



MINUTES

NEW YORK STATE CANAL CORPORATION

BOARD MEETING NO. CC-128

February 2, 2005

Minutes of a meeting of the New York State Canal Corporation, held in the Board room at Administrative Headquarters, 200 Southern Boulevard, Albany, New York, 12209.

The meeting began at 10:30 a.m.

There were present:

**John L. Buono, Chairman
Nancy Carey Cassidy, Board Member
John R. Riedman, Board Member**

Constituting all of the members of the Canal Corporation Board.

In addition, there were present the following staff personnel:

**Michael R. Fleischer, Executive Director
John Brizzell, Deputy Executive Director, Chief Engineer
John Bryan, Chief Financial Officer
Sharon O'Connor, General Counsel
William Rinaldi, Acting Director, Operations**

Joanne Riddett, Director, Information Technology
Wendy Allen, Director, Department of Planning Services
Christopher Waite, Director, Engineering Services and Assistant Chief Engineer
George Tanner, Director, Maintenance Engineering and Assistant Chief Engineer
Michael Flynn, Director, Audit and Management Services
Jill Warner, Secretary and Board Administrator
Captain Richard Smith, Troop T
Daniel Gilbert, Director, Public Affairs
Wilma DeLucco, Director, Administrative Services
Donald Bell, Director, Albany Division
Ramesh Mehta, Director, New York Division
Lawrence Frame, Acting Director of Canals
David Boshart, Director, Office of Land Management
Donald Ross, Assistant to the Director, Canal Corporation
Richard Matters, Real Estate Specialist 2, Bureau of Real Property Management
Sharon Leighton, Senior Project Development Specialist, Office of Canal Development
Richard Garrabrant, Deputy Division Director, Buffalo Division
Also in Attendance:
Cathy Woodruff, Reporter, Albany Times Union
Murray Bodin, Public
Paul Carubia, Public

Chairman Buono noted that he, Ms. Carey Cassidy and Mr. Riedman had received and reviewed the Agenda submitted for consideration at this meeting and were prepared to act on each of the items.

Ms. Warner recorded the minutes as contained herein.

Public notice of the meeting had been given, Ms. Warner said.

Item 1 by Ms. Warner (Appendix A)
Minutes of Meeting No. CC-127

On the motion of Mr. Riedman, seconded by Ms. Carey-Cassidy, without any objections, the Board approved the minutes of Meeting No. CC-127 held on January 6, 2005 which were made available to the Board Members as part of the Agenda.



Item 2 by Mr. Frame (Appendix B)

Approving Revised Policy 25-6-01C – Canal Real Property Management Policy

After full discussion, on the motion of Ms. Carey-Cassidy, seconded by Mr. Riedman, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 335

**APPROVING REVISED POLICY 25-6-01C – CANAL REAL
PROPERTY MANAGEMENT POLICY**

RESOLVED, that the revised Canal Real Property Management Policy attached hereto as Exhibit A is hereby approved, replacing all prior real property policies, and be it further

RESOLVED, that the revised Policy shall take effect immediately; and be it further

RESOLVED, that the Executive Director be, and he hereby is, directed to, in conjunction with the Director of Canals and the Director of Administrative Services modify operational policies and/or administrative procedures as necessary to incorporate and be consistent with the revised policy, and be it further

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

Item 3 by Mr. Frame (Appendix C)

Authorizing the Executive Director to Execute a Non-Engineering Personal Services Contract with Green Thumb Environmental Beautification, Inc. for Provision of Basic Maintenance and Beautification Services at Facilities Under the Control of the Canal Corporation

After full discussion, on the motion of Mr. Riedman, seconded by Ms. Carey-Cassidy, without any objections, the Board adopted the following resolution:



Item 3 by Mr. Frame (Appendix C)

Authorizing the Executive Director to Execute a Non-Engineering Personal Services Contract with Green Thumb Environmental Beautification, Inc. for Provision of Basic Maintenance and Beautification Services at Facilities Under the Control of the Canal Corporation (Continued)

RESOLUTION NO. 336

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A NON-ENGINEERING PERSONAL SERVICES CONTRACT WITH GREEN THUMB ENVIRONMENTAL BEAUTIFICATION, INC. FOR PROVISION OF BASIC MAINTENANCE AND BEAUTIFICATION SERVICES AT FACILITIES UNDER THE CONTROL OF THE CANAL CORPORATION

RESOLVED, that the Executive Director is hereby authorized to execute a non-engineering personal services contract with Green Thumb Environmental Beautification, Inc. for provision of basic maintenance and beautification services at facilities under the control of the Canal Corporation, and be it further

RESOLVED, that such contract with Green Thumb Environmental Beautification, Inc. is authorized by Section 163-a of the New York State Executive Law and the Canal Corporation's Procurement Policy (25-5-01C), and be it further

RESOLVED, that the contract hereby authorized shall provide for payment not to exceed \$9.03 per hour per employee. The maximum amount payable under this contract is \$204,988, and be it further

RESOLVED, that the contract will be effective May 1, 2005, through April 30, 2006, and be it further

RESOLVED, that the Executive Director or his designee shall be authorized to take all actions necessary to implement this Board action; and be it further



Item 3 by Mr. Frame (Appendix C)

Authorizing the Executive Director to Execute a Non-Engineering Personal Services Contract with Green Thumb Environmental Beautification, Inc. for Provision of Basic Maintenance and Beautification Services at Facilities Under the Control of the Canal Corporation (Continued)

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 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 4 by Mr. Frame (Appendix D)

Authorization to Continue a Whitehall Permit Pilot Project for Lock C-12

After full discussion, on the motion of Mr. Riedman, seconded by Ms. Carey-Cassidy, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 337

AUTHORIZATION TO CONTINUE A WHITEHALL PERMIT PILOT FOR LOCK C-12

RSOLVED, a two-year pilot program has been in place in the Village of Whitehall, allowing for the Chamber of Commerce to purchase lock passes for the use of Lock C-12 for \$2.00 per pass, and to distribute same to recreational boaters; and be it further

RESOLVED, the benefits of this program are evident in recreational boating trends on the Champlain Canal; and be it further



Item 4 by Mr. Frame (Appendix D)
Authorization to Continue a Whitehall Permit Pilot Project for Lock C-12
(Continued)

RESOLVED, the Village of Whitehall and the Chamber of Commerce have recently indicated that they would like to continue the pilot program, citing its success and positive effect on the local economy; and be it further

RESOLVED, that the existing pilot project be continued for the 2005 navigation season and that staff should develop proposed changes to the Corporation's Rules & Regulations to establish a more permanent program; and be it further

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

Item 5 by Mr. Frame (Appendix E)
Authorizing Donation of Tug Buffalo to the Town of Waterford

After full discussion, on the motion of Mr. Riedman, seconded by Ms. Carey-Cassidy, without any objections, the Board adopted the following resolution:

RESOLUTION NO. 338

**AUTHORIZING DONATION OF TUG BUFFALO
TO THE TOWN OF WATERFORD**

RESOLVED, that the Town of Waterford has worked diligently to restore the Tug Buffalo to historic condition, raising significant funds and local support in the process; and be it further

RESOLVED, that the Canal Corporation wishes to see the Tug Buffalo fully restored and operating on the waters of the Canal System, helping tell the story of the integral role that the Buffalo and other magnificent vessels of her ilk played in the development of New York State; and be it further



Item 5 by Mr. Frame (Appendix E)
Authorizing Donation of Tug Buffalo to the Town of Waterford
(Continued)

RESOLVED, that the Canal Corporation seeks to preserve the best of the past, but must allocate funds first to the maintenance and operation of the Canal System itself, and cannot always dedicate unlimited resources to important restoration and historic preservation projects; and be it further

RESOLVED, that the Town of Waterford has expressed a willingness to take on this task, as restoration and display of this storied vessel will compliment existing local projects such as the Tug Chancellor and the Waterford Tugboat Roundup, and add to the educational and heritage tourism opportunities within the region and along the Canal System as a whole; and be it further

RESOLVED, that the Town of Waterford has proved a conscientious steward of its historic resources and will enlist the State Historic Preservation Office in their efforts to properly and accurately restore and interpret this historic vessel; and be it further

RESOLVED, that the State Historic Preservation Office endorses the transfer of this vessel to the Town of Waterford; and be it further

RESOLVED, that the Canal Corporation and Town of Waterford have partnered together extensively and successfully in the past on a variety of projects, such partnership being recently recognized with the presentation of the Authority's "Partners in Excellence" award; and be it further

RESOLVED, that the Tug Buffalo be transferred to the Town of Waterford for consideration of one dollar; and be it further



Item 5 by Mr. Frame (Appendix E)
Authorizing Donation of Tug Buffalo to the Town of Waterford
(Continued)

RESOLVED, that the Canal Corporation endeavor to assist the Town of Waterford in their continued efforts to restore the Buffalo through technical support and historical information; and be it further

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

Adjournment

There being no further business to come before the Board, on the motion of Mr. Riedman, seconded by Ms. Carey-Cassidy, without any objections, the meeting was adjourned.

Jill B. Warner
Secretary

