

OGDENSBURG BRIDGE & PORT AUTHORITY

BOARD MEETING

THURSDAY, MARCH 12, 2020

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, March 12, 2020 at 5:00 PM

The following were present:

Vernon D. Burns, Chairperson
Megan J. M. Whitton, Vice-Chairperson
Christopher B. T. Coffin, Treasurer
David D. King, Secretary

ALSO:

Francis P. Capello, Counsel
Steven J. Lawrence, Interim Executive Director
Fariha Qudsi, Accounting Manager
Stephanie L. Saracco, Airport Manager

- I. Board Chair Burns called the meeting to order at 5:00 PM.
- II. Letters and Communications to the Board. There were several news articles pertaining to the Authority. There was a letter from a customer thanking an OBPA employee, Scott Chapple, for his outstanding customer service at the Airport.
- III. Approval of Board Minutes. On a motion by David D. King, seconded by Christopher B. T. Coffin, the minutes from the February 13, 2020 meeting were approved by voice vote.
- IV. Reports
Presentation and Reports:

Finance Committee Chair, Christopher B. T. Coffin, reported on the February Finance Committee meeting. He suggested that, in the absence of a Chief Financial Officer, staff should contact the auditors to see if there is anything that could be made ready in advance of their arrival. David D. King, Chair of the Facilities Committee noted that the committee met in February and that most of the items discussed are on the

present meeting's agenda. Megan J. M. Whitton, Chair of the Human Resources and Sexual Harassment Committee, reported that the committee met on March 5, 2020 to interview candidates for the Chief Financial Officer position. Staff is currently conducting background checks. Accounting Manager Fariha Qudsi presented the January 2020 Financials. The Bridge Traffic, Airport Activity, Port Activity, and Building Occupancy reports were discussed.

V. Unfinished Business.

There was none.

VI. Business Items.

A. General Administration

1. Appointment of ILA Health and Welfare Trustee. Section 5 of the Master Agreement between Great Lakes Stevedore Employers and the Great Lakes District Council-Atlantic Coast District International Longshoremen's Association requires establishment of a Health Plan and Welfare Plan. As such, the Ogdensburg Bridge and Port Authority is required to appoint a Trustee to collectively administer the Health Plan and Welfare Plan respectively for members and participants of the Local 217A International Longshoremen's Association. Staff recommends that Stephen J. Lawrence, Interim Executive Director, be appointed Trustee to the Health Plan and Welfare Plan, having two votes respectively in the administration of the Plans to ensure equal voting authority. As part of this obligation, insurance will be purchased for a cost not to exceed \$5,000 to protect the Authority and its Trustee from any and all claims associated with the administration of the Health Plan and Welfare Plan.

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

RESOLVED, that the Ogdensburg Bridge and Port Authority hereby appoints Stephen J. Lawrence, Interim Executive Director, as the Ogdensburg Bridge and Port Authority's Trustee in association with the Health Plan and Welfare Plan for the Local 217A of the International Longshoremen's Association; and be it,

FURTHER RESOLVED, that the Executive Director and/or Chief Financial Officer are hereby authorized and directed to purchase insurance for the cost not to exceed \$5,000 for the Authority Trustee protecting the Ogdensburg Bridge and Port Authority and its Trustee against any and all claims associated with the Health Plan and Welfare Plan with the Local 217A of the International Longshoremen's Association.

A vote was called.

AYES: David D. King
Christopher B. T. Coffin
Vernon D. Burns
Megan J. M. Whitton

MOTION CARRIED

2. Approval of Airport Rates and Charges 2020. Interim Executive Director Steven J. Lawrence stated that in light of the current COVID-19 situation, that it is not the right time to change rates at the Airport. On a motion by Megan J. M. Whitton, seconded by David D. King, both agenda items A2 and A3 were tabled.

A vote was called.

AYES: Christopher B. T. Coffin
Vernon D. Burns
Megan J. M. Whitton
David D. King

MOTION CARRIED

4. Disposal of Surplus Authority Property at Public Bid. The Ogdensburg Bridge & Port Authority owns an 11.59-acre parcel of land at the intersection of Route 37

and Trooper Shawn W. Snow Street, referred to as "Bridge Approach Parcel." The Authority has owned this land since the early 1950s. In an effort to sell this parcel for development, the Board of Directors, at their May 14, 2018, meeting approved the hiring of a real estate broker to market the site for sale and/or lease at a sale price of \$24,200 per acre. This contract ran from June 1, 2018 until May 31, 2019. Due to the lack of interest, the Board of Directors at its May 2, 2019 meeting extended the real estate broker contract through December 31, 2019, and reduced the sale price to \$12,080 per acre. This lower price was consistent with the March 6, 2018 appraisal done by Michael Varley, MAI who appraised the 11.59-acre site of \$140,000, or \$12,080 per acre. Due to a lack of interest in this site, staff recommends that this surplus parcel be sold through a public bid process to the highest bidder. The minimum price would be \$140,000, which is the fair market appraised value. This approach is in compliance with the Public Authority Accountability Act, and the Authority's Policy for the Disposition of Property Guidelines. On a motion by Megan J. M. Whitton, seconded by Christopher B. T. Coffin, it was,

RESOLVED that the Board of Directors of the Ogdensburg Bridge & Port Authority hereby authorizes the sale of an 11.59-acre of surplus property known as the Bridge Approach Parcel. This parcel is more clearly defined by the attached appraisal and the attached land survey, and

BE IT FURTHER RESOLVED, that this parcel shall be sold to the highest bidder in an "as is" condition. The site's previous use was for agriculture associated with the former State Hospital, and the Authority is not aware of any contamination from any past practices on the site, and

BE IT FURTHER RESOLVED, that advertising for this public bid process shall commence on March 1 and shall be accomplished through public notices in the official newspaper of the Authority and through notification on the New York State Contract Reporter, and

BE IT FURTHER RESOLVED, that public bids received for this parcel shall be due no later than Tuesday, June 2 @3 PM, at which time the bids shall be opened publicly, and

BE IT FURTHER RESOLVED, that the bids will be evaluated by the Board of Directors who will review the bids and approve the sale should an acceptable bid be received, and

BE IT FURTHER RESOLVED, that the minimum price would be \$140,000, which is the fair market appraised value and,

BE IT FURTHER RESOLVED, that the Authority reserves the right to reject any and all bids.

A vote was called.

AYES: Vernon D. Burns
Megan J. M. Whitton
David D. King
Christopher B. T. Coffin

MOTION CARRIED

5. Approval of Easement Permit Supplement #6 with Stephens Media. Staff has prepared Easement Permit Supplement #6 with Stephens Media Group for three easements for radio equipment located on or near the Bridge Administration Building. The rate for each easement is of \$300 per easement, per year. If an easement is eliminated during the term of the agreement, however, the lessee will not be billed for future charges for that easement. Staff recommends approval of this supplemental agreement with Stephens Media Group. On a motion by David D. King, seconded by Megan J. M. Whitton, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute Easement Permit Supplement #6 with Stephens Media Group Ogdensburg, LLC, for three easements for radio equipment located on or near the Bridge Administration Building. The rate for each easement is of \$300 per easement, per year. If an easement is eliminated during the term of the agreement, however, the lessee will not be billed for future charges for that easement.

A vote was called.

AYES: Megan J. M. Whitton
David D. King
Christopher B. T. Coffin
Vernon D. Burns

MOTION CARRIED

6. Approval of Supplemental Lease Agreement #7 with Stephens Media. Staff has prepared Supplement No. 7 with Stephens Media Group for 1,689 square feet of office space on the second floor of the Bridge Administration Building for the period April 1, 2020, through March 31, 2025 at the rate of \$2,111.25 per month. A condition of this agreement is that Stephens Media Group shall provide at no cost to the Authority promotional advertising on behalf of the Authority and that the value of this advertising should be no less than \$4,000 per year. This value will be deducted from the yearly rental paid by Stephens Media Group. The Authority agrees to replace carpeting in the lobby and hallways during 2020, as time permits, and will also refresh the rented area by cleaning and repainting walls and ceilings. Stephens Media Group is also required to provide proof of the appropriate insurance coverage to the Authority, naming the Ogdensburg Bridge and Port Authority as an additional insured. On a motion by Christopher B. T. Coffin, seconded by David D. King, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute Supplement No. 7 with Stephens Media Group Ogdensburg, LLC, for 1,689 square feet of office space for the period April 1, 2020, through March 31, 2025, at the rate of \$2,111.25 per month, and be it;

FURTHER RESOLVED, that the Authority agrees to replace carpeting in the lobby and hallways during 2020, as time permits, and will also refresh the rented area by cleaning and repainting walls and ceilings, and be it;

FURTHER RESOLVED, that Stephens Media Group shall provide at no cost to the Authority promotional advertising on behalf of the Authority in an

amount of no less than \$4,000 per year; the value of this advertising will be deducted from the yearly rental paid by Stephens Media Group, and be it;

FURTHER RESOLVED, that Stephens Media Group Ogdensburg, LLC, provide 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: David D. King
Christopher B. T. Coffin
Vernon D. Burns
Megan J. M. Whitton

MOTION CARRIED

7. Approval of Lease Agreement with Glenda Jones. Staff has negotiated a lease agreement with Glenda Jones for 180 square feet of office space in Room 209 of the Bridge Administration Building for the period April 1, 2020, through March 31, 2021 at the rate of \$180 per month. This rate includes utilities. Glenda Jones is also required to provide proof of the appropriate insurance coverage to the Authority, naming the Ogdensburg Bridge and Port Authority as an additional insured. On a motion by David D. King, seconded by Megan J. M. Whitton, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute a lease agreement with Glenda Jones for 180 square feet of office space in Room 209 of the Bridge Administration Building for the period April 1, 2020, through March 31, 2021 at the rate of \$180 per month, including utilities, and be it;

FURTHER RESOLVED, that Glenda Jones 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
Vernon D. Burns
Megan J. M. Whitton
David D. King

MOTION CARRIED

8. Acceptance of TIGER Grant for Painting of Ogdensburg-Prescott International Bridge. The Ogdensburg Bridge & Port Authority has received a grant from the New York State Department of Transportation in the amount of \$18,086,000 for the painting of the Ogdensburg-Prescott International Bridge (PIN 775376). This resolution authorizes the implementation and funding in the first instance 100% of the federal-aid and State Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore. On a motion by Megan J. M. Whitton, seconded by David D. King, it was,

WHEREAS, a Project for the Ogdensburg Bridge and Port Authority TIGER Grant Paint Project, P.I.N. 775376 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne, at the ratios as shown in the Schedule A of this agreement.

WHEREAS, the Board of Directors desires to advance the Project,

NOW, THEREFORE, the Ogdensburg Bridge and Port Authority Board, duly convened does hereby,

RESOLVE, that the Ogdensburg Bridge and Port Authority hereby approves the above-subject project; and it is hereby further;

RESOLVED, that the Ogdensburg Bridge and Port Authority Board of Directors hereby authorizes the Interim Executive Director of the Ogdensburg Bridge and Port Authority to pay in the first instance 100% of the federal and non-federal share of the cost of \$18,086,000 work for the Project or portions thereof; and it is further;

RESOLVED, that the sum of the \$18,086,000 is hereby appropriated from the Ogdensburg Bridge and Port Authority’s Capital Budget and made available to cover the cost of participation in the above a phase of the Project; and it is further;

RESOLVED that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Ogdensburg Bridge and Port Authority Board of Directors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Interim Executive Director thereof, and it is further;

RESOLVED, that the Interim Executive Director of the Ogdensburg Bridge and Port Authority be and is hereby named as the Responsible Local Official (RLO) for the Ogdensburg Bridge and Port Authority and is authorized to execute all necessary Agreements, certifications or reimbursement requests for the Federal Aid on behalf of the Ogdensburg Bridge and Port Authority Board of Directors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Authority's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further;

RESOLVED, this Resolution shall take effect immediately.

A vote was called.

AYES: Vernon D. Burns
Megan J. M. Whitton
David D. King
Christopher B. T. Coffin

MOTION CARRIED

9. Approval of Lease Agreement with T-Base Communications. Staff has negotiated a supplement lease agreement with T-Base Communications for 8,776 square feet of space in Building 12 of Commerce Park for the period April 1, 2020, through March 31, 2021 at the rate of \$4,388.00 per month. In addition, T-Base will be responsible for a prorated share of all utilities for this space. All terms and conditions concerning insurance pertinent to the area shall be the same as stipulated in the original Lease Agreement. 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 lease agreement with T-Base Communications for 8,776 square feet of space in Building 12 of Commerce Park for the period April 1, 2020, through March 31, 2021 at the rate of \$4,388.00 per month. In addition, T-

Base will be responsible for a prorated share of all utilities for this space, and be it;

FURTHER RESOLVED, that all terms and conditions concerning insurance pertinent to the area shall be the same as stipulated in the original Lease Agreement, and be it;

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

A vote was called.

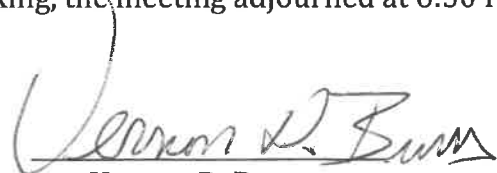
AYES: Megan J. M. Whitton
David D. King
Christopher B. T. Coffin
Vernon D. Burns

MOTION CARRIED

The next meeting date was set for Monday, April 20, 2020 at 3:30 PM. Interim Executive Director Steven J. Lawrence stated that there was a need to go into Executive Session to discuss the appointment of an individual. On a motion by Megan J. M. Whitton, seconded by David D. King, the meeting moved into Executive Session at 6:15 PM. On a motion by Megan J. M. Whitton, seconded by, David D. King the meeting resumed at 6:50 PM. Executive Director Steven J. Lawrence stated that there was no action to be taken coming out of the Executive Session. On a motion by Megan J. M. Whitton, seconded by David D. King, the meeting adjourned at 6:50 PM.



David D. King
Secretary



Vernon D. Burns
Chairperson