



## **MINUTES**

### **NEW YORK STATE THRUWAY AUTHORITY**

#### **BOARD MEETING NO. 636**

**January 6, 2005**

**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.**

**The meeting began at 11:00 a.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, Director, Finance and Accounts  
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**  
**Major George Beach, Troop T**  
**Daniel Gilbert, Director, Public Affairs**  
**Wilma DeLucco, Director, Administrative Services**  
**Donald Bell, Director, Albany Division**  
**Ramesh Mehta, Director, New York Division**  
**Lawrence Frame, Acting Director of Canals**  
**David Boshart, Director, Office of Land Management**  
**Charles Flynn, Associate Administrative Analyst, BMAP**  
**Steven Sweeney, Canal Engineer, Albany Division**  
**Also in Attendance:**  
**Cathy Woodruff, Reporter, *Albany Times Union***

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.

The Chairman called the meeting to order.

Ms. Warner recorded the minutes as contained herein.

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

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**Item 1 by Ms. Warner (Appendix A)**  
**Minutes of Meeting No. 635**

On the motion of, Mr. Riedman, seconded by Ms Carey Cassidy, without any objections, the Board approved the minutes of Meeting No. 635 held on December 16, 2004, which were made available to the Board Members as part of the Agenda.

**Item 2 by John Bryan (Appendix B)**  
**Financial Report – November 2004**

Mr. Bryan reported that net toll revenue for the month of November increased by \$1.0 million or 3.0 percent over the level collected in November 2003. This increase reflects a 0.4 percent year-to-year decrease in passenger tolls being offset by an 8.4 percent year-to-year increase in commercial toll collections.



**Item 2 by John Bryan (Appendix B)**  
**Financial Report – November 2004 (Continued)**

The decrease in passenger toll revenue was a result of a 3.1 percent decrease in average trip length along the ticketed system as well as November 2004 having two less passenger days than November 2003. The increase in commercial toll revenue was a result of November 2004 having two more commercial days than November 2003.

Gasoline revenue was down by 1.2 percent (reflecting reduced passenger traffic from the previous year). Restaurant revenue in November was up by 1.5 percent (in October 2003 the Scottsville Rest Area was closed for 7 days).

He reported that Sundry and other revenue was down by 9.0 percent over the prior year. This decrease is attributable to a 23 percent decline in Sundry revenue offsetting relatively minor increases in interest earnings special hauling fees. The large decrease in Sundry revenues is an anomaly, as a \$383,000 additional entry was done in November 2003 that included occupancy fees collections from prior years that were collected as a result of the new permit system being implemented.

As a result of these year-to-year changes, total revenue collected in November 2004 was \$896,000 or 2.4 percent over the level collected in November 2003.

Finally, year-to-date capital expenditures are running \$97.6 million behind our revised 2004 plan – generally the result of delayed lettings and the timing of payments.

Following discussion regarding the financial condition of the Authority, on the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, without any objections, the Board accepted the Financial Report for the month of November 2004.

**Report by Mr. Waite**  
**2004 Contracts Program**

Mr. Waite reported that the 2004 Contracts Program, adopted December 2003, had a letting goal of \$175 million. By mid-year it became apparent that to achieve that letting goal we would over-extend our fiscal resources. Therefore, the letting goal for the year was adjusted to \$150 million.



**Report by Mr. Waite**  
**2004 Contracts Program (Continued)**

The Authority closed out the year with a grand total of \$155.1 million in low bids. It was a unique year for a number of reasons:

- Oil prices have flirted with record highs for much of the year
- The Federal Reserve is nudging interest rates higher
- China has emerged as an economic powerhouse and shaken up global supply and demand, pushing up commodity prices, particularly steel.
- After posting small annual declines between 2001 and 2003, cement prices this year increased about 6%. It is expected that domestic cement prices will increase another 4% in 2005.
- The December 20, 2004 issue of Engineering News Record reports that “a lot of owners are just starting to accept higher prices. They are seeing bids come in 20 to 30% over budget and that only about 5% of that increase can be attributed to higher material prices.”
- In summary, instead of the mild inflation rates experienced over the last ten years we have been experiencing nearly double digit inflation for much of 2004.

He reported that despite the challenges of adjusting to these local and world wide price fluctuations, a comparison of the Authority’s yearly total of engineers estimates to low bids reflects a difference of only 0.5%.

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

**Authorizing Award of Contract TAS 04-36B (D213389), Two Bridge Replacements, and Allocating Additional Funds Therefor**

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. 5397**

**AUTHORIZING AWARD OF CONTRACT TAS 04-36B  
(D213389), TWO BRIDGE REPLACEMENTS, AND  
ALLOCATING ADDITIONAL FUNDS THEREFOR**

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**RESOLVED, that the Director of Engineering  
Services be, and he hereby is, authorized to award  
Contract TAS 04-36B, replacement of the Farmington and**



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

**Authorizing Award of Contract TAS 04-36B (D213389), Two Bridge Replacements, and Allocating Additional Funds Therefor (Continued)**

Pumpkin Hook Road Bridges, to The Pike Company, Inc. for its low bid of \$6,347,206.04, and be it further

RESOLVED, that the additional sum of \$1,347,206.04 be, and the same hereby is, allocated toward TAS 04-36B from anticipated savings in the 2005 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 4 by Mr. Waite (Appendix D)**

**Authorizing Award of Contract TANY 04-39B (D213232) , Replacement of the Route 300 Bridge, and Allocating Additional Funds Therefor**

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. 5398**

**AUTHORIZING AWARD OF CONTRACT TANY 04-39B (D213232), REPLACEMENT OF THE ROUTE 300 BRIDGE, AND ALLOCATING ADDITIONAL FUNDS THEREFOR**

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**Item 4 by Mr. Waite (Appendix D)**  
**Authorizing Award of Contract TANY 04-39B (D213232) , Replacement of the Route 300 Bridge, and Allocating Additional Funds Therefor (Continued)**

RESOLVED, that the Director of Engineering Services be, and he hereby is, authorized to award Contract TANY 04-39B, replacement of the Route 300 Bridge, to Harrison & Burrows Bridge Constructors, Inc. for its low bid of \$5,124,888.88, and be it further

RESOLVED, that the additional sum of \$610,426.66 be, and the same hereby is, allocated toward TANY 04-39B from anticipated savings in the 2005 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.

**Executive Session**

On the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, the Board voted to convene in Executive Session to discuss real property matters, litigation and the following Items:

**Item 5 by Ms. DeLuco (Appendix E)**  
**Authorizing Sublease of the Authority's Leased Office Space at One Rockefeller Center in New York City**

**Item 6 by Mr. Bryan (Appendix F)**  
**Approval to Renew Leases with Allright Parking, Buffalo Inc. and Standard Parking Inc., for the Operation of Parking Lots in the City of Buffalo**



**Public Session Resumed**

Ms. Carey Cassidy moved that the meeting return to Public Session. Mr. Riedman seconded the motion.

**Item 5 by Ms. DeLucco (Appendix E)**

**Authorizing Sublease of the Authority's Leased Office Space at One Rockefeller Center in New York City**

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. 5399**

**AUTHORIZING SUBLEASE OF THE AUTHORITY'S  
LEASED OFFICE SPACE AT ONE ROCKEFELLER  
CENTER IN NEW YORK CITY**

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**RESOLVED**, that the Director of Administrative Services or her designee is authorized to negotiate a sublease agreement with M. Space Holdings of the office space leased by the Authority from Rockefeller Center Properties, Inc. at One Rockefeller Center on the terms described herein, or such terms as may be deemed to be in the best interest of the Authority and consistent with the intent of the item and to approve expenditures required in connection with such sublease, and be it further,

**RESOLVED**, that the Executive Director or his designee is authorized to execute the sublease agreement on behalf of the Authority, and all other documents necessary to implement, or related to, said sublease agreement, and be it further

**RESOLVED**, that the recommendation regarding the environmental significance of this action be and the same hereby is approved, and be it further

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



**Item 6 by Mr. Bryan (Appendix F)**

**Approval to Renew Leases with Allright Parking, Buffalo Inc. and Standard Parking Inc., for the Operation of Parking Lots in the City of Buffalo**

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. 5400**

**APPROVAL TO RENEW LEASES WITH ALLRIGHT  
PARKING, BUFFALO INC. AND STANDARD  
PARKING INC. FOR THE OPERATION OF PARKING  
LOTS IN THE CITY OF BUFFALO**

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**RESOLVED**, that the Executive Director, or his designee, be, and hereby is, authorized to negotiate leases with Allright Parking, Buffalo Inc. for lots 2 and 3, and with Standard Parking Inc. for lots 1, 4 and 6, on such terms contained in this agenda item and such other terms as may be deemed to be in the best interest of the Authority and consistent with the intent of this item; and be it further

**RESOLVED**, that the Executive Director, or his designee, be, and hereby is, authorized to execute such renewal agreement on behalf of the Authority, and all other documents necessary to implement, or related to, said lease or renewal;

**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.

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**Jill B. Warner**  
**Secretary**

