

**Tompkins Consolidated Area Transit, Inc.**  
**May 24, 2018 Board of Directors Meeting**  
4:00pm – TCAT Conference Room  
737 Willow Avenue, Ithaca, NY

***Attendees***

Board Members: Bridget Brady, Jennifer Dotson, William Gray, Dan Klein, Ducson Nguyen, Frank Proto, Peter Stein (present by phone), Denise Thompson

Staff Attendees: Richard Andrascik, Bill Armatige, Scott Bloss, Susan Brock, Clarence Clink, Frank Howells, Shawn Kelley, Raymond Lalley, Patty Poist, Bob Sherman, Mike Smith, Pamela Torelli (Recording Secretary), Scot Vanderpool, Matthew Yarrow

Other Attendees: Tori Andrews\*, Anthony Cotogno\*, Joel Daugherty\*, Matt Dunlap\*, Jesa Scott\*, Nan Xie  
\* left meeting at 4:30pm.

Absent: John Gutenberger

***I. Call to Order***

F. Proto called the meeting to order at 4:05pm. He welcomed everyone to the May 24<sup>th</sup>, 2018 TCAT, Inc. Board of Directors Meeting. He stated it was nice to see our new mechanic, four of our five new drivers, and a summer intern present at the meeting.

***II. Board Member Items***

There were no Board Member items discussed.

***III. Public Comment***

There was no one present that had a public comment.

***IV. Approval of minutes from April 26, 2018 BOD Meeting.***

Motion made by: W. Gray Seconded by D. Thompson. The minutes were amended to include the reasons for going into Executive Session, two motions following Executive Session, and a correction on the end-time of the meeting. The motion to approve amended minutes was passed by a vote of 6-0-1 with D. Nguyen abstaining.

***V. Chairman's Report***

F. Proto reported. Between the triennial review, new hires and training them, and the upcoming negotiations meeting, it's been a busy month, a "very aggressive 5 weeks" and the staff should take a bow.

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

Monthly System Reports; S. Vanderpool presented the Systems Report for April. Ridership is up 2.1% from the first 4 months of 2017; urban and rural toll ridership was up 3.4% in the last month. Detours and construction have impacted our routes somewhat, which impacts ridership. The cost of parts is down \$29,000, likely due to

the 11 new buses in our fleet, and road calls were reduced significantly from 47 road calls in March to 16 in April. We had quite a few road calls in the beginning of the year, but this is the first full month with our new busses so a decrease is expected. Preventative Maintenance – our fleet is at 81.4% compliance for April in comparison to mid-March when we were 63.5% compliant. The Federal government requires 80% compliance, so we are going in the right direction to hit our goal of 90% compliance. There were only three minor accidents this month as compared to 17 and 29 in previous months, and whereas February saw 214 missed trips, in March we only had 10. This is a significant decrease, and everybody deserves kudos. Marketing and Communications was busy in March due to the construction detours and notifying the public of route changes. There are several ways the public gets informed such as text, Twitter, Avail app messages, etc.; it takes a lot of work to get the information out to our riders, and Scot is appreciative of the work done to keep on top of that. In April, we had a stakeholders meeting, an open house, and the Triennial Review, all of which were a lot of work for Patty Poist, who did a great job getting it all together. S. Vanderpool then asked P. Poist to tell us about a group of visitors coming this week. P. Poist told us a group of about 30 three-year old nursery school students and some chaperones will come to our facility tomorrow; they'll board a bus and go through the bus wash, then they'll go to Stewart Park on the bus. Three of the staff members will dress up like cats and will be with the children to answer any questions they may have. All staff members are invited to say hello and/or go to the Park with the children.

Vanderpool introduced Shawn Kelley, our new Union Chair for TCAT and Nan Xie, an intern working on the First Mile Last Mile Project. He also introduced our new fulltime drivers, Jesa Scott, Tori Andrews, Matt Dunlap, and Joel Daugherty. He also introduced Anthony Cotogno, our new mechanic. Scot appreciates having them here, and he is excited for what they're bringing to the table. He thanked them for coming and told them they could leave the meeting if they wanted to.

He also mentioned the network and phone system is in place at the Green Street Waiting Station which allows the Service Rep on site to be more effective.

## ***VII. Action Items***

### **Resolution 2018-11: TCAT Purchasing and Procedures Manual**

Motion for approval made by W. Gray, seconded by D. Nguyen. Resolution 2018-11 passed unanimously as follows:

#### **RESOLUTION 2018-11 TCAT PURCHASING AND PROCEDURES MANUAL**

WHEREAS, staff of Tompkins Consolidated Area Transit, Inc. (TCAT) have revised TCAT's Purchasing and Procedures Manual, and Tompkins County has submitted the Manual to the Federal Transit Administration as part of the County's and TCAT's Triennial Review process,

NOW, THEREFORE, be it RESOLVED that the TCAT Board of Directors hereby approves and adopts the attached TCAT Purchasing and Procedures Manual, dated May 17, 2009, and revised May 2018.

Adopted by the TCAT Board of Directors on the 24<sup>th</sup> day of May, 2018.

**Resolution 2018-12: Subrecipient Agreement with Tompkins County for FTA Grants**

Motion for approval made by B. Brady, seconded by W. Gray. F. Proto explained this document has been a lot of work; one change that we wanted in writing was the opportunity to reopen this agreement with the County. We were able to get a new provision inserted that allows reopening. Another change regarding closeout procedures was also made to Page 10 of the agreement as follows:

6. Closeout of Subrecipient Agreements  
It is the responsibility of the TCAT and County Project Managers (PM) to establish that the work under a subrecipient agreement has been completed, and the Federal interest in capital assets purchased under the agreement have fully depreciated. When the PMS determine that all work is complete, the PM should prepare a checklist showing all the contract deliverables and submittals, and indicating on the checklist that all submittals and deliverables have been reviewed, inspected and accepted. The TCAT PM should notify the County Project Manager by memorandum that the contract is complete and all required deliverables have been inspected and accepted.

When we reopen, we want to add another clause that states the County, not TCAT, will finalize by return memo that the contact is complete and all required deliverables have been inspected and accepted.

It came to our attention that the draft was already submitted to the FTA prior to this Board signing it or even reviewing it, (that procedure itself will be reviewed in earnest due to the awkwardness it caused), but now we need confirmation of approval from the board. Resolution 2018-12 passed unanimously as follows:

**RESOLUTION 2018-12  
SUBRECIPIENT AGREEMENT WITH TOMPKINS COUNTY FOR FTA GRANTS**

WHEREAS, Tompkins County (the “County”) executes agreements with the Federal Transit Administration (FTA) for grant awards that have funds allocated to Tompkins Consolidated Area Transit, Inc. (TCAT), and

WHEREAS, the FTA requires Tompkins County to enter into a Subrecipient Agreement with TCAT so TCAT can implement, incur eligible costs and receive reimbursement of FTA funds for certain projects in the grant awards, and

WHEREAS, the attached “Subrecipient Agreement, Tompkins County and Tompkins Consolidated Area Transit, Inc.” spells out each party’s rights and responsibilities related to the FTA grant money awarded from 2015 to the present, specifies the projects and amounts for which TCAT has received grant reimbursement, and contemplates that Tompkins County and TCAT may add new grant awards to the Subrecipient Agreement by amendment until December 31, 2023, and,

WHEREAS, Tompkins County has submitted the attached executed Subrecipient Agreement to the FTA as part of the County’s and TCAT’s Triennial Review process,

NOW, THEREFORE, be it RESOLVED, that the TCAT Board of Directors approves the attached Subrecipient Agreement with Tompkins County, dated May 15, 2018, and ratifies its execution by the Board Chair and General Manager.

Adopted by the TCAT Board of Directors on the 24<sup>th</sup> day of May, 2018.

**Resolution 2018-13: Title VI/Civil Rights Program**

Motion for approval made by W. Gray, seconded by B. Brady. We must update our Title VI Program for the FTA every 3 years; Title VI is a list of Civil Rights complaints filed in the last 3 years against TCAT. The chart was updated to include a current litigation in Federal Court filed against TCAT on June 10, 2015 by A. Gaellgos alleging he was denied promotion to a supervisory position due to discrimination based on age, race and national origin. Along with the addition of this case, the attachment was updated to reflect there are currently no open cases with the FTA and one complaint pending in Federal District Court. With these changes, Resolution 2018-13 passed unanimously as follows:

**RESOLUTION 2018-13  
ADOPTION OF TITLE VI and LEP PLAN**

The undersigned secretary of Tompkins Consolidated Area Transit, Inc. (TCAT, Inc.) does hereby certify at a meeting of the TCAT, Inc. Board of Directors on May 24, 2018, at which a quorum existed, the following resolution was unanimously approved:

WHEREAS, as a subrecipient of Federal Transit Administration (FTA) funding, TCAT, Inc., and its paratransit contractor, Gadabout Transportation Services, Inc., are required to adhere to Title VI of the Civil Rights Act of 1964, and

WHEREAS, TCAT, Inc. and Gadabout conduct their services without regard to race, color and national origin, in accordance with Title VI, and

WHEREAS, as a subrecipient of FTA funding, TCAT, Inc. and Gadabout are required to comply with Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency (LEP), which directs agencies receiving FTA funds to ensure passengers have meaningful access, inclusive of language translators, to services and information that TCAT and Gadabout's paratransit operations provide, and

WHEREAS, TCAT, Inc. and its paratransit contractor widely distribute information to their customers regarding their rights under Title VI, and

WHEREAS, TCAT, Inc., following a series of 10 public and well-publicized meetings, in 2015 created its first-ever Service Standards and Policy Plan, which is required by the FTA under Title VI, and

WHEREAS, the intent of the Service Standards and Policy Plan is to ensure that TCAT, Inc. (and its paratransit contractor) are serving the entire community fairly across all neighborhoods, races, ethnicities, languages and income levels, despite the performance of any given bus route, and

WHEREAS, prior to June 1, 2018, the TCAT Board of Directors is required to adopt this plan.

NOW, THEREFORE, BE IT RESOLVED that the TCAT, Inc. Board adopt TCAT, Inc.'s Title VI and LEP Plan dated May 24, 2018, with an effective date as of the FTA's concurrence with Tompkins County's FTA Title VI Civil Rights & Environmental Justice Program 2018 Submission.

**Resolution 2018-14: Uniform Management**

Motion for approval made by B. Brady, seconded by W. Gray. With dissatisfaction in the amount of time it takes to get uniforms ordered in dealing with our current uniform process, a new uniform management service was adopted. This is a one-stop arrangement where Unifirst will handle all of our uniform needs, including sizing, and application of Union patches. Resolution 2018-14 passed unanimously.

**RESOLUTION 2018-14  
UNIFORM MANAGEMENT SERVICES**

WHEREAS, TCAT, Inc. (TCAT) is in need of an improved solution to provide and manage uniform apparel to support TCAT personnel. The solution will provide on-going uniform lease and rental services, along with a sweater purchase component, and

WHEREAS, on March 30, 2018, TCAT issued a Request for Proposal (RFP) for a Uniform Management Program, and TCAT received responses on April 23, 2018 from Cintas Corporate Services, Inc., and Unifirst Corporation and

WHEREAS, TCAT's evaluation team evaluated the RFP responses on April 24, 2018, and decided to further consider the proposals from Cintas Corporate Services, Inc., and Unifirst Corporation, and

WHEREAS, the evaluation team after further review concluded that Unifirst Corporation is able to meet the requirements and provided the most cost-effective proposal, and

WHEREAS, the evaluation team recommends that TCAT enter into a contract with Unifirst Corporation for uniform management services, therefore be it

RESOLVED, that the TCAT Board of Directors selects Unifirst, as its uniform management service 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 three-year contract with Unifirst Corporation, for the uniform management services described in its April 23, 2018 response to the RFP, in an amount not to exceed One Hundred Eighteen Thousand Three Hundred and Seventy-Nine dollars and no cents (\$118,379.00).

Adopted by the TCAT Board of Directors on this the 24<sup>th</sup> day of May, 2018.

**Resolution 2018-15: Low-No Emission Program**

Motion for approval made by B. Brady, seconded by D. Nguyen. After removing a section previously highlighted in yellow, Resolution 2018-15 passed unanimously as follows:

**RESOLUTION 2018-15  
Local Match for Low or No Emission (Low-No) Program**

WHEREAS, pursuant to contract, Tompkins Consolidated Area Transit, Inc. (TCAT) provides public transit bus services throughout Tompkins County, New York, with the use of buses owned by Tompkins County and operated and maintained by TCAT, and

WHEREAS, TCAT supports Tompkins County's application to the 2018 Federal Transit Administration Low or No Emission (Low-No) Program for financial assistance in procuring six (6) new electric buses, bus charging equipment, and training for TCAT's workforce, and

WHEREAS, TCAT supports local comprehensive plans that call for greenhouse gas emission reductions and sustainable transportation; in particular, the Ithaca-Tompkins County Transportation Council's 2035 Long Range Transportation Plan which states that an overarching goal of the plan is to "minimize negative environmental impacts of transportation including: dependency on fossil fuel energy use, emissions, noise pollution and non-point source pollution," and

WHEREAS, TCAT and Tompkins County are looking to replace aging diesel buses that are expensive to maintain, have low fuel efficiency, and were manufactured prior to more recent emissions requirements, and

WHEREAS, TCAT and Tompkins County see electric bus technology as integral to moving to a sustainable transportation future, yet they cannot access the electric bus market outright due to high costs and no direct experience with the technology, and

WHEREAS, receipt of buses funded by the Low-No Program would help TCAT and Tompkins County increase their bus capacity to meet increased demand for public transit services; TCAT's rides increased from fewer than 3 million in 2007 to 4 million in 2017, which rate of increase outpaced the total US bus ridership by 40% over that ten year period, and large planned and under-construction housing and hotel projects in the City of Ithaca, in other Tompkins County municipalities, and on Cornell University's campus will further increase the demand for more public transit services, and

WHEREAS, a formula adjustment in the NY State Operating Assistance Program (STOA) in 2018 payments has made an estimated \$1.4 million available for use in TCAT's capital program, and

WHEREAS, TCAT is required to identify local funding sources as a part of the Low-No Program application, now, therefore be it

RESOLVED, that the TCAT Board of Directors authorizes an amount not to exceed \$1.4 million derived from NY STOA payments to include as a local match in Tompkins County's application to the 2018 Low-No Program.

Adopted by the TCAT Board of Directors on this the 24<sup>th</sup> day of May, 2018.

## **VIII. Committee Reports**

### ***Executive Committee:***

The Executive Committee met on May 16 and discussed: Sub-Recipient Agreement with Tompkins County; Purchasing and Procedures Manual Performance Management Agreement with ITCTC and NYSDOT; Strategic Plan the need for an additional meeting in May; Union Negotiations; Health Consortium; After-hours drug testing

***Audit Committee:***

The Audit Committee did not meet.

***Budget Committee:***

The Budget Committee met on May 15 and discussed: STOA Update; Revenue Expenditure Report April 30, 2018; Fuel Report; 2019 Preliminary Operating Budget; 2019 Preliminary Capital Budget

***HR Committee:***

The HR Committee did not meet.

***Planning Committee:***

The Planning Committee did not meet.

***Transit Service Committee:***

The Transit Service Committee met on May 8 and discussed: ITS project; Bus stop signage; Strategic plan; Farebox system; Summer interns; Fare-free transit; Mid-range planning

S. Brock sought clarification regarding the Board's April approval of spending up to \$10,000 for our labor relations negotiator; at that time, we thought we were going to proceed with procurement in a certain way, but now that we've passed the Purchasing and Procedures Manual, we will do a small purchases process where we get quotes verbally from a number of sources. Under our Purchasing and Procedures Manual and the Contract Signing Policy, which align, the Board does not have to approve anything up to \$25,000. She wanted to clarify the Board is in agreement that we do not need to come back to the Board to approve the labor negotiator and an amount up to \$25,000. The Board agreed.

***IX. Next meeting:***

The next meeting will be June 28, 2018.

***X. Executive session***

Motion to enter Executive Session to discuss personnel items made by: J. Dotson and seconded by D. Nguyen. The Board entered Executive Session at 5:42pm. No motions were acted upon. The Board arose from Executive Session at 6:07pm.

***XI. Adjournment***

The motion to adjourn the meeting was made by D. Nguyen and seconded by D. Thompson. The meeting was adjourned at 6:07pm.