



MINUTES

NEW YORK STATE THRUWAY AUTHORITY

BOARD MEETING NO. 646

October 20, 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 1:00 p.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 Thruway Authority 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

Susan Young, Director, Systems Management Team

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
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
Jennifer Meicht, Deputy Director of Canal Corporation
Dorraine Steele, Director, Office of Fiscal Audit and Budget
Mark Andersen, Director, Office of Travelers' Services
Fred Rudin, Director, Bureau of Purchasing
Dorraine Steele, Director, Office of Fiscal Audit and Budget
Karen Osborn, Budget Manager, Office of Fiscal Audit and Budget
Michael Sikule, Director, Office of Investments and Asset Management
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.

Item 1 by Ms. Warner (Appendix A)
Minutes of Meeting No. 645

On the motion of Mr. Riedman, seconded by Chairman Buono, without any objections, the Board approved the minutes of Meeting No. 645 held on September 7, 2005, which were made available to the Board Members as part of the Agenda.



Item 2 by Mr. Bryan (Appendix B)
Financial Report – August 2005

Mr. Bryan reported to the Board that net toll revenue in August was up \$11.4 million or 25.8 percent over August of 2004 – reflecting the impact of the toll adjustment instituted in May and increased traffic on the system. As a result, for the first eight months of 2005 net toll revenue was \$37.5 million over the level collected in the same period of 2004 (\$25.3 million of this increase was from passenger vehicles with the \$12.2 million balance from commercial vehicles).

As far as concession revenue collections are concerned, gasoline deliveries and revenues were down slightly in August and restaurant sales and revenue were also down. For the first eight months of the year, total concession revenue is about 0.2 percent or \$22,000 below the level collected in the first eight months of 2004.

Sundry and other revenue collections continue to significantly exceed last year's levels – up by over \$2.7 million or 26.5 percent for the first eight months of 2005. This is almost entirely due to higher interest earnings received on investments.

Accounting for toll, concession, sundry and other revenue collections, total revenue collected in the first eight months of 2005 reached over \$353.4 million which was \$40.2 million or 12.8 percent above the level collected in the first eight months of 2004.

On the expense side, for in the first eight months of 2005 the Authority was \$8.8 million or 4.0 percent above expenses for the same period in 2004. As noted in previous monthly reports, nondiscretionary expenses, such as growing health insurance premiums, pension costs and high fuel and electricity costs are driving increases in the Authority's budget.

Since revising the 2005 Budget estimates in late August, total operating revenue and expenses are exactly on target.

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 August 2005.



Item 3 by Mr. Fleischer(Appendix C)
Report to Thruway Authority Board for Personal Service Contracts Up to \$150,000
for the Period July 1, 2005 through September 30, 2005

Mr. Fleischer submitted as Exhibit I a listing containing Personal Service Contracts up to \$150,000 for the period of July 1, 2005 through September 31, 2005.

After full discussion, on the motion of Ms. Carey Cassidy, seconded by Mr. Riedman, without any objections, the Board accepted Mr. Fleischer's report.

Item 4 by Mr. Fleischer (Appendix D)
Staff Appointment of Richard Garrabrant as Syracuse Division Director

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. 5455
STAFF APPOINTMENT OF RICHARD GARRABRANT
AS SYRACUSE DIVISION DIRECTOR

RESOLVED, that the Board hereby appoints Richard Garrabrant as Syracuse Division Director, effective October 20, 2005 at salary grade 35 with an annual salary of \$118,608, funds which are available in the 2005 Operating Budget, and be it further,

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

Report to the Board by Michael Fleischer

Executive Director Michael Fleischer provided the Board with an update on the Multi-Year Capital Plan, Contracts Program and 2006 Budget.

He stated that the Authority is committed to maintaining fiscal integrity while:

- Maintaining road and bridge conditions
- Bringing highway speed E-ZPass to the Thruway, and implementing other E-ZPass incentives
- Improving connections to other facilities
- Continuing cost containment initiatives



Report to the Board by Michael Fleischer (Continued)

Mr. Fleischer outlined the key aspects of the Authority's Multi-Year \$2 Billion Plan, which include:

- **500 miles of new and/or rehabilitated highway**
- **202 new and/or rehabilitated bridges**
- **595 new truck parking spaces**
- **11 new noise barrier locations**
- **14 additional higher-speed E-ZPass lanes**
- **14 additional dedicated E-ZPass lanes**
- **16 additional highway-speed E-ZPass lanes**

The 2006 Thruway Improvement Plan will include funding for:

- **74 miles of new and/or rehabilitated highway**
- **27 new and/or rehabilitated bridges**
- **Tappan Zee Bridge Deck Replacement**
- **Progression of Woodbury Toll Plaza Improvements**
- **Progression of Albany Corridor Improvements**
- **Progression of Williamsville Toll Barrier Improvement Project**

Mr. Fleischer reported that E-ZPass will be enhanced systemwide in 2006 through:

- **2 additional higher-speed E-ZPass lanes at Ripley Toll Barrier**
- **Converting 14 existing staffed lanes to dedicated E-ZPass lanes**
- **Additional signage and striping at toll plazas**
- **Expanding On-the-Go retail locations**
 - **Since May 2004, more than 20,200 On-the-Go tags have been sold**

He outlined the Advanced Traffic Management System Plans for 2006, ATMS when implemented will provide more accurate and timely information to travelers:

- **Automated traffic information for the 1-800 number and Highway Advisory Radio (HAR)**
- **Automatically update the Variable Message Signs (VMS)**
- **Real-time dissemination of information to DOT for the statewide traveler web**
- **Email high priority traffic alerts, including regional traffic updates**
- **Improve dissemination of AMBER alert information to HAR and VMS**



Report to the Board by Michael Fleischer (Continued)

The Authority has already eliminated 33 vehicles from its fleet; 13 additional vehicles will be eliminated in 2006. Twenty-three additional positions will be eliminated in 2006, since 1995 the Authority has eliminated 460 positions.

Mr. Fleischer concluded his report by discussing the anticipated 77 active construction contracts along the Thruway and Canal System for 2006, with a total value of \$429 million.

Item 5 by Mr. Bryan(Appendix E)

Approval of the 2006 Recommended Budget for the New York State Thruway Authority

Mr. Bryan reported to the Board that the prepared Budget is balanced and provides the necessary resources to ensure that current levels of safety, service and maintenance are preserved and the Authority's good credit rating is maintained.

The 2006 Budget, which includes capital and operating expenses for the Thruway, Canal and I-84, totals \$913.7 million. This is an increase of \$189 million or 26 percent over the \$724.6 million revised budget for 2005. Of the \$189 million increase, 81 percent or \$154.0 million is attributable to growth in the Capital Program.

The Authority will be initiating a number of important highway and bridge projects in 2006 that are part of the Authority's Multi-Year Capital program the Board approved in April. The Capital Program also includes funding for several corridor studies, a toll systems study and funding for the purchase and replacement of heavy construction equipment, the replacement of an 80 year old dredge, police vehicles and other necessary vehicles and equipment.

Of the total budget increase, \$15.5 million is attributable to debt service expenditures. The Authority anticipates expenditures on debt service will increase to \$129.5 million in 2006 which will allow the Authority to meet anticipated debt service required on previously issued bonds as well as offer the opportunity to issue new money bonds to help finance the multi-year Capital Program. Under this plan, debt service coverage will remain high and the Authority's good credit rating is expected to be maintained.

On the operating side, in 2006 the Authority expects to see the combined Thruway, Canal and I-84 budget increase by \$19.6 million or 5.3 percent. This increase is almost entirely attributable to increases in non-discretionary expenses.



Item 5 by Mr. Bryan(Appendix E)

Approval of the 2006 Recommended Budget for the New York State Thruway Authority (Continued)

The Authority and Canal Corporation Budgets are negatively impacted by growing health insurance and pension costs, higher fuel and electricity prices, increases in State Police salaries resulting from binding arbitration and required increases in structural inspections and environmental remediation at Utica Harbor.

In 2006 the Authority will continue diligent efforts to limit travel and other discretionary expenditures. This includes reducing overtime, increasing the use of shared services, further reducing the vehicle fleet and eliminating an additional 23 positions. The Authority also expects to achieve significant savings in Worker's Compensation and other insurance premiums.

The Authority will have very little growth in the discretionary portion of the operating budget and will be providing significant funds for major new initiatives, which result in cost containment efforts that are paying dividends.

Mr. Bryan stated that, as the Executive Director mentioned in his report, the new high technology and customer focused initiatives funded in 2006 include: significant upgrades to toll collection equipment and making major improvements to the Automated Traffic Management System, Highway Advisory Radio and Web Camera Infrastructure that will allow Thruway forces and customers to respond more quickly to incidents along the highway.

In addition, in 2006 the Authority will also begin implementing a new Financial Management System which will revolutionize accounting, procurement, budgeting, inventory and equipment management systems – which will bring about significant additional controls and efficiencies to future operations.

On the revenue side, the 2006 Budget will be funded by a combination of Thruway toll and non-toll revenues, bond proceeds and federal, state and local funds.

Growth in commercial and passenger traffic along the Thruway system and the implementation of the toll rate adjustment are estimated to boost toll collections to \$575.0 million in 2006. This is an increase of \$57.9 million or 11.2 percent over the revised budget for 2005 and reflects the full year impact of the toll adjustment.

Concession revenues are expected to drop by \$3.4 million in 2006 vs. the 2005 revised budget. This year the Authority re-bid most of the concessionaire and fuel



Item 5 by Mr. Bryan(Appendix E)

Approval of the 2006 Recommended Budget for the New York State Thruway Authority (Continued)

contracts. In the RFP's for these services, vendors are required to enhance their services, make significant capital investments, and institute market rate pricing. The tradeoff to these enhancements will be this reduced rental income to the Authority.

Taking into account Toll, Concession, Interest, and Sundry Revenue estimates for 2006, the Authority anticipates total revenues to increase by \$53.4 million or 9.7 percent over the revised budget level for 2005.

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. 5456

**APPROVAL OF THE 2006 RECOMMENDED BUDGET
FOR THE NEW YORK STATE THRUWAY
AUTHORITY**

RESOLVED, that the Authority's proposed Budget for the fiscal year 2006, submitted by the Executive Director, the Deputy 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 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 if 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 in accordance with Section 2801 of the Public Authorities Law, and be it further



Mr. Bryan(Appendix E)

Approval of the 2006 Recommended Budget for the New York State Thruway Authority (Continued)

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

Item 6 by Mr. Waite (Appendix F)

Approving the 2006 Thruway Contracts Program

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. 5457
APPROVING THE 2006 THRUWAY
CONTRACTS PROGRAM

RESOLVED, that the 2006 Contracts Program for Highway, Bridge, Intelligent Transportation Systems, Architectural and Economic Development Projects be, and the same hereby is, approved, and be it further

RESOLVED, that the Chief Engineer or the Director of Engineering Services be, and they hereby are, authorized:

- A.** to prepare and approve Official Proposals, Plans and Specifications, Engineer's/Architect's Estimates of Cost and Contract Documents for such projects as are tabulated in the 2006 CONTRACTS PROGRAM;
- B.** to hold the respective Engineer's/ Architect's Estimate of Cost for such contracts confidential;
- C.** to advertise for receipt of bids for those contracts which are tabulated in the 2006 CONTRACTS PROGRAM wherein the final Engineer's/Architect's Estimates of Cost are equal to or less than the respective budget allocations as tabulated in the 2006 CONTRACTS PROGRAM, and for those projects wherein the final Engineer's/Architect's Estimate of Cost is higher than the budget allocation but confirmation is given by the Department of Finance and Accounts that sufficient funds are available in the 2006 CONTRACTS



Item 6 by Mr. Waite (Appendix F)

Approving the 2006 Thruway Contracts Program (Continued)

PROGRAM by virtue of bid savings and/or deferrals; followed by approval of the Deputy Executive Director;

D. to award any such contract to the lowest responsible bidder when it is deemed to be an acceptable bid, provided that:

1. the low bid is equal to or less than the Engineer's/Architect's Estimate; or

2. if the low bid exceeds the Engineer's/Architect's Estimate by up to \$100,000 on contracts up to and including \$500,000, or 20 percent on contracts over \$500,000, and such award, upon consultation with the Deputy Executive Director, is deemed to be in the best interests of the Authority, he shall first obtain confirmation by the Department of Finance and Accounts that, by virtue of bid savings and/or deferrals, sufficient funds are available for the additional difference between the budget amount and the low bid; or

3. if the low bid does not conform with D.(1) or D.(2) and, upon consultation with the Executive Director such award is deemed to be in the best interests of the Authority, he shall first obtain Board authorization for the necessary additional funds;

E. to reject bids for any such contract which are determined to be not in accordance with bid documents and specifications thereof, or not in the Authority's best interests, or which are submitted by bidders determined to be not responsible. In these cases and where no bids are received, he may again advertise for receipt of bids pursuant to paragraph C; to approve contingent or extra work on such construction contracts, when necessary, provided the additional cost shall not exceed the bid price by more than \$100,000, for contracts bid up to and including \$1,000,000, or 10 percent for contracts bid in excess of \$1,000,000 and to approve additional extra work, beyond that authorized above with the prior approval of the Deputy Executive Director, provided the final cost of the respective contracts shall not exceed the total bid price by more than \$200,000, for contracts bid up



Item 6 by Mr. Waite (Appendix F)

Approving the 2006 Thruway Contracts Program (Continued)

to and including \$1,000,000, or 20 percent for contracts bid in excess of \$1,000,000; and to adjust and determine disputed contract claims in accordance with contract documents;

F. to enter into, extend, and modify project specific agreements or multi-project agreements with localities, utility companies, railroads, and/or others as may be necessary in order to facilitate the administration, award, progress and completion of such contracts;

G. to acquire and grant such property interests (fee title, easements, etc.) as may be necessary for implementation of the 2006 CONTRACTS PROGRAM; provided that the total amount of acquisitions or the amount of grants for any one project shall not exceed \$150,000 each without Board authorization;

H. to execute engineering agreements approved by the Board, or where otherwise authorized by the Executive Director, including amendments thereto, for services relating to projects included in the 2006 CONTRACTS PROGRAM;

I. to approve in consultation with the Deputy Executive Director a supplemental agreement, for expenditure of additional funds in furtherance of a Board approved engineering agreement, including any Board approved supplemental agreement, provided that the amount of such additional funds does not exceed \$150,000 in the case of agreements up to and including \$3,000,000, or 5 percent, in the case of agreements of over \$3,000,000;

J. to approve, with the prior approval of the Deputy Executive Director and Executive Director, a supplemental agreement for expenditure of additional funds in furtherance of a Board approved engineering agreement, including any Board approved supplemental agreement, provided that the amount of such additional funds does not exceed 25 percent including any additional funds authorized in paragraph J; and provided further, when such supplemental agreement includes additional



Item 6 by Mr. Waite (Appendix F)
Approving the 2006 Thruway Contracts Program (Continued)

new design or construction inspection tasks, such approval must be based upon the following: it is determined that the assignment of the additional tasks is in the best interests of the Authority when considering the proximity of the additional tasks to the ongoing tasks, or it is determined to be in the best interests of the Authority to expedite the additional tasks through such assignment, or it is determined that significant savings to the Authority will result through the assignment of the additional tasks;

K. to exercise all powers reserved to the Authority under the provisions of any contracts or agreements executed pursuant to this item, manage and administer any such contracts or agreements, amend the provisions of any such contracts or agreements consistent with the terms of this item and in accordance with other applicable Board authorizations, and suspend or terminate any such contracts or agreements in the best interests of the Authority, and be it further

RESOLVED, that any powers granted to the Executive Director by the Board to approve expenditures or to increase expenditures for contracts and agreements shall be in addition to those powers granted under this resolution and any action taken pursuant thereto shall be deemed to be authorized under this resolution and be it further

RESOLVED, that in accordance with the other powers delegated herein, the Chief Engineer or the Director of Engineering Services shall be, and they hereby are, authorized to make all necessary decisions pursuant to the State Environmental Quality Review Act (SEQRA) with relation to the Contracts Program, and be it further

RESOLVED, that quarterly reports shall be submitted to the Board by the Chief Engineer or the Director of Engineering Services on all awarded construction contracts; on approved additional funds for



Item 6 by Mr. Waite (Appendix F)
Approving the 2006 Thruway Contracts Program (Continued)

construction contracts over and above the contingency funds; on all engineering agreements and supplemental engineering agreements approved pursuant to the provisions of this resolution, and be it further

RESOLVED, that the Chief Financial Officer be, and he hereby is, authorized:

- A.** upon award of such contracts to return such funds budgeted for such projects in the respective 2006 Budgets which are otherwise not required for expenditure during 2006 to its proper fund in accordance with acceptable budgeting and accounting procedure;
- B.** to monitor total cash expenditures for the 2006 CONTRACTS PROGRAM to insure that they do not exceed \$309,716,835 during the 2006 Fiscal Year;
- C.** to return bid checks submitted for such contracts to unsuccessful bidders; and to make necessary adjustments in the respective 2006 approved Budgets as required by implementation of any part of the Resolution relative to the 2006 CONTRACTS PROGRAM; and be it further

RESOLVED, that the Executive Director or Deputy Executive Director/Chief Engineer or the Director of Engineering Services be, and they hereby are, authorized to execute such contracts, including any amendments thereto, provided such amendments do not increase the authorized contract value beyond that which is otherwise authorized; and be it further

RESOLVED, that the provisions of this resolution shall be deemed to supercede all other inconsistent Authority policies and procedures to the extent necessary to implement the approved Contracts Program and for no other purposes, and be it further

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



Item 7 by Ms. O’Conor (Appendix G)
Authorizing the Executive Director to Execute an Agreement with Hawkins, Delafield & Wood LLP for General Bond Counsel Services

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. 5458

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH HAWKINS, DELAFIELD & WOOD LLP FOR GENERAL BOND COUNSEL SERVICES

RESOLVED, that the Executive Director be, and hereby is, authorized to negotiate and execute an Agreement with Hawkins, Delafield & Wood LLP for General Bond Counsel Services; and be it further

RESOLVED, that the Agreement shall be for a term of three years with an option to renew for two additional one-year periods, shall have a maximum amount payable of \$500,000, and shall be on such other terms and conditions as the Executive Director and General Counsel determine to be in the best interests of the Authority; and be it further

RESOLVED, that the Executive Director be, and hereby is, authorized to execute any and all renewals of such Agreement on such terms as he, in consultation with the General Counsel, determines to be in the best interest of the Authority and consistent with applicable policies and procedures, and be it further

RESOLVED, that the Executive Director be, and he hereby is, authorized to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement, amend the provisions of the Agreement consistent with the terms of this item and other Board authorizations and suspend, terminate or renew the Agreement in the best interests of the Authority, and be it further



Item 7 by Ms. O’Conor (Appendix G)
Authorizing the Executive Director to Execute an Agreement with Hawkins, Delafield & Wood LLP for General Bond Counsel Services (Continued)

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

Item 8 by Ms. DeLucco (Appendix H)
Approval of the Unit I Collective Bargaining Agreement between the Thruway Authority and Local 72, New York State Thruway Employees International Brotherhood of Teamsters and Authorization for the Executive Director to Execute the Agreement and to Extend Appropriate Provisions to Managerial/Confidential Employees

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. 5459

APPROVAL OF THE UNIT I COLLECTIVE BARGAINING AGREEMENT BETWEEN THE AUTHORITY AND LOCAL 72, NEW YORK STATE THRUWAY EMPLOYEES INTERNATIONAL BROTHERHOOD OF TEAMSTERS AND AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT AND TO EXTEND APPROPRIATE PROVISIONS TO MANAGERIAL/CONFIDENTIAL EMPLOYEES

RESOLVED, that the proposed Unit I Agreement between representatives of the Authority and Local 72, New York State Thruway Employees International Brotherhood of Teamsters (Local 72) (as representatives of employees in Negotiating Unit I) be, and the same hereby is, approved, and be it further

RESOLVED, that the Executive Director be, and hereby is, authorized to execute the Agreement, and be it further



Item 8 by Ms. DeLucco (Appendix H)
Approval of the Unit I Collective Bargaining Agreement between the Thruway Authority and Local 72, New York State Thruway Employees International Brotherhood of Teamsters and Authorization for the Executive Director to Execute the Agreement and to Extend Appropriate Provisions to Managerial/Confidential Employees (Continued)

RESOLVED, that the Executive Director or his designee be and hereby is, authorized to enter into Memoranda of Understanding or Settlement Agreements with representatives of Local 72 to clarify or otherwise settle questions or disputes regarding the interpretation and application of this Agreement, and be it further

RESOLVED, that the salary schedules for M/C Unit I counterparts at salary grade 15 and below be modified to be consistent with the Unit I salary provisions by adding a Step 6, and be it further

RESOLVED, that the Unit I Location Differential, including the Mid-Hudson Adjustment be extended to all eligible M/C employees, and be it further

RESOLVED, that an exact copy of the proposed Agreement shall be, and the same hereby is, included in the official notes for this meeting, and be it further

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

Item 9 by Mr. Tanner (Appendix I)
Authorizing the Execution of a Contract for the Purchase and Installation of a Replacement Modular Structure for State Police Personnel at New Rochelle, and Purchase of Limited Furnishings

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



Item 9 by Mr. Tanner (Appendix I)
Authorizing the Execution of a Contract for the Purchase and Installation of a Replacement Modular Structure for State Police Personnel at New Rochelle, and Purchase of Limited Furnishings (Continued)

RESOLUTION NO. 5460

AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE AND INSTALLATION OF A REPLACEMENT MODULAR STRUCTURE FOR STATE POLICE PERSONNEL AT NEW ROCHELLE, AND PURCHASE OF LIMITED FURNISHINGS

RESOLVED, that the 2005 Budget be amended to include a project to furnish, install, and purchase minimal furnishings for a replacement modular State Police facility at New Rochelle, for the sum of \$245,000, and be it further

RESOLVED, that the funding for this project will come from savings/deferments in the 2005 Contracts Program, and be it further

RESOLVED, that the Executive Director, or his designee, be authorized to contract with a vendor(s) in order to provide a replacement State Police facility at New Rochelle for a sum not to exceed \$245,000, and be it further

RESOLVED, that the Executive Director, or his designee, be authorized to undertake all actions necessary to implement this Board action, including, but not limited to, executing all documents that may be necessary between the Authority and the designated vendor, and be it further

RESOLVED, that security concerns require that this work be performed and completed in as timely a manner as possible, 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



Item 9 by Mr. Tanner (Appendix I)

Authorizing the Execution of a Contract for the Purchase and Installation of a Replacement Modular Structure for State Police Personnel at New Rochelle, and Purchase of Limited Furnishings (Continued)

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 full in the minutes of this meeting.

Item 10 by Mr. Waite (Appendix J)

Authorizing Negotiation and Execution of Engineering Agreement D213526 with Urban Engineering of New York, P.C. for Construction Inspection Services Relative to TAB 05-27, Highway Resurfacing and Safety Improvements Between M.P. 430.0 to M.P. 438.5 in the Buffalo Division

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. 5461

AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213526 WITH URBAN ENGINEERING OF NEW YORK, P.C. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAB 05-27, HIGHWAY RESURFACING AND SAFETY IMPROVEMENTS BETWEEN M.P. 430.0 TO M.P. 438.5 IN THE BUFFALO DIVISION

RESOLVED, that the Chief Engineer or Director of Engineering Services be, and they hereby are, authorized to negotiate and execute engineering agreement D213526 with Urban Engineering of New York, P.C., The Brisbane Building, 403 Main Street, Suite 530, Buffalo, New York 14203 for construction inspection services relative to TAB 05-27, Highway Resurfacing and Safety Improvements between M.P. 430.0 and M.P. 438.5 in the Buffalo Division, provided that the Maximum Amount Payable does not exceed the \$640,000 which is currently



Item 10 by Mr. Waite (Appendix J)
Authorizing Negotiation and Execution of Engineering Agreement D213526 with Urban Engineering of New York, P.C. for Construction Inspection Services Relative to TAB 05-27, Highway Resurfacing and Safety Improvements Between M.P. 430.0 to M.P. 438.5 in the Buffalo Division (Continued)

provided through the 2006 Contracts Program (H894.1), and be it further

RESOLVED, that the Chief Engineer or the Director of Engineering Services or their designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement, amend the provisions of the Agreement consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution and other Board authorizations, and suspend or terminate the Agreement in the best interests of the Authority, and be it further

RESOLVED, that the information relating to this agreement be included in the Director of Engineering Services' Quarterly Report to the Board on Contracts Program activities, such information to include the exact Maximum Amount Payable and date of execution of the agreement and be it further

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

Item 11 by Mr. Waite (Appendix K)
Authorizing Negotiation and Execution of Engineering Agreement D213517 with Dewberry-Goodkind, Inc. for Construction Inspection Services Relative to TAB 05-28I, Installation of Fiber Optics Backbone and ITS Devices at Various Locations in the Buffalo Division

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



Item 11 by Mr. Waite (Appendix K)
Authorizing Negotiation and Execution of Engineering Agreement D213517 with
Dewberry-Goodkind, Inc. for Construction Inspection Services Relative to TAB 05-
28I, Installation of Fiber Optics Backbone and ITS Devices at Various Locations in the
Buffalo Division (Continued)

RESOLUTION NO. 5462

**AUTHORIZING NEGOTIATION AND EXECUTION
OF ENGINEERING AGREEMENT D213517 WITH
DEWBERRY-GOODKIND, INC. FOR
CONSTRUCTION INSPECTION SERVICES
RELATIVE TO TAB 05-28I, INSTALLATION OF
FIBER OPTICS BACKBONE AND ITS DEVICES AT
VARIOUS LOCATIONS IN THE BUFFALO DIVISION**

RESOLVED, that the Chief Engineer or Director of Engineering Services be, and they hereby are, authorized to negotiate and execute engineering agreement D213517 with Dewberry-Goodkind, Inc., 15 East 26th Street, New York, New York 10010 for construction inspection services relative to TAB 05-28I, Installation of Fiber Optics Backbone and ITS Devices at Various Locations in the Buffalo Division, provided that the Maximum Amount Payable does not exceed the \$1,000,000 which is currently provided through the 2006 Contracts Program (I21.1), and be it further

RESOLVED, that the Chief Engineer or the Director of Engineering Services or their designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the Agreement, manage and administer the Agreement, amend the provisions of the Agreement consistent with the terms of this item and in accordance with the 2006 Contracts Program Resolution and other Board authorizations, and suspend or terminate the Agreement in the best interests of the Authority, and be it further



Item 11 by Mr. Waite (Appendix K)

Authorizing Negotiation and Execution of Engineering Agreement D213517 with Dewberry-Goodkind, Inc. for Construction Inspection Services Relative to TAB 05-28I, Installation of Fiber Optics Backbone and ITS Devices at Various Locations in the Buffalo Division (Continued)

RESOLVED, that the information relating to this agreement be included in the Director of Engineering Services' Quarterly Report to the Board on Contracts Program activities, such information to include the exact Maximum Amount Payable and date of execution of the agreement 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 to Executive Session to discuss Real Property valuations in relation to proposed sales and matters relating to the potential appointment of a corporation:

Item 12 by Mr. Rinaldi (Appendix L)

Authorizing the Executive Director to Enter into Negotiations with HMS Host Family Restaurants Inc. for the Operation of 12 Thruway Travel Plaza Food Service Facilities and Delaware North Companies Travel and Hospitality Services to Operate 4 Thruway Travel Plaza Food Service Facilities

Item 13 by Mr. Bryan (Appendix M)

Declaring Surplus to Authority Needs, Real Property Reference Nos. 530-A and 530-B, Located in the New York Division at Milepost ML/30.1/SB in the Village of Suffern, County of Rockland; and Authorizing their Conveyance to Rockland County Sewer District No. 1

Public Session Resumed

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



Item 12 by Mr. Rinaldi (Appendix L)

Authorizing the Executive Director to Enter into Negotiations with HMS Host Family Restaurants Inc. for the Operation of 12 Thruway Travel Plaza Food Service Facilities and Delaware North Companies Travel and Hospitality Services to Operate 4 Thruway Travel Plaza Food Service Facilities

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. 5463

AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO NEGOTIATIONS WITH HMS HOST FAMILY RESTAURANTS, INC. FOR THE OPERATION OF 12 TRAVEL PLAZA FOOD SERVICE FACILITIES, AND WITH DELAWARE NORTH COMPANIES TRAVEL AND HOSPITALITY SERVICES TO OPERATE 4 THRUWAY TRAVEL PLAZA FOOD SERVICE FACILITIES

RESOLVED, that the Executive Director, or his designee, be, and he hereby is, authorized to enter into negotiations with HMS Host Family Restaurants, Inc. and Delaware North Companies Travel and Hospitality Services, and be it further

RESOLVED, that the proposed term of such agreement shall be October 1, 2006 to December 31, 2018, and be it further

RESOLVED, any such agreement negotiated by the Executive Director or his designee shall be subject to review and approval of the Board; and be it further;

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



Item 13 by Mr. Bryan (Appendix M)
Declaring Surplus to Authority Needs, Real Property Reference Nos. 530-A and 530-B,
Located in the New York Division at Milepost ML/30.1/SB in the Village of Suffern,
County of Rockland; and Authorizing their Conveyance to Rockland County Sewer
District No. 1

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. 5464
DECLARING SURPLUS TO AUTHORITY NEEDS,
REAL PROPERTY REFERENCE NOS. 530-A AND 530-
B, LOCATED IN THE NEW YORK DIVISION AT
MILEPOST ML/30.1/SB IN THE VILLAGE OF
SUFFERN, COUNTY OF ROCKLAND; AND
AUTHORIZING ITS CONVEYANCE TO ROCKLAND
COUNTY SEWER DISTRICT NO. 1

RESOLVED, that the Authority Board hereby finds and determines that Real Property Reference Nos. 530-A and 530-B (hereinafter the “Property”), delineated as Parcel Nos. 1560 and 1561, respectively, on Conveyance Map No. 1117-C in Rockland County in the Catskill Section of the Thruway, is not necessary for its corporate purposes, and, therefore, hereby declares the Property surplus to the needs of the Authority; and be it further

RESOLVED, that a conveyance of the Property to Rockland County Sewer District No. 1 (hereinafter the “Applicant”), in accordance with the terms authorized during the Executive Session of this meeting and on other such terms as may be deemed by the Executive Director, or his designee, to be in the best interest of the Authority, be, and the same hereby is, approved; 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 Property; and be it further



Item 13 by Mr. Bryan (Appendix M)
Declaring Surplus to Authority Needs, Real Property Reference Nos. 530-A and 530-B,
Located in the New York Division at Milepost ML/30.1/SB in the Village of Suffern,
County of Rockland; and Authorizing their Conveyance to Rockland County Sewer
District No. 1 (Continued)

RESOLVED, that the conveyance of the Property shall be subject to the Applicant's payment of all costs incidental to the transfer of real property; and be it further

RESOLVED, that the Chief Engineer's recommendation ("Recommendation") regarding the adoption of the Findings Statement 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 Findings Statement in accordance with the Recommendation, and to distribute any required documents on behalf of the Board relative to such adoption, and be it further

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 conveyance of the subject Property must be completed within one (1) year of the date that this resolution is adopted by the Authority Board, and that if the conveyance is not completed, all authorization to complete the conveyance shall be deemed to have expired; and be it further

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



Item 14 by Mr. Mehta (Appendix N)

Authorizing An Agreement Between the Thruway Authority and the Rockland County Sewer District #1 for Sewage Treatment Services for the Sloatsburg and Ramapo Service Areas, MP 33.0

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. 5465

AUTHORIZING AN AGREEMENT BETWEEN THE THRUWAY AUTHORITY AND ROCKLAND COUNTY SEWER DISTRICT #1 FOR SEWAGE TREATMENT SERVICES FOR THE SLOATSBURG AND RAMAPO SERVICE AREAS, MP 33.0

RESOLVED, that the Executive Director, or his designee, be and hereby is authorized to negotiate and execute an Agreement with Rockland County Sewer District #1, on the terms described in this agenda item, and such other terms as may be in the interest of the Authority consistent with this agenda item, and be it further

RESOLVED, that the Executive Director, or his designee, be and hereby is authorized to take all action necessary to administer and implement said Agreement, and be it further

RESOLVED, that the recommendation regarding the adoption of the Findings Statement 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 Findings Statement in accordance with the above recommendation, and to distribute any required documents on behalf of the Board relative to such adoption, 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

