

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON  
FEBRUARY 19, 2009

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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  
Dressel, Roderick O., Vice Chairman  
Gerentine, Richard A., Commissioner  
Paradies, Walter A., Commissioner

Carl G. Whitbeck, Jr., Counsel

OFFICERS:

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

Absent:

Carter, Robert P., Commissioner  
Teator, David A., Commissioner

Chairman Sproat called the meeting to order at 3:04 P.M. and welcomed everyone. On motion of Vice Chairman Dressel, seconded by Chairman Sproat, the minutes of the January 15, 2009 regular meeting were adopted unanimously.

ADMINISTRATION:

1) Alliance for Toll Maintenance Membership Approval

Mr. Russo stated that the Alliance for Toll Interoperability (ATI) is a group of toll road operators similar to the E-ZPass Interagency Group (IAG). The group consists of members within states that are primarily in the south and southwest. However, many operators in the northeast and around the country are in the process of becoming members. The distinguishing element from the IAG is that ATI is seeking to promote interoperability for all operators independent of the technology. The IAG interoperability is specific to the E-ZPass brand and its technology. ATI seeks to establish interstate interoperability through video tolling, DMV license plate exchange, determining state legislation for ETC/DMV sharing, and investigating RFID technology for toll interoperability. There is great interest in this type of interoperability since some of these operators will be creating new toll facilities that will likely be cashless without traditional toll plazas. The Authority has been a casual member of ATI since its inception in early 2008 attending its meetings via teleconference and following its progress. Mr. Russo stated ATI has formally adopted Articles of Incorporation and has asked that agencies wishing to continue to participate in the Alliance, formally apply for a voting membership. As such, ATI has set up annual dues for 2009 at a cost of \$1,000 to cover administrative expenses. The Executive Committee of the IAG has encouraged each of its member agencies to consider joining ATI and many of the agencies have already joined or are in the process of doing so. Mr. Russo recommends that the Authority continue its participation as a formal member. He further stated the concepts being advanced by ATI align well with the future of tolling for the Authority. The ATI By-Laws were provided to the Board for their information and reviewed by General Counsel's office.

After a discussion relative to structure, existing members of IAG that have joined, future membership costs and ATI's interoperability with all systems, Commissioner Gerentine recommended the resolution include the \$1,000.00 membership fee for 2009. Chairman Sproat made a motion to amend the resolution, which was seconded by Commissioner Paradies. On motion of Chairman Sproat, seconded by Commissioner Paradies, the following resolution was adopted unanimously as amended:

**NEW YORK STATE BRIDGE AUTHORITY**

**BOARD RESOLUTION**

Resolution No.: 009-007

Resolution Date: February 19, 2009

WHEREAS, the Board has received and reviewed the recommendation with respect to the Authority's formal membership for a voting membership in the Alliance for Toll Interoperability (ATI) at an annual rate of \$1,000,00 to cover administrative costs for 2009; and

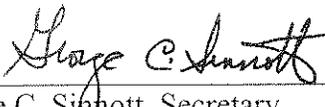
WHEREAS, the Authority agrees with the mission of ATI as described with respect to achieving toll interoperability for operators and customers;

WHEREAS, the Authority deems its membership in ATI serves the public interest; now therefore

BE IT RESOLVED that the Authority approves application for membership in ATI and acceptance of its Corporate By-Laws; 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 19<sup>th</sup> day of February 2009.

  
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George C. Sinnott, Secretary

2) E-ZPass Interagency Group (IAG) Member Annual Dues

Mr. Russo indicated the Authority received an invoice for the Authority's annual assessment as a member of the E-ZPass Interagency Group (IAG) for 2009. The IAG is the operating structure comprised of the member agencies that facilitate operational consistency, reciprocity and shared decision-making with respect to E-ZPass and its implementation. The Authority is a full voting member of this organization since 1997 and as a "small" member agency, the Authority's annual assessment for 2009 remains unchanged from previous years at \$17,500.00 and is one-fourth of the amount paid by the "large" member agencies. Chairman Sproat made a motion to approve the resolution, which was seconded by Vice Chairman Dressel and adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**

**BOARD RESOLUTION**

Resolution No.: 009-008

Resolution Date: February 19, 2009

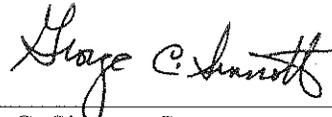
WHEREAS, the Board has been presented with an annual renewal assessment for its membership in the Interagency Group (IAG) at a cost of \$17,500.00 in accordance with the E-ZPass IAG Operating Agreement; and

WHEREAS, the Authority agrees that is necessary to maintain its membership in the IAG to continue its E-ZPass electronic toll operations ; now therefore

BE IT RESOLVED that this payment to the IAG for its 2009 annual assessment is hereby approved at a cost not-to-exceed \$17,500.00; 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 19<sup>th</sup> day of February 2009.



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George C. Sinnott, Secretary

ENGINEERING AND MAINTENANCE:

1) Newburgh-Beacon Bridge (NBB) (North Span) Joint Replacement Design Support Services

Mr. Moreau indicated that as a part of the design agreement with Modjeski and Masters (M&M), Engineering recommends assigning a supplemental agreement for the joint replacement project at Newburgh-Beacon Bridge (NBB). M&M is uniquely qualified as the original design consultant and selected last year for the design work. I. & O.A. Slutzky was awarded the construction by low bid and Bergmann Associates will be performing the construction inspection. This assignment involves the checking of shop drawings, attendance at progress meetings, and resolution of any design-related field problems and is an amount not-to-exceed \$56,750.00. After a discussion relative to the estimate of man-hours with Commissioner Paradies, Chairman Sproat called for a motion to accept Engineering's proposal if there were no further questions. On motion of Commissioner Paradies, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**

**BOARD RESOLUTION**

Resolution No.: 009-009

Resolution Date: February 19, 2009

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to award a supplemental agreement for design support services in connection with the Newburgh-Beacon Bridge "Joint Replacement Project – Design Support" to be designated (BA2009-RE-101-DS); and

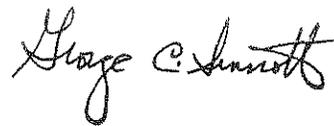
WHEREAS, the Authority's Engineering Department has determined that Modjeski & Masters, Inc. is uniquely qualified for this assignment as they are the original design consultant for this project; and

WHEREAS, the Authority's Engineering Department has reviewed and approved a "cost-plus" not-to-exceed proposal; now therefore

BE IT RESOLVED that a supplemental professional service agreement be issued to Modjeski and Masters, Inc. of Poughkeepsie, New York in an amount not-to-exceed \$56,750.00.

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 19<sup>th</sup> day of February 2009.



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George C. Sinnott, Secretary

2) Weigh-In-Motion (WIM) Virtual Weigh Station (I-84) Construction

Mr. Moreau indicated the results of the WIM study from last year and the grant money available from NYSDOT provided an opportunity to construct a virtual weigh station on I-84 in Newburgh. The system will be capable of measuring the weight of vehicles in motion, taking a photograph of the vehicle, and communicating with enforcement agencies when overweight vehicles are detected. Mr. Moreau further stated the current five year Capital Construction Plan has \$350,000.00 allocated for this work. The NYSDOT grant will provide an additional \$200,000.00, and based on a review of work completed by NYSDOT, Engineering feels they can accomplish construction of the virtual weigh station for this \$550,000.00 figure. Engineering has accomplished some of the support infrastructure necessary under the VMS structure replacement project currently underway and recommends Modjeski and Masters prepare bid documents for construction of the WIM station in the amount of \$78,000.00. After a discussion relative to scope project, maintenance costs, fees, extended of life of structure by targeting these overweight vehicles and location of system, 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.: 009-010

Resolution Date: February 19, 2009

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a supplemental agreement to Modjeski & Masters, Inc. for the preparation of bid

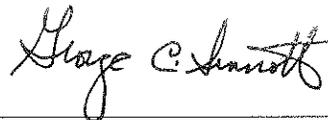
documents for the construction of a Weight-in-Motion station on I-84 in Newburgh; and

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

BE IT RESOLVED that a supplemental agreement to the General Consulting Agreement, BA2005-DE-101-ES, with Modjeski & Masters, Inc. be issued in the amount of \$78,000.00; 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 19<sup>th</sup> day of February 2009.



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George C. Sinnott, Secretary

3) Monthly Jobs in Progress Report

Mr. Moreau presented the Engineering report and stated that the only active project was at the Mid-Hudson Bridge facility relative to the construction of the new maintenance building. Mr. Moreau indicated he was pleased with the contractor's work. Chairman Sproat called for a motion if there were no questions. On motion of Commissioner Gerentine, seconded by Vice Chairman Dressel, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**

**BOARD RESOLUTION**

Resolution No.: 009-011

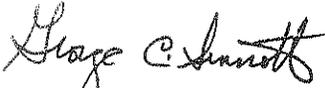
Resolution Date: February 19, 2009

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 19<sup>th</sup> day of  
February 2009.

  
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George C. Sinnott, Secretary

FINANCIAL:

1) Investment Report

Mr. Sewell reviewed with the Board the Investment Report for the month of January. After a discussion relative to interest rates and the purchase of New York State General Obligation Bonds in February, 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.: 009-012

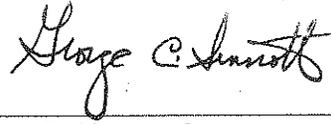
Resolution Date: February 19, 2009

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 January 15, 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 19<sup>th</sup> day of  
February 2009.

A handwritten signature in cursive script that reads "George C. Sinnott". The signature is written in dark ink and is positioned above a horizontal line.

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George C. Sinnott, Secretary

2) Accident Committee Report

Mr. Sewell reported the following for the fourth quarter of 2008. Fifty-three accidents on Authority facilities in the 4<sup>th</sup> quarter of 2008 occurred as compared with 42 the previous year. During the fourth quarter, the Accident Review Committee investigated one vehicular accident which involved Authority personnel and a multiple vehicle accident in which icing of the Newburgh-Beacon Bridge roadway surface may have been a factor. A brief discussion followed relative to the Newburgh-Beacon Bridge incident. It was determined that Authority personnel had followed the appropriate monitoring and sanding/salting procedures prior to this incident. No official Board action was required.

3) Interagency Group Travel Expenses

Mr. Sewell indicated that, at the Board's December 18, 2008 meeting, he was charged with providing expense reports related to Authority employee attendance at the Interagency Group meetings to evaluate and select a vendor to provide in-lane equipment, transponders and support for the E-ZPass system. To date, Barry Mickle and Frank Mazzella have attended a total of nine meetings with expenses totaling \$1,855 of the \$7,500 authorized by the Board. A brief discussion followed on where the meetings had been held. No official Board action was required.

4) Consolidated Iron Joint Defense Group Settlement

In furtherance of General Counsel's recommendation in the Attorney/Client session following the January 15<sup>th</sup> Board meeting, Mr. Sewell presented to the Board a settlement agreement in the matter of the Consolidated Iron Joint Defense Group, together with a resolution. On motion of Vice Chairman Dressel, seconded by Chairman Sproat, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**

**BOARD RESOLUTION**

Resolution No.: 009-013

Resolution Date: February 19, 2009

WHEREAS, the New York State Bridge Authority has been advised of a claim against it in the matter of the Consolidated Iron Joint Defense Group; and

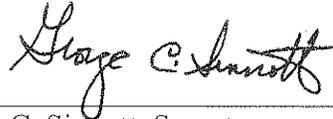
WHEREAS, the New York State Bridge Authority has determined, upon advice of counsel, that it is in the public interest to enter into a settlement in this matter; and

WHEREAS, the New York State Bridge Authority has read and concurred with this settlement agreement; now therefore

BE IT RESOLVED that the New York State Bridge Authority shall pay the Consolidated Iron Joint Defense Group the amount of \$17,500.00 in settlement of all claims; 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 19<sup>th</sup> day of February 2009.



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George C. Sinnott, Secretary

HUMAN RESOURCES:

1) The 2009 Workplace Service Agreement Annual Renewal

Mr. Pizzuto stated. in 2006, the Authority issued requests for proposals for systemwide occupational healthcare services resulting in an agreement with The Workplace. The agreement was for one year with the option of renewing for three additional 1-year agreements. On January 29, 2009, the Authority received The Workplace's new pricing schedule for 2009. Mr. Pizzuto contacted another service provider (FirstCare) to ensure The Workplace's pricing was in line with the local marketplace and as such found that The Workplace's rates continue to be competitive. In addition to pricing, The Workplace offers two convenient locations and an Employee Assistance Program that FirstCare does not provide. Therefore, Mr. Pizzuto recommends renewing this contract at a not-to-exceed price of \$38,696.00, which is approximately 12% higher than the \$34,551.00 cost the Authority expended in 2008. Chairman Sproat called for a motion to amend the resolution to include the 2009 cost in an amount not-to-exceed \$38,696.00. On motion of Vice Chairman Dressel, seconded by Commissioner Paradies, the amendment was approved unanimously. On motion of Chairman Sproat, seconded by Commissioner Gerentine, the following resolution was adopted unanimously as amended:

**NEW YORK STATE BRIDGE AUTHORITY**

**BOARD RESOLUTION**

Resolution No.: 009-014

Resolution Date: February 19, 2009

WHEREAS, the Board of Commissioners has reviewed the memorandum regarding the renewal of The Workplace Service Agreement at a cost not-to-exceed \$38,696.00 for 2009; and

WHEREAS, the Authority's contract with The Workplace allows for this renewal; now therefore

BE IT RESOLVED, that the purchase of healthcare services, through The Workplace, at costs provided for in its proposed fee schedule, for the period January 1, 2009-December 31, 2009 is hereby approved; 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 19<sup>th</sup> day of February 2009.



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George C. Sinnott, Secretary

INFORMATION TECHNOLOGY:

1) General Electronic Data Processing EDP Consultant

Mr. Herd indicated in January 2009, the General Electronic Data Processing Consultant contract received approval and was awarded to Dr. Theodore Mankovich. A scope of work, divided into two categories, was developed for 2009 and estimated at 836 hours. The first category is work that is necessary for the Authority and the second is work for the Authority that should be done to prepare for the new technology that is evolving. The total cost for both categories will be at a not-to-exceed amount of \$100,320.00. Mr. Herd gave a brief overview of the specific work to be performed which was in a report already provided to the Board. Mr. Herd indicated Dr. Mankovich's fee was down by 2% from last year. After a discussion relative to the staff's knowledge of Dr. Mankovich's work and the transference of knowledge, 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.: 009-015

Resolution Date: February 19, 2009

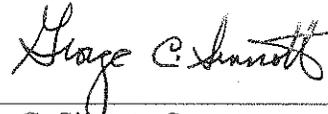
WHEREAS the Board of Commissioners has reviewed the memorandum and scope of consulting services for the General Electronic Data Processing Consultant; and

WHEREAS, the Authority has established a consulting contract with Dr. Theodore Mankovich for these services; now therefore

BE IT RESOLVED; that an addendum to contract BA-2009-OO-001-PS is established for a not-to-exceed amount of \$100,320.00

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 19<sup>th</sup> day of February 2009.



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George C. Sinnott, Secretary

PUBLIC RELATIONS AND PLANNING:

There was nothing to report to the Board for this meeting.

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 December.

This concluded the agenda of the regular meeting. On motion of Chairman Sproat, seconded by Vice Chairman Dressel, and approved unanimously, the regular meeting adjourned at 3:48 P.M.

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