

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON  
October 20, 2011

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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  
Lashua, C. Vane, Commissioner

Whitbeck, Carl G., Counsel

OFFICERS:

Ruggiero, Joseph, Secretary  
Bushek, Brian, Treasurer

ABSENT:

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

Chairman Vecellio called the meeting to order at 3:15 PM and called for a motion to adopt the minutes of the September 29, 2011 Regular meeting. On motion of Commissioner Dressel, seconded by Commissioner Lashua, the minutes of the September 29, 2011 Regular Meeting were adopted unanimously.

ENGINEERING:1) WOTH Elevator Agreement

Mr. Moreau presented to the Board the the Elevator License and Management Agreement for the Walkway Over the Hudson (WOTH) between NYSBA and NYS Parks, Recreation and Historic Preservation. This document was developed and reviewed by both NYSBA's Engineering department and General Counsel. A brief discussion followed relative to clarifying that NYSBA is not responsible for the elevator and the project is funded by NYSDOT through a federal grant. Mr. Moreau also noted that Parks will be managing the elevator. Chairman Vecellio called for a motion. On a motion of Commissioner Gerentine, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

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

Resolution No.: 011-073

Resolution Date: October 20, 2011

WHEREAS, the Board has reviewed the request from the New York State Department of Parks, Recreation and Historic Preservation for an Elevator License and Management Agreement with respect to the Walkway Over the Hudson; and;

WHEREAS, the Executive Office and Authority Directors have reviewed the Agreement; and

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

BE IT RESOLVED that the details described in the WOTH Management Agreement dated 10/20/11 are accepted; and

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

IN WITNESS WHEREOF, this resolution has been duly adopted this 20th day of October, 2011.

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Joseph Ruggiero, Secretary

2) Project Labor Agreement

Mr. Moreau indicated that the Project Labor Agreement (PLA) has been cooperatively drafted by the Hudson Valley Building and Construction Trades Council, NYSBA and Carl Whitbeck, Esq. Work rules within this agreement will apply to the contract for replacement of the bridge deck on the South Span of our Newburgh-Beacon facility. Mr. Moreau added that important economic concessions have been negotiated in the document that will provide savings estimated in excess of \$4 million. A brief discussion followed relative to savings and also mentioned the boost this would provide to the Hudson Valley given the current economic climate. Chairman Vecellio called for a motion. On a motion of Commissioner Gerentine, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

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

Resolution No.: 011-074

Resolution Date: October 20, 2011

WHEREAS, the Board has determined it is in the best interest of the Authority to avail itself of the economic savings afforded through the use of a Project Labor Agreement on the deck replacement project for NBB S; and;

WHEREAS, the Executive Office and Authority Directors have reviewed the due diligence report prepared by Arace and Company Consulting, evaluating the savings for said Project Labor Agreement; and

WHEREAS, the Authority's Counsel has also reviewed the Project Labor Agreement; now therefore

BE IT RESOLVED that the Project Labor Agreement dated 10/20/11 is accepted; and

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

IN WITNESS WHEREOF, this resolution has been duly adopted this 20th day of October, 2011.

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Joseph Ruggiero, Secretary

3) KRB Pavement Monitoring System

Mr. Moreau stated to the Board that an essential component of Project Night Watch during the winter months will be how the Authority monitors the roadway pavement so that appropriate steps can be taken to ensure safety for the travelling public. An internationally recognized weather sensing manufacturer (Vaisala) presented their recommendations for the Authority's needs. Vaisala offers a stand-alone package that measures temperature and grip of the pavement and can meet the Authority's operational deadline of December 20<sup>th</sup>, 2011. Mr. Moreau went on to say that the cost of their system integrated into our Command Center is approximately \$28,000.00. The Authority is currently advertising for cost proposals from other manufacturers with bids due November 1<sup>st</sup>. Mr. Moreau explained that in order to maintain our operating schedule he would recommend an authorization through resolution up to \$28,000.00 for this pavement monitoring system. Mr. Moreau further indicated that he will report back to the Board with the selection process and the actual low bid. Mr. Moreau intends to issue a purchase order by November 4<sup>th</sup> to meet operating schedule. A brief discussion followed relative to the effectiveness of the system and when the ATPM machines will be up and running. Chairman Vecellio called for a motion. On a motion of Commissioner Dressel, seconded by Commissioner Lashua, the following resolution was approved unanimously:

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

Resolution No.: 011-075

Resolution Date: October 20, 2011

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order for a pavement monitoring system at the Kingston-Rhinecliff Bridge; and

WHEREAS, the Authority advertised this procurement opportunity in the New York State Contract Reporter and will receive bids up until November 1<sup>st</sup>, 2011; and

WHEREAS, the Authority's Engineering Department will review and approve the low bidder; now therefore

BE IT RESOLVED that a purchase order may be issued to the low bidder in an amount not-to-exceed \$28,000.00; 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 20<sup>th</sup> day of October 2011.

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Joseph Ruggiero, Secretary

4) Travel Request – Chesapeake Bay Bridge Visit

Mr. Moreau indicated to the Board that the main cable of the Bear Mountain Bridge is currently monitored with acoustical sensors through a system installed by Pure Technologies in 2001. The advancement of technology has led to a new product using fiber optics to improve the performance of the monitoring system. Mr. Moreau further indicated that the manufacturer requested that they be allowed to install this new system in parallel to the existing system on the BMB as an evaluation. Similarly, the owners of the Chesapeake Bay Bridge have elected to install this new cable monitoring system. Mr. Moreau went on to say that the owners of the Fourth Road Bridge in Scotland are giving the system serious consideration and an open house at the Chesapeake Bay Bridge has been scheduled for October 24-25, 2011. Both the owners and the system manufacturer would like to visit BMB and have Mr. Moreau in attendance for their open house at Chesapeake Bay. Mr. Moreau feels this would be an important opportunity to advance this technology in our industry. Chairman Vecellio called for a motion. 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.: 011-076

Resolution Date: October 20, 2011

WHEREAS, the Board has reviewed the request for Bill Moreau to attend Pure Technologies' Open House at the Chesapeake Bay Bridge October 24<sup>th</sup> through October 25<sup>th</sup>, 2011; now therefore

BE IT RESOLVED that attendance at the Open House is authorized in accordance with Mr. Moreau's travel request form estimated at approximately \$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 20<sup>th</sup> day of October, 2011.

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Joseph Ruggiero, Secretary

5) Jobs in Progress Monthly Report

Mr. Moreau presented the Engineering Jobs in Progress Report for the month of September. He stated that the completion date for the paint project at Newburgh-Beacon Bridge is expected by Thanksgiving as well as the emergency repairs to the Walkway Over the Hudson (WOTH). Mr. Moreau also noted that structural steel repairs to the WOTH will be done during the winter months with most done by year's end. Next year other maintenance to the WOTH will take place. Chairman Vecellio called for a motion. On motion of Commissioner Lashua, seconded by Commissioner Dressel, the following resolution was adopted unanimously:

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

Resolution No.: 011-077

Resolution Date: October 20, 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 20th day of October 2011.

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Joseph Ruggiero, Secretary

FINANCIAL:1) Investment Transaction Report

Mr. Bushek reviewed the Investment Report for the month of September noting extremely low returns in our maintenance reserve and debt service funds. Also noting that unexpected emergency Walkway Over The Hudson (WOTH) repairs have impacted the Authority's finances. Chairman Vecellio called for a motion. On a motion of Commissioner Gerentine, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

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

Resolution No.: 011-078Resolution Date: October 20, 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 September 29, 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 20th day of October 2011.

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Joseph Ruggiero, Secretary

2) Accident Review Committee Report Third Quarter 2011

Mr. Bushek reported to the Board that there were 60 accidents on Authority facilities in the Third quarter of 2011 which compares with 46 the previous year. During this period there were six accidents involving Authority personnel, with no injuries. This compares with 2 the previous year. No action was required by the Board.

3) Contractor for Internal Auditor

Mr. Bushek informed the Board that in September 2011, the Authority advertised in the NYS Contract Reporter and on our website for a contract internal auditor to assist in compliance with the Internal Control Act. Specifically the RFP requested a qualified firm perform a risk assessment, development of an audit plan, perform audit work, and issue a report of findings within specified time frames associated with our reporting requirements. On October 10, 2011, two proposals were received. Mr. Bushek analyzed the proposals, contacted references, spoke directly with the firm, and recommended that the Authority award the three one year contracts for Internal Auditor to Tronconi, Segarra & Associates LLP. A brief discussion followed relative to the significant difference in bids and location of the firm. Chairman Vecellio called for a motion. On a motion of Commissioner Gerentine, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

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

Resolution No.: 011-079

Resolution Date: October 20, 2011

WHEREAS, the Board has reviewed the report relative to the contract for internal auditor services; now therefore

BE IT RESOLVED the New York State Bridge Authority does hereby approve three one year contracts for internal auditor services for years ending December 31, 2011, 2012, and 2013 to Tronconi, Segarra & Associates for fees of \$19,875 for 2011, \$20,475 for 2012, and \$21,100 for 2013; 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 October 2011.

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Joseph Ruggiero, Secretary

4) Agreed Upon Procedures for Toll Increase Review

Mr. Bushek indicated to the Board that in Section 2804 of Public Authorities Law, the following is identified as part of the process of a toll increase. The comptroller shall review any proposed increase or imposition in fees, tolls or other charges, and the report required by subdivision one of this section and within sixty days make public a report of his findings, conclusions and recommendations. Comptroller's report will be sent to the Authority or Commission, the Governor, Chairman of the Senate Finance Committee, Chairman of the Assembly Ways and Means Committee and Ranking Minority Member for each of such committees. In discussion with Bond Counsel, this law was declared unconstitutional. Mr. Bushek explained that the Comptroller may, but was found not to be required, to review and comment. The approach has been to submit the package to the Comptroller to allow the option to review. The Authority may also contact the Auditor, Toski, Schaefer & Co., to obtain an opinion on whether the financial disclosure report provided by the Authority indicates the need for the toll increase proposed. Chairman Vecellio called for a motion. On a motion of Commissioner Gerentine, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

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

Resolution No.: 011-080

Resolution Date: October 20, 2011

WHEREAS, the Board has reviewed the report relative to the contract for the agreed upon procedures in conjunction with the review of the financial disclosure for the toll increase; now therefore

BE IT RESOLVED the New York State Bridge Authority does hereby approve the engagement for the independent accountant, Toski, Schaefer & Co., for the agreed upon procedures related to the proposed toll increase for an amount not to exceed of \$6,000; 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 October 2011.

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Joseph Ruggiero, Secretary

INFORMATION TECHNOLOGY:1) Port Security Monthly Procurement Report

Mr. Herd indicated to the Board that the total funding available for procurement for the ITS Project is \$1,700,000.00. There were no expenses this month. The total spent to date is \$1,449,888.34 which leaves a balance of \$307,567.66. No action was required by the Board.

2) Jobs in Progress for IT - September

Mr. Herd apprised the Board of the projects that the Information Technology Teams are working on: The OmniAir 5.9GHz testing is completed. The touch screens have been deployed. The camera procurement has been received and deployment is being planned. Chairman Vecellio called for a motion. On a motion of Commissioner Gerentine, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

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

Resolution No.: 011-081

Resolution Date: October 20, 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 20<sup>th</sup> day of October 2011.

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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 September.

2) Traffic Classification Report

Mr. Ruggiero reported on the Traffic Classification Comparison report for the year to date and September 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 \$506,783.00 below last year's receipts. Mr. Ruggiero noted that revenue was still below but added that our advertizing program is helping with the decline of revenue. No action was required by the Board.

This concluded the regular meeting. Chairman Vecellio asked for a motion to adjourn the meeting. On motion of Commissioner Dressel, seconded by Commissioner Lashua and approved unanimously, the regular meeting adjourned at 3:40 P.M.

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