



MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 723
November 7, 2016

Minutes of a meeting of the New York Thruway Authority, held in the board room at, 200 Southern Boulevard, Albany, New York.

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 the item considered by the New York State Thruway Authority Board. The meeting began approximately at 11:53 a.m.

Members of the Board present were:

Joanne M. Mahoney, Chair
Donna Luh, Vice Chair
Richard N. Simberg, Board Member
Robert Megna, Board Member
J. Donald Rice, Jr., Board Member

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

Members of the Board excused:

Jose Holguin-Veras, Ph.D.
Stephen Saland

Staff Present:

Bill Finch, Acting Executive Director
Gordon Cuffy, General Counsel
Karen Hunter, Chief of Staff
Matt Howard, Treasurer and Chief Financial Officer
Brian Donnelly, Director of Maintenance and Operations
Thomas Pericak, Deputy Chief Engineer and Director of Capital Program Delivery
Richard Lee, Chief Engineer
Major Joseph Dodd, NYS Police
Mark Hixson, Deputy Director Maintenance and Operations
Eric Christensen, Deputy Director of Operations
John Barr, Acting Director of Administrative Services
Brian Stratton, Director NYS Canal Corporation
John Callaghan, Deputy Director of the NYS Canal Corporation
Jennifer Givner, Director of Media Relations & Communications
Harry Lennon, Acting Director of Audit & Management Services

Kevin Allen, Director of Purchasing
Larry Norville, Chief Compliance Officer
Tony Kirby, Director of Real Property Management
Stephen Grabowski, Acting New York Division Director
Patrick Hoehn, Acting Syracuse Division Director
Joseph Moloughney, Acting Albany Division Director
Mary Boehm, Senior Investigator Auditor
Dorraine Steele, Director of Fiscal Audit and Budget
Karen Osborn, Budget Manager
Frank Macarilla, Information Technology Specialist
Kathleen LeFave, Board Secretary

Also in attendance:

Jon Campbell – Albany Bureau, Gannett Newspaper
Rich Karlin – Times Union
Paul Minni, OGS Engineer
Steve VanWagenen, OGS Engineer
Murray Bodin - Welded Steel Sculptures

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

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

Chair Joanne Mahoney opened the meeting by making a brief statement regarding the tragic accident involving the passing of Syracuse Division Construction Equipment Operator Heavy Ron Deming. The Chair also requested a moment of silence be conducted prior to the start of the board meeting.

PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA

The following individual signed up for the general comment period. His comments are included in the video recording of the meeting.

1. Murray Bodin, Member of the Public

Item 1 by Mark Hixson (Appendix A) **Winter Preparation**

Mr. Hixson provided an update to the Board Members on the Authority's 2016-2017 Winter Preparation.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Item 2 by Kevin Allen (Appendix B)
Report on Procurement Contracts and Other Agreements Executed by the Acting Executive Director During the Third Quarter Ending September 30, 2016

Chair Mahoney invited Mr. Allen to present the report of procurement contracts.

Upon motion duly made and seconded, without any objections, the Board accepted the Report on Procurement Contracts and other Agreements Executed by the Acting Executive Director during the quarter ending September 30, 2016.

Item 3 by Chair Mahoney (Appendix C)
Approval of Minutes of Meeting No. 722

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. 722 held on September 12, 2016, which was made available to the Board Members as part of the Agenda.

Item 4 by Matt Howard (Appendix D)
Financial Reports for August and September 2016

The financial reports were advanced to the Board at the recommendation of the Finance Committee.

Upon motion duly made and seconded, the Board accepted the Financial Reports for August and September 2016.

Item 5 by Matt Howard (Appendix E)
2016 Revised Financial Plan and the 2017 Proposed Budget for the New York State Thruway Authority

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

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

THRUWAY AUTHORITY RESOLUTION NO.6111

**APPROVAL OF THE 2016 REVISED BUDGET AND THE 2017
PROPOSED BUDGET FOR THE NEW YORK STATE THRUWAY
AUTHORITY**

RESOLVED, that the Report on the 2016 Revised Budget as presented in this item be, and the same hereby is, accepted by the Board, and be it further

RESOLVED, that the Chief Financial Officer be, and he hereby is, authorized to make any and all adjustments to the

appropriate funds consistent with this 2016 Revised Budget, and be it further

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

RESOLVED, that the Authority's proposed Budget for the fiscal year 2017, submitted by the Acting Executive Director and the Chief Financial Officer, be, and the same hereby is, approved and funded in accordance with the attached Exhibit II, and be it further

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

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

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

Item 6 by Tom Pericak (Appendix F)
2017 Thruway Authority Contract Program

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

Upon motion duly made and seconded, the Board approved the 2017 Thruway Authority Contracts Program and adopted the following resolution:

THRUWAY AUTHORITY RESOLUTION NO. 6112

APPROVING THE 2017 THRUWAY CONTRACTS PROGRAM

RESOLVED, that the 2017 Thruway Contracts Program for Highway, Bridge, Intelligent Transportation Systems, Architectural and related facility projects, full copies of which have been provided to the Boards for review, be, and the same hereby are, approved, and be it further

RESOLVED, that the Chief Engineer or his designee be, and hereby is, authorized:

- A. to prepare and approve Official Proposals, Plans and Specifications, Engineer's/Architect's Estimates of Cost and Contract Documents for such projects as are tabulated in the 2017 Thruway Contracts Program;
- B. to hold the respective Engineer's/ Architect's Estimates of Cost for such contracts confidential until after contracts have been awarded;
- C. to advertise for receipt of bids and proposals for those projects which are tabulated in the 2017 Thruway Contracts Program using the following table regarding the approved budget allocation and current funding for the project:

Amount of Engineer's/Architect's Estimates of Cost (EE/AE) in Relation to Contracts Program Budget Allocation	Action Required to Advertise Project			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
EE/AE is equal to or less than the project's budget allocation;	Approval	No Action Required	No Action Required	No Action Required
EE/AE does not exceed the project's budget allocation by more than \$75,000 for projects with budget allocations of up to and including \$500,000, or by more than 15 percent for projects with budget allocations that exceed \$500,000;	Approval	Confirm Funding	No Action Required	No Action Required
EE/AE exceeds the limits listed above in this chart.	Concur	Confirm Funding	Approval	No Action Required

- D. to award any such contract to the lowest responsible bidder when it is deemed to be an acceptable bid, and further, the following table shall be used when determining the steps needed to award the contract:

Amount of the Low Bid in Relation to the Engineer's/Architect's Estimates of Cost (EE/AE)	Action Required to Award Contract			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
Low bid is equal to or less than the EE/AE;	Approval	No Action Required	No Action Required	No Action Required
Low bid exceeds the EE/AE by no more than \$75,000 on contracts up to and including \$500,000, or by no more than 15 percent on contracts over \$500,000;	Approval	Confirm Funding	No Action Required	No Action Required
Low bid exceeds the EE/AE by no more than \$100,000 on contracts up to and including \$500,000, or by no more than 20 percent on contracts over \$500,000;	Concur	Confirm Funding	Approval	No Action Required
Low bid exceeds the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

- E. to award any such best value and design-build contracts to the firm with the best combined technical and cost score, and further, the following table shall be used when determining the steps to award the contract:

Amount of the Cost in the Best Value/Design-Build Proposal in Relation to the Engineer's/Architect's Estimates of Cost (EE/AE)	Action Required to Award Contract			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
The proposed cost is equal to or less than the EE/AE;	Approval	No Action Required	No Action Required	No Action Required
The proposed cost exceeds the EE/AE by no more than \$75,000 on contracts up to and including \$500,000, or by no more than 15 percent on contracts over \$500,000;	Approval	Confirm Funding	No Action Required	No Action Required

The proposed cost exceeds the EE/AE by no more than \$100,000 on contracts up to and including \$500,000, or by no more than 20 percent on contracts over \$500,000;	Concur	Confirm Funding	Approval	No Action Required
The proposed cost exceeds the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

- F. to reject bids for any such contract which are determined to be not in accordance with bid documents and specifications thereof, or not in the Authority’s best interest, or which are submitted by bidders determined to be not responsible. In these cases and where no bids are received, he may again advertise for receipt of bids pursuant to paragraph C;
- G. to prepare and approve, for declared emergency work, Official Proposals, Plans and Specifications, Engineer’s/Architect’s Estimates of Cost and Contract Documents, including amendments and order-on-contracts, award (pursuant to paragraph D) and reject bids (pursuant to paragraph F) for such work being progressed to address a declared emergency, provided that the total of the Engineer’s/Architect’s Estimate of Cost for any such contract, amendment or order-on-contract does not exceed \$2,000,000; the Board will receive contemporaneous notifications of those actions taken for emergency work;
- H. to approve contingent or extra work on construction and design-build contracts, when necessary, and to adjust and determine disputed contract claims in accordance with contract documents, using the following table for the additional funding:

Amount of the Additional Funds for Construction and Design-Build Contracts	Action Required for Additional Funding for Construction Contract			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
Additional funds do not exceed the bid/proposal price by more than \$150,000 for contracts bid up to and including \$1,000,000, or 15 percent for contracts bid in excess of \$1,000,000;	Approval	Confirm Funding	No Action Required	No Action Required

Additional funds do not exceed the total bid/proposal price by more than \$200,000 for contracts bid up to and including \$1,000,000, or 20 percent for contracts bid in excess of \$1,000,000;	Concur	Confirm Funding	Approval	No Action Required
Additional funds exceed the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

- I. to enter into, extend, and modify project specific agreements or multi-project agreements with federal and state agencies, localities, utility companies, railroads, and/or others as may be necessary in order to facilitate the administration, award, progress and completion of such contracts;
- J. to acquire and grant such property interests (fee title, easements, etc.) in accordance with the provisions of the Authority's and Corporation's Real Property Management Policies, as may be necessary for implementation of the 2017 Thruway Contracts Program, provided that the total amount of acquisitions or the amount of grants for any one project shall not exceed \$150,000 without Board authorization;
- K. to advertise for, and upon receiving approval by the Board, or where otherwise authorized by the Executive Director, to execute engineering agreements, including amendments thereto, for services relating to projects included in the 2017 Thruway Contracts Program;
- L. to execute a supplemental agreement for expenditure of additional funds of an engineering agreement, provided that such supplemental agreement be based upon a determination that the assignment of the additional tasks is in the best interest of the Authority when considering the proximity of the additional tasks to the ongoing tasks, or to expedite the additional tasks through such assignment, or that significant savings to the Authority will result through the assignment of the additional tasks; and further, such approval of additional funds shall be based upon the following table:

Amount of the Additional Funds for the Supplemental Agreement	Action Required for Supplemental Agreement Funding			
	Chief Engineer	Chief Financial Officer	Executive Director	Board
Additional funds do not exceed the original MAP by more than \$150,000 for agreements with an original Maximum Amount Payable (MAP) up to and including \$1,000,000, or 15 percent for agreements with an original MAP that exceeds \$1,000,000;	Approval	Confirm Funding	No Action Required	No Action Required
Additional funds do not exceed the original MAP by more than \$200,000 for agreements with an original MAP up to and including \$1,000,000, or 20 percent for agreements with an original MAP that exceeds \$1,000,000;	Concur	Confirm Funding	Approval	No Action Required
Additional funds exceed the limits listed above in this chart.	Concur	Confirm Funding	Concur	Approval

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

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

RESOLVED, that in accordance with the other powers delegated herein, the Chief Engineer shall be, and hereby is, authorized to make all necessary decisions pursuant to the State

Environmental Quality Review Act (SEQRA) with relation to the 2017 Thruway Contracts Program, and be it further

RESOLVED, that quarterly reports shall be submitted to the Board by the Chief Engineer on: all awarded construction contracts; approved additional funds for construction contracts over and above the contingency funds; and all engineering agreements and supplemental engineering agreements, approved pursuant to the provisions of these resolutions, and be it further

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

- A. upon award of such contracts to return such funds budgeted for such projects in the 2017 Budget which are otherwise not required for expenditure during 2017 to the proper fund in accordance with acceptable budgeting and accounting procedures;
- B. to monitor total cash expenditures for the 2017 Contracts Program to ensure that they do not exceed \$1,034,699,129 for the Thruway Authority during the 2017 Fiscal Year;
- C. to return bid checks submitted for such contracts to unsuccessful bidders, and to make necessary adjustments in the respective 2017 approved Budget as required by implementation of any part of this Resolution, and be it further

RESOLVED, that the provisions of this resolution shall be deemed to supersede all other inconsistent Authority policies and procedures to the extent necessary to implement the approved 2017 Thruway Contracts Program and for no other purposes, and be it further

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

Item 7 by Matt Howard (Appendix G)

Authorizing the Selection of Underwriting Firms and Authorizing the Acting Executive Director to Enter into Contracts with the Selected Firms for Underwriting Services

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

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

RESOLUTION NO. 6113

AUTHORIZING THE SELECTION OF UNDERWRITING FIRMS
AND AUTHORIZING THE ACTING EXECUTIVE DIRECTOR
TO ENTER INTO CONTRACTS WITH THE SELECTED FIRMS
FOR UNDERWRITING SERVICES

RESOLVED, that the Board authorizes the selection of Barclays Capital Inc.; Citigroup Global Markets Inc.; Goldman, Sachs & Co.; J.P. Morgan Securities LLC; Jefferies LLC; Loop Capital Markets, LLC; Merrill Lynch, Pierce, Fenner & Smith Incorporated; Morgan Stanley & Co., Inc.; Raymond James & Associates Inc.; Samuel A. Ramirez & Co., Inc.; RBC Capital Markets, LLC; Siebert Brandford Shank & Co., LLC; Stifel, Nicolaus & Company, Incorporated; and Wells Fargo Securities, LLC to serve as senior managers and co-senior managers if selected by the Authority when issuing bonds, and be it further

RESOLVED, that by virtue of their selection to serve as senior managers and co-senior managers if selected by the Authority when issuing bonds, said firms may also be selected to serve as co-managers to the Authority when issuing bonds, and be it further

RESOLVED, that the Board authorizes the selection of Academy Securities, Inc.; Alamo Capital; Blaylock Beal Van, LLC; BNY Mellon Capital Markets, LLC; Cabrera Capital Markets, LLC; Drexel Hamilton, LLC ; Janney Montgomery Scott LLC; KeyBanc Capital Markets Inc.; Oppenheimer & Co., Inc.; Piper Jaffray & Co.; Robert W. Baird & Co., Incorporated; Roosevelt & Cross Incorporated; Stern Brothers & Co.; and Williams Capital Group, LP to serve as co-managers if selected by the Authority when issuing bonds, and be it further

RESOLVED, that the Acting Executive Director is authorized to enter into contracts with each firm selected for underwriting services for a term of two (2) years with two (2) six (6) month renewal options, commencing October 1, 2016, and be it further

RESOLVED, that contingent upon the completion of vendor responsibility reviews and positive results, the Acting Executive Director is authorized to designate, in accordance with this resolution, from the aforementioned approved firms, the Senior Managers, Co-Senior Managers and Co-Managers to perform the necessary banking services for the bond sales occurring between October 1, 2016 and September 30, 2018 or longer if the underwriting services contracts are extended, and be it further

RESOLVED, that the Acting Executive Director or his designee shall have the authority to exercise all powers reserved to the

Authority under the provisions of the contract, manage and administer the contract, amend the provisions of the contract consistent with the terms of this item and other Board authorizations and suspend or terminate the contract in the best interests of the Authority, and be it further

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

Item 8 by Eric Christensen (Appendix H)

Authorizing the Acting Executive Director to Discontinue the E-ZPass Discount for E-ZPass Accounts Provided by Other States

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

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

RESOLUTION NO. 6114

AUTHORIZING THE ACTING EXECUTIVE DIRECTOR TO DISCONTINUE THE E-ZPASS DISCOUNT FOR E-ZPASS ACCOUNTS PROVIDED BY OTHER STATES

RESOLVED, that the Acting Executive Director or designee is authorized to discontinue the 5% discount for E-ZPass accounts that are provided by other states

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

Item 9 by Eric Christensen (Appendix I)

Authorizing an Amendment to the Thruway Rules and Regulations in Relation to Fees for Toll Violators

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

Upon motion duly made and seconded, the Board accepted the exhibits submitted in accordance with the Authority's Investment Policy.

RESOLUTION NO. 6115

AUTHORIZING AN AMENDMENT TO THE THRUWAY RULES AND REGULATIONS IN RELATION TO FEES FOR TOLL VIOLATORS

RESOLVED, that the Board approves the proposed amendments to the Authority's toll rule regulations as presented in Exhibit 1 attached hereto and authorizes the Acting Executive

Director, or his designee, to take all actions necessary for adoption of such amendments in accordance with the SAPA and any other applicable statutes, policies and procedures, and be it further

RESOLVED, that the Acting Executive Director is authorized to make modifications to such amendments as he deems appropriate in response to any comments that may be made during the adoption process conducted in accordance with the SAPA and any other applicable statutes, policies and procedures, and it further

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

Item 10 by Chair Mahoney (Appendix J)
2017 Board of Directors Meeting Schedule

Chair Mahoney proposed Board meeting dates for the calendar year.

Upon motion duly made and seconded, the Board approved the Board calendar and adopted the following board meeting dates:

Board of Directors Meeting Schedule Calendar Year 2017

January 23, 2017
March 27, 2017
May 22, 2017
July 17, 2017
September 25, 2017
November 13, 2017

Item 11 by Bill Finch (Appendix K)
Staff Appointment of Brian J. Donnelly as Director of Maintenance and Operations

Chair Mahoney invited Mr. Finch to present the resolution seeking board approval to appoint Brian J. Donnelly as Director of Maintenance and Operations for the organization.

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 appointment and adopted the following resolution:

RESOLUTION NO. 6116

**STAFF APPOINTMENT OF BRIAN J. DONNELLY,
AS DIRECTOR OF MAINTENANCE AND OPERATIONS**

RESOLVED, that the Board hereby appoints Brian J. Donnelly, as Director of Maintenance and Operations effective November 7, 2016, at salary grade 36 and an annual salary of \$155,000, for which funds are available in the 2016 Operating Budget and it be further

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

Item 12 by Bill Finch (Appendix L)
Staff Appointment of Richard W. Lee, P.E., as Chief Engineer

Chair Mahoney invited Mr. Finch to present the resolution seeking board approval to appoint Richard W. Lee, P.E., as Chief Engineer for the organization.

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 appointment and adopted the following resolution:

RESOLUTION NO. 6117

STAFF APPOINTMENT OF RICHARD W. LEE, P.E.,
AS CHIEF ENGINEER

RESOLVED, that the Board hereby appoints Richard W. Lee, P.E., as Chief Engineer effective November 7, 2016, at salary grade 36 and an annual salary of \$155,000, for which funds are available in the 2016 Operating Budget and it be further

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

Item 13 by Thomas Pericak (Appendix M)
Authorizing the Execution of Agreement D214501 with GEOD Corporation

Mr. Pericak presented the resolution seeking board authorization to execute an engineering agreement with GEOD Corporation.

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 approved and adopted the following resolution:

RESOLUTION NO. 6118

AUTHORIZING THE EXECUTION OF AGREEMENT D214501
WITH GEOD CORPORATION

RESOLVED, that the Chief Engineer be, and he hereby is, authorized to execute agreement D214501 with GEOD Corporation as noted in Exhibit A, attached hereto, provided that sufficient funding has been identified to complete services for the projects through this agreement, with the Maximum Amount Payable of the agreement not to exceed the amount shown in the attached Exhibit A, and such agreement 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 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 2017 Contracts Program Resolution and other Board authorizations, and suspend or terminate the agreement in the best interests of the Authority, and be it further

RESOLVED, that information relating to agreement D214501 be included in the Chief Engineer's Quarterly Report to the Board on Contracts Program activities which will include the date of execution of the agreement, and be it further

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

Item 15 by Mark Hixson (Appendix O)

Authorizing the Acting Executive Director to execute an Agreement with the Town of Saugerties, on behalf of the Malden Water District, for the Installation of a Water Transmission System and for the Provision of Water to the Malden Service Area

Mr. Hixson presented the next resolution seeking Board approval allowing the Authority to connect to the Malden Water District as an outside user to supply water to the Service Area located off the Malden Turnpike in the Town of Saugerties, Ulster County, New York.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, without any objections, the Board approved the lease agreement and adopted the following resolution:

RESOLUTION NO.6119

AUTHORIZING THE ACTING EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH THE TOWN OF SAUGERTIES, ON BEHALF OF THE MALDEN WATER DISTRICT, FOR THE INSTALLATION OF A WATER TRANSMISSION SYSTEM AND FOR THE PROVISION OF WATER TO THE MALDEN SERVICE AREA

RESOLVED, that the Acting Executive Director be, and hereby is authorized to execute an Agreement with the Town of Saugerties, on behalf of the Malden Water District, for the installation of a water transmission system and for the provision of water to the Malden Service Area in accordance with the terms and conditions of the Agreement attached hereto, provided that the payments shall not exceed one million dollars, and be it further

RESOLVED, that the Acting Executive Director be, and hereby is, authorized on behalf of the Authority to execute such an Agreement, and that sufficient funds are projected to become available through the Authority's 2017 Department of Maintenance and Operations Operating Budget, and be it further

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

Item 17 by Gordon Cuffy (Appendix Q)

Authorizing the Chair and the Acting Executive Director or Their Designees to Utilize Previously Approved Contingency Related to New NY Bridge Project

Mr. Cuffy presented the next resolution to the board asking for authorization for the Chair, Acting Executive or their designees to utilize previously approved contingency related to the New NY Bridge Project.

Details of the presentation and discussion with Board Members are included in the video recording of the meeting.

Upon motion duly made and seconded, without any objections, the Board approved the lease agreement and adopted the following resolution:

RESOLUTION NO. 6120

AUTHORIZING THE CHAIR AND THE ACTING EXECUTIVE DIRECTOR OR THEIR DESIGNEES TO UTILIZE PREVIOUSLY APPROVED CONTINGENCY RELATED TO NEW NY BRIDGE PROJECT

RESOLVED, that the Chair and the Acting Executive Director, or their designees, be, and hereby are, authorized to approve, within the previously approved and authorized total Project budget for the New NY Bridge Project, necessary contingent work for the New NY Bridge Project pursuant to the design-build contract (“Contract”) between the Authority and Tappan Zee Constructors, LLC; provided that the aggregate of such contingent work items shall not exceed 5% of the Contract Price as of the date of this resolution, and further provided that the Chair and the Acting Executive Director may exceed such limits of authority set forth herein if they reasonably determine that the projected delay in receiving consent of the Board would expose the Authority to any material increase in liabilities (subject to notice of such circumstance and award of contingent work being given to the Board as soon as reasonably practicable); and be it further

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

GENERAL PUBLIC COMMENT PERIOD

The following individual signed up for the general comment period. His comments are included in the video recording of the meeting.

1. Murray Bodin, Welded Steel Sculptures

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn until its next meeting scheduled for December 5, 2016.



Kathleen LeFave
Board Secretary

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.