



## **MINUTES**

### **NEW YORK STATE CANAL CORPORATION**

#### **BOARD MEETING NO. CC-134**

**September 7, 2005**

**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, 12209.**

**The meeting began at 10:30a.m.**

**There were present:**

**John L. Buono, Chairman  
Nancy Carey Cassidy, Board Member  
John R. Riedman, Board Member**

**Constituting all of the members of the Canal Corporation Board.**

**In addition, there were present the following staff personnel:**

**Michael R. Fleischer, Executive Director  
John Brizzell, Deputy Executive Director, Chief Engineer  
John Bryan, Chief Financial Officer  
Sharon O'Connor, General Counsel  
William Rinaldi, Acting Director, Operations  
Joanne Riddett, Director, Information Technology**

**Wendy Allen, Director, Department of Planning Services**  
**Christopher Waite, Director, Engineering Services and Assistant Chief Engineer**  
**George Tanner, Director, Maintenance Engineering and Assistant Chief Engineer**  
**Michael Flynn, Director, Audit and Management Services**  
**Jill Warner, Secretary and Board Administrator**  
**Captain Richard Smith, Troop T**  
**Daniel Gilbert, Director, Public Affairs**  
**Wilma DeLucco, Director, Administrative Services**  
**Donald Bell, Director, Albany Division**  
**Carmella Mantello, Director of Canal Corporation**  
**Lawrence Frame, Deputy Director of Canal Corporation**  
**Richard Garrabrant, Acting Director, Syracuse Division**  
**Ramesh Mehta, Director, New York Division**  
**David Boshart, Director, Office of Canal Land Management**  
**Cathy Sheridan, Canal Capital Program**  
**Jennifer Meicht, Deputy Director of Canal Corporation**  
**Dorraine Steele, Director, Office of Fiscal Audit and Budget**  
**Also in Attendance:**  
**Cathy Woodruff, Reporter, *Albany Times Union***  
**Stanley Kramer, Bond Counsel, Hawkins, Delafield and Wood**

Chairman Buono noted that he, Ms. Carey Cassidy and Mr. Riedman had received and reviewed the Agenda submitted for consideration at this meeting and were prepared to act on each of the items.

Ms. Warner recorded the minutes as contained herein.

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

---

**Item 1 by Ms. Warner (Appendix A)**  
**Minutes of Meeting No. CC-133**

On the motion of Ms. Carey-Cassidy, seconded by Mr. Riedman, without any objections, the Board approved the minutes of Meeting No. CC-133 held on August 3, 2005 which were made available to the Board Members as part of the Agenda.



**Item 2 by Ms. Mantello (Appendix B)**

**Authorizing Withdrawal Canal Corporation Board Resolution Numbers: 90, adopted at Meeting No. CC-36; 169, adopted at Meeting No. CC-64; 120, adopted at Meeting No. CC-48; 142, adopted at Meeting No. CC-55; 166, adopted at Meeting No. CC-63; 172, adopted at Meeting No. CC-65; 187, adopted at Meeting No. CC-70; 200, adopted at Meeting No. CC-72; 207, adopted at Meeting No. CC-74; 231, adopted at Meeting No. CC-80; 261, adopted at Meeting No. CC-90; 268, adopted at Meeting No. CC-93; 288, adopted at Meeting No. CC-98 and 299, adopted at Meeting No. CC-103**

Board Member Riedman requested that there be a requirement that all transactions must be completed within 12 months of Board approval or authorization to complete the transaction will expire.

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

**RESOLUTION NO. 349**

**AUTHORIZING WITHDRAWAL CANAL CORPORATION BOARD RESOLUTION NUMBERS: 90, ADOPTED AT MEETING NO. CC-36; 169, ADOPTED AT MEETING NO. CC-64; 120, ADOPTED AT MEETING NO. CC-48; 142, ADOPTED AT MEETING NO. CC-55; 166, ADOPTED AT MEETING NO. CC-63; 172, ADOPTED AT MEETING NO. CC-65; 187, ADOPTED AT MEETING NO. CC-70; 200, ADOPTED AT MEETING NO. CC-72; 207, ADOPTED AT MEETING NO. CC-74; 231, ADOPTED AT MEETING NO. CC-80; 261, ADOPTED AT MEETING NO. CC-90; 268, ADOPTED AT MEETING NO. CC-93; 288, ADOPTED AT MEETING NO. CC-98 AND 299, ADOPTED AT MEETING NO. CC-103**

---

**RESOLVED, that Canal Corporation Board Resolution Numbers: 90, adopted at Meeting No. CC-36; 169, adopted at Meeting No. CC-64; 120, adopted at Meeting No. CC-48; 142, adopted at Meeting No. CC-55; 166, adopted at Meeting No. CC-63; 172, adopted at Meeting No. CC-65; 187, adopted at Meeting No. CC-70; 200, adopted at Meeting No. CC-72; 207, adopted at Meeting No. CC-74; 231, adopted at Meeting No. CC-80; 261, adopted at Meeting No. CC-90; 268, adopted at**



**Item 2 by Ms. Mantello (Appendix B)**

**Authorizing Withdrawal Canal Corporation Board Resolution Numbers: 90, adopted at Meeting No. CC-36; 169, adopted at Meeting No. CC-64; 120, adopted at Meeting No. CC-48; 142, adopted at Meeting No. CC-55; 166, adopted at Meeting No. CC-63; 172, adopted at Meeting No. CC-65; 187, adopted at Meeting No. CC-70; 200, adopted at Meeting No. CC-72; 207, adopted at Meeting No. CC-74; 231, adopted at Meeting No. CC-80; 261, adopted at Meeting No. CC-90; 268, adopted at Meeting No. CC-93; 288, adopted at Meeting No. CC-98 and 299, adopted at Meeting No. CC-103(Continued)**

Meeting No. CC-93; 288, adopted at Meeting No. CC-98 and 299, adopted at Meeting No. CC-103 be, and the same hereby are, withdrawn, and be it further

RESOLVED, that the Director of Canals, or her designee, be, and she hereby is, authorized, to take follow-up review and action consistent with this Board item, and be it further

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

**Item 3 by Ms. Mantello (Appendix B)**

**Declaring Surplus to Canal Corporation Needs 0.20± Acres of Canal Land, Located in the City of Syracuse, County of Onondaga and Authorizing Its Exchange for Approximately 0.68± Acres of Land Owned by the City of Syracuse Located in the City of Syracuse, County of Onondaga**

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

**RESOLUTION NO. 350**

**DECLARING SURPLUS TO CANAL CORPORATION NEEDS 0.20± ACRES OF CANAL LAND, LOCATED IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA AND AUTHORIZING ITS EXCHANGE FOR APPROXIMATELY 0.68± ACRES OF LAND OWNED BY THE CITY OF SYRACUSE LOCATED IN THE CITY OF SYRACUSE, COUNTY OF ONONDAGA.**

---



**Item 3 by Ms. Mantello (Appendix B)**

**Declaring Surplus to Canal Corporation Needs 0.20± Acres of Canal Land, Located in the City of Syracuse, County of Onondaga and Authorizing Its Exchange for Approximately 0.68± Acres of Land Owned by the City of Syracuse Located in the City of Syracuse, County of Onondaga**

**RESOLVED**, that approximately 0.20± acres of Canal land located in the City of Syracuse, County of Onondaga have no essential purpose for navigation; and be it further

**RESOLVED**, that the Canal Corporation Board hereby finds and determines that 0.20± acres of Canal land, located in the City of Syracuse, County of Onondaga, is surplus to the needs of the Canal Corporation; and be it further

**RESOLVED**, that the Canal Corporation Board directs the Office of Canal Maintenance and Operations to prepare an Official Order and Map for review and execution by the Executive Director for the disposition of such lands to the City of Syracuse; and be it further

**RESOLVED**, that the 0.68± acres of City of Syracuse land is needed for Canal purposes, and be it further

**RESOLVED**, that the recommendation by the Director of Canals regarding the adoption of a SEQRA negative declaration is approved, and be it further

**RESOLVED**, that the Director of Canals, or his designee, be, and the same hereby is, authorized to execute the SEQRA negative declaration in accordance with the above recommendation and Board approval, and to distribute any required notices on behalf of the Board relative to such adoption, and be it further

**RESOLVED**, that, in accordance with the provisions of Section 43 of the Canal Law, the lands to be acquired by the Canal Corporation are deemed to be of



**Item 3 by Ms. Mantello (Appendix B)**

**Declaring Surplus to Canal Corporation Needs 0.20± Acres of Canal Land, Located in the City of Syracuse, County of Onondaga and Authorizing Its Exchange for Approximately 0.68± Acres of Land Owned by the City of Syracuse Located in the City of Syracuse, County of Onondaga**

equal or greater value to the lands to be relinquished by the Canal Corporation; and be it further

RESOLVED, that the transfer of said 0.20± acres by quitclaim deed to the City of Syracuse, in even exchange for lands owned by the City of Syracuse, be, and the same hereby is, approved, subject to such other legal, financial, engineering and other terms as may be deemed by the Executive Director, the Director of Canals, the Director of Canal Maintenance and Operations, Chief Financial Officer, or the General Counsel, to be in the best interest of the Canal Corporation and consistent with the intent of this agenda item; and be it further

RESOLVED, that said exchange is in the public interest and necessary for Canal purposes; and be it further

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to execute all documents necessary to effectuate the exchange; and be it further

RESOLVED, that the Executive Director, the Chief Financial Officer, and the General Counsel be, and the same hereby are, authorized to take all actions necessary to effectuate said exchange; and be it further

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



**Item 4 by Ms. Mantello (Appendix D)**  
**Authorizing Preliminary Actions for the Abandonment of Approximately 700 Acres of Canal Lands Located in the Towns of Western and Rome, County of Oneida, for a Transfer of Jurisdiction over Such Lands by the New York State Office of General Services to the New York State Office of Parks, Recreation and Historic Preservation**

Ms. Mantello reported that the amount of land proposed to be abandoned was closer to 720 acres, leaving 14 acres of the property under control of the Canal Corporation in order to operate the Delta Dam. The abandonment also includes lands in the Town of Lee.

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

**RESOLUTION NO. 351**

**AUTHORIZING PRELIMINARY ACTIONS FOR THE ABANDONMENT OF APPROXIMATELY 700 ACRES OF CANAL LANDS LOCATED IN THE TOWNS OF WESTERN AND ROME, COUNTY OF ONEIDA, FOR A TRANSFER OF JURISDICTION OVER SUCH LANDS BY THE NEW YORK STATE OFFICE OF GENERAL SERVICES TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION**

**RESOLVED**, that the Director of Canals, or her designee, be, and she hereby is, authorized to take all actions necessary for the Canal Corporation Board to review and determine whether jurisdiction by the Canal Corporation over approximately 700 acres of Canal Lands located in the Towns of Western and Rome, County of Oneida can and should be transferred to the New York State Office of Parks, Recreation and Historic Preservation in accordance with this Agenda Item, including those actions enumerated in Section C. of this Agenda Item, and be it further

**RESOLVED**, that since title to said 700 acres of Canal Lands shall remain with the People of the State of New York and since the Office of Parks, Recreation and



**Item 4 by Ms. Mantello (Appendix D)**  
**Authorizing Preliminary Actions for the Abandonment of Approximately 700 Acres of Canal Lands Located in the Towns of Western and Rome, County of Oneida, for a Transfer of Jurisdiction over Such Lands by the New York State Office of General Services to the New York State Office of Parks, Recreation and Historic Preservation**  
**(Continued)**

Historic Preservation has requested transfer of the lands for State park purposes, the requirement for an appraisal set forth in Section III.A. of the Canal Real Property Management Policy shall be, and hereby is, waived, and be it further

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

**Adjournment**

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

---

**Jill B. Warner**  
Secretary

