

**ALBANY CONVENTION CENTER AUTHORITY
MEETING MINUTES
CAHILL ROOM, ALBANY COUNTY OFFICE BUILDING
AUGUST 25, 2006 – 8:30AM**

ATTENDEES: GAVIN DONOHUE, JOHN HARRIS, GEORGE LEVEILLE, BRAD ROSENSTEIN,
JOSEPH PENNISI, LLOYD STEWART, MICHELE VENNARD

CALL TO ORDER AND ROLL CALL:

Meeting was called to order at 8:30 am and a roll call was taken by
Chairman Leveille.

PUBLIC COMMENT PERIOD 8:30-8:35

The following is the list of speakers who made public comments at this
meeting. The entire meeting is on audio tape and the public comments are
available to anyone requesting to hear them.

Dick Dana – President of ARISE

The public comment period concluded at 8:35.

APPROVAL OF PREVIOUS MEETING MINUTES:

Minutes from the June 23 meeting were reviewed and approved as amended
on a motion by Mr. Donohue and seconded by Mr. Rosenstein. The motion
was unanimously approved.

ORGANIZATIONAL ISSUES:

⇒ **INTERIM EXECUTIVE DIRECTOR SEARCH UPDATE**

Mr. Leveille stated he and Mr. Donohue will oversee the process of
narrowing down candidates to a “short list” for interviews beginning in
September. The board members will have the opportunity to participate
should they so desire. Recommendations will be shared, and a timely
process is necessary to meet the January, 2007 goal for hiring. Resumes are
still being accepted and this should be emphasized on the website.

⇒ **INSURANCE NEEDS**

Mr. Leveille directed staff and counsel to investigate the Authority's insurance needs.

FINANCE AND OPERATIONS SUB-COMMITTEE REPORT:

⇒ **EXTERNAL AUDITOR RFP**

Mr. Harris stated that Mr. Pennisi provided Mr. Sorrentino with a form of a draft RFP to update.

⇒ **HOTEL OCCUPANCY TAX**

Mr. Harris noted that it was his understanding that legislation had passed and was sent to the Governor for approval authorizing a local hotel occupancy tax. Mr. Pennisi confirmed it was signed by the Governor, that a Local Law of the County implementing the additional 1% hotel occupancy tax was introduced at the August 14th meeting, that a Public Hearing was scheduled for Tuesday, August 29 and he anticipated the Legislature would take up the Local Law at the September 11th meeting. Mr. Leveille asked when the effective date would be – assuming it passed. Mr. Pennisi responded the law called for October 1st although the draft originally called for September 1st, therefore, it will be pushed back a month. Mr. Leveille asked Mr. Sorrentino to attend in Mr. Leveille's place, due to a conflict, and Mr. Leveille encouraged other Board members to attend.

⇒ **GENERAL COUNSEL REPORT**

Mr. Leveille introduced Mr. Hal Patrick from Harris Beach, PLLC, the firm retained to act as general counsel to the Authority. Mr. Patrick reported that they were examining certain statutes affecting the Authority, including the Public Authority Accountability Act, the State Finance law with respect to Procurement Contracts, and the Public Officers law. He explained they would examine the Authority's by-laws, policies and procedures and make recommendations where necessary to assure compliance. He also indicated they would examine and report on insurance issues for the Authority. Finally, he discussed reaching out to the Empire State Development Corporation with regard to the Authority's ability to access funds authorized by the legislature to be raised through a bond issue by ESDC expected at the end of the year. Mr. Patrick then introduced his colleagues, Robert Ryan and Brendan Chudy. Mr. Ryan gave a brief overview of the Public Authority Accountability Act and discussed the Procurement Policy.

SITE SELECTION SUB-COMMITTEE REPORT:

Ms. Vennard stated that an interview had taken place with Whiteman Osterman & Hanna, Environmental Counsel, and that they discussed the use of a Generic Environmental Impact Study (GEIS) and preparation of a Request for Proposal (RFP). A draft form of RFP should be ready for the next meeting. Mr. Leveille suggested Board authorization to issue the RFP should be sought so that it can be issued as soon as possible. A motion was

made by Ms. Vennard to authorize the Chair to move forward with a GEIS RFP upon its review and concurrence by the Site Selection Sub-Committee, seconded by Mr. Donohue. Mr. Leveille then reviewed the statutory background and reasons that led to the approach. Mr. Pennisi asked for clarification of the scope of the RFP. Mr. Leveille discussed the scope of the RFP and indicated that Environmental Counsel's concurred with the proposed approach. Mr. Pennisi asked if the intention was to have the RFP issued before the next meeting to which Mr. Leveille answered in the affirmative. The motion was unanimously approved.

SEQR LEAD AGENCY:

Ms. Vennard introduced the Resolution entitled *Notice of Intent for the ACCA to Act as Lead Agency*. Mr. Stewart requested the definition of a Type 1 Action which Mr. Harris provided. Mr. Leveille pointed out the need for several Public Hearings as part of the process. Mr. Pennisi seconded the Resolution, which was unanimously adopted.

BASELINE DATA & MAPPING:

Ms. Vennard explained the effort to secure maps that contained data pertaining to the properties within the preferred site area and staff assistance had been solicited. Mr. Leveille noted correspondence had gone out in support of that. Mr. Stewart requested more detail on what data we were seeking which was answered by Mr. Leveille. Mr. Donohue suggested Bob Belber from the Pepsi Arena be contacted for what they have. It was noted that he and others would be part of the process.

STAFF REPORT:

Mr. Sorrentino detailed various efforts put forth during the month. Specifically:

- Monitoring the progress of the MWBE Consultant RFQ that is due September 8th.
- Meeting with CDTA to discuss how they and the ACCA could work together on transportation issues of mutual concern.
- Meeting with the City's Archaeologist to discuss the ACCA's commitment to investigating the historic significance of the site area and soliciting assistance and support on approaches.
- An opportunity for having a college student as an intern was offered by a professor from SUNY Albany. Mr. Stewart recommended that we seek other candidates from the community before any selection is made.

OTHER BUSINESS:

No other business was discussed

ADJOURN:

A motion to adjourn was made by Mr. Pennisi at 9:10, seconded by Mr. Stewart. The motion was unanimously approved.

Next meeting date and time:
Friday, September 22, 2006, 8:30AM