

A Video Conference Meeting of the Dormitory Authority of the State of New York (“DASNY”) was held at the Dormitory Authority’s New York City Office at 28 Liberty Street, New York New York and via video conference on Wednesday, May 11, 2022 at 9:30 a.m. Members participated in person and via Zoom.

CALL TO ORDER / ROLL CALL

The Meeting was called to order by Alfonso Carney, Board Chair at 9:30 a.m. and a quorum was declared present.

Sara Richards, Assistant Secretary, called the roll.

The following Board Members and Staff were present:

Board Members Present—New York

Gerard Romski, Esq. – Board Member

Board Members Present – Via Zoom

Alfonso L. Carney, Jr. – Chair

Beryl L. Snyder, Esq. – Secretary

Jonathan Gardner, Esq. – Board Member

Joan M. Sullivan – Board Member

Janice McKinnie – Board Member

Adrian Swierczewski--Designated Representative of the Director of the Budget, Board Member (*ex officio*)

Ken Evans, Designated Representative of the Commissioner of Health, Board Member (*ex officio*)

Phyllis Morris---Designated Representative of the Commissioner of Education, Board Member (*ex officio*) – Board Member

Board Members Absent

John B. Johnson—Vice-Chair

Wellington Chen—Board Member

Staff Members Present

Reuben R. McDaniel, III, President and Chief Executive Officer

Paul G. Koopman, Vice President

Kimberly A. Ellis, Chief Financial Officer

Nadine Fontaine, Esq., General Counsel

Portia Lee, Managing Director, Public Finance and Portfolio Monitoring

Stephen Curro, Managing Director, Construction

Ricardo Salaman, Esq., Deputy General Counsel

Sara Potter Richards, Esq., Managing Senior Director, Governance and Administration

Kathy Ebert, Senior Director, Internal Audit

Craig Schreivogl, Director, Portfolio Monitoring
David Ostrander, Assistant Director, Public Finance
Jenilee Flinton, Assistant Director, Internal Audit
Nicholas A. Palas, Assistant Director, Internal Audit
Dena Amodio, Esq., Assistant General Counsel
Jeffrey Gordon, Senior Director, Communications & Marketing
Deborah Fasser, Director, Strategic Communications and Business Development
Karen E. Ehlinger, Manager, Internal Control Analysis
Dwight Flynn, Esq., Managing Assistant Counsel
Alex Sirdine, Financial Analyst
Amanda Nazario, Confidential Legal Assistant

Bond Counsel – via Zoom

Christopher J. Reitzel, Esq., Nixon Peabody LLP
Douglas M. Seaton, Esq., D. Seaton and Associates
Eileen B. Heitzler, Esq., Orrick, Herrington & Sutcliffe LLP
Damon Pace, Esq., Orrick, Herrington & Sutcliffe LLP
Gabriel J. Marous, Esq., Marous Law Group, P.C.

Several members of the public were also present via Zoom.

The Board Chair thanked the Members and Bond Counsel for the time and attention they devote to the important work that DASNY does. He noted that DASNY is fortunate to have a talented and hard working legal staff as well as highly capable Outside Counsel who understand the legal intricacies of the various aspects of this work.

Upon a motion by Mr. Romski and a second by Ms. Sullivan, the Minutes of the DASNY April 6, 2022 Board Meeting were approved unanimously.

FINANCE COMMITTEE REPORT

Mr. Romski reported that after approving the Finance Committee Meeting Minutes from the April 5, 2022 Meeting, the Finance Committee voted to recommend the Barnard College and Memorial Sloan Kettering transactions to the Full Board for Single Approval.

BARNARD COLLEGE—SINGLE APPROVAL

The Chair introduced Alex Sirdine of DASNY, Christopher J. Reitzel, Esq., of Nixon Peabody LLP and Douglas M. Seaton, Esq., D. Seaton and Associates, co-bond counsel on the transaction. The Chair noted that this is the first time Mr. Sirdine has presented to Board, and stated he is pleased to see him in this role.

Mr. Sirdine stated that the Board is being asked to authorize the issuance of one or more series of tax-exempt and/or taxable, fixed and/or variable rate bonds with a maturity not to exceed 30 years in an amount not to exceed \$150,000,000 on behalf of Barnard College. He further stated that proceeds from the Series 2022 Bonds are expected to be used to refund and restructure the

DASNY Barnard College Revenue Bonds, Series 2015A in anticipation of a new money issuance in 2023, and to refund the Series 2020B variable rate bonds with fixed rate bonds.

Mr. Sirdine informed the Members that the restructuring portion of the issuance will provide the College with approximately \$15 million of debt service relief between fiscal years 2024 and 2028, or \$3.0 million annually. He noted that Barnard is contemplating a new money transaction for fiscal year 2023, and that the first five years of debt service for the new money transaction are expected to equal the amount of debt service being reduced through this restructuring.

Mr. Sirdine explained that this transaction enables the College to issue the new money debt in 2023 with no increase in debt service between 2024 and 2028, while also leveling out the College's aggregate debt service on all outstanding debt. He stated that the principal on the proposed refunding bonds is anticipated to mature between 2034 and 2039. He noted that the restructuring is not expected to produce savings on a net present value basis.

Mr. Sirdine stated that proceeds from DASNY's 2020 issuance provided funding for design and up-front enabling work of the College's science building, Altschul Hall. He further stated that the 2023 new money issuance will be brought to the Board for approval at a later date. It is expected that the financing will fund the renovation and expansion of Altschul Hall, increasing the size of the facility from 118,000 square feet to 175,000 square feet and providing additional space for new and existing science programs and STEM education. Mr. Sirdine informed the Members that the new facility will be renamed the Roy and Diana Vagelos Center following the receipt of a \$55 million donation, more than double the size of the largest donation in the College's history.

Mr. Sirdine stated that the College is seeking to reduce its variable rate debt exposure by refunding the 2020B Bonds with publicly offered fixed rate Bonds. He further stated that the Loan Agreement will be a general obligation of the College and no security interest in any revenues or assets of the College will be granted by the College to DASNY under the Loan Agreement.

Mr. Sirdine summarized additional information about the College. He stated that applications have increased by approximately 35% over the last five years, from just over 7,700 applicants in Fall 2017 to over 10,000 in Fall 2021. Of this number, the College accepted approximately 1,200 applicants or 11.5%. Mr. Sirdine stated that total FTE enrollment for Fall 2021 was just over 3,000 students. He informed the Members that operating margins remain low or negative, mainly due to increased capital spending beginning in fiscal year 2019 and the impact of the COVID-19 pandemic in fiscal years 2020 and 2021. Mr. Sirdine stated that the College increased capital spending, beginning in fiscal year 2019, to enhance its program offerings by investing in technology and the modernization of some of its facilities.

Mr. Sirdine stated that in response to the COVID-19 pandemic, the College transitioned from in-person instruction to fully remote beginning in Spring 2020 and returned to in-person/hybrid instruction in Fall 2021. As a result, Auxiliary Revenue, which includes student housing, bookstore, dining halls and similar services, declined by approximately 74% in fiscal year 2021. Notwithstanding this decline, the College's financial resources have grown over five years; total

Cash and Investments increased by \$127.3 million, or 33.6%, over the five-year period, mainly due to investment gains and gifts.

Mr. Sirdine explained that Barnard's long-standing academic affiliation with Columbia University provides the College with a unique market advantage over its primary competitors. He stated that although the College is fully independent from Columbia University, Barnard students can cross enroll in Columbia classes, use Columbia's facilities and participate in the athletic consortium between the schools. He further stated that the College is currently rated A2 by Moody's.

Mr. Reitzel further described the transaction and presented the financing documents. He stated that the Board is being asked to adopt three Series Resolutions authorizing, individually and in the aggregate, \$150,000,000 of DASNY's Barnard College Revenue Bonds. Mr. Reitzel further stated that the Bonds are proposed to be issued under DASNY's Barnard College Revenue Bond Resolution, adopted in March 2015 and the Series Resolutions.

Mr. Reitzel informed the Members that the proceeds of the Authorized Bonds are expected to be used to refund all or a portion of the outstanding Barnard College Revenue Bonds, Series 2015A and Series 2020B Bonds. He stated that in order to provide flexibility for the College with respect to structure and timing, the Board is being asked to authorize the issuance of three series of tax-exempt and/or taxable Bonds, which may be issued at one or more times.

Mr. Reitzel stated that it is currently anticipated that a portion of the Authorized Bonds will be issued as tax-exempt, unenhanced, fixed rate Bonds and a portion of the Authorized Bonds will be issued as taxable, unenhanced, fixed rate Bonds. He stated that if market conditions allow, additional authorized bonds may be issued in the future, which are expected to be taxable, unenhanced, fixed rate bonds to advance refund certain of the remaining outstanding refunded bonds. The Series Resolutions do not limit the discretion of DASNY officers to determine to issue in other configurations than currently contemplated and they may be publicly offered or sold pursuant to private placement. If the Bonds are publicly offered, Goldman Sachs would be the Lead Underwriter, and if sold pursuant to private placement, Goldman Sachs is expected to serve as placement agent.

Mr. Seaton further described the provisions of the Bond documents. He explained that the General Resolution provides for the issuance from time to time of multiple Series of Bonds, each Series separately secured from each other except as otherwise provided in the applicable Series Resolutions. Mr. Seaton stated that the Authorized Bonds are "special obligations" of DASNY payable solely out of the Revenues, which consist of the payments made by the College under the applicable Loan Agreement. He further stated that payment of the Authorized Bonds is secured by the pledge and assignment made by the General Resolution of the Revenues and the moneys and investments held in the funds and accounts established by the General Resolution and the Series Resolutions.

Mr. Seaton informed the Members that the Series Resolutions delegate to various officers of DASNY the power to make certain determinations as described in the Bond Counsel letter and to do all things necessary or convenient in connection with the sale and issuance of the Bonds.

Mr. Seaton stated that DASNY and the College will execute a Loan Agreement in connection with each issuance of the Authorized Bonds, which will require the College to make timely payment of debt service on the applicable Authorized Bonds. He noted that the College's obligation to make payments under the Loan Agreement will be a general obligation. Mr. Seaton informed the Members that consistent with DASNY Guidelines, any Loan Agreement will contain the appropriate standard document provisions and may include additional security provisions based on market conditions and practices. He stated that it is anticipated that any Loan Agreement will be an unsecured obligation of the College. Mr. Seaton noted that the College will also enter into an Agreement to Provide Continuing Disclosure in connection with the issuance of any publicly offered Authorized Bonds.

Ms. Snyder moved the adoption of the following entitled Resolutions:

DORMITORY AUTHORITY OF THE STATE OF NEW YORK SERIES RESOLUTION
Authorizing Up To \$150,000,000 Barnard College Revenue Bonds

Ms. McKinnie seconded the motion, and the Resolutions were unanimously adopted.

MEMORIAL SLOAN KETTERING CANCER CENTER--SINGLE APPROVAL

President McDaniel introduced Portia Lee of DASNY, Eileen Heitzler, Esq. of Orrick Harrington & Sutcliffe, LLP and Gabriel Marous, Esq. of the Marous Law Group, co-bond counsel on the transaction. He noted that Mr. Bergin, who would typically present this transaction, is pricing the School Districts transaction at this time.

Ms. Lee stated that the Board is being asked to authorize the issuance of one or more series of tax-exempt and/or taxable, fixed and/or variable rate bonds at one or more times, with a maturity not to exceed 30 years in an amount not to exceed \$500,000,000 on behalf of Memorial Sloan Kettering Cancer Center. Ms. Lee further stated that the bonds may be issued through a negotiated offering, on a competitive basis and/or private placement. She informed the Members that the current plan of finance anticipates the Series 2022 bonds to be privately placed or directly purchased.

Ms. Lee stated that the proceeds of the bonds will be used to purchase all or a portion of 2 office buildings in Manhattan to be used for academic and corporate office space; the purchase of residential units to be used for employee housing on Roosevelt Island in Manhattan; the funding of renovations, improvements and equipment purchases at the Memorial Hospital for Cancer and Allied Diseases in Manhattan; and the funding of clinical improvements including equipment purchases at its ambulatory care facilities in Manhattan. She noted that Memorial Sloan Kettering will allocate the bond proceeds to these projects as it deems appropriate.

Ms. Lee informed the Members that the Bonds will be secured by a General Obligation of the Center Corporation and guarantees from Sloan-Kettering Institute for Cancer Research and S.K.I. Realty Inc. She stated that the bonds are expected to receive ratings of AA- from S & P and AA from Fitch.

Ms. Lee provided some background information on operations. She stated that for the year ended December 31, 2021, clinical volumes have increased compared to the same period in 2020, as patient activity started to recover from the COVID-19 outbreak. For 2021, the Hospital reported increases in outpatient visits, increases in surgical cases, and admissions.

Ms. Lee stated that Memorial Sloan Kettering Cancer Center is a multibillion dollar corporation with over \$14.9 billion in total assets, approximately \$5.1 billion in total liabilities and over \$9.8 billion in total net assets. She further stated that in 2021, total contributions raised through fundraising efforts were over \$576 million.

Ms. Heitzler further described the transaction and presented the financing documents. She stated that MSKCC has requested that DASNY issue bonds to finance all or a portion of the cost of acquiring, improving and/or equipping of facilities for the delivery of patient care, research and education in cancer and allied diseases or otherwise ancillary services and facilities related thereto. Ms. Heitzler further stated that the bonds will be issued under a general resolution that was adopted by DASNY in 2003. She informed the Members that while it is expected that the bonds will bear fixed rates to their maturity dates, they may also provide for MSKCC to direct a mandatory tender and change to a new interest rate mode on any date that they are subject to redemption, which is expected to begin 10 years after issuance. Ms. Heitzler explained that three Series Resolutions are proposed in order to allow flexibility for bonds to be issued at different times, a taxable series of bonds, a series in a different mode or a series that is separately offered, if a separate series were to be advantageous.

Ms. Heitzler stated that the proceeds will be loaned to the Cancer Center pursuant to a 2003 loan agreement, which provides that the obligations to make loan repayments and other payments are general obligations of the Center. She explained that the Center's obligations under the Loan Agreement are secured by guarantees of payment by Sloan Kettering Institute for Cancer Research and S.K.I. Realty Inc., two not for profit corporations affiliated with the Center and referred to as the Guarantors. Ms. Heitzler stated that in addition, Memorial Hospital executed an Inducement Agreement pursuant to which it agrees to be bound by certain provisions of the loan agreement that relate to it as an affiliate of the Center. She stated that the guaranties and the inducement agreement were also entered into in 2003.

Ms. Heitzler informed the Members that the loan agreement, guaranties and inducement agreement are currently unsecured obligations of the applicable parties. She noted, however, that upon the occurrence of a funding event, certain collateral consisting of mortgages on certain property and a pledge of certain revenues is required to be provided for the joint benefit of bonds issued under the 2003 Resolution, taxable bond indentures of MSK and an indenture relating to NJEDA bonds. Ms. Heitzler stated that actions of the trustees or holders of the various bonds are governed by an intercreditor agreement.

Mr. Marous provided additional information about the bond documents. He stated that the proposed series resolutions authorize the issuance of up to \$500 million of authorized bonds under the Memorial Sloan-Kettering Cancer Center Revenue Bond Resolution adopted in 2003. Mr. Marous explained that the 2003 general resolution authorizes DASNY to issue multiple series of bonds, for an unlimited amount, to help the Center finance or refinance the costs of one or more projects. He stated that the Board is being asked to adopt three series resolutions.

Mr. Marous explained that each series resolution authorizes bonds to be offered to the public through either a negotiated sale to the underwriters or a direct sale to one or more investors, at one or more times, in a limited or private placement on terms negotiated directly with the purchasers. He stated that it is currently expected that the bonds will be sold through a direct purchase or private placement to financial institutions or institutional investors and therefore no official statement would be prepared.

Mr. Marous informed the Members that each series resolution authorizes bonds to be issued as fixed rate or variable rate, as tax-exempt or taxable, and with or without credit enhancement. He noted that currently, the bonds are expected to be issued in at least one tax-exempt series and one taxable series, all bearing interest at fixed rates to maturity.

Mr. Marous informed the Members that each series resolution delegates to various officers of the Authority the power to determine the terms of the Bonds, including but not limited to the principal amount not to exceed \$500 million in the aggregate, the maturity of the bonds not to be later than 30 years from the July 1 next succeeding their date of issuance, whether the bonds bear interest at fixed rates or variable rates, whether the bonds are option bonds and the provisions regarding tender for purchase, whether the bonds are tax-exempt or taxable and whether the bonds are sold at a public or private sale. He stated that each series resolution also authorizes various officers of the Authority to prepare, execute and deliver all related documents, including but not limited to preliminary and final official statements, bond purchase agreements and notices of sale.

The Board Chair observed that the purchase of 104 residential units on Roosevelt Island to be used for employee housing is unusual. He stated that while he does not object to it, the project is not one that DASNY typically sees, and inquired whether DASNY can expect to see more of these types of projects in the future. Ms. Lee responded that MSKCC is a large employer and feels that this component is an important part their ongoing operations.

Ms. Snyder moved the adoption of the following entitled Resolutions:

DORMITORY AUTHORITY OF THE STATE OF NEW YORK Memorial Sloan Kettering Cancer Center 2022 Series 1 Resolution Authorizing Up To \$500,000,000 2022 Series 1 Bonds

DORMITORY AUTHORITY OF THE STATE OF NEW YORK Memorial Sloan Kettering Cancer Center 2022 Series 2 Resolution Authorizing Up To \$500,000,000 2022 Series 2 Bonds

DORMITORY AUTHORITY OF THE STATE OF NEW YORK Memorial Sloan Kettering Cancer Center 2022 Series 3 Resolution Authorizing Up To \$500,000,000 2022 Series 3 Bonds

Ms. Sullivan seconded the motion, and the Resolutions were unanimously adopted.

AUDIT COMMITTEE REPORT

Mr. Gardner delivered the Audit Committee Report. He stated that the audit committee met yesterday and after approving the minutes from the prior meeting, Kathy Ebert updated the

Committee regarding this year's audit plan and presented the internal audit plan for the upcoming year, which the Committee approved. He further stated that Karen Ehlinger delivered a report on internal controls.

Mr. Gardner informed the Members that yesterday was Ms. Ebert's last audit committee meeting, and today is her last board meeting. He complimented Ms. Ebert's professionalism in undertaking her role. Mr. Gardner stated that Ms. Ebert has worked at DASNY for 13 years, and he has worked with her on the audit committee for approximately six of those 13 years. He informed the Members that the Internal Audit Department is strong, but Ms. Ebert will be missed.

The Board Chair thanked Ms. Ebert for her service and stated she will be missed. He stated that under her leadership, the Internal Audit Department has grown and improved significantly. The Board Chair acknowledged that the role of Internal Auditor is a difficult one, and that Ms. Ebert has handled it extremely well. He wished her luck in her new role. Ms. Ebert thanked Mr. Gardner and the Board Chair.

PRESIDENT'S REPORT

The President informed the Members that the State passed a budget on April 9. He stated that the \$220-billion-dollar budget contained provisions that will benefit DASNY. The President noted that DASNY's design build authority has been extended, as well as the ability to create subsidiaries. The President reported that the Budget also contained a significant healthcare component, demonstrating the Governor's commitment to healthcare transformation in the State of New York. He stated that approximately \$1.6 billion of that amount will be for DOH and OMH infrastructure projects, and that DASNY would be involved in some of those programs.

The President informed the Members that the Budget also included a new grant program called Community Resilience, Economic Sustainability and Technology, or CREST. This is a new \$385 million grant program that will be administered by DASNY when the program is launched. He stated that the budget also created two smaller grant programs: a nonprofit infrastructure grant program for \$50 million and a higher education facilities capital matching grant program for \$45 million. The President noted that approximately \$2.2 billion was reappropriated for the existing State and Municipal Facilities Grant Program.

The President reported that the \$200 million social equity cannabis investment fund was passed through the budget. He explained that this fund will enable the State to assist social equity applicants on the retail dispensary side for legalized adult use cannabis. The President informed the Members that DASNY will assist with the locating and build out of approximately 150 facilities, and the RFP for the fund manager should go out today. He stated that the RFP for design build firms will go out by the end of the week, and DASNY will be very busy over the next year with this work. The President stated that ribbon cuttings for the first dispensaries are expected toward the end of 2022 and continue until the second quarter of 2023.

The President stated that the Board will have several items to approve in order to establish a subsidiary in connection with this work. He further stated that more information will be

provided at the June Board Meeting regarding DASNY's role in assisting the Office of Cannabis Management.

Mr. Ronski asked who selects the dispensary locations. The President responded that DASNY will be assisting with the location selection process, but the Office of Cannabis Management will make the final decision. He explained that Jim Lupoli, Director of DASNY Real Property and his staff have been very helpful in identifying potential locations, which will be presented to OCM to make the final decision.

The Board Chair asked the Members to carefully consider this new facet of DASNY's business and to give it their full attention. He encouraged them to contact President McDaniel with their questions or concerns about this new aspect of DASNY's business. He stated that the President is prepared to discuss this matter with them and answer any questions they have. The Board Chair emphasized that the time to ask questions is now, so that they have the answers in advance of the time when they will need to act. He stated that he has contacted the President, Vice President, and members of Counsel's Office with questions and encouraged the other Members to do the same.

President McDaniel thanked the Board Chair and indicated he would be happy to answer any questions the Members have. He thanked Nadine Fontaine, Ricardo Salaman, Jim Lupoli, Steve Curro and Paul Koopman for their assistance with this program.

The President reported that the budget provided the long awaited authorization for a \$750 million DOH Consolidated lab to be located in Albany. He stated that DASNY's design build team will focus on reimagining and reconfiguring the scope of work, and then that project will get underway. The President emphasized that this is a very large and important project for DASNY.

The President stated that although COVID numbers have picked up, DASNY is trying to introduce some social events and the first will be an outdoor ethnic food festival food in June. The Board Chair thanked the President for his comprehensive report.

PUBLIC FINANCE REPORT

Ms. Lee delivered the Public Finance Report. She stated that since the last Board meeting, DASNY priced and closed Wagner College, completed the St. John's Private Placement Forward Delivery, priced Northwell yesterday and are in the market today with School Districts. Ms. Lee further stated that these deals were priced in a very volatile market. She noted that the Fed raised rates 50 basis points last week, although the Fed Chairman signaled that policy makers are not actively considering 75 basis point rate hikes. Ms. Lee further noted that the market is currently expecting a 50 basis point rate hike in June as well as July as the Fed continues to grapple with inflation.

Ms. Lee informed the Members that DASNY is keeping in touch with our clients regarding refundings while monitoring savings. She indicated that, with rates rising, clients planning capital projects will likely want to access the markets given the projections for expected rate increases in the future.

Ms. Lee provided a market update. She stated that total year to date new issue volume for 2022 is approximately \$138.7 billion, down 8.3% from last year's comparable volume, and that total supply for the week is expected to be heavier than recent averages at about \$10.8 billion. Ms. Lee further stated that tax-exempt bond yields were unchanged on Tuesday with the 10-year AAA MMD flat at 2.88% and the 30-year holding steady at 3.21%. She reported that U.S. government bond yields were lower with both the 10-year and 30-year Treasury yields decreasing by nine basis points to 2.99% and 3.13%, respectively, and that municipal bond funds reported outflows for the week ending May 4th after reporting outflows previously.

Ms. Lee reported that since the April 6th Board meeting, the one-year MMD rate has increased by 40 basis points, the 10-year MMD has increased by 68 basis points, and the 30-year MMD has increased by 66 basis points. In that same time period, the 10-year Treasury yield has increased by 45 basis points and the 30-year Treasury yield has increased by 56 basis points.

Ms. Lee informed the Members that Moody's upgraded New York State's issuer rating and the ratings on general obligation, PIT and Sales Tax bonds to Aa1 from Aa2, citing an increase in resources, agile management, expanded reserves, reduction in certain liabilities and strong governance.

Ms. Lee stated that the Board materials contain a Bond Sale Summary including performance metrics.

Ms. Snyder thanked Ms. Lee for her report and asked whether she anticipates more work in the first half of the year as a result of the rising interest rates. Ms. Lee stated that she believed additional financings are likely because clients will want to lock in rates if they have new money projects on the horizon as rates are rising. She noted that DASNY will monitor the opportunity for client refunding opportunities as a result of the rise in rates. Ms. Lee stated that we are seeing greater retail interest in the front end of the curve, which has a positive impact on pricings. Ms. Snyder observed that as people leave equities, they tend to seek out bonds as bonds are historically less volatile than the equities market. She stated that she would be pleased to convene for additional meetings as necessary to accommodate the needs of DASNY clients to access the markets more quickly. Ms. Lee thanked Ms. Snyder and the rest of the Members for their willingness to hold special meetings when necessary to meet client schedules.

President McDaniel informed the Members that for the School Districts pooled financing pricing currently underway, there has been significant retail interest. Ms. Snyder stated that she is pleased to see the State's ratings increase, and thanked DASNY staff for their good work in navigating a difficult market.

FINANCIAL REPORT

Ms. Ellis delivered the Financial Report. She stated that the monthly financial report included in the Board materials includes preliminary results for the fiscal year ending March 2022. She noted that staff are still booking entries to allocate expenses and book accruals. Ms. Ellis stated that more detailed information on financial results for the fiscal year will be provided in connection with the audited financial statements at the June meeting.

Ms. Ellis provided a brief update on the year-end audit progress. She reported that staff are working diligently to meet all deadlines for the audit. KPMG is primarily performing all work remotely, with the ability to come onsite as needed. Ms. Ellis reported that KPMG is using the internal audit staff for portions of the work. She informed the Members that weekly status updates will begin next week in order to ensure that the financial statements are issued next month.

Ms. Ellis informed the Members that DASNY has started the process of replacing JD Edwards and issued an RFI last week. She explained that the purpose of the RFI is to gain insight into the options currently available, since it has been several years since DASNY has considered replacing the financial system. Ms. Ellis stated that this will be a multi-year project and more updates will be provided at upcoming meetings.

The Board Chair asked if there are any cost projections at this time. Ms. Ellis stated that the RFI process will help quantify costs. She explained that since PM Web has been implemented on the construction side, some of the functionality that existed in the current financial system may no longer need to be tied into the replacement system. Ms. Ellis stated that an internal resource has been identified to lead the project, and the process will be very thoughtful. She noted that consultants may be retained to assist with certain aspects of the conversion.

CONSTRUCTION PROJECTS REPORT

Mr. Curro provided the Construction Division Report. He stated that with respect to the DOH Lab, DASNY received notice to advance the reprogramming phase with the design-build team of Turner-Gilbane-HOK. Mr. Curro reported that DASNY, NYS DOH and the Design Build Team have been conducting weekly meetings to begin the redesign and programming process, which is necessary based upon a change in programming. He explained these changes are due in part to the impacts of the global pandemic.

With respect to Office of Mental Health projects, Mr. Curro reported that DASNY recently received notice to move forward with the Design Development phase of the \$300 million project for the Mid-Hudson Forensic Hospital following a value engineering exercise. He noted that this was necessitated due to cost overruns, and that the team will now move forward with the 60% design.

Mr. Curro reported that bids for the \$30 million Western NY Children's Psych Center project were received and were in excess of the construction budget by approximately 30%. OMH secured additional funding for the project and has directed DASNY to proceed with the project.

Mr. Curro reported that the September 2022 deadline for the GOSR program is fast approaching, and DASNY and our contracting forces are working to complete as much work as possible by September. He noted that several of the tougher projects are starting to move forward; however, DASNY has developed a list of projects that will not meet the September 2022 deadline, and has notified GOSR.

With respect to West Point, two bridge structures that started construction in the fall of 2021 have reached completion. In addition, design is complete and a cost was provided to West Point

for a third bridge project. Mr. Curro reported that West Point is hopeful that funding can be assigned this year but it may be a spring 2023 Construction start. Mr. Curro informed the Members that DASNY is working on various other projects for West Point, including a building study, which will likely lead to a Hazardous Material Survey and roof replacement; the construction of a retaining wall on Cullam Road; and a rock slide project on Williams Road.

Mr. Curro provided an update on the SUNY Program. He reported that 15 summer projects will begin Monday, May 16 with work at UB, Brockport, Geneseo, Alfred, Albany and several other locations. Mr. Curro stated that the UAlbany \$42 million project consisting of the rehabilitation of two low rise residence halls along with the creation of a fitness center will commence by the end of this month. He noted that the Letter of Intent with the General Contractor will be signed today.

Mr. Curro stated that work on SUNY New Paltz's \$43 million project consisting of the rehabilitation of Awosting Hall along with the addition of one floor of living space has begun pre-construction work, with physical construction commencing by the end of this month. He informed the Members that FIT's \$198 million project is advancing through steel erection with work progressing to the sixth of 10 floors. He noted that although the project is being reported to be slightly behind schedule, he expects the time to be made up over the next 18 months.

Mr. Curro reported that Alfred's MacKenzie Hall Phase IIIA work is being advanced by the project's surety's replacement contractor with a deadline approaching, and that Phase IIIB will begin thereafter.

In response to a question from Mr. Ronski, Mr. Curro stated that he has made DASNY's customer agencies aware that an update to the Code is going into effect in the coming months and they are planning accordingly.

GENERAL COUNSEL REPORT

Ms. Fontaine informed the Members that DASNY has added several new attorneys in order to provide support to all DASNY divisions. She stated that Dwight Flynn, Managing Assistant Counsel, will be working in the Corporate area; Mike Logan, previously of Harris Beach and Hodgeson Russ, will be supporting the Finance Department as a Managing Assistant Counsel; and Valerie Himelewski will be starting as a Managing Assistant Counsel supporting the Construction Division next week.

Ms. Himelewski, Mr. Flynn and Mr. Logan introduced themselves and provided a brief summary of their background and experience.

The Board Chair welcomed the new attorneys and thanked Ms. Fontaine for her efforts to recruit qualified staff. Ms. Fontaine stated that they are a great addition to the experienced attorneys who already work in Counsel's Office.

Ms. Fontaine reminded the Members that their FDS Filings are due on Monday and encouraged them to file as soon as possible.

Ms. McKinnie moved that the Members go into Executive Session to discuss the financial and credit history of particular corporations; proposed, pending, or current litigation; and the employment histories of particular persons with matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of particular persons. Ms. Sullivan seconded the motion and the Members went into Executive Session.

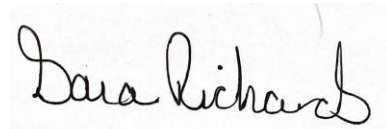
EXECUTIVE SESSION

No action was taken in Executive Session other than to return to Public Session.

PUBLIC SESSION

Ms. Snyder moved that the Meeting adjourn, Mr. Gardner seconded the motion and the Meeting was adjourned at approximately 11:25 a.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Sara Richards". The signature is written in a cursive style and is centered on the page.

Sara P. Richards
Assistant Secretary