

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON  
AUGUST 20, 2020

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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 are available on-line.

IN ATTENDANCE VIA ZOOM TELECONFERENCE:

BOARD MEMBERS:

McDonald, Joan, Commissioner  
Bruni, Maria, Commissioner  
Berardi, Alexander, Commissioner  
Gilbert, Ilan, Commissioner  
Jarvis, Colin, Commissioner  
Lanza, Lou, Commissioner  
O'Brien, Michael, Commissioner

OFFICERS:

Sullivan, Tara, Secretary  
Bushek, Brian, Treasurer

Ms. Sullivan called the meeting to order at 3:08pm as both Secretary to the Board of the New York State Bridge Authority and also as the Acting Executive Director. Ms. Sullivan entertained a motion to nominate a Chair for the New York State Bridge Authority. On a motion of Commissioner Bruni, seconded by Commissioner Lanza, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-079

Resolution Date: August 20, 2020

WHEREAS, Section 528 of the Public Authorities Law and the Bylaws of the New York State Bridge Authority confer upon the Authority the power to appoint or elect officers; now therefore,

BE IT RESOLVED that Joan McDonald is hereby elected Chair of the New York State Bridge Authority; and,

BE IT FURTHER RESOLVED that the Chair will hold office and perform the duties as prescribed in the Authority Bylaws until her successor has been duly elected.

IN WITNESS WHEREOF, this resolution has been duly adopted this 20th day of August 2020.

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Tara Sullivan, Secretary

Ms. Sullivan congratulated Chair McDonald and turned the meeting over to her, as she assumed the Chair of the New York State Bridge Authority. Chair McDonald thanked Ms. Sullivan as well as the Board Members.

Chair McDonald proceeded with the next order of business, which was to nominate and vote for a Vice-Chair of the New York State Bridge Authority.

Chair McDonald nominated Maria Bruni as Vice-Chair of the New York State Bridge Authority. On a motion of Commissioner Lanza, seconded by Commissioner Berardi, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-080

Resolution Date: August 20, 2020

WHEREAS, Section 528 of the Public Authorities Law and the Bylaws of the New York State Bridge Authority confer upon the Authority the power to appoint or elect officers; now therefore,

BE IT RESOLVED that Maria Bruni is hereby elected Vice-Chair of the New York State Bridge Authority; and,

BE IT FURTHER RESOLVED that the Vice-Chair will hold office and perform the duties as prescribed in the Authority Bylaws until her successor has been duly elected.

IN WITNESS WHEREOF, this resolution has been duly adopted this 20th day of August 2020.

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Tara Sullivan, Secretary

Chair McDonald welcomed Commissioner Bruni as Vice-Chair of the New York State Bridge Authority.

The next order of business was Board Committee appointments, which include Audit, Finance, and Governance Committee members and Chairs. Chair McDonald called for a motion to adopt all three committee resolutions. On a motion of Commissioner Gilbert, seconded by Commissioner Berardi, the following three resolutions were adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-081

Resolution Date: August 20, 2020

WHEREAS, Section 2824 of the Public Authorities Law requires not less than three Board members to constitute the Authority's Audit Committee; now therefore,

BE IT RESOLVED that Alexander Berardi, Maria Bruni and Lou Lanza are hereby appointed to the Authority's Audit Committee; and,

BE IT FURTHER RESOLVED that Alexander Berardi shall serve as Chair of the Audit Committee.

IN WITNESS WHEREOF, this resolution has been duly adopted this 20th day of August 2020.

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Tara Sullivan, Secretary

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-082

Resolution Date: August 20, 2020

WHEREAS, Section 2824 of the Public Authorities Law requires not less than three Board members to constitute the Authority's Finance Committee; now therefore,

BE IT RESOLVED that Michael O'Brien, Joan McDonald and Maria Bruni are hereby appointed to the Authority's Finance Committee; and,

BE IT FURTHER RESOLVED that Michael O'Brien shall serve as Chair of the Finance Committee.

IN WITNESS WHEREOF, this resolution has been duly adopted this 20th day of August 2020.

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Tara Sullivan, Secretary

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-083

Resolution Date: August 20, 2020

WHEREAS, Section 2824 of the Public Authorities Law requires not less than three Board members to constitute the Authority's Governance Committee; now therefore,

BE IT RESOLVED that Ilan Gilbert, Colin Jarvis, and Joan McDonald are hereby appointed to the Authority's Governance Committee; and,

BE IT FURTHER RESOLVED that Ilan Gilbert shall serve as Chair of the Governance Committee.

IN WITNESS WHEREOF, this resolution has been duly adopted this 20th day of August 2020.

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Tara Sullivan, Secretary

Chair McDonald thanked all the Board members for agreeing to serve on the committees as they move forward in their deliberations for the New York State Bridge Authority.

Chair McDonald proceeded to the next order of business, the removal of the Authority's General Counsel. The Bylaws of the New York State Bridge Authority provide that the General Counsel for the Authority holds office at the pleasure of the Board; and the term of the office shall be one year unless he or she shall have been removed prior to then. Chair McDonald suggested in response to the recommendation of the Inspector General's report, the Board remove Carl Whitbeck, Jr. as General Counsel of the New York State Bridge Authority effective immediately. Chair McDonald called for a motion. On a motion of Commissioner Gilbert, seconded by Commissioner O'Brien, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-084

Resolution Date: August 20, 2020

WHEREAS, the Bylaws of the New York State Bridge Authority provide that the General Counsel of the Authority holds office at the pleasure of the Board, and the term of the office shall be one year unless he or she shall have been removed prior to the expiration of one year period; now therefore,

BE IT RESOLVED, that the Board of Commissioners of the New York State Bridge Authority does hereby remove Carl Whitbeck, Jr., as General Counsel of the New York State Bridge Authority effective immediately; and

BE IT FURTHER RESOLVED, that the Acting Executive Director, or her 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 August, 2020.

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Tara Sullivan, Secretary

The next order of business was the certification of the July 16, 2020 Board minutes. Chair McDonald noted that since none of the new Board members were appointed as Commissioners prior to the August 20, 2020 Regular Board meeting, they were unable to adopt the minutes. Ms. Sullivan, who attended and participated as the Secretary of the Board, and the Acting Executive Director of the New York State Bridge Authority, certified, by seal, the Regular New York State Bridge Authority Board Meeting Minutes of July 16, 2020. Chair McDonald stated that the Regular Board minutes of July 16, 2020 are approved.

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Tara Sullivan, Secretary

ENGINEERING:1) Extension of Schupp's System-Wide Fiber Maintenance Service Agreement- BA-2017-OO-121-IT

Mr. Wright informed the Board that in September 2017, the Authority advertised for a contractor to handle maintenance and repair of the fiber optic cable and conduit system on NYSBA's facilities. Nine (9) contractors requested the proposal package with one (1) bid received from Schupp's Line Construction, Inc. The Authority entered into a three (3) year agreement with Schupp's with the option to extend the service period for two additional one (1) year periods. Our experience with Schupp's, a certified WBE, has been a positive one. They have been the Authority's on-call maintenance company since 2012 and with the current agreement ending in September of this year, Mr. Wright recommended extending their contract from September 1, 2020 through August 31, 2022. Their hourly rates were reviewed and approved by the Engineering and Maintenance department with a not-to-exceed amount of \$100,000 approved for payment on a time and materials basis for fiber optic repair work. Commissioner Gilbert inquired if it was proper to exercise both years at the same time, Mr. Wright expressed that Counsel had reviewed and approved the terms. Chair McDonald called for a motion. On a motion of Commissioner Berardi, seconded by Commissioner Gilbert, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-085

Resolution Date: August 20, 2020

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to extend the current agreement for system-wide fiber maintenance services, publicly advertised and bid in 2017 as BA-2017-OO-121-IT, "System-Wide Fiber Maintenance Services"; and

WHEREAS, the Authority has previously awarded this professional services contract to Schupp's Line Construction, Inc., a certified WBE, of Albany, New York; and

WHEREAS, this agreement included the option for the Authority to extend the term of the contract for two additional one (1) year periods; and

WHEREAS, the Authority's Engineering department recommends utilizing our option to extend the contract for two additional years, from September 1, 2020 through August 31, 2022, and has reviewed and approved Schupp's repair rates based on a time and material basis; now therefore,

BE IT RESOLVED that the Board of Commissioners of the New York State Bridge Authority approve extending the maintenance contract at a not-to-exceed cost of \$100,000.00 approved for payment with the following rates: fiber repair



regular work week hours: \$269.00/man/hour, off hours: \$323.00/man/hour; trenching and backfilling regular work week hours: \$291.00/man/hour, off hours \$355.00; and maintenance and protection of traffic regular work week hours: \$172.00/man/hour, off hours: \$223.00/man/hour; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her 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 August, 2020.

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Tara Sullivan, Secretary

2) Metro-North Railroad Entry Permit; Hudson River East

Mr. Wright explained to the Board that in order to replace the section of the Newburgh-Beacon North Span that is within Metro-North's aerial right-of-way, a Railroad Support Entry Permit is required for engineering and flagger service. Their east shore rail line accommodates passenger trains. Back in 2012, Metro-North's estimated support service cost for the South Span deck replacement was \$218,400; which came in under-budget. Mr. Wright estimated that a not-to-exceed fee of \$250,000 should be sufficient for Metro-North's support service, 2020 thru 2023. Payment to Metro-North is based on actual services provided. Chair McDonald called for a motion. On a motion of Commissioner Jarvis, seconded by Commissioner O'Brien, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-086

Resolution Date: August 20, 2020

WHEREAS, the New York State Bridge Authority has determined it is in the public interest to award a contract for professional services in connection with the railroad flagman service at the Newburgh-Beacon Bridge (North Span) Deck Replacement Project to be designated (BA-2018-RE-110-MNR); and

WHEREAS, the Authority's Engineering and Maintenance department has determined Metro-North Railroad is uniquely qualified to provide the required flag-person services; and

WHEREAS, the Authority's Engineering and Maintenance department has reviewed and approved the estimated cost proposal, which will be based on actual services provided; now therefore,

BE IT RESOLVED a Railroad Support Entry Permit agreement be issued to Metro-North Railroad to provide railroad flag-person services at a not-to-exceed cost of \$250,000 for years 2020-2023; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her 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 August 2020.

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Tara Sullivan, Secretary

3) CSX Transportation Railroad Entry Permit; Hudson River West Shore Line – BA-NBB North Span Deck Replacement Project – BA-2018-RE-110-CSX

Mr. Wright indicated to the Board that in order to replace the section of the Newburgh-Beacon North Span that is within CSXT's aerial right-of-way, a Railroad Support Entry Permit is required for engineering and flagger service. Their west shore rail line accommodates freight trains. Back in 2012, CSXT's estimated support service cost for the south span deck replacement was \$158,029; which came in under-budget. Mr. Wright estimated that a not-to-exceed fee of \$200,000 should be sufficient for CSX Transportation's support service, 2020 thru 2023. Payment to CSXT is based on actual services provided. A brief discussion ensued relative to the need and nature of the flagging services. Chair McDonald called for a motion. On a motion of Commissioner Gilbert, seconded by Commissioner Lanza, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-087

Resolution Date: August 20, 2020

WHEREAS, the New York State Bridge Authority has determined it is in the public interest to award a contract for professional services in connection with the railroad flagman service at the Newburgh-Beacon Bridge (North Span) Deck Replacement Project to be designated (BA-2018-RE-110-CSX); and

WHEREAS, the Authority's Engineering and Maintenance department has determined CSX Transportation is uniquely qualified to provide the required flag-person services; and

WHEREAS, the Authority's Engineering and Maintenance department has reviewed and approved the estimated cost proposal, which will be based on actual services provided; now therefore,

BE IT RESOLVED a Railroad Support Entry Permit agreement be issued to CSX Transportation to provide railroad flag-person services at a not-to-exceed cost of \$200,000 for years 2020-2023; and

BE IT FURTHER RESOLVED that the Acting Executive Director, or her 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 August 2020.

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Tara Sullivan, Secretary

4) Jobs in Progress

Mr. Wright advised the Board regarding the Engineering Jobs in Progress Report for the month. Newburgh Beacon Bridge Redecking project is underway as the Authority's biggest project at \$101 million and awarded to Yonkers Contracting. The project will last 2-1/2 to 3 years. Westbound traffic will be diverted to the South Span in the last quarter of this year. Mid-Hudson Bridge Steel Repair contract is underway and will replace the bridge railing anchor bolts as well as the expansion joint supports and the suspension links at both towers. Chair McDonald inquired about how the Authority will communicate important traffic related information to the public. Chair McDonald called for a motion. On a motion of Commissioner Gilbert, seconded by Commissioner O'Brien, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-088

Resolution Date: August 20, 2020

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 Acting Executive Director, or her 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 August 2020.

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Tara Sullivan, Secretary

FINANCIAL:1) Investment Report

Mr. Bushek reviewed the monthly Investment Report noting nine investments for the month. Chair McDonald called for a motion. On a motion of Commissioner Berardi, seconded by Vice-Chair Bruni, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 020-089

Resolution Date: August 20, 2020

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 July 16, 2020; now therefore,

BE IT RESOLVED, that the Board of Commissioners of 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 Acting Executive Director, or her 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 August, 2020.

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Tara Sullivan, Secretary

REPORTS TO BOARD:1) Monthly Activity Report of the Acting Executive Director

The Monthly Activity Report was submitted by Acting Executive Director Tara Sullivan noting no expenditures. No action was required by the Board.

2) August 2020 Traffic and Revenue Analysis

Ms. Sullivan noted for the month of August that the Authority's revenues are \$4,936,252.00 below last year's receipts (\$28,757,729 in 2020, \$33,693,981 in 2019), a decrease of 14.65%. No action was required by the Board.

3) August 2020 E-ZPass Sales Analysis

Ms. Sullivan indicated that year-to-date 2020 tag sales are 5,597, compared to 5,228 sold year-to-date 2019, an increase of 7.06%. No action was required by the Board.

4) Historic Bridges of the Hudson Valley (HBHV) Monthly Report for August 2020

The full monthly and detailed report was submitted to the NYSBA Board of Commissioners by Historic Bridges of the Hudson Valley Director, Kathy Burke. No action was required by the Board.

This concluded the Regular meeting. Chair McDonald asked for a motion to adjourn. On a motion of Commissioner Gilbert, seconded by Commissioner O'Brien and approved unanimously, the Regular meeting adjourned at 3:37 p.m.

The next Regular meeting of the Board of Commissioners meeting is scheduled for September 17, 2020 at 3:00pm at Headquarters.