

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

Thursday, October 27, 2016  
4:00 PM TCAT Conference Room  
737 Willow Avenue, Ithaca, NY

Attendees: B. Gray, B. Brady, J. Dotson, D. Howe, D. Klein,  
D. Nguyen, P. Stein, J. Gutenberger by Phone, F. Proto arrived at 4:20 pm

S. Brock, R. Andrascik, A. Eccleston, R. Lalley, B. Krause, J. Caco,  
P. Poist, R. Lalley, M. Yarrow, S. Persons/Recording Secretary

Also Attended: F. Howells, M. Wendlowsky, G. Cremeens, J. Mareane, F. Kruppa,  
S. Neal, E. Colvin, D. Duchscherer from Wendel, and D. Walker from Labela

**Agenda**

**I. Call to Order**

B. Gray called the meeting to order at 4:05 PM, and welcomed everyone to the October 27, 2016 TCAT, Inc. Board of Directors Meeting.

**II. Board Member Items**

P. Stein requested an addition to the Board Agenda, P. Stein moved the proposed resolution as an addition to the agenda, D. Klein seconded the motion. The proposed resolution was approved with 5 in favor 3 opposed, F. Proto absent.

D. Klein requested the board to move the Annual Board Meeting on December 1<sup>st</sup> to December 8<sup>th</sup> due to the Tompkins County Legislature hosting a housing summit on December 1<sup>st</sup>. Discussion followed. The Annual Board Meeting was moved to December 8<sup>th</sup> 2016.

**III. Public Comment**

F. Howells stated thank you for allowing him the opportunity to address the board today. He stated he came as a different status than the Board has seen him in the past six – seven years, he came as a concerned tax paying resident of Tompkins County; he did not come as an employee of TCAT, the chairman of the represented workers or as an official of the UAW. F. Howells stated over the past few years he's had the privilege to attend many meetings, and his concern today is over the recent change in the level of transparency now being offered by this group to the public regarding the allocation and earmarking of tax payer funds. As recent as the very last meeting on September 22, 2016 resolution 2016-16 was offered for consideration referencing the payment to a contract service, TRG Engineering Services, included in the resolution was a reference to an Addendum A, however this addendum was not offered to the meeting attendees but when the addendum was referred in the meeting it was handed out to the board members but not offered to the public in attendance. He stated he knows of a couple other instances of this nature and would have included them with the other resolution numbers to further substantiate his concern but as of this morning when he went to reference them on the website, the minutes were not available. This is not the first occurrence however the continued reluctance to provide information seems to become more and more obvious and concerning as time progresses. He stated he feels that when there is a financial cost association for the TCAT organization which is inclusive of contracted labor the relative associated documentation seems to be unavailable at these public meetings. Interesting, yet the lack of transparency is more concerning because this organization has just recovered from the last egregious wrong doing of embezzlement of a significant amount of taxpayer funding. So again I find this transparency, or the lack thereof with the noted concerns above somewhat odd, and would go as far as categorizing the occurrences as somewhat deliberate. He stated he has to continually go as far as requesting to see information

from your attorney Ms. Brock, so he can acquire these documents for his research. Ms. Brock has assured me on numerous occasions regarding numerous requests that the TCAT Acting General Manager would supply him with the documentation requested, still today none of them have been forwarded. He stated why are there extra steps just to see where our tax payer money is going, if the resolutions are brought to this meeting and it is in fact a public meeting and it is a public forum why are we not privileged to also view this information. We are in fact a local public transportation company, it seems like quite a few hurdles have been established here just for someone who wants to see where our taxpayer funding is going.

B. Gray asked if there are any other public comments, or is there anyone who would like to respond to the public comment, if not then he reserves the right to address it at a later time. He is not aware of the document or why it would not be available.

F. Howells stated the last document this is referencing to is the one from last meeting and when it was time to discuss it, it was deliberately handed out to the people sitting at the table and none to the other people in attendance.

J. Dotson stated was there any request made to see it in that moment.

F. Howells stated I believe it was a public document and he's not sure he's allowed to be on the floor at that point in the meeting.

S. Brock stated didn't we give it to you after the meeting, she stated she thought that we handed you a copy of the all the documents.

F. Howells stated he also asked for a copy of the contract for TRG Engineering Services.

S. Brock stated there are a couple of them and requested that they speak after the meeting and sort it out.

P. Stein stated just a comment on experiences like this he's had, there are all kinds of explanations, one is bad faith, another is too much work, sometimes you forget what you have on the table and sometimes it falls off. It would seem to me that you might make a couple attempts and then make a complaint.

B. Gray stated it is not unreasonable if you are asked to review a contract at the board level that you would like to have all the appendix available. He stated he does not think that this was an attempt to hide anything he's had this experience many times over the years where you copy things and it turns out there are three things referenced in the document and you didn't copy them all. He stated he does not see why he can't have access to it and we will follow up with you later.

#### **IV. Approval of the minutes from September 22, 2016 Board of Directors Meeting**

The motion to approve the minutes from September 22, 2016 Board of Directors Meeting was made by P. Stein, seconded by D. Klein. The motion to approve the minutes passed unanimously.

#### **V. Chairperson's Report**

B. Gray reported that the two main items he was concerned with was there was a perspective candidate for GM that the board asked us to talk to and I will ask F. Proto to update the board.

F. Proto stated we invited an individual here to meet with the three teams, in a word after the responses from the three teams that were very positive we proceeded to the step of discussing with this individual by phone and this individual turned down the offer. The GM Search Committee is continuing to look we had two more interviews by phone and a skype interview this afternoon. We would like to thank all the individuals that are participating in the search for their help and providing an update.

B. Gray stated the second thing he thought was important was R. Andrascik and he met with the City at one of their budget meetings to discuss the budget. He stated there seemed to be a little confusion about what the money was, there was an increase in last year's amount from the underwriting parties and it's broken into two parts, \$8,000 in operating dollars and an additional \$42,000 in the capital dollars. They had included the \$8,000 but not the \$42,000, last night it was adopted. He stated to his knowledge the City and the County have agreed to the budget as presented, until he hears otherwise he's going to assume Cornell is going along with us. Discussion followed.

## **VI. General Manager's Report**

**Presentation by Wendel** – A. Eccleston welcomed Wendel, she stated they have been working with the Planning Committee over many months relative to the facility assessment project. She introduced Elizabeth Colvin, Dave Duchscherer, Scott Neal and Dan Walker and stated they will be providing a presentation on the recommendation made at the Planning Committee.

E. Colvin introduced S. Neal, D. Duchscherer from Wendel and D. Walker from Labella and Associates. The presentation covered the Overall Study Scope, Ridership Projections, Existing Site, New Site- small footprint, New Site- large footprint, Final recommendation and Funding options. They presented the timeline and steps in the process along with the three conceptual options that the planning committee selected to present to the board. Discussion followed. A final report will be completed based on the discussions that have happened and will be provided back out to the Board.

D. Nguyen left the meeting.

## **VII. Action Items**

Consider Resolution {2016 - 18} Approval to extend contract with TRC Engineering Services, LLC for a maintenance Manager. B. Gray presented resolution {2016 - 18} to approve extending the contract with TRC Engineering Services, LLC for a maintenance manager.

### **RESOLUTION 2016 - 18 EXTEND CONTRACT WITH TRC ENGINEERING SERVICES, LLC FOR A MAINTENANCE MANAGER**

WHEREAS, at its October 22, 2015 meeting, the TCAT Board authorized a budget allocation for a temporary full-time Maintenance Manager, and

WHEREAS, on November 4, 2015, TCAT, Inc. and TRC Engineering Services, LLC (TRC) entered into a contract for the provision of a temporary Maintenance Manager, with a term from November 1, 2015 through December 31, 2015 (the "Contract"), and

WHEREAS, TCAT, Inc. and TRC extended the contract from January 1, 2016 through October 28, 2016, per resolution 2016-10, and

WHEREAS, the Budget Committee has reviewed a staff request for contract extension and recommends the extension for a period up to April 30, 2017, and

WHEREAS, TCAT, Inc. and TRC wish to extend the contract from October 29, 2016 for a period up to April 30, 2017, so the temporary Maintenance Manager will be able to assist TCAT in its effort to standardize bus specifications, and participate in TCAT, Inc.'s upcoming Maintenance Software solicitation,

NOW, THEREFORE, be it RESOLVED that the TCAT, Inc. Board of Directors hereby approves the attached Agreement for Services with TRC for a period up to April 30, 2017, and authorizes Board Chair William Gray and Acting General Manager Alice Eccleston to execute the Agreement.

The resolution to approve the extension of the contract with TRC Engineering Services, LLC for maintenance manager was moved by D. Howe; seconded by B. Brady. Discussion followed. The resolution passed unanimously.

D. Howe left the meeting.

Consider Resolution {2016 - 19} Approving Temporary Bus Stop Relocation to Entrance of Tompkins County Health Department Building. B. Gray presented resolution {2016 - 19} approving temporary bus stop relocation to entrance of Tompkins County Health Department building.

**RESOLUTION 2016 - 19  
APPROVING TEMPORARY BUS STOP RELOCATION TO ENTRANCE OF  
TOMPKINS COUNTY HEALTH DEPARTMENT BUILDING**

WHEREAS, Route 32 buses currently stop at the Tompkins County Health Department (“TCHD”) driveway on Brown Road, and passengers travelling to the TCHD must walk approximately 550 feet from the bus stop across the driveway and down sidewalks to reach the building entrance; and

WHEREAS, this distance may be difficult for some pedestrians to navigate during all four seasons, especially if they are elderly or have infants or small children with them; and

WHEREAS, TCHD has asked Tompkins Consolidated Area Transit, Inc. (“TCAT”) to relocate the current bus stop to the TCHD building entrance; and

WHEREAS, TCHD Public Health Director Frank Kruppa has stated that the distance from the current bus stop to the building entrance discourages some people from utilizing the Women, Infants & Children (WIC) program, which provides nutritious foods, nutrition education, breastfeeding support, and referrals to community services for low-income pregnant and post-partum women and their children under five years of age; and

WHEREAS, the relocation of the bus stop to the TCHD building entrance may increase Route 32 ridership and may contribute to greenhouse gas reductions because the barriers to using the bus will be lowered for those TCHD patrons who currently drive to the building due to their inability to negotiate the walk from the current stop to the building; and

WHEREAS, the Transit Service Committee previously considered and denied the TCHD’s request for a variety of reasons, including the fact that there is a lack of data showing that moving this stop would significantly increase the number of riders on Route 32, and the stop relocation would add more time to the route and delay other Route 32 riders; and

WHEREAS, at its October 27, 2016 meeting, the TCAT Board discussed this matter and received additional information from Public Health Director Kruppa on the benefits of relocating the bus stop; now therefore be it

RESOLVED, the TCAT Board hereby approves the relocation of the bus stop to the TCHD building entrance for some or all of the trips on a 12 month temporary basis, effective as of January 22, 2017; and be it

FURTHER RESOLVED, that TCAT staff analyze the benefits and impacts of this stop relocation and provide the Board with a recommendation by November 2017 as to whether the temporary stop relocation should be made permanent.

The resolution to approve the temporary bus stop relocation to the entrance of Tompkins County Health Department was moved by P. Stein, D. Klein.

D. Klein stated he knows that there were several concerns raised as to why this didn’t make it through committee and he wanted to address one of them, one of the concerns was the County needs to build a reinforced concrete area where the bus would pull up in front of the health department door and that the cost of that construction is about a half million dollars and TCAT was reluctant to try something on a trial basis having

the county invest all that money would kind of make it so it would be harder for TCAT to back out in the future. He stated he wanted to make it clear that the resolution is asking for a 12 month trial and the County is not intending to do its capital project until that 12 months is over and it can be evaluated and TCAT determines at that point if it is something we want to move forward with or not.

B. Gray asked B. Brady as the chair of the committee if she would review the committee's consideration of this request.

B. Brady stated the committee reviewed this request three times, we saw the presentation from the County, the following meeting we had discussion regarding ridership and at that point the committee decided that although we recognized that there is a need and there is a situation that transit is not the solution for that and the ridership numbers currently did not support adding the service. It was not enough that there may be more riders to add the service at that point and it would be an additional expense to TCAT that didn't make good transit sense or business sense at the time. It was regardless of the improvements that would have been made; the decision that was made was not based on proposed improvements. It was then brought to us again and we just did not feel that there was concrete evidence that it would increase ridership.

F. Kruppa Tompkins County Public Health Director stated we have been talking about this since we moved into that building, even at the initial design discussion the building at the front of our parking lot was designed to allow for bus traffic through there. The issue that came up was the construction that D. Klein referred to and the County at the time did not have the resources so it was added to the capital plan. Now we are the point that the County has the resources and the rest of our parking lot has some damage as well so we were hopeful to put the whole thing to bed. He stated he understands that current ridership may be limited and he thinks part of that is because it is a challenge to get from the current stop to the front door; there are some things out of our control. For us we feel that ridership would go up because we would have people that now have access to it. We did a survey of our clients about 3 ½ years ago 50% that come to the health department said they use TCAT now and 35% - 40% said they would use TCAT to come to us if the stop was there. Discussion followed.

J. Gutenberger made the motion to table the resolution for further discussion; P. Stein seconded. The motion to table the resolution passed unanimously.

## **VIII. Committee Reports**

- **Executive Committee**

B. Gray reported that the Executive Committee met on October 11, 2016 and discussed the GM search update; strategic planning to include local funders, TCAT-Cornell MOU, contract Maintenance Manager position extension, and updates on the meeting with County Legislature on 9/29/16, recruitment, AVAIL ITS project, facility needs assessment and next steps, maintenance software project status and update, and potential Board member item County Health Department bus stop location.

- **Budget Committee**

J. Dotson reported that the Budget Committee met on October 18, 2016 and discussed Revenue Expenditure Report September 30, 2016, new staff position proposal, business insurance renewal, fuel report, 2017 operating and capital budgets.

- **Human Resources Committee**

J. Dotson reported that the Human Resources Committee met on October 13, 2016 and discussed the employee satisfaction survey and next steps, current headcount, hires, separations, retention rate, and current recruitment efforts.

- **Transit Service Committee**

B. Brady reported that the Transit Services Committee met on October 6, 2016 and discussed the ITS project update, what's a bus stop project update, overview of service changes for winter/spring 2017, discussion larger topic of service changes/additions on context of increasing congestions, ridership demand, runcutting/rostering and driver retention and the county health department request redux.

**IX. Next meeting**

B. Gray announced the next meeting date of December 8, 2016.

**X. Executive Session**

B. Gray asked for a motion to enter into executive session to discuss personnel matters. The motion was made by J. Dotson; seconded by B. Brady. The motion passed. The Board entered into Executive Session at 6:11 PM. The Board arose from Executive Session at 6:35 PM.

**XI. Adjournment**

The motion to adjourn the meeting was made by P. Stein; and seconded by D. Klein. The meeting adjourned at 6:38 PM.