

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON  
June 19, 2014

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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:

BOARD MEMBERS:

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

OFFICERS:

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

ABSENT:

Ramaglia, Joseph, Vice Chairman

Chairman Gerentine called the meeting to order at 3:04 pm and recessed to Attorney Client. The Board returned out of Attorney Client Privilege at 3:20 pm. Chairman Gerentine called for a motion to jointly adopt the minutes of the May 20, 2014 Annual and Regular meetings. On motion of Commissioner Higgins, seconded by Commissioner Lashua, the minutes of the May 20, 2014 Annual and Regular Meetings were adopted unanimously.

ENGINEERING:1) NBB Deck Replacement - Design Support Services

Mr. Moreau indicated to the Board that Ammann & Whitney, the designer of record for the deck replacement project, was also retained to perform design support services during construction. These services include reviewing required submittals from the Contractor, proposed design changes and answering questions surrounding field issues. Kiska has requested a number of design changes with respect to connection details, expansion joints and sequence of operation. These design changes will save the Authority approximately \$75,000.00 in construction costs. A review of the panel cracking has also required a substantial amount of time by A&W to confirm the cracks do not represent a design flaw. The field visits to the site and pre-casting yard, along with investigating curing methods and confirming design capacity, resulted in costs of over \$65,000.00. Mr. Moreau informed the Board that A&W has requested an increase in their approved budget for work above the anticipated scope of work. Mr. Moreau and Mr. Fong have met with A&W, M&M and Kiska in an attempt to reduce A&W's participation throughout the balance of the project and have reduced the anticipated additional work load but it is still above their current budget. The additional \$150,152.00 to complete the assignment represents a 6.5% increase in their current approved budget of \$1,072,466.00. Mr. Moreau and Mr. Fong recommended the Board accept this request for an additional fee. 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.: 014-056

Resolution Date: June 19, 2014

WHEREAS, bids were solicited through the New York State Contract Reporter for professional design support services in conjunction with the Newburgh-Beacon Bridge South Span Deck Replacement, which was designated as BA-2012-RE-101-DE and for which Ammann & Whitney (A&W) was chosen as best qualified; and

WHEREAS, a number of requests for design changes from the Contractor as well as a review of the deck panel design have exceeded the estimated budget for design support services under this contract; now therefore

BE IT RESOLVED that the contract awarded to Ammann & Whitney of New York, NY be increased in the amount of \$150,152.00 to complete this assignment from their current approved budget of \$1,072,466.00.

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 June, 2014.

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Joseph Ruggiero, Secretary

2) Plaza and Central Server Replacement

Mr. Moreau reported to the Board that the Authority's plaza and central computers have reached the end of their service life and the Authority's toll techs are recommending replacement. The CIP included funding for not only hardware replacement but also a conversion from Windows to Linux operating system. After a lengthy discussion it was determined that enhanced redundancy can be accomplished through virtualization in computing without transitioning to a Linux operating system. This change has reduced the cost from approximately \$150,000.00 to \$44,000.00. The servers will be purchased directly from IBM through an OGS contract. Due to the fact that this project now only involves hardware replacement, the Authority will not need assistance from the consultants for the software upgrade. 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.: 014-057Resolution Date: June 19, 2014

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to International Business Machines (IBM) of Atlanta, Georgia for the purchase of twelve (12) IBM System X3250 M5 Servers and two (2) IBM System X3550 M4 Servers to replace our plaza and central servers, which have reached the end of their service lives; and

WHEREAS, there is a current OGS contract for this equipment; and

WHEREAS, the Authority has reviewed the cost proposal from IBM; now therefore

BE IT RESOLVED that a purchase order be issued to International Business Machines (IBM) for the purchase of fourteen (14) servers in the amount of \$43,582.96; 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 June 2014.

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Joseph Ruggiero, Secretary

3) Elastomeric Acrylic Paint Procurement

Mr. Moreau reported to the Board that the Authority advertised for the purchase of the summer maintenance paint in the NYS Contract Reporter with bids due June 2, 2014. This paint purchase will supply all of our facilities for the 2014 season and four vendors requested the proposal package. Three proposals were received, with Enecon NorthEast, of Farmingdale, New York, providing the lowest cost proposal. Mr. Moreau recommended issuing a purchase order to Enecon NorthEast in an amount not-to-exceed \$27,067.86 to supply one hundred fifty nine (159) 5-gallon pails of waterborne acrylic paint. 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.: 014-058Resolution Date: June 19, 2014

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to issue a purchase order to Enecon Northeast, of Farmingdale, New York, for the purchase of one hundred and fifty nine (159) -5 gallon containers of waterborne acrylic paint; and

WHEREAS, the Authority advertised this procurement opportunity in the NYS Contract Reporter and received three cost proposals; and

WHEREAS, the Authority's Maintenance Department has reviewed and approved Enecon Northeast as the low bidder; now therefore

BE IT RESOLVED that a purchase order be issued to Enecon Northeast for the purchase of one hundred and fifty nine (159) -5 gallon containers of waterborne acrylic paint in the amount of \$27,067.86; 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 June 2014.

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Joseph Ruggiero, Secretary

4) System Wide Substructure Repairs

Mr. Moreau said the Authority advertised for the above referenced project in the NYS Contract Reporter with bids due June 10<sup>th</sup> and seven contractors requested bid documents. Four vendors submitted bids with I. & O.A. Slutzky, Inc., providing the low bid at \$681,031.10. The Authority's Engineer's estimate was \$750,000.00 and the range of bids was over one million dollars. I. & O.A. Slutzky has successfully completed dozens of projects for the Authority over the last 25 years and accordingly, Mr. Moreau recommended an award of this contract in the amount of \$681,031.10. 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.: 014-059Resolution Date: June 19, 2014

WHEREAS, bids were solicited through the New York State Contract Reporter for the contract entitled "System-Wide Substructure Repairs", bid as (BA2014-RE-101-CM) and four (4) bids were received on June 10, 2014; the low bidder being the firm of I. & O.A. Slutzky, Inc. at a bid of \$681,031.10; and

WHEREAS, an environmental review of this project has determined there is no significant negative impact; and

WHEREAS, the Authority's Engineering Department has reviewed the cost proposal, it is recommended that a contract be awarded to the firm of I. & O.A. Slutzky, Inc.; now therefore

BE IT RESOLVED that a contract be awarded to I. & O.A. Slutzky, Inc. of Hunter, New York in the amount of \$681,031.10 pending the filing of proper certifications and the receipt of bonding and insurance requirements; 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 June 2014.

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Joseph Ruggiero, Secretary

5) Jobs in Progress Monthly Report

Mr. Moreau advised the Board regarding the Engineering Jobs in Progress Report for the month of May, noting the Newburgh-Beacon deck panel replacement project second of four phases will be finished by the end of August and the paint project is progressing on schedule. 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.: 014-060  
Resolution Date: June 19, 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 19th day of June 2014.

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Joseph Ruggiero, Secretary

FINANCIAL:1) Investment Transaction Report

Mr. Bushek reviewed the Investment Report for the month of May noting four investments for the month. Mr. Bushek mentioned the interest income yields continue to remain low. 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.: 014-061Resolution Date: June 19, 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 May 20, 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 19<sup>th</sup> day of June 2014.

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Joseph Ruggiero, Secretary

2) 2014 Maintenance Reserve Fund Balance Determination

Mr. Bushek reported to the Board that in accordance with Section 5.03 of the Bond Resolution a certificate of an Authorized Officer of the authority indicating the required balance in the Maintenance Reserve Fund is \$122,938,000. This balance, determined by resolution annually, is the amount necessary to enable the Authority to comply with the covenant contained in Section 7.12 of the Bond Resolution. It represents the March 2014 Board approved Capital Improvement Program for the years 2014-2016. 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.: 014-062Resolution Date: June 19, 2014

WHEREAS, the Board has reviewed the report relative to determining the adequate balance in the Maintenance Reserve Fund; now therefore

BE IT RESOLVED that the balance shall be \$122,938,000 as recommended by the consulting Engineers, Modjeski and Masters, P.C.; 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 19th day of June 2014.

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Joseph Ruggiero, Secretary

INFORMATION TECHNOLOGY:1) Backup Server Replacement

Mr. Herd requested the approval for an upgrade to our backup systems. This backup solution will provide the Authority with nine terabytes of usable storage space. The Authority will also be able to encrypt our data as an added security measure. In addition to the improved backup space, this device also provides many disaster recovery options that we do not have currently. 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.: 014-063

Resolution Date: June 19, 2014

WHEREAS the board has reviewed the memorandum about the procurement of a backup server; and

WHEREAS, the Authority will utilize the NYS OGS contract for this procurement, with CS Business Systems, a WBE firm providing the price quote; now therefore

BE IT RESOLVED that a purchase order be awarded to CS Business Systems in the amount of \$14,960.00 and additional money for associated incidentals for the installment of this server for a total not-to-exceed amount of \$16,000.00 ; 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 June, 2014.

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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.

2) May 2014 Traffic and Revenue Analysis

Year to date Bridge Authority's traffic crossings are down 302,368 from last year's count, a decrease of 1.31%. All bridges showed varying decreases in overall traffic and revenue. No action was required by the Board.

3) May 2014 E-ZPass Sales Analysis

Mr. Ruggiero indicated that the Authority sold 768 tags in April 2014, compared to 1019 sold in May of 2013. Year-to-date 2014 tag sales are 3,388. No action was required by the Board.

4) Policy Update

Mr. Ruggiero presented an update to the Authority's Substance Abuse Policy which is included in the New York State Bridge Authority Code of Conduct. The update will bring the Authority's policy into conformance with federal and State regulations and guidelines. No action was required by the Board

5) Collective Bargaining Agreement

Chairman Gerentine commended the efforts of the NYSBA negotiating team as well as the CSEA negotiating team for coming to a tentative agreement of a New Collective Bargaining Agreement commencing April 1, 2012 through March 31, 2017. 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.: 014-064

Resolution Date: June 19, 2014

WHEREAS, the bargaining teams for the CSEA and the New York State Bridge Authority have executed documents reflecting a tentative agreement to the terms of a new Collective Bargaining Agreement commencing April 1, 2012 through March 31, 2017, a summary of which is attached to this Resolution;

NOW THEREFORE,

BE IT RESOLVED, that the tentative agreement is approved and the Executive Director, in consultation with General Counsel, shall execute a new Collective Bargaining Agreement substantially conforming to the terms attached to this Resolution, and take all steps reasonable and necessary to implement the intent of this Resolution.

IN WITNESS WHEREOF, this resolution has been duly adopted this 19<sup>th</sup> day of June, 2014.

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Joseph Ruggiero, Secretary

**Summary of Tentative Agreement Between NYS Bridge Authority &  
CSEA Local 1000 AFSCME, AFL-CIO - May 28, 2014**

**Compensation**

Agreement on Salary – a five year agreement expiring on March 31, 2017 with percentage increases of 0% in 2012, 0% in 2013, 2.75% in 2014 (effective 3/27/2014), 2.75% in 2015, and 2.5% in 2016. Additionally, there is a one-time \$500 payment for full-time employees and a one-time \$250 payment for part-time union employees. Note: the previous contract was 4-years.

Employer Proposal #12 – establishes a one week lag for all Authority payrolls.

Employer Proposal #17 – reduces the minimum overtime payment for IT and Toll Technician employees from four hours to one hour when responding and performing work electronically from home.

Employer Proposal #18 – converts pre-existing office bonus provided to certain employees to annual compensation, and eliminates office bonus for new employees.

Employer Proposal #19 – removes requirement for meal allowance payment from next business day and from petty cash to a bi-weekly payroll process; adjusts meal allowance from \$8 to \$9.

Employer Proposal #32 – eliminates an alternative compensation benefit for new part-time employees.

Union Proposal #6 – allows holiday leave to be paid upon separation from service or to beneficiaries, as appropriate (clarification of existing policy).

**Benefits**

Employer Proposal #3 – removes the cap on employee contributions for health insurance for employees hired after 2009; establishes contribution rates of 15% for single coverage and 25% of the cost for dependent coverage.

Employer Proposal #4 – standardizes and encourages Health Insurance Benefit Waiver where allowable.

Union Proposal #4 – eliminates 6-month delay in eligibility insurance enrollment (required under the ACA).

Union Proposal #16 – adjusts collector uniform provisions; allows addition of summer trousers, shorts or skirts.

### **Work Rules**

Employer Proposal #1 – eliminates the listing of Management-Confidential titles in the CBA.

Employer Proposal #13 – eliminates petty cash payments for reimbursement for employee property damage; removes next business day payment provision.

Employer Proposal #14 – standardizes grievance procedure, removes references to Deputy Executive Director and replaces with Executive Director.

Employer Proposal #15 – allows the use of casual (part-time) toll collectors as a first option for post-schedule approvals of vacation and holiday time off.

Employer Proposal #16 – transfers authority to approve overtime to the Authority as a whole from a bridge by bridge level.

Employer Proposal #25 – replaces annual testing of air pollution on toll booths with testing every four years unless a positive result for pollutants is documented.

Employer Proposal # 37 – establishes a new article regarding per diem work for retirees, established rate of pay along with exclusion of certain benefits, limitation of certain benefits and designates per diem employees as at-will employees.

Employer Proposal #38b – eliminates the option to use accrued vacation and sick time in the same pay period in which it is accrued.

Employer Proposal #38c – removes all references to the Deputy Executive Director and replaces with Executive Director.

Union Proposal #2 – clarifies employee leave for the Union Picnic; allows half-day leave (as opposed to full day), charged to accrued time, provided no overtime need is created.

Union Proposal #7 – removes disclosure of the nature of the illness when calling in for sick leave.

Union Proposal #11 – allows 3 days of bereavement leave for a death in an employee's immediate family (as defined), and allows shifts to be filled with a part-time worker.

Union Proposal #18 – reduces the time frame for recovery of tuition reimbursement if an employee leaves Authority service from four years to one year.

Union Proposal #20 – allows establishment of a flexible work day and work week schedule upon mutual consent of the employee, Union and the Authority.

Union Proposal #24 – allows for the accumulation of up to five positive absentee points (instead of four) for employees with no absences.

Union Proposal #25 – clarifies procedure for notification regarding negative absentee points.

This concluded the regular meeting. Chairman Gerentine asked for a motion to adjourn the meeting. On a motion of Commissioner Higgins, seconded by Commissioner Dressel and approved unanimously, the regular meeting adjourned at 4:35 P.M.

The next regular meeting is scheduled for July 17, 2014 at 3:00 P.M. at Headquarters.