

OGDENSBURG BRIDGE & PORT AUTHORITY

BOARD MEETING

THURSDAY, DECEMBER 16, 2021

A meeting of the Board of Directors of the Ogdensburg Bridge and Port Authority was held in the Board Room of the Administration Building on Thursday, December 16, 2021 at 4:00 PM.

The following were present:

Vernon D. Burns, Chairperson
Megan J. M. Whitton, Vice-Chairperson
Christopher B. T. Coffin, Treasurer
David D. King, Secretary (left at 5:35 PM)
Jennifer Quirk-Pickman, Assistant Treasurer
Nicole Terminelli, Assistant Secretary

ALSO: Jennifer Granzow, Counsel
Steven J. Lawrence, Interim Executive Director
Patricia A. Nisco, Chief Financial Officer
Stephanie L. Saracco, Airport Manager

ABSENT: Toni Kennedy, Member

- I. Board Chair Burns called the meeting to order at 4:00 PM.
- II. Letters and Communications to the Board. There were some news articles pertaining to the Authority's search for a Director of Economic Development and the re-opening of the Canada/U.S. border.
- III. Approval of Board Minutes. On a motion by David D. King, seconded by Christopher B. T. Coffin, the minutes from the November 10, 2021 meeting were approved by voice vote.
- IV. Reports
Presentation and Reports:

Jennifer Quirk-Pickman gave a brief report on the Personnel Committee meetings of Nov. 18 and Dec. 15. Candidates were interviewed for the Director of Economic Development position. A successful candidate will be brought forward at the next

meeting, pending reference and background checks. Board Chair Vernon D. Burns thanked Jennifer Quirk-Pickman and Toni Kennedy for their work on the Personnel Committee. David D. King gave a brief report on the Facilities Committee meeting of November 18, 2021. The Maple City Dog Park will be giving a presentation at the next Board meeting. Christopher B. T. Coffin asked that Chief Financial Officer Patricia A. Nisco consolidate the Income/Expense report with the background of the approval of the budget. The Bridge Traffic, Airport Activity/Occupancy, and Building Occupancy reports were discussed briefly.

V. Unfinished Business.
There was none.

VI. Business Items.

A. General Administration

1. Approval of 2022-2023 Budget. The Authority's recommended annual budget for the year ending March 31, 2023, has been prepared by staff and presented to the Finance Committee on November 29, 2021. The budget, as prepared, is summarized below:

Bridge & Port Authority	
Revenue	8,425,528
Expense	<u>(8,192,626)</u>
Net Operating Profit (Loss)	<u>232,902</u>
FAA Subsidy Income (CRRSA/Hero's Act)	1,740,000
Debt Service Requirement (Principal Only)	(903,843)
Capital Grant Income	51,238,207
Capital Grant Expenditure	(51,238,207)
OBPA Capital Expenditure	<u>(382,500)</u>
Net Profit (Loss)	<u>18,330</u>

The annual budget is required to be submitted to the Authority Budget Office, Office of the State Comptroller (OSC), and Division of the Budget by January 1, 2022. Therefore, staff is requesting Board approval for submission of the annual budget as summarized

above. Christopher B. T. Coffin stated that the budget assumes 60% of pre-pandemic Bridge revenue, 2 wind projects, 80% of salt revenue, and an increase in Airport revenue. Mr. Coffin asked what the growth in Airport revenue could be contributed to. Chief Financial Officer Patricia A. Nisco responded that parking charges and fees were going back into the budget. The biggest challenge will be keeping expenses at the Airport under budget. Executive Director Steven J. Lawrence noted that the budget includes half a year of funding for a Director of Operations position. Board Chair Vernon D. Burns stated that the State should realize that the Authority is in a much better position than was budgeted for in the current year, and is now submitting a budget in the black. On a motion by Christopher B. T. Coffin, seconded by Jennifer Quirk-Pickman, it was,

RESOLVED, that the Executive Director and/or Chief Financial Officer are hereby authorized and directed to submit the budget presented at the Authority Board Meeting on December 16, 2021 as summarized above for the year ending March 31, 2023, to the Authority Budget Office, Office of the State Comptroller, and Division of the Budget as required by the Public Authorities Law, General Municipal Law, and Office of the State Comptroller regulations.

A vote was called.

AYES: David D. King
Christopher B. T. Coffin
Jennifer Quirk-Pickman
Vernon D. Burns
Megan J. M. Whitton
Nicole Terminelli

MOTION CARRIED

2. Approval of Approval of Retainer Agreement Extension with Strategic Development Specialists, LLC. (MWBE). The Authority has a contract with Strategic Development Specialists, a MWBE organization, to assist the Authority with government affairs and advocacy of Authority projects, to provide information on

policies and programs that may have a potential impact on the Authority, and to assist in strategic planning efforts to advance the interests of the Authority with respect to identifying, securing and implementing grants and other incentives pertaining to the Authority's priorities and programs. The Authority has negotiated to extend the current contract for the period January 1, 2022 through December 31, 2022, at a cost of \$6,000 per month. There will be no monthly fee increase over the 2021 agreement. On a motion by Megan J. M. Whitton, seconded by David D. King, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute an agreement with Strategic Development Specialists to assist the Authority with government affairs and advocacy of Authority projects, to provide information on policies and programs that may have a potential impact on the Authority, and to assist in strategic planning efforts to advance the interests of the Authority with respect to identifying, securing and implementing grants and other incentives pertaining to the Authority's priorities and programs for the period January 1, 2022 through December 31, 2022, for the cost of \$6,000 month. There will be no monthly fee increase over the 2021 agreement.

A vote was called.

AYES: Christopher B. T. Coffin
Jennifer Quirk-Pickman
Vernon D. Burns
Megan J. M. Whitton
Nicole Terminelli
David D. King

MOTION CARRIED

3. Approval of Sale of Surplus Property. The Authority owns a 1.86-acre parcel (St. Lawrence County Tax Map #: 48.002-2-40) located in the Town of Lisbon at the corner of NYS Rt 37 and County Rt 28. Over the 60+ year existence of the Authority, interest in this parcel for development has been very limited or non-existent. As a consequence, this parcel has sat vacant and undeveloped. Returning this parcel to

private ownership, through the process of a public auction that complies with the Public Authority law, may stimulate private investment and development. At a minimum it would return this parcel to the tax rolls, having a positive impact on the local taxing jurisdictions. There would also be a nominal benefit to the Authority in terms of reducing maintenance costs, and an impact financially in terms of one-time revenue generation. A property survey and appraisal has been conducted. The Authority's Contracting Officer (Executive Director) who has supervision and direction over the disposition of Authority property, recommends deeming this parcel surplus and commencing with a public auction with the minimum purchase price starting at \$20,000. Board Chair Vernon D. Burns stated that this is the second piece of surplus land that the Authority is putting back on the tax roll. On a motion by Jennifer Quirk-Pickman, seconded by David D. King, it was,

RESOLVED, that the Board of Directors of the Ogdensburg Bridge & Port Authority deems this 1.86-acre parcel (St. Lawrence County Tax Map #: 48.002-2-40) located in the Town of Lisbon at the corner of NYS Rt 37 and County Rt 28 to be surplus and authorizes the Contracting Officer to proceed with a public auction to dispose of this surplus land, and

RESOLVED, that the minimum purchase price at public auction shall be \$20,000, and

RESOLVED, that the Board of Directors hereby sets the public auction to take place on March 1, 2022 at 3 p.m. in the Bridge Administration Building, One Bridge Plaza, Ogdensburg, NY 13669, and

RESOLVED, that sealed bids for the purchase of this surplus property will be received at the Bridge Administration Building, One Bridge Plaza, Ogdensburg, NY 13669 up and until no later than March 1, 2022 at 3 p.m., at which time they will be opened and read aloud, and

RESOLVED, that each bid must contain a minimum deposit of 10% of the value of the land, which equates to \$2,000, and that the deposit will be retained and applied toward the balance owed for the successful low bidder and returned to unsuccessful bidders, and

RESOLVED, that staff is directed to advertise this public auction in its official newspaper and in North Country Now and by placing a FOR SALE BY PUBLIC AUCTION sign on the site with relevant information regarding the auction, and

BE IT FURTHER RESOLVED, that it is the Authority's interpretation that this sale complies with its policies and the New York State Public Authorities Law in regard to the disposition of public authority property because the land has been appraised and is being sold at public auction in an open and competitive process.

A vote was called.

AYES: Jennifer Quirk-Pickman
Vernon D. Burns
Megan J. M. Whitton
Nicole Terminelli
David D. King
Christopher B. T. Coffin

MOTION CARRIED

4. Appointment of Nominating Committee. Board Chair Vernon D. Burns appointed Christopher B. T. Coffin to Chair the Nominating Committee. Christopher B. T. Coffin asked Jennifer Quirk-Pickman to serve on the Committee with him. The Committee will nominate officers for 2022 at the January Board meeting.

B. Ogdensburg-Prescott International Bridge

1. Leasehold Improvement – UPS Battery Replacement. The UPS system is mission critical to work that CBP performs. Their IT systems needs to operate 24/7 in any situation. UPS maintenance is a requirement of the lease that the OBPA has with the General Services Administration (GSA). The UPS batteries are now five years old. Batteries were replaced in 2016. The UPS batteries have shown signs of failure when there was a recent power outage in August 2021. Replacing the UPS batteries will help keep the UPS system running up to specifications. Being proactive now will reduce the possibility of unforeseen downtime due to

complete battery failure. This leasehold improvement was not part of the 2021-22 Border Station budget. There was no competitive bid process as Vertiv is a sole source vendor for the Vertiv UPS system at the Border Station. Vertiv was selected based on, price, technical strength, previous experience and response to previous maintenance problems.

The Vertiv Battery Replacement Price: \$5,708.91

On a motion by Christopher B. T. Coffin, seconded by Megan J. M. Whitton it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute a purchase with Vertiv for UPS replacement batteries for the Ogdensburg Border Station for a cost not to exceed \$5,708.91.

A vote was called.

AYES: Vernon D. Burns
Megan J. M. Whitton
Nicole Terminelli
David D. King
Christopher B. T. Coffin
Jennifer Quirk-Pickman

MOTION CARRIED

2. Approval of Supplement No. __ with Barbara Pleet. Staff has negotiated Lease Supplement No. 5 with Barbara Pleet for 158 square feet in Room 208 of the Bridge Administration Building for a two-year period from November 1, 2021 through October 31, 2023 at a rate of \$212.00 per month including utilities. All other terms and conditions of the original Lease Agreement shall remain in full force and effect and are hereby ratified and affirmed. On a motion by Jennifer Quirk-Pickman, seconded by Megan J. M. Whitton, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute a lease agreement supplement with Barbara Pleet for 158 square feet in Room 208 of the Bridge Administration Building for a two-year period from November 1, 2021 through October 31, 2023 at a rate of \$212.00 per month including utilities, and be it;

FURTHER RESOLVED, that all other terms and conditions of the original Lease Agreement shall remain in full force and effect and are hereby ratified and affirmed.

A vote was called.

AYES: Megan J. M. Whitton
Nicole Terminelli
David D. King
Christopher B. T. Coffin
Jennifer Quirk-Pickman
Vernon D. Burns

MOTION CARRIED

C. Commerce Park

None.

D. Ogdensburg International Airport

1. Approval of T-Hangar Lease. Staff has prepared a Transfer and Storage Agreement for hangar space at the Ogdensburg International Airport with Bird Tate. The monthly rental for the hangar is \$215. The terms of the Agreement are as follows:

- Bird Tate, hangar 8 - January 1, 2022 through December 31, 2022

Included in the agreement is the requirement that proof of the appropriate insurance coverage be provided naming the Ogdensburg Bridge and Port Authority as an additional insured. On a motion by Megan J. M. Whitton seconded by David D. King, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute a Transfer and Storage Agreement with Bird Tate for hangar space at the Ogdensburg International Airport at the rate of \$215 per month for the period January 1, 2022 through August 31, 2022.

A vote was called.

AYES: Nicole Terminelli

David D. King
 Christopher B. T. Coffin
 Jennifer Quirk-Pickman
 Vernon D. Burns
 Megan J. M. Whitton

MOTION CARRIED

E. Port of Ogdensburg

1. Approval of Continued Support of Federal Harbor Deepening and State Dock Wall Expansion Projects. The Bid solicitation for the Ogdensburg Harbor Deepening project closed in June 2021. Only one offer was received despite expressed interest from several other firms. The United States Army Corps of Engineers (USACE) solicitation stated the estimated outlay for the project was \$5-\$10M. The solicitation proposed price far exceeded the government estimate by a magnitude of 2.5. As a result of the excessive price, this solicitation has been cancelled. The requirement documents will be reviewed to promote more competition. Total estimated Design & Implementation phase of the Harbor Deepening and Dock Wall Expansion Project's total costs (including all betterments): \$24,351,000 increased to \$42,661,676. There is an unmet \$18,310,676 million need (\$5M Federal and \$13,310,676 State/OBPA) on the combined \$42.6M project with funding sources as shown below:

	Harbor Deepening (cost shared – 65% federal/ 35% non-federal)	Harbor Deepening (100% non- federal)	Dockwall	Total
Federal Share Secured	\$5,000,000	N/A	N/A	\$5,000,000
Federal Share Needed	\$5,000,000*	N/A	N/A	\$5,000,000
State Share Secured	\$2,021,000	\$4,000,000	\$13,200,000	\$19,221,000

State Share Needed	\$5,904,615	\$5,500,000	\$0	\$11,404,615
Port Share Secured	\$219,000	\$0	\$0	\$219,000
Port Share Needed	TBD	TBD	\$0	TBD
Est. Project TOTAL	\$18,144,615	\$9,500,000	\$13,200,000	\$42,661,676

*Please note that the USACE CAP 107 authority federal limit is \$10M, so that is why the non-fed cost share is higher than 35%. The sponsor is required to fund any costs above the USACE CAP 107 authority limit.

This funding gap is beyond the Authority's financing ability. As this expansion project creates crucial North Country jobs both during and post-construction, and is critical to future port development, the Project requires continued support by the Board of Directors and funding through both NYS and the Federal Government. This Project should continue to be advanced as high priority project as part of the Authority's updated Capital Improvements Projects. Given the funding shortfall, additional funds are required in order to proceed.

It is the recommendation of the Executive Director that the OBPA Board of Directors confirm its continued support for the project in order to move forward with the Harbor Deepening/Dock Extension Project. Executive Director Steven J. Lawrence noted this project has received enormous support from Senator Schumer's office and the NYSDOT. Megan J. M. Whitton asked if the harbor deepening project on its own would have any economic value. Executive Director Steven J. Lawrence answered that it would. It would allow for ships to move 300 feet and would remove the need for relocation of bulk projects, which could lower the overall cost. Christopher B. T. Coffin stated that reiterating support for this project is the least the Board can do. David D. King asked if this could be extended to get more bidders. Executive Director Steven J. Lawrence replied that

this would be possible and that it is one of the goals of the Corps. Nicole Terminelli stated that it is good to put this kind of money into the area, as it would be a lot of wages. She also expressed concern that a cost of this size could break the Authority. Executive Director Steven J. Lawrence reassured the Board that the Authority has the backing of the State and that if it can't come up with the money, the project dies. As such, there is no real risk to the Authority. Board Chair Vernon D. Burns stated that there could be federal infrastructure spending for the Port or the Bridge, like there has been for the Airport. He said that the project is worth the cost because of what it can do for the area and that the project should go forward. On a motion by Megan J. M. Whitton, seconded by Nicole Terminelli, it was,

RESOLVED, that the Board of Directors of the Ogdensburg Bridge and Port Authority does hereby reiterate its support for the Harbor Deepening and New York State Dock Wall Extension Projects at the Port of Ogdensburg; and be it,

FURTHER RESOLVED, that these projects will continue to be advanced as a high priority through the Authority's updated Capital Improvements Projects; and be it,

FURTHER RESOLVED, that, while this Project is pivotal to the future of the Port of Ogdensburg, it will not proceed until additional outside State and Federal funding is in place.

A vote was called.

AYES: David D. King
Christopher B. T. Coffin
Jennifer Quirk-Pickman
Vernon D. Burns
Megan J. M. Whitton
Nicole Terminelli

MOTION CARRIED

F. Other Such Matters

1. Approval of Handling and Storage Agreement with Dalton Farms LLC. Staff has prepared a Storage and Handling Agreement with Dalton Farms LLC for the handling and storage of dried corn during the period December 15, 2021, through December 14, 2022. Rates associated with the handling of this dried corn are as follows:

Stockpiling/Truck Loading & Scaling:	\$9.00/ST per
Storage:	\$2.25/ST/MO

Also included in this agreement is the requirement that Dalton Farms LLC provide proof of the appropriate insurance naming the Ogdensburg Bridge and Port Authority as an additional insured. Staff recommends approval of this agreement with Dalton Farms LLC. On a motion by David D. King, seconded by Jennifer Quirk-Pickman, it was,

RESOLVED, that the Executive Director is hereby authorized to execute a Port Handling and Storage Agreement with Dalton Farms LLC, for the handling and storage of dried corn during the period December 15, 2021, through December 14, 2022, at the following rates:

Stockpiling/Truck Loading & Scaling:	\$9.00/ST
Storage:	\$2.25/ST/MO

and be it,

FURTHER RESOLVED, that Dalton Farms LLC provides proof of the appropriate insurance coverage to the Authority, naming the Ogdensburg Bridge and Port Authority as an additional insured.

A vote was called.

AYES: Christopher B. T. Coffin
Jennifer Quirk-Pickman
Vernon D. Burns
Megan J. M. Whitton
Nicole Terminelli
David D. King

MOTION CARRIED

The next meeting date was confirmed for Thursday, January 13, 2022 at 4:00 PM. Executive Director Steven J. Lawrence stated that there was a need for Executive Session under Section 105 §1f and h of the Open Meetings Law. On a motion by Jennifer Quirk-Pickman, seconded by Megan J. M. Whitton, the meeting went into Executive Session at 5:30 PM. On a motion by Megan J. M. Whitton, seconded by Christopher B. T. Coffin, the meeting resumed at 6:22 PM.

2. Approval of Offer of Employment. The Personnel Committee met on December 15, 2021 and interviewed candidates for the Director of Economic Development position. On a motion by Christopher B. T. Coffin, seconded by Megan J. M.

Whitton, it was,

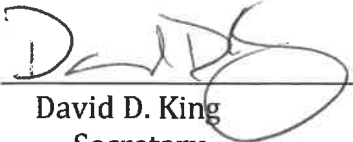
RESOLVED, that upon the recommendation of the Personnel Committee, after careful consideration of a number of candidates, the Executive Director is authorized to offer employment in the role of Director of Economic Development to a particular candidate subject to the receipt of a satisfactory background check and upon the general terms and conditions previously set forth for that role.

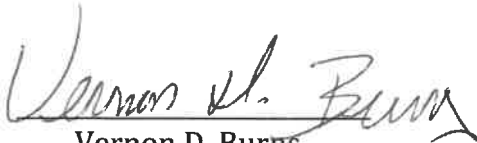
A vote was called.

AYES: Jennifer Quirk-Pickman
Vernon D. Burns
Megan J. M. Whitton
Nicole Terminelli
Christopher B. T. Coffin

MOTION CARRIED

On a motion by Jennifer Quirk-Pickman, seconded by Megan J. M. Whitton, the meeting adjourned at 6:24 PM.


David D. King
Secretary


Vernon D. Burns
Chairperson