



ALBANY PORT DISTRICT COMMISSION MEETING

April 22, 2020
12:30 P.M.

Pursuant to the Governor's Executive Order No. 202.1, issued March 12, 2020, Article 7 of the Public Officers Law related to public body meetings is suspended and the April 22, 2020 APDC Board of Commissioners meeting will be held remotely. Commissioners and APDC staff are authorized to attend the meeting by conference call. Specified APDC staff will meet in person to facilitate the meeting. In accordance with the Executive Order the meeting will be available for public viewing via on-line live video transmission and recorded, as public in-person access to the meeting is not permitted.

AGENDA

- 1) **Approval of Minutes from the March 25, 2020 Commission meeting (Attached)**
- (Chairperson intro and discussion of minutes by Board)
- 2) **Finance Committee/Financial Update (by Commissioner Coffey and CFO Stuto)**
- 3) **CEO Update (by CEO Hendrick)**
- 4) **Real Property/Development Update (by Director Daly)**
- 5) **100 South Port Road (Resolution 10-2020) (by Counsel Jordan)**
- 6) **Quarterly Cybersecurity Update (by Counsel Jordan)**
- 7) **Maritime Business Assessment (by Manager Vasil)**
- Tonnage/Longshore Labor Report (Attached)
- 8) **Other Business (by Chairperson)**
- 9) **Enter Executive Session¹**

10) Exit Executive Session

11) Next Meeting: May 27, 2020 (by Chairperson)

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

March 25, 2020

Due to the pandemic the March 25, 2020 Board of Commissioners meeting was held remotely pursuant to the Governor's Executive Order No. 202.1, issued March 12, 2020, which suspended Article 7 of the Public Officers Law related to public body meetings. Prior to the meeting being called to order General Counsel Jordan noted that the meeting was being recorded and transmitted via on-line video. For the recording he stated that in attendance were Chairperson Steffens and Commissioners Cinquanti, Coffey and Tagliento. Also present were CEO Hendrick, General Counsel Jordan, Economic Development and Procurement Director Daly, CFO Stuto, Maritime Business Development Manager Vasil and Director of Security Williams.

Chairperson Steffens called the meeting to order and introduced the minutes of the February 24, 2020 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.

AUDIT COMMITTEE / FINANCIAL UPDATE

Chairperson Steffens noted that the Finance Committee met prior to the full Board meeting and received a report from the Port's auditors at UHY. UHY reported no findings for their full and single audits and noted that staff is doing an excellent job. The Committee conducted its annual review of the Committee Charter and did not make any changes upon consultation with staff. The Board discussed the audit report further and Chairperson Steffens called for a motion to approve the audit report. A motion was made by Commissioner Cinquanti, seconded by Commissioner Tagliento and passed unanimously.

CFO Stuto discussed the aspects of the PARIS reporting that she would be completing. She welcomed commissioners to review the document with her should they have specific questions. The PARIS report would be certified to the Authorities Budget Office on March 30th.

CEO UPDATE

CEO Hendrick updated the Board on the following:

- Welcome back to Commissioner Tagliento. The Port is happy that he is healthy.
- Coronavirus and the steps the Port is taking:
 - o The Port is fully operational, as the APDC and its tenants are considered essential businesses.
 - o Most of the Port's executive staff are working remotely.
 - o Security, maintenance and essential personnel are working under social distancing guidelines.
 - o Essential staff is rotating days between the office and home.
 - o There is no point-to-point contact between ship crews and security or FMT.
- Having bi-weekly meetings with Coast Guard and U.S. Customs to ensure compliance with federal and state regulations.
- A no travel policy for staff has been instituted.
- The AAPA and North Atlantic Ports Association have cancelled all meetings and conferences during the pandemic.
- The NYS Pilot Board is currently meeting remotely.
- The Administrative Assistant position was posted on Zip Recruiter and the Port's website for 7 weeks. Dozens of resumes were received. The interview team narrowed down the group of candidates to seven and four candidates were interviewed. The interview team decided that Ann DiLillo was the most qualified person for the position and she has accepted.

FMT OPERATIONS EXPANSION SITE

CEO Hendrick explained that during site preparation of the area which FMT will expand its terminal operations an underground fuel tank was discovered. NYSDEC Regional Spill Response Team was immediately notified and inspected the site the same day. DEC ordered the immediate remediation of the tank and stopped any work in the terminal in that area. CEO Hendrick determined that this posed a safety risk and the tank removal would need to be handled as an emergency. Clean Harbors provided the Port with a quote to remediate the tank. The Port will need to pay for the excavation and removal of the tank as well. Commissioner Coffey requested that the staff develop an RFP for this type of service and have contractors on a pre-authorized list. Chairperson Steffens called for a motion acknowledging that an unsafe condition existed and authorizing the CEO to proceed with the clean-up and removal of the tank as an emergency procurement and to contract with Clean Harbors and KEK Excavating to facilitate the clean-up and removal at a cost not to exceed \$28,000. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

REAL PROPERTY/DEVELOPMENT UPDATE

Director Daly stated that the Bethlehem Planning Board continues to review the SEQRA documents regarding the expansion project. Staff met in person with Bethlehem planning staff and the town designated engineer to discuss specific amendments to the Environmental Impact Statement. The Planning Board met on March 3rd and planning staff updated the Board as to the project's status. Mayor Sheehan sent a letter to the Planning Board stating that the City is in favor of the project, with proposed mitigation measures rerouting potential project related truck traffic away from South Pearl Street, and recognized the positive impacts the project will have on the local and regional economy. Director Daly stated that Port staff continues to have regular conversation with state and federal agencies regarding funding for the expansion project.

Director Daly reported that five firms responded to the RFQ for project financing of the expansion project and that six firms responded to the RFQ for bond counsel. The next level of engineering design work is proceeding regarding bridge and roadway infrastructure for the site.

Chairperson Steffens asked if the government agencies that the Port is dealing with have changed their stance on moving forward aggressively with offshore wind projects due to the financial impact of the pandemic. Director Daly stated that both the state and federal government remain supportive and are proceeding forward positively.

MARITIME BUSINESS ASSESSMENT

Manager Vasil provided an overview of the Ships, Barges and Tonnage Report and Longshore Hours Report for February 2020. There was an increase in vessel traffic from this time in 2019 to 2020. There was also an increase in heavy lift/project cargo moves and an increase in labor hours. Manager Vasil is in logistical discussions with a project cargo carrier for a move that would utilize the port and the canal system to the Great Lakes. He is also working to assist the domestic movement of large cylinders via rail from a Minnesota manufacturer. The Port has seen an increase in vessel calls for scrap exporting, but scrap prices have started to decline. Woodpulp vessel calls and tonnage have increased this quarter. Two pulp carrier projects regarding craft liner boards are being pursued. We are anticipating multiple pulp ship calls in March and April. From a supply chain standpoint, the ports and plants in China are back to regular operations.

OTHER BUSINESS

There was no other business.

EXECUTIVE SESSION

There was no 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 Wednesday, April 22, 2020 at 12:30pm.** The Finance Committee will meet prior to that at 12:00noon.

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

**RESOLUTION 10-2020
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 APDC desires to enter into a lease agreement with Wm. Biers, Inc. for the use and occupancy of certain parcels of land totaling 6.15 acres located in the Port District (the “Parcel”); and

WHEREAS, the Parcel carries an appraised value of \$12,425 annual rent per acre; and

WHEREAS, Wm. Biers, Inc. has proposed leasing the Parcel for 10 years with two 10-year extension options to continue its current business operations located in the Port District, and to continue to provide a desired service to the local area.

WHEREAS, the lease rate shall be increased annually based on increases in the Consumer Price Index.

NOW, THEREFORE, BE IT RESOLVED, that the APDC concludes that its disposition of the Parcel to Wm. Biers, Inc. is in the best interests of the APDC and authorizes the Chief Executive Officer to execute any documents necessary, including the filing of a statutory 90-day statement, to affect the disposition of the Parcel for the terms described above at a lease rate of not less than the appraised value of the Parcel.

Signed: _____
(Assistant) Secretary

Date of Authorization: April 22, 2020
Prepared by: Patrick K. Jordan, Esq.

To: APDC Commissioners

From: Patrick K. Jordan, General Counsel

Date: April 22, 2020

Re: Lease of 100 S. Port Road

The proposed lease area is for portions of four parcels that total 6.15 acres. The majority of the leasehold is on either side of S. Port Road at the corner of Normanskill Street at the southern entrance into the Port. Wm. Biers owns the property and building that is adjacent to one of the parcels on S. Port Road. The lease includes a small portion behind Mohawk Paper, adjacent to the rail tracks. That parcel is virtually landlocked and used for outdoor storage.

The proposed lease that was negotiated is for \$12,700 per acres (\$78,000 per year). The land was recently appraised at \$12,425 per acre (\$76,400).

The proposal is for a 10 year lease with two 10 year extension options. There will be an annual increase based on the CPI.

The Port has leased the proposed parcels to Wm. Biers for 20 years. They are currently in good standing with the Port regarding on-time lease payments and lease requirements for the business.

Ships & Barges Report

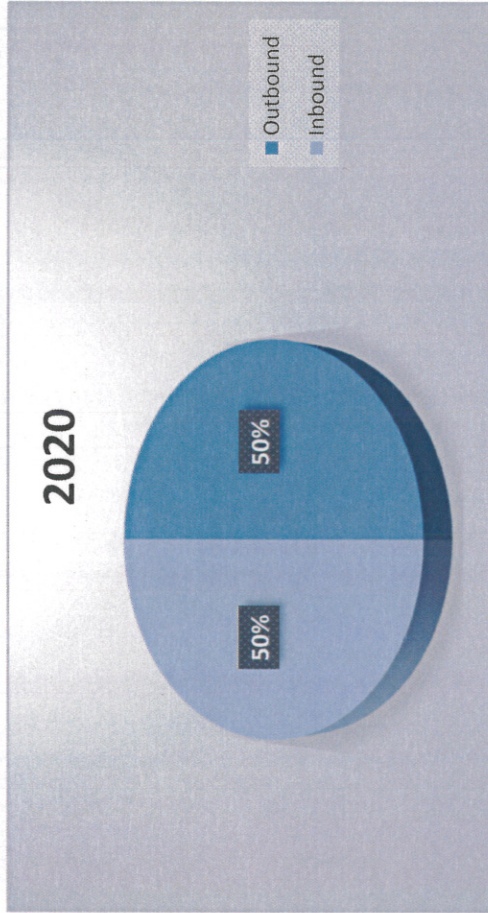
March-2020

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

Inbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	0	0	-
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	1	1	0	0%
Totals	1	1	0	0%

Year to Date

Total	2019	2020	Change	Percentage
Heavy Lift/Project	2	2	0	0%
Barges-Heavy Lift/Project	0	3	3	100%
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Scrap Iron	1	2	1	50%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	2	4	2	100%
Totals	5	11	6	120%



Ships & Barges

	2019	2020	Change	Percentage
Outbound	3	6	3	100%
Inbound	2	5	3	150%
Totals	5	11	6	120%

Lay Berth

	2019	2020	Change	Percentage
	2	1	-1	-50%
Totals	2	1	-1	-50%

March-2020

Tonnage Report - Monthly

Outbound	2019	2020	Change	Percentage
Heavy Lift/Project	285	0	-285	-100%
Barges-Heavy Lift/Project	0	0	0	-
Scrap Iron	0	28660	28660	100%
Steel	0			
Totals	285	28660	28375	9956%

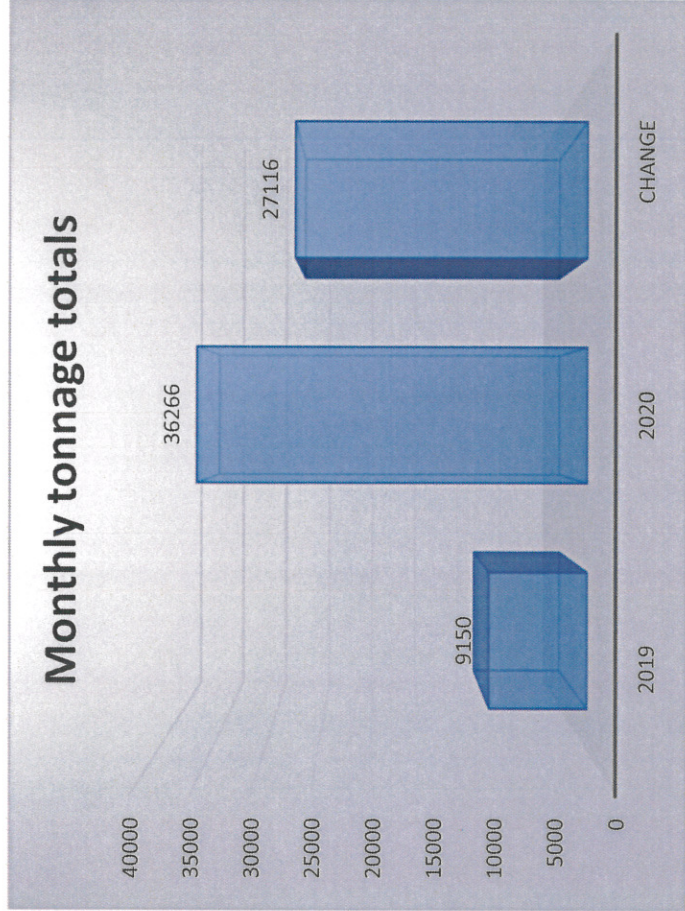
March - 2019-2020 Totals

Total	2019	2020	Change	Percentage
Heavy Lift/Project	285	0	-285	-100%
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Scrap Iron	0	28660	28660	100%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	8865	7606	-1259	-14%
Totals	9150	36266	27116	296%

Tonnage Report Monthly

Total	2019	2020	Change	Percentage
Outbound	285	28660	28375	9956%
Inbound	8865	7606	-1259	-14%
Totals	9150	36266	27116	296%

Inbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	0	0	-
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	8865	7606	-1259	-14%
Totals	8865	7606	-1259	-14%



March-2020 Tonnage Report - Year to Date

Outbound	2019	2020	Change	Percentage
Heavy Lift/Project	570	485	-85	-15%
Barges-Heavy Lift/Project	0	884	884	100%
Scrap Iron	26347	55538	29191	111%
Steel	0	0	0	-
Totals	26917	56907	29990	111%

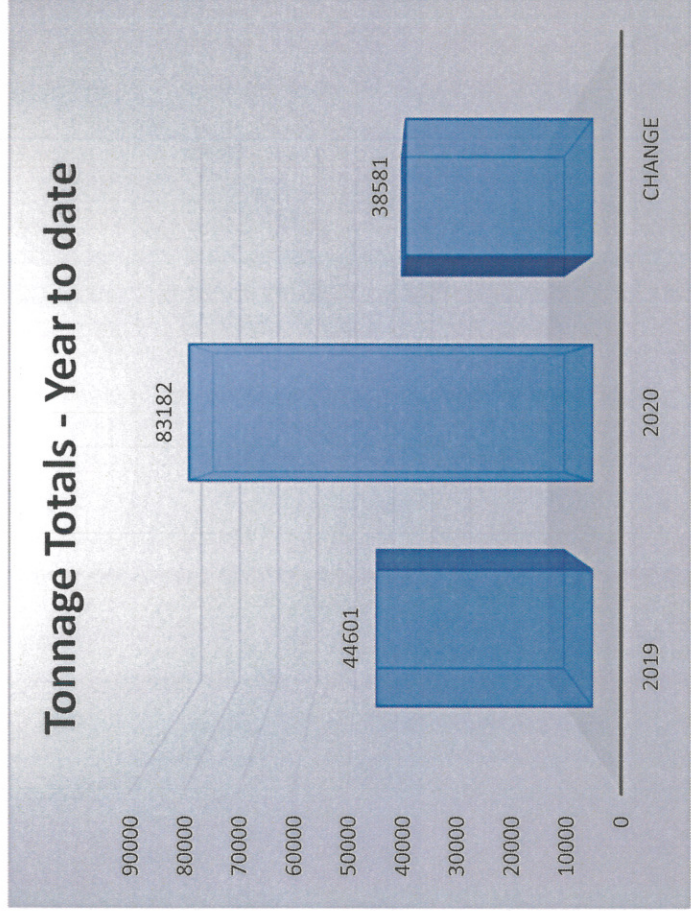
Year to Date

Total	2019	2020	Change	Percentage
Heavy Lift/Project	570	1213	643	113%
Barges-Heavy Lift/Project	0	884	884	100%
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Scrap Iron	26347	55538	29191	111%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	17684	25547	7863	44%
Totals	44601	83182	38581	87%

Tonnage Report Year to Date

Total	2019	2020	Change	Percentage
Outbound	26917	56907	29990	111%
Inbound	17684	26275	8591	49%
Totals	44601	83182	38581	87%

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	17684	25547	7863	44%
Totals	17684	26275	8591	49%



MARCH 2020

LONGSHORE HOURS

2019-2020 Comparison

	2019	2020
January	1253.0	2709.5
February	3589.0	3317.5
March	2729.0	3214.0
April		
May		
June		
July		
August		
September		
October		
November		
December		
Total:	7571.0	9241.0

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	3317.5
March	3663.0	6166.0	2237.5	2729.0	3214.0
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	30065.5	9241.0

