



**ALBANY PORT DISTRICT COMMISSION
MEETING**

MARCH 23, 2022

Immediately following the Audit Committee Meeting

AGENDA

- 1) **Approval of Minutes from the February 23, 2022 Commission meeting (Attached)
(Chairperson intro and discussion of minutes by Board)**
- 2) **Public Comment**
- 3) **Audit Committee Update (by Comm. Cinquanti)**
- 4) **Financial Update (by CFO Stuto)**
- 5) **CEO Update (by CEO Hendrick)**
- 6) **Real Property/Development Update (by CCO Daly)**
- 7) **Albany Port Employers Association Lease (Resolution 9-2022) (Cnsl. Jordan)**
- 8) **Sponsorship request for the 2022 Tugboat Roundup (Resolution 10-2022)
(Cnsl. Jordan)**
- 9) **Other Business (by Chairperson)**
- 10) **Enter Executive Session¹**
- 11) **Exit Executive Session**
- 12) **Next Meeting: April 27, 2022**

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
FEBRUARY 23, 2022

Due to the pandemic the February 23, 2022 Board of Commissioners meeting was held remotely pursuant to the amended legislation under the NYS Open Meetings Law. 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, DSI Skubon, Director of Security Williams, Deputy Director of Security Teller and Administrative Assistant DiLillo.

Chairperson Steffens introduced the minutes of the January 26, 2022 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 Abriel, seconded by Commissioner Coffey, and passed unanimously.

Chairperson Steffens introduced the minutes of the February 15, 2022 Special Commission meeting. Commissioner Coffey recommended that the minutes be amended to include discussions that took place related to the Board's recommendation that the initial RFP be amended to include tree cutting services only. The Board concurred with Commissioner Coffey's recommendation. Chairperson Steffens called for a motion to approve the minutes of the February 15, 2022 with amendment. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel, and passed unanimously.

PUBLIC COMMENT

There were no public comments.

FINANCIAL UPDATE

CFO Stuto presented the financials as of January 31, 2022. She reported that revenue is close to budget. Total operating expenses has a positive variance of just under \$50,000. Payroll and

fringe benefits are high for January as budgeted, due to the inclusion of the annual NYS Retirement payment. Depreciation expenses continue to be under budget, due to Warehouse C not being in service yet. Close to budget in change to net position, just under by \$71,000.

CFO Stuto reported that the end of the year audit is currently taking place. UHY has already began to draft the financials and will address discussion points. CFO Stuto noted that the audit process is on target and presentation of the final audit of financial statements will take place at the March 23rd Audit Committee meeting.

CFO reported that Port staff continues to work on the implementation with Sage Intact. It has been a smooth transition from last year to the beginning of this year. Currently staff and vendor are working on the project tracking, dashboard, fixed assets and fine tuning of processes in order to fully utilize the system.

CEO UPDATE

CEO Hendrick updated the Board on the following:

- Port staff continues to meet with County Legislators federal and state agencies and various neighborhood groups to address matters related to the South End neighborhoods. CEO Hendrick noted that some meetings are being held later in the day to make it more convenient for residents to attend.

CEO Hendrick provided the Board with the Ships and Barges, Tonnage and Longshore Hours Report for January 2022. He reported that ships and barges are up 33% from this time last year. Tonnage is down slightly and longshore hours are down by 50% from this time last year, mainly due to a particular steel plate ship that came in January 2021. CEO Hendrick anticipates the longshore hours to even out by the end of February. He also noted that two steel ships have come into the Port this week and the customer is considering utilizing the Port of Albany as its home port.

Chairperson Steffens asked if the APDC has been asked to support any applications for the City's Federal COVID grant money as it relates to workforce development?

CCO Daly responded that Port staff has been coordinating with Capital Region BOCES on a concept related to the South End and a workforce development center. An application has not yet been submitted, but a follow-up meeting related to funding is scheduled to take place within the next few weeks. The Port team as well as the offshore wind project partners have provided support to the Center for Economic Growth and NYSERDA for federal funding related to building workforce development efforts, which is currently in the application process.

REAL PROPERTY/DEVELOPMENT UPDATE

CCO Daly reported that Port staff participated recently in a South End Neighborhood Association meeting at which they provided a presentation on the expansion project. They covered project updates which included land use information, project size, distance from the community and timing. Most questions focused on employment opportunities and local hiring. The expansion project is on the agenda at the next Town of Bethlehem's Planning Board meeting. The Port team along with the project engineer, design team and permitting team have been working on addressing all questions and comments from various agencies in order to have all documentation complete.

**HUDSON RIVER TRADING GAME & NAVIGATING
THE SEAS PROGRAM SPONSORSHIP**

Chairperson Steffens presented Resolution 6-2022 relating to Cherry Hill's request for sponsorship of the Hudson River Trading Game & Navigating the Seas Program (21/22SY). She noted that this request complies with the Port's Sponsorship Policy. Chairperson Steffens called for a motion to approve Resolution 6-2022. A motion was made by Commissioner Cinquanti, seconded by Commissioner Tagliento and passed unanimously.

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 Abriel and passed unanimously.

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

OTHER BUSINESS

No other business for discussion.

NEXT MEETING

Chairperson Steffens informed all those in attendance that the **next meeting of the APDC Board of Commissioners will be on Wednesday, March 23, 2022 immediately following the Audit 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 Tagliento and passed unanimously. The meeting was adjourned.

ALBANY PORT DISTRICT COMMISSION
Results Through February 28, 2022

	<u>February 2022</u>	<u>Actual YTD Feb-22</u>	<u>YTD Budget Feb-22</u>	<u>Budget 2022</u>	<u>Actual to Budget Variance</u>	<u>Actual to Budget Variance %</u>
Operating Revenue:						
Rental Income	299,331	596,125	605,850	3,635,098	9,725	1.61%
Dockage Fees	38,167	75,463	66,333	398,000	(9,129)	-13.76%
Wharfage Fees:	37,574			427,000		
Buckeye Revenue	-	-	-	150,000	-	
Stevedore Fees and Services	22,867	47,233	71,667	430,000	24,433	34.09%
Crane Equipment Rental	38,045	50,785	41,667	250,000	(9,118)	-21.88%
Security Fees	36,445	69,460	61,667	370,000	(7,793)	-12.64%
Other Services and Revenue	767	1,777	1,667	10,000	(110)	-6.61%
Total Operating Revenue	435,622	840,843	848,850	5,670,098	8,007	0.94%
Operating Expenses:						
Payroll, Payroll Taxes and Fringe Benefits	201,892	601,616	634,266	2,790,230	32,650	5.15%
Other Post Retirement Benefit Expense	-	-	-	100,000	-	
Repairs, Maintenance and Utilities	23,292	57,609	53,750	322,500	(3,859)	-7.18%
Crane Parts and Repairs	1,591	1,591	11,667	70,000	10,075	86.36%
Insurance	22,482	44,324	44,167	265,000	(157)	-0.36%
Professional and Consulting Fees	12,015	6,086	41,833	251,000	35,747	85.45%
Service Contracts	18,140	29,087	30,833	185,000	1,747	5.66%
Security and Safety Costs	4,096	16,299	23,583	141,500	7,284	30.89%
Education and Training	-	-	5,000	30,000	5,000	100.00%
Office Supplies and Expense	3,046	4,678	8,667	52,000	3,989	46.03%
Advertising, Promotion and Association Dues	3,814	5,275	36,667	220,000	31,392	85.61%
Contingency	-	-	-	180,000	-	
Total Operating Expense	290,370	766,564	890,433	4,607,230	123,868	13.91%
Operating Income (Expense) before other items	145,252	74,278	(41,583)	1,062,868	(115,861)	278.63%
Depreciation and Other (Income) Expenses:						
Depreciation Expense	261,667	511,667	583,333	3,500,000	71,666	12.29%
Interest Income	(7)	(15)	(167)	(1,000)	(152)	91.08%
Interest Expense	13,557	20,757	24,932	149,589	4,175	16.75%
Waterfront Development	220	440	2,982	282,890	2,542	85.24%
Municipal Support	-	-	-	170,000	-	
(Gain) Loss on Asset	-	-	-	-	-	
Net Depreciation and Other (Income) Expense	275,437	532,849	611,080	4,101,479	78,231	12.90%
Change in Net Position Before Capital Funding	(130,185)	(458,571)	(652,663)	(3,038,611)	(194,092)	29.74%
Capital Grant Revenue	31,500	31,677	40,000	248,000,000	8,323	20.81%
Change in Net Position	(98,685)	(426,893)	(612,663)	244,961,389	(185,770)	30.32%

**RESOLUTION 9-2022
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, the Albany Port Employers Association, Inc. (“APEA”) has been a long-term tenant of the APDC and APEA’s most recent lease with the APDC is scheduled to expire in April 2022; and

WHEREAS, the APEA is up-to-date with lease payments and in compliance with all terms under its most recent lease with the APDC; and

WHEREAS, the APEA and the APDC wish to execute the proposed lease attached to this Resolution as Exhibit A (the “Proposed Lease”).

NOW, THEREFORE, BE IT RESOLVED, that the APDC finds that the APEA lease advances the APDC mission and authorizes the Chief Executive Officer to execute the Proposed Lease and any related documents necessary to effectuate this Resolution.

Signed: _____
(Assistant) Secretary

Date of Authorization: March 23, 2022

Prepared by:
Patrick K. Jordan, Esq.

**RESOLUTION 10-2022
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, the APDC Sponsorship Policy (“Policy”) permits APDC sponsorship of events and for purposes that advances the APDC mission through providing financial assistance in the areas of maritime commerce or economic development; and

WHEREAS, the APDC has been asked to consider sponsoring the 2022 Tugboat Roundup (“Event”); and

WHEREAS, the Event occurs annually and is based on the Hudson River featuring activities and exhibits that demonstrate different components of the maritime-industry; and

WHEREAS, the 2022 approved APDC operating Budget has allocated an amount sufficient to support the Event at a sponsorship level not to exceed \$500;

NOW, THEREFORE, BE IT RESOLVED, the APDC finds that this sponsorship request is in accordance with the Policy and authorizes the Chief Executive Officer to pledge APDC sponsorship of the 2022 Tugboat Roundup in an amount not to exceed \$500.

Signed: _____
(Assistant) Secretary

Date of Authorization: March 23, 2022

Prepared by:
Patrick K. Jordan, Esq.

September 9th, 10th and 11th, 2022



One Tugboat Alley, Waterford, NY 12188

March 9, 2021

Mr. Richard J. Hendrick, General Manager
Albany Port District Commission
106 Smith Boulevard, Port of Albany
Albany, NY 12202

Dear Mr. Hendrick,

Plans are underway for the 2022 edition of the Waterford Tugboat Roundup, scheduled for September 9-11, in Waterford, Gateway to the New York State Canal System. As we emerge from the pandemic, there will be a lot of reasons to celebrate. Over its 3 days, the Roundup draws 30,000 local consumers and tugboat enthusiasts from around the northeastern U.S. Since 1999, the Roundup has showcased the history of maritime history in the Northeast, New York State, and the Town of Waterford, and has drawn the attention of broadcast, print and trade media.

Your ongoing support has been critical to the success of the Tugboat Roundup. We hope that you will continue that support in 2022. We acknowledge all our sponsors on our website, TugboatRoundup.com, which has in excess of 10,000 different visitors per month as we approach the Roundup. The enclosed brochure outlines additional promotional opportunities and other benefits at a variety of sponsorship levels. If you have any questions about these benefits, or the Roundup, email us at Festivals@town.Waterford.NY.US or call 518-233-9123. You can also visit TugboatRoundup.com to learn more and see highlights from previous years.

The Waterford Tugboat Roundup is the only maritime festival in New York that focuses on the working boats of our waterways and also brings the public into contact with the vessels and the crews of the maritime industry. The increased knowledge and awareness generated by that contact is as beneficial to the industry as it is enjoyable for the attendees. Moreover, hundreds of professional mariners from all over the Northeast travel to Waterford for the Roundup. It is a quality event, one with which you can be proud to be associated.

Help us achieve our sponsorship goals and continue to make the Waterford Tugboat Roundup the premiere maritime festival in the Northeast. Also, please join us in September. The Tugboat Parade up the Hudson River from Albany kicks things off on Friday afternoon. Throughout the weekend visitors enjoy tug tours, boat rides, vendors, family fun, music and our spectacular fireworks on Saturday night. You won't want to miss it.

Yours truly,

A handwritten signature in blue ink that reads 'Jeffrey D. Cleary'.

Jeffrey D. Cleary, Harbormaster

encl.