

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON  
MAY 20, 2010

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Business agenda documents/reports are mailed to the Board Members and General Counsel one week prior to the meeting. Web casting of Board meetings is effective as of the July 19, 2007 meeting. A copy of the web cast will be kept as part of the Board meeting files.

IN ATTENDANCE:

BOARD MEMBERS:

Sproat, James P., Chairman  
Vecellio, Francis N., Vice Chairman  
Gerentine, Richard A., Commissioner  
Higgins, Roger P., Commissioner  
Lashua, C. Vane, Commissioner

Carl G. Whitbeck, Jr., Counsel

OFFICERS:

Ruggiero, Joseph., Secretary  
Sewell, John R., Treasurer

ABSENT:

Dressel, Roderick O., Commissioner  
Ramaglia, Joseph, Commissioner

Chairman Sproat called the meeting to order at 3:10P.M. Chairman Sproat called for a motion to adopt the minutes of the April 15<sup>th</sup> regular meeting. On motion of Vice Chairman Vecellio, seconded by Commissioner Higgins, the minutes of the April 15, 2010 regular meeting were adopted unanimously.

ADMINISTRATION:

1) Renewal of Oracle Software Maintenance Agreement

Mr. Russo informed the Board that JD Edwards EnterpriseOne software from Oracle America, Inc. is used for the Authority's business applications including payroll, accounts payable, general ledger, financials, budgeting and fixed assets. This software, originally purchased from J.D. Edwards and Co. in the early 1990's, was and continues to be a very robust package for our enterprise. Generally, the cost of maintenance for this software has fluctuated from a high of almost \$13,000 for the 1996 agreement to a low of \$7,465 for the years 1998, 1999 and 2000. Since 2007, the amount has been above the threshold requiring Board notification and approval. Mr. Russo indicated the the next renewal of this maintenance agreement will be for the amount of \$11,064.61 for the period of July 1, 2010 through June 30, 2011, representing a 3% increase over the previous year. Mr. Russo further indicated that this agreement includes all software updates and response line telephone and online support services as needed. On a motion of Vice Chairman Vecellio, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 010-047  
Resolution Date: May 20, 2010

WHEREAS the New York State Bridge Authority desires to adequately maintain the current JD Edwards EnterpriseOne business software package used for processing payroll, accounts payable and other business applications including problem resolution, software updates and upgrades; and

WHEREAS, the Authority recognizes that Oracle America, Inc. is a sole source for this service; now therefore

BE IT RESOLVED that an agreement be renewed with Oracle America, Inc. in the amount of \$11,064.61 for software maintenance support and updates for the one year period ending June 30, 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 20th day of May, 2010.

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Joseph Ruggiero, Secretary

ENGINEERING AND MAINTENANCE:

1) Garage Door Purchase for KRB

Mr. Moreau indicated that this project is to install new insulated garage doors to the main maintenance garage at the Kingston-Rhinecliff Bridge. Mr. Moreau further indicated that the Authority solicited prices from three local vendors that do this type of work. The prices ranged from a low of \$13,233.00 to \$15,843.00. Engineering recommends issuing a purchase order to Dutchess Overhead Doors of Poughkeepsie, New York in an amount not-to-exceed \$13,233.00. A brief discussion followed relative to the advantage of this project being preformed in house which enables the Authority to manage it more efficiently with less disruption. 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.: 010-048

Resolution Date: May 20, 2010

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Dutchess Overhead Doors of Poughkeepsie, New York, for providing and installing five (5) new 11' x 11' garage doors with electric operators and safety devices at the main Maintenance Building K-32 at the Kingston-Rhinecliff Bridge; and

WHEREAS, the Authority solicited three estimates from qualified vendors with Dutchess Overhead Doors providing the lowest cost proposal; and

WHEREAS, the Authority's Engineering Department has reviewed and approved the proposal; now therefore

BE IT RESOLVED that a purchase order be issued to Dutchess Overhead Doors for the purchase of five (5) new garage doors, in the amount of \$13,233.00; 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 20<sup>th</sup> day of May 2010.

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Joseph Ruggiero, Secretary

2) Foam Insulation Purchase for KRB

Mr. Moreau indicated that this project is to apply foam insulation to the interior of a 1970's vintage steel building at the Kingston-Rhinecliff Bridge. The original insulation consisted of approximately one inch of fiberglass batting with a vinyl cover. The contractor will remove the existing insulation and install approximately six inches of foam under the roof and three inches on the exterior walls. Mr. Moreau further indicated that three local contractors were contacted that do this type of work and the prices ranged from a low of \$14,130.00 to \$26,200.00. Engineering recommends issuing a purchase order to American Insulation Applicators of Rhinecliff, New York in an amount not-to-exceed \$14,130.00. There was no discussion pertaining to this agenda item. Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 010-049

Resolution Date: May 20, 2010

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to American Insulation Applicators of Rhinebeck, New York, for removing old insulation and providing and installing six inches of foam insulation under the roof and three inches of foam insulation on the exterior walls of the Star Building K-34 at the Kingston-Rhinecliff Bridge; and

WHEREAS, the Authority solicited three estimates from qualified vendors with American Insulation Applicators providing the lowest cost proposal; and

WHEREAS, the Authority's Engineering Department has reviewed and approved the proposal; now therefore

BE IT RESOLVED that a purchase order be issued to American Insulation Applicators in the amount of \$14,130.00; 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 20<sup>th</sup> day of May 2010.

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Joseph Ruggiero, Secretary

3) NDE/NDT for Highways & Bridges Conference, August 16-20, LaGuardia Airport Marriot

Mr. Moreau indicated to the Board that he has been invited to present a paper on the Authority's experience using non-destructive evaluation and testing technologies in the Authority's bridge maintenance and rehabilitation program. The conference will be held in NYC August 16-20, 2010, at LaGuardia Airport Marriot. Mr. Moreau further indicated that the conference promotes the exchange of information among national and international researchers, practitioners and infrastructure stakeholders on the application of nondestructive evaluation (NDE) and nondestructive testing (NDT) technologies for condition assessment of highway infrastructure. Mr. Moreau requested authorization for the registration fee of the conference and to commute with the Authority vehicle. The estimated total travel expenses should be approximately \$450.00. 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.: 010-050  
Resolution Date: May 20, 2010

WHEREAS, the Board has reviewed the request for Bill Moreau to attend the 2010 NDE/NDT for Highways and Bridges Conference in New York, New York, August 16<sup>th</sup> through August 20<sup>th</sup>, 2010; now therefore

BE IT RESOLVED that attendance at the conference is authorized in accordance with Mr. Moreau's travel request form estimated at \$450.00; 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 20<sup>th</sup> day of May 2010.

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Joseph Ruggiero, Secretary

4) Jobs in Progress Monthly Report

Mr. Moreau presented the Engineering Jobs in Progress Report and indicated that there has been a fair amount of activity with the Paint project at Newburgh-Beacon Bridge and is hopeful that sandblasting can begin next month. 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.: 010-051

Resolution Date: May 20, 2010

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

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

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

IN WITNESS WHEREOF, this resolution has been duly adopted this 20<sup>th</sup> day of May 2010.

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Joseph Ruggiero, Secretary

FINANCIAL:

1) Investment Report

Mr. Sewell reviewed with the Board the Investment Report for the month of April. A brief discussion took place relative to current interest rates . Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 010-052  
Resolution Date: May 20, 2010

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 15, 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 20<sup>th</sup> day of May 2010.

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Joseph Ruggiero, Secretary

2) Public Officials/Employment Practices Liability Renewal – August 1, 2010

Mr. Sewell stated that the subject policy, due to expire on August 1<sup>st</sup>, was advertised in 2008 in the New York State Contract Reporter under Contract BA-2008-OA-008-IN and, as a result, the Authority purchased a two-year policy at a cost of \$32,644, which was \$23,761, or 42 percent, below the expiring policy premium. In this RFP, the Authority reserved the option to renew this insurance for an additional two years if the broker subsequently offered renewal in a timely manner at substantially the same terms, conditions and rates – subject to modification for actual loss experience. Mr. Sewell further indicated that there have been no claims under this policy and the broker has offered renewal at the expiring rate. During a discussion relative to coverage under this insurance, Mr. Sewell noted that it provides legal protection for the Board, officers and employees for any wrongful acts rendered during the discharge of their duties and it also protects the Authority for employment practice issues such as harassment and discrimination in the event of a law suit. On motion of Vice Chairman Vecellio, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 010-053

Resolution Date: May 20, 2010

WHEREAS, the Board has reviewed the report relative to the August 1, 2010 renewal of insurance covering public officials/business employment practices liability; now therefore

BE IT RESOLVED that the renewal of this two year insurance policy is hereby approved at the not-to-exceed cost of \$32,644 with the Landmark American 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 20th day of May 2010.

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Joseph Ruggiero, Secretary

3) Accident Report – 1<sup>st</sup> Quarter 2010

Mr. Sewell indicated that there was 35 accidents on Authority facilities in the first three months of the year, as classified by bridge in the attached summary. This compares with 39 in 2009. Four relatively minor incidents involved Authority vehicles.

Additionally, during two severe snowstorms in late February there were two incidents at both the Mid-Hudson and Newburgh-Beacon bridges where individuals claimed their vehicles were struck by snow or ice falling from the overhead superstructure. Bridge personnel followed operating procedures which include monitoring and possible lane or bridge closings. There was no action required by the Board.

INFORMATION TECHNOLOGY

1) Emergency Fiber Repair

On behalf of the IT Director Greg Herd, Mr. Ruggiero indicated to the Board that in April there was an electrical fire on the Newburgh-Beacon Bridge that destroyed some of the electrical system and damaged a fiber optic cable for telecommunications. Mr. Ruggiero contacted Chairman Sproat who authorized the emergency purchase order. Mr. Ruggiero informed the Board that the fiber has been relocated to avoid a reoccurrence. On a motion of Vice Chairman Vecellio, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 010-054  
Resolution Date: May 20, 2010

WHEREAS the Board of Commissioners has reviewed the memorandum describing the need to repair the fiber optic communications system at the Newburgh-Beacon Bridge; and

WHEREAS, the Authority received a price quotation from Advanced Fiber, Inc. for a not-to-exceed amount of \$12,100.00 and Anixter for an amount not-to-exceed of \$879.00, both under a Network State Office of General Services Contract, to perform the repairs and supply the parts necessary for the emergency repair work; now therefore

BE IT RESOLVED that an emergency purchase orders will be issued at a not-to-exceed cost of \$12,979; 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 20<sup>th</sup> day of May, 2010.

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Joseph Ruggiero, Secretary

## HUMAN RESOURCES:

Mr. Pizzuto briefed the Board on the summer intern program and provided them with the intern orientation dates.

## PUBLIC RELATIONS AND PLANNING:

Mr. Bellucci updated the Board on future events the Authority will be a part of and indicated a complete written report of these events is available upon their request.

## REPORTS TO BOARD:

### 1) Monthly Activity Report of the Executive Director

The Monthly Activity Report was submitted by the Executive Director Joseph Ruggiero who indicated there were no expenditures for the month of May.

Mr. Ruggiero stated that he would like to bring the Board's attention to the actions of three individuals who recently went 'above and beyond' in their efforts on behalf of NYSBA to assist law enforcement in their investigation to apprehend alleged terrorists. Acting in response to an emergency request from the FBI - Brad Moritt, Mark Morgese and Donna Whitney all gave up part of two weekends, with Donna even coming in on Mother's Day, to provide information that the FBI used to execute subpoenas that assisted in building the case against, and the eventual capture of, these individuals. Of particular note, the FBI was quite pleased that NYSBA was able to move quickly and professionally, without the usual bureaucratic delays, to provide investigators with time-critical data.

On another note, Mr. Ruggiero informed the Board that he is in process of working with the Engineering Department to review the security of the Headquarters building since it is one of the buildings where the public is allowed and there is no area where the public is isolated. The lobby in this building allows the public to have access to the offices which causes security issues.

Mr. Ruggiero also asked senior management to review the Authority's vehicle use policy and have a draft for discussion in an upcoming staff meeting. Once agreed upon, a final draft will be forwarded for Board consideration.

Mr. Ruggiero further indicated to the Board that he will be conducting "skip level meetings" throughout the month of June with different employee units. He wants to hear their thoughts of the agency, cost savings initiatives and other efficiency issues. Mr. Ruggiero stated that he has already received positive feedback that these meetings will be taking place.

Mr. Ruggiero indicated that he is working with Bob Russo, Doug Garrison and Barry Mickle to develop an electronic procurement system for the agency and to fully expand the JD Edwards business application software to increase efficiency.

Finally, Mr. Ruggiero indicated to the Board that he is considering a renewable energy project on the Authority's bridges. In the Hudson Valley, there are a lot of renewable energy startup companies and the Authority has been approached about a solar power project. Mr. Ruggiero also stated that he has had a discussion with NYSERDA and there is a possibility of some Department of Energy grant money being made available for the Authority to undertake a demonstration project on a bridge. As a result, electricity sold back to the electrical grid will become revenue to the Bridge Authority. Mr. Ruggiero went on to say that it is in its infancy and he plans on getting a consortium of leaders together to understand how it could work.

2) 2008 Audited Financial Statements by Toski Schaeffer & Co.

John Sewell introduced Mr. Joseph Klimek, partner with the firm of Toski, Schaeffer and Co., the Authority's independent accountants, who reported to the Board on the Authority's Audited Financial Statements for year end 2009. Mr. Klimek reviewed the report with the Board indicating these were no audit findings and, as such, no management letter detailing problems found during the audit. In separate documents he noted the Authority's compliance with investment guidelines, the Bond Resolution and internal control over financial reporting. Following Mr. Klimek's presentation a discussion took place regarding valuation of the Bridge System at cost for accounting purposes. Mr. Klimek informed the Board that under Governmental Accounting Standard Board proclamations 31 and 34 the Authority chose to adopt the "modified approach" and record the bridges at historical cost. Mr. Klimek went on to say that, in order to continue this approach, each of the bridges must be kept at a level 5 condition rating under the New York State Department of Transportation rating scale. He further indicated that most capital improvements are expensed and not added to the bridge value. Also discussed was the Authority's possible future acquisition of the Walkway Over the Hudson and the effect it would have on the Authority's financial statements or its mission statement.

This concluded the agenda of the regular meeting. On motion of Vice Chairman Vecellio, seconded by Commissioner Gerentine and approved unanimously, the regular meeting adjourned at 4:00 P.M.

The next regular meeting is scheduled for June 17, 2010 at 3:00 P.M. at Headquarters.