



**MINUTES**  
**NEW YORK STATE CANAL CORPORATION**  
**BOARD MEETING NO. CC-188**  
**APRIL 3, 2014**

Minutes of a meeting of the New York State Thruway Authority, held in the Board Room of Empire State Development, 633 3rd Avenue, 37th Floor, New York, New York; as well as via video conference from the New York State Thruway Authority's Board Room, 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 those items considered by the New York State Thruway Authority Board. The meeting began at 3:13 p.m.

There following were present:

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

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

In addition, the following staff personnel were present:

Thomas J. Madison, Jr., Executive Director

William Estes, General Counsel

Jerry Yomoah, Board Administrator

Jonathan Ehrlich, Special Assistant to the Chairman

Jim Fogarty, Information Technology Specialist

Nick Foglia, Special Assistant

Michael Shamma, Acting Chief Engineer

Brian Stratton, Director of Canal Corporation

Harry Lennon, Interim Director of Internal Audit

Ted Nadratowski, Interim Director, Maintenance and Operations

Dan Weiller, Director of Media Relations & Communications

Also in attendance:

Murray Bodin, Member of Public

David Spara, Toski & Co.

Joseph Klimek, Toski & Co.

Murray Bodin, Member of the Public

Vincent Pellecchia, General Counsel, Tri-State Transportation Campaign

Chairman Milstein called the meeting of the Thruway Authority and Canal Corporation Boards to order. (01:13:00)

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

**Item 1 by Mr. Yomoah (Appendix A)**  
**Approval of Minutes of Meeting No. 187 (0:18:14)**

At the recommendation of Ms. Luh, seconded by Mr. Sall, without any objections, the Board approved the minutes of Meeting No. CC-187 held on January 9, 2014, which were made available to the Board Members as part of the Agenda.

**Item 2 by Chairman Milstein (Appendix B)**  
**Report to the Thruway Authority and Canal Corporation Boards on Procurement Contracts and Other Agreements Up to \$150,000 Executed by the Executive Director During the Period October 1, 2013 through December 31, 2013 (00:18:14)**

Mr. Madison discussed procurement contracts and agreements he executed as Executive Director during the last quarter ending December, 31, 2013.

On the motion of Mr. Conway, seconded by Chairman Milstein, without any objections, the Board unanimously accepted the report on Contracts and other Agreements Up to \$150,000 Executed by the Executive Director during the period October 1, 2013 through December 31, 2013.

**Item 3 by Mr. Shamma (Appendix C)**  
**Report on the Capital Program (00:18:14)**

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's 2014 Capital Program.

**Item 4 by Mr. Stratton (Appendix 4)**  
**Authorizing the Abandonment of Approximately 1,402 Square Feet of Canal Land Located in the Town of Amherst, Erie County to the New York State Office of General Services (01:26:33.22)**

Extensive discussion of the abandonment of canal land in the town of Amherst 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 Authority records.

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

**RESOLUTION NO. 603**  
**AUTHORIZING THE ABANDONMENT OF**  
**APPROXIMATELY 1,402 SQUARE FEET OF CANAL**  
**LAND LOCATED IN THE TOWN OF AMHERST, ERIE**  
**COUNTY TO THE NEW YORK STATE OFFICE OF**  
**GENERAL SERVICES**

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RESOLVED, that approximately 1,402± square feet of Canal land located in the Town of Amherst, County of Erie is no longer useful or necessary as part of the Barge Canal System, as an aid to navigation thereon, or for Barge Canal purposes, and be it further

RESOLVED, that following publication of the Notice of Abandonment for the Property as required by Section 51 of the Canal Law and transmittal of such notice to the CRC, the Office of Canal Maintenance and Operations shall prepare an Official Order abandoning the land for Canal purposes, together with a map and description of such lands for review and execution by the Executive Director, and be it further

RESOLVED, that following preparation of the Official Order of Abandonment, the Executive Director be, and he

hereby is, authorized to execute such order of abandonment,  
and be it further

RESOLVED, that the Transfer of Jurisdiction over such  
lands to the Office of General Services in accordance with all  
other terms of this agenda item be, and hereby is, authorized,  
and be it further

RESOLVED, that the recommendation for issuance of  
a Negative Declaration based on an environmental  
assessment of the proposed action completed in accordance  
with the provisions of the State Environmental Quality  
Review Act (SEQRA) be, and hereby is, approved, and be it  
further

RESOLVED, that the Acting Chief Engineer, or his  
designee, be, and he hereby is, authorized to sign the SEQRA  
Environmental Assessment and issue the Negative  
Declaration, and to distribute any required notices on behalf  
of the Corporation Board with relation to this action, and be it  
further

RESOLVED, that the Executive Director, the Chief  
Operating and Financial Officer, the Director of Canals, and  
the General Counsel be, and the same hereby are, authorized  
to take all actions necessary to implement this Board item,  
and be it further

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

**PUBLIC COMMENT PERIOD (01:35:15.25)**

Murray Bodin – Member of the Public

Vincent Pellecchia - General Counsel, Tri-State Transportation Campaign

**AND ADJOURNMENT (01:40:00)**

There being no further business to come before the Board, without any objections the meeting was adjourned.

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Jerry B. Yomoah  
Board Administrator

*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.*