



Niagara Frontier Transportation Authority  
Serving Buffalo Niagara

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February 25, 2016

Ms. Karen McCarthy  
Clerk  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

**Re: NFTA Board Minutes**

Dear Ms. McCarthy:

Enclosed for your information and files please find a copy of the Minutes from the Niagara Frontier Transportation Authority's Regular Board Meeting held on January 28, 2016.

Very truly yours,

A handwritten signature in black ink, appearing to read "David J. State", written over a horizontal line.

David J. State  
General Counsel

DJS:lf

Enclosure

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY  
 NIAGARA FRONTIER TRANSIT METRO SYSTEM, INC.  
 REGULAR BOARD MEETING  
 JANUARY 28, 2016 12:30 PM  
 MINUTES**

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<b>1. REGULAR BOARD MEETING - January 28, 2016 - AGENDA</b>	
A. APPROVAL OF MINUTES (December 21, 2015 Regular Meeting)	
B. EXECUTIVE DIRECTOR'S REPORT	2
<b>2. NFTA CORPORATE REPORT</b>	<b>4</b>
A. Audit and Governance Committee Report (Howard Zemsky via video conference)	
B. Consolidated Financial (John Cox)	
C. Corporate Resolutions (Kim Minkel)	
1) Authorization for Amendment, First Niagara Bank, N.A., Line of Credit, NFTA	15
2) Authorization for Sale of Real Property, Port Terminal Complex (901 Fuhrmann Blvd)	17
3) Authorization for Lease Agreement, Richard Reinhard d/b/a Mailmasters, 247 Cayuga	20
4) Authorization for Amendment and Restatement of Lease, Get Lucky, Inc., 247 Cayuga	21
5) Authorization for Lease Agreement, Orchard Park Road Storage, 485 Cayuga	22
6) Authorization for Affiliation Agreement, University of Buffalo, a STARTUP NY Sponsor, Relating to 485 Cayuga	23
7) Authorization for Sale of Real Property Located at 27 Michigan Street	24
<b>3. AVIATION BUSINESS GROUP REPORT</b>	<b>25</b>
A. Aviation Committee Report (Adam Perry)	
B. Financial Update (Bill Vanecek)	
C. Business Update (Bill Vanecek)	
D. Aviation Resolutions (Kim Minkel)	27
1) Authorization for Procurement, Airfield Paint Striping Vehicle, BNIA	28
2) Authorization for Buy-Out, Niagara Wheatfield Investment and Option Agreement for Buy-Out, Niagara County Industrial Development Agency, NFTA	30
<b>4. SURFACE TRANSPORTATION BUSINESS GROUP REPORT</b>	<b>33</b>
A. Surface Transportation Committee Report (Bonita Durand)	
B. Financial Update (Tom George)	
C. Business Update (Tom George)	
D. Surface Transportation Resolutions (Kim Minkel)	35
1) Authorization for Procurement, LRV Door Replacement, LRV Midlife Rebuild Project, LRRT	36
2) Authorization for Change Order No. 34, Hitachi Rail USA, Inc., LRV Midlife Rebuild Project, LRRT	38
3) Authorization for Lease Agreement, Transit Bus Tires, Metro	40
<b>5. GENERAL COUNSEL REPORT (Dave State)</b>	
<b>6. EXECUTIVE SESSION</b>	
<b>7. ADJOURNMENT</b>	<b>44</b>

1. **CALL TO ORDER**

A. **Meeting Called to Order**

The Vice Chairman called the meeting to order at approximately 12:35 p.m.

B. **Approval of Minutes of the NFTA Regular Board Meeting held on December 21, 2015**

It was moved by Commissioner Hughes, seconded by Commissioner Durand that the Minutes of the December 21, 2015 Regular Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., be accepted and approved.

**AYES: ZEMSKY, SLOMA, DEMAKOS, DURAND, ANSARI,  
GURNEY, HUGHES, PERRY, WILCOX**

**NOES: NONE**

C. Executive Director Report

Executive Director Kimberley Minkel congratulated Commissioner Durand on her Community Leader Award from the National Federation for Just Communities of WNY. She invited the Board to the 31<sup>st</sup> Annual Safety & Service Award Luncheon at the Protocol restaurant on April 10, 2016 and the Transit Authority Police Department's Annual Awards Banquet at Illio DiPaulo's restaurant on February 17, 2016. She informed the Board that a tour of the DL&W would be set up in March when the weather is warmer.

The Executive Director advised the Board that a revised budget and a 5 year operations plan would be presented at the March Board meeting. She also advised the Board that the OSC Audit was completed and staff is working on a response report which she will send to the Board. They determined the NFTA was in compliance with all requirements however in their assessment the NFTA's capital planning needs are unmet and could result in higher operational and maintenance costs. They made three recommendations which were as follows:

1. Consistently prioritize projects for the capital plan as we outline in the NFTA budget guidance document.
2. Maintain documentation for a reasonable period to support the decisions of those projects included in our capital plan.
3. Complete the Transit Asset Management Plan that is currently in progress.

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

DECEMBER 2015 NFTA/METRO PERFORMANCE  
(\$000's)

	BUDGET	ACTUAL	VARIANCE
<b>NET SURPLUS/(DEFICIT)</b>	<b>(433)</b>	<b>204</b>	<b>637</b>
Revenues and Operating Assistance			(575)
Expenses			835
Non-Operating/Capital			377
			637
<b>OPER REVENUES &amp; ASST</b>	<b>18,244</b>	<b>17,668</b>	<b>(575)</b>
Metro Passenger Fares - lower university pass revenue			(155)
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses			(224)
BNIA Rental Income - decreased compensatory airline billings due to lower expenses, partially offset by higher overnight gate parking fees			(64)
BNIA Concessions/Commissions - decreased parking lot/ramp and auto rental revenue			(214)
Erie County Sales Tax			(114)
Mortgage Tax			244
Federal - PM - reprogramming of federal funds			(49)
All Other			1
			(575)
<b>TOTAL OPER EXPENSES</b>	<b>16,507</b>	<b>15,672</b>	<b>(835)</b>
Personnel Services			
Metro - higher than anticipated vacancies, partially offset by higher health insurance costs			(67)
BNIA - decreased overtime			(116)
NFIA - decreased overtime			(51)
Central Admin - higher engineering and Metro support overtime, MIS and engineering consultant fees, partially offset by vacancies in Executive, Public Affairs and Metro support branches and lower police overtime			41
All Other			(9)
			(202)
Maintenance & Repairs			
Metro - higher revenue vehicle maintenance costs, facility and environmental expenses			118
Transportation Centers - increased facility maintenance costs at MTC			54
BNIA - lower snowplowing and automotive expenses			(454)
Property Development - increased service costs at our 485 Cayuga Property			25
All Other			14
			(244)
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(122)
Utilities			
Metro - lower electric and gas billings			(61)
BNIA - lower electric and gas billings			(88)
NFIA - lower electric, gas and telephone billings			(13)
Property Development - lower electric and gas billings at 247 and 485 Cayuga locations			(13)
All Other			(14)
			(190)
Insurance & Injuries			
Metro - lower claim loss reserve appropriations and insurance premiums			(76)
All Other			(1)
			(835)
<b>NON-OPERATING/CAPITAL</b>	<b>(2,169)</b>	<b>(1,792)</b>	<b>377</b>
Capital			
Metro			201
BNIA			246
All Other			(4)
			443
Non-Operating			
Metro MRF Reserve Funding/Other			(190)
BNIA Operating Expense Reserve			115
All Other			9
			(66)
			377

**NFTA/METRO**  
**KEY ITEM REPORT**  
**DECEMBER 2015**

(\$000 Omitted)

<b><u>MONTH ACTUAL TO BUDGET</u></b>	<b>Dec 2015</b>	<b>Dec 2015</b>	<b><u>Variance</u></b>	<b><u>%</u></b>
	<b><u>Budget</u></b>	<b><u>Actual</u></b>		
Operating Revenues	8,857	8,212	(645)	-7.3%
Operating Assistance	9,387	9,456	69	0.7%
<b>Total Oper. Revenues &amp; Assistance</b>	<b>18,244</b>	<b>17,668</b>	<b>(575)</b>	<b>-3.2%</b>
Personnel Services	12,402	12,200	(202)	-1.6%
Maintenance & Repairs	1,811	1,567	(244)	-13.5%
Transit Fuel/Power	487	365	(122)	-25.1%
Utilities	545	355	(190)	-34.9%
Insurance & Injuries	363	287	(76)	-20.9%
Safety & Security	1,091	1,077	(13)	-1.2%
General Business/Other	2,068	2,089	21	1.0%
Other	(2,261)	(2,270)	(9)	-0.4%
<b>Total Operating Expenses</b>	<b>16,507</b>	<b>15,672</b>	<b>(835)</b>	<b>-5.1%</b>
<b>Operating Income/(Loss)</b>	<b>1,736</b>	<b>1,996</b>	<b>260</b>	<b>15.0%</b>
<b>Non-Operating/Capital</b>	<b>(2,169)</b>	<b>(1,792)</b>	<b>377</b>	<b>17.4%</b>
<b>Net Surplus/(Deficit)</b>	<b>(433)</b>	<b>204</b>	<b>637</b>	<b>147.2%</b>

NFTA/METRO YEAR TO DATE DECEMBER 2015 PERFORMANCE  
(\$000's)

	BUDGET	ACTUAL	VARIANCE
<b>NET SURPLUS/(DEFICIT)</b>	<b>10,212</b>	<b>13,835</b>	<b>3,623</b>
Revenues and Operating Assistance			(779)
Expenses			3,177
Non-Operating/Capital			1,224
			<u>3,623</u>
<b>OPER REVENUES &amp; ASST</b>	<b>162,587</b>	<b>161,808</b>	<b>(779)</b>
Metro Passenger Fares - lower university pass revenue			(186)
Metro Other Operating Revenues - advertising income above minimum annual guarantee			126
Transportation Centers Rental Income - holdover rents from our MTC tenants			180
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses and capital expenditures			(324)
BNIA Rental Income - higher overnight gate parking fees			172
BNIA Concessions/Commissions - decreased parking lot/ramp and auto rental revenue, partially offset by higher retail stores and other miscellaneous concession revenues			(809)
BNIA Resales & Rebillings - adjustment to electric usage billings due to prior period overbillings to terminal tenants			(406)
Property Development Rental Income - increased rents from our 247 Cayuga, 485 Cayuga and Terminal A properties			315
Erie County Sales Tax			(606)
Mortgage Tax			1,084
Federal - PM - reprogramming of federal funds			(250)
All Other			(75)
			<u>(779)</u>
<b>TOTAL OPERATING EXPENSES</b>	<b>138,880</b>	<b>135,703</b>	<b>(3,177)</b>
Personnel Services			
Metro - higher than anticipated vacancies and lower instruction labor, partially offset by higher overtime and health insurance costs			(1,088)
BNIA - higher than anticipated vacancies and decreased overtime			(201)
NFIA - decreased overtime			(37)
Central Admin - vacancies in Executive, General Counsel, Public Affairs and Metro support branches and lower police overtime			(350)
All Other			(27)
			<u>(1,704)</u>
Maintenance & Repairs			
Metro - higher revenue vehicle maintenance costs, partially offset by lower environmental expenses		513	
Transportation Centers - increased facility maintenance costs and materials/supplies expense at MTC, partially offset by lower service costs		194	
BNIA - decreased major facility repairs, snowplowing, automotive and environmental expenses		(842)	
Property Development - increased service costs at our 485 Cayuga Property		87	
Central Admin - timing of MIS software and maintenance agreements		136	
All Other - increased facility maintenance and service costs at NFIA		57	145
			<u>145</u>
Metro Transil Fuel/Power - lower diesel, gasoline and rail traction costs			(416)
Utilities			
Metro - lower electric and gas billings			(141)
Transportation Centers - lower electric and gas billings at MTC			(76)
BNIA - lower electric, gas and telephone billings			(311)
Property Development - lower electric billings at 247 and 485 Cayuga locations			(47)
All Other - lower electric and gas billings at NFIA			(38)
			<u>(613)</u>
Insurance & Injuries			
Metro - lower claim loss reserve appropriations and insurance premiums			(589)
BNIA - decreased insurance premiums and claim losses			(29)
All Other			6
			<u>6</u>
All Other			24
			<u>(3,177)</u>
<b>NON-OPERATING/CAPITAL</b>	<b>(13,495)</b>	<b>(12,271)</b>	<b>1,224</b>
Capital			
Metro		885	
BNIA		242	
Property Development		(154)	
Central Admin		386	
All Other		(18)	1,341
			<u>1,341</u>
Non-Operating			
Metro MRF Reserve Funding/Other			(570)
BNIA Net Bond Debt Service			(53)
BNIA Operating Expense Reserve			275
BNIA - Debt Service Entitlement Applied			229
All Other			2
			<u>(117)</u>
			<u>1,224</u>

**NFTA/METRO**  
**KEY ITEM REPORT**  
**DECEMBER YTD 2015**

(\$000 Omitted)

	<b>Dec 2015</b>	<b>Dec 2015</b>		
<b><u>YTD ACTUAL TO BUDGET</u></b>	<b><u>YTD Budget</u></b>	<b><u>YTD Actual</u></b>	<b><u>Variance</u></b>	<b><u>%</u></b>
Operating Revenues	78,870	77,976	(894)	-1.1%
Operating Assistance	83,717	83,832	115	0.1%
<b>Total Oper. Revenues &amp; Assistance</b>	<b>162,587</b>	<b>161,808</b>	<b>(779)</b>	<b>-0.5%</b>
Personnel Services	105,729	104,025	(1,704)	-1.6%
Maintenance & Repairs	13,857	14,002	145	1.0%
Transit Fuel/Power	4,947	4,530	(416)	-8.4%
Utilities	3,721	3,108	(613)	-16.5%
Insurance & Injuries	3,271	2,658	(613)	-18.7%
Safety & Security	9,166	9,212	46	0.5%
General Business/Other	17,705	17,425	(280)	-1.6%
Other	(19,515)	(19,257)	259	1.3%
<b>Total Operating Expenses</b>	<b>138,880</b>	<b>135,703</b>	<b>(3,177)</b>	<b>-2.3%</b>
<b>Operating Income/(Loss)</b>	<b>23,707</b>	<b>26,105</b>	<b>2,398</b>	<b>10.1%</b>
<b>Non-Operating/Capital</b>	<b>(13,495)</b>	<b>(12,271)</b>	<b>1,224</b>	<b>9.1%</b>
<b>Net Surplus/(Deficit)</b>	<b>10,212</b>	<b>13,835</b>	<b>3,623</b>	<b>35.5%</b>

**NFTA/METRO**  
**BUSINESS CENTERS**  
**NET SURPLUS/(DEFICIT)**  
**DECEMBER YTD 2015**

(\$000 Omitted)

	<b>Dec 2015</b>	<b>Dec 2015</b>		
	<b><u>YTD Budget</u></b>	<b><u>YTD Actual</u></b>	<b><u>Variance</u></b>	<b><u>%</u></b>
NFTA				
BNIA	6,878	8,014	1,135	16.5%
NFIA	(740)	(807)	(67)	-9.1%
Transportation Centers	(984)	(1,024)	(40)	-4.1%
Property Development	(70)	168	238	341.4%
<b>NFTA Total</b>	<b>5,085</b>	<b>6,351</b>	<b>1,266</b>	<b>24.9%</b>
<b>Metro</b>	<b>5,127</b>	<b>7,484</b>	<b>2,357</b>	<b>46.0%</b>
<b>NFTA/Metro</b>	<b>10,212</b>	<b>13,835</b>	<b>3,623</b>	<b>35.5%</b>

DECEMBER NFTA/METRO PERFORMANCE  
FYE 2016 vs. FYE 2015  
(\$000's)

	Dec 2014 Actual	Dec 2015 Actual	VARIANCE
<b>NET SURPLUS/(DEFICIT)</b>	(1,045)	204	1,249
Revenues and Operating Assistance			117
Expenses			(184)
Non-Operating/Capital			1,316
			1,249
<b>OPER REVENUES &amp; ASST</b>	17,551	17,668	117
Metro Passenger Fares			(159)
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses and bond debt service costs, a capped reimbursement of NFIA's net deficit, and decreased terminal ramp fees			(59)
BNIA Concessions/Commissions - decreased parking lot/ramp revenue, partially offset by higher auto rental revenue			(55)
Mortgage Tax			192
Local - 88c Funds			(228)
State - MTOAF			(176)
State - Additional General Fund			391
State - Capital Spending			324
Federal - PM - reprogramming of federal funds			(49)
Federal - JARC			(43)
All Other			(20)
			117
<b>TOTAL OPERATING EXPENSES</b>	15,489	15,672	184
Personnel Services			
Metro - higher overtime and health insurance costs		313	
NFIA - lower overtime		(25)	
Central Admin - higher health insurance costs, engineering overtime and MIS and engineering consultant fees		202	
All Other		(4)	486
Maintenance & Repairs			
Metro - higher facility expenses		40	
Transportation Centers - increased facility maintenance costs		37	
BNIA - decreased facility maintenance costs, snowplowing and automotive expenses		(294)	
NFIA - increased facility maintenance expenses		16	
All Other		14	(187)
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(212)
Utilities			
Metro - lower gas billings		(92)	
BNIA - lower electric and gas billings		(73)	
Property Development - lower gas billings at 247 Cayuga and 485 Cayuga		(17)	
All Other		(16)	(197)
General Business/Other			
Metro - higher support labor expenses and Normal Communications bad debt in FYE16		159	
BNIA - higher parking management costs and advertising expenses		93	
All Other		9	261
All Other			33
			184
<b>NON-OPERATING/CAPITAL</b>	(3,108)	(1,792)	1,316
Capital			
Metro		(409)	
Transportation Centers		(33)	
BNIA		(148)	
Property Development		292	
Central Admin		(33)	
All Other		(9)	(340)
Non-Operating			
Metro MRF Reserve Funding/Other		1,741	
BNIA Net Bond Debt Service		(142)	
BNIA - Capital Funding Reallocation		105	
NFIA Debt Service		165	
NFIA Seneca Proceeds		(217)	
All Other		2	1,656

**NFTA/METRO**  
**KEY ITEM REPORT**  
**FYE 2016 vs. FYE 2015**  
**DECEMBER**

(\$000 Omitted)

<b><u>MONTH PRIOR YEAR COMPARISON</u></b>	<b>Dec 2014</b>	<b>Dec 2015</b>	<b><u>Variance</u></b>	<b><u>%</u></b>
	<b><u>Actual</u></b>	<b><u>Actual</u></b>		
Operating Revenues	8,516	8,212	(303)	-3.6%
Operating Assistance	9,035	9,456	420	4.7%
<b>Total Oper. Revenues &amp; Assistance</b>	<b>17,551</b>	<b>17,668</b>	<b>117</b>	<b>0.7%</b>
Personnel Services	11,715	12,200	486	4.1%
Maintenance & Repairs	1,755	1,567	(187)	-10.7%
Transit Fuel/Power	576	365	(212)	-36.7%
Utilities	552	355	(197)	-35.6%
Insurance & Injuries	185	287	102	55.0%
Safety & Security	959	1,077	118	12.3%
General Business/Other	1,828	2,089	261	14.3%
Other	(2,082)	(2,270)	(187)	-9.0%
<b>Total Operating Expenses</b>	<b>15,489</b>	<b>15,672</b>	<b>184</b>	<b>1.2%</b>
<b>Operating Income/(Loss)</b>	<b>2,063</b>	<b>1,996</b>	<b>(67)</b>	<b>-3.2%</b>
<b>Non-Operating/Capital</b>	<b>(3,108)</b>	<b>(1,792)</b>	<b>1,316</b>	<b>42.3%</b>
<b>Net Surplus/(Deficit)</b>	<b>(1,045)</b>	<b>204</b>	<b>1,249</b>	<b>119.5%</b>

NFTA/METRO YEAR TO DATE DECEMBER PERFORMANCE  
 FYE 2016 vs. FYE 2015  
 (\$000's)

	Dec 2014 YTD Actual	Dec 2015 YTD Actual	VARIANCE
<b>NET SURPLUS/(DEFICIT)</b>	8,088	13,835	5,747
Revenues and Operating Assistance			2,532
Expenses			740
Non-Operating/Capital			2,476
			<u>5,747</u>
<b>OPER REVENUES &amp; ASST</b>	159,276	161,808	2,532
Metro Passenger Fares			299
Transportation Centers Rental Income - holdover rents from our MTC tenants			233
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses, bond debt service costs and capital expenditures, a capped reimbursement of NFIA's net deficit, and decreased terminal ramp fees			(672)
BNIA Rental Income - increased compensatory airline billings due to lower PFC credit, higher overnight gate parking fees and rebillings adjustment in FYE16			873
BNIA Concessions/Commissions - decreased parking lot/ramp revenue, partially offset by higher retail stores and other miscellaneous concession revenues			(342)
BNIA Resales & Rebillings - FYE16 adjustment to electric usage billings due to prior period overbillings to terminal tenants			(375)
Boat Harbor Fees - NFTA no longer operates this property			(1,255)
Boat Harbor Retail Sales - gasoline sales discontinued as NFTA no longer operates this property			(404)
Erie County Sales Tax			262
Mortgage Tax			1,328
Local - 88c Funds			(2,056)
State - MTOAF			(1,581)
State - Additional General Fund			3,523
State - Capital Spending			2,912
Federal - PM - reprogramming of federal funds			(250)
All Other			36
			<u>2,532</u>
<b>TOTAL OPERATING EXPENSES</b>	136,442	135,703	(740)
Personnel Services			
Metro - higher overtime and health insurance costs			752
NFIA - lower overtime			(42)
Property Development - Boat Harbor no longer operated by NFTA			(345)
Central Admin - higher health insurance costs, Metro support overtime, MIS and engineering consultant fees and human resources temporary help			352
All Other			(37)
			<u>680</u>
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(1,318)
Utilities			
Metro - decreased electric and gas billings			(184)
Transportation Centers - lower electric billings at MTC			(38)
BNIA - decreased electric and gas billings			(254)
NFIA - decreased electric and gas billings			(25)
Property Development - no further utility billings at Boat Harbor, and lower gas billings at 247 Cayuga and 485 Cayuga			(78)
All Other			(4)
			<u>(583)</u>
General Business/Other			
Metro - higher support labor, rent, advertising and general office expenses and Normal Communications bad debt expense in FYE16			546
Transportation Centers - increased temporary help and reserves for potential holdover rent payments in FYE16			175
BNIA - higher parking management and professional service costs, advertising and general office expenses			126
NFIA - higher parking management, professional service and advertising costs			126
Property Development - no Boat Harbor temporary help costs or purchases of gasoline for sale as the property is not operated by NFTA			(780)
Central Admin - timing of MIS software and maintenance agreements			152
			<u>346</u>
All Other			135
			<u>(740)</u>
<b>NON-OPERATING/CAPITAL</b>	(14,747)	(12,271)	2,476
Capital			
Metro			(249)
Transportation Centers			(62)
NFIA			(99)
Property Development			216
Central Admin			205
All Other			14
			<u>25</u>
Non-Operating			
Metro MRF Reserve Funding/Other			844
BNIA Net Bond Debt Service			(763)
BNIA - Debt Service Entitlement Applied			(102)
BNIA - Capital Funding Reallocation			947
BNIA - ADF Funding			(73)
NFIA Debt Service			1,441
NFIA Seneca Proceeds			150
All Other			5
			<u>2,451</u>

**NFTA/METRO**  
**KEY ITEM REPORT**  
**FYE 2016 vs. FYE 2015**  
**DECEMBER YTD**

(\$000 Omitted)

	Dec 2014	Dec 2015	<u>Variance</u>	<u>%</u>
	<u>Prior</u>	<u>Current</u>		
<u>YTD PRIOR YEAR COMPARISON</u>	<u>YTD Actual</u>	<u>YTD Actual</u>		
Operating Revenues	79,347	77,976	(1,371)	-1.7%
Operating Assistance	79,929	83,832	3,903	4.9%
<b>Total Oper. Revenues &amp; Assistance</b>	<b>159,276</b>	<b>161,808</b>	<b>2,532</b>	<b>1.6%</b>
Personnel Services	103,345	104,025	680	0.7%
Maintenance & Repairs	13,690	14,002	312	2.3%
Transit Fuel/Power	5,848	4,530	(1,318)	-22.5%
Utilities	3,691	3,108	(583)	-15.8%
Insurance & Injuries	2,616	2,658	42	1.6%
Safety & Security	8,904	9,212	308	3.5%
General Business/Other	17,079	17,425	346	2.0%
Other	(18,730)	(19,257)	(526)	-2.8%
<b>Total Operating Expenses</b>	<b>136,442</b>	<b>135,703</b>	<b>(740)</b>	<b>-0.5%</b>
<b>Operating Income/(Loss)</b>	<b>22,834</b>	<b>26,105</b>	<b>3,271</b>	<b>14.3%</b>
<b>Non-Operating/Capital</b>	<b>(14,747)</b>	<b>(12,271)</b>	<b>2,476</b>	<b>16.8%</b>
<b>Net Surplus/(Deficit)</b>	<b>8,088</b>	<b>13,835</b>	<b>5,747</b>	<b>71.1%</b>

**Corporate Resolutions**

- i. Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. C. (1) through 2. C. (7)
1. Authorization for Amendment, First Niagara Bank, N.A., Line of Credit, NFTA
2. Authorization for Sale of Real Property, Port Terminal Complex (901 Fuhrmann Boulevard, Buffalo, New York) to Erie Canal Harbor Development Corporation
3. Authorization for Lease Agreement, Richard Reinhard d/b/a Mailmasters, 247 Cayuga Road
4. Authorization for Amendment and Restatement of Lease, Get Lucky, Inc., 247 Cayuga Road
5. Authorization for Lease Agreement, Orchard Park Road Storage, 485 Cayuga Road
6. Authorization for Affiliation Agreement, University of Buffalo, a STARTUP NY Sponsor, Relating to 485 Cayuga Road
7. Authorization for Sale of Real Property Located at 27 Michigan Street to 133 South Division LLC

**CORPORATE:**

2. C. (i) **Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. C. (1) through 2. C. (7)**

The Executive Director advised that Items 2. C. (1) through 2. C. (7) 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 Hughes, seconded by Commissioner Demakos, that the following Resolution be adopted:

“**RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 2. C. (1) through 2. C. (7) and dated January 28, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

**AYES: ZEMSKY\*, SLOMA, DEMAKOS, DURAND\*, ANSARI, GURNEY, HUGHES, PERRY\*, WILCOX**

**ABSTENTION: ZEMSKY\* [Item 2. C. (1) and Item 2. C. (2) Only]  
DURAND\* [Item 2. C. (6) Only]  
PERRY\* [Item 2. C. (1) and Item 2. C. (6) Only]**

**NOES: NONE**

**ADOPTED**

CORPORATE:

2. C. (1) Approval of Amendment, First Niagara Bank, N.A., Line of Credit, NFTA

**RECOMMENDATION:** Staff recommends that the Board authorize an Amendment to the revolving short-term financing agreement (as amended, the “Amended Credit Agreement”) with First Niagara Bank, N.A (“First Niagara”). The financing was originally secured to bridge a timing gap between when funding was needed and when New York State released State Operating Assistance and State Transit Funding to NFTA/Metro. The line of credit is for a three-year period for NFTA/Metro in an amount not to exceed \$11,250,000 and was previously approved September 26, 2013. The Amendment would allow the line of credit to be used in connection with delayed federal transit capital funding programmed to support NFTA/Metro preventive maintenance expenses.

**INFORMATION:** The Federal Transit Administration (FTA) is currently in the process of transitioning its grants award system from Transportation Electronic Awards Management (TEAM), to Transit Awards Management System (TrAMS). The new FTA grant management system was anticipated to go live during the month of December 2015. This has now been delayed until at least mid-February 2016. As a result, NFTA/Metro is unable to draw approximately \$19,900,000 million in 2015 federal fiscal year transit capital funding programmed to support preventive maintenance expenses already incurred, which has caused a short-term cash flow issue for NFTA/Metro. In order to address this short-term cash flow issue, the First Niagara Line of Credit must be accessed until the aforementioned federal funds become available, which is anticipated to be in April 2016. First Niagara Bank has agreed to modify the current Line of Credit agreement without a change in the interest rate, and no additional attorney’s fees or undrawn fees.

**FUNDING:** Funding is included in the operating budgets of NFTA/Metro.

**“RESOLVED,** that the Board hereby authorizes an Amendment to the previously approved Credit Agreement with First Niagara Bank, N.A. regarding the NFTA’s Line of Credit 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 and deliver said Amendment and all other agreements and documents required to be executed and delivered in connection therewith in order to give effect to said Amendment; and

**BE IT FURTHER RESOLVED,** that the General Counsel, be and is hereby authorized to execute and deliver an updated General Counsel Representation Letter (i.e., due authorization and delivery, legal, valid, binding, enforceable, etc.) contemporaneously with the delivery of said Amendment; and

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer, be and is hereby authorized to execute and deliver an updated letter request to the New York State Comptroller requesting approval, to the extent required, pursuant to Section 1299-i of the Public Authorities Law with respect to said Amendment and outlining therein the general terms of the amended line of credit; and

**BE IT FURTHER RESOLVED**, that said Amendment and other agreements delivered in connection therewith 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 any required payments under said Amended Credit Agreement upon certification by the Chief Financial Officer, that such payments are in order based upon receipt of all required supporting documentation.”

**CORPORATE:**

2. C. (2) **Authorization for Sale of Real Property and Related Actions, Port Terminal Complex (901 Fuhrmann Boulevard, Buffalo, New York) to Erie Canal Harbor Development Corporation**

**RECOMMENDATION:** Staff recommends that the Board:

1. authorize the transfer of approximately 50 acres of real property located at 901 Fuhrmann Boulevard, Buffalo, New York, commonly known as the Port Terminal Complex (the "Property") to Erie Canal Harbor Development Corporation (ECHDC);
2. authorize the execution of a Right of Entry Agreement in favor of ECHDC and its designated consultants and engineers; and

**INFORMATION:** The NFTA has previously stated its intent to responsibly transfer ownership of its waterfront properties to best serve the interests of the public and further facilitate waterfront development, to allow the NFTA to more fully concentrate on its core mission of public transportation. As a result, on May 12, 2014, the NFTA transferred title of the Boat Harbor, Gallagher Beach and the Outer Harbor to ECHDC. Additionally, on December 18, 2014, the NFTA ended a Request for Proposal process which sought private developers for the Property after determining that it was in the best interest of the public for ECHDC to obtain title and control the development of the Property, in addition to the waterfront lands previously transferred from the NFTA to ECHDC. Since that time, NFTA staff has been in negotiations with ECHDC staff to reach mutually acceptable terms and conditions of a proposed transfer of the Property including, without limitation, a proposed purchase price of \$3,500,000, which amount was determined with reference to recent real estate appraisals obtained, and prior offers received, by the NFTA. Those negotiations intensified following ECHDC's September 14, 2015 release of its Blueprint for the Future of Buffalo's Outer Harbor. ECHDC and ESD have agreed to the following material terms and conditions to be included in a Property Disposition Agreement to be signed by the NFTA, ECHDC and the New York State Urban Development Corporation, d/b/a Empire State Development (ESD):

- The purchase price for the Property will be \$3,500,000.
- The purchase price of \$3,500,000 will be paid to the NFTA in cash installments as follows:
  - FIRST, from and after transfer of title to ECHDC, the NFTA shall be entitled to receive, on a monthly basis commencing the calendar month immediately following such transfer, 50% of all gross rents and other revenues, if any, received by the ECHDC pursuant to any and all lease(s) and use agreements relating to the Property or any portion thereof. All amounts received by the NFTA shall be applied against the then-remaining \$3,500,000 purchase price due and owing to the NFTA at the time of receipt thereof; and

- SECOND, contemporaneously with the closing of any disposition (a “ECHDC Disposition”) of the Property, or any portion thereof, the NFTA shall receive a lump sum payment in an amount equal to the consideration received by the ECHDC in connection with a ECHDC Disposition less the aggregate amount of all reasonable and documented capital costs incurred by it in connection with the Property or its disposition (the “Net Sale Proceeds”), capped at the then-remaining purchase price; provided, that if the Net Sale Proceeds are less than the then-remaining purchase price due and owing to the NFTA, the remaining balance, after giving effect to the application of the lump sum payment, shall be paid to the NFTA as set forth immediately below; and
  - THIRD, in the event that the NFTA has not received payment, in full, of the purchase price by December 1, 2019, ECHDC and ESD, as applicable, shall be obligated to pay the then-remaining balance, without the imposition of interest, in equal annual installments over a period of not more than fifteen (15) years, with the first annual installment to be made on or about January 1, 2020; provided, however, that no annual installment shall be for an amount less than \$225,000.
- ECHDC shall provide the NFTA with written notice of the material terms of any offer or proposal received by it with respect to the Property, but the NFTA shall not have any approval or other rights with respect thereto.
  - ECHDC shall ensure that any disposition of the Property (lease, sale, etc.), and/or development/use of the Property, complies with the NY Public Authorities Law.
  - ECHDC and ESD will release and indemnify the NFTA from all environmental claims (other than those attributable to a release of hazardous substances caused by the NFTA’s active and knowing unlawful disposal of hazardous substances upon the Property during the period of the NFTA’s ownership of the Property); such release and indemnification to be on the same terms and conditions as were included in the Disposition Agreement relating to the prior transfer by the NFTA to ECHDC of the Boat Harbor, Gallagher Beach, and the Outer Harbor property.
  - The Property would be conveyed to ECHDC in “as is” condition without any representations or warranties except as to (i) title and (ii) power and authority to transfer.
  - All costs and expenses of the proposed transaction will be borne by ECHDC including, without limitation, all title searches, surveys, taxes, and filing fees.
  - ECHDC would act as "Lead Agency" for purposes of compliance under the New York State Environmental Quality Review Act (SEQRA) and agrees that it shall be fully responsible for all costs required to comply with SEQRA.

Prior to transfer of title to the Property, ECHDC has requested access to the Property for itself and its consultants/engineers for the purpose of inspecting the Property to determine future development opportunities. The NFTA granted a similar request by ECHDC prior to the transfer of the Outer Harbor, Boat Harbor and Gallagher Bear. ECHDC and its consultants/engineers will provide insurance coverage to the NFTA at levels set by the Risk Management Department and abide by other necessary terms and conditions in order to protect the NFTA.

**FUNDING:** No funding by the NFTA is required.

**“RESOLVED**, that the Board hereby authorizes, subject to compliance with all applicable regulatory and other approval requirements including, but not limited to, SEQRA, the sale of approximately 50 acres of real property located at 901 Fuhrmann Boulevard, Buffalo, New York, commonly referred to as the Port Terminal Complex, to Erie Canal Harbor Development Corporation as set forth above and as further negotiated; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee, and/or the Chairman are hereby authorized to execute and deliver any and all documents necessary to effectuate the transfer of the Property as set forth above;

**BE IT FURTHER RESOLVED**, that the Board hereby approves a Right of Entry Agreement with the Erie Canal Harbor Development Corporation as set forth above; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee, and/or the Chairman are hereby authorized to execute and deliver a Right of Entry Agreement with Erie Canal Harbor Development Corporation on the terms and subject to the conditions set forth above and as negotiated; and

**BE IT FURTHER RESOLVED**, that said documents and Right of Entry Agreement shall include such other terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel.”

**CORPORATE:**

2. C. (3) **Authorization for Lease Agreement, Richard Reinhart d/b/a Mailmasters, 247 Cayuga Road**

**RECOMMENDATION:** Staff recommends that the Board authorize a lease agreement with Richard Reinhart d/b/a Mailmasters for use of space at 247 Cayuga Road, Cheektowaga.

**INFORMATION:** Mr. Reinhart has been leasing 663 square feet to accommodate his direct mail business at 247 Cayuga Road since 2010. The current lease expires on January 31, 2016. The new agreement will continue his occupancy for one year commencing February 1, 2016 and ending on January 31, 2017. The rental rate will increase by 3% to \$7.77 per square foot fully gross or \$5,151.51 for the year. This space is classified as C+ space.

**FUNDING:** No funding is necessary.

**“RESOLVED,** that the Board hereby authorizes a Lease Agreement with Richard Reinhart d/b/a Mailmasters, for use of space at 247 Cayuga Road as described hereinabove; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute a Lease Agreement with Richard Reinhart d/b/a Mailmasters, with terms and conditions as set forth above and as negotiated; and

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

CORPORATE:

2. C. (4) Authorization for Amendment and Restatement of Lease, Get Lucky, Inc., 247 Cayuga Road

**RECOMMENDATION:** Staff recommends that the Board authorize the Amendment and Restatement of the Get Lucky, Inc. (Joseph Mintz, Principle) lease relating to space at 247 Cayuga Road, Cheektowaga.

**INFORMATION:** Get Lucky entered into a lease in May 2015 to lease space at 247 Cayuga Road. Its lease was for an initial term of May 1, 2015 through November 30, 2015 with the option to renew for two additional seven-month periods (May through November) in 2016 and 2017. Get Lucky has requested that this lease be amended to revise the lease periods to six month periods from May through October.

The rent will continue to increase by 3% each year from an initial rate of \$11 per square foot in 2015 (\$2,765.58 for seven months) to \$11.33 in 2016 (\$2,441.64 for six months) and \$11.67 in 2017 (\$2,514.90 for six months) for this Class C space. All other terms and conditions will remain the same.

**FUNDING:** No funding is necessary.

**“RESOLVED,** that the Board hereby authorizes the Amendment and Restatement of the Lease with Get Lucky, Inc. as described hereinabove; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute a Lease Amendment with Get Lucky, Inc., with terms and conditions as set forth above and as negotiated; and

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

CORPORATE:

2. C. (5) Authorization for Agreement, Orchard Park Road Storage, LLC, 485 Cayuga Road

**RECOMMENDATION:** Staff recommends that the Board authorize a Lease Agreement with Orchard Park Road Storage LLC (Bart Adams and Paul Steven, owners) for warehouse space at 485 Cayuga Road.

**INFORMATION:** Orchard Park Road Storage (OPRS) intends to purchase Pack N Go Self-Storage, Inc. Pack N Go has been leasing warehouse space at 485 Cayuga Road since 2010. Its lease expires May 31, 2017. Staff recommends terminating the lease with Pack N Go and entering into a lease with OPRS for the same space. This lease will include 9,857 square feet of space in Hangar Bay 5 at a rental rate of \$5.43 per square foot or \$53,523.51 per year with an annual escalator of 3.5%. The one-year lease term will commence on February 1, 2016 and expire on January 31, 2017 unless OPRS exercises the option to renew for two additional one-year periods covering February 1, 2017 through January 31, 2019. The exercise by OPRS of each such option shall be subject to the approval of the NFTA.

A 5% real estate commission will be paid to Hunt Commercial Real Estate pursuant to the NFTA's Agreement with Hunt.

**FUNDING:** The real estate commission will be paid out of Account Number 08-0099-571-9900.

**“RESOLVED,** that the Board hereby authorizes a Lease Agreement with Orchard Park Road Storage LLC for approximately 9,857 square feet of warehouse space at 485 Cayuga Road as described hereinabove; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute a Lease Agreement with Orchard Park Road Storage LLC for one year commencing February 1, 2016 through January 31, 2017, with the option for two additional one-year renewals with terms and conditions as set forth above and as negotiated; and

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

**CORPORATE:**

2. C. (6) **Authorization for Affiliation Agreement, University of Buffalo, a STARTUP NY Sponsor, Relating to 485 Cayuga Road**

**RECOMMENDATION:** Staff recommends that the Board authorize an affiliation agreement with the University of Buffalo permitting NFTA owned property to be included in the UB campus plan for STARTUP NY

**INFORMATION:** STARTUP NY is a New York State economic stimulus plan that offers new and expanding businesses the opportunity to operate tax-free for up to ten years, on or near eligible universities or college campuses. The University of Buffalo is a regional sponsor, and it has the ability to modify its campus plan, from time to time, to include other properties such as the NFTA-owned property at 485 Cayuga Road in Cheektowaga. New or expanding businesses would then have an incentive to lease property at 485 Cayuga. There is no cost or obligation to the NFTA

**FUNDING:** No funding is necessary.

**“RESOLVED**, that the Board hereby authorizes an Affiliation Agreement with the University of Buffalo and other documents and agreements, if any, relating to the NFTA’s participation in STARTUP NY, which are required in order to permit the above-referenced NFTA-owned property to be included in the UB Campus Plan for STARTUP NY as described hereinabove; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute an Affiliation Agreement with the University of Buffalo and other related documents and agreements, if any, with terms and conditions as set forth above and as negotiated; and

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

**CORPORATE:**

2. C. (7) **Authorization for Sale of Real Property Located at 27 Michigan Street to 133 South Division LLC**

**RECOMMENDATION:** Staff recommends that the Board authorize the sale and transfer of approximately 900 square feet of real property located at 27 Michigan Street, Buffalo New York (the "Property") to 133 South Division LLC ("Purchaser").

**INFORMATION:** The NFTA was approached by Roger Trettel ("Trettel"), owner of Purchaser, in 2015 about the possibility of purchasing the Property for use as additional parking in connection with his business, Ballyhoo Bar & Grill, which is located next door to the Property. Thereafter, the NFTA advertised the Property for sale for a period of nearly three (3) months. No expressions of interest were received. As a result and after obtaining an appraisal of the Property, the NFTA entered into negotiations with Trettel. The parties agreed on a proposed purchase price of \$11,400.00, which amount is equal to the real estate appraisal obtained by the NFTA. The purchase price will be paid to the NFTA in a lump sum at the closing of the transaction. No grant monies were used in connection with NFTA's ownership of the Property. The real property disposition agreement will contain standard terms and conditions for commercial property transfers of this type and size. Costs and expenses of the proposed transaction (i.e., title search, survey, transfer tax and recording fees) will be paid by the party typically obligated to pay such costs. The NFTA has given all notices required to be given under applicable law including, without limitation, the New York Public Authorities Law and all waiting periods have since expired.

**FUNDING:** No funding by the NFTA is required.

**"RESOLVED,** that the Board hereby authorizes, subject to compliance with all applicable regulatory requirements, if any, and approvals, the sale of approximately 900 square feet of real property located at 27 Michigan Street, Buffalo, New York, as set forth above and as further negotiated; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee, and/or the Chairman are hereby authorized to execute any and all documents necessary to effectuate the transaction set forth above; and

**BE IT FURTHER RESOLVED,** that said documents shall include such 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

- i. Niagara Frontier Transportation Authority, Acceptance of Aviation Resolutions 3. D. (1) through 3. D. (2)
1. Authorization for Procurement, Vogel Traffic Services, Inc., Airfield Paint Striping Vehicle, BNIA
2. Authorization for Buy-Out, Niagara Wheatfield Investment and Option Agreement for Buy-Out, Niagara County Industrial Development Agency, NFTA

AVIATION:

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

The Executive Director advised that Items 3. D. (1) through 3. 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 Wilcox, seconded by Commissioner Durand, that the following Resolution be adopted:

“**RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 3. D. (1) through 3. D. (2) and dated January 28, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ZEMSKY, SLOMA\*, DEMAKOS, DURAND, ANSARI, GURNEY,  
HUGHES, PERRY, WILCOX

ABSTENTION: SLOMA\* [Item 3. C. (2) Only]

NOES: NONE

ADOPTED

**AVIATION:**

3. D. (1) **Authorization for Procurement, Vogel Traffic Services, Inc., Airfield Paint Striping Vehicle, BNIA**

**RECOMMENDATION:** Staff recommends that the Board approve the procurement of an airfield paint striping vehicle from Vogel Traffic Services, Inc., Orange City, Iowa at a cost of \$279,776.00.

**INFORMATION:** BNIA airfield staff is responsible for providing a safe environment for aircraft pursuant to Federal Aviation Regulation Part 139, Certification of Operation. Staff is responsible for proper pavement paint markings and signage on runways and taxiways to assist aircraft navigation. A paint striping vehicle is an integral component to maintaining safety at the airport in compliance with FAA regulations.

Staff issued RFP #4527 in accordance with NFTA procurement guidelines. An evaluation team consisting of members from the BNIA Airfield Department and the NFTA Procurement Department evaluated the proposals based upon technical compliance, cost, and qualifications/experience. The evaluation team rated the proposal from Vogel Traffic Services, Inc. as the highest and it also reflected the lowest cost. The vehicle can store four 55 gallon paint/paint bead tanks and is equipped with high pressure striping guns using a laser line guidance system. This vehicle will replace a paint truck which is in excess of 20 years old and has limited capability to perform required pavement painting requirements. The new vehicle will also enable staff to assist with airfield painting at the Niagara Falls International Airport as well as other painting requirements in NFTA and Metro parking lots and roadways.

**FUNDING:** 100% Airport Development Funds.

**“RESOLVED**, that the Board hereby authorizes the procurement of an airfield paint striping vehicle from Vogel Traffic Services, Inc. at a cost of \$279,776.00, as described herein above; and

**BE IT FURTHER RESOLVED**, that the Manager, Procurement, be and she is hereby authorized to issue a Purchase Order(s) to Vogel Traffic Services, Inc. for the procurement of the airfield paint striping vehicle to be used as described hereinabove; and

**BE IT FURTHER RESOLVED**, that said Purchase Order(s) 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, Aviation, that such payments are in order based upon receipt of all required supporting documentation.”

RFP NO. 4527  
AIRLESS TRUCK MOUNTED AIRPORT PAINT STRIPING VEHICLE

	VOGEL TRAFFIC SERVICES, INC., DBA - EZ-LINER INDUSTRIES Orange City, IA	M-B COMPANIES, INC. New Holstein, WI
<b>SELECTION CRITERIA</b> (Completed by Team)	Rate on a score of 1 - 10 with 10 being the highest	
Technical Compliance 50% - Compliance with technical specifications, Design and operating system proposed	8.00 10.00	7.00 8.74
Cost 30%		
Qualifications & Experience 20% - Demonstrated ability in the industry, References, Past performance, Warranty/Delivery	9.00 9.50	7.00 7.87
<b>TOTAL</b>		
<b>COST</b>	<b>TOTAL AMOUNT</b>	<b>TOTAL AMOUNT</b>
Airless Truck Mounted Airport Striping Vehicle	\$279,776.00	\$320,073.00
<b>TOTAL</b>	<b>\$279,776.00</b>	<b>\$320,073.00</b>
<b>Lead Time</b>	<b>150 DAYS</b>	<b>90-150 DAYS</b>

**AVIATION:**

3. D. (2) **Authorization for Buy-Out, Niagara Wheatfield Investments and Option Agreement for Buy-Out, Niagara County Industrial Development Agency, NFTA**

**RECOMMENDATION:** Staff recommends that the Board authorize the buy-out of Niagara Wheatfield Investments (NWI), the limited partner in the Niagara Industrial Incubator Associates (NIIA) limited partnership, at a cost not to exceed \$625,000 of which the NFTA will fund up to \$312,500. As a result, the NFTA will increase its ownership percentage from 33.33% to 50% within NIIA. Staff further recommends that the Board authorize an option agreement to buy-out the Niagara County Industrial Development Agency's (NCIDA) partnership interest in the NIIA limited partnership, at a cost of \$1,053,000. The option will have a term of five years from date of execution.

**INFORMATION:** The NFTA and the Niagara County Industrial Development Agency (NCIDA) entered into a general partnership agreement in the form of a joint venture known as Niagara Industrial Incubator Company (NIIC) in 1984. The stated purpose of the joint venture was the development of an incubator building for the purpose of creating employment and attracting industry to the County of Niagara on land owned by the NFTA. The land is adjacent to the Niagara Falls International Airport. In furtherance of the joint venture, NIIC formed a limited partnership with NWI (Gordon and Donald Smith owners). This limited partnership is known as NIIA. NIIC has a two thirds owner interest and NWI has a one third ownership interest in the NIIA limited partnership. Thereafter, NIIA leased vacant land to Rainbow Industrial Center, Inc., for the development of the land and construction of the incubator building (Rainbow Building) to be subleased to various businesses. An organizational chart of the various entities involved in this overall project is attached for reference.

The Rainbow Building is situated to the immediate right of the entrance road to the new terminal at NFIA. The NFTA desires to take back control of the property to enable the NFTA to make room for additional parking and possible redesign of the entrance and roadways to the new terminal. The entrance and roadway were configured to accommodate the existence of the Rainbow Building. The NFTA and the NCIDA, as the general partner in NIIA, entered into negotiations with NWI to buy-out NWI's interest in the partnership as a first step to regain control of the land. The NIIA commissioned an appraisal to establish a value of the NIIA partnership including the value of the lease to Rainbow Industrial Center which was used as a basis for negotiations. The NIIA partnership was valued at \$2,106,000. After protracted negotiations, the interested parties agreed to the following terms for the buy-out of NWI:

- NIIC will buy-out NWI's interest for \$625,000
- NFTA and NCIDA will fund the buy-out equally
- NWI will be paid 1/3 of the cash in the NIIA bank account at time of closing

- NFTA and NCIDA will use a portion of the remaining cash and cash reserve accounts in the NIIA bank accounts to fund a portion of the \$625,000 buyout of NWI
- The Rainbow Lease will be terminated with no buy-out
- NIIA will have 50/50 ownership interests between NFTA and NCIDA (NIIC)
- Rainbow Building business venture will continue to be operated by NIIC until the NFTA exercises its option

A review of the current rent roll of the Rainbow Building projects that the NFTA will receive a return on its portion of the buy-out amount within six (6) years. The buy-out of NWI is an important step in the NFTA's efforts to regain control of the property. It allows for the NFTA to remove the private developer's interest from the NIIA.

The NFTA and the NCIDA negotiated terms that would allow the NFTA to gain total control of the property through a buy-out of NCIDA's 50% interest in the business that remains after the buyout of NWI. The NFTA will have an option to buy-out the NCIDA for \$1,053,000 and NCIDA would also receive ½ of the cash and reserve accounts associated with the business venture. The cost of the buy-out option represents one half of the appraised value of the NIIA and the value is locked in for five years. If the NFTA does not exercise its option within the five year period, then the negotiated terms provide for the commissioning of a new appraisal.

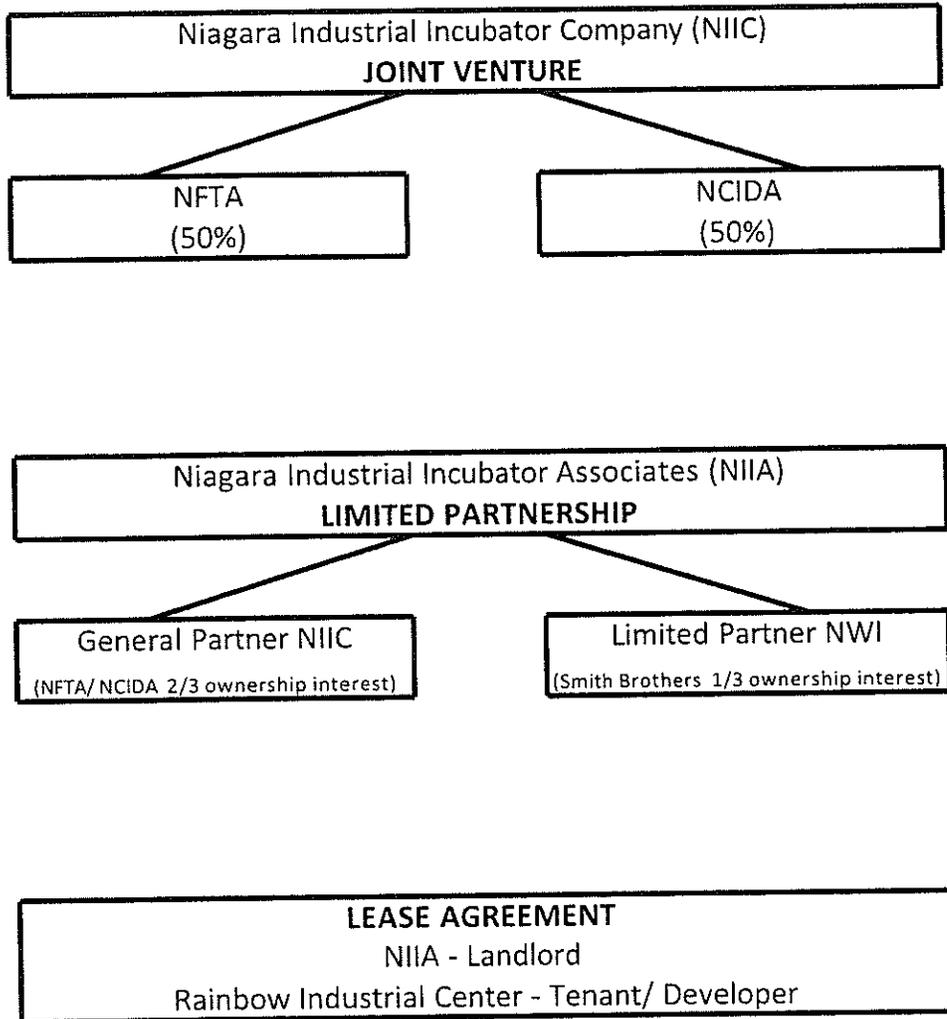
**FUNDING:** 100% Airport Development Funds.

**“RESOLVED**, that the Board hereby authorizes the buy-out of Niagara Wheatfield Investments, the limited partner in the Niagara Industrial Incubator Associates limited partnership, at a cost not to exceed \$625,000 of which the NFTA will fund up to \$312,500 as set forth above and as negotiated;

**BE IT FURTHER RESOLVED**, that the Board hereby authorizes an option to buy-out Niagara County Industrial Development Agency's remaining interest in the Niagara Industrial Incubator Associates limited partnership, at a cost of \$1,053,000 for an option term of five years as set forth above and as negotiated; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman are hereby authorized to execute any and all documents necessary to effectuate the buy-out of Niagara Wheatfield Investments and Niagara County Industrial Development Agency as set forth above and as negotiated.”

# ORGANIZATIONAL CHART



Rainbow manages and subleases the Rainbow Center to various subtenants.

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 Transpiration Resolutions 4. D. (1) through 4. D. (3)
1. Authorization for Procurement, Composite Panel Solution, Inc., LRV Door Replacement, LRV Midlife Rebuild Project, LRRT
2. Authorization for Change Order No. 34, Hitachi Rail USA, Inc., LRV Midlife Rebuild Project, LRRT
3. Authorization for Lease Agreement, Michelin USA, Transit Bus Tires, Metro

SURFACE:

4. D. (i) Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (3)

The Executive Director advised that Items 4. D. (1) through 4. 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 Gurney, 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. (3) and dated January 28, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ZEMSKY, SLOMA, DURAND, ANSARI, GURNEY, HUGHES,  
PERRY, WILCOX

NOES: NONE

ADOPTED

**SURFACE:**

4. D. (1) **Authorization for Procurement, Composite Panel Solution, Inc., LRV Door Replacement, LRV Midlife Rebuild Project, LRRT**

**RECOMMENDATION:** Staff recommends that the Board award the subject material purchase to Composite Panel Solution Inc. (CPS) for the lump sum amount of \$112,000.00.

**INFORMATION:** The prime contractor on the LRV Midlife Rebuild Project is required to replace 34% (quantity of 55) of the passenger doors and cab doors with new doors on the project. The new doors are used to replace any current door that is delaminated or exhibits excessive corrosion which makes its refurbishment impractical. To date all 55 new doors have been installed, or installation is in-progress, on rebuilt cars. This results in a need for additional new doors to complete the project. Based on historical replacement experience and the observed door condition of non-rebuilt cars, 40 additional new doors will be required to complete the project.

This sole source procurement is compliant with NFTA and FTA guidelines. The doors are unique to the NFTA LRV's. As a subcontractor on the Midlife Rebuild Project, CPS has successfully designed, fabricated, and delivered doors for the project. CPS provides the lowest cost alternative to bidding for this procurement due to its past experience, as well as, timely delivery of the doors. This will allow the project to proceed without the doors causing schedule delays

The Internal Audit Department has reviewed this procurement and it determined that the cost is fair and reasonable.

	Total Quotation Amount
Engineer's Estimate	\$122,350.00
Composite Panel Solutions Inc. Cattaraugus, NY	\$112,000.00

**FUNDING:** This Change Order is funded through Account No. 12-0000000-3188-2-9773 as provided by the following grants:

NY-05-0117, NY-90-X698, NY-05-0114, NY-90-X671, NY-90-X595, NY-05-0110, NY-90-X571, NY-90-X544, NY-90-X529, NY-03-0433, NY-03-0378, NY-03-0390, NY-90-X339, NY-03-0399, NY-03-0409, NYSDOT Match, Local Match, Insurance Proceeds, 100 percent NYSDTF, Empire State Development, 100 percent 88C funds and future State 100 percent NYSDTF/Mass Transit Capital Funding.

**“RESOLVED**, that the Board hereby authorizes the procurement of replacement passenger and cab doors from Composite Panel Solution, Inc. for a lump sum cost of \$112,000.00 as described herein above; and

**BE IT FURTHER RESOLVED**, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Order(s) to Composite Panel Solution, Inc. for the procurement of replacement passenger and cab doors to be used as described hereinabove; and

**BE IT FURTHER RESOLVED**, that said Purchase Order(s) 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(s) upon certification by the Director, Engineering & Property, that such payments are in order based upon receipt of all required supporting documentation.”

**SURFACE:**

4. D. (2) **Authorization for Change Order No. 34, Hitachi Rail USA, Inc., LRV Midlife Rebuild Project, LRRT**

**RECOMMENDATION:** Staff recommends that the Board approve subject Change Order No. 34 as an \$115,833.00 increase to Hitachi Rail USA, Inc. (HRU) Contract No. 25LZ0401, LRV Midlife Rebuild Project. This will result in an increase in the total contract value from \$36,210,351.14 to \$36,326,184.14.

**INFORMATION:** Change Order No. 034 consists of one Proposed Change Order (PCO) described below.

**PCO No. 068 Coupler Replacement Parts** **Add** **\$115,833.00**

As part of the LRV Midlife Rebuild contract, HRU is responsible for the disassembly, cleaning and reassembly of the LRV coupler assemblies. While performing this work, some coupler parts were found to be unfit for reuse due to excessive wear or corrosion. These parts include, but are not limited to, the yoke, spring housing, distance tube, pins, link sleeve, back plate, and cover.

This PCO provides for the replacement of the worn and corroded coupler parts found to date: (11) yokes, (1) distance tube, (1) contact housing, (1) back plate, (8) spring housings, (2) covers, (1) lower thrust pin, (1) link sleeve, and (1) valve housing. It also provides for additional coupler spare parts. This will allow prompt refurbishment of couplers as they enter the rebuild program in order to maintain the project schedule.

**FUNDING:** This Change Order is funded through Account No. 12-0000000-3188-2-9773 as provided by the following grants:

NY-05-0117, NY-90-X698, NY-05-0114, NY-90-X671, NY-90-X595, NY-05-0110, NY-90-X571, NY-90-X544, NY-90-X529, NY-03-0433, NY-03-0378, NY-03-0390, NY-90-X339, NY-03-0399, NY-03-0409, NYSDOT Match, Local Match, Insurance Proceeds, 100 percent NYSDTF, Empire State Development, 100 percent 88C funds and future State 100 percent NYSDTF/Mass Transit Capital Funding.

**“RESOLVED,** that the Board hereby authorizes Change Order No. 34 to the existing Agreement with Hitachi Rail USA, Inc. 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 and deliver Change Order No. 34 to the existing Agreement with Hitachi Rail USA, Inc. as described above; and

**BE IT FURTHER RESOLVED**, that said Change Order No. 34 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 Change Order No. 34 upon certification by the Director, Engineering & Property, that such payments are in order based upon receipt of all required supporting documentation.”

SURFACE:

4. D. (3) Authorization for Lease Agreement, Michelin USA, Transit Bus Tires, Metro

RECOMMENDATION: Staff recommends that the Board approve a lease agreement with Michelin USA to lease tires used on transit buses at an estimated cost of \$650,000 per year.

INFORMATION: The term of the lease agreement will begin on March 1, 2016 for a period of five (5) years with two (2) one-year extensions to be exercised at the discretion of the NFTA.

The evaluation team selected Michelin for being the most responsive proponent. This was primarily due to items offered by Michelin that were not offered by the other proponents such as an automated method of tracking tire inventory, tire pressures and tread depths; fuel efficient tire design and staff training/qualifications.

This procurement was solicited and evaluated per the NFTA Procurement Guidelines. The evaluation team included the Manager of Procurement, the Equipment Engineer and the Superintendent of Bus Garages. The results of the evaluation are attached.

FUNDING: Funding for this project is provided by Metro's Operating Budget.

**"RESOLVED,** that the Board hereby authorizes a Lease Agreement with Michelin USA for the lease of transit bus tires 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 and deliver a Lease Agreement with Michelin USA, 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 the Chief Financial Officer, be and he is hereby authorized to make payments under said Lease Agreement upon certification by the Director, Public Transit, that such payments are in order based upon receipt of all required supporting documentation."

## RFP 4500 Tires

1/11/2016

SELECTION CRITERIA (Rate on a Score of 1 -10)	Michelin	Goodyear	Bridgestone
Technical - Compliance with requirements 50%	9.50	6.00	7.00
Lease Cost	8.20	8.46	10.00
Qualifications and Experience	9.00	7.00	7.00
<b>Total</b>	<b>9.01</b>	<b>6.94</b>	<b>7.90</b>
<b>COST</b>			
<b>B305/85R 22.5</b>			
Anticipated Tire Life - (miles)	68,000	60,000	59,200
Annual Mileage 8,400,000			
Mileage/Lease Rate, Year 1 (\$/mile)	\$0.00615	\$0.006158	\$0.005228
Mileage/Lease Rate, Year 2 (\$/mile)	\$0.00652	\$0.006158	\$0.005333
Mileage/Lease Rate, Year 3 (\$/mile)	\$0.00691	\$0.006404	\$0.005546
Mileage/Lease Rate, Year 4 (\$/mile)	\$0.00732	\$0.006660	\$0.005768
Mileage/Lease Rate, Year 5 (\$/mile)	\$0.00776	\$0.006926	\$0.005998
Mileage/Lease Rate, Year 6 (\$/mile)	\$0.00823	\$0.007272	\$0.006238
Mileage/Lease Rate, Year 7 (\$/mile)	\$0.00872	\$0.007636	\$0.006488
Total Lease Cost, Year 1	\$309,960.00	\$310,363.20	\$263,491.20
Total Lease Cost, Year 2	\$328,608.00	\$310,363.20	\$268,783.20
Total Lease Cost, Year 3	\$348,264.00	\$322,761.60	\$279,518.40
Total Lease Cost, Year 4	\$368,928.00	\$335,664.00	\$290,707.20
Total Lease Cost, Year 5	\$391,104.00	\$349,070.40	\$302,299.20
Total Lease Cost, Year 6	\$414,792.00	\$366,508.80	\$314,395.20
Total Lease Cost, Year 7	\$439,488.00	\$384,854.40	\$326,995.20
<b>TOTAL LEASE COST 7 YEARS</b>	<b>\$2,601,144.00</b>	<b>\$2,379,585.60</b>	<b>\$2,046,189.60</b>
Total Purchase Price, Year 1	\$573,967.06	\$502,740.00	\$419,350.14
Total Purchase Price, Year 2	\$602,665.41	\$502,740.00	\$436,121.76
Total Purchase Price, Year 3	\$632,801.65	\$522,849.60	\$453,565.95
Total Purchase Price, Year 4	\$664,435.06	\$543,765.60	\$471,708.24
Total Purchase Price, Year 5	\$697,662.00	\$565,504.80	\$490,582.70
Total Purchase Price, Year 6	\$732,541.76	\$593,779.20	\$510,206.35
Total Purchase Price, Year 7	\$769,170.71	\$623,481.60	\$530,613.24
<b>TOTAL PURCHASE COST 7 YEARS</b>	<b>\$4,673,243.65</b>	<b>\$3,854,860.80</b>	<b>\$3,312,148.38</b>
<b>B305/70R 22.5</b>			
Anticipated Tire Life - (miles)	50,000	47,000	49,000
Annual Mileage 1,200,000			
Mileage/Lease Rate, Year 1 (\$/mile)	\$0.00681	\$0.006578	\$0.006457
Mileage/Lease Rate, Year 2 (\$/mile)	\$0.00722	\$0.006578	\$0.006586
Mileage/Lease Rate, Year 3 (\$/mile)	\$0.00765	\$0.006840	\$0.006850
Mileage/Lease Rate, Year 4 (\$/mile)	\$0.00811	\$0.007114	\$0.007124
Mileage/Lease Rate, Year 5 (\$/mile)	\$0.00860	\$0.007398	\$0.007409
Mileage/Lease Rate, Year 6 (\$/mile)	\$0.00912	\$0.007768	\$0.007705
Mileage/Lease Rate, Year 7 (\$/mile)	\$0.00967	\$0.008158	\$0.008013
Total Lease Cost, Year 1	\$49,032.00	\$47,361.60	\$46,490.40
Total Lease Cost, Year 2	\$51,984.00	\$47,361.60	\$47,419.20
Total Lease Cost, Year 3	\$55,080.00	\$49,248.00	\$49,320.00

RFP 4500 Tires

1/11/2016

SELECTION CRITERIA (Rate on a Score of 1 -10)	Michelin	Goodyear	Bridgestone
Total Lease Cost, Year 4	\$58,392.00	\$51,220.80	\$51,292.80
Total Lease Cost, Year 5	\$61,920.00	\$53,265.60	\$53,344.80
Total Lease Cost, Year 6	\$65,664.00	\$55,929.60	\$55,476.00
Total Lease Cost, Year 7	\$69,624.00	\$58,737.60	\$57,693.60
<b>TOTAL LEASE COST 7 YEARS</b>	<b>\$411,696.00</b>	<b>\$363,124.80</b>	<b>\$361,036.80</b>
Total Purchase Price, Year 1	\$97,344.00	\$84,446.81	\$69,816.49
Total Purchase Price, Year 2	\$102,211.20	\$84,446.81	\$72,609.80
Total Purchase Price, Year 3	\$107,321.76	\$87,824.68	\$75,513.31
Total Purchase Price, Year 4	\$112,687.20	\$91,335.83	\$78,534.37
Total Purchase Price, Year 5	\$118,321.92	\$94,990.98	\$81,675.92
Total Purchase Price, Year 6	\$124,238.88	\$99,739.91	\$84,942.37
Total Purchase Price, Year 7	\$130,449.60	\$100,132.09	\$88,339.59
<b>TOTAL PURCHASE COST 7 YEARS</b>	<b>\$792,574.56</b>	<b>\$642,917.11</b>	<b>\$551,431.84</b>
<b>B275/70R 22.5</b>			
Anticipated Tire Life - (miles)	50,000	36,000	39,000
Annual Mileage 600,000			
Mileage/Lease Rate, Year, 1 (\$/mile)	\$0.00626	\$0.008032	\$0.006160
Mileage/Lease Rate, Year, 2 (\$/mile)	\$0.00664	\$0.008032	\$0.006284
Mileage/Lease Rate, Year, 3 (\$/mile)	\$0.00704	\$0.008352	\$0.006535
Mileage/Lease Rate, Year, 4 (\$/mile)	\$0.00746	\$0.008686	\$0.006796
Mileage/Lease Rate, Year, 5 (\$/mile)	\$0.00791	\$0.009034	\$0.007068
Mileage/Lease Rate, Year, 6 (\$/mile)	\$0.00838	\$0.009486	\$0.007351
Mileage/Lease Rate, Year, 7 (\$/mile)	\$0.00888	\$0.009960	\$0.007645
Total Lease Cost, Year 1	\$22,536.00	\$28,915.20	\$22,176.00
Total Lease Cost, Year 2	\$23,904.00	\$28,915.20	\$22,622.40
Total Lease Cost, Year 3	\$25,344.00	\$30,067.20	\$23,526.00
Total Lease Cost, Year 4	\$26,856.00	\$31,269.60	\$24,465.60
Total Lease Cost, Year 5	\$28,476.00	\$32,522.40	\$25,444.80
Total Lease Cost, Year 6	\$30,168.00	\$34,149.60	\$26,463.60
Total Lease Cost, Year 7	\$31,968.00	\$35,856.00	\$27,522.00
<b>TOTAL LEASE COST 7 YEARS</b>	<b>\$189,252.00</b>	<b>\$221,695.20</b>	<b>\$172,220.40</b>
Total Purchase Price, Year 1	\$36,172.80	\$43,575.00	\$37,446.46
Total Purchase Price, Year 2	\$37,981.44	\$43,575.00	\$38,944.62
Total Purchase Price, Year 3	\$39,880.80	\$45,318.00	\$40,501.85
Total Purchase Price, Year 4	\$41,874.48	\$47,130.00	\$42,121.85
Total Purchase Price, Year 5	\$43,968.24	\$49,016.00	\$43,807.38
Total Purchase Price, Year 6	\$46,166.40	\$51,466.00	\$45,559.38
Total Purchase Price, Year 7	\$48,474.72	\$54,040.00	\$47,381.54
<b>TOTAL PURCHASE COST 7 YEARS</b>	<b>\$294,518.88</b>	<b>\$334,120.00</b>	<b>\$295,763.08</b>
<b>LT225/75R 16</b>			
Anticipated Tire Life - (miles)	30,000	20,000	28,500
Annual Mileage 2,300,000			
Mileage/Lease Rate, Year, 1 (\$/mile)	\$0.00434	\$0.005520	\$0.003236

RFP 4500 Tires

1/11/2016

<b>SELECTION CRITERIA</b> (Rate on a Score of 1 -10)	<b>Michelin</b>	<b>Goodyear</b>	<b>Bridgestone</b>
Mileage/Lease Rate, Year, 2 (\$/mile)	\$0.00460	\$0.005520	\$0.003300
Mileage/Lease Rate, Year, 3 (\$/mile)	\$0.00488	\$0.005740	\$0.003433
Mileage/Lease Rate, Year, 4 (\$/mile)	\$0.00517	\$0.005970	\$0.003570
Mileage/Lease Rate, Year, 5 (\$/mile)	\$0.00548	\$0.006208	\$0.003713
Mileage/Lease Rate, Year, 6 (\$/mile)	\$0.00581	\$0.006520	\$0.003861
Mileage/Lease Rate, Year, 7 (\$/mile)	\$0.00616	\$0.006846	\$0.004016
<b>Total Lease Cost, Year 1</b>	\$59,892.00	\$76,176.00	\$44,656.80
<b>Total Lease Cost, Year 2</b>	\$63,480.00	\$76,176.00	\$45,540.00
<b>Total Lease Cost, Year 3</b>	\$67,344.00	\$79,212.00	\$47,375.40
<b>Total Lease Cost, Year 4</b>	\$71,346.00	\$82,386.00	\$49,266.00
<b>Total Lease Cost, Year 5</b>	\$75,624.00	\$85,670.40	\$51,239.40
<b>Total Lease Cost, Year 6</b>	\$80,178.00	\$89,976.00	\$53,281.80
<b>Total Lease Cost, Year 7</b>	\$85,008.00	\$94,474.80	\$55,420.80
<b>TOTAL LEASE COST 7 YEARS</b>	<b>\$502,872.00</b>	<b>\$584,071.20</b>	<b>\$346,780.20</b>
<b>Total Purchase Price, Year 1</b>	\$70,679.00	\$120,060.00	\$70,970.74
<b>Total Purchase Price, Year 2</b>	\$74,211.80	\$120,060.00	\$73,808.21
<b>Total Purchase Price, Year 3</b>	\$77,924.00	\$124,862.40	\$76,761.89
<b>Total Purchase Price, Year 4</b>	\$81,820.20	\$129,858.00	\$79,831.79
<b>Total Purchase Price, Year 5</b>	\$85,909.60	\$135,046.80	\$83,027.58
<b>Total Purchase Price, Year 6</b>	\$90,206.00	\$141,795.00	\$86,344.42
<b>Total Purchase Price, Year 7</b>	\$94,718.60	\$148,888.20	\$89,801.68
<b>TOTAL PURCHASE COST 7 YEARS</b>	<b>\$575,469.20</b>	<b>\$920,570.40</b>	<b>\$560,546.32</b>
<b>Annual Service Cost, Year 1</b>	\$101,400.00	\$93,600.00	\$91,800.00
<b>Annual Service Cost, Year 2</b>	\$106,500.00	\$97,344.00	\$94,632.00
<b>Annual Service Cost, Year 3</b>	\$111,600.00	\$101,232.00	\$97,512.00
<b>Annual Service Cost, Year 4</b>	\$117,300.00	\$105,288.00	\$100,560.00
<b>Annual Service Cost, Year 5</b>	\$123,000.00	\$109,488.00	\$103,668.00
<b>Annual Service Cost, Year 6</b>	\$129,180.00	\$113,880.00	\$106,872.00
<b>Annual Service Cost, Year 7</b>	\$135,600.00	\$118,440.00	\$110,160.00
<b>TOTAL SERVICE COST 7 YEARS</b>	<b>\$824,580.00</b>	<b>\$739,272.00</b>	<b>\$705,204.00</b>
<b>TOTAL LEASE COST</b>	<b>\$3,704,964.00</b>	<b>\$3,548,476.80</b>	<b>\$2,926,227.00</b>
<b>TOTAL SERVICE COST</b>	<b>\$824,580.00</b>	<b>\$739,272.00</b>	<b>\$705,204.00</b>
<b>LEASE AND SERVICE</b>	<b>\$4,529,544.00</b>	<b>\$4,287,748.80</b>	<b>\$3,631,431.00</b>
<b>TOTAL PURCHASE COST</b>	<b>\$6,335,806.29</b>	<b>\$5,752,468.31</b>	<b>\$4,719,889.61</b>
<b>TOTAL SERVICE COST</b>	<b>\$824,580.00</b>	<b>\$739,272.00</b>	<b>\$705,204.00</b>
<b>PURCHASE AND SERVICE</b>	<b>\$7,160,386.29</b>	<b>\$6,491,740.31</b>	<b>\$5,425,093.61</b>

6. General Counsel Report - Written
7. Executive Session - None
8. Adjournment

At approximately 1:10 p.m., the Vice Chairman indicated that there was no further business coming before the Board, whereupon it was moved by Commissioner Perry, seconded by Commissioner Wilcox, and unanimously approved that the Regular Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc. be adjourned.

**AYES: ZEMSKY, SLOMA, DURAND, ANSARI, GURNEY,  
HUGHES, PERRY, WILCOX**

**NOES: NONE**