

RHODE ISLAND PUBLIC TRANSIT AUTHORITY

BOARD OF DIRECTORS

MINUTES OF MONDAY, SEPTEMBER 27, 2010 MEETING

Board Members Present: John Rupp, Chair; Thomas Deller; Edward Field; Stephen Durkee; Jerome Williams; Michael Lewis; William Kennedy; and Rochelle Lee.

Also Present: Alfred Moscola (General Manager); Susan DeBlasio Leach, (Outside General Counsel); Henry Kinch; Maureen Neira; Mark Therrien; Ellen Mandly and other members of RIPTA's staff and members of the public whose names are on the sign-in sheet.

Agenda Item 1: Approval of the Minutes of August 16, 2010 meeting

Mr. Rupp called the meeting to order at 1:45 and asked if the Board members had an opportunity to review the minutes of the meeting held August 16, 2010. The members indicated that they had and Mr. Field moved for approval of the minutes. Mr. Deller seconded and the minutes were unanimously approved as presented.

Agenda Item 2: General Manager's Report

Mr. Moscola said the new RIde operations and administration building

is fully operational and next week he plans to move in maintenance and support maintenance. He will also be moving Risk Management, Safety and Security and Training out of the old Melrose building and into the transportation building.

He said he would be attending a 2 day training session in October on counter terrorism sponsored by RIPTA and coordinated by the Transit Security Administration. Fourteen members of RIPTA staff will also attend along with law enforcement personal from across the country. Also in October he and RIPTA staff members will be participating in a connecting community's workshop given by FTA and Homeland Security.

Mr. Moscola reported on fuel saying the budgeted price for FY 2011 is \$2.60 and last Friday the lock in price was \$2.84 per gallon. He is purchasing fuel at the daily price of \$2.50 and paying close attention to price fluctuations.

Mr. Moscola said a new trolley and BRT hybrid bus were outside and he invited the Board members to view the vehicles after the meeting. A ribbon cutting announcing the new vehicles is planned for October 4th at Kennedy Plaza. The Board with be contacted with further details on the ribbon cutting.

Paul LaFlamme addressed the Board to give the ATMS report. Mr. LaFlamme said he and Steve Richard are working to finalize the terms

of the agreement and hopes this will be accomplished by week's end. He described certain technical specifications that are open issues such as the passenger counters and the HP radio network. He said they have been working with Motorola to define what is required regarding the radios and ACS has determined that they will be able to interface with the HDP modems. He said Motorola did a site survey on all our towers last week, but they have not received the results of the survey yet.

Mr. LaFlamme said they are waiting for preliminary design and pricing information from Motorola. He said they are working to add an option to revert back to the original data radio configuration in the original RFP in case there are any problems with HDP down the road.

Mr. LaFlamme answered questions relative to preliminary design and pricing and implementation. Mr. Field indicated that he had further questions but said in the interest of time he would talk to Mr. LaFlamme after the meeting.

Agenda Item 12: Public Comment

Mr. Rupp noted the large number of attendees at the meeting to comment on behalf of the MS Dream Center and moved on to the public comment section of the agenda. Mr. Rupp asked Mr. Therrien to facilitate the order of the speakers. Mr. Therrien asked the speakers to state their names and limit their comments to a few

minutes.

The first speaker was Ronda O'Donnell who said she has MS and was at the meeting to speak on behalf of the MS Dream Center. She said she has a handicapped equip van but she was there to advocate for those who don't have transportation. She said the Dream Center was only a short distance outside the allowed Ride route area and people with MS really need the center. She suggested that Ride buses could be used to transport Dream Center patrons to bus stops from their homes so they could get to the center. She commended RIPTA on the other aspects of the Ride programs.

The next speaker was Marie Perna Director of the Dream Center. She said rules and regulations can strangle you and she came to the meeting to ask that the Board reconsider on behalf of all RI residents with MS. She said getting out to the center will improve their quality of life. She said any help the Board could give would be sincerely appreciated.

Mr. Field said the location of the Center was initially described as temporary and asked for clarification and what efforts the center was making to move to a permanent location on a bus route. Ms. Perna responded that they have met with political representatives across the state, are trying to get ARRA funding, have applied for a 501C3 grant and will apply for other grants.

Don Perna spoke next and said they set up operations in their current location because it was affordable and available and the church told them RIPTA bus service was available, which RIPTA later told them was not true. He described various buses which he has seen in the area. He asked the Board to think out of the box and not adhere to the law 100%. He said they have written RIPTA letters and never gotten a response.

Mr. Rupp said the Board cannot condone or support breaking any laws. He added that Mr. Moscola has offered the center a Ride bus or supervisor van and RIPTA is attempting to be helpful to the center within reason, but there are legal constraints. Mr. Perna asked if RIPTA would pay the insurance and maintenance on the offered vehicles and Mr. Rupp said that was not possible. Mr. Perna again asked that the Board think outside the box and try something like a pilot program to service the Center because the area is growing. Mr. Rupp replied that there are many agencies requesting additional service and we can't single one agency out. Mr. Perna said RIPTA not answering letters and phone calls is inexcusable.

Mr. Kennedy said he lives in the area and agrees that this is a growing area and RIPTA is a service organization and we should try to change the law to accommodate the Dream Center.

John Thompson a former ATAC member spoke on behalf of the Dream Center as did his wife Eleanor Thompson who asked if any

Board members suffer from a disability. No members indicated a disability. Mr. Therrien asked that remarks be in the form of a statement, not questions.

Gary Brady said he has seen many Ride vehicles pass by the center and he does not understand why these vehicles can't service the center.

Debbie Martineau said she has a handicapped accessible van but she has had too many accidents and can't drive it anymore, so she needs bus service to the Center.

Mary Cannon said she was a Ride customer at one time but is no longer allowed to use Ride and she has not been given an explanation as to why. Nathan Wilson then asked what the process is to get on the Ride program. Mr. Therrien said he would answer questions such as these one on one after the meeting.

Kristine Connors a case worker for Congressman Langevin said the Congressman would be submitting a letter tomorrow in support of the Center. The Congressman would like to see a partnership between RIPTA the Ride Program and the Dream Center.

Joyce Nelson spoke and said there is a bus stop sign on Comstock Parkway and she measured the distance to the center and it is only 2.3 miles away. She said this is such a small distance and she does

not understand what the big deal is. Mr. Therrien said $\frac{3}{4}$'s of a mile is the absolute cut off.

Donna Anderson said that in her opinion the fact that the center is a temporary site is irrelevant. She said this is an up and coming area and the church will also need service.

Representative Eileen Norton spoke and said she is very interested in seeing that there is accessibility for people with disabilities to centers such as the Dream Center and she will be joining with Congressman Langevin in watching this issue and she hopes RIPTA's new strategic plan provides some relief. She said she serves on the House Finance Committee and she chairs the department that services Medicaid and she would like to see good communication with the agencies.

Bill McGee spoke next and said he brought a book about trolley cars and he offered to pass the book around for the Board to review. He said it's nice to see so many public speakers at today's meeting and he would like to see public comments always held at the start of the meeting. He asked if the Board members would like to ask him questions. They had no questions for Mr. McGee.

Bob Batting spoke and said he attended a recent chamber of commerce meeting to hear discussion on the street cars in Providence. He said \$1.5 million has already been spent on this issue

on outside consultants and the 20% match on the million came from the City of Providence. He said the \$75 million in capital outlay, plus ongoing costs make a street car initiative too cost prohibitive for such a tiny area to be covered.

Next Mr. Batting said RIDOT and RIPTA both have assets at the dock on Allens Avenue and the dock is in chapter 11 bankruptcy and he hopes both agencies get their assets returned.

Bill McGee spoke again and said trolley cars would be a disaster and cause traffic jams in downtown.

Anna Liebenow Chair of the ATAC Committee spoke next and said she is against the planned move of the photo ID office from Kennedy Plaza to the new Elmwood Ride and Administration building. She said it will be difficult for seniors and disabled to get to the Elmwood location. She said ATAC has sent a letter in protest of the move. Mr. Moscola said the move is on hold at this time and photo ID will not move at this time.

Bill Kennedy said he supports the Dream Center and wants the Board to try to help.

The public comment was concluded and the Chairman called for a 5 minute recess.

Agenda Item 3: FY 2010 Auditor's Report – Presentation by Braver, PC

Mr. Rupp moved on to item 3 the FY 2010 Auditor's Report. James Prescott and Jeremy Cole representatives from Braver PC addressed the Board with the results of the FY 2010 financial audit a draft copy of which was included in the Board package and also submitted to the Auditor General.

Mr. Cole reviewed the information in the audit package and provided an overview of each page of the audit. After Mr. Cole's remarks he answered various questions from the Board members.

Mr. Cole said this is the first year of a three year Braver contract with RIPTA and he invited the Board members to email or call him at jcole@thebravergroup.com or (617) 559-4488 with any questions.

Following Mr. Cole's remarks Ms. Neira stated that the audit needs to be filed by September 30th and the Board usually gives approval contingent on approval by the Auditor General. Ms. Lee then made a motion that the Board approve the audit subject to approval by the Auditor General. Mr. Deller seconded the motion and it passed unanimously.

Agenda Item 4: Strategic Planning Committee

Mr. Deller gave the report of the Strategic Planning Committee meeting held on September 2, 2010. He said the committee had reviewed the final draft of the strategic plan at their September meeting and the draft plan was then forwarded, along with his comments, to all Board members for their review. Mr. Deller said the goal is to have full Board review and discussion at the October Meeting.

Mr. Deller said the plan sets forth RIPTA's vision for the next 10 years and discusses ways for RIPTA to manage being the State's true mobility manager. He said the plan covers all transit modes across the state including rail and is a very visionary document. Mr. Deller suggested that a management section discussing how to achieve and implement the plan should be a separate document and that our performance standards be updated and revised.

The Committee will release the plan for public comment at the various venues discussed at the September meeting and the Committee will review those comments at the October Strategic Planning meeting.

He said they did not get to review the cost benefit analysis but will do so at the October meeting. Mr. Rupp commented that the is very exciting.

Agenda Item 5: Finance Committee Report

Mr. Field stated that the Committee met on September 17, 2010 and heard reports from Ms. Neira on the 2011 and 2012 operating budget. He asked Ms. Neira to report on same in the next agenda item.

Agenda Item 6: FY 2011/2012 Operating Budget

Ms. Neira began with the FY 2011 operating budget which was last discussed at the July 14th meeting and at that time the Board approved the deficit reduction plan to eliminate the projected deficit of \$3.7 million excluding the \$650,000 in service reductions. The current budget revisions in conjunction with the approved deficit reduction plan allows the Authority to reflect a balanced budget.

She discussed the revisions incorporated such as the revised gas yield from \$4.21 million per penny to \$4,283,344 million per penny for an increase of \$773,046, the revision due to the \$114,000 decrease in debt service, anticipated utility savings of \$114,000, a savings of \$450,000 in pension valuations and a revenue reduction of \$323,231 associated with the Paratransit program. Additionally she incorporated the cost and revenue associated with the Providence Core Connector Study. These revisions along with several smaller modifications, including a deduction in the FY 2010 carryover and budget reclassifications comprised to make the FY 2011 budget balanced.

Mr. Neira said fuel is still an open question and as Mr. Moscola

reported earlier fuel is budgeted at \$2.60, but the current lock in price is about \$2.84 per gallon. She said our current diesel contract expires on November 30th and the new contract is out to bid and we are asking bidders to include a fuel lock in price. Mr. Williams noted that so far for the first quarter we are under budget on fuel.

Ms. Neira said another pending issue is the outcome of interest arbitration. She said they finished their last session the previous week and executive sessions are scheduled for October. Mr. Moscola said the arbitrator will take a couple of months to decide on his award and they also need to negotiate the contract with Local 808.

Mr. Moscola noted that the 2011 budget is balanced but there are no raises for anyone or any money set aside for GASB 45. Ms. Neira then gave a brief overview of GASB 45 and finished by saying to fully fund GASB this year as part of the State's trust fund would cost \$4.9 million dollars this year. She believes we may be able to join in the state's plan down the road.

Ms. Neira and the Board members discussed the GASB 45 issue in further detail and the possible impacts of interest arbitration and fuel.

Ms. Neira said RIPTA sent a letter to Rosemary Gallogly to ask that the State review the gas tax yield on a more consistent basis, maybe quarterly which would assist RIPTA in managing our budget.

Following this discussion Mr. Deller moved that the FY 2011 budget

be approved as presented and Ms. Lee seconded. The motion passed unanimously.

Agenda Item 7: New ARRA Report

Ms. Picchione addressed the Board to discuss the new ARRA report now containing budget to actuals. She said the report has a list of projects followed by a short description and then both original and revised budget to actual figures.

She discussed some of the projects and finished by saying approximately 77% of the ARRA funds have been spent or obligated.

Agenda Item 8: Providence Core Connector Study

Mark Therrien and Amy Pettine addressed the Board to discuss the Providence Core Connector Study which kicked off last week. Ms. Pettine said there were three public meetings in the three neighborhoods where the project will take place: College Hill, Downtown and Upper South Providence. She thanked Ms. Lee and Mr. Kennedy for attending.

She said the events were well attended with over 150 people and they also got some decent media coverage. She described the presentations in some detail and said the presentations were followed by extensive Q & A sessions. She said they received some

great comments and feedback and elaborated on same.

Bill Kennedy commended Ms. Pettine and Mr. Therrien and said the presentations were great and the attendees seemed excited about the plan. Ms. Lee asked which budget year the administrative fee was in and Mr. Therrien said FY 2011.

Agenda Item 9: IFP 11-02 Video Surveillance System

Mr. Mencarini addressed the Board to discuss the procurement for the video surveillance system and he gave a brief overview of the staff summary for this procurement to replace existing video cameras, procure 12 additional cameras and replace the video recording system. He said the cameras will be located on the interior and exterior of the buildings.

He said staff recommends the award of the contract to enhance the video surveillance system at the Chafee Building to Synet Inc of Warwick, RI. The cost of the contract is \$137,992 and included in the contract is a provision for maintenance and repair of RIPTA's surveillance systems at a five-year hourly rate of \$128.75.

Mr. Deller moved for approval of the award to Synet Inc as recommended by staff. Mr. Kennedy seconded the motion and it passed unanimously.

Agenda Item 10: IFP 11-04 Supervisor's AWD Vehicles

Next Mr. Mencarini said this procurement should read operations vehicles, not supervisor vehicles. He then discussed the procurement for all wheel drive operations vehicles saying staff recommends the award of a contract to Tasca Automotive Group to supply and deliver three AWD vehicles at a cost of \$97,572. These vehicles will replace two 2001 Ford Explorers and one 1993 Ford van which are past the end of their useful life.

Mr. Mencarini summarized the bidding process and said the funding for this is covered 100% by ARRA grants. Mr. Field made a motion to approve the purchase of the AWD vehicles from Tasca Automotive as recommended by staff and Mr. Lewis seconded the motion. The motion passed unanimously.

Agenda Item 11: Paratransit Workers' Compensation

Mr. Mencarini and Gary Primevera addressed the Board to discuss the staff summary for workers' compensation insurance for the paratransit division. Mr. Mencarini said staff recommends the award of a contract to Beacon Mutual Insurance Company at an annual cost of \$367,056.

Mr. Mencarini explained that workers compensation insurance is mandated by the paratransit provider contract and this coverage is

for drivers and employees involved in RIPTA's paratransit division. He said this was a single bid procurement because our insurance broker Starkweather and Shepley was unable to find any other companies willing to provide this coverage.

Mr. Primevera referenced a letter from him to RIPTA that was made a part of the staff summary. This letter explained the reasons for the single bid, but also noted that our loss ratio has been going down in recent years and if this trend continues, we may have additional bidders in the future.

Following this discussion Mr. Kennedy made a motion to approve the award of the contract to Beacon Mutual Insurance as recommended by staff. Mr. Williams seconded the motion and it passed unanimously.

Agenda Item 13: Executive Session Pursuant to 42-46-5(a)(2) to Discuss Potential Litigation Matters and Pursuant to RIGL 42-46-5(a)(1) for Discussions Relating to the Job Performance, Character or Physical or Mental Health of a Person

Mr. Rupp asked for a motion to convene an executive session as noticed on the agenda under RIGL 42-46-5(a)(2) to discuss potential litigation matters and pursuant to RIGL 42-46-5(a)(1) for discussions relating to the job performance, character or physical or mental health of a person. Mr. Field read the law and made the motion. Mr.

Lewis seconded the motion to convene an executive session and a roll call vote was taken. The motion to convene to executive session under 42-46-5(a)(2) and 42-46-5(a)(1) passed unanimously.

Following the Board's return to open session Mr. Deller made a motion to seal the minutes of the executive session. Mr. Williams seconded the motion, and it passed unanimously.

Agenda Item 14: Adjournment

A motion to adjourn was made by Mr. Field. Mr. Kennedy seconded the motion and it passed unanimously.

Respectfully submitted,

Ellen M. Mandly

Recording Secretary