



Commissioners David L. Jaeger, Jr., Alice McQuaid, Esq.
Chief Executive Officer Kimberlee A. Morton
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Norwalk Transit District Commissioners' Meeting Minutes

March 5, 2020 at 2:00 PM – Norwalk Transit District

Attending

Norwalk Transit District Commissioners:

David Jaeger
Alice McQuaid

Norwalk Transit District Staff:

Kimberlee Morton, CEO
Lori Hammill, CLO
Rob Edwards, Director of Maintenance and Facilities
Matt Pentz, CFO
Lynette Brayboy, Director of Human Resources
Matt Abbott, Data Analyst/Planner
Andrew Gallagher, Manager of Safety and Security
Francis Murray, COO
Dennis O'Connor, Marketing Representative

The meeting was called to order at 2:04 PM and a quorum was determined to be present.

PUBLIC COMMENT

Members of the public who wished to address the Commissioners were asked to do so. There was no public representation in attendance.

APPROVAL OF THE AGENDA FOR THE NOVEMBER 21, 2019 MEETING

Ms. Morton requested consideration to add Line of Credit Extension and State Funding Update for FY 2018 and FY 2019 under the Finance Update section of the agenda. Motion was made by Commissioner McQuaid to add the referenced items. Seconded by Commissioner Jaeger. Passed unanimously.

APPROVAL OF MINUTES OF NOVEMBER 21, 2019

The minutes of the November 21, 2019 Meeting of the Commissioners were unanimously approved as presented.

FINANCE UPDATE

January Financial Update – FY 2020

Mr. Pentz presented the YTD January financials, highlighting a \$254,744 deficit from Fixed Route operations. He noted that the increase vs the \$32,107 deficit from the prior year was driven by increases in salary, fringe benefits, additional W2U service, uniforms and new insurance expenses incurred in the current year.

On the ADA side, expenses were improved as part of an operational change to more accurately allocate costs based on actual time dedicated to services; an upgrade compared to the prior practice of allocating based on trip counts. The old methodology assumed all trips were equal, however operator time and mileage required to provide service in the Stamford area carry a higher cost, which the new method more accurately reflects.

State Funding Update for FY 2018 and FY 2019

Given that expenses for operating the Coastal Link are major contributors to the deficit, Mr. Pentz noted, with the persistence of Ms. Morton at the State level, that Norwalk Transit recently received a commitment from the State DOT to settle all prior year FY 18 and FY 19 outstanding balances owed. As part of this, DOT has asked the District to propose a resolution for the seemingly open-ended CL funding obligation, which needs contractual transparency. Ms. Morton and Mr. Pentz will be working towards a resolution, with an update to follow. In the meantime, Mr. Pentz emphasized that absent a new State commitment for the Coastal Link, the District may be exposed to the Fixed Route funding shortfall in FY 20, something that should be monitored closely as it could impede efforts to pay down District debt.

Ms. Morton added that the district is exposed to the Coastal Link ADA shortfall, which is another factor that needs to be addressed as part of the upcoming proposal with the State.

Union Pension Payment

Mr. Pentz noted that funds were adequately reserved and Norwalk Transit Accounting Manager, Hugh Askew, has completed the preliminary work to fund the union pension payment for 2019. Mr. Pentz noted, given volatility in the market related to Coronavirus, there has been concern from employees about making the payment during fluctuating turmoil. Mr. Pentz mentioned he'll complete the review in the upcoming weeks and apply diligence and transparency with union members regarding the timing of the payment.

Pension Plan Amendments

Mr. Pentz mentioned a few items to be considered as part of a potential pension plan amendment. Given the overall impacts would be favorable to the employees, Norwalk Transit felt it was best to address these as part of the upcoming CBA process.

Bank Signature Cards

Following the appointment of Commissioner David Jaeger, Jr. new bank signature cards were required to have Mr. Jaeger, Jr. added as an authorizer on the District bank

accounts. All required signatures were obtained and returned to Norwalk Bank and Trust.

Line of Credit Extension

Mr. Pentz reported that the District's line of credit was renewed for the upcoming year.

FY 21 Funding Outlook

Ms. Morton provided an update on the FY 21 State Funding outlook where she mentioned UPASS revenue was a point of discussion at the State Level. Early indicators suggested the possibility of reduced or flat funding, however Ms. Morton mentioned it is early in the process and Transit leaders are actively participating in the legislative process to ensure Transit needs are conveyed.

OPERATIONS UPDATE

Overview of ADA statistics for January

Mr. Murray reported that the item was tabled due to a reporting error.

Overview of the fixed route statistics for January

Mr. Murray discovered that our year to date and comparison reports for January 2020 showed negative variances. Our investigation showed that ridership numbers were exactly the same for the months January 2019 and December 2018. Adjustments will be made for the next meeting. A general ridership analysis was performed, and it shows that our core ridership is flat. Shuttle services are down for Norwalk, Greenwich and Westport. MicroTransit continues to grow.

Telephone Upgrade

Mid-January, Norwalk Transit District replaced the outdated telephone system. This was a complete overhaul which included system software upgrade, new telephones and a server to track phone call statistics and to record phone calls. During initial implementation we experienced a few obstacles such as extensions dead ending, phone calls not looping through to the right extensions and calls ending up in limbo or a continuous loop. All things issues have been resolved.

Route on-time efficiency

The on-time stats for NTD's ADA is holding strong, the reports provided show that we are solidly performing over 90%. The fixed route on-time performance is at 70%. The issue is not being late, it is arriving too early at the bus stop. Last month 21% of all trips were early. The operations staff is working with drivers to be more accurate through better schedule adherence. Additionally the reports demonstrate decreases in the number of subscription trips in our ADA programs.

HUMAN RESOURCES

EEO Policy

Ms. Brayboy reviewed the primary components of the 2020 EEO Plan for adoption by the Commissioners'. The attached authorization confirming its endorsement and unanimous approval by the Commissioners is made a part of the formal plan submittal. Ms. Morton noted that the plan was submitted prior to the actual endorsement due to

the passing of the recently deceased Commissioner, Andrew Glickson, which resulted in the cancellation of the regularly scheduled meeting at which the plan would have been endorsed prior to submittal. The District was directed to submit the plan on or before the due date of March 1, 2020 and seek formal approval from the Commissioners of the District after the submittal. The resolution was unanimously approved by Commissioners McQuaid and Jaeger.

Recruiting:

- Mechanic B

Hired:

- Three Part-time ADA Drivers – started on January 6th
- Two Part-time Fixed Route Drivers – started on January 6th
- Full-time Mechanic B – started on January 24th

Resigned

- Two Part-time ADA Drivers
- One Part-time Fixed Route Driver

Separations

- One Part-time ADA Driver

Other Business

- The Wage Deduction Form was approved last month by DOL that includes the Educational Assistance Reimbursement Program cost.
- The CT Mandatory Sexual Harassment Training was completed on February 7, 2020 for all employees – with the exception of employees who are on leave and the new hires.

MARKETING INITIATIVES

Advertising RFP

Mr. O'Connor advised the advertising RFP was released on January 28th for exterior and interior advertising on our transit buses. Deadline for submission was February 21st. We received two submissions that are in the evaluation phase. Once awarded, we are looking at an April 1st start date.

APTA Award

Mr. O'Connor displayed the recent APTA Marketing and Communications award for the "Best Comprehensive Campaign to Highlight Transit Needs" for our MicroTransit service.

PLANNING UPDATE

COA Study

Mr. Abbott reported we are currently going through a preliminary analysis of all routes to validate all information is accurate. We've gone through all Norwalk Routes and all APC

and ridership counters are accurate. All that is left is to validate all Westport routes. Estimated completion of all routes is by the end of March.

Wheels 2U Development

Mr. Abbott advised we are currently proposing a \$2.00 fare for our existing Wheels 2U service from a free platform beginning April 30th. These changes will also include a proposed expansion south of our existing zone, and an expansion of active hours on Saturday. A public hearing will be held on April 2, 2020 at 6:00 pm. After transitioning, we are interested to see how our commuter shuttles will change as a result of a paid fare.

In Westport, we are moving smoothly to transition the current commuter system for the Greens Farms Station to Microtransit as a pilot program. This will involve replacing the G1 & G2 routes with the Wheels 2U Microtransit service.

SAFETY AND SECURITY

Mr. Gallagher reported the following:

Accident Review

There were eight accidents in the month of October. Two resulted in reported injuries. Neither crash was our fault or responsibility. Four were determined preventable. One SIR claim submitted and one payment from other insurance carrier.

There were seven accidents in the month of November. One passenger reported an injury from falling on a bus. He has reported his intent to sue. Four were determined preventable. All repairs handled in house.

There were six accidents in the month of December. There were no reported injuries. One SIR claim submitted and other party insurance handling a repair.

Workers' Compensation Claims

There were three Worker's Comp claims in the quarter. The first was an aggravation of a previously reported injury. The second was the driver head laceration and resulting injury complaints. The third was a trip and fall at the Hub. All three are back to work.

Mr. Gallagher provided a brief overview of the WC program under New Jersey Manufacturers Insurance Company for Commissioner Jaeger.

Safety Plan

Mr. Gallagher also gave an overview of the FTA Public Transportation Agency Safety Plan that is under development and will be brought before the Commissioners for approval at either the April or May meeting depending on the meeting dates.

MAINTENANCE AND FACILITIES REPORT

Mr. Edwards reported the following:

Front door security

We are moving forward with the estimate to have the front vestibule locked past regular business hours. Entrance will be allowed thru badge readers and a buzz in system controlled by the dispatchers.

Bird Netting

We have an approved plan to finish wiring the flat areas the few last pigeons are resting on in the bus barn. Waiting for Ehrlich to schedule the install.

Shelter Pulse clean-up

Pulse clean-up of shelters is complete. All schedules and postings are now in locked glass cases.

Technician Opening

One Technician out on leave. Looking for a replacement if current technician cannot come back in a timely manner.

Solar Powered Bus Stops

We are working on receiving a quote for solar powered bus stop signs that will allow riders to know via GPS when the next bus is to arrive at the stop.

PROCUREMENT UPDATE

Formal Award Recommendation for a Proposal for Electrical Safety Plan and ARC Flash Study in the amount of \$37,600.00 to Wendel Companies.

Ms. Hammill requested pre-award authority on December 18, 2019, which was approved by Commissioners McQuaid and Glickson. The formal award was unanimously approved by Commissioners McQuaid and Jaeger.

- ✓ **Award Recommendation for the Annual Auditing Services in the amount of \$85,500.00 with option to renew for an additional two years to Seward and Monde.**

The award was unanimously approved by Commissioners McQuaid and Jaeger.

- ✓ **Award Recommendation for Sole Source Procurement for Fleetwatch Software Upgrade in the amount of \$84,785.00 to S&A Systems, Inc.**

The award was unanimously approved by Commissioners McQuaid and Jaeger.

- ✓ **Update on awarded Gasoline Contract**

The award was for the period 1/3/20 – 10/31/20, 65,000 gallons at 2.0909 per gallon for a total of \$136,097.00 including LUST and Spill fees to Santa Buckley procured through joint procurement with the Capital Region Council of Governments (CRCOG). The award was unanimously approved by Commissioners McQuaid and Jaeger.

- ✓ **Award Recommendation for the Transit Advertising Services to Vector Media.** The minimum guarantee provided to the District over the initial three-year period is \$312,000 and an additional \$228,000 for years four and five for a total five-year period of \$540,000. The award was unanimously approved by Commissioners McQuaid and Jaeger.

CEO UPDATE

CBA Demand to Negotiate and District Representation

Ms. Morton informed that the demand to negotiate was received from the union. Ms. Morton requested consideration to engage the services of the District's labor counsel to assist with the upcoming negotiations. Commissioners McQuaid and Jaeger unanimously approved the engagement of Bercham, Moses and Devlin to represent the District.

Wheels 2U Update

This report was provided under the planning report above.

Variety of Miscellaneous Items

- ✓ **City of Stamford ADA requirement for privately operated trolley services.** Ms. Morton reported that she was contacted by Karen Cammarota, Stamford representative regarding the possibility of providing federally required ADA services for the City's sponsored trolley bus. Ms. Morton advised that this have to be funded and approved by CDOT. Discussions will be arranged.
- ✓ **Transportation Leaders Against Human Trafficking Pledge**

The US Department of Transportation's Transportation Leaders Against Human Trafficking initiative calls on all transportation industry leaders to join in the commitment to employee education, raising public awareness, and measuring our collective impact by signing a voluntary pledge. Ms. Morton requested support through an affirmative vote in favor of this effort to ensure positive steps are made in eliminating human trafficking. The vote was made in unanimous support of the pledge.
- ✓ **FY 2020 Certification and Assurances**

Ms. Morton explained that before FTA may award federal assistance for public transportation in the form of a federal grant certain pre-award Certifications and Assurances are required. Ms. Morton provided the Commissioners with a copy of the FY 2020 annual certifications to be executed by the District's legal counsel. This document delineates the responsibilities of the District. She provided the package for the Commissioners' to review and advised she would seek approval to authorize endorsement at the next meeting.
- ✓ **Email Retention**

Ms. Morton noted that it was recently brought to her attention that there was no retention policy for emails pertaining to employees that separated from the

District. A seven-year retention policy was put into place which is consistent with state guidance.

✓ **Roadeo**

Norwalk Transit Roadeo winner Delores Pagan will be allowed to participate in the 2021 CTAA Roadeo given the State of Connecticut's current travel ban.

✓ **Coronavirus**

Initial discussions have begun regarding the threat to Connecticut from the Coronavirus and the important front-line response which will be required from all transit systems across the State.

EXECUTIVE SESSION

✓ **Performance Review and Compensation of the CEO**

Consideration to continue in executive session was moved and seconded by Commissioner McQuaid and Jaeger respectively at 3:05 PM to discuss the performance review and compensation of the CEO and other pending legal action currently handled through the insurance carrier relative to an employee matter.

No formal action was taken in Executive Session which concluded at 3:25 PM. A motion to immediately reconvene the Regular Meeting was unanimously passed.

✓ **Consideration of the Performance Review and Compensation of the CEO**

The Commissioners voted to adopt the matter discussed in Executive Session relative to the performance review of the CEO as contained in her performance review with an effective date of January 1, 2020. Supporting documentation executed by Commissioners McQuaid and Jaeger will be maintained in Ms. Morton's personnel policy.

The Public Meeting resumed at 3:35 PM.

ANY OTHER BUSINESS PROPERLY BROUGHT BEFORE THE COMMISSIONERS

No other business was noted.

NEXT MEETING MARCH 26, 2020 AT 9:00 AM

The next regularly scheduled meeting is scheduled for March 26, 2020 at 9:00 AM.

ADJOURNMENT

The meeting adjourned at 3:38 PM.

Respectfully submitted,

Kimberlee A. Morton

Kimberlee A Morton, CEO
Norwalk Transit District