



## **MINUTES**

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

#### **BOARD MEETING NO. 680**

**June 16, 2010**

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 and via video conference from the Corporation's New York Division Office, 4 Executive Boulevard, Suffern, NY 10901.

The meeting began at 10:30 a.m.

There were present:

Chairman John L. Buono

E. Virgil Conway, Board Member, via video conference

Dr. Jose Holguin-Veras, Board Member

Donna J. Luh, Board Member

J. Donald Rice, Board Member, arrived late

Brandon R. Sall, Board Member, via video conference

Richard N. Simberg, 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  
Carmella Mantello, Director of Canal Corporation  
William Estes, General Counsel  
John Bryan, Chief Financial Officer  
Daniel Gilbert, Chief of Staff  
Wendy Allen, Deputy Chief of Staff  
Christopher Waite, Chief Engineer  
Jill Warner, Secretary and Board Administrator  
Thomas Pericak, Division Director, Buffalo Division  
William Rinaldi, Division Director, Albany Division  
Ted Nadratowski, Division Director, New York Division  
Richard Garrabrant, Division Director, Syracuse Division  
RW Groneman, Public Information Specialist, Office of Public Affairs  
Kevin Allen, Assistant Director, Audit and Management Services  
Harry Lennon, Senior Investigator, Audit and Management Services  
John Barr, Director, Administrative Services  
Thomas Fitzgerald, Director, Human Resource Management  
Donald Bell, Director, Operations and Maintenance  
Captain Michael Eaton, Troop T  
Tony Kirby, Director, Real Property Management  
Joanne Riddett, Director, Information Technology  
Doraine Steele, Director, Fiscal Audit and Budget  
Michael Sikule, Director, Investments and Asset Management  
Richard Harris, Deputy Director, Community Development & Land Management  
Peter Casper, Assistant Counsel  
Catherine Sheridan, Manager, Canal Capital Program  
Jill Ross, Director, Project Scoping Bureau  
Angel Medina, Director, Long Range Planning

Also in attendance:

Jerry DeLuca, DeLuca Public Affairs

Karl Diehl, New York Network

Michael Anderson, Project Director, TZB/I-287 Environmental Review, NYSDOT

Phil Ferguson, Project Manager, TZB/I-287 Environmental Review, NYSDOT

Chairman Buono noted that he, Mr. Conway, Dr. Holguin-Veras, Ms. Luh, Mr. Rice, Mr. Sall and Mr. Simberg had received and reviewed the Agenda submitted for consideration at this meeting and were prepared to act on each of the Items.

Chairman Buono called the meeting to order.

Ms. Warner recorded the minutes as contained herein.

Ms. Warner said public notice of the meeting had been given.

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**Item 1 Ms. Warner (Appendix A)**  
**Minutes of Meeting No. 679**

On the motion of Mr. Simberg, seconded by Ms. Luh, without any objections, the Board approved the minutes of Meeting No. 679 held on April 1, 2010, which were made available to the Board Members as part of the Agenda.

**Item 2 Mr. Fleischer (Appendix B)**  
**Designating Donna J. Luh as Vice-Chair of the Thruway Authority Board**

After full discussion, on the motion of Mr. Conway, seconded by Mr. Sall, without any objections, the Board adopted the following resolution:

**RESOLUTION NO. 5827**  
**DESIGNATING DONNA J. LUH AS THE VICE-CHAIR**  
**OF THE THRUWAY AUTHORITY BOARD**

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**Item 2 Mr. Fleischer (Appendix B)**  
**Designating Donna J. Luh as Vice-Chair of the Thruway Authority Board (Continued)**

RESOLVED, that Donna J. Luh be, and she hereby is, designated Vice-Chair of the New York State Thruway Authority, and be it further

RESOLVED, that the Vice-Chair's responsibilities shall be as delineated in the Bylaws of the New York State Thruway Authority; and be it further

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

**Item 3 Mr. Fleischer (Appendix C)**  
**Report to Thruway Authority Board for Personal Service Contracts Up to \$150,000 for the Period January 1, 2010 through March 31, 2010**

Mr. Fleischer stated that by Board policy staff has the ability to enter into these contracts. Although the contracts are still competitively bid projects by and large, but they are not subject to Board approval, but are reported to the Board when they are entered into.

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

**Item 4 Mr. Bryan (Appendix D)**  
**Financial Reports – February 2010 March and April 2010**

Mr. Bryan reported that total traffic through April was up by 0.4 percent, essentially mirroring the growth trends established on the nation's roads and highways.

For the first four months, commercial traffic continued to slowly rebound from the large losses experienced in 2009. However, there still is a long way to go before commercial traffic

**Item 4 Mr. Bryan (Appendix D)**  
**Financial Reports – February 2010 March and April 2010 (Continued)**

counts recover the losses experienced in 2009. For example, the 2 percent growth in the first four months of this year compares to a decline of 15 percent in the first four months of 2009.

For passenger traffic, while traffic continues to improve the growth has been rather anemic. For the first four months of the year, passenger traffic was up by only 0.2 percent. In the first four months of 2009, passenger traffic dropped 2.5 percent or 1.7 million trips.

With respect to revenues, through the end of April the Authority collected \$188.3 million in tolls, which was \$8.3 million higher than the level collected in the same period of 2009, representing an increase of 4.6 percent. Other revenue sources, which include concession and sundry revenues, showed some overall growth but was tempered by a reduction in investment earnings due to low interest rates. Sundry revenues include E-Z pass fees, permit fees, lease fees, fiber-optic fees, etc. As a result, total revenues from all sources increased by \$8.7 million or 4.6 percent in the first four months of last year. Compared to the Authority's budget, revenues came in about \$600,000 above the 2010 Budget forecast.

On the expense side, as staff has consistently seen for five years now, cost containment continues to produce results. Operating expenses for both the Thruway and the Canal through April were up by only 1.7 percent from the same period in 2009. Compared to the budget, expenses were nearly \$10 million or 7.1 percent below the 2010 Budget forecast.

So far in 2010 staff is seeing traffic begin to improve and maintaining a healthy balance in the annual budget. Since April, the daily traffic sheets suggest that traffic growth has remained fickle – showing signs that the economic recovery is still quite slow and deliberate. The Authority did have a decent Memorial Day with traffic up 2.6 percent over last year. Hopefully the national economy will continue to improve and the Authority will see nice traffic and revenue numbers for the summer travel season. The summer months are make or break months for the Authority's year. June, July and August are very heavy traffic months and essentially dictate how the budget is going to end up for the year. There have been some

**Item 4 Mr. Bryan (Appendix D)**  
**Financial Reports – February 2010 March and April 2010 (Continued)**

encouraging signs on the economic front and hopefully that will translate into traffic and the Authority will continue on this good path for the year.

Mr. Rice inquired as to how often these reports are assembled. Mr. Bryan responded that staff prepares a monthly report and at subsequent Board Meetings the reports are presented for approval. This month the Board has February, March and April due to the fact that at the last meeting staff were closing out the fiscal year and didn't have the February book ready so this is a catch-up month. Staff intends to start sending to the Board along with the monthly blue book, Mr. Waite's Capital Program report each month.

Mr. Sall stated that a line item in the April report showed that the State Police expenses are up about 9 percent and he inquired if that is due to a salary increase. Mr. Bryan concurred, adding that it is a negotiated salary increase and the Authority does not negotiate those increases. Mr. Bell added that in the later part of last year some additional troopers were assigned to Troop T which would not have been reflected in the same time frame from last year's budget, they did not get 9 percent raises.

Following discussion regarding the financial condition of the Authority, on the motion of Ms. Luh, seconded by Mr. Simberg, without any objections, the Board accepted the Financial Reports for the months of February, March and April 2010.

**Item 5 Mr. Bryan (Appendix E)**  
**Authorizing the Executive Director to Execute a Contract with The Risk Management Planning Group, Inc. to Provide Workers' Compensation Claims Review Services for the Thruway Authority and Canal Corporation**

Mr. Bryan stated that the Authority currently purchases workers' compensation insurance from the New York State Insurance Fund ("SIF") for both the Thruway Authority and Canal Corporation at an annual cost of approximately \$3.9 million.

**Item 5 Mr. Bryan (Appendix E)**  
**Authorizing the Executive Director to Execute a Contract with The Risk Management Planning Group, Inc. to Provide Workers' Compensation Claims Review Services for the Thruway Authority and Canal Corporation (Continued)**

These risk management and claims services are currently provided by The Risk Management Planning Group, Inc. ("RMPG") under a competitively bid contract which expires on June 30, 2010.

On January 20, 2010, the Authority issued an RFP that was distributed to 88 firms. 78 copies of the RFP were also downloaded from the Authority's website where the RFP was posted and by the Authority received four proposals by the bid due date of March 26, 2010. After the appropriate analysis, scoring and weighing of the four bids, RMPG received the highest score.

RMPG is a New York State corporation that specializes in the administration of Workers' Compensation and Disability Benefits Insurance Programs. RMPG has been the provider of claims review services for the Authority/Corporation since 1996 and has been the selected proposer in three previous competitive procurements undertaken by the Authority/Corporation.

It is recommended that the Board authorize the Executive Director to execute a contract with RMPG to provide workers' compensation review services for a three-year period, with an option to extend the contract for two additional years. The approximate annual cost of services under this contract will be approximately \$150,000.

Mr. Rice inquired as to the circumstances under which staff would renew or not renew the contract. Mr. Bryan responded that because staff is dealing with the SIF, it is important to have this type of contractor to work with on the Authority's behalf. Sometimes these claims just get moved through and the Authority wants to make sure people are looking at them, and the claims are correct. They save the Authority a lot of money. They also manage a lot of the Authority's small medical claims.

**Item 5 Mr. Bryan (Appendix E)**

**Authorizing the Executive Director to Execute a Contract with The Risk Management Planning Group, Inc. to Provide Workers' Compensation Claims Review Services for the Thruway Authority and Canal Corporation (Continued)**

It is a question of how staff feels the contract is being priced at the time of renewal. Staff looks into whether or not the Authority would receive a better price or more quality of service by rebidding it. The renewal periods are not taken lightly. Mr. Rice then asked if staff would bring the renewals back to the Board. Mr. Bryan stated that they would not, that the approval sought today would include any potential renewal periods. Mr. Sall inquired as to why it is done that way, why not have a three-year contract without a built in renewal. Mr. Bryan responded that staff could certainly do that, however, the procurement process is a lengthy one, typically 12 months. So for two and three-year contracts, once the contract is signed staff would almost have to start the process over again to get ready for the next one. With the two-year renewal option you potentially have a five-year contract. Mr. Sall asked why staff would not just do a five-year contract and Mr. Rice added that essentially what staff is doing now is a five-year contract with a three-year cancellation. Mr. Bryan responded that staff can cancel this contract at any time, but historically staff has liked to have the renewal option. If prices were to go through the roof after three years the Authority would still have this contractor locked in at \$150,000 for an additional two years.

Mr. Simberg stated that he personally appreciates the reduction in the level of review on these basically routine contracts. He is aware that the Board has oversight responsibilities but at the same time the reviews encumber the Board with issues with which it does not have much input and furthermore reduces the Board's ability to make policy. Mr. Simberg also added that he believes that it is good to have the option of cancellation after three years because it keeps the vendors "on their toes." Mr. Simberg wished to go on record as being very much in favor of this policy.

Mr. Rice inquired as to whether the pricing for the Canal and the Authority are the same. The response was that \$150,000 covers both the Authority and the Canal. Mr. Bryan stated that

**Item 5 Mr. Bryan (Appendix E)**

**Authorizing the Executive Director to Execute a Contract with The Risk Management Planning Group, Inc. to Provide Workers' Compensation Claims Review Services for the Thruway Authority and Canal Corporation (Continued)**

staff does not request vendors to bid separately but since the Boards are separate and each has individual Bylaws, staff is required to have the Board approve their own item.

After full discussion, on the motion of Ms. Luh, seconded by Dr. Veras, without any objections, the Board adopted the following resolution:

**RESOLUTION NO. 5828**

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH THE RISK MANAGEMENT PLANNING GROUP, INC. TO PROVIDE WORKERS' COMPENSATION CLAIMS REVIEW SERVICES FOR THE THRUWAY AUTHORITY AND CANAL CORPORATION**

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RESOLVED, that the Executive Director be, and hereby is, authorized to execute an agreement with The Risk Management Planning Group, Inc. to provide workers' compensation claims review services for the Thruway Authority and Canal Corporation ("Agreement"), and be it further

RESOLVED, that the Agreement shall be for an initial term of three years with an option to extend the contract for two additional years, the cost of these services is anticipated to be approximately \$150,800 for each year of the contract term, for a maximum amount payable of \$452,400 for the initial three-year term, and be it further

**Item 5 Mr. Bryan (Appendix E)**

**Authorizing the Executive Director to Execute a Contract with The Risk Management Planning Group, Inc. to Provide Workers' Compensation Claims Review Services for the Thruway Authority and Canal Corporation (Continued)**

RESOLVED, that the Agreement shall be on such other terms and conditions as the Executive Director, in consultation with the General Counsel and Chief Financial Officer, determines to be in the best interests of the Authority/Corporation, and be it further

RESOLVED, that the Executive Director be, and hereby is, authorized to exercise the option to renew the contract for the additional two year period, on the terms and conditions deemed to be in the best interests of the Authority/Corporation for an amount not to exceed \$310,668 for the two-year additional term and a maximum amount payable of \$763,068 over the entire five year period, and be it further

RESOLVED, that the Executive Director or his designee shall have the authority to exercise all powers reserved to the Authority/Corporation under the provisions of the Agreement, to manage and administer the Agreement, amend the provisions of the Agreement consistent with the terms of this item and other Board authorizations and suspend or terminate the Agreement in the best interests of the Authority/Corporation, and be it further

RESOLVED, that the Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered under such Agreement to the appropriate funds

**Item 5 Mr. Bryan (Appendix E)**

**Authorizing the Executive Director to Execute a Contract with The Risk Management Planning Group, Inc. to Provide Workers' Compensation Claims Review Services for the Thruway Authority and Canal Corporation (Continued)**

provided therefore, subject to reallocation and adjustment as determined by final audit of charges, and be it further

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

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

**Declaring Real Property Reference No. TB081 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Conveyance to the City of Buffalo for the Benefit of the Buffalo Sewer Authority**

Mr. Bryan reported that this resolution seeks the Boards' approval to extend, for an additional year, authorization to provide a permanent easement, under the I-190 viaduct in the City of Buffalo, to the Buffalo Sewer Authority. The Sewer Authority is constructing a sanitary-sewer screening facility and attendant infrastructure and needs this easement to complete the project. The provision of the easement has been delayed for a variety of reasons, but staff and the Sewer Authority are now near completing the necessary work to close; however extra time is needed to complete the project.

This item was advanced to the Board for consideration at the April 2010 Board Meeting but was tabled because it was not stated clearly in the resolution that this transaction complied with the new Public Authorities Reform Act of 2009. The item has been amended to reflect that this disposal does in fact conform with these new legal requirements.

Dr. Veras requested that staff include the size of the property in the titles of the Authority real property Items, as is done for the comparable Items presented to the Corporation Board. Mr. Bryan stated that staff would do so going forward.

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

**Declaring Real Property Reference No. TB081 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Conveyance to the City of Buffalo for the Benefit of the Buffalo Sewer Authority (Continued)**

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

**RESOLUTION NO. 5829**

**DECLARING REAL PROPERTY REFERENCE NO. TB081 NOT NECESSARY FOR THE AUTHORITY'S CORPORATE PURPOSES; AND AUTHORIZING ITS CONVEYANCE TO THE CITY OF BUFFALO FOR THE BENEFIT OF THE BUFFALO SEWER AUTHORITY**

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RESOLVED, that the Authority Board hereby finds and determines that a permanent easement, Real Property Reference No. TB081 (hereinafter, "Easement"), delineated as Parcel No. 1144 on Conveyance Map No. 1144-C in Erie County in the Niagara section of the Thruway, is hereby declared unnecessary for the Authority's corporate purposes, and be it further

RESOLVED, that the conveyance of the Easement to the City of Buffalo via quit-claim indenture for consideration in the amount of \$43,100.00, consistent with and on the terms described and recommended in this agenda item, be, and the same hereby is, approved, subject to such other terms as may be determined by the Executive Director, the Chief Engineer, the Chief Financial Officer, and the General Counsel to be in the best interest of the Authority, and that are consistent with the substance and intent of the agenda item, and be it further

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

**Declaring Real Property Reference No. TB081 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Conveyance to the City of Buffalo for the Benefit of the Buffalo Sewer Authority (Continued)**

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 Easement, and be it further

RESOLVED, that the recommendation regarding the environmental significance of this Board action (hereinafter the "Recommendation"), 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 Short Environmental Assessment Form and Negative Declaration 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 Authority's Contracting Officer determined that the Easement may be conveyed by negotiation without public advertising pursuant to Public Authorities Law (hereinafter, "PAL") § 2897, subdivision (6) (c) (iv) and

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

**Declaring Real Property Reference No. TB081 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Conveyance to the City of Buffalo for the Benefit of the Buffalo Sewer Authority (Continued)**

Thruway Real Property Management Policy (hereinafter, "Policy") § IV. H., and that the conveyance of the Easement, on the terms recommended in the agenda item, complies with all other applicable provisions of law relating to the disposal of real property, including, PAL article 9, title 5-A, as amended by the Public Authorities Reform Act of 2009, and with the Policy, and be it further

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

**Item 7 Mr. Bryan (Appendix G)**

**Declaring Real Property Reference No. 543 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Sale to Glenda J. Dillenbeck**

This resolution seeks the Board's approval to dispose of a small, irregularly shaped parcel under the Authority's jurisdiction in the Town of Minden, County of Montgomery.

The parcel in question is part of a larger piece of an abandoned tract of Erie Canal land that was acquired by the Authority in 1962 to assist in the relocation of a section of a county highway that was cut off as a result of the construction of the Thruway.

The adjoining land owner, Glenda J. Dillenbeck, wishes to purchase a section of this land that was not ultimately used for the relocation of the county highway. Ms. Dillenbeck needs the parcel in question to assemble it with her adjoining property so that she may construct a single-unit dwelling that complies with local zoning and frontage requirements.

**Item 7 Mr. Bryan (Appendix G)**  
**Declaring Real Property Reference No. 543 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Sale to Glenda J. Dillenbeck (Continued)**

As part of the approval process, Mr. Waite and Mr. Bryan have concurred with the Syracuse Division Director's finding that the parcel is not necessary for the Authority's corporate purposes and may be disposed of.

Staff conducted an appraisal that estimated the fair market value of the 16,527 square foot parcel to be \$1,700, which has been confirmed by an independent appraiser.

As the Authority's Contracting Officer, Mr. Bryan was advised that this proposed real property disposal complies with all the Authority's policies and the applicable provisions of State law, including the amendments made by the Public Authorities Reform Act of 2009.

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

**RESOLUTION NO. 5830**  
**DECLARING REAL PROPERTY REFERENCE NO. 543**  
**NOT NECESSARY FOR THE AUTHORITY'S**  
**CORPORATE PURPOSES; AND AUTHORIZING ITS**  
**SALE TO GLENDA J. DILLENBECK**

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RESOLVED, that Real Property Reference No. 543 (hereinafter, "Subject Property"), delineated as Parcel No. 880 on Conveyance Map No. 741-C in Montgomery County in the Mohawk Section of the Thruway, is hereby declared unnecessary for the Authority's corporate purposes, and be it further

RESOLVED, that the fee-simple conveyance of the Subject Property to Glenda J. Dillenbeck (hereinafter,

**Item 7 Mr. Bryan (Appendix G)**

**Declaring Real Property Reference No. 543 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Sale to Glenda J. Dillenbeck (Continued)**

“Applicant”), for consideration in the amount of \$1,700 and on the other terms authorized during this meeting be, and the same hereby is, approved, subject to such other terms as may be deemed by the Executive Director, the Chief Engineer, the Chief Financial Officer, and the General Counsel to be in the best interest of the Authority, and consistent with the terms and intent of the agenda item, and be it further

RESOLVED, that the Executive Director, or his designee, be, and the same hereby is, authorized to execute an agreement for the sale of the Subject Property, along with all other documents necessary to consummate such sale, and be it further

RESOLVED, that such sale shall be conditioned upon the Applicant's payment of certain costs incidental to the sale of real property, including, but not limited to, the costs of a survey map and an appraisal, and be it further

RESOLVED, that the recommendation regarding the environmental significance of this Board action (hereinafter, “Recommendation”), pursuant to the State Environmental Quality Review Act (hereinafter, “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 Short Environmental Assessment Forms and Negative

**Item 7 Mr. Bryan (Appendix G)**

**Declaring Real Property Reference No. 543 Not Necessary for the Authority's Corporate Purposes; and Authorizing Its Sale to Glenda J. Dillenbeck (Continued)**

Declarations in accordance with the Recommendation, and to distribute any required documents on behalf of the Board relative to the implementation of this Board action, 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 Authority's Contracting Officer determined that the Subject Property may be conveyed by negotiation without public advertising pursuant to Public Authorities Law (hereinafter, "PAL") section 2897, subd.(6), par. (c), subpar. (ii) , and that the conveyance of the Subject Property, on the terms recommended in the agenda item, complies with PAL article 9, title 5-A, the Thruway Real Property Management Policy, and all other relevant provisions of law related to the disposal of real property, and be it further

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

**Item 8 Mr. Barr (Appendix H)**

**Rescinding General Policy No. 25-3-04, Employee Non-Revenue Pass Program - Thruway Authority, and Authorizing the Executive Director to Establish an Administrative Policy for a Thruway Authority and Troop T Employee Non-Revenue Pass Program**

Mr. Barr reported that previously the Board has had to approve amendments to the General Policy each time a change in the terms and conditions for eligibility or use of the non-

**Item 8 Mr. Barr (Appendix H)**

**Rescinding General Policy No. 25-3-04, Employee Non-Revenue Pass Program - Thruway Authority, and Authorizing the Executive Director to Establish an Administrative Policy for a Thruway Authority and Troop T Employee Non-Revenue Pass Program (Continued)**

revenue pass was negotiated. However, because the Board had already approved such changes when they adopted each collective bargaining agreement later approving the changes to the general policy was essentially redundant. The proposed change will permit the Executive Director to issue modifications to the non-revenue pass program as needed based upon Board approved terms and conditions which will in turn ensure more accurate and timely policy on the non-revenue pass program. The non-revenue pass program provides unlimited travel to Thruway Authority, Canal Corporation and Troop T employees who, prior to 2005, had completed four years of satisfactory service. The terms were changed after 2005 to five years satisfactory service through the collective bargaining process and then in 2008 the policy was changed so that no new employees would receive the non-revenue unlimited pass.

Mr. Sall stated that he thinks it is important to have people that work for the Authority, especially members of Troop T, to be on the Thruway as much as possible at no charge. They can see things and could report things, and by passing this kind of resolution, he thinks the Board is doing a disservice to the Thruway system and the users who actually pay to drive the Thruway. He thinks that the Board should revisit this and perhaps allow people that work for the Authority, especially members of Troop T, to be able to drive the Thruway without paying for it. Mr. Fleischer responded that staff could come back and have that discussion and present information to the Board. This Item would only update the administrative policy to reflect previously acted upon Board policy. Mr. Fleischer conceded Mr. Sall's point that perhaps the Authority has swung the pendulum too far one way and is losing the benefits, so staff can come back to the Board and have a discussion on what the policy should be. This Item would allow staff to take whatever the Board decides the policy should be, and reflect it efficiently in the Authority's administrative policies.

**Item 8 Mr. Barr (Appendix H)**

**Rescinding General Policy No. 25-3-04, Employee Non-Revenue Pass Program - Thruway Authority, and Authorizing the Executive Director to Establish an Administrative Policy for a Thruway Authority and Troop T Employee Non-Revenue Pass Program (Continued)**

Dr. Veras requested clarification as to who Troop T was. Mr. Barr responded that Troop T is the name given to the State Police who patrol the Thruway. Mr. Fleischer added that the Authority reimburses the state for all the operational costs of Troop T.

Mr. Rice inquired as to how soon a Board policy discussion would take place. Mr. Fleischer responded that staff could send the current policy to the Board for review and the Board can revisit the policy at any time. Mr. Fleischer added that parts of the policy are subject to collective bargaining agreements but the Board could decide to provide something to the Authority employees that is more beneficial than the current collective bargaining agreement provides.

Mr. Sall stated that with today's technology he was sure the Authority could have some type of cap on the pass in cases where the tag is being used too often but that he felt the Board should not prohibit employees of the Thruway from traveling on the road free of charge.

The Chairman stated that this issue/benefit had come under public scrutiny in the past. Mr. Rice stated that one of the things about benefits like this is that sometimes they cost a lot less, it looks superficial because what happens is if staff are given a free pass they may use it, but if they did not have that free pass they may not pay for that service. So since the Authority does not have a high incremental cost associated with each car going on the Thruway, it could be one of those benefits that has very little incremental cost associated. Mr. Fleischer responded that the issue raised in the past discussions was not solely on the cost but the perception that the Thruway was talking about raising tolls and then the employees were using a user fee facility for no cost. There was also the issue of retirees using the Thruway at no cost.

Mr. Rice requested that when staff brings the policy back to the Board that they provide information regarding the actual incremental cost impact of providing this benefit to staff. Mr.

**Item 8 Mr. Barr (Appendix H)**

**Rescinding General Policy No. 25-3-04, Employee Non-Revenue Pass Program - Thruway Authority, and Authorizing the Executive Director to Establish an Administrative Policy for a Thruway Authority and Troop T Employee Non-Revenue Pass Program (Continued)**

Fleischer stated that staff could certainly do that. Mr. Bryan added that he believed it would be a small amount. Mr. Conway stated that it would be hard to calculate the cost of a few extra cars using the Thruway. Chairman Buono responded that staff would look in to the issue and get their findings to the Board for their review.

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

**RESOLUTION NO. 5831**

**RESCINDING GENERAL POLICY NO. 25-3-04,  
EMPLOYEE NON-REVENUE PASS PROGRAM-  
THRUWAY AUTHORITY, AND AUTHORIZING THE  
EXECUTIVE DIRECTOR TO ESTABLISH AN  
ADMINISTRATIVE POLICY FOR A THRUWAY  
AUTHORITY AND TROOP T EMPLOYEE NON-  
REVENUE PASS PROGRAM**

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RESOLVED, that GENERAL POLICY NO. 25-3-04,  
EMPLOYEE NON-REVENUE PASS PROGRAM-  
THRUWAY AUTHORITY be, and hereby is, rescinded, and be  
it further

RESOLVED, that the Executive Director be, and  
hereby is, authorized to establish an Administrative Policy for a  
Thruway Authority and Troop T employee non-revenue pass  
program consistent with: the terms and conditions of  
employment for unionized Authority employees approved by  
the Board through the collective bargaining process; other  
Board authorizations for the provision of such a program to  
M/C and Troop T employees; and the terms and conditions for

**Item 8 Mr. Barr (Appendix H)**

**Rescinding General Policy No. 25-3-04, Employee Non-Revenue Pass Program - Thruway Authority, and Authorizing the Executive Director to Establish an Administrative Policy for a Thruway Authority and Troop T Employee Non-Revenue Pass Program (Continued)**

the provision of such a program to the spouses of employees who die in the line of duty as set forth in Item No. 6 at Meeting No.614 held on December 5, 2002, and be it further

RESOLVED, that the Executive Director be, and hereby is, authorized to interpret, implement and administer such Administrative Policy, including the development of any operational and/or administrative procedures and guidelines appropriate to carry out its intent, and be it further

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

**Item 9 Mr. Bell (Appendix I)**

**Authorizing Amendments Relinquishing the Authority's Exclusive Control of Public Pay Telephones, Appurtenances and Income Therefrom in the Authority's Agreements For Operation of the Food Service Facilities with HMS Host Family Restaurants, Inc.; Delaware North Companies Travel Hospitality Services; and McDonald's Corporation, Respectively**

Mr. Bell reported that the current contracts provide the Authority with exclusive rights to the provision of pay telephones and revenue generated from those phones. That revenue has diminished to nothing. Staff went through two public procurement processes and found no one who was willing to provide those services. Verizon, who is currently operating the payphones at the service areas, has pulled out of nine of the service areas that they do not have direct control of. Staff has already pulled the phones out of all of the toll plazas. The phones have also been removed from the rest areas along the Thruway that are just the little parking areas; in those locations staff put in a call box that goes directly downstairs to the Authority's communication center in case of an emergency. The service areas are staffed 24/7 so if someone has an emergency they can get help.

**Item 9 Mr. Bell (Appendix I)**  
**Authorizing Amendments Relinquishing the Authority's Exclusive Control of Public Pay Telephones, Appurtenances and Income Therefrom in the Authority's Agreements For Operation of the Food Service Facilities with HMS Host Family Restaurants, Inc.; Delaware North Companies Travel Hospitality Services; and McDonald's Corporation, Respectively (Continued)**

The proposed amendment to the contracts, which have already gone to the Office of the State Comptroller and been reviewed with no negative comments received, would allow the service area operators, if they so choose, to provide a pay telephone. Two of the operators are interested in doing that, the third has not yet decided. The Authority has gotten a few complaints since the nine areas had their phones removed. The majority of the complaints are from Canadian truck drivers, whose cell phones may not work here, but there have not been any emergency issues at all. Staff looked at what it would take for the Authority to provide them directly and in some of the areas it could cost up to \$75 or \$80 a month to provide one phone. In other areas the Authority would actually have to buy the phone, maintain the phone, and have somebody go out and take the quarters out of the phone. Some of the service area operators will be putting vending machines in the areas where the phones used to be located and the Authority will earn revenue from those.

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

**RESOLUTION NO. 5832**

**AUTHORIZING AMENDMENTS RELINQUISHING THE AUTHORITY'S EXCLUSIVE CONTROL OF PUBLIC PAY TELEPHONES, APPURTENANCES AND ALL INCOME DERIVED THEREFROM IN THE AUTHORITY'S AGREEMENTS FOR OPERATION OF THE FOOD SERVICE FACILITIES, WITH HMS HOST FAMILY RESTAURANTS, INC.; DELAWARE NORTH COMPANIES TRAVEL HOSPITALITY SERVICES; AND MCDONALD'S CORPORATION, RESPECTIVELY**

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RESOLVED, that an amendment to each of the Authority's agreements for operation of the food service

**Item 9 Mr. Bell (Appendix I)**  
**Authorizing Amendments Relinquishing the Authority's Exclusive Control of Public Pay Telephones, Appurtenances and Income Therefrom in the Authority's Agreements For Operation of the Food Service Facilities with HMS Host Family Restaurants, Inc.; Delaware North Companies Travel Hospitality Services; and McDonald's Corporation, Respectively (Continued)**

facilities along the Thruway, namely, the Authority's 2006 Agreement with HMS Host Family Restaurants, Inc., 2006 Agreement with Delaware North Companies Travel Hospitality Services, 1986 Agreement with McDonald's Corporation for Angola and 1992 Agreement with McDonald's Corporation, as amended, be, and the same hereby is, authorized, on the terms and conditions contained in the agenda item, and such legal, financial and other terms and conditions as may be deemed by the Executive Director, the Director of Maintenance and Operations and the General Counsel to be in the best interest of the Authority consistent with such item, be, and the same hereby is approved, and be it further

RESOLVED, that the Executive Director or his designee be, and hereby is, authorized to execute all such amendments, and any documents related thereto, and to take all actions necessary to implement such amendments, and be it further

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

**Item 10 Mr. Waite (Appendix J)**  
**Report on the Capital Program**

Mr. Waite reported that the March program report for the end of the first quarter contains a quarterly report which covers the contracts that were awarded during that first quarter and some supplemental agreements to ongoing design and inspection agreements and some miscellaneous railroad agreements and other permits that the Authority has had to pay for.

The Authority's letting target for the entire year based on the Contracts Program, which was adopted at the end of 2009, is \$637 million. The cash flow associated with all the projects, those that started in previous years and those that are under way this year, is \$432 million. Staff is expecting, and has been seeing, big savings on good bids. Roughly, from what staff budgeted at the end of last year to date, an aggregate of about 15 percent. Realizing that, staff identified some projects that the Authority could add to the program, which were approved by the Board at a previous Board Meeting.

To date staff has let approximately \$291 million worth of projects for the year. Staff expects to end up around \$321 million for the first half of the year; which is half of what staff anticipated the Authority would do for the whole year. Staff has approximately 47 projects left to go and if all goes well the Authority will be on target for the year with the largest program it has ever done before.

Remediation projects at some of the Authority's service areas are ongoing. The Authority has been under order from the New York Department of Environmental Conservation ("NYSDEC") to remediate past spills of petroleum products that are in the soil at different service areas. Board Members may have noticed stations they have driven by that say "no gasoline, next gas 100 miles;" that is because staff has the pumps and the tanks shut down, and in some cases are replacing the tanks but typically are replacing the soil and remediating these spills.

**Item 10 Mr. Waite (Appendix J)**  
**Report on the Capital Program (Continued)**

The monthly reports also address risks associated with upcoming lettings, such as whether or not staff is going to be able to deliver that project on time or if there are budgeting issues. A few projects were listed in the April report and since the staff has received good news from the Army Corps of Engineers (“Corps”). A large project that staff will be letting next week received conceptual approval from the Corps. They are going to give the Authority the permit and are on board with what staff wants to do. Staff has also almost reached an agreement with the State of Connecticut for the Byram River project that was supposed to be let last year. And another project with the Corps, for replacement of a bridge over the Mohawk River, received the “go ahead” this morning. The Authority is on board with the Corps and they are on board with the Authority as to what they are going to require. There is a little utility company agreement that has been difficult to negotiate, but Mr. Waite expects everything to move forward at this point.

Mr. Simberg stated that he is getting more concerned about carrying the load administratively in terms of inspection and in terms of supervision of the consultant inspection. The program list doubled what staff had before, probably more than doubled when you account for the fact that a bid of \$100 buys about 20 percent more work than it did last year or the year before. He requested that by the next meeting, staff work with the Executive Director to find out if there ways that staff can enhance the divisional staff that is used to supervise the construction and inspection. In his experience construction under consultant supervision works well when properly supervised. He inquired if there is a way, within the organization, of providing more manpower to this, maybe as an education program for the designers.

Mr. Waite responded that going back 10 years when the program was smaller, every time a project was proposed in a division, the division would get first choice of whether or not they wanted to inspect that job internally or give it to the consultant. The Authority did not mix Thruway staff and consultant staff. It is not done that way anymore. Whenever possible, and as often as possible, the Authority puts a Thruway project engineer in charge of each project and then consultants supplement the project engineer so that the Authority has direct supervision on

**Item 10 Mr. Waite (Appendix J)**  
**Report on the Capital Program (Continued)**

the projects, and it works out a lot better. But, with 60 projects the Authority may not have 60 project engineers to handle all of those. Mr. Simberg stated that some of the smaller contracts that would usually get skipped when staff gets in that situation would be more vulnerable. Mr. Waite concurred, adding that the Authority will have some temporary construction inspectors in the divisions this summer, and the Authority hired three summer student interns that are making the rounds in design and construction, while they are not able to contribute like the veteran staff, one is a returnee from last year, and is paying some dividends as staff tries to grow the program. Mr. Simberg requested that staff report back with some quantitative information.

Mr. Conway inquired as to whether or not the Byram River Bridge is mostly in Connecticut. Mr. Waite responded that the Authority has a two-thirds share in the costs of that bridge. The state line goes through the bridge not exactly in the middle. Mr. Sall inquired if there is a written agreement between New York and Connecticut with respect to the bridge, stating that it seems the costs should be split equally because without the bridge the State of Connecticut would have a problem as well. Mr. Waite stated that there is an agreement in place from approximately five years ago when the Authority did some work on the bridge and the agreement was two-thirds, one-third. The agreement covers, not only the cost of the rehabilitation, but also gets in to setting up traffic patterns in each state, U-turns, etcetera so there is more to the agreement than just construction. But the two-thirds, one-third portion comes from where the state line falls. Mr. Sall asked Mr. Conway if he knew, from his time as Chairman of the MTA how much Metro-North would pay when the trains passed over the state lines. Mr. Conway stated that they would have to pay their share from the state line on. Mr. Sall suggested that staff look into whatever the custom may be with regard to this and see how the MTA handles it, that maybe that is how the Authority should handle this issue as well. Mr. Waite agreed to look into it.

On the motion of Mr. Simberg, seconded by Ms. Luh, without any objections, the Board accepted the Reports (March 2010, April 2010, May 2010) on the Capital Program.

**Item 11 Mr. Waite (Appendix K)**  
**Approving Engineering Agreement D213938 with Clough, Harbour & Associates, LLP for Design Services Relative to the Replacement of the Bridge Carrying Cleveland Drive over the Thruway (I-90) at M.P. 420.70 in the Buffalo Division**

Mr. Waite reported that this is west of the Williamsville Toll Barrier as drivers approach the free section. Staff designated Clough Harbour to do this design in January and have since negotiated an agreement with the firm in conformity with Authority policies. The scope of the agreement includes preparation of the survey, mapping, design reports, environmental and cultural resources studies, and then developing the plans, site specific as to how the Authority is going to rehabilitate or replace the bridge and maintain traffic while doing that. It is scheduled for a September 2012 letting and the maximum amount payable that staff has negotiated is \$1 million, which is 10 percent of the construction cost. The funding for this agreement is in place in the Contracts Program.

After full discussion, on the motion of Dr. Veras, seconded by Ms. Luh, without any objections, the Board adopted the following resolution:

**RESOLUTION NO. 5833**  
**APPROVING ENGINEERING AGREEMENT D213938**  
**WITH CLOUGH, HARBOUR & ASSOCIATES, LLP**  
**FOR DESIGN SERVICES RELATIVE TO THE**  
**REPLACEMENT OF THE BRIDGE CARRYING**  
**CLEVELAND DRIVE OVER THE THRUWAY (I-90) AT**  
**M.P. 420.70 IN THE BUFFALO DIVISION**

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RESOLVED, that the proposed engineering agreement D213938 with Clough, Harbour & Associates, LLP, 2200 Main Place Tower, Buffalo, New York 14202 for design services relative to the replacement of the bridge carrying Cleveland Drive over the Thruway (I-90) at M.P. 420.70 in the Buffalo Division, for a Maximum Amount Payable of \$1,000,000, which is provided through the 2010 Contracts Program (Item B531.1), be, and the same hereby is, approved, and be it further

**Item 11 Mr. Waite (Appendix K)**

**Approving Engineering Agreement D213938 with Clough, Harbour & Associates, LLP for Design Services Relative to the Replacement of the Bridge Carrying Cleveland Drive over the Thruway (I-90) at M.P. 420.70 in the Buffalo Division (Continued)**

RESOLVED, that the Chief Engineer or his 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 2010 Contracts Program Resolution No. 5790 and other Board authorizations, and suspend or terminate the agreement in the best interests of the Authority, and be it further

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

**Item 12 Mr. Waite (Appendix L)**

**Authorizing Negotiation and Execution of Engineering Agreement D213966 with Foit-Albert Associates Architecture, Engineering and Surveying, P.C. for Construction Inspection Services Relative to TAB 10-15 (D213951), Rehabilitation of the Mainline Eastbound from east of Westfield (Exit 60, MP 483.0) to Pennsylvania State Line (MP 496.0) and Rehabilitation of the Westfield (Exit 60) and Ripley (Exit 61) Interchange Ramps and Westfield Interchange Bridge in the Buffalo Division**

Mr. Waite reported that staff designated this firm in accordance with Authority policy. The contract is scheduled for a June 2010 letting and staff anticipates the cost to inspect will be less than 8 percent of the construction cost. The funding for this agreement is in place in the Contracts Program.

After full discussion, on the motion of Mr. Conway, seconded by Mr. Simberg, without any objections, the Board adopted the following resolution:

**Item 12 Mr. Waite (Appendix L)**

**Authorizing Negotiation and Execution of Engineering Agreement D213966 with Foit-Albert Associates Architecture, Engineering and Surveying, P.C. for Construction Inspection Services Relative to TAB 10-15 (D213951), Rehabilitation of the Mainline Eastbound from east of Westfield (Exit 60, MP 483.0) to Pennsylvania State Line (MP 496.0) and Rehabilitation of the Westfield (Exit 60) and Ripley (Exit 61) Interchange Ramps and Westfield Interchange Bridge in the Buffalo Division (Continued)**

**RESOLUTION NO. 5834**

**AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213966 WITH FOIT-ALBERT ASSOCIATES ARCHITECTURE, ENGINEERING AND SURVEYING, P.C. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TAB 10-15 (D213951), REHABILITATION OF THE MAINLINE EASTBOUND FROM EAST OF WESTFIELD (EXIT 60, MP 483.0) TO PENNSYLVANIA STATE LINE (MP 496.0), REHABILITATION OF THE WESTFIELD (EXIT 60) AND RIPLEY (EXIT 61) INTERCHANGE RAMPS, AND REHABILITATION OF THE WESTFIELD INTERCHANGE BRIDGE IN THE BUFFALO DIVISION**

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RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213966 with Foit-Albert Associates Architecture, Engineering and Surveying, P.C., 763 Main Street, Buffalo, New York 14203 for construction inspection services relative to TAB 10-15 (D213951), rehabilitation of the Mainline Eastbound from east of Westfield (Exit 60, MP 483.0) to the Pennsylvania State Line (MP 496.0), rehabilitation of the Westfield (Exit 60) and Ripley (Exit 61) Interchange Ramps, and rehabilitation of the Westfield Interchange Bridge in the Buffalo Division, provided that the Maximum Amount Payable does not exceed \$1,200,000 (Items H876.2, H851.1 and B533.1 of the 2010 Contracts Program), and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the

**Item 12 Mr. Waite (Appendix L)**

**Authorizing Negotiation and Execution of Engineering Agreement D213966 with Foit-Albert Associates Architecture, Engineering and Surveying, P.C. for Construction Inspection Services Relative to TAB 10-15 (D213951), Rehabilitation of the Mainline Eastbound from east of Westfield (Exit 60, MP 483.0) to Pennsylvania State Line (MP 496.0) and Rehabilitation of the Westfield (Exit 60) and Ripley (Exit 61) Interchange Ramps and Westfield Interchange Bridge in the Buffalo Division (Continued)**

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 2010 Contracts Program Resolution No. 5790 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 Chief Engineer's 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 13 Mr. Waite (Appendix M)**

**Authorizing Negotiation and Execution of Engineering Agreement D213963 with Howard L. Boswell Engineer and Land Surveyor, P.C. for Construction Inspection Services Relative to TANY 10-19B (D213702), Replacement of Four Thruway Bridges over Sloatsburg-Sebago Lake Road (MP 34.03 & MP 34.04) and East Village Road (MP 36.13 & MP 36.14) in the New York Division, and Allocating Funds Therefor**

Mr. Waite reported that staff has designated Howard Boswell for this agreement but it had not yet been negotiated. Staff is looking to let this project on July 7, 2010. It is one of the more complicated projects that the Authority will do this year. Even though it's four bridges nestled close together, the staging required, due to the heavy traffic, is significant and staff

**Item 13 Mr. Waite (Appendix M)**

**Authorizing Negotiation and Execution of Engineering Agreement D213963 with Howard L. Boswell Engineer and Land Surveyor, P.C. for Construction Inspection Services Relative to TANY 10-19B (D213702), Replacement of Four Thruway Bridges over Sloatsburg-Sebago Lake Road (MP 34.03 & MP 34.04) and East Village Road (MP 36.13 & MP 36.14) in the New York Division, and Allocating Funds Therefor(Continued)**

believes that it will likely cost the Authority approximately 12 percent of the anticipated construction cost to reach an agreement with Boswell. It is estimated that the cost would be \$2.8 million; staff budgeted \$2.42 million in the Contracts Program. However, the added complexity of this project now requires an additional \$380,000 which is available from savings on prior bids.

Mr. Simberg asked if the funding is coming from savings on prior construction bids, are the other consulting contracts coming under estimate. Mr. Waite responded that consultant contracts generally do come in under estimate but that in the New York Division it is more difficult. Staff budgets 10 or 12 percent for construction inspections in that area and it is hard to get consultants down much below that. The Authority had 16 firms reply on this project stating that they were interested in doing the inspection, and seven made it onto the short list. It was hard to select a winner, but their pay scale is tough and it is also tough to get them to come down.

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

**RESOLUTION NO. 5835**

**AUTHORIZING NEGOTIATION AND EXECUTION OF ENGINEERING AGREEMENT D213963 WITH HOWARD L. BOSWELL ENGINEER AND LAND SURVEYOR, P.C. FOR CONSTRUCTION INSPECTION SERVICES RELATIVE TO TANY 10-19B (D213702), REPLACEMENT OF FOUR THRUWAY BRIDGES OVER SLOATSBURG-SEBAGO LAKE ROAD (MP 34.03 & MP 34.04) AND EAST VILLAGE ROAD (MP 36.13 & MP 36.14) IN THE NEW YORK DIVISION, AND ALLOCATING FUNDS THEREFOR**

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RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213963 with Howard L. Boswell Engineer and Land

**Item 13 Mr. Waite (Appendix M)**  
**Authorizing Negotiation and Execution of Engineering Agreement D213963 with Howard L. Boswell Engineer and Land Surveyor, P.C. for Construction Inspection Services Relative to TANY 10-19B (D213702), Replacement of Four Thruway Bridges over Sloatsburg-Sebago Lake Road (MP 34.03 & MP 34.04) and East Village Road (MP 36.13 & MP 36.14) in the New York Division, and Allocating Funds Therefor(Continued)**

Surveyor, P.C., 690 North Broadway, Suite 206, White Plains, New York 10603 for construction inspection services relative to TANY 10-19B (D213702), replacement of four Thruway Bridges over Sloatsburg-Sebago Lake Road (MP 34.03 & MP 34.04) and East Village Road (MP 36.13 & MP 36.14) in the New York Division, provided that the Maximum Amount Payable does not exceed \$2,800,000 (Items B384.1 and B435.1 of the 2010 Contracts Program), and be it further

RESOLVED, that an additional \$380,000 be allocated to this agreement through bid savings and other adjustments made to the 2010 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or his 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 2010 Contracts Program Resolution No. 5790 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 Chief Engineer's Quarterly Report to the Board on Contracts Program activities, such

**Item 13 Mr. Waite (Appendix M)**

**Authorizing Negotiation and Execution of Engineering Agreement D213963 with Howard L. Boswell Engineer and Land Surveyor, P.C. for Construction Inspection Services Relative to TANY 10-19B (D213702), Replacement of Four Thruway Bridges over Sloatsburg-Sebago Lake Road (MP 34.03 & MP 34.04) and East Village Road (MP 36.13 & MP 36.14) in the New York Division, and Allocating Funds Therefor(Continued)**

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 14 Mr. Waite (Appendix N)**

**Authorizing Negotiation and Execution of Engineering Agreement D213984 with Prudent Engineering, LLP for Construction Inspection Services Relative to D213980, Mohawk River Bridge (MP 237.33) Superstructure Replacement and Substructure Rehabilitation, and Bridge Barrier Impact Repair Work at MP 219.26 in the Syracuse Division, and Allocating Funds Therefor**

Mr. Waite reported that in accordance with Authority policy staff designated Prudent Engineering. Staff would like permission to negotiate with Prudent and expect the construction contract to be let in August, and completed in 2012 for a total inspection cost of approximately \$1.12 million, which is 10 percent of what staff has estimated for the construction. There is \$900,000 available in the Contracts Program which is short by \$225,000 due to the fact that staff changed the scope of the project during design after reviewing the condition of the bridge. Staff came to the determination that more work should be done on the bridge and the deck and superstructure should both be removed rather than just the deck alone. The cost, for construction and inspection, has risen from what was budgeted last fall. Money is available from savings on prior bids.

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

**Item 14 Mr. Waite (Appendix N)**

**Authorizing Negotiation and Execution of Engineering Agreement D213984 with Prudent Engineering, LLP for Construction Inspection Services Relative to D213980, Mohawk River Bridge (MP 237.33) Superstructure Replacement and Substructure Rehabilitation, and Bridge Barrier Impact Repair Work at MP 219.26 in the Syracuse Division, and Allocating Funds Therefor (Continued)**

**RESOLUTION NO. 5836**

**AUTHORIZING NEGOTIATION AND EXECUTION OF  
ENGINEERING AGREEMENT D213984 WITH  
PRUDENT ENGINEERING, LLP FOR  
CONSTRUCTION INSPECTION SERVICES RELATIVE  
TO D213980, MOHAWK RIVER BRIDGE (MP 237.33)  
SUPERSTRUCTURE REPLACEMENT AND  
SUBSTRUCTURE REHABILITATION, AND BRIDGE  
BARRIER IMPACT REPAIR WORK AT MP 219.26 IN  
THE SYRACUSE DIVISION, AND ALLOCATING  
FUNDS THEREFOR**

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RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213984 with Prudent Engineering, LLP, 6390 Fly Road, East Syracuse, New York 13057 for construction inspection services relative to D213980, Mohawk River Bridge (MP 237.33) superstructure replacement and substructure rehabilitation, and bridge barrier impact repair work at MP 219.26 in the Syracuse Division, provided that the Maximum Amount Payable does not exceed \$1,125,000 (Item B528.1 of the 2010 Contracts Program), and be it further

RESOLVED, that an additional \$225,000 be allocated to this agreement through bid savings and other adjustments made to the 2010 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or his designees shall have the authority to exercise all powers reserved to the

**Item 14 Mr. Waite (Appendix N)**

**Authorizing Negotiation and Execution of Engineering Agreement D213984 with Prudent Engineering, LLP for Construction Inspection Services Relative to D213980, Mohawk River Bridge (MP 237.33) Superstructure Replacement and Substructure Rehabilitation, and Bridge Barrier Impact Repair Work at MP 219.26 in the Syracuse Division, and Allocating Funds Therefor (Continued)**

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 2010 Contracts Program Resolution No. 5790 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 Chief Engineer's 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 15 Mr. Waite (Appendix O)**

**Authorizing Negotiation and Execution of Engineering Agreement D213976 with KTA-Tator Engineering Services, P.C. for Construction Inspection Services Relative to TANY 10-13BP (D213973), Painting of Thirteen New York Division Bridges, and Allocating Funds Therefor**

Mr. Waite reported that the contract to paint 13 bridges in the New York Division on I-95 and I-87 was let for the low bid of \$6.433 million and the inspection cost is estimated to be \$800,000, approximately 12 percent of the construction cost. Initially the Contracts Program provided \$360,000 for five bridges to be painted; however, it was later determined that an additional eight bridges required painting. The cost for these additional bridges is \$440,000,

**Item 15 Mr. Waite (Appendix O)**  
**Authorizing Negotiation and Execution of Engineering Agreement D213976 with KTA-Tator Engineering Services, P.C. for Construction Inspection Services Relative to TANY 10-13BP (D213973), Painting of Thirteen New York Division Bridges, and Allocating Funds Therefor (Continued)**

funds which will come from bid savings. It was also noted that the bridges are in close proximity but in a busy area. They are difficult to paint and the job will require night work.

Mr. Sall stated that this type of work should be done in-house. This location may be busy, but he cannot justify spending \$800,000 for inspection of a paint job. Mr. Simberg added that to insure the continuity of the inspection work, a larger portion of the construction inspections should be completed by Thruway forces (approximately 90 percent of the inspection work is currently being completed by engineering consultants). The Chairman stated that no proposed staffing plan should be based upon the years when the number of Capital Program contracts being let in a year is high, as during smaller years, the Authority will need to deal with over staffing and associated issues. Mr. Sall asked if it was possible to use NYS Department of Transportation staff on Thruway projects. Mr. Waite stated that he would look into that possibility and would put together information on construction inspection staffing for the Board members based upon these and past questions.

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

**RESOLUTION NO. 5837**  
**AUTHORIZING NEGOTIATION AND EXECUTION OF  
ENGINEERING AGREEMENT D213976 WITH KTA-  
TATOR ENGINEERING SERVICES, P.C. FOR  
CONSTRUCTION INSPECTION SERVICES RELATIVE  
TO TANY 10-13BP (D213973), PAINTING OF  
THIRTEEN NEW YORK DIVISION BRIDGES, AND  
ALLOCATING FUNDS THEREFOR**

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**Item 15 Mr. Waite (Appendix O)**  
**Authorizing Negotiation and Execution of Engineering Agreement D213976 with KTA-Tator Engineering Services, P.C. for Construction Inspection Services Relative to TANY 10-13BP (D213973), Painting of Thirteen New York Division Bridges, and Allocating Funds Therefor (Continued)**

RESOLVED, that the Chief Engineer be, and hereby is, authorized to negotiate and execute engineering agreement D213976 with KTA-Tator Engineering Services, P.C., 115 Technology Drive, Pittsburgh, Pennsylvania 15275 for construction inspection services relative to TANY 10-13BP (D213973), painting of thirteen New York Division bridges, provided that the Maximum Amount Payable does not exceed \$800,000 (Item B2229.2 of the 2010 Contracts Program), and be it further

RESOLVED, that an additional \$440,000 be allocated to this agreement through bid savings and other adjustments made to the 2010 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or his 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 2010 Contracts Program Resolution No. 5790 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 Chief Engineer's Quarterly Report to the Board on Contracts Program activities, such

**Item 15 Mr. Waite (Appendix O)**

**Authorizing Negotiation and Execution of Engineering Agreement D213976 with KTA-Tator Engineering Services, P.C. for Construction Inspection Services Relative to TANY 10-13BP (D213973), Painting of Thirteen New York Division Bridges, and Allocating Funds Therefor (Continued)**

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 16 Mr. Fleischer (Appendix P)**

**Authorization for the Executive Director to Defer Payment of the 2010 Managerial/Confidential (M/C) General Salary Increase and Further Authorization for Payment of Step advances and Longevity Payments for M/C Employees Based Upon the 2008 M/C Salary Schedule**

Chairman Buono stated that Mr. Fleischer would provide the Board with the same analysis as requested when this Item was presented to the Canal Corporation Board earlier today.

After full discussion, on the motion of Mr. Conway, seconded by Mr. Sall, without any objections, the Board adopted the following resolution:

**RESOLUTION NO. 5838**

**AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO DEFER PAYMENT OF THE 2010 MANAGERIAL/CONFIDENTIAL (M/C) GENERAL SALARY INCREASE AND FURTHER AUTHORIZATION FOR PAYMENT OF STEP ADVANCES AND LONGEVITY PAYMENTS FOR M/C EMPLOYEES BASED UPON THE 2008 M/C SALARY SCHEDULE**

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RESOLVED, that the Executive Director be, and hereby is, authorized to defer payment of the general salary increase for M/C employees scheduled for the pay period that includes July 1, 2010 and the commensurate 2010 adjustment

**Item 16 Mr. Fleischer (Appendix P)**

**Authorization for the Executive Director to Defer Payment of the 2010 Managerial/Confidential (M/C) General Salary Increase and Further Authorization for Payment of Step advances and Longevity Payments for M/C Employees Based Upon the 2008 M/C Salary Schedule (Continued)**

of the M/C Salary Schedule until such time as he determines appropriate, and be it further

RESOLVED, that all M/C employees receive step advances and longevity salary adjustments otherwise due them for time served at their current salary grade based upon the 2008 M/C Salary Schedule, and be it further

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

**Item 17 Mr. Anderson - NYSDOT (Appendix Q)**

**Authorizing Funding for Supplemental Agreements No. 7 and 8 to D213122 with AECOM (DMJM+Harris, Inc.), Supplemental Agreement No. 7 to D213123 with AECOM (Earth Tech Northeast, Inc.) and Supplemental Agreement No.6 to D213124 with Ove Arup and Partners Consulting Engineering Inc. for the Tappan Zee Bridge/I-287 Corridor Environmental Review**

Mr. Fleischer introduced Mr. Michael Anderson, NYS Department of Transportation (“DOT”) Project Director for the Tappan Zee Bridge, I-287 corridor project and environmental review. He also introduced Phil Ferguson, of DOT, who has been overseeing the finance effort on behalf of DOT and the Authority. Authority staff also in attendance for Mr. Anderson’s presentation to the Board included Jill Ross, Angel Medina, Ted Nadratowski and Peter Casper. Mr. Nadratowski, Division Director of the Authority’s New York Division, lives day to day with the current bridge and will oversee the \$150 million deck replacement which will result in 96 percent of the deck having been replaced since the original construction.

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Mr. Anderson stated that he was not only prepared to speak to the specific Board Item but also to give the Board, particularly the new members, an overall status report and a bit of pertinent history, and more importantly to discuss what lies ahead.

Mr. Anderson reported that in September 2008, the Governor, the Authority's Executive Director, the Commissioner of DOT and the President of the Metropolitan Transportation Authority ("MTA") made a public recommendation with respect to the project that the bridge needed to be replaced not rehabilitated and that the transit components of the project would involve a new bus rapid transit system from the Village of Suffern, across Rockland County, across the replacement bridge and then across Westchester along I-287 to Port Chester, and an extension of the Metro North commuter rail facility from Suffern across the bridge down into Manhattan. That recommendation was the subject of an expanded public comment period involving State and Federal agencies and the public. Formal technical reports documenting these decisions were issued in March and May of 2009, the Federal agencies and the three co-lead agencies (the Authority, DOT and MTA), signed off on that formal scoping document in June 2009, closing this stage of the project.

In June of 2009 the three co-lead agencies began work to establish definitive alignments for the various transit systems, establish definitive bridge configurations with regard to single and dual level options and to determine appropriate highway improvements. For the past year staff have been working on those issues. They have undertaken additional technical analyses and are now in a position where those transit alignments have been determined. Staff has selected six final bridge configurations and will narrow them to two within the next two weeks by meeting the Executive Steering Committee, who will review and accept the consultant's recommendations. The necessary highway improvements have been determined and this now puts the co-lead agencies in a position to move forward with the very detailed analysis and the

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environmental impact statement. Staff has determined what the build alternatives will look like and will now be able to evaluate them.

Staff will also hold public open houses. It is a forum staff uses to bring the general public and participating agencies up to speed with where the project stands, and has been used several times with great success. Those will be held at the end of the month and staff will explain what decisions have been made and what still needs to be evaluated.

Staff intends to finish the draft document by the end of this year and is asking the Board to approve additional funds to fund the consultant contracts through the end of that period, and to complete the environmental review document. At the same time, staff is looking at the financial implications of this project which are very significant.

NYSDOT located a \$2.2 million federal allocation and has funded the initial 18-month financial advisor activity. A team headed by Merrill Lynch was brought on board to assist the three agencies in understanding the magnitude of the problem and to establish what options are available for moving forward. The contract is set up in three specific steps but to date only Step 1 has been agreed to and funded. Step 1 is to perform an analysis of all possible revenue streams, possible operating structures and procurement methods and to present a summary of the best combinations, or core strategies, for presentation to the agencies and administration. Step 2, which would be negotiated if staff decided to move forward with the financial advisor, would help in the development of specific mechanisms that come out of those core strategies once decisions are made by administration and the agencies. In Step 3, the financial advisor would act as an agent in the implementation of any of those mechanisms. At no point would the financial advisor be bidding on anything. They would represent the co-lead agencies through the entire process.

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Step 1 is now complete and staff has enumerated all potential revenue sources, taxes and fees. They have taken a close look at tolling scenarios on the existing system and even evaluated a hypothetical tolling scenario on an expanded tolling network. There are no easy choices and all of those options in and of themselves are problematic. In the end, staff is going to have to use innovative thinking and a combination of probably all of the above options. At the open house, staff will address financing issues to make the public aware that this is a daunting problem, they intend to demonstrate the true cost of the bridge, of the trains, of the buses, when that money would be needed and raise the awareness level and provoke debate regarding what the agencies want to commit to do understanding the significant costs for each.

The Federal agencies will not approve the draft Environmental Impact Statement until staff provides them with an overall funding plan which they deem viable. However, it does not need to be fully implemented. Staff anticipates that the funding plan should come together by the middle of next year. Staff will have to have the overall financial plan established and present it to the Federal jurisdictional agencies. Starting construction on this project would require approval of the final Environmental Impact Statement and a record of decision issued by the controlling Federal agencies. That will require a viable funding plan. Staff will have a document ready for Federal review by the end of this year, and the length of time it takes for the Federal agencies to complete their review will affect the construction schedule and any additional funds necessary to complete this process. In addition to the potential extended review, staff has identified an additional 12 months of work that will need to be done once the public hearings have concluded and an additional \$5.5 million to \$6.7 million in funds for that year's effort.

Four supplemental agreements have been submitted. One is for a two-year extension of the project office which was opened in 2007. That lease expired in September of 2009 and the consultant has been advancing rent at their own expense. Staff was able to negotiate an

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extension of that lease with a 20 percent reduction rental rate. The rate is now \$23.00 a square foot for the facility on White Plains Road in Tarrytown; it was previously \$27.00. The additional three supplemental agreements are for the consulting firms doing project management, as well as environmental and engineering services. The total amount of four supplemental agreements is \$14.115 million, subject to final negotiation. These funds are necessary, in part, to replenish funds that were used to do extra work since September 2008 and September 2009, as well as to complete the work staff has since identified as necessary to be done.

Dr. Veras requested that Mr. Anderson provide the Board with more information regarding why the additional work needs to be done. Mr. Anderson responded that these negotiations have been ongoing for well over a year and involve all three agencies working with each consultant. The first part of that process is to understand and agree on the revised scope of the work. A very extensive public outreach program has involved a lot of preparation and presentations at night on top of what staff does during the day to maintain working relationships with all of the Federal and local agencies. It is a meticulous process, highly documented and all three agencies must be in agreement.

Dr. Veras asked if all of the additional work needed is related to outreach. Mr. Anderson replied that that is part of it. Another part of it is additional environmental studies, particularly with respect to the Hudson River ecology. There is a very significant concern in this day and age regarding acoustic impacts to the fish during construction. That has forced staff to bring in experts from the University of Louisiana and the University of Maryland in Baltimore to assist with river ecology issues. Staff also had to do two unforeseen and comprehensive technical reports; one for the transit alignments, the other for the bridge configurations. Dr. Veras inquired as to why the need for those reports was unforeseen. Mr. Anderson responded that he could not

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speak to that as he was not involved in the original negotiation of the scopes done by the Authority and MTA back in 2001 and 2002.

Mr. Simberg stated that he was concerned and interested to hear that in two weeks staff will cut the options available for the bridge configurations from six to two. Mr. Anderson stated that was the objective. Mr. Simberg stated that generally with a real funding crisis like this, there are two ways to approach it. Either find another way to get the money, or stretch out the project for a longer period of time by building the most critical elements first. Constructing the Tappan Zee Bridge is a matter of public safety because staff is on notice that it is seismically vulnerable. His concern in going from six to two options is to make sure that the concept of being able to defer everything other than the most critical elements be considered. Some of the options have a much greater economic impact, even though the overall course of the project may remain the same as the others. There needs to be a plan that will get the project through to completion with the most difficult public safety aspects of the project completed as soon as possible. Mr. Anderson responded that he understood Mr. Simberg's concerns but that it has been a stated objective since September of 2009 to come down to two alternatives. The decision will be made by the Executive Steering Committee, and they will certainly consider those factors. It may not come down to two options, it may be three or four. Mr. Anderson stated he believes that for all the money and time that has been invested, this is the fastest and most direct way to that decision point, without precluding options.

Ms. Luh stated that the bells and whistles included in some the bridge designs need to go because there is not any money available for anything unrelated to safety issues. Mr. Anderson agreed that none of the agencies have the money at this time and that would be discussed at the open house. Ms. Luh stated that the funding is not coming from the open house, it is coming from the co-lead agencies. Mr. Anderson added that funds also come from Federal government

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or new revenue streams. While he cannot say what the final financing plan will be, it would be a safe bet that it will involve a combination of normal federal aid, dedicated federal aid and the reauthorization of the federal highway bill, new or increased taxes and increased tolls. Ms. Luh inquired as to why staff is going out to the public without knowing where the funding is coming from or the design that will be chosen. Mr. Anderson stated that the next step in the process is to ensure the public is aware of how expensive the project is and where the monies may be coming from.

Mr. Simberg inquired as to whether anyone was keeping track of how much each of the three agencies has spent on the project to date. Mr. Anderson stated that they were. In May of 2007 when NYSDOT took over the contracts from the Authority the agreement was that the Authority and MTA would transfer the funds and they would be on deposit. The total that all three agencies have committed so far is \$69 million; this additional \$14 million will raise it to roughly \$73 million, and staff foresees an additional year after the public hearing that could involve between \$5 to \$6 million depending upon the duration of the Federal review. Mr. Simberg asked how much in unspent funds are in the account now. Mr. Anderson replied that as of March 31, 2010 the Authority had \$3.9932 million in the account. Projecting into June the overall amount left in the account will be approximately \$4 million, and that is for all three consultants from all three agencies. Ms. Luh inquired as to what the consultants are working on currently. Mr. Anderson responded that the consultants are doing the bridge design analysis, the environmental review and the project management activities.

Ms. Luh stated that this project is beginning to sound like the Buffalo “Bridge to Nowhere,” and that it is a lot of money for being at a standstill. Mr. Anderson responded that it has been a long time, but staff has made tremendous progress since 2008 when the decision was made that replacement is absolutely necessary and the transit elements were determined. Mr.

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Simberg concurred with Mr. Anderson, stating that for a project of this size the pace of the project and getting from stage to stage so far has been impressive. Mr. Simberg added that he has no regrets over the money spent so far but is concerned as the agencies go into this very critical stage.

Mr. Sall stated that he thinks it is important for the Board to come down to the Tappan Zee Bridge to see what is going on there because, for members like Ms. Luh, who is from the Buffalo area, and it would be helpful to see it first hand.

Chairman Buono inquired as to whether the state government reviews this proposal prior to its submission to the Federal government. Mr. Anderson stated that the three co-lead agencies and the Executive Steering Committee review and approve everything that goes before the Federal Government. The Governor and the Legislature have no direct involvement in this process however they do set policy that the agencies follow.

Mr. Rice requested clarification as to what, exactly, the Board is being asked to approve. Mr. Anderson stated that the Item is requesting authorization for the Authority's one-third share of the \$14.113 million needed to go forward. Mr. Bryan added that the Authority has a fiduciary account under the auspices of the Office of the State Comptroller where the three co-lead agencies participate by depositing funds. DOT is requesting the Authority's one-third share of the \$14 million and is asking the Authority to essentially take money and deposit it down in this fiduciary fund so that they may draw off it as the project continues. Dr. Veras added that the additional fund will pay for additional public outreach and environmental work that was not anticipated in the original scope report. He added that the bridge is very important for New York State and was in support of moving forward with the request.

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

**RESOLUTION NO. 5839**

**AUTHORIZING FUNDING FOR SUPPLEMENTAL AGREEMENTS NO. 7 and 8 TO D213122 WITH AECOM (DMJM+HARRIS, INC.), SUPPLEMENTAL AGREEMENT NO. 7 TO D213213 WITH AECOM (EARTH TECH NORTHEST, INC.) AND SUPPLEMENTAL AGREEMENT NO. 6 WITH OVE ARUP AND PARTNERS CONSULTING ENGINEERS, INC. FOR THE TAPPAN ZEE BRIDGE/I-287 COORIDOR ENVIRONMENTAL REVIEW**

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RESOLVED, that \$153,333 in Authority funding be provided for the proposed Supplemental Agreement No. 7 to D213122 between the New York State Department of Transportation and AECOM (DMJM+Harris, Inc.), 605 Third Street, New York, New York 10158, for the Tappan Zee Bridge/I-287 Corridor Environmental Review, be, and the same hereby is, approved, and be it further

RESOLVED, that \$1,533,333 in Authority funding be provided for the proposed Supplemental Agreement No. 8 to D213122 between the New York State Department of Transportation and AECOM (DMJM+Harris, Inc.), 605 Third Street, New York, New York 10158, for the Tappan Zee Bridge/I-287 Corridor Environmental Review, be, and the same hereby is, approved, and be it further

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RESOLVED, that \$1,500,000 in Authority funding be provided for the proposed Supplemental Agreement No. 7 to D213123 between the New York State Department of Transportation and AECOM (Earth Tech Northeast, Inc.), One World Financial Center, 200 Liberty Street, New York, New York 10281, for the Tappan Zee Bridge/I-287 Corridor Environmental Review, be, and the same hereby is, approved, and be it further

RESOLVED, that \$1,566,667 in Authority funding be provided for the proposed Supplemental Agreement No. 6 to D213122 between the New York State Department of Transportation and Ove Arup and Partners Consulting Engineers, Inc., 155 Avenue of the Americas, New York, New York 10013, for the Tappan Zee Bridge/I-287 Corridor Environmental Review, be, and the same hereby is, approved, and be it further

RESOLVED, that \$4,753,333 in Authority funds is available for D213122, D213123 and D213124 from Items BO537.1, BO537.3 and BO537.5 of the 2010 Contracts Program, and be it further

RESOLVED, that the Executive Director, or his designee, be, and hereby are, authorized to make payment to

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the Office of the State Comptroller in the amount of \$4,753,333, and be it further

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

**Other Business**

Mr. Simberg requested an update on a discussion from the April 1, 2010 meeting regarding evaluation of the photographing of license plates for electronic tolling. He had asked staff to provide statistics on how many citations or tickets have been issued for illegible license plates. Mr. Bell responded that he was unable to get a number for how many citations from State Police have issued for illegible license plates. Mr. Simberg also requested that staff provide information regarding additional savings the Authority would receive from dealing with scofflaws as a result of the contract that Board looked at at the April meeting. Mr. Bell agreed to provide that information at the next meeting.

**Adjournment**

There being no further business to come before the Board, on the motion of Mr. Simberg, seconded by Dr. Veras, without any objections, the meeting was adjourned.

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Jill B. Warner  
Secretary