

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON  
October 15, 2015

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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  
Ramaglia, Joseph, Vice Chairman  
Dressel, Roderick O., Commissioner  
Lashua, C. Vane, Commissioner

OFFICERS:

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

ABSENT:

Higgins, Roger P., Commissioner

Chairman Gerentine called the meeting to order at 3:10 pm. Chairman Gerentine called for a motion to adopt the amended minutes of the August 18, 2015 Regular meeting. On motion of Commissioner Lashua, seconded by Vice Chairman Ramaglia, the amended minutes of the August 18, 2015 Regular meeting were adopted unanimously. Chairman Gerentine called a motion to adopt the minutes of the September 17, 2015 Regular meeting. On a motion of Vice Chairman Ramaglia, seconded by Commissioner

Lashua, the minutes of the September 17, 2015 Regular meeting was adopted unanimously. Chairman Gerentine called for a motion to adopt the amended agenda. On a motion of Commissioner Lashua, seconded by Vice Chairman Ramaglia, the amended agenda was adopted unanimously.

ENGINEERING:

1) 2015-2016 System-Wide Type II Treated Salt Procurement

Mr. Wright indicated to the Board that he would like to purchase Type II treated salt off of OGS contract to supply our facilities for the 2015-2016 season. The Snow/Ice Control Agents contract is in effect until September 2016. Although the Authority will need to do individual purchase orders for each location, Mr. Wright requested Board approval of the cost as a total because the salt will be provided by one single vendor, Morton Salt Inc., of Chicago, Illinois. A brief discussion followed relative to salt amounts left from last year and pricing. Chairman Gerentine called for a motion. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-110

Resolution Date: October 15, 2015

WHEREAS, the Board has determined it is in the Authority's interest to award a contract to supply Type II treated winter deicing salt for the 2015-2016 winter season; and

WHEREAS, the Authority has previously purchased this product through the NYSOGS contract which is in place through September 2016; and

WHEREAS, Morton Salt, Inc., of Chicago, Illinois provided the low quote; now therefore

BE IT RESOLVED that the Authority award five purchase orders, one for each facility, with a total amount not to exceed \$106,392.60; 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 15<sup>th</sup> day of October 2015.

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Joseph Ruggiero, Secretary

2) WOTH Railing Rehabilitation – Revision to Project Work Assignment 1-3

Mr. Wright explained to the Board that in April of this year, the Board approved the 5-year Programmatic Agreement with the NYS Office of Parks, Recreation and Historic Preservation to allow for NYSBA to provide Parks with our expertise regarding the preservation of the WOTH bridge deck and the regular maintenance it requires. This agreement provides for basic work and engineering review and requires that Parks agree to reimburse NYSBA for any monetary outlays for engineering or other work that is not NYSBA's responsibility. Under the agreement, any work assignments over \$50,000 require mutual approval of a Scope of Work by NYSBA and NYS OPRHP, as well as authorization from the NYS Comptroller to disburse the funds.

**Project Work Assignment #1** under this agreement will be the removal and rehabilitation of the existing railing and fence. It has been amended to reflect the low bid amount rather than the Engineer's Estimate. This assignment has been approved by NYS Parks but is contingent upon Parks receiving approval from the NYS Comptroller to disperse the necessary funds.

**Project Work Assignment #2** allows for Modjeski & Masters, the Authority's General Consultant, be compensated for plans and specs to upgrade the electrical service and cameras as noted in the attached Scope of Work for \$20,000. This has been executed under M&M's consulting agreement with NYSBA with the understanding that this expense will be reimbursed by Parks. There is no contingency on this assignment as Parks is authorized to expend these funds.

**Project Work Assignment #3** covers the necessary Preliminary Engineering, Construction Engineering, inspection and flagging services for CSX Railroad in conjunction with the railing and rehabilitation project and is estimated at \$40,000.00. There is no contingency on this project either, as Parks is authorized to expend these funds as well.

Chairman Gerentine called for a motion to adopt the resolution for Assignment #1. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua, the following resolution for Assignment #1 was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-111

Resolution Date: October 15, 2015

WHEREAS, in April 2015 the Authority Board authorized the execution of the Programmatic Agreement with NYS OPRHP (Parks) to allow for NYSBA's continued bridge deck expertise and engineering review of the Walkway Over the Hudson (WOTH); and

WHEREAS, said agreement requires Parks to reimburse NYSBA for any monetary expenditures which are not NYSBA's responsibility; and

WHEREAS, said agreement also requires that any work assignment in excess of

\$50,000.00 requires mutual approval of a Scope of Work by NYSBA and the NYS OPRHP, as well as authorization from the NYS Comptroller to disburse funds; and

WHEREAS, Revised Project Work Assignment #1 under this agreement will be for the removal and rehabilitation of the existing railing and fence at the WOTH; and

WHEREAS, Revised Project Work Assignment #1 has been approved by the NYS OPRHP; now therefore

BE IT RESOLVED that the Executive Director, or his designee, be authorized to execute the Scope of Work , contingent upon NYS OPRHP receiving approval by the Comptroller of the State of New York to disperse the funds necessary to complete the Project Work Assignment; 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 15th day of October 2015.

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Joseph Ruggiero, Secretary

Chairman Gerentine called for a motion to adopt the resolution for Assignment #2. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua, the following resolution for Assignment #2 was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-112

Resolution Date: October 15, 2015

WHEREAS, in April 2015 the Authority Board authorized the execution of the Programmatic Agreement with NYS OPRHP (Parks) to allow for NYSBA's continued bridge deck expertise and engineering review of the Walkway Over the Hudson (WOTH); and

WHEREAS, said agreement requires Parks to reimburse NYSBA for any monetary expenditures which are not NYSBA's responsibility; and

WHEREAS, Project Work Assignment #2 under this agreement is the development of plans and specifications for upgrading of electrical service and cameras at the WOTH approved by NYS OPRHP; and

WHEREAS, Modjeski & Masters, the Authority's General Consultant, under their current consulting agreement, performed these tasks at a cost of \$20,000, with the understanding that these expenses will be reimbursed by NYS Parks under the above referenced Programmatic Agreement; now therefore

BE IT RESOLVED that the Executive Director, or his designee, be authorized to execute the Scope of Work; 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 15th day of October 2015.

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Joseph Ruggiero, Secretary

Chairman Gerentine called for a motion to adopt the resolution for Assignment #3. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua, the following resolution for Assignment #3 was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-113

Resolution Date: October 15, 2015

WHEREAS, in April 2015 the Authority Board authorized the execution of the Programmatic Agreement with NYS OPRHP (Parks) to allow for NYSBA's continued bridge deck expertise and engineering review of the Walkway Over the Hudson (WOTH); and

WHEREAS, said agreement requires Parks to reimburse NYSBA for any monetary expenditures which are not NYSBA's responsibility; and

WHEREAS, Project Work Assignment #3 under this agreement covers the Preliminary Engineering, Construction Engineering, inspection and flagging related to the WOTH Railing Repair over CSXT and approved by NYS OPRHP; and

WHEREAS, CSX Railroad will perform these tasks within a not-to-exceed amount of \$40,000, with the understanding that these expenses will be reimbursed by NYS Parks under the above referenced Programmatic Agreement; now therefore

BE IT RESOLVED that the Executive Director, or his designee, be authorized to execute the Scope of Work; 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 15th day of October 2015.

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Joseph Ruggiero, Secretary

3) BA-2015-RE-010-CM Walkway Over the Hudson Railing Rehabilitation Project

Mr. Wright indicated that under the Programmatic Agreement between NYSBA and the NYS Office of Parks, Recreation and Historic Preservation (Parks), the referenced project was bid as Revised Project Work Assignment #1, which has been approved by Parks but is contingent upon receiving the authorization of the NYS Comptroller to disperse the funds. The project was publicly advertised in the NYS Contract Reporter with bids due on August 6, 2015. Eighteen contractors requested the plans, with three bids received, the low bid being that of I & O.A. Slutzky at \$2,176,827.00. A brief discussion ensued regarding an eighty-five day extension as well as a stipulation in the resolution pending the filing of proper certifications, receipt of bonding and insurance requirements and contingent upon the NYS Office of Parks, Recreation and Historic Preservation receiving approval from the Comptroller of the State of New York to disperse the funds under the Programmatic Agreement currently in place between NYSBA and the NYS OPRHP. Chairman Gerentine called for a motion. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-114

Resolution Date: October 15, 2015

WHEREAS, bids were solicited through the New York State Contract Reporter for the contract entitled "Walkway Over the Hudson Railing Rehabilitation", bid as (BA2015-RE-010-CM) and three (3) bids were received on August 6, 2015, the low bidder being the firm of I. & O.A. Slutzky, Inc. at a bid of \$2,176,827.00; 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 \$2,176,827.00 pending the filing of proper certifications, the receipt of bonding and insurance requirements and contingent upon the NYS Office of Parks, Recreation and Historic Preservation receiving approval from the Comptroller of the State of New York to disperse the funds under the Programmatic Agreement currently in place between NYSBA and the NYS OPRHP; 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 15<sup>th</sup> day of October, 2015.

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Joseph Ruggiero, Secretary

4) BA-2012-OO-002-IT - Schupp's Contract Extension- System-Wide Fiber Maintenance Services

Mr. Wright indicated to the Board that in 2012, the Authority advertised for an on-call system-wide fiber maintenance repair contractor and selected Schupp's Line Construction, Inc., awarding them a three (3) year contract, BA-2012-OO-002-IT, with the option of extending the service period for two (2) additional one (1) year periods. The Authority's experience with Schupp's has been a positive one and Mr. Wright recommended exercising the option to extend the contract for an additional year at the same hourly rates and a not-to-exceed amount of \$35,000.00, approved for payment on a time and materials basis for emergency fiber optic repair work. Chairman Gernetine called for a motion. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Dressel, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-115

Resolution Date: October 15, 2015

WHEREAS, the New York State Bridge Authority has determined that it is in the public interest to extend the contract for professional services in connection with on-call system-wide response to fiber optic cable damage (BA-2012-OO-002-IT); and

WHEREAS, the Authority has previously awarded this contract to Schupps Line Construction, Inc., of Albany, New York; and

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

WHEREAS, the Authority's Engineering Department has reviewed and approved Schupp's following rates: fiber repair regular work week hours-\$235.00/hour, off hours - \$280.00; trenching and backfilling regular work week hours - \$255.00, off hours - \$310.00 with a total not-to-exceed amount of \$35,000.00; now therefore

BE IT RESOLVED that an extension of this agreement be issued to Schupp's Line Construction, 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 15<sup>th</sup> day of October 2015.

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Joseph Ruggiero, Secretary

5) Third Quarter 2015 Traffic Accident Summary Report

Mr. Wright stated that he and the Manager of Maintenance reviewed all of the accidents in the third quarter to determine if something could be done to possibly prevent similar accidents from happening in the future. All of the accidents were believed to be from driver error: driving too fast for weather conditions, not paying attention and distracted driving. No action was required by the Board.

6) Jobs In Progress

Mr. Wright advised the Board regarding the Engineering Jobs in Progress Report for the month of September. Mr. Wright informed the Board that 3 lanes eastbound will be open on the Newburgh-Beacon Bridge during rush hours next week and random lane closures will occur through November. Chairman Gerentine called for a motion. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-116

Resolution Date: October 15, 2015

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 15th day of October 2015.

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Joseph Ruggiero, Secretary

FINANCIAL:1) Investment Transaction Report

Mr. Bushek reviewed the Investment Report for the month of September noting three investments for the month. Chairman Gerentine called for a motion. On a motion of Vice Chairman Gerentine, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-117Resolution Date: October 15, 2015

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 September 17, 2015; 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 15<sup>th</sup> day of October 2015.

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Joseph Ruggiero, Secretary

## 2) Workers Compensation Renewal

Mr. Bushek informed the Board that the Authority's Workers' Compensation Insurance policy renews October 21, 2015 and the State Insurance Fund has offered the Authority a 30% upfront discount on the manual rates charged on each dollar of Authority payroll. This discount is a reduction from the expiring policy by 5% as a result of loss history. The Board approves workers compensation insurance by resolution noting a premium is "subject to audit." The final premium will be revised based on final audited payroll numbers that routinely vary from original estimates. The Board is effectively approving the rates that will be applied to audited payroll after the close of the policy period next year.

Based upon projected salaries for the 2015-2016 budget this year's premium quote increases from the estimated \$382,263.29 to \$461,645.02, an increase of \$79,381.73, or 20.8% not including the \$5,000 broker fee charged annually. The increase is attributable to several factors reflected from the broker and analysis of experience loss modification history. Mr. Bushek noted that the base rates for all major payroll categories increase. The payroll category 5037 is the largest for the Authority has increased roughly 23%. The experience modification for 2015 deteriorated to 1.16 from 1.15. In addition the max loss, or base amount applied to each reported accident, increased from \$10,000 to \$15,000 also impacted our losses, but to a lesser extent. The upfront discount dropping to 30% from 35% added about \$30,000 to the premium.

As in the past other markets decline to cover the Authority due mainly to companies not insuring job classifications that include bridge painters and operators of marine vessels. Mr. Bushek emphasized the final premium cost will be based on actual salaries which are audited by the State Insurance Fund after the end of the policy year. That audit will determine the final cost for the policy year. Mr. Bushek believes the Authority has received the lowest price possible for workers compensation insurance and recommended the Board approve this purchase. Chairman Gerentine called for a motion. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-118

Resolution Date: October 15, 2015

WHEREAS, the Board has reviewed the report relative to the purchase of workers' compensation insurance; now therefore

BE IT RESOLVED the New York State Bridge Authority does hereby approve this purchase with the State Insurance Fund, through Associates of Glens Falls Inc., at the projected payroll level cost not-to-exceed cost, subject to

payroll audit, of \$461,645.02 in addition to a \$5,000 broker fee; 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 15th day of October 2015.

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Joseph Ruggiero, Secretary

3) Accident Review Committee Report –Third Quarter

Mr. Bushek indicated that there were 78 accidents on Authority facilities in the third quarter of 2015 compared with 40 the previous year. Mr. Bushek added that there does not appear to be any pattern for the increase in accidents and referenced the Chief Engineer's analysis attributing most accidents to driver error or inattention. During this period there were 7 accidents, none with injuries, involving Authority vehicles as compared to 2 in the prior year. No action was required by the Board.

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) September 2015 Traffic and Revenue Analysis

Mr. Ruggiero noted for the month of September traffic increased 2.07% and revenue increased 2.09%. No action was required by the Board.

3) September 2015 E-ZPass Sales Analysis

Mr. Ruggiero indicated that year-to-date 2015 tag sales were 4,656, compared to 6221 sold year-to-date 2014. No action was required by the Board.

NEW BUSINESS:1) Addendum to Fiber Optic Lease with Lighttower Fiber Networks for BMB

Mr. Bellucci indicated to the Board that in July the Board authorized the execution of a dark fiber lease at the Bear Mountain Bridge with Lighttower Fiber Networks for 60 excess dark fibers. Part of that lease allowed Lighttower to request the lease of additional available dark fiber with a right of first refusal for 90 days when the available numbers of excess dark fibers dropped below a certain threshold. Lighttower has expressed their desire to execute the right of first refusal and lease an additional 36 dark fibers through an addendum to the original lease. The addendum is consistent with the dark fiber leasing program. The terms of the lease are expected to be from December 6, 2015 through July 5, 2025, the expiration date of the original lease. The total amount of the lease, including a \$2,500 access and installation charge, is expected to be \$142,326.30. As part of the approval process for these revenue generating leases, Mr. Bellucci requested the Board of Commissioners authorize the Executive Director, with the advice and consent of Authority General Counsel, to execute an addendum to the lease agreement with Lighttower Fiber Networks. Chairman Gerentine called for a motion. On a motion of Vice Chairman Ramaglia, seconded by Commissioner Lashua, the following resolution was adopted unanimously:

NEW YORK STATE BRIDGE AUTHORITY  
BOARD RESOLUTION

Resolution No.: 015-119Resolution Date: October 15, 2015

WHEREAS, leasing excess dark fiber optic strands has become a significant source of non-toll revenue for the Authority; and,

WHEREAS, in accordance with the Rules and Regulations of the Authority, the Authority may execute fiber optic leases for up to ten years; and,

WHEREAS, it is in the interest of the Authority to continue to pursue appropriate non-toll revenue consistent with the Authority's mission; and

NOW THEREFORE, BE IT RESOLVED that, the Board of Commissioners of the New York State Bridge Authority authorizes the Executive Director, with the advice and consent of Authority Counsel, to execute an addendum to the current lease of additional excess dark fiber with Lightower Fiber Network for a period of up to ten years; 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 15<sup>th</sup> day of October, 2015.

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Joseph Ruggiero, Secretary

This concluded the regular meeting. Chairman Gerentine asked for a motion to adjourn the meeting. On a motion of Commissioner Dressel, seconded by Vice Chairman Ramaglia, and approved unanimously, the regular meeting adjourned at 3:30 P.M.

The next regular Meeting of the Board of Commissioners meeting is scheduled for November 19, 2015 at 3:00 P.M. at Headquarters.