
NIAGARA FRONTIER TRANSPORTATION AUTHORITY

Monthly Board Meeting

March 26, 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 Peter Demakos (Vice Chair)
3 Commissioner Adam Perry
4 Kimberley Minkel (Executive Director)
5 David State (General Counsel)
6 John Cox (Chief Financial Officer)
7 William Vanecek (Director, Aviation)
8 Tom George (Director, Public Transit)
9 Karen Novo (Director, Human Resources)
10 Helen Tederous (Director, Public Affairs)
11 Michael Martineck (Sr. Communications Specialist)

12 MEMBERS ON THE PHONE:

13 Chair Sister Denise Roche
14 Commissioner LaVonne Ansari
15 Commissioner Wesley Hicks
16 Commissioner Bonita Durand
17 Commissioner Margo Downey
18 Commissioner Philip Wilcox
19 Commissioner Joan Aul
20 Commissioner Charles Gurney
21 Commissioner Michael Hughes
22 Christine D'Aloise (Director, Risk Management
23 and Special Projects)
24 John Schaefer (Director, Engineering)
25 Darren Kempner (Manager, Government Affairs)

26 COMMISSIONER DEMAKOS: Good afternoon, everyone.

27 This is the regular scheduled monthly board
28 meeting of the NFTA, March 26th, 2020.

29 Before we can officially begin, we need to
30 roll call the commissioners to determine if we
31 have a quorum. So, David State, if you could

1 please do that.

2 MR. STATE: Good afternoon, Commissioners. This is
3 Dave State. So this is for commissioners only.
4 I just need a verbal that you're on the line
5 and/or present.

6 Commissioner Aul?

7 COMMISSIONER AUL: Here.

8 MR. STATE: Commissioner Ansari?

9 COMMISSIONER ANSARI: Present.

10 MR. STATE: Commissioner Baynes? Did I hear --

11 Commissioner Baynes, are you there?

12 No? Okay.

13 Commissioner Demakos is present.

14 Commissioner Durand?

15 COMMISSIONER DURAND: Present.

16 MR. STATE: Commissioner Downey?

17 COMMISSIONER DOWNEY: Yes.

18 MR. STATE: Commissioner Gurney?

19 COMMISSIONER GURNEY: Yes.

20 MR. STATE: Commissioner Hicks?

21 COMMISSIONER HICKS: Present.

22 MR. STATE: Commissioner Hughes?

23 Okay. Commissioner Perry?

1 COMMISSIONER PERRY: Here.

2 MR. STATE: Sister Roche, Chair?

3 CHAIR SISTER ROCHE: Here.

4 MR. STATE: And Commissioner Wilcox?

5 COMMISSIONER WILCOX: Present.

6 MR. STATE: Okay. So based on that roll call, we do
7 have a quorum.

8 COMMISSIONER DEMAKOS: Okay. Thank you, David.

9 So given the fact there's a quorum, I as
10 vice chair am calling the meeting to order.
11 Since I'm here and Sister Denise, our chair, is
12 not, I have agreed to serve as chair for the
13 meeting. So through the process here, I have to
14 ask for a unanimous consent to serve as the
15 chairman pro tem for the meeting of March 26th,
16 2020. And hearing no objection, I will serve as
17 the chairman pro tem for this meeting.

18 Are there any objections?

19 Okay. Great. Today's meeting is structured
20 a lot differently than normal. Per executive
21 order and keeping with the CDC guidelines, the
22 meeting will be held telephonically for the board
23 and staff members. There is no video required

1 for this meeting. The meeting can be accessed
2 either Live Stream voice and video on our
3 website, www dot NFTA dot com. The meeting is
4 also being recorded with a transcript available.

5 For those of you not here, only essential
6 NFTA staff are participating in person here in
7 the boardroom. There are about ten us of here
8 and we are all keeping a safe distance. And,
9 also, no committee -- there will be no committee
10 meetings held today, only the board meeting.

11 Information has already been distributed to
12 all the board members and committee members, and
13 if you have any questions or comments, please
14 feel free to interject. And when asked for a
15 vote in a second on resolutions, please state
16 your name.

17 Before we get to the executive director's
18 report, you know, this virus has affected every
19 part of our normal lives, and our first concern
20 is the health and safety of our sixteen hundred
21 plus employees. We've had, what, Kim, one test
22 positive and another sixteen or so in quarantine,
23 and our thoughts and prayers go out to all of

1 them.

2 You know, our team members are out there on
3 the front lines with many of them leaving their
4 families at home to continue to serve our
5 community with reliable and efficient
6 transportation services, and later Kim will be
7 presenting the measures the NFTA is taking to
8 keep them safe.

9 This has impacted the entire transportation
10 industry, whether it's directly through less
11 ridership or fewer passengers or secondarily
12 through reduction of concessions or rental cars,
13 parking. There are a lot of people affected.

14 We're fortunate to have the support and
15 leadership from Mayor Brown, County Executive
16 Poloncarz, and especially Governor Cuomo for
17 their leadership. And we're also fortunate to
18 have leadership here with Kim and the entire
19 staff who are working very hard through an
20 unfortunate time.

21 To begin our agenda, I would like -- our
22 official agenda, I would like a motion to approve
23 the minutes from the February 27th, 2020 meeting.

1 If I could have a motion, please?

2 COMMISSIONER PERRY: So moved.

3 COMMISSIONER DEMAKOS: Commissioner Perry.

4 Second?

5 COMMISSIONER GURNEY: Sam Gurney. Second.

6 COMMISSIONER DEMAKOS: All in favor?

7 COMMISSIONER PERRY: Aye.

8 UNIDENTIFIABLE COMMISSIONERS: Aye.

9 COMMISSIONER DEMAKOS: Any opposed or changes? If
10 not, we're approved.

11 So I'd like to turn this over to Kim now for
12 the executive director's report.

13 MS. MINKEL: Thank you, Peter. A couple of things
14 for the board. First, I wanted to mention that
15 our police exam has been pushed back to May 30th.
16 That announcement and letters went out to anyone
17 who had signed up. I also wanted to let the
18 board know that at this time our safety and
19 service award banquet has been postponed until
20 further notice.

21 I also wanted to take a minute to express my
22 sincere gratitude to our sixteen hundred
23 employees. Transportation has always been a

1 dangerous job. Our police, our fire, our
2 operators are exposed to all sorts of hazards
3 that has been made even more challenging with the
4 coronavirus. Nevertheless, these employees
5 realize the importance of the work they do and
6 why transportation is essential during this
7 difficult time. These men and women are also
8 facing many of the same fears and uncertainty
9 that the nation faces. They have loved ones at
10 home that need their attention and care, and in
11 spite of their own struggles, they still come to
12 work. We will continue to do all we can to keep
13 them as safe as possible during these difficult
14 times. But, I just want to express my sincere
15 appreciation to all of the NFTA employees, my
16 leadership team in particular, and our board for
17 your support during this very difficult time.
18 That concludes my report.

19 COMMISSIONER DEMAKOS: Thank you, Kim.

20 Now we go to the NFTA corporate report. We
21 had no committee meetings today, so there's no
22 report on that. So we go to the consolidated
23 financials with John Cox.

1 MR. COX: Yes. Thank you. Good afternoon,
2 commissioners. If you can refer to page seven.
3 For the month of February, our year to date -- I
4 mean -- I'm sorry. Our net surplus is one
5 million two hundred and ninety-six thousand
6 dollars. Our total operating revenues and
7 assistance was essentially on budget. It was
8 just below by, by nine thousand dollars. Our
9 total operating expenses were a hundred and
10 thirty-six thousand below budget, and that's
11 mainly driven by lower maintenance and repairs,
12 transit fuel/power, utilities which were
13 partially offset by higher personnel service
14 costs, insurance and injuries and safety and
15 security.

16 Now, if we turn to page nine. On a
17 year-to-date basis, we have a net surplus of one
18 million nine hundred and fifty-five dollars.
19 Total operating assistance and revenues was a
20 positive variance of three hundred and
21 eighty-nine thousand, at just two tenths of a
22 percent or essentially on budget. We had total
23 operating expenses below budget by five hundred

1 and thirty thousand dollars, and that's mainly
2 driven by lower maintenance and repairs, transit
3 fuel/power and again utilities. And, also, the
4 same items were partially offsetting which was
5 higher personnel services, insurance and injuries
6 and safety and security.

7 And I just want to point out, this being the
8 eleventh month of our twelve-month year, if you
9 look down at each of the business centers, I
10 think it's important to note that every business
11 center has a positive variance through February.
12 So that's a good thing to have with the
13 challenges that we're currently facing, because
14 this will certainly -- I think March, once those
15 numbers come in and we have a better idea of
16 where we're closing out the year, it's always
17 good to have a positive variance, and that should
18 help partially mitigate some of the challenges
19 that we'll see come in when we actually get the
20 final numbers for March and also close out the
21 fiscal year.

22 And unless there are any questions, that
23 concludes the consolidated financials.

1 COMMISSIONER DEMAKOS: Any questions for John?

2 Okay. Next we have nine corporate
3 resolutions which Kim will present.

4 MS. MINKEL: Sure. Thank you, Peter. So the first
5 two corporate resolutions are related to our
6 operating and capital budget and our five-year
7 operating and capital plan. And since we did not
8 have a committee meeting, I'm going to ask John
9 to take us through those. But, before he does, I
10 wanted to make a couple of comments to the board.

11 We're required to, through our PARIS
12 reporting, have an approved, revised operating
13 and capital budget and five-year operating and
14 capital plan. And given what's happened over the
15 past several weeks, it's been very difficult to
16 put together a budget that we have a lot of
17 confidence in. So I'm going to ask for the
18 board's patience. We expect that this budget
19 will change throughout the year as more develops
20 with COVID. But, we do have to run our
21 operations, so we've put something together with
22 assumptions that, quite frankly, we know will
23 change, and we will be coming back to you on a

1 month-to-month basis keeping you appraised of
2 those changes going forward.

3 There's also possibly some good news in that
4 the federal government has a Coronavirus Response
5 Bill. And in that proposed Bill there is some
6 potential funding for both aviation and the
7 transit side of the house. So I thought I could
8 ask Darren to give a very brief summary as to
9 what could happen and where we may see some
10 relief.

11 Darren, can you take us through that,
12 please?

13 MR. KEMPNER: So last night the U.S. Senate passed
14 the CARES Act, which is the Coronavirus Response
15 Bill that Kim was referencing. The House is
16 expected to pass the Act on Friday, and the
17 President's indicated that he will sign the Bill
18 into law immediately.

19 The Act appropriates ten billion for
20 airports and twenty-five billion for transit
21 systems, specifically to prevent, prepare for and
22 respond to coronavirus. The FAA and FTA are
23 required to apportion the funds -- these funds by

1 the end of next week, and those apportionments
2 would be based primarily on the regular AIP and
3 transit grant formulas. There's some differences
4 there, but they're primarily based on the grant
5 formulas. And all those funds would be provided
6 one hundred percent federal. No match is
7 required. Now, there are a couple different
8 requirements in there, but I think the only thing
9 I would mention now, and I'm happy to answer any
10 questions, is that medium-hub airports like
11 Buffalo are required to maintain ninety percent
12 of their workforce through year-end. So that's a
13 brief summary. Hopefully that was helpful.

14 COMMISSIONER PERRY: So we're required to maintain
15 ninety percent of our workforce, but the Bill
16 will fund any shortfall that we have to do that?

17 MR. VANECEK: Not necessarily. If I can jump in?

18 COMMISSIONER DEMAKOS: Please.

19 MR. VANECEK: It's based on a formula that's going to
20 allocate that to almost the airports in the
21 United States. And so it's based in part on your
22 calendar -- your fiscal year 2018 enplanement
23 numbers. So fifty percent is based on that.

1 And, then, secondarily, another fifty percent
2 factor is your debt service to on-hand cash will
3 be another component of it. So if you are an
4 airport with small debt and high cash, that will
5 lower the amount you would get. And if it's the
6 other way around then it would be you would get
7 more money in that pocket. So it's not just a,
8 you know, a straight, even, across-the-board type
9 of allocation.

10 COMMISSIONER DEMAKOS: So it's not related to loss of
11 revenue or loss of passenger count or --
12 obviously every airport will have different
13 effects from the situation. So do none of those
14 matter? None of those metrics matter?

15 MR. VANECEK: No, at this point it doesn't. Because
16 you really can't -- you can't be able to project
17 so far into the future on what's going to happen
18 at each of the airports. I would imagine that
19 certain airports will recover faster than others.
20 But, right now, sitting today, really the only
21 logical way to do it is to kind of take a look
22 back in history. Assume that, you know, 2018 and
23 2019 were relatively similar, most of 2020 is

1 relatively similar, relative to the impacts to
2 each airport, so that's why they've come out and
3 done that.

4 COMMISSIONER PERRY: May I ask, is it possible for
5 you to characterize us as low cash/high debt,
6 vice versa, or something in the middle,
7 generally, from what you just laid out?

8 MR. VANECEK: John can answer that question.

9 MR. COX: Yeah. We're --

10 COMMISSIONER PERRY: For the airport operations
11 vis-a-vis what we were talking about.

12 MR. COX: Right. We're -- our base cash on hand
13 is -- and there's various ways of calculating it.
14 But, it's in the -- around the two hundred days
15 cash. And when -- typically, when we get
16 reviewed as far as the ratings, one of the things
17 they do mention is our cash position. We're
18 not -- they're -- as far as mid-sized airports,
19 there are people -- airports that are in worse
20 positions than us, but there also -- it runs the
21 gamut. There are people that have four or five
22 hundred days cash on hand, so --

23 And usually the hurdle is in that -- from

1 what I've seen from most of the ratings out there
2 is, depending on the ratings, rating agency, if
3 you fall, you know, below two hundred, that can
4 be, you know, viewed as a challenge. And then
5 basically they often say if you're above six
6 hundred days, that can result in a positive view
7 as far as your situation.

8 So we do -- you know, we're not, we're not
9 the worst, but we're not the best. We're a
10 little -- probably on the lower -- probably in
11 the middle to, you know, the -- we're in the --
12 you know, a third down, somewhere in that area.
13 But this is all going to change too because
14 circumstances -- because nobody knows -- you
15 know, again, everybody has different operating
16 expenses, everybody has different other sources
17 of revenues which may or may not help, so it's a
18 very fluid situation.

19 COMMISSIONER PERRY: Thank you.

20 COMMISSIONER DEMAKOS: Everybody has been burning
21 cash now, so --

22 Anyway, Kim, if you could please --

23 MS. MINKEL: Yes.

1 COMMISSIONER DEMAKOS: -- do the resolutions --

2 MS. MINKEL: Yeah.

3 COMMISSIONER DEMAKOS: -- the corporate resolutions.

4 MS. MINKEL: Yes.

5 Thanks, Darren. Thanks for going through
6 that.

7 So the first resolution, the adoption of a
8 revised operating and capital budget. We are
9 reducing the budget by almost four million versus
10 what we brought to the board in December, in
11 recognition of what was in the Governor's
12 executive budget.

13 So we needed to reduce our operating
14 assistance under STOA. We are showing that our
15 revenues are decreasing by one point one million
16 based on forecasts for passenger fares at the
17 Buffalo Airport. Now, keep in mind this is
18 assuming that at some point the airport returns
19 to normal. This does not recognize the current
20 situation that we're in with COVID. But, as
21 Darren indicated, where we are overstating on the
22 revenue side, we don't have a category for what
23 might be received on the federal level. We're

1 hoping that one offsets the other.

2 We have our expenses decreasing by a little
3 over eight hundred thousand, primarily based on
4 adjustments that were made within our Metro
5 operation. We're lowering some of our personnel
6 costs, maintenance costs, repairs, transit
7 fuel/power. Transit fuel has dropped quite a
8 bit, so we were able to lock in and save a little
9 bit on the expense side. And that's being offset
10 partially by our new fare collection system.

11 And then the big area that we're adjusting
12 in order to balance the budget is decreasing our
13 capital spending. We're decreasing it by a
14 little over two point eight million by deferring
15 projects to a later date. As part of this
16 budget, in order to balance it, we are pulling
17 some revenue diversion from the Buffalo Airport,
18 although it's minimal. A little over three
19 hundred thousand is being pulled from the airport
20 to help support the Metro operation. And so
21 that's the revised budget.

22 The five-year capital and operating plan,
23 I'm going to ask John Cox to take us through

1 that. And that starts on page thirty-seven in
2 your handout.

3 COMMISSIONER HICKS: Kim, can I ask a question real
4 quick, please?

5 MS. MINKEL: Sure.

6 COMMISSIONER HICKS: Hello?

7 MS. MINKEL: Yup.

8 COMMISSIONER HICKS: The NFTA wants to move money
9 from one system to another. But, there's no
10 legal ramification for that? I actually should
11 ask Dave State that. There's no problem with us
12 shifting funds from one part of the organization
13 to the other for support, financial support?

14 MS. MINKEL: Yeah. No. I'm glad you asked that
15 question. We -- the Buffalo Airport is
16 grandfathered for -- we are one of just a handful
17 of airports across the nation that has been
18 grandfathered for this revenue diversion. It's
19 limited in the amount that we can take from the
20 airport, and certainly in doing that it's at the
21 expense of the airport itself.

22 We try not to pull money from the airport as
23 much as possible. I think we're up to -- we can

1 pull up to four point two million. We're just a
2 little over or under that amount. You can see
3 we're pulling a little over three hundred
4 thousand. So we do everything we can to minimize
5 what we pull from the Buffalo Airport to support
6 Metro, because keep in mind, the Buffalo Airport
7 is also supporting the operation of the Niagara
8 Falls Airport. We have an aviation system. So
9 we think it's important to keep those as whole as
10 possible.

11 Does that answer your question? Wes? Wes,
12 are you still there or did I --

13 COMMISSIONER HICKS: Yes, it does. I was on mute.

14 Sorry. I keep myself on mute so I don't have
15 background noise. Yes, it does. Thank you very
16 much.

17 MS. MINKEL: Oh, you're most welcome.

18 John, if you want to take us through the
19 five-year.

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

21 So if we can refer to page forty. Within
22 that you'll see that the first year is of course
23 our budget year, and that's the current budget

1 that we have for your consideration today. And
2 then there are the next five years of projections
3 going out.

4 Within that some of the major assumptions
5 that we have on the revenue basis, we have right
6 now a fare increase in fiscal year ending '23,
7 and that's based on CPI. Our last fare increase
8 was implemented in 2012, so that will have been
9 almost -- it will be about -- that will be eleven
10 years since the last increase.

11 We do have passenger fares increasing two
12 percent, but we anticipate that will probably
13 be -- all of these revenues we anticipate will be
14 shifting down. So any trend that we have, we'll
15 probably see a continuation of trend, but what
16 will happen is we'll have a start over. We'll be
17 starting from a lower point once we have better
18 vision as far as how this year is going to play
19 out.

20 BNIA. With the recovery at the airports, we
21 do see some increases in traffic, but, again,
22 from a lower point. BNIA, we have those in
23 there. Also NFIA.

1 We do have in property development the
2 annual three-percent increases that we typically
3 have in the leases.

4 On the operating assistance side, Erie
5 County sales tax, that's one of the things --
6 that's a local assistance. That's one of the
7 things where it's dependent on how long the
8 current events happen and how long it takes for
9 this to work itself out. But, we are using --
10 whatever that new reset point is, we are using a
11 two-percent increase based on what we've seen
12 over the last five years. So we'll probably work
13 that down too as far as percentage.

14 Mortgage tax is also based on two and a half
15 percent and 88c, which is another local funding
16 source. We do have operating assistance and
17 that's increasing five percent. We'll probably
18 have to reset the starting point there.

19 But one thing that -- area that we probably
20 won't have to is federal assistance because
21 that's -- as you're seeing, that's the big source
22 of a lot of the assistance that's currently being
23 made available to assist with this -- with the

1 current fiscal challenges because of the virus.
2 So we're hopeful that that will maintain, and
3 then that increase is based on one percent going
4 forward.

5 On the key expense sides, health insurance
6 we have increasing five percent annually. That
7 will probably stick to that trend. We may see
8 some spikes because of the current event showing
9 up in the next sixty to ninety days through our
10 health insurance billing, but we anticipate some
11 moderation there throughout the remainder of the
12 year. And a lot of this trend is just because of
13 the changes that we've made in health insurance
14 and also the better utilization of that health
15 insurance as far as the cost associated with
16 those and also how that health insurance is used
17 by employees.

18 Workers' Comp. is pretty standard --

19 COMMISSIONER HICKS: Can I ask a question?

20 MR. COX: Sure.

21 COMMISSIONER HICKS: I'm sorry, but I want to ask a
22 question. I heard you say -- I think I heard you
23 say, John, that you think there's going to be

1 moderation in terms of our cost on health
2 insurance. Are we, are we at risk with our
3 insurer -- I don't know whether it's BlueCross
4 BlueShield or Independent Health. I don't know
5 who we use. Are they charging us an up premium
6 for events or increased usage?

7 MR. COX: We -- yes. We actually do not pay a
8 premium. We actually pay the actual claims. So
9 it's based on employees seeking service and then
10 that resulting in a charge. So we, so we don't
11 pay the, we don't pay the insurance, the premium
12 that it takes to be fully insured. But, what we
13 do have is stop-loss insurance, which will, on
14 the high claimants, will kick in and assist with
15 high claims.

16 COMMISSIONER DEMAKOS: Yeah. For everything else,
17 we're self-insured.

18 MR. COX: That's correct.

19 COMMISSIONER HICKS: Hold on. Yeah. Okay. I got
20 it. I understand this pretty well. So, yeah,
21 I'm glad we have stop-loss, because I think your
22 assumption there's going to be moderation by the
23 middle of the year goes against everything that

1 I'm hearing in the business I'm in, which is
2 health care. I'm hearing what's looking to
3 September, December. You know, from the
4 information we have now, and obviously this is a
5 fluid situation, the thought is this is going to
6 continue for some time. So having the stop-loss
7 is important because I do believe we're going to
8 see increased charges against our policies, what
9 we're going to owe. Hopefully not. But, I would
10 really look to this more as six to nine months,
11 maybe a year, in terms of how we budget things.
12 I'm not, I'm not, you know, I'm not -- I know
13 health care fairly well, but I'm not an
14 epidemiologist. I might be wrong. But, what I'm
15 hearing in my hospital and from people across the
16 country that I talk to, that's kind of the plan.

17 MR. COX: Okay. Fair enough.

18 The Metro transit fuel/power. Again, this
19 will probably be from a lower starting point
20 because of how much fuel prices have gone down.
21 But, we do have three percent increases there
22 going out.

23 And, again, I won't get too much into the

1 capital because a lot of this is very fluid,
2 which certainly we'll be changing these and
3 looking at these things as, you know, we have
4 certain challenges as far as affording capital
5 and as there are various stimulus bills that come
6 in from the federal level, whether it's the
7 current one or something down the road, that will
8 essentially -- that may help out to pay for some,
9 some capital items down the road as -- you know,
10 when you think of -- there may be Buy America
11 Bonds, there may be various programs for
12 shovel-ready projects that we have, which may
13 come maybe twelve months from now or somewhere
14 down the road.

15 So with that, I'd like to refer to page
16 forty-one, where if you look most of the way down
17 the page, we have all of the -- our operating
18 assistance and revenues. What we have starting
19 with additional operating and capital assistance,
20 which is just above total operating assistance,
21 if you look under projections -- well, actually,
22 look at the first year, which is the current
23 budget year. We have zero there which means we

1 have a balanced budget.

2 Then starting with fiscal year '22 out to
3 fiscal year '25, we have the various additional
4 amounts of either additional operating or capital
5 assistance that will be required to balance this
6 budget. Next year it's at twenty-two million and
7 change, and so we'll have to take another look at
8 that when we actually get to the budget year and
9 as we have more information. And it continues
10 out, as you see, ten million, approximately eight
11 point six million, and in the final year at about
12 five point six million.

13 Again, you know, with, with the current
14 situation, we don't have a lot of visibility, but
15 this is our -- you know, this is based on what
16 we -- what was in the executive budget, what we
17 had at that point in time. You have to pick a
18 point in time. And certainly we will be looking
19 at all of these things and adjusting going
20 forward as more information becomes available.

21 I know it's, it's not -- you know, it's kind
22 of, you know, throwing darts at a wall. We don't
23 really -- you know, we're doing our best based on

1 information and adjusting as more information
2 becomes available. But, to meet the requirements
3 as far as putting this in and what PAL requires,
4 this is sufficient to meet those.

5 COMMISSIONER DEMAKOS: Well, under normal
6 circumstances it's a challenge, but now it's --
7 as you say, it's like throwing darts. You don't
8 know exactly what you're going to hit.

9 One quick thing on the capital side. It
10 won't affect any of our current -- like our
11 airport projects or anything like that? Those
12 are not in jeopardy of being delayed?

13 MS. MINKEL: That's correct. Anything that's already
14 started, we're continuing with. There is a
15 project that the board awarded last month, the
16 de-icing treatment system expansion. We've put
17 that on hold for the moment because we were
18 paying for that with PFCs that currently are not
19 being collected. We're working with the
20 contractor on that.

21 Anything that's safety sensitive will go
22 forward, but we're being very careful and looking
23 at things twice, does it really need to go

1 forward. And the other thing that we're doing is
2 we're looking at increasing our line of credit so
3 that liquidity doesn't become an issue for the
4 organization.

5 John's been working with a number of banks,
6 and we hope to come back to the board at the
7 April meeting with a recommendation to increase
8 our line of credit so that we, we have more
9 coverage.

10 MR. COX: And if I could just add one thing. On the
11 airport improvement project, all of the funds for
12 that project are in escrow. We borrowed the
13 whole project amount from the bonding, and so
14 we're still, you know, we're still making
15 payments to the vendors as far as that's
16 concerned, and all of those funds are there, so
17 we can -- it's not a, it's not a revenue issue as
18 far as getting the revenue to come in to pay for
19 that. We have those funds available so we can
20 continue forward with that project.

21 COMMISSIONER DEMAKOS: Okay. Great.

22 COMMISSIONER PERRY: And can I -- and what about
23 thoughts about how this affects the rail

1 expansion project, if anything specific?

2 MS. MINKEL: So one of the things that could happen
3 is stimulus funds for significant capital
4 projects. So staff is already preparing to have
5 things ready to go, so if and when that comes
6 out, we have projects in the queue that we can
7 jump on.

8 COMMISSIONER PERRY: So as a matter of recovery,
9 economic development projects --

10 MS. MINKEL: That's right.

11 COMMISSIONER PERRY: -- for capital, we will have all
12 of our stuff that we're interested in lined up at
13 all of our major facilities, both airports and --

14 MS. MINKEL: Yes.

15 COMMISSIONER PERRY: Okay.

16 COMMISSIONER DEMAKOS: Kim, if you could please
17 present the remaining six -- seven items.

18 MS. MINKEL: Do you want the board to take --

19 COMMISSIONER DEMAKOS: That's a good point. Let's
20 take these now. Without anyone's objection, I'd
21 like to take the two -- the revised operating
22 capital budget and the five-year operating
23 capital plan as a motion separately. So may I

1 have a motion to approve those?

2 COMMISSIONER PERRY: So moved.

3 COMMISSIONER DEMAKOS: Second?

4 CHAIR SISTER ROCHE: Second. Sister Denise.

5 COMMISSIONER DEMAKOS: Sister Denise. All in favor?

6 COMMISSIONER PERRY: Aye.

7 UNIDENTIFIABLE COMMISSIONERS: Aye.

8 COMMISSIONER DEMAKOS: Any opposed?

9 MR. STATE: So I'm going to do the roll for this just
10 in case we had anyone who had joined us. This
11 will be alphabetical. So this is on items one
12 and two as was moved and seconded.

13 Commissioner Aul?

14 COMMISSIONER AUL: Yes.

15 MR. STATE: Commissioner Ansari?

16 COMMISSIONER ANSARI: Yes.

17 MR. STATE: Commissioner Demakos?

18 COMMISSIONER DEMAKOS: Yes.

19 MR. STATE: Commissioner Durand?

20 COMMISSIONER DURAND: Yes.

21 MR. STATE: Commissioner Gurney?

22 COMMISSIONER GURNEY: Yes.

23 MR. STATE: Commissioner Hicks?

1 COMMISSIONER HICKS: Yes.

2 MR. STATE: Commissioner Perry?

3 COMMISSIONER PERRY: Yes.

4 MR. STATE: And Chairwoman Roche?

5 CHAIR SISTER ROCHE: Yes.

6 MR. STATE: Are there any other commissioners who
7 wish to vote or have joined the meeting?

8 MS. MINKEL: Wilcox.

9 COMMISSIONER HUGHES: It's Mike Hughes. I don't know
10 what you're voting on, so I'd have to abstain. I
11 just got on.

12 MR. STATE: Okay. And Commissioner Wilcox?

13 COMMISSIONER WILCOX: Yeah. And at some point I
14 would like to talk about any potential impact to
15 personnel, whether layoff, furloughs. I don't
16 know if this is the appropriate time. I'd like
17 to see if there's any anticipation of that with
18 that question.

19 COMMISSIONER DEMAKOS: I think we can do that at the
20 of the meeting after the agenda. We'd be open --
21 and I'm sure there will be other questions also,
22 Commissioner, so we can definitely have that at
23 the end of the normal -- at the end of the

1 resolutions.

2 COMMISSIONER WILCOX: Very good. Thank you.

3 MR. STATE: The item passes.

4 COMMISSIONER DEMAKOS: Okay. The item passes. Okay.
5 Thank you.

6 And then items three through nine, Kim.

7 MS. MINKEL: Thank you, Commissioner.

8 Starting on page forty-eight. Corporate
9 resolution number three. Staff is looking for
10 the board to authorize an agreement with New York
11 State Department of Transportation in the amount
12 of twelve million eight hundred and thirty-two
13 thousand seven hundred and twenty-four dollars.
14 This is for a number of Metro transportation
15 capital projects. This is our standard grant
16 agreement that we get for these capital projects.

17 In line with that, on page fifty, we're
18 looking for authorization for another grant
19 agreement with NYSDOT, this time in the amount of
20 twenty million dollars. This is for our rail
21 capital projects, and this is a hundred percent
22 funding through NYSDOT.

23 On page fifty-one, staff is looking for the

1 board to authorize a three-year collective
2 bargaining agreement with our Teamsters Local
3 264. This would start April 1st and continue to
4 the end of March of 2023. These are our
5 transportation supervisors. They're our
6 front-line supervisors with the Metro bus and
7 rail operations. Under the agreement, they would
8 receive a wage increase in year one of two and a
9 quarter percent, a two-percent increase in year
10 two, and a two-percent increase in year three.
11 They will increase their health care contribution
12 from ten percent to twelve percent of the monthly
13 premium cost. A great group of individuals.
14 It's a smaller union. There's only six employees
15 in this group. But, after this agreement is in
16 place, again, all of our labor agreements will be
17 within term, no holdovers, no expired labor
18 agreements.

19 On page fifty-three we're looking for an
20 authorization for an agreement with Microsoft.
21 This is just for our Microsoft Office products.
22 It's a three-year agreement for a total cost of
23 four hundred and thirty-six thousand seven

1 hundred and fifty-six dollars and fourteen cents.
2 We procured this off of the OGS service contract.

3 The next resolution on page fifty-four is
4 with ClearSky. This is the migration of our
5 Oracle system to Windows/SQL using Migrate.S3 and
6 Transform.S3. The custom integration and
7 implementation would be done at a total cost of
8 three hundred and seventy-five thousand dollars.
9 This procurement was determined to be sole
10 source, based on our legacy system has been
11 experiencing some failures and we needed to move
12 very quickly to get this over so that we can
13 avoid interruption of our operations.

14 The next resolution is on page fifty-five.
15 Staff is looking for an authorization for
16 agreement with FirstLight. This is a support
17 renewal in addition to equipment at a total cost
18 of a hundred and sixty-five thousand one hundred
19 and forty-five dollars and thirty-one cents.
20 This procurement is being done through OGS. And
21 this renewal will continue to provide the
22 hardware and software to support our Cisco
23 routers and our switches throughout our

1 operation.

2 And the final corporate resolution on page
3 fifty-six is a lease amendment with RPRT at 247
4 Cayuga Road. This is for class C office space.
5 They've been a tenant with us since 2018. They
6 are a Start-Up NY company. They're looking for
7 an additional nine hundred and seventy-five
8 square feet of office space at a rate of thirteen
9 dollars and thirteen cents per square foot, and
10 they would be subject to a three-percent annual
11 escalator. The term would be eighteen months and
12 is equal to a little over nineteen thousand five
13 hundred dollars. They would also as part of this
14 agreement have the right to first refusal of an
15 additional six hundred and twenty-three square
16 feet of adjacent office space.

17 And those are the corporate resolutions.

18 COMMISSIONER DEMAKOS: Okay. Thanks, Kim. If there
19 are no objections, I'd like to take these seven
20 items as a batch.

21 COMMISSIONER PERRY: So moved.

22 COMMISSIONER DEMAKOS: Okay. Second?

23 COMMISSIONER GURNEY: Second. Sam Gurney.

1 COMMISSIONER DEMAKOS: Okay. So that's a motion to
2 take them as a batch. I'd like now to approve
3 these seven items.

4 COMMISSIONER PERRY: So moved to approve.

5 COMMISSIONER DEMAKOS: Commissioner Perry, thank you.
6 Second?

7 COMMISSIONER GURNEY: Sam Gurney.

8 COMMISSIONER DEMAKOS: All in favor?

9 COMMISSIONER PERRY: Aye.

10 UNIDENTIFIABLE COMMISSIONERS: Aye.

11 COMMISSIONER DEMAKOS: Any opposed?

12 Do we have to go through the roll again,
13 David?

14 Okay. I'm sorry. We have to -- by process
15 here, we have to go through the roll again.

16 MR. STATE: So once again I'll call out
17 commissioners' names alphabetically. Indicate
18 your vote verbally.

19 Commissioner Aul?

20 COMMISSIONER AUL: Yes.

21 MR. STATE: Commissioner Ansari?

22 COMMISSIONER ANSARI: Yes.

23 MR. STATE: Commissioner Demakos?

1 COMMISSIONER DEMAKOS: Yes.

2 MR. STATE: Commissioner Durand?

3 COMMISSIONER DURAND: Yes.

4 MR. STATE: Commissioner Gurney?

5 COMMISSIONER GURNEY: Yes.

6 MR. STATE: Commissioner Hicks?

7 COMMISSIONER HICKS: Yes.

8 MR. STATE: Commissioner Hughes?

9 COMMISSIONER HUGHES: Yes.

10 MR. STATE: Commissioner Perry?

11 COMMISSIONER PERRY: Yes.

12 MR. STATE: Chairwoman Roche?

13 CHAIR SISTER ROCHE: Yes.

14 MR. STATE: And Commissioner Wilcox?

15 COMMISSIONER WILCOX: Yes.

16 MR. STATE: Any other commissioners who have joined
17 us that wish to vote?

18 Item passes.

19 COMMISSIONER DEMAKOS: All right. Thank you,
20 everyone.

21 We're now moving to the aviation business
22 group. We did not have a committee meeting this
23 morning, but I'll turn it over to Commissioner

1 Perry, who will probably turn it over to Bill
2 Vanecek.

3 COMMISSIONER PERRY: Let me think about that for a
4 minute. I've decided I'm going to turn it over
5 to Mr. Vanecek.

6 MR. VANECEK: Thank you, Commissioner Perry. So I
7 won't -- this will be very high end. I'm not
8 going to go through the airport improvement
9 projects --

10 COMMISSIONER PERRY: Excuse me, Mr. Vanecek. Could
11 we make it -- instead of high end, could we make
12 it high altitude?

13 MR. VANECEK: High altitude? You got it. High
14 altitude it is. Having grown up in Colorado, I'm
15 used to high altitude.

16 So the only comment I would have on the API
17 status report is the fact that our terminal
18 enhancement project is still ongoing. There are
19 still construction workers there daily. It's
20 progressing very nicely and moving on -- at least
21 on time.

22 COMMISSIONER PERRY: And construction is considered
23 generally to be an essential business, so there

1 won't be any impact from the Governor's orders.

2 MR. VANECEK: That's correct.

3 COMMISSIONER PERRY: And in addition to that, we
4 don't have the problem that some projects,
5 private projects might have, because there would
6 be performance bonds and other public
7 construction project protection. So even if one
8 of these construction companies were to go out of
9 business, we would be protected and we would be
10 able to have the services continue.

11 MR. VANECEK: That's correct.

12 COMMISSIONER PERRY: Okay.

13 MR. VANECEK: So moving to the key item report.

14 Really high end. Overall operating revenues were
15 nineteen thousand budgeted -- under budget,
16 basically flat. Operating expenses were five
17 percent favorable. So the bottom line was we
18 were four hundred and ninety-seven thousand or a
19 hundred and forty-two percent favorable on our
20 net surplus for the month of February. Our
21 enplanements for the month of February were down
22 by over fifteen thousand, again, citing the --
23 primarily the effects of the Southwest and the

1 Max aircraft. We haven't quite gotten to the
2 point yet where we start seeing more dramatic
3 increases, and I'll talk a little bit about those
4 later.

5 Year to date on the budget, our variance was
6 five hundred and eighty-one thousand unfavorable
7 on the revenue line. We were one million
8 seventy-nine thousand favorable on the expense
9 line, so the bottom line was our net surplus for
10 year to date through February was six hundred and
11 thirty-eight thousand favorable. And
12 enplanement-wise, we were down five percent over
13 that eleven-month period.

14 In February our net revenues were a hundred
15 and forty-six thousand or three percent
16 favorable. We had -- operating expenses were two
17 hundred seventeen thousand unfavorable or six
18 percent. Bottom line, net surplus was three
19 hundred twenty-five thousand -- I'm sorry. A
20 hundred and forty-eight thousand -- or, a hundred
21 and seventy-seven -- hundred and seventy-seven
22 thousand deficit for the month or fifty-five
23 percent, but our enplanements were actually up by

1 one percent in Buffalo.

2 Year to date through -- for actuals, our
3 operating revenues were a hundred and sixty-eight
4 thousand, basically flat. Operating expenses
5 seven hundred and sixty-six thousand, two percent
6 unfavorable. And our bottom line net -- and then
7 our operating capital was a hundred -- was one
8 million six hundred forty-eight thousand
9 unfavorable. So the net surplus was -- net
10 deficit was two point two -- basically two point
11 two million or forty-seven percent. Enplanements
12 for the eleven months came in at two million two
13 hundred and eighty thousand four sixty-seven
14 which was only one percent unfavorable year over
15 year. That's the good news.

16 COMMISSIONER DEMAKOS: All right. I'm sure there
17 will be questions about the last few weeks, and
18 maybe, again, like everything else, we'll wait
19 until the end of the meeting to go over those and
20 have every -- you know, have a general discussion
21 and questions, because obviously aviation and
22 next will be surface transportation have all been
23 affected.

1 So there was one resolution. Kim?

2 MS. MINKEL: Yeah. Thank you. On page fifty-nine,
3 staff is looking for the award to authorize a
4 five-year renewal of an agreement that we've had
5 in place with NYSEG to provide redundant 12kV
6 electric service at the Buffalo Airport. The
7 annual cost is sixty-nine thousand three hundred
8 and sixty-two dollars and ninety cents over each
9 of the years over the five-year renewal term. I
10 just want to mention the previous annual cost was
11 the same dollar amount, so NYSEG has been holding
12 that cost for us for quite some time.

13 The redundant independent power feeder
14 improves the reliability of the electric service
15 for the airport. It provides a second power
16 source into the facility. In the event that we
17 have a complete power outage where we would lose
18 both power feeder sources, we do have an
19 emergency generator, but that's just for life
20 safety for the airport, and so that wouldn't
21 operate the food concessions, the jet bridges or
22 any other equipment that might be needed for
23 flight operations. So having this second source

1 helps and is important to provide that
2 redundancy. And that's the only resolution
3 within aviation.

4 COMMISSIONER DEMAKOS: May I have a motion to approve
5 this resolution?

6 COMMISSIONER PERRY: So moved.

7 COMMISSIONER DEMAKOS: Commissioner Perry.

8 Second?

9 COMMISSIONER DURAND: Durand. Second.

10 COMMISSIONER DEMAKOS: Okay. All in favor? David
11 State will do the roll again.

12 MR. STATE: By alphabetical once again.

13 Commissioner Aul?

14 COMMISSIONER AUL: Yes.

15 MR. STATE: Ansari?

16 COMMISSIONER ANSARI: Yes.

17 MR. STATE: Demakos?

18 COMMISSIONER DEMAKOS: Yes.

19 MR. STATE: Durand?

20 COMMISSIONER DURAND: Yes.

21 MR. STATE: Gurney?

22 COMMISSIONER GURNEY: Yes.

23 MR. STATE: Hicks?

1 COMMISSIONER HICKS: Yes.

2 MR. STATE: Hughes?

3 COMMISSIONER HUGHES: Yes.

4 MR. STATE: Perry?

5 COMMISSIONER PERRY: Yes.

6 MR. STATE: Sister Denise?

7 CHAIR SISTER ROCHE: Yes.

8 MR. STATE: And Wilcox?

9 COMMISSIONER WILCOX: Yes.

10 MR. STATE: Any other commissioners wish to vote?

11 Item passes.

12 COMMISSIONER DEMAKOS: All right. Thank you very
13 much, David. That concludes the aviation
14 business report.

15 Next is surface transportation.

16 Commissioner Hughes I know is on the line, but
17 will probably do the same thing and just turn it
18 to Tom George for his report.

19 COMMISSIONER HUGHES: Please.

20 MR. GEORGE: Thank you. Starting with the financial
21 report for the month of February. We did have
22 another challenging month of operating revenues
23 through our fares, two hundred and forty-four

1 thousand unfavorable, which was overcome by,
2 again, a nice strong month for mortgage tax and
3 Erie County sales tax, two hundred and eight
4 thousand. Overall operating revenues and
5 assistance, thirty-five thousand unfavorable for
6 the month of February.

7 On the operating expense side, we had a
8 number of items that were favorable including
9 personnel services, maintenance and repair,
10 transit fuel/power and utilities. Overall we
11 were on budget for total operating expenses and
12 generally on budget, thirty-seven thousand
13 unfavorable, for the month of February as our
14 budget was concerned.

15 At the year to date, as John Cox has stated
16 in the earlier meeting, although we were one
17 point one million unfavorable on fares, we were
18 two point o two eight million favorable for our
19 operating assistance for year to date. Total
20 operating revenues and assistance, nine hundred
21 and twenty-seven thousand favorable, offset
22 somewhat by six hundred and forty thousand
23 dollars unfavorable in operating expenses.

1 Operating income, year do date, two hundred
2 and eighty-eight thousand favorable through
3 eleven months of the year. We're waiting for the
4 final month to see where we ended up.

5 That's all I had on the financials. If
6 there's any questions?

7 Just, quickly, if I can go over our program
8 of projects. Under the initiative status
9 reports, the battery/electric bus program. I'd
10 just like to state that we are actually out for
11 bid and bids are due for the battery/electric bus
12 charging infrastructure at Cold Spring garage, as
13 well as the utility improvements. We do
14 anticipate getting those bids in. It's not bid
15 directly to us. That's a NYPA project. They're
16 doing it on our behalf. But that project is out
17 to bid in concurrence with some projects at MTA
18 in New York City.

19 We're also -- on the Amherst/Buffalo Light
20 Rail Project, the public comment period has ended
21 effective March 24th, so we are no longer
22 accepting public comments on that. We are
23 leaving it open for a couple weeks for agencies

1 to continue and provide their comments. I will
2 have a report at the next board meeting of a
3 summary of those comments.

4 And on the DL and W Rail Project, we are
5 continuing with construction there as well, just
6 like we are at the airport, so that project is
7 still full construction ahead.

8 And the fare collection system project is
9 also moving ahead, although there may be some
10 ramifications relative to our fare policy having
11 some slight impacts to that; but, generally, that
12 project is moving ahead as well.

13 COMMISSIONER DEMAKOS: Okay. Commissioner Perry?

14 COMMISSIONER PERRY: And I'm sorry if I didn't catch
15 this. So the change to the barriers in rail
16 stations, that's still on track?

17 MR. GEORGE: That's still moving forward.

18 COMMISSIONER PERRY: And the other changes to fare
19 collection?

20 MR. GEORGE: The entire project is in place. The
21 only ramifications we see at this point is
22 depending on the length of any fare waiver that
23 is approved by the board later in the meeting

1 will hamper our ability to do some pilot testing
2 on the fare boxes in the buses themselves. Other
3 than that, the project is still being pushed
4 along as we had it scheduled.

5 COMMISSIONER PERRY: And the current depression in
6 petroleum prices, assuming that continues for
7 some period of time, what impact might that have,
8 if any?

9 MR. GEORGE: On our budget as an operational --

10 COMMISSIONER PERRY: Yes.

11 MR. GEORGE: -- it will be favorable for us.

12 COMMISSIONER PERRY: I know it will be favorable, but
13 like what kind of magnitude are we talking about
14 here? Any concept of that at all?

15 MR. GEORGE: We'll we've locked in -- John, do you
16 want to --

17 MR. COX: Yeah.

18 COMMISSIONER PERRY: I was thinking about the fact
19 that we locked in a price for a period of time,
20 so I was wondering, is it going to have any
21 effect at all?

22 MR. COX: Yeah. So we locked in two thirds of our
23 usage for this upcoming budget. And we started

1 in December at two dollars and thirty-eight cents
2 a gallon. We're now locked in between a dollar
3 eighty and a dollar ninety-five, so right there
4 is a decrease of almost four hundred and fifty
5 thousand dollars.

6 COMMISSIONER DEMAKOS: I assume you buy on the spot
7 market anyway, you buy on the open market anyway.

8 MR. COX: Right. So the remainder will be on the
9 spot market, which has actually fallen below even
10 these lock-in prices. So we will -- you know, on
11 that remaining third, we will recognize
12 additional savings there too also.

13 COMMISSIONER PERRY: Thank you.

14 COMMISSIONER DEMAKOS: Great. Thanks. If there are
15 no other questions, there are four --

16 MR. GEORGE: One last, if I could?

17 COMMISSIONER DEMAKOS: I'm sorry.

18 MR. GEORGE: Citizens advisory committee and I think
19 accessibility advisory committee, there were none
20 last month and those for the month of March were
21 canceled.

22 COMMISSIONER DEMAKOS: Okay. Thank you for your
23 report, Tom.

1 Under surface transportation, there are four
2 resolutions. Kim?

3 MS. MINKEL: Yes. Thank you, Peter.

4 Starting on page sixty-two, the first one is
5 an authorization for agreement with the City of
6 Niagara Falls. This is for our seasonal trolley
7 service that we've had in operation since the
8 summer of 2005. We would start the service on
9 May 15th and it would expire on October 25th.
10 The price for this service is six hundred and
11 thirteen thousand dollars, which is a
12 three-percent increase from what they were paying
13 for the previous year for this service.

14 The next resolution on page sixty-three is
15 an authorization for agreement with DCB Elevator.
16 This is for our escalator rebuild project. This
17 is year three and the final year for this
18 project. This would include rebuilding two
19 escalators in our Summer-Best station. The lump
20 sum amount is three hundred twenty-seven thousand
21 seven hundred forty-eight dollars, and it would
22 increase the total contract amount to just under
23 one point four million dollars. And the funding

1 for this has already been provided as part of our
2 2018-2019 and 2019-2020 state transit capital
3 program.

4 The third resolution is an amendment with
5 C and S Companies for regional traffic count
6 program. This four-year agreement is in a
7 not-to-exceed amount of a hundred and twenty-nine
8 thousand eight hundred and eighty-six dollars for
9 the four years. And this is for C and S
10 Companies to conduct the traffic counts for
11 GBNRTC. GBNRTC did go out for procurement.
12 C and S was selected based on their
13 qualifications, technical criterion and their
14 cost. The funding for this is paid through --
15 with federal funds through federal highway. And
16 Hal Morse is on the call in case there's any
17 questions related to this. As a reminder, we are
18 the host agency under GBNRTC and that's why this
19 comes to the NFTA board for approval.

20 And then the final resolution. Staff is
21 recommending that the board authorize us to have
22 the ability to temporarily suspend fare
23 collection for both our bus and rail operations.

1 And this is in response to the COVID-19 pandemic
2 and the declared state of emergencies. We want
3 to do everything we can to improve the safety of
4 the public and our operators. And so one of the
5 ways to do it is to maximize social distancing.
6 And having our patrons enter through the back of
7 the bus versus entering through the front, paying
8 their fare, showing their day pass, monthly pass,
9 interacting with the operator, and waiving the
10 fare collection is a great way to do that.

11 So with the new process, they would enter
12 through the back. Those who have mobility
13 challenges where they need to have the bus kneel
14 or if they take a wheelchair and use a
15 wheelchair, they would still enter the front.
16 But, we would significantly reduce the exposure
17 to our operators and to the public as well.

18 We're also recommending this on the rail
19 side because it's an honor system that we operate
20 here at the NFTA. So we have ticket inspectors,
21 we have police officers who inspect for -- to
22 make certain that people are paying their fare,
23 asking for the ticket. This would eliminate that

1 requirement during this pandemic, and it
2 certainly I think would make our operators feel
3 much safer. I know the union president has asked
4 for this, a number of the operators have asked
5 for this. And there are other systems across the
6 nation who are taking a similar approach, just so
7 the board knows. New York City Transit, for
8 example, has waived it for their bus system.
9 Similarly, WMATA. And smaller systems just down
10 the thruway. Rochester has also taken that
11 approach.

12 I apologize. I know there was an article in
13 The Buffalo News today before the board could
14 take action. We're required to post our agenda
15 on our website and we do. And as you can
16 imagine, when you post that, that becomes
17 available, and that's how it became the newspaper
18 article.

19 COMMISSIONER DEMAKOS: Two questions, Kim. Do you
20 have an end date on this or this just depends on
21 how long the situation lasts?

22 MS. MINKEL: It just depends on how long the
23 situation -- and the other reason why I don't

1 have an end date is we may find that this creates
2 other issues or challenges for us. We're doing
3 this with the intention of improving safety and
4 reducing exposures. There are some unknowns.
5 And if we find that this becomes a challenge for
6 us, we may have to modify. So I didn't want to
7 say this is effective between now and April 20th.

8 One of the things that Tom and his team have
9 identified, a concern, that we will alert the
10 operators to, it's easier for them to look at
11 people boarding -- getting on the bus through the
12 front door versus the rear door. The mirrors are
13 more limited in scope. So if we find that this
14 presents a different safety hazard, we
15 immediately want to go back, so that's why
16 there's no end date.

17 COMMISSIONER DEMAKOS: And I know this question is
18 difficult to quantify. But, based on reduction
19 of ridership, which we'll talk about later I'm
20 sure, do we know what the economic impact is per
21 day, per week?

22 MS. MINDEL: We are estimating -- typically, we
23 receive about three million a month in fares.

1 Based on where ridership is today, we would be
2 foregoing about six hundred thousand. That's how
3 low --

4 COMMISSIONER DEMAKOS: For a month? Over a month?

5 MS. MINKEL: For a month, right. And that's really a
6 best guess.

7 COMMISSIONER DEMAKOS: Absolutely.

8 MS. MINKEL: A fair question, though.

9 COMMISSIONER DEMAKOS: All right. Are there any
10 other questions?

11 Based on --

12 COMMISSIONER AUL: Yes. It's Joan. I'm sorry. So,
13 Kim, is it -- that's probably not in the budget
14 projection that you looked at, so that would be
15 on top of anything that we just looked at in
16 projected numbers?

17 MS. MINKEL: Yes. That's correct, Joan.

18 COMMISSIONER AUL: Okay.

19 COMMISSIONER DEMAKOS: Are there any other questions?

20 Based on previous unanimous response, we'll
21 take these four as a group. May I have a motion
22 to approve all four of these as a group?

23 COMMISSIONER PERRY: I abstain on one.

1 COMMISSIONER DEMAKOS: Okay. I'm sorry. So

2 Commissioner Perry you're abstaining on?

3 COMMISSIONER PERRY: I can vote for them as a group,

4 except I'm abstaining on number one.

5 COMMISSIONER DEMAKOS: All right. Are there any

6 other abstentions?

7 May I have a motion to approve these four

8 items with -- noting Commissioner Perry's

9 abstention on number one?

10 COMMISSIONER PERRY: So moved.

11 COMMISSIONER DEMAKOS: Second?

12 COMMISSIONER GURNEY: Second. Sam Gurney.

13 COMMISSIONER DURAND: Durand.

14 COMMISSIONER DEMAKOS: David, please call the roll.

15 MR. STATE: Commissioner Aul?

16 COMMISSIONER AUL: Yes.

17 MR. STATE: Ansari?

18 COMMISSIONER ANSARI: Yes.

19 MR. STATE: Demakos?

20 COMMISSIONER DEMAKOS: Yes.

21 MR. STATE: Durand?

22 COMMISSIONER DURAND: Yes.

23 MR. STATE: Gurney?

1 COMMISSIONER GURNEY: Yes.

2 MR. STATE: Hicks?

3 COMMISSIONER HICKS: Yes.

4 MR. STATE: Hughes?

5 COMMISSIONER HUGHES: Yes.

6 MR. STATE: Perry?

7 COMMISSIONER PERRY: Abstaining on one and

8 affirmative on the others.

9 MR. STATE: Chairwoman Roche?

10 CHAIR SISTER ROCHE: Yes.

11 MR. STATE: And Commissioner Wilcox?

12 COMMISSIONER WILCOX: Yes.

13 MR. STATE: Any other commissioners voting?

14 Item passes.

15 COMMISSIONER DEMAKOS: All right. Thank you, David.

16 This ends the committee meetings reports.

17 General counsel report, David?

18 MR. STATE: Yeah. Very quick, Chairman. Very good

19 news from this jury verdict, which I've supplied

20 and can supply for the remote commissioners.

21 This case was a, you know, run-of-the-mill

22 rear-ender. Our bus hit a vehicle, minor

23 property damage. We -- it was interesting,

1 though, because it was one of the few civil cases
2 that was allowed to continue. All civil trials
3 were prohibited at some point. This one had
4 started, was in the queue and it was allowed to
5 continue. Ten days of proof. The verdict was
6 actually rendered on a Saturday, which is also a
7 bit unusual. The Court accommodated the parties,
8 and the jury accommodated all of us.

9 The verdict was favorable, no cause, meaning
10 zero dollars to the plaintiff. The case was
11 tried by John DePaolo, one of our in-house
12 litigators, and Vicky obviously monitored and
13 oversaw the entire trial. So very favorable
14 verdict for us. I will say the jury was very
15 impressed not only with our counsel, but the
16 driver, the individual who drove the bus
17 testified, and they were very impressed at his
18 professionalism, how he handled this accident and
19 obviously his testimony on the stand.

20 COMMISSIONER PERRY: So the plaintiff wanted five
21 million dollars, but got zero?

22 MR. STATE: That's correct.

23 COMMISSIONER PERRY: So our counsel staff saved us

1 five million dollars, saved the riders in the
2 system five million dollars.

3 MR. STATE: I would say the -- I don't want to
4 quantify. That was the claim, that's what was
5 asked for, and the number was zero. We also
6 made, as we often do, a favorable settlement
7 offer. You know, we're not adverse to resolving
8 cases. We also essentially acknowledged that --

9 COMMISSIONER HICKS: How much did you offer, David?

10 MR. STATE: We offered forty-five --

11 COMMISSIONER HICKS: How much was offered?

12 MR. STATE: Forty-five thousand dollars. In the end,
13 as simply as I can say it, the jury did not
14 believe the plaintiff was injured. That's the
15 sum and substance as to how their verdict read.

16 Any other questions?

17 COMMISSIONER PERRY: Outstanding.

18 COMMISSIONER DEMAKOS: Outstanding. Good work by the
19 team.

20 In lieu of an executive session, Kim has
21 prepared a presentation on COVID-19 response by
22 the NFTA.

23 MS. MINKEL: Thank you. So I sent you all a separate

1 PDF of the presentation. And as I go through it
2 and staff goes through it, I'll make certain to
3 let you know what slide we're on so you can
4 follow along. As we go through this, if any
5 board member has any questions or comments, feel
6 free to jump in and ask.

7 So all of this evolved, as you know, very
8 quickly. We went from a point of everything
9 being normal to almost a state of organized chaos
10 here at the NFTA. One of the first things we
11 focused on was safety and making certain that we
12 had an infectious control emergency response plan
13 in place so that we could protect the safety of
14 our employees and the public that we serve.

15 So very early on we established
16 communication with a number of parties, all of
17 them incredibly helpful. We reached out to New
18 York State Department of Health, the Erie County
19 Department of Emergency Services, New York State
20 Public Transportation Safety Board. I personally
21 was in regular contact with Albany, the executive
22 chamber, almost on a daily basis, and they've
23 just been absolutely incredible in providing

1 guidance and assistance under the Governor's
2 leadership. We also were in contact with Federal
3 Transit Administration and the FAA.

4 There were protocols that came out early by
5 the Center of Disease Control and the Department
6 of Health and then there were protocols that were
7 being issued almost on a daily basis by Governor
8 Cuomo through his executive orders. So we were
9 monitoring those and putting those in place as
10 quickly as they were coming out. And then there
11 was numerous webinars and updates that we could
12 get other information.

13 The other thing we did is almost on day one,
14 we took a look at procurement to make certain
15 that we have supplies in place for our employees.
16 I had been involved with the anthrax issue a
17 number of years ago in 2001. One of the first
18 things I noticed with anthrax was that there was
19 a run on respirators and gloves. So we wanted to
20 make certain that we had gloves and respirators
21 on hand, and we were able to secure those, and
22 cleaning supplies and sanitizers.

23 One of the challenges we continue to face

1 today, though, however, is with hand sanitizer.
2 We were not able to get enough hand sanitizer and
3 we continue to struggle with that. The Governor
4 has New York State producing hand sanitizer, and
5 we went and we grabbed as much as we could, and
6 that was very helpful. We are also working with
7 small production companies assembling our own
8 hand sanitizer, trying to get that out for our
9 drivers.

10 So the new fare policy is certainly going to
11 be well-received by many of our operators going
12 forward, because that, in particular, has been a
13 challenge.

14 And then the next slide, limit the exposure.
15 We wanted to make certain that we could limit our
16 employee exposure and the public exposure as much
17 as possible. So working with directions that had
18 come from Albany, we set up a process to identify
19 essential versus nonessential employees. And our
20 transportation system, what we provide both in
21 terms of mass transit and the airport is
22 essential, and we remain open during this event.
23 But, we do have some employees that could be

1 determined to be nonessential. Nonessential is
2 kind of a unique term. It doesn't mean that
3 they're not critical employees. It simply means
4 that these are employees who could work from
5 home, telecommute. So it's somewhat of a
6 misnomer. So we very quickly put together a
7 telecommuting program. Currently, we have about
8 seventy employees who are telecommuting, working
9 from home, and we're experiencing all the trials
10 and tribulations that go along with
11 telecommuting.

12 We also looked at any of our processes and
13 procedures that we could reduce density. For
14 example, our board meeting today, there's no more
15 than ten people in this room, and we're all
16 spread out. We also looked at additional
17 operational and engineering controls. So one of
18 the things you do with safety, you want to
19 engineer the problem out, if possible, and then
20 if you can't, you look at operational controls,
21 procedures. So for those board members who came
22 into the meeting, you'll notice that at the front
23 desk down below, there's a physical shield now

1 that's shielding the individual. That's the
2 engineering control. The operational controls,
3 our new fare collection -- or, waiving the fair
4 collection is an operational control, and that
5 we're able to move people to the back of the bus
6 and reduce exposure.

7 The other thing to limit exposure, and it's
8 not on the slide, we looked at the Authority's
9 financial exposures during this time. So we are
10 carefully monitoring the federal Coronavirus
11 Response Bill, we are expanding our line of
12 credit, we are deferring capital projects and
13 expenses, and we are tracking -- we are keeping
14 track of our revenue loss and our increased
15 expenses in case there's the opportunity for
16 reimbursement under FEMA or other mechanisms
17 going forward.

18 So now I'll turn it over to Helen to take us
19 through communication, which was an important
20 part of this. Helen?

21 MS. TEDEROUS: Communication with COVID-19 as well as
22 every other communication -- our strategy at the
23 NFTA with COVID-19 as well as day to day is to be

1 open and transparent communication. We're a
2 public authority. We take this very seriously.
3 So our goal; to inform, to educate and respond to
4 our employees and the public. We want to provide
5 them with the latest information on travel or
6 service status. We also feel it's our role as a
7 public authority to help educate the employees
8 and our public on important health directives
9 that can be taken to prevent the spread of
10 COVID-19. And also to respond, to provide
11 answers or directions to the many questions we
12 are receiving from the public and our employees.

13 And as you can imagine, this is fluid and
14 continuous. We are working very closely with
15 both Metro and aviation, all the business units,
16 to make sure we're providing everyone with the
17 latest information. Media of course is our first
18 source, our liaison with the public. We are
19 providing social media posts with the latest
20 information at our Twitter account, at NFTA
21 newsroom, with alerts and information. Also, we
22 are providing media releases twenty-four/seven
23 with communication with these news outlets to

1 provide information and also to contact. As you
2 can imagine, they are counting on us and asking
3 us questions about COVID-19 for various topics.

4 MR. MINKEL: I'm sorry, Wes. What was that?

5 COMMISSIONER HICKS: I was telling someone to turn
6 the sound down.

7 MS. TEDEROUS: The sound down?

8 UNIDENTIFIABLE SPEAKER: He's talking to somebody
9 else.

10 MS. TEDEROUS: Oh, okay. I know I'm loud, but I
11 didn't think I was that loud.

12 And here's some examples of our external
13 communications. As I mentioned, our Twitter
14 account and also some of our Facebook accounts,
15 both for aviation and for Metro.

16 We are also providing information via our
17 website. We are including health information
18 from CDC, New York State Health Department and
19 continuous information on any operational changes
20 throughout the NFTA and provide alerts as
21 appropriate. As you can imagine, we are
22 receiving quite a bit of rumors, as other
23 agencies are, about closures. We are keeping

1 people informed continuously on updated
2 information that is accurate. And here's some
3 examples of our website. And it links right to
4 CDC and it also provides any service or travel
5 updates.

6 We've also helped with health signage,
7 public service announcement material on bus and
8 the rail and also at the airports for our
9 employees illustrating ways to help prevent the
10 spread of COVID-19.

11 Internal communication. Equally important
12 to inform our employees on what is happening at
13 the NFTA. Our extranet, which is called
14 Elements, we have provided alerts. We actually
15 created a communication center where our
16 employees can go. This is very important because
17 we are not just a computer-based entity. We have
18 many people -- the majority of our employees are
19 out in the field. They can access this from
20 their phones or their computers at home. And
21 this provides all with employee information in
22 one spot, in one portal. We also have e-mail
23 alerts internally that we are using to help keep

1 employees informed.

2 Paychecks. We are including instructions
3 and attachments right in the paychecks providing
4 people with information from Kim and from other
5 sources to make sure they are aware. As well as
6 CDC posters. They are placed throughout the NFTA
7 work sites to remind our employees about healthy
8 habits which we find are very important. We know
9 that everyone is getting so much information from
10 many different sources, but we feel when it comes
11 to COVID-19, you can't overcommunicate.

12 MS. MINKEL: Great. And so now Karen Novo will talk
13 about some of the challenges we had within human
14 resources. Karen?

15 MS. NOVO: Thank you and good afternoon. So as we
16 all know, these have been some trying times for
17 all of us, and we have a lot of internal and
18 external communication, as Helen has mentioned.
19 So we as HR have taken additional steps by being
20 in consistent communication with our business
21 centers, the airport, Metro, local officials and
22 all of our employees, which is very important.
23 They're on the front line.

1 So what we're doing is staff right now, HR,
2 we're continuously working daily with Metro
3 operations, supervisors and managers. We're on
4 calls with them a couple times a day. We're in
5 constant communication with the airport making
6 sure the supervisors and managers are, first and
7 foremost, which is not on the slide, we're
8 encouraging employees that are not feeling well
9 to please stay home and utilize their sick time.
10 That's the first step of all of this. If you're
11 not feeling well, you have sick time, you have
12 benefit time, please use it, stay home and get
13 well. So we're encouraging that, and the
14 supervisors and managers are doing a great job
15 there.

16 We're reaching out to the Federal Transit
17 Authority seeing what they're doing differently,
18 if there's anything that we can do to help our
19 employees. We all seem like we're doing the same
20 type of communication, as Helen mentioned, the
21 paychecks and everything, making sure they're
22 well-communicated.

23 I'm in constant contact on a daily basis

1 with GOER, or the Governor's Office of Employee
2 Relations. If we have questions, we call, we
3 ask, we e-mail. They've been very, very
4 responsive, as Kim has mentioned. All the local
5 and government officials have been very
6 responsive to us.

7 We actually have to report in every day for
8 our cases. As Kim mentioned earlier, we have one
9 positive and the sixteen that are in self --
10 voluntary or mandated quarantine right now.
11 They're all doing well. And we are keeping in
12 constant contact with them, and anything we can
13 do to help them to get back to work or guides
14 from their doctor's office or so forth we're
15 doing.

16 We actually set up an HR hotline, so we have
17 a 6500 number, so that is being monitored
18 twenty-four/seven. We're monitoring it on
19 weekends, evenings and keeping, you know, in
20 contact every few hours to make sure employees
21 that are working twenty-four/seven that if they
22 have any questions that we get back to them if
23 they need some assistance.

1 Social distancing. We all hear about that
2 every day and which we're doing right now in the
3 boardroom. So it's constant communication to our
4 employees out there that we -- as a public
5 authority, we are essential, we have to keep the
6 medical department running. We've made some
7 changes where we're doing some of our thirty-day
8 reports for disability and Workers' Comp, we're
9 doing them via telephone.

10 For employees that may have to come --
11 return back to work even before this all started,
12 our doctor and our PA who was on staff Monday,
13 Wednesday and Friday, they're actually making a
14 decision if they need to come in the office or
15 not. It all depends on their situation. So
16 we're making some changes there. Employees that
17 are coming into medical, we're making sure they
18 stay out -- they come up one at a time, they stay
19 out in the area, they fill out their paperwork
20 and then they walk down by themselves, and we're
21 just making sure the safety of both our staff and
22 the employee is staying in social distancing.

23 As Kim mentioned too, the transit police, we

1 actually had over thirteen hundred applicants.
2 So as you well know, we had to get out quickly
3 thirteen hundred letters and we have postponed it
4 until right now May 30th. So far we received
5 about seventeen calls -- or, I'm sorry. Fourteen
6 calls that stated they couldn't make that date,
7 our new date, but we will work with them and make
8 sure that we're able to test them at some point.
9 So we're making arrangements with that, as well
10 as our safety and service awards, we've postponed
11 that until further notice as well.

12 And like everyone else, we are -- brought in
13 additional cleaning, the doorknobs, phones,
14 everything, trying to keep everybody safe and
15 everything proactive as far as cleaning for drug
16 screens that are coming in and so forth.

17 Employee assistance program. That's
18 important at this time. People are going through
19 a lot of stress, anxiety, they're scared, there's
20 all -- everything is going on. People aren't
21 working, they're anxious. So our employee
22 assistance program, we're making sure that
23 information is getting out by -- with Helen's

1 group and with paychecks and having the managers
2 and supervisors and our staff tell employees
3 that's still there, the employee assistance is
4 there for you. They actually have set up a
5 telecommunicating, so they're doing voice
6 conferences and working on the phones too with --
7 for employees so that they could help them.

8 We're just trying to keep in contact with
9 employees and we're getting a lot of calls, but
10 we're just trying to keep everybody calm, trying
11 to work through it together. We're all in it
12 together, so I think if we all work together,
13 keep everybody calm, we'll hopefully get through
14 this.

15 MS. MINKEL: Great. Thanks, Karen. So now we'll
16 talk about the aviation side.

17 MR. VANECEK: Some of the things that we're doing out
18 at the airport, obviously we are very, very
19 concerned about our employees as well as our
20 traveling public, and so we have really ramped up
21 our sanitizing of areas that they tend to
22 frequent. So we're giving additional attention
23 to the door handles, card readers, the hold room

1 seating, we're sanitizing those with a
2 bleach/water mixture. And we're also putting --
3 installed wipes at each of the access points
4 where employees actually have to put a finger
5 onto a fingerprint reader so that they have the
6 ability then to sanitize themselves following
7 entry into the area.

8 We have also closed two sets of our
9 restrooms, so it gives our janitorial staff more
10 opportunities to clean the other ones that are
11 open more often. And they're not necessary right
12 now anyway, given the lack of passengers that we
13 have at the airport, and I'll get into those
14 numbers in a little bit.

15 We started take-out food service only
16 beginning March 16th. We have now gone down to
17 only two offerings which were Tim Horton's and
18 the Queen City, and we have kept open the one
19 gift shop that's right by the checkpoint.
20 Everything else in the airport now is closed, and
21 the hours have been significantly cut back. So
22 we're not making them stay open until, you know,
23 nine o'clock, ten o'clock at night. They're

1 closing sooner than that.

2 At Niagara Falls we've also done the same
3 thing. We've eliminated -- it's take-out food
4 only, so there's no seating within those areas.
5 We encourage people when they're going into the
6 hold rooms -- because now you're taking people
7 from the dining areas where you have tables that
8 are separated to seats that are side by side by
9 side, and when necessary, we go out and talk and
10 we say, you know, folks, please try to find ways
11 where you're a little bit separate and apart.
12 Families of course are a little more tougher to
13 do that, they all want to be together, but we
14 were trying to get that word out as well.

15 Our club has been temporarily closed as of
16 March 17th. They were -- they fall under the no
17 food preparation in the club and so we gave them
18 the ability to go ahead and shut down.

19 A couple of other items of note. We are, we
20 are closing -- we're going to be -- we've already
21 closed our economy lot which is the one off of
22 Holtz Road. We only have about five hundred cars
23 of our seven thousand space inventory that are

1 occupied by revenue generating patrons, so it's
2 a -- you know, we try to weed those out so we can
3 reduce shuttle costs to help with the financial
4 aspects of the airport.

5 And, likewise, we are -- let's see here.
6 Likewise, we are -- Allied Security is our
7 traffic guards that do the upstairs and the
8 downstairs. We've reduced them significantly to
9 cut costs. So as before we had, you know, three
10 people upstairs, three people downstairs, plus
11 two supervisors, it's now one up, one down, one
12 supervisor on any shift, so we're cutting those
13 costs down.

14 We're also looking to implement credit
15 payments only in the parking lots for two
16 reasons. One, it helps us to eliminate staff,
17 face-to-face staff which costs us money. And,
18 also, secondarily, it's not people handling cash
19 and handing it to a cashier and then handling it
20 and then somebody else handling it when they're
21 counting it. So we were cognizant that that's
22 one thing that we wanted to do and we have.

23 Let's see. So TSA has now gone down to one

1 lane only for screening, which is actually more
2 than enough at the airport. It's a sad
3 statement, but it's true.

4 I did want to mention that the -- as
5 everybody knows, the Canadian border now has been
6 shut down, except for essential travelers, so
7 that's going to have an impact obviously on our
8 flights. As we typically get about thirty
9 percent of our traffic coming down from Canada,
10 that's going to dry up significantly.

11 Let's see. The other issue that's out there
12 is the Trusted Traveler enrollment programs have
13 been temporarily suspended, so nobody can go and
14 re-up on those. And then Real ID has been
15 delayed for at least a year, which actually is
16 about the only good news I have because we were
17 really expecting to have some chaos at the
18 checkpoint if they were going to hold to that
19 first date in October, October 20th. So it's
20 suspended for at least a year and may go further,
21 so that was important for us.

22 I'd like to give you just a quick kind of
23 high-level summary of what the airport provisions

1 are in the Bill that was voted on by the Senate
2 yesterday and expected to be voted on by the
3 House either later today or tomorrow morning.

4 So the final Bill includes ten billion
5 dollars. There's a five hundred million dollar
6 fund to fund the local share of AIP grants, so
7 that's good. That takes us off the hook for the
8 federal share -- or, our local share. There's
9 seven point four billion for commercial service
10 airports that can be used for any lawful purpose,
11 which means any activities that they can legally
12 use their funds for now.

13 Fifty percent set-aside for the distribution
14 of each sponsor's calendar year 2018 enplanements
15 as a percentage of total. I talked about this a
16 little earlier. Fifty percent based on the debt
17 service and the -- relative to the outstanding
18 cash. All grants will now have a one hundred
19 percent federal share, so we will not have to --
20 going forward on grants, don't have to match. It
21 will be funded by one hundred percent.

22 Let's see. The entitlement numbers. These
23 are entitlement numbers based on your

1 enplanements each year, you get a set amount.
2 They're doubling that formula. So as we're going
3 down in enplanements, it would be less, but
4 hopefully they'll do it on the last part of the
5 fiscal year, and we'll get, again, a doubling of
6 that so we can fund the types of projects that we
7 need to fund.

8 Let's see. What else is in here? The
9 local -- I talked about funding. On the airline
10 side, I think it's important to note too the
11 current Bill that's being circulated hasn't been
12 voted on yet, but the passenger and air cargo
13 airlines would receive a total of sixty-one
14 billion dollars in direct aid, loans and loan
15 guarantees, and they would also be exempt from
16 collecting the major excise taxes on a ticket, so
17 that will I guess help give them the ability to
18 charge lower fares and, therefore, hopefully
19 stimulate and get some demand. And then there's
20 -- they can also look to get some low-interest
21 rate loans from the government as well, up to
22 twenty-nine billion in total for that. And those
23 are the major concepts affecting our industry.

1 COMMISSIONER DEMAKOS: Do you still have more on the
2 -- can we finish -- before you ask your question,
3 can we just finish the Metro side of the
4 presentation?

5 MR. VANECEK: Oh, yeah, and by the way, Fisher-Price
6 is closed.

7 MR. GEORGE: So on the Metro side, as of -- this was
8 3/19, it's a living doc, so I'm going to move on
9 from it. We still are operating regular
10 scheduled service in the system. We're in the
11 process right now of rolling out approximately a
12 fifteen to twenty percent reduction in the
13 service. That will occur in the next couple of
14 weeks. It takes us a while to rebuild
15 essentially our service and get that performed.

16 School service has been interrupted. The
17 schools have currently terminated school through
18 April 20th. And we don't know if that's a date
19 that will be moved or not, but we are no longer
20 providing school service. As a note, we still
21 are seeing some ridership from our college
22 students. It's down significantly, but there are
23 still some college students in the system. And

1 our PAL operation hours and areas are maintaining
2 service as scheduled. I'll get into some of the
3 impacts on the ridership in a minute.

4 Facilities maintenance and cleaning. We've
5 reassigned staff in certain areas and we are
6 looking to do significantly more. Bus cleaning.
7 We're cleaning and sanitizing daily and we're
8 doing high -- touch-up sanitization in the
9 high-touch areas additionally during the day.
10 Right now we're looking to put a program into
11 place where we go to each one of the loops or
12 some of the higher populated loops such as out
13 here or at University Station and actually have
14 people there cleaning the buses.

15 Rail cars. Full cleaning daily and
16 sanitizing high-touch areas during the midday.
17 On the PAL vehicles, vans are cleaned and
18 sanitized daily, and we're doing the high-touch
19 areas two more times a day. That's a more
20 vulnerable population, so we're a little more
21 focused on that. And then our rail stations are
22 a full clean daily and then each crew they're
23 going through again and sanitizing in the areas

1 of high touch to get vending machines, handrails,
2 anywhere where you have a lot of people coming
3 and going through the station. So we've really
4 upped the ante on the cleaning of the stations.
5 You'll see in the next slide just photos of the
6 individuals out there doing a lot of the work.

7 On the policy side, you'll see in the one
8 photo here, we've deployed operator barriers. In
9 all of our new fleet since 2015, we've bought
10 those with operator barriers. Those have all
11 been fully deployed. That's a hundred and
12 fourteen vehicles. So basically a third of our
13 fleet has operator barriers up to create some
14 separation. We've eliminated the availability of
15 the seating in proximity to the operator, so
16 anything within approximately six feet or less of
17 the operator has been closed off and eliminated
18 to keep that social spacing in place.

19 And then on the paratransit side, we've
20 extended the recertification dates for ninety
21 days to give people a break, and they don't have
22 to come in and get recertified. We've removed
23 the no-show late penalties and cancelled

1 suspensions, and we're contacting all the
2 subscription riders to make sure that the riders
3 are confirming the viability of those trips. So
4 we have people who subscribe a trip every
5 Wednesday. We want to make sure that that trip
6 is still viable so we're not sending those
7 vehicles out.

8 And then there's a number of other policies
9 that will be moving forward based on the board's
10 approval of the board action to reduce fares. We
11 will be doing a rear boarding only. Rear -- I
12 shouldn't say only. Rear boarding primary.
13 Those with either cognizant or physical issues
14 who are unable to use the rear door will still be
15 allowed to board the front door, but we will not
16 be collecting fares at the fare boxes. So we
17 won't have all of our patrons coming up and we
18 won't have our operators handing out day passes
19 to eliminate a lot of the interaction. And once
20 again, if every passenger comes in and touches
21 the fare box, it's really not a positive thing
22 relative to what we're trying to accomplish here.
23 So we've adopted a number of new policies and

1 we're continuing to look at that as we go
2 forward.

3 On the ridership impacts, these dates were
4 as of March 16th. We saw a precipitous drop in
5 ridership last week. This week we're seeing a
6 fairly stable ridership amount. So as of the
7 first three days of this week -- and we talk
8 about our automatic passenger counting system and
9 migration to that, that gives us the ability to
10 get realtime data. Our PAL ridership is down
11 eighty percent as of right now. We normally
12 average trips about eight hundred and fifty in a
13 day and we're currently delivering about a
14 hundred and seventy.

15 Our bus, our bus ridership is down
16 sixty-nine percent total reduction, but only
17 sixty-four percent in general reduction. What
18 that means is -- the difference between those two
19 is the school kids. So if we take the school
20 kids out of the mix, our general or what we refer
21 to as our regular riders, we're down sixty-four
22 percent on the bus. We -- normal weekday it's
23 about seventy-one thousand five hundred. Average

1 this week is twenty-two thousand five hundred.
2 So there's still twenty-two thousand five hundred
3 people out there using the bus system on a daily
4 basis.

5 On the rail system, we are down
6 seventy-three percent total. Seventy in the
7 general population. Normal weekday, thirteen
8 thousand five hundred. Earlier this month down
9 to about thirty-seven hundred folks using the
10 rail system. So a significant reduction in that.
11 And our token transit usage is down sixty-six
12 percent this week.

13 So you're seeing generally across the board
14 I would characterize it as a seventy-percent
15 reduction in ridership, between seventy and
16 seventy-five percent. It's significant. And
17 that goes back to the numbers that Kim had said
18 earlier relative to the fares we would anticipate
19 receiving would be on the order of six hundred or
20 six hundred and fifty thousand dollars.

21 Internal communications. We're working
22 regularly -- in each one of our facilities, we
23 have screens that are up that we communicate with

1 our operators and mechanics. We are having twice
2 daily conference calls with our entire management
3 team, and then we're doing a lot of customer
4 facing, staff interactions where actually we've
5 given our supervisors a lot of additional
6 information.

7 Our fare inspectors had already been
8 directed to eliminate fare inspection and move
9 into a fare ambassador type of mode where they're
10 out there providing information and keeping their
11 distance from folks. And then we're doing direct
12 information transfer using, as I said, these
13 signs, we're doing a lot of notices, we're
14 supporting our supervisors with significantly
15 more information.

16 On the staffing side, we currently have all
17 of our staffing in place. We've done -- as Kim
18 mentioned, a lot of people are -- essential and
19 nonessential folks are working offsite. We are,
20 as I said, reducing service at the attempt of
21 between fifteen and twenty percent shortly. In
22 the event that we are forced with having sickness
23 hit our thing, we're unable to deliver those

1 services, and then we're preparing for further
2 reductions as necessary going forward.

3 And I just want to put kudos out to our IT
4 department who's really created a lot of
5 infrastructure to allow us to do this
6 work-at-home provision which has been really
7 helpful. And that's a summary of the Metro side.

8 MS. MINKEL: Do you want to talk about --

9 MR. VANECEK: Yeah. I want to talk about our
10 numbers. Save the worst for last, I guess. So
11 looking at the month of March. Of course, you
12 know, the COVID started before that, and so
13 initially there wasn't a huge response to drop.
14 There was some drops relative to the types of
15 aircraft that were flying to the airport, and
16 that's what we've been talking about all year;
17 i.e., you know, the Max aircraft.

18 But, to put it in perspective, so on average
19 we were doing about -- for the last -- March of
20 2019, if I do rough numbers, you're probably
21 looking at about seven thousand to seventy-five
22 hundred per day at the airport. And so we had
23 the impact of the Max coming out, so we had

1 dropped, oh, probably to an average of about six
2 thousand.

3 And if I just start on the -- let me see,
4 what would be a good day to start here. Say the
5 15th of March. We did about thirty-two hundred
6 passengers. If I drop to the 20th, we did about
7 one thousand four hundred passengers. On the
8 24th, it was our lowest day, we did seven hundred
9 and eighty-eight passengers. And as of the 25th,
10 it was -- it jumped a little bit back up to one
11 thousand two hundred. So the airline -- the
12 airport is a ghost town.

13 COMMISSIONER DEMAKOS: It's like a hundred an hour.
14 Nothing.

15 MR. VANECEK: Yeah. The airport is a ghost town. I
16 mean, flights are literally going out with four
17 or five people on them. We're talking about a
18 hundred and fifty seat planes. So it's, you
19 know, it's really pretty incredible to see what's
20 happening to the airline industry. You know, a
21 lot of that is going to -- because of the
22 Canadian border shutting down, that's why the
23 numbers are going to get dramatically smaller,

1 but even so, it's -- you know, this isn't turning
2 around until likely later. So we are estimating
3 about seventy percent down ultimately.

4 And we don't know how long that will last
5 because once the -- it starts to turn, it's not
6 like you turn on and off a faucet. You know,
7 it's like you suddenly get a couple drops and
8 then you go to a little stream and then you get a
9 little bit better flow before it's going to
10 recover. So I don't see this as a, you know, one
11 or two-month recovery from the airlines, because
12 they're dealing with, you know, a lot of
13 airlines, a lot of airports in the United States,
14 and they're going to have to make strong
15 decisions about, you know, for them, they're
16 starting now to furlough employees because
17 they're not flying planes, and there's going to
18 be a natural slowdown in getting those people
19 back to work. And so I think this is going to
20 last for -- I would think -- John said -- he kind
21 of threw out six to nine months. I think you're
22 probably looking at something in that vein before
23 we're approaching what we were doing before. And

1 there's no guarantee that that happens.

2 COMMISSIONER DEMAKOS: Well, the presentation
3 obviously was excellent. The information is
4 tough to digest, but it's amazing the amount of
5 work that's being done and how important still
6 our service is to the community.

7 I guess that would conclude our agenda. Are
8 there any questions from members who are not here
9 or who are here?

10 COMMISSIONER GURNEY: Hi. It's Sam Gurney. Can I
11 ask a question? Or, maybe it's not a concern.
12 But, the mortgage tax, that's going to change
13 considerably.

14 MS. MINKEL: Yeah. So that is a concern, and
15 we're -- we don't know where it's going to go.
16 On the one hand, we know less people are selling
17 and showing houses, and home purchases will go
18 down without a doubt. On the other hand, there
19 may be more re-fi's going through. So we just
20 don't really have a good handle when it comes to
21 mortgage recording tax and 88c funding. But, you
22 bring up a good point in that we also receive a
23 quarter of a penny of Erie County sales tax, and

1 that we expect is way down as well.

2 MR. COX: And with the -- also with the -- there now
3 is taxing on Internet orders, so the question is,
4 is how much of that changes. Is it a shift from
5 brick and mortar to more Internet, but it's just
6 such an unknown. We're assuming it's going to be
7 down, but that may help mitigate is that there
8 will be a shift to purchasing online and then now
9 that that's being taxed that we'll have some
10 mitigation from that.

11 COMMISSIONER DEMAKOS: Any other questions?

12 COMMISSIONER GURNEY: Thank you. Just one more
13 question. The trolley in Niagara Falls, isn't it
14 funded by bed tax?

15 MS. MINDEL: Yes, it is. So we have this agreement
16 in place. We understand that they had some
17 reserves there, but going forward --

18 COMMISSIONER GURNEY: Oh, good.

19 MS. MINDEL: But, you're right, it could be a concern
20 after this season.

21 COMMISSIONER GURNEY: Well, you guys are doing an
22 incredible job. It's just incredible. It's
23 wonderful.

1 MS. MINKEL: Thank you.

2 COMMISSIONER DEMAKOS: Commissioner Perry, you have a
3 question?

4 COMMISSIONER PERRY: Yes. So we're going to have a
5 number of lessees whose business is going to be
6 decimated. Some leases have force majeure and
7 other clauses. Do we have any kind of idea -- I
8 mean, I know it's really early. Do we have any
9 kind of idea on that issue of whether that's
10 going to cause an impact? You know, lessees not
11 being able to pay their rent? Do our leases
12 provide that they have to pay anyway or --

13 MR. STATE: It's Dave. I mean, we're -- by business
14 center here, legal staff, is reviewing all of
15 those contracts. Some of them have force majeure
16 clauses, some don't. I anticipate even if they
17 don't, you're going to get potential arguments
18 like impossibility and frustration. As
19 Commissioner Perry noted before, some of our
20 contracts have performance bonds. So we're
21 pulling all that together as these requests come
22 in, and of course we are approaching folks that
23 we are committed contractually to to see if we

1 can get our own adjustments as are appropriate.

2 COMMISSIONER PERRY: And I noted that you commented
3 on the waiver -- or, extension of the Real ID,
4 which is great. But, there's this issue of the
5 federal government saying that it was not going
6 to approve or renew TTP. I know that's all
7 suspended right now, they're not doing it, but
8 that's going to be -- that's another bottleneck
9 that I expect it to come up somewhere in the
10 discussion. Where as a salutary measure, maybe
11 the federal government would say, as soon as TTP
12 opens, anybody who wants to get the Trusted
13 Traveler, they're going to do it for New York.
14 Have you heard anything about that, Bill?

15 MR. VANECEK: No, I've not heard anything about that
16 yet.

17 COMMISSIONER PERRY: I'm going to mention that, I'm
18 going to mention that to people that I know that
19 that's another thing that they should throw in
20 there, which is when things open up, there
21 shouldn't be anything that's going to impede, you
22 know, improvement of throughput across the border
23 or commerce. That's something that has an impact

1 on the airport as well.

2 COMMISSIONER DEMAKOS: There was a question raised
3 that's going to require -- the answer to which is
4 going to require discussion about personnel, so
5 given that, I would make -- require or ask for a
6 motion to go into executive session.

7 And, Dave, you can explain the rationale for
8 that.

9 MR. STATE: So the board is requesting an executive
10 session to discuss potential personnel
11 ramifications from COVID-19. This will involve
12 not only legal advice, because of course we have
13 union CBAs to consider, but legal compliance with
14 a whole host of notifications and so forth, so we
15 would need a motion to go into executive session
16 on that basis -- for that reason, a second and a
17 vote.

18 COMMISSIONER PERRY: So moved.

19 COMMISSIONER DEMAKOS: David, how do we do that when
20 we are on --

21 MS. MINKEL: I'm going to ask staff, anyone who is
22 on -- and I get an electronic printout of the
23 numbers who are on, so I will know who remained

1 on and who didn't. But, I would ask that staff,
2 if you could please sign off, and thank you so
3 much for everything you do. Thank you for being
4 on the call. I really appreciate it.

5 COMMISSIONER PERRY: Isn't anybody staying on and
6 violating the sanctity of an executive session
7 committing a misdemeanor under the New York Penal
8 Law?

9 MS. MINKEL: Archie will tase you if you stay on.

10 COMMISSIONER DEMAKOS: They'll come to your house.

11 We have a motion to go into executive
12 session. May I have a second?

13 COMMISSIONER DURAND: Durand. Second.

14 COMMISSIONER DEMAKOS: Do we have to call roll on
15 this also, David?

16 MR. STATE: I will call a quick roll. So firsted by
17 Perry, seconded by Durand. A quick roll.

18 Commissioner Aul?

19 COMMISSIONER AUL: Yes.

20 MR. STATE: Ansari?

21 COMMISSIONER ANSARI: Yes.

22 MR. STATE: Demakos?

23 COMMISSIONER DEMAKOS: Yes.

1 MR. STATE: Durand?
2 COMMISSIONER DURAND: Yes.
3 MR. STATE: Gurney?
4 COMMISSIONER GURNEY: Yes.
5 MR. STATE: Hicks?
6 COMMISSIONER HICKS: Yes.
7 MR. STATE: Hughes?
8 COMMISSIONER HUGHES: Yes.
9 MR. STATE: Perry?
10 COMMISSIONER PERRY: Yes.
11 MR. STATE: Sister Denise?
12 CHAIR SISTER ROCHE: Yes.
13 MR. STATE: And Commissioner Wilcox?
14 COMMISSIONER WILCOX: Yes.
15 MR. STATE: Okay. It passes.
16 COMMISSIONER DEMAKOS: I guess we are -- as long as
17 everyone is off, we can shut the video and audio
18 down.
19 (Whereupon, the Board went into Executive
20 Session.)
21 COMMISSIONER DEMAKOS: Okay. We are back in regular
22 session again. I'd like to thank the entire NFTA
23 organization for their help and support through

1 this unprecedented and difficult time and, you
2 know, it's amazing how every employee in this
3 system is stepping up, and obviously the health
4 and well-being of our team is always a priority.
5 So on behalf of the board, I think I can speak
6 for the board and the entire Western New York
7 community, I'd like to thank everyone at the NFTA
8 for their service and dedication.

9 So if there are no other comments, I'd like
10 to ask for a motion to adjourn.

11 COMMISSIONER PERRY: So moved.

12 COMMISSIONER DEMAKOS: Second?

13 UNIDENTIFIABLE SPEAKER: Second.

14 COMMISSIONER DEMAKOS: And I'm sure we have no
15 opposition, so thank you all for your time for
16 participating however you did, and thank you
17 everyone in the room who came downtown. So
18 everyone stay safe out there.

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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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