

PORT OF OSWEGO AUTHORITY
Regular Meeting December 7, 2021

CALL TO ORDER (at 4:07pm)

Francis Enwright - Chairperson, Constance Cosemento – Vice-Chairperson, Ranjit Dighe - Secretary/Treasurer (video), John Kares Smith, William Scriber - Executive Director
Excused: Thomas Schneider

APPROVAL OF MINUTES

Motion 12-07-2101 – Mrs. Cosemento made a motion to approve minutes of the October 5, 2021 meeting. The motion was seconded by Mr. Kares Smith. Motion passed 5-0, Mr. Schneider approved by Action by Written Consent.

NEW BUSINESS

Motion 12-07-2102 – Mr. Kares Smith made a motion to award the FEMA 4348 DR NY – PR 37407 Restoration of East Terminal Wharf and authorize the Executive Director to sign all necessary documents. Award recommendation to low qualified bidder W.D. Malone. The motion was seconded by Mr. Dighe. Motion Passed 5-0, Mr. Schneider approved by Action by Written Consent.

Motion 12-07-2103 – Mr. Kares Smith made a motion to approve the 1st Renewal of Transload and Storage Agreement dated October 1st, 2021 between Port of Oswego Authority (“Port”) and The Anderson, Inc. (“Andersons”) (the “Agreement”) and authorize the Executive Director to sign the Extension. The motion was seconded by Mr. Dighe. Motion Passed 5-0, Mr. Schneider approved by Action by Written Consent.

Motion 12-07-2104 – Mr. Kares Smith made a motion to approve the following amendments of the CSEA-Port Authority at Oswego Local 068 amendment agreement: Pg. 3 Article III – Compensation, Pg. 4 Article III – Direct Deposit, Pg. 5 Article IV – Seniority Rights & Classifications, Pg. 12 – Article XVI – Health Insurance. The motion was seconded by Mrs. Cosemento. Motion Passed 5-0, Mr. Schneider approved by Action by Written Consent.

EXECUTIVE SESSION

Motion 12-07-2106 – Mrs. Cosemento made a motion to enter into Executive Session discuss the lawsuit with the City of Oswego/Water issue and a Power Purchase Agreement (PPA) at 4:10pm. The motion was seconded by Mr. Kares Smith. Motion Passed 4-0.

Motion 12-07-2107 – Mr. Dighe made a motion to resume Regular Session at 5:28pm. The motion was seconded by Mr. Kares Smith. Motion Passed 4-0.

ACTIONS FROM EXECUTIVE SESSION

Motion 12-07-2108 – Mrs. Cosemento made a motion that the Chairman of the Board is hereby authorized to negotiate, execute, and deliver an amendment to the MOU in substantially the form presented at this meeting, and take all other action to settle and discontinue the Litigation, subject to the City’s prior execution of the aforementioned amendment, so long as any settlement

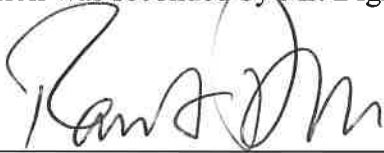
or resolution protects the Port's interests relative to the Water Disputes and does not increase the Port's financial obligations or exposure as set forth in the MOU.. The motion was seconded by Mr. Kares Smith. Motion Passed 4-0.

Motion 12-07-2109 – Mrs. Cosemento made a motion that the Board ratifies and reaffirms all prior action taken by the Board and/or the Executive Director relative to the Port's filing of the emergency Litigation and the execution of the MOU. The motion was seconded by Mr. Kares Smith. Motion Passed 4-0.

Motion 12-07-2110 – Mr. Kares Smith made a motion that the Port's Executive Director and/or Chairman of the Board are hereby authorized, to the extent necessary, to take all such other action to negotiate a full and final resolution or settlement of the Litigation and related Water Disputes and to effectuate the intent of these resolutions. The motion was seconded by Mr. Dighe. Motion Passed 4-0.

ADJOURN

Motion 12-07-2111 – Mr. Kares Smith made a motion to adjourn the meeting at 6:40pm. The motion was seconded by Mr. Dighe. Motion Passed 4-0.



Ranjit Dighe, Secretary