

MINUTES OF THE REGULAR MEETING OF THE
NEW YORK STATE BRIDGE AUTHORITY

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
AUGUST 17, 2006

Business agenda documents/reports are mailed to the Board
Members and General Counsel one week prior to the meeting.

IN ATTENDANCE:

BOARD MEMBERS:

Sproat, James P., Chairman
Dressel, Roderick O., Vice Chairman
Paradies, Walter A., Commissioner
Teator, David A., Commissioner

Whitbeck, Carl W., Esq., Counsel

OFFICERS:

Sinnott, George C., Secretary
Bresnan, James J., Assistant Secretary
Sewell, John R., Treasurer

Absent:

Madison, Thomas J., Commissioner

Chairman Sproat welcomed all to the meeting and called the regular meeting of the Authority to order at 3:00 P.M. Chairman Sproat stated that if there were no questions or changes to the July 20, 2006 minutes he would like a motion to adopt the minutes of the regular meeting. On motion of Commissioner Paradies, seconded by Vice Chairman Dressel, the minutes of the July 20, 2006 regular meeting were adopted unanimously. Mr. Sinnott stated

there was nothing to report under Administration so they would go directly to Engineering & Maintenance and Mr. Moreau would be reporting.

ENGINEERING AND MAINTENANCE:

1) Mid-Hudson/Newburgh-Beacon Bridge Toll Plaza Sweeping and Systemwide Sweeping

Mr. Moreau stated the Authority advertised for its 2006 facility sweeping contracts in the July 3rd, 2006 issue of the New York State Contract Reporter. One contract is for sweeping the plazas of the two larger bridges, Mid-Hudson and Newburgh-Beacon, and the other contract is for systemwide street sweeping services. Two bids were received with Community Custom Services submitting the low bid for each. Commissioner Teator inquired about the three vendors listed on the requisition form and Mr. Moreau stated that three companies requested the proposal but only two companies responded with a bid. Mr. Moreau informed the Board that Community Custom Services is the current sweeping contractor and they have performed very well this past year. On motion of Commissioner Teator, seconded by Commissioner Paradies, the following resolutions were adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY

BOARD RESOLUTION

Resolution No.: 006-079

Resolution Date: August 17, 2006

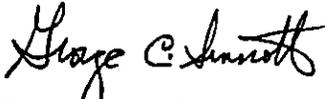
WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Community Custom Services for the purchase of Toll Plaza Sweeping Services (BA-2006-OE-008-OT) at the Mid-Hudson and Newburgh-Beacon bridge locations; and

WHEREAS, the Authority's Engineering Department has advertised the opportunity for this service in the Contract Reporter and selected Community Custom Services as the low bidder; now therefore

BE IT RESOLVED that a purchase order be issued to Community Custom Services for Toll Plaza Sweeping Services for the combined price of \$26,536.00; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August, 2006.



George C. Sinnott, Secretary

NEW YORK STATE BRIDGE AUTHORITY

BOARD RESOLUTION

Resolution No.: 006-080

Resolution Date: August 17, 2006

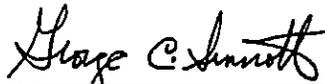
WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Community Custom Services for the purchase of Systemwide Sweeping Services (BA-2006-OE-009-OT) for all NYSBA bridge locations; and

WHEREAS, the Authority's Engineering Department has advertised the opportunity for this service in the Contract Reporter and selected Community Custom Services as the low bidder; now therefore

BE IT RESOLVED that a purchase order be issued to Community Custom Services for the systemwide sweeping services for the combined price of \$34,470.00; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August, 2006.



George C. Sinnott, Secretary

2) Eastern Winter Road Maintenance Symposium

Mr. Moreau informed the Board that the Eastern Winter Road Maintenance Symposium, sponsored by AASHTO, the FHWA and the New Jersey DOT will be held in New Jersey, September 6 and 7, 2006. Mr. Moreau suggested that Craig Gardner, the maintenance supervisor, and the five foremen attend, as the symposium is structured with three simultaneous tracks; Environmental & Safety, Management & Operations, and Technology & Research. There is no registration fee so the only cost would be one overnight stay at \$150.00 per person. Commissioner Teator asked if the Authority had attended this conference before and Mr. Moreau stated they had not but that this year's technical agenda features a program highlighting ways to help highway agencies respond to winter weather transportation problems, which would especially be advantageous to the Authority. Commissioner Paradies asked if all five foremen attending would a problem at their respective facility. Mr. Moreau stated that it would not because the assistant foremen would be on duty and he and Mr. Fong would be overseeing assignments in the foremen's' absence. Commissioner Teator requested that a summary report be prepared on lessons learned. Chairman Sproat called for a motion and on motion of Commissioner Paradies, seconded by Vice Chairman Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY

BOARD RESOLUTION

Resolution No.: 006-081

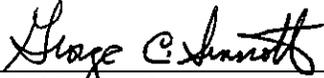
Resolution Date: August 17, 2006

WHEREAS, the Board has reviewed the request of Bill Moreau for Craig Gardner and the five Foremen to attend the two day Eastern Winter Road Maintenance Symposium on September 6 and 7, 2006; now therefore

BE IT RESOLVED that attendance at the symposium is authorized in accordance with Mr. Moreau's memo of August 8, 2006; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August 2006.



George C. Sinnott, Secretary

3) Monthly Jobs In Progress Report – July 2006

Mr. Moreau presented the Jobs in Progress report for the period ending July 31, 2006. Piasecki Steel completed the contract work at the Rip Van Winkle Bridge on time and under budget. Substructure repair work is underway at the Kingston-Rhinecliff Bridge and the Mid-Hudson west approach is scheduled to open the week after Labor Day, slightly ahead of schedule. Night work is underway repaving the east and west approaches of the Newburgh-Beacon facility and Bear Mountain is on schedule awaiting delivery of the supplemental cables. Mr. Moreau advised the Board that the NYS DOT Research Division has informed him that the Authority's application for research funding on the use of Nova Chip as a bridge deck waterproofing and wearing surface has been approved. and that the NYS DOT will award \$250,000.00 to the Bridge Authority to document the performance of the recent installation on the south span of the Newburgh-Beacon Bridge in comparison with other systems. Chairman Sproat stated that if there were no further questions or comments he would like to call for a motion. On motion of Commissioner Teator, seconded by Vice Chairman Dressel, the following resolution was adopted unanimously:

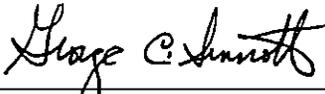
NEW YORK STATE BRIDGE AUTHORITY**BOARD RESOLUTION**Resolution No.: 006-082Resolution Date: August 17, 2006

WHEREAS, the Board has reviewed the monthly Engineering Progress Report on Capital Project Status; now therefore

BE IT RESOLVED that the Engineering Progress Report is accepted as an instrument documenting the Board's briefing of Capital Construction activities; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August 2006.



George C. Sinnott, Secretary

Mr. Whitbeck suggested that the municipal water and sewer agreement with the Town of Lloyd be discussed at this time.

A letter was received from the town attorney advising the Authority of the permit and operating requirements that are necessary for private water systems serving more than 25 people. This requirement is part of the NYS Sanitary Code which is a state wide regulation enforced by the county. Commissioner Teator stated that it seemed we were being strong armed by the Town of Lloyd over this issue. Mr. Whitbeck reiterated the Town of Lloyd has no part in permitting or authorizing private water systems, but now that we have been put on notice it would be difficult to justify our continued operation outside of the state regulations.

Chairman Sproat asked what our options are if we do not join the municipal water system. Mr. Moreau stated that the wells can be tested for contaminants, a filtration system designed and costs estimated for construction and operation of a permitted nontransient, noncommunity public water supply. Mr. Sewell asked what fines and enforcement we might expect should we choose to continue to operate outside of the state regulations. Commissioner Paradies stated "ignorance is not bliss" in this regard and that our concern for our employees' health is a priority for us. Mr. Whitbeck stated the cost of an operator would undoubtedly exceed the \$8,000.00 annual fee proposed by the Town of Lloyd. A lengthy discussion was held on the possibility of a part-time operator and it was agreed by all that accurate cost estimates of an on-site water system should be prepared by a knowledgeable consultant before a decision is rendered. The Authority's general consultant, Modjeski and Masters, Inc., will be instructed to retain an appropriate sub consultant to perform this study.

FINANCIAL:

1) Investment Report

Mr. Sewell presented the Investment Report for the month of July 2006 and after a brief discussion Chairman Sproat made a motion to accept the report; seconded by Commissioner Teator, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY

BOARD RESOLUTION

Resolution No.: 006-083

Resolution Date: August 17, 2006

WHEREAS, the investment control procedures for the New York State Bridge Authority provide that the Board shall review and approve the report of investment transactions completed since the meeting of the Board on July 20, 2006; now therefore

BE IT RESOLVED the New York State Bridge Authority does hereby concur with and approve the investment report as filed with this body on this date for the purpose noted; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August 2006.



George C. Sinnott, Secretary

2) Accident Review Committee Report

Mr. Sewell presented the Accident Review Committee Report stating that there were 43 accidents on Authority facilities in the second quarter of this year compared with the 53 reported the previous year. The Committee investigated the five accidents which either involved Authority personnel or in which there could have been liability on the part of the Authority including the two vehicular accidents in which Authority employees were at fault. The employees were counseled and it was noted in their files. Mr. Sinnott informed the Board that the Authority will be contracting, by year end, defensive driver training courses which the Authority provides every three years for its employees.

Another accident involved the UB60 inspection truck at the Newburgh-Beacon Bridge through no fault of Authority personnel. A motorcycle accident at the Rip Van Winkle Bridge was investigated and determined to be operator error. The Authority declined to make payment for damages.

3) Workers Disability Insurance

Mr. Sewell informed the Board that, since 1970, the Authority has voluntarily provided disability insurance for permanent full-time employees only. Recently, a part time collector applied for this benefit and was initially denied. Subsequently, the collector applied directly to the Workers' Compensation Board which determined that the Authority's original application for this insurance indicated all employees were covered. Mr. Whitbeck stated in order to conform to policy, a new resolution, stating that only *full-time employees* are covered, needs to be filed to amend the original application with the Workers' Compensation Board. Commissioner Teator asked about the cost to provide this coverage and Mr. Sewell stated approximately \$13,000.00. Mr. Garrison stated that we could discontinue this benefit with a 90-day notice. On motion of Commissioner Teator; seconded by Vice Chairman Dressel, the following resolution was unanimously adopted:

NEW YORK STATE BRIDGE AUTHORITY

BOARD RESOLUTION

Resolution No.: 06-084

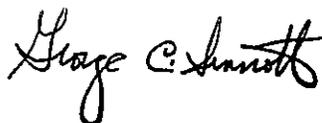
Resolution Date: August 17, 2006

WHEREAS, the New York State Bridge Authority voluntarily provides only full-time employees with Disability Insurance; and

WHEREAS, the State of New York Workers' Compensation Board requires the filing of a resolution affirming this coverage, together with an amended application; now therefore

BE IT RESOLVED that the Executive Director, or his designee, is hereby authorized to submit the required forms.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August 2006.



George C. Sinnott, Secretary

4) UHY-Independent Accountant Annual Financial Statements Audit

Subsequent to a November 2003 Request for Proposals process for a three-year contract to perform the subject services, the Board awarded UHY LLP (UHY) three one-year contracts, the last of which was for \$16,195.00. As the proposal provided for the Authority's option of extending the contract for two additional one-year periods at substantially the same terms, the Authority asked UHY to submit a proposal for the 2006 audit, which they did at a cost estimate of \$24,500.00.

Commissioner Paradies stated that although UHY provided justification for the increased cost, the Audit Committee determined that the Authority should solicit bids from other firms due to the substantial increase. He indicated the Office of General Services has provided the Authority with a short list of pre-qualified accounting firms which will be used for the solicitation. The Audit Committee will report to the Board, by its October meeting, on the outcome of this process.

INFORMATION TECHNOLOGY:1) Mark IV Maintenance Agreement

Greg Herd advised the Board that the annual maintenance program agreement with the Mark IV Corporation is due in August for the 2006/2007 term. The Mark IV equipment is used for the reading of E-Z Pass Tags and the initial processing of electronic toll transactions. The contract covers all equipment and provides on-site support for any system problems. The total cost of this annual maintenance program is \$23,653.94 and is pre-negotiated by the E-ZPass Interagency Group. On motion of Commissioner Paradies, seconded by Vice Chairman Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITYBOARD RESOLUTIONResolution No.: 06-085Resolution Date: August 17, 2006

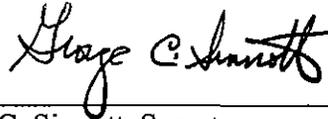
WHEREAS, the Authority utilizes Mark IV equipment for the reading of E-ZPass tags for electronic toll processing; and

WHEREAS, it is in the best interest of the Authority to maintain this equipment through services provided by Mark IV and identified through the current E-ZPass Interagency Agreement; now therefore

BE IT RESOLVED that the Authority will continue its maintenance agreement with Mark IV at a cost of \$23,653.94; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August 2006.



George C. Sinnott, Secretary

REPORTS TO THE BOARD:1) Monthly Activity Report of the Executive Director

The Monthly Activity Report for July 2006 was submitted by the Executive Director. Mr. Sinnott stated that \$1,000.00 was donated to provide food for the Annual CSEA Picnic and that there were no expenses incurred this month that required the Board's attention.

Chairman Sproat requested an Attorney/Client Privilege Session to discuss litigation and personnel matters at 3:50 P.M. At the conclusion of the Attorney-Client Session at 4:45 P.M, the Board reconvened the regular meeting and adopted the following resolution unanimously:

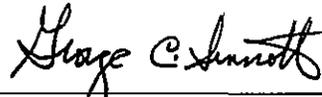
NEW YORK STATE BRIDGE AUTHORITYBOARD RESOLUTIONResolution No.: 06-086Resolution Date: August 17, 2006

WHEREAS, it is in the best interest of the Authority to retain Ammann & Whitney Consulting Engineers, P.C. to undertake strain gauge testing of repairs made to the Kingston-Rhinecliff Bridge; now therefore

BE IT RESOLVED that the General Counsel of the New York State Bridge Authority is authorized to retain Ammann & Whitney Consulting Engineers, P.C. to undertake strain gauge testing of repairs to be made to the deck of the Kingston-Rhinecliff Bridge and to retain the testing results as attorney work product for the purpose of maintaining Attorney-Client Privilege.

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is hereby authorized and directed to take the necessary measures to implement this resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of August 2006.



George C. Sinnott, Secretary

A motion was made by Chairman Sproat to adjourn the regular meeting, which was seconded by Vice Chairman Dressel and approved unanimously. The Board concluded its regular meeting at 5:00 P.M.

The next regular meeting is scheduled for September 21, 2006 at 3:00 P.M. at Headquarters.