

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
February 17, 2011

Business agenda documents/reports are mailed to the Board Members and General Counsel one week prior to the meeting. Board meetings are web cast and copy of the web cast is kept as part of the Board meeting files.

IN ATTENDANCE:

BOARD MEMBERS:

Sproat, James P., Chairman
Vecellio, Francis N., Vice Chairman
Dressel, Roderick O., Commissioner
Gerentine, Richard A., Commissioner
Lashua, C. Vane, Commissioner

Carl G. Whitbeck, Jr., Counsel

OFFICERS:

Ruggiero, Joseph., Secretary
Bushek, Brian., Treasurer

ABSENT:

Higgins, Roger P., Commissioner
Ramaglia, Joseph, Commissioner

Chairman Sproat called the meeting to order at 3:10 PM. Chairman Sproat called for a motion to adopt the minutes of the January 20, 2011 Regular meeting. On motion of Vice Chairman Vecellio, seconded by Commissioner Lashua, the minutes of the January 20, 2011 Regular meeting were adopted unanimously.

ADMINISTRATION:

1) IBTTA Travel Request May 15-17, 2011 Plano TX

Mr. Russo requested travel authorization for Wayne Ferguson and himself to attend the IBTTA All Electronic Tolling and Interoperability Workshop to be held May 15 – 17, 2011 in Plano, Tx. This workshop is the next in a series dedicated to the topics of open road tolling, national interoperability and all electronic tolling. Mr. Russo expressed that given the recent shift to all electronic tolling on the part of many US toll agencies and growing interest on the part of most others, interoperability has become an increasingly important topic. The meeting consists of multiple workshops to address issues associated with agency interoperability, finance, legal, operations, administration, technology, etc. Obviously a move to AET affects all areas of an agency's operations and presents a host of challenges to be addressed. Through the Authority's involvement with the IAG, IBTTA, the Alliance for Toll Interoperability(ATI) and other smaller working groups, Mr. Russo has been actively involved in identifying issues and sharing the Authority's thoughts on policy decisions and business plans across these various disciplines with the other interested toll operators. The E-ZPass Group has recently formed an Interoperability Task Force to focus on related issues and to maintain dialogue between its member agencies as well as to participate in discussions on a broader, national level. Mr. Russo also noted that ATI is working on advancing a license plate based interoperability hub pilot to address more immediate concerns. North Carolina is expected to open its first toll facility this year and would like to be interoperable with as many operators as possible including E-Zpass and Florida's SUNPASS. ATI will also hold a member meeting in Texas while attending the IBTTA workshop.

The cost of registration for IBTTA members is \$575. Travel would include airfare and lodging which makes the total estimated cost including registration not to exceed \$3,200 for both attendees. A discussion followed relative to the importance of interoperability with all agencies and the challenges that occur with current processes. Chairman Sproat called for a motion. On motion of Commissioner Dressel, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-159

Resolution Date: February 17, 2011

WHEREAS the Board has received and reviewed a travel authorization request for staff to attend the IBTTA Interoperability and AET Workshop to be held in Plano TX, May 15–17, 2011; and

WHEREAS, the Authority has determined the conference subject matter will provide a direct benefit to staff and executive management; now therefore

BE IT RESOLVED that travel authorization is granted to Robert Russo and Wayne Ferguson to attend the subject conference at an estimated cost of \$3,200 inclusive of registration fees and all travel related costs; 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 February, 2011.

J. Ruggiero, Secretary

2) Jobs in progress Monthly Report

Mr. Moreau presented the Engineering Jobs in Progress Report for the month of January and said that the Command Center is near completion and Capital Improvement projects are progressing within budget. Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-160

Resolution Date: February 17, 2011

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

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 February 2011.

Joseph Ruggiero, Secretary

FINANCIAL:

1) Investment Report

Mr. Bushek reviewed the Investment Report for the month of January noting interest rates remain low. Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-161

Resolution Date: February 17, 2011

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 December 16, 2010; 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 February 2011.

Joseph Ruggiero, Secretary

2) Insurance Fund Balance Determination

Mr. Bushek said, per requirements of its General Revenue Bond Resolution, the Authority maintains insurances to protect it against various risks. Where insurance carries a significant deductible, such as with the property damage and loss of revenue policy on the bridges, the Bond Resolution has established an Insurance Fund, the balance of which covers this deductible. Modjeski & Masters, Inc., the Authority's Consulting Engineers, provided a Professional Certificate determining \$9,099,000 to be the proper Insurance Fund balance by multiplying the \$303,303,000 replacement value of the South Span at Newburgh-Beacon by the 3% deductible amount. This is in accordance with the following provisions of the Resolution:

- Section 5.03 of the General Revenue Bond Resolution requires the balance in the Insurance Fund to equal an amount set forth in a certificate, filed with the Trustee, of an authorized officer of the Authority. This amount, determined by resolution, is the amount necessary to enable the Authority to comply with Section 7.14 of the Bond Resolution, relating to multi-risk insurance on the bridges, which states the following:
- Section 7.14. **Maintenance of Insurance.** (a) The Authority shall at all times maintain, to the extent reasonably obtainable, the following kinds and the following amounts of insurance, with such variations as shall reasonably be required to conform to applicable standards or customary insurance practice and subject to such exceptions and permissible deductions as are ordinarily required:

- (1) Multi-risk insurance on the facilities of the Bridge System (which are of an insurable nature and of the character usually insured by the operators of similar facilities), covering direct physical loss or damage thereto from causes customarily insured against, in such amounts as and of such character as will, under the terms and provisions thereof, provide a recovery, in the event of the occurrence of any such loss or damage, equal to the excess of the full insurable value of such damageable portion of the Bridge System, over the unobligated amount, if any, then in the Insurance Fund; such full insurable value shall be determined annually by the Consulting Engineer in a Professional Certificate to be filed each year with the Trustee. Such Professional Certificate shall also include a determination by the Consulting Engineer of the amount, if any, which is necessary to be deposited in the Insurance Fund so that the balance in such Fund relating to this type of insurance will equal the deductible amount of the insured replacement value of the Bridge with the greatest replacement value.

Mr. Bushek recommended increasing the Insurance Fund balance to \$9,099,000. A brief discussion followed relative the cost to insure each facility. Chairman Sproat called for a motion. On motion motion of Commissioner Gerentine, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-162

Resolution Date: February 17, 2011

WHEREAS, the Board has reviewed the report relative to determining the adequate balance in the Insurance Fund; now therefore

BE IT RESOLVED that the balance shall be increased from \$8,952,300 for 2010, to \$9,099,000 for 2011 as recommended by the consulting Engineers, Modjeski and Masters, Inc.; 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 February 2011.

Joseph Ruggiero, Secretary

3) Public Authority Cost Recovery Charges

Mr. Bushek indicated to the Board that Public Authorities Law §2975 directs the Division of Budget (DOB) to allocate expenses for central governmental services to various public authorities including the NYS Bridge Authority. Each year, the Authority is billed by the division of the Treasury's Taxation and Finance Department for a portion of the \$55,000,000 which may be charged for these services. The Bridge Authority's share of this billing for the year ending March 31, 2011 is \$312,158, the same amount as 2010. This amount is down \$233,842, or 43% from 2009. In 2008, the amount increased \$157,180, or 40% when the total assessment increased from \$40 million to \$55 million. The DOB does not provide backup with the bill as to how they calculate, and which authorities are charged. A brief discussion followed relative to tax exemptions. Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-163

Resolution Date: February 17, 2011

WHEREAS, the Board has reviewed the report relative to the payment of public authority cost recovery charges for central government services as mandated by Public Authorities Law; now therefore

BE IT RESOLVED the New York State Bridge Authority does hereby approve the payment of \$312,158 to the Department of Taxation and Finance for the Bridge Authority's share of these costs for the year ending March 31, 2011; 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 February 2011.

Joseph Ruggiero, Secretary

4) Annual Payment to Department of Civil Service

Mr. Bushek indicated that Section 11 of the Civil Service Law allows that Department of Civil Service to charge public authorities, among other entities, for their fractional share of the expenses for the administration of the Department. The Bridge Authority's expense for these services is \$34,088.22 for the year ended March 31, 2010. This is based on a rate of \$228.78 per position multiplied by the 149 permanently filled positions reported by the Authority on its October 28, 2009 payroll. This is a 2.5% reduction from last years' billing of \$34,964.56 and a 7.0% reduction from 2009 of \$36,662.15. The 2010 reduction is due to three fewer Authority positions and a 0.5% decrease in the Civil Service Department's expense allocation per position. The 2009 reduction was also due to three fewer Authority positions and a 2.7% decrease in allocated costs per position. Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-164

Resolution Date: February 17, 2011

WHEREAS the Board has reviewed the report relative to the payment of the Authority's share of the charges for the administration of the Department of Civil Service as mandated by Civil Service Law; now therefore

BE IT RESOLVED, the New York State Bridge Authority does hereby approve the payment of \$34,088.22 to the Department of Civil Service for the Bridge Authority's share of these costs for the year ending March 31, 2010; 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 February 2010.

Joseph Ruggiero, Secretary

5) Accident Review Committee Report – Fourth Quarter 2010

Mr. Bushek indicated to the Board that there were 59 accidents on Authority facilities in the fourth quarter of 2010 which compares with 57 the previous year. During this period there were no accidents involving Authority personnel and no incidents where liability on the part of the Authority was indicated, similar to fourth quarter 2009. For the year, the total number of accidents, 180, was lower than the 208 experienced in 2009. This translates into an accident roughly every 320,000 crossings. No action was required by the Board.

HUMAN RESOURCES:

1) Re-Appointment of Employees and Oath of Office

Mr. Pizzuto indicated to the Board that Civil Service Law Section 62 requires every person employed by New York State or any of its civil divisions, prior to the discharge of his or her duties, to take the oath of office as required by the New York State Constitution. The oath of every state employee is required to be filed with the Department of State. Public Officers Law Section 78 requires all members, officers and employees of state agencies to also file a certificate with the Department of State acknowledging receipt of a copy of certain provisions of the Public Officers Law and agreeing to conform to such provisions. Moving forward, anyone hired by the Authority will be required to sign and file an Oath of Office. In an attempt to rectify the oversight in which employees were not asked to file an oath, Mr. Pizzuto requested the Board of Commissions to re-appoint all employees of the New York State Bridge Authority effective February 17, 2011. The Human Resources Department will then work to ensure that all employees sign and have notarized their Oath of Office and acknowledgement that they received a copy the required sections of the Public Officers Law. This documentation will be copied for the employees' personnel files and then filed with the New York State Department of State. Chairman Sproat called for a motion. On motion of Commissioner Lashua, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-165

Resolution Date: February 17, 2011

WHEREAS, Civil Service Law Section 62 requires every person employed by New York State or any of its civil divisions, prior to the discharge of his or her duties, to take the oath of office as required by the New York State Constitution. The oath of every state employee is required to be filed with the Department of State; and

WHEREAS, Public Officers Law Section 78 requires all members, officers and employees of state agencies to also file a certificate with the Department of State acknowledging receipt of a copy of certain provisions of the Public Officers Law and agreeing to conform to such provisions; and

WHEREAS, the Authority must re-appoint all current New York State Bridge Authority Part-time, and Full-time employees; now therefore

BE IT RESOLVED that the Board of Commissioners hereby re-appoints all current New York State Bridge Authority Part-time, and Full-time employees for the purpose of executing their Oath of Office and Public Officers Law Acknowledgement; 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 February, 2011.

Joseph Ruggiero, Secretary

2) Establishment for Standard Workday

Mr. Pizzuto informed the Board that the office of the New York State Comptroller/New York State and Local Retirement System requires the establishment and reporting of the standard work day for all participating employers in the New York State and Local Retirement System. Mr. Pizzuto recommended to the Board establishing the workday for all positions and employees within the Authority.

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-166

Resolution Date: February 17, 2011

WHEREAS, the Office of the New York State Comptroller/New York State and Local Retirement System requires the establishment and reporting of the standard work day for all participating employers in the New York State and Local Retirement System ; and

WHEREAS, the New York State Bridge Authority has established its workday through its collective bargaining agreement; and

WHEREAS, the workday schedule of the New York State Bridge Authority is as follows:

<u>Title</u>	<u>Workday</u>
All titles within the Collective Bargaining Agreement	8 Hours
All Management/Confidential Positions	8 Hours

and;

WHEREAS, the Office of the New York State Comptroller/New York State and Local Retirement System requires that the Resolution Establishing the Workday Schedule must be posted for public viewing on the website of the New York State Bridge Authority for no less than thirty (30) days, now therefore

BE IT FURTHER RESOLVED, that the Board of Commissioners of the New York State Bridge Authority hereby adopts the above workday schedule for all authority employees; and

BE IT RESOLVED, that a copy of this resolution is to be posted for public viewing on the website of the New York State Bridge Authority for thirty (30) days in accordance with the guidelines set forth by the Office of the New York State Comptroller/New York State and Local Retirement System

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 February, 2011.

Joseph Ruggiero, Secretary

3) Amendments to the NYSBA Personnel Policy

Mr. Pizzuto presented four new policies and one amended policy to the Board which would aid in the productivity and positive function of NYSBA. These proposed policies are currently absent from NYSBA's operations manual or in need of updating to ensure the greatest level of effectiveness. The proposed policies are Employee Behavior Policy, Hiring Policy, Applicant Reference and Reference Request Policy, Introductory/Probationary Period Policy, Harassment Policy (amended). The addition of the Employee Behavior Policy and the amendment of the Harassment Policy help provide a safe and positive work environment for all of our employees. The Hiring Policy, Reference Policy and Introductory Period Policy will streamline the steps taken when hiring a new employee, as well as allowing us to have a period of time to determine whether the new employee will be an asset to NYSBA. All of the proposed policies are in accordance with the Collective Bargaining Agreement. A brief discussion followed relative to highlights of the policies which include calling for Human Resources to pre-screen our applicants before they are interviewed by management, require employee evaluations after three, six, nine months and one year of employment to determine if the employee should become permanent and streamlining how NYSBA obtains references for applicants. Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-167

Resolution Date: February 17, 2011

WHEREAS, the Director of Human Resources has recommended the enactment of an Employee Behavior Policy attached herein; and

WHEREAS, the Authority currently does not have an Employee Behavior Policy adopted by the Board of Commissioners; now therefore

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority hereby adopts the attached Employee Behavior Policy; 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 February, 2011.

Joseph Ruggiero, Secretary

New York State Bridge Authority

EMPLOYEE BEHAVIOR POLICY

POLICY

Employees at the New York State Bridge Authority (herein NYSBA) must exemplify the **Mission** of NYSBA in every interaction with every individual they encounter during the course of the business day.

It is the policy of NYSBA that certain rules and regulations regarding employee behavior are necessary to provide excellent customer service, and efficient business operations for the benefit and safety of all employees and visitors.

PROCEDURE/PRACTICE/IMPLEMENTATION

1.0 Appropriate Employee Conduct Includes:

- 1.1 Treating all customers, visitors, and co-workers with respect. Relating to others equally, without evidence of bias or prejudice.
- 1.2 Demonstrating a positive attitude at all times;
- 1.3 Protecting the privacy and confidentiality of all employees and visitors;
- 1.4 Acting professionally and ethically; demonstrating honesty and integrity at all times;
- 1.5 Pursuant to Section 36.9 and Article 45 of the Collective Bargaining Agreement, performing duties of employment in a safe and responsible manner in compliance with NYSBA's Safety Program;
- 1.6 Identifying problems, communicating them with management, participating in the resolution/solution process, and working to achieve mutual goals for the betterment of the organization;
- 1.7 Supporting other staff and positively contributing to the work environment;
- 1.8 Working efficiently and effectively, demonstrating productive use of time;
- 1.9 Demonstrating flexibility and avoiding "not my job" attitude;
- 1.10 Communicating effectively and appropriately in a calm and respectful manner;
- 1.11 Pursuant to section 2.4 of the Collective Bargaining Agreement, maintaining, respecting, and protecting NYSBA's environment, equipment, property and assets, maintaining cleanliness and order in the workplace and work areas, and preventing the waste of NYSBA resources;

- 1.12 Displaying good judgment and self control, refraining from behavior or conduct that is offensive or undesirable, or which is contrary to the best interests of NYSBA. Reporting to management suspicious, unethical, or illegal conduct by coworkers, customers, the general public and/or suppliers;
 - 1.13 Cooperating with NYSBA investigations;
 - 1.14 Complying with all NYSBA policies and regulations and professional and other licensure requirements, as appropriate;
 - 1.15 Documenting all records accurately and completely;
 - 1.16 Where applicable, adhering to the NYSBA Employee Dress Code policy as set forth in Article 34 and section 47.5 of the Collective Bargaining Agreement;
 - 1.17 Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time. Adhering to the Collective Bargaining Agreement by giving proper advance notice whenever unable to work or report to work on time;
- 2.0 The effective, efficient and safe operation of NYSBA and the compassionate and uncompromised service to the people of the State of New York, depends on all employees complying with all NYSBA policies and regulations at all times, including those who are governed by the regulations and standards of their profession.
- 3.0 It is the intent of NYSBA to support the success of all employees. When an employee has had difficulty meeting the standards outlined above, it is the responsibility of Management employees to bring the issue to the attention of the employee so that it will be corrected.

This Policy shall apply to all NYSBA employees, including those employees classified as Managerial/Confidential pursuant to Article 1 of the Collective Bargaining Agreement and those employees within the bargaining unit. Any employee who violates this Policy shall be subject to discipline, including termination.

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-168

Resolution Date: February 17, 2011

WHEREAS, the Director of Human Resources has recommended the enactment of an Hiring Policy attached herein; and

WHEREAS, the Authority currently does not have an Hiring Policy adopted by the Board of Commissioners; now therefore

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority hereby adopts the attached Hiring Policy; 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 February, 2011.

Joseph Ruggiero, Secretary

New York State Bridge Authority

Hiring Policy

POLICY

It is the policy of the New York State Bridge Authority (herein NYSBA) to be an equal opportunity employer, not to discriminate, or tolerate discrimination, against any employee or applicant in any manner prohibited by law, and to hire individuals solely upon the basis of their qualifications and ability to do the job to be filled. All hiring will be done within the guidelines set forth in the Collective Bargaining Agreement and New York State Law.

PROCEDURE/PRACTICE/IMPLEMENTATION

- 1.0 Supervisors and department managers who need to fill a job opening or want to add a new position must submit a request, in writing, to the Human Resources Department and Executive Director for approval. All requisitions must be reviewed and approved by Administration before being posted for recruitment.
- 2.0 Once approved, all job opportunities shall be posted conspicuously on designated bulletin boards readily accessible to all employees in all work locations and all offices prior to the examination or filling of the position to allow employees currently employed to apply for same.
- 3.0 In filling a vacant job position, NYSBA shall first consider the qualifications of applicants who are currently employed with NYSBA before considering applicants from the outside, as long as doing so does not violate the Collective Bargaining Agreement and/or New York

State Law.

- 4.0 In the event external candidates are to be considered for job openings, the Human Resources Department shall be responsible for recruiting the candidates and shall use recruitment methods and sources it considers appropriate to fill the positions.
- 5.0 All applicants shall be referred to the Human Resources Department. All applications for employment shall be processed through the Human Resources Department.
- 6.0 During the recruitment, hiring, and orientation process, no statement(s) shall be made promising permanent or guaranteed employment. Under no circumstances is anyone but a Human Resources representative authorized to discuss salary or salary ranges with an applicant or candidate for a position.
- 7.0 When external candidates are to be considered for job openings, the following procedures shall be followed:
 - 7.1 Any candidate for employment must fill out and sign an employment application form in order to be considered for employment. Upon completion of the application, the candidate becomes an applicant for purposes of NYSBA.
 - 7.2 The Human Resources Department shall consider requests for accommodation of disabilities and religious beliefs and shall determine what, if any, reasonable accommodation will be made.
 - 7.3 Applicants determined to be qualified for consideration for available job openings shall be interviewed by the Human Resources Department. Where applicable, such applicants shall be required to complete required licensing and/or screening tests. All such licensing and/or screening tests must be approved by the Human Resources Department in advance of being administered to potential job candidates.
 - 7.4 Once the interview and any required testing is completed, Human Resources may recommend the applicant(s) to the department manager/supervisor for a second interview.
 - 7.5 The department manager shall determine whether the applicant has the technical qualifications for the position and meets the other job-related criteria necessary to perform the job. The decision whether to hire the applicant shall be made by the department manager, subject to approval by the Human Resources Department and the Executive Director.
 - 7.6 Following a decision to hire the applicant, the Human Resources Department will make an offer of employment which shall include any necessary contingencies or disclaimers. The Human Resources Department then will determine whether the applicant has the legal right to work in the United States and, where appropriate, will conduct past employment references, personal references, driving records, and a background check. A prior conviction, taken by itself, will not necessarily disqualify an applicant. If the applicant accepts the offer of employment the Human Resources Department will make arrangement

for the applicant's pre-employment health screening where applicable.

- 7.7 If the background, health screening or any other subsequent investigation discloses any misrepresentation on the application form or information indicating that the individual is not suited for employment with NYSBA, the applicant may be refused employment or, if already employed, may be terminated.
- 7.8 The Human Resources Department is responsible for coordinating benefits and new-hire orientation of new employees and the processing of their employment forms. The department manager is responsible for insuring that the new hire attends new employee orientation. In addition the department manager is responsible for any necessary job training and intradepartmental orientation.
- 8.0 A member of an employee's immediate family will be considered for employment by NYSBA, provided the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if such employment would:
 - 8.1 Create either a direct or indirect supervisor/subordinate relationship with immediate family member; or
 - 8.2 Create either an actual conflict of interest or the appearance of a conflict of interest.
- 8.3 These criteria will also be considered when assigning, transferring, or promoting an employee. For purposes of this policy, "immediate family" includes but is not limited to: the employee's spouse or significant other, brother, sister, parents, grandparents, children, grandchildren, step-children, all 'in-laws' and any other member of the employee's household.
- 9.0 Employees who marry or become members of the same household may continue employment as long as there is not:
 - 9.1 A direct or indirect supervisor/subordinate relationship between such employees; or
 - 9.2 An actual conflict of interest or the appearance of a conflict of interest.
- 9.3 Should one of the above situations occur, NYSBA shall attempt to find a suitable position within NYSBA to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. NYSBA does not have an affirmative duty to create a position for the affected employee if one is not available.

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-169

Resolution Date: February 17, 2011

WHEREAS, the Director of Human Resources has recommended the enactment of an Applicant Reference and Reference Request Policy attached herein; and

WHEREAS, the Authority currently does not have an Applicant Reference and Reference Request Policy adopted by the Board of Commissioners; now therefore

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority hereby adopts the attached Applicant Reference and Reference Request Policy; 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 February, 2011.

Joseph Ruggiero, Secretary

New York State Bridge Authority

APPLICANT REFERENCES AND REFERENCE REQUEST POLICY

POLICY

A. Applicant References.

It is the policy of the New York State Bridge Authority (herein NYSBA) to investigate all pertinent information concerning an applicant in order to determine qualifications for employment. This includes conducting a background check and/or reference check as part of the hiring process. Where applicable, consideration of an applicant for employment shall be conditioned upon the results of a referenced check and/or background check.

B. Reference Requests.

The Human Resources Department is responsible for responding to all reference requests for former or existing NYSBA employees.

PROCEDURE/PRACTICE/IMPLEMENTATION

1.0 Where applicable, references and background checks for prospective employees will be made prior to hire to verify past and present employment, education, licensure and overall qualifications for employment.

1.1 All references and background checks for prospective employees shall be conducted by the staff in Human Resources.

1.2 Human Resources shall ensure the confidentiality of information obtained during the reference and background check process.

1.3 Human Resources shall verify that proper written authorization is obtained from the applicant prior to initiating any reference or background check. Such written authorization shall contain a statement signed by the applicant acknowledging the applicant's understanding that consideration for employment is conditioned upon the results of the reference/background check, and authorizing NYSBA to investigate all statements made by the applicant on the application as well as to contact former employers and references.

1.4 An applicant who does not permit Human Resources to contact his/her current employer must be advised the reference information will be sought once hired and if references or background investigation information indicates that the individual is not suited for employment, the applicant may be terminated.

1.5 In the event Human Resources is unable to obtain references for a candidate within a reasonable period of time, the candidate will be asked to assist in acquiring the reference(s).

2.0 Requests for references or information on current or former employees will be handled as follows:

2.1 All calls for references or information on current/former employees must always be referred to the Human Resources Department.

2.2 NYSBA shall not provide information regarding salary, job performance, disciplinary action, etc., via telephone and will only do so with prior written approval from the employee. The only information that will be provided via telephone is verification of dates of employment and position held.

3.0 Written or telephone requests that are directed to other departments or individual managers must not be responded to and must be directed or forwarded to the Human Resources Department.

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-170

Resolution Date: February 17, 2011

WHEREAS, the Director of Human Resources has recommended the enactment of an Introductory/Probationary Period Policy attached herein; and

WHEREAS, the Authority currently does not have an Introductory/Probationary Period Policy adopted by the Board of Commissioners; now therefore

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority hereby adopts the attached Introductory/Probationary Period Policy; 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 February, 2011.

Joseph Ruggiero, Secretary

New York State Bridge Authority
INTRODUCTORY/PROBATIONARY PERIOD

POLICY

All new employees and all present employees transferred or promoted to a new job should be carefully assessed and evaluated for an initial introductory period. After satisfactory completion of the introductory period, those employees will be evaluated as provided for in the Performance Policy.

PROCEDURE/PRACTICE/IMPLEMENTATION

1.0 **Duration**

All permanent employees will be considered to be on an introductory/probationary status for a period of one year commencing from the first day of their employment, transfer or promotion.

Casual Toll Collectors shall comply with the Certification Period set forth in Section 47.10 of the Collective Bargaining Agreement. In the event this Policy conflicts with any portion of section 47.10, section 47.10 shall govern.

2.0 **Applicability**

All non-management employees.

3.0 **Purpose**

3.1 The introductory/probationary period gives the new employee the opportunity to find out if the new position meets his/her needs. At the same time, it gives the New York State Bridge Authority (herein NYSBA) the opportunity to determine if the employee meets the requirements of the position.

- 3.2 During this period, all newly hired, transferred, or promoted employees are assessed as to their ability to perform in the position for which they were selected. Supervisors should observe carefully the performance of each employee in a new position. It is expected that all concerns regarding employees in their introductory/probationary period be discussed with the employee and documented in proper fashion, utilizing the NYSBA corrective counseling forms. Weaknesses in performance, behavior, development and inability to comply with all NYSBA operational and personnel policies, including attendance and punctuality should be brought to the employee's attention for correction.
- 3.2 All transferred or promoted employees shall be treated in accordance with Article 20 of the Collective Bargaining Agreement. All such employees holding a position in the competitive labor or non-competitive class who are transferred or promoted to a new position within NYSBA shall be granted leave of absence from his/her former position for the introductory/probationary period.

4.0 Evaluation

- 4.1 The supervisor will be responsible to complete a written introductory performance appraisal after three (3) months, six (6) months, (9) nine months and one (1) year of employment. The evaluations should include a recommendation as to whether the employee should continue in the position. If the supervisor determines that the employee is successfully completing some of the tasks assigned but still needs close supervision on other items in their job description, the supervisor must make an appointment with the Director of Human Resources to review the documentation and develop a Goals and Action Plan for the employee. This Goals and Action Plan will be reviewed with the employee and will contain specific goals with deadlines for completion and adherence. Plans will be made for regular face-to-face updates between the supervisor and employee during the Goals and Action period. If progress is not seen during the documented timeframe, the employee's continued employment will be reviewed by the supervisor, Director of Human Resources and recommendations will be made to the Executive Director.
- 4.2 If the determination is that an employee has successfully completed the introductory/probationary period, a copy of the evaluation signed by the employee should be forwarded to Human Resources for inclusion in the employee's personnel file at least two weeks prior to the completion of the introductory/probationary period.
- 4.3 If at any point in time during the introductory/probationary period the supervisor determines that an employee will not successfully complete the introductory/probationary period, the supervisor shall make an appointment with the Director of Human Resources to review the employee's evaluation and documentation that has been provided to the employee to assist the employee. A supervisor can make this determination at any time up to at least two (2) weeks prior to the end of the introductory/probationary period. Action

to end employment must have the prior approval of the Director of Human Resources and then the Executive Director.

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-171

Resolution Date: February 17, 2011

WHEREAS, the New York State Bridge Authority currently has a Harassment Policy which has been distributed to all employees at the time of hire; and

WHEREAS, the Director of Human Resources has recommended the amendment of the New York State Bridge Authority's Harassment Policy attached herein; now therefore

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority hereby adopts the attached amended Harassment Policy; 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 February, 2011.

Joseph Ruggiero, Secretary

New York State Bridge Authority

HARASSMENT POLICY

POLICY

It is the policy of the New York State Bridge Authority (herein NYSBA) to prohibit and protect its employees from all types of harassment including, but not limited to, harassment related to sex, race, religion, ethnic background, national origin, sexual orientation and disability. NYSBA is also committed to maintaining a work environment that is free of sexual discrimination. In keeping with this commitment, we will not tolerate sexual harassment in any form by any person.

Harassment is defined as any physical or verbal actions that threaten or intimidate a person. It also extends to any combination of conditions that intentionally or otherwise create a hostile work environment interfering with the performance of duties, or the expectation of fair treatment or the enjoyment of the full benefits of NYSBA employment or the use of NYSBA facilities.

PROCEDURE/PRACTICE/IMPLEMENTATION

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an

explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body.

No employee shall make unwelcome sexual flirtations, advances or propositions to another employee or patron.

Displaying of sexually suggestive objects or objects evidencing or identified with bias or discrimination of any kind are prohibited anywhere in the workplace or at any NYSBA facility.

Graphic verbal or written comments about a person's body are prohibited.

No supervisor shall threaten or insinuate either explicitly or implicitly, that failure to respond or submit to sexual advances will adversely affect an employee's employment, evaluation, wages, advancement, assigned duties, shifts or other condition of employment or career development.

Physical or verbal abuse related to sex, religion, ethnicity, national origin, sexual orientation or disability is prohibited.

Degrading words used to describe an individual or group of individuals, whether present or not, are prohibited.

All NYSBA employees are responsible for helping to assure we avoid any type of harassment. If you feel you have experienced or witnessed any type of harassment, you are to immediately notify the Human Resources Department or, where the harassment involves a member of the Human Resources Department, the Deputy Executive Director o. NYSBA forbids retaliation against anyone who has reported harassment.

It is NYSBA's policy to investigate all complaints of harassment thoroughly and promptly. To the fullest extent possible, NYSBA will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, NYSBA will take corrective action, up to and including immediate termination of employment, as is appropriate.

Any supervisor, agent or other employee who is found, after appropriate investigation, to have engaged in harassment, encouraged harassment, or, in the case of a supervisor, permitted harassment to continue, will be subject to disciplinary action, including discharge.

INFORMATION TECHNOLOGY:

1) Port Security Monthly Procurement Report

Mr. Herd noted that the Board previously approved a not to exceed amount for procurement for the Bear Mountain Bridge ITS Project of \$1,700,000.00. The expenses for this month are \$9,325.36 bringing the total spent to date to \$1,321,106.58 which leaves a balance of \$378,893.42. No action was required by the Board.

2) Jobs in Progress for IT - January

Mr. Herd apprised the Board of several projects that the Information Technology Teams are working on:

- The phone system at the Mid-Hudson Bridge Facility is 95% complete with some programming required and work in the Command Center to be completed. The three digit dialing still needs to be turned on.
- Dark fiber installation and repair will be installed as soon as the weather breaks and there are three days available to install it.
- The OmniAir 5.9GHz testing is ongoing at the Newburgh-Beacon Bridge Facility. The project will be completed in February with the hardware and software transactions completed.
- The ITS/Video Installation project for Homeland Security is in many different stages.
 - The work at the BMB facility is 70% complete with just a few head end and minor field work to complete
 - The FLIR cameras are installed at BMB and NBB and will be integrated with the head end work. The MHB camera will be installed when the weather breaks
 - The plans for the KRB and RVWB are 95% complete with review and final plans happening in the next two weeks. Construction will be advertised in February.
- The Command Center will be completed shortly with programming the equipment left to do. No action was required by the Board.

3) UPS Battery Maintenance

Mr. Herd indicated to the Board that the primary Uninterruptible Power Supply (UPS) systems at each Bridge Facility and the Headquarters Complex Buildings have been in use since February 2006. These seven systems provide power conditioning and backup for the critical power feeds servicing each location. The 9170 systems are five years old and it is industry practice to replace the batteries every five years. The batteries are the key components in the system's ability to safely and securely provide clean and uninterrupted power should there be any type of power distribution issues. Lynn Associates is Eaton's representative for upstate New York. The total cost of batteries, one year maintenance and the installation of these batteries is \$42,199.00 and is identified in the Information Technologies 2011 Capital Improvement Program. Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Lashua, the following resolution was adopted unanimously.

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-172

Resolution Date: February 17, 2011

WHEREAS the Board of Commissioners has reviewed the memorandum regarding the System-Wide Uninterruptible Power Supply (UPS) Batteries and Maintenance, BA-2011-RO-009-IT.2; and

WHEREAS, this project is identified within the approved 2011 Department of Information Technology Capital Improvement Program; now therefore

BE IT RESOLVED that UPS Batteries and Maintenance procurement be made through Eaton Corporation and Lynn Associates for an amount of \$42,199.00 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 February, 2011.

Joseph Ruggiero, Secretary

4) TRANSCOM Annual Member Contribution

Mr. Herd informed the Board of the 2011 invoice for the Authority's membership with TRANSCOM. The amount is \$64,573.00 and has increased by \$1,881.00 or 3% since the last fiscal year and for the first time in two years. The Authority's membership contribution is 1.96% of the total membership dues. This is consistent with the recently approved 2011 TRANSCOM Budget. A brief discussion relative to the Command Center and increase in the Annual Member Contribution. Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-173

Resolution Date: February 17, 2011

WHEREAS, the Board of Commissioners has reviewed the memorandum regarding the annual membership dues for TRANSCOM; and

BE IT RESOLVED that this payment (BA-2011-OA-010-OT) is hereby approved at a cost not-to-exceed \$64,573.00; 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 February, 2011.

Joseph Ruggiero, Secretary

OPERATIONS:

1) New York State Police Mid Hudson Bridge Traffic Control 2010

Mr. Ferguson indicated to the Board that he prepared the final 2010 quarterly invoice for the New York State Police traffic control services at the Mid-Hudson Bridge. These services are budgeted for and included in the annual approved budget for the Mid-Hudson Bridge. At its January 2010 meeting, the Board approved an annual 2010 expenditure of \$77,000 for these services. This amount allowed for an estimated 760 hours of coverage at the current rate of \$100.36 per hour. The actual hours worked by the State Police at the Mid-Hudson Bridge in 2010 were 843½. Therefore, the annual expense for 2010 now totals \$84,653.66. Mr. Ferguson recommended to the Board to award a contract increase of \$7,653.66 with a not-to-exceed amount. Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-174

Resolution Date: February 17, 2011

WHEREAS, the Board has reviewed the report relative to the payment to the State Police for Troop F State Police services incurred for traffic control provided at the Mid-Hudson Bridge; now therefore

BE IT RESOLVED that the Board approves an increase of \$7,653.66 in the 2010 amount for State Police Troop F services bringing the annual amount to a not-to-exceed amount of \$84,653.66; 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 February 2011.

Joseph Ruggiero, Secretary

OPERATIONS:

Mr. Bellucci briefed the Board regarding the Authority Budget Office (ABO) confidential self-evaluation and assessment summary report. Following a review and recommendation by the Governance Committee, Governance Committee Chairman made a motion to authorize Mr. Bellucci to file the summary report with the ABO. The motion was seconded by Commissioner Lashua and unanimously approved.

REPORTS TO BOARD:

1) Monthly Activity Report of the Executive Director

The Monthly Activity Report was submitted by Executive Director Joseph Ruggiero noting no expenditures in the month of January.

2) Traffic Classification Report

Mr. Ruggiero presented the Traffic Classification Comparison report for the year to date and December 2010. This report shows the traffic count on each bridge, as well as the associated revenue. Year to date, New York State Bridge Authority's revenues are \$569,911.00 above last year's receipts. No action was required by the Board.

3) IBTTA Travel Request – IBTTA Legislative Conference, Washington, DC. March 7th -8th

Mr. Ruggiero indicated to the Board that the International Bridge, Tunnel and Turnpike Association (IBTTA) is holding a Legislative Conference in Washington, DC on March 7th and 8th to discuss a variety of issues. Of particular importance to NYSBA will be project financing, transportation revenue issues and the future of all-electronic or open-road tolling. Mr. Ruggiero apprised the Board that several of these issues may be impacted by federal and state legislative actions, and legislative action may be required to insure that revenues are protected as the Authority progress towards a fully electronic tolling environment. Mr. Ruggiero asked for the Board's Authorization to attend this conference on behalf of NYSBA. Sessions begin at 8:30 am on Monday and conclude at 5 pm, on Tuesday. The costs will include registration for Member/Government (\$575), Hotel (3 nights, \$275 per night, \$825), transportation (Amtrak, round trip, business class approx. \$300) and meals (3 dinner/breakfast at \$71 per diem, \$213) would total approximately \$1,913. A brief discussion followed relative to when the Authority might implement All Electronic Tolling. Chairman Sproat called for a motion. On motion of Commissioner Dressel, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-175

Resolution Date: February 17, 2011

WHEREAS the New York State Bridge Authority's membership in the International Bridge, Tunnel and Turnpike Association (IBTTA) has provided valuable and insightful information to NYSBA ; and

WHEREAS, the IBTTA Legislative Conference in Washington, DC will provide an important opportunity to understand and gain useful knowledge about the future of tolling operations and both the federal and state the legislative actions that will impact NYSBA; now therefore

BE IT RESOLVED that Executive Director Joseph Ruggiero is authorized to represent NYSBA at the March 6-8 IBTTA Legislative Conference in Washington, DC at an approximate cost of \$1,913.; 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 February, 2011.

Joseph Ruggiero, Secretary

NEW BUSINESS:

1) NYSTA Legislative Proposal

Mr. Ruggiero indicated to the Board that the NYS Thruway Authority has proposed legislation that would improve the current statutory processes for toll violation enforcement and create statutory privacy protections for electronic toll collection account information.

Vice Chairman Vecellio expressed concern regarding expanded enforcement authority being vested in the Thruway Authority without due consideration for electronic or billing mistakes, which he noted occur occasionally. Without a more effect appeals process Mr. Vecellio noted that he could not support this proposal. Noting Vice Chairman Vecellio concerns, Commissioner Gerentine proposed amending the resolution, seconded by Commissioner Dressel, to reflect the Board's concerns while acknowledging the enforcement procedures would have merit for the toll industry. The amendment was approved unanimously on a motion by Commissioner Gerentine, seconded by Commissioner Lashua, the resolution was adopted by a vote of four ayes and one no (Vice Chairman Vecellio).

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-176

Resolution Date: February 17, 2011

WHEREAS toll violation enforcement and privacy protection of E-ZPass records are regulated by the State of New York; and

WHEREAS, the ability to collect tolls is critical to the ability of the NYS Bridge Authority to fulfill its statutory mission; and

WHEREAS, the New York State Thruway Authority has proposed legislation to improve the current statutory processes for toll violation enforcement and create statutory privacy protections for electronic toll collection account information referenced as NYSTA #02-11; now therefore

BE IT RESOLVED that the Board of Commissioner of the New York State Bridge Authority expresses its support this critical legislation and urges its enactment into law; and

(amendment) BE IT FURTHER RESOLVED that the Board expresses its concerns that the added enforcement authority given to tolling entities under this legislation should also be accompanied by a more vigorous effort by effort by tolling authorities to quickly resolve disputes and respond to public concerns; 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 February, 2011.

Joseph Ruggiero, Secretary

2) Dark Fiber

Mr. Ruggiero noted that our first customer for a Dark Fiber lease is ready to proceed to an agreement and lease arrangement. The proposed lease was drafted by Counsel Carl Whitbeck and is currently under review by Time Warner. Should we proceed with these arrangements, the lease of 48 dark fiber strands over the 10-year period of the lease will generate approximately \$430-\$480,000 in non-toll revenue. This type of lease will also serve as a prototype for future contracts. Mr. Ruggiero requested the Board's authorization, with the advice and consent of counsel, to proceed with the agreement. The Board was encouraged by the quick response to the Dark Fiber opportunity and asked the Executive Director to continue to explore opportunities for cell towers and other ways to generate revenue. Commissioner Gerentine complimented Mr. Ruggiero for his efforts on this project and moved that the resolution be adopted. Vice Chairman Vecellio seconded the motion and the Board approved the resolution unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-177

Resolution Date: February 17, 2011

WHEREAS the Board of Commissioner, in October 2010, authorized the installation of dark fiber on the Mid-Hudson Bridge in order to meet the needs of the Bridge Authority; and

WHEREAS, the Authority may realize non-toll revenue by leasing excess capacity; now therefore

BE IT RESOLVED that the Board of Commissioners authorizes the Executive Director, upon the advice and consent of Authority Counsel, to enter into a lease agreement with Time Warner Cable for the purpose of leasing dark fiber; 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 February, 2011.

Joseph Ruggiero, Secretary

The Board recessed to Attorney Client session at 4:14 pm. The Board meeting reconvened at 4:45 pm.

NEW BUSINESS CONTINUED

- 1) Appointment of New Deputy Executive Director Tara Sullivan
Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-178

Resolution Date: February 17, 2011

WHEREAS, the By-Laws of the New York State Bridge Authority includes the position of Deputy Executive Director; and

WHEREAS, the Board desires to fill the position of Deputy Executive Director to assist the Executive Director in carrying out his duties on behalf of the Authority and the Board of Commissioners; and

WHEREAS, Tara Sullivan has extensive public, private and governmental experience throughout the Hudson Valley, most recently serving as the New York State Executive Director for the Hudson-Fulton-Champlain Quadricentennial; now therefore

BE IT RESOLVED, that Tara Sullivan is hereby appointed Deputy Executive Director of the New York State Bridge Authority effective February 21, 2011, will be compensated at an annual salary of \$102,000.00 and shall be annually granted four weeks of vacation time commencing on the date of appointment in addition to 60 hours of vacation and 213.75 hours of sick leave accruals as certified by previous employment with the State of New York; 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 February 2011.

Joseph Ruggiero, Secretary

2) Police Status for Employees

Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 010-179

Resolution Date: February 17, 2011

WHEREAS, Section 528, Public Authorities Law, confers upon the New York State Bridge Authority the power to appoint or designate one or more persons as police officers for the purpose of enforcing law, order and the observance of the rules and regulations as established by the Authority; now therefore

BE IT RESOLVED that the appointments of all police officers as established at the last Annual Meeting of this Authority held on May 20, 2010 is rescinded; and

BE IT FURTHER RESOLVED that Brad Moritt is hereby appointed New York State Bridge Authority as police officer to hold such position until separated from the service of the Bridge Authority or until such earlier date as this Authority shall determine.

BE IT FURTHER RESOLVED that nothing herein shall be construed to confer on any individual the right to carry firearms in the course of his or her duties or while off duty.

BE IT FURTHER RESOLVED that no fire arms shall be permitted on Bridge Authority premises except as provided by law.

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 February, 2011

Joseph Ruggiero, Secretary

This concluded the regular meeting agenda. On motion of Commissioner Gerentine, seconded by Vice Chairman Vecellio and approved unanimously, the regular meeting adjourned at 4:50 P.M.

The next regular meeting is scheduled for March 17, 2011 at 3:00 P.M. at Headquarters.