

**OGDENSBURG BRIDGE & PORT AUTHORITY
BOARD MEETING
THURSDAY AUGUST 10, 2023**

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, August 10, 2023 at 5:00 PM.

The following were present:

Vernon D. Burns, Chairperson
Megan J. M. Whitton, Vice-Chairperson
David D. King, Secretary, Member
Nicole Terminelli, Assistant Secretary
Toni Kennedy, Member

ALSO: Jennifer Granzow, Counsel
Steven J. Lawrence, Executive Director
Patricia A. Nisco, Chief Financial Officer
Anthony Adamczyk, Director of Economic Development
James D. Chase, Director of Operations
Charlie Garrelts, Airport Manager

ABSENT: Jennifer Quirk-Pickman, Member

I. Vernon D. Burns, Board Chair, called the meeting to order at 5:08 PM.

II. Letters and Communications to the Board.

Executive Director, Steven J. Lawrence, stated there were no letters or communications to the Board.

III. Approval of Meeting Minutes.

- **June 8, 2023 Board Meeting Minutes**
- **July 10, 2023 Finance Committee Meeting Minutes**
- **July 10, 2023 Board Meeting Minutes**
- **July 10, 2023 OBA Board Meeting Minutes**
- **July 31, 2023 Finance Committee Meeting Minutes**
- **July 31, 2023 Facilities Committee Meeting Minutes**
- **July 31, 2023 Personnel Committee Meeting Minutes**

On a motion by Secretary, David D. King, seconded by Vice Chair, Megan J.M. Whitton, the meeting minutes were approved by voice vote.

IV. Presentations and Reports

1. Committee Reports

a) Finance Committee

- Finance Committee Chair, David D. King, stated that the Finance Committee met and reviewed the Financial Reports provided. He turned it over to Chief Financial Officer, Patricia A. Nisco.
- Chief Financial Officer, Patricia A. Nisco, started with the Statement of Financial Position, and reported that as of June 30th, 2023, Accounts Receivable Regular is at \$319,763, and 90% of open A/R is either current or 1 – 30 days. Accounts Payable Regular is at \$520,152. Projects Accounts Payable will be paid off this month.
- Chief Financial Officer, Patricia A. Nisco, moved on to the Budget to Actual, and reported that the Bridge Revenue is up. The Airport fuel sales are down because the airline didn't buy fuel in the month of May. The Industrial Park is right on target and the Marine Terminal is a bit above target. The expenses are on target, except for the Marine Terminal legal expense, which had legal expense for the ILA grievance process. Board Chair, Vernon D. Burns, asked if the OBPA is financially a little bit better than expected for the end of June. Chief Financial Officer, Patricia A. Nisco, confirmed that yes, the OBPA is financially a little bit better than expected at the end of June, one quarter into the Fiscal Year. A majority of that is because the OBPA has deferred items.
- The Cash Flow July to December 2023 shows the situation quite clearly for the next six months. The only change is that it shows is that salt will be received early.

b) Facilities Committee

- Facilities Committee Chair, David D. King, stated that the Facilities Committee met and asked Executive Director, Steven J. Lawrence, to review the projects that were discussed at the meeting. Executive Director, Steven J. Lawrence, reported that the Childcare Initiative Project was reviewed and he made everyone aware of where the OBPA was with the funding for this project. There

is funding from Senator Gillibrand's Office as well as a request for funding through NYS ESD. If that request is successful, the OBPA should be able to move forward with this project. An RFQ will be done to obtain engineers. The third quarter of this year is when the decisions will be made on the ESD funding.

- Facilities Committee Chair, David D. King, asked Executive Director, Steven J. Lawrence, to update the Board on the Port Expansion Project. Executive Director, Steven J. Lawrence reported that with this project there is a two-prong approach, two different ways to build the expansion. 1. Cell Construction with Dredging Prior to Construction, 2. O-Pile Construction with Dredging Prior to Construction. The reason for the options is that you may have contractors that can do both options, or one much better and cheaper. This has been submitted to the DOT for their review and comments.
- Executive Director, Steven J. Lawrence, moved on to update the Board on the Airport Terminal Expansion Project, and reported that the project has decreased in size to fit it into the cost of the project. The PLA was built on the larger number since the budget was done a year ago when materials were cheaper. Executive Director, Steven J. Lawrence, will ask for a quorum to approve the new PLA after it comes back in approximately 60 days.
- Director of Economic Development, Anthony Adamczyk, discussed the Branding Style Guide that was brought forward to the Facilities Committee meeting. This document will be used internally and with marketing in how we visually communicate the OBPA.
- Facilities Committee Chair, David D. King, stated that the only other two items that were discussed were the changes to the Airport Rates & Charges, which will be discussed within a resolution later in the meeting, and E-Transit. Chief Financial Officer, Patricia A. Nisco, confirmed that there is a meeting scheduled next week with E-Transit.

c) Personnel Committee

- Chief Financial Officer, Patricia A. Nisco, reported that the Personnel Committee met on July 31st, 2023, to discuss a number of items in the Management Personnel Handbook that may need updating. There was a working meeting on August 7th to begin discussing options. These items will be discussed Executive Session.

2. Reports

a) Bridge Traffic Report

- July overall crossings were down 17.6% over 2019. Even though crossings are down, they are down by less each month. This percentage is a little better than anticipated. Auto crossings were down 18% from 2019, and truck traffic is down by 12% over 2019. Numbers are encouraging, there was some terrific holiday traffic. This has translated to improvement on the budget side.
- The Bridge Crew is preparing for the bridge inspection at the end of the month with Parsons. It is anticipated that there will be an underwater portion this year. Board Chair, Vernon D. Burns, asked if there was an expectation for any surprises. Executive Director, Steven J. Lawrence, confirmed that there was no anticipation for surprises.

b) Airport Activity Report

- Airport Manager, Charlie Garrelts, reported that there was a huge jump in passenger enplanements. July saw 865 enplanements, a 50% increase. Board Chair, Vernon D. Burns, asked for the reason. Airport Manager, Charlie Garrelts, couldn't really speak to the reason. He said possibly holiday travel. He believes if the airline can beat their on-time performance, then they can continue to get more passengers.
- Airport Manager, Charlie Garrelts, has been working with the airline for the last month to acquire a marketing budget. The Airport has received a \$25,000

marketing budget from Contour. He has been working with a marketing firm that does strictly digital marketing to start spending down this marketing budget. The marketing will focus on eight months – September to April with Facebook and YouTube ads.

Economic Development Director, Anthony Adamczyk, shared a sample of what kind of advertising will be placed on the digital billboards in Canada. Board Chair, Vernon D. Burns, asked if there was any way to tell how effective an ad is. Economic Development Director, Anthony Adamczyk, confirmed that the OBPA will be receiving a metrics report of some kind.

c) Port Activity Report

- Director of Operations, James D. Chase, reported that the ag products inventory is low in storage. Mid-to-end of August, there will be an increase of in-bound rail cars. Salt is moving in at a rapid pace. There will be a total of five salt ships. As salt is based on tonnage, the two partial deliveries will be considered one ship, so a total of four ships. Transformers are coming in from Spain. 140 pieces. A specialty contractor will be at the port to move the containers.
- Director of Operations, James D. Chase, reported that a lighting project in Building 6 is just about complete. The upgrades are being done through National Grid. The Authority pays for all the lights, and then submits for reimbursement. Lighting upgrades are being done in Building 14 as well.

d) Economic Development Report, Including Building Occupancy

- Economic Development Director, Anthony Adamczyk, reported that Building Occupancy is holding steady at 90%. There are still vacancies in Building 1 and 4. Working on building out the listing for this space and spaces available at the Port, trying to leverage what the OBPA has for real estate assets. Working on lease renewals. Everyone continues to renew with the OBPA, with the exception of one tenant. He appreciates the faith the tenants continue to put in the OBPA.

Started preliminary discussions with a newer tenant about their expansion plans in the Commerce Park, which has a Foreign Trade Zone component. He would really like to see a second company utilize this. He's been working with the St. Lawrence County Chamber of Commerce for better visibility and to build awareness for the Foreign Trade Zone and the Airport Expansion Project. Once certain renderings and digital walk through of the Airport Expansion Project are available, the OBPA is excited about bringing that to the public. Their next meeting is October 2023.

- Economic Development Director, Anthony Adamczyk, stated that he has reached out to the US Commercial Service, which is housed in the US Embassy in Ottawa, and expressed his interest about being on site for a meeting.
- The potential Heavy Industrial Park Project is progressing forward. The appraisal is scheduled for next Tuesday. He will give an update when he has more.

V. Unfinished Business.

None.

VI. Business Items

A. General Administration

1. **Following an Executive Session:** Department of Labor (DOL) & Division of Human Rights (DHR) Updates to the Management Personnel Handbook. On a motion by

Nicole Terminelli, seconded by Toni Kennedy, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to update the Management Personnel Handbook and CSEA addendum with regard to the items listed in the report (wage transparency, list of protected categories, right of nursing mothers, sexual harassment and whistleblower policy) in order to remain compliant with NYS Laws and Policies.

A vote was called.

AYES: David D. King
Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy

MOTION CARRIED

2. **Following an Executive Session:** Update of management Personnel Handbook: Section 3.03 Health Insurance Opt-out Policy. On a motion by Vice Chair, Megan J. M. Whitton, seconded by Secretary, David D. King, it was

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to changed Section 3.03 of the Management Personnel Handbook to read:

The Ogdensburg Bridge and Port Authority employees electing not to receive Authority-provided health insurance will be eligible for \$5,000 annually in lieu of receiving the health coverage benefit. The taxable buy-out provision coincides with the plan year and will be paid in semi-annual installments to the individual (September & March).

A vote was called.

AYES: Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy
David D. King

MOTION CARRIED

3. **Following an Executive Session:** Update of Management Personnel Handbook: Sections 3.09 and 3.10 Continuous Employment for New Employees. On a motion by Toni Kennedy, seconded by Vice Chair, Megan J. M. Whitton, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to change the Management Personnel Handbook Section 3.09 as follows: *New Employees may use vacation allowances after 3 months of continuous employment* -and- Section 3.10 to: *New employees may use personal leave after 3 months of continuous employment unless emergency circumstances exist requiring advance approval of the employee's Supervisor or the Executive Director*

A vote was called.

AYES: Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy
David D. King
Nicole Terminelli

MOTION CARRIED

4. **Following an Executive Session:** Update of Management Personnel Handbook:

Section 3.09 – Vacation Leave. On a motion by Toni Kennedy, seconded by Vice Chair Megan J.M. Whitton, Secretary, David D. King, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to update the management Personnel Handbook, Section 3.09 by removing the statement “Vacation allowances earned will not be capped by the OBPA”; and, be it FURHTER RESOLVED, that the Chief Financial Officer restate the first bullet point under Other Considerations to reflect the Personnel Committee’s statement: *Employees may carry over 280 vacation hours to the next year (anniversary year).*

A vote was called.

AYES: Megan J.M. Whitton
Toni Kennedy
David D. King
Nicole Terminelli
Vernon D. Burns

MOTION CARRIED

5. Following an Executive Session: Update of Management Personnel Handbook:

Section 3.09 – Vacation Leave; Section 3.10 – Personal Day Policy; Section 3.11:

Change to Accrual. On a motion by Vice Chair, Megan J. M. Whitton, seconded by Toni Kennedy, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to update the Management Personnel Handbook, Sections 3.09, 3.10, and 3.11 to reflect the change from the bi-weekly accrual of vacation, personal, and sick time to an annual front-loaded accrual with a pro-rated termination clause.

A vote was called.

AYES: Toni Kennedy
David D. King
Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton

MOTION CARRIED

6. Following an Executive Session: Update of Management Personnel Handbook:

Section 3.09 – Vacation Leave. On a motion by Toni Kennedy, seconded by Vice

Chair, Megan J. M. Whitton, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to update the Management Personnel Handbook as outlined with the revised vacation accrual chart.

A vote was called.

AYES: Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy

NAYS: David D. King

MOTION CARRIED

7. Following an Executive Session: Update of Management Personnel Handbook:

Section 3.04 – Health Insurance for Retirees. On a motion Toni Kennedy, seconded by Nicole Terminelli, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to update the Management Personnel Handbook with the revision to Section 3.04 Health Insurance for Retirees with 20+ years of experience only, paragraph three, to include:

Upon reaching Medicare eligibility, a retiree may choose to obtain coverage under the Authority's Medicare Supplemental Insurance program. Premium costs associated with this plan would be split between the Authority and the retiree with the Authority responsible for seventy-five percent (75%) of the premium cost and the retiree responsible for the remaining twenty-five percent (25%) of the premium cost.

A vote was called.

AYES: Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy
David D. King

MOTION CARRIED

8. Following an Executive Session: Update of Management Personnel Handbook:

Section 3.04 – Health Insurance for Retirees. On a motion by Vice Chair, Megan J. M. Whitton, seconded by Secretary, David D. King, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to update the Management Personnel handbook with the attached revision to Section 3.04 Health Insurance for Retirees.

A vote was called.

AYES: Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy

David D. King
Nicole Terminelli

MOTION CARRIED

9. **Following an Executive Session:** Approval to Offer Medicare Supplemental Plan to Qualified Authority Retirees. On a motion by Vice Chair, Megan J.M. Whitton, seconded by Secretary, David D. King, it was,

RESOLVED, that the Chief Financial Officer is hereby authorized and directed to open a new Medicare Supplemental Plan with The Hartford for retired management employees who have reached the age of 65 and meet the qualifications and guidelines to enroll.

A vote was called.

AYES: Megan J.M. Whitton
Toni Kennedy
David D. King
Nicole Terminelli
Vernon D. Burns

MOTION CARRIED

B. Ogdensburg-Prescott International Bridge

1. Approval of Lease Supplement No. 3 with Cortech, LLC. On a motion by Toni Kennedy, seconded by Vice Chair, Megan J. M. Whitton, it was

RESOLVED, that the Executive Director is hereby authorized and directed to execute Lease Supplement No. 3 with Cortech, LLC for 140 square feet of office space in Suite 201 of the Bridge Administration Building for a one (1) year period commencing October 1, 2023 and terminating September 30, 2024 at a rate of \$23.58 per square foot equaling \$275.10 per month, \$3,301.20 for the one (1) year period, inclusive of 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: David D. King
Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy

MOTION CARRIED

C. Commerce Park

1. Approval of Lease Supplement No. 3 with KDM Analytics, Inc. On a motion by Secretary, David D. King, seconded by Nicole Terminelli, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute Lease Supplement No. 2 with KDM Analytics, Inc. for 211 square feet of office space in Building 1 of the Commerce Park Campus for a one (1) year period commencing September 1, 2023 and terminating August 31, 2024 at a rate of \$15.00 per square foot equaling \$263.75 per month, \$3,165.00 for the one (1) year period, inclusive of utilities.

A vote was called.

AYES: Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy
David D. King

MOTION CARRIED

D. Ogdensburg International Airport

1. Approval of Airport Rates and Changes, Effective August 14, 2023. On a motion by Vice Chair, Megan J. M. Whitton, seconded by Toni Kennedy, it was,

RESOLVED that the Authority Board of Directors authorizes the enactment of the Rates and Charges effective August 14, 2023, Schedule.

A vote was called.

AYES: Vernon D. Burns
Megan J.M. Whitton
Toni Kennedy
David D. King
Nicole Terminelli

MOTION CARRIED

2. Approval of Contract with GateKeeper Systems. On a motion by Toni Kennedy, seconded by Nicole Terminelli, it was,

RESOLVED, that the Airport Manager is hereby authorized and directed to enter into a contract with GateKeeper Systems for App-139 (Cloud-Based Airport Software) for \$6,500 for the first year, and \$4,500 annually after the first year.

A vote was called.

AYES: Megan J.M. Whitton
Toni Kennedy
David D. King

Nicole Terminelli
Vernon D. Burns

MOTION CARRIED

3. **Following an Executive Session:** Approval of Part-Time Airport Operations

Position. On a motion by Toni Kennedy, seconded by Vice Chair Megan J. M. Whitton, it was

RESOLVED, that the Airport Manager is hereby authorized and directed to work with the Chief Financial Officer for this position and hire a qualified Part-Time Operations Specialist for the Ogdensburg International Airport.

A vote was called.

AYES: Toni Kennedy
David D. King
Nicole Terminelli
Vernon D. Burns
Megan J.M. Whitton

MOTION CARRIED

E. Port of Ogdensburg

1. None.

F. New York & Ogdensburg Railroad

1. None.

G. Border Station

1. None.

H. Other Such Matters

1. Executive Director, Steven J. Lawrence, with the help of Board Member, Nicole Terminelli, spoke about the 2022 Pace Setter Award. The award was hand delivered by Seaway Director, Adam Tindall-Schlicht on Tuesday, August 8th. Nicole represented the Board. This is the 12th Pace Setter Award for the OBPA. Last year the port activity increased by 100%, 9 vessels from overseas. Board Member, Nicole Terminelli, was very proud to be here as a Board Member, and to see Steve and the rest of the team accept the Pace Setter Award for increasing tonnage for the 12th time. Adam was joined by LaToya James, Public Affairs Specialist, and Rebecca

Yackley, Director of Trade and Economic Development. They presented the award, spent an hour in the board room with the staff talking about making connections and boosting collaborations for the Port. She appreciates the work that everyone does, and she is delighted about the team that the OBPA has. Executive Director, Steven J. Lawrence, stated that Mr. Tindall-Schlicht reported on the relationship they have with OLMC and how good it is that the OBPA has QSL here.

Executive Director, Steven J. Lawrence, wanted to take some time to acknowledge the OBPA staff, the CSEA employees, and the ILA Local 217 for their terrific work on behalf of the Port. He also acknowledged the Board for their steady vision, and support in providing direction that has allowed the Port to grow.

2. Chief Financial Officer, Patricia A. Nisco, stated that there was a need for Executive Session under Open Meeting Law §105 item e and f of the Open Meetings Law to discuss collective negotiations pursuant to article fourteen of the civil service law and the appointment or employment of a particular person. On a motion made by Vice Chair, Megan J. M. Whitton, seconded by Toni Kennedy, the meeting went into Executive Session at 6:06 PM. On a motion made by Vice Chair, Megan J. M. Whitton, seconded by Toni Kennedy, the meeting resumed at 7:46 PM.

VII. Concluding Comments from Citizens, Board Members, and/or Authority Staff.

1. None.

VIII. Next Meeting Date

The next Board meeting was confirmed for Thursday, September 14, at 5:00 pm.

IX. Adjournment

On a motion by Toni Kennedy, seconded by Vice Chair, Megan J.M. Whitton, the meeting adjourned at 8:04 PM.

David D. King
Secretary

Vernon D. Burns
Chairperson