

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
JUNE 21, 2012

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:

Vecellio, Francis N., Chairman
Gerentine, Richard A., Vice Chairman
Dressel, Roderick O., Commissioner
Higgins, Roger P., Commissioner
Lashua, C. Vane, Commissioner
Ramaglia, Joseph, Commissioner

Whitbeck, Carl G., Counsel

OFFICERS:

Ruggiero, Joseph, Secretary
Bushek, Brian, Treasurer

Chairman Vecellio called the meeting to order at 3:12 PM and called for a motion to adopt the minutes of the May 17, 2012 Annual and Regular Meetings. On motion of Commissioner Lashua, seconded by Commissioner Ramaglia, the minutes of the May 17, 2012 Annual Meeting were adopted unanimously. On a motion of Commissioner Higgins, seconded by Commissioner Gerentine, the minutes of the May 17, 2012 Regular Meeting were adopted unanimously.

ENGINEERING:

1) MHB/NBB Overlay and Joint Replacement Project

Mr. Moreau reported to the Board that the Authority solicited bids for the upcoming overlay replacement and joint repairs at the Mid-Hudson and Newburgh-Beacon Bridges through an advertisement in the NYS Contract Reporter and on our website. Fourteen (14) firms requested the bid documents with three (3) submitting bids. Mr. Moreau indicated that due to a significant error in computation, the low bidder, McNamee Construction requested to withdraw their bid. Mr. Moreau recommended an award of the contract to Argenio Bros., Inc. in an amount not-to-exceed \$3,524,600.00. Chairman Vecellio called for a motion. On a motion of Commissioner Lashua, seconded by Commissioner Higgins, the following was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-069

Resolution Date: June 21, 2012

WHEREAS, bids were solicited through the New York State Contract Reporter for the contract entitled Mid-Hudson and Newburgh-Beacon Bridges “Overlay Replacement and Joint Repairs” as (BA2012-RE-108-CM) and three (3) bids were received on May 15, 2012, the low bidder being the firm of Argenio Bros., Inc. at a bid of \$3,524,600.00; and

WHEREAS, an environmental review of this project has determined there is no significant negative impact; and

WHEREAS, after further review of the cost proposal by the Engineering Department, it is recommended that a contract be awarded to the firm of Argenio Bros., Inc.; now therefore

BE IT RESOLVED that a contract be awarded to Argenio Bros., Inc. of New Windsor, NY in the amount of \$3,524,600.00 pending the filing of proper certifications, and the receipt of bonding and insurance requirements; 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 May, 2012.

Joseph Ruggiero, Secretary

2) Newburgh-Beacon Bridge South Span Deck Replacement Inspection

Mr. Moreau informed the Board that the Authority advertised for a construction inspection consultant for the Newburgh-Beacon Bridge South Span Deck Replacement in the NYS Contract Reporter and on our website, and received seven (7) proposals. Mr. Moreau explained that the Engineering Department performed a qualification-based assessment of all proposals and the Weighting Committee made an assessment of the cost proposals of the top four qualifiers. Modjeski & Masters (M & M) provided the best overall proposal with a cost not-to-exceed \$5,371,899.00. M & M provided construction inspection services on the last deck replacement project at KRB (2000 – 2002) and Mr. Moreau noted that this project was completed on time and under budget. Mr. Moreau went on to say that the details of their proposal indicate the most appropriate constructability review task identified in our RFP. This will be important to reduce the potential for change orders during construction. Chairman Vecellio called for a motion. On a motion of Commissioner Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-070

Resolution Date: June 21, 2012

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to award a contract for professional construction inspection services in connection with the Newburgh-Beacon Bridge South Span Deck Replacement project to be designated BA-2012-RE-101-SU; and

WHEREAS, the Authority's Engineering Department advertised this request in the NYS Contract Reporter; and

WHEREAS, the Authority's Engineering Department has reviewed the cost proposals and has determined that Modjeski & Masters, Inc. is best qualified to provide the required professional services; now therefore

BE IT RESOLVED that a professional service agreement be awarded to Modjeski & Masters, Inc., of Poughkeepsie, New York, in an amount not to exceed \$5,371,899.00; 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 21st day of June, 2012.

Joseph Ruggiero, Secretary

3) Jobs in Progress Monthly Report

Mr. Moreau reported on the Engineering Jobs in Progress Report for the month of May noting that painters will be mobilized within the week and production and blasting will begin the following week for the Newburgh-Beacon painting project. Mr. Moreau also reported to the Board that steel repairs on the Walkway are underway. Chairman Vecellio called for a motion. On a motion of Commissioner Ramaglia, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-071

Resolution Date: June 21, 2012

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 21st day of June 2012.

Joseph Ruggiero, Secretary

FINANCIAL:

1) Investment Transaction Report

Mr. Bushek reviewed the Investment Report for the month of May noting five investments for the month. Mr. Bushek mentioned the money in the Revenue Fund was held over to pay bond debt services. On a motion of Commissioner Dressel, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-072

Resolution Date: June 21, 2012

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 May 17, 2012; 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 21st day of June 2012.

Joseph Ruggiero, Secretary

2) 2012 Maintenance Reserve Fund Balance Determination

Mr. Bushek informed the Board that in accordance with Section 5.03 of the Bond Resolution, a certificate of an Authorized Officer of the Authority indicating the required balance in the Maintenance Reserve Fund is \$111,087,000. Mr. Bushek added that this balance, determined by resolution annually, is the amount necessary to enable the Authority to comply with the covenant contained in Section 7.12 of the Bond Resolution. Mr. Bushek noted that it represents the February 2012 Board approved Capital Improvement Program for the years 2012-2014. A brief discussion ensued explaining that this is the ceiling on the Reserve Fund. Chairman Vecellio called for a motion. On a motion of Commissioner Ramaglia, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-073

Resolution Date: June 21, 2012

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

BE IT RESOLVED that the balance shall be \$111,087,000 as recommended by the consulting Engineers, Modjeski and Masters, P.C.; 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 21st day of June 2012.

Joseph Ruggiero, Secretary

3) Insurance Policy Renewals 8-1-2012

Mr. Bushek informed the Board that in July 2011, the Authority awarded contracts for two insurance policies for one-year periods beginning August 1st. The right was reserved by the Authority to renew these policies for three additional years if the carrier offered timely renewal, at substantially the same terms, conditions and rates, subject to modification for actual loss experience. Police Professional coverage was modified during the RFP process in 2011 as a result of the reduction in Authority employees classified as police officers. Mr. Bushek noted that this change resulted in a rate reduction from 2010/2011 from \$9,070 to \$4,611 in conjunction with a change of brokers to Risk Strategies Inc., and the premium remains static for the renewal. General Liability coverage renewal was quoted at the same rate as the expiring. The increased cost of the renewal is the result of a slight increase in the estimated vehicle crossing for 2012/2013 of approximately 20,000 vehicles. This resulted in a net premium increase as quoted by Risk Strategies Inc. of \$42. Mr. Bushek went on to say that these carriers have proposed no change in rates for the 2012 renewal. Chairman Vecellio called for a motion. On a motion of Commissioner Lashua, seconded Commissioner Higgins, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-074

Resolution Date: June 21, 2012

WHEREAS, the Board has reviewed the report relative to the August 1, 2012 purchase of insurance policies covering general liability, business automobile, commercial package, umbrella/excess liability, and police professional liability; now therefore

BE IT RESOLVED that the purchase of these insurances is hereby approved for a period of one year at the following not to exceed costs:

\$125,554, subject to audit, for Contract BA2011-OA002-IN General Liability with the Allied World National Assurance Co. through Risk Strategies, Inc.;

\$4,611, for Contract BA2011-OA006-IN Police Professional Liability with the Darwin National Insurance Company through Risk Strategies, 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 21st day of June 2012.

Joseph Ruggiero, Secretary

OPERATIONS:

1) New York State Thruway Authority – First Quarter 2012- E-ZPass Expenses

Mr. Ferguson indicated that he and the Acting Manager of Toll Systems reviewed the invoice from the New York State Thruway Authority for 1st quarter 2012 Bridge Authority E-ZPass expenses for the period January 1, 2012 through March 31, 2012 and found them to be true and accurate, and as such recommends that they be paid in the amount of \$834,173.66. A brief discussion followed relative to increase in overall traffic and customers switching to E-ZPass for savings. Chairman Vecellio called for a motion. On a motion of Commissioner Dressel, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-075

Resolution Date: June 21, 2012

WHEREAS, the Board has reviewed the report relative to the payment to the New York State Thruway Authority for 1st Quarter 2012 Bridge Authority E-ZPass costs in the amount of \$834,173.66; now therefore

BE IT RESOLVED that this payment is hereby approved at a cost not to exceed \$834,173.66; 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 21st day of June 2012.

Joseph Ruggiero, Secretary

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 May.

2) Traffic Classification Report

Mr. Ruggiero presented the Adjusted Traffic Classification Comparison report for the year to date April 2012 numbers. 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 \$4,663,522.00 above last year's receipts. A brief discussion followed relative to DOT Inspection stops on our bridges. No action was required by the Board.

Mr. Ruggiero presented the Traffic Classification Comparison report for the year to date May 2012 numbers. 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 \$6,196,936.00 above last year's receipts. A brief discussion followed regarding a decline in commercial traffic. No action was required by the Board.

NEW BUSINESS:

1) Tara Sullivan – Service on the Dutchess County Ethics Board

Ms. Sullivan requested that the NYSBA Board of Commissioners approve her serving on the Dutchess County Ethics Board. Ms. Sullivan stated that NYSBA counsel found no conflict between the position of Deputy Executive Director for NYSBA and serving on the Dutchess County Board of Ethics. Chairman Vecellio called for a motion. On a motion of Commissioner Higgins, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 012-076

Resolution Date: June 21, 2012

WHEREAS Deputy Executive Director Tara Sullivan has been nominated to and desires to serve on the Dutchess County Board of Ethics; and,

WHEREAS, the Authority Counsel has determined that the applicable provisions of the Authority's Code of Ethics, the Public Officers Law and other relevant regulations do not require the Deputy Executive Director to seek permission from the NYS Ethics Commission regarding this appointment; and,

WHEREAS, the Authority Counsel has determined that, so long as the standards of the Public Authorities Law Section 74 are met, a position on the Dutchess County Board of Ethics does not conflict with the discharge of duties as Deputy Executive Director of the Authority and that, with the confirmation of the Board of Commissioners, the Deputy Executive Director may serve on the Dutchess County Board of Ethics; now therefore

BE IT RESOLVED that the Board of Commissioners does confirm that no conflict exists and that Deputy Executive Director Tara Sullivan may serve as a member of the Dutchess County Board of Ethics; 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 21st day of June, 2012.

Joseph Ruggiero, Secretary

This concluded the regular meeting. Chairman Vecellio asked for a motion to adjourn the meeting. On a motion of Commissioner Higgins, seconded by Commissioner Ramaglia and approved unanimously, the regular meeting adjourned at 3:32 P.M.

The next regular meeting is scheduled for July 19, 2012 at 3:00 P.M. at Headquarters.