

NIAGARA FRONTIER TRANSPORTATION AUTHORITY

BOARD MEETING

MARCH 24, 2022

Transcript of Video Recording
of Proceedings held at NIAGARA FRONTIER TRANSPORTATION
AUTHORITY, 181 Ellicott Street, Buffalo New York,
STENOGRAPHICALLY TRANSCRIBED BY LARA K. SENIW, NOTARY PUBLIC.

1 MEMBERS IN THE BOARDROOM:

2 Sister Denise Roche, Chair
3 Commissioner Michael Hughes, Vice Chair
4 Commissioner Anthony Baynes
5 Reverend Mark Blue
6 Commissioner Adam Perry

7 OFFICERS IN THE BOARDROOM:

8 Kimberley Minkel, Executive Director
9 John Cox, Chief Financial Officer

10 STAFF IN THE BOARDROOM:

11 Vicky-Marie Brunette, Deputy General Counsel
12 Christine D'Aloise, Director, Risk Management and Special Projects
13 Pat Dalton, Director, Internal Audit and Corporate Compliance
14 Lyle Death, Director, HSEQ
15 Steve Duquette, Chief Information Officer
16 Tom George, Director, Public Transit
17 Dejuan Hardy, Manager Equal Employment Opportunity/Diversity
18 Development
19 Rachel Maloney Joyner, Manager, Bus and Special Service Operations
20 Karen Novo, Director, Human Resources
21 Brian Patterson, Chief of Police
22 Mark Pereira, Manager, Procurement
23 John Schaefer, Director, Engineering
24 Helen Tederous, Director, Public Affairs
25 Bill Vanecek, Director, Aviation
26 Lee Weitz, Deputy Director, Aviation

27 MEMBERS ON THE PHONE:

28 Commissioner Joan Aul, Treasurer
Commissioner Wesley Hicks, Jr.

29 OFFICERS ABSENT:

30 David State, General Counsel

31 CHAIR ROCHE:

Good afternoon. We're ready to begin the Board

32 Meeting for Niagara Frontier Transportation Authority and Niagara
33 Frontier Transit Metro System. This is our Regular Board Meeting for
34 March 24th, 2022. And we welcome all of you who are virtual, but it is
35 also nice to know that we have a number of people here in our room
36 today. So, it's a real meeting [laughter]. And we're going to begin by
37 calling to order and asking Vicky if she would take attendance please.

38 MS. BRUNETTE:

Thank you, Sister. This is the roll call for
attendance. Commissioner Aul?

1 COMMISSIONER AUL: I'm here.

2 MS. BRUNETTE: Commissioner Baynes?

3 COMMISSIONER BAYNES: Here.

4 MS. BRUNETTE: Commissioner Blue?

5 COMMISSIONER BLUE: Here.

6 MS. BRUNETTE: Commissioner Downey? Commissioner Downey?

7 Commissioner Hicks?

8 COMMISSIONER HICKS: Here. Here.

9 MS. BRUNETTE: Commissioner Hughes?

10 COMMISSIONER HUGHES: Here.

11 MS. BRUNETTE: Commissioner Perry?

12 COMMISSIONER PERRY: Present.

13 MS. BRUNETTE: And Sister Denise?

14 CHAIR ROCHE: Here.

15 MS. BRUNETTE: You have a quorum.

16 CHAIR ROCHE: Thank you very much, Vicky. And now I turn to

17 our Executive Director for her report.

18 MS. MINKEL: Great. Thank you, Sister. A couple of things

19 for the Board. The first thing [cough] excuse me, excuse me, that I

20 wanted to mention is that our Terminal Enhancement Project at the

21 airport is complete. The project finished ahead of schedule and within

22 five percent (5%) of our overall budget. Thank you, John Schaefer, Bill

23 Vanecek, Lee Weitz, the whole Aviation and Engineering crew for getting

24 that done. In recognition of this project, there is a small

25 commemorative plaque that's a miniature of what's at the airport that's

26 in front of all of your seats to remind you of this momentous occasion.

27 We will be sending it out to Board Members who are not present so you

28 can expect a small package in the next week or so.

1 I'm also pleased to report that we received an A+ on
2 our MWBE report card from Empire State Development for fiscal year
3 ending 2021. This grade is a measure of our effectiveness and success
4 on our MWBE efforts as an agency as measured and reported by ESD. So
5 congratulations to Dave State and our Purchasing Department, Mark
6 Pereira, our EEO Department with Dejuan Hardy, on the tremendous
7 progress they've made in improvements in that area of our operations.

8 Then finally for the Board, next month is our Annual
9 Meeting. The current Executive Order that allows for remote meetings is
10 set to expire on April 15th. So, I expect that we will be back to in-
11 person meetings which will include our regular Committee Meetings as
12 we've been doing today followed by our Board Meeting. If it expires, so
13 the Board knows, remote participation will not be allowed by statute.
14 So after the Executive Order expires, you will be required to be back
15 in person in order for us to have a quorum. And that concludes my
16 report, Sister.

17 CHAIR ROCHE: Thank you very much. It seems appropriate that
18 at the Annual Meeting, we will be all together for the first time in a
19 long time.

20 MS. MINKEL: Yes.

21 CHAIR ROCHE: Now we will take a look at the Audit,
22 Governance and Finance Committee Report and we did have a meeting this
23 morning. I'll ask John Cox, please, to go over the financials for us.

24 MR. COX: Yes. Thank you, Sister. Good afternoon,
25 Commissioners. If you refer to page eight (8) in your packet for the
26 February numbers and page ten (10) will be the February fiscal year-to-
27 date numbers. For the month of February 2022, we have an actual surplus
28 of \$937,000.00 and that was versus a budgeted deficit of \$477,000.00.

1 That results in a positive variance to budget of approximately \$1.4
2 million. And on a fiscal year-to-date basis, the actual surplus was
3 approximately \$3 million dollars versus a budgeted deficit of \$17.7
4 million dollars which resulted in a positive budget variance, [throat
5 clearing], excuse me, of \$20.7 million dollars. Our total operating
6 revenues and assistance were above budget by \$2.7 million, or fourteen
7 percent (14%) for the month of February and above budget by \$22
8 million, or ten-point-five percent (10.5%) on a fiscal year-to-date
9 basis. Higher than budgeted BNIA concessions and commissions, which is
10 your parking, your ridesharing, taxis, food and retail revenue were
11 higher due to higher than anticipated enplanements. The Metro
12 experienced higher passenger fares than budgeted. We also had some
13 higher than budgeted STOA, Erie County sales tax, mortgage tax and that
14 was both for the month of February and on a fiscal year to date. Total
15 operating expenses were below budget by one point, excuse me, \$1.25
16 million dollars, or about approximately seven-point-two percent (7.2%)
17 for February, and \$12.3 million or six-point-two percent (6.2%) on a
18 fiscal year-to-date basis. And this is primarily driven by lower
19 personnel service costs, lower maintenance and repair, insurance and
20 injuries, safety and security and partially offset by higher utilities
21 and various other puts and gets. So, if as we look back through the
22 year, certainly when we put this budget together, back in this time
23 last year, you can see, you know I talk about the original budget
24 deficit of \$17 million and, here we are, with approximately a surplus
25 of \$3 million. Just how different things were but at that point in
26 time, we just didn't know when and how the recovery was going to occur.
27 And of course, we're still going through that process, but we're
28 certainly in a much better place than where we were this time a year

1 ago, when we first put this fiscal year 2022 budget together. And
2 unless there are any questions, that concludes the consolidated
3 financials.

4 CHAIR ROCHE: Thank you very much, John. Are there any
5 questions of John? Thank you. I'm going to back up for a minute because
6 I didn't ask for approval of the Minutes of the February 24th, 2022
7 meeting so...

8 COMMISSIONER HUGHES: I make a motion to approve the Minutes
9 from the last meeting.

10 CHAIR ROCHE: Thank you.

11 COMMISSIONER BLUE: Second.

12 CHAIR ROCHE: Second. Thank you. Are there any
13 questions? All in favor? Do we need a roll call?

14 MS. BRUNETTE: We do not for the Minutes.

15 CHAIR ROCHE: All in favor of accepting the Minutes of
16 the last meeting?

17 ALL COMMISSIONERS IN ATTENDANCE: Aye.

18 CHAIR ROCHE: Thank you. Any opposed? Minutes are
19 accepted. So we may move forward. Thank you. Kim, would you please give
20 us our Corporate Resolutions?

21 MS. MINKEL: Yes. Thank you, Sister. The Corporate
22 Resolutions start on page sixteen (16) of your packet. Earlier today in
23 Audit, Governance and Finance Committee, John Cox took us through a
24 revised operating and capital budget. Staff is recommending that the
25 Board approve the consolidated budget for fiscal year ending 2023 in
26 the amount of \$360.2 million dollars. John had indicated that changes
27 from the budget that was approved by the Board on December 9th includes
28 operating revenues that are increasing by \$3.3 million dollars

1 primarily due to higher compensatory airline billings and operating
2 assistance is increasing by just under \$69 million dollars due to a
3 couple of different places - New York State increasing that assistance
4 by \$2.2 million, and the Federal COVID Relief Fundings increasing by
5 \$62.2 million. As he indicated earlier, a lot of Federal money or this
6 increase in assistance will be put towards much needed capital projects
7 and infrastructure going forward.

8 The next Corporate Resolution is on page thirty-eight
9 (38). Staff is recommending approval of a five-year capital and
10 operating plan for the NFTA that will take us through March 31st of
11 2027. Similarly, Joh Cox went over this in Audit, Governance and
12 Finance so I won't go over everything in the interest of time for the
13 Board. But one of the things I do want to highlight as part of this
14 five-year plan, it assumes no fare increase over that five (5) years
15 and the last time we had a fare increase in our system was in the
16 spring of 2012. So, it's been over ten (10) years since we've had a
17 fare increase and we are not projecting a fare increase in this five-
18 year plan going forward.

19 The next Corporate Resolution Number Three (3) is on
20 page forty-nine (49). Staff is recommending an authorization for
21 agreement with Infor, Lawson Software Support and Maintenance Services.
22 This is in the amount of \$128,573.69. This is our annual maintenance
23 for our Lawson System that takes care of our HR management system, our
24 personnel system, our payroll and benefits system here at the
25 Authority.

26 The fourth (4th) Corporate Resolution on page fifty
27 (50) is for agreement with Crown Castle. This is for internet
28 connection at our 485 Cayuga Road facility. It would be a three (3)

1 year agreement at a monthly fee of \$800.00 per month. This connection
2 would give us a redundant pathway to the internet and over time will
3 save money. Currently we pay \$930.00 a month for 200 megabytes of
4 service versus the new service at \$800.00 a month for 1,000 megabytes
5 or a gigabyte of service. More service for less money going forward.

6 On page five (5) is a Corporate Resolution for an
7 authorization for agreement with Staples Contract & Commercial. This is
8 for office supplies and toner cartridges. The contract will be
9 fulfilled by Staples Diversity Partner which is MJL Enterprise who is a
10 certified New York State SDVOB. The term of the contract is for a one
11 (1) year period. The estimated cost is \$130,000.00 based on our
12 previous years' purchases. And the OGS has established goals of twenty
13 percent (20%), ten percent (10%) and ten percent (10%) as related to
14 MBE, WBE and SDVOB goals. However, as I mentioned earlier, we're
15 utilizing the certified SDVOB for this procurement and those are the
16 Corporate Resolutions, Sister.

17 CHAIR ROCHE: Thank you very much, Kim. I would like to take
18 number one (1) and number two (2) separately because of their
19 significance. So the first recommendation is for the adoption of the
20 revised operating and capital budgets for the NFTA. May I have a
21 motion?

22 COMMISSIONER HUGHES: So moved.

23 COMMISSIONER PERRY: Second.

24 CHAIR ROCHE: And second. Is there any discussion or
25 questions regarding? OK. May I ask for a roll call vote please?

26 MS. BRUNETTE: This is the roll call vote for Corporate Items
27 one (1) and two (2). Commissioner Aul?

28 COMMISSIONER AUL: Yes.

1 MS. BRUNETTE: Commissioner Baynes?
2 COMMISSIONER BAYNES: Yes.
3 MS. BRUNETTE: Commissioner Blue?
4 COMMISSIONER BLUE: Yes.
5 MS. BRUNETTE: Commissioner Hicks?
6 COMMISSIONER HICKS: Yes.
7 MS. BRUNETTE: Commissioner Hughes?
8 COMMISSIONER HUGHES: Yes.
9 MS. BRUNETTE: Commissioner Perry?
10 COMMISSIONER PERRY: Aye.
11 MS. BRUNETTE: And Sister Denise?
12 CHAIR ROCHE: Yes.
13 MS. BRUNETTE: The motion carries and the items are approved.
14 CHAIR ROCHE: Thank you. And now, unless there is an
15 objection, we'll take number three (3), four (4) and five (5) together?
16 The agreements with Lawson, Crown Capital [Castle] and Staples? May I
17 have a motion?
18 COMMISSIONER PERRY: So moved.
19 COMMISSIONER BLUE: Second.
20 CHAIR ROCHE: And second. Thank you. Is there any question or
21 comment? Thank you. All in, well, Vicky will have to do a roll call.
22 MS. BRUNETTE: This is the roll call vote for Corporate Items
23 three (3) thru five (5). Commissioner Aul?
24 COMMISSIONER AUL: Yes.
25 MS. BRUNETTE: Commissioner Baynes?
26 COMMISSIONER BAYNES: Yes.
27 MS. BRUNETTE: Commissioner Blue?
28 COMMISSIONER BLUE: Yes.

1 MS. BRUNETTE: Commissioner Hicks?

2 COMMISSIONER HICKS: Yes.

3 MS. BRUNETTE: Commissioner Hughes?

4 COMMISSIONER HUGHES: Yes.

5 MS. BRUNETTE: Commissioner Perry?

6 COMMISSIONER PERRY: Aye.

7 MS. BRUNETTE: And Sister Denise?

8 CHAIR ROCHE: Yes.

9 MS. BRUNETTE: The motion carries and all the items are
10 approved.

11 CHAIR ROCHE: Thank you so much. And now the Aviation Group.
12 Commissioner Perry?

13 COMMISSIONER PERRY: Thank you, Sister. The Aviation Committee met
14 earlier today and covered a number of topics, including on, on the
15 Airport Improvement Project Status, on the terminal expansion project
16 is essentially fully complete with some punch list items. It's
17 beautiful. One of the most important gateways to Western New York...

18 CHAIR ROCHE: Right.

19 COMMISSIONER PERRY: ...because the most important first impression to
20 visitors and to people interested in doing business in our region and
21 it's really spectacular and all the things that you saw, that you see,
22 now expressed in the airport improvement project, were not there when
23 we ranked as the number one (#1) midsized airport in North America. And
24 now, you know...

25 CHAIR ROCHE: Better.

26 COMMISSIONER PERRY: ...and now it's kind of like, and now it's like
27 when you turn up your amp and it goes to eleven (11).

28 MULTIPLE COMMISSIONERS: Laughter.

1 COMMISSIONER PERRY: Also, one of our various other projects with
2 BNIA taxiway rehab and the west end newly acquired fencing at Niagara
3 Falls International Airport. Those projects are done with FAA support.
4 Mr. Vanecek covered a number of items in the Aviation Business Group.
5 We are seeing higher enplanements and associated parking revenue
6 improving as we continue to rebound 173% increase year-over-year
7 enplanements, which is approaching pre-pandemic peaks. Also now with
8 easier Canadian border crossing rules, we're going to continue to see
9 boosts in our numbers. Niagara Falls International Airport we'll
10 continue to work on, and we'll see things improve as traffic there
11 increases. Buffalo Niagara parking revenues are particularly strong.
12 We're having several additional new service expansions with Frontier:
13 service to Cancun, also March 26th, services to DFW, Dallas Fort Worth,
14 joining American. And also on May 27th to Atlanta. TSA is going to be
15 adding additional scanning technology which will make our baggage
16 screening faster, more efficient and of course, safer.

17 CHAIR ROCHE: Safer.

18 COMMISSIONER PERRY: And we had a couple of announcements, notably
19 with Mary Perla's retirement and a tribute to the great service she's
20 done for the NFTA. And those were the items we covered. And I
21 understand we have a few action items...

22 CHAIR ROCHE: Yes, that's right. Kim, will you take us
23 through them?

24 MS. MINKEL: I will. Thank you, Sister. There are seven
25 Aviation items starting on page fifty-four (54). The first one, Staff
26 is recommending that the Board award a construction contract with
27 Ferguson Electric for a lump sum bid amount of \$369,000.00. This is to
28 install a new 125-kilowatt diesel generator at the Transit Police

1 Station at the Buffalo Airport. The generator will provide back-up
2 power for the entire building. This facility is considered a designated
3 critical operation area and as such is mandated via the New York State
4 building code to have emergency back-up power for seventy-two (72)
5 hours. We did advertise. We did receive three (3) potential bidders.
6 Ferguson Electric was the lowest bid. The established MBE, WBE and
7 SDVOB goals were four percent (4%), ten percent (10%) and six percent
8 (6%). Ferguson will be exceeding these goals with 6.77% for MBE
9 participation, WBE participation of 10.2% and SDVOB participation as
10 ten percent (10%).

11 The next Resolution is an authorization to approve a
12 change order with CamCo for our Buell Avenue parking lot. John
13 Schaefer, as part of his AIP report, talked about this earlier this
14 morning in Aviation. The change order will result in the \$113,720.33
15 increase to the current contract. This is to remove the organic soils
16 that we found during excavation that need to be removed in order to
17 help stabilize the parking lot going forward.

18 The next Resolution within Aviation is an
19 authorization for agreement with Union Concrete and DiDonato Services
20 and this is for our main runway at BNIA in a total bid amount of
21 \$31,632,171.50. Additionally there's a corresponding construction
22 monitoring and design support contract for DiDonato and this is for a
23 cost plus fixed fee not to exceed the amount of \$3,489,849.00. The
24 funding for this is paid for under an FAA Airport Improvement Grant.
25 The Board should know that this award is contingent on that grant being
26 in place. And the construction notice to proceed will follow the formal
27 FAA authorization. We did go out to bid. We did receive two (2)
28 responsible bidders. Union Concrete was the lowest bid. The established

1 DBE goal is seventeen percent (17%). Union Concrete identified their
2 DBE participation as two-point-one-six percent (2.16%). Union Concrete
3 has performed their due diligence and provided good faith efforts in
4 pursuit of additional DBE certified contractors. And so, additional DBE
5 certified contractors and suppliers will be pursued if needed.
6 Similarly, DiDonato, their goal for DBE participation is seventeen
7 percent (17%). They have identified their DBE participation as thirty-
8 point-five percent (30.5%).

9 Aviation Resolution number four (4) is an
10 authorization for a license agreement with the Northeast Chapter of the
11 American Association of Airport Executives for a Snow Plow Rodeo...

12 CHAIR ROCHE: Laughter.

13 MS. MINKEL: ...at the Buffalo Airport. The Aviation Snow
14 Symposium is being held again this year in Buffalo from April 29th
15 through May 4th. This would provide a permit for them to conduct the
16 Snow Plow Rodeo at our economy parking lot on Holtz Road. They will
17 provide the necessary indemnifications. To sign up, the first fifty
18 (50) drivers can sign up and compete. So, if there's any Board Members
19 interested in competing in the Snow Symposium, we can help you sign you
20 up. This is an ability for the participants to show their skills during
21 the Snow Plow Rodeo. I believe this is the fourth (4th) year we've done
22 this. It's received really great feedback as part of the event, and
23 it's the highlight of the Aviation Snow Symposium.

24 The fifth (5th) Resolution is an authorization for an
25 amendment with Delaware North for the Buffalo Airport. Staff is
26 recommending to extend, for a two-year period, the master lease,
27 development and concession agreement with Delaware North. This would
28 extend their current contract that is set to expire on November 30th,

1 2027, to expire on November 30th, 2029. As part of the COVID hit,
2 obviously Delaware North was greatly, as all airport vendors were
3 greatly impacted by COVID. Delaware North has fulfilled its ACDBE
4 contract goals, and the extension would also allow their ACDBE partners
5 to amortize the additional capital investment that was made to the
6 concession operations. Additionally, over the past two (2) years,
7 Delaware North has done a build out on the Elmwood Market and Delaware
8 North and their ACDBE Partners invested \$1.8 million as part of that
9 build out. They are also working on the build out for BurgerFi and
10 Bocce Club Pizza venue that will be operating later this year and that
11 investment is \$1.6 million. So this short-term extension will give them
12 additional time to fully amortize for both of these improvements going
13 forward. And this is similar to what we did to the Airport Lounge and
14 similar to what I am proposing for the next two (2) resolutions as
15 well.

16 So Aviation Resolution number six (6) on page sixty-
17 four (64) similarly Staff is recommending a two (2) year extension to
18 the concession agreement with Metz Culinary Management for the
19 operation of the Niagara Falls International Airport. So, the current
20 term of their agreement was for five (5) years. That would expire
21 January 31st, 2023. This would extend the agreement to expire January
22 31st, 2025. And similarly, their investment and their ACDBE investment,
23 this gives them the additional two (2) years to help amortize those
24 improvements. Metz will continue to pay NFTA eight percent (8%) of the
25 gross revenues generated from food, non-alcoholic beverages, vending
26 and retail, and ten percent (10%) of the gross revenues from alcohol
27 sales.

28 And then the final Resolution within Aviation on page

1 sixty-five (65) is an authorization for amendment with Smart Carte who
2 provides the self-service baggage cart units at both the Buffalo and
3 Niagara Falls Airport. Similarly, we would amend their contract for a
4 two (2) year period that currently is set to expire at the end of June
5 of this year. The proposed amendment would extend their license
6 agreement to the end of June 2024. The other terms remain in place.
7 They will continue to pay five percent (5%) of their gross revenues to
8 the NFTA and this short term extension allows them additional time to
9 recoup their lost revenue from the significant decreases over the last
10 two (2) years. And those are the Resolutions for Aviation.

11 CHAIR ROCHE: Thank you very much. If there is no objection,
12 I would like to take all of these resolutions together. May I have a
13 motion to accept these seven (7) resolutions?

14 COMMISSIONER HUGHES: So moved.

15 CHAIR ROCHE: And a second?

16 COMMISSIONER BLUE: Second.

17 CHAIR ROCHE: Is there any discussion of any of them?

18 Questions or comments? Thank you. I am going to ask Vicky then to take
19 a roll call vote please.

20 MS. BRUNETTE: This is the roll call vote for Aviation
21 Resolutions one (1) through seven (7). Commissioner Aul?

22 COMMISSIONER AUL: Yes.

23 MS. BRUNETTE: Commissioner Baynes?

24 [intelligible conversation on phone line]

25 MS. BRUNETTE: Commissioner Baynes?

26 COMMISSIONER BAYNES: Excuse me. I am voting for all of them. I need
27 to abstain from one (1) and five (5).

28 CHAIR ROCHE: One (1) and five (5).

1 MS. BRUNETTE: OK. So we have a yes on two (2), three (3),
2 four (4), and six (6) and seven (7). Commissioner Blue?

3 COMMISSIONER BLUE: Yes.

4 MS. BRUNETTE: Commissioner Hicks?

5 COMMISSIONER HICKS: Yes.

6 MS. BRUNETTE: Commissioner Hughes?

7 COMMISSIONER HUGHES: Yes.

8 MS. BRUNETTE: Commissioner Perry?

9 COMMISSIONER PERRY: I am abstaining on numbers one (1), three (3)
10 and five (5) and then I am affirmative on two (2) four (4), six (6),
11 seven (7).

12 MS. BRUNETTE: OK. Thank you. And Sister Denise?

13 CHAIR ROCHE: Yes, on all. Thank you all.

14 MS. BRUNETTE: The motion carries and the items are approved.

15 CHAIR ROCHE: OK. And now we'll move to the Surface
16 Transportation Business Group, and we'll ask Commissioner Hughes to
17 please take us through.

18 COMMISSIONER HUGHES: Thank you, Sister. The Surface Transportation
19 Committee did meet this morning. We went through a number of items and
20 issues. Tom gave us, Tom George gave us a presentation on the results
21 of the Paratransit Customer Satisfaction Survey. A lot of good news to
22 highlight there. Went through a number of the capital projects
23 including lower Main Street, DL&W Terminal, the fare collection system,
24 the RFP for the rehab for Church Street Station. Tom mentioned that
25 there's two community meetings today. One is the Citizens Advisory
26 Committee which is at 5:30 and then the Accessibility Advisory
27 Committee which is at 2 o'clock today. Chief Patterson gave his Public
28 Safety report including his thirty (30) day onboarding and how that's

1 going as well as the accreditation process that the department is
2 currently under. Tom, I don't know if you have anything to add or want
3 to summarize?

4 MR. GEORGE: I have one thing to add. I was incorrect about
5 the Accessibility Advisory Committee. It's normally today. It is next
6 week, the 31st at 2PM.

7 COMMISSIONER HUGHES: OK. Now we know where you'll be next Thursday.

8 MR. GEORGE: Yup.

9 CHAIR ROCHE: Laughter.

10 COMMISSIONER HUGHES: If there's no other questions, that completes
11 the Surface Transportation Committee Report. I know that there's six
12 (6) actions, six (6) action items on the agenda as well.

13 MS. MINKEL: That's right.

14 CHAIR ROCHE: Kim, will you give us the Resolutions please?

15 MS. MINKEL: Sure. Thank you. Starting on page sixty-eight
16 (68), Staff recommends that the Board award a construction contract to
17 Scrufari Construction in a lump sum total bid amount of \$775,000.00.
18 John Schaefer mentioned this earlier today when he did his Metro
19 Capital Report. This would be to replace the existing steel panels
20 located in the escalator tube tunnel walls of the University Rail
21 Station. So, similar to what we did at the Delavan Station, and we're
22 moving on to the University Station. It did go out for a bid. We did
23 receive two (2) bids, Scrufari being the lowest. The established MBE,
24 WBE and SDVOB goals were zero percent (0%), three percent (3%), and
25 three percent (3%) and Scrufari identified that their MBE participation
26 would be zero percent (0%) but their WBE participation is eighteen-
27 point-five percent (18.5%) and their SDVOB participation would be ten-
28 point-one percent (10.1%).

1 The second (2nd) Resolution on page seventy (70) is
2 for a change order with New York Power Authority. This is for the
3 battery electric charging infrastructure at our Cold Springs Facility.
4 The change order would increase by \$799,895.85. This is to improve and
5 reinforce the columns as part of major roof reinforcements of this
6 facility. When we had the engineer of record take a look at the
7 building, to make certain that structurally it would be able to support
8 a number of the changes and modifications that were being recommended
9 by the operations, they recommended that the roof reinforcements be
10 done. So this will provide for that overhead charging system to be in
11 place for half of the garage, or five (5) of the lanes.

12 The next resolution on page seventy-two (72) is an
13 authorization for agreement with UniFirst Corporation. This is for
14 uniform rental for our Metro maintenance folks. The agreement will be
15 for three (3) years, effective April 1st with the option to renew for
16 three (3) additional one (1) year periods. The estimated annual cost is
17 \$212,194.84. This will provide uniforms for approximately 357 ATU
18 maintenance and clerical employees that includes uniforms, laundering,
19 alterations, repairs and replacements. We did go out with an RFP. We
20 only received one (1) proposal that was responsive. Empire State
21 Development has excluded this procurement from MWBE requirements
22 because the number of MWBE providers are limited.

23 The next agreement on page seventy-five (75), Staff
24 is recommending an agreement with the City of Niagara Falls for Metro
25 to provide Seasonal Trolley Service in the City of Niagara Falls. We've
26 been doing this since the summer of 2005 with great success. Last year,
27 there were just under 35,000 passenger boardings. The funding for this
28 service is provided through receipt of the bed tax through Niagara

1 Falls area hotels. So, they would, we would provide the service for
2 \$569,575.00 or a three percent (3%) increase over last year of what the
3 City of Niagara Falls provided for this service.

4 The next Resolution is an authorization to procure
5 oil, or bulk diesel exhaust fluid from Emerson Oil of Rochester, that
6 would take us through the end of May of 2025, with the option to extend
7 for two (2) additional one (1) year periods. The estimated annual cost
8 based on current usage is \$22,000.00. We use this in 104 of our diesel-
9 powered buses to treat the diesel exhaust. We did go out for a bid and
10 Emerson Oil was the lowest responsive bid. Empire State Development has
11 excluded this procurement because there are no certified providers of
12 this service.

13 And then the final Resolution, Staff is recommending
14 procurement of frames for four (4) bus lifts at our Cold Springs Garage
15 and Shop from Rotary Lift of Madison at a cost of \$221,303.26. This is
16 to replace fours (4) lifts that have corroded frames. They are original
17 to the building so their vintage is 1991 and this is the first repair
18 of this nature for these lifts. We did go off of New York State OGS
19 contract and pricing was provided as part of OGS. And those are the
20 Resolutions, Sister.

21 CHAIR ROCHE: Very good. I would like to take these six (6)
22 Resolutions together unless there is anyone who objects to that? May I
23 have a motion to accept these six (6) Resolutions for the Surface
24 Transportation?

25 COMMISSIONER BAYNES: So moved.

26 CHAIR ROCHE: Second?

27 COMMISSIONER BLUE: Second.

28 CHAIR ROCHE: Any discussion? Questions? I ask for a roll

1 call vote.

2 MS. BRUNETTE: This is the roll call vote for Surface
3 Transportation Resolutions one (1) through six (6). Commissioner Aul?

4 COMMISSIONER AUL: Yes.

5 MS. BRUNETTE: Commissioner Baynes?

6 COMMISSIONER BAYNES: Yes.

7 MS. BRUNETTE: Commissioner Blue?

8 COMMISSIONER BLUE: Yes.

9 MS. BRUNETTE: Commissioner Hicks?

10 COMMISSIONER HICKS: Yes.

11 MS. BRUNETTE: Commissioner Hughes?

12 COMMISSIONER HUGHES: Yes.

13 MS. BRUNETTE: Commissioner Perry?

14 COMMISSIONER PERRY: I'm going to abstain on numbers one (1) and
15 four (4). I am on the affirmative on two (2), three (3), five (5) and
16 six (6).

17 MS. BRUNETTE: Thank you. And Sister Denise?

18 CHAIR ROCHE: Yes.

19 MS. BRUNETTE: The motion carries and the items are approved.

20 CHAIR ROCHE: Wonderful. Thank you. Now is there any Report
21 from the General Counsel?

22 MS. BRUNETTE: We do. We have a couple short items for the
23 Board. One (1) is just a friendly reminder that your Annual Financial
24 Disclosures will be due. Usually it's in May. Normally you would get an
25 email about mid-April. It comes in under kind of an odd email. That's
26 why we usually like to call your attention, it's usually ETHEL@JCOPE.

27 COMMISSIONER HUGHES: Ethel. Right.

28 CHAIR ROCHE: Laughter.

1 MS. BRUNETTE: Just so you don't delete that. The system was
2 down for a little bit so they might be a little bit behind, so we don't
3 have hard and fast dates for you now but just keep your eyes open for
4 that email. And if you don't get it, if you don't receive it sometime
5 in April, let us know and we'll reach out to JCOPE for you.

6 We also have an item just letting the Board know that
7 the Fourth Department unanimously affirmed the lower court's decision
8 granting Metro summary judgement on an issue of liability. It was good
9 to make good law in the Fourth Department...

10 COMMISSIONER PERRY: Clapping and laughter.

11 MS. BRUNETTE: ...and it's nice what it comes out as the NFTA or
12 Metro. And last but not least, I would be remiss in not wishing Mary
13 well on behalf of the General Counsel, myself and our entire
14 department. She has been amazing. I've worked with her for twenty-eight
15 of her thirty-six years. I can't believe...

16 CHAIR ROCHE: Oh.

17 MS. BRUNETTE: ...she's quitting, I mean leaving.

18 MULTIPLE COMMISSIONERS: Laughter.

19 MS. BRUNETTE: But we, we are going to miss her sorely. So
20 congratulations to Mary. And that's it.

21 CHAIR ROCHE: Thank you very much.

22 MS. BRUNETTE: Thank you.

23 CHAIR ROCHE: Does anyone call for an Executive Session? Is
24 there anything that we should...?

25 MS. MINKEL: Nope, no.

26 CHAIR ROCHE: May I have a motion for adjournment?

27 COMMISSIONER PERRY: So moved.

28 COMMISSIONER HUGHES: Second.

1 CHAIR ROCHE: Thank you very much and enjoy the month, stay
2 healthy and we'll see everybody here present next month. [Laughter.]

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