



**MINUTES
NEW YORK STATE THRUWAY AUTHORITY
BOARD MEETING NO. 751
December 6, 2021**

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 11:55 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
Stephen Saland, Board Member
Heather Briccetti, 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
Joseph Igoe, Deputy Counsel
Matt Howard, Treasurer and Chief Financial Officer
Rich Lee, Chief Engineer
Jim Konstalid, Director of Maintenance & Operations
Harry Lennon, Director Audit & Management Services
Josh Klemm, Director of IT
Jen Givner, Director Media Relations
John Barr, Director of Administration Services
Mary Boehm, Deputy Director Audit & Management Services
Rick Bower, Chief Auditor
Eric Christensen, Deputy Director of Operations
Andy Trombley, Director of Contracts & Procurements
Frank Macarilla, Information Technology Specialist

Sean Lasher, 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 comments. Details of the comments are included in the Webinar recording of the meeting.

Item 1 by Chair Mahoney (Appendix A)
Approval of the Minutes of Meeting No 750

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. 750 held September 20, 2021, which was made available to the Board Members as part of the Agenda.

Item 2 by Matt Howard (Appendix B)
Financial Reports– August & September 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 Reports for August & September 2021.

Item 3 by Matt Howard (Appendix C)
Investment Transactions –Third Quarter 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 video recording of the meeting.

Upon motion duly made and seconded, the Board approved the Item.

Item 4 by Matt Howard (Appendix D)

Approval of the 2021 Revised Budget and the 2022 Proposed Budget for the New York State Thruway Authority

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 revised plan and adopted the following resolution:

RESOLUTION NO. 6332

**APPROVAL OF THE 2021 REVISED BUDGET AND THE
2022 PROPOSED BUDGET FOR THE NEW YORK STATE
THRUWAY AUTHORITY AND ADOPTION OF A
DECLARATION OF OFFICIAL INTENT TO ISSUE TAX-
EXEMPT AND/OR TAXABLE OBLIGATIONS**

RESOLVED, that the Report on the 2021 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 2021 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 New York State Thruway Authority's (the "Authority") proposed Budget for the fiscal year 2022, submitted by the 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 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 (1) the Authority hereby expresses its intention to issue tax-exempt and/or taxable obligations in one or more series in a maximum principal amount not to exceed \$1,500,000,000 (collectively, the “Bonds”) for the purpose of financing capital projects for the New York State Thruway sections and connections constituting roads or bridges as described in or contemplated by the Authority’s 2022-2026 Capital Program , including any facilities and equipment used for or in support thereof (collectively, the “Project”); this Declaration of Official Intent (the “Declaration”) shall constitute a declaration of the official intent on behalf of the Authority, under Section 1.150-2 of the Income Tax Regulations promulgated by the Department of the Treasury, to use proceeds of the Bonds to reimburse itself for certain acquisition, construction, equipping, planning, design, legal or other costs and expenses originally paid by the Authority in connection with the Project with funds other than proceeds of the Bonds prior to the issuance of the Bonds (the "Advanced Funds"); (2) all of the expenditures initially made or to be made with the Advanced Funds and then to be reimbursed to the Authority from proceeds of the applicable series of Bonds will be for (a) costs of a type properly chargeable to the capital account of the Project under general income tax principles, (b) extraordinary, non-recurring

working capital expenditures (of a type not customarily payable from current revenues) for which the Authority or a related party does not maintain a reserve for such items, or (c) costs of issuing the Bonds; (3) other than any preliminary expenditures for architectural, engineering, surveying, soil testing, costs of issuing the Bonds or similar purposes that may have been paid more than sixty days prior to the date of this Declaration, no expenditures to be reimbursed have been paid more than sixty days earlier than the date of this Declaration; and (4) the officers and employees of the Authority are hereby authorized to do all acts and things required of them by this Declaration for the full, punctual and complete performance of all the terms, covenants and agreements contained herein or necessary or convenient to the issuance of the Bonds as provided herein.

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

Item 5 by Rich Lee (Appendix E)
Approving the 2022 Thruway Contracts Program

Rich presented the resolution for Approving the 2022 Thruway Contracts Program.

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 2022 Contracts Program and adopted the following resolution:

RESOLUTION NO. 6333

APPROVING THE 2022 THRUWAY CONTRACTS PROGRAM

RESOLVED, that the 2022 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 2022 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 2022 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 Contracts Program Budget Allocation | 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 Contracts Program Budget Allocation | 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 \$300,000 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 such real property interests (fee title, easements, etc.) in accordance with the provisions of the Authority's Real Property Management Policy, as may be necessary for implementation of the 2022 Thruway Contracts Program, provided that the total amount of acquisitions shall not exceed \$300,000 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 2022 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 Board-approved Maximum Amount Payable (MAP) by more than \$150,000 for agreements with a Board-approved MAP up to and including \$1,000,000, or 15 percent for agreements with a Board-approved MAP that exceeds \$1,000,000; | Approval | Confirm Funding | No Action Required | No Action Required |
| Additional funds do not exceed the Board-approved MAP by more than \$300,000 for agreements with a Board-approved MAP up to and including \$1,000,000, or 20 percent for agreements with a Board-approved 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 2022 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 2022 Budget which are otherwise not required for expenditure during 2022 to the proper fund in accordance with acceptable budgeting and accounting procedures;
- B. to monitor total cash expenditures for the 2022 Contracts Program to ensure that they do not exceed \$338,282,614 for the Thruway Authority during the 2022 Fiscal Year;
- C. to return bid checks submitted for such contracts to unsuccessful bidders, and to make necessary adjustments in the respective 2022 approved Budget as required by implementation of any part of this Resolution;
- D. to consummate transfers of jurisdiction of real property with other State agencies or authorities, and to dispose of real property interests (fee title, easements, etc.) in accordance with the provisions of the Authority's Real Property Management Policy, as may be necessary for implementation of the 2022 Thruway Contracts Program; 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 2022 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 6 by Josh Klemm (Appendix F)

Authorizing the Executive Director to extend a Non-Engineering Personal Services Contract With I-Site, Inc to provide software development and maintenance support services for the Governor Mario M. Cuomo Bridge web site

Josh presented the resolution for Authorizing the Executive Director to extend a Non-Engineering Personal Services Contract With I-Site, Inc to provide software development and maintenance support services for the Governor Mario M. Cuomo Bridge web site.

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 Contract with I-Site and adopted the following resolution:

RESOLUTION NO. 6334

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXTEND A
NON-ENGINEERING PERSONAL SERVICES CONTRACT WITH
I-SITE, INC. TO PROVIDE SOFTWARE DEVELOPMENT AND
MAINTENANCE SUPPORT SERVICES FOR THE GOVERNOR
MARIO M. CUOMO BRIDGE WEB SITE**

RESOLVED, that the Executive Director or his designee be, and hereby is, authorized to execute an amendment to extend a Non-Engineering Personal Services Contract with I-Site, Inc. for a maximum amount payable of \$49,500 through December 31, 2022 for the purpose of providing personal services related to the Governor Mario M. Cuomo Bridge web site; and be it further

RESOLVED, that such amendment shall be on terms and conditions deemed to be in the best interest of the Authority and consistent with all Authority policies; 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 provisions of the agreement, manage and

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

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

Item 7 by Jim Konstalid (Appendix G)

Authorizing the Executive Director to Execute an Agreement with EarthCam, Inc. for Image Hosting and Camera and Maintenance Services for the Operation of One High-Resolution Camera to Monitor the Aesthetic Lighting Displays on the Governor Mario M Cuomo Bridge

Mr. Konstalid presented the resolution to Authorize the Executive Director to Execute an Agreement with EarthCam, Inc. for Image Hosting and Camera and Maintenance Services for the Operation of One High-Resolution Camera to Monitor the Aesthetic Lighting Displays on the Governor Mario M Cuomo Bridge.

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 execution of the Executive Director to Execute an Agreement with EarthCam, Inc. and adopted the following resolution:

RESOLUTION NO. 6335

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH EARTHCAM, INC. FOR IMAGE HOSTING AND CAMERA AND MAINTENANCE SERVICES FOR THE OPERATION OF ONE HIGH-RESOLUTION CAMERA TO MONITOR THE AESTHETIC LIGHTING DISPLAYS ON THE GOVERNOR MARIO M. CUOMO BRIDGE

RESOLVED, that the competitive procedures required by the Thruway Authority Procurement Contracts Policy are waived and the Executive Director or his designee be, and hereby is, authorized to negotiate and execute an Agreement with EarthCam, Inc. for image hosting and camera and maintenance services for the operation of one high-resolution camera to monitor the aesthetic lighting displays on the Governor Mario M. Cuomo Bridge; and be it further

RESOLVED, that such Agreement will be for a term of five (5) years, shall have a maximum amount payable not to exceed

\$63,975.00, and shall be on such other terms and conditions as the Executive Director, Acting Director of Maintenance and Operations, and General Counsel determine to be in the best interest of the Authority; and be it further

RESOLVED, that Chief Financial Officer be, and hereby is, authorized to charge expenditures for services rendered pursuant to such Agreement to the Department of Maintenance and Operations Budget; and be it further

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

Item 8 by Jim Konstalid (Appendix H)
Authorizing the Executive Director to Exercise a Five-Year Renewal Option with the New York State Department of Agriculture and Markets for the Operation of a Taste NY Market at the Mohawk Valley Welcome Center

Mr. Konstalid presented the resolution to Authorizing the Executive Director to Exercise a Five-Year Renewal Option with the New York State Department of Agriculture and Markets for the Operation of a Taste NY Market at the Mohawk Valley Welcome Center.

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 Executive Director to Exercise a Five-Year Renewal Option with the New York State Department of Agriculture and Markets for a Taste NY Market at the Mohawk Valley Welcome Center and adopted the following resolution:

RESOLUTION NO. 6336

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXERCISE A FIVE-YEAR RENEWAL OPTION WITH THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR THE OPERATION OF A TASTE NY MARKET AT THE MOHAWK VALLEY WELCOME CENTER

RESOLVED, that the Executive Director or designee be, and he hereby is, authorized to exercise a five-year renewal option on Agreement C010381 with the New York State Department of Agriculture and Markets for the operation of a TasteNY Market at the Mohawk Valley Welcome Center; and be it further

RESOLVED, that the Executive Director or designee, shall, relative to such agreement, have the authority to:

- (1) exercise all powers reserved to the Authority under the provisions of the agreement, including, but not limited to, exercising any renewal and termination rights the Authority has;
- (2) manage and administer the agreement; and
- (3) alter the provisions of the agreement, consistent with terms of this agenda item and other applicable Board authorizations;

and be it further

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

Item 9 by Jim Konstalid (Appendix I)
Authorizing Work Zone Speed Violation Monitoring System Demonstration Program

Mr. Konstalid presented the resolution to Authorize Work Zone Speed Violation Monitoring System Demonstration Program.

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 Work Zone Speed Violation Monitoring System Demonstration Program and adopted the following resolution:

RESOLUTION NO. 6337

AUTHORIZING WORK ZONE SPEED VIOLATION
MONITORING SYSTEM DEMONSTRATION PROGRAM

RESOLVED, that a demonstration program implementing speed violation monitoring systems in work zones by means of photo devices (“Work Zone Demonstration Program”) be established in accordance with Chapter 421 of the Laws of 2021 (“Law”); and be it further

RESOLVED, that Authority staff is authorized to issue a request for proposals seeking a contractor for elements related to the operation of the Work Zone Demonstration Program or authorized to participate with the New York State Department of Transportation in the issuance of a request for proposals seeking a contractor for elements related to the operation of the Work Zone Demonstration Program; and be it further

RESOLVED, that Authority staff and/or its selected contractor is authorized to send notices of liability to alleged violators of work zone speed limits and collect monetary penalties in accordance with the Law; and be it further

RESOLVED, that Authority staff and/or its selected contractor is authorized to send records to traffic violations bureaus, courts, administrative tribunals and the Office of State Comptroller in accordance with the Law; and be it further

RESOLVED, that Authority staff is authorized to collect and allocate any funds received from penalties in accordance with the Law; and be it further

RESOLVED, that the Chair or Executive Director, or their designees, be and hereby are authorized to take all other actions necessary for the implementation and operation of the Work Zone Demonstration Program in accordance with the Law; and be it further

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

Item 10 by Director Driscoll (Appendix J)
Authorization of a Limited Waiver for the Use of Non-Domestic Structural Steel for the Construction of Ten Service Areas

Director Driscoll presented the resolution for Authorization of a Limited Waiver for the Use of Non-Domestic Structural Steel for the Construction of Ten Service Areas.

Board Member Heather Briccetti obtained from voting on this item. 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 a Limited Waiver for the Use of Non-Domestic Structural Steel for the Construction of Ten Service Areas and adopted the following resolution:

RESOLUTION NO. 6338

**AUTHORIZATION OF A LIMITED WAIVER FOR THE USE OF
NON-DOMESTIC STRUCTURAL STEEL FOR THE
CONSTRUCTION OF TEN SERVICE AREAS**

RESOLVED, that the Thruway Authority Board hereby determines that as it relates to the structural steel necessary for the construction of ten service areas located at Chittenango, Junius Ponds, Indian Castle, Ardsley, Iroquois, Clarence, Clifton Springs, Plattekill, New Baltimore, and Pembroke, that non-domestic structural steel may be used by Empire State Thruway Partners, LLC (“Empire”) at such locations because: (i) domestic structural steel “cannot be produced or made in the U.S. in sufficient and reasonably available quantities” to meet the Project’s necessary schedule and (ii) “such iron, steel products or steel components is necessary for the operation of or repairs of critical infrastructure that is necessary to avoid a delay in the delivery of critical services that could compromise the public welfare”; and be it further

RESOLVED, that the Executive Director or his designee, be and hereby is, authorized to negotiate and enter into a change order with Empire to effectuate the use of non-domestic structural at such ten service areas, and on other terms and conditions that the Executive Director, General Counsel, Director of Maintenance and Operations, Chief Engineer and Chief Financial Officer determine are in the best interests of the Authority; and be it further

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

Item 11 by Andrew Trombley (Appendix K) Report on Procurement Contracts and Other Agreements Up to \$300,000 Executed by the Executive Director During the Period July 1, 2021 through September 30, 2021

Mr. Trombley presented the report on Procurement Contracts to the Board.

Upon motion duly made and seconded, without any objections, the Board accepted the Report on Procurement Contracts and other Agreements Executed by the Executive Director during the period July 1, 2021 through September 30, 2021.

GENERAL PUBLIC COMMENT PERIOD

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

OTHER BUSINESS

**Item 12 by Chair Mahoney (Appendix L)
Proposed 2022 Board Meeting Dates**

Chair Mahoney presented Proposed 2022 Board Meeting Dates

January 31, 2022

March 28, 2022

June 13, 2022

September 12, 2022

December 5, 2022

Upon motion duly made and seconded, without any objections, the Board accepted the Proposed 2022 Board Meeting Dates

Director Driscoll had a few updates he presented to the Board:

Snow & Ice Preparation – Jim Konstalid

Elonda Mackey becoming the new Chief Compliance Officer & she received a M/WBE Champion Award for the 2021 NYS MWBE Forum

Procurement Office

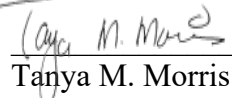
Snow & Ice Preparation

Real Property Office

Drones

ADJOURNMENT

There being no other business, upon motion duly made and seconded, the board voted to adjourn the meeting at 12:32 p.m.



Tanya M. Morris
Board Secretary