

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
JULY 17, 2008

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
Dressel, Roderick O., Vice Chairman
Carter, Robert P., Commissioner
Gerentine, Richard A., Commissioner
Madison, Thomas J., Commissioner
Paradies, Walter A., Commissioner

Carl G. Whitbeck, Jr., Counsel

OFFICERS:

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

Absent :

Teator, David A., Commissioner
Bresnan, James J., Assistant Secretary

Chairman Sproat called the meeting to order at 3:00P.M. Chairman Sproat stated that the first order of business was to approve the minutes of the Authority's June 19, 2008. On motion of Vice Chairman Dressel, seconded by Commissioner Paradies, the minutes of the June 19, 2008 regular meeting were adopted unanimously.

ENGINEERING AND MAINTENANCE:

1) Bear Mountain Bridge Retaining Wall, Electrical and Anchorage Roof Repairs, Award

Mr. Moreau stated there were 18 plan holders and six bids received and that the project consisted of the construction of five reinforced concrete buttresses and cap beam in front of the existing 50 ft. high dry laid stone masonry wall. He further stated that a rock catchment fence will be installed for added protection against potential rocks falling and new electrical service and communication ducts for IT security at the east anchorage will also be installed under this project. Mr. Moreau recommended awarding a contract to I. & O.A. Slutzky, Inc. of Hunter, NY, the low bidder, at a not-to-exceed amount of \$728,457.00. Discussions followed relative to price differences between bidders and the low bidder's qualifications, stabilization of the wall and how it would be monitored. Chairman Sproat called for a motion. On motion of Commissioner Paradies, seconded by Vice Chairman Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-072
Resolution Date: July 17, 2008

WHEREAS, bids were solicited through the New York State Contract Reporter for the contract entitled Bear Mountain Bridge "Retaining Wall, Electrical and Anchorage Roof Repairs" (BA2006-RE-109-CM) and six (6) bids were received on July 8, 2008; the low bidder being the firm of I. & O.A. Slutzky, Inc. at a bid of \$728,457.00, and

WHEREAS, it is hereby determined that such project constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under such regulations not to have a significant negative impact on the environment, 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 I. & O.A. Slutzky, Inc.; now therefore

BE IT RESOLVED that a contract be awarded to I. & O.A. Slutzky, Inc. of Hunter, New York in the amount not-to-exceed \$728,457.00 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 July 2008.

George C. Sinnott, Secretary

2) Newburgh-Beacon Bridge Modular Joint Replacement and Repaving, Award

Mr. Moreau stated there were two bids received with the firm of I. & O.A. Slutzky, Inc. of Hunter, NY providing the lowest bid. He further stated the project would consist of the removal and replacement of 15 modular expansion deck joints and replaced with a conventional finger type steel joint system, which will include a drainage trough system. In addition, between Piers 4 and 7 (thru truss main span) the existing deteriorating latex overlay will be removed and a 1-1/2 inch water proof asphalt overlay (Rosphalt) will be placed and that the substantial portion of the work will be performed at night to minimize traffic impacts. Mr. Moreau recommended awarding a contract to I. & O.A. Slutzky, Inc. of Hunter, NY at a not-to-exceed amount of \$4,689,259.50. Discussions followed relative to the replacement of the remaining deck joints, the level of difficulty in the replacement of the joints and when the joints were last replaced. Also discussed were the applications, durability of the product, longevity and process. Chairman Sproat called for a motion. On motion of Vice Chairman Dressel, seconded by Commissioner Madison, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-073
Resolution Date: July 17, 2008

WHEREAS, bids were solicited through the New York State Contract Reporter for the contract entitled Newburgh-Beacon Bridge (North Span) “Modular Expansion Joint Replacement and Repaving” (BA2009-RE-101-CM) and two (2) bids were received on July 8, 2008; the low bidder being the firm of I. & O.A. Slutzky, Inc. at a bid of \$4,689,259.50, and

WHEREAS, it is hereby determined that such project constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under such regulations not to have a significant negative impact on the environment, 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 I. & O.A. Slutzky, Inc.; now therefore

BE IT RESOLVED that a contract be awarded to I. & O.A. Slutzky, Inc. of Hunter, New York in the amount not-to-exceed \$4,689,259.50 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 July, 2008.

George C. Sinnott, Secretary

3) Newburgh-Beacon Bridge Modular Joint Replacement – Construction Inspection, Award

Mr. Moreau stated 3 firms were short-listed from the 15 firms that responded to the Authority's advertisement and detailed cost proposals were provided. The firm providing the best qualified cost proposal for this construction inspection assignment was the firm of Bergmann Associates, P.C. Mr. Moreau indicated the consultant would provide engineering services for the construction inspection of the project. Mr. Moreau recommended designating and awarding a professional service contract to Bergmann Associates P.C. in an amount not to exceed \$268,900.00. After a brief discussion relative to Bergmann's qualifications and experience, and the legal and safety ramifications, Chairman Sproat called for a motion. On motion of Commissioner Carter, seconded by Commissioner Paradies, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-074
Resolution Date: July 17, 2008

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to award a professional services agreement in connection with the Newburgh-Beacon Bridge "Modular Expansion Joint Replacement and Repaving" project to be designated (BA2009-RE-101-SU), and

WHEREAS, the Authority advertised for Construction Inspection Services in the New York State Contract Reporter, and

WHEREAS, three (3) firms were short-listed, and asked to prepare detailed cost proposals, and

WHEREAS, the Authority has determined that Bergmann Associates, P.C. is best qualified to provide the required professional services, and

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

BE IT RESOLVED that an agreement be awarded to Bergmann Associates, P.C. of Albany, NY in an amount not-to-exceed \$268,900.00, 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 17th day of July 2008.

George C. Sinnott, Secretary

4) Newburgh-Beacon (NBB) and Mid-Hudson (MHB) Bridges Plaza Sweeping Service Contract Renewal

Mr. Moreau indicated the sweeping service contract that was awarded originally in 2006 and extended in 2007 will expire at the end of July and that the contract is for sweeping the plazas of the larger bridges (MHB and NBB) once per week from April to November. He further stated the Authority reserved the right to extend the term of this contract for two additional years and as such recommended extending the contract one additional year. The Toll Plaza Sweeping contract for both NBB and MHB represents a 5% increase over the 2007 contract. Mr. Moreau stated engineering was considering cost saving alternatives such as implementing sweeping by in-house maintenance personnel starting in April of 2009. Mr. Moreau would provide a recommendation report in January of 2009 to the Board. At this time, Engineering would like to extend the contract until November 1st of this year at a cost of \$12,051.00.

5) Systemwide Sweeping Service Contract Renewal

Mr. Moreau continued, stating this sweeping service contract was awarded originally in 2006 and extended in 2007. The contract provides for a truck mounted sweeper and operator that are utilized for initial spring cleanup and monthly sweeping of the roadways systemwide. Again, Engineering reserved the right to extend the term and would like extend this contract one additional year. The cost for the systemwide sweeping is estimated to be 45 days at \$850.00 per day for a total of \$38,250.00, a 7.6% increase over 2007 attributed to diesel fuel increases. After a brief discussion relative to opportunities and creative options, Chairman Sproat moved to adopt both resolutions. This motion was seconded by Commissioner Paradies and the following resolutions were adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-075
Resolution Date: July 17, 2008

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order extension to Community Custom Services for the purchase of Toll Plaza Sweeping Services (BA-2006-OE-008-OT) at the Mid-Hudson and Newburgh-Beacon bridge locations, and

WHEREAS, the Authority's Engineering Department had advertised the opportunity for this service in the Contract Reporter with the right to extend the term for two additional years; now therefore

BE IT RESOLVED that an existing contract BA-2006-OE-008-OT be extended another year to Community Custom Services for Toll Plaza Sweeping Services with a total purchase order not to exceed amount of \$12,051.00, 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 17th day of July 2008.

George C. Sinnott, Secretary

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-076
Resolution Date: July 17, 2008

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order extension to Community Custom Services for the purchase of Systemwide Sweeping Services (BA-2006-OE-009-OT), and

WHEREAS, the Authority's Engineering Department had advertised the opportunity for this service in the Contract Reporter with the right to extend the term for two additional years; now therefore

BE IT RESOLVED that an existing contract BA-2006-OE-009-OT be extended another year to Community Custom Services for Systemwide Sweeping Services with a total purchase order not to exceed amount of \$38,250.00, 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 17th day of July 2008.

George C. Sinnott, Secretary

6) Monthly Jobs in Progress Report

Mr. Moreau stated that all projects were on schedule and asked did the Board have any questions relative to a specific project. After a brief discussion relative to the Rip Van Winkle painting project and the Bear Mountain projects, Chairman Sproat called for a motion if there were no more questions. On motion of Commissioner Madison, seconded by Commissioner Paradies, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-077
Resolution Date: July 17, 2008

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 17th day of July 2008.

George C. Sinnott, Secretary

FINANCIAL:

1) Investment Report

Mr. Sewell reviewed with the Board the Investment Report for the month of June stating interests rates are similar to those in last's month's report. After a brief discussion relative to the present economy and market, Chairman Sproat called for a motion. On motion of Vice Chairman Dressel, seconded by Commissioner Paradies, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-078

Resolution Date: July 17, 2008

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 June 19, 2008; 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 17^h day of July 2008.

George C. Sinnott, Secretary

2) August 1, 2008 Insurance Purchase - Public Officials and Business Employment Practices Liability

The subject policy, due to expire on August 1st, was advertised May 19th in the New York State Contract Reporter under Contract BA2008-OA008-IN and, as a result, 13 Request for Proposals (RFP) and specifications were sent to interested brokers. Currently, this is a two-year policy at a cost of \$56,405, or \$28,203 annually. Five brokers submitted proposals and Mr. Sewell recommended purchasing the low cost insurance. The total cost for a two year policy renewal with the incumbent carrier, Landmark American, would be \$32,644, a savings of \$23,961, or 42 percent. After a discussion relative to the coverage, Chairman Sproat called for a motion. On motion of Commissioner Carter, seconded by Commissioner Paradies, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-079

Resolution Date: July 17, 2008

WHEREAS, the Board has reviewed the report relative to the August 1, 2008 purchase of insurance covering public officials/business employment practices liability; now therefore

BE IT RESOLVED that the purchase of this insurance is hereby approved for a two-year policy 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 17th day of July 2008.

George C. Sinnott, Secretary

3) August 1, 2008 Insurance Renewals

Mr. Sewell stated that in 2007, the Authority awarded contracts for three insurance policies for one year periods beginning August 1st. At that time the right was reserved by the Authority to renew these policies for additional one year periods, if the carrier offered timely renewal at substantially the same terms, conditions and rates subject to modification for actual loss experience. Mr. Sewell indicated by the table below what their previous, current, and proposed annual costs are:

	2006/2007	RFP Process 2007/2008	Proposed 2008/2009
<i>Commercial Package (Fire, Crime, Building & Contents)</i>	\$ 48,300	\$ 29,981	\$ 31,799
<i>Commercial Automobile</i>	96,134	64,534	70,843
<i>Police Professional</i>	12,509	8,979	8,979
TOTAL	\$156,943	\$103,494	\$111,621

He further stated that the Authority realized \$53,449 in savings, on these policies in August 2007 and that this year the rates remain the same on the police professional policy. However there is an increase of 9.8% on the automobile and 6.1% on the commercial package. In summary, Mr. Sewell recommended that the Authority accept the price proposals from the incumbent companies. After a brief discussion relative to terrorism coverage, Chairman Sproat made a motion to amend the resolution to include terrorism coverage under the police professional liability policy, which was seconded by Commissioner Paradies. This changed the annual premium from \$8,979 to \$9,248. On motion of Chairman Sproat, seconded by Commissioner Carter, the following resolution was adopted unanimously, as amended:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-080

Resolution Date: July 17, 2008

WHEREAS, the Board has reviewed the report relative to the August 1, 2008 purchase of insurance policies covering business automobile, commercial package 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:

\$70,843, subject to audit, for Business Automobile Liability with the Praetorian Insurance Company through Salerno Brokerage Corp.;

\$31,799, subject to audit, for Commercial Package with the Harleystown Insurance Company through Associates of Glens Falls Inc.;

\$9,248, Police Professional Liability with the Praetorian Insurance Company through E.G. Bowman Co., 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 17th day of July 2008.

George C. Sinnott, Secretary

4) Independent Accountant Services – 2008 Year-End Financial Statements

Mr. Sewell stated in October 2006, six responses for a three-year contract were received and the Toski, Schaefer & Co. proposal was ranked as the best. Upon the Board's approval, Toski entered into a contract for \$16,900.00 to provide the Authority with the audit of the 2006 year-end financial statements. Subsequently, in 2007, the Authority Audit Committee recommended, and the Board approved, a contract for the second year of these services for \$16,900.00. In Toski's three-year proposal, the fees for the third year were also \$16,900.00. Based upon our satisfaction with their previous audits, Mr. Sewell indicated the Audit Committee, at its June 19th meeting, agreed to recommend that the Board approve awarding a one-year contract to Toski, Schaefer & Co. for the audit and preparation of the 2008 year-end financial statements at a not-to-exceed cost of \$16,900.00. After a brief discussion relative to Toski's past performance, Chairman Sproat called for a motion to renew their contract for the third year. On motion of Vice Chairman Dressel, seconded by Commissioner Madison, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-081
Resolution Date: July 17, 2008

WHEREAS, the New York State Bridge Authority Board has reviewed the report relative to renewing the contract for Independent Accountant Services, and

WHEREAS, the Authority Audit Committee has recommended the award of a contract to Toski, Schaefer & Co. for such services; now therefore

BE IT RESOLVED that the contract BA2006-OA-010PS, Independent Accountant Services, be hereby renewed with Toski, Schaefer & Co., for the preparation of the Authority's 2008 year-end financial statements at a not-to-exceed cost of \$16,900.00, 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 17th day of July 2008.

George C. Sinnott, Secretary

5) Government Affair Services

Last year, at this time, Authority General Counsel sought proposals from a number of firms for the subject services and subsequently the Board approved a one-year contract with McKenna Long & Aldrich LLP (McKenna). At that time, an agreement with McKenna was entered into whereby the firm would provide strategic and general advice and counsel including, but not limited to, the monitoring of legislation relative to the Bridge Authority, other State authorities, transportation and homeland security issues. This agreement provided for a fee of \$3,000 per month plus reasonable out-of-pocket expenses and a renewal clause for up to three additional years pursuant to negotiation between the parties. Based upon the overall satisfaction with McKenna's services and the fee remaining at \$3,000 per month, it was recommended that the Authority renew this contract for another year commencing July 1, 2008. On motion of Commissioner Paradies, seconded by Vice Chairman Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-082
Resolution Date: July 17, 2008

WHEREAS, the New York State Bridge Authority has considered the recommendation of the Executive Director relative to reappointing the firm of McKenna Long & Aldridge LLP, the low cost bidder in 2007, to provide government affair services with the legislative and executive departments; now therefore

BE IT RESOLVED that the law firm of McKenna Long & Aldridge LLP is hereby awarded a one year contract at a not-to-exceed rate of \$3,000 per month, in addition to reasonable out-of-pocket expenses, as of July 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 17th day of July 2008.

George C. Sinnott, Secretary

INFORMATION TECHNOLOGY:

1) Systemwide Toll Plaza Server Upgrades

Mr. Herd stated the need to upgrade the plaza server systems to current and fully supported software as required by New York State. Traffic Technologies Inc., the Authority's technical consultant, has provided a scope of work to assist with the upgrades. Mr. Herd indicated the total cost for the plaza upgrade is \$160,000.00 and the amount is in the approved 2008 IT Capital Improvement Program expenses. After a brief discussion relative to the Executive Order requirements, upgrades and other public authorities' costs, the data process procedure of toll collection, back-up security procedures, recovery and the type of equipment necessary, Commissioner Carter moved to adopt the following resolution, which was seconded by Chairman Sproat, and adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-083

Resolution Date: July 17, 2008

WHEREAS, the New York State Bridge Authority is upgrading the Plaza Server Systems (BA-2008-RO-004-IT.7, System Wide Toll Plaza Server Upgrades) to be current and fully supported as required by New York State Law; and

WHEREAS, the Authority has received a scope of work from TTI, our Consultant, to implement this task, and identified in the approved Five-Year Capital Improvement Program; now therefore

BE IT RESOLVED that this contract with TTI is hereby approved at a cost not-to-exceed \$160,000.00; 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 17th day of July 2008.

George C. Sinnott, Secretary

OPERATIONS:

1) New York State Police, Troop T (NBB I-84) 2007 Services

Mr. Ferguson stated that per the agreement with the Thruway, the Bridge Authority's share of the 2007 costs for State Police Troop T services is allocated based upon the number of miles under the Bridge Authority's jurisdiction (2.1) versus the total miles in New York State (71.8) of Interstate 84. Mr. Ferguson indicated the Bridge Authority's share of the total expense is 2.9% for these services on Interstate 84, which includes the Newburgh-Beacon Bridge. The Thruway incurred a total cost of \$3,419,405 for Troop T services and the Bridge Authority's share amounts to \$99,163.00. After a brief discussion relative to the Authority's weigh-in-motion program and state police participation, Chairman Sproat called for a motion. On motion of Commissioner Paradies, seconded by Vice Chairman Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 008-084
Resolution Date: July 17, 2008

WHEREAS, the Board has reviewed the report relative to the payment to the State Police for Troop T State Police services on Interstate 84 provided to the New York State Bridge Authority; now therefore

BE IT RESOLVED that the Board approves payment for State Police Troop T services for the year 2007 in the amount of \$99,163.00, 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 17th day of July 2008.

George C. Sinnott, Secretary

REPORTS TO BOARD:

1) Monthly Activity Report of the Executive Director

The Monthly Activity Report for June was submitted by the Executive Director and Mr. Sinnott indicated the CSEA picnic will be held on August 1, 2008 and the Authority would contribute \$1,000.00 to the cost of this event as has been the practice in the past.

Chairman Sproat called for a motion to adjourn the regular meeting if there was no further business. On motion of Vice Chairman Dressel, seconded by Commissioner Paradies, the regular meeting adjourned at 4:00 P.M.

The next regular meeting is scheduled for August 21, 2008 at 3:00 P.M. at Headquarters.