

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

Thursday, June 23, 2016
4:00 PM TCAT Conference Room
737 Willow Avenue, Ithaca, NY

Attendees: D. Howe, B. Brady, J. Dotson, J. Gutenberger,
D. Nguyen, F. Proto, P. Stein

S. Brock, R. Andrascik, A. Eccleston, N. Oltz, P. Poist,
M. Yarrow, S. Persons/Recording Secretary

Also Attended: Gary Creemens, Jennifer Walker, A. Gallegos, M. Wendlowsky, M. Smith, A. Beck, T. Ellis, R. Kennedy, L. Brewer, D. Brunner, R. Lalley, R. DeBois

Agenda

I. Call to Order

D. Howe called the meeting to order at 4:07 PM, and welcomed everyone to the June 23, 2016 TCAT, Inc. Board of Directors Meeting.

II. Board Member Items

There were no board member items.

III. Public Comment

J. Walker stated I am a rider of TCAT many of the drivers have become very close and I love them all and care about them deeply and that's why I'm here tonight. When I was sitting in waiting room i was asking myself what is there to inspire determination in a driver and what makes a successful driver. A successful driver would be a healthy driver, someone who is able to sleep and has mental wellness because they are able to interact with their loved ones and have a life outside of work and I believe that TCAT is making that hard for the drivers. Also a successful driver would be one that knows and takes care of their riders. When I first started riding TCAT a lot of the drivers had the same route and a lot of them were on a familiar basis with their passengers and it was a beautiful thing. I believe the human element is being taken out where if something looks good on paper or a machine makes the numbers but in reality there is a different situation. I was thinking about incentives for determination, the amount of money that was spent on contract drivers and could that have meant something, a lot of these drivers are very loyal and I don't think you would see loyalty from kids coming out of high school or college coming in and having split shifts, so I feel like something like retirement being addressed, steady runs less splits so the quality of life can go up and they can be happier again because it is making me sad that the quality of life has gone down.

M. Wendlowsky stated he would like to address the last bidding process and explain why it has been so difficult for most of us. First when we got the bid package and information sheet on May 5th the most disturbing thing was that we had been assigned a time slot of 35 minutes to place our bid, it has always been four hours or more since I've been here. When the schedules change our whole family lives change too, earlier starts, later end times, different shifts, and different days off all requires discussion and planning, one cannot expect dogs to be left inside 12 – 13 hours for example. Parents with childcare issues that may involve partners changing their schedules, caregivers must be notified, can they keep them longer or take them earlier or both. Many caregivers are not so flexible and have families and responsibilities of their own. For single parents this will become even a bigger challenge and some drivers with sick spouses may need to change schedules with visiting nurses. The time allowance was later changed to one hour, still not enough time to make this important decision. I understand the time constraints that TCAT was faced with but I also think TCAT created those constraints

themselves. After translating and deciphering the bid sheets it became apparent that the people it affects were not a part of the parameters inputted into the mix but only the numbers. For five and four day weeks there are many 12 – 13 hour spreads with long splits, early starts and late end times and quite a few three piece runs with two breaks instead of one. These long days with inconsistent start and end time becomes a health issue as well, my doctor no longer asks me how I'm feeling but what my schedule is like these days. He stated most of us love our jobs for various reasons, we love to drive we provide a needed service to the public, the relationships we develop with our passengers or used to when we saw them more than once or twice a week. The added stress from the long days, less family times, changed personal habits and responsibilities make you look at the numbers and ask how important are they really. We were number 1 in North America before these new ideas came down the pike, maybe it just needs some long attention and using realistic parameters and of course long before decisions get made input from those that do it every day.

G. Creemens stated the numbers last board meeting that were shared with over 700 applications were shared with several other members of the public so this isn't necessarily my idea but other people bouncing ideas off, that long wait time between getting hired and the actual road test, the thought was to have additional time added to their training time, some thoughts were could help clean the shelters or bus stops, other items could be online training while they're waiting for their road tests, something turn-key so that you would not have to hire another position for that. That number of 700 applicants versus them waiting that amount of time I don't think based on what you were saying that they won't go to other places. There are other examples and I sent a few things out to other people that are like minded professionals to see what others are doing to fix the same problem. It's not just a Tompkins County problem it's across the US.

J. Dotson stated these are not new issues to be thinking about and the summer runcut was under undue pressure and I think that there are improvements that could be made all around, particularly with work/life balance, that really is a hard thing to address but we've been talking about how to improve that. We will take it to the HR committee.

A. Gallegos stated I'm a union steward and I've been asking around and talking to other drivers about what has been going on and how they really feel about the state of everything that is happening. I brought something here I'd like to read. He stated to the TCAT board of directors; we would like to talk about the perception versus the reality of the new runs. The perception of management seems to be that by using the very newest technology TCAT can do the best job, the reality is that computers still are not able to do some of the jobs that the human brain does no matter how good the technology the computer is only as good as its program and most programmers have ever driven a bus let alone a bus in service, in fact Nancy Oltz and Thom Wright are the only people in upper management who have driven a bus in service, with all due respect to Nancy and Thom when they drove a bus for TCAT we didn't have as many passengers and the schedules were written by humans for humans. When the route 81 and 82 schedule was changed in January of 2014 a union steward warned the board about driver fatigue, the schedules were changed by a computer and computers don't have to use the bathroom, so it didn't matter to the scheduler that the drivers had the bathroom on the end of the route and the time to use the bathroom on the other end of the route. Schedulers and computers have never driven a bus full of people let alone with a full bladder or driver fatigue, in fact the DOT warns about how drivers need to stretch and walk around every hour or two, not every four or five hours. Did anyone drive those routes to make sure that they worked, did anyone calculate the return of full staff and students to Cornell. Did anyone make sure that Transit Supervisors were on campus to help drivers let alone other TCAT representatives? We all remember that awful day when the computer schedule and the routes changed and took a life. The perception is that we are all in this together the reality is that the Board members have other jobs, TCAT administrators except for Nancy Oltz and TCAT transit supervisors are usually in the administrative building doing other jobs. We drivers are on the road taking the consequences, no driver should have to balance physical health and wellbeing with making a connection, and no driver should have to balance safety and life with anything else, ever. The perception is that TCAT has a human resource team that can find a new general manager the reality is that Cornell and City of Ithaca have the right size staff and know how to do a national search whereas TCAT needed help to find drivers locally. If you don't recall read last year's minutes, we need a GM who understands transit and that we carry lives, precious lives. We don't need a boss for example who used to pack electronics or ship groceries, we need a leader. The perception may be that drivers get more time with their families with more four day workweeks, the reality is that drivers four days are usually more than 12 hours long, no time with

family for those four days plus one day to recover that means two days off and hardly any overtime. Does that really save the company overtime, does that really make the drivers happy? Did they actually set this up so that drivers could be mandated on a worst case scenario? The perception is that an open door policy and drivers are free to air grievances; the reality is that the doors are open when we are on the road and that most drivers are worried about job security. Most of us can't even see the Board because of our hours for your allotted 20 minutes during rush hour for this public comment section, if we can get their we don't want to speak in front of the person or persons who have the power to hire and fire us. The perception is that TCAT needs to spend lots of tax payer's money figuring out how to get new drivers; the reality is that TCAT has an excellent workforce with many skilled drivers and many excellent candidates who come to TCAT. As soon as they drive these hours they conclude it isn't worth it, so instead of spending a little more on drivers and schedules to make it work for everyone we spend money training more and more and more people. The transit supervisor's hands are tied, training continually, because they train continually, instead of being free to support drivers and passengers on the road. Instead of concentrating on spending tax payers money on finding new people why not just take care of the ones you have. The perception is that temporary drivers would give TCAT time to train new permanent drivers; the reality is that our current drivers are the ones who for the last six months could have been paid \$5.00 more per hour and TCAT would have spent less than they did on the contract drivers. While it might not be worth it to drive these routes for less than \$20 per hour lots of people would be willing to bite the bullet for \$25 per hour plus reasonable overtime. The perception is that TCAT needed to spend money on a survey to find out what the drivers think the reality is that you could just ask us. So please when you want to know what the reality is please come directly to us don't go through the filters of your officers or management, if you want the truth make it possible for us to communicate without fear of retaliation and give us time where we could actually show up. Don't forget that we drivers are also your best link to your clients, the passengers; they tell us what you need to know, make us all proud and happy to be here. And in conclusion, without us drivers there is no TCAT, we would like to post this letter so that drivers can sign it with no fear of retaliation then you would really know it was from all of us and with assurances from the board we know we would be safe.

P. Stein stated it's very hard for me to figure out how to respond to this, I listened very carefully, even though I ride the buses all the time my experience with drivers is essentially nil, a lot of times I try to open up a conversation with the drivers on the bus but I don't learn anything, but one thing just hit me do we have any complaints about retaliation against drivers for having made complaints, has that happened, have complaints like that come to us, if I believed that there was some kind of retaliation going on I would be extremely concerned about it but I honestly don't know how to figure out whether in fact that is a problem.

A. Gallegos stated we could ask Frank but I see he was going out to his bus because he wasn't able to get the time off to be here today.

P. Stein stated well I would like to hear about it somehow, I think if there is a problem we should know about it and I for one would be very angry and take every step I could to stop that. It's a terrible thing when that happens.

F. Proto stated from time to time I've gone into the break room and had a piece of pizza and sat and chatted and Andrew you are no shrinking violet we know that, the drivers I know have not hesitated to share a concern with me. I honestly do not know how many of the board members have been in there and if the break room is accessible, but over the years I've stopped in there a dozen times and chatted with a couple of the drivers.

A. Gallegos stated with the hours that we usually operate if you were to come in between 5:30am – 7:30am that's when the majority of the operators are there and from 2:30pm – 7:30pm that's when the majority of the traffic that comes through. Discussion followed.

IV. Approval of the minutes from April 28, 2016 Board of Directors Meeting and May 26, 2016 Board of Directors Meeting

The motion to approve the minutes from April 28, 2016 was made by J. Gutenberger, seconded by B. Brady. 6 in favor, F. Proto abstained. The motion to approve the minutes passed.

The motion to approve the minutes from May 26, 2016 was made by B. Brady, seconded by J. Gutenberger. 6 in favor, F. Proto abstained. The motion to approve the minutes passed.

V. Chairperson's Report

D. Howe reported the annual budget presentation with the local funders will be on August 1st, there will be a meeting prior to that with the budget people of the various partners to discuss in more detail the presentation and this is a new process and we hope it will inform future annual discussions. He stated he wanted to comment on the runcut process and the comments heard today, we appreciate everyone speaking up and understanding the concerns he stated he wanted to acknowledge the hard work of the staff, when you bring a new system in there are hitches, the idea of going to a smaller service level for the summer was because of the concerns of management for the health and welfare of the drivers, of them being overworked and mandated too much and too much overtime. So it is disappointing that this wasn't solved, the intentions were correct, I do feel the pain here and moving forward we will try to get to a better place in the future. I also want to comment on one thing that was said that the board cares more about the funding and the money, we care more about the welfare of everybody working here including the drivers.

VI. General Manager's Report

- **New Employees** – A. Eccleston stated we have a number of new hires here today and asked M. Smith to introduce the new bus operators that joined TCAT on June 20th. M. Smith stated we had 7 people start this week, 5 of them are present today, we split up their training days so that they can see what the actual service is like and also learn how to drive the buses and prepare for the road tests. He introduced A. Beck, T. Ellis, L. Brewer, R. Kennedy and D. Brunner. He stated we also have P. Hunter and W. Seddon who were not present. A. Eccleston stated welcome and we appreciate you joining us and we look forward to working with you as you get ramped up into your new roles as bus operators. She introduced R. Lalley TCAT's new Purchasing and Project Manager. She stated he comes with over 18 years of experience in the area of procurement and commodity buying, he recently worked for IBM for 10 years and he was doing procurement services for technical and strategic projects. A. Eccleston introduced R. DeBois who just joined TCAT, she is working with the HR department and is working closely with M. Yarrow and is able to help out in all the departments.
- **Monthly Operating Reports** – A. Eccleston presented the Monthly Operating Reports for May 2016. 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.

VII. Action Items from Staff

Consider Resolution {2016 - 12} Approval of 2016 Master Services Agreement with National Tour Integrated Resources, Inc. for Contract Bus Operators. D. Howe presented resolution {2016 - 12} approval of 2016 master services agreement with National Tour Integrated Resources, Inc. for contract bus operators.

RESOLUTION 2016 - 12 APPROVAL OF 2016 MASTER SERVICES AGREEMENT WITH NATIONAL TOUR INTEGRATED RESOURCES, INC. FOR CONTRACT BUS OPERATORS

WHEREAS, despite its ongoing recruitment efforts, Tompkins Consolidated Area Transit, Inc. (TCAT) is experiencing a shortage of bus operators that is also being experienced on the local, regional and national levels, and

WHEREAS, due to this shortage, TCAT entered into a Master Services Agreement with National Tour Integrated Resources, Inc. for the provision of up to ten temporary bus operators from November 5, 2015 through May 31, 2016, and

WHEREAS, on April 11, 2016, the TCAT Board approved reductions in summer service, effective May 22, 2016, because its employee bus operator staffing levels had not risen to a level that would permit TCAT to provide its full summer service, and TCAT could not continue to incur the costs of contract bus operators on a long-term basis, and

WHEREAS, TCAT's intensive recruitment efforts have resulted in the hiring of, and job offers to, a number of bus operators, but due to New York State DMV's current eight-week delay in scheduling road tests for bus operators, which delay unexpectedly grew substantially over the past few months, TCAT now anticipates it will not have sufficient staff to provide the full level of fall service until October 2, 2016, and

WHEREAS, as a result of its discussion on June 23, 2016, the TCAT Board determined it does not wish to decrease fall service, which must be planned now and begins August 21, 2016, because the shortfall in the numbers of bus operators will last for only the first six weeks of the fall service period, which runs until January 15, 2017, and

WHEREAS, procurement of a Contract Bus Operator Contractor by sealed bids or competitive proposals is infeasible because the public exigency will not permit a delay resulting from competitive solicitation if full fall service is to be maintained, and

WHEREAS, National Tour Integrated Resources, Inc. is willing to enter into an agreement with TCAT to provide up to five bus operators for six weeks on the same terms and conditions as were in its prior agreement, and

WHEREAS, TCAT's Transit Service Committee and Budget Committee recommend entering into the proposed 2016 Master Services Agreement with National Tour Integrated Resources, Inc. to provide up to five temporary professional contract bus operators for a period of six weeks, with an option to renew the contract for 6 additional weeks, therefore be it

RESOLVED, that the TCAT Board of Directors authorizes the Chairperson of the Board and the Acting General Manager to execute the proposed 2016 Master Services Agreement with National Tour Integrated Resources, Inc., effective from June 23, 2016 until October 2, 2016 and with an option to renew for an additional 6 weeks, for up to five contract bus operators at rates and costs in that Agreement, said agreement being subject to the approval of TCAT's attorney.

The resolution to approve 2016 Master Services Agreement with National Tour Integrated Resources, Inc. for contract bus operators was moved by J. Dotson; seconded by F. Proto. The resolution passed unanimously.

Consider Resolution {2016 - 13} Selection of IBI Group Inc. to provide maintenance management system specifications development. D. Howe presented resolution {2016 - 13} selection of IBI Group Inc. to provide maintenance management system specifications development.

RESOLUTION 2016 – 13
SELECTION OF IBI GROUP INC. TO PROVIDE MAINTENANCE MANAGEMENT SYSTEM
SPECIFICATION DEVELOPMENT FOR THE PURPOSE OF DEVELOPMENT OF THE
REQUEST FOR PROPOSAL FOR MAINTENANCE MANAGEMENT SYSTEM SOFTWARE
("TECHNOLOGY ROADMAP PROJECT "B")

WHEREAS, TCAT, Inc. (TCAT) desires to develop a Request for Proposal (RFP) for Maintenance Management System Software and requires assistance with the Specification Development, and

WHEREAS, TCAT contracted with IBI Group Inc. for an Information Technology / Intelligent Transportation Study, and later contracted with IBI Group Inc. for Specifications Development, Procurement Support for the Technology Roadmap Project A, and

WHEREAS, as part of the Technology Roadmap Recommendations, the second project recommended for deployment was Project B – Enterprise Database System and this included the concurrent deployment of a Maintenance Management System, and

WHEREAS, IBI Group Inc. has proposed to provide Maintenance Management System Software Specification Development and Standard Operating Procedure Documentation as an additional option to TCAT for the Not-to-Exceed sum of Fifty-Four Thousand Nine Hundred Dollars (\$54,900), therefore be it

RESOLVED, that the TCAT Board of Directors approves a contract with IBI Group Inc. to develop specifications for the Maintenance Management System Software RFP and to provide Standard Operating Procedure Documentation, and be it further

RESOLVED, that the TCAT Board of Directors authorizes the Chairperson of the Board and the General Manager to execute an agreement with IBI Group Inc. for Specification Development and Standing Operating Procedure Documentation for the Not-to-Exceed sum of Fifty-Four Thousand Nine Hundred Dollars (\$54,900).

The resolution to select IBI Group Inc. to provide maintenance management system specifications development was moved by F. Proto; seconded by B. Brady. Discussion followed. The resolution passed unanimously.

Consider Resolution {2016 - 14} Selection of Stertil-Koni USA, Inc. as TCAT, Inc.'s Mobile Wheel Lift Units Provider. D. Howe presented resolution {2016 - 14} to select Stertil-Koni USA, Inc. as TCAT Inc.'s mobile wheel lift units provider.

RESOLUTION 2016-14
SELECTION OF STERTIL-KONI USA, INC. AS TCAT, INC.'S
MOBILE WHEEL LIFT UNITS PROVIDER

WHEREAS, TCAT, Inc. (TCAT) requires replacement wheel lift units due to failure of the existing units, and

WHEREAS, due to the critical nature of its bus repair operations, on June 14, 2016, TCAT utilized an expedited procurement process for the purchase of four mobile wheel lift units and received three (3) written proposals, and

WHEREAS, after careful consideration of the proposals, TCAT staff have determined that Stertil-Koni USA, Inc. ("Stertil-Koni") would provide the lowest cost solution, Stertil-Koni is a qualified and acceptable vendor, and acceptance of its proposal would be in the best interests of TCAT, and

WHEREAS, TCAT staff recommend purchasing four Mobile Wheel Lift units with Stertil-Koni USA, Inc. to provide required equipment to permit required bus maintenance, and

WHEREAS, Stertil-Koni USA, Inc. proposed to provide four Mobile Wheel Lift Units to TCAT for the total sum of Thirty-Three Thousand Five Hundred dollars (\$33,500), therefore be it

RESOLVED, that the TCAT Board of Directors selects Stertil-Koni USA, Inc. as TCAT's Mobile Wheel Lift Units Provider, and be it further

RESOLVED, that the TCAT Board of Directors authorizes the Chairperson of the Board and the General Manager to execute a purchase order with Stertil-Koni USA, Inc. to procure four Mobile Wheel Lift units for the proposed amount of Thirty-Three Thousand Five Hundred dollars (\$33,500).

The resolution to select Stertil-Koni USA, Inc. as TCAT Inc.'s mobile wheel lift units provider was moved by J. Dotson; seconded by P. Stein. Discussion followed. The resolution passed unanimously.

VIII. Committee Reports

- **Executive Committee**

F. Proto reported that the Executive Committee met on June 14, 2016 and discussed TCAT annual draft presentation, local funders budget meeting scheduled for July 29, 2016, strategic planning, fall service and recruitment status, GM search update, facility needs assessment project and the PTSB close out report.

- **Budget Committee**

D. Howe reported that the Budget Committee met on June 21, 2016 and discussed Revenue Expenditure Report May 31, 2016, Fuel Report, 2017 Operating Budget, 5 year Operating Budget, 2017 Capital Budget, 5 year Capital Budget, Proposed project expenditures for 2015 MRT capital excess over budget, budget presentation date and invitation letter.

- **Transit Service Committee**

B. Brady reported that the Transit Services Committee met on June 2, 2016 and discussed cooperation between TCCOG and TCAT, what's a bus stop project update, recruitment update, and 2016 fall service levels.

- **Human Resources Committee**

J. Dotson reported that the Human Resources Committee met on June 22, 2016 and discussed current headcount, hires, separations, retention rate, and current recruitment efforts for bus operators and mechanics.

- **Planning Committee**

The planning committee did not meet.

- **Audit Committee**

F. Proto reported that the Audit Committee met on June 15, 2016 and reviewed the 2015 audited financial statements with Duane Shoen from Insero & Co. CPA's, LLP.

F. Proto made a verbal motion to accept the 2015 audited financial statements from Duane Shoen from Insero & Co. CPA's LLP; J. Gutenberger seconded. The motion passed unanimously.

- **GM Search Committee**

F. Proto reported that the GM search committee met a couple of times and reviewed the GM job description, and requested a procedure on what's going to be done and by who, the advertising has been done and we are receiving responses. He stated there will be another committee named to do the interviews and that will be expanded beyond the search committee and it will include other board members as well as employees. Discussion followed.

IX. Next meeting

D. Howe announced the next meeting date of July 28, 2016.

X. Executive Session

D. Howe asked for a motion to enter into executive session to discuss personnel matters. The motion was made by J. Gutenberger; seconded by B. Brady. The motion passed. The Board entered into Executive Session at 5:52 PM. The Board arose from Executive Session at 6:21 PM.

XI. Adjournment

The motion to adjourn the meeting was made by F. Proto; and seconded by B. Brady. The meeting adjourned at 6:21 PM.