



MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 711
July 13, 2015

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

The meetings of the New York State Thruway Authority and Canal Corporation Boards opened in joint session for the consideration of various matters. These minutes reflect only those items considered by the New York State Thruway Authority Board. The meeting began at 1:20 p.m.

Members of the Board present were:

Joanne M. Mahoney, Chair
Donna J. Luh, Vice Chairperson
J. Donald Rice, Jr., Board Member
Richard N. Simberg, Board Member
Jose Holguin-Veras, Ph.D., Board Member

Members of the Board not present:

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

Staff Present:

Robert Megna, Executive Director

Gordon Cuffy, General Counsel
Brian Stratton, Director of the NYS Canal Corporation
John Barr, Director of Administrative Services
Maria Lehman, Interim Director of Maintenance and Operations
Harry Lennon, Acting Director of Department of Audit & Management Services
Matt Howard, Treasurer and Chief Financial Officer
Kevin Allen, Director of Thruway Purchasing
Matt Miller, Information Tech. Specialist
Cathy Sheridan, Acting Chief Engineer
Peter Casper, Assistant Counsel
Dan Marcy, Community Relations Specialist - New NY Bridge
Joseph Moloughney, Acting Albany Division Director
Pat Hoehn, Acting Syracuse Division Director
Stephen Grabowski, Acting New York Division Director
John Callaghan, Deputy Director of the NYS Canal Corporation
Jennifer Givner, Director of Media Relations & Communications
Jerry Yomoah, Board Administrator

Also in attendance:

Janet Ho, Office of the NYS Governor
Ali Chaundry, Office of the NYS Governor
Sharif Kabir, Office of the NYS Governor
Murray Bodin, Member of the Public
Peter Haskell, CBS NY

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

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

Item 1 by Chair Mahoney (Appendix A)
Approval of Minutes of Meeting No. 710

Chair Mahoney asked for a motion to approve the minutes of the previous meeting. Upon motion duly made and seconded, the Board approved the minutes of Meeting No. 710 held on May 18, 2015, which were made available to the Board Members as part of the Agenda.

Item 2 by Mr. Howard (Appendix B)
Financial Reports for April and May 2015

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

Upon motion duly made and seconded, the Board accepted the Financial Reports for April and May 2015.

Item 3 by Mr. Howard (Appendix C)
Approval of Investment Transactions for the First Quarter of 2015

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

Upon motion duly made and seconded, the Board approved the Investment Transactions for the First Quarter of 2015.

Item 4 by Ms. Sheridan (Appendix D)
Authorizing the Execution of Five Agreements (D214405, D214406, D214417, D214419 and D214420) with Five Firms

Ms. Sheridan presented the item seeking Board authorization to execute engineering agreements five firms. Details of the presentation and discussion with Board Members are included in the video recording of the meeting

Upon duly motioned, seconded and without any objections, authorized the execution of the agreements and adopted the following resolution:

RESOLUTION NO. 6054
AUTHORIZING THE EXECUTION OF FIVE AGREEMENTS
(D214405, D214406, D214417, D214419 AND D214420)
WITH FIVE FIRMS

RESOLVED, that the Chief Engineer be, and she hereby is, authorized to execute five agreements (D214405, D214406, D214417, D214419 and D214420) with the five firms listed in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through these agreements, with the Maximum Amount Payable of each agreement not to exceed the amount shown in the attached Exhibit A, and such agreements shall be on such other terms and conditions as the Chief Engineer, in consultation with the General Counsel, determines to be in the best interest of the Authority, and be it further

RESOLVED, that the Chief Engineer or her designees shall have the authority to exercise all powers reserved to the Authority under the provisions of the agreements, manage and administer the agreements, amend the provisions of the agreements consistent with the terms of this Item and in accordance with the 2015 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreements in the best interests of the Authority, and be it further

RESOLVED, that information relating to each agreement be included in the Chief Engineer's Quarterly Report to the Board on Contracts Program activities which will include the date of execution of each agreement, and be it further

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

Item 5 by Ms. Sheridan (Appendix E)
Authorizing Additional Funding for the Award of TAB 15-33B (D214426), Impact Damage Repairs to the Thruway Ramp Bridge at Interchange 58 over Routes 5 and 20 in the Buffalo Division

Ms. Sheridan presented the item to the Board seeking additional funding for damage repairs in the Buffalo Division. Details of the presentation and discussion with Board Members are included in the video recording of the meeting

Upon duly motioned, seconded and without any objections, authorized additional funding for the project and adopted the following resolution:

RESOLUTION NO. 6055
AUTHORIZING ADDITIONAL FUNDING FOR THE AWARD OF TAB 15-33B (D214426), IMPACT DAMAGE REPAIRS TO THE THRUWAY RAMP BRIDGE AT INTERCHANGE 58 OVER ROUTES 5 AND 20 IN THE BUFFALO DIVISION

RESOLVED, that additional funding for the award of TAB 15-33B (D214426), Impact Damage Repairs to the Thruway Ramp Bridge at Interchange 58 over Routes 5 and 20, to Oakgrove Construction, Inc. for its low bid of \$712,948.00 be, and the same hereby is authorized, and be it further

RESOLVED, that an additional sum of \$129,248.00 be, and the same hereby is, allocated toward contract TAB 15-33B (Item B963.1) from bid savings and other adjustments made to the 2015 Contracts Program, and be it further

RESOLVED, that the Chief Engineer or her designee shall have the authority to exercise all powers reserved to the Authority under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the terms of this Item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

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

Item 6 by Mr. Howard (Appendix F)

Authorizing the Authority's Acceptance of a Transfer of Jurisdiction over Title to Real Property Reference No. TN15-3 from the New York State Department of Transportation; Authorizing the Authority's Acceptance of the Release of an Existing Permanent Easement, Real Property Reference No. TN15-1, from Tennessee Gas Pipeline Company, L.L.C.; and Declaring Surplus to the Authority's Present Needs a Substitute Permanent Easement, Real Property Reference No. TN15-2 and Authorizing its Conveyance by the Authority to Tennessee Gas Pipeline Company, L.L.C.

Mr. Howard presented the item seeking board authorization to consummate a series of real property transactions necessitated by the reconstruction of the Cross Westchester Expressway. Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, the Board authorized the real property transactions and adopted the following resolution:

RESOLUTION NO. 6056

AUTHORIZING THE AUTHORITY'S ACCEPTANCE OF A TRANSFER OF JURISDICTION OVER TITLE TO REAL PROPERTY REFERENCE NO. TN15-3 FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE AUTHORITY'S ACCEPTANCE OF THE RELEASE OF AN EXISTING PERMANENT EASEMENT, REAL PROPERTY REFERENCE NO. TN15-1, FROM TENNESSEE GAS PIPELINE COMPANY, L.L.C.; AND DECLARING SURPLUS TO THE

AUTHORITY'S PRESENT NEEDS A SUBSTITUTE PERMANENT EASEMENT, REAL PROPERTY REFERENCE NO. TN15-2, AND AUTHORIZING ITS CONVEYANCE BY THE AUTHORITY TO TENNESSEE GAS PIPELINE COMPANY, L.L.C.

RESOLVED, that, pursuant to Public Lands Law § 3, subd. 4, the Authority's acceptance from the New York State Department of Transportation of the transfer of jurisdiction (hereinafter, "TJ") over to title to certain real property, designated as Real Property Reference No. TN15-3 and described in Exhibit II attached hereto, be, and the same hereby is, authorized, and be it further

RESOLVED, that the Authority's acceptance from Tennessee Gas Pipeline Company, L.L.C. (hereinafter, "Applicant") of its release of an existing permanent easement (hereinafter, "Existing PE"), designated as Real Property Reference No. TN15-1 and shown, on and described in, Exhibits III and IV, respectively, which are attached hereto, is hereby authorized, and be it further

RESOLVED, that the Authority Board hereby finds and determines that a substitute permanent easement (hereinafter, "Substitute PE"), designated as Real Property Reference No. TN15-2 and shown on, and described in, Exhibit III attached hereto, is not presently necessary for its corporate purposes, and, therefore, hereby declares that the Substitute PE be, and the same hereby is, surplus to the needs of the Authority, and be it further

RESOLVED, that in consideration of the Applicant's release of the Existing PE, the conveyance of the Substitute PE to the Applicant is hereby authorized (hereinafter, "Easement Exchange"), and be it further

RESOLVED, that the Easement Exchange described in the agenda item shall be subject to such other legal, financial, engineering, and other terms as may be deemed by the Executive Director, the Chief Engineer, and the General Counsel, to be in the best interest of the Thruway Authority and consistent with the terms of this agenda item, and be it further

RESOLVED, that the Authority's Contracting Officer determined that: the Substitute Easement may be disposed of by negotiation without public advertising because such disposal falls under Public Authorities Law § 2897, subd. (6) (c) (v) and § 2897, subd. (7) (a) (ii); and the

Easement Exchange complies with all applicable provisions of law relating to disposals of real property, including article 9, title 5-A of the Public Authorities Law, and with the Thruway Real Property Management Policy, and be it further

RESOLVED, that based upon the information provided by DOT and Authority staff, there is no reasonable alternative to the proposed below-market transfer of the Substitute Easement to the Applicant, 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 Executive Director, or his designee, be, and he hereby is, authorized to execute a contract and all other documents necessary to consummate the TJ and the Easement Exchange, and be it further

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

PUBLIC COMMENT PERIOD

Mr. Murray Bodin addressed the Board. His comments are included in the video recording of the meeting.

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the meeting was adjourned.

A handwritten signature in blue ink, appearing to read "Jerry Yomoah", is written over a solid black horizontal line.

Jerry B. Yomoah
Board Administrator

Note: Webcasts, which include dialogue of Authority/Corporation Board Meetings, are available on the Thruway Authority website 48 hours after such meetings occur and remain on the website for a period of four months.