



MINUTES

NEW YORK STATE THRUWAY AUTHORITY

BOARD MEETING NO. 672

March 18, 2009

Minutes of a meeting of the New York State Thruway Authority, held in the Board Room at Administrative Headquarters, 200 Southern Boulevard, Albany, New York 12209 and via video conference from the Authority's New York Division, 4 Executive Boulevard, Suffern, NY 10901 and Buffalo Division, 455 Cayuga Road, Suite 800, Cheektowaga, NY 14225.

The meeting began at 10:30 a.m.

There were present:

Frederick M. Howard, Board Member
Donna J. Luh, Board Member, via video conference
Kevin J. Plunkett, Board Member, via video conference
Brandon R. Sall, Board Member

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

Chairman Buono, Mr. Conway and Ms. Crotty were not present at this meeting and did not vote on any of the Items.

In addition, there were present the following staff personnel:

Michael R. Fleischer, Executive Director
Daniel Gilbert, Chief of Staff
Sharon O'Connor, General Counsel
John Bryan, Chief Financial Officer
Jill Warner, Secretary and Board Administrator
Christopher Waite, Chief Engineer
Betsy Graham, Acting Director, Office of Public Affairs

William Rinaldi, Division Director, Albany Division
Ted Nadratowski, Acting Division Director, New York Division
Richard Garrabrant, Division Director, Syracuse Division
Thomas Pericak, Division Director, Buffalo Division
Kevin Allen, Acting Director, Audit and Management Services
John Barr, Director, Administrative Services
Donald Bell, Director, Operations and Maintenance
Carmella Mantello, Director of Canal Corporation
Major Robert Meyers, Troop T
Wendy Allen, Deputy Chief of Staff
Joanne Riddett, Director, Information Technology
Harry Lennon, Senior Investigator, Audit and Management Services
Cathy Sheridan, Manager, Canal Capital Program
Michael Sikule, Director, Office of Investments and Asset Management
Katherine McCartney, Deputy Counsel
Richard Harris, Deputy Director, Office of Community Development & Land Management
Richard Matters, Real Estate Specialist 2
Douglas Elson, Information Technology
Dorraine Steele, Director, Office of Fiscal Audit and Budget
Also in attendance:
Cathy Woodruff, Reporter, *Albany Times Union*
John Armstong, Assistant Television Engineer, NYN
Gerald Nielsten, Senior Principal, Stantec Consulting
Murray Bodin, Public
Liz Navaren, Senator Dilan's Office
Dan Wiles, Mid-Lake Navigation
Peter Wiles, Mid-Lake Navigation

Mr. Howard noted that he, Ms. Luh, Mr. Plunkett 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

Mr. Howard called the meeting to order.

Ms. Warner recorded the minutes as contained herein.

Public notice of the meeting had been given, Ms. Warner said.



Item 1 Ms. Warner (Appendix A)
Minutes of Meeting No. 671

On the motion of Mr. Sall, seconded by Mr. Plunkett, without any objections, the Board approved the minutes of Meeting No. 671 held on January 21, 2009, which were made available to the Board Members as part of the Agenda.

Item 2 by Michael Fleischer (Appendix B)
Staff Appointment of Theodore Nadratowski as New York Division Director

Mr. Fleischer stated that Ted has over 30 years of transportation experience. He has been serving as Acting Division Director for the past month and in that short time has done an excellent job at re-looking at how the Authority is doing with the Tappan Zee Bridge re-decking project and how the Authority is going to proceed with that project during this construction season, which he knows is of particular importance to the two downstate Board Members. Mr. Howard stated that the appointment is certainly well deserved and suggested that the downstate members make the motion to approve this Item. Mr. Nadratowski thanked the Board and Mr. Plunkett wished him luck. Mr. Howard added that he has his hands full.

After full discussion, on the motion of Mr. Plunkett, seconded by Mr. Sall, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5739

**STAFF APPOINTMENT OF THEODORE
NADRATOWSKI AS NEW YORK DIVISION
DIRECTOR**

RESOLVED, that the Board hereby appoints Theodore Nadratowski as New York Division Director, effective March 18, 2009, at salary grade 36 with an annual salary of \$138,204, funds for which are available in the 2009 Operating Budget, and be it further

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



Item 3 by Mr. Bryan (Appendix C)
Financial Report– December 2008

Mr. Bryan reported that the Authority's financials in 2008 were dominated by the impact high fuel prices and a weak national economy had on the Authority's traffic and revenues and the cost containment actions taken to help mitigate these impacts.

For 2008, overall traffic was down approximately 2.9 percent over the level experienced in 2007, with passenger traffic down 2.7 percent and commercial traffic down 4.3 percent. The Authority's original 2008 Budget, which was approved in December 2007, was based on an overall traffic reduction of 0.08 percent. The unexpected 2.9 percent decline in traffic resulted in a significant reduction in toll and other traffic-related revenues throughout the fiscal year.

To meet this challenge, the Authority imposed a series of enhanced cost containment measures in early 2008 that enabled the Authority to end the year in balance and have healthy capital and equipment reserves that will allow the Authority to better meet the fiscal challenges it will face in 2009.

The original Budget anticipated the Authority would expend \$1.13 billion towards its operating and capital purposes. Due to the enhanced cost containment efforts and adjustments that were made to the Capital Program, actual operating and capital expenses in 2008 were \$918.7 million, \$208.6 million below the level estimated in the original Budget and \$101.7 million below what was estimated in the Revised Financial Plan.

On a year-to-year comparison, capital and operating expenses in 2008 were only \$5.9 million or 0.6 percent above the 2007 level. Thruway, Canal and I-84 Operating Expenses actually dropped below the levels expensed in 2007. Just looking at Canal and Thruway Operating Expenses, which are the Authority's core functions, expenses were almost exactly the same in 2008 as they were in 2007. Considering that the costs of labor, fuel, and other inputs that the Authority uses to ensure that it provides high levels of safety and service, this flat growth shows that ongoing and enhanced cost containment efforts were successful last year.

Mr. Howard had two questions. The first was directed to Mr. Waite. He stated that on the Highway and Street Construction Price Index for December being close to on par or slightly below the beginning of last year. He inquired if that was going back up at this point or if it was too early for feedback. Mr. Waite responded that he hasn't seen an increase yet, adding that the Thruway's current bid situation is the best that



Item 3 by Mr. Bryan (Appendix C)
Financial Report– December 2008 (Continued)

it's been in a long time with a lot of people bidding the projects and prices coming in below engineers estimates. He stated that while it's looking good right now he does not expect it to continue. With the stimulus and the projects that DOT is planning to let he expects there will be fewer bidders and some increase in price, but at this time there is no evidence of that happening yet.

Mr. Howard then inquired as to the Authority's net worth, stating that with what was spent and what was invested the bottom line appears to be that the net worth went down somewhat this last year. Mr. Bryan responded affirmatively. Mr. Howard added that in essence the Authority did not do as many construction projects as anticipated. Mr. Bryan responded that the decline is made up of two things. Firstly, there's been a significant drop in the level of capital contributions, which is made up of Federal aid, and that steep decline is a major contributor. The second factor is that the Authority is increasing its level of reliance on general revenue bonds to finance capital program. The Authority's pay-as-you-go percentage isn't as high as it used to be so the Authority is incurring more debt than it has before which reduces its net asset value.

Mr. Sall inquired as to why the Authority had a negative \$18 million according to the prior year's reserve balance. Mr. Bryan responded that the Authority has reserves in its construction fund which are drawn from to finance the capital program. In 2007 the Authority withdrew \$89 million out of those reserve funds. The negative \$18 million in 2008 reflects a deposit back into those funds as no prior year reserves were required to fund capital needs in 2008.

Mr. Sall then inquired as to the specifics of the New York State Bond Act. Mr. Bryan responded that the Bond Act provided \$50 million in allocation of bond funds to the Canal Corporation to do a wide variety of Canal projects. The Authority has been trying to finalize an agreement with the State to allow for those funds to flow to the Corporation to begin those projects. Each year staff anticipates the agreement getting finalized and each year it doesn't get to that point. Staff budgets as if those funds are going to come in to pay for projects or reimburse for projects already started, but the actual number listed is a zero because the agreement is not done yet. Mr. Sall inquired as to what the hold up was with the signing of the agreement. Ms. Mantello responded that it's been a legal issue between DOT and the Comptroller and the agreement is with the Comptroller now. Mr. Bryan added that the health and safety edict that came out of the Division of the Budget last year stated that nothing could be moved out of the State budget unless it's



Item 3 by Mr. Bryan (Appendix C)
Financial Report– December 2008 (Continued)

health and safety related and there have been some ongoing discussions as whether these projects fall under those categories. Lately it seems to be more of technical discussion about tax exempt bonds and taxable bonds and what they can be used for. Ms. Mantello advised that staff would prepare and provide to the Board a list of the projects that were scoped prior to the Bond Act being passed.

Mr. Plunkett asked to clarify that the Authority's toll revenue was up approximately \$22 million for the year. Mr. Bryan concurred. Mr. Plunkett stated if ridership was down almost 3 percent the increased revenue must be from the change in tolls. Mr. Bryan agreed, adding that there was a toll rate change in January 2008.

Following discussion regarding the financial condition of the Authority, on the motion of Ms. Luh, seconded by Mr. Plunkett, without any objections, the Board accepted the Financial Reports for the month of December 2008.

Item 4 by Mr. Bryan (Appendix D)
Annual Report of 2008 Procurement Contracts

Mr. Bryan stated that the Public Authorities Law requires the Authority to prepare, approve and submit this report to the Division of the Budget each year. In the report are schedules of all personal service and purchasing contracts, a summary of all bond sales and the Authority's guidelines for awarding these contracts. The Governance Committee has approved the procurement policies which are contained within this report.

To briefly summarize procurement activity in 2008, the Authority paid \$31.4 million under personal service and lease agreements (best value contracts), \$33.0 million under commodities and service agreements (low bid contracts) and \$36.7 million under engineering and architectural consultant contracts – for a total of \$103 million. This total represents a 25% reduction over the level experienced in 2007.

After full discussion, on the motion of Mr. Sall, seconded by Mr. Plunkett, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5740
ANNUAL REPORT OF 2008 PROCUREMENT
CONTRACTS



Item 4 by Mr. Bryan (Appendix D)
Annual Report of 2008 Procurement Contracts (Continued)

RESOLVED, that the Schedules of 2008 Procurement Contracts (Exhibits A1, A2 and A3), as submitted, are hereby accepted, and be it further

RESOLVED, that all such contracts were executed in accordance with the applicable provisions of the following Board approved Policy Statement: PROCUREMENT CONTRACTS (25-5-01), unless otherwise authorized by the Board, and be it further

RESOLVED, that the Bond Sale Report for Calendar Year 2008 (Exhibit B), as submitted, is hereby accepted, and be it further

RESOLVED, that staff is authorized to submit this report to the New York State entities as required by Section 2879 of the Public Authorities Law, and be it further

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

Item 5 by Mr. Bryan (Appendix E)
Authorizing the Designation of a Firm to Perform Government Banking Services for the Authority's General Banking Services and Authorizing the Executive Director to Enter Into a Contract with the Designated Firm for Government Banking Services

Mr. Bryan stated that a competitive selection was made according to the Authority's Purchasing Policy and an RFP was distributed to a number of firms in October 2008. Six proposals were received by the due date which were scored and weighted and the top three firms were interviewed. After this process, J.P. Morgan Chase Bank was determined to have the highest weighted scores and has been deemed a responsible vendor.

J.P. Morgan is one of the world's largest providers of treasury management and government banking services and has 627 branches within New York State. J.P. Morgan's single largest government banking client is New York State and it also serves various New York State Authorities across the State.



Item 5 by Mr. Bryan (Appendix E)

Authorizing the Designation of a Firm to Perform Government Banking Services for the Authority's General Banking Services and Authorizing the Executive Director to Enter Into a Contract with the Designated Firm for Government Banking Services (Continued)

Mr. Sall inquired as to who the Authority currently banks with. Mr. Bryan responded that it's Bank of America. Mr. Howard stated that he had a question with regard to this Item as well as the similar Item to be discussed on the Canal Agenda. He stated that at some point after the initial interviews it appears that the Authority re-evaluated the selection criteria. Mr. Sikule responded that after the interviews with the three banks staff went back to the banks to try and clarify some information that was unclear based on their responses. Mr. Howard clarified that staff did not change the selection criteria, rather they just asked for clarification of certain items that were contained in the bid responses so that an accurate score could be applied. Mr. Bryan concurred.

After full discussion, on the motion of Mr. Sall, seconded by Ms. Luh, without any objections, the Board adopted the following resolution:

RESOLUTION NO.

AUTHORIZING THE DESIGNATION OF A FIRM TO PERFORM GOVERNMENT BANKING SERVICES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH THE DESIGNATED FIRM FOR GOVERNMENT BANKING SERVICES

RESOLVED, that the Board authorizes the designation of J.P. Morgan Chase Bank, N.A. ("J.P. Morgan") to perform government banking services for the Authority and Canal Corporation for all funds deposited and disbursed (via check and electronic transfer), to monitor and report on the deposit and disbursement of such funds, and to provide electronic-cash management system services and the same is hereby approved, and be it further

RESOLVED, that the Executive Director is authorized to enter into a contract with J.P. Morgan to perform government banking services for the Authority related to the funds deposited and disbursed on such terms



Item 5 by Mr. Bryan (Appendix E)

Authorizing the Designation of a Firm to Perform Government Banking Services for the Authority's General Banking Services and Authorizing the Executive Director to Enter Into a Contract with the Designated Firm for Government Banking Services (Continued)

and conditions as are deemed to be in the best interests of the Authority, and be it further

RESOLVED, that the Agreement shall be for a term of five years commencing upon contract approval by the NYS Office of the State Comptroller, and ending five years thereafter, for a maximum amount payable of \$850,000, and be it further

RESOLVED, that the costs of such services will be funded via a compensating balance arrangement or by direct payment, at the Authority's option, and that the funding of such costs be, and the same hereby is approved, and be it further

RESOLVED, that the Chief Financial Officer or his designee is authorized to compensate the bank for services rendered under such agreement via compensating balance arrangement, or by direct payment, and be it further

RESOLVED, that the Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the terms of the item and other Board authorizations and suspend or terminate the contract in the best interest of the Authority, and be it further

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

NOTE: Mr. Plunkett subsequently withdrew his vote on this item. In light of the fact that there were only 4 members of the Board in attendance at this meeting,



Item 5 by Mr. Bryan (Appendix E)

Authorizing the Designation of a Firm to Perform Government Banking Services for the Authority's General Banking Services and Authorizing the Executive Director to Enter Into a Contract with the Designated Firm for Government Banking Services (Continued)

withdrawal of Mr. Plunkett's vote on this item will require that it be resubmitted to the Board at the April 2009 meeting.

Item 6 by Mr. Bryan (Appendix F)

Declaring Real Property Reference No. TB081 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Conveyance to the City of Buffalo for the Benefit of the Buffalo Sewer Authority

Mr. Bryan reported that this resolution seeks the Board's approval to convey a permanent easement to the Buffalo Sewer Authority that will allow them to construct a sanitary-sewer screening facility and attendant infrastructure. The easement would encumber a 26,830 square foot area adjacent to the I-190 viaduct in the City of Buffalo.

The Chief Engineer has deemed that the property not necessary for the Authority's corporate purposes and has approved the issuance of the easement to the Sewer Authority. As allowed by the Public Authorities Law, the Authority is disposing of this easement to the Buffalo Sewer Authority on a negotiated basis based on fair market value. Staff has obtained an external appraisal that estimated the diminution in the value of the Authority's real property that would result from the encumbrance of the easement to be \$43,100 to which staff concurs.

After full discussion, on the motion of Ms. Luh, seconded by Mr. Sall, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5741

DECLARING REAL PROPERTY REFERENCE NO. TB081 NOT NECESSARY FOR THE AUTHORITY'S CORPORATE PURPOSES; AND AUTHORIZING ITS CONVEYANCE TO THE CITY OF BUFFALO FOR THE BENEFIT OF THE BUFFALO SEWER AUTHORITY

RESOLVED, that the Authority Board hereby finds and determines that a permanent easement, Real Property Reference No. TB081 (hereinafter, "Easement"), delineated



Item 6 by Mr. Bryan (Appendix F)

Declaring Real Property Reference No. TB081 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Conveyance to the City of Buffalo for the Benefit of the Buffalo Sewer Authority (Continued)

as Parcel No. 1144 on Conveyance Map No. 1144-C in Erie County in the Niagara section of the Thruway, is hereby declared unnecessary for the Authority's corporate purposes, and be it further

RESOLVED, that the conveyance of the Easement to the City of Buffalo via quit-claim indenture for consideration in the amount of \$43,100.00, consistent with and on the terms described and recommended in this agenda item, be, and the same hereby is, approved, subject to such other terms as may be determined by the Executive Director, the Chief Engineer, the Chief Financial Officer, and the General Counsel to be in the best interest of the Authority, and that are consistent with the substance and intent of the agenda item, and be it further

RESOLVED, that the Executive Director, or his designee be, and the same hereby is, authorized to execute all documents necessary to effectuate the conveyance of the Easement, and be it further

RESOLVED, that the recommendation regarding the environmental significance of this Board action (hereinafter the "Recommendation"), pursuant to the State Environmental Quality Review Act ("SEQRA"), be, and the same hereby is, approved, and be it further

RESOLVED, that the Chief Engineer, or his designee, be, and the same hereby is, authorized to execute the SEQRA Short Environmental Assessment Form and Negative Declaration in accordance with the Recommendation, and to distribute any required documents on behalf of the Board relative to such adoption, and be it further



Item 6 by Mr. Bryan (Appendix F)
Declaring Real Property Reference No. TB081 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Conveyance to the City of Buffalo for the Benefit of the Buffalo Sewer Authority (Continued)

RESOLVED, that the Executive Director, the Chief Engineer, the Chief Financial Officer, and the General Counsel be, and the same hereby are, authorized to take all steps necessary to implement this Board action, and be it further

RESOLVED, that the Authority's Contracting Officer determined that the Easement may be conveyed by negotiation without public advertising pursuant to Public Authorities Law (hereinafter, "PAL") Article 9, Title 5-A, §2897, subdivision (6) (c) (iv) and Thruway Real Property Management Policy (hereinafter, "Policy") §IV. H., and that the conveyance of the Easement, on the terms recommended in the agenda item, complies with all other applicable provisions of law relating to the disposal of real property, including, PAL article 9, title 5-A, and with the Policy, and be it further

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

Item 7 by Mr. Waite (Appendix G)
Report on the Capital Program

Mr. Waite reported that the Authority's letting target for the year is \$192 million and the cash flow target for all fund sources is \$496 million. The Authority has let 7 projects in January and 10 in February and they were within four percent of the engineer's estimates. If the Authority achieves all that is on its plate right now it will exceed the letting target with a value of \$196 million for the year. There are two projects originally shown in the approved contracts program that will be moved out of 2009 and let later. The first is due to the Authority needing to get right-of-way for a water project at the Ardsley Service Area and the second is an instance where the Authority plans to replace a bridge but staff believes the Authority can get more life out of it and delay the expenditure and bring the bridge closer to its true life.



Item 7 by Mr. Waite (Appendix G)
Report on the Capital Program (Continued)

Mr. Sall commented on this being the first time Mr. Waite has reported on price reductions and he asked what percentage reduction staff are seeing, is there a number he can quantify? Mr. Waite responded that the Authority has had as many as 11 or 12 bidders on a project where in the past the Authority struggled to get bidders so it's been a welcome change. Mr. Waite attributes the change to the current economic climate, stating that more firms are going after projects and DOT had not let projects for the last few months of 2008 which made the Authority the only game in town for Upstate New York. Mr. Waite added that several times last year Mr. Waite had to come back to the Board for extra funds because projects came in over the estimates. That has not happened yet this year, percentage wise Mr. Waite estimated that the Authority bids are coming in 4 or 5 percent under the engineer's estimates. Mr. Howard stated that he thought the building construction projects came in quite a bit lower whereas the highway heavy projects, which are the Authority's meat and potatoes, came in closer to level with the engineer's estimate. Mr. Waite added that it's better to be even with the estimate than above it. Mr. Bryan stated that bids have been significantly above the engineer's estimates for the last few years so being even or below is a welcome change.

Mr. Plunkett stated that at the end of the year if the Authority is able to let all projects there would be a difference of approximately \$4 million from the target amount. Mr. Waite concurred. Mr. Plunkett stated that perhaps the lower bids will help close that gap. Mr. Bryan stated that the Authority has an inflation reserve that's healthy from now until 2011. It is over \$100 million so if, for instance, the stimulus kicks up bid prices the Authority can utilize the reserves in place to pay for those increases. Mr. Howard stated that the Authority also has projects it has had to defer due to those cost increases and it would be nice if some of those could be brought back into the program. Mr. Waite concurred, adding that the \$192 million is really just a target, with the Board's approval and if the money resources are available more work can be done. Mr. Bryan added that staff has discussed waiting until Summer to see what impact the stimulus will have and where the economy is going and deciding at that point if there is inflation money available to free up or not.

Mr. Sall inquired if the Authority has been given any indication as to what, if any, monies are going to come through the stimulus. Mr. Fleischer responded that staff has had some success at some of the MPO levels. The State has gone through the traditional disbursement process for Federal funds. The Authority has gotten a couple of projects on the TIPS which will make it eligible, if the State is at risk of losing stimulus funds under a "use it or lose it" policy, to be quickly approved and spend the



Item 7 by Mr. Waite (Appendix G)
Report on the Capital Program (Continued)

money. At this point, the Authority has not gotten any indication that it will directly receive stimulus money in the initial go around. There may be a couple of smaller projects in the MPO levels that the Authority may be able to get higher on the lists depending on where the line is drawn for each MPO. Mr. Waite stated that he and Mr. Fleischer are participating in the cabinet held down at the Capitol, they attend all the meetings and are keeping up on the reporting requirements but getting TIP approvals is something the Authority is still striving for as well as federal authorization and there are a couple of projects in the pipeline for that now. Mr. Fleischer added that he and Mr. Waite have met with the First Deputy Commissioner at DOT to get all projects at least on the TIPS to put the Authority in a position to spend the money if we can get our hands on it.

Mr. Sall inquired if I-287 and I-84 are being handled differently because we don't own those roads. Mr. Fleischer responded that they would not be on the Authority's lists because the Authority does not have capital construction responsibilities for them, if they are on the stimulus list they would be on the State DOT list. There are a couple of trail projects that are on some of the lists and the Authority is working to try and get stimulus funds for those projects. There are also non-transportation categories of money, whether it's for the environment or alternative energy, and staff are trying to see where the Authority's projects could fit into these categories

On the motion of Mr. Sall, seconded by Mr. Plunkett, without any objections, the Board accepted the Authority's reports (January and February 2009) on the Capital Program.

Item 8 by Mr. Waite (Appendix H)
Authorizing an Amendment to the 2009 Contracts Program for a Buffalo Division E-85 Fueling Facility Project

Mr. Plunkett requested that Exhibit A be amended to reflect that the Garden State Parkway Connector Project is located in Rockland County.

After full discussion, on the motion of Ms. Luh, seconded by Mr. Plunkett, without any objections, the Board adopted the following resolution:



Item 8 by Mr. Waite (Appendix H)

Authorizing an Amendment to the 2009 Contracts Program for a Buffalo Division E-85 Fueling Facility Project (Continued)

RESOLUTION NO. 5742

**AUTHORIZING AN AMENDMENT TO THE 2009
CONTRACTS PROGRAM FOR A BUFFALO DIVISION
E-85 FUELING FACILITY PROJECT**

RESOLVED, contingent on passage of and receipt of funding for the Federal economic stimulus program, that the 2009 Contracts Program be amended to include a project to construct an E-85 fueling station at a Buffalo Division Maintenance facility, with a 2009 letting, be, and the same hereby is, approved, and be it further

RESOLVED, because the construction and construction inspection costs for the proposed Federal economic stimulus program projects will be funded with one hundred percent Federal aid, no Thruway funding adjustments are needed for the 2009 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 Authority 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 Authority, and be it further

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



Item 9 by Mr. Waite (Appendix I)

Authorizing an Amendment to the 2009 Contracts Program for B948.1, Resurface Eight Bridges from M.P. 23 to M.P. 29 in the New York Division

Mr. Howard stated that perhaps this work would also extend the lives of these bridges. Mr. Waite responded that the hope is by removing the overlay staff would get a chance to take a look at the decks, note the deficiencies in the deck and before replacing the overlay, waterproof the deck and then repave so keeping out future water and salt should extend the life. He also added that this work would be done at night under tight time constraints.

After full discussion, on the motion of Mr. Plunkett, seconded by Mr. Sall, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 5744

AUTHORIZING AN AMENDMENT TO THE 2009 CONTRACTS PROGRAM FOR B948.1, RESURFACE EIGHT BRIDGES FROM M.P. 23 TO M.P. 29 IN THE NEW YORK DIVISION

RESOLVED, that the 2009 Contracts Program be amended in order to let B948.1, Resurface Eight Bridges from M.P. 23 to M.P. 29 in the New York Division (total construction and construction inspection cost of \$3,920,000), in 2009, be, and the same hereby is, approved, and be it further

RESOLVED, that the 2009 Contracts Program be amended to account for the additional \$3,920,000 in Thruway funds, and that a sum of \$3,920,000 in 2009 Thruway cash flow be, and the same hereby is, allocated towards B948.1 from bid savings and other adjustments made to the 2009 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 Authority 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



Item 9 by Mr. Waite (Appendix I)

Authorizing an Amendment to the 2009 Contracts Program for B948.1, Resurface Eight Bridges from M.P. 23 to M.P. 29 in the New York Division (Continued)

terminate the contract in the best interests of the Authority,
and be it further

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

Other Business

Mr. Bodin stood and addressed the Board, stating that he's been following the Tappan Zee Bridge for a number of years and wanted to take this opportunity to tell the Board that the replacement of the Tappan Zee pavement was done in a very excellent way and that the new bridge south of Yonkers is being installed in a very unique way, which he thinks is super. They took the beams and they have a floor on top of it and they just dropped it in there all complete so to speak. He thinks that a lot of these things go wrong but these guys have done a nice job on that and he thought that they needed to be recognized for the fact that you're using new and innovative methods and Chris is doing a wonderful job. Mr. Howard responded that the Board certainly appreciates his comments and thanked Mr. Bodin and Mr. Waite as well. Mr. Waite and Ms. Luh also thanked Mr. Bodin for his comments.

Adjournment

There being no further business to come before the Board, on the motion of Mr. Plunkett, seconded by Ms. Luh, without any objections, the meeting was adjourned.

Jill B. Warner
Secretary

