



**Canal  
Corporation**

**MINUTES  
NEW YORK STATE CANAL CORPORATION  
BOARD MEETING NO. CC-199  
November 9, 2015**

Minutes of a meeting of the New York State Thruway Authority, held in the board room at, 200 Southern Boulevard, Albany, New York, by video conference from the New NY Bridge Project Office, in Tarrytown, New York and Buffalo Division office, in Cheektowaga, NY.

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. The meeting began at 2:50 p.m.

Members of the Board present were:

Joanne M. Mahoney, Chair  
Donna J. Luh, Vice Chairperson  
Richard N. Simberg, Board Member  
J. Donald Rice, Jr., via video conference

Members of the Board not present:

Jose Holguin-Veras, Ph.D., Board Member

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

Staff Present:

Robert Megna, Executive Director  
Karen Hunter, Chief of Staff  
Gordon Cuffy, General Counsel  
Maria Lehman, Interim Director of Maintenance and Operations  
Brian Stratton, Director of the NYS Canal Corporation  
John Barr, Director of Administrative Services

Harry Lennon, Acting Director of Department of Audit & Management Services  
Matt Howard, Treasurer and Chief Financial Officer  
Kelly McMillan, New NY Bridge Project Office  
Jamie Barbas, New NY Bridge Project Office  
Larry Norville, Chief Compliance Officer  
Cathy Sheridan, Acting Chief Engineer  
Major Evelyn Mallard, NYS Police  
Matt Miller, Information Technology Specialist  
Mark Hixson, Deputy Director Maintenance & Operations  
Doug Tokarczyk, Acting Buffalo Division Director  
Joseph Moloughney, Acting Albany Division Director  
Pat Hoehn, Acting Syracuse Division Director  
Stephen Grabowski, Acting New York Division Director  
John Callaghan, Deputy Director of the NYS Canal Corporation  
Jennifer Givner, Director of Media Relations & Communications  
Jerry Yomoah, Board Administrator

Also in attendance:

Murray Bodin, Member of the public  
Helene Oclair, Thruway Authority Retiree  
Henrietta Roberti, Thruway Authority Retiree  
Maria Desmond, Thruway Authority Retiree  
Walter Cross, Thruway Authority Retiree  
Bill Rinaldi, Thruway Authority Retiree  
Kathy Reed, Thruway Authority Retiree  
Richard Gallivan, Thruway Authority Retiree  
Howard Reese, Thruway Authority Retiree  
Mike Sikule, Thruway Authority Retiree  
Pat Gouch, Thruway Authority Retiree  
Edward Farrell, Executive Director – Retired Public Employees Association  
Janet Ho, Office of the NYS Governor  
Sharif Kabir, Office of the NYS Governor  
Beth DeFalco, Office of the NYS Governor  
Joe Rabitto, Office of the NYS Governor

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

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

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**Item 1 by Chair Mahoney (Appendix A)**  
**Approval of Minutes of Meeting No. 198**

Chair Mahoney asked for a motion to approve the minutes of the previous meeting. Upon motion duly made and seconded, the Board approved the minutes of Meeting No. 198 held on October 5, 2015, which were made available to the Board Members as part of the Agenda.

**Item 2 by Mr. Howard (Appendix B)**  
**Approval Of The 2015 Revised Budget And The 2016 Proposed Budget For The New York State Thruway Authority And New York State Canal Corporation**

The Item was advanced to the Board at the recommendation of the Finance Committee.

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

**RESOLUTION NO. 641**  
**APPROVAL OF THE 2015 REVISED BUDGET AND THE 2016 PROPOSED BUDGET FOR THE NEW YORK STATE THRUWAY AUTHORITY AND NEW YORK STATE CANAL CORPORATION**

RESOLVED, that the Chief Financial Officer be, and he hereby is, authorized to make any and all adjustments to the appropriate funds consistent with this 2015 Revised Budget, and be it further

RESOLVED, that the Chief Financial Officer be, and he hereby is, authorized to make any other adjustments based on actual results that are consistent with this projected plan, and report such actions to the Board, and be it further

RESOLVED, that the Authority's proposed Budget for the fiscal year 2016, submitted by the Executive Director and the Chief Financial Officer, be, and the same hereby is, approved and funded in accordance with the attached Exhibit II, and be it further

RESOLVED, that the Executive Director or his designee be, and he hereby is, authorized to make such expenditures as set forth in this Budget, subject to compliance with Authority policies and procedures, and to make such internal adjustments and transfers within the Authority Budget as are necessary and proper, and to make any other adjustment with the concurrence of the Board, and be it further

RESOLVED, that a copy of the Budget approved herein, when printed in final form, be attached to these minutes and made a part thereof, and be submitted to the New York State entities in accordance with Section 2801 of the Public Authorities Law, and be it further

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

**Item 3 by Mr. Megna (Appendix C)**

**Report on Procurement Contracts and other Agreements up to \$150,000 Executed by the Executive Director during the Period July 1, 2015 through September 30, 2015**

Chair Mahoney invited Kevin 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 up to \$150,000 Executed by the Executive Director during the Period July 1, 2015 through September 30, 2015.

**Item 4 by Mr. Stratton (Appendix D)**

**Abandonment of Approximately 8.61+ Acres of Canal Land Located in the Town of Halfmoon, County of Saratoga; and Authorizing Its Transfer to the Town of Halfmoon**

Mr. Howard presented the item seeking Board approval to execute a real property transaction in the town of Halfmoon, NY. 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 authorized the abandonment of approximately 8.61+ Acres of Canal Land Located in the Town of Halfmoon, County of Saratoga; and Authorizing Its Transfer to the Town of Halfmoon and adopted the following resolution:

**RESOLUTION NO. 642**

**ABANDONMENT OF APPROXIMATELY 8.61+ ACRES OF CANAL LAND LOCATED IN THE TOWN OF HALFMOON, COUNTY OF SARATOGA; AND AUTHORIZING ITS TRANSFER TO THE TOWN OF HALFMOON**

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RESOLVED, that approximately 8.61+ acres of Canal land located in the Town of Halfmoon, County of Saratoga 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 following the publication of a notice of proposed abandonment pursuant to 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 lands for Canal purposes, subject to a permanent easement to overflow and flood the Property, together with a map

and description of such lands for review and execution by the Acting Director of Maintenance and Operations, and be it further

RESOLVED, that following preparation of the Official Order of Abandonment, the Executive Director, or his designee, be, and he hereby is, authorized to execute such order of abandonment, and be it further

RESOLVED, that the transfer of said approximately 8.61+ acres to the Town of Halfmoon for one dollar consideration be, on the terms described and recommended in this agenda item, be and hereby is, approved, subject to such other legal, financial, engineering, and other terms as may be deemed by the Executive Director, the Chief Financial Officer, the Director of Canals 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 the Corporation's Contracting Officer determined that the sale of said 6.81+ acres of land may be sold by negotiation without public advertising because such disposal falls under Section 2897 (6) (c) (v) of the Public Authorities Law, and Section IV.H. of the Canal Real Property Management Policy, and that the transfer of the property on the terms recommended in the agenda item complies with all applicable provisions of law, including Article 9, Title 5-A of the Public Authorities Law, and with the Canal Real Property Management Policy; and be it further

RESOLVED, that such transfer or sale shall be conditioned upon the payment of certain costs incidental to the transfer of real property, and be it further

RESOLVED, that based upon the information provided by the Town of Halfmoon and Canal Corporation staff, that there is no reasonable alternative to the proposed below-market transfer that would achieve the same purpose of the proposed transfer to the Town of Halfmoon; and be it further

RESOLVED, that the Executive Director, or his designee, be, authorized to execute the contract of sale, and all documents necessary for conveying the Property; 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, the Acting Chief Engineer, or her 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 Canal Corporation Board with relation to this action, and be it further

RESOLVED, that the Executive Director, or his designee, the Director of Canals, the Chief Financial Officer, and the General Counsel be, and the same hereby are, authorized to take all actions necessary to effectuate closing of title; and be it further

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

### **PUBLIC COMMENT PERIOD**

The following individuals signed up for the comment period. Their comments are included in the video recording of the meeting.

1. Mr. Murray Bodin, Member of the Public
2. Ms. Kathy Reed, NYSTA Retiree
3. Richard Gallivan, NYSTA Retiree
4. Howard Reese, NYSTA Retiree
5. Walter Cross, NYSTA Retiree
6. Edward Farrell, Executive Director – Retired Public Employees Association

### **ADJOURNMENT**

There being no other business, upon motion duly made and seconded, 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.*