



ALBANY PORT DISTRICT COMMISSION MEETING

September 23, 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 September 23, 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 August 26, 2020 Commission meeting (Attached)**
- (Chairperson intro and discussion of minutes by Board)
- 2) **Public Comment**
- 3) **Financial Update (by CFO Stuto)**
- 4) **CEO Update (by CEO Hendrick)**
- 5) **Real Property/Development Update (by Dir. Daly)**
- 6) **Architecture and Engineering Services (Attached Resolution 22-2020) (by Cnsl. Jordan)**
- 7) **Government Relations and Representation Contract (Attached Resolution 23-2020)**
(By Dir. Daly)
- 8) **Maritime Business Assessment (by Mgr. Vasil)**
- Tonnage/Longshore Labor Report (Attached)

9) Other Business (by Chairperson)

10) Enter Executive Session¹

11) Exit Executive Session

12) Next Meeting: October 28, 2020

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

August 26, 2020

Due to the pandemic the August 26, 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. Chairperson Steffens called the meeting to order. In attendance were Commissioners Cinquanti and Coffey. Also present were CEO Hendrick, General Counsel Jordan, Economic Development and Procurement Director Daly, CFO Stuto, Maritime Business Development Manager Vasil, Director of Security Williams and Administrative Assistant DiLillo. Also joining the meeting was Richard Farrell from the Maritime Ministry.

Chairperson Steffens introduced the minutes of the July 22, 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.

ALBANY MARITIME MINISTRY

Mr. Richard Farrell of the Maritime Ministry joined the meeting to introduce himself as the new Port Ministry Coordinator. He is also a member of the Ignation Volunteer Corps. Mr. Farrell gave the Board a brief overview of his duties, the duties of the volunteers and their interactions with the crew and staff of the incoming ships at the Port of Albany. The Maritime Ministry provides various services to the ship crews, including transportation and shopping services, as well as spiritual guidance. He noted that he is working with Office Manager, Cheryl Stock to assist him in identifying when a ship will be docking, the length of time the ship will be in and the nationality of the crew, allowing him to post this updated information immediately

to the Maritime Ministries' website to keep volunteers informed. Chairperson Steffens noted the support the Board and Port staff have previously given with gift donations for the Christmas at Sea program. She also stated that the Board continues to encourage and support the Maritime Ministry and their mission.

FINANCIAL UPDATE

CFO Stuto reviewed for the Board the actuals through July 31, 2020 and the projected forecast through the end of the year. She noted that there were not many changes from the June report. She reported a decrease of approximately \$80,000 in projected operating revenue, which relates to updated maritime predictions and reflects the wharfage in both the heavy lift and wood pulp categories. Operating expenses are projected to come in at \$52,000 lower than previously forecasted, primarily due to a decrease in consultant expenses. Rental income, dockage fees and other revenue are projected to be consistent with June's numbers. CFO Stuto also reported that other operating revenues are consistent with last month. She noted that over all the change in net position is steady, having a variance of \$117,000, due to revenue and expense fluctuations along with a slight decrease in projected grant revenue. Change in net position for the year is just under \$3 million as previously projected, primarily due to the change in capital grant receivables.

Chairperson Steffens noted her appreciation for being provided a financial monthly report.

CEO UPDATE

CEO Hendrick updated the Board on the following:

- Port staff continues to work with the City of Albany Summer Youth Development Program. At their latest meeting they were joined by two guest speakers, representatives from both the state and private development and manufacturing sector regarding future opportunities. CEO Hendricks noted that it was nice to see the students and staff engaged. He mentioned that the students asked a lot of valuable questions regarding offshore wind and the effects it has on them personally.
- CEO Hendrick noted that additional updates will be discussed in executive session.

REAL PROPERTY/DEVELOPMENT UPDATE

Director Daly noted that real property and development updates would be discussed in executive session.

MARITIME SECURITY FENCE AND GATE PURCHASE AND INSTALLATION

Chairperson Steffens presented Resolution 20-2020 regarding the Maritime Security Fence and Gate Purchase and Installation. Three responses were received from the RFP. After reviewing the proposals, the review team recommended that the Board award the contract to Siena Fence Co. Some discussion followed. Chairperson Steffens called for a motion to approve Resolution 20-2020, awarding the contract to Siena Fence Co. A motion was made by Commissioner Cinquanti, seconded by Commissioner Coffey and passed unanimously.

LEASE WITH EMPLOYERS ASSOCIATION, INC.

Counsel Jordan presented Resolution 21-2020 regarding the proposed lease with Albany Port Employers Association, Inc. (“AEPA”). The proposed lease area is for a single office located in the Administration Building. The lease term is for one year, with an option to renew for an additional year. The proposed lease is for an annual rate of \$5,753.65. Chairperson Steffens called for a motion to approve Resolution 21-2020. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

MARITIME BUSINESS ASSESSMENT

Manager Vasil provided an overview of the Ships, Barges and Tonnage Report and Longshore Hours Report for July 2020.

- Ships and Barges are up 28%, Tonnage is up 13%.
- Mid-September the Port will receive the first shipment from a new lumber customer, which will include 7 to 10 vessels.
- Longshore hours are at 19,700, mirroring last year.
- Implementing a winter port business development and marketing program. Due to the Great Lakes closed to traffic during Dec. – April, Manager Vasil is working with Bill Ring from FMT and the FMT Charlotte, NC marketing team to capture businesses that are moving to the Midwest and Canadian destinations. They will be identifying prospects, opportunities and products. Focusing primarily on steel products.

PUBLIC COMMENT

No public comments were made.

EXECUTIVE SESSION

Chairperson Steffens called for a motion to enter Executive Session for a discussion regarding the proposed, acquisition, sale or lease of real property and discussion of litigation matters. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

No action was taken during Executive Session. The regular meeting resumed.

OTHER BUSINESS

Chairperson Steffens called for a motion to approve the settlement agreement as proposed between Sims Metal Management and the APDC related to the mitigation of 700 Smith Blvd. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

NEXT MEETING

Chairperson Steffens informed all those in attendance that the **next meeting of the APDC Board of Commissioners will be held on Wednesday, September 23, 2020 immediately following the Finance Committee Meeting held at 12:00 p.m.**

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 22-2020
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 has embarked on a strategic infrastructure investment plan focusing on making marine terminal and roadway improvements and efficiencies; and

WHEREAS, the APDC was awarded funding under the United States Department of Transportation’s Transportation Investment Generating Economic Recovery (TIGER) program to assist in implementing the strategic infrastructure investment plan construction; and

WHEREAS, the APDC issued a Request for Proposals (“RFP”) for Architecture and Engineering Services related to Maritime Warehouse, Terminal and Roadway Improvements; and

WHEREAS, in response to the RFP, four responses were received and subsequently reviewed by a committee that included a Commissioner, APDC management and the APDC’s construction management firm (“Review Team”) to evaluate the bids and make a recommendation to the Board of Commissioners (“Board”); and

WHEREAS, the APDC has determined that it is in the best interest of the APDC to have separate architect and engineering firms provide the necessary services for the different segments of the project, with one firm providing services related to the Terminal and Roadway Improvements.

WHEREAS, based on the responses and evaluation process, the Review Team determined McFarland-Johnson, Inc. to be a qualified and responsible bidder and recommends that the Board award the contract for Architecture and Engineering Services related to the Terminal and Roadway Improvements portion of the project to McFarland-Johnson, Inc., at a cost not to exceed \$239,400.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to award the contract to McFarland-Johnson, Inc. for Architecture and Engineering Services related to the Terminal and Roadway Improvements at a cost not to exceed \$239,400.

Signed: _____
(Assistant) Secretary

Date of Authorization: September 23, 2019
Prepared by:
Patrick K. Jordan, Esq.

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WHEREAS, the APDC utilizes services for Government Relations and Representation to assist with communications, strategic development, support and grant or funding development from local, state and federal agencies; and

WHEREAS, APDC issued an RFP for Government Relations & Representation on July 23, 2020 requesting that respondents include approach and scope of services; experience of the bidder; organization, staffing and management information; and cost within their proposal and received four responses, and

WHEREAS, after evaluating the proposals, staff recommends awarding the contract to Mercury LLC based on the depth of expertise of the project lead personnel and experience with local, state and federal government entities, firm and staff qualifications, relevant client feedback and cost.

NOW, THEREFORE, BE IT RESOLVED, that the APDC awards the Government Relations & Representation contract to Mercury LLC for a three year term with two one year options at a cost not to exceed \$5,000 per month and authorizes the Chief Executive Officer to execute the necessary documents to facilitate the contract.

Signed: _____
Secretary

Date of Authorization: September 23, 2020
Prepared by: Patrick K. Jordan, Esq.

Ships & Barges Report

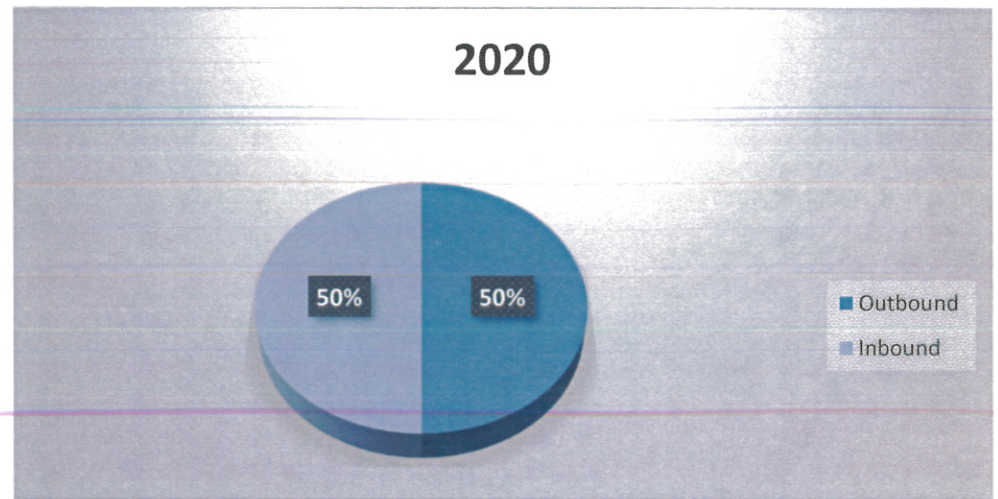
August-2020

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

Year to Date

Total	2019	2020	Change	Percentage
Heavy Lift/Project	5	5	0	0%
Barges-Heavy Lift/Project	4	6	2	50%
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	1	1	100%
Scrap Iron	3	4	1	33%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	7	9	2	29%
Totals	19	25	6	32%



Ships & Barges

	2019	2020	Change	Percentage
Outbound	11	14	3	27%
Inbound	8	11	3	38%
Totals	19	25	6%	32%

Lay Berth

	2019	2020	Change	Percentage
2019	0	9		
2020	0	4		
Change	0	-5		
%	0%	-56%		

August-2020

Tonnage Report - Monthly

Outbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	0	0	-
Barges-Heavy Lift/Project	65	0	-65	-100%
Scrap Iron	0	29600	29600	100%
Steel	0	0	0	-
Totals	65	29600	29535	454%

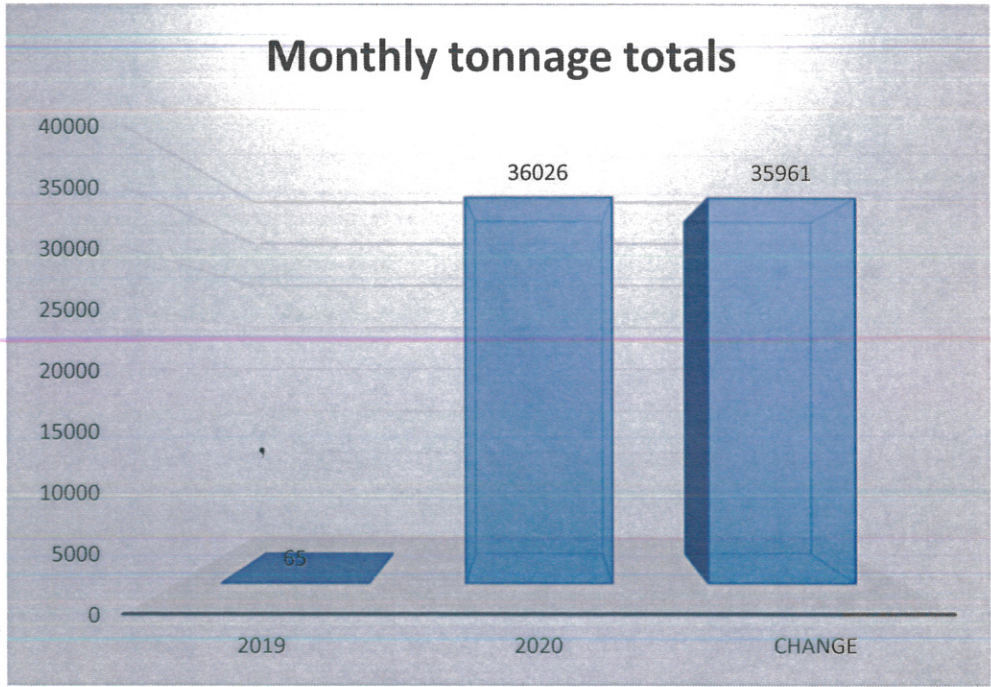
Inbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	0	0	-
Barges-Heavy Lift/Project	0	0	0	-
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	6426	6426	100%
Totals	0	6426	6426	100%

August - 2019-2020 Totals

Total	2019	2020	Change	Percentage
Heavy Lift/Project	0	0	0	-
Barges-Heavy Lift/Project	65	0	-65	-100%
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	0	0	-
Scrap Iron	0	29600	29600	100%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	0	6426	6426	100%
Totals	65	36026	35961	553%

Tonnage Report Monthly

Total	2019	2020	Change	Percentage
Outbound	65	29600	29535	454%
Inbound	0	6426	6426	100%
Totals	65	36026	35961	553%



August-2020

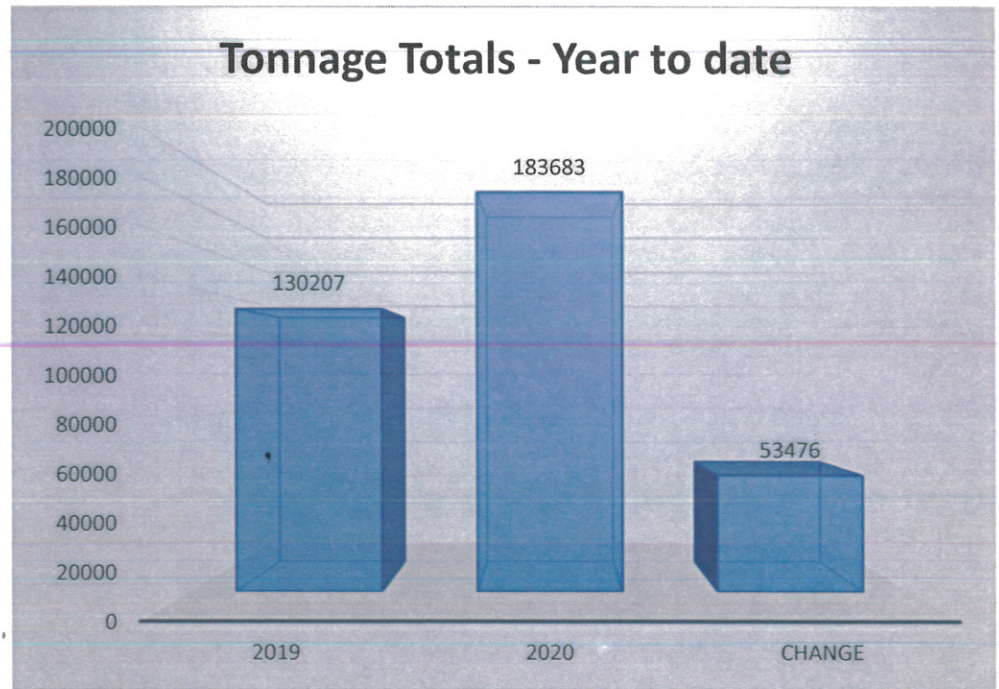
Tonnage Report - Year to Date

Outbound	2019	2020	Change	Percentage
Heavy Lift/Project	2942	1403	-1539	-52%
Barges-Heavy Lift/Project	641	1771	1130	176%
Scrap Iron	85640	100731	15091	18%
Steel	0	0	0	-
Totals	89223	103905	14682	16%

Inbound	2019	2020	Change	Percentage
Heavy Lift/Project	0	728	728	100%
Barges-Heavy Lift/Project	267	0	-267	-100%
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	14809	14809	100%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	40717	64241	23524	58%
Totals	40984	79778	38794	95%

Year to Date

Total	2019	2020	Change	Percentage
Heavy Lift/Project	2942	2131	-811	-28%
Barges-Heavy Lift/Project	908	1771	863	95%
Calcium Chloride	0	0	0	-
Molasses/Fertilizer	0	14809	14809	100%
Scrap Iron	85640	100731	15091	18%
Steel	0	0	0	-
Urea	0	0	0	-
Wind Energy	0	0	0	-
Woodpulp	40717	64241	23524	58%
Totals	130207	183683	53476	41%



Tonnage Report Year to Date

Total	2019	2020	Change	Percentage
Outbound	89223	103905	14682	16%
Inbound	40984	79778	38794	95%
Totals	130207	183683	53476	41%

LONGSHORE HOURS

2019-2020 Comparison

	2019	2020
January	1253.0	2709.5
February	3589.0	3317.5
March	2729.0	3214.0
April	2541.0	2531.0
May	3749.0	3280.0
June	3470.0	2159.0
July	2048.5	2504.5
August	1205.0	2351.5
September		
October		
November		
December		
Total:	20584.5	22067.0

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	2531.0
May	2470.0	6549.5	12123.5	3749.0	3280.0
June	2975.0	6939.0	7848.5	3470.0	2159.0
July	2929.0	5437.0	3960.5	2048.5	2504.5
August	3829.5	2992.0	6113.5	1205.0	2351.5
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	22067

