

PORT OF OSWEGO AUTHORITY
Regular Monthly Meeting
Monday, February 12, 2024

CALL TO ORDER: Ms. Cosemento called the meeting to order at 4:40 PM.

PRESENT: Constance Cosemento - Vice Chairperson, Stan Delia, Tom Schneider, Kathleen Macey, Diane Zeller, and William Scriber - Executive Director.

ALSO PRESENT: Pat McMahon - Supervisor of Development & Maintenance, Debbie Godden - Accounting Manager, Kim Natoli - Port Employee, Tom Doran and Debbie Doran with the Oswego Yacht Club, Dr. Robert Morgan - Vice President of the H. Lee White Maritime Museum and Mercedes Niess - Executive Director of the H. Lee White Maritime Museum, and Don Smith - Board Member of H. Lee White Maritime Museum.

PRESENT ON ZOOM: Francis Enwright - Chairperson, Carl Rode - C&S Engineers, Allison Phillips, Esq. - Young/Sommer LLC., Josh Werbeck - Port Counsel with Bousquet Holstein PLLC, and Lawrence Ordway - Port Counsel with Bousquet Holstein PLLC.

ABSENT: Dr. John Kares Smith.

EXECUTIVE SESSION

Motion 02-12-2401: A motion was made by Mr. Delia to move to executive session for discussion on Hammermill property to receive privileged advice and counsel from Port's attorneys. Ms. Macey seconded the motion at 4:41 PM. Motion passed. 5-Aye, 0-Nay.

Motion 02-12-2407: A motion was made by Ms. Macey to pay Young/Sommer LLC for the process to purchase the Hammermill property at 5:50 PM. Motion seconded by Ms. Zeller. Motion passed. 5-Aye, 0-Nay.

Motion 02-12-2402: A motion was made by Ms. Zeller to resume the regular monthly meeting at 5:50 PM. Motion seconded by Mr. Delia. Motion passed. 5-Aye, 0-Nay.

SPECIAL AWARD ANNOUNCEMENT

Carl Rode announced a special award for the Port of Oswego Authority, in regard to the CNY Agricultural Center Project. In August/September 2023, C&S Engineers submitted to the American Council of Engineering Consultants in New York State (ACEC) under the transportation and multimodal project category. The project was awarded a silver award designation; C&S Engineers were notified in mid-January 2024 that the project was selected. A more formal session will take place, possibly in March or April, with a plaque and poster presentation finalized with the silver award designation. Mr. Rode stated that this is a great distinction for the project for the tremendous work, from the contractors that built the structure, to Mr. Scriber and his staff, pushing the project from conception to reality. Mr. Scriber recognized Carl Rode's hard work on the project and thought it is important for C&S Engineers to be recognized, furthermore for the Port of Oswego Authority to be

recognized, as well as an upstate New York project to be recognized. Carl Rode left the meeting at 6:01 PM.

APPROVAL OF MINUTES

Motion 02-12-2403: A motion was made by Ms. Zeller to approve the minutes of the January 8, 2024 regular monthly meeting. Motion was seconded by Ms. Macey. Motion passed. 5-Aye, 0-Nay.

ADMINISTRATIVE OPERATIONAL REPORT

Mr. Scriber, Executive Director, presented the Administrative Operational Report to the Board and addressed any questions or comments.

Report Topics:

Monthly operations update – January 2024

Update on projects:

- Monthly Report – included.
- West Pier Reconstruction – contractor award included.
- Container Mover – submitted last month, the container mover from the grant the Port received, the American Marine Highway Program, which the Port was designated in 2019 as part of the Marine Highway, and the only port on Lake Ontario, and one of two ports in the Great Lakes; will possibly be completed in May 2024.
- Ballast Water Treatment – Mr. Fran Enwright can explain further in his report.
- Port of Oswego Authority/City of Oswego Advisory Meeting – Ms. Connie Cosemento can explain further in her report.
- Appraisal – for the U.S. Border Patrol property. Will possibly be complete by next month’s Board meeting.
- Aluminum – there will be a test run of the large ingots on three rail cars the next day, February 13, 2024. The ingots will be coming from a newly designed mill in the south to the Port, then transloaded to the local aluminum plant. July or August 2025 is when it is anticipated that full production will be transloaded to the Port on rail; approximately 600 railcars or 3,000 aluminum ingots. The new heavy-lift forklift will be crucial for this new project.
- Milwaukee, WI Business Trip – Mr. Scriber turned this discussion over to Board Member Mr. Schneider, who joined him on the trip, to visit a potential new grain customer.

DISCUSSIONS ON TOPICS

Mr. Schneider described the trip as very positive and praised Mr. Scriber’s representation and marketing of the Port of Oswego Authority. He described the business trip, who was present during discussions/meetings, and appreciated the opportunity to travel for the purpose of speaking with a new potential customer.

Mr. Delia initiated a discussion and had questions regarding Ballast Water Treatment, such as the feasibility of the project. Mr. Enwright described that this is about invasive species that vessels may be carrying while off-loading cargo, and then have to pick up ballast water, which may contain invasive species that cannot be transported or discharged from the vessel’s hull until it undergoes a pasteurization process, to prevent the spread of invasive species (i.e. zebra mussels) from one Great Lake to another, or even from overseas. The Port of Oswego Authority would be the first port on the

Great Lakes to undertake such project, however other issues (profits, funding, training, ILA issues) would have to be discussed prior to retaining this. Mr. Scriber stated that Environmental Protection Agency (EPA), United States Coast Guard (USCG), and International Maritime Organization (IMO) has not set a standard at this time. The EPA is currently in discussions on setting standards. In the future, regulations will be enacted about this topic – Mr. Scriber wanted the Board members to be aware of this for the future. Ms. Zeller inquired if federal grant money was available. Mr. Scriber explained that if and when standards and rules are set for this type of project, grants would be available.

ADMINISTRATIVE FINANCIAL REPORTS

Motion 02-12-2404: A motion was made by Mr. Schneider to accept the January financial reports as presented. Motion seconded by Ms. Zeller. Motion passed. 5-Aye, 0-Nay.

Primary Financial Reports

- Cash Position
- Balance Sheet
- Profit & Loss Statement

Subsidiary Financial Reports

- Monthly Bills
- Accounts payable
- Accounts Receivable
- Loan Summary
- Schedule of Assets
- Sales Report

Mr. Delia commented that the current assets are above the current liabilities; Mr. Schneider agreed that the total asset ratio and payables was acceptable. Ms. Cosemento shared that the Oswego City engineer acknowledged that the sales tax revenue that was collected from citizens who used services in the City during Port projects was noticeable.

Chairman's Report: No report per Mr. Enwright.

COMMITTEE REPORTS:

Executive Committee: Ms. Cosemento commented on the Port of Oswego Authority/City of Oswego Advisory Committee meeting that took place on February 5, 2024 was a positive meeting. She shared the meeting minutes from that meeting; the Oswego City engineer had examples of designs prepared to propose to the Port (removing part of the center island and/or inserting a raised crosswalk). Cost estimates will be needed. The Mayor of the City of Oswego will submit the topic and new design at the City's next Committee meeting (02/05/2024). The Port will be awaiting a cost analysis from the State. The Oswego City Mayor, who supports the project, will propose a resolution, once having some costs for the project, and then the resolution would be recommend to go before the full Oswego City Council. Mr. Enwright commented that full disclosure of the project to the Broadwell Group will need to be extended, and to be good neighbors with them. Ms. Cosemento insisted that the Broadwells to be present at the next meeting so that they understand that safety and aesthetics for businesses located on East 1st Street and for the Port to continue business – all are important. The next Port of Oswego Authority/City of Oswego Advisory meeting will be held at the Port.

Ms. Cosemento also went to Kevin Riley's office to meet and discuss ILA/ILA pension fund (they have two meetings a year).

Audit and Finance Committee: No report per Mr. Schneider.

Governance Committee: No report; Dr. Kares Smith was absent.

Planning and Development Committee: No report per Ms. Macey.

OLD BUSINESS:

None.

NEW BUSINESS:

Oswego Yacht Club – In regard to Exhibit D, Mr. Scriber explained that at the last meeting, the Oswego Yacht Club, in order for the club to be able to launch on the water, and put docks in the water, they must have an entry/exit point. The only area that is would be is off the Port's property on the west side, and the Yacht Club would be responsible for constructing a concrete walkway with attached ramp. The Oswego Yacht Club does not own the property, the Port of Oswego is the land owner. The Board would have to authorize the resolution.

Motion 02-12-2405: A motion was made by Mr. Schneider to authorize the Executive Director to sign and complete any and all paperwork pertaining to the Oswego Yacht Club's proposed construction of a concrete ramp on Port of Oswego Authority property, indicating that the Port of Oswego Authority is the owner of said property at 17 Lake Street, Oswego (Exhibit D), as requested by the New York State Department of State Office of Planning, Development, and Community Infrastructure on the Joint Application Form. Motion seconded by Mr. Delia. Motion passed. 5-Aye, 0-Nay.

West Terminal Repairs – Mr. Scriber explained that the damage done to the West Terminal originates from the high-water event across Lake Ontario and St. Lawrence River basin in 2017 (lost the dock on west-side, as well as other repairs and engineering). This project has been delayed for about a year due to DEC requirements that appear to be trivial. DEC approval was completed two months ago. Details were finalized, bids were sent out, and this is the lowest, responsible bid for the pier. Once completed, it will put the west dock back into commercial operation. Ms. Cosemento inquired about project totals of two contractors. Mr. Scriber explained that the Port is obligated to accept the lowest qualified bid, however there is a condition of the award that is contingent upon the timely completion of Women, Minority Business Enterprise (WMBE) Good Faith Efforts, which the Port is exceeding the state efforts. This is part of the New York State law of going through the process of ensuring MWBE goals are achieved; if goals are not achieved, the Port would have to get an exemption, so the project may progress. This award is contingent upon the waiver of WMBE.

Motion 02-12-2406: A motion was made by Mr. Schneider to award W.D. Malone, who is the lowest responsible bidder, for the Port of Oswego Authority West Terminal repairs, contingent upon the timely completion and acceptance of their W/MBE Good Faith Effort package waiver request by New York State Empire State Development (NYS ESD), and authorize the Executive Director to sign all necessary paperwork for and administer the project (Exhibit E). Motion seconded by Ms. Macey. Motion passed. 5-Aye, 0-Nay.

OLD BUSINESS

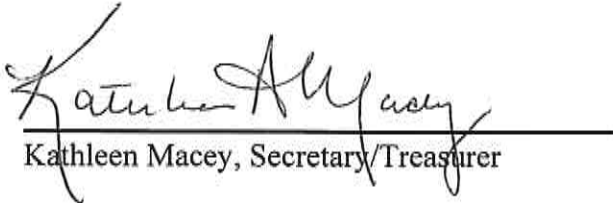
Dr. Robert Morgan, Vice President of the H. Lee White Maritime Museum, and Mercedes Niess, Executive Director of the H. Lee White Maritime Museum inquired about the status of the updated paperwork from the attorney regarding the LT-5 tugboat. Mr. Scriber stated that he has not received the changes in the paperwork from the attorney.

EXECUTIVE SESSION

Motion 02-12-2408: A motion was made by Ms. Zeller to enter executive session at 6:55 PM for discussion of customer negotiation. Motion seconded by Ms. Macey. Motion passed. 5-Aye, 0-Nay.

Ms. Zeller left the meeting at 7:06 PM.

Motion 02-12-2409: A motion was made by Ms. Macey to resume the regular monthly meeting and adjourn at 7:10 PM. Motion seconded by Mr. Delia. Motion passed. 5-Aye, 0-Nay.


Kathleen Macey, Secretary/Treasurer