

OGDENSBURG BRIDGE & PORT AUTHORITY

BOARD MEETING

MONDAY, JUNE 11, 2018

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 Monday, June 11, 2018 immediately following the Ogdensburg Border Station, Inc. Board meeting, scheduled for approximately 3:30 PM.

The following were present:

Samuel J. LaMacchia, Chairperson
Douglas W. Loffler, Vice Chairperson
Christopher B. T. Coffin, Member
Megan J. M. Whitton, Secretary
Vernon D. "Sam" Burns, Assistant Secretary

ALSO: Francis P. Cappello, Counsel
Wade A. Davis, Executive Director
James L. Smith, Chief Financial Officer
John A. Rishe, Director of Commercial & Industrial Development
Ronald L. Bogus, Airport Manager
Fariha Qudsi, Accounting Manager

- I. Chairperson LaMacchia called the meeting to order at 3:18 PM.
- II. Letters and Communications to the Board. There was an article highlighting the development of the Bridge Approach Road Parcel.
- III. Approval of Board Minutes. On a motion by Megan J. M. Whitton, seconded by Douglas W. Loffler, the minutes from the May 14, 2018 meeting was approved by voice vote.
- IV. Presentations and Reports. The Bridge Traffic Report and Airport Activity Reports were discussed. Director of Commercial and Industrial Development John A. Rishe reported that the Industrial Park is now 90% occupied, with some

new prospects interested in space. The Airport and Bridge Administration Building are both at 100% occupancy. He also stated that Morton Salt won the county bid. Staff has raised concern about the State's bidding process and they are supposed to have a conference call with them. John A. Rishe noted that it would be nice if the State went out to bid after not having done so for 5 years, to keep things open and fair. Board Chair Samuel J. LaMacchia commended John A. Rishe on his work, in particular the strides he has made in leasing out space in the Industrial Park.

V. Unfinished Business.

1. Approval of Appointment of Internal Control Officer. The Board heard from Counsel that no response has been received from the New York State Office of Inspector General on this matter. There was a lengthy discussion regarding the best course of action to take. Wade A. Davis explained the functions of an Internal Control Officer. Christopher B. T. Coffin moved that James L. Smith be named Internal Control Officer for the remainder of the fiscal year, until another option could be found. This motion did not receive a second. The Board noted that they were cautioned that the Chief Financial Officer cannot serve as Internal Control Officer. On a motion by Samuel J. LaMacchia, seconded by Vernon D. Burns, the matter was referred to the Audit Committee.

A voice vote was called.

MOTION PASSED

VI. Business Items.

A. General Administration

1. Approval of Collective Bargaining Agreement with CSEA Local 1000.

The Collective Bargaining Agreement between the Authority and the CSEA expired on March 31, 2018. A new agreement has been negotiated by Authority staff and the CSEA. Such agreement was formally ratified by the Employees' Association on May 30, 2018. The term of the agreement is April 1, 2018, through March 31, 2023. Wade A. Davis stated that this was an excellent set of negotiations and thanked his counterparts on the union side for their organization and good effort. On a motion by Vernon D. Burns, seconded by Samuel J. LaMacchia, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute the Collective Bargaining Agreement between the Ogdensburg Bridge and Port Authority and the CSEA for the term April 1, 2018, through March 31, 2023.

A vote was called.

AYES: Douglas W. Loffler
Christopher B. T. Coffin
Megan J. M. Whitton
Vernon D. Burns
Samuel J. LaMacchia

RESOLUTION PASSED

2. Approval of Master Agreement between Great Lakes Stevedore

Employers and International Longshoremen's Association AFL-CIO.

The Ogdensburg Bridge and Port Authority is in receipt of the "Master Agreement" between the Great Lakes Stevedore Employers and International Longshoremen's Association AFL-CIO. This agreement includes wages to be paid to longshoremen working along the Great

Lakes Region and is for the period January 1, 2018, through December 31, 2022. Pursuant to Article X, Section 1, of the International Longshoremen Association Constitution, this “Master Agreement” applies to International Longshoremen Association employees working at the Port of Ogdensburg. The Constitution requires adherence to the “Master Agreement” as well as a Local Agreement with International Longshoremen Association Local 217A. Both agreements are for the same term. On a motion by Vernon D. Burns, seconded by Douglas W. Loffler, it was,

RESOLVED, that the Board of Directors of the Ogdensburg Bridge and Port Authority does hereby approve the “Master Agreement” between Great Lakes Stevedore Employers and International Longshoremen’s Association AFL-CIO for the period January 1, 2018, through December 31, 2022.

A vote was called.

AYES: Christopher B. T. Coffin
Megan J. M. Whitton
Vernon D. Burns
Samuel J. LaMacchia
Douglas W. Loffler

RESOLUTION PASSED

3. Approval of Vacation Leave Policy – Management/Confidential

Employees Hired After 12/31/2006. The attached Vacation Leave Policy – Management/Confidential Employees Hired After 12/31/2006 is designed to level up management/confidential benefits, consistent with the union agreement. The policy shall be reviewed every 5 years.

On a motion by Douglas W. Loffler, seconded by Vernon D. Burns, it was,

RESOLVED, that the attached Vacation Leave Policy – Management/Confidential Employees Hired After 12/31/2006 be approved, effective July 1, 2018 and shall be reviewed every 5 years, consistent with other policy reviews.

A vote was called.

AYES: Megan J. M. Whitton
Vernon D. Burns
Samuel J. LaMacchia
Douglas W. Loffler
Christopher B. T. Coffin

RESOLUTION PASSED

4. Approval of Personal Leave Policy – Management/Confidential Employees Hired After 12/31/2006. The attached Personal Leave Policy – Management/Confidential Employees Hired After 12/31/2006 is designed to level up management/confidential benefits, consistent with the union agreement. The policy shall be reviewed every 5 years. On a motion by by Vernon D. Burns, seconded by Samuel J. LaMacchia, it was,

RESOLVED, that the attached Personal Leave Policy – Management/Confidential Employees Hired After 12/31/2006 be approved, effective July 1, 2018 and shall be reviewed every 5 years, consistent with other policy reviews.

A vote was called.

AYES: Vernon D. Burns
Samuel J. LaMacchia
Douglas W. Loffler
Christopher B. T. Coffin
Megan J. M. Whitton

RESOLUTION PASSED

5. Approval of Paid Sick Leave Policy – Management/Confidential Employees Hired After 12/31/2006. The attached Paid Sick Leave Policy – Management/Confidential Employees Hired After 12/31/2006 is designed to level up management/confidential benefits, consistent with the union agreement. The policy shall be reviewed every 5 years. On a motion by Megan J. M. Whitton, seconded by Vernon D. Burns, it was,

RESOLVED, that the attached Paid Sick Leave Policy – Management/Confidential Employees Hired After 12/31/2006 be approved, effective July 1, 2018 and shall be reviewed every 5 years, consistent with other policy reviews.

A vote was called.

AYES: Samuel J. LaMacchia
Douglas W. Loffler
Christopher B. T. Coffin
Vernon D. Burns
Megan J. M. Whitton

RESOLUTION PASSED

Douglas W. Loffler inquired about bereavement leave. Wade A. Davis read the policy on bereavement leave but noted that time given for bereavement is taken out of the employee's. Douglas W. Loffler said that he did not agree with that practice and that there should be separate leave for bereavement. On a motion by Douglas W. Loffler, seconded by Christopher B. T. Coffin, the Leave of Absence Policy was referred to the Personnel Committee to be amended to include bereavement leave.

A voice vote was called.

MOTION PASSED

6. Approval of Mortgage with Community Bank, N.A. for Land Acquisition.

Staff has negotiated a Commercial Mortgage with Community Bank, N.A. for up to \$200,000 to purchase the vacant land located at 5952 State Highway 812. This land acquisition is necessary for the Airport Expansion Project. On a motion by Douglas W. Loffler, seconded by Vernon D. Burns, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute a Commercial Mortgage with Community Bank N.A. for an amount not to exceed \$200,000, to purchase the vacant land located at 5952 State Highway 812, in order to further the Airport Expansion Project.

A vote was called.

AYES: Samuel J. LaMacchia
Douglas W. Loffler
Christopher B. T. Coffin
Megan J. M. Whitton
Vernon D. Burns

RESOLUTION PASSED

7. Approval of Option To Purchase Land. The Authority has the Option To Purchase the vacant land located at 5952 State Highway 812. The terms and conditions are listed in the attached Option. This land acquisition is necessary for the Airport Expansion Project. Wade A. Davis stated that this land would allow for commercial development to occur adjacent to water and sewer, thus facilitating future economic development. He also cautioned that this land not become part of the official definition of the Airport, as this would have unintended

consequences with the FAA. On a motion by Vernon D. Burns, seconded by Megan J. M. Whitton, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to exercise the Option To Purchase for the property located at 5952 State Highway 812, as referenced in the attached Option, in order to further the Airport Expansion Project.

A vote was called.

AYES: Douglas W. Loffer
Christopher B. T. Coffin
Megan J. M. Whitton
Vernon D. Burns
Samuel J. LaMacchia

RESOLUTION PASSED

B. Ogdensburg-Prescott International Bridge

1. Approval of Lease Financing for Final Contract Payment to E-transit. Staff has negotiated Lease Financing with Key Government Finance, Inc. in the amount of \$120,709.21. This financing will pay for the final contract payment that is owed to E-transit. The Board heard that this bill was never sent to the Authority, and so the Authority had never paid it. On a motion by Vernon D. Burns, seconded by Douglas W. Loffler, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute Lease Financing in the amount of \$120,709.21 in order to pay out the final contract payment owed to E-transit

A vote was called.

AYES: Douglas W. Loffler
Christopher B. T. Coffin
Vernon D. Burns
Megan J. M. Whitton
Samuel J. LaMacchia

RESOLUTION PASSED

2. Approval of E-transit Proposal. E-Transit is the current supplier of the Authority's bridge toll collection system. E-Transit would like to contract with the Authority to provide maintenance on the toll collection system.

The maintenance contract provides:

Routine Maintenance
Warranties on all application software
Curative Maintenance
Preventative Maintenance
5 days per year of On-Site Support
System Operational Support

The total contract price for the term April 1, 2018, through March 31, 2023, is \$245,091.84, billed in prorated monthly installments at the following rates:

Period	Start	End	Invoice Amount
1	4/1/2018	3/31/2019	\$ 45,785.45
2	4/1/2019	3/31/2020	\$ 47,335.43
3	4/1/2020	3/31/2021	\$ 48,950.51
4	4/1/2021	3/31/2022	\$ 50,633.42
5	4/1/2022	3/31/2023	\$ 52,387.02
	Total		\$245,091.84

Also included in this agreement is a clause that states that in the event that the Authority exercises its right to terminate this contract, it will pay the contractor a termination fee of \$70,000. Samuel J. LaMacchia noted that the Authority had looked into the cost of using E-Z Pass, instead. Wade A. Davis confirmed that the cost was prohibitive and that the Authority would lose a percentage of the tolls. Vernon D. Burns asked for the reports that the E-transit system generates, to verify that it is being used to its full capacity. On a motion by Vernon D. Burns, seconded by Megan J. M. Whitton, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute a maintenance agreement with E-Transit in an amount not to exceed \$245,091.84 for the term April 1, 2018, through March 31, 2023, paid in prorated monthly installments at the following rates:

Period	Start	End	Invoice Amount
1	4/1/2018	3/31/2019	\$ 45,785.45
2	4/1/2019	3/31/2020	\$ 47,335.43
3	4/1/2020	3/31/2021	\$ 48,950.51
4	4/1/2021	3/31/2022	\$ 50,633.42
5	4/1/2022	3/31/2023	\$ 52,387.02
	Total		\$245,091.84

A vote was called.

AYES: Megan J. M. Whitton
 Vernon D. Burns
 Samuel J. LaMacchia
 Douglas W. Loffler
 Christopher B. T. Coffin

RESOLUTION PASSED

C. Commerce Park

1. Approval of Easement – City of Ogdensburg. The City of Ogdensburg is in need of an easement to install a pump station. This easement supports infrastructure in the Authority’s Heavy Industrial Park. Staff recommends approval of this no-cost easement to the city. Douglas W. Loffler inquired if anything can be done to urge the Psychiatric Center to repair the road that they own in the Industrial Park. Wade A. Davis stated that the Authority has written countless letters that have fallen on deaf ears. Douglas W. Loffler suggested that the politicians get involved, as something must be done about the state of the road. On a motion by Vernon D. Burns, seconded by Douglas W. Loffler, it was,

RESOLVED, that the Executive Director is hereby authorized to execute an easement with the City of Ogdensburg to install a pump station.

A vote was called.

AYES: Vernon D. Burns
 Samuel J. LaMacchia

Douglas W. Loffler
Christopher B. T. Coffin
Megan J. M. Whitton

RESOLUTION PASSED

D. Ogdensburg International Airport

1. Approval of Federal Aviation Administration (FAA) Project Automated Weather Observation System (AWOS). The existing AWOS at Ogdensburg International Airport is over 20 years old and has been experiencing reliability issues. Replacement parts are no longer available and repair of the system is no longer possible. This project would replace the existing system so that reliable weather reporting data is available to airport users. The project involves demolition of the existing AWOS III and construction of a new AWOS III in the same location. The project will also include replacement of utilities (power and communications), serving the AWOS.

The cost of this project (PIN 7904.XX) is estimated to be \$420,000, to be funded according to the following breakdown:

FAA	95.0%	(\$399,000)
NYS DOT	2.5%	(\$10,500)
OBPA	2.5%	(\$10,500)

Samuel J. LaMacchia stated that Ogdensburg, NY should be mentioned as one of the selected cities on the weather channel. Wade A. Davis indicated that, while the Authority could subscribe to that service, and has in the past, this AWOS would capture the information needed for that service to be possible. On a motion by Douglas W. Loffler, seconded by Vernon D. Burns, it was,

RESOLVED, RESOLVED, that the Executive Director is hereby authorized and directed to execute the replacement of the Automated Weather Observation System, as per the approved Airport Capital Improvement program at the Ogdensburg International Airport (PIN 7904.XX), at a cost not to exceed \$500,000, broken down according to the following funding sources:

FAA	95.0%
NYSDOT	2.5%
OBPA	2.5%

A vote was called.

AYES: Samuel J. LaMacchia
Douglas W. Loffler
Christopher B. T. Coffin
Megan J. M. Whitton
Vernon D. Burns

RESOLUTION PASSED

2. Approval of Task Order 1 (Design) with McFarland Johnson, Inc.

McFarland-Johnson, Inc. has provided the Authority with a Lump Sum Consultant Agreement to provide professional engineering services associated with the design of an Automated Weather Observation System (AWOS) for the Ogdensburg International Airport. The cost of this project (PIN 7904.XX) is \$63,644.75, out of the \$420,000 FAA Project to be funded according to the following breakdown:

FAA	95.0%	(\$60,462.75)
NYSDOT	2.5%	(\$1,591.13)
OBPA	2.5%	(\$1,591.12)

On a motion by Samuel J. LaMacchia, seconded by Douglas W. Loffler, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to execute a Lump Sum Consultant Agreement

with McFarland-Johnson, Inc. (PIN 7904.XX), pending satisfactory Independent Fee Estimate results, for professional engineering services associated with the design of an Automated Weather Observation System (AWOS) for the Ogdensburg International Airport, for a cost not to exceed \$63,644.75, broken down according to the following funding sources:

FAA	95.0%	(\$60,462.75)
NYSDOT	2.5%	(\$1,591.13)
OBPA	2.5%	(\$1,591.12)

Vernon D. Burns made the comment that he had inquired at the Airport Committee meeting about whether or not the duration of the project could be shortened if certain options were eliminated. McFarland Johnson confirmed that this is not possible, as the FAA requires that all options be examined. A vote was called.

AYES: Douglas W. Loffler
Christopher B. T. Coffin
Megan J. M. Whitton
Vernon D. Burns
Samuel J. LaMacchia

RESOLUTION PASSED

3. Approval of Small Scale Reimbursable Agreement with FAA for Medium Approach Lighting System Flashing (MALSF). The Federal Aviation Administration (FAA) has submitted a Small Scale Reimbursable Agreement to the Authority for approval that provides funding for FAA services required to perform limited technical and/or engineering support, design, and implementation services associated with the Medium Approach Lighting System Flashing (MALSF) at the Ogdensburg International Airport. The total estimated cost of this project is \$49,076.45. On a motion by Douglas W. Loffler, seconded by Vernon D. Burns, it was,

RESOLVED, that the Board of Directors of the Ogdensburg Bridge and Port Authority does hereby approve the Small Scale Reimbursable Agreement with the Federal Aviation Administration providing funding for FAA services required to perform limited technical and/or engineering support, design, and implementation services associated with MALSF at the Ogdensburg International Airport for the cost of \$49,076.45

A vote was called.

AYES: Christopher B. T. Coffin
Megan J. M. Whitton
Vernon D. Burns
Samuel J. LaMacchia
Douglas W. Loffler

RESOLUTION PASSED

4. Approval of Purchase of Runway Sweeper. Staff has obtained a proposal from Rollerena Auto Sales for a 2002 MB 4600 runway sweeper for the Ogdensburg International Airport. The cost of this runway sweeper is \$22,495.00 and includes delivery to the Ogdensburg International Airport. As this is a highly specialized, used piece of runway-clearing equipment, this agreement is in the best interest of the Authority. Wade A. Davis stated that this purchase would double the Airport's capacity to keep the runway clear. Ronald L. Bogus said that the Airport really needs a back-up sweeper in case something happens to the current sweeper. On a motion by Douglas W. Loffler, seconded by Samuel J. LaMacchia, it was,

RESOLVED, that the Executive Director is hereby authorized and directed to submit a Purchase Order to Rollerena Auto Sales for a 2002 MB 4600 runway sweeper for the Ogdensburg International Airport for a cost not to exceed \$22,495.00

A vote was called.

AYES: Megan J. M. Whitton
Vernon D. Burns
Samuel J. LaMacchia

Douglas W. Loffler
Christopher B. T. Coffin

RESOLUTION PASSED

E. Other Such Matters.

1. Evaluation of Executive Director. Executive Director Wade A. Davis stated that there was a need for Executive Session for the review of a specific individual. On a motion by Douglas W. Loffler, seconded by Vernon D. Burns, the meeting went into Executive Session at 5:20 PM. On a motion by Vernon D. Burns, seconded by Megan J. M. Whitton, the regular session resumed at 6:40 PM. Douglas W. Loffler moved, seconded by Megan J. M. Whitton, to approve Supplemental Agreement #4 with the Executive Director. A voice vote was called.


MOTION PASSED

The Chair, on behalf of the Board, thanked the Executive Director for his hard work and dedication to the Authority.

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

There were none.

The next meeting is tentatively scheduled for Tuesday, July 10 at 3:00 PM. On a motion by Vernon D. Burns, seconded by Megan J. M. Whitton, the meeting adjourned at 6:47 PM.



Megan J. M. Whitton
Secretary



Samuel J. LaMacchia
Chairperson