

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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON
SEPTEMBER 17, 2020

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, Chair
Bruni, Maria, Vice-Chair
Berardi, Alexander, Commissioner
Gilbert, Ilan, Commissioner
Jarvis, Colin, Commissioner
Lanza, Lou, Commissioner
O'Brien, Michael, Commissioner

OFFICERS:

Sullivan, Tara, Secretary
Bushek, Brian, Treasurer

Chair McDonald called the meeting to order at 3:07pm. First order of business was to adopt the Special Board meeting minutes of August 20, 2020. Chair McDonald called for a motion. On a motion of Commissioner O'Brien, seconded by Commissioner Lanza, the minutes of the August 20, 2020 Special meeting were adopted unanimously:

ENGINEERING:1) Revised Capital Improvement Program

Mr. Wright indicated to the Board that the previous Board approved the 2020-2024 Capital Plan in September 2019. The Authority has provided a new schedule for non-essential, non-safety related capital projects and deferred those scheduled from 2021-2023 until 2024, with the exception of the following: Paving at MHB and BMB will occur as scheduled on the bridges, pier repairs have only been deferred for one year, from 2020 to 2021 and MHB curb, railing, joint supports and link repairs and NBB re-decking were adjusted based on the bids received for each project, MHB necklace lighting has been deferred from 2020 to 2022 and the Kingston-Rhinecliff Bridge pedestrian walkway has been deferred. Chair McDonald called for a motion. On a motion of Commissioner Berardi and seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote; all Commissioners present voted. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-090Resolution Date: September 17, 2020

WHEREAS, the Board of Commissioners of the New York State Bridge Authority has reviewed the revised 2020-2024 Capital Program for scope and cost; and

WHEREAS, the Authority has provided a new schedule for certain non-essential, non-safety related capital projects and deferred a number of those scheduled from 2021-2023 until 2024, as provided for in the 2020-2024 Capital Program;

BE IT RESOLVED that the updated 2020-2024 Capital Program in the amount of \$221,082,000 be approved; 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 17th day of September 2020.

Tara Sullivan, Secretary

2) 2021-2025 Capital Improvement Program

Mr. Wright informed the Board of the projects that were added to the 2021-2025 Capital Improvement Plan. The plan includes the MHB Loading dock and electrical upgrades (\$2.25M), NBB Substructure Repairs (\$1.2M), BMB Redecking Design (\$0.8M), WOTH Painting (\$10M), System-wide Steel Repairs (\$2M), and LUS Replacements (\$5M). A brief discussion followed regarding if painting of the bridge is performed "in-house". Mr. Wright explained that the smaller projects are completed "in-house", however, the bigger jobs are procured through a bid process. Chair McDonald called for a motion. On a motion of Commissioner Jarvis and seconded by Commissioner Lanza, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-091

Resolution Date: September 17, 2020

WHEREAS, the New York State Bridge Authority's Board of Commissioners has reviewed the 2021-2025 Capital Improvement Program for scope and cost; and

WHEREAS, the Authority Directors and Executive Office have prepared this plan upon recommendations from our General Consultant, Modjeski & Masters; now therefore

BE IT RESOLVED that the 2021-2025 Capital Program in the amount of \$212,007,000.00 be approved; 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 17th day of September, 2020.

Tara Sullivan, Secretary

3) OGS Diesel Fuel Contracts Award

Mr. Wright indicated to the Board that in 2018, the NYS Office of General Services awarded two-year contracts for the bulk purchase of diesel fuel to be utilized by all State agencies and authorities. That contract was recently extended through August 26, 2021. NYSBA relies on these OGS contracts which provide the benefit of a statewide volume discount. The Authority's estimated requirements under this OGS contract are as follows: OGS Award 23094, Diesel Fuel Period: 8/31/2018 extended through 8/26/2021: Main Brothers Oil Co., Inc., Albany, NY (RVWB) 2000gl \$4,515.00, and Global Montello Group Corp., Waltham, MA (KRB, MHB, NBB, BMB) 18000gl \$40,880.70. Mr. Wright recommended an approval to utilize these contracts as-needed, based on the terms and daily pricing provisions described therein, with not-to-exceed amounts for the purchases to be issued. Chair McDonald called for a motion. On a motion of Commissioner Gilbert and seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 020-092

Resolution Date: September 17, 2020

WHEREAS, the New York State Bridge Authority has determined it is necessary to procure diesel fuel to maintain its facilities and operate its equipment; and

WHEREAS, the Authority has the opportunity to participate in the use of contracts negotiated by the NYS Office of General Services (OGS) for the procurement of diesel fuel at bulk quantity rates for all agencies and authorities; now therefore

BE IT RESOLVED that the Authority's Board of Commissioners hereby approves creation of purchase orders for the procurement of diesel fuel from the identified vendors as needed, at the daily unit prices calculated in accordance with the contract terms and to issue purchase orders to the designated vendors with the following not-to-exceed amounts:

**OGS Award 23094 Diesel Fuel Period: 8/31/2018 extended through
8/26/2021**

Vendor(s):

Main Brothers Oil, Co., Inc., Albany, NY (RVWB)

\$4,515.00

Global Montello Group Corp., Waltham, MA (KRB, MHB, NBB, BMB)

\$40,880.70

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 17th day of September 2020.

Tara Sullivan, Secretary

4) Jobs in Progress

Mr. Wright advised the Board regarding the Engineering Jobs in Progress Report for the month. The contractor for the Newburgh Beacon Redecking project is working on crossovers and boring the AET gantry foundations. Several personnel from the Executive Chamber are scheduled for a tour within the next few days. Chair McDonald mentioned setting up a tour of the Newburgh-Beacon Bridge if Board members would like to see the project in person. The Mid-Hudson Bridge curb and railing project continues. Chair McDonald called for a motion. On a motion of Commissioner Berardi and seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-093

Resolution Date: September 17, 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 17th day of September 2020.

Tara Sullivan, Secretary

FINANCIAL:1) Investment Report

Mr. Bushek reviewed the monthly Investment Report noting ten investments for the month. Chair McDonald called for a motion. On a motion of Commissioner Berardi and seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-094Resolution Date: September 17, 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 August 20, 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 17th day of September, 2020.

Tara Sullivan, Secretary

2) Operating Budget and Bridge System Net Revenues

Mr. Bushek reviewed the Operating Budget and Bridge System Net Revenues indicating that, as required by §2801 of the Public Authorities Law and §7.13 of the Bond Resolution, the Authority must submit its operating budget and bridge system net revenues to certain government officials and the Trustee for the bondholders, respectively. A summary of the forecast and the explanation of the differences between the Operating Budget and Bridge System Net Revenues were discussed. A brief discussion followed regarding the revenue projections and increase in operating expenses for 2021. Chair McDonald expressed that they will look into specifics over the next 2 months and have some dialogue with Mr. Bushek to satisfy any concerns or issues that the Board members may have. Chair McDonald called for a motion to adopt the Operating Budget as this item has 2 resolutions. On a motion of Commissioner Berardi and seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 020-095

Resolution Date: September 17, 2020

WHEREAS, §2801 of the Public Authorities Law requires that budget information for fiscal years 2020 and 2021 shall be prepared, adopted, and forwarded in report form to the offices cited in §2801, Public Authorities Law; now therefore and,

BE IT RESOLVED, that the Authority hereby adopts the proposed 2020 and 2021 budgets as required under §2801; 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 17th day of September, 2020.

Tara Sullivan, Secretary

Chair McDonald called for a motion to adopt the Bridge System Net Revenue resolution. Commissioner Jarvis and seconded by Vice-Chair Bruni, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-096

Resolution Date: September 17, 2020

WHEREAS, §7.13(c) of the Bridge System Revenue Bond Resolution adopted December 19, 1996 and as amended through supplemental resolutions, requires a review of the financial condition of the New York State Bridge Authority for the purpose of estimating whether the Net Revenues less investment earnings on amounts held in the General Fund and the Construction Fund for each year and for the next succeeding year will be sufficient to provide all the payments specified in subsection (b) of §7.13; now therefore and,

BE IT RESOLVED, that the Authority has completed such a review and has determined the Net Revenues less investment earnings on amounts held in the General Fund and the Construction Fund for the years 2020 and 2021 will be sufficient to provide all of the payments specified by subsection (b) of §7.13; and

BE IT FURTHER RESOLVED, that the Secretary is directed to provide the Trustee with a certified copy of this resolution together with a certificate setting forth a reasonably detailed statement of actual and estimated Revenues and Operating Expenses and other pertinent information upon which such determination was made.

IN WITNESS WHEREOF, this resolution has been duly adopted this 17th day of September, 2020.

Tara Sullivan, Secretary

3) 2020 Maintenance Reserve Fund Balance Determination

Mr. Bushek explained to the Board that in accordance with Section 5.03 of the Bond Resolution, he is presenting a certificate from an Authorized Officer of the authority indicating the required balance in the Maintenance Reserve Fund is \$152,261,000. 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 revised Capital Improvement Program approved by the Board at the September 2020 meeting for the years 2020-2022. Chair McDonald called for a motion. On a motion of Commissioner O'Brien and seconded by Commissioner Gilbert, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-097

Resolution Date: September 17, 2020

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

BE IT RESOLVED, that the balance shall be \$152,261,000 as recommended by the consulting Engineers, Modjeski and Masters, P.C.; 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 17th day of September, 2020.

Tara Sullivan, Secretary

1) DYNAC Bidirectional Traffic Pattern Changes at Newburgh-Beacon Bridge

Ms. Byrne explained to the Board that NYSBA will soon begin the re-decking of the north span of the Newburgh-Beacon Bridge (NBB), and intends to redirect traffic on the north span and convert the south span to handle bidirectional traffic. NYSBA staff will turn the lane use signals 180° in the two northern lanes of the south span to accommodate westbound traffic. As a result, the preprogrammed patterns in DYNAC, the ITS system, must be changed to reflect the new configuration to maintain concise instructions and safety for the traveling public. Kapsch is the developer and maintenance provider for the existing ITS system. Due to their position as developer, Ms. Byrne recommended that Kapsch be designated as a single source for the additional task of programming the needed traffic patterns for the transition of the south span. The Information Technology department would like to utilize Kapsch under the "System-Wide ITS Engineering Consultant" budget project ID# SO-0035 to complete this work as stated in the proposal presented for \$28,186.00. Chair McDonald called for a motion. On a motion of Commissioner O'Brien and seconded by Commissioner Gilbert, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-098

Resolution Date: September 17, 2020

WHEREAS, the Board of Commissioners of The New York State Bridge Authority has reviewed the memorandum dated September 1, 2020, describing the need to reprogram preprogrammed patterns in DYNAC; and

WHEREAS, Kapsch TrafficCom USA, Inc., is the developer and maintenance provider for the existing DYNAC (ITS) system; and

WHEREAS, the Authority will utilize the services of Kapsch to complete the reprogramming of the Newburgh-Beacon Bridge DYNAC system as a single source provider; now therefore,

BE IT RESOLVED, that the Board of Commissioners of The New York State Bridge Authority authorize Kapsch TrafficCom USA, Inc., of McLean, VA, to perform the reprogramming of the DYNAC system at a not-to-exceed amount of \$28,186.00; 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 17th day of September, 2020.

Tara Sullivan, Secretary

2) Upgrading Toll System Lane Controller Operating System

Ms. Byrne informed the Board that the Authority has a need to retain support services for its existing toll system until AET has been implemented across all facilities. The toll system currently in use at NYSBA consists of three major components; Lane controller - one for each toll lane, Plaza computer – one at each bridge location, Central Toll computer – located in the operations building. The current system support contract is due to expire and would ordinarily necessitate a competitive procurement effort. With a conversion to AET imminent, the need for continued support of our existing toll system is short term. It is anticipated that the cost for a new company to familiarize itself with the existing system would be substantial. Normally this cost is spread over a three to five year term. Gannett Fleming (formerly Traffic Technologies Inc.) has been the maintenance provider for the existing toll system or portions thereof, for 23 years. Much of the system code was developed by Traffic Technologies Inc. (TTI). The complexity of our system requires an in depth understanding of the software code to allow for maintenance and troubleshooting of issues. Due to its position as developer and long standing role providing maintenance, Ms. Byrne recommended that Gannett Fleming be designated as a single source for the toll system maintenance provider task during this transition to a new AET system. Gannett Fleming has submitted a quote for support services of the toll system from October 1, 2020 thru September 30, 2021 in the amount of \$180,000 annually (to be billed \$15,000 monthly.) A brief discussion followed as to if the system will ultimately be eliminated. Chair McDonald called for a motion. On a motion of Vice-Chair Bruni and seconded by Commissioner Lanza, Chair McDonald called for a roll call vote. All Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 020-099

Resolution Date: September 17, 2020

WHEREAS, the Board of Commissioners of The New York State Bridge Authority has reviewed the memorandum dated September 1, 2020, describing the need to upgrade the lane controller operating system currently used by the Authority; and

WHEREAS, the Authority would like to engage the professional services of Gannett Fleming, formerly TTI, who has been the Authority's long standing toll systems maintenance provider; now therefore

BE IT RESOLVED, that the Board of Commissioners of The New York State Bridge Authority authorize Gannett Fleming, of Newark, NJ, as a single source provider, to perform the necessary software upgrade services at a not-to-exceed amount of \$32,000.00; 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 17th day of September, 2020.

Tara Sullivan, Secretary

1) NYS Thruway Authority – Invoice # 88 2nd Quarter 2020 E-ZPass Expenses

Mr. Pavlin and Ms. Santiago have reviewed the invoice from the New York State Thruway Authority for 2nd quarter 2020 Bridge Authority E-ZPass expenses for the period April 1, 2020 through June 30, 2020, and as such, find them to be true and accurate and recommend that they be paid in the amount of \$1,120,520.79. Chair McDonald called for a motion. On a motion of Commissioner Gilbert, and seconded Commissioner Lanza. Chair McDonald called for a roll call vote; all Commissioners present voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY
BOARD RESOLUTION

Resolution No.: 020-100

Resolution Date: September 17, 2020

WHEREAS, the Memorandum of Understanding dated April 29, 2009 states that the Bridge Authority agrees to reimburse the NYS Thruway Authority for E-ZPass related costs it incurs, which are determined as chargeable to the Bridge Authority; and

WHEREAS, E-ZPass related costs resulting from 3,704,865 transactions during the period April 1, 2020 – June 30, 2020 in the amount of \$1,120,520.79 and equaling a cost of 28.7 cents per transaction have been confirmed as chargeable to the Bridge Authority; now therefore

BE IT RESOLVED, that the Board of Commissioners of the New York State Bridge Authority approves payment to the NYS Thruway Authority in the amount not to exceed \$1,120,520.79; 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 17th day of September 2020.

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) September 2020 Traffic and Revenue Analysis

Ms. Sullivan noted for the month of September that the Authority's revenues are \$4,503,669.00 below last year's receipts (\$34,371,603 in 2020, \$38,875,272 in 2019), a decrease of 11.58%. No action was required by the Board.

3) September 2020 E-ZPass Sales Analysis

Ms. Sullivan indicated that year-to-date 2020 tag sales are 6,766, compared to 6,256 sold year-to-date 2019, an increase of 8.15%. No action was required by the Board.

4) Historic Bridges of the Hudson Valley (HBHV) Monthly Report for September 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.

Chair McDonald also mentioned that all Board members need to know what trainings they are required to complete. This concluded the Regular meeting. Chair McDonald asked for a motion to adjourn. On a motion of Commissioner Gilbert, seconded by Commissioner Jarvis and approved unanimously, the Regular meeting adjourned at 4:05 p.m.

The next Regular meeting of the Board of Commissioners meeting is scheduled for October 15, 2020 at 3:00pm at Headquarters.