

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

Thursday, February 22, 2018  
4:00 PM TCAT Conference Room  
737 Willow Avenue, Ithaca, NY

Attendees: B. Brady (via phone), J. Gutenberger, W. Gray,  
D. Nguyen, F. Proto, P. Stein, D. Thompson

R. Andrascik, S. Bloss, S. Brock, C. Clink, R. Lalley, P. Poist (left at 4:07 PM, returned at 4:11 PM),  
B. Sherman, M. Smith, M. Yarrow, D. Wiles/Recording Secretary

Also attended: A. Gallegos, C. Osadchey (left at 4:44), L. Werner-Gallegos

**Agenda**

**I. Call to Order**

F. Proto called the meeting to order at 4:06 PM, and welcomed everyone to the February 22, 2018 TCAT, Inc. Board of Directors Meeting.

**II. Board Member Items**

There were no board member items.

**III. Public Comment**

L. Werner-Gallegos stated the following:

*"I'm here because a young woman named Zoe H. asked me to come here and represent her. She's been riding TCAT for years and years but she's come into this situation where there's an issue of safety and she's not able to make it here because she's at work and she has very little transportation.*

*Sunday, February 4th Zoe texted me "I just remembered something I wanted to ask you... a few days ago, when it was snowing the early morning bus driver told me when the weather is bad I need to walk down to the turnaround but that would be too dangerous." Zoe described the conditions and suggested that maybe she should just cross the street instead. So you might wonder, why would somebody ask me, of all people, if she should go down the street to the turnaround or just cross it and the answer is that I was her 6<sup>th</sup> grade teacher. Also, she is my daughter's best friend. She knows that I'm currently a school bus driver and she knows Andrew because he used to drive her home and to Ithaca on the route 52. He also drove her brother. So, I want to mention – since I keep referring to him – this is not Andrew's fight, it's me and Zoe. I've been a TCAT passenger since it was TOMTRAN, I used to take it every day from Trumansburg to Cornell where I did not play polo but I probably should have and in the 1980's it was really cute and provincial and everybody was friendly and there were no uniforms and now you have an exponentially changed ridership and a much larger fleet, everything is much more professional on the surface but some of the routes out in the rural areas are still really provincial and it's not cute anymore.*

*What Zoe didn't realize is that in addition to being a teacher I was also a bus driver in Denver, CO where I drove for the Regional Transportation District. I was also a division supervisor and I was also Street Supervisor. What street supervisors do in Denver is about what Transit Supervisors do here which means that I would be out ten hours a day, I'd meet passengers and drivers, I would field complaints, I'd gather kudos for the drivers, I would check routes and schedules to make sure they were on time, I would check for safety or check passenger's cars after they left them for the airport, I would check for damaged property, I would also respond to accidents and it's really pretty different in Denver because the supervisors were in charge of the accident scene. So, we would go and collect all the information and we would present it to our specially trained traffic investigators and the traffic investigators would take that information and go to court, so we had to get enough so they could go to court. and we were charged with protecting the liability of the company. I don't have as much experience as Andrew. I haven't covered fatalities as he has, I wasn't a supervisor as long as he was, and I wasn't a bus driver as long as he was but I am trying to distance myself here.*

*So it's Zoe H., she rides the route 52 and she picks it up, generally speaking, at 6:20 in the morning and these days at 6:20 in the morning, it's dark. On the time when this issue began, the sun rose around 7:20 in the morning which means she caught the bus approximately an hour before the sun was up which means there's no chance of sunshine and we're all in Ithaca so we know that for sure. Anyway, she usually would catch the route 52 east-bound on route 79 which is also known as Slaterville Rd. and on TCAT rural routes almost all of the outlying stops are flag stops. The riders go out with their flashlights or sometimes flags or books or whatever and they flag you down and she knows she has a good flashlight because a driver once told her "boy, when I see your flashlight, I think you're a car coming down the highway." So, on this day – and I don't know exactly if it was January 31st or February 1st – it was snowing and the roads were not good and the driver picked her up in her driveway where she had always picked up the bus and the driver said to her, "In bad weather, you need to walk down to that turnaround because I'm afraid of getting rear-ended." Now, this surprises me because I know the driver and she's usually really nice, she's usually really professional and it didn't seem reasonable that somebody would ask somebody to go twenty – well not twenty feet – to go down the highway when the weather is really bad because she was afraid of the bus or for the bus. The driver told Zoe that the turnaround was only about 50 feet down the road so Zoe and I measured it and the TCAT turnaround is over 670 feet down the road from her driveway. If you go the additional 150 feet of the turnaround I have the identifying numbers for the fixed points because as supervisors we would find the nearest fixed point, we would measure all measurements from that fixed point so that if you had to recreate the accident, you could. The fixed point is over 800 feet away, although there is one in her front yard. The one in her front yard I guess was snowplowed or something, it's not that fixed.*

*The driver told Zoe she didn't want her bus rear-ended and the fact is I have a picture of the road from Google satellite and in the direction when you're coming from Ithaca towards Zoe's bus stop, the road is actually straighter than if you come from the TCAT turnaround. There's also more room from the curve in the road to the stop if you're coming from Ithaca to Zoe's stop. So, there's more room for the bus to go, there's more room for the bus to stop and it's flatter on the other side, there's a little bit of a dip on the previous side but the dip is not so profound that you wouldn't be able to see the top of the bus at her stop. Zoe thought maybe she could just cross the street and apparently Phil and Mike Smith went there and decided she should just cross the street but what irritates me is that she had to get into a fight with a bus driver for safety; that is insane. I don't know if you've ever heard a person get hit by a car; I have, and it sounds like two cars have crashed together. The man I heard get hit by a car lay in the center of three lanes of a six-lane road until the ambulance got there because he couldn't get up. Now, everybody here has seen a bus that's been hit by a car and when you see a bus that's been hit by a car, generally speaking, there's a scratch. If there's a dent, the car is probably totaled. I did see one bus that was severely damaged by a car and the person in that car... they didn't know how many people were in the car until they put the body parts back together. So, this is not slight that there could be some serious damage on this highway.*

*What also irritates me is that the driver thought it was okay to walk down there and then when I called TCAT – because Zoe couldn't get through – I called and I said I would like a return to my phone call, I was not called back. Then, in the mornings – one time when it was fourteen degrees and one time when it was eleven degrees – the driver drove by her while she was standing in her driveway. I called TCAT again and I never got a return call. So, the driver picked some arguments with Zoe. Zoe does not have a long fuse so I'm not saying she's innocent but what I am saying is that drivers shouldn't have to have fights with passengers and this young woman is the quintessential person that you want on a TCAT bus because she's clean, she has a job, she works hard, she's polite to people, generally speaking. I mean, I don't know if she was polite to the driver because the driver said to her at one point, "I brought you downtown, what more do you want?" I'm not saying that this is actually the reason the driver is upset but I know that there's only a three minute turnaround, there at the end of the route 52 and maybe the driver had to go to the bathroom, I don't know.*

*If you've ever been to the end of the route 52 you'll know there isn't actually a bathroom there so for a guy, it's not much of a problem. I'm fairly certain most of you have never been bus drivers but when a bus driver gets to the end of the line a guy will go pretend to check his tire but he'll actually be peeing on it because there aren't bathrooms. A woman doesn't have that option. I know from people who live in Trumansburg that they have seen female bus drivers peeing outside their buses because there's no restroom available and the schedule does not allow the woman to stop to pee on the way. Now I'm not saying that's why this woman was agitated and wanted to pick Zoe up on the way home but if I were getting to the end of a very long and bumpy route and I had to pee, I would really hope that there would not be any passengers wanting to get on before I got to the turnaround. In Denver, the company turned a blind eye – I mean, they put in bathrooms all over for us – but they turned a blind eye to these yellow plastic bags that they gave us that every driver had to pee in if they didn't have a restroom at the end of the line and then we had to discretely dispose of it and no one ever got in trouble because you don't want your driver wetting her pants. So, I don't know if that's the reason that she did that but I'm here because it was unsafe, there didn't need to be an argument, but the driver may not be getting what she needs either and with a three minute turnaround and the weather is bad, it compromises the driver's opportunity if she has to make more and more stops. She's supposed to check the bus for lost and found items, she's supposed to make sure that nobody's asleep on the bus, she's supposed to do this, she's supposed to do that, she's supposed to change her sign and it's really hard to do that in three minutes. I'm also irritated that I never get phone calls back from TCAT but you need passengers. This is a situation that encapsulates some of the reasons people don't ride TCAT but it's also a reason why you have so much trouble keeping people working here once you actually have hired them. So the schedules need to be more humane for the passengers and the drivers."*

A. Gallegos stated the following:

*"I would like to address the board today about contradictions within the organization's own mission statement. It clearly states that we are to provide safe, high quality, reliable, efficient public transportation while being a responsive and a responsible employer. This is the foundation of positive change which can ensure the growth of TCAT for future generations to come. I can point out its effect on every aspect of the state of TCAT's report today, but I won't.*

*Here's the question; can we offer a reliable, safe, high quality, responsible service while being efficient? No. We have a responsibility, as also stated in our passenger's rights; to offer a safe and comfortable bus experience. It doesn't start at streamlining safety through an algorithm that tightens schedules; it starts at insuring high quality service through research and development. We have acquired the tools, right now, to correct this. To the board; thank you for obtaining much needed funding for mass transportation here in Ithaca.*

*Recently the subject came up about a mid-winter bid change due to a problem in scheduling but experience shows it will not work. Instead of trying to push any hastily assembled agenda, it needs to be perfected before affecting passenger's rights and responsibility, and of course, TCAT's own mission statement. Streamlining schedules while sacrificing safety in equipment and drivers is not the answer, not just in the driving pool, but all drivers – including yourselves – while on the road. In the CDL passenger endorsement manual it clearly states practices we must legally abide by that can be subjected to severe consequences. There's a reason why there are national laws governing time off. You might ask yourselves, "how does this affect our mission?" If drivers are overworked it affects our ability, if equipment is overworked it affects our ability. Simplified; there's too much wear and tear. If equipment is damaged it doesn't work, if drivers are damaged they don't work, if routes don't go out our passengers are damaged. We need to attract riders, which ensures funding. We don't need to scare them away.*

*The answer to the questions about public transportation in our area are a lot simpler than one might think, but it would require a lot of work. This could start happening for the fall of 2018 if members of our organization are willing, and that's just it... willing. Our new General Manager has made terrific progress in the last few months, but are we all willing to do the hard work? Thank you."*

#### **IV. Approval of the minutes from January 25, 2018 Board of Directors Meeting**

The motion to approve the minutes from the January 25, 2018 Board of Directors Meeting was made by D. Nguyen, seconded by P. Stein. The motion to approve the minutes as corrected passed unanimously.

#### **V. Chairman's Report**

F. Proto reported that there will be an executive session at the end of the meeting to discuss personnel matters and announced that M. Smith is filling in for S. Vanderpool at this meeting.

#### **VI. General Manager's Report**

- **Monthly Operating Reports** – M. Smith presented the Monthly Operating Reports for January 2018. He reviewed the details of the Riders, Miles & Hours Statistics, Maintenance, Accidents & Other Incidents, Missed Trips, Finance, Marketing & Communications, and Human Resources.

#### **VII. Action Items**

Consider Resolution {2018 - 6} Transit Advertising on TCAT, Inc. Properties. F. Proto presented resolution {2018 - 6} Transit Advertising on TCAT, Inc. Properties. The resolution was moved by J. Gutenberger; seconded by W. Gray, which, after amendment, passed unanimously as follows:

#### **RESOLUTION 2018 - 6 TRANSIT ADVERTISING ON TCAT, INC. PROPERTIES**

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 February 22, 2018, at which time a quorum existed, the following resolution was unanimously approved:

WHEREAS, TCAT, Inc. is seeking new opportunities and possibilities regarding transit advertising on its buses and TCAT, Inc.-owned or leased shelters and properties, and

WHEREAS, on November 13, 2017, TCAT, Inc. issued a Request for Proposal (RFP) for Transit Advertising, and TCAT, Inc. received responses on or before January 3, 2018 from Rosanne Sall Advertising, Inc. and Saga Communications of New England, LLC. , DBA Cayuga Radio Group, and

WHEREAS, TCAT, Inc.'s evaluation team reviewed the RFP responses on January 16, 2018, and decided to conduct a meeting to clarify the proposal from Saga Communications of New England, LLC., and

WHEREAS, after the meeting with Saga Communications of New England, LLC. on January 23, 2018, the evaluation team, after further review, concluded that Saga Communications of New England, LLC. is a qualified firm, and that acceptance of its proposal would be in the best interests of TCAT, Inc., and

WHEREAS, the evaluation team recommends that TCAT, Inc. enter into a contract with Saga Communications of New England, LLC. for Transit Advertising.

NOW, THEREFORE, BE IT RESOLVED, that the TCAT, Inc. Board of Directors selects Saga Communications of New England, LLC. as its transit advertising contractor for an initial period of three (3) years with possible extensions up to five (5) years, and be it further

RESOLVED, that the TCAT, Inc. Board of Directors authorizes the Chairperson of the Board and the General Manager to execute a contract with Saga Communications of New England, LLC. for transit advertising services as described in the RFP and its response to the RFP, subject to the approval of TCAT Inc.'s attorney.

Consider Resolution {2018 – 7} Purchase of Avail Technologies, Inc. Equipment. F. Proto presented resolution {2018 – 7} Purchase of Avail Technologies, Inc. Equipment.

**RESOLUTION 2018 - 7**  
**PURCHASE OF AVAIL TECHNOLOGIES, INC. EQUIPMENT**

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 February 22, 2018, at which time a quorum existed, the following resolution was unanimously approved:

WHEREAS, TCAT, Inc. will increase its bus fleet size by three (3) buses after eleven (11) new buses are placed into service and eight (8) buses are permanently removed from service, and

WHEREAS, TCAT, Inc. will be transferring bus units with the Integrated Computer-Aided- Dispatch/Automated-Vehicle-Location (CAD/AVL) System with Real-Time Passenger Information, a solution created by Avail Technologies, Inc. (Avail, Inc.), from permanently removed buses to the new buses, and

WHEREAS, eight (8) of the Avail, Inc. bus units will be transferred from eight (8) of the removed buses to eight (8) of the new buses, leaving the need to purchase three (3) complete bus units for the additional three (3) new buses, and

WHEREAS, TCAT, Inc. is in a long-term relationship with Avail, Inc., and the equipment is proprietary to Avail, Inc., and

WHEREAS, TCAT, Inc. recommends the purchase of three (3) complete bus units from Avail, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the TCAT, Inc. Board of Directors authorizes the purchase from Avail, Inc. of three (3) complete bus units as shown in the attached purchase offer dated February 13, 2018, in the amount of Forty-Five Thousand Five Hundred Twenty-Two dollars and no cents (\$45,522).

The resolution Purchase of Avail Technologies, Inc. Equipment was moved by W. Gray; seconded by D. Nguyen. -The motion to table the resolution was moved by W. Gray; seconded by J. Gutenberger. The motion to table the resolution passed unanimously.

## **VIII. Committee Reports**

- **Executive Committee**

F. Proto reported that the Executive Committee met on February 21, 2018 and discussed Strategic Planning; Pinnacle Contract; Succession Plan; and Avail Update.

- **Budget Committee**

W. Gray reported that the Budget Committee met on February 20, 2018 and discussed Vehicle Insurance Renewal; Revenue Expenditure Report January 31, 2018; and Fuel Report.

- **Transit Service Committee**

D. Nguyen reported that the Transit Service Committee met on February 14, 2018 and discussed the ITS Project; Bus Stop Signage and Amenities Project; Student/Academic Projects; One-Way-View Window Ads; Emergency Ride Home Program; Mid-Range Planning; Bus-Spare Ratios; and Outstanding Service Requests.

- **Human Resources Committee**

B. Brady reported that the HR Committee met on February 7, 2018 and discussed HR Audit; COBRA; JazzHR; Employee Handbook; Performance Evaluations; and Contract with Pinnacle for Current Services.

- **Planning Committee**

D. Nguyen reported that the Planning Committee met on February 22, 2018 and discussed Storage Building Updates, Green St. Updates, Facility Locations, Grant Status, and Strategic Planning.

- **Audit Committee**

The Audit Committee did not meet.

## **IX. Executive Session**

F. Proto asked for a motion to enter into executive session to review personnel matters and discuss contract negotiations. The motion was made by W. Gray; seconded by D. Nguyen. The motion passed unanimously. The Board entered into Executive Session at 5:30 PM. The Board arose from Executive Session at 6:03 PM.

## **X. Adjournment**

The motion to adjourn the meeting was made by W. Gray; and seconded by J. Gutenberger. The meeting adjourned at 6:05 PM.