
NIAGARA FRONTIER TRANSPORTATION AUTHORITY

Monthly Board Meeting

November 19, 2020

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
3 Kimberley Minkel (Executive Director)
4 David State (General Counsel)
5 John Cox (Chief Financial Officer)
6 Christopher Ruminski (Manager, Financial
7 Planning and Analysis)
8 William Vanecek (Director, Aviation)
9 Tom George (Director, Public Transit)
10 Darren Kempner (Manager, Government Affairs)
11 Helen Tederous (Director, Public Affairs)
12 Lara Seniw (Assistant to Executive Director)

13 MEMBERS ON THE PHONE:

14 Chair Sister Denise Roche
15 Commissioner Joan Aul
16 Commissioner Rev. Mark Blue
17 Commissioner Margo Downey
18 Commissioner Michael Hughes
19 Commissioner Jennifer Persico
20 Commissioner Stephen Tucker
21 Commissioner Philip Wilcox
22 Vicky-Marie Brunette (Deputy General Counsel)
23 Christine D'Aloise (Director, Risk Management
 and Special Projects)
24 Karen Novo (Director, Human Resources)

25 MS. MINKEL: I think we're ready to start. Dave,
26 could you call the roll to see who is on the
27 line, please?

28 MR. STATE: Yes. Good morning. It's Dave State.
29 Commissioner roll call.

30 Commissioner Ansari?

31 Commissioner Ansari once again?

1 Commissioner Aul?

2 COMMISSIONER AUL: I'm here, Dave.

3 MR. STATE: Commissioner Baynes?

4 Commissioner Baynes once again?

5 Commissioner Downey?

6 Commissioner Downey once again?

7 Commissioner Blue?

8 COMMISSIONER BLUE: Present.

9 MR. STATE: Commissioner Hicks?

10 Commissioner Hughes?

11 Commissioner Perry?

12 COMMISSIONER PERRY: Present and accounted for.

13 MR. STATE: Commissioner Persico?

14 COMMISSIONER PERSICO: Present.

15 MR. STATE: Thank you.

16 Commissioner Tucker?

17 COMMISSIONER TUCKER: Here.

18 MR. STATE: Sister Denise?

19 CHAIR SISTER ROCHE: Here.

20 MR. STATE: And Commissioner Wilcox?

21 COMMISSIONER WILCOX: I'm here.

22 MR. STATE: We do have six.

23 MS. MINKEL: Okay. Great. So before I turn it over

1 to Sister, I just wanted to mention for the
2 meeting and for the board that in keeping with
3 the guidance and the directives of local, state
4 and national health authorities, including the
5 CDC, the Center for Disease Control, relating to
6 COVID-19 and pursuant to Executive Order 202.1
7 that was issued by Governor Andrew Cuomo, this
8 Niagara Frontier Transportation Authority budget
9 discussion meeting is being held telephonically
10 and by conference call.

11 The public does have the ability to view and
12 listen to the meeting by accessing the NFTA
13 website, and the meeting will be recorded and
14 later transcribed.

15 And with that, I'll turn it over to Sister.

16 CHAIR SISTER ROCHE: Thank you, Kim. And welcome
17 everybody. I wish the day would come when we
18 could see each other face to face. But, in the
19 meantime, there's business to be done. And I
20 want to thank Kim and Dave and John and all the
21 people who worked on this incredible budget. We
22 know that it is difficult to foresee anything at
23 this time because day by day the conditions seem

1 to change. But, you have done a wonderful task
2 by putting this together and by preparing for us
3 the summary of it.

4 What we're going to do today is go through
5 the budget. We won't be making any decisions on
6 it, but we do want to have a thorough
7 conversation. So I'm going to begin by turning
8 it over to Kim and letting Kim take the
9 PowerPoint and help us through it.

10 MS. MINKEL: Great. Thank you so much, Sister.

11 So earlier this week a PowerPoint
12 presentation was sent to the board along with a
13 copy of the budget itself. We will spend most of
14 our time going through the PowerPoint that is
15 actually pulling some of the information out of
16 the blue book. It's important for the board to
17 know that as we go through this PowerPoint, we
18 will stop after each slide to see if there's any
19 questions. Being on the phone, I know sometimes
20 it's difficult to wave your hand, so to say, so
21 that we see that you have a question, so we will
22 stop after each slide to make certain that we
23 answer any and all questions that the board may

1 have.

2 The board should also know, over the next
3 couple of weeks as you review the budget, any
4 questions, concerns, comments that you may have,
5 I'm always available. John Cox and his team are
6 always available to answer any questions or
7 concerns that you might have.

8 Before I turn it over to John to take us
9 through the first couple of slides, I also want
10 to recognize staff who have been working
11 extremely hard over the past several months.
12 It's one thing to work hard and to help navigate
13 through the pandemic, but it's also been
14 challenging to prepare a budget, trying to make
15 sense out of uncertainty. And so that was the
16 approach that staff has used in preparing this
17 budget, the approach that we sat down with the
18 board back in September trying to make sense out
19 of uncertainty and uncertain times.

20 The budget that we're presenting to the
21 board today is based on one model scenario, best
22 case scenario is what we're presenting to the
23 board because we're optimists. But, there are

1 caveats in this budget that we will call out, and
2 it's based on significant federal assistance
3 going forward. The losses that the Authority has
4 experienced since the beginning of the pandemic
5 have been significant. Significant in terms of
6 loss of ridership, passengers at the airports,
7 our operating assistance has been down and
8 revenue has been severely impacted. Without the
9 CARES Act, it would have been absolutely
10 devastating to our operation. The CARES Act
11 funding has been critical to keep us running,
12 keep us operating, and, more importantly, to keep
13 us operating safely.

14 Like all other transit systems and airports
15 in the nation, without additional federal COVID
16 relief funds, we will find ourselves in a
17 devastating position. Additional federal funding
18 is desperately needed to help see us through this
19 pandemic. To balance this budget that we're
20 bringing before you today, we need over
21 twenty-seven million in federal assistance.
22 Without this assistance, it will have a
23 significant impact on our airports, our Metro

1 operations and the many people who desperately
2 rely on the services we provide. Additionally,
3 it would have an enormous economic impact on our
4 region.

5 The Authority has done everything we can to
6 minimize our expenses. For example, during the
7 first six months, we've reduced our operating
8 expenses by over ten million dollars; however,
9 short of reducing service levels, we will not be
10 able to balance our budget without the much
11 needed additional federal assistance.

12 So this budget will come to the board to
13 vote at the December meeting. As a reminder,
14 staff will be available to meet anytime to go
15 over questions or comments that you might have.
16 But, with that, I'll turn it over to John Cox to
17 take us through the budget.

18 MR. COX: Yes. Thank you, Kim.

19 And good morning, commissioners. If you can
20 refer to the first slide, what I'm going to do is
21 give a review of the budget cycle and the timing
22 of it. This will be a review for our new
23 commissioners and also to refresh also

1 commissioners that have been through several
2 budget cycles with us.

3 Starting today, of course, is the discussion
4 of the budget. December 10th we will be bringing
5 the fiscal year 2022 budget to the board to vote.
6 We have to upload that budget to PARIS, which is
7 the Public Authorities Reporting System, per New
8 York State PAL Law by December 31st. Then what
9 happens during the month of January is the
10 governor's executive budget is delivered. And
11 that's typically delivered around the second or
12 third week of January. And once that has been
13 delivered by -- the executive budget has been
14 delivered, we start our advocacy effort, which of
15 course happens on a year-round basis, but during
16 this period when the budget process is occurring
17 at the state level, we advocate in earnest during
18 this period.

19 Then, based on the executive budget, we
20 will -- that provides a baseline which provides
21 more clarity as far as the level of state funding
22 we can expect. The board -- we will bring a
23 revised budget for the March meeting. Then after

1 that, the legislature and the governor will sign
2 a budget into place by March 31st, and the
3 approved revised NFTA fiscal year 2022 budget and
4 five-year plan will be uploaded again to the
5 Public Authorities Reporting System by March
6 31st. And on April 1st, that is the start of
7 both New York State and the NFTA's fiscal year.

8 MS. MINKEL: Are there any questions on the first
9 slide?

10 Okay.

11 MR. COX: Okay. And with that, I will turn it over
12 to Chris to give an update on our current
13 financial performance and also provide some
14 additional details on the budget.

15 MR. RUMINSKI: Good morning, commissioners. Before
16 we get into the meat of the fiscal '22 budget, we
17 give an update of how we stand now in the fiscal
18 '21 year, currently year to date and then how we
19 forecast the year to finish out.

20 In September, which are the numbers in the
21 middle of the slide, actual versus budget, we are
22 down significantly in operating revenue. Metro
23 fares are down almost thirteen million dollars

1 and airport concessions and commissions are down
2 about eleven million dollars. And we're also
3 down in operating assistance, STOA and sales tax
4 dollars. And a favorable variance, as Kim had
5 mentioned, in operating expenses, and this is
6 mostly personnel services and some airport
7 parking management fees as they partially block
8 the impact of these revenue losses.

9 And then there's the CARES Act revenue that
10 through September twenty-seven million dollars
11 has been recognized, and this has allowed us
12 through September to operate on budget year to
13 date.

14 On the right-hand side of the slide is the
15 budget versus forecast. This is how we see the
16 rest of the year working out for us. And it's
17 pretty much more of the same as far as operating
18 revenues and expenses go. Operating revenues and
19 assistance being severely below budget. Some
20 help on the operating expenses side being below
21 budget. But, again, the CARES Act revenue
22 helping us out. The CARES Act will have Metro
23 break even for fiscal '21, and this includes

1 significant contributions to Metro's
2 self-insurance fund, which is what is represented
3 in the forecast versus budget variance under the
4 non-operating capital items of twenty-five point
5 five million dollars. And we'll discuss this a
6 little more later.

7 And then overall, the organization is
8 forecast to have a deficit of four point nine
9 million dollars, and that's the result of the
10 operations of BNIA and NFIA due to the
11 significant decrease in enplanement activity
12 causing a severe impact on concessions and
13 commissions and other revenues at the airport.

14 So that's where we stand right now and how
15 we see the rest of the current fiscal year. Are
16 there any questions from the commissioners on
17 that?

18 COMMISSIONER AUL: Chris, this is Joan Aul. So I
19 just want to make sure that I'm clear. The total
20 money received and to be received through the
21 CARES Act as of now, is the total seventy-three
22 million or twenty-six -- twenty-seven million
23 that we've received. Seventy-three million is

1 forecast. Is that all approved funding or is
2 there any projection of anticipated funding to be
3 approved?

4 MR. RUMINSKI: Okay. So the twenty-seven million,
5 yes, year to date is the CARES Act recognized
6 through September. Through the end of the year,
7 we forecast seventy-three million dollars to be
8 recognized. And then in the next-year budget,
9 there is a little bit -- eleven million dollars
10 budgeted on the airport side, bringing the total
11 of CARES Act that was awarded to us about
12 eighty-four million dollars.

13 COMMISSIONER AUL: Okay. I'm sorry. That's my
14 question. So that's already awarded; that is
15 not in anticipation of --

16 MR. RUMINSKI: Correct. That's not new --

17 COMMISSIONER AUL: -- anything yet to come, to be
18 approved?

19 MR. RUMINSKI: Correct. That's been awarded and we
20 have that coming in the door.

21 COMMISSIONER AUL: Okay. Thank you.

22 MR. RUMINSKI: Any other questions?

23 Okay. The next set of slides are the fiscal

1 2022 budget broken down between the Metro and
2 NFTA. The first slide is Metro which is the bus
3 and rail operations of the organizations. The
4 pie charts at the top divvy up how the sources
5 and uses of funds are through Metro. On the left
6 side is the sources. And as you can see from
7 Metro, twelve percent of funds coming in are
8 passenger fares, and eighty-eight percent of the
9 funds coming through the organization are in the
10 form of federal, state and local operating
11 assistance. It shows how dependent the
12 organization is on operating assistance and how
13 much of an impact that has.

14 On the right-hand side is the uses in the
15 pie graph chart. You can see that seventy-eight
16 percent of all expenditures are personnel costs.
17 And this is wages and fringe benefits of our
18 operators, mechanics, transit police and
19 operations administrative staff.

20 And at the bottom of the slide are the
21 numbers to those pie charts. On the lower left
22 is the revenues. And operating revenue is
23 budgeted for the fiscal '22 year to be twenty-one

1 point three million dollars. And that's
2 passenger fare revenues. And that's budgeted to
3 be down about fifteen million dollars from fiscal
4 '21's budget. And this is based on the -- due to
5 the impact of the COVID pandemic on our
6 ridership.

7 For the fiscal '22 budget year, the base
8 fare will remain at two dollars, and this is the
9 ninth straight year of no fare increase for
10 Metro. Operating assistance is budgeted to be a
11 hundred and twenty-one million dollars. This
12 budget includes state transit operating
13 assistance to be flat from the fiscal '21 budget
14 year. It's sixty-three point eight million
15 dollars. During the current fiscal year that we
16 are in, the state has cut our STOA by -- to date
17 by about twenty-seven percent. This budget
18 estimates that we will be restored to the full
19 amount of STOA for the next fiscal year.

20 Also under operating assistance, Erie County
21 sales tax, we are budgeting that to be down about
22 a million six or seven percent. That's just
23 based on current trends and how we're seeing the

1 current sales tax activity. And that also has
2 flat federal preventative maintenance funds and
3 mortgage tax revenues from the '21 budget
4 included in the fiscal '22 budget.

5 There is a line there, the twenty-seven
6 point six million dollars of future federal COVID
7 relief funds. This is additional federal
8 assistance that -- for operating expenses that
9 will be required to maintain Metro's current
10 level of service.

11 On the lower right-hand side are the
12 expenses, the expenditure portions of Metro.
13 Operating expenses are ninety-five percent of
14 total expenditures, and they make up a hundred
15 and fifty-nine point six million dollars. And
16 that's one point seven million dollars or about
17 one-percent increase from the fiscal '21 budget.

18 And the significant changes year over year
19 on the budget is personnel. That is going up
20 about two point five million dollars or two point
21 three percent. And these are contractual wage
22 increases and increases in estimated fringe
23 costs. There are no new positions built in the

1 Metro budget, same number of positions as the
2 fiscal '21 year.

3 Also in operating expenses, maintenance and
4 repairs are expected to increase about two
5 hundred and seventy-five thousand dollars due to
6 higher revenue and vehicle -- excuse me. Revenue
7 vehicle maintenance costs. And transit and fuel
8 power is expected to decrease about a million
9 dollars due to lower expected diesel costs.

10 Included in the -- or, not included, I
11 should say, in the Metro budget, there's no
12 revenue diversion from the Buffalo Niagara
13 International Airport system. In prior years,
14 there was a diversion budgeted and that is not in
15 the fiscal '22 budget that we are presenting.

16 Are there any questions on the Metro side of
17 the fiscal '22 budget? I'm sure there are.

18 MS. MINKEL: You know, one thing I want to highlight
19 on this slide. We're assuming that the state
20 transit operating assistance would be level to
21 what was in the state budget for this year. As
22 Chris indicated, we have seen a reduction in that
23 of twenty-seven and a half percent. If that were

1 to continue into next year, the future federal
2 COVID relief would need to grow. And while we
3 have a request for almost twenty-seven and a half
4 million of future federal CARES Act funding, if
5 the state were not to receive assistance, that
6 could grow as much as forty-four to upwards of
7 fifty million in future federal CARES Act. So
8 when I indicated that this is the optimistic
9 budget, it really is the optimistic budget.

10 Any questions on this slide?

11 Okay, Chris.

12 MR. RUMINSKI: All right. The next slide is the
13 fiscal '22 budget for the NFTA side of
14 operations. And NFTA includes the Buffalo
15 Niagara International Airport, the Niagara Falls
16 International Airport, property development and
17 the transportation centers.

18 On the pie chart, the sources in the
19 left-hand side, you can see that it's sort of the
20 reverse of Metro, where operating revenue is
21 seventy-six percent of total inflows and
22 operating assistance is only twenty-four percent.

23 On the right-hand side, the uses, you can

1 see that forty-one percent of all expenditures
2 are personnel costs. And this, again, are wages
3 and fringe benefits of airport staff, transit
4 police, operations and maintenance staff. And
5 nonoperating and capital items make up about
6 twenty-eight percent of expenditures on the NFTA
7 side. And this is mostly BNIA debt service
8 payments on the bonds and capital expenditures at
9 the BNIA and MTC, the Metro Transportation
10 Center.

11 And the numbers at the bottom of the slide,
12 the operating revenue side, operating revenue is
13 budgeted for fiscal '22 to be fifty-eight point
14 nine million dollars. And this is down
15 twenty-four percent or nineteen million dollars
16 from the fiscal '21 budget.

17 Currently, the BNIA and NFIA concessions and
18 commissions are budgeted to be down fifteen point
19 three million dollars, and that's due to lower
20 than expected enplanements. These concessions
21 and commissions, the decrease is mostly related
22 to parking revenue, that we will see lower
23 parking revenue due to the lower enplanements.

1 Other concessionaires are currently obligated to
2 pay their minimum annual guarantee, so the drop
3 in their revenue isn't as severe as the drop in
4 parking will be because of the decrease in
5 enplanements. The fiscal '22 budget uses
6 estimated enplanements for the BNIA to be down
7 fifty-seven percent from the '21 budget, and NFIA
8 to be down seventy-one percent from the fiscal
9 '21 budget. So you can see that the decrease in
10 enplanements, how big of an impact that plays on
11 the concessions and commissions renew.

12 And another operating revenue item that's
13 going down would be airport fees and services and
14 rental income. These are direct expenses that
15 are passed through to the airlines. This revenue
16 will be down three million dollars, and that's
17 due to -- reflective of decreasing direct
18 expenses at the airport that we would -- we have
19 fewer to pass along to the airlines.

20 The operating assistance for the NFTA.
21 There's eleven point seven million dollars of
22 federal CARES Act funds. This is being used by
23 the BNIA for their debt service payments. And

1 then also will be required about five point eight
2 million dollars of future federal COVID relief
3 funds, and this will be required to maintain the
4 current levels of service at both of our airports
5 and at the MTC and the transportation centers.

6 On the right-hand side are the expenditures.
7 Operating expenses are budgeted to be down five
8 point six million or nine percent for the NFTA.
9 Personnel services will be flat year over year in
10 the budget, and that's the decrease in personnel
11 costs at the BNIA and NFIA due to the lower
12 activity at the airports will mitigate
13 contractual increase in the other departments.

14 Similar to the Metro, there are no new
15 positions in the NFTA. Same number of positions
16 as in fiscal '21 budget. Maintenance and repairs
17 are budgeted to decrease about two million
18 dollars or sixteen percent, mostly due to lower
19 costs at the BNIA. And general business/other is
20 budgeted to decrease three million dollars due to
21 lower monthly -- or, excuse me. Lower parking
22 management fees paid by the BNIA and NFIA. With
23 our revenue being down, our management fees to

1 SP Plus will also be down.

2 Are there any questions relating to the
3 fiscal '22 budget for the NFTA?

4 COMMISSIONER BLUE: Yes. This is Reverend Blue.

5 With the new tenant that we have coming in, will
6 there be an increase in those fees and are they
7 reflected in this budget?

8 MS. MINKEL: I'm sorry, Reverend Blue. We had
9 trouble hearing you on this end. Could you
10 repeat the question?

11 COMMISSIONER BLUE: Okay. With the new tenant coming
12 in taking over Prior, will there be an increase
13 in the fees we that will be charged to him and is
14 it -- or, that organization, and is it reflected
15 in this proposed budget?

16 COMMISSIONER PERRY: So with the change in the tenant
17 for the real estate and operations formerly
18 covered by Prior Aviation, will there be an
19 increase in the revenue that we previously
20 received from Prior, will there be higher fees,
21 higher revenue from that? And I think that was
22 everything.

23 MS. MINKEL: Yeah. No. They assumed the agreement

1 that Prior had, so the expected revenue that
2 we're receiving with the new company, with
3 TAC Air, will be the same as it was under Prior.

4 COMMISSIONER BLUE: Okay. Thank you.

5 MS. MINKEL: You're welcome.

6 COMMISSIONER WILCOX: Kim, this is --

7 COMMISSIONER AUL: Kim, this is Joan Aul again.

8 Oh, I'm sorry. Go ahead.

9 COMMISSIONER WILCOX: No. Go ahead, Joan.

10 COMMISSIONER AUL: Just a quick question on some of
11 the assumptions. Do you, do you assume at some
12 point -- what level of operation do you assume
13 and at what point during the year -- and probably
14 more primarily for BNIA, but for both of them, do
15 you assume at some point during the year that,
16 you know, operations come back up to maybe
17 twenty-five percent or fifty percent, or what are
18 the operational assumptions for the airports
19 getting back into business at some point during
20 the year?

21 MR. VANECEK: Yeah. They're going to be down for
22 quite a while, particularly as the second wave
23 hits now with -- it appears to be anyway, with

1 the COVID. I think we're somewhat dependent or
2 very dependent on the approval of the vaccine so
3 that that can give people reassurances that they
4 can travel safely. But, we're -- right now we're
5 down eighty-one percent compared to last year.
6 We're projecting that we'll be down fifty-three
7 percent compared to 2019 at BNIA. And at Niagara
8 Falls, we're currently down eighty-four percent
9 compared to 2019, and that's the 2021 year-end.
10 And then in 2022, our projections still have us
11 down seventy-one percent.

12 Everything that I'm reading on passenger
13 activities for airline activity, they're looking
14 at anywhere from a two to five-year window before
15 people will recover up to the levels they were at
16 in 2019. So I'm not expecting a big surge to
17 happen. We've had some airlines that have gone
18 bankrupt effectively and are pulling it out.
19 They've significantly cut schedules at airports
20 across the country. This is not unique to us.
21 The Port Authority of New York/New Jersey is
22 operating at about twenty percent of what they
23 normally do with respect to passengers for their

1 three airports that they operate.

2 So this is -- you know, I wish I had a
3 rosier picture to paint, but I don't. I think
4 it's going to be slow growth at best. And,
5 again, I think a lot is going to depend on when
6 vaccines become viable, as people start getting
7 those, but that's still going to be a slow rise
8 up to the airlines.

9 MS. MINKEL: So, Joan, to your question, what
10 assumptions did we make as part of this budget?
11 We're assuming throughout the year BNIA
12 enplanements down fifty-seven percent compared to
13 our fiscal year ending '21 budget. We're
14 assuming NFIA enplanements to be down seventy-one
15 percent from fiscal year '21 budget. So, again,
16 probably optimistic. I agree with everything
17 Bill said.

18 This morning I heard Dr. Fauci is
19 anticipating that the vaccine won't be available
20 until May or June. And it's more than just
21 vaccines, right? We need vaccinations. Vaccines
22 don't save lives; vaccinations do. So I think
23 it's safe to say the impact that we're feeling

1 this year we will feel through quite a large
2 portion of next fiscal year as well.

3 COMMISSIONER PERRY: Alex Azar, the Secretary of
4 Health and Human Services, said this morning that
5 we won't have substantial penetration to the
6 vulnerable and the high-exposure population, and
7 I believe he said, quote, the end of the summer,
8 which doesn't mean -- which still doesn't --
9 that's still not everybody. That's still not
10 everybody. And that's September.

11 COMMISSIONER AUL: Okay. Thank you, Kim. Thank you,
12 Bill. That's kind of what I thought, but thanks
13 for reaffirming that.

14 MS. MINKEL: Yeah. Thank you, Joan.

15 Commissioner Wilcox, I think you had a
16 question?

17 COMMISSIONER WILCOX: Yeah. It was very similar,
18 when the guess of some normalcy might be
19 happening. And in addition, does the COVID
20 relief funding, is that -- what percent does that
21 fill the void of lost revenue from airport fees
22 and service revenues? Is that a floating scale?
23 As fees go up, does COVID relief go down and vice

1 versa, or is that too simplistic?

2 MR. RUMINSKI: Well, the future COVID relief right
3 now, the five point seven million dollars is the
4 amount that would be needed to fill the gap based
5 on the passenger estimates that we're using right
6 now.

7 COMMISSIONER WILCOX: Okay. Thank you.

8 MS. MINDEL: But in terms of how it was provided, it
9 was a lump sum. There was a number of criteria
10 that was associated with it. Whether or not it
11 would be rolled out the same for a next round of
12 emergency relief, that, I don't know. I can tell
13 you the ACI, the Airport Council International,
14 is asking for more CARES funding. They are
15 asking for thirteen billion to be provided
16 directly to airports. They're also asking -- so
17 ten of the thirteen they're asking to be provided
18 directly to the airports, but they're also asking
19 for an additional three and a half billion to go
20 to the airport concessionaires so that they can
21 help weather the storm. We've certainly seen
22 that impact of our concessionaires here in
23 Western New York at both the Buffalo and Niagara

1 Falls airports.

2 And then on the transit side, APTA, which is
3 the American Public Transportation Association,
4 is also asking for additional emergency funding
5 for transit agencies. So they're asking for
6 thirty-two billion in additional emergency
7 funding. A survey that they did a couple of
8 months ago indicated that six in ten public
9 transit systems will either need to reduce
10 service and furlough employees in the coming
11 months without emergency funding. They're also
12 predicting that nearly one third of transit
13 industry businesses are concerned that they may
14 go out of business if additional federal funding
15 is not provided.

16 So the challenges that we're facing here are
17 similar to what everyone's facing across the
18 nation. MTA yesterday had their budget meeting,
19 and they are indicating that without additional
20 federal funding, they may have to reduce up to
21 fifty percent of their service and they are
22 looking to lay off over ninety-four hundred
23 employees. So the challenges that we're facing,

1 we share in those challenges with other airports
2 and other transit agencies across the nation. I
3 mentioned twenty-seven million needed for Metro,
4 and then as Chris just mentioned, an additional
5 six million for the airport side. And all of
6 that's assuming level funding on sales tax,
7 state. And all of that's probably optimistic.
8 Combined, we're looking for at least fifty
9 million in federal assistance.

10 COMMISSIONER WILCOX: And, Kim, so I'm clear, this is
11 tangled up in the political process in overall
12 stimulus funding, or is CARES more embedded in
13 legislation? Is that more firm?

14 MS. MINKEL: Yeah. Darren, can you --

15 MR. KEMPNER: Sure. Commissioner Wilcox, Darren
16 Kempner. The CARES Act funding, all executed,
17 awarded and that's what we're drawing on
18 currently. The prospects for future federal
19 COVID fiscal relief, right now Congress is
20 focused on the December 11th deadline. As usual,
21 we'll be meeting the day before. The end of the
22 current budget agreement is December 11th.
23 That's their main focus right now is providing

1 emergency stopgap funding for the federal fiscal
2 year that ends next September.

3 But, there has been discussion about
4 potential emergency relief through that emergency
5 stopgap funding measure. It's unlikely. And I
6 think if it were done that way, it would probably
7 be more focused than the broader CARES Act
8 funding was. So really December 11th is the date
9 right now. And I think the Senate has already
10 left until the end of the month. The House
11 finishing up this week. So we really won't know
12 more until the beginning of December as to how
13 things are looking on the federal relief.

14 COMMISSIONER WILCOX: Understood. Thank you.

15 MS. MINDEL: Thank you. Are there any other
16 questions before we move to the next slide?

17 Okay. John?

18 MR. COX: Okay. So with this we're going to -- this
19 is a history we see here of our self-insurance
20 reserves. On your left axis you've got, of
21 course, dollars in five million dollar increments
22 going up. And on your right axis, you have a
23 percentage, and that shows the percentage of

1 funding. The total dollars of liabilities is the
2 red bar, which you can see -- what that is is our
3 general, our general and Workers' Comp. liability
4 and other liabilities that we've incurred but to
5 this point have not settled. So as you can see,
6 they started approximately twenty years ago in
7 the ten to fifteen million dollar range. They
8 went down a little bit, but then starting in
9 around 2006, from there on out, they have
10 increased every year going forward pretty much in
11 lockstep by a million or more every year going
12 forward up until September of this year.

13 Now, again, on the funding side, you have
14 the blue bar which is the portion of the actual
15 dollar amount of funding that we have set aside
16 to settle those claims. And as you can see,
17 historically it was a much larger percentage,
18 which is the -- I'll point out it is the green
19 bar that you see. It starts out in the
20 seventies -- sixties to seventies, and then it
21 goes down a little bit, drops down to sixty and
22 then continues down until we get into the
23 twenty-percent range. So as you can see, the

1 total dollar amount has remained the same, as far
2 as we're between, you know, five and ten million
3 dollars as far as funding for those liabilities,
4 but what has happened is we've had a continuing
5 increase in the total amount of outstanding
6 liabilities.

7 So, currently, our self-insurance reserves,
8 we do have funding that would cover some of the
9 claims, but it remains below prudent established
10 levels as far as how much we should have as far
11 as funding for our outstanding liabilities.

12 The retention amount, which is -- basically,
13 what retention is is that's the amount of the
14 liability that you retain. It's another term
15 for -- similar to a deductible. It's
16 approximately five million dollars for general
17 claims and for Workers' Comp. it's one point two
18 million dollars for a Workers' Comp. claim. Of
19 course staff does an excellent job managing and
20 limiting those claims, but, what will -- could
21 potentially and ultimately will happen is
22 continued underfunding of our liabilities will
23 eventually result in us experiencing shortfall,

1 whether it's this year, next year or sometime in
2 the future.

3 And by having -- if you don't have adequate
4 funding, the underfunding will -- the ultimate
5 source to cover those shortfalls will be funding
6 that's budgeted for operations and capital
7 projects at the organization.

8 Are there any questions on that slide?

9 Okay. So we'll switch to the next slide.
10 So here is the current state of our insurance
11 reserves. If you look, you'll see on one side we
12 have Metro, which is approximately twelve percent
13 funded currently, has a liability of
14 approximately forty-one million dollars and total
15 funding of approximately five million dollars.
16 And on the NFTA side, you'll see that their
17 funding is at a much higher level and their
18 liabilities as far as the relationship is -- the
19 lower liabilities, but as far as percentage, the
20 total funding is higher. They are at about sixty
21 percent funding.

22 Throughout the course of the year, we'll be
23 funding -- our plan is to fund additional Metro

1 reserves to set aside for those liabilities will
2 eventually come due. And the purpose of that
3 funding will provide both financial and
4 operational stability by increasing the funding
5 for known liabilities. Also, IBNR, which is
6 liabilities that have been incurred, but you're
7 unaware of it. They're unknown. They haven't
8 been reported yet. And there's also the
9 possibility of emerging liabilities such as
10 liabilities that may arise from cyber attacks or
11 liabilities that may materialize due to COVID.

12 By increasing this funding for Metro, it
13 improves Metro's financial position by increasing
14 Metro's liquidity. It prevents disruption of
15 operations capital projects that would occur
16 if -- as a result of a shortfall if we don't have
17 adequate funding going forward.

18 Are there any questions on that slide?

19 Okay. With that, I'll turn it over to Kim
20 to get us through our planned strategic
21 investments for fiscal year '22.

22 MS. MINKEL: Thanks, John.

23 COMMISSIONER AUL: I'm sorry, Kim. It's Joan. I'm

1 sorry. I didn't get off mute quick enough.

2 MR. COX: That's fine.

3 COMMISSIONER AUL: So how do we feel about these
4 numbers? I mean, with some form of reference,
5 are we kind of okay in the industry? Should we
6 be alarmed in any way or -- I know, you know, it
7 looks fairly stable, I know we manage this really
8 well, but what should it tell us as commissioners
9 and, you know, how should we feel about this I
10 guess is my real question. Are you comfortable
11 with this?

12 MR. COX: Yes. It shows you the challenges that we
13 face as far as liabilities and how, you know, as
14 those liabilities go up, of course it creates a
15 larger and larger financial burden to the
16 organization. And it just makes -- it takes away
17 financial flexibility and certainly makes things
18 more difficult to manage.

19 MS. MINKEL: Yeah. And, Joan, in terms of
20 benchmarking, you know, ideally we should be a
21 hundred percent funded for all known claims. And
22 when we reached out to our peer agencies, that's
23 where they are. So the fact that we'll be sixty

1 percent is concerning longer term for sure.

2 MR. COX: And we also do have --

3 COMMISSIONER AUL: Okay.

4 MR. COX: And we also do on an annual basis have an
5 actuarial study where they review our potential
6 claims and also help us, you know, adjust that
7 number on a year to -- on a, you know, a
8 year-over-year basis. But, even with those
9 adjustments, you can see that every year
10 basically the total outstanding liability
11 increases, and that seems -- that has been a
12 continuing trend for some time now and it appears
13 it will continue going out into the future.

14 COMMISSIONER AUL: Okay. Thank you. You answered my
15 question. Thanks.

16 MS. MINKEL: Thanks. Any other questions on
17 self-insurance?

18 Okay. In terms of our capital -- and
19 earlier Chris Ruminski had shown the pie chart,
20 and you see overall most of our capital spending
21 is around five percent of what's in the budget.
22 So the focus on our capital projects going into
23 next year, for those projects that we already

1 have funding for are either in the pipeline or
2 fit in one of five critical areas.

3 So the first area is the reliability, the
4 safety of our system, which is where we put our
5 number one emphasis. So overall in this budget,
6 we have about a hundred and thirty million in
7 total capital projects. A little over
8 fifty-three million will be spent towards the
9 reliability and the safety of our system. A big
10 chunk of that is with vehicle replacement of
11 almost twenty-five million. Tom and his team do
12 an incredible job repairing and maintaining our
13 fleet, but the fleet is aging, and so we have in
14 here the replacement of twenty big buses, a
15 mixture of diesel and electric, and ten
16 paratransit vehicles. We also have improvements
17 within our rail system of seven million dollars.
18 A lot of the funding for this is coming through
19 the hundred million five-year capital program
20 that we were fortunate to get through the work of
21 Senator Tim Kennedy, the Western New York
22 delegation, and we're certainly very appreciative
23 of the governor for that continued assistance.

1 We also have two million in here to look at
2 our main runway, our 5/23 runway at the Buffalo
3 airport. This is for the design for that. The
4 last time that runway was done -- it's been
5 fifteen years ago. So it's prudent for us to
6 work towards the next improvement of that main
7 runway. And we also have four million for
8 taxiway D work at the Niagara Falls airport.

9 Then the next category is improving or
10 enhancing the customer experience. We have
11 twenty-three million in our capital program of
12 projects going towards that area. So, for
13 example, the Canalside rail station is part of
14 the governor's Buffalo Billion Two of the
15 DL and W. We have four point three million going
16 towards the rail station design and
17 rehabilitation. We have our fare collection
18 replacement project that we will be finishing up
19 in next fiscal year of six point three million.
20 We have our Buffalo airport terminal
21 modernization project of just under five million.
22 Now, this is in this category for improving the
23 customer experience, but we also have another

1 category, building for the future. Because this
2 pandemic hopefully doesn't last too much longer,
3 and we still need to build out for the future for
4 when people do feel comfortable to fly again.

5 And, then, finally, under this category we
6 have just under a million dollars for bus
7 shelters, for replacement bus shelters, but also
8 new bus shelters based on funding that we've
9 received from the state as well.

10 We have a component for sustainable and
11 green initiatives of just under twenty-seven
12 million as part of this budget. Most of this
13 comprises of infrastructure for electric buses
14 and the procurement of electric buses. Seventeen
15 million in total. And then adding capacity to
16 our CNG facility at our Frontier operation. And,
17 then, finally, expanding our glycol treatment
18 system at the Buffalo airport. We have six point
19 two million in this budget towards that wetland
20 treatment system expansion.

21 Building for the future. We have over
22 twenty-two million in this budget as we look
23 towards the future of the NFTA. One point seven

1 million is in for our rail extension project for
2 the -- finishing up the study and doing some of
3 the preliminary engineering. We have -- as part
4 of the DL and W infrastructure itself, we have
5 fifteen point six million to help support the
6 governor's Buffalo Billion Two project. And then
7 the airport project that I mentioned earlier is
8 also in this category.

9 And, then, finally, MIS is so important to
10 us. It really touches on all four of these other
11 categories that I mentioned. It's where we see
12 efficiencies in our system, it's where we improve
13 the liability, where we can improve the customer
14 experience, support green initiatives and build
15 for the future and see cost savings. So we have
16 a little over five million in MIS projects. That
17 includes network storage upgrades, our enterprise
18 system upgrades and network security improvements
19 that are needed.

20 Are there any questions on this slide?

21 CHAIR SISTER ROCHE: Kim, this is Sister Denise.

22 Could you just quickly go over which of these
23 items has money secured for it right now?

1 MS. MINKEL: All of them.

2 CHAIR SISTER ROCHE: All of them have money in hand
3 to do them?

4 MS. MINKEL: That's correct. With the exception --

5 CHAIR SISTER ROCHE: Okay.

6 MS. MINKEL: With the exception -- I'm sorry,
7 Sister -- of the electric bus infrastructure. We
8 still have a gap of two and a half million.

9 I'm looking at my team. Am I misspeaking on
10 any of the other --

11 I'm sorry. The gap is four million. But
12 other than that, everything else that I have
13 listed here we have grants for.

14 CHAIR SISTER ROCHE: Excellent. Okay. Thank you.

15 MS. MINKEL: Any other questions on this slide?

16 Okay. If not, two slides left to go. So
17 this budget was put together with a lot of
18 variables and uncertainties and things that over
19 the next couple of months we will be carefully
20 watching, and we will need to adjust our budget
21 going forward.

22 For example, the ridership and revenue
23 numbers are based on six months' worth of data.

1 Getting an additional couple of months as to the
2 true impact that we're seeing on our system as
3 related to the pandemic and also having a better
4 indication of what might happen on the federal
5 level will be important going forward. We will
6 be watching carefully the vaccine and when
7 vaccinations might start.

8 The other variable is the potential for a
9 second wave and the impact on telecommuting and
10 overall travel patterns here in Western New York,
11 but also across the nation. Here in Western New
12 York, unfortunately we are seeing an increase in
13 COVID numbers. Here within the Authority, we've
14 also seen a slight uptake. That's very
15 concerning. So we will be very carefully
16 watching that. The pandemic has been a market
17 disrupter like none of us have ever seen before,
18 so, unfortunately, we can't even look at history
19 to figure out what impact this market disruptor
20 might have on our system. But, in the next
21 couple of months, I think we'll have a little
22 more clarity as we look to modify this budget.

23 And, then, finally, we have experienced

1 higher operating costs related to COVID-19. How
2 we conduct our business today is very different
3 than how we've operated in the past. The focus,
4 as it should be, has been on safety first, trying
5 to make certain that we can have a system as safe
6 as possible and as reliable as possible for the
7 many people who need us.

8 Uncertainties going forward. We've already
9 talked about the future of operating assistance
10 and our desperate need for fifty million in
11 federal operating assistance going forward.
12 Currently, in our budget we have no federal aid
13 to replace the CARES Act, and without this we
14 would have to make significant adjustments going
15 forward.

16 And then, finally, we were highly reliant on
17 state and local fiscal conditions. So how things
18 progress locally on the county level in terms of
19 sales tax revenue received and mortgage recording
20 tax and state assistance, all of that will play
21 on this budget going forward.

22 Are there any questions on that slide?

23 If not, I want to talk a little bit about

1 steps that we're doing to control costs, because
2 certainly we wouldn't be asking for increased
3 assistance without doing everything we can
4 internally to control costs.

5 So we've had a hiring freeze since the
6 beginning of this fiscal year and pretty much
7 once the pandemic hit, with the exception of
8 those critical safety positions that are needed.

9 We've made a number of operational changes,
10 from looking at everything to the minute detail
11 of all purchases that we make, can we delay them,
12 do we really need them, to cutting some costs as
13 it's related to security or other areas.

14 We've also had service changes related to
15 lower ridership. When we saw ridership go down,
16 we responded accordingly to lower our costs. Not
17 as much as probably what's needed because in
18 doing so we added -- or, we kept the level of
19 service a little bit higher to allow for social
20 distancing in our system and to try to make it as
21 safe as possible.

22 We've also had airport operational changes
23 that would continue to remain in place. For

1 example, cutting back on security, parking
2 personnel, transportation at the airport, even
3 reduction in custodial. With less people using
4 the airport, you don't have to clean the
5 restrooms as often or it's easier in doing so.

6 But, at the same time, there's been
7 increased emphasis as it relates to the pandemic.
8 So some of those changes are offsetting the
9 others. Overtime reduction has been significant.
10 And as Chris mentioned earlier, we've had no
11 airport reliance, no revenue diversion. As Chris
12 had indicated earlier, we are forecasting a loss
13 for the airport of five million dollars for the
14 end of this fiscal year, so there's absolutely no
15 money to take from the airport to support Metro.
16 And that has to come from the airport development
17 fund in order to balance the budget for this year
18 that we're in.

19 So to date all of these steps to control
20 costs have resulted in the savings of about ten
21 million dollars. We anticipate looking ahead to
22 the end of this fiscal year that this will result
23 in a savings of almost sixteen million.

1 Are there any questions on that slide?

2 Are there any overall questions as it
3 relates to the budget discussion?

4 COMMISSIONER PERSICO: Hi, Kim. This is Jen. I was
5 just curious -- and you may have covered this and
6 I may have missed it. But, in terms of the
7 strategic investments, are all of those funds
8 restricted to those capital projects?

9 MS. MINKEL: Yes. That's an excellent question.
10 Yes, they are.

11 COMMISSIONER PERSICO: Okay. Thanks.

12 MS. MINKEL: Any other questions?

13 COMMISSIONER BLUE: I have a question -- this is
14 Reverend Blue -- but, it's not related to the
15 budget. I want to thank you, thank the whole
16 staff and the team for the work that they're
17 doing in making sure that this budget is sound
18 and one that continues the existence of this
19 NFTA.

20 But, my question is to the latest occurrence
21 of switching zones from yellow to orange. How is
22 that going to affect ridership and have you made
23 any provisions for that?

1 MS. MINKEL: So in terms of the Authority as a whole,
2 we are considered an essential operation, so in
3 terms of staffing here, there is no changes here.
4 In terms of ridership -- I'm looking at Tom. I'm
5 sure it could have some negative impact on
6 ridership; however, in spite of that, we will
7 continue to operate because we are moving
8 essential workers to essential jobs. So I don't
9 think it will have a significant impact.

10 I don't know, Tom, do you have anything you
11 want to add to that?

12 MR. GEORGE: If you look statistically at where we've
13 been with our ridership when we moved out of the
14 essential travel only environment to the
15 environment we were in most recently, we did not
16 see much of an uptake in ridership.
17 Consequently, we do not anticipate much of a
18 reduction in ridership moving back into an orange
19 environment, which is similar to the essential
20 work environment we were in in the May and June
21 time frame. So from a ridership perspective and
22 a service perspective, we really don't anticipate
23 many changes.

1 COMMISSIONER BLUE: Thank you.

2 MS. MINKEL: Great. Any other questions or comments?

3 Before I turn it over to Dave to go through
4 once again for a roll call to make certain who we
5 have on the phone, I just wanted to mention two
6 other points for the board.

7 You know, I know these are very challenging
8 times for everyone, not just here locally, but
9 across the nation. Our ask for the federal
10 assistance has two goals. One is to sustain us
11 through this pandemic, and the other is to help
12 us with the economic recovery that's needed for
13 the region.

14 Ten years ago there was a study done by New
15 York State DOT, for example, and it shows that
16 our airports alone contribute over one point two
17 billion in economic activity to the region. Our
18 transit system moves people. We carry essential
19 workers and we provide essential services to this
20 region, all while helping to reduce greenhouse
21 gas emissions. This is why the federal
22 assistance is desperately needed for the states,
23 for our airports and to the transit systems

1 across this nation.

2 So as a reminder, over the next several
3 months, we will continue to review all the
4 information that's out there. We will be
5 adjusting our budget accordingly into next year,
6 but this budget that we discussed today will come
7 to the board to vote on at the December meeting.
8 And if any of you should have any questions,
9 comments or concerns, please feel free to reach
10 out to me.

11 And with that, I'll turn it over to Dave to
12 do a roll call.

13 MR. STATE: Yeah. Just so -- commissioners, it's
14 Dave State again. Just so we have a complete
15 record -- sounded like we may have had some
16 commissions that joined after we did the initial
17 roll call. So I'm just going to ask the
18 commissioners I didn't hear from were Ansari,
19 Baynes, Downey, Hicks and Hughes. Have any of
20 those commissioners joined us?

21 COMMISSIONER DOWNEY: Commissioner Downey.

22 MR. STATE: Commissioner Downey. Thank you.

23 I also heard another --

1 COMMISSIONER HUGHES: Commissioner Hughes.

2 MR. STATE: Commissioner Hughes. Thank you.

3 And just final roll call for Commissioner
4 Ansari, Baynes or Hicks?

5 Thank you.

6 MS. MINKEL: Great. Sister, did you want to say any
7 closing comments?

8 CHAIR SISTER ROCHE: Again, I thank you for the
9 overwhelming good job you did preparing this
10 budget. It's -- there is so much guesswork in
11 it, but you really are people who study it and
12 give an educated guess, so it helps us to know
13 that you're on top of all of these changes and
14 trends. I know it took hours to put this budget
15 together and we can't be more grateful to you for
16 what you're doing.

17 And I wanted to also commend you again for
18 the response that you gave all during COVID. You
19 have kept your employees safe, you have kept your
20 passengers safe, you have adapted to all the new
21 requirements, and in many ways you were a step or
22 two ahead of them. So I hope you all get some
23 time just to rest because day after day you've

1 really fought the good fight and you have made it
2 easy to be a commissioner because we have such
3 confidence in you.

4 So with that, I just encourage anybody who
5 does come up with a question or thinks about
6 something that you want to have Kim or others
7 respond to, please do call her and talk with her.
8 And, otherwise, until December 10th, we can study
9 the budget.

10 MS. MINKEL: Great. Thank you.

11 CHAIR SISTER ROCHE: So I think we're done now.

12 MS. MINKEL: Thank you, Sister. On behalf of staff,
13 I wish everyone, all the board, a very happy
14 Thanksgiving.

15 Unless there's any other questions?

16 Thank you all.

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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.

VALERIE A. ROSATI,
Notary Public.

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