

Tompkins Consolidated Area Transit, Inc.

Meeting of the Board of Directors

June 24, 2021 | 4:00pm via Zoom

Attendees

Board Members: Deborah Dawson; Jennifer Dotson; Dan Klein; Laura Lewis; Ducson Nguyen; Frank Proto; Gary Stewart; Denise Thompson

TCAT Staff: Rick Andrascik; Susan Brock; Julie Ellis-Grove; Gian Fountain; Raymond Lalley; Colleen Marsh; Curt Parrish; Patty Poist; Megan Pulver; Madlyn Schafer; Mike Smith; Phil Smith; Pamela Torelli; Scot Vanderpool; Nate Wells, Matt Yarrow

Public Attendees: Fred Schoeps

Absent: Bridgette Brady

Call to Order

Chair D. Klein called the meeting to order at 4:03 pm.

Approval of minutes

A motion to approve the minutes of May 27, 2021 made by D. Dawson, seconded by L. Lewis. The minutes were approved unanimously with a vote of 8-0-0.

Chair's Report

Chair Klein showed a copy of the current *Tompkins Weekly* featuring a photo of Assistant General Manager Matt Yarrow and an article about the TCAT TDP.

Open Meetings Law

D. Klein wanted to discuss the Open Meetings Law and asked S. Brock to give us the framework of what we needed to know and what the requirements are. Brock stated she just sent information to all in attendance using the Chat feature in Zoom, and went on to say the Governor's Executive Order declaring a State of Emergency will be rescinded or revoked effective at midnight tonight. Under the State of Emergency, Governor Cuomo waived certain requirements under the Open Meetings Law. Typically, you need to have a site for the meeting where one or more Board members are participating physically, and allow members of the public to observe the meeting or provide public comment at that site. The information Brock posted to the Chat says that you can use video conferencing to conduct the meeting at the main site, but if you have one or more members who need to participate from off-site, they can. Under the Open Meetings Law, you are supposed to advertise every location where a member is participating from, and the public is supposed to be able to go to that site. For example, if somebody had surgery and is participating on their phone at home from bed, you are supposed to Public Notice their home, and let people in. In fact, one of the towns Brock works with has had to do that. Nobody showed up at that person's home, but regardless, people can continue to participate from off-site. We would go back to the old rules and under our By-Laws, we say very specifically, you can do it by telephone or any other means that would allow everyone to hear each other at the same time. We will likely begin holding meetings again in the Large Conference Room, allowing the public in, but other people can still participate from off-site if they want to.

Chair Klein asked if we are subject to the Open Meetings Law the same as local governments. S. Brock responded yes, per our By-Laws, but not for any other reason. When the By-Laws were being developed, there was a big discussion, and that was the consensus. Brock read from the By-Laws: "Meetings of the Board and its committees will be conducted as open meetings as set forth in... the Open Meetings Law."

Chair Klein asked to spend a few minutes in discussion to determine what people want.

D. Dawson wants to get back to in-person meetings, but understands the convenience of Zoom. For Board meetings, she feels "it seems more conducive to an honest exchange of ideas if we are all in one room."

GM Vanderpool agreed, saying if people can make it in person it would be better; he believes we should encourage people to come in person, but realizes there are going to be instances when they can't make it, so a Zoom option should remain.

Chair Klein said he remembers people phoning in pre-COVID, and asked if we are equipped to do video conferencing from the Large Conference Room at Willow Ave.

IT Support Specialist G. Fountain said we are looking into getting an upgrade, a "360 camera" for the whole room. We also have to fix the speakers, as they have a buzz right now, but once the upgrades are in place, we will be ready.

F. Proto voiced concern about the construction near 737 Willow Ave., and asked GM Vanderpool to speak to the concern of parking.

Vanderpool said the construction has not impacted on-site parking very much. There are a few workers who park in our lot, but by 4pm, they will be cleared out and parking for the 9 Board members should not pose a problem.

L. Lewis stated that she, too, prefers an in-person meeting, but realizes that may not be the preference for all. One of her concerns is having a quorum when we need to vote. Do Board Members have the option to attend via Zoom and still cast votes?

Chair Klein replied, "Yes, we do still have the option of Board Members to attend by Zoom."

S. Brock clarified, remote attendance is still considered as being present. The Open Meetings Law does include video conferencing as a means of attendance, and our By-Laws open it up to phone attendance without video.

D. Nguyen said whereas the city attorney has not responded officially yet, he seems to take a stricter view of the Open Meetings Law and has implied in an email chain that voting has to happen in person. Nguyen went on to say maybe we can change our By-Laws to accommodate that, or maybe the attorney's interpretation is wrong, but personally, he would love to return to in-person meetings. Acknowledging the hybrid version is also important, Nguyen stated, "Phone-in attendance has its limitations with being able to hear everyone, etc., so having a camera and improved speakers would allow remote attendees to feel more involved in the discussion. Anything we can do that's not too much of a burden on staff to keep things hybrid and at a first-class level would be great, but I'd rather see you in person."

S. Brock suggested we might want to talk about masks. The Town of Ithaca is requiring all unvaccinated staff to wear a mask within the Town Hall. If you are vaccinated, they require proof provided to the Human Resources Department, and they have told all Boards they want them to follow the same rules. They are saying, "If you are vaccinated, please voluntarily send the HR Manager proof of vaccination; either a copy of your CDC card, or the Excelsior Pass." If you do not do that, they are expecting you to be masked. Brock asked if we wanted to do something like that, adding that obviously the CDC card would only go to the HR Department and remain confidential.

Chair Klein asked about social distancing, reminding all we are not 6 feet apart in the conference room, so let's start thinking about what to do if someone isn't vaccinated.

D. Thompson spoke up saying she is all for the mask recommendation, as social distancing does have some concerned. She said "we all need to have grace and understanding that maybe others might have some anxiety issues around sitting in a room with as many people as we've had in the past at a TCAT meeting. Just something to think about."

D. Nguyen asked what the policy is at the TCAT facility.

GM Vanderpool answered; People coming in from the outside will need a mask to enter the building, but for our current staff, vaccinated people don't have to wear a mask or social distance. If you are not vaccinated, you are required to wear a mask and social distance.

HR Manager C. Marsh confirmed that was correct - we are following New York State and CDC guidelines.

GM Vanderpool assured Board Members they are a part of our organization; if they are vaccinated, they do not need to wear a mask; unvaccinated Board Members will be expected to wear a mask during Board meetings.

D. Dawson asked if the distinction is because we have a way of knowing which staff are vaccinated; Vanderpool responded that was correct, and Dawson indicated she had no problem with that.

Chair Klein thanked her, saying, "that was my next question - to the extent that you are willing to speak up right here, right now - is there anyone that feels that is not a good idea? Is anyone against submitting our vaccination status to HR?" No one indicated they opposed.

F. Proto cautioned we need to make sure that we're not violating HIPPA by doing that.

D. Dawson and C. Marsh both stated they knew it was not a HIPPA violation.

Proto then said we would be having on-going meetings with outside folks as we move into the Audit for last year, and questioned if we will have on-site meetings with the auditors, and if so, whatever we set up will have to be communicated to those that we invite to meet at TCAT with us. He closed by saying, "I do favor in-person meetings. I think it's a good idea."

Klein responded initially he thought the auditors would come under the category of needing to be masked, but if they're going to be there multiple days, maybe they can submit their vaccination status. He added, "Maybe that's a little beyond the scope of this meeting right now. It sounds like we are at some kind of consensus that we are going to meet in person, with a hybrid option so you don't have to be on-site, and that we are agreeing to submit our vaccination status to Colleen. If Colleen finds

something in that data set that she thinks should come to our attention, she will bring it up with Scot. Does that sound like about where we're at?" The group conveyed agreement.

Klein added, "If there is anything anyone is uncomfortable saying right now, please email me or Scot and we'll deal with it as best we can."

C. Marsh said, "There are various reasons why some people prefer to wear a mask whether they've been vaccinated or not; we promote that throughout our organization. I just wanted to put that out there - that I am a big proponent of that."

Klein responded, "I'm looking forward to meeting in person. I believe that although there are certain advantages to Zoom, a certain percentage of the communication is lost; it just is, so I'm looking forward to being in person so we can elevate our communication."

GM Report

From the News Desk

Vaccination Incentives

We are one of six transit agencies from NYS working with the Governor's Office on an incentive to get more NYS residents vaccinated. We are providing a 7-day unlimited ride pass for anyone who comes to 737 Willow Ave on a weekday between the hours of 1:00 and 5:00pm and shows that they have had either their J&J or the 1st dose of the Moderna or Pfizer vaccination between the dates of June 15 and July 14. We will be tracking all the data and will be reimbursed by the Governor's Office. The five other transit agencies in NY participating are CDTA out of Albany, Glen's Falls, Rochester, Centro and Broome County Transit. Vanderpool stated, "The numbers aren't great so far, there have been a very few number of people coming forward to receive those free passes."

Internal Wiki

There's a lot to this and it may be too soon to provide the Board with anything that's comprehensive, but the project involves better structure, organization, and communication within our organization. Vanderpool stated he has already provided our team with detailed vision and direction as part of the project, which is also about expectations, providing tools and support, policy review, HR support, and updating Standard Operating Procedures (SOPs) and in general, a place where our organization can be more proactive rather than reactive. "There's a lot to this, and I think it's really going to help us."

RFPs

Our current RFP for Architecture and Engineering for our current facility is out there and we've had 12 companies that are interested and we are currently reviewing those responses. We are also working on the RFP for the IT Roadmap.

Classroom Training Opportunities

Vanderpool stated there are training opportunities coming up. Our new Controller, Julie Ellis-Grove, will be taking a National Transit Database class through the National Transit Institute, and there is also an opportunity for more comprehensive training for Julie through classes that NYPTA offers, including STOA Capital and Federal Regulatory Compliance.

Merv-7 filters

Merv-7 filters have been installed on all of our buses except the new Proterras. The Merv-7 filters for the Proterras will be installed very soon.

Bike Share Program

J. Dotson talked about a number of funding sources coming through that will bring Bike Share back to the local community and posed the question, “Does it make sense to have TCAT be a part of that? The short-story is we had free bikeshare for 2 years, and now it's not free.” Dotson stated she was hoping Fernando de Aragón could call in because she is literally on the road driving right now, but there's more to discuss. It will go before the Budget Committee, before being discussed with the entire Board, but GM Vanderpool wanted to make sure everyone was aware of it. Dotson has been working with Fernando de Aragón, Tom Knipe, and a number of other people in the economic development and transportation areas.

GM Vanderpool reported the funding source he's heard people talking about is the American Rescue Plan Act, which is currently in the County's hands and has not been proportioned within Tompkins County yet.

L. Lewis confirmed and asked about the time frame. “Is there a sense of when, or does it depend on funding? What's the time frame being discussed?”

J. Dotson responded yes, it does depend on funding, adding that she thinks at this point, it's not a "this month" question. The Mayor had suggested to Tom Knipe that he prepare a Capital Project Request for this, which implies that that could go toward what the FTA calls rolling stock, which includes bikes. The CARES Act can't cover it, but there are a number of sources that seem to be moving into a more concrete stage, so that's why it's time to look at this as a real thing, even though we may be looking at a Spring launch for bike share, adding, “CCT is putting together a business plan to better understand the funding needs for running it ourselves because we are no longer looking at finding an external player to provide it.”

Chair Klein concluded by saying he looks forward to hearing more information.

Systems Report

Ridership

May of this year we carried just over 118,154 riders whereas in May of 2019 we carried 344,357 riders; a decrease of 66%

Note TCAT 2021 ridership is compared to 2019, which represents a pre-pandemic normal.

Year to Date in 2019 we'd carried 1,956,160 passengers; in 2021 we only carried 543,183 passengers; a decrease of 72%

As student ridership drops off with the end of the semester, non-student ridership continues a slow climb, approaching 50 percent of pre-pandemic levels on a week-by-week basis. While this population represents a smaller share of ridership, it represents the core taxpayers and voters of the City and County, and Cornell's staff.

On-time Performance

Average on-time runs for May remains a little under the target rate of 90%. “On-time” is defined as 0 to 5 minutes late.

Missed Trips

We had one missed trip in May - on May 4, we missed one trip of the route 81. The operator who was assigned this trip for the day did not report to work and failed to call in their absence. Between no notice given by the operator and a lack of available coverage due to other call ins, we missed the 7:15 route 81.

PM Service

PM Services are still at 100%, as are Brake Pulls for the month of April.

Road Calls

We had 8 in May; in April we also had 8. Road Calls Per one hundred thousand miles for May was 5.125; in April 2021 was 6.75. In March of 2021 we had 11.3 Road Calls per 100,000 miles.

Road calls are down substantially in recent months. This appears to be largely due to a practice of swapping buses rather than sending mechanics out. This is a more efficient use of resources as we have had more buses and drivers available, and fewer mechanic hours available.

Cost of Parts

Total cost of parts for May was \$31,035.33 compared to April 2021 which was \$46,824, which was comparable to March 2021, which was \$44,660. February 2021 was a little over \$24,000.

Collisions and Incidents

We've had 3 collisions and 1 incident in May 2021; in April 2021 we had 4 collisions and 0 incidents.

Compared to last year at this time - last year we had 17 collisions and incidents through May of 2020. This year in 2021, we've had 21 collisions and incidents, 13 were preventable whereas last year 14 were preventable.

Safety Department work has included training new hire operators and getting caught up on paperwork. We are researching a program called ELERTS, which is a program to improve Employee Safety Reporting Concerns.

Human Resources

Through May of 2021, we were sitting at 73 full time operators. In April, we had 74 full time operators. Overall, at the end of May we had 127 total employees.

HR Action items for the month of May:

- 0 Hires
- 1 FT operator separation and 1 PT operator separation
- Recruiting:
 - Attended Oven Fresh Job Fair at the Ithaca Mall
 - Continued recruiting for next Bus Operators class starting July 12th
 - Controller – staff and board interviews completed, decision made
 - NYSERDA Intern hired
- Employee Leave Management - Increased need for medical leaves in recent weeks requiring communication, education and coordination with Pinnacle HR to start leaves.
- Continued working with TCAT Management staff on new COVID-19 deregulations
- Completed and prepared for implementation of TCAT's Telecommuting/Remote Work Agreement
- Began preparations for July Employee Service Awards mini-banquet

Marketing and Communications

Projects that Patty and Jenn have been working on include:

- Transit Development Plan Phase II outreach
 - Updated content and created new web pages for phase 2
 - Media release for May 25 virtual open house
 - Created posters for May 25 virtual open house
- Summer service changes
 - Press release
 - Updated schedule and ride guide for Summer.
 - Updated website to reflect service changes
 - Designed poster notifying passengers of upcoming changes
- Interdepartmental Projects
 - Designed Posters showing passengers where to buy Tcards
 - Produced background for Lobby Display case for GM's assistant
 - Started designing template for safety department training book
- Other press releases
 - Memorial Day/ no service; capacity restrictions lifted & and one COVID case
- ADA paratransit coordination:
 - 2 half-fare applications processed

Information Technology

The IT Department took care of the following in May:

Milestones:

- Migrated all files/file shares from 2008 Domain Controller
- Retired 2008 Domain Controller
- Upgraded Hyper V Server with more RAM
- Maximo outage for several days. Back up and running
- Put up a in house Windows Server 2016 so that it can be utilized as a data warehouse
- Continuing to transfer the RideLogic servers from ICS to our own AWS location
- Updated SSL Certificate for TCAT Store

Current Projects:

- Increasing computer security across TCAT.
- Ridelogic server replacement and move to Amazon. Dev server started.
- New Wiki service provider "Notion" is being tested and looks promising.
- Documentation of IT resources on internal Wiki continuing.
- Purchasing and deploying new training laptops.
- Retiring old Domain Controller – network shares next.
- Expanding our Hyper-V environment to allow more virtual servers.
- Technology Roadmap – consolidating previous plans, updating documentation.
- Avail, RideLogic, TSI, and Maximo Support.
- Laptop repairs.
- Archiving old systems before retirement/recycling.

Future Projects:

- Backup Systems – need to restructure for new computers and laptops.
- Creation of new Staging and Production servers for Ridelogic Systems in AWS.
- New Database and reporting tools and technologies.
- Build internal programming and development resources via education.
- New Certificate server to replace old one that died in early 2017.
- Enterprise Wireless Infrastructure.
- Better Remote work options, considering VDI for remote users.
- Explore bringing website hosting in house.

Action Items

Resolution 2021-08 – Extend Memorandum of Understanding for Cornell University Bus Pass Program for One Month - moved by D. Dawson, seconded by L. Lewis; approved 8-0-0 as follows:

RESOLUTION 2021 – 08 EXTEND MEMORANDUM OF UNDERSTANDING FOR CORNELL UNIVERSITY BUS PASS PROGRAM FOR ONE MONTH

WHEREAS, Tompkins Consolidated Area Transit, Inc. (TCAT) and Cornell University (Cornell) entered into a Memorandum of Understanding (MOU) for the Cornell University Bus Pass Program dated June 22, 2017, with effective dates from July 1, 2018 through June 30, 2021, and

WHEREAS, the MOU states both parties agree to negotiate an agreement to cover Cornell's fare payments after Cornell's fiscal year ends on June 30, 2021, and

WHEREAS, negotiations are underway but will not be completed by June 30, 2021, and

WHEREAS, the parties agree to a one month MOU extension on the same terms and conditions while they continue negotiations on a longer term agreement,

NOW, THEREFORE, be it RESOLVED, that the TCAT Board authorizes the Chairperson of the Board and the General Manager to sign the Extension of Memorandum of Understanding Between Cornell University and Tompkins Consolidated Area Transit for the Cornell University Bus Pass Program, with effective dates from July 1, 2021 through July 31, 2021, with said Extension of Memorandum of Understanding subject to the approval of TCAT's attorney.

Adopted by the TCAT Board of Directors on this the 24th day of June, 2021.

Committee Reports

- **Executive Committee** – The Executive Committee met June 26 and discussed MOU Update (brief), TDP Update (Matt, quick update), CARES Act and STOA Update (mention), Off-Site Bus Storage and Charging Option (grant opportunity). Next meeting: 7/21
- **Audit Committee** – The Audit Committee did not meet. The audit began June 1.
- **Budget Committee** – The Budget Committee met on June 15 and discussed a STOA update; CARES Act Funding Update; Final Draft Revenue Expenditure Report December 31, 2020; Revenue Expenditure Report May 31, 2021. Next meeting: 6/15.

- **Human Resource Committee** – The Human Resources Committee met on June 17 and discussed recruitment and retention; service model adjustments. Next meeting: 7/15.
- **Planning Committee** – The Planning Committee did not meet. Next meeting: 7/8.
- **Transit Service Committee** – The Transit Service Committee met June 9 and discussed Summer Service; Fall Service and Tconnect; TDP areas of discussion included West Hill Service/West End development; On-demand Service; Campus Service; Up-coming TDP Public Engagement activities. Next meeting: 7/14.

Executive Session

An Executive Session to discuss contract negotiations or disputes which, if discussed in public, could compromise the position of TCAT was requested. Moved by F. Proto, seconded by L. Lewis, with a vote of 8-0-0 the Board moved to Executive Session at 5:24. No actions were taken. Motion to adjourn Executive Session made by F. Proto, seconded by D. Dawson. The Board arose from Executive Session at 5:56pm.

Next Meeting

The next regular Board meeting will be July 22, 2021.

Adjournment

Chair Klein adjourned the open meeting at 5:56pm.

Minutes respectfully submitted by Pamela Torelli, Recording Secretary, July 22, 2021.