

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

Thursday, August 27, 2015
4:00 PM TCAT Conference Room
737 Willow Avenue, Ithaca, NY

Attendees: F. Proto, B. Brady, J. Dotson, D. Howe,
B. Gray, K. Page, P. Stein, K. Sutherland

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

Also Attended: F. Howells, A. Gallegos, M. Wendlowsky, S. Beckley

Agenda

Call to Order

F. Proto called the meeting to order at 4:03 PM, and welcomed everyone to the August 27, 2015 TCAT, Inc. Board of Directors Meeting.

Board Member Items

K. Sutherland reported that this will be his last board meeting, he is moving to Saco Maine to take over as the Administrator for the City of Saco.

Public Comment

A. Gallegos stated he has a few things that he wanted to address the board with. He stated he has been asking around and he has a list of things that he agreed to bring to the Board. One of them is concern about emails, a lot of people have been telling him they have been emailing TCAT not just for bad things but for good things, but they are wondering why they can't receive an email saying we got your message.

F. Proto asked are these from members of the public.

A. Gallegos stated riders that ride his bus. The second thing when I started standing up here and talking you guys had asked that maybe we could have Andrew come to one of our executive committee meetings, I was going to jump on that but I decided to look around a little bit more so I became a union steward so I could kind of see the scope of everything happening, and now that I've done that I'd like to speak to you guys at your closed doors kind of things, how would I go about arranging that.

F. Proto asked if he was talking about at the appropriate committee meeting.

A. Gallegos stated yeah at your closed door meetings.

F. Proto stated those are open to the public and you are welcome to come but you may have members of the public there. There are committees of the board as you probably know, Budget, Executive, HR, Audit, Transit Services and Planning. If it's a Transit Services issue you may want to go to that committee. Discussion followed. A. Gallegos said he would talk with Doug Swarts about getting on a Transit Service Committee agenda.

F. Proto asked if A. Gallegos passed on the information to the administrative staff about the emails.

A. Gallegos informed him no.

A. Eccleston stated P. Poist's group is the one that handles the public emails as well as delegated to the operations department depending on the subject matter.

P. Poist stated we remain pretty well on top of our email, since I've been here I've sent 15,000 emails out, we are pretty quick, sometimes things go to junk mail but we try to respond to everything. She requested he let her know if there is someone that has not been responded to and she will look into it.

Approval of the minutes from July 23, 2015 Board of Directors Meeting

The motion to approve the minutes from July 23, 2015 was made by P. Stein; seconded by K. Page. S. Brock requested a change to the minutes on page 2, under the Emergency Ride Home discussion to add the language right before "Discussion followed": "S. Brock stated she has not reviewed the agreement because she represents both TCAT and Ithaca Carshare, so she has a conflict of interest." The motion to approve the amended minutes passed unanimously.

Chairperson's Report

F. Proto stated he had two items he wanted to mention. The first is it's probably about time to resurrect the MOU committee, he probably will be getting a hold of the same people that were involved when we met with Cornell before, we want to make sure we don't lose any steam getting the next phase of this completed. He stated the second item, he is going to name a special committee consisting of D. Howe, K. Page, B. Gray to review the appraisal that we received regarding the status of the Green Street Station and TCAT's involvement with it. We have to make a decision by a certain date and we talked about it at the Executive Committee that it would be a good idea to have a couple individuals review the appraisal and come back with a recommendation as to which way we should go on the status of that. It would probably be a good idea to involve S. Brock and D. Tome because of the involvement of the café. Discussion followed.

F. Proto made a verbal motion to appoint a special committee. D. Howe moved; seconded by J. Dotson. The motion passed unanimously.

General Manager's Report

- **Letter from Cornell University** – A. Eccleston stated she wanted to make the board aware that we did receive a letter from Cornell University and it deals with the Cornell TCAT MOU specifically with regard to payment for rides and the letter states that Cornell is going to exercise the item in number 3 in the memorandum of understanding to give us notice that there are going to be some proposed changes resulting from the evaluation that they are doing to implement changes to their pass program for fall semester 2016 at this time the extent to which proposed changes are likely to affect ridership is currently unknown but they are providing us notice with regard to that. Discussion followed. F. Proto stated he would draft a response to Cornell from the Board. The advance notice requirement runs from when TCAT is notified about specific changes, not from a notification that the pass program will be evaluated and unspecified changes may result that may impact ridership.
- **Introduction to New Hires** – A. Eccleston stated we have a few new people here this afternoon that she would like to introduce to everybody. She asked P. Smith to introduce the new hires. P. Smith stated we have four new bus operators training for their CDL. He introduced R. Mizener, R. Murray, A. Wallace, and M. Mayes. A. Eccleston stated these gentlemen came from different backgrounds and experiences and they are working on their CDL's, they will be wrapping up their classroom training this Friday and will have their

road tests in September. We've each had the pleasure of working with them over the last number of weeks, and she welcomed them to TCAT.

A. Eccleston stated she had one more person to introduce, the Board has given the authority to get some assistance, she stated she would like to introduce Amy Pietrafesa, she is an HR professional she is going to be helping in the area of HR. She has over 30 years of experience in the HR realm, she has a terrific background; a full HR background, and we are looking for her to help us in the recruitment area. A. Eccleston stated we are really looking forward to working with her.

- **Monthly Operating Reports** – A. Eccleston presented the Monthly Operating Reports for July 2015. 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.

Action Items from Staff

Consider Resolution {2015 - 16} Approval of the Cell Phone and Portable Electronic Device Use Policy. F. Proto presented resolution {2015 – 16} to approve the cell phone and portable electronic device use policy.

RESOLUTION 2015 - 16 APPROVAL OF THE CELL PHONE AND PORTABLE ELECTRONIC DEVICE USE POLICY

WHEREAS, TCAT has a Cell Phone and Personal Electronic Device Use Policy, last revised by the Board of Directors on June 28, 2012, and

WHEREAS, the purpose of the Policy is to improve safety for riders, non-riders, and employees in the operation of TCAT vehicles, and

WHEREAS, at a recent mediation on a grievance involving a Bus Operator, the TCAT and UAW representatives at the mediation agreed to recommend modification of the Cell Phone and Personal Electronic Device Use Policy to require TCAT employees to keep cell phones and other personal electronic devices stowed and out of sight while operating a TCAT vehicle; to specify that Bus Operators may use these items only while on meal break, layover, or recovery time; and to specify that Bus Operators may use these items during these times only if they are not in the driver seat of the vehicle, and

WHEREAS, additional changes have been made to the policy to make it consistent with certain requirements in NY Vehicle & Traffic Law Sections 1225-c and 1225-d, including the use of the phrase “portable” electronic devices, the addition of examples of items that are included in that phrase, and changes to the exceptions to the policy, and

WHEREAS, the Human Resource Manager and Human Resource Committee of TCAT after reviewing the proposed changes recommend that the TCAT Board of Directors adopt the attached proposed Telephone and Portable Electronic Device Use Policy,

NOW, THEREFORE, be it RESOLVED that the TCAT, Inc. Board of Directors hereby approves and adopts the attached Telephone and Portable Electronic Device Use Policy, with an effective date of August 28, 2015.

The resolution to approve the cell phone and portable electronic device use policy revisions was moved by P. Stein; seconded by B. Gray. Discussion followed. K. Sutherland suggested a change in the policy, to change the word “pager” to pagers”.

S. Brock suggested a change in number 2 under Policy, to change "while operating a TCAT vehicle" to state "while operating that vehicle".
The resolution passed unanimously.

Consider Resolution {2015 - 17} In Appreciation of Kevin Sutherland. F. Proto presented resolution {2015 - 17} in appreciation of Kevin Sutherland.

**RESOLUTION 2015 - 17
IN APPRECIATION OF KEVIN SUTHERLAND**

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 August 27, 2015, at which time a quorum existed, the following resolution was unanimously approved:

WHEREAS, Kevin Sutherland has generously devoted his time, intelligence and energy to supporting and enhancing public transit in Tompkins County in various capacities since 2009, upon receiving his Master of Science degree in public administration from the Maxwell School at Syracuse University, and

WHEREAS, Kevin has contributed significantly to improving TCAT while serving as a member of the TCAT, Inc. Board of Directors (January 22, 2015-present), and

WHEREAS, Kevin ably served on the Human Resource, Planning, and Transit Service committees during his tenure on the TCAT Board of Directors, and

WHEREAS, Kevin started out as an intern for TCAT in 2009 at which time he diligently and enthusiastically worked on a number of key projects, which included an analysis of price elasticity of ridership, and

WHEREAS, Kevin quickly ascended to key positions in the community to include being hired by Tompkins County in 2009, first as a program analyst, and then being promoted in 2010 to become Executive Assistant to the County Administrator, overseeing a \$170 million budget, and

WHEREAS, Kevin became the City of Ithaca's first-ever Chief of Staff in December 2013, capably assisting the Mayor of Ithaca in all aspects of city business and projects, including the Ithaca Commons rebuild project.

NOW, THEREFORE, BE IT RESOLVED that the TCAT, Inc. Board recognizes the many and substantial contributions Kevin has made to TCAT, Inc. and to the entire community, and be it further

RESOLVED, that the TCAT, Inc. Board extends its sincere gratitude and appreciation to Kevin for his leadership and dedicated service and wishes him all the very best in his new position as City Administrator, the top management position, for Saco, Maine.

The resolution In Appreciation of Kevin Sutherland was moved by B. Gray; unanimously seconded. Discussion followed. The resolution passed with 7 in favor; K. Sutherland abstained.

Committee Reports

- **Executive Committee**

F. Proto reported that the Executive Committee met on August 19, 2015 and discussed hydrogen bus project status update, Green Street Station update, benefit broker change, needs assessment RFP status, Pamela Johnson restitution status, Safety Manager and HR positions, nomination to the NY Public Transit Leadership Institute, and Elmira Savings Bank check card services.

Budget Committee

B. Gray reported that the Budget Committee met on August 18, 2015 and discussed Revenue Expenditure Report July 31, 2015, fuel report, STOA, and 2016 budget presentation review. The Budget Committee will develop a recommendation for a revised proposed 2016 budget.

P. Stein left the meeting.

- **Transit Service Committee**

J. Dotson reported that the Transit Service Committee met on August 20, 2015 and discussed service and fare coordination with Cortland Transit update, examining decline in student ridership, concern regarding staffing levels and potential impacts on service levels communicated from HR, and the emergency ride home program memo to the board. Discussion followed.

K. Sutherland made a motion to reissue the RFQ with the suggested changes to remove the umbrella liability insurance requirement; seconded by D. Howe. The motion passed unanimously.

- **Human Resources Committee**

The Human Resources Committee did not meet.

- **Planning Committee**

A. Eccleston reported that the Planning Committee met on August 6, 2015 and discussed responses to the needs assessment RFP and hydrogen fuel cell bus status.

- **Audit Committee**

The Audit Committee did not meet.

Next meeting

F. Proto announced the next meeting date of September 24, 2015 at 4:00 PM.

Executive Session

F. Proto asked for a motion to enter into executive session to discuss the Stedwell litigation, personnel matters and proposed litigation regarding the Green Street space vendor. The motion was made by D. Howe; seconded by K. Sutherland. The motion passed unanimously. The Board entered into Executive Session at 5:47 PM. The Board arose from Executive Session at 6:15 PM. No action was taken.

Adjournment

The motion to adjourn the meeting was made by B. Brady and seconded by J. Dotson. The meeting adjourned at 6:15 PM.