

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

Thursday May 27, 2010
4:00PM TCAT Conference Room
737 Willow Avenue, Ithaca, NY

Attendees: D. Cogan, J. Dotson, K. Luz Herrera, D. Lieb,
F. Proto, N. Schuler, K. Whang, J. Turcotte

S. Brock, R. Andrascik, N. Oltz, P. Poist,
D. Swartz, D. Tome, T. Wright, S. Persons/Recording Secretary

Also Attended: George Eberhardt

Agenda

I. Call to Order

F. Proto called the meeting to order at 4:06 PM, and welcomed everyone to the May 27, 2010 TCAT, Inc. Board of Directors Meeting.

II. Board Member Items

F. Proto stated that he attended the ITCTC meeting on May 18, 2010 and the basic item that they distributed is a draft of the transportation councils TIP and it has every single item with the dollar amounts of everything they are planning to do. He stated he would leave it with J. Turcotte to look through. He also stated that he was informed a petition was delivered to him at the County Legislature's Office at the courthouse regarding the Route 30.

III. Public Comment

George Eberhardt asked when they start working on the women's community building what is that going to do to that bus stop, to Seneca Street. Considering that is now our major route, when they start working what is that going to do to the bus routes.

N. Oltz responded that we have not received information from the contractors; usually we try to be involved in their pre-construction so that we can learn if there's going to be any lane closures, but we haven't had any of those discussions at this time.

IV. Approval of the minutes from April 22, 2010 meeting

The motion to approve the minutes from April 22, 2010 was made by K. Luz Herrera; seconded by D. Lieb. S. Brock stated there was one change under Attorney's Report the words "and proposed litigation" need to be added. The motion to approve the minutes as amended passed unanimously.

V. Chairperson's Report

F. Proto stated that we continue to wait for the state to pass the budget as everyone does. He also stated the county began its deliberations as a result of the retreat we will be dealing with another resolution on Tuesday, we agreed that we are setting a target for Joe Mareane to work with a 5% tax levy increase it will translate into a cut of between two – two and a half million dollars.

VI. General Manager's Report

- Fare box installation – J. Turcotte reported that the installation is complete, the firmware has been pushed out to all the buses, they are live and syncing all the time, he stated that so far there have been no issues and we will continue to monitor that.
- Monthly Operating Reports – J. Turcotte presented the Monthly Operating Reports for March 2010 and April 2010. He 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 approval of Resolution {2010-08} Request for release of Quarterly Statewide Mass Transit Operating Assistance Payments from the State of New York. F. Proto presented resolution 2010-08.

RESOLUTION 2010-08 REQUEST REGARDING DELAYS IN RELEASE OF QUARTERLY STATEWIDE MASS TRANSIT OPERATING ASSISTANCE PAYMENTS FROM THE STATE OF NEW YORK

WHEREAS, the New York Public Transit Association, the state's chief public transit legislative liaison, notified Tompkins Consolidated Area Transit, Inc. ("TCAT") on May 10, 2010, that quarterly payments expected in the third week of May will be delayed in the absence of a state budget, and

WHEREAS, a request to include the critical quarterly STOA payment for all of the state's transportation systems in an emergency spending bill was rejected by the Governor's office, and

WHEREAS, TCAT, Inc. was then forced to undertake unbudgeted and expensive short-term borrowing to make payrolls in May, June and July, assuming that which borrowing will be sufficient only if a state budget is approved by the end of that period, and

WHEREAS, if no state budget is approved by the end of July, 2010, TCAT will exhaust its line of credit and could be forced to consider reducing service, and

WHEREAS, STOA accounts for approximately 36 percent of TCAT, Inc.'s operating budget and is critical to TCAT's ability to offer its services, which, in turn, are key to local economic recovery and economic development, and

WHEREAS, continued gridlock in the Legislature over the state budget causes TCAT to incur borrowing-interest expenses and will continue to add hardship to TCAT, Inc., as well as other STOA-dependent agencies across the state.

NOW, THEREFORE, be it RESOLVED that the TCAT Board of Directors hereby strongly urges the state Legislature to act now and adopt a state budget and appropriate STOA funding to avoid further harm to TCAT operations and the local economy, and

Be it FURTHER RESOLVED, if no state budget is passed soon, the TCAT Board strongly urges another mechanism be found to appropriate and release STOA money, and

Be it FURTHER RESOLVED, that the TCAT General Manager is directed to send copies of this resolution to Governor David Paterson; all New York State Senators and Assembly persons representing constituents in TCAT's service areas in Tompkins County, Tioga County and Schuyler County; New York State Department of Transportation Acting Commissioner Stanley Gee; Tompkins County Legislature Chair Martha Robertson; City of Ithaca Mayor Carolyn Peterson; and Cornell University President David Skorton.

The resolution to approve the Request for release of quarterly statewide mass transit operating assistance payments was moved by J. Dotson and seconded by K. Luz Herrera. Discussion followed. S. Brock suggested a change to the third Whereas, second line, to remove the words "assuming that" and in the second be it further resolved "Assembly person" should be one word. The resolution as amended passed unanimously.

Consider approval of Resolution {2010-09} TC3 and TCAT Inc. Memorandum of Understanding for TC3 ID Cards used as Fare Media on TCAT buses. F. Proto presented Resolution {2010-09} to approve TC3 ID cards to be used as fare media on TCAT buses.

**RESOLUTION 2010-09
AUTHORIZING MEMORANDUM OF AGREEMENT AMONG FACULTY-STUDENT
ASSOCIATION OF THE TOMPKINS-CORTLAND COMMUNITY COLLEGE, INC.,
TOMPKINS- CORTLAND COMMUNITY COLLEGE AND TOMPKINS CONSOLIDATED
AREA TRANSIT, INC.**

WHEREAS, Tompkins Consolidated Area Transit, Inc. (TCAT) upon evaluation of its pass offerings determined a deficiency in that Tompkins-Cortland Community College (TC3) was the only institution of higher learning in Tompkins County that did not have a special pass tailored to its students, and

WHEREAS, TCAT, TC3, and the Faculty-Student Association of the Tompkins-Cortland Community College, Inc. (FSA) consider it beneficial to enter into an agreement to work in cooperation to subsidize Student Basic Semester and Student Unlimited passes to make it more affordable for both commuting and resident students to attend classes and meet their other travel needs, and

WHEREAS, TCAT expects to build ridership and create loyal customers among TC3 riders during and after students' attendance and/or graduation at TC3, and

WHEREAS, the attached "Memorandum of Agreement" and attendant "Exhibit A" specifically outline the responsibilities of TCAT, TC3 and the FSA in managing the pass program as well the subsidies, terms and invoices that apply to activated cards, and

WHEREAS, TCAT's staff and attorney have reviewed the attached agreement and recommend its approval by the TCAT Board,

NOW, THEREFORE, be it RESOLVED that the TCAT Board of Directors hereby adopts the attached "Memorandum of Agreement among Faculty-Student Association of the Tompkins-Cortland Community College, Inc., Tompkins-Cortland Community College and Tompkins Consolidated Area Transit, Inc." and authorizes the Board Chair and General Manager to execute it, subject to the approval of TCAT's attorney.

The resolution to approve the use of TC3 ID cards to be used as fare media on TCAT buses was moved by N. Schuler and seconded by J. Dotson. Discussion followed. The resolution passed unanimously.

Consider approval of Resolution {2010-10} Sub recipient Agreement for 2006 FTA Section 5316 Grant NY-37-X053. F. Proto presented resolution {2010-10} to approve the Sub recipient agreement.

**RESOLUTION 2010-10
SUBRECIPIENT AGREEMENT FOR GRANT NY-37-X053**

WHEREAS, Tompkins County (the "County") executed an agreement with the Federal Transit Administration for a 2006 Section 5316 Job Access and Reverse Commute Grant NY-37-X053 for \$544,963 in federal funds, of which \$146,250 is allocated to Tompkins Consolidated Area Transit, Inc. (TCAT) for its operating assistance project (Route 41

Demand Response service), and \$398,713 is allocated to the County to implement eleven projects through eight third-party contractors, and

WHEREAS, Tompkins County has advised TCAT that the two parties need to enter into a Subrecipient Agreement so TCAT can receive reimbursement of FTA funds for its project in the grant, and

WHEREAS, the attached "Subrecipient Agreement for 2006 FTA Sec 5316 Grant NY-37-X053" spells out each party's rights and responsibilities related to the grant money to be received pursuant to Section 5316 Grant NY-37-X053, and specifies the project and amounts for which TCAT will receive grant reimbursement,

NOW, THEREFORE, be it RESOLVED, that the TCAT Board approves the attached Subrecipient Agreement with Tompkins County and authorizes the Board Chair and General Manager to execute the Subrecipient Agreement, subject to the approval of TCAT's attorney.

The resolution to approve the sub recipient agreement for 2006 FTA Section 5316 grant was moved by K. Whang and seconded by K. Luz Herrera. Discussion followed. The resolution passed unanimously.

Consider approval of Resolution {2010-11} Agreement by and among Ithaca-Tompkins County Transportation Council, New York State Department of Transportation, and Tompkins Consolidated Area Transit, Inc. identifying and specifying the responsibilities and cooperative procedures for carrying out transportation planning. F. Proto presented resolution {2010-11} to approve the agreement with ITCTC and NYSDOT.

**RESOLUTION 2010-11
AGREEMENT WITH ITCTC AND NYSDOT REGARDING
TRANSPORTATION PLANNING AND PROGRAMMING**

WHEREAS, the Federal Transit Administration has informed Tompkins Consolidated Area Transit, Inc. (TCAT) and the Ithaca-Tompkins County Transportation Council (ITCTC) that they need to enter into an agreement among themselves and the New York State Department of Transportation (NYSDOT) specifying responsibilities and cooperative procedures for carrying out transportation planning and programming, and

WHEREAS, the attached "Agreement By and Among Ithaca-Tompkins County Transportation Council, New York State Department of Transportation, and Tompkins Consolidated Area Transit, Inc." spells out the three parties' responsibilities and the cooperative procedures they will follow for transportation planning and programming, and

WHEREAS, TCAT's staff and attorney have reviewed the attached agreement and recommend its approval by the TCAT Board,

NOW, THEREFORE, be it RESOLVED, that the TCAT Board approves the attached "Agreement By and Among Ithaca-Tompkins County Transportation Council, New York State Department of Transportation, and Tompkins Consolidated Area Transit, Inc." and authorizes the Board Chair and General Manager to execute it, subject to the approval of TCAT's attorney.

The resolution to approve the agreement between ITCTC and NYSDOT was moved by N. Schuler and seconded by D. Cogan. The resolution passed unanimously.

VIII. Committee Reports

- **Executive Committee**

F. Proto reported the Executive Committee met May 12, 2010 and discussed Black Box project, review of the Cayuga Heights Route 30, JARC resolution, Cornell commencement, 2010 Rodeo hosted by TCAT and TCAT's APTA nomination for national transit property of the year award.

- **Budget Committee**

D. Cogan reported that the Budget Committee met on May 20, 2010 and discussed Revenue Expenditure Report: April 30, 2010, 2011 budget planning assumptions and the fuel report.

- **Human Resources Committee**

N. Schuler reported that the Human Resources Committee met on May 17, 2010 and discussed staffing levels, bargaining unit employee handbook, total compensation statements, and maintenance and staff training.

- **Transit Service Committee**

J. Dotson reported that the Transit Service Committee met on May 25, 2010 and discussed the ridership report, the amenities update, Grassroots, youth and summer camp pass discounts, and the proposed request for transit service draft document.

- **Audit Committee**

K. Luz Herrera reported that the audit committee met May 5, 2010 and reviewed the 2009 audited financial statements with Duane Shoen from Ciaschi Dieterhagen Little and Mickelson. K. Luz Herrera moved to accept the audit of the financial statements for the year ending 2009, K. Whang seconded. The motion passed unanimously.

- **Planning Committee**

The planning committee did not meet.

J. Turcotte stated that the proposed date for the annual budget presentation is July 28, 2010.

IX. Next meeting

F. Proto announced the next meeting date June 24, 2010 at 4:00 PM.

X. Adjournment

The motion to adjourn the meeting was made by N. Schuler; and seconded by K. Luz Herrera. The meeting adjourned at 5:46 PM.