

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
May 19, 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:

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 3:10 PM. Chairman Vecellio called for a motion to adopt an amended agenda which includes additional items. On motion of Commissioner Ramaglia, seconded by Commissioner Higgins the motion was approved unanimously. Chairman Vecellio called for a motion to adopt an amendment to the December 2010 minutes. On a motion by Commissioner Lashua and second by Commissioner Higgins, the motion was approved unanimously. Chairman Vecellio then called for a motion to adopt the minutes of the April 21, 2011 Regular meeting. On motion of Commissioner Gerentine, seconded by Commissioner Lashua, the minutes of the April 21, 2011 Regular meeting were adopted unanimously.

ADMINISTRATION:

1) Travel Authorization – IAG Executive Management Committee Meeting

Mr. Russo indicated to the Board that the next E-ZPass Interagency Group bi-monthly Executive Committee meeting is being scheduled together with its annual Executive Management Seminar. The meetings are scheduled for June 8 -9, 2011 in Wilmington, DE at the IAG offices. Mr. Russo requested Board authorization for one overnight stay to attend these meetings as the Executive Committee representative along with Deputy Executive Director Tara Sullivan. Chairman Vecellio called for a motion. On motion of Commissioner Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-009
Resolution Date: May 19, 2011

WHEREAS, the Board has received and reviewed a request for overnight, out-of-state travel to attend a special Interagency Group (IAG) Executive Management Seminar being held in Wilmington, DE on June 8 – 9, 2011; now therefore

BE IT RESOLVED that authorization is granted, in accordance with the Authority's travel reimbursement guidelines, to Bob Russo and Joseph Ruggiero or Tara Sullivan to attend the identified meeting as the representatives for the Authority; 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 19th day of May 2011.

Joseph Ruggiero, Secretary

ENGINEERING:

1) BMB Replacement Streetlight Poles

Mr. Moreau indicated to the Board that the Authority advertised for twenty-two (22) aluminum replacement streetlight poles for use at the BMB in the NYS Contract Reporter with bids due Wednesday, May 11th. Six bids were received with Mid-Island Electrical Supply providing the low bid. Mr. Moreau recommended issuing a purchase order in an amount not-to-exceed \$17,732.00 to Mid-Island Electrical Supply of Newburgh, NY. This purchase will replace the aging streetlights, which have reached the end of their useful life, per the inspection report done by M&M, dated April 11th, 2011. Mr. Moreau further indicated that the in-house capital plan project was adjusted to include the replacement of these poles. The cost is estimated at an additional \$30,000.00 and will come from within the existing in-house capital plan program. Chairman Vecellio called for a motion. On motion of Commissioner Higgins, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-010
Resolution Date: May 19, 2011

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Mid-Island Electrical Supply of Newburgh, New York, for the purchase of twenty-two (22) aluminum streetlight poles for use at the Bear Mountain Bridge; and

WHEREAS, the Authority advertised this procurement opportunity in the NYS Contract Reporter and received six cost proposals; and

WHEREAS, the Authority's Engineering Department has reviewed and approved Mid-Island Electrical Supply as the low bidder; now therefore

BE IT RESOLVED that a purchase order be issued to Mid-Island Electrical Supply for the purchase of twenty-two (22) streetlights in an amount not-to-exceed \$17,732.00; 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 19th day of May 2011.

Joseph Ruggiero, Secretary

2) 2009 Port Security Grant Award

Mr. Moreau stated that the Authority received notice from the PANYNJ that the 2009 homeland security grant request was accepted. The scope of this grant will enhance the new camera system to include security lighting, motion and vibration sensors. This grant requires a 25% match by the Authority. The grant is actually structured in two pieces: one for our suspension bridges and one for our truss bridges. Mr. Moreau further indicated that the two grants total \$918,750.00 and the Authority's contribution will be \$306,250.00. A brief discussion followed relative to money appropriated for this project as well as it being in the Capital Plan for next year. On motion of Chairman Vecellio, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-011
Resolution Date: May 19, 2011

WHEREAS, the New York State Bridge Authority desires consistency in issues of homeland security surrounding our facilities; and

WHEREAS, the Authority has applied to the 2009 homeland security grant program administered by PANYNJ; and

WHEREAS, the Authority has been received notification of award for the subject work covering 75% of the total project costs; and

WHEREAS, the Authority's Engineering Department has reviewed and accepted the agreements including \$736,500.00 for the RVWB, KRB and NBB facilities and \$182,250.00 for MHB and BMB; now therefore

BE IT RESOLVED that the Board authorizes entering into this agreement with PANYNJ; 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 19th day of May 2011.

Joseph Ruggiero, Secretary

3) Jobs in Progress Monthly Report

Mr. Moreau presented the Engineering Jobs in Progress Report for the month of April and stated that the paint project at Newburgh Beacon Bridge is underway and on schedule. Chairman Vecellio called for a motion. On motion of Commissioner Higgins, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-012
Resolution Date: May 19, 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 19th day of May 2011.

Joseph Ruggiero, Secretary

FINANCIAL:

1) Investment Report

Mr. Bushek reviewed the Investment Report for the month of April noting continued low interest rates. Chairman Vecellio called for a motion. On motion of Commissioner Ramaglia, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-013
Resolution Date: May 19, 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 April 21, 2011; 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 19th day of May 2011.

Joseph Ruggiero, Secretary

INFORMATION TECHNOLOGY:

1) Port Security Monthly Procurement Report

Mr. Herd noted that the Board approved a not to exceed amount for procurement for the Bear Mountain Bridge ITS Project of \$1,700,000.00. Expenses this month totaled \$4733.26 and the total spent to date is \$1,326,293.23 which leaves a balance of \$373,706.77. No action was required by the Board.

2) Jobs in Progress for IT - April

Mr. Herd reported on several projects for the Information Technology Teams. The work on Dark fiber installation has been completed. The OmniAir 5.9GHz testing completion was delayed due to an integration issue with a third party participant. It is anticipated to be completed in mid May. The ITS/Video Installation project for Homeland Security continues. The UPS batteries and maintenance at MHB/OPS buildings are complete and BMB are completed and NBB, KRB, and RVW are scheduled for May. The touch screens for the replacement program are ordered and will be installed at BMB and NBB. Chairman Vecellio called for a motion. On motion of Commissioner Higgins, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-014

Resolution Date: May 19, 2011

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

BE IT RESOLVED that the Information Technology 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 19th day of May 2011.

Joseph Ruggiero, Secretary

3) ITS Maintenance Funding - Transdyn

Mr. Herd indicated that in December of 2009, a New York State Contract Reporter Advertisement was placed for a System-Wide Intelligent Transportation System (ITS) Engineering Consultant. The contract was for both maintenance and consulting services. Mr. Herd went on to say that Transdyn has been the Authority's ITS consultant for the past five years and was awarded this contract at the January 21, 2010 Board of Commissioners Meeting. Mr. Herd recommended an additional not-to-exceed amount of \$50,000.00 for the continued support of the Authority's ITS Systems. A brief discussion followed relative to the contract being within the budget. Chairman Vecellio called for a motion. On motion of Commissioner Dressel, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-015
Resolution Date: May 19, 2011

WHEREAS the Board of Commissioners has reviewed the memorandum and scope of consulting services for the System-Wide Intelligent Transportation Systems Engineering Consulting Contract; BA-2010-RO-001-ES; and

WHEREAS, the Authority has established a consulting contract with Transdyn; now therefore

BE IT RESOLVED that an addendum to contract BA-2010-RO-001-ES Intelligent Transportation Systems Consultant be established for a not-to-exceed amount for \$50,000.00; 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 19th day of May, 2011.

Joseph Ruggiero, Secretary

4) Microsoft Licensing Services

Mr. Herd informed the Board that it is necessary to license the Microsoft operating systems and programs installed on the computers in use at the Authority. To maintain license integrity and to allow the use of multiple versions of the Microsoft Suite of products, the Authority participates in the NYS Statewide Microsoft Licensing Program (Software Assurance). The benefits of this program include price protection, predictable budgetary amounts and software licensing flexibility over the period of the agreement. This program is structured as a “three year” agreement with annual payments. The total cost of this program will be approximately \$69,760.06 over a three year period. Mr. Herd recommended approval of the third payment of \$23,204.57 for the 2011/2012 contract period. The licensing agreement through the NYS Office of General Services has been awarded to Dell and they are the reseller of these services. Chairman Vecellio called for a motion. On motion of Commissioner Lashua, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-016
Resolution Date: May 19, 2011

WHEREAS the Board of Commissioners has reviewed the memorandum describing the need to license the Microsoft software products in use on the Authority’s electronic computer systems; and

WHEREAS, the Authority will participate in this licensing program through the NYS OGS Statewide Contract #PT65196; now therefore

BE IT RESOLVED that the purchase of software licensing services for the one-year period is hereby approved at a cost of \$23,204.57; 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 19th day of May, 2011.

Joseph Ruggiero, Secretary

OPERATIONS:

1) Travel Request for Frank Mazzella

On behalf of Mr. Ferguson, Mr. Ruggiero indicated to the Board that the InterAgency Group (IAG) for the E-ZPass System scheduled a meeting of the Technical Committee evaluating new E-ZPass Technology for a potential procurement later this year. Frank Mazzella represents NYSBA and is a member of the IAG Technical Committee. Mr. Ruggiero added that it is important for NYSBA to be fully engaged in this process and represent our interests. Mr. Mazzella has requested travel to the Delaware Memorial Bridge on May 25 and 26 for the meeting. His estimated expenses will not exceed \$160.00 for the two day meeting and he will utilize a pool vehicle for travel. Chairman Vecellio called for a motion. On motion of Commissioner Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-017
Resolution Date: May 19, 2011

WHEREAS the NYS Bridge Authority is a member of the InterAgency Group (IAG) for the E-ZPass System, the IAG is currently evaluating a new E-ZPass Technology Procurement and the results of the procurement will impact E-ZPass systems for some time; and,

WHEREAS, Frank Mazzella is a member of the IAG Technical Committee which is meeting to provide the foundation for the IAG Selection Committee process for the E-ZPass procurement; now therefore

BE IT RESOLVED that Frank Mazzella is authorized to travel to the Delaware Memorial Bridge on May 25 and 26 to represent NYSBA at the Evaluation Committee meeting with an estimated cost of \$160.00 for the two day meeting; 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 19th day of May, 2011.

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 April.

2) Traffic Classification Report

Mr. Ruggiero presented the Traffic Classification Comparison report for the year to date and February 2011. 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 \$81,998.00 below last year's receipts which is a result of high gas prices. No action was required by the Board.

Chairman Vecellio made a motion to recess and to Attorney Client session. On motion of Commissioner Ramaglia, seconded by Commissioner Higgins the meeting recessed at 3:30 P.M.. The regular meeting reconvened at 4:15 P.M.

NEW BUSINESS:

1) Suspension of provisions of the Management-Confidential Compensation Plan - Tabled

Chairman Vecellio called for a motion that this agenda item be tabled and revisited at a later date. A motion was made by Commissioner Ramaglia, seconded by Commissioner Higgins and approved unanimously.

2) Report of the Governance Committee – Physical Qualifications for Certain Drivers Policy

At the April Governance Committee meeting, the Governance Committee tabled the proposed resolution formalizing the requirements for the NYSBA Physical Qualifications for Certain Drivers Policy (CDL Drivers) pending further research by Counsel. Counsel has completed that research and concluded that the draft policy presented to the committee is appropriate and recommends adoption. The committee remove the proposal from the table and recommended the resolution and adoption of the policy to the full board. Chairman Vecellio called for a motion. On motion of Commissioner Higgins, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-018

Resolution Date: May 19, 2011

WHEREAS, pursuant to Article 49 of the Collective Bargaining Agreement, all maintenance employees are required to hold a valid and appropriate New York State motor vehicle driver's license in order to fully perform their duties, and

WHEREAS, in accordance with the Collective Bargaining Agreement and state and federal law, an employee holding a NYS Commercial Driver's License must certify that they meet the requirements of the Federal Motor Carrier Safety Regulations contained in 49 CFR Part 391, which include a requirement for a US Department of Transportation (DOT) physical, and

WHEREAS, it is the recommendation of the Director of Human Resources to adopt the attached Physical Qualifications for Certain Drivers Policy.

BE IT RESOLVED that the Board of Commissioners hereby adopts the attached Physical Qualifications for Certain Drivers 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 19th day of May, 2011.

Joseph Ruggiero, Secretary

3) Poughkeepsie – Dutchess County Transportation Council Agreement

The agreement is a requirement of federal and state law regarding the cooperation and planning efforts of transportation agencies within a Metropolitan Planning Organization (MPO). The Agreement places upon NYSBA the requirement to share already public information such as our capital plan and transportation projects. It also specifically notes that the agreement shall not infringe upon or otherwise subject to outside approval any policy, plan or program of NYSBA nor shall it be interpreted to mean that the council has any oversight over any non-federally funded project. The Agreement has already been signed by the Commissioner of DOT, the County Executive, the Mayor and the Chairman of the MTA. Chairman Vecellio asked the Board to accept the Agreement. On motion of Commissioner Lashua, seconded by Commissioner Higgins the Agreement was accepted.

Chairman Vecellio asked the Board to adopt resolutions which were discussed in Attorney Client Privilege session.

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-019

Resolution Date: May 19, 2011

WHEREAS, the Authority was advised by TRMI of a potential copyright claim embedded in the source code of the toll collection software;

NOW THEREFORE, BE IT RESOLVED, that the Authority shall indemnify and hold TRMI harmless from any cause or cause of action that might be asserted against TRMI with respect to its performance of its maintenance contract # BA-2010-OO-005-PS dated April 19, 2010 and addendum No. 1 BA-2011-RO-007-PS dated February 24, 2011.

IN WITNESS WHEREOF, this resolution has been duly adopted this 19th day of May, 2011.

Joseph Ruggiero, Secretary

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 011-020

Resolution Date: May 19, 2011

WHEREAS the NYS Bridge Authority is subject to the provisions of the Family Medical Leave Act (FMLA); and,

WHEREAS, Executive Director Joseph Ruggiero has requested to be deemed eligible under the FMLA by the Authority; now therefore

BE IT RESOLVED that the Board of Commissioners affirms that Mr. Ruggiero has been employed by the Authority for at least 12 months, worked at least 1,250 hours in the previous 12 months, works at an eligible site and therefore is eligible for FMLA leave; and

BE IT FURTHER RESOLVED that the Director of Human Resources, 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 19th day of May, 2011.

Joseph Ruggiero, Secretary

This concluded the regular meeting agenda. Vice Chairman Vecellio asked for a motion to adjourn the meeting. On motion of Commissioner Dressel, seconded by Commissioner Higgins and approved unanimously, the regular meeting adjourned at 3:35 P.M.

The next regular meeting is scheduled for June 16, 2011 at 3:00 P.M. at Headquarters.