

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON  
April 18, 2013

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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 copy of the web cast is kept as part of the Board meeting files.

IN ATTENDANCE:

BOARD MEMBERS:

Gerentine, Richard A., Acting Chairman  
Dressel, Roderick O., Commissioner  
Higgins, Roger P., Commissioner  
Lashua, C. Vane, Commissioner

OFFICERS:

Ruggiero, Joseph, Secretary  
Whitbeck, Carl G., Counsel  
Bushek, Brian, Treasurer

ABSENT:

Ramaglia, Joseph, Commissioner

Acting Chairman Gerentine called the meeting to order at 3:30 pm and called for a motion to adopt the minutes of the March 21, 2013 regular meeting. On motion of Commissioner Ramaglia, seconded by Commissioner Lashua, the minutes of the March 21, 2013 Regular Meeting were adopted unanimously.

ENGINEERING:

1) Jobs in Progress Monthly Report

Mr. Moreau advised the Board regarding the Engineering Jobs in Progress Report for the month of March, noting that contract re-mobilization began and contractors and subcontractors are prepping 2 barges to start de-leading the main span of the Newburgh-Beacon Bridge. In addition, Commissioner Lashua inquired about the Walkway Over the Hudson and distinguishing boundaries of responsibilities to maintain the structure. Acting Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 013-040  
Resolution Date: April 18, 2013

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 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 18th day of April 2013.

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Joseph Ruggiero, Secretary

FINANCIAL:

1) Investment Transaction Report

Mr. Bushek reviewed the Investment Report for the month of March noting thirteen investments for the month. Mr. Bushek mentioned the interest income yields remain low. Acting Chairman Gerentine called for a motion. On a motion of Commissioner Dressel, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 013-041

Resolution Date: April 18, 2013

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 21, 2013; 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 18<sup>th</sup> day of April 2013.

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Joseph Ruggiero, Secretary

2) Accident Review Committee Report – First Quarter 2013

Mr. Bushek reported that there were 33 accidents on Authority facilities in the first quarter of 2013, classified by bridge in the attached summary which compares with 21 the previous year. During this period there was one accident involving Authority personnel. This compares to zero accidents involving Authority personnel the previous year. Mr. Bushek indicated that the accident review committee met and reported that on January 23, 2013 at the Kingston-Rhinecliff Bridge an employee was performing a routine property check while simultaneously a functional test of the Command Center security procedures was taking place. The employee unaware of the test accidentally backed into a building while repositioning the vehicle. The accident review committee recommended that future testing of the Command Center security procedures consider the impact on staff physically present at the facility. A brief discussion followed relative to the cause of the increase in accidents from previous years. No action was required by the Board.

### 3) Operations Report – 4<sup>th</sup> Quarter 2012

Mr. Bushek indicated that traffic increased 0.43% for 2012 as a result of an increase in passenger (0.64%) and a decrease in commercial (2.62%) traffic. Revenue increased 44.52% due primarily to the toll schedule revision implemented January 30, 2012 for both passenger and commercial vehicles. Increased fund balances available to invest associated with the unspent proceeds of the 2012 Series Bonds through year end was partially offset by low interest rates on Treasury obligations resulting in an increase in interest income by 19% to \$450,000 for the year. Mr. Bushek went on to say that operating expenses show a \$727,000 increase which was the result of several factors including increased salaries, increased benefits and increased professional fees associated with the toll schedule revision and 2012 series bonds. Costs were reduced by the utilization of a consultant originally planned for in operations on toll system enhancements expended as part of the capital program. Also reduced repairs and maintenance associated with a milder winter and reduced equipment costs associated with the completion of activities associated with Federal Grants. Operating expenses budgeted for the accrual post-employment benefits and depreciation of the Walkway Over the Hudson booked at the end of the year. Budgeted capital improvement costs for the year are \$20.9 million and the revised capital plan approved by the Board in September 2012 is \$18.3 million. As of year end, \$20.7 million has been spent in capital expenditures primarily as a result of the acceleration of projects, for example the Newburgh-Beacon Bridge Painting, ahead of the original schedule in the capital program. No action was required by the Board.

INFORMATION TECHNOLOGY:

1) Enterprise Network Switch Procurement

Mr. Herd indicated to the Board that the Authority currently is using several different, aging devices for the network connectivity at Mid-Hudson Bridge facility. The oldest of these is thirteen years old. The Mid-Hudson Bridge facility serves as the central location for data connectivity. With the purchase of this Cisco Enterprise Switch, the Authority will be able to consolidate this equipment into one (1) piece of equipment to manage the connectivity. Three prices were received from qualified NYS OGS contract suppliers with only one (1) from a W/MBE company. Mr. Herd further indicated that Annese & Associates supplied a price quote that fell within the allowed amount of 10% difference to the lowest price quote. Mr. Herd recommended an award to Annese and Associates in the amount of \$38,903.70. Acting Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 013-042  
Resolution Date: April 18, 2013

WHEREAS the Board has reviewed the memorandum about the procurement of the Enterprise Network Switch; and

WHEREAS, the Authority utilized the NYS OGS contract for this procurement, with three price quote being submitted and Annese & Associates, a W/MBE firm, providing a quote within the stated limits; now therefore

BE IT RESOLVED that a purchase order be awarded to Annese and Associates in the amount of \$38,903.70; 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 18<sup>th</sup> day of April, 2013.

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Joseph Ruggiero, Secretary

## REPORTS TO BOARD:

1) Monthly Activity Report of the Executive Director

The Monthly Activity Report was submitted by Executive Director Joseph Ruggiero noting no expenditures in the month of March.

2) March 2013 Traffic and Revenue Analysis

Mr. Ruggiero indicated that there are two factors that may have impacted the traffic and revenue in the year over year comparison for March of 2013. Easter was on March 31<sup>st</sup>, 2013 while it fell on April 8<sup>th</sup> last year and spring break for many schools was the week leading up to Easter, which was also in April last year. Year to date Bridge Authority's traffic numbers are down 531,180 from last year's traffic count, a decrease of 3.93%. All five bridges saw a decline in overall traffic with March 2013 having 180,226 less vehicles than March 2012. Revenue is up due to the toll increase in late January 2012, however a further decline in traffic may negatively impact 2013 revenue projections. No action was required by the Board.

3) March 2013 E-ZPass Sales Analysis

Mr. Ruggiero indicated that there have been 2,428 E-ZPass Tags sold in full service lanes since mid-December 2012. The Authority sold 1,019 tags in March 2013, compared to only 52 sold in March of 2012. Year-to-date 2013 tag sales are 2,382, compared to 257 sold year to date 2012, an increase of 927%. No action was required by the Board.

4) Consent of Kapsch Merger

Mr. Russo indicated that the Authority received a letter from Chris Murray of Kapsch TrafficCom IVHS, Inc. which identifies its intent for an internal consolidation of three of its non-operating entities with its Kapsch TrafficCom Holding Corp. While there is no practical effect on the contracts between Kapsch TrafficCom IVHS, Inc. and the E-ZPass IAG member agencies, Contract Article 1.07, Non-Assignment, requires Kapsch to obtain each E-ZPass Operator's written consent prior to engaging in such a transaction. Accordingly, since this is an action under the contract the Authority has with Kapsch, the Board must authorize the Authority's consent. Acting Chairman Gerentine called for a motion. On a motion of Commissioner Lashua, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 013-043  
Resolution Date: April 18, 2013

WHEREAS, the Bridge Authority has a Contract with Kapsch TrafficCom IVHS, Inc. for the provision of E-ZPass products; and

WHEREAS, the Board has received and reviewed a letter of request dated April 8, 2013 from Kapsch TrafficCom IVHS, Inc. seeking approval for its intended merger of three of its non-operating entities with Kapsch TrafficCom Holding Corp; and

WHEREAS, pursuant to Contract Article 1.07, Non-Assignment, requiring such written approval from each E-ZPass Operator; now

BE IT RESOLVED, that the Bridge Authority acknowledges and accepts the Kapsch merger as described in its letter to the Authority dated April 8, 2013.

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 18<sup>th</sup> day of April, 2013.

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Joseph Ruggiero, Secretary

5) Outside Activity Request

Acting Chairman Gerentine indicated that Mr. Ruggiero was requesting an approval to engage in an outside activity as a Trustee for the newly formed Grinnell Library District in the Town of Wappinger, Dutchess County. He further indicated the position is a non-compensated, elected position on the Grinnell Library Board of Trustees with a one year term. Having no issues, the Board authorized sending Mr. Ruggiero's request for outside activity to JCOPE for its consideration. Acting Chairman called for a motion on providing the Board's consent. On a motion of Commissioner Higgins, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

**NEW YORK STATE BRIDGE AUTHORITY**  
**BOARD RESOLUTION**

Resolution No.: 013-044  
Resolution Date: April 18, 2013

WHEREAS, Executive Director Joseph Ruggiero, in a letter dated April 11, 2013, submitted an Outside Activity request to serve as Trustee on the newly formed Grinnell Library District; and

WHEREAS, the position of Executive Director is a policy making position that requires approval for Outside Activities by the New York State Joint Committee on Public Ethics (JCOPE), and

WHEREAS, JCOPE requires covered employees to submit an Outside Activity Report for its consideration with the consent of the employee's appointing authority for the application, and,

WHEREAS, the Authority Board of Commissioners has reviewed the proposed Outside Activity Report and supporting documentation; and now,

THEREFORE BE IT RESOLVED, that the Board Commissioners hereby finds that the proposed Outside Activity request by Mr. Ruggiero, poses no conflict with the Authority's policies, procedures or rules and regulations governing employee conduct ; and

BE IT FURTHER RESOLVED, the Authority consents to the above-stated outside activity requested by Mr. Ruggiero, having determined that this request is appropriate, considering Sections 73 and 74 of the Public Officers Law; and

BE IT FURTHER RESOLVED, that the Acting-Chairman of the Board, Richard Gerentine, or his designee, is hereby authorized to execute, on behalf of the Board of Commissioners, the New York State Joint Commission on Public Ethics' Outside Activity Report, expressing the Board's consent of this proposed activity pending JCOPE's consideration of this request and its ultimate determination, 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.

Upon roll call,

Chairman Richard Gerentine	<u>Aye</u>
Commissioner Roderick Dressel	<u>Aye</u>
Commissioner Roger Higgins	<u>Aye</u>
Commissioner Vane Lashua	<u>Aye</u>
Commissioner Joseph Ramaglia	<u>Absent</u>

IN WITNESS WHEREOF, this resolution has been duly adopted this 18<sup>th</sup> day of April, 2013.

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Joseph Ruggiero, Secretary

This concluded the regular meeting. Acting Chairman Gerentine asked for a motion to adjourn the meeting. On a motion of Commissioner Dressel, seconded by Commissioner Lashua and approved unanimously, the regular meeting adjourned at 3:45 P.M.

The next annual and regular meeting is scheduled for May 16, 2013 at 3:00 P.M. at Headquarters.