



**Cooperative Alliance for Seacoast Transportation
Minutes of the Board of Directors
Wednesday, August 26, 2015**

Present: Scott Bogle, Jennifer Decker, Steve Fournier, Colin Lentz, Marty Pepin, Dave Sandmann, Maria Stowell and Juliet Walker (Vice Chair, Acting Chair for Meeting)

Staff Present: Rad Nichols, Brian Deguzis, Jeff Donald

I. Call to Order

The meeting was called to order at 8:30am.

II. Approval of Minutes

Mr. Fournier made a motion to accept the July 22, 2015 minutes as presented. Mr. Pepin seconded the motion and all voted in favor.

III. Public Comment

There was no public comment.

IV. Financial Report

June 2015 Income Statement & Balance Sheet

Mr. Nichols reported that the June financials are consistent with the previous trends. He added that COAST continues to operate under budget projections.

V. Old Business

ADA Accessible Minivan Procurement

Mr. Nichols reported that COAST has entered into an agreement to purchase two new accessible handicapped minivans from Ride-away Handicap Equipment Corporation of Londonderry, NH for a total purchase price of just under \$82,500 (total). The vans will be delivered by the end of October, with one going into operation in COAST's ADA fleet and the other to TASC (Transportation Assistance for Seacoast Citizens) through the Regional Coordination program. This will be TASC's first vehicle and will help the organization meet the needs of their passengers who require travel in an accessible vehicle.

Strategic Planning Initiative

Staff continues to work to identify a speaker to give us a good overview on Strategic Planning for the Annual meeting in September and Mr. Nichols hopes to have that secured within the next week.

TRACS Meeting

The summer TRACS (Transit Advisory Committee on Safety) meeting was held July 28 & 29 in Washington, DC. The goal of the summer meeting was to wrap up the formal presentation to the FTA on the two subjects that the working groups had been working on since last October (Driver Assaults & Fatigue Management).

The Driver Assault report was finalized and submitted to the FTA for their consideration. The Committee was not able to finalize the Fatigue Management report. At the meeting Mr. Nichols, and others, expressed many concerns about the report that led to the delay in the finalization of that report. Subsequently the report has been finalized and submitted. Unfortunately it will likely be 5-10 years before anything is put into place; particularly regarding the operator fatigue due to the complexity of the subject.

At the meeting discussions began on what the next TRACS subject areas might be for 2015/16. There are a couple of other small transit providers (one in Colorado and one in Kentucky, that each many times the size of COAST) but all three suggested that the Committee focus on the subject of safety of paratransit riders, particularly issues around securement. TRACS is expected to be meeting again in late October to finalize the subject areas going forward.

Route 1 Performance

Mr. Nichols evaluated any impact from the August 1st implementation of the 50¢ surcharge for passengers boarding in Somersworth. He found that the first 14 days of August compared to the previous 3 months showed an average decrease in ridership of 19.8%. When the first 14 days of August were compared to the previous 6 months, average ridership is down by 17.3%. Finally, those 14 service days compared with last year at the same time show an average decrease of 13%. Mr. Nichols noted that we had anticipated a drop up to 20%. He reported that Saturday ridership is down by about 10%. Mr. Nichols reported that on weekdays and Saturday the route's average ridership is down across the service day, not just a particular segment.

Mr. Lentz noted that there is an FTA webinar scheduled for a couple of weeks out talking about upcoming rulemaking safety and wondered if it is connected to the TRACS work. Mr. Nichols reported that the work of TRACS has been instrumental in the development of the proposed rules. He noted that much work has been done prior to him joining the committee and that, over the years, TRACS has been instrumental in these activities.

VI. New Business

Action Items

Nominating Committee Report

Members of the Nominating Committee are Mr. Sandmann, Ms. Copeland and Mr. Pepin. Mr. Sandmann presented the report of the Nominating Committee and noted that, after consulting with the current officers, all officers were comfortable continuing on in their position for the coming year. This fills the Executive Committee with the exception of the Chairperson's appointee to the Executive Committee. Mr. Sandmann moved to accept the Nominating Report as presented. Mr. Fournier seconded and all voted in favor.

Officer Nominees:

- Chair: Kenneth Ortmann (City of Rochester)
- Vice-Chair: Juliet T.H. Walker (City of Portsmouth)
- Secretary/Treasurer: Jennifer Decker (GSIL)

Executive Committee:

With the proposed slate of officers, the Executive Committee would be comprised of the following members:

- Kenneth Ortmann (Chair)
- Juliet T.H. Walker (Vice Chair)
- Jennifer Decker (Secretary/Treasurer)
- Scott Bogle (Past Chairperson)
- Open (Chairperson's Appointee)
- Rad Nichols (Non-voting)

Action Required: *That the Board of Directors accept the Nominating Committee's Annual Report.*

Discussion Items

Discussion Item #1: FY16 DRAFT Operating Budget Presentation

Mr. Nichols presented the FY16 Draft Operating Budget packet. All projections are based on actuals through May of 2015 when budget preparations began. Mr. Nichols reported that the total draft operating budget, exclusive of TMA and Coordination, is just over \$4.8 million. This is currently a bottom line increase of \$152,000 from the prior year. The budget is currently balanced without having to use any cash reserves.

Considerations:

1. Includes adjustments for a full year of significantly higher liability insurance rates.
2. Includes an increase in wages to a more competitive level for Bus Operators and Utility Cleaners in their first 2 years of work. The goal is to make COAST more attractive to applicants.
3. Includes an additional Full-Time Mechanic (position was brought on this Spring) to respond to the needs of our equipment and fleet.
4. Includes the lease for 6 Sumner Drive and associated new operating costs.
5. Fixed-Route miles and hours are projected to be marginally lower due to changes in Route 7.
6. Mr. Nichols is projecting a 12.5% increase in our ADA service.
7. Overall fare revenues are projected to increase by 2.5%.
8. The Draft Operating budget anticipates that 95% of municipal funding will be collected.

The Draft Operating budget was presented by Department (Administration, Operations and Maintenance). The Administration portion reflects a 12% increase due largely to the additional costs associated with the new office at 6 Sumner Drive and liability insurance. The Operations portion reflects a 3% decrease due to small reductions in overall service levels and savings in fringes and materials and supplies. The Maintenance portion reflects a 25% increase due to the addition of a full-time mechanic and significant increases in liability insurance.

The Draft Operating budget was also presented by Service (including ADA-related costs). This year COAST staff uncovered that the Clipper Connection is not exclusively “commuter” to the degree of being exempt from needing to provide complementary ADA Paratransit service. As a result, we will need to provide ADA services on those routes, which will drive their associated costs up considerably.

On pages 10 and 11 of the packet the Draft Operating Budget is presented line-by-line. Mr. Nichols is not anticipating implementing any increase in fare revenues. He noted that our fare is reasonable given the variety of short trips and longer trips our riders take. We are projecting that we do not project raising the same levels of revenue in Advertising, Interest and Other Income. All other revenues are based on formulas. On the expense side, Mr. Nichols applied a 3-4% inflationary factor on our actuals in FY15. Major impacts are the 3rd mechanic, liability insurance, 6 Sumner Drive lease and operating costs and adjustments in starting wages for Operators and Utility Cleaners. Fringes are based on actuals in FY15 and service levels. Miscellaneous expenses are the line currently reflecting the increases expenses for the lease at 6 Sumner Drive.

Ms. Walker asked about the discrepancy between the Local Match line item on page 11 versus the same line item on page 10 (2015 Approved Budget). Mr. Nichols reminded members that we did not have a balanced budget last year so he upped the local match line by what the expected reserve use would have been for the local match line on page 11.

Ms. Walker asked for the schedule going forward. Mr. Nichols noted that a Budget Workshop, if held, would need to be moved to September 8 at 3:00 at 6 Sumner Drive because most of the staff will be at the Tri-State Transit Conference on the 9th and 10th. The vote on the Operating Budget would occur at the Annual Meeting on September 23. Mr. Nichols asked members if there is a need for a Budget Workshop. Mr. Fournier noted that the main source of the increases is costs over which we have very little to no control. He questioned whether a Budget Workshop is a good use of members’ time. Mr. Nichols said he would be happy to do whatever board members request and/or need. Those present agreed that a Budget Workshop is not necessary.

Mr. Lentz asked about the outlook for our funding for the Little Bay Bridge CMAQ projects. Mr. Nichols reported that funding for the Clipper Connection services will last for a significantly longer period. For Route 2 and Trolley Expansions we will probably run out of CMAQ funds in late 2015/early 2016. At that time the State is currently under contract to fund 100% of that project until the funds are exhausted.

Ms. Walker summarized that we will not do a Budget Workshop and will vote on the Operating Budget on September 23 at the Annual Meeting.

Discussion Item #2: NH Open Carry Law & COAST Policies on Deadly Weapons

This summer COAST had an individual who was openly carrying a weapon attempt to board one of our buses and ultimately was denied a ride. COAST policy is that passengers are not allowed to “carry, possess or have within immediate access any dangerous weapon.” This passenger policy was last updated in 2005, prior to passage of the State statute allowing individuals to open carry. The incident caused Mr. Nichols to request a current opinion on whether COAST can potentially continue to enforce a policy that prohibits individuals from carrying potentially deadly weapons on board our buses.

At the July TRACS meeting Mr. Nichols had an opportunity to discuss this matter with FTA lawyers and they confirmed that the FTA does not have regulations or provide guidance on this matter. Mr. Nichols noted that the FTA was aware that open carry laws are posing problems for transit agencies in municipalities/states where open carry is permitted.

Our corporate attorneys at Donahue, Tucker and Ciandella have subsequently provided us with an opinion. The key points are:

- “COAST can prohibit firearms under its general authority to "adopt rules governing the use, operation and maintenance of [its] system." See RSA 239:4, IV. A prohibition on the carrying of firearms on COAST's buses would constitute a rule governing the use of its system and, therefore, is authorized.”
- “COAST is not a "political subdivision" as that phrase was intended in RSA 159:26 and, thus, is not subject to the restrictions set forth in that statute. Therefore, under state law, COAST is not expressly prohibited from regulating the possession or transportation of firearms on its buses under its general authority to "adopt rules governing the use, operation, and maintenance of [its] system.”
- “We specifically analyzed whether the possession and transportation of firearms on COAST buses would create an unsafe working condition for COAST employees, which would, in turn require COAST to intervene under the regulations of the Occupational Health and Safety Administration ("OSHA")...workplace safety regulations do not provide the necessary authorization for COAST to prohibit firearms on its buses.
- “We also reviewed the policies of several other transit authorities in other (NH) jurisdictions to see if any such prohibitions exist... Concord does not have any regulations on this issue. Manchester does prohibit deadly weapons on its buses...”
- In addition to any regulation that COAST might enact, New Hampshire law prohibits individuals from carrying loaded rifles and shotguns in a vehicle under RSA 207:7. Per RSA 207:7, ammunition must be kept separate from the weapon. Additionally, a permit to carry a concealed weapon in New Hampshire does not entitle a person to carry a concealed weapon into Maine.

With this opinion, staff intends to update our current prohibition on dangerous weapons as follows:

“Deadly weapons, as defined by NH RSA 625.11, V are prohibited on COAST vehicles.”

This newly worded prohibition will be updated in all appropriate materials and in clearly visible locations onboard the buses themselves.

Mr. Sandmann asked if this should be a Board policy. Mr. Nichols noted he is not sure that it was set as a Board Policy when created and doesn't necessarily feel it needs to be. Mr. Nichols believes it is appropriate for it to be an Operating Policy/Procedure versus a Board Policy. Mr. Fournier asked about whether we need to comply with municipality rules. He noted that this was an issue when an action was brought against LGC. Mr. Nichols noted that COAST was not considered a political subdivision of the state.

Ms. Walker asked how our drivers will respond when someone attempts to board the bus carrying a weapon. Mr. Nichols indicated drivers would need to say, “I'm sorry, you are not allowed to board with that.” Mr. Deguzis indicated that operators would contact Dispatch if a passenger protested.

There was consensus of the members present in support of the suggested language change.

VII. Information Items

Medicaid Transportation

Staff has submitted an initial information packet to CTS for consideration to become a Medicaid transportation provider. CTS will be conducting a site visit on August 28 as part of the vetting process. COAST is continues to explore this opportunity as a potential revenue source to help support our ongoing ADA and demand response operations. CTS is currently the only remaining transportation broker left for the two MCOs operating within NH. CTS is interested in our participation, particularly in light of Medicaid expansion.

Ridership

Through July 2015 ridership is up approximately 0.1% from the same period in FY14. July was another particularly strong month for ridership, bettering June.

Route 6 set a new all-time ridership mark for any one month period.

Service Performance

Service Performance charts were presented as part of the Board packet.

Bus Shelters

COAST is in the process of soliciting quotes for up to 8 new bus shelters to be located across the service area. Staff is looking at shelters with a slightly modified roof design as it saves COAST about \$1,400 per shelter. It is anticipated that there would be 3 new shelters in Portsmouth, 2 new shelters in Dover, 1 new shelter in Rochester, 1 new shelter in Somersworth and 1 new shelter in Exeter.

Northern Entrance to Pease

The new entrance is expected to be opening sometime this Fall. COAST is looking to reroute our Route 20 bus through that new entrance so we can better access part of Arboretum Drive (where Long-Term Care Partners is located) and are currently surveying their employees to see about their use of our services. COAST is also beginning to explore whether the Trolley should go that way as well. Discussions are planned with our partners.

Route 2 will also need to go through the new interchange and staff is investigating what that means for COAST possibly avoiding the new traffic circle.

VIII. Community Updates

Gosling Road Shelters

Ms. Walker shared that the City of Portsmouth is beginning to look at bus shelters on Gosling Road. There is a proposal to add residential units at Southgate Plaza. Ms. Walker asked those involved with that project to reach out to COAST to discuss this further.

Somersworth City Council Update

Mr. Pepin reported that the Somersworth City Council voted down the proposed resolution to exclude public transportation as an eligible activity to support under the Transportation Improvement Fund.

Transport NH Proposed Legislation

Mr. Bogle reported that Transport NH is looking to get legislation in that would raise the cap on the local option fee on vehicle registrations from \$5 to \$20. He asked who is using the local option fee? He reported that he is looking to have Nancy Stiles co-sponsor. He asked whether communities be willing to participate in a hearing.

City of Dover Shelter Advertising

Mr. Nichols reported that he expects that the City of Dover will put forth an effort to allow transit advertising on their bus shelters this September.

IX. Adjournment

Mr. Fournier made a motion to adjourn the meeting at 9:18am which was seconded by Mr. Sandmann. All voted in favor.