

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

Thursday, September 24, 2015  
4:00 PM TCAT Conference Room  
737 Willow Avenue, Ithaca, NY

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

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

Also Attended: F. Howells, T. Sharpe, S. Beckley

**Agenda**

**Call to Order**

F. Proto called the meeting to order at 4:05 PM, and welcomed everyone to the September 24, 2015 TCAT, Inc. Board of Directors Meeting.

**Board Member Items**

There were no board member items.

**Public Comment**

F. Howells read the following letter. I thank you for the opportunity to speak to you this afternoon, I am here today, as an employee of the TCAT organization, I have been here almost eight years, I see an issue that is arising that has been somewhat brought up here before this board, if you'll excuse the expression, it's been left by the side of the road. I am here today as I have been for the last five years sitting over here in the corner to attend your monthly meeting but I have to bring forward an issue that I really think is in need of immediate repair. I see before me a group of very dedicated individuals from the three supporting entities listening to the issues. They listen patiently to problems, gather relevant data regarding the issue and then diligently work, as a group, to resolve the issues. I must commend you as I am very impressed by your determination and perseverance. We all throughout the organization thank you for what you do and it is appreciated much more than you'll ever know. Today I come here before you to ask you to possibly address a problem that continues to escalate here at the TCAT organization, and that is adequate staffing. My concern centers and focuses on the continuing decline in the number of employees here at TCAT while the workload still remains the same. This disproportionate workload is not fair to the employees, the entity and its partners and mostly the customers of our system. I have heard, right here within this very forum more than once recently, the issue of staffing brought forward but subtly moved right on by. I can even recall Bill asking for the correct number of staff for budgeting purposes, still no answer. So what is the correct staffing level and are we close now.? From my observations I can honestly say we are nowhere close to where we need to be. So I have to ask you as a group to invest some of your time in this problem and engage your assets to examine the data to help resolve the issues that will improve our work environment here at TCAT. The situation is continually spiraling downward and we stand to lose other employees along the way as the descent continues. The problem here is real and needs immediate attention for remedy or resolve from you. So I ask you board members why not take a ride on a bus and ask an operator or another employee what

they do or do not like about their place of employment. It would really lend a hand in helping in understanding what we need to have fixed here to make the environment much more acceptable. We all work to live, each and every one of us, however it is becoming increasingly obvious here that with the staffing levels continuing to decline that we are beginning to be in a predicament of living to work. The employees here at TCAT have families and obligations associated with members of our families. We all look forward to time spent with them and use this as a time to re-group and regain our posture and composure to engage in another week of serving the public in our positions. The reasoning that we have heard from our employer is that everyone has the opportunity to choose our work assignment and it's true. However when we choose a four day week so that we can use the balance of the week to be with our families and we come in on the last day of our week and we're given our options here you go pick what you want because whatever you don't pick we're going to mandate you, I don't think that's fair. The issue here is it really a shortage of CDL operators, or is the shortage being compounded by the lack of driver retention here at TCAT, so just what do we do here to help us retain employees, is there a driver retention program. Maybe we could or should explore and allocate some resources to take a look at improvements. That avenue would only help the current situation as each and every employee that leaves here takes with them an array of experience, customer service and dedication that is very hard and a painstakingly long process to try to replace on the same level. Here again we all feel the impact of employees leaving the company. The employees that leave are not all "new" employees who just don't make the cut or fit the outline of a bus operator or mechanic in the transit industry. A recent example had years years of experience, worked a four day week and had enough of being mandated at the end of his week he wanted to go home for nothing more than to be with his family, he went to drive a school bus for another organization. The employees here deserve some basic privileges, respect, time off and the opportunity to spend their time at home with their families and not filling voids in the schedule as if they have nothing to do. So now we have been informed that another new committee will listen to the issues from the members and utilizing a brainstorming or think tank approach to hopefully address the issues. I can say that over the past few months the employees have opened their hearts and souls to the TCAT management about the issues they thought were relevant to better working conditions only to see absolutely no action. And just what will this time bring remains to be seen and if it is repetitive then we will again look elsewhere. Personally I feel this is a prolonged approach to facing a change that is just a way to prolong the period of fixing the problems and hopefully allowing the open positions to be filled. It is very obvious that TCAT has stretched themselves so thin that they are just able to accommodate daily service to the riders; every single day there is either an issue of lack of equipment or the lack of an opportunity to repair the equipment due to the need to reach service. I know that this is a business and can appreciate that but as an employee here it is very frustrating for us to be on the front lines and have to ask for forgiveness repeatedly, apologize for things that are completely out of our control or to just tell someone that the bus is not coming. After all this is our job serving the public and with the current situation we are experiencing more and more difficulties in accomplishing that task. When we keep stretching ourselves so thin I ask you just who wins. The customer, the company or who? The answer is no one, we all lose. I feel that everyone associated with the system suffers in one way or another in these scenarios in our very diverse operation continues to come under more and more unneeded scrutiny. The customer ultimately suffers from equipment failure and the lack of operators via the routes being run on time and predictable. The system itself suffers from the loss of revenue and the associated funding. The operator suffers from being placed into a situation of frustration where they are merely a pawn in the chess game of the transit company. We ask you to please keep in mind as we keep graduating new hires which are all welcome we still lose experienced ones, and still have vacant positions left for others to fill the workload for. We do what is asked but just how long will this continue is the magic question. When employees hear that a request for leave has been denied and the reason offered was lack of staff to fill work assignments, the credibility of the management suffers severely. This spreads like wildfire and just continues to breed both resentment and antagonism throughout the workplace, neither of which we need at the moment. Many have been visiting this issue and then ask themselves what has TCAT become here. In closing I have one request,

if you decide to undertake this obstacle here at TCAT and make an attempt to resolve it, please use the same due diligence and determination that is present in the meetings that I attend here monthly. Gather your data from reliable sources and make your determination on the plan of attack to help this situation before the entire system suffers even more than it does now. This group has demonstrated time and time again to me that they look closely before they leap and do what is right for the system as a whole by analyzing the information pertinent to the issue and making a decision based on that relevant information. So right now I am somewhat optimistically hopeful that your information will come from a neutral and reliable source and not from asking the fox watching the chicken coop why the egg production continues to decline.

F. Proto thanked F. Howells.

S. Beckley asked A. Eccleston if she had time to consider the suggestion that she made at the Citizen's Advisory Committee about school bus drivers.

A. Eccleston stated she had taken that suggestion and has not moved forward with that suggestion as yet but she did take that suggestion to the Executive Committee and did talk about it there in detail.

### **Approval of the minutes from August 27, 2015 Board of Directors Meeting**

The motion to approve the minutes from August 27, 2015 was made by K. Page; seconded by D. Howe. The motion to approve the minutes passed unanimously.

### **Chairperson's Report**

F. Proto stated just to quickly add first a thank you to both F. Howells and T. Sharpe for agreeing to help, in the discussions that we had through the Executive Committee and the discussions that he had with A. Eccleston directly addressing the primary concerns in F. Howell's letter, but the discussion that you have all had and the agreement that you are willing to give us a hand to try to work through this. None of us need to be beaten over the head that there is a problem; there is no disagreement at all that we need personnel and we need machinery. One of the comments that came up at the Executive Committee meeting was about school bus drivers and that had quite a bit of discussion, and what we have discovered is a banner in Dryden soliciting school bus drivers, they are having the same problems we are having, and it isn't just Dryden, he stated he heard that about the Ithaca City School District as well.

F. Howells stated he just wanted to offer once again the UAW, himself, T. Sharpe and our staff, is more than happy to work with you, to help you to try to resolve this issue any way we can, our resources are available to you at your call.

F. Proto stated we appreciate you sitting down because A. Eccleston told us she has spoken to both of you, it has not gone unnoticed, you would have to have blinders on not to know it is a serious situation.

D. Howe asked F. Howells if he had any suggestions, he would like to hear them.

F. Howells stated we do have some, we don't go ahead and bring a bark without a bite behind it, and he doesn't feel that this is the time right now to burden their day but he'd be more than happy to share them.

F. Proto stated maybe in the discussions that you have agreed to have with staff it would be a good opportunity to share those.

F. Proto stated another item under Chairperson Report was the Groton run; he wanted to report that there was quite a meeting that revolved around the Sherriff's Office and more coverage from the police personnel and also TCAT and why we can't stop service to Groton, TCAT was well defended by the Town Attorney. Another item in the packet there is a copy of the letter that went to K. Whang in response to his letter to us notifying that the University is looking at examining the service for students. He stated he used the opportunity to remind them that we need to revive the committee regarding the MOU because we want to get that back on track. Discussion followed.

### **General Manager's Report**

- **Monthly Operating Reports** – A. Eccleston presented the Monthly Operating Reports for August 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.
- **Emergency Ride Home Program** – A. Eccleston stated this came to the Board last Board Meeting and there was a verbal motion passed to reissue the RFQ and remove the umbrella liability insurance requirement from the RFQ, then we received two submittals and so there are a couple more issues relative to that. She asked M. Yarrow to speak to the board to where we are at with that.

M. Yarrow stated following last month's board meeting we struck the requirement for \$5 million in umbrella liability from the RFQ, we sent it out to all local cab companies for a second time as A. Eccleston mentioned there were two responses, and one of the responses didn't really get that close to what we were asking for in terms of insurance so we focused on the remaining response. He stated D. Swarts, and he and also S. Brock helped a lot in looking over this and in conversation with TCAT's insurer, what we've come to discover is the cab companies that have the most coverage are deficient in several areas, first of all we require \$2 million each occurrence for commercial general liability and several sub headings, the best response that we got was \$1 million each occurrence and \$2 million aggregate and they didn't have coverage under a couple of these minor sub categories which our insurer thought that they weren't that important overall. That was one issue, the second major issue that we discovered was that while the cab companies automobile liability reached the limit that was required it was being held by a B rated carrier and then there are a couple other issues that would probably be resolved during contract negotiations. Discussion followed.

J. Dotson made a motion to have an emergency ride home program in which TCAT contracts with taxi cab companies that are adequately responsive to TCAT's RFQ and that the RFQ insurance levels may be adjusted to reflect insurance that is actually in effect and obtainable in the Tompkins County area for cab companies. Seconded by B. Gray. Discussion followed. P. Stein left the room.

The motion passed with 5 in favor, 1 absent.

### **Action Items from Staff**

Consider Resolution {2015 - 18} In Appreciation of Kathy Luz Herrera. F. Proto presented resolution {2015 - 18} in appreciation of Kathy Luz Herrera.

### **RESOLUTION 2015 - 18 IN APPRECIATION OF KATHY LUZ HERRERA**

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 September 24, 2015, at which a quorum existed, the following resolution was unanimously approved:

WHEREAS, Kathy Luz Herrera, Tompkins County Legislator for many years, has devoted a total of 14 years to supporting and enhancing public transit in Tompkins County, and

WHEREAS, Kathy has contributed her insights and expertise into improving TCAT, including its human resources processes and procedures, transit planning, auditing processes, and downtown Ithaca transit amenity enhancements, and

WHEREAS, Kathy demonstrated passion and care for both the community and TCAT while fulfilling positions as a Director of the predecessor TCAT joint venture from 2001 to 2004, and as a Director on the TCAT, Inc., Board of Directors from 2004 to February of 2013, and from 2014 until September 15, 2015, and

WHEREAS, Kathy served as Chairperson of the TCAT Board of Directors in 2007 and served on its Executive Committee from 2005 to 2008, and

WHEREAS, Kathy served ably on the following Board committees: the Center City Project Committee that led to the Seneca Street Station rehabilitation and opening of the flagship Green Street Station; the Audit Committee; the Human Resource Committee; the Planning Committee; and the Transit Service Committee, and

WHEREAS, Kathy's hard work and advocacy while serving TCAT, and her other community affiliations, have greatly benefited TCAT and all residents of Tompkins County.

NOW, THEREFORE, BE IT RESOLVED that the TCAT, Inc. Board recognizes the many and substantial contributions Kathy has made to TCAT, Inc., and its predecessor operating joint venture and be it further

RESOLVED, that the TCAT, Inc. Board extends its sincere gratitude and appreciation to Kathy for her leadership and dedicated service and wishes her the best with her new endeavors.

The resolution in appreciation of Kathy Luz Herrera was moved by B. Gray; seconded by J. Dotson. Discussion followed. The Resolution passed with 5 in favor, 1 absent.

## **Committee Reports**

- **Executive Committee**

F. Proto reported that the Executive Committee met on September 17, 2015 and discussed bus operator shortage and bus replacement, Green Street Station update, Letter to K. Whang and next steps for MOU, City of Ithaca request for indemnification - Stedwell litigation, Elmira Savings Bank credit card option, and member items from Tompkins County Council of Governments guest speakers.

### **Budget Committee**

B. Gray reported that the Budget Committee met on September 23, 2015 and discussed Revenue Expenditure Report August 31, 2015, fuel report, bus and operator shortage discussion, budget presentation recommendation to Board for TC Legislators meeting.

- **Transit Service Committee**

The Transit Service Committee did not meet.

- **Human Resources Committee**

K. Page reported that the Human Resources Committee met on September 10, 2015 and discussed the current headcount, hires, separations, and the bus operator shortage and bus replacement.

A. Eccleston reported that we received a ruling on an OSHA complaint that was filed in 2011, it took a while to go through its due diligence, the issue was a bus operator did not want to drive during winter conditions; the case was dismissed.

- **Planning Committee**

A. Eccleston reported that the Planning Committee met on September 3, 2015 and discussed responses to Needs Assessment RFP.

- **Audit Committee**

The Audit Committee did not meet.

### **Next meeting**

F. Proto announced the next meeting date of October 22, 2015 at 4:00 PM.

### **Executive Session**

F. Proto asked for a motion to enter into executive session to discuss personnel matters and potential acquisition of real property where public discussion would substantially affect the value. The motion was made by J. Dotson; seconded by B. Gray. The motion passed unanimously. The Board entered into Executive Session at 5:38 PM. The Board arose from Executive Session at 5:56 PM. No action was taken.

### **Adjournment**

The motion to adjourn the meeting was made by K. Page and seconded by D. Howe. The meeting adjourned at 5:56 PM.