

**TOMPKINS CONSOLIDATED AREA TRANSIT, INC.  
BOARD OF DIRECTORS MEETING**

Thursday, August 28, 2014  
4:00 PM TCAT Conference Room  
737 Willow Avenue, Ithaca, NY

Attendees: K. Whang, D. Howe, B. Gray, S. Murtagh, K. Page,  
F. Proto, P. Stein, J. Turcotte

S. Brock, M. Albanese, R. Andrascik, A. Eccleston, N. Oltz, P. Poist,  
D. Tome, D. Swarts, M. Yarrow, K. Wood, T. Wright, S. Persons/Recording Secretary

Also Attended: Sofia Hu Cornell Sun reporter

**Agenda**

**I. Call to Order**

K. Whang called the meeting to order at 4:04 PM, and welcomed everyone to the August 28, 2014 TCAT, Inc. Board of Directors Meeting.

**II. Board Member Items**

There were no board member items.

**III. Public Comment**

There were no public comments.

**IV. Approval of the minutes from July 24, 2014 Board of Directors Meeting**

The motion to approve the minutes from July 24, 2014 was made by F. Proto; seconded by P. Stein. The motion to approve the minutes passed unanimously.

**V. Chairperson's Report**

K. Whang reported that he had nothing specific to report, a lot of what he has to say will come out following the discussion on the resolution.

**General Manager's Report**

- **Monthly Operating Reports** – A. Eccleston presented the Monthly Operating Reports for July 2014. She reviewed the details of the Riders, Miles & Hours Statistics, Service Changes & Special Events, Maintenance Statistics, Accidents & Other Incidents, Finance, Human Resources, Marketing Initiatives, & Customer Communications.

**VI. Action Items from Staff**

Consider Resolution {2014-07} Directing Development of Proposals to Service Changes and Cornell Fares. K. Whang presented resolution {2014-07} Directing Development of Proposals to Service Changes and Cornell Fares.

**RESOLUTION 2014 - 07**  
**DIRECTING DEVELOPMENT OF PROPOSALS RELATED TO**  
**SERVICE CHANGES AND CORNELL FARES**

Whereas, the TCAT Board has reviewed the initial draft for both the 2015 Operating and Capital Budgets, and

Whereas, the initial draft Operating Budget contains a \$740,000 deficit, which is projected to double in the next four years (by 2018) if no changes are made to TCAT's income and expense profile, and

Whereas, these operating deficits largely reflect the successful expansion of TCAT service to the community, and growth in ridership without a commensurate rise in revenues to offset the increased cost of service, and

Whereas, two significant factors the Board can exercise locally to bring the budget into a sustainable balance are reductions in service and increases in revenues through changes in passenger fare income, and

Whereas, Cornell's bus pass program accounts for 70% of the system's current ridership, and the growth in Cornell's rides has risen from 2,400,000 to 3,100,000 rides per year (29% increase) in the last five years, while Cornell's payment for the passes it issues has grown from \$2,500,000 to \$2,600,000 (4% increase) in the same period, making them a major stakeholder in any changes to the service provided or changes to the fare income that may be proposed or adopted by the Board, now therefore be it

Resolved that the Board directs staff to develop proposals for:

1. Service changes as a major component in the \$740,000 in budget adjustments needed to bring the 2015 Operating Budget into balance, and

2. A Memorandum of Understanding with Cornell University, developed with Cornell's Director of Transportation, regarding Cornell's Bus Pass Program, as an element of Cornell's Traffic Demand Management Program, which ties fare payment to TCAT directly to rides taken under that program,

and that these proposals be presented to the Board for its review and adoption, or review and negotiation (if required) in the case of the Memorandum of Understanding.

P. Stein made a motion to table the resolution 2014-07 to direct development of proposals to service changes and Cornell fares; seconded by F. Proto. Discussion followed. The motion to table the resolution was approved.

Consider Resolution {2014-08} Achieving TCAT's Goals. K. Whang presented resolution {2014-08} Achieving TCAT's Goals.

**ACHIEVING TCAT'S GOALS**

WHEREAS, a discount of up to 1/3 off the adult base fare for multiple-ride or bulk-volume fares is common within the public transit industry, and

WHEREAS, 70% of TCAT boardings are paid for by swiping a Cornell ID, and

WHEREAS, the adult Zone 1 base fare has always been \$1.50, and

WHEREAS, at the rate of \$1.00 per ride, the monthly cost of a round trip fare each weekday is approximately the cost (\$45.00) of TCAT's zone 1 monthly pass, and

WHEREAS, for the above reasons, the directors and staff of TCAT a decade ago generally agreed that the appropriate reimbursement for each Cornell ID ride was \$1.00, and

WHEREAS, from 2006 to 2010, the average reimbursement paid to TCAT by Cornell was \$0.996 for each Cornell ID ride, and

WHEREAS, the reimbursement paid to TCAT by Cornell ID fares for the years 2011, 2012 and 2013 was \$0.94, \$0.89 and \$0.83 respectively, and

WHEREAS, the financial difficulty for TCAT generated by the decreasing reimbursement per Cornell ID fares has been exacerbated by the increasing fraction of TCAT rides paid for by Cornell, and

WHEREAS, the TCAT financial projections for 2015 show an expected deficit which will require TCAT to reduce its expenditures by about \$400,000 which will result in a noticeable reduction in transit services for many TCAT customers, and

WHEREAS, this expenditure cut and its resulting reduction in services would not have occurred had Cornell been reimbursing each Cornell ID ride by \$1.00, and

WHEREAS, there is no known source of State or Federal funds to fill the gap generated by the decreasing Cornell per ride reimbursement, and

WHEREAS, both the City and the County are facing steadily increasing pressure from the State government to reduce local taxes, which in turn makes it extremely difficult for them to increase their Partner Contributions, and

WHEREAS, the fundamental goal of TCAT is to provide high quality transit services that satisfy the needs of as many County residents as possible consistent with the resources available, THEREFORE

BE IT RESOLVED that the TCAT directors respectfully ask Cornell to work with TCAT to find a way to restore the Cornell per ride reimbursement to \$1.00 per ride in 2015 without significantly reducing the number of Cornell ID rides, and

BE IT FURTHER RESOLVED that in the years that follow, the directors will work together to maintain as best they can the 2014 Cornell and non-Cornell ridership levels, and thereby ensuring the financial stability of TCAT, a stable Cornell ID reimbursement expenditure for Cornell, and the widely admired quality and level of service that TCAT currently provides.

P. Stein made a motion to table the resolution 2014- 08 Achieving TCAT's Goals; seconded by F. Proto. The motion to table the resolution was approved.

Consider approval of Resolution {2014-09} Achieving TCAT's Goals. K. Whang presented resolution {2014-09} Achieving TCAT's Goals.

#### **2014 – 09 ACHIEVING TCAT'S GOALS**

WHEREAS, a discount of up to 1/3 off the adult base fare for multiple-ride or bulk-volume fares is common within the public transit industry, and

WHEREAS, at the rate of \$1.00 per ride, the monthly cost of a round trip fare each weekday is approximately the cost (\$45.00) of TCAT's zone 1 monthly pass, and

WHEREAS, to balance its books, TCAT must receive at least \$1.00 for every ride whether payment is via the farebox, a TCAT fare card, or reimbursement in the case of a Cornell ID ride, and

WHEREAS, for the above reasons, the directors and staff of TCAT a decade ago generally agreed that the appropriate reimbursement for each Cornell ID ride was \$1.00, and

WHEREAS, from 2006 to 2010, the average reimbursement paid to TCAT by Cornell was \$1.00 for each Cornell ID ride, and

WHEREAS, the reimbursement paid to TCAT by Cornell ID fares for the years 2011, 2012 and 2013 has fallen to \$0.94, \$0.89 and \$0.83 respectively, and

WHEREAS, the proposed TCAT 2015 Operating Budget has a \$740,000 deficit, which is projected to double in the next four years if no changes are made in TCAT's income and expense profile, and

WHEREAS, a \$1.00 per ride Cornell reimbursement in 2014 would have eliminated 2/3 of that 2015 projected deficit, and

WHEREAS, both the City and the County are facing steadily increasing pressure from the State government to reduce local taxes, which in turn makes it extremely difficult for them to increase their Partner Contributions,

THEREFORE BE IT RESOLVED that the fundamental goal of TCAT is to provide high quality transit services in the County that satisfy the needs of as many City, County and Cornell riders as possible given the resources available, and

BE IT FURTHER RESOLVED that the TCAT directors respectfully ask Cornell to work with TCAT to find a way to restore the Cornell reimbursement to \$1.00 per ride in 2015 without significantly reducing the number of Cornell ID rides, and

BE IT FURTHER RESOLVED that in the years that follow, the directors and staff will work together to maintain as best they can the 2014 Cornell and non-Cornell ridership levels, and thereby ensuring the financial stability of TCAT, a stable Cornell ID reimbursement expenditure for Cornell, and the widely admired quality and level of service that TCAT currently provides, and

BE IT FURTHER RESOLVED that TCAT will develop with Cornell a Memorandum of Understanding that will address the above stated principles and goals.

The resolution Achieving TCAT's Goals was moved by P. Stein; seconded by S. Murtagh. Discussion followed.

P. Stein stated we have a problem and the resolution has two parts to it, one is sort of a history of how the problem came about and the other is a proposed solution to the problem.

S. Brock recommended changing the word "reimbursement" throughout the resolution to "payment". She also recommended changing the language in the fourth WHEREAS to remove the words "and staff" also TCAT, Inc. didn't exist a decade ago it was a different entity, it was the joint venture, so perhaps we should change the sentence to "the directors of TCAT a number of years ago generally agreed".

S. Brock also suggested in the last WHEREAS clause the last line talks about partner contributions, that should be changed to be "payments under the Transportation Agreement."

S. Brock stated suggested a grammatical change on the second page the BE IT FURTHER RESOLVED, the word "ensuring" be changed to "ensure".

P. Stein stated he wanted to make one comment about the change to take out "and staff", it seemed appropriate to put that in, the staff, as near as he can tell, was unanimous in this belief at the time that the decision was made. He agreed with all the other changes except the "and staff".

S. Brock stated we are keeping the "and staff".

F. Proto stated with all due respect to all those sitting around the table, he gets a sense that this resolution, with those sitting around the table, may not pass and he knows that there has been an effort to refine it and make sure that we respect our colleagues that can't support it but that there is an effort to get it so it does pass so that we can move to the next step. If we leave this as it is and it fails he is worried about the message that that may send that we have a resolution that we worked hard to craft and it failed. He stated he would be glad to suggest this but he would like to hear some other discussion, would it be wise to call Jennifer as she said that she could be called and she would support this. He suggested to call J. Dotson.

S. Brock stated that the bylaws state that five members shall be required for the adoption of any resolution.

J. Dotson was conferenced in. Discussion followed. The resolution as amended passed with 5 votes for yes – F. Proto, B. Gray, S. Murtagh, P. Stein and J. Dotson and 3 votes for no – D. Howe, K. Page, K. Whang.

**2014 – 09  
ACHIEVING TCAT'S GOALS**

WHEREAS, a discount of up to 1/3 off the adult base fare for multiple-ride or bulk-volume fares is common within the public transit industry, and

WHEREAS, at the rate of \$1.00 per ride, the monthly cost of a round trip fare each weekday is approximately the cost (\$45.00) of TCAT's zone 1 monthly pass, and

WHEREAS, to balance its books, TCAT must receive at least \$1.00 for every ride whether payment is via the farebox, a TCAT fare card, or payment in the case of a Cornell ID ride, and

WHEREAS, for the above reasons, the directors and staff of TCAT a number of years ago generally agreed that the appropriate payment for each Cornell ID ride was \$1.00, and

WHEREAS, from 2006 to 2010, the average payment paid to TCAT by Cornell was \$1.00 for each Cornell ID ride, and

WHEREAS, the payment paid to TCAT by Cornell ID fares for the years 2011, 2012 and 2013 has fallen to \$0.94, \$0.89 and \$0.83 respectively, and

WHEREAS, the proposed TCAT 2015 Operating Budget has a \$740,000 deficit, which is projected to double in the next four years if no changes are made in TCAT's income and expense profile, and

WHEREAS, a \$1.00 per ride Cornell payment in 2014 would have eliminated 2/3 of that 2015 projected deficit, and

WHEREAS, both the City and the County are facing steadily increasing pressure from the State government to reduce local taxes, which in turn makes it extremely difficult for them to increase their payments under the Transportation Agreement,

THEREFORE BE IT RESOLVED that the fundamental goal of TCAT is to provide high quality transit services in the County that satisfy the needs of as many City, County and Cornell riders as possible given the resources available, and

BE IT FURTHER RESOLVED that the TCAT directors respectfully ask Cornell to work with TCAT to find a way to restore the Cornell payment to \$1.00 per ride in 2015 without significantly reducing the number of Cornell ID rides, and

BE IT FURTHER RESOLVED that in the years that follow, the directors and staff will work together to maintain as best they can the 2014 Cornell and non-Cornell ridership levels, and thereby ensure the financial stability of TCAT, a stable Cornell ID payment expenditure for Cornell, and the widely admired quality and level of service that TCAT currently provides, and

BE IT FURTHER RESOLVED that TCAT will develop with Cornell a Memorandum of Understanding that will address the above stated principles and goals.

K. Whang stated he would ask that the Board formally send this resolution to President Skorton. He stated he thinks it needs to go to him and we should get it to him as soon as possible. He is going to ask him personally to grant an audience to a small representative of this Board to have a discussion, he suggested Frank Proto as the Vice Chair, Seph Murtagh as the Secretary and Bill Gray as the Chair of the Budget Committee to meet with him sometime in the next few weeks.

Consider approval of Resolution {2014-10} Extend Sublease and Agreement for use of Green Street Passenger Waiting Area and Café between Tompkins Consolidated Area Transit, Inc. and Adil Griguihi. K. Whang presented resolution {2014-10} extending sublease and agreement.

**RESOLUTION 2014 – 10**  
**EXTEND SUBLEASE AND AGREEMENT FOR USE OF GREEN STREET PASSENGER**  
**WAITING AREA AND CAFÉ BETWEEN TOMPKINS CONSOLIDATED AREA TRANSIT, INC.**  
**AND ADIL GRIGUIHI**

WHEREAS, on September 16, 2013, TCAT, Inc. and Adil Griguihi entered into a one-year Sublease and one-year Agreement for Use of Green Street Passenger Waiting Area and Café, both with terms from September 16, 2013 through September 16, 2014 (the "Sublease and Agreement"), and

WHEREAS, the Sublease and Agreement provide that upon mutual written agreement, they may be renewed in one-year increments for up to a total of two additional years upon such terms as are set forth in the Sublease and Agreement, and

WHEREAS, the parties desire renewal of the Sublease and Agreement for an additional year, effective from September 16, 2014 through September 15, 2015,

NOW, THEREFORE, be it RESOLVED that the TCAT, Inc. Board of Directors hereby approves the attached Extension of Sublease and Agreement for Use of Green Street Passenger Waiting Area and Café and authorizes Board Chair KyuJung Whang and General Manager Joseph Turcotte to execute the Extension, subject to the approval of TCAT's attorney.

The resolution to extend sublease and agreement for use of Green Street Passenger waiting area and café between Tompkins Consolidated Area Transit, Inc. and Adil Griguihi was moved by B. Gray; seconded by F. Proto. Discussion followed. The resolution passed unanimously.

Consider approval of Resolution {2014-11} Approve System Safety Program Plan Revisions. K. Whang presented resolution {2014-11} to approve system safety program plan revisions.

**RESOLUTION 2014 – 11**  
**APPROVE SYSTEM SAFETY PROGRAM PLAN REVISIONS**

WHEREAS, Tompkins Consolidated Area Transit, Inc. ("TCAT, Inc.") has developed and implemented a System Safety Program Plan ("SSPP"), which states one of its primary goals is the continued improvement of public transportation safety through the reduction in the number, rate and severity of bus accidents, and

WHEREAS, the New York State Public Transportation Safety Board (öPTSBö) approved TCAT, Inc.ö first SSPP in 2005, and the PTSB has approved subsequent revisions, including the most recent revisions in 2012, and

WHEREAS, certain additional revisions are necessary to reflect current TCAT operations,

NOW, THEREFORE, be it RESOLVED that the TCAT, Inc. Board of Directors hereby approves and adopts the attached System Safety Program Plan, with a revision date of August 2014, and authorizes TCAT staff to send the SSPP to PTSB for its review and approval.

The resolution to approve the System Safety Program Plan Revisions was moved by B. Gray; seconded by K. Page. Discussion followed. The resolution passed unanimously.

## **VII. Committee Reports**

- **Executive Committee**

K. Whang reported that the Executive Committee met on August 21<sup>st</sup> and discussed TCAT UAW negotiations, budget presentation, forensic audit and internal controls audit, TCAT facility planning, Green Street Station lease, Hanshaw Road construction project, and hydrogen fuel bus refueling station update.

- **Budget Committee**

B. Gray reported that the Budget Committee met on August 19<sup>th</sup> and discussed Revenue Expenditure Report July 31, 2014, Fuel Report, 2015 budget presentation review, service cuts and the Cornell University resolution.

- **Transit Service Committee**

D. Howe reported that the Transit Services Committee met on August 6<sup>th</sup> and discussed updates on the timeline for the ITS Project Phase A RFP, service adjustments for fall 2014, student intern project presentations on developing a model to predict transit ridership, and writing a transit-oriented development guide for municipalities and developers. The committee also reviewed and approved the public meeting plan and public process to inform the Title VI Service Standards Plan.

- **Human Resources Committee**

The Human Resources Committee met on August 15<sup>th</sup> and discussed recruitment efforts, current headcount, hires and separations and current projects.

- **Planning Committee**

The Planning Committee did not meet.

- **Audit Committee**

K. Page reported that the Audit Committee met on August 21<sup>st</sup> and discussed the 2013 audited financial statements from Ciaschi, Dieterhagen Little & Mickelson and Company, LLP as well as the forensic audit draft reports from StoneBridge Business Partners.

### **VIII. Next meeting**

K. Whang announced the next meeting date of October 23, 2014 at 4:00 PM.

### **IX. Executive Session**

K. Whang asked for a motion to enter into executive session to discuss collective bargaining negotiations with UAW and personnel matters. The motion was made by B. Gray; seconded by D. Howe. The motion passed. The Board entered into Executive Session at 5:45 PM. The Board arose from Executive Session at 6:12 PM. No action was taken.

### **X. Adjournment**

The motion to adjourn the meeting was made by F. Proto; and seconded by K. Page. The meeting adjourned at 6:12 PM.