

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
APRIL 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
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:

Teator, David A., Commissioner

General Counsel announced the attendance of CSEA Union Members and stated that there would be no Q&A session or dialogue exchanged between Board members and Union members. Chairman Sproat called the meeting to order at 3:10 P.M. and welcomed everyone. Chairman Sproat called for a motion to adopt the minutes of the March 19th regular meeting. On motion of Commissioner Gerentine, seconded by Commissioner Paradies, the minutes of the March 19, 2009 regular meeting were adopted unanimously.

ADMINISTRATION:

1) J.D. Edwards Upgrade

Mr. Garrison indicated that this project was initially scheduled in 2005. However, Oracle extended support for the current version, eliminating the need to upgrade at that time and allowed postponing the project for several years. Mr. Garrison stated that it is now necessary to upgrade the software system. Seven proposals were received and five were eligible to be considered based on the quality and responsiveness of the proposals, the experience of the personnel, the committee's perception of the level of performance and capabilities, the adequacy of the project staff, and the statement of work or work plan. The outcome of this rating had two companies (Leverage and AMX) tied for first place and that the final step, cost, was rated separately based on a percentage comparison to the lowest cost. The weighting committee provided weights for each criterion including cost at the joint meeting of the rating and weighting committees to finalize the evaluation worksheet. A discussion followed relative to the most qualified company which was guided by experience, location of the company, and travel vs. telephone conferencing and cost. Hardware costs were also discussed which were not part of this proposal. A brief discussion followed relative to hourly rates and compliance procedures. Commissioner Gerentine requested the resolution be amended to reflect a cost of \$98,439.20 instead of the original proposed amount of \$115,900.00 and that if additional money becomes necessary it be brought to the Board for approval at that time. On motion of Commissioner Gerentine, seconded by Vice Chairman Dressel the following resolution was adopted unanimously, as amended:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-032

Resolution Date: April 16, 2009

WHEREAS, the New York State Bridge Authority Board has reviewed the memoranda regarding the procurement of professional services for BA-2009-RA-002-PS JD Edwards EnterpriseOne Xe Software Upgrade Services; and

WHEREAS, an evaluation committee has reviewed submitted proposals using a documented evaluation process and is making a recommendation for award to Leverage Consulting, LLC; now therefore

BE IT RESOLVED that a contract be awarded to Leverage Consulting, LLC, 3008 43rd Street NW, Washington, DC 20016 for an amount not-to-exceed \$98,439.20 and the future need of additional funds be brought before the Board for their review; 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 April 2009.

George C Sinnott, Secretary

2) IBTTA Special Summit Meeting June 14-16, Tampa FL

Mr. Garrison stated that on June 14, 2009 through June 16, 2009, the IBTTA will be holding a special meeting in Tampa Florida, to discuss the future of tolling which will assist the Authority in developing future tolling needs; and since open road tolling seems to have gained significant popularity amongst tolling agencies throughout the transportation industry. An example is the Port Authority of New York and New Jersey which announced plans to implement open road tolling sometime in 2012. They are not alone in this venture as the MTA in New York, Florida and Texas have made similar announcements. The meetings scheduled in Tampa will focus on nationwide interoperability and the discussions scheduled are to help in developing future needs assessments to minimize Authority/Agency risk in moving toward the future. Please note this is the third in a series of meetings held by the IBTTA on these issues. The first was held in Boston and focused on what was needed to improve violation processing and payment. The second was held in Dallas and focused on Open Road Tolling. The Authority has participated in the past meetings and has found them to be very worthwhile. On motion of Commissioner Paradies, seconded by Chairman Sproat, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-033

Resolution Date: April 16, 2009

WHEREAS, the Board has received and reviewed a request for overnight, out-of-state travel to attend the IBTTA meeting being held in Tampa, FL on June 14, 2009 – June 16, 2009; now therefore

BE IT RESOLVED that authorization is granted to Barry Mickle, to attend the identified meeting as the representative for the Authority at the not-to-exceed cost of \$1700.00; 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 April 2009.

George C. Sinnott, Secretary

ENGINEERING AND MAINTENANCE:

1) Monthly Jobs in Progress Report

Mr. Moreau presented the Engineering report and briefly discussed the upcoming easement request from UCRRA at the Kingston-Rhinecliff Bridge. Also discussed were the Mid-Hudson Bridge cable project and the Newburgh-Beacon Bridge expansion joint project. Mr. Moreau noted that the Mid-Hudson Bridge maintenance building project came in below budget. 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.: 009-034

Resolution Date: April 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 April 2009.

George C. Sinnott, Secretary

FINANCIAL:

1) Investment Report

Mr. Sewell reviewed the Investment Report for the month of March drawing the Board's attention to the sale of two U.S. Treasury investments, and the subsequent purchase of a longer term investment, in the Insurance Fund. The new investment matures November 15, 2016 and has a yield of 2.9%. A brief discussion followed relative to reduced truck traffic and toll revenue. 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.: 009-035

Resolution Date: April 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 March 19, 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 April 2009.

George C. Sinnott, Secretary

2) Public Authority Cost Recovery

Mr. Sewell stated the Public Authorities Law §2975 directs the Division of Budget (DOB) to allocate expenses for central governmental services to various public authorities including the Bridge Authority and, each year, the Authority is billed by the Division of the Treasury's Taxation and Finance Department for a portion of the \$55,000,000 which may be charged for these services. As such, the Bridge Authority's share of the billing for the year ending March 31, 2009 is \$546,000, up \$157,180, or 40%, over last year. Mr. Sewell indicated that this is in line with the 2008 increase of 37.5%, from \$40 million to \$55 million, in the allowable assessment under §2975 and that all Authorities in this program are being charged proportionally larger shares of the State's expense. A brief discussion followed relative to the increase over last year. On motion of Chairman Sproat, seconded by Commissioner Gerentine, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-036
Resolution Date: April 16, 2009

WHEREAS, the Board has reviewed the report relative to the payment of public authority cost recovery charges for central government services as mandated by Public Authorities Law; now therefore

BE IT RESOLVED the New York State Bridge Authority does hereby approve the payment of \$546,000 to the Department of Taxation and Finance for the Bridge Authority's share of these costs for the year ending March 31, 2009; 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 April 2009.

George C. Sinnott, Secretary

3) Annual Internal Control Certification

Mr. Sewell drew the Board's attention to §2931 of the Public Authorities Law outlining certain responsibilities the governing Board of the Authority has to establish and maintain systems of internal control. Mr. Sewell indicated that the Authority satisfies substantially all the prerequisites of a fully compliant system of internal control; however, there are a couple of areas where more work needs to be done and he expects this will be accomplished in 2009–2010. No resolution was required for the Chairman's certification.

INFORMATION TECHNOLOGY:

1) Transdyn Contract Renewal

Mr. Herd indicated in May of 2004, an advertisement was placed for a Systemwide Intelligent Transportation Systems (ITS) Engineering Consultant and Transdyn was awarded the contract to assist the Authority with current and future ITS Programs in both a consulting and systems integration role. The initial three year agreement has ended and this will be the second year of the Authority's option to renew for another year and that there was no money increase. A brief discussion followed relative to a new Request for Proposal going out next year and whether or not the budget would be exhausted for this contract vs. a cost savings. Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Commissioner Paradies, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-037
Resolution Date: April 16, 2009

WHEREAS, the Board of Commissioners has reviewed the memorandum for the continuation of consulting service for the Systemwide Intelligent Transportation Systems Engineering Consulting Contract; and

WHEREAS, the Authority has established a consulting contract with Transdyn, Inc.; now therefore

BE IT RESOLVED that an addendum to contract BA-2004-RO-006-ES be established for an additional year of services; 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 April 2009.

George C. Sinnott, Secretary

PUBLIC RELATIONS AND PLANNING:

Mr. Bellucci stated that there is nothing to report at this time.

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 March.

NEW BUSINESS:

1) Lewisburg Road, Town of Lloyd – Franny Reese State Park

General Counsel introduced a resolution where parties (Palisades Interstate Park Commission and the New York State Bridge Authority) negotiated a Municipal Cooperation Agreement for the continued management and use of the Lewisburg Road; as it crosses under the Mid-Hudson Bridge and the right to maintain portions of the road for access to the southerly side of the Mid-Hudson Bridge. After a discussion relative to the Palisades Interstate Park Commission, the Town of Lloyd and the New York State Bridge Authority and their mutual interests in the maintenance and use of Lewisburg Road and security gates to control access, Chairman Sproat called for a motion. On motion of Commissioner Gerentine, seconded by Commissioner Paradies, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 009-038

Resolution Date: April 16, 2009

WHEREAS, the Palisades Interstate Park Commission (hereinafter “PIPC”), the Town of Lloyd (hereinafter “the Town”) and the New York State Bridge Authority (hereinafter “NYSBA”), have common interests in the maintenance and use of Lewisburg Road, especially as it crosses under the Mid-Hudson Bridge; and

WHEREAS, the parties have negotiated a Municipal Cooperation Agreement for the continued management and use of Lewisburg Road; and

WHEREAS, NYSBA desires to continue to maintain the security of the Mid-Hudson Bridge, as well as its right to maintain portions of the road for access to the southerly side of the Mid-Hudson Bridge; now therefore

BE IT RESOLVED, that the Executive Director is authorized and directed to execute a Municipal Cooperation Agreement, substantially in the form annexed, to accomplish these purposes.

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 April 2009.

George C. Sinnott, Secretary

This concluded the agenda of the regular meeting. On motion of Vice Chairman Dressel, seconded by Commissioner Gerentine, and approved unanimously, the regular meeting adjourned at 3:45 P.M.

The next regular meeting is scheduled for May 21, 2009 at 3:00 P.M. at Headquarters. ***The annual meeting will be held prior to the regular meeting.***