

**RHODE ISLAND PUBLIC TRANSIT AUTHORITY
BOARD OF DIRECTORS
MINUTES OF Monday, April 23, 2012 MEETING**

Board Members Present: Mayor Scott Avedisian, Chairperson; Jerome Williams; Michael Lewis; Maureen Martin, Anna Liebenow; Stephen Durkee; and Margaret Holland McDuff.

Also Present: Charles Odimgbe, Chief Executive Officer; Todd Gleason, (Outside Counsel); Andrew Prescott, (Outside Counsel); 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: Vote on March 19, 2012 Meeting Minutes

Mayor Scott Avedisian called the meeting to order and said today's meeting had a later than usually start time due to the Wickford Train Station opening ceremony. He then noted that Ms. Mandly had distributed and an amended copy of the March 19th Board meeting minutes and asked the Board members to review the change in the wording describing the pension plan amendment discussion. The Board members reviewed the amended minutes and then Margaret Holland McDuff moved that the minutes be approved and Jerry Williams seconded the motion. The Mayor then asked for a motion on the amendment and Jerry Williams motioned that the amendment be approved. Steve Durkee seconded the amendment and both motions

passed unanimously.

Agenda Item 2: Election of Officers of the Board of Directors

Pursuant to § 39-18-2(e) of RIPTA's Enabling Act and Article III of RIPTA's bylaws Mayor Avedisian opened the floor to nominations for election of officers to the RIPTA Board.

Ms. Holland McDuff made a motion that Mayor Scott Avedisian be elected as Board Chair and Director Lewis seconded the motion, which passed unanimously. No other nominations were received and the members unanimously voted to close nominations. Mayor Scott Avedisian was elected Board Chair.

Ms. Martin nominated Jerome Williams as Vice Chair and Mr. Durkee seconded the motion. No other nominations were received and the members voted to close nominations. Mr. Williams was unanimously elected Vice Chair.

Ms. Martin nominated Stephen Durkee for the position of Secretary and Mr. Williams seconded the motion, which passed unanimously. No other nominations were received and the members unanimously voted to close nominations. Mr. Durkee was elected Secretary.

Finally Mr. Williams nominated Michael Lewis as Treasurer and Ms. Martin seconded the nomination. No other nominations were

received and by a unanimous vote the members closed the nominations. Director Lewis was unanimously elected Treasurer.

Mayor Avedisian then asked for a motion that the Secretary cast one ballot for all of the four officers so nominated and Ms. Holland McDuff made the motion. Mr. Williams seconded and the motion passed unanimously.

The Mayor said he expects that the Governor will soon nominate a successor to fill the vacancy created by Thomas Deller's resignation and once that seat is filled he will discuss vacancies on the Board Subcommittees.

Agenda Item 3: Transportation Safety Administration/RIPTA Award

Mayor Avedisian asked Doug Brown to come forward to discuss the Transportation Safety Administration Gold Standard Award. Doug Brown introduced Fred Goodine Assistant General Manager of Transportation Security Administration (TSA). Mr. Goodine greeted the Board and noted that although he is located in at TSA in Washington, DC he is a native of Boston and said it was good to be back in New England especially bearing good news. He said that FTA Administrator John Pistole was so impressed with the improvements to security programs at RIPTA that he asked him to attend today's meeting in person to present the distinguished Gold Standard Award.

Mr. Goodine said that although RIPTA is small this award is not, as

evidenced by the fact that only 17 transit properties received this award and included in the 17 is Amtrak in Washington, DC. At this point the members of the audience initiated a round of applause.

Mr. Goodine gave a brief history of the TSA officials who had worked with RIPTA staff in the past to improve security measures at RIPTA. He said Mr. Brown and CEO Charles Odimgbe had stepped up the work on security initiatives, particularly in the last year and working together with TSA, RIPTA improved enough to have achieved the gold standard level.

At this point Mr. Goodine read a letter from FTA Administrator John S. Pistole to RIPTA CEO Charles Odimgbe (attached hereto as Exhibit A). Mr. Goodine then presented the Gold Standard award to Mr. Odimgbe and Board Chairman Scott Avedisian and both gentleman posed for pictures with the Federal Transit Security Administration Officials in attendance.

Agenda Item 4: Public Comment

Before taking public comment the Mayor said he had two items to put into the record. The first item was an email communication from Thomas Deller which the Mayor read aloud:

In May 1997, I was confirmed as a member of the board of RIPTA. Over the past fifteen years, I have had the privilege to meet and work

with many dedicated people; board members, staff and the public. I want to thank all for this opportunity. I urge you to continue to promote transit as a key component of economic growth. As I have said many times, economically strong metropolitan areas have strong intermodal transit systems. Continue the good work. And while I may be gone, I will continue to watch the progress you will make.

After reading Mr. Deller's email statement Mayor Avedisian noted that Mr. Deller had accepted a position as the Director of Planning for the City of Hartford and he said Mr. Deller would be relocating there.

Next the Mayor delivered the sad news that former ATU three-term President Ed Rodgers had passed away. He gave condolences from the Board and employee's of RIPTA to Mr. Rodgers family particularly his son Michael a RIPTA employee.

Mayor Avedisian then opened the floor to public comments and recognized transit advocate Almas Kalafian who congratulated Director Lewis and everyone else involved in the completion of the Wickford Station. Next Ms. Kalafian commented on the wheel chair accessible taxi cabs that are now available and providing 24-hour service. She said the taxi cab companies owe a debt of gratitude to RIPTA who worked so hard to get the financing through the New Freedoms Program.

ATU President Paul Harrington spoke and congratulated Mayor

Avedisian on being elected Board Chair saying he is a breath of fresh air for the Authority. He also wished Mr. Deller success in his future endeavors and finished by offering his condolences to the family of Ed Rodgers.

Next Mr. Harrington said he was disappointed that the Authority had displaced utility employee Sherri Pelopida and he sent two letters to the CEO asking for alternative employment on her behalf due to her medical condition. He said he also discussed Ms. Pelopida directly with Mr. Odimgbe and Mr. Harrington said he did not have room in the budget. Mr. Harrington then said he was at 705 Elmwood and saw a woman working in the telephone room and when he inquired who she was he was told the woman was a temp. He said neither Mr. Odimgbe nor the director of that department had the courtesy to tell him that a temp had been brought in for a bargained for job and this is very disappointing.

Mr. Harrington referenced another consultant he had seen on the property and questioned who he was and what the cost for the consultant was and also questioned the ad for a new Director of Finance all while Ms. Pelopida is displaced and having financial problems.

Finally Mr. Harrington said that in his opinion the employees at 705 Elmwood are hiding and in fear and this is disappointing to see. He then read a letter into the record (attached hereto as Exhibit B).

Following the reading of the letter Mr. Harrington directed the Board members to view photos of Kennedy Plaza that had been enlarged to poster size and were being held up by employees in the audience. The pictures depicted a very dirty Kennedy Plaza and Mr. Harrington said this disgusted him and it was unacceptable (a copy of the photographs is in the permanent record of the meeting kept by the recording secretary).

Board member Maureen Martin asked if the pictures on display were taken on the same day and Mr. Harrington said they were taken over a 6-day period. Next Ms. Martin asked if Ms. Pelopida was capable of performing the bargained for job currently being performed by a non-bargained for temp and Mr. Harrington said in his opinion she could and he thought her doing so was better than the Authority paying Ms. Pelopida's unemployment.

The Mayor then recognized former Board Chair Bob Batting who read a lengthy hand written statement attached hereto as Exhibit C. After reading his statement Mr. Batting opined that now is the time for the labor unions to cooperate and work with management. He wished the Authority luck and said he would not be attending future meetings.

Frank Plutzner a RIPTA employee said that a year ago there were 17 day jobs in Utility and now there are 12 and with the new choose-up there will be 9. He described the eliminated positions and said the

remaining jobs are not enough to keep Kennedy Plaza clean. Mr. Plutzner said more manpower is needed to keep the lighting replaced and to sweep the Plaza and to keep the sidewalks and bathrooms clean.

RIPTA employee Nick DeCristofaro spoke next and said he did a job on the 52 line/Bryant College where service has been cut. He said on his last trip there were two pedestrians on Douglas Pike who waved him down and complained that their bus had taken off. He said in 35 years of employment with the Authority this is the worst RIPTA has been and he asked the Board to come up with solutions.

Agenda Item 5: Chief Executive Officer's Report

Charles Odimgbe began his report and called attention to page 1 of the CEO Report saying at the time we went to print we had 48 employees out sick long-term and it is unfortunate that rather than addressing such problems as high long-term sickness numbers we keep picking at smaller issues rather than the consequences of excessive sick time.

Next Mr. Durkee congratulated Mr. Odimgbe on another month of improvement on the KPI's and asked about the decline in fareboxes. Mr. Odimgbe asked Mr. Therrien his opinion and Mr. Therrien said it could be due to the cycle of bill payment this month and could work itself out in future months. Mr. Durkee also noted the higher ADA

compliance which is good to see.

The Mayor asked for a budget overview and the CEO said he'd hoped to end the year with a \$1.7 million dollar deficit however the bumping procedures by Local 808 is taking longer than expected and it might push the number to \$1.9 million.

Anna Liebenow asked if there was a way to add passed by passengers to the KPI tracking. The CEO said we receive calls when this happens and he will look in to the customer service record logs to see if we can get a number on this issue, but it will be difficult to track as not all those passed by let us know of the error.

Maureen Martin referred back to the CEO saying 48 employees are out long term and wondered if he pointed this out because it is an unusually high number. Mr. Odimgbe confirmed its high and Ms. Martin asked if the employees out long term had met the work rule requirements justifying their absence and Mr. Odimgbe said they had.

Mayor Avedisian asked for the report on House Bill 7810 regarding the UPass Program. The CEO asked Mark Therrien to respond and Mr. Therrien said Representative Art Handy had introduced this bill to push the public institutions into the UPass system. He said all the private schools are already in the program and the public schools joining would mean about \$1.5 million more for RIPTA minus the

\$500,000 to provide the service. The rate would be about \$50 per student. URI wants a lot more bus service but do not want to pay for the additional service although the need is there. RIPTA has testified at the hearing in the Senate and it will be heard in the House tomorrow. He noted the Board of Governor's has opposed the bill. Mr. Therrien gave a few more specifics of this bill and previous iterations of it which have been proposed it he past.

Paul Harrington said he sponsored the bill and believes it has merit and is actually quite an affordable transit option at just \$50 per student.

The Board members asked Mr. Therrien provide them with an email regarding the outcome of the bill after it is heard by the House tomorrow. Ms. Martin asked that RIPTA's lobbyists also follow the bill and report back to the Board. Director Lewis said raising revenue is a good thing, especially if it keeps students off the road but raising revenue will cost along the line in higher education and it's a tough balancing act. Mr. Williams remarked that the UPass Program has been very successful at Roger Williams and it's popular with the students. The Mayor will call Dr. Depasquale to get further information.

Agenda Item 6: RFP 12-10 On-Call Architectural and Engineering Services

Mark Therrien gave the report on the procurement for On-Call Architectural and Engineering Services because Roger Mencarini and Mike McGrane from procurement were tied up with other matters. Mr. Therrien said the Board is requested to award a contract to Robinson Green Beretta Corporation of Providence to provide on-call architectural and engineering services to the Authority at an estimated annual cost of \$100,000. This is a one-year contract with up to four annual renewal options.

Mr. Therrien said of the six bidders Robinson Green Beretta came up with the highest score with the most experience in architectural and transit experience. Dollars were not a factor due to the Brooks Act. Mayor Avedisian asked for questions and Anna Liebenow wondered why another contractor was being retained in light of the recent layoffs and the other issues discussed during public comment relative to Kennedy Plaza. She said service changes have taken place and she is uncomfortable with hiring of consultants after making services changes. She then described an incident in Kennedy Plaza she witnessed involving passengers not being able to board an over full bus and due to that she has difficulty approving a \$100,000 procurement.

The CEO noted for the record that this project is being funded by a grant. Mr. Therrien stated that this procurement is to assist with issues such as the leaking roof at the Newport facility and repairs at Kennedy Plaza and those individual projects will come back to the

Board for approval, this procurement is for the design of the repairs. He said these repairs are needed to protect RIPTA's assets. Mr. Durkee noted that the grant money cannot be used except in this manner.

Following this discussion the Mayor asked if there were further questions and hearing none he asked for a motion. Director Lewis made a motion to approve the award of the contract to Robinson Green Beretta Corporation as recommended by staff and Mr. Williams seconded the motion. Ms. Liebenow opposed the award. The motion passed by a vote of 6 to 1.

Agenda Item 7: Executive Session Pursuant to RIGL 42-46-5(a)(2) for Discussions and/or Action Related to Collective Bargaining and 42-46-5(a)(3) for Discussions Regarding the Matter of Security

Mayor Avedisian asked for a motion to convene to executive session pursuant to RIGL 42-46-5(a)(2) for discussions and/or action related to collective bargaining and pursuant to 42-46-5(a)(3) for discussions regarding the matter of security. Mr. Lewis read the law to go to executive session and made the motion. Ms. Liebenow seconded the motion and a roll call vote was taken. The motion to adjourn to executive session passed unanimously.

Following the Board's return to open session Mr. Lewis made a motion to seal the minutes of the executive session. Mr. Williams

seconded the motion, and it passed unanimously.

Agenda Item 8: Adjournment

Jerome Williams made a motion to adjourn the meeting. Michael Lewis seconded the motion and it was unanimously approved and the meeting was adjourned.

Respectfully submitted,

Ellen M. Mandly

Exhibit A

Exhibit B

Exhibit C