

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON

August 21, 2014

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:

BOARD MEMBERS:

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

OFFICERS:

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

Chairman Gerentine called the meeting to order at 3:00 pm. Chairman Gerentine called for a motion to adopt the minutes of the July 17, 2014 Regular meeting. On motion of Commissioner Higgins, seconded by Commissioner Lashua, the minutes of the July 17, 2014 Regular meeting were adopted unanimously.

ENGINEERING:1) Paint Project – Structural Steel Repairs at NBB

Mr. Wright requested a change order on the NBB paint project for \$150,000.00 for miscellaneous steel repairs. Part of that is for a Yellow Flag repair recently discovered, which will cost \$95,685.93. The Engineer's estimate for this work was \$114,510.00. Mr. Wright said that it is anticipated that other minor repairs will be discovered, which will also come under this change order. The Authority has already exhausted the miscellaneous structural steel repair item that existed under the contract with repairs performed to date. Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Vice Chairman Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 014-076

Resolution Date: August 21, 2014

WHEREAS, bids were solicited through the New York State Contract Reporter for the contract entitled Newburgh-Beacon Bridge, North Span "Phase II - Superstructure Painting" as (BA2012-RE-103-CM); the low bidder being Kiska Construction; and

WHEREAS, miscellaneous structural steel repairs are now necessary, including the correction of a Yellow Flag condition; and

WHEREAS, various other repairs have already exhausted the previous structural steel repair item which existed under this contract; and

WHEREAS, it is anticipated that other minor repairs will be discovered, which will also fall under this change order; and

WHEREAS, the Authority's Engineering department has reviewed Kiska's lump sum cost proposal of \$95,685.93 to perform these repairs and the Engineer's Estimate for said repairs was \$114,510.00; now therefore

BE IT RESOLVED that a change order be issued to Kiska Construction of Long Island City, NY in the not-to-exceed amount of \$150,000.00 to complete these and future repairs.

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 21st day of August, 2014.

Joseph Ruggiero, Secretary

2) Selection of Design firm for 9W Overpass Replacement and Interchange Realignment

The Authority advertised for Expressions of Interest (EOIs) in the NYS Contract Reporter for the Preliminary & Final Design for the I84/9W Bridge Replacement and Interchange Realignment at NBB. Five proposals were received by June 25, 2014. The committee, consisting of Jeff Wright - NYSBA Chief Engineer, Bill Moreau - NYSBA, George Fong - NYSBA Contracts Manager and Martin Evans - NYSDOT Region 8 Asst. to the Regional Director, reviewed all proposals and selected HNTB as the most qualified firm to perform the required design. The next step is to have HNTB submit a Cost Proposal for negotiation with the committee. Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Vice Chairman Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 014-077

Resolution Date: August 21, 2014

WHEREAS, the Authority has entered into a Memorandum of Understanding (MOU) with NYSDOT Region 8 for the replacement of the overpass carrying Interstate 84 over New York State Route 9W at the Newburgh-Beacon Bridge; and

WHEREAS, Expressions of Interest (EOIs) were solicited through the New York State Contract Reporter for the contract entitled Newburgh-Beacon "9W Overpass Replacement - Design" as (BA2014-108-DE) and five (5) EOIs were received; and

WHEREAS, the committee consisting of members from the Authority and NYSDOT Region 8 have reviewed all EOIs and found HNTB New York Engineering & Architecture, P.C. of Albany, New York to be the most qualified firm to perform the required design; now therefore

BE IT RESOLVED that the review committee enter into negotiations with HNTB New York Engineering & Architecture, P.C. to solicit their cost proposal to perform preliminary and final design of this project;

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 21st day of August, 2014.

Joseph Ruggiero, Secretary

3) Jobs in Progress Monthly Report

Mr. Wright advised the Board regarding the Engineering Jobs in Progress Report for the month of July. He mentioned that Newburgh-Beacon Bridge paint project should be completed by the end of the year. Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Vice Chairman Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 014-078Resolution Date: August 21, 2014

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 21st day of August 2014.

Joseph Ruggiero, Secretary

FINANCIAL:1) Investment Transaction Report

Mr. Bushek reviewed the Investment Report for the month of July noting seven investments for the month. Mr. Bushek mentioned the interest income yields rose slightly. Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Vice Chairman Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 014-079Resolution Date: August 21, 2014

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 17, 2014; 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 21st day of August 2014.

Joseph Ruggiero, Secretary

2) 2014 Insurance Renewals - Revision

Mr. Bushek informed the Board that the resolution placed before them at the July 2014 meeting was inaccurate. It did not reflect the correct premium amount outlined in the cover memo for Commercial Package. The resolution inadvertently reflected the premium reduction of \$11,757 associated with the modification of coverage to increase the deductible to \$25,000. It should have reflected the full premium of \$29,904 as indicated in the memo. Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Vice Chairman Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 014-080Resolution Date: August 21, 2014

WHEREAS, the Board has reviewed the report relative to the August 1, 2014 purchase of insurance policies covering general liability, business automobile, umbrella/excess liability, commercial package, police professional liability, and public officials and employment practices liability; now therefore

BE IT RESOLVED that the purchase of these insurances is hereby approved at the following not to exceed costs:

\$124,574 for one year, subject to audit, for Contract BA2011-OA002-IN General Liability with the Lexington Insurance Company through Risk Strategies, Inc.;

\$70,699 for one year, subject to audit, for Contract BA2011-OA004-IN Business Automobile with HDI Gerling America Insurance Company through Salerno Brokerage;

\$133,468 for one year, subject to audit, for Contract BA2011-OA003-IN Umbrella and Excess Liability with the Lexington Insurance Company through Risk Strategies, Inc.;

\$29,904 for one year, subject to audit, for Contract BA2011-OA005-IN Commercial Package with the Harleystown Insurance Company through Associates of Glens Falls Inc.;

\$4,611 for one year, subject to audit, for Contract BA2012-OA006-IN Police Professional Liability with Darwin National Assurance Co. through Risk Strategies, Inc.; and

\$33,810 for two years, subject to audit, for Contract BA2012-OA008-IN Public Officials and Employment Practices Liability through Risk Strategies, Inc.; 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 17th day of July 2014.

Joseph Ruggiero, Secretary

BRIDGE OPERATIONS:1) New York State Thruway Authority – 2nd Quarter 2014 E-ZPass Expenses

Mr. Ferguson indicated to the Board that he and Mr. Savosky have reviewed the invoice from the New York State Thruway Authority for 2nd quarter 2014 Bridge Authority E-ZPass expenses for the period April 1, 2014 through June 30, 2014 and as such find them to be true and accurate recommended that they be paid in the amount of \$904,686.62. Mr. Ferguson mentioned that charges for March 31, 2014 are included on this invoice. They were accidentally omitted from the first quarter invoice by the Thruway Authority. Chairman Gerentine called for a motion. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Higgins, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 014-081

Resolution Date: August 21, 2014

WHEREAS, the Board has reviewed the report relative to the payment to the New York State Thruway Authority for 2nd Quarter 2014 Bridge Authority E-ZPass costs in the amount of \$904,686.62; now therefore

BE IT RESOLVED that this payment is hereby approved at a cost not to exceed \$904,686.62; 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 21st day of August 2014.

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.
- 2) July 2014 Traffic and Revenue Analysis
Mr. Ruggiero noted for the month of July traffic increased 1.62% and revenue increases 1.73%. Year-to-date traffic has decreased 0.34% and revenue has decreased 0.36%. No action was required by the Board.
- 3) July 2014 E-ZPass Sales Analysis
Mr. Ruggiero indicated that year-to-date 2014 tag sales were 4,841, compared to 6,587 sold year-to-date 2013. No action was required by the Board.

Mr. Ruggiero mentioned that starting September 2, 2014 east bound on the Newburgh-Beacon Bridge will be operating with two lanes during the redecking project until November 2015. Mr. Ruggiero also mentioned that on September 2nd the Mid-Hudson Bridge as well as other iconic structures will be light in gold in support of Pediatric Cancer Awareness Research.

NEW BUSINESS:

- 1) Government Affairs Services Renewal
Mr. Ruggiero indicated to the Board that the Authority has a continuing need for strategic and general advice and counsel including, but not limited to, the monitoring of legislation relative to the Bridge Authority, other State authorities, transportation and homeland security issues. The Board has determined that it is more cost effective to secure these services through a professional service agreement rather than establish an office in Albany or attempt to accomplish these tasks by frequent travel and a staff assignment. The Board has executed an agreement with Gerald J. Jennings, a partner with the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP (Wilson), to provide these services. This agreement provided for a fee of \$3,000 per month plus reasonable out-of-pocket expenses. Mr. Ruggiero added that Mr. Jennings has been successful in assisting the Authority regarding a number of issues over the past year. Chairman Gerentine called for a motion. On a motion of Commissioner Higgins, seconded by Vice Chairman Ramaglia, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 014-082Resolution Date: August 21, 2014

WHEREAS, the New York State Bridge Authority has considered the recommendation relative to reappointing the firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, to provide government affair services with the legislative and executive departments; now therefore

BE IT RESOLVED that the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP is hereby awarded a one year contract at a not-to-exceed rate of \$3,000 per month, in addition to reasonable out-of-pocket expenses, as of September 18, 2014; 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 21st day of August 2014.

Joseph Ruggiero, Secretary

This concluded the regular meeting. Chairman Gerentine asked for a motion to adjourn the meeting. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua and approved unanimously, the regular meeting adjourned at 3:20 P.M.

The next regular meeting is scheduled for September 18, 2014 at 3:00 P.M. at Headquarters.