for the payment of New York State’s share of eligible Project costs in accordance with the provisions of Section 14 of the New York State Transportation Law, as administered by the New York State Department of Transportation (“NYSDOT”); and

WHEREAS, the total cost for the Project is estimated to be \$10,442,703 and the APDC has determined that the Project is in the best interests of the public and in furtherance of the mission of the APDC; and

WHEREAS, the APDC desires to advance the Project by making a commitment of at least \$535,000 APDC funding of the costs of the Project.

NOW, THEREFORE, the APDC duly convened does hereby:

RESOLVED, that the APDC hereby approves the Project; and it is hereby further

RESOLVED, that the APDC agrees to provide at least \$535,000 in funding for the Project; and it is further

RESOLVED, that the Chief Executive Officer of the APDC is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for NYSDOT funding on behalf of the Chairperson of the APDC with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the APDC’s funding of the Project costs; and it is further

RESOLVED, that the APDC reaffirms and ratifies any documents executed by the Chief Executive Officer related to the implementation of the Project executed prior to the date of this Resolution; and it is further

RESOLVED, in the event the full costs of the project exceeds the amount appropriated above the APDC shall convene as soon as possible to appropriate said excess amount immediately upon notification by the staff thereof; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

Signed: _____
(Assistant) Secretary

Date of Authorization: June 26, 2024

Prepared by:
Patrick K. Jordan, Esq.