



**ALBANY PORT DISTRICT COMMISSION**  
**MINUTES OF A REGULAR MEETING**  
**MARCH 24, 2021**

Due to the pandemic the March 24, 2021 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 Abriel, Cinquanti, Coffey and Tagliento. Also present were CEO Hendrick, General Counsel Jordan, CCO Daly, CFO Stuto, Maritime Business Development Manager Vasil, Director of Security Williams, Deputy Director of Security Teller and Administrative Assistant DiLillo. Also joining was Richard Farrell from the Maritime Ministry and Joseph Scott from Hodgson Russ.

Chairperson Steffens introduced the minutes of the February 17, 2021 Commission meeting. No changes were made to the minutes. Chairperson Steffens called for a motion to approve the minutes. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti, and passed unanimously.

**PUBLIC COMMENT**

Richard Farrell from the Maritime Ministry spoke to the Board about the tremendous impact the pandemic has had on the seafarers. Mr. Farrell mentioned that the Seafarers have limited access to wi-fi so he has requested that the Port consider upgrading the wi-fi access when implementing the next phase of the Port's expansion project. CEO Hendrick noted that the Port is currently working on improving and securing the guest wi-fi access. He also mentioned that once the crews are allowed to disembark the ships, they will have access to computers and wi-fi at the Maritime Ministry building. CEO Hendrick noted that he has taken pride with the service that the Port and the Maritime Ministry have provided to seafarers over the years.

### **AUDIT COMMITTEE UPDATE**

CFO Stuto reported that the Audit Committee met and approved the Audit Committee Charter as presented. She also reported that Brian Kearns and Alex Zhang from UHY Advisors presented the 2020 Audit Engagement. They provided the Committee with a detailed report of the notes and financial statements. Chairperson Steffens asked for a motion to approve the 2020 Audit Report as presented to the Audit Committee. A motion was made by Commissioner Tagliento and seconded by Commissioner Coffey and passed unanimously.

### **FINANCIAL UPDATE**

CFO Stuto presented to the Board a financial update for the month of February. She reported that there was an increase in revenue, due primarily to the shipments of slab steel. Operating expenses are reported to be short of the projected budget, mainly due to salaries, equipment repairs and insurance costs. She stated that she expects there to be a positive variance in change of net position for the end of the year. CFO Stuto noted that the Port is off to a good start for the year.

### **GOVERNANCE COMMITTEE UPDATE**

Counsel Jordan reported that the Governance Committee met and had a thorough discussion regarding the proposed changes to the APDC Personnel Handbook. The staff reviewed the Personnel Handbook as well as all other current policies, which are mandated by the Public Authorities Law and are required to be filed with the Authorities Budget Office. Several items were discussed by the Committee and Management. As a result, the Committee recommended additional amendments to the Handbook. The Committee recommended that the Board approve the amended Personnel Handbook with the understanding that it include the amendments discussed during the Committee meeting in addition to the previously recommended changes and that the remaining policies be approved in their current form.

### **RESOLUTION 4-2021**

Chairperson Steffens called for a motion to approve Resolution 4-2021, which approves the existing APDC Policies and the amended Personnel Handbook. A motion was made by Commissioner Coffey, seconded by Commissioner Tagliento and passed unanimously.

### **CEO UPDATE**

CEO Hendrick updated the Board on the following:

- The Port hosted its first tenants meeting for the year, with many attending. Many tenants were happy to report that the pandemic had minimal impact on their business and operations.

- Port staff met virtually with many elected officials to formally introduce them to Marmen and Welcon and to discuss the wind tower project development.
- Port staff and Chairperson Steffens met with Town of Bethlehem stakeholders and Town Supervisor VanLuven to tour the existing Port facility and the expansion site.
- Port staff met with McLaren and BBL to finalize the Maritime Warehouse.
- Work is progressing and on schedule at 700 Smith Blvd.
- Port staff participated in a South End Neighborhood Association meeting where they provided a presentation on the development of the expansion project.

### **REAL PROPERTY/DEVELOPMENT UPDATE**

CCO Daly will speak to the Board in executive session and had no further updates.

### **EXECUTIVE SESSION**

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

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

### **RESOLUTION 5-2021**

Counsel Jordan presented Resolution 5-2021 for Architectural, Engineering and/or Technical Support Services relating to the lease fulfillment with NYS OGS for the Department of Environmental Conservation Field Office for improvements to 80 Smith Blvd. After reviewing the proposals received and conducting interviews, the review team recommended that the Board award the contract to Chazen Engineering. Some discussion took place. Chairperson Steffens called for a motion to approve Resolution 5-2021, awarding the contract to Chazen Engineering. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

### **RESOLUTION 6-2021**

CCO Daly presented Resolution 6-2021 for the Final Design, Construction Support and Associated Services for the Marine Facilities related to the Expansion Project. She provided the Board with an overview of the project and noted that this would build upon the 30% level of design work the Port had already engaged Moffat Nichol. The team recommended that the Board approve the retention of Moffat Nichol for the Final Design and Construction Support Services phase of the project. Chairperson Steffens called for a motion to approve Resolution 6-2021, awarding the contract to Moffat & Nichol. A motion was made by Commissioner Cinquanti, seconded by Commissioner Tagliento and passed unanimously.

**RESOLUTION 7-2021**

CCO Daly presented resolution 7-2021 for Supplemental Engineering Services for the Phase 1 Infrastructure Design and Permitting related to the Expansion Project. She noted to the Board that this phase is a supplemental scope of services to the civil infrastructure work which the Board had previously awarded. The team recommended that the Board approve the continuity of services and the retention of McFarland-Johnson to provide the Supplemental Engineering Services related to the Expansion Project. Chairperson Steffens called for a motion to approve Resolution 7-2021, awarding the contract to McFarland-Johnson. A motion was made by Commissioner Abriel, seconded by Commissioner Coffey and passed unanimously.

**RESOLUTION 8-2021**

CCO Daly presented Resolution 8-2021 for Engineering and Architectural Services and Bid and Construction Administration Services. She provided the Board with an overview of the services to be provided, mentioning that these services will take the project from concept level to construction level. The team recommended that the Board retain McFarland-Johnson to provide those services related to the tower manufacturing plant. Chairperson Steffens called for a motion to approve Resolution 8-2021, awarding the contract to McFarland-Johnson. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti and passed unanimously.

**RESOLUTION 9-2021**

CCO Daly presented Resolution 9-2021 for a Predevelopment Funding Agreement. She provided the Board with an overview of the project and schedule and the reasoning for entering into the agreement. CCO Daly asked that the Board approve the authorization for the APDC to enter into a Predevelopment Funding Agreement with Empire Offshore Wind, LLC. Chairperson Steffens called for a motion to approve Resolution 9-2021, authorizing the Agreement with Empire Offshore Wind, LLC. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel and passed unanimously.

**MARITIME BUSINESS ASSESSMENT**

Manager Vasil provided an overview of the Ships, Barges and Tonnage Report and Longshore Hours Report for February 2021.

- The Winter Port concept brought in 60,111 short tons of slab steel.
- Ships and barges are down 22% from this month last year.
- Tonnage is up 90% from last year, primarily due to slab steel.
- Longshore hours are up 106% from this time last year.
- Anticipates 2-3 ships in April, containing subway cars, refrigerated containers, rolled paper and wood pulp.

**OTHER BUSINESS**

Chairperson Steffens noted how encouraging and exciting it is for everyone involved to see what will be developing at the Port over the next several months and into the next couple of years. She is thrilled that the Port is a driver in the Capital Region's economy. She also stated that she appreciates all the efforts of the Board and Staff in seeing these developments through.

**NEXT MEETING**

The next meeting of the **APDC Board of Commissioners** will be held on Monday, **March 19, 2021 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 Coffey, seconded by Commissioner Cinquanti and passed unanimously. The meeting was adjourned.