



**MINUTES
NEW YORK STATE CANAL CORPORATION
BOARD MEETING NO. CC-208
November 7, 2016**

Minutes of a meeting of the New York Thruway Authority, held in the board room at, 200 Southern Boulevard, Albany, 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 the item considered by the New York State Thruway Authority Board. The meeting began approximately at 11:53 a.m.

Members of the Board present were:

Joanne M. Mahoney, Chair
Donna Luh, Vice Chair
Richard N. Simberg, Board Member
Robert Megna, Board Member
J. Donald Rice, Jr., Board Member

Constituting a majority of the members of the Thruway Authority Board.

Members of the Board excused:

Jose Holguin-Veras, Ph.D.
Stephen Saland

Staff Present:

Bill Finch, Acting Executive Director
Gordon Cuffy, General Counsel
Karen Hunter, Chief of Staff
Matt Howard, Treasurer and Chief Financial Officer
Brian Donnelly, Director of Maintenance and Operations
Thomas Pericak, Deputy Chief Engineer and Director of Capital Program Delivery
Richard Lee, Chief Engineer
Major Joseph Dodd, NYS Police
Mark Hixson, Deputy Director Maintenance and Operations
Eric Christensen, Deputy Director of Operations
John Barr, Acting Director of Administrative Services
Brian Stratton, Director NYS Canal Corporation
John Callaghan, Deputy Director of the NYS Canal Corporation
Jennifer Givner, Director of Media Relations & Communications

Harry Lennon, Acting Director of Audit & Management Services
Kevin Allen, Director of Purchasing
Larry Norville, Chief Compliance Officer
Tony Kirby, Director of Real Property Management
Stephen Grabowski, Acting New York Division Director
Patrick Hoehn, Acting Syracuse Division Director
Joseph Moloughney, Acting Albany Division Director
Mary Boehm, Senior Investigator Auditor
Dorraine Steele, Director of Fiscal Audit and Budget
Karen Osborn, Budget Manager
Frank Macarilla, Information Technology Specialist
Kathleen LeFave, Board Secretary

Also in attendance:

Jon Campbell – Albany Bureau, Gannett Newspaper
Rich Karlin – Times Union
Paul Minni, OGS Engineer
Steve VanWagenen, OGS Engineer
Murray Bodin - Welded Steel Sculptures

Chair Mahoney called the meeting of the Thruway Authority and Canal Corporation Boards to order.

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

Chair Joanne Mahoney opened the meeting by making a brief statement regarding the tragic accident involving the passing of Syracuse Division Construction Equipment Operator Heavy Ron Deming. The Chair also requested a moment of silence be conducted prior to the start of the board meeting.

PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA

The following individual signed up for the general comment period. His comments are included in the video recording of the meeting.

1. Murray Bodin, Member of the Public

Item 2 by Kevin Allen (Appendix B)

Report on Procurement Contracts and Other Agreements Executed by the Acting Executive Director During the Third Quarter Ending September 30, 2016

Chair Mahoney invited Mr. Allen to present the report of procurement contracts.

Upon motion duly made and seconded, without any objections, the Board accepted the Report on Procurement Contracts and other Agreements Executed by the Acting Executive Director during the quarter ending September 30, 2016.

Item 10 by Chair Mahoney (Appendix J)
2017 Board of Directors Meeting Schedule

Chair Mahoney proposed Board meeting dates for the calendar year.

Upon motion duly made and seconded, the Board approved the Board calendar and adopted the following board meeting dates:

Board of Directors Meeting Schedule Calendar Year 2017

January 23, 2017
March 27, 2017
May 22, 2017
July 17, 2017
September 25, 2017
November 13, 2017

Item 14 by Tom Pericak (Appendix N)
Authorizing the Execution of Supplemental Agreement No. 2 for D214181, Dam Safety Services Term Agreement, with Bergmann Associates Architects Engineers Landscape Architects & Surveyors, D.P.C., and Allocating Funds Therefor

Mr. Pericak presented the resolution seeking Board authorization to execute a term agreement with Bergmann Associates Architects Engineers Landscape Architects & Surveyors, D.P.C. to provide dam safety engineering services for the Canal Corporation.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting

Upon motion duly made and seconded, the Board approved and adopted the following resolution:

RESOLUTION NO.662

AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 2 for D214181, DAM SAFETY SERVICES TERM AGREEMENT WITH BERGMANN ASSOCIATES ARCHITECTS ENGINEERS LANDSCAPE ARCHITECTS & SURVEYORS, D.P.C., AND ALLOCATING FUNDS THEREFOR

RESOLVED, that the Chief Engineer be, and he hereby is, authorized to execute Supplemental Agreement No. 2 to D214181 with Bergmann Associates Architects Engineers Landscape Architects & Surveyors, D.P.C., 28 East Main Street, Rochester, New York 14614, for an additional sum of \$1,000,000, and such Supplemental Agreement shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the revised Maximum Amount Payable for this Agreement (D214181) be \$3,400,000, and be it further

RESOLVED, that an additional \$1,000,000 be allocated to the Agreement (D214181) through adjustments made to the 2016 Canal Contracts Program, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the Supplemental Agreement, manage and administer the Supplemental Agreement, amend the provisions of the Supplemental Agreement consistent with the terms of this Item and in accordance with the 2016 Canal Contracts Program Resolution and other Board authorizations, and suspend or terminate the Supplemental Agreement in the best interest of the Authority, and be it further

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

Item 16 by Matt Howard (Appendix P)

Re-Authorizing: Authorization Granted Under Resolution No. 633, Authorizing: Abandonment of Approximately 3.915+ Acres of Canal Land Located in the Town of Hastings, Oswego County, and Sale of Said Land at Public Auction For Not- Less-Than Twenty Two Thousand Dollars to the Highest Qualified Bidder

Mr. Howard presented the resolution seeking Board authorization for the abandonment and sale of a parcel of canal land located in the Town of Hastings. In the course of developing the auction packet and other materials needed for the auction which was scheduled for May 2016, it was discovered that both the Resolution and the attendant agenda item contained, in some places, a transposition error resulting in the acreage for the parcel being erroneously stated as approximately 3.191± acres at times rather than the actual, correct acreage of the subject property of 3.915± acres in size.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting

Upon motion duly made and seconded, the Board approved and adopted the following resolution:

RESOLUTION NO.663

RE-AUTHORIZING AUTHORIZATION GRANTED UNDER RESOLUTION NO. 633, AUTHORIZING: ABANDONMENT OF APPROXIMATELY 3.915± ACRES OF CANAL LAND LOCATED IN THE TOWN OF HASTINGS. OSWEGO COUNTY, AND SALE OF SAID CANAL LAND AT PUBLIC AUCTION FOR NOT-LESS-THAN TWENTY-TWO THOUSAND DOLLARS TO THE HIGHEST QUALIFIED BIDDER

RESOLVED, that approximately 3.915± acres of Canal land located in the Town of Hastings, County of Oswego is no longer useful or necessary as part of the Barge Canal System, as an aid to navigation thereon, or for Barge Canal purposes, excepting however, a permanent easement to overflow and flood the Property, and be it further

RESOLVED, that all other terms and conditions authorized by Resolution No. 633 be, and the same hereby is, re-authorized and approved, and be it further

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

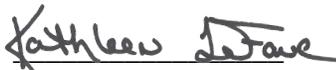
GENERAL PUBLIC COMMENT PERIOD

The following individual signed up for the general comment period. His comments are included in the video recording of the meeting.

1. Murray Bodin, Welded Steel Sculptures

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn until its next meeting scheduled for December 5, 2016.


Kathleen LeFave
Board 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.