



**ALBANY PORT DISTRICT COMMISSION
MEETING**

February 24, 2020
12:30 P.M.

AGENDA

- 1) **Approval of Minutes from the January 22, 2020 Commission meeting (Attached)**
- 2) **CEO Update**
- 3) **Real Property/Development Update**
- 4) **Engineering and Technical Services contract (Attached Resolution 6-2020)**
- 5) **Additional funding for Environmental, Planning and Engineering Services (Attached Resolution 7-2020)**
- 6) **Annual Multi-Year Contract Review (Attached Resolution 8-2020)**
- 7) **Government Relations and Representation contract (Attached Resolution 9-2020)**
- 8) **Maritime Business Assessment
- Tonnage/Longshore Labor Report (Attached)**
- 9) **Other Business**
- 10) **Enter Executive Session¹**
- 11) **Exit Executive Session**
- 12) **Next Meeting: March 25, 2020**

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**

January 22, 2020

Chairperson Steffens called the meeting to order. In attendance were Commissioners Coffey and Cinquanti. Also present were CEO Hendrick, General Counsel Jordan, Economic Development and Procurement Director Daly, CFO Stuto, Director of Security Williams, Deputy Director of Security Teller, and Bill Ring (FMT).

Chairperson Steffens opened the meeting and introduced the minutes of the December 30, 2019 Commission meeting. No changes were made to the minutes. Chairperson Steffens called for a motion to approve the minutes of said meeting. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

FINANCIAL UPDATE

CFO Stuto reported that dockage and wharfage outpaced the predicted figures due to an increase in vessels calls over what was anticipated. The Port finance team will continue to meet with Manager Vasil and FMT to monitor business outlooks for forecasting purposes. CFO Stuto confirmed that it was not necessary to make any changes to the 2020 budget at this time.

CEO UPDATE

CEO Hendrick updated the Board on the following:

- National Grid finished its project moving poles and wires on Church and Boats streets that will facilitate the future logistical movements of wind blades.
- The quarterly tenant coffee was on January 16th. Issues concerning the CSX crossing at S. Port Road were addressed. The DEC discussed stormwater runoff and permits with the tenants.

- On January 22nd CEO Hendrick attended the AAPA Executive Committee meeting and Shifting Trades seminar in Tampa. He met on site with Ardent Mills’ executives at their Tampa facility to view their offloading capabilities and discuss the future buildout of the Ardent offloading system at the Port of Albany.

REAL PROPERTY/DEVELOPMENT UPDATE

Director Daly stated that the SGEIS for the Port expansion project in Bethlehem has been completed. The public hearing to discuss the project and receive public comments took place on January 6th at the Albany Housing Authority. The public comment period closed on January 17th and the Planning Board received all letters submitted and comments made during the hearing. The next step is for final submission of the FGEIS documents and Planning Board action on that item. Director Daly attended a Bethlehem Chamber of Commerce event where the Chamber, Town Supervisor, County Executive and Assemblywoman Fahy presented. The Port’s expansion project was discussed with positive remarks related to the economic development potential. Supervisor VanLuven also highlighted the project during his State of the Town address.

GOVERNANCE COMMITTEE UPDATE

Chairperson Steffen stated that the Governance Committee met prior to the regular meeting. The Committee had its annual review of APDC policies. Counsel Jordan is working to update the personnel handbook. Counsel Jordan was instructed to look into the APDC’s workforce violence policy and to make any necessary changes to the sexual harassment policy. Conflict of interest forms were received by Counsel. Counsel Jordan discussed the yearly Board evaluations mandated by the Public Authorities Law, observing that the Board noted improvements from the previous year’s evaluations. Commissioner Coffey directed CFO Stuto to review and report on the APDC’s budget goals and objectives document quarterly.

ELECTION OF 2020 APDC OFFICERS

Chairperson Steffens introduced Resolution 1-2020 regarding the election of the APDC Officers for 2020. Chairperson Steffens noted that the Governance Committee met prior to the Board meeting and recommended that the slate of officers remain the same as 2019 with the addition of Commissioner Cinquanti as Assistant Secretary. Chairperson Steffens called for a motion to approve Resolution 1-2020. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

ANNUAL MULTI-YEAR CONTRACTS REVIEW

The review of multi-year contracts was tabled until the February Board meeting. Counsel Jordan and CFO Stuto will revise the list accordingly.

A VILLAGE SPONSORSHIP REQUEST

Chairwoman Steffens introduced Resolution 3-2020 relating to A Village's request for sponsorship of the 2020 Celebration of Progress. Staff has determined that this request complies with the Port's Sponsorship Policy. Chairwoman Steffens called for a motion to approve the sponsorship. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

SPONSORSHIP REQUEST FOR THE HUDSON RIVER TRADING GAME & NAVIGATING THE SEAS PROGRAM

Chairwoman Steffens introduced Resolution 4-2020 relating to Historic Cherry Hill's request for sponsorship of the Hudson River Trading Game & Navigating the Seas program. Staff has determined that this request complies with the Port's Sponsorship Policy. Chairwoman Steffens called for a motion to approve the sponsorship. A motion was made by Commissioner Cinquanti, seconded by Commissioner Coffey and passed unanimously.

801 SMITH BOULEVARD

Chairwoman Steffens introduced Resolution 5-2020 relating to the demolition of the foundation at 801 Smith Blvd. The structure at 801 Smith Blvd. was demolished during November and December 2019. In order to improve the traffic travel path through the Port and to create more space available for Federal Marine Terminal's use the foundation needs to be demolished and removed. Staff received three quotes from qualified companies in response to an Invitation for Bids. KEK Excavating was the lowest qualified bidder, in addition to being a Woman-owned Business Enterprise. Chairwoman Steffens called for a motion to award the contract to KEK at a cost not to exceed \$47,000. A motion was made by Commissioner Cinquanti, seconded by Commissioner Coffey and passed unanimously.

MARITIME BUSINESS ASSESSMENT

Chairwoman Steffens noted that the Board had received Manager Vasil's monthly Ships, Barges and Tonnage Report and Longshore Hours. CEO Hendrick reported that the longshore hours have been lower due to a reduced amount of heavy lift projects. The Port is starting out strong in 2020 with multiple ships calling in the first quarter, with five vessels in January alone.

Bill Ring reported that FMT signed a five year agreement with woodpulp producer SCA to begin shipping 55,000 tons of woodpulp annually to the Port. FMT has also secured agreements for 40,000 additional tons of woodpulp from existing Port suppliers. A discussion followed related to the diversification of maritime cargo.

OTHER BUSINESS

No other business was discussed.

PUBLIC COMMENT

No public comments were made.

EXECUTIVE SESSION

Chairperson Steffens called for a motion to enter into Executive Session for a discussion regarding the proposed acquisition, sale or lease of real property. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously. No action was taken in Executive Session.

NEXT MEETING

Chairperson Steffens informed all those in attendance that the **next meeting of the APDC Board of Commissioners will be held on Monday, February 24, 2020 at 12:30pm.**

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

**RESOLUTION 6-2020
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 (the “State”) established pursuant to Chapter 192 of the Laws of 1925, as amended (the “Act”); 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 Port invested in a growth strategy and market analysis performed by Louis Berger and Nathan Associates between 2016 and 2018, leading to a recommendation of expansion if the Port District; and

WHEREAS, as recommended by the Louis Berger and Nathan Associates team, in 2018 the APDC purchased an 80-acre piece of land in the Town of Bethlehem in order to expand the Port District and increase future business potential; and

WHEREAS, prior to the purchase of the property the Port conducted a lengthy due diligence process performed by Bergmann Engineering, Dente Engineering, Louis Berger and Nathan Associates; and

WHEREAS, the APDC is currently nearing completion of the State Environmental Quality Review Act (SEQRA) process and generic permitting approval phase of the acquired property to proceed to the site plan process with the Town of Bethlehem Planning Board; and

WHEREAS, concurrently with the actions before the Planning Board the APDC leadership team and McFarland-Johnson have been meeting with businesses interested in locating on and developing the site as soon as the site plan process has concluded, in addition to the leadership team pursuing federal and state funding to support the anticipated infrastructure costs; and

WHEREAS, Governor Cuomo and the New York State Energy Research and Development Authority announced the state’s offshore wind initiative and a procurement opportunity and aggressive schedule for port operators and market participants who are interested in upgrading and investing in port infrastructure to support the offshore wind industry and local economic development as part of the Green New Deal goal to develop 9,000 megawatts of offshore wind by 2035; and

WHEREAS, the expansion site will require heavy capacity wharf/quay facilities to serve offshore wind manufacturers and other offshore wind supply chain activities and in order to maximize its competitive position to attract offshore wind companies and investment that require aggressive development timeframes the Port is seeking to prudently proceed with pre-development activities to design and develop the expansion site to achieve results within the aggressive timeframe; and

WHEREAS, in order to achieve the schedule necessary for potential offshore wind tenant projects that may provide maximum economic development benefits the APDC requires a qualified engineering firm to provide highly specified design, engineering and technical input for the heavy capacity wharf/quay at the expansion site to begin as soon as early 2020; and

WHEREAS, on October 31, 2019, the APDC issued a Request for Qualifications (“RFQ”) for Engineering Services and Technical Services related to Initial Design for Heavy Lift Quay/Wharf for Port Expansion project seeking expertise in the offshore wind industry; and

WHEREAS, in response to the RFQ, eight responses were received and subsequently reviewed by a committee that included a Commissioner, APDC management and the APDC’s operations team (“Review Team”) to evaluate the teams, shortlist and interview four teams, of which two were invited to provide proposals including scope, team, approach, schedule and fee and the Review Team made final evaluation and recommendation to the Board of Commissioners (“Board”); and

WHEREAS, based on the responses and evaluation process, the Review Team determined Moffatt & Nichol to be a qualified and responsible bidder and recommends that the Board award the contract for Engineering and Technical Services to Moffatt & Nichol, at a cost not to exceed \$365,598.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to award the contract for Engineering and Technical Services to Moffatt & Nichol at a cost not to exceed \$365,598.

Signed: _____
(Assistant) Secretary

Date of Authorization: February 24, 2020

Prepared by:
Patrick K. Jordan, Esq.

**RESOLUTION 7-2020
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 (the “State”) established pursuant to Chapter 192 of the Laws of 1925, as amended (the “Act”); 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 Port invested in a growth strategy and market analysis performed by Louis Berger and Nathan Associates between 2016 and 2018, leading to a recommendation of expansion of the Port District; and

WHEREAS, as recommended by the Louis Berger and Nathan Associates team, in 2018 the APDC purchased an 80-acre piece of land in the Town of Bethlehem in order to expand the Port District and increase future business potential; and

WHEREAS, prior to the purchase of the property the Port conducted a lengthy due diligence process performed by Bergmann Engineering, Dente Engineering, Louis Berger and Nathan Associates; and

WHEREAS, the APDC contracted with McFarland-Johnson, Inc. for environmental, planning and engineering services in order to begin the permitting phase of the acquired property and to proceed through the site plan process with the Town of Bethlehem Planning Board and the State Environmental Quality Review Act (the “Expansion Project”); and

WHEREAS, McFarland-Johnson has successfully completed the scoping document, all necessary environmental, infrastructure, traffic, economic and fiscal impact assessment work and studies to satisfy SEQRA, and delivered a complete and accepted Generic Environmental Impact Statement; and

WHEREAS, due to unforeseen and unexpected developments with the process, including additional extensive public comment, additional traffic studies, and a the production of a Supplemental GEIS as part of an environmental justice component, and documentation and performance of the SEQR Findings Statement work, the McFarland-Johnson team has and will have to provide additional services and dedicate additional time to complete the process and secure Town Planning Board approval; and

WHEREAS, the APDC agreed to a Supplemental GEIS process, review and public comment period in order to seek additional input from the South End environmental justice community and determined it necessary to dedicate additional resources to complete the process; and

WHEREAS, in order to achieve the expeditious schedule and necessary steps to attain Town Planning Board approval it is necessary that the APDC obtain additional services as outlined in the requested proposal.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the performance of additional services by the McFarland-Johnson, Inc. to secure SEQRA and Bethlehem Town Planning Board approval at a cost not to exceed \$ 97,500.

Signed: _____
(Assistant) Secretary

Date of Authorization: February 24, 2020

Prepared by:
Patrick K. Jordan, Esq.

**RESOLUTION 8-2020
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 (the “State”) established pursuant to Chapter 192 of the Laws of 1925, as amended (the “Act”); 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 2879 of NYS Public Authorities Law requires procurement policies of state and local authorities to require annual board review of any contract involving services to be rendered over a period in excess of one year (“Contracts”); and

WHEREAS, the Contracts requiring review are enumerated on Schedule A, which is attached to this Resolution;

NOW THEREFORE BE IT RESOLVED, that the APDC has reviewed the Contracts enumerated on Schedule A.

Signed: _____
(Assistant) Secretary

Date of Authorization: February 24, 2020

Prepared by:
Patrick K. Jordan, Esq.

SCHEDULE A

APDC ANNUAL SERVICE CONTRACT REVIEW

Vendor Name	Service	Contract start date	Renewal Term	Contract Expiration Date	Annual Contract Amount	Notes
UHY LLP	Professional Services- Auditing	12/30/2014	5 one year renewals	10/8/2020	\$37,412.50	Agreement covers audits for APDC financial years of 2015,16,18,18 and 19. An RFQ for auditing services will be prepared during 2020 for the audits of years 2020-24.
Intervid, Inc.	Professional Services Security	2/1/2019	5 one year renewals	1/31/2024	\$96,000	

**RESOLUTION 9-2020
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 (the “State”) established pursuant to Chapter 192 of the Laws of 1925, as amended (the “Act”); 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 utilizes services for Government Relations and Representation to assist with communications, strategic development and grant or funding development from local, state and federal agencies; and

WHEREAS, the current contract for Government Relations and Representation expired on February 10, 2020; and

WHEREAS, under the APDC procurement requirements, professional services vendors must be selected based on variety of reasons including accountability, responsibility, skill, judgement and continuity of service; and

WHEREAS, Ostroff Associates is the firm that the APDC is currently utilizing regarding Government Relations and Representation and the firm has demonstrated a high level of skill and effectiveness in their ability to provide an excellent work product to the APDC by advising the APDC on legislative and governmental strategy, acting as a liaison on specific issues and monitoring legislation on issues that impact the APDC; and

WHEREAS, in order for the APDC to maintain a continuity of service and to maintain the successful representation of the APDC on current projects and Port-related issues, it is recommended that the APDC award a one year contract to Ostroff Associates for Government Relations and Representation.

NOW THEREFORE BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to retain Ostroff Associates to provide Government Relations and Representation for a one (1) year term at a cost not to exceed \$60,000.

Signed: _____
Secretary

Date of Authorization: February 24, 2020
Prepared by: Patrick K. Jordan, Esq.

Ships & Barges Report

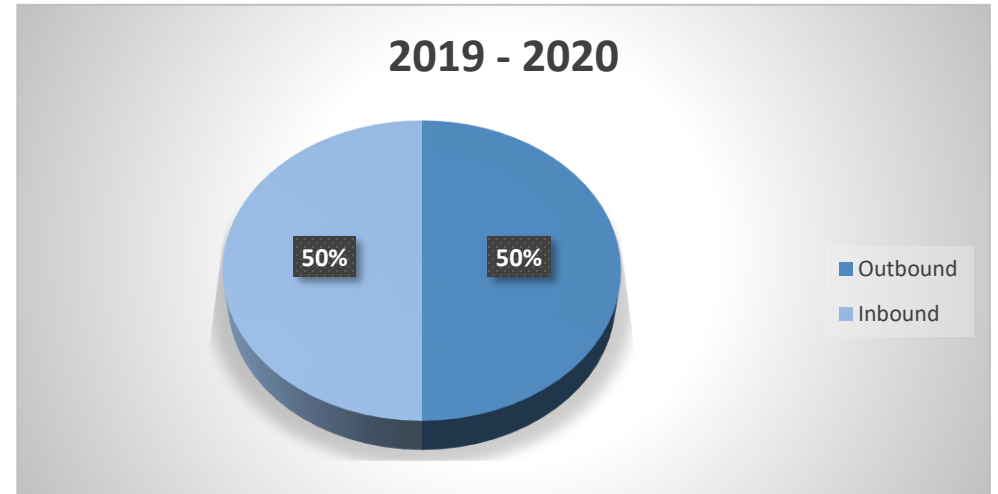
January-2020

Outbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	1	1	100%
Barges-Heavy Lift/Project	0	0	0	-
Scrap Iron	0	1	1	100%
Steel	0	0	0	-
Totals	0	2	2	100%

Inbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	1	1	100%
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	1	1	100%
Totals	0	2	2	100%

Year to Date

Total	2019	2020	Change	Percentage
Heavy Lift/Project	0	2	2	100%
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Scrap Iron	0	1	1	100%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	1	1	100%
Totals	0	4	4	100%



Ships & Barges

	2019	2020	Change	Percentage
Outbound	0	2	2	100%
Inbound	0	2	2	100%
Totals	0	4	4	-100%

Lay Berth

	2019	2020	Change	Percentage
2019	0	0	0	0%
2020	0	0	0	0%
Change	0	0	0	0%
%	0%	0%	0%	0%

January-2020

Tonnage Report - Monthly

Outbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	485	485	100%
Barges-Heavy Lift/Project	0	28878	28878	100%
Scrap Iron	0	0	0	-
Steel	0	0	0	-
Totals	0	29363	29363	100%

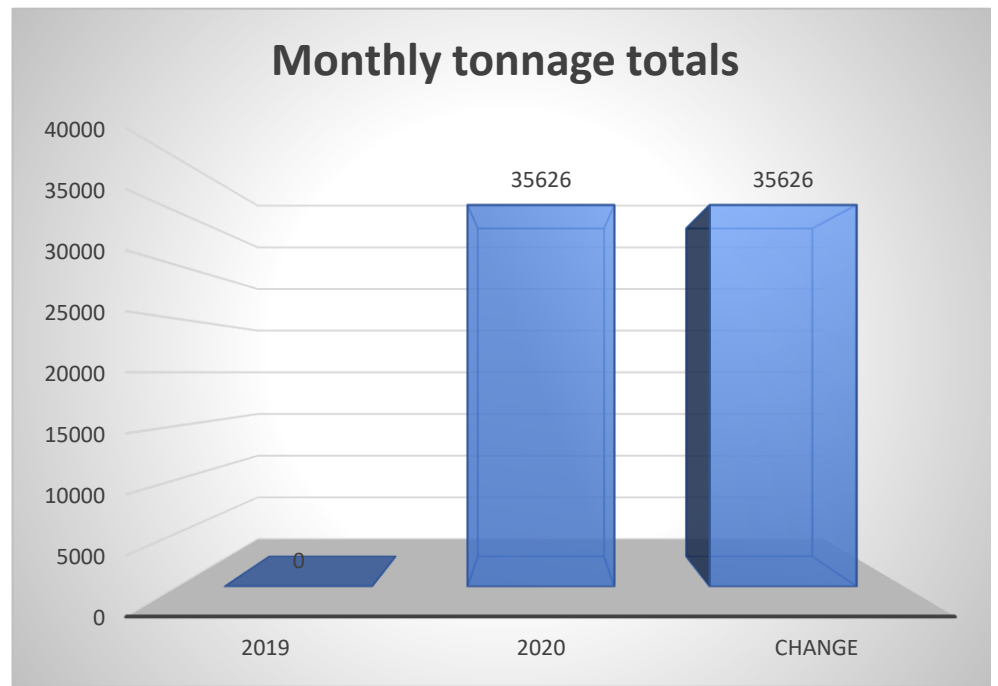
Inbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	728	728	100%
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	5535	5535	100%
Totals	0	6263	6263	100%

January - 2019-2020 Totals

Total	2019	2020	Change	Percentage
Heavy Lift/Project	0	1213	1213	100%
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Scrap Iron	0	28878	28878	100%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	5535	5535	100%
Totals	0	35626	35626	100%

Tonnage Report Monthly

Total	2019	2020	Change	Percentage
Outbound	0	29363	29363	100%
Inbound	0	6263	6263	100%
Totals	0	35626	35626	100%



January-2020

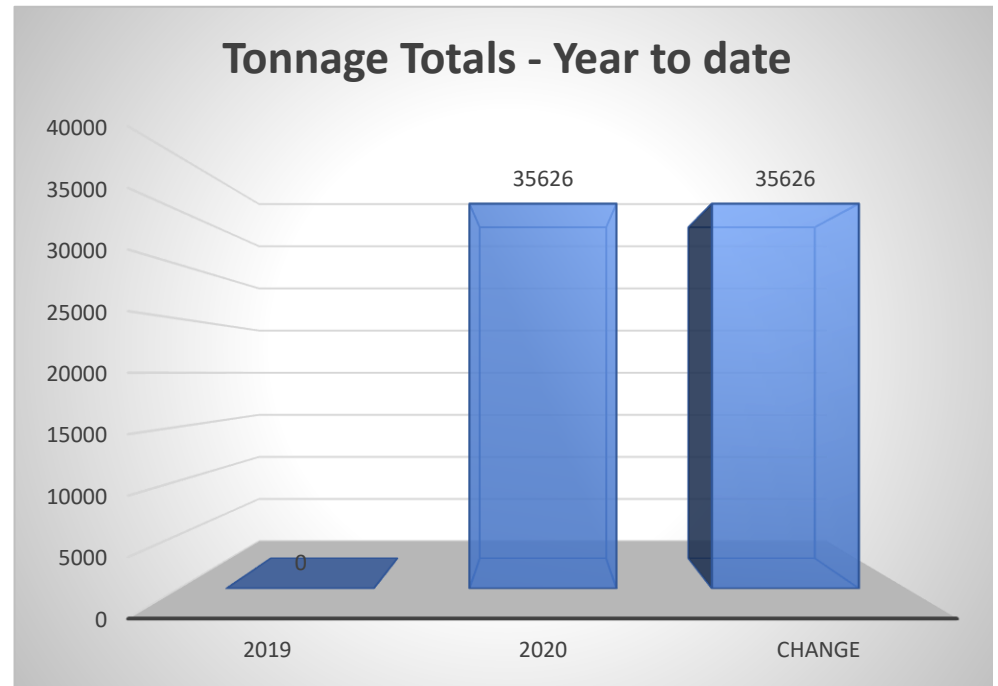
Tonnage Report - Year to Date

Outbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	485	485	100%
Barges-Heavy Lift/Project	0	0	0	-
Scrap Iron	0	28878	28878	100%
Steel	0	0	0	-
Totals	0	29363	29363	100%

Inbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	728	728	100%
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	5535	5535	100%
Totals	0	6263	6263	100%

Year to Date

Total	2019	2020	Change	Percentage
Heavy Lift/Project	0	1213	1213	100%
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Scrap Iron	0	28878	28878	100%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	5535	5535	100%
Totals	0	35626	35626	100%



Tonnage Report Year to Date

Total	2019	2020	Change	Percentage
Outbound	0	29363	29363	100%
Inbound	0	6263	6263	100%
Totals	0	35626	35626	100%

LONGSHORE HOURS

2019-2020 Comparison

	2019	2020
January	1253.0	2709.5
February	3589.0	
March	2929.5	
April	2541.0	
May	3749.0	
June	3470.0	
July	2048.5	
August	1205.0	
September	2771.5	
October	2163.0	
November	1696.0	
December	2850.5	
Total:	30066.0	2709.5

2016-2017-2018-2019-2020 Comparison

	2016	2017	2018	2019	2020
January	2130.5	5265.0	1431.0	1253.0	2709.5
February	4010.0	4591.0	2739.0	3589.0	
March	3663.0	6166.0	2237.5	2729.5	
April	2509.5	9438.0	3757.0	2541.0	
May	2470.0	6549.5	12123.5	3749.0	
June	2975.0	6939.0	7848.5	3470.0	
July	2929.0	5437.0	3960.5	2048.5	
August	3829.5	2992.0	6113.5	1205.0	
September	4309.0	3604.5	4905.0	2771.5	
October	5153.5	2738.0	5663.0	2163.0	
November	4146.0	6133.5	2926.5	1696.0	
December	6474.0	2133.5	4480.0	2850.5	
Total:	44599.0	61987.0	58185.0	30066.0	2709.5

