

Joanne Mahoney: Are we recording?

Julie Miskinis: Yes, we are.

Joanne Mahoney: Hello, everybody. Good afternoon. I'm Joanie Mahoney and I serve as chair of the New York State Thruway Authority. Welcome to the June 3rd meeting of the Thruway Authority Board of Directors. I'm attending the meeting from the State University of New York College of Environmental Science and Forestry in Syracuse, New York. I also see on the screen, or I did... oh there he is. Norm Jones, welcome. He's joined us virtually. And at the Thruway Headquarters, we have Board Members, Bob Megna, Heather Briccetti Mulligan, Paul Tokasz, and Joan McDonald. And it's noted that Dr. Holguin-Veras is not able to join us today.

We'll start with the Finance Committee and Bob Megna as Chair. I'd like to ask you to start the Finance Committee for us.

Bob Megna: Thank you, Chair. As always, the first item on the agenda is the approval of the minutes from meeting number 81. Any questions? If not, can I have a motion to pass the minutes?

Joanne Mahoney: I'm happy to make a motion.

Someone to second, sorry.

Bob Megna: Okay, if there's no further discussion, let's vote. All in favor? Aye.

ALL: Aye.

Bob Megna: And so we've passed the minutes. The second item is review and approval of the January, February and March 2025 financial reports and Dave Malone will enlighten us.

Dave Malone: Good afternoon. This item seeks the committee's approval to advance to the full board of the January, February, March 2025 month financial reports. During the first three months of 2025, we had 72.4 million toll transactions, a decrease of a little more than 1 million transactions or 1.4% compared to the prior year. This consisted of 59.5 million passenger transactions, which is a decrease of 1 million or 1.6%, and 12.9 million commercial transactions, a decrease of about 50,000 or a less than one half percent. Notably, 2024 was a leap year, so within the three-month period being compared to last year, or excuse me, last year had an extra day of traffic that accounts for about two-thirds of the decrease between years for comparability purposes.

Factoring out that extra day, there are a few takeaways regarding early 2025 traffic results. Passenger traffic is more sensitive to winter weather than commercial traffic, so passenger traffic was down a little bit in January and February 2025, due to the higher number of [inaudible 00:02:54] that we

experienced this past winter. On the commercial side, truck traffic was strong on most of the system during the first three months, including an increase of close to 5% on the Grand Island Bridges, which indicates a higher level of cross-border traffic between Canada and the U.S. during that reporting period. I think that's related to the tariff decision and moving goods across the border in advance of that.

Lastly, something we've touched on in recent meetings, we're continuing to see lower levels of commercial traffic on the Governor Mario M. Cuomo Bridge. During the reporting period, truck traffic was down 6.3% on the bridge compared to the first three months of 2024. With most of this decrease occurring among trucks with an out-of-state E-ZPass, for those who do not use E-ZPass.

Our traffic forecast for 2025 calls for an overall increase of half a percent compared to last year, so we are running below the forecast. I think ultimately where we end 2025 will be more dependent on where things go in the future here over the rest of the year, specifically related to the ongoing trade negotiations and how that impacts traffic going forward, and what we saw during the first three months of the year.

Through March, revenue from tolls and related fees were \$243 million. It's an increase of a little over \$5 million or 2%, compared to the prior year. The majority of the \$5 million is attributable to an increase in toll by mail violation fees, which is more of a timing issue than anything. Toll revenue by itself only increased \$500,000 or essentially flat 0.2% as the lower traffic levels in early 2025 at the Governor Mario M. Cuomo Bridge, and the toll adjustment at the bridge that went into effect start of the year on the bridge, effectively offset one another.

Looking beyond just tolls, total revenues through March and our revenue fund were \$257 million. This consisted of the previously mentioned tolls from related fees, plus \$9 million of interest earnings deposited to our revenue fund, \$3 million of lease revenues and \$2 million of other revenues. In relation to our 2025 budget for revenues, this puts us about \$4 million or 1.7% above our forecast, with two primary reasons being the toll related fees that I previously mentioned being above the forecast, as well as interest earnings, both as well exceeding our 2025 revenue forecast.

Switching to the expense side through March 2025, Thruway operating costs were \$109 million. It's an increase of \$6.7 million or 6.5% compared to 2004. This increase is the result of the salary differential to improve employee recruitment and retention that was authorized by the board in late 2024, higher cost for overtime, and salt usage tied to the elevated number of storms we had this past winter, and higher pension costs.

Looking at it in comparison to our 2025 budget, our operating costs are running about \$1.4 million or a little more than 1% over our operating budget at this point. And with that I can answer any questions the committee may have.

Bob Megna: Going back to some of the first things you said, is there anything in the latest data that would indicate anything about Canada or what's going on with that?

Dave Malone: Yeah, it's definitely shifted. If you look at just the last few weeks in May, it's not that elevated level, so it's gone the other direction and it's down now. But overall I would say that there hasn't been anything across the whole system yet where you're seeing an impact in these tariffs. But I think we're in definitely in latency mode here for the rest of the year on that end of things.

Bob Megna: Any other questions for Dave on this? Joan?

Joan McDonald: Nope. I'm good.

Bob Megna: If not, can I have a motion to advance the item?

Joan McDonald: So moved.

Bob Megna: Second?

Paul Tokasz: I do.

Bob Megna: All in favor?

ALL: Aye.

Bob Megna: Any opposed? The motion is approved. Dave will stay with us to do the authority's first quarter 2025 investment report.

Dave Malone: This item seeks the committee's approval to advance to the full board the investment report for the first quarter of 2025. Exhibit A of the item, details all the investments purchased during the first quarter. Exhibit B details the investments held as of the last day of the quarter, March 31st, 2025. During that quarter we purchased \$2.18 billion investments that was comprised of \$2.04 billion in thruway authority funds, \$127 million in state PIT revenue bond program funds and \$15 million in trust fund bond program funds. And as of the last day of the quarter, we held investments with a par value of 1.44 billion with 1.4 billion of that being Thruway Authority Funds, a very small amount, \$2 million, in state PIT revenue bond program funds and \$35 million in trust fund bond program funds. The average yield for the Thruway Authority Funds during the quarter was 4.26% with a weighted average maturity of 46 days. It represents a 14 basis point decrease compared to the fourth quarter. And with that I can answer any questions the committee may have.

Bob Megna: Do we know what... How often does DOB give you a heads-up of when they're going to use the Authority? I'm just curious.

Dave Malone: So they gave us a heads up in earlier this year about probably a month and a half or two months ago, and there's an item on today's agenda to authorize a state PIT bond deal that we'll be doing later this year. So they have put us back into rotation here and we'll be talking about it in a little bit.

Bob Megna: Fantastic. Any other discussion? Any other questions for Dave? If not, can I get a motion to advance the item?

Paul Tokasz: So moved.

Bob Megna: A second?

Joanne Mahoney: Second.

Bob Megna: All in favor?

ALL: Aye.

Bob Megna: Opposed? The motion is approved. And fourth item is authorization of general revenue junior indebtedness obligations. Dave?

Dave Malone: So this item seeks the Finance Committee's approval to advance to the full board a resolution authorizing the issuance of junior indebtedness obligations and/or general revenue bonds to refund certain outstanding bonds, approving the form of certain related bond documents and authorizing an authorized officer to execute any other necessary documents. So this resolution would authorize us to issue up to \$1.35 billion of bonds on a negotiated or competitive basis. It would be valid from one year from today and it includes flexibility for either a single issuance or multiple issuances to be done as long as we don't exceed in aggregate that \$1.35 billion cap. An important part of the resolution is that this is not a new money authorization, meaning the proceeds as the bonds issued will not be used to provide funding for our current capital program and ultimately will not result in us having more debt within the organization as we currently have.

The purpose of the authorization is to generate debt service savings via refunding or tender offering of bonds that are currently outstanding. The authorization includes flexibility to issue either junior indebtedness obligations, also referred to as JIOS, which is our junior lien or general revenue bonds, which is our senior lien. For background on that, prior to 2013 the authority only had one lien, it was our general revenue bond resolution that was authorized back in 1992. And in 2013, in conjunction with the commencement of the governor of Mario M. Cuomo Bridge project and approval of a federal TIFIA loan to partially fund that project, we adopted a second bond resolution which was the junior indebtedness resolution and that permitted the authorization... or the issuance, excuse me, of junior lien bonds.

As a condition of that TIFIA loan, there was restrictions governing the use of senior and junior lien proceeds, specifically proceeds from the senior lien bonds could not be used to fund the bridge project and proceeds from the junior lien bond, the JIOS, could only be used to fund the bridge project. In 2019 we paid off the TIFIA loan and that eliminated the restriction, the monies can be used for either purpose at this point.

The current plan for this transaction is to issue a JIOS as this allows greater overall flexibility within our financing plan going forward, but including the option for both gives us flexibility to adjust to market conditions as we go forward. There's two series of bonds that are currently outstanding that we're looking at as candidates to refund. One was \$850 million of the Series 2016A JIOS. As the date says they were issued in 2016. For the purpose of funding the Governor Mario M. Cuomo Bridge project, those bonds are callable on January 1st, 2026, and can be defeased as early as October of 2025, and they barring a significant change in interest rates, we'll be able to generate savings by refunding a significant portion of those bonds.

The second is some general revenue bond, Series M, that we had partially tendered last year as part of a bond deal, but there's potential to save some money on those as well via a couple of options that we're looking at. And to put this into context, based on recent market conditions, the actions we're considering would generate net present value savings of just under \$40 million, obviously since it depends on what the rates would be at the time we went out.

And with that, to answer any questions the committee may have, we have Steve Peyser on with us today from Public Resource Advisory Group, they're our financial advisor. And Sam Litton who's our bond council with Hawkins Delafield & Wood. And with that we can answer any questions Committee may have.

Bob Megna: Savings are good. Any questions we have for folks?

Heather
Briccetti-Mulligan: The interest rate when they were issued was actually higher than this.

Dave Malone: The coupon rate on the 2016A JIOS, some of the coupon rates are as high as 5%. So the current rates, Steve, what are the current rates, about 4.3%?

Steve Peyser: Yeah, when the bonds were issued, they're issued with premium bond coupons. So even though the yields could have been lower in 2016, the coupons fives and five and a quarters are worth refunding. And right now we're looking at yields anywhere on the short end, just about 3% up to longer end in 2056, just under 5%, 4.94%.

Dave Malone: Intuitively it doesn't seem like you're going to save money because the interest rates are higher, but because of these call options and the fact that they're issued

at a premium, when they become callable there is a savings opportunity there.
It's typically-

Steve Peyser: That's right.

Dave Malone: Yep.

Bob Megna: Other questions? If not, can I get a motion to advance this item?

Joanne Mahoney: So moved

Bob Megna: A second?

Paul Tokasz: Second.

Bob Megna: All in favor? Aye.

Joanne Mahoney: Aye.

Bob Megna: Any opposed? The motion is approved. The next item is the authorization... I knew it was coming. The next item is the authorization of personal income tax revenue bonds and Dave will take us through it.

Dave Malone: This item seeks the Finance Committee's approval to advance to the full board a resolution approving and adopting the 15 supplemental bond resolution authorizing the issuance of state personal income tax revenue bonds series 2025, approving the form of certain related documents and authorizing the execution of any other necessary documents. Thruway Authority, as you know, is authorized by the state of New York to issue state personal income tax revenue bonds, also referred to as PIT bonds, for the purposes defined in state finance law.

The resolution we're seeking approval for today would allow us to issue up to \$3.5 billion of Series 2025 PIP bonds, would be valid from one year from today and could be done either multiple or single issuance within that \$3.5 billion cap. That could be issued on a competitive or negotiated basis as well as on a tax-exempt or federally taxable basis.

Lastly, a portion of these bonds may be designated as green bonds or climate bond certified, which informs prospective investors that the bonds are going to be used to finance projects that meet criteria established by the climate bond initiative. And if issued, the proceeds of the green bonds would be used to finance projects for the Metropolitan Transportation Authority, which is qualified for that certification.

So proceeds from the bonds are expected to be used to reimburse the cost of transportation and transport transit projects throughout the state, including but not limited to projects within New York State DOT's Capital Plan and, as I

mentioned, MTA's capital plan as well as projects within local municipalities. The Series 25 PIP bonds will be special obligations of the Thruway Authority with debt service payments funded via contractual agreements with the state of New York that are subject to independent annual appropriations by the New York State Legislature. These bonds provide no lien against Thruway Authority revenues or assets.

And with that we have Steve Peyser again, [inaudible 00:16:57] is the financial advisor for this transaction. And also Chris Reitzel from Nixon Peabody whose bond council is on with us today. And with that we can answer any questions the committee may have.

Bob Megna: Any questions on this? Joan?

Joan McDonald: So the repayment goes from the MTA... If it's the MTA as opposed to DOT, it goes from the MTA to the state to us, or directly from the MTA to us?

Dave Malone: To repay the bond holders, that gets appropriated within the state budget and then comes over from out of the state budget.

Joan McDonald: From the state.

Heather
Briccetti-Mulligan: But this is not state issued debt, this is Thruway issued debt.

Dave Malone: It's Thruway issued debt-

Bob Megna: On behalf of the State of New York.

Joan McDonald: So it doesn't count against the state's GO?

Bob Megna: It is not general obligation debt of the state because it is issued by a public authority.

Joan McDonald: That's right. By us.

Heather
Briccetti-Mulligan: But indirectly it would limit the state's ability to issue PIT backed bonds, right?

Bob Megna: These are PIT backed bonds.

Heather
Briccetti-Mulligan: No, no, but the state directly, they can't do that. They can't issue...

Bob Megna: They would have to do GO debt if the state issues directly. They have to issue GO debt, they don't do PIP bonds through GO.

Heather

Briccetti-Mulligan: [inaudible 00:18:13] Okay. So this shows up-

Bob Megna: He's my former [inaudible 00:18:19].

Heather
Briccetti-Mulligan: It shows up in the budget as an appropriation that will be requested by the executive for debt service. So that'll be the way that it is...

Bob Megna: Yes. It's part of the treasure hunt.

Heather
Briccetti-Mulligan: Yeah, exactly. No, I'm just [inaudible 00:18:33].

Bob Megna: Again, please correct me if I'm wrong. The authority is the issuing agent, that's really it.

Dave Malone: Approximately, yes.

Bob Megna: Any other questions? If not, can I have a motion to advance this item?

Joan McDonald: So moved.

Bob Megna: Second?

Joanne Mahoney: Second.

Norman Jones: Second.

Bob Megna: All in favor? Aye. Any opposed? The motion is approved.

And the next question is do we have other business for discussion with this group? If not, we can move to adjournment. Do I have a motion to adjourn?

Joan McDonald: So moved.

Bob Megna: Second?

Joanne Mahoney: Second.

Bob Megna: All in favor? Aye. The Finance Committee is adjourned.

Joanne Mahoney: Thank you very much and thank you to our guests. Also at this time I'd like to call to order the board meeting of the New York State Thruway Authority. It's board meeting number 770. The scheduled meeting has been duly noticed as required by the Open Meetings Law. May I please have a motion to enter the board meeting?

Bob Megna: So moved.

Dave Malone: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanie Mahoney: We are now in the full meeting of the board. Our first order of business is the public comment period for speakers to address items on today's agenda. Julie, has anyone signed up to provide in-person comments or sent in written comments regarding today's agenda items?

Julie Miskinis: No, they have not.

Joanie Mahoney: All right, thank you. That concludes the public comment period on today's agenda. And the next order of business is the approval of the consent items. May I have a motion to approve consent items number one through five?

Joan McDonald: So moved.

Bob Megna: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Hearing no opposition, the consent items and resolutions are approved. And despite that, Dave, you have another agenda item. Number six, please.

Dave Malone: Thank you Chair. I'm just going to take one second before I start this item. And for Steve and Chris and Sam if you guys want to go, you're welcome to drop. It's up to you, you're welcome to stay on, but wanted to let you know you're good to go if you'd like to.

And with that, this item seeks authorization for the executive director to enter into an agreement with the Bank of New York Mellon to provide custody and safekeeping services that are required for the authorities investing in debt management activities. This selection was made using a competitive procurement process. An RFP for these services was distributed to 151 firms and the Bank of New York Mellon was the only firm to respond. Because it was the only firm to respond our procurement office did reach out and canvas non-response or non-proposers, and we did get some feedback. One firm indicated that essentially we didn't have enough investments they wanted, they only did business with organizations that were above a \$5 million floor and the second firm came back and said that they didn't meet the requirements of the RFP.

The Bank of New York Mellon is among the largest custodian banks in the world and is capable of meeting the needs of the authority. Term of the contract will be for a five-year period beginning in December 2025 and the maximum amount payable would be \$800,105 with a portion of those costs paid for through the administrative funds of the state bond programs that we've been talking about today.

And with that I can answer any questions the board may have.

Joanne Mahoney: Thanks. Any questions for Dave? All right. May I please have a motion to advance.

Joan McDonald: So moved.

Joanne Mahoney: And a second?

Norman Jones: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Aye.

Any opposition? The motion is approved.

And agenda item number seven will be presented by Selica Grant, please.

Selica Grant: Thank you Madam Chair. Good afternoon everyone. My item is to grant approval to the executive director to execute a five-year contract in an amount not to exceed \$765,525 with Energetics Corporation to provide statewide employee drug and alcohol testing services for approximately 1100 Thruway employees as required by the testing requirements of the Omnibus Transportation Employees Testing Act, otherwise known as OTETA. Are there any questions?

Joanne Mahoney: Any questions? All right. May I have a motion to advance?

Joan McDonald: So moved.

Joanne Mahoney: And a second, I'm sorry if you're gesturing. I can't see. So.

Heather
Briccetti-Mulligan: Oh, second. Sorry.

Joanne Mahoney: Okay, thank you. All in favor.

ALL: Aye.

Joanne Mahoney: Hearing no opposition, the motion is approved. Thank you Selica for that. And we'll move on to Kevin Wisely for the next four items please.

Kevin Wisely: Thank you Chair. Item eight on the agenda, seeking board authorizations to execute an amendment to the agreement to increase the maximum amount payable by \$3.5 million, resulting in a new maximum payable of \$8,600,000 in Verra Mobility. This is to extend the contract an additional year and pay for the services required. You may recall Verra Mobility administers the New York State Automated Work Zone Speed Enforcement program, which was signed into law in September of 2021 by Governor Hochul. I'll pause there for pending any questions?

Heather Briccetti-Mulligan: I have a question. Do we generate revenue off of that or the work zone enforcement program or does that revenue go elsewhere?

Kevin Wisely: To date we've collected just over \$7 million from the enforcement. We've had about \$4.7 million in expenses to administer the program and that's on 164,000 notices of liability that we've issued since the program began.

Heather Briccetti-Mulligan: So we don't revenue share with the state or anything?

Kevin Wisely: We don't. That comes here and it pays for safety programs and [inaudible 00:25:08] New York State DOT also has a similar program, it's funded the same way.

Heather Briccetti-Mulligan: Right. Okay.

Bob Megna: And that's pursuant to the statute [inaudible 00:25:19] has been extended question five years.

Norman Jones: Question.

Joanne Mahoney: Kevin, how many cameras are we using at any one time?

Kevin Wisely: It varies between our divisions depending on the types of work zones. On average in a particular week we probably average 10 to 12 per division. A little bit less out west, but we're advancing those.

Joanne Mahoney: Is the goal to have a camera on all work zones?

Kevin Wisely: It doesn't fit for every work zone. It depends on how long the work zone's going to be in place, whether it's a mobile work zone, but we have them on the majority of longer duration work zones, and that's the goal is to get them out there as often as we can.

Joanne Mahoney: Excellent.

Heather
Briccetti-Mulligan: It's only active while there's people working there too, right?

Kevin Wisely: That's correct. They're only in active work zone.

Heather
Briccetti-Mulligan: Okay.

Paul Tokasz: I'm not sure that I looked at all... I probably went through 10 work zones on the ride in today and cameras existed at least four or five of those zones.

Joan McDonald: I saw one [inaudible 00:26:29]

Paul Tokasz: And they were... People are calming down clearly compared to since you've seen it.

Joanne Mahoney: Agreed.

Paul Tokasz: So I also think that that might be reflected at some point in revenues, hopefully that the revenues will go down.

Joan McDonald: Will go down. Yeah, there will be fewer violations.

Frank Hoare: Certainly, one of the reasons Governor Hochul proposed it, to renew it and extend was because we've seen driver behavior improve. Outstanding that, in the two years that programs in place, just the throughways issued 167,000 violations and DOT last I saw was approaching around 300,000 in their work zones.

So I'll speak to it more later, but it continues to be a huge problem. We had tragedy last year, two road workers killed. Just last Thursday, a DOT worker was killed across the river from here in Rensselaer. So we've seen improvement but yet there are still people out there who haven't got the message and continue to race through work zones and not pay attention.

Joanne Mahoney: Any other questions for Kevin on agenda item number eight? All right. May I please have a motion to advance?

Bob Megna: So moved.

Joanne Mahoney: Can I have a second?

Norman Jones: I'll second.

Joanne Mahoney: All in favor? Aye.

ALL: Aye.

Joanne Mahoney: The motion is approved. Kevin, number nine, please.

Kevin Wisely: Thank you Chair. Item number nine seeks board authorization to process change order number two to the agreement with L3Harris Technologies to add additional optional items for the land mobile radio system and add additional not to exceed amount of approximately \$5.3 million in additional funds, bringing the new maximum payable on the agreement to approximately \$157 million. L3Harris Technologies has begun the upgrade of the authority's critical communications infrastructure, including voice and data connectivity throughout the 570-mile jurisdiction. This initiative, as you know, will deliver communications equipment to 52 sites spanning New York City to the western border with Canada. L3Harris will also deliver more than 1800 radios. The contract which includes maintenance and system support, provides the authority with the flexibility to meet its evolving needs over the next 20 years. I'll pause there pending any questions?

Joanne Mahoney: Any questions? If not, can I please have a motion to advance?

Joan McDonald: So moved.

Joanne Mahoney: And a second?

Bob Megna: Second.

Joanne Mahoney: Thank you. All in favor?

ALL: Aye.

Joanne Mahoney: Any opposition? The motion is approved. And Kevin, I'll ask you to do number 10 please.

Kevin Wisely: Thank you chair. Item number 10, seeking board authorization to execute an amendment with Empire State Thruway Partners to the lease agreement to revise the terms of the light duty electric vehicle charging station implementation to align with the Federal National Electric Vehicle Infrastructure program requirements, that will allow the authority to be eligible for federal funding. Additionally, the amendment will include the installation of a limited number of medium and heavy duty electric vehicle charging stations at five, to be determined, Thruway service areas. I will pause there pending any questions.

Bob Megna: Any idea on the areas that may [inaudible 00:30:12] for the heavy duty or medium?

Kevin Wisely: We've begun to evaluate that and it's under evaluation. The goal would be to ensure that it's about a 200-mile separation between each. So we're looking at those facilities and where they'll end up going.

Joanne Mahoney: Kevin, I saw in the Thruway clips that the director of the ISO is concerned about capacity and I wonder how closely we work with them in determining the best places for these chargers given where they think we have the best reliability.

Kevin Wisely: We've been working with the utilities and we actually had National Grid in not too long ago. The utilities in the State of New York have all had what they call a proactive planning proceeding before the Department of Public Service, that's going to be actioned this month, where they were looking at their capacity along with electric charging and where that needed to be enhanced. So we've had discussions with the utilities on that regard.

Joanne Mahoney: Yeah, excellent. Especially if we're going to start with five, we might as well go where the power is, right?

Kevin Wisely: Sure.

Joanne Mahoney: Any other questions for Kevin on number 10?

Bob Megna: No, but on all of these, it's really a question for Dave, and I know the answer but I feel like I always ask it, is you've figured any of these adjustments within the basic parameters of the Thruway budget, correct?

Dave Malone: All of the actions being taken, yes, we've looked it all. They're all in there.

Bob Megna: Yep, yep. Thank you.

Joanne Mahoney: All right, may I please have a motion to advance agenda item number 10?

Paul Tokasz: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: And the motion is approved. And the last one please, Kevin?

Kevin Wisely: Thank you Chair. Item number 11, seeking board authorization for the executive director to execute a lease agreement with Tarbell Road Associates LLC, with respect to 11,766 square feet of office space located at 6040 Tarbell Road, Syracuse, New York, to be used in conjunction with the Authority's Syracuse Division Headquarters. As we recall, this is a need for new space as a result of the February fire at our former offices at 290 Elwood Davis Road that rendered that facility clearly unusable for the foreseeable future. Pause there for any questions.

Joan McDonald: How long are we leasing this space for?

Kevin Wisely: 20 years. Yeah, 20 years. [inaudible 00:33:01] had to remind me. Thank you.

Joanne Mahoney: Does the Thruway authority own the other buildings in the other divisions or are they all leases?

Kevin Wisely: There are leases in Buffalo and in New York and we own the facility here in Albany.

Joanne Mahoney: Got you. And you were leasing in Syracuse and then the fire and now just leasing a different place?

Kevin Wisely: That's correct. Correct.

Joanne Mahoney: Any other questions for Kevin on agenda item number 11? If not, can I please have a motion?

Joan McDonald: So moved.

Paul Tokasz: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Aye. The motion is approved. Thank you very much. We will move on to Sandra Rivera please for agenda items number 12 and 13.

Sandra Rivera: Good afternoon. Item number 12 seeks the board approval to execute a first amendment to the agreement with Nixon Peabody to increase the maximum amount payable. Nixon Peabody serves as counsel for litigation related to the Seneca Nation of Indians. The firm also has served as bond counsel on a prior state bond deal and the PIP bond deal that you just approved today. For state bond transactions, we are reimbursed by the division of budget. This amendment increases the maximum amount payable from \$800,000 to \$1,800,000. Take any questions?

Joanne Mahoney: Any questions?

Bob Megna: We're increasing it a lot more?

Sandra Rivera: Yes.

Bob Megna: Okay.

Joanne Mahoney: Any other questions? If not, can I please have a motion to advance?

Bob Megna: So moved.

Joan McDonald: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Aye. The motion is approved. Thank you Sandra. And number 13 too please.

Sandra Rivera: Item 13 seeks board approval to execute personal service agreements with EMA consultants, Ancora and Mueser Rutledge Consulting Engineers to provide litigation support related to Tappan Zee Constructors. These three consultants have been working with NYSTA through our consultant, HNTB. These contracts will now be moved from HNTB to directly with NYSTA. These consultants will assist with litigation in NYSTA's cases related to Tappan Zee Constructors or TZC. The contracts will be for three years with an option to renew for two one-year terms. Mueser Rutledge was involved in the bridge project during procurement as well as providing assistance with regard to the advisory committee presentations and they will continue similar support. Maximum amount payable on that contract is \$300,000. And PMA and Ancora provided assistance in analyzing TZC claims and also provided assistance with the advisory committee presentations and will provide similar support. And maximum amount payable on each of these contracts is \$2 million each. Any questions?

Bob Megna: No, I don't have a question and I don't want to get into it now, but Frank, I'm assuming next time it's relevant you'll update the board on the status of the case, and where we are and those kinds of things.

Frank Hoare: Yes. We'll keep you apprised. Right now we have two cases. A case where we have sued TZC related to the anchor pipes on the bridge and then the second case they have sued us in the court of claims seeking to, [inaudible 00:36:57] the advisory panel's opinion. [inaudible 00:37:05] should do that. Very simply, both cases are going through discovery and discovery is expected to continue through at least the end of the year.

Bob Megna: Thanks Frank.

Joanne Mahoney: Any other questions or conversation? Can I please have a motion to approve?

Bob Megna: So moved.

Joan McDonald: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

- Joanne Mahoney: The motion is approved. Thank you Sandra. And I'm going to ask now that Bob Cournoyer, who is presenting the last seven items on behalf of Brent Howard. Take the floor. Thanks.
- Bob Cournoyer: All right, thank you Madam Chair and good afternoon. Pleasure to be here. I'll be presenting a total of seven items for the board's consideration. The first item, number 14, seeks authorization to execute a term agreement for construction inspection support services for the Governor Mario M. Cuomo Bridge in New York division. These construction inspection services are in support of the upcoming supplemental load path work on the bridge. The maximum amount payable is \$6 million, a three-year term with an option for two additional one year terms, and Hardesty & Hanover Construction Services LLC of New York is the selected firm. Any questions?
- Bob Megna: This is separate from the cabling...
- Bob Cournoyer: Currently right now. So the cable wing stuff is ongoing. The inspection on that was part of the current agreement so this will be for continuation of that contract throughout the year.
- Bob Megna: Thank you.
- Joanne Mahoney: Any other questions? If not, can I please have a motion?
- Bob Megna: So moved.
- Norman Jones: Second.
- Joanne Mahoney: All in favor?
- ALL: Aye.
- Joanne Mahoney: Any opposition? The motion is approved. Number 15.
- Bob Cournoyer: Okay, the second item, number 15, seeks authorization to execute a term agreement for a planning and environmental linkage study or PEL study, of the Grand Island bridges in Interstate I-190 corridor in Western New York. The study will investigate potential alternatives for the future of the Grand Island bridges and the I-190 corridor and will serve to inform future decision-making by the authority. In conjunction with the local MPO, which is the Greater Buffalo Niagara Regional Transportation Committee, the study will examine the lifecycle maintenance costs of the existing bridges, the future traffic needs of the corridor, the needs of the surrounding communities, and develop several concepts to address the future needs of the bridge and the corridor. The study is funded with a \$1.6 million federal grant and the maximum amount payable is \$1.6 million. It's a two-year term with an option for one additional one-year term. And WSP USA of Buffalo is the selected firm. Any questions?

Joanne Mahoney: Any questions or discussion? May I please have a motion to advance?

Paul Tokasz: So moved.

Heather Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Any opposition? The motion is approved. Number 16 please.

Bob Cournoyer: The third item seeks authorization to execute a term agreement for the 2026/2027 Biennial bridge and other structure inspections in the Syracuse and Buffalo Division. These services will supplement the authorities in-house inspection forces in a completion of our Biennial bridge inspection program. This agreement will include inspection of 183 bridges in two divisions as well as 76 overhead sign structures, 44 large culverts and two gantries. The maximum amount payable will be \$3,500,000. It's a two-year term with an option for one additional two-year term. Popli Architecture and Engineering LS, doing business as Popli Design Group of Penfield, New York is the selected firm. Any questions?

Joanne Mahoney: Thank you.

Joan McDonald: Do we use drones at all to help with the inspection?

Bob Cournoyer: Drones supplement our inspection program but they can't be used on their own.

Joan McDonald: Right, right. But we are using them to supplement.

Bob Cournoyer: Yep.

Joanne Mahoney: Okay. Any other questions? May I please have a motion to advance?

Norman Jones: So moved.

Joan McDonald: So moved.

Joanne Mahoney: I heard a second in there. All in favor?

ALL: Aye.

Joanne Mahoney: The item is approved. Number 17 please.

Bob Cournoyer: The fourth item seeks authorization to execute a term agreement for 2026/2027 Biennial bridge and other structure inspections in New York division. The services will supplement the authority's in-house inspection forces in the completion of

the Biennial bridge inspection program. This agreement will include inspection of 148 bridges in the division, including the Governor Mario M. Cuomo Bridge, as well as 173 overhead sign structures, 50 large culverts and one gantry. The maximum amount payable is \$5,500,000. It's a two-year term with an option for one additional two-year term, and Atane Engineers, Architects and Land Surveyors of Ossining, New York is the selected firm. Any questions?

Joanne Mahoney: If not, can I have a motion to approve?

Heather
Briccetti-Mulligan: Moved.

Norman Jones: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Any opposition? The motion is approved. Thank you. Number 18.

Bob Cournoyer: All right. The fifth item seeks authorization to execute a term agreement for the 2026/2027 Biennial bridge and other structure inspections in the Albany Division. These services will supplement the authority's in-house inspection forces in the completion of the Biennial bridge inspection program. This agreement will include inspection of 92 bridges in the division as well as 49 overhead sign structures and five gantries. The maximum amount payable is \$3 million. It's a two-year term with an option for one additional two-year term. And WSP USA Incorporated of Valhalla New York is the selected firm. Any questions?

Joanne Mahoney: Hearing none. Can I have a motion to advance?

Bob Megna: So moved.

Norman Jones: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Aye. Any opposition? The motion is approved and we will move on to agenda item number 19, please.

Bob Cournoyer: All right. Last but not least, the sixth item seeks authorization to execute a term agreement for 2026/2027 Biennial bridge inspection for the governor Mario M. Cuomo Bridge in New York division. These services will cover both the regular biannual inspections, the special inspections, and the ongoing supplemental inspections on the bridge. The maximum amount payable is \$4,500,000. It's a

two-year term with the option for one additional two-year term. And Stantec Consulting Services is the selected firm. Any questions?

Joanne Mahoney: Anybody got any questions?

Bob Megna: I have a more general one and again, not for now. It would be nice I think maybe for the Board Members to know... and Joan, you may know this already. How often when we're using outside folks to do this, is it consistent with EOP use?

Bob Cournoyer: I think so, yeah.

Bob Megna: And percentages and things like that. That would be... If you had some numbers next time, not now, on that would be great.

Bob Cournoyer: As you know, we are using consultants more now because we're having trouble filling vacancies in house, and I know that's a common problem.

Bob Megna: Thank you.

Joanne Mahoney: Any other discussion, questions? All right. May I please have a motion to advance?

Bob Megna: So moved.

Norman Jones: A second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Aye. Hearing no opposition. The motion is approved and you said last, but I think you meant last one of that kind, right? We have one more.

Bob Cournoyer: Last one of that kind.

Joanne Mahoney: Okay.

Bob Cournoyer: The final item. Request a time extension for contract D214187. It's a consultant term agreement for the owner's engineer services for the Governor Mario M. Cuomo Bridge with HNTB, New York Engineering and Architecture. The current contract expires on June 30th, 2025. This \$0 contract extension will extend the existing contract by an additional two years and six months, 30 months basically. With a new end date of December 31st, 2027. This contract needs to be extended so HNTB can continue to assist the authority with project oversight, design services and construction support, related to the supplemental load path work and HNTB will additionally continue to provide support for any ongoing litigation.

Again, this is a supplemental no fee. The original contract value I think was \$168,500,000. And this is just an extension of time. Any questions?

Joanne Mahoney: Any questions? Any discussion on our last agenda item? All right, may I please have a motion to advance?

Bob Megna: So moved.

Heather
Briccetti-Mulligan: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Aye. The motion is approved. Thank you very much.

Now we're going to move on to the part of the agenda where we hear staff reports. And Andy Trombley is up first with the procurement report. Welcome Andy.

Andrew Trombley: Thank you. Good afternoon, Chair Mahoney and members of the board. This quarter's procurement report includes one item, it is an amendment to the authority's contract with Kapsch TrafficCom USA. We provide cashless tolling technical services for our toll system. This item does not increase the maximum amount payable. It does allow for fully executed change orders to be incorporated as part of the contract without the requirement having the process and amendment which expedites service upgrades including the current project underway at Exit 25A, which will enhance our service to the public. That concludes my report today. Do you have any questions?

Bob Megna: Thank You

Joanne Mahoney: Nope. Thanks Andy. And our second report will be from the director, Frank Hoare.

Frank Hoare: Thank you Chair, members of the board. Briefly today, just wanted to focus on safety and bring up today some of the initiatives we're working on here. Safety obviously is our highest priority, it's an imperative for the leadership here and I'm fortunate to have such a great team that supports that every day. We just went through April and May, a series of events in an effort to bring really public attention to the need for safety on our roadways for people to pay attention and slow down, not be distracted because when they don't, the results are catastrophic and tragic.

We know that certainly from last year, 2024 where two of our colleagues were killed and a third suffered serious life-threatening injuries. It was brought home to us again last Thursday with the tragic accident of a DOT worker who was killed

again in a work zone. We talked earlier about behavior has been changing, but we've seen 167,000 violations issued in work zones just from the thruway. In addition, last year 2024, there were 155 work zone intrusions that resulted in one death and 20 injuries. So it continues to be a problem and something that we are focused on. That work zone safety program that the governor extended this year, that money from that program allowed us last year to add \$300,000 approximately to our \$4 million safety budget. We are using that for enhanced training, buying equipment and we're looking at how evolving technology out there can help us make those work zones safer and provide further protection to our workers.

Mid-April, we saw a national work zone awareness week that we participated in, again with the other transportation entities. Went around the state, again trying to get the word out to people to pay attention, slow down. At the end of April there was the Annual Fallen Workers Memorial event at the state fair in Syracuse. Both the chair and I attended and spoke at that event, and it was a somber day for us as we added two names to that memorial of two Thruway workers that were killed last year; Vincent Giammarva and Stephen Ebling. And then finally in early May, many of us attended a worker memorial to Vincent Giammarva at the Henrietta Maintenance Facility. His co-workers and colleagues there, created a memorial to him and enhanced an existing memorial at that site. They did a tremendous job at that and the family was... Vinny's family was there, his children, grandchildren, and I think it was a very moving morning there. And Mark Vara, who was seriously injured in that accident attended. It was the first day that he was out of the hospital in the year since the accident. And the memorial dedication was held on May 9th, which was the first anniversary of that accident.

All that is to say that we continue to put our heads together here and work on improving that. We are working on plans to create a new department here that we will be briefing you all on and asking for your counseling, guidance. We're going to create a chief of... Hire a Chief for the Department of Health and Safety. And that department we envision will consolidate various employee safety programs as well as highway safety programs that are in different places right now. We think that by bringing together one department that it'll enhance that work and make it more effective and efficient, and really send a message to our workers. It's very important to send that message that it is utmost concern and our priority to make their work zone, their work areas, as safe as possible and ensure that everybody that comes to work here, that they return to their families at the end of their working day.

So more to follow on that, but we just wanted to bring up the date. As I said, we spent a lot of time April and May focusing on safety and that will continue to do that. Thank you. That's all my IFS report today, subject to any of your questions.

Joanne Mahoney: Thanks Frank. Bob, questions?

- Bob Megna: Well, not really a question. It is a question and I know there's probably no good answer to it, but one of the things I've noticed, I saw it even the other day up on that on 90, not on the freeway. I know we're all supposed to get over when a state trooper has someone pulled over, but it seems to me sometimes, especially given road conditions, that seems like almost more dangerous than just staying in the lane. Is there any things to do to make sure we're not voiding those places where it's very narrow or there's work stuff going on or anything like that?
- Frank Hoare: Well one, I neglect to say, certainly we have a great partnership with Troop T and the State Police.
- Bob Megna: Yep. And it's dangerous for them too.
- Frank Hoare: Oh yeah, it's dangerous for them. And Kevin has stepped that up. The consultation, collaboration with Troop T and their leader, Major Andre Ray, has been working with us to make work zones safer, to help us with bridge hits, which have been plaguing us the last two years, which is not only very expensive for us as an authority, but obviously is also safety issue, and for unsafe behavior out there. So I can say just in general that anytime a work zone is set up, the top of that consideration is the safety of that work zone and how can it be done in as safe a manner possible with least amount of risk as possible.
- So I believe the Move Over law, which applies not just to emergency vehicles now, but applies to everyone-
- Bob Megna: Everybody, yeah.
- Frank Hoare: If there's a passenger vehicle on the road and it's pulled over for some reason that, you have to move over. I believe that an element of that is to do it in a safe way. And that's the trouble, and the challenge we have is, why we need folks to pay attention. That they see it, they're aware of it, with enough time to move over and to do it safely. I can assure you that the team here spends a lot of time looking at that, not just for our own workers, but even for our consultants and contractors that are out there. Safety briefs are a daily part of that. They're required by a contract that we enter into with our contractors and we require them, if they subcontract out to those contractors and vendors, that they do it in an appropriate way. There are policies and procedures and regulations, and we require them to follow that.
- Norman Jones: Question Frank. Who monitors your contractors? On several occasions recently I've witnessed some unsafe behaviors that has taken place specifically between 46 and 44.
- Frank Hoare: Well, we require our contractor to - if they hire subs, subcontractors - to enforce those rules, those regulations and those policies. In addition, Kevin can talk more to it, but certainly our maintenance and operations teams are out there monitoring those work zones, and they are very diligent and very aggressive if

they see an unsafe act or an unsafe situation, in getting that addressed and rectified. Or there's been times we've gotten calls from the public that will report something like that, and we will send our teams out there. Kevin, anything to add to that?

Kevin Wisely: That particular location serves as a major, as you know, is a major construction zone that we have in place. Our traffic safety groups do periodic inspections and meet with those crews, the contractors responsible for the subcontractors. But certainly if there's any time, as Frank said, we get reports from various organizations. If you happen to see something and I think it should be addressed, we certainly would do that. But our traffic safety folks are out looking at these sites. They're not on site the entire time or the entire day, but they are on a daily basis getting out there and checking the sites.

Norman Jones: Well you said daily, this occurred at night, and a lot of unsafe things occur at night and there's a lot of night activity going on at these sites, so I would hope that you have some safety folks out there doing random checks even at night.

Kevin Wisely: We do have, when we have those nighttime operations, we have, not only our traffic safety supervisors, but we'll have maintenance supervisors that are on duty that would be able to go by those locations.

Norman Jones: Okay.

Kevin Wisely: You're on mute Chair.

Joanne Mahoney: Thank you. Frank, I appreciate the report. And as much as your staff is working continually to improve safety, it's a good reminder, every opportunity we have to remind us not only to slow down and be aware, but about the stakes. And my heart certainly goes out to the DOT employee who lost their life.

I don't think we have anything else on the agenda so we can move on to the public comment period for general authority matters, general three authority matters.

Julie, did anybody sign up to talk for this part of the agenda?

Julie Miskinis: No, they did not, Chair.

Joanne Mahoney: Okay. Thank you. That will conclude the public comment period. And unless there is some other business that somebody wants to bring before this authority board, we can entertain a motion to adjourn.

Bob Megna: So moved.

Paul Tokasz: Second.

Joanne Mahoney: All in favor?

ALL: Aye.

Joanne Mahoney: Thank you. We are adjourned. And our next meeting is scheduled for Tuesday, September 16th at 1:00 P.M. I want to thank everybody who attended the meeting today and wish you all a pleasant and relaxing summer. Bye-bye.

Joan McDonald: Thank you.