

PORT OF OSWEGO AUTHORITY
Regular Monthly Meeting
Monday, September 18, 2023

CALL TO ORDER: Mr. Enwright called the meeting to order at 4:34 PM.

PRESENT: Francis Enwright - Chairperson, Constance Cosemento - Vice Chairperson; Dr. John Kares Smith, Tom Schneider, Diane Zeller, and William Scriber - Executive Director.

ALSO PRESENT: Pat McMahon - Supervisor of Development & Maintenance, Debbie Godden - Accounting Manager, Kim Natoli - Port Employee, Carl Rode - C&S Engineers, Allison Phillips, Esq. - Young/Sommer LLC on Zoom, Dr. Robert Morgan - Vice President of the H. Lee White Maritime Museum and Ms. Mercedes Niess - Executive Director of the H. Lee White Maritime Museum.

ABSENT: Stan Delia and Kathleen Macey.

DISCUSSION

A discussion was initiated by Allison Phillips, Esq. with Young/Sommer LLC about the Dome 4 Redesign Project. At the last meeting, Counsel and the Board reviewed Part 2 of the long form of the Environmental Assessment Form (EAF), and went through each of the questions on Part 2 form; the Board identified and analyzed the potential impacts with the assistance of the responses to those questions and information in Part 1. The Board identified potential impacts and quantified potential impacts either “no” or “small”, or “medium to large”. The Board found a Moderate impact when considering the visual appearance of the redesigned Dome 4 structure, but for the reasons that the Board discussed at the last meeting and are memorialized in the negative declaration, the Board found it did not constitute a potential significant adverse environmental impact under SEQR.

The Board’s responses and discussion of Part 2 of the EAF was used to prepare a reasoned elaboration document, which was circulated to the Board last week, and it is intended to memorialize the discussion of the last Board meeting and provide its reasoned elaboration supporting a negative declaration under SEQR.

There were no further questions from the Board.

Counsel did indicate that they did hear additional correspondence from the New York State Office of Parks, Recreation and State Historic Preservation, who indicated that because the facility had begun construction, they could not make meaningful comment on SEQR; Part 3 of negative declaration of reasoned elaboration does note this correspondence. Correspondence was also received by the Department of Environmental Conservation (DEC). The DEC did not object to the Board acting as Lead Agency under SEQR and provided general comments as to potential follow-up that is needed in the areas of their jurisdiction. The DEC did review and question the areas of possible disturbances, or the “buffer area” that should be included in the calculations.

Carl Rode with C&S Engineers reported they reviewed the areas of what could be considered as areas of disturbances. C&S Engineers looked at 150’ x 150’ square dome building with 50’ buffer area around the structure as the limit of work. How C&S Engineers treat disturbances, when doing calculations, they evaluate areas that are going to be excavated, or cause disturbance to native soils,

underlying soils, not the blacktop that was in the area. That reduced the disturbance footprint of the project because only small areas around the perimeter of the structure needed to be disturbed to install the foundation and to place utilities. Pertaining to areas inside the structure, asphalt was removed from the surface however, underlying gravel and underlying sub-base material was left in-tact. Gravel and paving was added to that, it was an impervious area prior, and not removing feet of existing materials. Everything below the asphalt was left in place. It was the similar for the perimeter, asphalt was removed in a few areas to place foundations and set the elevation grade. Per C&S Engineers, areas of disturbance is less than one acre, however left this calculation at 0.99 acres, as it could fluctuate a small amount depending on contractors means and methods. C&S Engineers confirmed it is well under the 1 acre calculation threshold. The questioning from DEC does not impact the Board's findings on SEQR.

Motion 09-18-2308: A motion was made by Mr. Enwright for a Resolution issuing a Negative Declaration under SEQR for the Port of Oswego Authority Dome 4 Redesign Project. Ms. Zeller seconded the motion.

	<u>AYE</u>	<u>NAY</u>
Ms. Cosemento	X	
Dr. Kares Smith	X	
Mr. Enwright	X	
Mr. Schneider	X	
Ms. Zeller	X	

Motion passed. 5-Aye, 0-Nay.

Prior to making a motion for Motion 09-18-2309, Allison Phillips, Esq. explained that when reviewing the SEQR form, one area that the Board discussed was whether the proposed Dome 4 Redesign Project was consistent with adopted community plans. In that discussion, the Board confirmed that it did believe it was consistent with community plans, and building off the information in Part 1 of the EAF, the reasoned elaboration discusses how the project is consistent with both the Port's long-term comprehensive plan and also the City of Oswego's comprehensive plan and adopted local waterfront revitalization plan. The Board did complete a consistency assessment with the larger Expansion Project two years ago that took into account the Local Waterfront Revitalization Plan (LWRP) to determine if the Port's project was consistent with that. A new assessment was completed with the assistance of the Board's technical consultant for the Dome 4 Redesign Project, where all the different policies that are applicable to the project that are in the city's Local Waterfront Revitalization Plan (LWRP) were reviewed, and it identifies how the project is consistent with those policies (industrial contributions, long-term community sustainability). The assessment form was provided to the Department of State and directly to the City of Oswego in late July or early August, and the Board did not receive any objections or comments from the City or Department of State in regards to the consistency assessment. The Board reviewed all the information about the project and in addition to making a negative declaration, Counsel has prepared a proposed resolution for the Board to confirm its determination that the project is consistent with the City of Oswego's Local Waterfront Revitalization Plan.

Several Board members wanted to confirm that the City of Oswego will be notified of this resolution. Per Counsel, circulation of the adoption of this second resolution will be handled.

Motion 09-18-2309: A motion was made by Ms. Cosemento for a resolution of LWRP Consistency for the Port of Oswego Authority Dome 4 Redesign Project. Dr. Kares Smith seconded the motion. Motion passed. 5-Aye, 0-Nay.

Motion 09-18-2301: A motion was made by Ms. Zeller to move to executive session to discuss CSEA negotiations and land acquisitions at 4:52 PM. Dr. Kares Smith seconded the motion. Motion passed. 5-Aye, 0-Nay.

Motion 09-18-2302: A motion to resume the regular meeting, executive session ended at 5:35 PM.

OLD BUSINESS:

Ms. Mercedes Niess, Executive Director of the H. Lee White Maritime Museum, and Dr. Robert Morgan, H. Lee White Maritime Museum Vice President, attended this month's meeting. Mercedes Niess and Dr. Robert Morgan spoke about the progress of the LT-5 Tug. They were successful in renewing the federal grant agreement for \$365,000.00; they are waiting on the state grant to finalize. Once that is finalized, the LT-5 can have the fuel removed from it. Mr. Scriber relayed that there was some concerns in the grant agreement with the Port and with what the Port was required to do. Mr. Scriber will follow-up with Port counsel. Mr. Scriber also suggested a meeting involving Museum personnel, the Port, and Port counsel for better communications. Mr. Scriber and Mr. Enwright had concerns about liabilities and insurance issues involving the LT-5.

Dr. Morgan updated the Board about progress on the schooner. They are removing steel from the inside, and hopefully will be removing the diesel soon.

Also, the Museum will have its business plan finalized in the near future. They have a Zoom meet this week in regards to possibly \$2 million in funding.

APPROVAL OF MINUTES

Motion 09-18-2303: A motion was made by Ms. Zeller to approve the minutes of the August 21, 2023 regular monthly meeting and the minutes of the September 5, 2023 Special Meeting for Dome 4 Redesign Project. Motion was seconded by Dr. Kares Smith. 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 – August 2023

Update on projects:

- Port Board members Ms. Macey and Mr. Enwright are attending the H₂O Conference in Toronto, Ontario with Mr. Scriber; Mr. Scriber is on the H₂O Conference committee.
- Presentation given on September 11, 2023 to Operation Oswego County on the Port's economic impact, it was well received.
- Mr. Scriber is a member of the New York State Freight Plan Working Group; first meeting was a week ago. DOT will be following up with the Port for a one-on-one meeting.

- Mr. Scriber is a member of Oswego County Micron Economic Development Work Group. Invitation was from Mr. Austin Wheelock. They had a meeting, and set goals and discussions on the positive benefits for Oswego County.
- Mr. Scriber was asked to serve on Micron Logistics Transportation sub-committee, which involves transportation for people from Oswego County to Micron, and also the construction, warehouse, and housing aspects.
- A meeting with Novelis was held on the possibility of rail coming to the Port. Novelis plant in Tennessee will start producing 24,000-25,000 pound ingots. Testing the transportation of the ingots of this size is possible this fall (ingots would be loaded onto an 89' rail car, transported to Tennessee, and then back to the local Novelis plant and finally unload). Mr. Scriber stated that the Port can accommodate the size of these ingots. Mr. Scriber described that an 89' rail car is the largest that can be placed on an axle through the Dewitt rail yard into Fulton. The Port has track F on the property, and that it can handle an 89' rail car and ingots of this size. Discussions involved that the Port can handle the 89' rail cars, the unloading, the storage, and transloading. This project may happen in 2024.

ADMINISTRATIVE FINANCIAL REPORTS

Motion 09-18-2304: A motion was made by Mr. Schneider to accept the July and August 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
Marina Profit & Loss Statement

Subsidiary Financial Reports

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

Mr. Scriber spoke about several revenue-generating projects (rock projects, aluminum, and soybeans), with next year appearing to be a strong year.

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

COMMITTEE REPORTS:

Executive Committee: Ms. Cosemento reported that she attended the August 29th meeting at H. Lee White Maritime Museum. She suggested that the museum advertize their lighthouse tour information. The Museum accepted their budget, reported on the DLR report that suggests that they move forward, the NOAA visit, and fundraising program.

Ms. Cosemento met with the International Longshoreman's Association in Syracuse regarding their pension plan.

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

Governance Committee: No report per Dr. Kares Smith.

Planning and Development Committee: No report (Ms. Macey was absent). Mr. Scriber reported that in about two weeks, the holes would be drilled for the marina. No finalized plan for the restrooms at this time.

OLD BUSINESS:

U.S. Department of Transportation Maritime Administration Grant Agreement Under The Fiscal Year 2022 America's Marine Highway (AMH) Program – for Board's review.

NEW BUSINESS:

Motion 09-18-2305: A motion was made by Dr. Kares Smith to extend the lease agreement with Dean Marine Excavating, Inc. under the same lease conditions as the original until 10/31/2023 at a reduced rate of \$17,000.00, and authorize the Executive Director to sign and complete any and all paperwork (current contract expires 09/30/2023). Motion seconded by Ms. Zeller. Motion passed. 5-Aye, 0-Nay.

Motion 09-18-2306: A motion was made by Ms. Cosemento to approve CSEA Local 068 and CSEA Local 1000 proposals for Successor Agreement to the 9.1.2021 – 6.30.2023 contract, to be effective 09/18/2023, as attached amendment states with financial items effective on 04/1/2024, and authorize the Executive Director to sign and complete any and all paperwork. Motion seconded by Ms. Zeller. Motion passed. 5-Aye, 0-Nay.

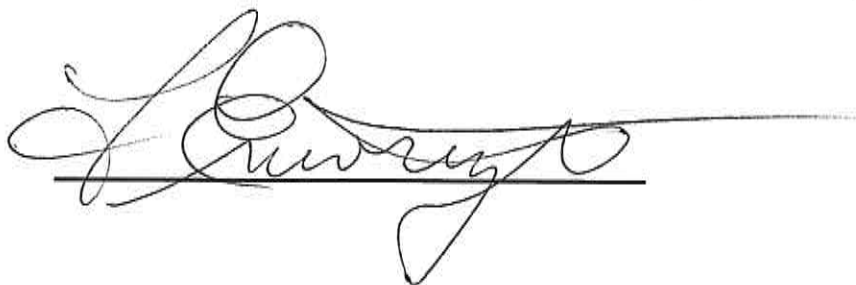
Motion 09-18-2307: A motion was made by Ms. Cosemento for the Board's consideration to donate \$125.00 to the Oswego Opera Theater. Motion seconded by Ms. Zeller. Motion passed. 5-Aye, 0-Nay.

Motion 09-18-2310: A motion was made by Mr. Schneider for the Port Improvement Project – The Port of Oswego Authority does hereby accept the EDA Grant award and authorizes the Executive Director to sign any and all paperwork, and administer the grant award. Motion seconded by Ms. Zeller. Motion passed. 5-Aye, 0-Nay.

Motion 09-18-2311: A motion was made by Ms. Cosemento to authorize the Executive Director to appoint a real estate broker to explore the opportunity to negotiate and offer for 91 Mitchell Street, and to explore the possibly of eminent domain on said property. Motion was seconded by Dr. Kares Smith. Motion passed. 5-Aye, 0-Nay.

ADJOURNMENT

Motion 09-18-2312: A motion was made by Ms. Zeller and seconded by Dr. Kares Smith to adjourn the regular monthly meeting at 6:29 PM. Motion passed. 5-Aye, 0-Nay.

A handwritten signature in black ink, appearing to read "Dr. Kares Smith", is written over a horizontal line. The signature is cursive and extends to the right of the line.