**NEW HAVEN PORT AUTHORITY**

**MINUTES**

**REGULAR MEETING #203**

**MARCH 21, 2024**

This was an entirely remote meeting.

Chairman Fabiani called Regular Meeting #203 of the New Haven Port Authority (NHPA) to order at 5:06 p.m.

Commissioners Present: Nick Fabiani, Chair; Sal Punzo\*\*, Vice-Chair; Tom Cavaliere, Treasurer; Eugene Harris, Secretary; Katharine Goodbody

Staff Present: Sally Kruse

Counsel: Carolyn Kone - Brenner, Saltzman & Wallman, LLP

Public: Kyle Lisek (Legacy Environmental)\*; Martha Murray\*\*\*; Rick Ballou\*\*\*

**AGENDA**

**MINUTES**

Prior to continuing to other items of business, Chair Fabiani moved to add termination of the existing Parcel 5 lease to the agenda, and to move discussion of a Parcel 6 License into the Executive Session under C.G.S §1-210(b)(24). The motion was seconded by Commissioner Goodbody and unanimously approved by all commissioners present at the meeting.

**1. Approval of the Minutes of the Annual Meeting held on February 15, 2024**. No comments were provided. Upon a motion by Commissioner Goodbody, seconded by Commissioner Punzo, the minutes of the February 15, 2024, Annual Meeting were unanimously approved by all Commissioners present at the meeting.

**FINANCIAL REPORT**

**2. Review of Bank Statements and Reconciliations for February 29, 2024 (all accounts). 3. Balance Sheet and Profit and Loss Statement for period ending February 29, 2024**. Commissioner Cavaliere reviewed the relevant financial reports. Upon a motion by Commissioner Harris, seconded by Commissioner Goodbody, the financial report was unanimously approved by all Commissioners present at the meeting.

**4. Expenditures requiring Board approval.** – There were two expenditures above $1,500.00 during February/March 2024, which were exempt under Article X of the Procurement Policy, with another for legal expenses in March. The expenditure for tire cleanup on Parcel 4 was previously approved by the Board, as was the expenditure to purchase parcels from DOT.

**UPDATES**

Connecticut Maritime Coalition (CMC) – CMC held a meeting to discuss the future of the coalition in the likely event that the CPA ceases to exist (see below). There is a fear that the commercial maritime sector will no longer have a voice in the State Legislature. Members discussed rebuilding the membership back to pre-pandemic levels and potentially engaging a lobbyist to advocate for the commercial maritime sector.

Connecticut Port Authority (CPA) – see paragraphs below on the Strategic Master Plan Grant Agreement and the CT Port Authority Legislation

Army Corps of Engineers (ACOE) – Channel Deepening Project – ACOE held a coordination meeting with Cross Sound Cable. CSC has been meeting with regulators to discuss permitting options and will be doing some geotechnical borings of their own.

New Haven Marine Group/New Haven Harbor Co-Op – West Haven Sewage Outfall Reconstruction – Engineering firm provided an overview of the options for installing the outfall pipe. Traditional excavation, followed by pipe-laying and reclosure has most environmental impacts. Horizontal drilling requires laying the pipe across the harbor closing the channel for >4 days. A hybrid method would close channel for 2-3 days. They want feedback from Co-Op members as to whether that would be okay.

**OLD BUSINESS**

**EPA Clean Ports Program Zero Emissions Grant Application** – Kyle Lisek reported that Gateway is developing the equipment list that would become the subject of the application. He also went over several points for possible inclusion in the Statutory Partnership Agreement and said he would be drafting something to share with NHPA early in the week of March 25th. Mr. Lisek also said that they intend to submit an optional/non-binding letter of intent to apply.

\*Mr. Lisek left the meeting at 5:34 p.m.

**Parcel 4 Closing Perimeter Fencing** – Executive Director stated that the price for fencing to enclose Parcel 4 provided to the City of New Haven was $32,905.00. Frank D’Amore will manage the project and the City will pay for the portion that will attach to Colony Hardware property. Upon a motion by Commissioner Goodbody, seconded by Commissioner Cavaliere, the expenditure of up to $32,905.00 for fencing to enclose Parcel 4 was unanimously approved by all Commissioners present at the meeting.

\*\*Commissioner Punzo left the meeting at 5:45 p.m.

**Asset Capitalization Policy** – The Executive Director presented the draft Asset Capitalization Policy with a Capitalization Threshold of $1,000, which was the value suggested by the accountants. However, computers and peripherals were exempted. Upon a motion by Commissioner Goodbody, seconded by Commissioner Harris, the Asset Capitalization Policy 4 was unanimously approved by all Commissioners present at the meeting.

**NEW BUSINESS**

**EPA Clean Ports Program Planning Grant Program** – The ED reported that there is a sister grant to the Clean Ports Zero Emissions Equipment Grant Program for planning projects. After discussion, the Board decided that NHPA should not attempt to identify a project and develop a grant application during this application period but should investigate appropriate projects for future funding opportunities.

**Strategic Master Plan Grant Agreement with CT Port Authority** - CPA held a meeting on 3/19 and doesn’t have another scheduled until June. To approve a grant agreement for the Master Plan, CPA needs to have a work plan, schedule and cost. For that reason, NHPA should select a bidder and negotiate a contract in advance of that meeting. CPA also requested a written request for the grant funding in advance of their March 19th meeting. Upon a motion by Commissioner Goodbody, seconded by Commissioner Harris, all Commissioners present at the meeting adopted a resolution to ratify a request for grant funding previously submitted to CPA by the Chair and to authorize application for the grant and actions necessary for acceptance of the grant and enter into a contract with the selected contractor.

**CT Port Authority Legislation** – The Governor proposed legislation to rename the CPA as the CT Maritime Authority (CMA) and place it under the CT Airport Authority (CAA). This bill is currently known as HB 5047. A public hearing was held in which CMC testified as well as the CT Marine Trades Association, expressing concern. The executive director of the CAA entered neutral testimony and the chair of the board of the CPA testified in favor. Per the chair of the board of the CPA, the CAA has more office support and resources and will be able to help the (new) CMA better fulfill its functions. The legislation is expected to pass and to go into effect. In the legislation, the State will pick up the engagements of the CPA.

**Parcel 5 Lease Termination** – Upon transfer of Parcel 5 to NHPA, DOT assigned an existing lease with the City of New Haven to NHPA. The lease is valid to May of 2024, with a potential 6-month extension; however, the City is not using the parcel, does not plan to use it, and therefore agrees that the lease should be terminated. Upon a motion by Commissioner Goodbody, seconded by Commissioner Harris, termination of the lease for Parcel 5 was unanimously approved by all Commissioners present at the meeting.

**RFP for Licensing Parcels 1, 3, 4, and 5** – The ED reviewed the final draft of the RFP for licensing of parcels 1, 3, 4, and 5. The Board discussed the draft and made suggestions for publicizing the RFP and suggested a 45-day turnaround for submittal of bids. Upon a motion by Commissioner Goodbody, seconded by Commissioner Cavaliere, release of the RFP was unanimously approved by all Commissioners present at the meeting.

**PUBLIC COMMENT -** None

**EXECUTIVE DIRECTOR’S (ED’s) REPORT –** ED reported that the PAD parcels closing was scheduled for March 28th, that March 29th is a holiday, and that she would be on vacation April 8th and 9th.

**EXECUTIVE SESSION**

Commissioner Fabiani moved to go into Executive Session with all commissioners, Carolyn Kone, and Sally Kruse to discuss items 11, 13, and 14 on the agenda. The motion was seconded by Commissioner Goodbody and upon a unanimous vote by all commissioners present at the meeting, the Board moved into executive session at 6:35 p.m.

 Ms. Murray and Mr. Ballou left the meeting at 6:35 p.m.

**To discuss acquisition of properties under CGS 1-200(B)(6)(D) (Selection of site or purchase of property when publicity would adversely impact purchase price) with respect to 821 East Shore Parkway and 50 Fulton Terrace.**

**To discuss a legal opinion regarding Parcel 1.**

The Board came out of Executive Session at 6:59 p.m.

**Parcel 1 Temporary Right of Entry Termination** - Upon a motion by Commissioner Goodbody, seconded by Commissioner Harris, all Commissioners present at the meeting voted to terminate the existing Temporary Right of Entry for Parcel 1.

**ADJOURNMENT –** Upon a motionbyCommissioners Goodbody, seconded by Commissioner Harris, and approved by unanimous vote of all commissioners present at the meeting, the meeting was adjourned at 7:00 p.m.