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NIAGARA FRONTIER TRANSPORTATION AUTHORITY

Monthly Board Meeting

July 23, 2020

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Transcript of Video Recording

of Proceedings held at NIAGARA FRONTIER TRANSPORTATION

AUTHORITY, 181 Ellicott Street, Buffalo, New York,

stenographically transcribed by VALERIE A. ROSATI, Notary

Public.

1           MEMBERS IN THE BOARDROOM:

2           Commissioner Adam Perry (Presiding over meeting)  
3           Commissioner Michael Hughes  
4           Commissioner Wesley Hicks  
5           Kimberley Minkel (Executive Director)  
6           David State (General Counsel)  
7           John Cox (Chief Financial Officer)  
8           William Vanecek (Director, Aviation)  
9           Tom George (Director, Public Transit)  
10          John Schaefer (Director, Engineering)  
11          Darren Kempner (Manager, Government Affairs)  
12          Helen Tederous (Director, Public Affairs)  
13          Darlene Jaeger (Assistant to Executive Director)

14           MEMBERS ON THE PHONE:

15          Chair Sister Denise Roche  
16          Commissioner LaVonne Ansari  
17          Commissioner Joan Aul  
18          Commissioner Anthony Baynes  
19          Commissioner Bonita Durand  
20          Commissioner Margo Downey  
21          Commissioner Charles Gurney  
22          Commissioner Philip Wilcox  
23          Steve Duquette (Chief Information Officer)  
            Karen Novo (Director, Human Resources)

MR. STATE:    Good afternoon, Commissioners.    We'll do  
                the roll call to make sure we have a quorum.

                Commissioner Ansari?

COMMISSIONER ANSARI:    Present.

MR. STATE:    Aul?

COMMISSIONER AUL:    Here.

MR. STATE:    Baynes?

1 Demakos?

2 MS. MINKEL: Peter, was that you?

3 MR. STATE: Commissioner Demakos?

4 Commissioner Downey?

5 COMMISSIONER DOWNEY: Here.

6 MR. STATE: Commissioner Durand?

7 COMMISSIONER DURAND: Present.

8 MR. STATE: Commission Gurney?

9 Commissioner Hicks?

10 Commissioner Hughes?

11 COMMISSIONER HUGHES: Here.

12 MR. STATE: Commissioner Perry?

13 COMMISSIONER PERRY: Here.

14 MR. STATE: Sister Denise?

15 CHAIR SISTER ROCHE: Here.

16 MR. STATE: And Commissioner Wilcox?

17 COMMISSIONER WILCOX: Here.

18 MR. STATE: Okay. So that does give us seven, and

19 that's a quorum, Mr. Chair.

20 COMMISSIONER PERRY: Okay. So just a reminder,

21 especially when we're taking votes -- and the

22 general counsel will also verify this. When

23 we're calling the roll -- when he's calling the

1 roll, when everyone speaks, just make sure they  
2 repeat their name before they start speaking so  
3 we know who it is for the record.

4 The general counsel has advised that a  
5 quorum is present pursuant to the bylaws, and I'm  
6 going to call the meeting to order. This meeting  
7 of July 23, 2020 of the NFTA Board of  
8 Commissioners.

9 And at this point, I am physically present  
10 in the room, as is Commissioner Hughes, but other  
11 commissioners, as noted, are present  
12 electronically through speakerphone. And I've  
13 agreed to preside over this meeting. So I'm  
14 going to ask for -- and I may do this more than  
15 once. I'm going to ask for unanimous consent,  
16 meaning that if you have an objection, so state  
17 it. If you don't have an objection, we will  
18 pause and then determine that we have unanimous  
19 consent, in other words without objection, to a  
20 few matters that we're going to go through.

21 So I'm going to ask for unanimous consent  
22 that I preside over this meeting of July 23,  
23 2020. And asking for unanimous consent?

1           And hearing no objections, I will so serve  
2           as presiding over this particular meeting.

3           And the first matter is the approval of the  
4           June 25, 2020 regular meeting minutes. So I need  
5           a motion to approve the minutes.

6   COMMISSIONER HUGHES: So moved.

7   COMMISSIONER PERRY: By Commissioner Hughes.

8           And we need a second.

9   COMMISSIONER WILCOX: Second. Commissioner Wilcox.

10   CHAIR SISTER DENISE: Second. Sister Denise.

11   COMMISSIONER PERRY: I heard Commissioner Wilcox  
12           first with a second. We have a motion and a  
13           second.

14           Do we want to do unanimous consent, Mr.  
15           General Counsel?

16   MR. STATE: That's what I would recommend.

17   COMMISSIONER PERRY: All right. Very well. So since  
18           we have a motion and a second, I'm going to ask  
19           for unanimous consent that the referenced meeting  
20           minutes be approved. And if there are no  
21           objections?

22           That motion carries by unanimous consent.  
23           And the meeting minutes of the June 25, 2020

1 meeting are approved.

2 And by the way, I didn't call for discussion  
3 on that particular one, but obviously any members  
4 who have discussion or any opposition can  
5 certainly jump in and say that.

6 And I want to move right along to the  
7 executive director's report and turn it over to  
8 Executive Director Minkel.

9 MS. MINKEL: Thank you. A couple of things for the  
10 board. Since we did not have committee meetings  
11 earlier today, as a reminder I sent all the  
12 information that you would normally receive in  
13 your committee packages, all the various metrics,  
14 performance, to keep the board up to date.  
15 That's also posted on our website. But, there  
16 are a couple of things that I want to call  
17 attention -- call to your attention.

18 One is safety and security, which always  
19 remains paramount in everything that we do.  
20 Despite some of the challenges during the  
21 pandemic, our injuries and illnesses are down.  
22 We have a six-percent reduction in reportable  
23 injuries. Lost time days are also down. And the

1 number of lost time injuries remain the same as  
2 what they were last year. This is important  
3 because we have in your report our quarterly  
4 reports for Workers' Comp. And for the first  
5 quarter of the year, we only have nineteen  
6 Workers' Comp. claims, which is very low and very  
7 noteworthy, because as we try to control costs,  
8 as we are losing operating assistance and  
9 revenue, it's really important that we do  
10 everything that we can to control those costs.  
11 So I wanted to make mention of those that are in  
12 your report.

13 I also wanted to make mention that our  
14 diversity council is focused and engaged. They  
15 are focusing on three main initiatives this year  
16 in support of our overall strategic plan. The  
17 three areas are hiring and promotions; training,  
18 particularly as it relates to social ethics; and  
19 then the third area is celebrating cultures. So  
20 that's going to be the focus throughout the year.  
21 They're hard at work and they're very engaged,  
22 and we're very excited about their work and what  
23 this means to the Authority.

1 I also wanted to mention to the board that  
2 we are still desperately trying to schedule our  
3 police exam. We are anticipating that it's going  
4 to be broken up over several days with several  
5 different sessions. We have over thirteen  
6 hundred applicants who want to take the exam, and  
7 in the pandemic world, it's difficult to schedule  
8 all thirteen hundred, so we're trying to find  
9 locations and be able to administer this in a  
10 safe way.

11 There is no meeting in August, so the next  
12 scheduled meeting for the board will be -- for  
13 our board meeting and committee meetings will be  
14 on Thursday, September 24th.

15 And then two things -- two other things for  
16 the board. I wanted to make mention that we were  
17 notified yesterday by the American Public  
18 Transportation Association that the NFTA Metro is  
19 going to be recognized as the winner of the  
20 APTA's 2020 rail safety and security gold award  
21 for light rail. That's the highest honor that  
22 you can get. I already mentioned about how  
23 important safety and security is to our



1 organization, so I'm incredibly proud of the  
2 great work that Metro, particularly the light  
3 rail, is doing when it comes to safety and  
4 security.

5 The award will be given to us on March 20,  
6 '21 at the APTA Expo, so more to come at a later  
7 date. I'll be bringing in some individuals that  
8 we will recognize who helped contribute to this  
9 award, so we're very excited about that.

10 And then, finally, I wanted to recognize  
11 Darlene Jaeger. This is her last board meeting.  
12 We will be having an open house for her on August  
13 20th, so any board member -- I'll send out more  
14 details -- who want to stop by and wish her well.  
15 She's calling it a wake, but that's not a fair  
16 assessment. It's a celebration. We're going to  
17 miss her smiling face. She's always been very  
18 helpful to all of us over the years. So we wish  
19 her a very healthy, safe, happy, and long  
20 retirement. So thank you, Darlene.

21 MS. JAEGER: Thank you.

22 COMMISSIONER HICKS: Ms. Minkel?

23 MS. MINKEL: Yes?

1 COMMISSIONER HICKS: Hi. It's Wesley Hicks. I  
2 wanted to let you know that I signed in. First,  
3 congratulations to Darlene. I wanted to let you  
4 know that I'm going to sign off and probably come  
5 down to the meeting in person. Okay?

6 MS. MINKEL: Oh, that would be wonderful.

7 COMMISSIONER HICKS: All right. So I'll see you  
8 shortly. Thank you very much. Bye.

9 MS. MINKEL: Okay. Thanks, Wes.

10 COMMISSIONER PERRY: It sounded like we had two  
11 people join in during your report. Commissioner  
12 Hicks and?

13 MS. MINKEL: Did someone else join?

14 COMMISSIONER BAYNES: Yes. Anthony Baynes.

15 MS. MINKEL: Great. Thank you, Anthony.

16 COMMISSIONER BAYNES: You're welcome.

17 MS. MINKEL: And that concludes my report.

18 COMMISSIONER PERRY: Thank you, Executive Director.

19 And moving on now to the NFTA corporate  
20 report, and the activities of the audit,  
21 governance and finance committee and that report,  
22 which is going to be -- are we going to go first  
23 to Mr. Cox for the financials?

1 MS. MINKEL: The financials, yes.

2 COMMISSIONER PERRY: So we'll start with CFO John Cox  
3 for the financials.

4 MR. COX: Yes. Thank you. Good afternoon,  
5 commissioners. If you could refer to page nine  
6 in your packet. For the month of June, 2020, we  
7 had a negative variance to budget of thirty-five  
8 thousand dollars; and on a year-to-date basis, it  
9 was a negative variance to budget of nineteen  
10 thousand dollars.

11 Total operating revenues and assistance were  
12 below budget by one point four million or seven  
13 point two percent for June; and on a year-to-date  
14 basis, it was four point six million or seven  
15 point six percent. And June was the end of the  
16 first quarter of our fiscal year.

17 Now, the revenue shortfalls were primarily  
18 due to Metro passenger fares had a negative  
19 variance to budget for the month of June of two  
20 point nine million or ninety-six percent. And  
21 I'll just point out that we reinstated fares on  
22 June 29th, so there were two days where we were  
23 actually collecting fares in the month of June.

1 And on a year-to-date basis, we have a negative  
2 variance on fares of nine point one million or  
3 ninety-nine percent year to date.

4 Our STOA. We actually last week received  
5 our first STOA payment. Versus budget, it was  
6 reduced by twenty-seven percent, so we adjust our  
7 numbers. We were originally estimating a  
8 negative -- a reduction of twenty-five percent,  
9 so for the month of June, that was one point  
10 eight million dollars; and year-to-date, that's  
11 four point two million dollars. And if that were  
12 to continue on an annual basis, that would be a  
13 reduction of sixteen point eight million dollars.

14 And as I've said in prior meetings, of  
15 course, you know, the state -- without action at  
16 the federal level as far as, you know, additional  
17 funds being made available to help out states and  
18 local governments -- I believe that there's some  
19 talk of that. It's hard to tell whether we would  
20 see further reductions or whether it would  
21 maintain at this level or possibly some either  
22 restoration or full restoration, but I think  
23 that's all dependent on action at the federal

1 level.

2 Now, BNIA revenues, one point eight million  
3 or thirty-three percent below budget in June; and  
4 on a year-to-date basis, six million dollars or  
5 thirty-five percent below budget.

6 NFIA revenues were one hundred and sixty-six  
7 thousand or seventy-four percent below budget in  
8 June. On a year-to-date basis, it was five  
9 hundred and twenty-six thousand or sixty-six  
10 percent. And these revenue shortfalls have been  
11 partially offset by CARES Act funding that we  
12 received from both the FTA and the FAA. And we  
13 used approximately five point one million in  
14 June, and that would be sixteen point three  
15 million year to date.

16 Our total operating expenses were below  
17 budget by one point seven million or ten percent;  
18 and on a year-to-date basis, it was below budget  
19 by four point eight million or nine percent. And  
20 this is primarily due to lower expenses across  
21 the board due to reductions in cost via delayed  
22 purchases and cost controls. Of course the  
23 exceptions being any operationally critical or

1 safety-sensitive expenditures that we have to  
2 incur, and also with favorable pricing for  
3 commodities, again, because of the lower demand  
4 of diesel, gasoline and natural gas.

5 And just as -- you know, as I have been in  
6 past months, to put it into perspective just how  
7 important the CARES Act assistance is for both  
8 Metro, the two airports and the NFTA as a whole,  
9 it really has been a financial lifeline. Without  
10 it, during the month of June, we would have  
11 recognized a five point one million dollar  
12 negative variance to budget and it would have  
13 been a three point nine million dollar budget --  
14 I mean -- I'm sorry. Not budget, but deficit in  
15 the budget in the month of June. And on a  
16 year-to-date basis, we would be looking at a  
17 sixteen point four million dollar negative  
18 variance to budget and thirteen point one million  
19 dollar deficit.

20 And unless there are any questions, that  
21 concludes the consolidated financials for June.

22 COMMISSIONER PERRY: Any questions for Mr. Cox?

23 Anybody on the phone?

1           Hearing none, we have, it looks likes from  
2           the agenda, seven resolutions that the executive  
3           director will go through for us.

4 MS. MINKEL: Yes. Thank you, Adam.

5           So starting on page seventeen of the  
6           attachments that I sent out to you. The first  
7           corporate resolution, staff is looking for a  
8           renewal agreement with Insight Public Sector for  
9           our Adobe license. This would be at a cost of  
10          twenty-six thousand three hundred and sixty-six  
11          dollars and one cent per year. This would be a  
12          three-year term. By doing a multi-year term, we  
13          are able to lock in and save money.

14          There are a number of resolutions you may  
15          have noticed last month, the month before and  
16          this month where we are trying to lock in so that  
17          we can ensure either no increases or budget  
18          certainty, or even better yet, savings going  
19          forward. And since they're multi-year  
20          agreements, they come to the board. So this is  
21          an example of one of those.

22          The next resolution on page eighteen is a  
23          network agreement with Verizon Wireless. This is

1 at a cost of five thousand per month for  
2 thirty-six months. Again, another way to lock  
3 in. The actual cost will be somewhat dynamic.  
4 It will be based on the bandwidth allocation that  
5 we're actually using, so it will range anywhere  
6 between twenty-five hundred and forty-five  
7 hundred per month. And, again, this is a  
8 three-year agreement.

9 The next corporate resolution on page  
10 nineteen is a maintenance agreement with ABB  
11 Enterprise Software. This is our annual  
12 maintenance agreement for our Ellipse system.  
13 The amount is one hundred and twenty-nine  
14 thousand three hundred and eighty-three dollars  
15 and seven cents, or a two point two percent  
16 increase over last year's maintenance software  
17 agreement.

18 On page twenty, staff is looking for the  
19 board to authorize a lease agreement with Reef  
20 Creations for space at 485 Cayuga. They've been  
21 a tenant with us since 2017. The lease is for  
22 space at 485 Cayuga, a little over fifty-four  
23 hundred square feet of light industrial space and



1 five hundred and thirty-one square feet of  
2 storage space. The initial rent would be seven  
3 ninety-eight per square foot for the industrial  
4 space and a little over four dollars per square  
5 foot for the storage space, or forty-five  
6 thousand three hundred and thirty dollars per  
7 year. We are including a three-percent escalator  
8 for a three-year term that would expire on  
9 September 30th, 2023.

10 The fifth corporate resolution is an  
11 authorization for an amendment. This is  
12 amendment number five with Recovery Management  
13 Solutions for space at 485 Cayuga. And in the  
14 resolution we included the various amendments  
15 over the past several years, along with the  
16 original lease. And as you can see, the space  
17 needed has grown over this time. They currently  
18 lease a little over eleven thousand five hundred  
19 square feet. They are looking to add an  
20 additional one thousand forty-eight square feet  
21 under their existing lease. The term would be  
22 the same, at the same rate, ten dollars and  
23 seventeen cents for two months, and then after

1       that, once it's in sync with the previous other  
2       amendment, it would be subject to a three-percent  
3       escalator come November. This additional space  
4       does not require any build-out work. So this  
5       will bring their annual lease up to a hundred and  
6       twenty-six thousand three hundred and sixty-five  
7       dollars to the Authority.

8               On page twenty-two, staff is looking for a  
9       lease agreement with Ivergent at 247 Cayuga Road.  
10       They've been a tenant since 2015. They're  
11       looking to continue to lease four hundred and  
12       ninety-four square feet of class C office space.  
13       The initial term of the lease would start from  
14       September and go through February at a rate of  
15       twelve dollars and seventy-five cents per square  
16       foot for eighteen months, and then after that,  
17       there would be a three-percent annual increase.  
18       This will have a four-year term, subject to our  
19       approval.

20               And the final resolution is an authorization  
21       for a lease agreement with J and G Merchandise,  
22       also at 247 Cayuga Road. They've been a tenant  
23       with us since 2016. They currently lease a

1 little over two thousand square feet of class C  
2 light industrial space and a hundred and  
3 fifty-two square feet of storage space. The  
4 initial rent for this would be ten dollars and  
5 twenty-five cents per square foot, and three  
6 dollars and eighty-five cents per square foot for  
7 the storage space, or twenty-one thousand seven  
8 hundred and twenty dollars per year. This would  
9 also have a three-percent annual escalator. That  
10 would expire on August, 2021. And they would  
11 also have the option for two additional one-year  
12 leases with our approval.

13 And those are the corporate resolutions.

14 COMMISSIONER PERRY: Okay. I'd like to start with a  
15 motion just by unanimous consent to take the  
16 seven resolutions as a single batch. So I need a  
17 motion for that.

18 COMMISSIONER HUGHES: So moved.

19 COMMISSIONER PERRY: And a second?

20 CHAIR SISTER ROCHE: Second. Sister Denise.

21 COMMISSIONER BAYNES: Second. Anthony Baynes.

22 COMMISSIONER PERRY: We'll give that one to Sister

23 Denise for the second. That was a toss-up, jump

1 ball.

2 And then I'm going to say -- this is  
3 unanimous consent, so if you have an objection,  
4 state it; otherwise, we're going to move on to  
5 taking it as a batch. Any objections?

6 Hearing no objection, we're going to take  
7 them as a batch by unanimous consent.

8 Now I need a motion to approve the seven  
9 resolutions.

10 COMMISSIONER HUGHES: So moved.

11 COMMISSIONER PERRY: By Commissioner Hughes.

12 And a second?

13 COMMISSIONER AUL: Joan Aul. Second.

14 COMMISSIONER PERRY: Okay. We have a motion and a  
15 second. Any questions? Any discussion?

16 Hearing none, Mr. General Counsel, are you  
17 going to call the roll now?

18 MR. STATE: Yes, Chair.

19 COMMISSIONER PERRY: Excellent.

20 MR. STATE: Commissioner Ansari?

21 COMMISSIONER ANSARI: Yes.

22 MR. STATE: Commissioner Aul?

23 COMMISSIONER AUL: Yes.

1 MR. STATE: Commissioner Baynes?  
2 COMMISSIONER BAYNES: Yes.  
3 MR. STATE: Commissioner Durand?  
4 COMMISSIONER DURAND: Yes.  
5 MR. STATE: Commissioner Hicks?  
6 Commissioner Hughes?  
7 COMMISSIONER HUGHES: Yes.  
8 MR. STATE: Commissioner Perry?  
9 COMMISSIONER PERRY: Yes.  
10 MR. STATE: Sister Denise?  
11 CHAIR SISTER ROCHE: Yes.  
12 MR. STATE: And Commissioner Wilcox?  
13 COMMISSIONER WILCOX: Yes.  
14 MR. STATE: Any other commissioners wishing to vote  
15 that I have not called?  
16 COMMISSIONER GURNEY: Sam Gurney. Yes.  
17 MR. STATE: Thank you, Commissioner Gurney. Anyone  
18 else?  
19 Item passes.  
20 COMMISSIONER PERRY: And those resolutions pass as a  
21 batch. And also noting that now Commissioner  
22 Gurney is here, so it looks like we have ten in  
23 total.

1           And so we're going to move on now to the  
2           aviation business group report. And because of  
3           the mode we're operating in, I'm going to ask if  
4           Mr. Vanecek wouldn't mind taking us through the  
5           agenda.

6   MS. MINKEL: Highlights.

7   COMMISSIONER PERRY: Yes. With the highlights,  
8           please.

9   MR. VANECEK: Just the highlights?

10   COMMISSIONER PERRY: Yes.

11   MR. VANECEK: Highlights. Okay. Highlights or  
12           lowlights, depending on how you look at it I  
13           guess.

14           We'll look at -- first, we'll start with  
15           BNIA and the enplanement numbers. So we had  
16           budgeted about two hundred and sixteen thousand.  
17           We got thirty -- just under thirty-five thousand  
18           for the month of June, which was eighty-four  
19           percent less than budget. And year to date we  
20           were six hundred and fifty-seven thousand six  
21           eighty-one last year. And we're at fifty-seven  
22           thousand one eighty-nine this year. That's a  
23           ninety-one percent decrease on the enplanement

1 numbers.

2 If you look at Niagara Falls, similar,  
3 similar numbers there. Not quite as bad, but  
4 they were -- last year budget we had -- or, last  
5 year enplanements were seven thousand six  
6 twenty-two and we're at two thousand three  
7 ninety-two so it's about a seventy-percent  
8 decrease. And year to date was twenty-nine  
9 thousand six sixty-six. We're at four thousand  
10 two fifty-two and that's eighty-six percent down.  
11 So those are the highlights. And of course those  
12 are driving significant budget challenges for us  
13 as we're significantly down in all of our revenue  
14 lines. And, you know, until traffic picks up,  
15 we're just going to continue to try to keep the  
16 expenses as low as possible. We have done a good  
17 job of that. We have no overtime, reducing costs  
18 wherever we can. So we're holding our own, but  
19 we're also being supplemented, as John Cox  
20 mentioned, with some of the CARES Act funding  
21 that we need. So those would be the highlights  
22 of that end of the operation. Are there any  
23 questions?

1 COMMISSIONER PERRY: Any questions from anybody on  
2 the phone for Mr. Vanecek on those highlights?

3 And hearing none, thank you very much.

4 And now I'd like to ask the executive  
5 director to take us through the two resolutions  
6 that we have.

7 MS. MINKEL: Great. Thank you.

8 There are two resolutions within aviation  
9 starting on page twenty-six of the material that  
10 I sent you. The first one, staff is recommending  
11 a change order to Pike Company's construction  
12 contract. This is a three hundred and  
13 thirty-eight thousand one hundred and three  
14 dollar increase. That will revise the contract  
15 value to fifty-three million seven hundred and  
16 eighty-four thousand three hundred and seventy  
17 dollars.

18 As part of this change order, there are  
19 essentially a couple different components that  
20 are driving this. The first, about half of the  
21 change order is related to varying site  
22 conditions. So when you get out there and you  
23 start doing construction, sometimes things aren't



1 as you anticipate, either the existing as-built  
2 drawings that we had were not correct from the  
3 previous terminal installation or you find site  
4 conditions, you strike oil when you don't intend  
5 to, so to say. So a hundred and sixty-five  
6 thousand eight hundred and ninety-six dollars are  
7 related to those type of situations.

8 And then there's two hundred and twenty-one  
9 thousand that are related to design  
10 inconsistencies. So as part of the design work  
11 that had been done, there were some errors and  
12 omissions. To date we have gone back after, for  
13 design support, and we have received two hundred  
14 and twenty-seven thousand value of rework as it  
15 relates to that. So we are holding them  
16 responsible and accountable for those design  
17 inconsistencies.

18 And then we do have a component of  
19 enhancements. So when you're out there,  
20 sometimes you see opportunity for improvements.  
21 And the enhancements are twenty-seven thousand  
22 four hundred and nineteen dollars. And this is  
23 for low-profile barriers that we decided we could

1 keep and reuse, so we wanted to buy those as part  
2 of this project.

3 There were also seventy-seven thousand  
4 dollars worth of cost reductions that are  
5 included as part of this change order.

6 The second resolution within aviation is on  
7 page thirty-two. And this is for our landing fee  
8 tariff at the Buffalo Airport. So our landing  
9 fee tariff is cost compensatory at the Buffalo  
10 Airport. It's more arbitrary at the Niagara  
11 Falls Airport. And as you can imagine, the  
12 landing weights have been greatly reduced. Bill  
13 already went through the decline in enplanements  
14 that we saw year to date, ninety-one percent  
15 decline, which is certainly significant.

16 MR. VANECEK: And approximately fifty percent of  
17 flights.

18 MS. MINKEL: Fifty percent, yeah.

19 So last year our landing rates -- we are  
20 recommending a landing rate that is three dollars  
21 and seventy-one cents higher than last year or a  
22 seventy-six percent increase. Slightly less than  
23 that from the previous year. This would be a

1       sixty-four percent increase over two years ago.  
2       So staff is recommending an eight dollar and  
3       fifty-eight cents per thousand pounds of gross  
4       certified landing weight; and for the  
5       non-signatory carriers, a rate of ten dollars and  
6       seventy-three cents per thousand pounds. This  
7       has been communicated to the airlines, so they  
8       understand the challenge. The rate would be  
9       effective July 1st of this year and would go  
10      through June -- the end of June of next year.  
11      Certainly we hope that next year we will be  
12      coming to the board with a much lower landing fee  
13      tariff. But, this is something that all airports  
14      across the U.S. and probably across the world are  
15      having to contend with at the moment.

16             And those are the two resolutions in  
17      aviation.

18   COMMISSIONER HUGHES:   May I?

19   COMMISSIONER PERRY:   Yes, please, Commissioner  
20      Hughes.

21   COMMISSIONER HUGHES:   Just on the change order -- I  
22      don't know if it's Bill or Kim. Whether it's  
23      five percent, two percent, it's still a million

1           dollars. How are we feeling about Pike these  
2           days in terms of accountability and getting this  
3           done? This is at least the second, if not maybe  
4           the third change order that we've had to vote on.

5   MR. VANECEK: I think they're doing a great job out  
6           there, quite frankly. And, you know, these  
7           were really -- a big chunk of these were  
8           unforeseen conditions, a lot of it. And then the  
9           other piece of it is the design  
10          deficiencies which --

11   COMMISSIONER AUL: I'm sorry. This is Joan Aul. We  
12          can't hear Bill's response. I'm sorry.

13   MR. VANECEK: Oh, I'm sorry. So the question was,  
14          how are we feeling about Pike Corporation as our  
15          general contractor for the construction of the  
16          job. And I'm saying I think they're doing a  
17          really good job. Again, some of these were  
18          unforeseen, you could not have anticipated them  
19          because they weren't showing up on as-builts  
20          anywhere. So when they hit something, they have  
21          to then address that. So that was I think about  
22          a hundred and sixty-five, a hundred and  
23          sixty-five thousand dollars there.

1           The other ones were design inconsistencies.  
2           So Jacobs is our design, and so John Schaefer has  
3           been doing a great job of working with them to  
4           get value for those design inconsistencies. And  
5           then the other ones were smaller pieces, so --

6 MS. MINKEL: Yeah. And to put it in perspective, a  
7           million dollars is a lot --

8 COMMISSIONER HUGHES: Yeah. But I know change orders  
9           are the norm in this world.

10 MS. MINKEL: Change orders are the norm. Typically,  
11           you're anywhere between five to ten percent of  
12           the project. We're at two percent now. John  
13           Schaefer and his team are doing an excellent job.  
14           I think they think it's their money. I mean,  
15           they are very careful about every dime that's  
16           being spent out there.

17 MR. VANECEK: And along with that, I mean, they've  
18           still been able to keep the schedule, which is I  
19           think really important when they have come across  
20           these unknown factors, it's still a pretty --  
21           they're almost dead on schedule, correct?

22 MR. SCHAEFER: Yes. And if you don't mind me adding  
23           on this topic?

1 MR. VANECEK: No. Please.

2 MR. SCHAEFER: So it's a great point about -- it's  
3 about two, a little over two percent, and we're  
4 just over a third of the project. Just using big  
5 numbers for the discussion purposes, a third of  
6 the way, multiply by three, puts it at about six  
7 percent what we're trending to. So on any  
8 project, we're happy anywhere under ten, ten or  
9 under. So the trend, if you will, is okay. The  
10 number is still big, we're still doing our best  
11 to keep it down, but when you put it in  
12 perspective of the project, it's still within the  
13 norm.

14 COMMISSIONER HUGHES: Okay. Thanks.

15 COMMISSIONER PERRY: Thank you.

16 Any other questions from the phone?

17 COMMISSIONER DURAND: Yes. This is Bonnie Durand.

18 On the second resolution, has that already  
19 been implemented? I thought I heard that it was  
20 effective July 1st and that the carriers had  
21 already been informed of it. So is that already  
22 in place or did I misunderstand?

23 MS. MINKEL: Yes, that is true. Although, I don't

1 believe they've been invoiced yet at this point  
2 so --

3 MR. VANECEK: That's correct. They pay the landing  
4 fees in the subsequent month, so July's payment  
5 will happen in August.

6 MS. MINKEL: In August, right.

7 MR. VANECEK: But they have been informed. We had a  
8 phone teleconference with all the airlines  
9 participating, so they are ready to pay it.

10 COMMISSIONER DURAND: Okay. So this does not require  
11 board approval before you start to act on it. Is  
12 that what I'm hearing?

13 MR. VANECEK: No. We should approve it now.

14 MS. MINKEL: No, it does require board approval.  
15 But, they would be invoiced at the end of this  
16 month, so -- and of course, the rate, it would be  
17 effective July 1st.

18 COMMISSIONER PERRY: But technically we could vote  
19 against it if we --

20 MS. MINKEL: Right. And I don't think it's  
21 technically a ratification that I'm bringing to  
22 the board. Right? It's kind of a gray area.

23 COMMISSIONER PERRY: Well, I think we'll be fine

1 voting on it.

2 Any other questions or comments?

3 Then I'd like to take the two resolutions as  
4 a batch and request that that be done by  
5 unanimous consent. So I need a motion to take  
6 the two as a batch.

7 Commissioner Hughes?

8 COMMISSIONER WILCOX: So moved. Commissioner Wilcox.

9 COMMISSIONER HUGHES: Second.

10 COMMISSIONER PERRY: You've got that.

11 And then by unanimous consent -- if there  
12 are any objections?

13 Hearing no objections, we will take them as  
14 a batch. So I need a motion to approve the two  
15 resolutions.

16 COMMISSIONER HUGHES: So moved.

17 COMMISSIONER PERRY: By Commissioner Hughes.

18 And a second?

19 COMMISSIONER GURNEY: Sam Gurney.

20 COMMISSIONER PERRY: By Commissioner Gurney.

21 And any further discussion or questions on  
22 these two resolutions?

23 Hearing none, we can call the roll.



1 MR. STATE: Roll call. Commissioner Ansari?  
2 COMMISSIONER ANSARI: Yes.  
3 MR. STATE: Commissioner Aul?  
4 COMMISSIONER AUL: Yes.  
5 MR. STATE: Commissioner Baynes?  
6 COMMISSIONER BAYNES: Yes.  
7 MR. STATE: Commissioner Durand?  
8 COMMISSIONER DURAND: No.  
9 MR. STATE: Commissioner Gurney?  
10 COMMISSIONER GURNEY: Yes.  
11 MR. STATE: Commissioner Hicks?  
12 Commissioner Hughes?  
13 COMMISSIONER HUGHES: Yes.  
14 MR. STATE: Commissioner Perry?  
15 COMMISSIONER PERRY: Aye.  
16 MR. STATE: Sister Denise?  
17 CHAIR SISTER ROCHE: Yes.  
18 MR. STATE: And Commissioner Wilcox?  
19 COMMISSIONER WILCOX: Yes.  
20 MR. STATE: Item passes.  
21 COMMISSIONER PERRY: And there are no abstentions or  
22 negatives? Only one negative.  
23 MS. MINKEL: One negative.

1 MR. STATE: One negative.

2 COMMISSIONER PERRY: Okay. Very well.

3 So that motion passes and those two  
4 resolutions are approved.

5 And now moving on to the surface  
6 transportation business group report and turning  
7 it over to Commissioner Hughes.

8 COMMISSIONER HUGHES: Thank you, Commissioner Perry.

9 Similar to the aviation committee, we will  
10 have Tom George go through the financial business  
11 update for the surface transportation area.

12 MR. GEORGE: Thank you and good afternoon. Starting  
13 with the financial report. Most of it was  
14 covered in the audit and governance financial  
15 report. A couple of items. We did receive a  
16 hundred and five thousand dollars in fares during  
17 the month of June for the last two days, June  
18 29th and 30th, so we were two million eight  
19 hundred and fifty-eight thousand unfavorable for  
20 the month.

21 We did have some positive Erie County sales  
22 tax which was from the impact of a quarterly  
23 deferment. That came in favorable. Overall our

1 total local assistance was a hundred and  
2 fifty-six thousand favorable. Unfortunately, the  
3 state operating assistance has been a challenge  
4 for us. When we did the adjustments for the  
5 first three months based on what they received,  
6 we were one point eight five two -- or, eight  
7 million unfavorable for the month.

8 Total operating assistance. We did use the  
9 CARES Act funding of four point two four seven  
10 million to balance our budget this month. But,  
11 we are seeing positive trends on every category  
12 in operating expenses.

13 On page nine of your books, there is a graph  
14 that we very seldom refer to. It's color coded  
15 and it tells the story in a tremendous fashion.  
16 If you look at our revenue assistance, the  
17 federal revenue assistance is bright green which  
18 reflects the CARES funding. The local and state  
19 is bright red which reflects what we're seeing  
20 there. And then our expenses are all light green  
21 and dark green which reflects that we're doing a  
22 really nice job on keeping our costs down and  
23 reflecting that. So that's a snapshot in time.

1 I don't reference that graph very often, but I  
2 think it does tell a story.

3 Overall we are on budget for the year using  
4 the CARES Act funding. So far year to date we've  
5 used twelve million six hundred and eighteen  
6 thousand of the CARES Act funding in this fiscal  
7 year forward to balance our budget.

8 Moving on, if there's no questions on  
9 finances, I would like to discuss the Metro  
10 initiatives status report. A couple of items of  
11 interest in that. Surface and development. The  
12 corridor development. We've talked about the  
13 Bailey Avenue corridor for quite some time,  
14 looking at a collaboration with the City of  
15 Buffalo and opportunities for transit in there.  
16 We do -- that study is nearing completion, and we  
17 do anticipate coming back to the board here in  
18 September or October with a presentation on the  
19 results of that. So we're excited to talk about  
20 that.

21 On the Amherst light rail extension, we're  
22 in the process of advancing the NEPA portion of  
23 the environmental clearance. You may recall that

1 we did get a letter from the Federal Transit  
2 Administration. They're now entering into the  
3 lead agency status for the NEPA, so we're working  
4 with them both on a scope of work for the  
5 environmental clearance as well as a scope of  
6 work for our consultant to provide the products  
7 that are necessary to move through that. There  
8 is a BRT component in that. We're discussing  
9 that. We're also discussing the environmental  
10 assessment versus the environmental impact  
11 statement needs. And then we're also in the  
12 process of discussing the retention of a  
13 third-party consultant to act as FTA's agent to  
14 streamline the review process. We'll have more  
15 on that I would suggest in the next couple of  
16 months.

17 On the DL and W Rail Station project, we're  
18 moving forward. You'll see a board action for  
19 your approval today where we'll be asking to move  
20 forward with the final design on the undesigned  
21 components or the components that are nearly  
22 completed, and those include both the station  
23 itself within the DL and W and the stair tower

1 access on South Park and Illinois Street.  
2 There's also a component in there which will  
3 enhance the pedestrian crossing at grade in the  
4 Canalside area. By completing this design, it  
5 will allow us to go to construction for a  
6 complete, operational station with access both on  
7 South Park as well as on the river side and allow  
8 us then to move into operation of that station  
9 upon completion.

10 And then the last item I wanted to talk  
11 about was fare collection system. We are moving  
12 forward with that. We're under construction in  
13 our underground stations, putting fare gates in  
14 those or getting ready for the fare gates. We do  
15 have a board action in front of you today for us  
16 to move to our contractor to provide all merchant  
17 services which gets us entirely out up to PCI  
18 compliance and merchant elements of that.  
19 Included in that is software support as well as  
20 some second-line maintenance support for our  
21 staff, where we'll continue to do the design of  
22 that -- or, the maintenance activities associated  
23 with that system.

1           Also of note is we've just completed pilot  
2           installation of eight fare boxes in our system.  
3           Those buses are on the street and they're  
4           operating, so we will be actually out collecting  
5           fares with new fare boxes on eight buses. It  
6           should be seamless to our customers as all of the  
7           existing fare media that we use today will be  
8           accepted on those fare boxes. So this will give  
9           us a nice trial run to see how those are working.

10           And if there's any questions on that, I'll  
11           continue.

12           Just a quick note on ridership, of interest.  
13           Current ridership as of today is basically flat  
14           after we put the fares back in place. The bus  
15           daily ridership is approximately fifty percent of  
16           where we were in '19. Our rail ridership is  
17           about forty-five percent of where we were in '19  
18           at the same time. And paratransit ridership is  
19           about thirty-five percent. So there's a lot of  
20           rebound ready to go here.

21   COMMISSIONER PERRY: Do we have a sense that those  
22           are the same riders coming back but in smaller  
23           numbers or that there are different riders who

1           are now using the system that make up part of  
2           that?

3   MR. GEORGE:   We have a sense that it's the same  
4           riders coming back, albeit a smaller number of  
5           those.   So we're seeing that.   And we did see a  
6           pretty good drop on the bus side when we  
7           reinstated fares.   We anticipated that.   What we  
8           did not see was a drop on the rail side.   As a  
9           matter of fact, the rail moved back up a little  
10          bit.   So we recognize that the free fare  
11          initiative was really impacting the bus side much  
12          more than the rail side.

13                Okay.   If there's any other questions, the  
14                last thing I had was our NFTA accessibility  
15                advisory committee was held on June 25th, and we  
16                went through with that group all of our COVID  
17                activities.

18                (Whereupon, Commissioner Wilcox joined the  
19                meeting.)

20   MR. GEORGE:   We had indicated to them that we were  
21           re-collecting fares on the 29th.   We talked about  
22           the notices that we had and we talked about some  
23           issues relative to our rider's guide being



1 reviewed. We brought some folks in to look at  
2 step and stand configurations on new buses, and  
3 then there was some questions about how many  
4 riders on the paratransit and how many riders  
5 we're allowing at a time. Currently, we're  
6 limiting that to one and in some cases two riders  
7 per trip. At thirty-five-percent capacity,  
8 you'll see it's really not a challenge for us at  
9 this point.

10 And then the last comment was our citizens  
11 advisory committee meeting. There was not a  
12 meeting in June, but there is one tonight at  
13 five-thirty p.m., and that is a virtual meeting.

14 And that's all I had on my report.

15 COMMISSIONER HUGHES: Just on those virtual meetings  
16 for those committees, are those open to the  
17 public so anybody can log on?

18 MR. GEORGE: No, they're not. Just as our general  
19 committee meetings are not open to the public,  
20 neither are the virtual meetings.

21 COMMISSIONER HUGHES: Okay.

22 COMMISSIONER PERRY: Any other questions for Tom?

23 Hearing no other questions, we do have nine

1 resolutions for approval.

2 MS. MINKEL: Thank you. I'm going to do this a  
3 little bit different than how I normally go  
4 through the resolutions, because normally I will  
5 present the resolution after the committee  
6 meetings, and one of these is something that I've  
7 asked Tom to spend a little bit of time on that  
8 it would normally be a discussion items, so I'm  
9 going to pause when I go through them, turn it  
10 over to Tom so he can highlight it, and then I'll  
11 continue with the resolutions.

12 So the first one is an authorization for a  
13 supplemental agreement with Mott McDonald. This  
14 is to complete the design of our DL and W Station  
15 that Tom mentioned earlier. To complete the  
16 work, specifically the design for the station  
17 boarding platform, the access from the station  
18 boarding platform to the second floor of the  
19 DL and W, would increase the agreement as a  
20 supplemental agreement of six hundred and  
21 seventy-eight thousand eight hundred and  
22 thirty-two dollars. We put Mott McDonald on  
23 pause as we advanced and worked through with the

1 developer, Sam Savarino, for the second floor of  
2 the DL and W. We didn't think it made sense to  
3 go back and rework and do that separately. So  
4 we've had those discussions and we're ready to  
5 proceed and complete that design. So this is for  
6 that work.

7 The second resolution on page forty-one in  
8 what I handed out for you. Staff is going to be  
9 looking for authorization for an agreement with  
10 Albright-Knox Art Gallery. And this is for them  
11 to do a mural project on our DL and W. We have  
12 thirteen panels that are available that Tom is  
13 going to go through a presentation. And this  
14 would be a two-year agreement with Albright-Knox  
15 to paint panels using various -- twelve different  
16 artists over the course of two summers, six each  
17 year.

18 This is a similar agreement to what we've  
19 done with Albright-Knox when we did the Freedom  
20 Wall a couple of years ago outside our Cold  
21 Springs facility. It would -- the anticipated  
22 life of the artwork is assumed to be about ten  
23 years, so they would be responsible for

1 maintaining that and taking it down at the end of  
2 the useful life. The Authority would have the  
3 ability to reject any of the art. We have an art  
4 committee. Commissioner Hicks serves on that  
5 committee.

6 COMMISSIONER HICKS: You read my mind because I was  
7 wondering when --

8 MS. MINKEL: Yes. So we would absolutely engage you,  
9 using your artistic eye to help look at some of  
10 this.

11 But now I'm going to turn it over to Tom to  
12 show the project and what's envisioned. And this  
13 was a separate attachment, to those commissioners  
14 on the phone, that you would have received in  
15 your packet, if you want to refer to those  
16 drawings.

17 So Tom?

18 MR. GEORGE: Thank you, Kim. Just to be clear, we're  
19 calling it the DL and W community art project,  
20 rail yard and shops facility. It's a bit of a  
21 misnomer. We consider the DL and W the entire  
22 complex down there, but this art project really  
23 is not on any of the historic DL and W facility.

1       It's located on our yard and shop facility which  
2       was built in the '80's, and that's what depicted  
3       in the photographs is the actual yard and shop  
4       facility that we operate our maintenance out of.

5               So, you know, we have a long legacy of art  
6       in the community, supporting initiatives which  
7       provide the -- you know, a canvas for discretion  
8       and dialogue. So we've done this a number of  
9       times. This is, you know, just another effort  
10      for us to go ahead and do that collaboration in  
11      the community. We feel it brings a lot of added  
12      value to our investments and it really fosters a  
13      lot of engagement with the stakeholders in the  
14      community and it creates a positive image for us.  
15      And you've seen some of the stuff we've done  
16      recently with the Freedom Wall, the work that  
17      we've done at Utica Station and the Allen Medical  
18      Campus work that we've just recently completed,  
19      along with a long legacy of stuff that we've  
20      done.

21              So the project overview. Kim covered a lot  
22      of it. Once again, this is a picture of the  
23      wall. We've got a group of community

1 stakeholders and businesses collaborating with us  
2 and Albright-Knox. Right now there's sixteen  
3 different outside entities, businesses and  
4 communities, individuals that have donated money  
5 or made a commitment to donate money. So it's a  
6 public art project to enhance this downtown area.  
7 We feel very strongly. It's South Park Avenue.  
8 Once again, this wall is I believe three hundred  
9 and twenty-three feet long and twenty-four feet  
10 high. To say it's not very humanizing or it's  
11 not very warming is kind of an understatement.  
12 It's very isolating.

13 But the architecture does lend to creating  
14 this mural project because there's thirteen of  
15 these panels that can be broken up and used for  
16 individual pieces. As Kim indicated, twelve of  
17 the panels will be used in the project. Six will  
18 be completed this year and six again next year.

19 So the concept is to provide the project  
20 which will offer accessibility to the art. And,  
21 you know, these are great projects because they  
22 eliminate barriers for a lot of people to go and  
23 see art where they'd have to go into whether it

1 be a museum or a gallery, and this is out in the  
2 public as much art is. And really trying to  
3 create a memorable experience down there and  
4 utilizing our facility to do that.

5 There's three projects that inspired this.  
6 Findlay Market in Cincinnati, the Eastern Market  
7 in Detroit as well as the Wynwood Walls in Miami,  
8 all very similar projects in the community that  
9 really inspired what we're looking to do here.  
10 And, frankly, the Freedom Wall, but this is more  
11 of a clear art project versus a wall that  
12 memorializes something in the community.

13 So the artists that have been identified by  
14 Albright-Knox for the year -- for this year have  
15 been identified here. We've got two from  
16 Buffalo, one from Rochester, one from Chicago,  
17 one from Cleveland and one from Detroit. So  
18 we're bringing international art talent into the  
19 community as well as leveraging our own artists  
20 here in Western New York.

21 And conceptual works are presented here.  
22 These were provided. These are the concepts of  
23 what will be going up there. As these evolve and

1 develop, you know, we'll see what they look like,  
2 working with Albright-Knox on that. They're  
3 looking to get started immediately with going  
4 ahead and prepping the walls for the project.

5 So Cobblestone Live is an event that happens  
6 annually. Not this year, but annually it  
7 happens. And this was really some of  
8 inspiration, some of the catalyst for doing this.  
9 The goal is to have all twelve panels completed  
10 by next year's Cobblestone Live which is  
11 generally the first week in August. So as I  
12 said, we'll be working through, with your  
13 approval today, six of the panels this year, and  
14 then six other panels which will be completed  
15 prior to the end of July of next year.

16 So if there's any questions, I'll be glad to  
17 try to answer them.

18 COMMISSIONER PERRY: Any questions on the phone?

19 CHAIR SISTER ROCHE: Yes. It's Sister Denise. I  
20 have one. When you say we'll be doing six this  
21 year, do you mean 2020 or 2021?

22 MR. GEORGE: I mean 2020, this summer.

23 CHAIR SISTER ROCHE: Oh, wow.



1 MR. GEORGE: Yeah.

2 COMMISSIONER PERRY: Any other questions?

3 Commissioner Hughes?

4 COMMISSIONER HUGHES: I saw the artists that were  
5 selected and I see that there's diversity in the  
6 artists. Are we comfortable that the output will  
7 be diverse in terms of representation and all  
8 that?

9 MR. GEORGE: You know, so we really rely on  
10 Albright-Knox and their public art initiative to  
11 really take the lead on this. And, you know, our  
12 experience with them has been very positive. Our  
13 experience with them on the Freedom Wall, that  
14 started with challenges, but I believe that  
15 Albright-Knox learned a lot through that process.  
16 I believe they really turned that initial  
17 negative into a positive and have become a real  
18 proactive player. So our comfort level is very  
19 high with the Albright-Knox, and the fact that  
20 the language is in contract that allows us to,  
21 you know, have some oversight and control over  
22 that gives us that comfort level.

23 COMMISSIONER HUGHES: It's a tremendous project. You

1       just don't want to come off tone-deaf, you know,  
2       three months from the now considering, you know,  
3       where our ridership is and what our employees  
4       represent.

5   MR. GEORGE:   And the position I have here, as the  
6       Authority, I recognize that I really have very  
7       little art talent or recognition for art. I know  
8       what I enjoy and I know what I like and what I  
9       see, but that doesn't really represent anything.  
10      So I get that comfort level, frankly, from having  
11      the professionals at Albright-Knox in that  
12      position.

13   MS. MINKEL:   And art is somewhat subjective, right?  
14      I mean, we think of Shark Girl, where there are  
15      people who love her, people who hate her. But we  
16      have the ability to reject anything, and working  
17      with the Albright-Knox as we did with our Allen  
18      Street Station, we suggested changes, they worked  
19      with us, and I think it was a wonderful project  
20      at the end of the day.

21   COMMISSIONER HICKS:   The only challenge with this is  
22      you have six or seven different artists and, you  
23      know, there's the possibility that there can be

1 no continuous theme, just sort of random sort of  
2 stuff, and that concerns me. At least I feel  
3 there should be an effort to put all the artists  
4 together to discuss what their individual ideas  
5 were and how they could potentially be modified  
6 to get more of a theme rather than individual  
7 pieces of art that may not fit the wall. You  
8 know what I mean? Just to be clear, you don't  
9 want individual stuff that has no connection.

10 MS. MINKEL: I think there's -- well, as an art  
11 gallery, right, when you hang up the individual  
12 pieces --

13 COMMISSIONER HICKS: But they don't put  
14 impressionists with abstract artists. They don't  
15 put, they don't put, you know, Lococo with, you  
16 know -- they just don't do that. All right? So  
17 even the art gallery is thematic, okay, is  
18 essentially what they do. So same thing with  
19 this. If you have some people that are doing  
20 sort of abstract sort of stuff, you want to make  
21 sure that the panels kind of work together.

22 MS. MINKEL: Yep. Yep. I agree.

23 COMMISSIONER PERRY: Are there other questions or

1           comments before we go on to the -- you're going  
2           to go on to --

3 MS. MINKEL:    Yes.

4 COMMISSIONER PERRY:  There's another question?

5 COMMISSIONER DURAND:  I have another question.  This  
6           is Bonnie Durand again.

7                    Is the Albright-Knox in total control of  
8           selection of the artists?  I say that because I'm  
9           looking at the concept of local artists versus  
10          non-local artists.  And the first six, if I'm not  
11          mistaken, they are more out-of-town artists than  
12          there are Buffalo artists.  So do we have any say  
13          in that?

14 MR. GEORGE:  To date we've relied on the  
15          Albright-Knox to lead the program and develop the  
16          program.  We've not imposed any kind of  
17          restrictions on it.

18 COMMISSIONER DURAND:  Okay.

19 MR. GEORGE:  They've made a commitment to the local  
20          artists as well as, as I said, trying to bring  
21          international talent in as well.  So the first  
22          four that are -- or, three -- I mean, Rochester,  
23          I guess, is local, but not.  But, the first three

1 are from the nation and they may actually try to  
2 bring folks in that are not from the U.S. as well  
3 to try to bring an international flavor to it as  
4 well.

5 COMMISSIONER DURAND: All right. Thank you.

6 COMMISSIONER PERRY: Any other questions or comments?

7 So from what you're describing, Tom and Kim,  
8 if it is called or looks like Green Lightning, we  
9 would have a veto; is that correct?

10 MS. MINKEL: That's correct.

11 COMMISSIONER PERRY: Got it. Just channeling a  
12 little Jimmy Griffin here.

13 MS. MINKEL: Right. So I can continue with the  
14 other --

15 COMMISSIONER PERRY: Yes, please.

16 MS. MINKEL: -- resolutions?

17 Starting on page forty-four, staff is  
18 looking for a supplemental agreement with LTK who  
19 is our design support and construction monitoring  
20 for our fare collection system. This would be a  
21 not-to-exceed amount of nine hundred and  
22 fifty-six thousand five hundred and twenty  
23 dollars. A couple of things with this. We

1 brought LTK in to help with our fare box  
2 collection project as it relates to network  
3 connectivity, PCI compliance, and to help us with  
4 the concept of merchant of record as we advance  
5 the project.

6 Another component of this is that we need to  
7 utilize LTK longer than anticipated because the  
8 project is delayed as it relates to the pandemic.  
9 Specifically, Scheidt and Bachmann is who is  
10 doing the work is a company from Germany. So as  
11 international travel restrictions occurred, that  
12 delayed the project. But they also have an  
13 office in Toronto and the bridges have been  
14 closed, so that's caused a number of delays. So  
15 this is to keep them engaged and to continue to  
16 provide the design support and construction  
17 monitoring services for our project as it goes  
18 forward. And as Tom indicated earlier, we are  
19 already out there testing. We have eight of the  
20 boxes on our buses, as we're testing those going  
21 forward.

22 The fourth resolution in surface on page  
23 forty-six is for Horizon Masonry Restoration.

1           And this is a lump sum bid amount, six hundred  
2           and fifty-nine thousand forty-five dollars for  
3           the first year agreement. This could be a  
4           multi-year agreement. We would utilize the  
5           services based on the funding that we have  
6           available. This award that we're asking for  
7           board approval is for the year-one work only. It  
8           would include the roof replacement and masonry  
9           rehabilitation at the Cold Springs storage  
10          building and masonry rehabilitation at our  
11          Babcock bus garage. Horizon was the low bid and  
12          they will meet our established DBE goals which is  
13          seventeen percent. They identified their DBE  
14          participation as twenty-five percent.

15                 On page forty-eight, staff is looking for an  
16          authorization for agreement with Occhino Corp.  
17          This is for our bus loop reconstruction at our  
18          Utica Station. This was also a low bid of seven  
19          hundred and thirty-four thousand nine hundred and  
20          thirty-six dollars. The DBE goal for this was  
21          also seventeen percent, and Occhino has  
22          identified their DBE participation as seventeen  
23          point two percent for this work.

1           On page fifty, staff is looking for an  
2           authorization for agreement with the Buffalo  
3           Board of Education. And this is for a one-year  
4           agreement for the 2020-2021 academic school year.  
5           This is for us to continue to provide bus and  
6           rail services with Buffalo Public Schools.  
7           Essentially, the agreement is the same as what's  
8           been in place for the past two years, with a two  
9           and a quarter percent escalator. There are  
10          provisions as it relates to the pandemic. For  
11          example, we may be required to accommodate  
12          different capacity issues. We may need to send  
13          out more buses. And if so, there would be  
14          accommodations for that as part of this  
15          agreement. The level of service that we provide  
16          may be restricted. It may be less days of  
17          operation. So there would be provisions in this  
18          agreement depending on what's required when we go  
19          into the new school year. And as many of you  
20          know, I think all of that is still being  
21          determined and evaluated as we speak, so  
22          providing some flexibility working with the Board  
23          of Ed, knowing that time is of the essence I



1 think is important. But it's anticipated that  
2 this would mirror pretty much what we have in  
3 place from the previous years.

4 On page fifty-two, staff is looking for an  
5 authorization for agreement with Parise  
6 Mechanical. This is for an air handling unit for  
7 our MTC facility. The air handling units that we  
8 have are original to the building that was  
9 constructed in 1979 and later rehabbed in the  
10 1980s. The lump sum bid amount is two hundred  
11 and fifty-six thousand dollars. Parise was the  
12 low bidder. They are meeting our MBE, WBE and  
13 SDVOB goals. They identified their MBE  
14 participation as thirteen percent, slightly  
15 higher than our goal; their WBE participation is  
16 zero; and their SDVOB participation is seven  
17 percent, slightly higher than our goal.

18 Item number eight on page fifty-four. Staff  
19 is looking for an extension of our antenna site  
20 license agreement with M and T Bank. This is for  
21 the operation of the public Wi-Fi along our light  
22 rail system. Staff is recommending a three-year  
23 extension to that agreement. The original

1 agreement goes back to 2015, where M and T as a  
2 sponsor installed into our electrical cabinets a  
3 number of routers and antennas to provide this  
4 free Wi-Fi coverage which runs along Main Street  
5 from North Street to Scott Street, as well as  
6 areas of Canalside and the Erie Basin Marina.  
7 It's been a wonderful service and I know it's  
8 been received very well throughout the community.

9 And the final resolution is an authorization  
10 for a change order with Scheidt and Bachmann. As  
11 I mentioned earlier, Scheidt and Bachmann is our  
12 fare collection system upgrade project. Staff is  
13 looking for the board to approve a five-year  
14 operating and support agreement. Early on in the  
15 project, we brought in an outside company to come  
16 in and take a look at PCI compliance, Payment  
17 Card Industry compliance, as it relates to our  
18 network, and making certain that we have a secure  
19 system so we don't have identity theft or the  
20 loss of information as it relates to banking  
21 information, credit card usage and those issues.

22 And it became very clear as a result of that  
23 audit that we don't have systems in place and it

1 would require quite a bit in terms of capital  
2 improvement and operating going forward to get to  
3 where we need to be to be PCI compliant. So part  
4 of this agreement puts all of that backbone on S  
5 and B's network going forward. So that will help  
6 address any of the PCI audit findings that we  
7 had. This will also train our staff which is  
8 important for capabilities and maintenance going  
9 forward.

10 The first year of operation -- because this  
11 is an operating agreement -- would be seven  
12 hundred and seventy-four thousand dollars in year  
13 one. We anticipate to pay as part of this fiscal  
14 year a hundred and fifty thousand, because it's  
15 not up and running yet. And based on the delays  
16 as it related to the fact of the pandemic and  
17 restricted travel, we anticipate a hundred and  
18 fifty thousand for this fiscal year. In years  
19 two through five, that would be nine hundred and  
20 thirty-four thousand dollars a year, also subject  
21 to a CPI index, depending what that might be in  
22 future years. So this will amend the total  
23 contract to twenty-seven million nine hundred and

1           thirty-eight thousand dollars, and it will now  
2           include five years of operation support that  
3           previously we did not have as part of the  
4           agreement.

5           And those are the nine surface resolutions.

6   COMMISSIONER PERRY:   Okay.   What I'd like to do for  
7           these is I'd like to have a motion to take them  
8           as a batch all together, with the proviso that I  
9           will be abstaining on two of them, numbers two  
10          for Albright-Knox and number eight for M and T.  
11          And there may be other members who are going to  
12          abstain on any number of them, but I'd still like  
13          to take them as a batch and the general counsel  
14          can record the abstentions and tally whether the  
15          resolutions pass or not.

16                 Is that acceptable, General Counsel?

17   MR. STATE:   Yes, sir.

18   COMMISSIONER PERRY:   Okay.   So I'd like a motion to  
19          take them as a batch, subject --

20   COMMISSIONER AUL:   Mr. Chair?

21   COMMISSIONER PERRY:   Yes?   Yes?

22   COMMISSIONER AUL:   I'm sorry.   It's Joan Aul.   I too  
23          will abstain from number eight.

1 COMMISSIONER PERRY: All right. Very well.

2 Anybody else want to register an abstention  
3 so the general counsel can calculate when we vote  
4 on them?

5 Hearing no others --

6 COMMISSIONER BAYNES: Chairman, this is Anthony. I'm  
7 abstaining from M and T and the art gallery also.

8 COMMISSIONER PERRY: Okay. So another two and eight  
9 guy.

10 Anybody else? We want to give you a minute  
11 to do this and that will speed it up so we don't  
12 have to do them all individually. Anybody else?

13 Okay. Hearing none, we're going to give it  
14 a shot. So a motion to take them as a batch,  
15 subject to the members' statements that the  
16 general counsel has recorded.

17 COMMISSIONER HUGHES: So moved.

18 CHAIR SISTER DENISE: I'll move that.

19 COMMISSIONER PERRY: By Commissioner Hughes.

20 And second by Sister Denise.

21 CHAIR SISTER DENISE: Sister Denise, yeah.

22 COMMISSIONER PERRY: And we're going to do this by  
23 unanimous consent. So without objection, if I

1           hear no objection, we're going to go ahead and  
2           have a motion to take them as a batch.

3 COMMISSIONER HICKS:   So moved.

4 COMMISSIONER PERRY:   Okay.   So we have no objections.

5           And now I need a motion to take them as a  
6           batch, and that was by Commissioner Hicks.

7           And a second?

8 COMMISSIONER GURNEY:   Sam Gurney.

9 COMMISSIONER PERRY:   By Commissioner Gurney.

10           And then general counsel will call the roll.

11 MR. STATE:   Yes, for approval.

12           Commissioner Ansari?

13 COMMISSIONER ANSARI:   Yes.

14 MR. STATE:   Commissioner Aul?   Who, again, is  
15           abstaining on item number eight.

16 COMMISSIONER AUL:   Yes.   Confirming, yes, with an  
17           abstention on number eight.

18 MR. STATE:   Commissioner Baynes?   Abstaining on item  
19           two and also item eight.

20 COMMISSIONER BAYNES:   Correct.   And that's a yes.

21 MR. STATE:   Thank you.

22           Commissioner Durand?

23 COMMISSIONER DURAND:   Yes.

1 MR. STATE: Commissioner Gurney?

2 COMMISSIONER GURNEY: Yes.

3 MR. STATE: Commissioner Hicks?

4 COMMISSIONER HICKS: Yes.

5 MR. STATE: Commissioner Hughes?

6 COMMISSIONER HUGHES: Yes.

7 MR. STATE: Commissioner Perry? Who is abstaining on  
8 items two and item eight.

9 COMMISSIONER PERRY: Correct. And aye.

10 MR. STATE: Sister Denise?

11 CHAIR SISTER ROCHE: Yes.

12 MR. STATE: And Commissioner Wilcox?

13 COMMISSIONER WILCOX: Yes.

14 MR. STATE: All items pass, Mr. Chair.

15 COMMISSIONER PERRY: Okay. Very well. All items  
16 pass and those resolutions are all adopted.

17 And that concludes that portion of the  
18 agenda for surface transportation. And do we  
19 have a general counsel's report that we can do in  
20 open session?

21 MR. STATE: Yes, sir. Just very quickly. I provided  
22 a general counsel report on the yellow pages in  
23 the middle of your packet. Just a litigated

1 matter that -- personal injury action scheduled  
2 for jury trial in September. The asterisk to  
3 that is of course whether we will be picking  
4 juries in September. But, at least at this  
5 point, the trial judge has indicated that she  
6 would like to proceed on September 10th. It is  
7 an accident with an automobile and a bus. We are  
8 being sued by the passenger in the automobile.  
9 You can see her alleged injuries. Settlement  
10 discussions continue, so obviously that would be  
11 the other way the case could be resolved.

12 Pending any questions, which if they get  
13 into significant detail, I would recommend for  
14 executive session, that's the general counsel  
15 report.

16 COMMISSIONER PERRY: All right. And if there are no  
17 questions for the general counsel or any other  
18 comments, we do have a request by the Chair for  
19 an executive session, so I'm going to ask the  
20 general counsel to state for the record the basis  
21 for going into executive session and then we're  
22 going to ask for a motion.

23 MR. STATE: Board has requested an executive session



1 to receive legal advice and guidance as to the  
2 mayor's request to rename Utica Street Station.  
3 That is an appropriate basis as legal advice and  
4 would require a motion, a second and a vote.

5 COMMISSIONER PERRY: So we need a motion to go into  
6 executive --

7 COMMISSIONER DURAND: So moved.

8 COMMISSIONER PERRY: So that was by Commissioner  
9 Durand.

10 Second?

11 COMMISSIONER WILCOX: Second.

12 COMMISSIONER PERRY: By Commissioner Hughes -- or,  
13 sorry. Commissioner Hicks. They both start with  
14 an H.

15 By Commissioner Hicks.

16 And can we do this just as a -- do we need a  
17 roll call for this or no?

18 MR. STATE: You can do unanimous consent.

19 COMMISSIONER PERRY: Then we'll ask -- I'm going to  
20 ask for unanimous consent, so without objection,  
21 to go into executive session. Are there any  
22 objections?

23 And hearing none, we are now going to enter

1 executive session.

2 (Whereupon, the Board went into Executive  
3 Session.)

4 COMMISSIONER PERRY: And we have now concluded our  
5 executive session. And for the sake of clarity,  
6 I would ask that the general counsel make a  
7 statement or a comment post executive session.

8 MR. STATE: So the board met in executive session,  
9 and I'm going summarize the unanimous action by  
10 the board. The board, subject to any corrections  
11 by members that were in the session, the board  
12 has unanimously requested staff to prepare a  
13 resolution regarding a naming tribute of Mr.  
14 Coles for the Utica Street Station, as was  
15 requested by the mayor and other public  
16 officials. So staff will obviously follow that  
17 directive. We'll prepare a formal resolution to  
18 be considered by the board at the next meeting in  
19 September.

20 COMMISSIONER PERRY: Okay. And, now, if that  
21 concludes your comment on what we did in  
22 executive session --

23 MS. MINKEL: And just one clarification. This is for

1 a naming tribute for Robert T. Coles for the  
2 building at Utica Station, correct?

3 COMMISSIONER PERRY: Yes.

4 MS. MINKEL: Yes.

5 COMMISSIONER PERRY: Yes. It's for that building  
6 which he designed to bear his name and whatever  
7 other, whatever other tribute inside as the board  
8 discussed.

9 And do we have any questions, comments or  
10 anything else regarding what the general counsel  
11 stated from anybody on the phone? Or anybody --  
12 any of the commissioners present?

13 Okay. And now -- so that business is  
14 concluded, and now we're going to continue on  
15 with some more material for the meeting,  
16 including what we're going to look at now. And  
17 the executive director is going to present  
18 something regarding fiscal impacts and a COVID-19  
19 update.

20 MS. MINKEL: Yeah. So thank you, Adam.

21 So a couple of updates for the board. We  
22 first want to give you a picture as fiscally  
23 where we stand as it relates in terms of

1 operating assistance particularly, so I asked  
2 Darren Kempner to provide an overview, and he'll  
3 talk a little bit about what he's hearing from  
4 the hill as to what might happen in terms of  
5 assistance down the road.

6 MR. KEMPNER: Thank you, Kim.

7 COMMISSIONER HICKS: Federal?

8 MS. MINKEL: Federal, yeah. And state.

9 MR. KEMPNER: So there's a couple PowerPoint slides  
10 here in your packets. This is an update through  
11 June. And the columns that we presented here are  
12 2021 budget numbers, our year-to-date variance on  
13 these large items, and then a forecast variance  
14 to the end of the year. So I think there are  
15 four themes we all know about that are impact --  
16 continuing to impact these numbers. Obviously  
17 working from home for a number of regional  
18 residents. And then the summer surge of COVID-19  
19 across the country certainly. And then the  
20 travel advisory, which at this last meeting was  
21 just going into effect for travel from certain  
22 restricted states, and that list has continually  
23 changed and grown, in fact. And then the general

1 impact on the economy and state finances from all  
2 of that.

3 So as you see, passenger fares there  
4 obviously down through June almost a hundred  
5 percent. We had, I think one or two days of  
6 collection. And the forecast through the end of  
7 the year with fifty-percent of budgeted passenger  
8 fares to be collected at a loss of twenty-two  
9 point two million. At the airport, concessions  
10 and commissions, the budgeted number there, we've  
11 seen it through June, the year-to-date down about  
12 seventy percent. And so forecasting that out to  
13 the end of the year, about the same impact on our  
14 budget, twenty-two point two million. Those  
15 numbers have changed, maybe even slightly for the  
16 worst since I even put this together.

17 MR. VANECEK: Yeah. And also, you know, the closing  
18 of the Canadian border --

19 MR. KEMPNER: Thank you.

20 MR. VANECEK: -- impacting this by -- you know, we  
21 get about thirty percent of our traffic that  
22 would typically drive down and fly out, and  
23 that's -- there's nothing coming from there for

1 us.

2 MR. KEMPNER: So maybe it's a good moment to take a  
3 step back. That's something, the border closure,  
4 we've talked with our federal electeds about over  
5 the past few days, as well as using this  
6 presentation to explain our revenue losses and  
7 the impact on the Authority of COVID-19.

8 Erie County sales tax, down year to date  
9 about twenty percent, an estimated four point  
10 five million in losses for the year. That's  
11 about twenty percent. That's certainly -- that  
12 could be worse. I mean, I think that's what  
13 local government and state government are seeing,  
14 but there's certainly a lot of headwinds there.  
15 And then as John mentioned before, state transit  
16 operating assistance down twenty-seven percent.  
17 We received our payment two months late and  
18 twenty-seven percent short. So the total loss of  
19 that would be sixteen point five million. We  
20 have no more information to share to date on what  
21 the next payment may look like or when it would  
22 come in.

23 If you could flip to the next slide now.

1 Thanks.

2 And then the obvious impact on our capital  
3 projects. Passenger facility charges at the  
4 airport are the main source of funding that we  
5 use to fund aviation projects, along with  
6 aviation improvement grants. And with the  
7 seventy-percent decline that we are forecasting,  
8 that would be a loss of almost seven and a half  
9 million dollars, so certainly a significant  
10 impact there. And then the last, this is a  
11 somewhat arbitrary number, but state transit  
12 capital assistance, we show a fifty-percent loss  
13 there. We have no indication of any state  
14 transit capital at the current moment coming our  
15 way. We've continued to ask the state, but as  
16 their financial situation has become a little bit  
17 clearer as not at all clear, they have been  
18 continuing to hold on those contracts and that  
19 assistance.

20 So overall, that's the picture as of the end  
21 of June and now looking forward. And we'll  
22 continue to communicate that to our federal  
23 electeds. What we're hearing just as of

1        yesterday is that the CARES Act two point o, the  
2        next assistance package, did include -- the  
3        Republican proposal will include some funding for  
4        airports again and nothing for transit. We're  
5        continuing to advocate, and obviously that  
6        proposal will require quite a bit of negotiation  
7        going forward, but we're in this with the MTAs  
8        and all the other medium to small-sized transit  
9        agencies in the country. As we look at our next  
10       budget year, we're -- we think we'll really start  
11       to feel these impacts without any additional  
12       assistance. Now is the time, certainly the time  
13       to act with -- through the federal government, so  
14       we'll continue to advocate there.

15                    And that concludes my report.

16        COMMISSIONER HICKS: So without federal help, this  
17        goes on -- a vaccine maybe March, April, maybe.  
18        Ramp up. You know, they'll give it to healthcare  
19        workers first, and so we're probably talking  
20        about another eighteen months possibly. And then  
21        you're going to have people are not going to take  
22        the vaccine because they think it's a conspiracy.  
23        So the question is, are you going to allow them,



1           those who are not vaccinated, to get on public  
2           transportation? That's a question you're going  
3           to have to ask as well, because we could  
4           essentially have an inundation of people. The  
5           question for that preamble is, how long can we  
6           survive without any help?

7   MS. MINKEL: The amount of federal funding that we  
8           received covers five months' worth of expenses.  
9           That's assuming no other operating assistance.  
10          It's been difficult to predict --

11   COMMISSIONER HICKS: Five months from today?

12   MS. MINKEL: Five months from the time -- it  
13           provided -- no. Five months' worth of operating  
14           expenses total, assuming no other outside  
15           assistance. Based on what I've seen, we're good  
16           through the end of this year, and then we're in  
17           trouble. Then we hit the wall.

18   COMMISSIONER HICKS: That's January, 2021.

19   MS. MINKEL: January, February, yeah.

20   COMMISSIONER HICKS: Without additional federal  
21           assistance?

22   MS. MINKEL: Without assistance. And so Tom and Bill  
23           talked about what we're doing to control our

1 expenses. You see our spending is down. There's  
2 no overtime. There's no, no nothing. We're not  
3 filling positions unless they're operationally  
4 critical. We are doing everything we can because  
5 of the uncertainty. Now, if, if there's  
6 additional federal funding, if there's additional  
7 state funding. If our STOA -- for example, if  
8 the state were to receive federal assistance,  
9 that helps them with aid to localities and they  
10 could do something to help with our STOA, that  
11 would also be beneficial. But we really need the  
12 federal government, really need the federal  
13 government to provide --

14 COMMISSIONER HICKS: To step up.

15 MS. MINKEL: To step up.

16 COMMISSIONER HICKS: Just one more question. Would  
17 our ask be for total funding or would it be a  
18 combination of fund -- give me this and loan me X  
19 and we'll pay back over the following --

20 MS. MINKEL: It would be for total funding.

21 COMMISSIONER HICKS: Total funding.

22 MS. MINKEL: We are -- we had just started to recover  
23 from the economic recession of 2008. Just

1 started. There was an article in The Buffalo  
2 News that was carried by The New York Times that  
3 talked about the transit death spiral. And it's  
4 happening all across the nation. And we are  
5 absolutely no different. And the last thing you  
6 want to do to spur economic recovery is stop  
7 people from getting to their jobs and getting  
8 work. So from a transit side, that's desperately  
9 needed.

10 From an aviation side, which we've never  
11 encountered before, if we don't have help to keep  
12 the airport open, you're grounding planes. The  
13 Buffalo airport alone provides over one billion  
14 in terms of economic activity, and so that spurs  
15 into tax dollars and it helps with hotels and  
16 restaurants. We need travel to continue and we  
17 know that won't happen until, until there's a  
18 vaccine and people are comfortable traveling  
19 again, which could be a year.

20 COMMISSIONER HICKS: Because not only the vaccine,  
21 efficacy, who gets it first, the ramp-up. I  
22 mean, all this is --

23 MS. MINKEL: Right. And so we need help for -- to

1           get us however long that takes. Probably another  
2           year.

3   COMMISSIONER HUGHES: At this point you're just  
4           talking about expense control. You're not  
5           talking about significant cuts. That's probably  
6           the next conversation or step when you talk about  
7           rebalancing the budget come end of year.

8   MS. MINKEL: Right. We've already looked on transit  
9           as to what that would look like, and, you know,  
10          we've been adjusting service based on ridership.  
11          Our -- some of our expenses have gone up. Right?  
12          Particularly with cleaning and PPE, as I'm sure  
13          you're seeing, and it's been significant. If you  
14          can find it, you're paying a premium. And we  
15          were paying a premium to get whatever we needed  
16          to protect our employees. And we'll continue to  
17          do everything we can to protect our employees,  
18          but it's --

19   COMMISSIONER HICKS: How many employees altogether at  
20          the NFTA?

21   MS. MINKEL: We have just about sixteen hundred  
22          employees.

23   COMMISSIONER HUGHES: But you're talking draconian

1 cuts.

2 MS. MINKEL: Based on these numbers, we're talking  
3 draconian cuts.

4 The other challenge we have on the capital  
5 side, we have a short construction season here in  
6 Western New York, and we're already moving into  
7 August, so we've lost the season. We couldn't  
8 award any new projects, we didn't dare, because  
9 we don't have the funding. But even more so, we  
10 have projects that are in the queue that were  
11 working -- with the exception of the terminal  
12 enhancement project because we were bonded for  
13 that so we have that funding in place. But, some  
14 of the projects on the rail side were relying on  
15 funds that were supposed to come our way that  
16 have been slowed because of the economic crisis.  
17 That's why the line of credit that we have is  
18 critical.

19 COMMISSIONER HICKS: And that's with M and T?

20 MS. MINKEL: That line of credit is with --

21 MR. COX: M and T.

22 MS. MINKEL: M and T. And that related -- that's  
23 tied strictly to the COVID funds. We were unable

1 to secure an additional line of credit because we  
2 have no other sources to offset that line of  
3 credit from.

4 COMMISSIONER HICKS: I thought M and T was reasonable  
5 (inaudible).

6 MS. MINKEL: Well, but they also --

7 COMMISSIONER PERRY: They're a bank.

8 MR. COX: Yeah. We asked for -- they were just  
9 concerned about the uncertainty and extending  
10 additional credit to us, whether we would be able  
11 to repay it, because the source of repayment  
12 being funding, so --

13 MS. MINKEL: So it's challenging.

14 COMMISSIONER HICKS: When you need money, they don't  
15 want to give it to you. When you don't need it,  
16 they want to give it to you.

17 MS. MINKEL: It's a challenging environment. We're  
18 not alone. So we're hoping -- you know, we're  
19 not a lone voice. All across the nation, all  
20 transit and airports have the same ask and so  
21 hopefully that will help.

22 On the aviation side, Bill, maybe you can  
23 show those TSA numbers.

1 MR. VANECEK: Sure.

2 MS. MINKEL: Because on the airport side, we're  
3 experiencing something a little bit different and  
4 that's because of the utilization with our  
5 friends from the north, the Canadians who can't  
6 come down and fly.

7 MR. VANECEK: Okay. So what this slide is showing,  
8 this was comparing 2019 to 2020, on a seven-day  
9 moving average from March, March of 2020 to where  
10 we're at today in July. So you can see back in  
11 the prosperous days -- these are last year's  
12 numbers. You know, on average, during the year,  
13 they're almost at twenty-two point five million  
14 people flying a day out of the United States  
15 based on those seven-day averages. And then you  
16 see what happens in 2000 -- this year now in  
17 2020, it just tanked immediately in terms of in  
18 less than a month, it was almost bottomed out.  
19 And they were looking at numbers that were  
20 just -- it was just mind-boggling when you're  
21 only looking at maybe a little over five hundred  
22 thousand now flying out relative to two point  
23 five million passengers last year.

1           So we looked at this and then we said, well,  
2           how are we trending? Are we trending in a  
3           similar fashion. And if you go to the next  
4           slide, you're going to see something where it's  
5           almost an identical slide. Right? Now, these  
6           here represents, you know, our spring break  
7           period and those types of things that we  
8           typically have in the spring, so we have a little  
9           bit more bounce. But, generally speaking, if you  
10          were to go back, it still looks pretty similar on  
11          that end. And then again down here, the same  
12          thing.

13          Now, we had started to trend back up after a  
14          horrible April and started getting some flights  
15          coming back and coming back. And now suddenly as  
16          the quarantine rules are going in and we're  
17          having fewer people being comfortable flying to  
18          the states that have been identified, the  
19          Canadian border still being, you know, closed, we  
20          are starting to see -- and this is going to go  
21          down -- this is going to start falling fairly  
22          quickly I think going forward. So that's what,  
23          that's what we wanted to show you today.



1           I do want to say something else about the  
2           airport, though, too. United Airlines came out  
3           yesterday and talked about how they're going to  
4           now mandate masks for every touch point with a  
5           United employee at the airport, which I think is  
6           a good thing. It's a really good thing. You  
7           know, really, if I had it my way, I'd say why  
8           don't we just make them wear it from the day you  
9           step in the door -- or, from the moment you step  
10          in the door until you're gone and off the plane  
11          and out of the other airports.

12          So all the airlines now have lined up and  
13          they're all doing the same thing. Southwest just  
14          said it, American said it, so they're all now  
15          getting onboard with that, so that's -- I think  
16          that's a positive note because that will help get  
17          people more comfortable going into -- you know,  
18          they're never going to get super comfortable, but  
19          they'll get more comfortable about flying.

20          And then the next thing we wanted to show  
21          you is the terminal expansion. Quick little  
22          update. Love to show you the updates. And in  
23          two months from now, you're going to see a really

1 significant change.

2 You can go ahead and go to the next slide.

3 So this is now the east concourse. So now  
4 all the glass on the east side of the concourse  
5 exiting is in place. The front will be something  
6 different. Right? Obviously we're -- this is  
7 not going to have any glass on this end. So this  
8 is a really big moment for us to see all the  
9 glass go up. It also helps because now they're  
10 really making hay on the inside here putting up  
11 walls where our administrative offices will be  
12 and then from the exiting concourse and all that.  
13 So they're really making some good, good progress  
14 on the east side.

15 And then next is the west side. So the last  
16 time you saw some of this was when they were  
17 doing the beam raising and it was very small.  
18 Well, that's all in. It's actually much farther  
19 even after a week because they have a lot of the  
20 decking on -- they have a lot of the decking  
21 already on top. That's going to then take the  
22 concrete forms, et cetera. They expect to have  
23 all of the steel in place by the end of next

1 week, I believe, on the west side.

2 You can go to the next slide.

3 And this was just kind of a -- it was kind  
4 of a cool look through the window of the  
5 terminal. But it was raining, kind of had a nice  
6 effect. But now you can really visualize how  
7 you're going to get to the terminal going in over  
8 here.

9 Then the other thing I want to talk about --  
10 so these are JetBlue planes. And as I mentioned  
11 before, our number of flights have dropped by  
12 about fifty percent. And we're not alone. I  
13 mean, airports across the country have all done  
14 that. They have all experienced about a  
15 fifty-percent reduction in flights. So they  
16 want -- they asked us, can we park planes here  
17 for a long period of time at your airport? And  
18 we said of course you can do it. So it will  
19 drive a little bit of revenue for us. But, we  
20 have right now ten JetBlue airplanes that are  
21 just sitting mothballed for the foreseeable  
22 future. And, you know, it's a little sad sight  
23 to see, but I'm glad it's going to give us at

1       least a little bit of added revenue, so that's  
2       where we're at.

3   COMMISSIONER HICKS:  Do they have to maintain  
4       those planes?  I mean, they're just sitting  
5       there.  You know, a vehicle sitting dormant  
6       requires -- so do they have crews that come out  
7       and maintain them?

8   MR. VANECEK:  Yes.  Yes.  I don't know if you can see  
9       it on there, but their engines are all covered  
10      with coverings so birds can't get in or animals  
11      can't get into those sensitive areas there.  But  
12      they wanted to do it at an airport if they can  
13      that's operating because they know we have  
14      security.  That's another consideration.

15   COMMISSIONER HUGHES:  That's a good question.  
16      Niagara Falls, considering where they fly and  
17      what's going on.

18   MR. VANECEK:  They're a lesser schedule.  They're  
19      still flying, but, you know, their schedule that  
20      they have in Niagara Falls is not very robust and  
21      so it hasn't changed too dramatically.  They're  
22      still flying.  Spirit is still flying and so is  
23      Allegiant, so they're pretty close to what they

1 normally would fly.

2 COMMISSIONER HICKS: Who is going to get into a  
3 tube wearing -- masks are important, right? They  
4 work. They're great. I wear mine all the time.  
5 And the fact is you cough, someone coughs, and  
6 air flies, goes in your eyes. No one is going to  
7 get into a tube. Okay? This is, this is -- I  
8 can't see anyone with common sense flying for at  
9 least a year.

10 MR. VANECEK: I mean, again, you know, we did see  
11 some of that coming back up and then when the  
12 rebound that happened, particularly in the  
13 southern states, came back in, now that's when  
14 we're seeing that dip again. So that's I think a  
15 valid observation. People may have to rethink of  
16 whether or not they're really going to --

17 COMMISSIONER HICKS: Yeah. You get on a plane -- one  
18 plane with a hundred people on it with six of  
19 them coming down with COVID, you're shut down  
20 again. That's the -- we leave it shut down until  
21 you find some way to treat this.

22 MR. VANECEK: I hear you. I agree wholeheartedly.

23 COMMISSIONER HICKS: And we as an organization you

1           have to realize there's not to going to be an  
2           income stream for some time.

3   MS. MINKEL:   For sure.

4           And then, finally, I'm going to ask Tom to  
5           give us an update.  We mailed out a book to all  
6           the commissioners.  Hopefully, you received it.  
7           I also sent it to you electronically as a PDF.  
8           It's our 2019-2020 annual performance book as it  
9           relates to surface transportation.  So Tom is  
10          just going to point out a few highlights on this.

11   MR. GEORGE:   Normally, I go through the book page by  
12          page.  I'm not going to do that to you today.

13   COMMISSIONER HICKS:  Oh, that's good.

14   MR. GEORGE:   So we generally give this out in May of  
15          every year.  We're a little delayed this year.  
16          Apologizes for that.  We've had some extenuating  
17          circumstances that got in the way.  I'll just  
18          talk about a couple things you'll find in here.

19          So we do continue to reference benchmarking  
20          throughout the document with our peers.  So we  
21          continually update with that process.  We're  
22          seeing some riders per revenue hour and mile bus  
23          consistency, so we've been able to maintain a

1 consistency even though our ridership has dropped  
2 a little bit. Our rail, we're seeing an erosion  
3 of that because our rail service stayed exactly  
4 the way it is.

5 Our on-time performance last year was the  
6 best it had been in a number of years, so we've  
7 really improved that. We've seen improvements in  
8 our deadhead efficiency which is really an effort  
9 to improve the way we operate. We've seen a real  
10 nice decrease in the percent of our fleet beyond  
11 the usefulness -- beyond their useful life or  
12 useful mileage. So the investment that we've  
13 been making in the vehicles has been a real  
14 positive for that.

15 Paratransit ridership continued to rise  
16 through last year. And then the number of  
17 subscribers on our social media and instant  
18 alerts has gone up again. We've had real  
19 positive results for complaints -- for  
20 commendations, and our complaints have remained  
21 flat, so that's been fairly good. Then there's a  
22 section in the book on customer satisfaction.  
23 Positive gains on almost every metric, so that

1 was a real nice thing there.

2 On the revenue, I point it out every year.  
3 I'd be remiss if I didn't again this year. Our  
4 fare revenue has been flat where we've seen nice  
5 growth in the assistance, so that was a challenge  
6 that we're trying overcome. Our expenses have  
7 remained flat or are down from previous years, so  
8 we've -- even prior to COVID, we'd done a nice  
9 job on containing expenses.

10 And the last thing I just wanted to point  
11 out, I think is interesting, is a significant  
12 change in operator tenure. In '15 we had  
13 fifty-five percent of our operators had over  
14 twenty years of experience with us. This year,  
15 thirty-seven percent. So we've seen a  
16 significant erosion of the experience of our  
17 operators. It's great getting a lot of new fresh  
18 blood and talent in here.

19 Then the last thing I just want to say is I  
20 have no idea what this is going to look like next  
21 year, but it's going to be an experience to take  
22 a look at it. So thank you. This will be sent  
23 to our elected officials. It's our role of



1           trying to maintain transparency and it is updated  
2           on our website, so thank you.

3 MS. MINKEL: Thanks, Tom. And thank you for the  
4           great job that you and your team have done. The  
5           numbers are really positive. I wish we could  
6           spend more time highlighting all the good and  
7           less time highlighting the bad, as we talked  
8           about the financials earlier. But certainly the  
9           Metro team did a great job, so thank you.

10                   And, Mr. Chair, that's all we have.

11 COMMISSIONER PERRY: All right. And if there's no  
12           other business that any board members have to  
13           bring to the attention of the body, that  
14           concludes the business end of the meeting of the  
15           NFTA board of commissioners.

16                   Motion to adjourn.

17 COMMISSIONER HICKS: So moved.

18 COMMISSIONER PERRY: By Hicks.

19 COMMISSIONER WILCOX: So moved.

20 COMMISSIONER PERRY: Second by Wilcox.

21                   All those in favor? Unanimous consent.

22 COMMISSIONER HICKS: Aye.

23 UNIDENTIFIABLE COMMISSIONERS: Aye.

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COMMISSIONER PERRY: We're adjourned. We're done.

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STATE OF NEW YORK)

SS:

COUNTY OF NIAGARA)

I, Valerie A. Rosati, a Notary Public in and for the State of New York, County of Niagara, DO HEREBY CERTIFY that the above transcript of a video recording was taken down by me in a verbatim manner by means of Machine Shorthand, and that the transcript was then reduced into writing under my direction.

I further CERTIFY that the above-described transcript constitutes a true and accurate and complete transcript of the video recording.

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VALERIE A. ROSATI,  
Notary Public.

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