



MINUTES
NEW YORK STATE CANAL CORPORATION
BOARD MEETING NO. CC-183
JUNE 14, 2013

Minutes of a meeting of the New York State Canal Corporation held in the Board Room at Administrative Headquarters, 200 Southern Boulevard, Albany, New York; as well as via video conference from the New York Power Authority Board Room, 123 Main Street, White Plains, New York.

The meetings of the New York State Thruway Authority and Canal Corporation Boards opened in joint session for the consideration of various matters. These minutes reflect only those items considered by the New York State Canal Corporation Board. The meeting began at 11:00 a.m.

There were present:

Chairman Howard P. Milstein
Donna J. Luh, Vice Chairperson
J. Donald Rice, Jr., Board Member
Brandon R. Sall, Board Member, via video conference
Richard N. Simberg, Board Member
E. Virgil Conway, Board Member

Constituting a majority of the members of the Canal Corporation Board.

Jose-Holguin-Veras, Ph.D. was not present at this meeting and did not vote on any of the Items.

In addition, there were present the following staff personnel:

Thomas J. Madison, Jr., Executive Director
John Bryan, Chief Financial Officer and Treasurer
William Estes, General Counsel
Jill B. Warner, Board Administrator and Secretary
Jonathan Ehrlich, Special Assistant to the Chairman
Scott Hollis, Information Technology Specialist III
Karen Wilson, Information Technology Specialist III
Captain Eaton, Troop T
Michael Shamma, Acting Chief Engineer
Daniel Weiller, Director, Office of Media Relations and Communications
Ted Nadratowski, Interim Director, Maintenance and Operations
John Barr, Director, Administrative Services
Peter Sanderson, Project Director, New NY Bridge
Todd Gold, Inter-Governmental Relations
Harry Lennon, Acting Director of Audit & Management Services
Brian Stratton, Director, Canal Corporation

Also in attendance:

Stanley Kramer, Partner, Hawkins Delafield & Wood LLP
Ervel Douse, Expedite Video Conferencing Services
William Giaccio, public

Chairman Milstein noted that he, Ms. Luh, Mr. Conway, Mr. Rice, Mr. Simberg and Mr. Sall had received and reviewed the Agenda submitted for consideration at this meeting and were prepared to act on each of the Items.

Chairman Milstein called the meeting of the Thruway Authority and Canal Corporation Boards to order. (6:12)

Ms. Warner recorded the minutes as contained herein (public notice of the meeting had been given).

Item 1 by Ms. Warner (Appendix A)
Approval of Minutes of Meeting No. 182 (06:18)

On the motion of Mr. Conway, seconded by Ms. Luh, without any objections, the Board approved the minutes of Meeting No. CC-182 held on March 27, 2013, which were made available to the Board Members as part of the Agenda.

Item 2 by Mr. Madison (Appendix B)
Report on Procurement Contracts and Other Agreements Up to \$150,000 Executed by the Executive Director During the Period January 1, 2013 through March 31, 2013 (6:38)

On the motion of Ms. Luh, seconded by Mr. Conway, without any objections, the Board accepted the report on Procurement Contracts and other Agreements up to \$150,000 executed by the Executive Director during the period January 1, 2013 through March 31, 2013.

Item 3 by Mr. Shamma (Appendix C)
Report on the 2013 Capital Program (9:10)

Extensive discussion of the Capital Program was undertaken by members of the Board. Mr. Shamma's report was distributed to Board Members and a copy is maintained in the Authority's records along with details of the Board Members' discussion included in the video recording of the meeting.

After full discussion, the Board accepted the monthly status reports on the Thruway Authority and Canal Corporation 2013 Capital Program.

Item 4 by Mr. Stratton (Appendix D)
Authorizing the Expenditure of \$1 Million from the Canal Development Fund for a Competitive Canal Grants Program (16:13)

A discussion regarding the Canal Development Fund and Canal Grants Program was undertaken by members of the Board. The details of the presentation by Mr. Stratton and Board Members' comments and questions with respect thereto are included in the video recording of the meeting maintained in Corporation records.

On the motion of Mr. Conway, seconded by Ms. Luh, without any objections, the Board unanimously adopted the following resolution:

RESOLUTION NO. 580
AUTHORIZING THE EXPENDITURE OF \$1 MILLION FROM THE CANAL DEVELOPMENT FUND FOR A COMPETITIVE CANAL GRANTS PROGRAM

RESOLVED, that \$1 million be allocated from the Canal System Development Fund for new competitive grant programs in conjunction with the State's Consolidated Funding Application process; and be it further

RESOLVED, that projects funded through these competitive grant programs be consistent with the 1995 Canal Recreationway Plan; and be it further

RESOLVED, that all grant recipients will receive an award notification letter indicating the award process and stating that grant funds will be provided solely on a reimbursement basis; and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting

Item 5 by Mr. Shamma (Appendix E)
Authorizing an Amendment to the 2013 Canal Contracts Program for C71.1, Construction of a New Lock C-12 Utility Structure in the Albany Division, and Allocating Funds Therefor (32:24)

A discussion regarding an amendment to the Canal Contracts Program for construction of a new Lock in the Albany Division was undertaken by members of the Board.. The details of the presentation by Mr. Bryan and Board Members' comments and questions with respect thereto are included in the video recording of the meeting maintained in Authority records.

On the motion of Mr. Simberg, seconded by Ms. Luh, without any objections, the Board unanimously adopted the following resolution:

RESOLUTION NO. 581

**AUTHORIZING AN AMENDMENT TO THE 2013
CANAL CONTRACTS PROGRAM FOR C71.1,
CONSTRUCTION OF A NEW LOCK C-12 UTILITY
STRUCTURE IN THE ALBANY DIVISION, AND
ALLOCATING FUNDS THEREFOR**

RESOLVED, that the 2013 Canal Contracts Program be amended in order to let C71.1, construction of a new Lock C-12 utility structure, in 2013, be, and the same hereby is, approved, and be it further

RESOLVED, that the 2013 Contracts Program be amended to account for the additional \$999,000 in Canal Capital funds (for construction, construction inspection and design), and the same hereby is, allocated towards C71.1 from bid savings and other adjustments made to the 2013 Canal Contracts Program, and be it further

RESOLVED, that the Executive Director or his designee shall have the authority to exercise all powers reserved to the Corporation under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the terms of

this Item and other Board authorizations and suspend or terminate the contract in the best interests of the Corporation, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting

EXECUTIVE SESSION AND ADJOURNMENT (50:36)

Chairman Milstein requested a motion to adjourn to Executive Session to discuss potential acquisition, sale or lease of real property for the Authority's operations, and the sale or exchange of general revenue bonds.

There being no further business to come before the Board, without any objections, on the motion of Mr. Conway, seconded by Ms. Luh, the meeting was adjourned and the Board moved into Executive Session.

Jill B. Warner
Secretary

Note: Webcasts, which include dialogue of Authority/Corporation Board Meetings, are available on the Thruway Authority website 48 hours after such meetings occur and remain on the website for a period of four months.