



**MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 753
March 28, 2022**

Meeting minutes of the New York Thruway Authority, due to COVID19 was held by Webinar.

The meeting of the New York State Thruway Authority Board opened in session for the consideration of various matters. These minutes reflect only the items considered by the New York State Thruway Authority Board. The meeting began approximately at 11:43 a.m.

The following committee members were present on Webinar:

Joanne M. Mahoney, Chair
Robert Megna, Vice-Chair
Jose Holguin-Veras, Ph.D., Board Member
Donald Rice, Board Member
Heather Briccetti, Board Member
Steve Saland, Board Member

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

Staff present on Webinar:

Matthew J. Driscoll, Executive Director
Matthew Trapasso, Chief of Staff
Matt Howard, Treasurer and Chief Financial Officer
Frank Hoare, General Counsel
Rich Lee, Chief Engineer
Jim Konstalid, Director of Maintenance & Operations
Jen Givner, Director Media Relations
John Barr, Acting Director Administrative Services
Mary Boehm, Acting Director, Audit Management Services
Andy Trombley, Director of Contracts & Procurements
Peter Nilsson, Information Technology Specialist
Tanya Morris, Board Secretary

Chair Mahoney called the meeting of the Thruway Authority Board to order.

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

PUBLIC COMMENT PERIOD RELATED TO THE MEETING AGENDA

Chair Mahoney stated that due to COVID19 and Executive Order 202.1, we are able to have our Board Meeting by Webinar. Individuals who wish to address items on today's agenda would have had to submit their written comments via email prior to this Board Meeting to the Board Administrator.

Chair Mahoney asked Ms. Morris if there were any public comments. Ms. Morris stated there were no public comments.

Item 1 by Chair Mahoney (Appendix A)
Approval of the Minutes of Meeting No 752

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. 752 held January 31, 2022, which was made available to the Board Members as part of the Agenda.

Item 2 by Matt Howard (Appendix B)
Financial Report– December 2021

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

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

Upon motion duly made and seconded, the Board accepted the Financial Report for December 2021.

Item 3 by Matt Howard (Appendix C)
Review and Approval of the Authority's Annual Investment Report

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

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 the Authority's Annual Investment Report and adopted the following resolution:

RESOLUTION NO.6348

REVIEW AND APPROVAL OF THE AUTHORITY'S ANNUAL INVESTMENT REPORT

RESOLVED, that the Authority's Investment Report including the revised policy statement FINANCIAL INVESTMENTS, the annual report by the independent auditors, and the listing of investment income has been reviewed and is hereby approved, and be it further

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

Item 4 by Matthew Howard (Appendix D)
Annual Report of the 2021 Procurement Contracts

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

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

Upon motion duly made and seconded, the Board approved the Annual Report of the 2021 Procurement Contracts and adopted the following resolution:

RESOLUTION NO. 6349

ANNUAL REPORT OF 2021 PROCUREMENT ONTRACTS

RESOLVED, that the Schedules of 2021 Procurement Contracts (Exhibits A1, A2 and A3), as submitted, are hereby accepted, and be it further

RESOLVED, that all such contracts were executed in accordance with the applicable provisions of the following Board approved Policy Statement: PROCUREMENT CONTRACTS

(25-5-01), unless otherwise authorized by the Board, and be it further

RESOLVED, that the Bond Sale Report for Calendar Year 2021 (Exhibit B), as submitted, is hereby accepted, and be it further

RESOLVED, that staff is authorized to submit this report to the New York State entities as required by Section 2879 of the Public Authorities Law, and be it further

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

Item 5 by Presentation by Brendan Kennedy (Appendix E)
Report of BST & Co. CPAs, LLC's Audit of the Authority's Financial Statements,
Report on Compliance with Single Audit Requirements, Report on Compliance with
Investment Guidelines and Required Communications to the Authority's Board

Mr. Kennedy presented the resolution on the above item.

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

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

RESOLUTION NO. 6350

REVIEW AND APPROVAL OF THE REPORT OF BST & CO. CPAs, LLC's AUDIT OF THE AUTHORITY'S FINANCIAL STATEMENTS, REPORT ON COMPLIANCE WITH SINGLE AUDIT REQUIRMENTS, REPORT ON COMPLIANCE WITH INVESTMENT GUIDELINES AND REQUIRED COMMUNICATIONS TO THE AUTHORITY'S BOARD

RESOLVED, that the Authority's Financial Statements, Report on Compliance with Single Audit Requirements, Report on Compliance with Investment Guidelines and Report on Internal Control Over Financial Reporting and Compliance and Other Matters Based on an Audit of the Authority's Financial Statements has been reviewed and is hereby approved, and be it further

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

Item 6 by Frank Hoare (Appendix F)
Review and Approval of Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, and Code of Ethics Policy

Mr. Hoare presented the resolution for Review and Approval of Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, and Code of Ethics Policy.

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

Upon motion duly made and seconded, the Board approved the Review and Approval of Thruway Policy's and adopted the following resolution:

RESOLUTION NO. 6351

REVIEW AND APPROVAL OF REAL PROPERTY
MANAGEMENT POLICY, PERSONAL PROPERTY DISPOSAL
POLICY, PROCUREMENT CONTRACTS POLICY,
WHISTLEBLOWER POLICY, CODE OF ETHICS GOVERNING
EMPLOYEES AND CODE OF ETHICS GOVERNING BOARD
MEMBERS

RESOLVED, that the Real Property Management Policy, Personal Property Disposal Policy, Procurement Contracts Policy, Whistleblower Policy, Code of Ethics Governing Employees and Code of Ethics Governing Board Members, as contained in Exhibit A, be, and the same hereby are, approved, and be it further

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

Item 7 by John Barr (Appendix G)

Authorizing a Contract with Joseph Bress to assist in negotiations of Authority Labor Agreements

Mr. Barr presented the resolution to Authorize a Contract with Joseph Bress to assist in negotiations of Authority Labor Agreements.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized the contract with Joseph Bress and adopted the following resolution:

RESOLUTION NO. 6352

AUTHORIZING A CONTRACT WITH JOSEPH BRESS TO ASSIST IN NEGOTIATIONS OF AUTHORITY LABOR AGREEMENTS

RESOLVED, that an agreement with Joseph M. Bress on the terms and conditions contained in the agenda item, and such other terms and conditions as may be determined by the Executive Director and the General Counsel to be in the Authority's best interest be, and hereby is, authorized, and be it further

RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy be, and hereby are, waived, and be it further

RESOLVED, that the Executive Director, or his designee be, and hereby is, authorized to execute an agreement with Mr. Joseph M. Bress and to take all such actions as may be necessary to effectuate such agreement, including execution of any and all documents in relation thereto, and be it further

RESOLVED, that the Executive Director, or his designee, shall have the authority to exercise all powers reserved to the Authority under the contract with Mr. Bress; manage and administer such contract; amend the provisions of the contract consistent with the terms of this item and other Board authorizations; and suspend or terminate the contract as it may be in the best interest of the Authority, and be it further

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

Item 8 by Matthew Howard (Appendix H)
Authorizing the Execution of Supplemental Agreement No. 2 to Engineering Agreement D214695 with Stantec Consulting Services, Inc.

Mr. Howard presented the resolution to Authorize the Execution of Supplemental Agreement No. 2 to Engineering Agreement D214695 with Stantec Consulting Services.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized Supplemental Agreement No. to Engineering Agreement D214695 with Stantec Consulting Services and adopted the following resolution:

RESOLUTION NO. 6353

AUTHORIZING THE EXECUTION OF SUPPLEMENTAL
AGREEMENT NO. 2 TO ENGINEERING AGREEMENT
D214695 WITH STANTEC CONSULTING SERVICES, INC.

RESOLVED, that the Chief Engineer be, and he hereby is, authorized to execute Supplemental Agreement No. 2 to D214695 with Stantec Consulting Services, Inc. for an additional sum of \$800,000 and a one-year extension, and such Supplemental 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 revised Maximum Amount Payable for this Agreement (D214695) be \$2,100,000, and the revised term be through October 31, 2023, 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 Supplemental Agreement, manage and administer the Supplemental Agreement, amend the provisions of the Supplemental Agreement consistent with the terms of this Item and in accordance with the 2022 Contracts Program Resolution and other Board authorizations, and suspend or terminate the Supplemental Agreement in the best interest of the Authority, and be it further

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

Item 9 by Jim Konstalid (Appendix I)

Authorizing the Executive Director to Execute an Agreement C010633 with Precision Environmental Services, Inc. for Soil Remediation Services at the Verona Maintenance Facility

Mr. Konstalid presented the resolution to Authorize the Executive Director to Execute an Agreement with Precision Environmental Services, Inc. for Soil Remediation Services at the Verona Maintenance Facility.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized the Agreement C010633 with Precision Environmental Services, Inc. and adopted the following resolution:

RESOLUTION NO. 6354

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT C010633 WITH PRECISION, ENVIRONMENTAL SERVICES, INC. FOR SOIL REMEDIATION SERVICES AT THE VERONA MAINTENANCE FACILITY

RESOLVED, that the Executive Director be, and he hereby is, authorized to execute Agreement (C010633) with Precision Environmental Services, Inc., for a Maximum Amount Payable of \$550,000 with a term of April 1, 2022 to March 31, 2023 to conduct Soil Remediation Services at the Verona Maintenance Facility (“Agreement”); and be it further

RESOLVED, that the Executive Director, or his designee, be, and hereby is, authorized to exercise all powers reserved to NYSTA under the amendments authorized hereby; and be it further

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

Item 10 by Rich Lee (Appendix J)

Authorizing Additional Funding for TAGS 22-5/D214853, Garden State Parkway Connector (MP GS0.00 to MP GS2.40): Pavement Resurfacing

Mr. Lee presented the resolution for Authorizing Additional Funding for TAGS 22-5/D214853, Garden State Parkway Connector (MP GS0.00 to MP GS2.40): Pavement Resurfacing.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board authorized Additional funding for TAGS 22-5/D214853, Garden State Parkway and adopted the following resolution:

RESOLUTION NO. 6355

**AUTHORIZING ADDITIONAL FUNDING FOR TAGS 22-5/ D214853,
GARDEN STATE PARKWAY CONNECTOR (MP GS0.00 TO MP GS2.40)
PAVEMENT RESURFACING**

RESOLVED, that an additional \$1,386,590 (revising the total contract value to \$6,386,590) for TAGS 22-5/D214853, Garden State Parkway Connector (MP GS0.00 to MP GS2.40) Pavement Resurfacing be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TAGS 22-5/D214853 from project deferments and bid savings from the 2022 Contracts Program, and be it further

RESOLVED, that the Chief Engineer 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 the minutes of this meeting.

Item 11 by Rich Lee (Appendix K) Authorizing Additional Funding for TANE 22-22B/ D214321, North Avenue Bridge over I-95 MP 605.76

Mr. Lee presented the resolution for Authorizing the Additional Funding for TANE 22-22B/D214321, North Avenue Bridge over I-95 MP 60.76.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized Additional Funding for TANE 22-22B/D214321, North Avenue Bridge over I-95 MP 60.76 and adopted the following resolution:

RESOLUTION NO. 6356

AUTHORIZING ADDITIONAL FUNDING FOR TANE 22-22B/ D214321,
NORTH AVENUE BRIDGE OVER I-95 AT MP 605.76

RESOLVED, that an additional \$8,000,000 (revising the total contract value to \$26,00,000) for North Avenue Bridge over I-95 at MP 605.76 be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TANE 22-22B/D214321 from project deferrals and bid savings from the 2022 Contracts Program, and be it further

RESOLVED, that the Chief Engineer 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 the minutes of this meeting.

Item 12 by Rich Lee (Appendix L Authorizing Additional Funding for TANY 22-21/ D214875, I-287/Route 17S (Exit 15, MP 29.4) to north of Suffern (MP 38.7) Pavement Resurfacing

Mr. Lee presented the resolution for Authorizing Additional Funding for TANY 22-21/ D214875, I-287/Route 17S (Exit 15, MP 29.4) to north of Suffern (MP 38.7) Pavement Resurfacing.

Details of the discussion with Board Members are included in the audio recording of the meeting.

Upon motion duly made and seconded, the Board Authorized Additional Funding for TANY 22-21/D214875 and adopted the following resolution:

RESOLUTION NO. 6357

AUTHORIZING ADDITIONAL FUNDING FOR TANY 22-21/ D2143875, I-287/ROUTE 17S (EXIT 15, MP 29.4) TO NORTH OF SUFFERN (MP 38.7) MILL TO CONCRETE WITH 4.5" OVERLAY

RESOLVED, that an additional \$15,000,000 (revising the total contract value to \$50,00,000) for I-287/Route 17S (Exit 15, MP 29.4) to north of Suffern (MP 38.7) mill to concrete with 4.5" overlay be, and the same hereby is authorized, and be it further

RESOLVED, that the additional funding be allocated to TANY 22-21/D214875 from project deferments and bid savings from the 2022 Contracts Program, and be it further

RESOLVED, that the Chief Engineer 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

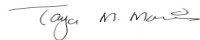
RESOLVED, that this resolution be incorporated in the minutes of this meeting.

GENERAL PUBLIC COMMENT PERIOD

Chair Mahoney asked Ms. Morris if there was any public comment regarding the Board Meeting and Ms. Morris said no.

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 12:01 p.m.



Tanya M. Morris
Board Secretary