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

HELD AT HEADQUARTERS, HIGHLAND, N.Y. ON July 18, 2024

Business agenda documents/reports are e-mailed to the Board Members and General Counsel prior to the meeting. Board meetings are web cast and are available online.

BOARD MEMBER: IN ATTENDANCE: IN-PERSON

McDonald, Joan, Chair Berardi, Alexander, Commissioner Gilbert, Ilan, Commissioner O'Brien, Michael, Commissioner

OFFICERS:

Rosso, Jennifer, Secretary Bushek, Brian, Treasurer Ahrenholz, Kevin, General Counsel

ABSENT:

Bruni, Maria, Vice Chair

Chair McDonald called the meeting to order at 9:30 a.m.

PUBLIC COMMENT:

The were no public comments.

The next order of business was to adopt the Regular Board meeting minutes of June 20, 2024. Chair McDonald called for a motion. On a motion of Commissioner O'Brien, seconded by Commissioner Gilbert, the Regular Board minutes of June 20, 2024 minutes were adopted unanimously.

REPORTS TO THE BOARD:

1) Executive Director's Monthly Detailed Summary

Ms. Melendez reported on behalf of Dr. Alcantara to the Board the following:

INTERNAL AFFAIRS

RFP for Engineering Design

We issued a Request for Proposals for engineering design work for the deck replacement and widening of the sidewalks on the Bear Mountain Bridge. Additional options that are being explored include add-ons for deterrent fencing and/or solar panels. Proposals are due on July 12, after which a design contract will go to our Board for approval. Twenty (20) firms have requested a copy of the RFP.

Summer Internship Positions

Our summer interns started on May 28. Our first STEM Maintenance Career Workshop was held on June 7. After learning briefly about the history of the Authority, our interns visited the Mid-Hudson Bridge maintenance building. While there, interns rotated through various hands-on learning stations, focusing on welding and plasma cutting, automotive mechanics, carpentry, plumbing, specialized equipment, fall protection, and hardhat protection. Thanks to our maintenance employees for sharing their expertise.

NYSBA Strategic Planning

We continue to fine-tune our new Strategic Plan for the Authority. Directors are in the process of reviewing the draft Plan, which we expect to share with employees and our Board members for their review and input in the upcoming months.

Employee Travel & Trainings

Trainings and programs that our staff have recently participated in include:

- Our PIO, Chris Steber, completed the Hudson Valley Pattern for Progress Fellows Program. This program brings professionals from multiple counties together for sessions with guest presenters focusing on critical issues facing the Hudson Valley region, such as zoning, infrastructure, and population shifts.
- Julianne Sgro, Jeremy Prati, Jeremy Harrelson, and intern Jennifer Zhang from the IT department attended the NYS ITS Cyber Security Conference in Albany on June 4 and 5.
- The above IT staff, plus Francine Rivera-Byrne, attended the Hudson Valley Cyber Security Summit on June 18. The Dutchess County Office of Central and Information Services presents this annual conference in partnership with Marist College.

 Command Center Administrators and Security Technicians took part in online training for bomb threat preparedness and response. They have also been undergoing CPR and de-escalation training.

COMMUNITY

Visit from Dominican Republic Minister of Public Works Delegation

During the week of June 3 through 7, NYSBA, along with NYSDOT, MTA, and the Executive Chamber hosted a delegation consisting of Vice Ministers and Engineering Directors from the Dominican Republic Department of Public Works for a professional technical exchange. Locations visited included various NYSBA bridges, NYSDOT's Hudson Valley Traffic Management Center, the MTA Bridges and Tunnels Command Center, the Coast Guard, and other locations. Congressman Adriano Espaillat also met with the delegation while they were in the city. Thank you to DOT, MTA Bridges and Tunnels, and the Governor's Office for their help with putting this visit together. A joint press release was issued on June 10th highlighting the visit and can be viewed here along with photos from the week. The information was picked up by Telemundo and some other Spanish-language outlets, as well.

Bridges to Parks Hike

Thank you to those who attended our hikes at the Rip Van Winkle Bridge, Olana State Historic Site, and the Thomas Cole National Historic Site on June 1. It was wonderful to connect people with these scenic walks and to celebrate the fifth anniversary of the Hudson River Skywalk.

Visit to Bannerman Island Gallery

On May 30, staff from Headquarters were able to stop in to the Bannerman Island Gallery in Beacon, operated by the Bannerman Castle Trust. There was a lovely exhibit of the artwork of local artist John F. Gould, including some images of the NYSBA bridges. John Gould was known for his detailed images of the Hudson Valley and New York State, with his legacy being continued by his children.

Bear Mountain Bridge Centennial

We are finalizing plans for our much-anticipated second BMB Pop-Up Shop, as well as other Centennial-related events this year. Additionally, new Centennial-themed banners are on display at the BMB, sponsored by New York-Stewart International Airport.

Hudson River Skywalk

We are in the process of replacing old, weathered Skywalk-themed banners at the Rip Van Winkle Bridge. They help to "set the scene" for people who are coming to visit the bridge and the two adjacent historic sites we connect. We are also working on replacing certain pedestrian signs on the east end of the bridge to better direct walkers/hikers to the Olana trail system.

GRANTS

Grant Applications

NYSBA is submitting funding requests through FEMA's Port Security Grant Program (PSGP). This year's grant program priorities focus on improving cybersecurity and the safety of soft targets in crowded places. NYSBA is submitting several different projects, such as Newburgh-Beacon pier detection camera equipment, data sync software, and recovery and monitoring software.

NYSBA is also applying for a Strengthening Mobility and Revolutionizing Transportation (SMART) grant through US DOT. The goal is to receive grant funding to help offset the cost of the Mid-Hudson Bridge sidewalk detection system, a project that is included in our capital plan.

FINANCE

Contracts

The following contract has been brought forth this month for the Board's approval:

Award a Contract for Debt Collection Services related to Toll by Mail Past Due Amounts

Finance Update

The traffic in May 2024 consisted of 5.8 million vehicle crossings, 8,000 vehicles (0.13%) more than 2023 traffic; the highest of the past 5 years. May 2024 YTD traffic was 25.4 million, a 2.37% increase over 2023.

May total E-ZPass utilization was 2.519 million or 87.34%. This traffic consisted of 2.228 million valid E-ZPass tag reads and 0.291 million E-ZPass account-based transactions identified through plate images. May traffic was composed of 93.56% Passenger and 6.44% Commercial vehicles. Important to note that Commercial vehicles account for approximately ~30% of our revenue

The revenue for the month of April 2024 was \$6.5 million, a 2.61% decrease from 2023 (\$6.67M). This reduction is attributable to a decrease in Unused Commuter Trip Fees in May 2024 along with a 3.05% increase in traffic for the period and the impact of the May 2023 toll schedule revision. April 2024 YTD Revenue was \$24.09 million, a 5.7% increase over 2023. During the month of April, toll related revenue was comprised of E-ZPass traffic of approximately \$5.8 million (89%) and Tolls by Mail traffic \$0.3 million (4%).

	APRIL 30, 2024	
	Revenue	% of Total
E-Zpass (1)	\$ 5,757,883	89%

Tolls by Mail (2)	\$ 291,490	4%
Tolls by Mail Fines/Fees (3)	\$ 419,759	6%
Overweight Fees (4)	\$ 29,900	0%
Total Revenue	\$ 6,499,032	100%

Notes:

- (1) E-ZPass travel posted to an account for the month and Un-Used Commuter Trips
- (2) TBM Expected Revenue for the current month and latest revisions to estimates for prior months.
- (3) TBM Fines and Fees (Non-Sufficient Funds and Administration Fees) collected this period
- (4) DOT Highway Oversize Overweight Credentialing System Activity

2) Monthly Activity Report of the Executive Director

Ms. Melendez reported on behalf of Dr. Alcantara. The Monthly Activity Report was submitted, noting no expenditures for the month.

3) HBHV Quarterly Report

Mr. Steber presented the detailed quarterly report, which 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.

ENGINEERING:

1) 2Q 2024 Accident 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.

2) Jobs in Progress Monthly Report

Mr. Wright reported that Bear Mountain Bridge Tower Painting project is on schedule and budget with the East Tower finish coated and the West Tower to be completed by the end of July. The only work left is the steel under the joints. The Kingston-Rhinecliff Bridge Approach Painting is on schedule and budget,

with Spans 1-7 being finish coated on the west side. The east sided is fully scaffolded. The Walkway Over the Hudson steel repairs are on schedule and budget. Chair McDonald called for a motion. On a motion of Commissioner Berardi, seconded by Commissioner Gilbert, Chair McDonald called for a roll call vote. All Commissioners voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: <u>024-070</u> Resolution Date: July 18, 2024

WHEREAS, the Board has reviewed the monthly Engineering Progress Report on Capital Project Status; now therefore

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 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 18th day of July 2024.

Jennifer Rosso, Secretary	

COMMUNITY APPRECIATION/EMPLOYEE RECOGNITION AWARDS:

Chair McDonald asked Scott Annacone, Assistant Foreman at the Bear Mountain Bridge to stand next to her as she shared an email from Jeff Wright, our Chief Engineer. On June 7, 2024, Assistant Foreman, Scott Annacone was able to pull an individual back who had climbed over the rail to the sidewalk until police arrived and took them by ambulance to the hospital. Jeff stated in the email "thanks to Scott the [individual] is alive and hopefully able to receive treatment. This shows the commitment of NYSBA to Helping those in need."

FINANCIAL:

1) Investment Report

Mr. Bushek reviewed the monthly Investment Report, noting nine investments for the month, all of a routine nature. 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 voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: <u>024-071</u> Resolution Date: July 18, 2024

WHEREAS, the investment control procedures for the New York State Bridge Authority require the Board to review and approve the report of investment transactions completed since the meeting of the Board on June 20, 2024; 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 Executive Director, or their 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 July, 2024.

Jennifer Rosso, Secretary	

2) Insurance Renewals

Mr. Bushek indicated to the Board that the Authority advertised for General and Umbrella Excess Insurance coverage in the NYS Contract Register in May of 2021. The Authority received large premium increases since the original award for the renewal of the expiring policies. This was largely an indication of Authority risk and the General and Umbrella & Excess markets continuing to significantly harden with carriers reporting large losses in excess of premiums. The Authority had not experienced large claims since 2013/14, settled in 2017, and since then has had very few claims which aged off in typical five-year loss run. However, market rates have caused double digit increases and, in some instances, carriers have refused renewals. Current claims activity continues to weigh on renewal efforts for 2024/25 as noted.

General Liability BA-2021-OA-010-IN through Risk Strategies (Broker) – The premium increase proposed for the coming policy period 2024/2025 is an increase of \$52,238, or 10.3% from 2023/24. This increase is a direct result of an ongoing claim that carrier indicates has the potential to exhaust the policy limit.

Umbrella and Excess Liability BA-2021-OA-011-IN with Lexington Insurance Company through Risk Strategies - In 2019, the Authority was forced to split the Umbrella and Excess Policy into two components as no single carrier would offer the full \$25 million coverage. For 2022, the market forced a further split into three policies that are maintained in the 2024/25 renewal, the \$1M-\$5M coverage that Lexington, agreed to cover; the \$5M-\$10M coverage through Arch Insurance Group, Inc.; and the \$10M-\$25M coverage through National Fire and Marine Insurance Company.

The overall premium based on existing coverage for these levels is \$1,075,669, an increase of \$138,008, or 14.7%, from 2023/24. Similar to General Liability where market forces are driving aggressive increases due to significant claims losses, NSYBA's increased risk had an impact on renewal.

Business Automobile Insurance BA-2020-OA-002-IN through Salaerno Brokerage – The premium for 2024 cost of \$101,029 is an increase of \$6,346, or 6.7% from 2023/24. This increase is driven by the Authority fleet increase to 87 from 83 vehicles, or 4.8%, as we bought several vehicles (2 electric). The Authority plans on an auction of surplus vehicles this year and will seek credits. Mr. Bushek recommended this renewal.

Commercial Package BA-2020-OA-003-IN through Associates of Glenns Falls – Awarded in 2020, the incumbent broker utilized the same combination of Great American for property and inland marine and Traveler's for crime. The 2024 renewal of \$56,557 represents an increase of \$12,134, or 27.3%, from 2023/24.

This was driven primarily by a rate increase on property (buildings), insured values increased only 4.7%. Great American had priced our policy for years well below competitors; this historically resulted in little interest from competitors for this coverage. This year, the broker also approached an alternate carrier due to the excessive increase; the broker was unable to provide a competitive bid with the Great American premium. Mr. Bushek recommended this renewal.

Data Protection BA2022-OA-010-IN – The Authority advertised in the NYS Contract Register in May 2022 and received only one proposal from the incumbent carrier, Coalition through Risk Strategies. The authority broker reviewed the renewal and indicated that the implementation of multifactor authentication in the Authority during 2023 provided more options. Additional proposals were received and Travelers offered better coverage and the Authority switched carriers in 2023/2024. For 2024/25, broker recommended a new carrier, Beazley Group, for \$15,562.50. This would provide a further 13.6% reduction over renewal premium with some improvement in coverage. Based on the options provided, Mr. Bushek recommended the Authority accept the broker proposal to switch carrier to Beazley Group for the renewal.

Public Officials and Employment Practices Liability Insurance BA2022-OA-009-IN The Authority advertised in the NYS Contract Register in May 2022 and awarded to the incumbent carrier, RSUI through Risk Strategies in July 2022. The Authority has received a change in coverage for 2024. Carrier will not provide a two-year policy and is quoting \$21,150 for a one-year policy that will retain the same rates next year, provided loss experience remains the same. The new policy has higher coverage, increased by \$500,000 for Directors and Officers additional limit; previously it was \$250,000. On an annual basis, this coverage increased \$1,150, or 5.8%. Several carriers were approached as potential alternates, with one declining government business and six additional indicating they could not compete with RSUI pricing. Note a potential claim arose during renewal that we believe has been resolved without loss; this complicated the renewal. Based on the market and the alternative proposals Mr. Bushek recommended awarding this contract.

Chair McDonald called for a motion. On a motion of Commissioner O'Brien, seconded by Commissioner Gilbert, Chair McDonald called or a roll all vote. All Commissioners voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: 024-072

Resolution Date: June 18, 2024

WHEREAS, the Board has reviewed the report relative to the August 1, 2023 purchase of insurance policies covering general liability, excess/umbrella

liability, business automobile, data protection, commercial package, public officials & employment practices; and now therefore

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

\$560,763.13 for one year, subject to audit, Contract BA2021-OA-010-IN General Liability with Lexington Insurance Co. through Risk Strategies, Inc.;

\$471,693.75 for one year, subject to audit, Contract BA2021-OA-011-IN Umbrella and Excess Liability with Lexington Insurance Co. through Risk Strategies, Inc. for between \$1 and \$5 million in coverage;

\$285,462.50 for one year, subject to audit, Contract BA2021-OA-011-IN Umbrella and Excess Liability with Arch through Risk Strategies, Inc. for \$5 million-\$10 million in coverage;

\$318,512.50 for one year, subject to audit, Contract BA-2021-OA-011-IN Umbrella and Excess Liability with National Fire & Marine Insurance through Risk Strategies, Inc. for coverage between \$10 million to \$25 million;

\$101,029 for one year, subject to audit, for Contract BA2020-OA002-IN Business Automobile with Glatfelter Public Entities through Salerno Brokerage;

\$56,557 for one year, subject to audit, for Contract BA2020-OA003-IN Commercial Package with Great American and Travelers Insurance Company, a division of Nationwide, through Associates of Glens Falls Inc.;

\$15,562.50 for one year, subject to audit, for Contract BA2022-OA-010-IN Data Protection Insurance with Beazley Group, through Risk Strategies, Inc.;

\$21,150.00 for one year, subject to audit, for Contract BA2022-OA-009-IN Public Officials and Employment Practices Insurance with RSUI, through Risk Strategies, Inc.; and

BE IT FURTHER RESOLVED, that the 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 18th day of July, 2024.

Jennifer Rosso, Secretary	,

3) Trustee Money Market Investment Option

The Authority is required to utilize a Trustee under the General Revenue Bond Resolution adopted December 19, 1996, and as amended January 17, 2002, February 21, 2002, June 16, 2011, August 4, 2011, and May 27, 2021. The Authority has utilized The Bank of New York to support this requirement for many years.

In the recent past, two significant changes have occurred that impact how we invest funds.

- The transition to AET changed how funds are received by the Authority. With staffed collection, the Authority received daily cash deposits from the plazas and weekly/monthly for E-ZPass providing a relatively stable revenue stream. With AET, we now have monthly deposits for Tolls by Mail and a smaller volume of violations deposits daily. E-ZPass has remained unchanged with weekly/monthly deposits depending on volume with the Interagency (IAG) member. This has impacted how cash is staged to support cash requirements.
- Interest rates on investments have increased substantially over a few years ago. The recent increase in interest rates coupled with a negative yield curve (more favorable short-term yields vs. longer term) has allowed money market funds to produce current returns in excess of 5%.

The proposed agreement, would authorize the Authority to utilize a Dreyfus institutional Government money market fund to sweep cash balances into the fund and earn 5% annual yields. Note that Dreyfus is a division of The Bank of New York, the Trustee. This fund is collateralized consistent with resolution requirements. Currently funds held at the Trustee earn no interest.

The recommendation is to utilize this investment option for two funds:

- The Revenue Fund The Authority receives cash periodically in this fund from batched settlements at all hours of the day. Where the Authority receives them after cutoff from the Trustee capital markets group, the funds sit in cash until the next investment window opens. For example, if funds are received after the morning cut off on Friday, they will sit through the weekend until Monday before being invested.
- The Operating Fund The Authority leaves liquid funds here to cover short term cash requirements and funds entering float, or checks issued and not cleared, at our depository Bank of America. Since this Fund needs to be more liquid than the U.S. Treasury maturities schedule, we are limited in terms of investment income.

The proposed agreement complies with the Authority's Bond resolution and investment guidelines based on a review from the Authority's Bond Counsel and the Trustee's staff. Chair McDonald called for a motion. On a motion of Commissioner Berardi, seconded by Commissioner O'Brien, Chair McDonald called for a roll all vote. All Commissioners voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: <u>024-073</u> Resolution Date: July 18, 2024

WHEREAS, the Authority Board has received and reviewed the report relative to Trustee Money Market Investment Option; and

WHEREAS, the Authority invests consistent with the requirements of the Investment Guidelines and the General Revenue Bond Resolution adopted December 19, 1996, and as amended January 17, 2002, February 21, 2002, June 16, 2011, August 4, 2011, and May 27, 2021; now therefore

BE IT RESOLVED, that the Board of Commissioners of the New York State Bridge Authority does hereby approve the agreement with the Trustee, The Bank of New York, allowing the utilization of the Money Market Funds investment option through the Trustee as directed by the Treasurer; and

BE IT FURTHER RESOLVED, that the Executive Director, or their 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 July, 2024.

Jennifer Rosso, Secretary

4) Annual Payment to Department of Civil Service

Section 11 of the Civil Service Law allows the Department of Civil Service to charge public authorities, among other entities, for their fractional share of the expenses for the administration of the department. The Bridge Authority's 2024 invoice for these services is \$22,870.54 (\$297.02/person multiplied by the 77 permanently-filled positions) as indicated in for the year ending March 31, 2024. This is an annual increase of \$4,813.98, or 26.7%. Chair McDonald called for a motion. On a motion of Commissioner Berardi, seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote. All Commissioners voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: <u>024-074</u>

Resolution Date: <u>July 18, 2024</u>

WHEREAS, the Board has reviewed the report relative to the payment of the Authority's share of the charges for the administration of the Department of Civil Service as mandated by the Civil Service Law; now therefore and,

BE IT RESOLVED, the New York State Bridge Authority does hereby approve the payment of \$22,870.54 to the Department of Civil Service for the Bridge Authority's share of these costs payable in the year ending March 31, 2024; and

BE IT FURTHER RESOLVED, that the 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 18th day of July, 2024.

Jennifer Rosso, Secretary	

5) Accident Review Committee Report – Q2 2024

Mr. Bushek reported to the Board that there were a total of 61 accidents on Authority facilities in the second quarter of 2024, compared to 70 the previous year, an 12.9% decrease on 2.18% higher traffic. No action was required by the Board.

COMMAND CENTER:

Ms. Mass presented key data points from Q2 2024 related to operations. This included information on different incident types, their occurrence times, detection methods, and their correlation with changing traffic patterns. Furthermore, the presentation delved into employee operations, providing details on the number of patrols conducted and staffing levels. No action was required by the Board.

NEW BUSINESS:

1) August 2024 Board of Commissioners Meeting Date

Chair McDonald expressed that in light of scheduling conflicts, it is recommended that the Board of Commissioners change the date of the monthly Board meeting from Thursday, August 15, 2024 at 9:30 a.m. to Tuesday, August 20, 2024 at 9:30 a.m. A Public Notice will be sent out prior to the meeting. Chair McDonald called for a motion. On a motion of Commissioner Berardi, seconded by Commissioner O'Brien, Chair McDonald called for a roll call vote. All Commissioners voted aye unanimously:

NEW YORK STATE BRIDGE AUTHORITY BOARD RESOLUTION

Resolution No.: <u>024-075</u>

Resolution Date: July 18, 2024

WHEREAS, the Board of Commissioners finds it appropriate to change the date of the previously scheduled August 2024 meeting;

BE IT RESOLVED that the Board changes the date of the August meeting from August 15, 2024 to August 20, 2024 at 9:30 a.m. at the Authority's Headquarters in Highland, NY; and

BE IT FURTHER RESOLVED that the 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 18th day of July, 2024.

Jennifer Rosso, Secretary

Chair McDonald asked for a motion to adjourn. On a motion of Commissioner Gilbert, seconded by Commissioner O'Brien, and approved unanimously, the Regular meeting adjourned at 10:08 A.M.

The next Regular meeting of the Board of Commissioners meeting has been scheduled for Tuesday, August 20, 2024 at 9:30 a.m. at the NYSBA Headquarters.