



Niagara Frontier Transportation Authority
Serving Buffalo Niagara

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ECLEG 0813114 0000000

January 23, 2014

Mr. Robert M. Graber
Clerk
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: NFTA Board Minutes

Dear Mr. Graber:

Enclosed for your information and files, please find a copy of the Minutes from the Niagara Frontier Transportation Authority's Board Regular Meeting held on December 19, 2013.

Very truly yours,


David J. State
General Counsel

DJS:lf

Enclosure

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY
 NIAGARA FRONTIER TRANSIT METRO SYSTEM, INC.
 REGULAR BOARD MEETING
 DECEMBER 19, 2013 12:30 PM
 MINUTES**

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1. **CALL TO ORDER**

A. **Meeting Called to Order**

Chairman Zemsky called the meeting to order at approximately 12:33 p.m.

B. **Approval of Minutes of the NFTA Regular Board Meeting held on November 21, 2013**

It was moved by Commissioner Sloma, seconded by Commissioner Perry, that the Minutes of the November 21, 2013, Regular Board Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., be accepted and approved.

**AYES: ZEMSKY, SLOMA, DEMAKOS, DURAND, PERRY,
WILCOX**

NOES: NONE

C. Executive Director's Report:

Executive Director Kimberley Minkel presented a year end synopsis to the Board. Aviation has an approved Master Plan document for BNIA that will serve as the planning document for our airport improvement plan that we submit for funding and approval to FAA every year. The NFIA Master Plan is well underway and for the first time ever we are beginning an overall Aviation Strategic plan which will maximize the economic impact to the region (by identifying opportunities to improve business and leisure travel as well as air cargo development at BNIA/NFIA). With the assistance of funding from the Governor's Regional Council a 1000 parking lot expansion project was completed and the turnstile doors at BNIA were eliminated.

Metro has completed the State of Good Repair assessment of the Metro bus facilities and will be assessing the stations. Aesthetic improvements have begun at the Harbor Station and track bed replacement work as part of the Cars Sharing Main Street project. Two new rebuilt railcars were received bringing the total to four new cars in revenue service. Transit service is being reshaped in WNY through our Niagara Street corridor project and the Amherst Buffalo Corridor alternatives analysis which will provide transit options to the community.

Property had a successful summer waterfront concert series, the sale of Port Terminals A & B to a Canadian Manufacturing company which will generate new jobs in the region and we are finalizing the transfer of the waterfront property to ECHDC.

Technological improvements included the hiring of a Chief Information Officer, payroll conversion process with Kronos to streamline and improve our payroll system and the development of an App that lets people know where their bus is located. She also advised the Board that with the addition of the See Something Say Something Police App the system has never been safer.

She advised the Board that our safety record is the best it has ever been and we have the highest DBE participation ever, with 26.6% FTA and 52% FAA. The Executive Director also acknowledged several employees:

Operator Darnell Barton who prevented a woman from taking her own life.

Paratransit operator Jay Apa who helped a man in January when he collapsed on his steps calling for help.

Operator Michael Bean who sheltered a two year toddler wandering the streets on a cold January morning.

Operator Demetrius Evans, Supervisor Nick Julian and Controller Stephan Panczak who helped shelter 27 stranded apartment residents when their Forrest Avenue apartment was on fire in February.

Operator Laquesha Sanders who helped a visually impaired man who lost his cane and was disoriented wandering on the sidewalk.

Operator Linda Mucha for her outstanding customer service.

Operator Don Croner who assisted a lost Alzheimer man at University station and operator Dione King-Bailey who noticed a woman who had been missing for 6 days.

Firefighter Tim Finnegan who helped a stab victim at MTC while passing through.

She also acknowledged the emergency responders within both the police and fire departments and employees who continue to look for innovative ways to improve our bottom line. Of special note were Rick Russo who suggested and implemented a heat recovery system in the airport saving thousands of dollars annually, Cold Spring station employees Tom Lloyd, Dan Garvin, Tom Carney, John Sebastain, Ken Schaefer, Pat O'Melia, Norm Urbanski and Dave Pliszka who were able to convert old buses into trolleys through a little bit of paint, body work and a whole lot of ingenuity and Chris Brophy and his Department who have worked tirelessly to transform the MTC building.

She also acknowledged many others for their dedication and for going that extra mile.

- 2. NFTA CORPORATE REPORT**
 - A. Audit and Governance Committee Report
 - B. Consolidated Financial
 - C. Human Resource Report
 - D. Corporate Resolutions

Corporate Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. D. (1) through 2. D. (3)
1. Adoption of Operating and Capital Budgets, Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., Fiscal Year 2014-2015
2. Authorization for NYSDOT Aviation Capital Project, Contract K, NFIA
3. Authorization for NYSDOT Aviation Capital Project, Contract K, BNIA

CORPORATE:

2. D. (i) Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. D. (1) through 2. D. (3)

The Executive Director advised that Items 2. D. (1) through 2. D. (3) have been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of all subject Resolutions.

Whereupon, it was moved by Commissioner Wilcox, seconded by Commissioner Durand, that the following Resolution be adopted:

“RESOLVED, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 2. D. (1) through 2. D. (3) and dated December 19, 2013 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ZEMSKY, SLOMA, DEMAKOS, DURAND, PERRY, WILCOX

NOES: NONE

ADOPTED

CORPORATE:

2. D. (1) **Adoption of Operating and Capital Budgets, Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., Fiscal Year 2014-2015**

RECOMMENDATION: Staff recommends that the Board adopt the Operating and Capital Budgets for the NFTA and NFT Metro System, Inc. for the Fiscal Year ending March 31, 2015. The consolidated budget for FYE'15 is \$206.6 million.

INFORMATION: The NFTA is a public benefit corporation of the State of New York created by legislation enacted under Chapter 717 of the laws of 1967. The mission of the NFTA is to provide safe, efficient and professional transportation services that enhance the quality of life in the Buffalo Niagara region in a manner, consistent with the needs of our customers. To that end and for such purpose, the NFTA operates the Niagara Falls International Airport, Buffalo Niagara International Airport, various non-transportation property assets as managed by our Property Group, Transportation Centers in the Cities of Buffalo and Niagara Falls, and through its subsidiary corporation, NFT Metro System, Inc., operates bus, paratransit and light rail transit systems in the counties served by NFTA.

The NFTA adopts an annual budget covering its operations for the Fiscal Year that begins April 1 and extends through March 31 of the following calendar year. The budget for FYE'15 is balanced as required by New York State and was prepared based on a management approach integrating financial and strategic requirements necessary for the continued operation of the Authority.

As a comparison to the current year forecast, the FYE'15 budget assumes a \$0.4 million, or 0.4%, increase in revenues from Authority operations and a \$3.9 million, or 4.0%, increase in operating assistance.

The budget assumes a \$5,979k, or 3.3%, increase in expenses for FYE'15, while providing for the continued efficient delivery of transportation services to the public and communities served by the NFTA and Metro without increasing transit fares to our customers.

Finally, the FYE'15 budget includes \$11.16 million for net debt service and operating reserves related to the Buffalo Niagara International Airport Improvement Program (AIP) project, \$0.94 million in debt service for the glycol collection project and equipment lease financing for energy savings initiatives, and \$8.2 million in the NFTA equity share of our capital spending total of \$68.2 million estimated for FYE'15.

Among some of the initiatives included in the budget are locking-in favorable terms and allowing for cost certainty on 23% of our anticipated diesel fuel usage and increases in our health insurance employee contributions from our numerous unions.

Metro includes increased revenue in the continued expansion of our University Pass Program. The Surface Transportation budget includes funds for the mid-life rail rebuild project; eleven

new buses; design for the new fare collection system; partial replacement of our rail track foundation; and Niagara Street Corridor project and CNG fueling station/modification initiative.

In the Aviation Division, Buffalo Niagara International Airport (BNIA) is assuming a 1% increase in enplanements. Major capital projects at BNIA include continuing our noise mitigation measures in residences, community facilities and businesses where excessive noise from airport operations is present and funds for a new ARFF facility and revenue control system.

The Niagara Falls International Airport's capital budget includes funds for the new terminal apron project and Rainbow Industrial Building acquisition.

The Property Management Division anticipates a more normalized boating season and includes capital funds for the upgrade of our 485 Cayuga Road facility.

The following are the budget assumptions and highlights, comparing the FYE'14 forecast to FYE'15:

- New York State Operating Assistance increases \$2,245k based on historical ten-year average annual compounded increase.
- Total Federal Operating Assistance to increase \$705k, or 5.3% primarily due to an increase in Federal Preventative Maintenance Assistance funds based on the apportionment formula program and capital funding reallocation.
- Erie County Sales Tax is anticipated to increase \$488k, or 2.5%.
- Mortgage Tax is anticipated to increase \$323K, or 3.4%.
- BNIA is assuming a 1% increase in enplanements.
- NFTA/Metro contractual/step increases reflective of labor agreements.
- Metro fringe benefit rate - 81.1%; NFTA fringe benefit rate - 51.4%.
- NFTA/Metro health insurance costs are increasing a net \$1,028k, or 4.0% based on increased union participation.
- NFTA/Metro workers' compensation costs are increasing \$1,094k, or 15.0%.
- NFTA/Metro safety and security allocated costs are increasing \$595k, or 5.0%, an increased police salaries, health insurance and workers' compensation costs, along with a change in our BNIA operation resulting in passenger exit lane security costs and higher Metro garage security costs, contribute to the variance.
- Lower transit fuel/power expenses of \$395k, or 4.9%, as we are locked in at 23% of our anticipated usage at \$3.19/gallon and the remaining 77% is subject to market conditions budgeted at \$3.12/gallon, the average cost over the previous 26 week period.

"RESOLVED, that the Operating and Capital Budgets of the NFTA and NFTA Metro System, Inc., for the fiscal year ending March 31, 2015, be and are hereby adopted as provided herein; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized during the course of the 2014-15 fiscal year to establish, for non-represented employees, the appropriate salary levels consistent with the merit-based system for all new hires and to adjust, on the basis of performance, the salary level of all employees; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized during the course of the 2014-15 fiscal year to establish, for represented employees, the appropriate step, within the budgeted salary grade, for all new hires and to adjust, on the basis of performance and as provided by collective bargaining agreements, the grade and step of all current employees.”

CORPORATE:

2. D. (2) **Authorization of NYSDOT Aviation Capital Project, Contract K, NFIA**

RECOMMENDATION: Staff recommends that the Board authorize acceptance and execution of Contract K with the New York State Department of Transportation PIN 5902.16 in the amount of \$158,706 for a project at the Niagara Falls International Airport.

INFORMATION: Contract K for PIN 5902.16 provides the NYSDOT match of \$158,706 to the NFTA as identified in the Airport Improvement Program Capital Project Agreement No. 3-36-0086-042-2013 with the Federal Aviation Administration. This project is to reimburse eligible costs for the construction of the passenger terminal at NFIA.

FUNDING: Funding associated with the project and the NYS share provided by PIN 5902.16 is as follows:

<u>PIN</u>	<u>Project</u>	<u>Total Cost</u>	<u>FAA Share</u>	<u>NYSDOT Share</u>	<u>Local/PFC Share</u>
5902.16	Reimburse eligible costs for construction of the passenger terminal, NFIA AIP 3-36-0086-042-2013	\$3,174,110	\$2,856,699	\$158,706	\$158,705

“RESOLVED, that the Board authorizes the New York State Department of Transportation Aviation Capital Project, Contract K at the Niagara Falls International Airport for projects as described above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman be authorized to execute the New York State Department of Transportation Aviation Capital Projects Contract K at the Niagara Falls International Airport as described above; and

BE IT FURTHER RESOLVED, that said Agreement shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel.”

CORPORATE:

2. D. (3) **Authorization of NYSDOT Aviation Capital Project, Contract K, BNIA**

RECOMMENDATION: Staff recommends that the Board authorize acceptance and execution of Contract K with the New York State Department of Transportation PIN 5A00.03 in the amount of \$638,243 and PIN 5A00.04 in the amount of \$139,731 for projects at the Buffalo Niagara International Airport.

INFORMATION: Contract K for PIN 5A00.03 provides the NYSDOT match of \$638,243 to the NFTA as identified in the Airport Improvement Program Capital Project Agreement No. 3-36-0009-082-2013 with the Federal Aviation Administration. This project is for the implementation of the Noise Compatibility Program Improvements under phase 9, construction of 150 parcels and design of 56 parcels with 65-69 DNL. Contract K for PIN 5A00.04 provides the NYSDOT match of \$139,731 to the NFTA as identified in the Airport Improvement Program Capital Project Agreement No. 3-36-0009-083-2013 with the Federal Aviation Administration. This project is for the construction to upgrade public-use terminal restrooms at BNIA.

FUNDING: Funding associated with the projects and the NYS share provided by PIN 5A00.03 and PIN 5A00.04 is as follows:

<u>PIN</u>	<u>Project</u>	<u>Total Cost</u>	<u>FAA Share</u>	<u>NYSDO T Share</u>	<u>Local/PF C Share</u>
5A00.03	Implementation of the Noise Compatibility Program Improvements under phase 9, construction of 150 parcels and design of 56 parcels with 65-69 DNL, BNIA AIP 3-36-0009-082-2013	\$6,382,431	\$5,105,945	\$638,243	\$638,243
5A00.04	Upgrade 14 Public-Use Terminal Restrooms, Constructon, BNIA AIP 3-36-0009-083-2013	\$1,117,848	\$838,386	\$139,731	\$139,731

“RESOLVED, that the Board authorizes the New York State Department of Transportation Aviation Capital Project, Contract K for projects as described above at the Buffalo Niagara International Airport; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman be authorized to execute the New York State Department of Transportation Aviation Capital Projects Contract K at the Buffalo Niagara International Airport as described above; and

BE IT FURTHER RESOLVED, that said Agreement shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel.”

- 3. AVIATION BUSINESS GROUP REPORT**
 - A. Aviation Committee Report
 - B. Financial Update
 - C. Business Update
 - D. Resolutions

Aviation Resolutions

There are no proposed Aviation items at this time.

4. **SURFACE TRANSPORTATION BUSINESS GROUP REPORT**
 - A. Surface Transportation Committee Report
 - B. Financial Update
 - C. Business Update
 - D. Resolutions

Surface Transportation Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (2)
1. Authorization for Agreement, M/E Engineers, P.C., Rail Station State of Good Repair (SOGR) Strategic Assessment, LRRT
2. Authorization for Procurement, Dump Truck with Plow and Salt Spreader Attachment, Regional International of WNY, Metro

SURFACE:

4. D. (i) **Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (2)**

The Executive Director advised that Items 4. D. (1) through 4. D. (2) have been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of all subject Resolutions.

Whereupon, it was moved by Commissioner Sloma, seconded by Commissioner Perry, that the following Resolution be adopted:

“**RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 4. D. (1) through 4. D. (2) and dated December 19, 2013 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ZEMSKY, SLOMA, DEMAKOS, DURAND, PERRY, WILCOX

NOES: NONE

ADOPTED

SURFACE:

4. D. (1) **Authorization for Agreement, M/E Engineers, P.C., Rail Station State of Good Repair (SOGR) Strategic Assessment, LRRT**

RECOMMENDATION: Staff recommends that the Board award the subject study to the term consultant, M/E Engineers, P.C., for the lump sum amount of \$174,961.15.

INFORMATION: This project will evaluate the current station building infrastructure condition for the LRRT underground stations. It will quantify the State of Good Repair (SOGR) for each station as per the FTA guidelines. The SOGR assessment will include the condition of the building envelope (roof, walls, windows, elevators, escalators, wall panels, tiles, and doors), exterior pavement, interior floors, HVAC air handling systems, fire protection, 480 volt and below electrical power system (including under platform conduits), lighting, communication systems, and plumbing systems.

The project will utilize the FTA's SOGR matrix as a standard assessment rating tool. Only items that score "Marginal" or "Poor" in the matrix will require a budget cost estimate. The results of the study will be used to assist the NFTA in the preparation of future capital budgets.

The locations included in the study are:

- University Station
- LaSalle Station
- Amherst Station
- Humboldt Station
- Delavan Station
- Utica Station
- Summer Station
- Allen Medical Campus Station

Due to the construction of the UB School of Medicine and Biomedical Sciences building at the Allen Medical Campus Station, this station will only be evaluated in the areas not impacted by the construction.

Staff reviewed the cost proposal from M/E Engineers, P.C. All parties were in agreement with the scope of work and the final negotiated lump sum cost shown below.

	Initial Proposal	Negotiated Cost
Engineer's Estimate	\$179,322.00	\$179,322.00
M/E Engineers, P.C.	\$362,587.30	\$174,961.15

The NFTA Affirmative Action/EEO office has been briefed on the project and concurs with the recommendation for Board approval.

FUNDING: Funding source for this project is in account 12-0000000 3107-2-9347 and is as follows:

FTA Pending 2013 Grant	80%	\$139,968.93
NYS PIN Pending	10%	\$17,496.11
NFTA 88C Pin 5734.88S	10%	\$17,496.11
	Total	\$174,961.15

“RESOLVED, that the Board hereby authorizes an Agreement with M/E Engineers, P.C., for the Rail Station State of Good Repair Strategic Assessment as described above and for a lump sum cost of \$174,961.15; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute an Agreement with M/E Engineers, P.C. as described above, for the lump sum amount of \$174,961.15; and

BE IT FURTHER RESOLVED, that said Agreement shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, be and he is hereby authorized to make payments under said Agreement upon certification by the Director, Engineering, that such payments are in order.”

SURFACE:

4. D. (2) **Authorization for Procurement, Dump Truck with Plow and Salt Spreader Attachment, Regional International of WNY, Metro**

RECOMMENDATION: Staff recommends that the Board approve the purchase of one new 2014 heavy duty diesel powered 4 x 2 dump truck with front plow and stainless steel salt spreader from Regional International of WNY, Cheektowaga, New York, at a cost of \$103,510.00.

INFORMATION: This dump truck will replace a 1999 model dump truck that has exceeded its useful life. This truck will be used for plowing and salting access and parking lots for rail facilities and stations during the winter months. It will also be used to haul scrap, topsoil, mulch, soil and blacktop.

FUNDING: Funding is provided in Rail Support Vehicles – Account Number 120000000320929326.

“RESOLVED, that the Board hereby authorizes the procurement of a dump truck with a plow and salt spreader attachment from Regional International of WNY at a cost of \$103,510.00 as described hereinabove; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue a Purchase Order to Regional International of WNY for the purchase of a dump truck with a plow and salt spreader attachment in the amount of \$103,510.00 to be used as described hereinabove; and

BE IT FURTHER RESOLVED, that said Purchase Order shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer be and he is hereby authorized to make payments under said Purchase Order upon certification by the Director, Surface Transportation, that such payments are in order.”

NFTA BID ANALYSIS

BID NO: 4326

BID FOR: 2013 Heavy Duty Diesel Powered 4x2
Dump Truck with Front Plow and
Stainless Salt Spreader

DEPT: Metro Rail

BID DATE: 1/19/2013

REGIONAL INTERNATIONAL OF WNY
Cheektowaga, NY

DELACY FORD OF ELMA
Elma, NY

ITEM	QTY	DESCRIPTION	MAKE/MODEL	\$ PER UNIT	TOTAL	MAKE/MODEL	\$ PER UNIT	TOTAL
1	1	2013 Heavy Duty Diesel Powered 4x2 Dump Truck with Front Plow and Stainless Salt Spreader	2014 TERRASTAR SFA 4X2	\$103,510.00	\$103,510.00	2015 FORD F-650	\$109,269.00	\$109,269.00
TOTAL					\$103,510.00			\$109,269.00
LEAD TIME					60-90 days			23 to 25 weeks

- 5. PROPERTY/RISK MANAGEMENT GROUP REPORT**
- A. Property/Risk Management Committee Report
 - B. Financial Update
 - C. Business Update
 - D. Resolutions

Property/Risk Management Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Property/Risk Management Resolutions 5. D. (1) through 5. D. (2)
1. Authorization for Determination of Non-Significance, Sale of Real Property located at 901 Fuhrmann Boulevard to Gracious Living Corporation
2. Authorization for Agreement, Oliver Wyman Actuarial Consulting, Inc., Workers Compensation Actuary Services, NFTA and Metro

PROPERTY:

5. D. (i) Niagara Frontier Transportation Authority, Acceptance of Property Resolutions 5. D. (1) through 5. D. (2)

The Executive Director advised that Items 5. D. (1) through 5. D. (2) have been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of all subject Resolutions.

Whereupon, it was moved by Commissioner Demakos, seconded by Commissioner Durand, that the following Resolution be adopted:

“**RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 5. D. (1) through 5. D. (2) and dated December 19, 2013 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ZEMSKY, SLOMA, DEMAKOS, DURAND, PERRY, WILCOX

NOES: NONE

ADOPTED

PROPERTY:

5. D. (1) **Authorization for Determination of Non-Significance, Sale of Real Property located at 901 Fuhrmann Boulevard to Gracious Living Corporation**

RECOMMENDATION: Staff recommends that the Board, after due consideration of all of the relevant facts and circumstances, authorize NFTA as SEQRA lead agency to adopt and issue a Notice of Determination of Non-Significance and related New York State coastal zone certification for the action of the sale to Gracious Living Corporation (GLC) of approximately 49.5 acres of real property located at 901 Fuhrmann Boulevard, Buffalo, New York as more fully described in the Notice of Determination of Non-Significance (the "Action").

INFORMATION: On August 22, 2013 the Board authorized the sale of approximately 49.5 acres of real property located at 901 Fuhrmann Boulevard to Gracious Living Corporation, subject to compliance with all applicable regulatory and other approval requirements including, but not limited to, the New York State Environmental Quality Review Act ("SEQRA").

The attached Notice of Determination of Non-Significance has been prepared by NFTA as lead agency in accordance with SEQRA and applicable New York State Department of State coastal zone requirements. After consideration of all of the required factors, the conclusion is that the identified potential impacts of the Action are not significant in magnitude or effect, and on the whole will be beneficial to the community and will not, either individually or collectively, have a significant impact on the environment. Accordingly, the undertaking of this Action will not significantly adversely affect the quality of the environment and no further environmental review of the proposed Action will be conducted. In addition, for the reasons detailed in the Notice of Determination of Non-Significance, the Action will not substantially hinder the achievement of the coastal policies set forth in 19 N.Y.C.R.R. §600.5 and, whenever practicable, will advance one or more of such policies.

FUNDING: No funding is required.

"RESOLVED, that the Board hereby approves and adopts the attached SEQRA Notice of Determination of Non-Significance and related New York State coastal zone certification contained therein."

NOTICE OF DETERMINATION OF NON- SIGNIFICANCE

This notice is issued pursuant to the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law, and its implementing regulations at 6 N.Y.C.R.R. Part 617.

LEAD AGENCY: Niagara Frontier Transportation Authority
181 Ellicott Street
Buffalo, NY 14203

In accordance with the provisions of SEQRA, the Niagara Frontier Transportation Authority (NFTA), as Lead Agency, has reviewed the following action as it relates to the environment:

ACTION TITLE: Sale of 901 Fuhrmann Boulevard
City of Buffalo, Erie County

DESCRIPTION OF THE ACTION:

The proposed action is a transfer of land which contemplates the continued use of existing buildings and does not involve any proposal for the disturbance of unimproved land. In particular, the Niagara Frontier Transportation Authority (NFTA) is proposing to sell to Gracious Living Corporation ("GLC") or an entity owned and controlled by GLC, an approximately 49.5 acre portion of an approximately 60 acre NFTA-owned light industrial parcel commonly referred to as the Port Terminal Complex located at 901 Fuhrmann Boulevard (the "Terminal Complex"), including existing buildings comprising approximately 740,000 square feet (the "Proposed GLC Sale"). The 901 Fuhrmann parcel will be subdivided by deed.

GLC intends to assess the availability of, and apply to Empire State Development for, incentives that may be available for the purchase and/ or planned use and operation of the property.

Background

NFTA currently owns approximately 400 acres of waterfront property in the City of Buffalo encompassing, among other things, the aforementioned Terminal Complex as well as property commonly referred to as the Outer Harbor to the north, and the Small Boat Harbor and Gallagher Beach to the south. The NFTA wishes to divest itself of these waterfront properties so that it may better focus on its core mission to provide the highest level of safe, clean, affordable, responsive, and reliable public transportation.

In addition to the Proposed GLC Sale, NFTA and ECHDC have been conducting negotiations with respect to ECHDC's proposed acquisition of approximately 354 acres of NFTA's

waterfront property encompassing, among other things, the Outer Harbor, the Small Boat Harbor and Gallagher Beach, but excluding the Terminal Complex (the "Proposed ECHDC Sale"). The Proposed ECHDC Sale does not involve any disturbance to land and any future use in connection with the Proposed ECHDC Sale is undetermined at this time. The New York State Office of Parks, Recreation and Historic Preparation ("State Parks"), ECHDC, ESD and NFTA have executed a Non-Binding Memorandum of Understanding which contemplates that State Parks would operate Gallagher Beach and the Small Boat Harbor under a yet-to-be negotiated operation and management agreement.

The Proposed GLC Sale

Dating back to the 1930's, the Terminal Complex has been home to a number of commercial and industrial users including, among other things, general warehousing and plastic furniture manufacturing operations. The Terminal Complex continues to be used for commercial purposes to this day.

GLC, a Canadian company, wishes to acquire the Terminal Complex for the purpose of establishing its first United States manufacturing location. GLC utilizes plastic injection molding technology to manufacture a diverse range of consumer products for both indoor and outdoor living. GLC has entered into a Real Property Disposition Agreement with NFTA to acquire the Terminal Complex for that purpose, subject to compliance with SEQRA and other applicable regulatory requirements, among other things. GLC expects to employ up to 300 people.

CLASSIFICATION OF ACTION: Type I

Actions that are classified as "Type I" under the SEQRA regulations require the preparation of a full environmental assessment form (EAF) and coordinated review process among involved agencies. The only other involved agency identified in connection with the Proposed GLC Sale is ESD, given the possibility that the purchaser may seek state funding in connection with the Proposed GLC Sale. In the interest of a comprehensive review of the Proposed GLC Sale, however, the NFTA has conducted a coordinated SEQRA review of the Proposed GLC Sale involving a host of interested agencies, as follows:

- City of Buffalo Office of Strategic Planning (City OSP)
- Erie County Department of Environment and Planning (ECDEP)
- Erie Canal Harbor Development Corporation (ECHDC)
- New York State Department of Environmental Conservation (NYSDEC)
- New York State Department of State (NYSDOS)
- New York State Department of Transportation (NYSDOT)
- New York State Office of Parks, Recreation, and Historic Preservation (OPRHP)
- U.S. Army Corp of Engineers (USACE)
- Buffalo Sewer Authority (BSA)

REASONS SUPPORTING THIS DETERMINATION.

The NFTA has reviewed and considered various materials and documentation concerning the Proposed GLC Sale including, but not limited to:

- completed SEQRA Full EAF (as newly expanded, effective October 7, 2013)
- completed NYSDOS Coastal Assessment Form
- completed State Historic Preservation Office Project Review Cover Sheet and related attachments
- November 4, 2013 traffic analysis from NFTA's consultant, C&S Engineers (C&S)
- October 28, 2013 NYSDEC letter
- December 18, 2013 OPRHP letter

The foregoing documentation is incorporated herein in its entirety.

As indicate above, the Proposed GLC Sale is a transfer of land which contemplates the continued use of existing buildings and does not involve any proposal for the disturbance of unimproved land. Based upon NFTA's review and consideration of the Full EAF and other documentation referred to above, and the environmental criteria contained in the SEQRA regulations, NFTA has identified the below areas of potential environmental concern:

1. Community Character / Aesthetics

The Proposed GLC Sale involves the sale of existing structures and does not include a proposal for new buildings. As noted above, the Terminal Complex has been utilized for commercial and industrial purposes since the 1930s, and continues to be used for commercial purposes to this day. It is anticipated that the Proposed GLC Sale will help to revitalize this waterfront property.

The 518 mile-long Great Lakes Seaway Trail is a National Scenic Byway that follows the shores of Lake Erie, the Niagara River, Lake Ontario, and the St. Lawrence River in New York and Pennsylvania. The Buffalo waterfront has been visually impacted through the construction of an interstate highway that stretches along the shore, as well as numerous remnants of the City's industrial past. *See also* April 4, 2007 Niagara River Greenway Plan ("Greenway Plan"), p. 112 (noting that a mix of heavy manufacturing, light industrial and storage / warehousing uses within the Greenway contributes to a stronger tax base in some communities within the Greenway). Many land uses occupy this corridor, including open spaces and conservation areas, parks and recreation sites, working industrial lands and now-vacant brownfields. The Proposed GLC will not introduce new visual elements, but will result in the continued use and revitalization of the Terminal Complex buildings.

Based upon the above, the NFTA finds that the Proposed GLC Sale will not adversely impact, and in fact will enhance, the community character and aesthetics of the Terminal Complex property.

2. Consistency With Officially Approved or Adopted Plans or Goals

On February 7, 2006, the City of Buffalo adopted a Comprehensive Plan entitled "Queen City in the 21st Century" (the "Comprehensive Plan"). As reflected in the Comprehensive Plan, the characteristics of waterfront land in the City and its uses vary widely from site to site. P. 42. While the Comprehensive Plan does not contain any specific proposals for the Terminal Complex property, it does advocate redevelopment of "Strategic Investment Corridors" including, among others, the Waterfront/Tonawanda Corridor. P. 103.

The Terminal Complex property is currently zoned M3 - Heavy Industrial District, consistent with its history and GLC's proposed light industrial use. Although the Terminal Complex is also located in an overlay district known as the "Buffalo Coastal Special Review District," the industrial buildings at the Terminal Complex have been in existence for many decades, and have been and continue to be used for commercial purposes to this day.

NFTA's waterfront properties, including the Terminal Complex, have been the subject of numerous conceptual development plans and proposals over the years, none of which has been formally approved or adopted. The NFTA is also aware that the City OSP is exploring potential redevelopment opportunities within a "Buffalo Harbor Brownfield Opportunity Area" ("Buffalo Harbor BOA") as part of a Step 2 Nomination Study. The Buffalo Harbor BOA encompasses, among other lands, NFTA's waterfront properties, including the Terminal Complex. The informal conceptual proposals related to the Buffalo Harbor BOA involve a mixture of land uses including, but not limited to, open space and recreational uses as well as continued industrial uses at the Terminal Complex.

It is significant to note that opportunities for waterfront access and public recreation are readily available in the general vicinity of the Terminal Complex. For example, as noted above, both the Small Boat Harbor and Gallagher Beach are located to the South of the Terminal Complex. In addition, NFTA's waterfront property to the north includes a bike path that is used for public recreational purposes.

For all of the foregoing reasons, NFTA finds that Proposed GLC Sale will not result in the creation of a material conflict with a community's current plans or goals as officially approved or adopted.

3. Historic / Archaeological Resources

NFTA has provided detailed information to OPRHP concerning the Proposed GLC Sale in the Form of Part 1 of the Full EAF as well as a completed Project Review Cover Sheet and related exhibits. By letter of December 18, 2013, OPRHP advised that the Proposed GLC Sale will have no adverse impact on historic resources. In addition, OPRHP advised that the Terminal Complex property is not located within an archaeologically sensitive area and is considered "made land."

The Terminal Complex property, at its northeastern edge, appears to be nominally adjacent to an area designated as sensitive for archaeological sites. However, that area includes the recently reconstructed Fuhrmann Boulevard and the Proposed GLC Sale does not involve land disturbance.

Based upon the foregoing, the NFTA finds that the Project will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources.

4. Traffic

The precise details of GLC's operations and related vehicular traffic are not known at this time. However, NFTA has considered the potential traffic impacts on Fuhrmann Boulevard from the Proposed GLC Sale based upon GLC's proposed light industrial activities and projected employee base.

GLC has advised that it intends to employ up to 300 people at this facility. As reflected in a November 4, 2013 letter from NFTA's engineering and traffic consultant, C&S Engineers (C&S), C & S estimated future site traffic generation based on GLC's projected employment figure and standard assumptions derived from the Institute of Transportation Engineers (ITE) Trip Generation Manual and the New York State Highway Design Manual. C & S determined that GLC's proposed use of the Terminal Complex is expected to result in the utilization of Fuhrmann Boulevard at less than 10% of its peak hour capacity, and is not anticipated to have any significant adverse impact on the traffic level of service on Fuhrmann Boulevard.

Based upon the foregoing, the NFTA finds that the Proposed GLC Sale will not result in significant adverse traffic impacts.

5. Surface Water / Air Quality

GLC estimates that its proposed operations will generate less than 6000 gallons of wastewater per day, most of which will consist of sanitary wastewater. GLC will be need to obtain authorization from the Buffalo Sewer Authority for the treatment of its sanitary and industrial wastewater and to comply with all applicable BSA requirements. In addition, GLC will be required to meet any and all applicable regulatory requirements governing stormwater discharges associated with industrial activity administered by NYSDEC including, among other things, specified Stormwater Pollution Prevention Plan (SWPPP) requirements.

Likewise, based upon air emission information provided by GLC as summarized in the Full EAF, GLC's proposed operations will fall below major source thresholds applicable to priority air pollutants. In this regard, by letter of October 28, 2013, DEC has advised that future GLC operations at the site may require an air state facility permit or air registration from NYSDEC. NFTA understands that GLC wishes to utilize the existing rail siding adjacent to the South side of the building commonly known as "Terminal A" for shipment of raw materials and manufactured product. Such possible future rail transportation may also help to reduce heavy

truck traffic associated with GLC's proposed operations and related vehicular emissions. Any such use may require approvals from the NYSDOT and CSX Railroad.

Significantly, NFTA's approval of the Proposed GLC Sale does not involve a specific proposal for wastewater or air emissions and will not commit the DEC or any other regulatory agency to the issuance of any permits or approvals that may be required in connection with any future specific GLC operations or regulatory permit applications. Such future regulatory approvals will be subject to any necessary SEQRA review, as applicable, by the appropriate regulatory agency. As such, NFTA finds that its separate review of the Proposed GLC Sale at this time will be no less protective of the environment.

Based upon the foregoing, the NFTA finds that its approval of the Proposed GLC Sale will not result in any significant adverse environmental impacts on surface water or air quality.

6. Consistency with New York State Coastal Zone Policies

Pursuant to NYSDOS coastal zone review requirements at 19 N.Y.C.R.R. Part 600 et. seq., NFTA has completed and submitted a Coastal Assessment Form (CAF) to the New York State Department of State. Based upon that completed CAF and NFTA's review of all other relevant information, NFTA finds that the proposed sale will not substantially hinder the achievement of the coastal policies set forth in 19 N.Y.C.R.R. § 600.5 and, whenever practicable, will advance one or more of such policies.

Development Policies (§ 600.5 (a))

The Buffalo Harbor, which has a long history of waterfront industry, is considered a major center for commerce and industry. As noted above, NFTA's Terminal Complex has been utilized for industrial and commercial purposes for many years. The Proposed GLC Sale will help to revitalize this property for light industrial activities and strengthen and enhance the economic base of Buffalo's port in a manner that is compatible with water-dependent and recreational uses in the vicinity. *See also* Greenway Plan, p. 99 ("Environmental protection and redevelopment are not mutually exclusive endeavors, but work together to help promote economic activity. Collectively, these strategies lead to stronger neighborhoods, a healthier environment, a vibrant economy and increased tourism."). Further, the Proposed GLC Sale will further the important goals of "smart growth" and sustainability by facilitating the continued use of an existing building complex that is located near adequate utilities, public services and infrastructure including, among other things, a rail siding along the southern portion of Terminal A.

For the reasons stated above, NFTA finds that the Proposed GLC Sale will not substantially hinder, and in fact will advance, the development policies established by DOS.

Fish and Wildlife Policies (§ 600.5 (b))

For the reasons stated above and in the Full EAF incorporated herein, the NFTA finds that the Proposed GLC Sale will not substantially hinder any coastal policy regarding significant coastal fish and wildlife habitats.

Agricultural Lands Policies (§ 600.5 (c))

The NFTA finds that the Proposed GLC Sale will not involve any agricultural lands in the state's coastal area nor substantially hinder any coastal policy with respect thereto.

Scenic Quality Policies. (§ 600.5 (d))

For the reasons stated above, NFTA finds that the Proposed GLC Sale will not have any adverse affect on any scenic resources of statewide significance nor substantially hinder any coastal policy with respect thereto.

Public Access Policies. (§ 600.5 (e))

As reflected in N.Y.S. Executive Law § 912(4), it is the intent of the state legislature to encourage and facilitate public access to properties in the coastal zone for recreational purposes. Given the industrial history of the Terminal Complex buildings and rail infrastructure that have long existed there near the water's edge, the property is not open to and has not been utilized by the public for recreational or other purposes. NFTA therefore finds that the Terminal Complex is not suitable for use as a public beach, boating facility, fishing area, waterfront park or similar public recreational use.

In addition, NFTA finds that the Terminal Complex is not "publicly-owned" within the meaning of § 600.5 (e)(2) and the NYSDOS explanations and guidelines in Policy No. 20 of the New York State Coastal Management Program document because the Terminal Complex is not owned by the state or local government.

For the reasons stated above, NFTA finds that the Proposed GLC Sale will not substantially hinder any coastal policy with respect to public access.

Recreation Policies (§ 600.5 (f))

For the reasons stated above, NFTA finds that the Proposed GLC Sale will not substantially hinder the recreational policies established by DOS.

Flooding and Erosion Hazards Policies (§ 600.5 (g))

NFTA finds that the Proposed GLC Sale involves the continued use of existing industrial structures on lands protected by a bulkhead and will not substantially hinder the DOS policies regarding flooding and erosion hazards.

Water Resources Policies. (§ 600.5 (h))

For the reasons stated above and in the Full EAF incorporated herein, the NFTA finds that the Proposed GLC Sale will not substantially hinder the DOS policies regarding water resources.

Based upon the foregoing, NFTA finds that the Proposed GLC Sale will not substantially hinder the achievement of any of the above coastal policies set forth in 19 N.Y.C.R.R. § 600.5. In fact, NFTA finds that the Proposed GLC Sale will result in a significant regional and statewide public benefit by facilitating the continued use of existing buildings and infrastructure in a manner that is compatible with adjacent waterfront uses, while enhancing the Buffalo Harbor, the local tax base and creating much needed additional employment opportunities in Western New York.

8. Reasonably-Related Cumulative impacts

As discussed above, NFTA is currently engaged in negotiations with ECHDC, ESD and State Parks in connection with the Proposed ECHDC Sale. As also noted above, the Proposed ECHDC Sale does not involve any disturbance to land and any future use in connection with the ECHDC Sale is undetermined at this time.

The proposed GLC Sale is not functionally dependent on the Proposed ECHDC Sale, nor does it commit NFTA to approve the Proposed ECHDC Sale. Any future development plans by State Parks or ECHDC are unknown at this point, and any future site or project-specific proposal by State Parks or ECHDC will be subject to applicable environmental review and other regulatory approval requirements. ECHDC intends to serve as SEQRA lead agency with respect to the Proposed ECHDC Sale and related State Parks agreement, and will be responsible for conducting and all necessary reviews and obtaining any and all necessary approvals in connection therewith. As such, NFTA's SEQRA review of the Proposed GLC Sale herein separately is no less protective of the environment.

Conclusion:

NFTA finds that the potential impacts that were identified in connection with the Proposed GLC Sale are not significant in magnitude or effect. The impacts that are likely to occur as a result of the Proposed GLC Sale appear, on the whole, to be beneficial and will not, either individually or collectively, have a significant impact on the environment.

Accordingly, the NFTA determines that the undertaking of this action will not constitute an action significantly adversely affecting the quality of the environment and that no further environmental review of the Proposed GLC Sale will be conducted.

In addition, pursuant to 19 N.Y.C.R.R. §600.4(b), the NFTA hereby certifies that, for the reasons set forth herein, the Proposed GLC Sale will not substantially hinder the achievement of the coastal policies set forth in 19 N.Y.C.R.R. § 600.5 and, whenever practicable, will advance one or more of such policies.

Timothy Carvana
Director of Health, Safety & Environmental Quality
Niagara Frontier Transportation Authority

For further information concerning this Negative Declaration, contact Timothy Carvana
Director of Health, Safety and Environmental Quality, Niagara Frontier Transportation
Authority, 181 Ellicott Street, Buffalo, NY 14203, 716- 855-7300

A copy of this notice was sent to:

Empire State Development
Mayor Byron Brown, City of Buffalo
City of Buffalo Office of Strategic Planning
Buffalo Sewer Authority
Erie County Department of Environment and Planning
Erie Canal Harbor Development Corporation
New York State Department of Environmental Conservation
New York State Department of State (via certified mail)
New York State Department of Transportation
New York State Office of Parks, Recreation, and Historic Preservation
U.S. Army Corp of Engineers

1090992

PROPERTY:

5. D. (2) **Authorization for Agreement, Oliver Wyman Actuarial Consulting, Inc., Workers Compensation Actuary Services, NFTA and Metro**

RECOMMENDATION: Staff recommends that the Board approve a seven-year Agreement with Oliver Wyman Actuarial Consulting, Inc. as the NFTA's Actuary for workers' compensation services effective April 1, 2014. The estimated annual cost is \$12,750 for the first year \$13,100 in the second year and \$13,450 in the third year. The Agreement may be renewed for four additional contract years for \$13,800 in year four, \$14,150 in year five, \$14,500 in year six and \$14,850 in the seventh year.

INFORMATION: The NFTA/Metro utilize the services of an actuary to ensure the liability reserves required for workers' compensation are properly stated as well as to project future year costs. This is beneficial financial information for the management of the authority as well as a necessary requirement under GASB (Governmental Accounting Standards Board) in order to properly state liabilities in the Authority's financial statements. The actuary has also been beneficial in providing guidance on the effects of changes in the NYS workers' compensation law on the NFTA/Metro.

A request for proposal was developed to outline the necessary services above. On October 28, 2013 the NFTA released a Request for Proposal for Workers' Compensation Actuarial services. An NFTA review team consisting of staff from the Risk Management, Accounting and Procurement Departments evaluated the proposals based on qualifications and experience, technical criteria, and compensation as reflected in the attachment. Five proposals were received from:

AMI Risk Consultants, Inc. – Miami, Florida
AON Risk Solutions – New York – New York
Actuarial Advantage – Media, PA
Bickmore – Sacramento, CA
Oliver Wyman – Melville, NY

Oliver Wyman Actuarial Consulting, Inc. was ranked highest by the team based upon the evaluation criteria. Oliver Wyman Actuarial Consulting, Inc. is highly qualified and capable of performing the required services and has performed similar services for the Authority over the past eight years in an exemplary manner. Additionally, Oliver Wyman Actuarial Consulting, Inc. has extensive knowledge of the continually evolving New York State Worker' Compensation Law.

FUNDING: Funding is included in the proposed FY 2014-2015 operating budget.

“RESOLVED, that the Board hereby authorizes an Agreement with Olivier Wyman Actuarial Consulting as Actuary for Workers’ Compensation services for a total estimated cost of \$96,600 and as described above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute an Agreement with Oliver Wyman Actuarial Consulting, for a total estimated cost of \$96,600 as described above; and

BE IT FURTHER RESOLVED, that said Agreement shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel; and

BE IT FURTHER RESOLVED, that said Agreement shall include four one-year renewals at the sole discretion of the Authority and upon terms and conditions as set forth above; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, be and he is hereby authorized to make payments under said Agreement upon certification by the Director, Risk Management, that such payments are in order.”

Workers' Comp Actuarial Services

RFP DOCUMENTS REQUIRED (Completed by Procurement)	AMI Risk Consultants Miami, FL	Bickmore Sacramento, CA	The Actuarial Advantage Media, PA	Oliver Wyman Melville, NY	AON NYC, NY	
Description of Services	X	X	X	X	X	
Non-collusive Cert	X	X	X	X	X	
Disclosure of Non-responsibility	X	X	X	X	X	
Cover Letter	X	X	X	X	X	
Qualifications	X	X	X	X	X	
Resumes	X	X	X	X	X	
References	X	X	X	X	X	
Cost Proposal	X	X	X	X	X	
SELECTION CRITERIA						
(Completed by Team)	(rate on a score of 1 -10, with 10 being the highest)					
Qualifications and Experience. 40%	5.00	6.00	2.00	9.00	8.00	
Technical Criteria - project approach, methods, compliance with requirements. 30%	5.00	6.00	4.00	9.00	7.00	
Cost. 30%	10.00	7.15	6.35	5.45	6.71	
RATING	6.50	6.35	3.91	7.94	7.31	
Cost Proposals						
Annual Report	yr 1 yr 2 yr 3 yr 4 yr 5 yr 6 yr 7	\$6,000 \$6,000 \$6,000 \$6,000 \$7,000 \$7,000 \$7,000	\$8,000 \$8,500 \$9,000 \$9,500 \$10,000 \$10,500 \$11,000	\$10,000 \$10,000 \$10,000 \$11,000 \$11,000 \$11,000 \$11,000	\$11,300 \$11,600 \$11,900 \$12,200 \$12,500 \$12,800 \$13,100	\$10,000 \$10,000 \$10,000 \$10,000 \$10,000 \$10,000 \$10,000
Monthly Update	yr 1 yr 2 yr 3 yr 4 yr 5 yr 6 yr 7	\$1,000 \$1,000 \$1,000 \$1,200 \$1,200 \$1,200 \$1,200	\$1,000 \$1,000 \$1,000 \$1,000 \$1,000 \$1,000 \$1,000	\$1,200 \$1,200 \$1,320 \$1,320 \$1,320 \$1,320 \$1,320	\$1,450 \$1,500 \$1,550 \$1,600 \$1,650 \$1,700 \$1,750	\$1,200 \$1,200 \$1,200 \$1,200 \$1,200 \$1,200 \$1,200
Page Comm.	yr 1 yr 2 yr 3 yr 4 yr 5 yr 6 yr 7	\$52,600	\$73,500	\$82,880	\$96,600	\$78,400
Cost of 2 yrs +1 monthly update per year		\$700	\$500	\$0	\$0	\$0
Cost if required						

- 6. HUMAN RESOURCE GROUP REPORT**
 - A. Human Resource Committee Report
 - B. Resolutions

Human Resource Resolutions

1. Authorization for Collective Bargaining Agreement, Teamsters Local 264
– Transportation Supervisors

HUMAN RESOURCE:

6. B. (1) **Authorization for Collective Bargaining Agreement, Teamsters Local 264 – Transportation Supervisors**

RECOMMENDATION: Staff recommends that the Board authorize a five (5) year collective bargaining agreement between the Niagara Frontier Transportation Authority and Teamsters Local 264 – Transportation Supervisors for the period April 1, 2012 through March 31, 2017.

INFORMATION: Teamsters Local 264 represents the six Transportation Supervisors who are responsible for front-line supervision of Metro’s bus and rail operations. Under the proposed agreement, members of this bargaining unit will receive an equity adjustment on January 1, 2014, a salary increase of two percent (2%) effective April 1, 2014, two percent (2%) effective April 1, 2015, and two percent (2%) effective April 1, 2016.

Effective January 1, 2014 employees will contribute 10% of the monthly premium cost for either single or family coverage in the new High Deductible Health Plan (HDHP) or a replacement plan selected by the Company. Management will increase the number of sick leave days that a retiree may use towards retiree medical benefit costs. The change will increase the maximum days from 60 days to 75 days. The new medical insurance waiver will now be \$1,400.00 for single and \$2,000.00 for family.

<u>Fiscal Year</u>	<u>Wage Increase</u>	<u>Total Wage Expense</u>	<u>Increase from Prior Year</u>
2012-2013	0%	\$330,227	\$0
2013-2014	Varies	\$374,623	\$44,396
2014-2015	2%	\$381,979	\$7,356
2015-2016	2%	\$389,983	\$8,004
2016-2017	2%	\$398,037	\$8,054

FUNDING: Funding for this Agreement shall be included in the Authority’s FYE 14 budget.

Whereupon, it was moved by Commissioner Sloma, seconded by Commissioner Durand, that the following Resolutions be adopted:

“**RESOLVED**, that the Board hereby approves a collective bargaining agreement between Niagara Frontier Transportation Authority and Teamsters Local 264 – Transportation Supervisors for the period commencing April 1, 2012 through March 31, 2017; and

BE IT FURTHER RESOLVED, that the Board authorizes the Executive Director, her designee and/or the Chairman to execute a collective bargaining agreement with Teamsters Local 264 – Transportation Supervisors covering the period commencing April 1, 2012 through March 31, 2017, upon terms and conditions set forth hereinabove and as negotiated; and

BE IT FURTHER RESOLVED, that said Agreement shall include such terms, conditions and such safeguards to the Authority as deemed appropriate by the General Counsel; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer be and he/she is hereby authorized to make payments upon terms of said Agreement, upon certification of the Director, Human Resources, that such payments are in order.”

AYES: ZEMSKY, SLOMA, DEMAKOS, DURAND, PERRY, WILCOX
NOES: NONE

ADOPTED

HUMAN RESOURCE 6. B. (1)

7. General Counsel Report - None
8. Executive Session - None
9. Adjournment

At approximately 12:55 p.m., the Chairman indicated that there was no further business coming before the Board, and it was unanimously consented that the Regular Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc. be adjourned.