

Tompkins Consolidated Area Transit, Inc.
October 25, 2018 Board of Directors Meeting
4:00pm – TCAT Conference Room
737 Willow Avenue, Ithaca, NY

Attendees

Board Members: Bridget Brady; Bill Gray; John Gutenberger; Dan Klein; Ducson Nguyen; Frank Proto; Denise Thompson

Absent: Jennifer Dotson; Peter Stein

Staff Attendees: Rick Andrascik; Scott Bloss; Susan Brock; Shawn Kelley; Patty Poist; Bob Sherman; Maddy Schafer; Mike Smith; Pamela Torelli; Scot Vanderpool

Other Attendees: Dameon Allen*; Travis Anderson*; Ela Johnson*; Adam Wemmer*; Mike Wendlowski**

*left meeting at 4:26pm; **left meeting at 5:35

I. Call to Order

F. Proto called the meeting to order at 4:08pm.

II. Board Member Items

There were no Board Member items discussed.

III. Public Comment

There were no public comments made.

IV. Approval of minutes from August 28 Special meeting and September 27

A motion to approve the August 28, 2018 minutes from the Special meeting of the TCAT Board of Directors was made by B. Gray and seconded by B. Brady. The minutes of August 28, 2018 were approved unanimously.

A motion to approve the September 27, 2018 minutes of the TCAT Board of Directors meeting was made by D. Klein and seconded by B. Brady. The minutes of September 27, 2018 were approved unanimously.

V. Chairman's Report

Mr. Proto asked if anyone had a chance to see and/or ride the demo Proterra electric bus that was on-site last week. D. Nguyen said he went for a ride and found the bus to be very loud, describing the sound as "whiny", but pointed out they are quieter than diesel, but also still loud. He noted going up Route 13 towards the mall, acceleration was good, and the ride was smooth. He said there are still challenges to work out, such as the need for new lifts due to different mounts on the Proterra, but also pointed out they hold 3 bikes, not just 2; his overall impression: "They pretty great. I look forward to them."

S. Kelley also went for a ride and stated it can go up Route 13 at 45mph, which is amazing. He said it rode well. Mr. Proto thanked both for their input.

Mr. Proto's term as Chairman expires at the end of December; D. Nguyen will become Chair, and B. Brady will become Vice Chair, therefore we need two volunteers to form the nominating committee to select a nominee for B. Brady's current position as Secretary/Treasurer. D. Nguyen and J. Gutenberger volunteered.

The Executive Committee was reminded to review the RFPs received for Legal Services provider and Supplemental Legal Services provider. Responses to the RFPs are due to R. Lalley tomorrow. Please rate the RFPs and get back to Mr. Lalley.

Mr. Proto also reminded the Executive Committee of the required upcoming end-of-year review for Mr. Vanderpool, which is the responsibility of the current Chairman and immediate Past-Chair, B. Gray; if anyone wants updates on this review please contact Mr. Proto or Mr. Gray.

Current and edited Mission and Vision statements were passed out for Committee review and comparison. Mr. Proto asked for members to review and provide comments to Mr. Vanderpool or Ms. Torelli.

It was announced there is need for an executive session following open session.

VI. General Manager's Report

Ridership: Vanderpool noted at the NYPTA conference in Albany recently, he learned we are the only entity in New York state that has a ridership percentage increase above zero. Ridership is up 6.3% from September 2017 and up 3.2% for the year. Route 14S continues rise, up a little from the previous month. Campus night service has continued to decline due to Uber and Lyft. Paratransit is down, but that is happening across the entities and is due to Non-Emergency Medical Transport (NEMT), a service that New York has commissioned through a group called Mas Brokerage System which is taking all the Medicaid riders away from our paratransit system, as well as all of New York state. Every paratransit system in New York state is down; NYPTA as a group is going to discuss this with Albany.

Accidents and Incidents: There were seven minor and one moderate preventable accident, and the moderate had no injuries. That's 2 months now with no injuries.

Missed trips: There were 57 missed trips, all due to bus shortage. In an attempt to combat this, moving forward each missed trip will require a written explanation to S. Vanderpool; there is a different third shift structure and some personnel changes, and we are in the process of hiring a 3rd shift supervisor.

Marketing and Communication: We tabled at Downtown Ithaca Alliance for new Cornell and IC students, and we participated in Streets Alive. P. Poist and F. Howells were there. P. Poist reported they handed out candy and blinky lights, and the kids loved the bus.

Human Resources: We currently have 80 full-time bus operators and two more starting training on the 5th of November, bringing us to 82 full-time bus operators, up from the 70-something we had at the beginning of the year. D. Wiles reported changes in run cuts have created part-time roles, so we will be recruiting a part-time group which will provide some relief to the full-time drivers. We also have some newly opened positions such as Maintenance Service Supervisor to address some of the needs of the third shift, and we still have an open search for the Manager of Safety, Training and Security.

S. Vanderpool introduced four new TCAT staff members: Payroll Coordinator Ela Johnson, Custodian Travis Anderson, and full-time Bus Operators Dameon Allen and Adam Wemmer. The new hires left the meeting following their introduction at 4:26pm.

VII. Committee Reports

Executive Committee

The Executive Committee met on October 22 and discussed Strategic Plan Update; City Budget Vote; Intercity Bus Concern (and letter from city attorney); Avail Update; Discuss the Executive Committee Annual Review of General Manager; NYPTA Conference, Albany, NY - Tuesday 10/22 through noon on Thursday 10/24; New Bus Order; TCAT Annual Report 2017 (completed); Mission, Vision, Core Value Statements (any feedback); Zone 2 Discussion; TCAT Health Insurance Coverage 2019; Mortgage Recording Tax 2019

Strategic Plan Update: Any comments that you want to submit must be sent to Matt Yarrow as soon as possible. A strategic plan final session is scheduled for Monday, November 5 from 3-5pm here in the LCR for Board Members to review the plan and go over any last minute changes the Board may want to make.

Proto asked Nguyen for an update on the City budget. Nguyen reported "zero comments from the Council." The TCAT ask went through without comment or question. Proto thanked Nguyen for taking this to the Common Council.

Intercity Bus update: How is it going on Green Street? M. Yarrow reported there are not too many extra passengers passing through the Green Street station, but we've seen a greater disregard for safety issues, e.g. inter-city bus operators aren't sure where to go or may not have an area to wait; passengers are loading or unloading into the street; baggage has been unloaded street-side vs. curbside, etc. There have been ambassadors down there to help, and there have been vehicles ticketed. The start of Fall Break was an issue as traffic was at a stand-still for a while downtown, which City officials noticed.

Vanderpool asked if the intercity bus companies can be asked to not bring extra buses downtown, but rather take them directly to Cornell where they are needed. Yarrow reported that was already taken care of at a meeting earlier in the week.

Avail update: Three weeks ago we went to Avail with a change order. We asked for a free upgrade when the system comes on line OR give us two additional spare units. In our change order we recognized that we've been using their support for a year and a half, and that's one of their main arguments, but we also wanted them to understand we've put a lot of time into this, too, so we calculated the two and balanced them and in the end we offered them \$30,000. We have an upcoming phone meeting on November 2 after which they will take some time to get back to us and we will hopefully come to a resolution.

New bus order update: We've ordered 3 electric buses, and we've also ordered 9 diesel buses. We ordered them because we need busses sooner than later. We'll get the 3 electric buses, but we want to use them first and see if there are any issues before we move forward from there, but we know we're going to need buses. We have 12 buses beyond their life expectancy right now, so the 3 electric plus 9 diesels will take care of those. We've settled on New Flyer buses because they have electric assist steering whereas Nova does not.

Storage shed update: Construction was halted due to visible water table (mud and slush). We are working with the city inspector to provide new plans for the foundation, which means additional cost. We need to decide to continue with the additional costs, or discontinue the project altogether. A resolution was created to pay the additional cost to build the shed. Motion was moved by D. Klein and seconded by B. Gray. The resolution passed 5-0 with two abstentions.

**AMENDMENT OF SERVICES AGREEMENT
BETWEEN
TOMPKINS CONSOLIDATED AREA TRANSIT, INC.
AND
MARCHUSKA BROTHERS CONSTRUCTION, LLC**

THIS AMENDMENT OF SERVICES AGREEMENT, effective as of October 26, 2018, is made by and between Tompkins Consolidated Area Transit, Inc., a New York State not-for-profit corporation with offices at 737 Willow Avenue, Ithaca, New York, hereinafter referred to as "TCAT, Inc." and Marchuska Brothers Construction, LLC, with offices at 436 Airport Rd, Endicott, NY 13760-4406, hereinafter referred to as "Contractor."

WHEREAS, TCAT, Inc. and Contractor entered into an Agreement for Services dated April 13, 2018, in the amount of Ninety-One Thousand Six Hundred Fifty-Four Dollars and No Cents (\$91,654.00) ("Contract Amount") for construction of a storage building (the "Contract"), and

WHEREAS, the Contract's termination date ("Termination Date") is December 30, 2018, and

WHEREAS, unforeseen subsurface conditions and discovery of an unmapped underground pipe require changes to the project scope, an increase in the Contract Amount, and extension of the Termination Date,

NOW, THEREFORE, in consideration of the agreements contained herein, TCAT, Inc. and the Contractor agree as follows:

1. Contractor's scope of work under this Contract is amended as shown in attached Change Order 1 and Change Order 2.
2. The lump sum payment described in Contract section 2 is revised to One Hundred Nine Thousand Four Hundred Seventy-Nine Dollars and No Cents (\$109,479.00).
3. The Termination Date is extended to January 15, 2019.
4. All other provisions of the Contract remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment of Services Agreement on the date(s) specified below.

Frank P. Proto, Chairman, TCAT Inc. Board of Directors, 10/30/18

Scot Vanderpool, General Manager, 10/26/18

Justin A. Marchuska II, Marchuska Brothers Construction, LLC, 10/26/18

Mike Wendowski left the meeting at 5:35

Gadabout update. Gadabout is projecting a shortfall in funding next year somewhere between 200 and 300 hundred thousand dollars due to a continued decrease in ridership, repairs for 12 buses that are beyond their useful life expectancy in 2019, and they are trying to raise 35 salaries to meet the living wage. TCATs cost of handling ADA is going to be a lot higher if we have to take it over. Gadabout is attempting to get grants to cover the shortfall.

Budget Committee

The Budget Committee met on October 16 and discussed Business Insurance Renewal; MRT Update; Revenue Expenditure Report September 30, 2018; Fuel Report; Revised 2019 Operating Budget; Revised 2019 Capital Budget

Human Resources Committee

The Human Resources Committee met on October 11 and discussed TCAT Organizational Structure, Fall Refresher Training – December 2 and 16, Grants Gateway, Future Election Day Free-Fare Discussion

Planning Committee

The Planning Committee met on October 11 and discussed satellite facilities/ growth strategies of other transit agencies and possible alternate solutions; Strategic Plan in reference to the new facility; Possible new site for consideration.

Transit Service Committee and **Audit Committee** did not meet.

S. Brock reported 3 Board member’s terms are expiring at the end of the year; B. Gray, J. Gutenberger and P. Stein. S. Brock will send a letter to Martha Robertson [county], Mayor Myrick [city] and Martha Pollack [Cornell] asking for their recommendations.

VII. Next meeting:

The next meeting will be December 6, 2018.

IX. Executive session

A motion was made by B. Gray, seconded by D. Nguyen to enter into Executive Session to discuss threatened litigation by Cruz, Rupert and Dingman. The Board entered Executive Session at 5:40pm. No actions were taken.

The Board arose from Executive Session at 5:56pm.

X. Adjournment

The motion to adjourn was made by B. Brady, seconded by B. Gray. The meeting was adjourned at 6:00pm.

Minutes respectfully submitted by Pamela Torelli, Recording Secretary, December 6, 2018.