

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
OCTOBER 15, 2009

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
Dressel, Roderick O., Commissioner
Gerentine, Richard A., Commissioner
Lashua, C. Vane, Commissioner
Ramaglia, Joseph, Commissioner

Carl G. Whitbeck, Jr., Counsel

OFFICERS:

Sinnott, George C., Secretary
Sewell, John R., Treasurer

Chairman Sproat called the meeting to order at 3:15 P.M. Chairman Sproat called for a motion to adopt the minutes of the regular meeting of September 17, 2009. On motion of Commissioner Gerentine, seconded by Commissioner Lashua, the minutes of the regular meeting of September 17, 2009 were adopted unanimously.

ADMINISTRATION:

1) New York State OGS Gasoline and Diesel Fuel Contracts

Mr. Russo indicated the NYS Office of General Services (OGS) recently awarded new two-year contracts for the bulk purchase of diesel fuel and gasoline to be used by all agencies and authorities and the contracts were awarded to several vendors based on county and fuel type. Warex Terminals in Newburgh was awarded the diesel contract for our area. Diesel prices as of the award date ranged from \$2.01 to \$2.12 per gallon for our delivery area. The term of the contract is September 18, 2009 through August 11, 2011. Mr. Russo further indicated the gasoline contracts for our area were awarded to Main Brothers, Sprague Energy and Warex Terminals. Gasoline prices ranged from \$1.44 to \$1.56 per gallon at the time of award and the gasoline contract term is October 2, 2009 through September 22, 2011. A brief discussion followed relative to cost and monitoring disbursements. On motion of Vice Chairman Vecellio, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-081
Resolution Date: October 15, 2009

WHEREAS, the Board has established that it is necessary to procure fuel products to maintain its facilities and operate its equipment, and

WHEREAS, the Authority has the opportunity to participate in the use of contracts negotiated by the NYS Office of General Services (OGS) for the procurement of diesel fuel and gasoline at bulk quantity rates for all agencies and authorities; now therefore

BE IT RESOLVED the Authority hereby adopts the NYS OGS Diesel Fuel contract and the terms and conditions defined therein for the procurement of diesel fuel for the period September 18, 2009 through August 11, 2011, and authorizes the procurement of fuel from Warex Terminals Corp. of Newburgh, NY, as needed at the daily unit prices as calculated in accordance with the contracts (contract award date unit price range \$2.01 - \$2.12); and

BE IT FURTHER RESOLVED the Authority hereby adopts the NYS OGS Gasoline contract and the terms and conditions defined therein for the procurement of gasoline for the period October 2, 2009 through September 22, 2011, and authorizes the procurement of fuel from Warex Terminals Corp., Sprague Energy, and Main Brothers as needed at the daily unit prices as calculated in accordance with the contracts (contract award date unit price range \$1.44 - \$1.56); 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 15th day of October 2009.

George C Sinnott, Secretary

ENGINEERING AND MAINTENANCE:

1) Memorandum of Understanding (MOU) Agreement Between NYSBA and NYSDOT – Maintaining Traffic Signal on the Approach to the Kingston-Rhinecliff Bridge (KRB)

Mr. Moreau indicated that this MOU documents the verbal agreement the Authority has with the NYSDOT Region 8 to maintain the traffic light on the east approach of the KRB. Mr. Moreau stated the Authority will still maintain responsibility for capital improvements but that the NYSDOT will assume all routine maintenance. In consideration for this effort, the Authority has agreed to provide its expertise in the maintenance and rehabilitation of the Wurt Street Suspension Bridge in Kingston. At no cost to the Authority, the agreement was signed. Chairman Sproat called for motion. On motion of Commissioner Ramaglia, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 009-082

Resolution Date: October 15, 2009

WHEREAS, the Board has reviewed the request from the New York State Department of Transportation Region 8 for a Memorandum of Understanding with respect to the traffic signal at NYS Route 199 and River Road, and,

WHEREAS, the Executive Office and Authority Directors have reviewed the MOU, and

WHEREAS, the Authority's Counsel has also reviewed the MOU; now therefore

BE IT RESOLVED that the details described in the Memorandum of Understanding are accepted;

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

IN WITNESS WHEREOF, this resolution has been duly adopted this 15th day of October 2009.

George C. Sinnott, Secretary

2) Ice Sand Control

Mr. Moreau stated that an advertisement was placed in the NYS Contract Reporter for Ice Control Sand for the 2009-2010 seasons and that seven vendors requested the proposal package. Three bids were received and Mr. Moreau indicated pending site inspection, the low bidder for the Mid-Hudson Bridge is Route 82 Sand & Gravel, Inc. at \$18.00/ton and the low bidder for Newburgh-Beacon is E. Tetz & Sons, Inc. at \$20.00/ton. Mr. Moreau recommended authorization to issue a purchase order to the low bidders. The Board inquired about the distribution to smaller facilities and the storage and maintenance of the material. Chairman Sproat called for 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.: 009-083

Resolution Date: October 15, 2009

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to E. Tetz & Sons, Inc. for Ice Control Sand. The Ice Control Sand will be delivered to the Newburgh-Beacon Bridge, and

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

BE IT RESOLVED that a purchase order be issued to E. Tetz & Sons, Inc. for Ice Control Sand not-to-exceed the cost of \$20.00 per ton; 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 15th day of October 2009.

George C. Sinnott, Secretary

3) Annual Eastern States Transportation Network (ESTN) Conference, November 12-13, Philadelphia, PA

Mr. Moreau stated the annual meeting for ESTN has been scheduled for November 13th in Philadelphia and that the Authority has participated in this worthwhile conference for the last ten years. Mr. Moreau indicated the staff that attended past conferences and have always felt that the roundtable format and information sharing has been of great value to the Authority. Mr. Moreau recommends, as in the past, that the Maintenance Supervisor Craig Gardner attend this conference. Mr. Moreau further indicated that one overnight stay and conference registration will be required at a total cost not-to-exceed \$308.00 and that Mr. Gardner will drive to Philadelphia with an Authority vehicle the night before to attend the conference and return home on the 13th. On motion of Vice Chairman Vecellio, seconded by Commissioner Ramaglia the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-084

Resolution Date: October 15, 2009

WHEREAS, the Board has reviewed the advantages of participation at the Eastern States Transportation Network Conference, and

WHEREAS, Craig Gardner the Authority's Manager of Maintenance Programs, has been selected by the Executive Department to attend the conference and disseminate the acquired knowledge; now therefore

BE IT RESOLVED that attendance at the conference, travel expenses, accommodations and per diem costs are approved by this Board Resolution in an amount not to exceed \$350.00; 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 15th day of October, 2009.

George C. Sinnott, Secretary

4) Monthly Engineering Jobs in Progress Report

Mr. Moreau presented the Engineering Jobs in Progress Report and indicated that all ongoing projects were on schedule and will be completed by the end of next month. Chairman Sproat called for a motion. On motion of Commissioner Lashua, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-085

Resolution Date: October 15, 2009

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 15th day of October 2009.

George C. Sinnott, Secretary

FINANCIAL:

1) Investment Transaction Report

Mr. Sewell reviewed the Investment Transaction Report for the month of September with the Board. After a brief discussion relative to current interest rates and investment inventory, Chairman Sproat called for a motion. On motion of Commissioner Ramaglia, seconded by Vice Chairman Vecellio, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 009-086

Resolution Date: October 15, 2009

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 September 17, 2009; 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 15th day of October 2009.

George C. Sinnott, Secretary

2) Workers Compensation Insurance

Mr. Sewell stated the Workers' Compensation Insurance policy renews October 21, 2009 and, as with the expiring policy, the State Insurance Fund has offered us a 35% upfront discount on the manual rates charged on each dollar of Authority payroll. This year's premium increases from \$146,884 to \$171,695, an increase of \$24,811, or 17 percent, not including the \$2,500 broker fee. Most of this increase was the result of the experience rating, based upon loss projections made by the carrier, increasing from .89 to 1.00. This meant, instead of receiving an additional 11% discount on premium, similar to last year, we obtained no discount due to our loss experience. Mr. Sewell said the broker, Associates of Glens Falls, approached several other markets and received declinations from Harlesville, Mermic, Rochdale and Wesco insurance companies due to the fact that they, and many other companies, do not want to insure job classifications that include bridge painters and operators of marine vessels. Associates of Glens Falls also contacted the Chartis Insurance Company (AIG) which indicated they could not compete with the 35% upfront discount given by the State Insurance Fund. The final cost is based on salaries which are audited by the State Insurance Fund at the end of the policy year. A brief discussion followed relative to the Authority's claims history. Mr. Sinnott indicated that the upfront 35% discount is the highest discount given to any State Insurance fund client. On motion of Vice Chairman Vecellio, seconded by Commissioner Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 009-087

Resolution Date: October 15, 2009

WHEREAS the Board has reviewed the report relative to the purchase of Workers' Compensation insurance; now therefore

BE IT RESOLVED, the New York State Bridge Authority does hereby approve this purchase with the State Insurance Fund, through Associates of Glens Falls Inc., at a not-to-exceed cost, subject to payroll audit, of \$174,195; 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 15th day of October 2009.

George C. Sinnott, Secretary

OPERATIONS:

1) New York State Thruway E-ZPass Transaction – Second Quarter 2009

Mr. Ferguson indicated that he and the manager of toll systems reviewed the invoice from the New York State Thruway Authority for the second quarter 2009 for E-ZPass expenses for the period April 1, 2009 through June 30, 2009 and found them to be true and accurate and as such, recommends that the invoice be paid in the amount of \$638,994.02. A brief discussion followed relative to cost breakdown, transactions and comparison of cost from the 2008 second quarter. Chairman Sproat called for a motion to authorize payment of this invoice. On motion of Commissioner Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-088
Resolution Date: October 15, 2009

WHEREAS, the Board has reviewed the report relative to the payment to the New York State Thruway Authority for 2nd Quarter 2009 Bridge Authority E-ZPass costs in the amount of \$638,994.02; now therefore

BE IT RESOLVED that this payment is hereby approved at a cost not to exceed \$638,994.02; 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 15th day of October 2009.

George C. Sinnott, Secretary

PUBLIC RELATIONS AND PLANNING:

Mr. Bellucci made available a report to the Board on upcoming events involving the Authority. No action was required by the Board.

REPORTS TO BOARD:

1) Monthly Activity Report of the Executive Director

The Monthly Activity Report was submitted by the Executive Director. Mr. Sinnott indicated there were no expenditures for the month of September.

On motion of Chairman Sproat, seconded by Vice Chairman Vecellio, and approved unanimously, the Board recessed to the Privileged Attorney/Client Session at 3:50 P.M.

The regular meeting reconvened at 4:05P.M.

NEW BUSINESS:

Agreement between Civil Service Employee Associations, Inc. (CSEA) and the New York State Bridge Authority – April 2008- April 2012

General Counsel Whitbeck stated that an agreement was made between the Authority and the Local CSEA for a contract period from April 2008 through April 2012. Chairman Sproat called for a motion. On motion of Commissioner Ramaglia, seconded by Vice Chairman Vecellio the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-089
Resolution Date: October 15, 2009

WHEREAS, the bargaining teams for the Civil Service Employees Association, Inc. (CSEA) and the New York State Bridge Authority have executed an Agreement between the New York State Bridge Authority and the CSEA concerning a new employment agreement to be effective retroactive to April 1, 2008 for a term of four (4) years, and

WHEREAS, the CSEA Union Membership has ratified such Agreement; now therefore

BE IT RESOLVED that the employment Agreement is hereby adopted by the New York State Bridge Authority; and

BE IT FURTHER RESOLVED that, as provided for in the Bridge Authority's Management/Confidential Salary Plan, Managerial employee salary ranges for management grades, and Confidential employee salaries, will be adjusted by the same percentage as salary schedules contained in the new collective bargaining agreement retroactive to April 1, 2008; 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 15th day of October 2009.

George C. Sinnott, Secretary

Chairman Sproat called for a motion to adjourn the regular meeting if there was no further business for the regular meeting. On motion of Vice Chairman Vecellio, seconded by Commissioner Gerentine, the regular meeting adjourned at 4:10 P.M.

The next regular meeting is scheduled for November 19, 2009 at 3:00 P.M. at Headquarters.