

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
JULY 16, 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 3:10 P.M. Chairman Sproat called for a motion to adopt the minutes of the regular meeting of June 18, 2009. On motion of Vice Chairman Vecellio, seconded by Commissioner Lashua, the minutes of the regular meeting of June 18, 2009 were adopted unanimously.

ADMINISTRATION:

1) MEGA/Hess Utility Agreements

Mr. Russo recently authorized the Municipal Electric and Gas Alliance (MEGA) to seek proposals from its contract suppliers for each of our service areas. These areas are currently serviced by Central Hudson Gas & Electric, Orange & Rockland, and National Grid. MEGA administers a procurement process on behalf of its member municipal entities for the supply of electric and natural gas. Agencies are presented with pricing from and contract directly with the suppliers. Accordingly, the Authority has received a proposal from Hess Corporation to supply electric and natural gas to the facilities within the Central Hudson and Orange and Rockland service areas. The cost basis for electric supply is based on an indexed day-ahead price with a fixed adder component. By comparison, the cost per kwh is less than the current Central Hudson cost. The natural gas pricing is also based on an indexed rate and is comparatively less than the current Central Hudson rate. Mr. Russo indicated that no NYS OGS contract for electricity and natural gas currently exists; hence this opportunity seems to present the best alternative in being able to secure a group rate. After a brief discussion relative to cost savings and contract period, 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 AUTHORITYBOARD RESOLUTION

Resolution No.: 009-055

Resolution Date: July 16, 2009

WHEREAS, the Authority seeks to procure utility supplies for electricity and natural gas at the lowest possible cost, and

WHEREAS, the Authority has reviewed the group procurement process of the Municipal Electric and Gas Alliance (MEGA) for its member agencies and municipalities, and

WHEREAS, the Authority is eligible to be a member of MEGA and participate in its Program Agreements, and

WHEREAS, MEGA has issued Invitations To Bid for Electricity and Natural Gas Supplies, opened and reviewed such bids and executed a Program Agreement on behalf of its Participants with Hess Corporation as the lowest responsible bidder, and

WHEREAS, the Authority has received and reviewed proposals for electricity and natural gas from HESS Corporation under the terms of the Program Agreement with MEGA; now therefore

BE IT RESOLVED that the Authority authorizes participation in the Municipal Electric and Gas Alliance (MEGA) with respect to its procurement process for electricity and natural gas supplies, and

BE IT RESOLVED that the Authority agrees to accept the offer and agreement presented by HESS Corporation for electricity and natural gas supplies in accordance with the terms and conditions of HESS Corporation's executed Program Agreement with MEGA, 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 16th day of July 2009.

George C. Sinnott, Secretary

ENGINEERING AND MAINTENANCE:

1) State Planning Research Funds Agreement for Weigh-In-Motion Study

Mr. Moreau indicated that the scope of work, agreement and resolution with DOT for the proposed Virtual Weigh Station using WIM technology for the I-84 corridor was provided to the Board in their packages and stated these documents would secure the initial \$200,000.00 grant money from DOT. Mr. Moreau indicated General Counsel Whitbeck has reviewed the documentation and found it to be in order. Mr. Moreau further indicated recent developments in bringing the project to fruition will put the construction schedule into the spring of 2010 with the anticipation that additional monies will be available in next year's program and that the construction of the proposed Virtual Weigh Station will be unique insofar as the pavement will be extremely flat. Mr. Moreau indicated that the initial construction late in the season will put this high performance pavement through a de-icing season early in its life and have a negative effect on the curing of the concrete. After a brief discussion relative to the overall cost and technology, 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.: 009-056
Resolution Date: July 16, 2009

WHEREAS, the Authority has received and reviewed the scope of work, agreement and resolution with DOT for the proposed Virtual Weigh Station using WIM technology for the I-84 corridor; now therefore

BE IT RESOLVED that the New York State Bridge Authority's Board does hereby authorize the New York State Bridge Authority to enter into a contract with the State of New York, acting by and through the New York State Department of Transportation to construct the Virtual Weigh Station as recommended by the transportation planning study further described in the contract and schedules of NYSDOT/Local Agreement/SPR PIN No. C-07-09, and to receive federal funding therefore, and

BE IT RESOLVED that the Board of the New York State Bridge Authority does hereby authorize and direct George C. Sinnott, Executive Director to execute said contract(s) and any supplements and/or amendment(s) thereto and to review and approve reimbursement claims in furtherance thereof, all on behalf of the New York State Bridge Authority Board, and

BE IT RESOLVED that the New York State Bridge Authority's Board does hereby authorize the expenditure by the New York State Bridge Authority the required \$200,000.00 described in contract, 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 16th day of July 2009.

George C. Sinnott, Secretary

2) Window Replacement for Old Administration Building for MHB

Mr. Moreau indicated that the in-house capital improvement program included the replacement of the windows (twenty) of the old Administration Building located on the Poughkeepsie side of the Mid-Hudson Bridge. Engineering has solicited estimates from various local suppliers for twenty replacement windows. The Old Administration building houses the hazardous paint room/locker area and is the dedicated location of an engineer's office for ongoing construction projects and is used for archival storage of Bridge Authority records as well. Mr. Moreau indicated that the existing windows are all single pane with many broken mechanisms and Engineering weatherized the windows with insulation board and plastic during the last two heating seasons but now plan to replace them. The in-house crew will perform partial demolition and remove the protective screens for additional savings. Engineering recommends Hobson Window of Rhinebeck, NY, the low bidder, in an amount of \$14,545.00 to purchase and install the new windows. 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.: 009-057
Resolution Date: July 16, 2009

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Hobson Window for supplying and installing twenty (20) new vinyl replacement windows at the Old Administration Building at the Mid-Hudson Bridge, and

WHEREAS, the Authority solicited four proposals from qualified vendors with Hobson Window 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 in the amount of \$14,545.00 be issued to Hobson Window for the purchase of twenty (20) new vinyl replacement windows, 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 16th day of July 2009.

George C. Sinnott, Secretary

3) Monthly Engineering Progress Report

Mr. Moreau presented the Engineering report. There was a brief discussion relative to the new sign structure and pavement project at the Newburgh-Beacon Bridge and indicated that all projects remained in budget. Chairman Sproat called for a motion. On motion of Vice Chairman Vecellio, seconded by Commissioner Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-058

Resolution Date: July 16, 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 16th day of July 2009.

George C. Sinnott, Secretary

FINANCIAL:

1) Investment Transaction Report

Mr. Sewell reviewed the Investment Report for the month of June. A brief discussion followed relative to current interest rates and the timing of investments in the Maintenance Reserve Fund. 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.: 009-059

Resolution Date: July 16, 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 June 18, 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 16th day of July 2009.

George C. Sinnott, Secretary

2) Independent Account Services – Audit of Year-End Financial Statements

Mr. Sewell stated that following a request for proposal process in October 2006, the Authority entered into a contract with Toski, Schaefer & Company for \$16,900.00 to provide the Authority with an audit of its 2006 year-end financial statements. Subsequently, in 2007 and 2008, the Authority Audit Committee recommended, and the Board approved, annual contracts for these services at a yearly rate of \$16,900.00. Pursuant to the original contract, the Authority retains the option to extend the contract beyond the original three years for two additional one-year periods at substantially the same terms. Toski, Schaefer & Co. has proposed to provide the same audit services for the 2009 year-end financial statements and continue to charge the Authority \$16,900.00. Based upon the Authority's satisfaction with their previous audits, Mr. Sewell recommended awarding a one-year contract to Toski, Schaefer & Co. for the audit of the 2009 year-end financial statements at a not-to-exceed cost of \$16,900.00. Chairman Sproat called for a motion. 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.: 009-060

Resolution Date: July 16, 2009

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

BE IT RESOLVED that the contract BA2006-OA-010PS, Independent Accountant Services, is hereby renewed with Toski, Schaefer & Co., for the audit of the Authority's 2009 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 16th day of July 2009.

George C. Sinnott, Secretary

3) Accident Report – Second Quarter 2009

Mr. Sewell indicated that there were 43 accidents on Authority facilities in the second quarter of this year compared with 52 the previous year. During this period, the Accident Review Committee investigated five accidents which either involved Authority personnel or in which there could have been liability on the part of the Authority. A brief discussion took place on the number and types of accidents at the individual bridges. No action was required.

INFORMATION TECHNOLOGY:

1) Hardware and Software Maintenance for Operating System 3- Year Contract

Mr. Herd indicated that in November of 2006 the Board approved two three-year maintenance agreements for the IBM iSeries computer system; one for hardware and one for the operating system software. The new IBM Series i5 machine will require a single new agreement for hardware and software maintenance. The three-year agreement still offers a savings over three one-year agreements. Mr. Herd further indicated this agreement includes the replacement of any components that may fail, any updates or upgrades to any of the operating system software and resolution of any technical issues that may arise in the course of normal operation of the system. The amount of the three-year agreement, \$16,399.10, has dropped substantially for the new system when compared to the old system representing a reduction of about \$14,480.00 over a three year period. Chairman Sproat called for a motion. 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.: 009-061
Resolution Date: July 16, 2009

WHEREAS, the Board has been presented with a quotation for a three-year hardware and software maintenance agreement for its IBM Series i5 computer system from Sirius Computer Solutions, Inc. at a cost of \$16,399.10, and

WHEREAS, the Authority agrees that it is necessary to procure this hardware and software protection; now therefore

BE IT RESOLVED that a purchase order be issued to Sirius Computer Solutions, Inc. as the New York State Office of General Services authorized IBM reseller for this service in the amount of \$16,399.10 for the three year period ending July 2012, 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 16th day of July 2009.

George C Sinnott, Secretary

2) Mark IV Equipment Maintenance Annual Renewal

Mr. Herd indicated the Authority utilizes equipment from Mark IV Corporation for the reading of E-ZPass tags and the initial processing of electronic toll transactions. Mr. Herd stated, as a member of the Interagency Group (IAG), the Authority is required to use Mark IV equipment and services for electronic toll collections. The Mark IV equipment consists of “in-lane” antennas and tag readers located at each toll plaza. Mr. Herd further indicated the equipment is maintained through a contract with Mark IV that covers all of the equipment, provides on-site support for any systems problems and monthly pro-active system conditioning. The total cost for the annual maintenance program is \$23,653.94 for the 2009/2010 term. Chairman Sproat asked if there was any questions or comments. On motion of Commissioner Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-062
Resolution Date: July 16, 2009

WHEREAS, the Authority utilizes Mark IV equipment for the reading of E-ZPass tags for electronic toll processing, and

WHEREAS, it is in the best interest of the Authority to maintain this equipment through services provided by Mark IV and identified through the current E-ZPass Interagency Agreement; now therefore

BE IT RESOLVED that the Authority will continue their maintenance agreement with Mark IV at a cost of \$23,653.94, 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 16th day of July 2009.

George C. Sinnott, Secretary

OPERATIONS:

1) New York State Thruway E-ZPass Transactions - First 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 first quarter 2009 for the Authority E-ZPass expenses for the period January 1, 2009 through March 31, 2009 and found it to be true and accurate and, as such, recommended that the invoice be paid in the amount of \$696,731.33. A brief discussion followed relative to cost breakdown and what effect E-ZPass transactions have on the Authority's cost. Chairman Sproat called for a motion to authorize payment of this invoice. 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.: 009-063
Resolution Date: July 16, 2009

WHEREAS, the Board has reviewed the report relative to the payment to the New York State Thruway Authority for First Quarter 2009 Bridge Authority E-ZPass costs in the amount of \$696,731.33; now therefore

BE IT RESOLVED that the payment is hereby approved at a cost not-to-exceed \$696,731.33, 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 16th day of July 2009.

George C. Sinnott, Secretary

PUBLIC RELATIONS AND PLANNING:

Mr. Bellucci handed out an updated Authority event schedule to each of the Board Members as a matter of information.

REPORTS TO BOARD:

1) Monthly Activity Report of the Executive Director

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

This concluded the agenda of the regular meeting. On motion of Commissioner Gerentine, seconded by Vice Chairman Vecellio and approved unanimously, the regular meeting adjourned at 3:40 P.M.

The next regular meeting is scheduled for August 20, 2009 at 3:00 P.M. at Headquarters.