

ESTUARY TRANSIT DISTRICT  
REGULAR MEETING

THESE MINUTES ARE SUBJECT TO APPROVAL AT THE NEXT ESTUARY  
TRANSIT DISTRICT MEETING

August 21, 2009

CALL TO ORDER

The regular meeting of the Estuary Transit District was called to order by Chair Richard Cabral at 9:08 a.m. at the Old Saybrook Town Hall in Old Saybrook, Connecticut.

ROLL CALL

A Quorum was established. Those in attendance included: Virginia Zawoy, Jack Spangler, John Forbis, Richard Cabral, Ralph Eno, Mike Pace, and Leslie Strauss.

Absent: Dick Smith, Noel Bishop

Staff: Halyna Famiglietti and Joe Comerford

PLEDGE

Richard Cabral led the Pledge of Allegiance.

VISITOR'S COMMENTS

None.

SECRETARY'S REPORT

Minutes

**Ralph Eno made a motion to approve the minutes from the July 17, 2009 Regular Meeting. John Forbis seconded the motion. The motion passed unanimously.**

TREASURER'S REPORT

None.

CORRESPONDANCE

Joe Comerford reported that a letter was received from Old Saybrook's Land Use Department regarding their affordable housing on Ferry Road. They are requesting that a bus shelter be placed near the affordable housing to accommodate the transportation needs of their residents.

### EXECUTIVE DIRECTOR'S REPORT

The Executive Director's report was included in the Board's packet.

Stimulus Funds – Joe Comerford reported that originally the District was informed that the DOT would be managing the reporting required for Stimulus Funding. When the addendum was received, it was discovered that the District is actually receiving ARRA money which needs to be spent as soon as possible. Joe continued that the State has had this money since February. Joe has been in contact with the bus supplier and is ready to place an order. He has also received quotes on bus stop signs and shelters and is ready to prepare an RFP for the computer software system.

Ralph Eno commented that the reporting required with the ARRA funding is difficult. Richard Cabral directed Joe to spend this money as soon as possible. Joe Comerford responded that all Transit Districts are using this money to purchase vehicles; subsequently, there is a back up with the vehicle supplier. Joe added that since we are buying the buses under New Haven's contract, no bid process is required.

Ralph questioned why the original policy was changed regarding the ARRA funds. Joe Comerford responded that the DOT is only handling for the urban areas and we are considered a rural district. There was discussion regarding the urban vs. rural classification. Mike Pace stated that this topic will be discussed at the upcoming meeting with the DOT.

Office Space Lease – Joe Comerford reported that the lease has been reviewed by our attorney and he is currently negotiating with the building owner. He expects to have a lease ready to be signed with a start date of September 1. The current vehicle space lease expires August 31, 2009. The new office will be located in Centerbrook and the space allows for bus parking.

### FY 2009 Audit

Joe Comerford reported that Seward and Monde have been in the office for several days to begin work on the FY2009 audit.

**Leslie Strauss made a motion to accept the Executive Director's Report. Mike Pace seconded the motion. The motion passed unanimously.**

**Leslie Strauss made a motion to add to the agenda the approval of the Special Meeting minutes dated August 14, 2009. John Forbis seconded the motion. The motion passed unanimously.**

**Virginia Zawoy made a motion to approve the minutes from the Special Meeting of August 14, 2009. Ralph Eno seconded the motion. All in favor of the motion with Ralph Eno abstaining.**

#### MARKETING REPORT

Joe Comerford presented Events Magazines, bus stop postings, and the Harbor Newspaper all highlighting the 9TT service.

Mike Pace suggested placing the bus stop posting/schedule at local marinas.

Jack Spangler noted that the ad does not talk about Middletown service. Joe responded that the publications were printed prior to the start of the Middletown service.

**John Forbis made a motion to accept the Marketing Report. Mike Pace seconded the motion. The motion passed unanimously.**

#### FINANCE MANAGER'S REPORT

The Treasurer's Report, Bank Statements, the Cash Flow Report and the Budget vs. Actual reports were included in the Board's packet.

Joe Comerford reported that if the state's payment is not received in a timely fashion, the District may need to borrow money.

Halyna Famiglietti thanked Mike Pace for Old Saybrook's contribution. She reported that all other town contributions have been received.

John Forbis requested the status of the \$47,000 owed from the State. Joe Comerford responded that the state is still researching the issue. He added that the State had been waiting for information from the District for several years.

Joe Comerford also reported that the State's systems are closed in the month of July but they have started issuing checks again. Halyna Famiglietti will follow up.

A chart outlining the District's five year financial history was distributed as requested. This chart indicates that the District is doing well and is trending in the appropriate direction. The previous negative trend was due, in part, to past organizational and legal issues which have since been settled.

**Ralph Eno made a motion to accept the Finance Manager's Report as presented. Virginia Zawoy seconded the motion. The motion passed unanimously.**

**Ralph Eno made a motion to accept the Cash Flow Report. John Forbis seconded the motion. The motion passed unanimously.**

**Jack Spangler made a motion to accept the Budget vs. Actual Report. Mike Pace seconded the motion. The motion passed unanimously.**

#### OPERATIONS MANAGER'S REPORT

The Operations Manager's Report was included in the Board's packet.

For next month's meeting, Joe Comerford will provide clarification on the operating days as well as the fluids figures indicated in the report.

Joe Comerford reported that the Middletown route is doing well.

**Ralph Eno made a motion to table the vote on the Operations Manager's Report until clarification. Leslie Strauss seconded the motion. The motion passed unanimously.**

#### OLD BUSINESS

##### Town of Haddam's Request

No new information has been received.

**Mike Pace made a motion to table the Town of Haddam's request to join the District. Richard Cabral seconded the motion. The motion passed unanimously.**

#### NEW BUSINESS

##### Operation Policy

Joe Comerford reported that the lack of an approved Operation Policy is affecting the daily operations of 9TT. He continued that a full time employee refused to pick up a customer from a doctor's appointment because his shift had ended and he would not work overtime. Joe discussed the issue with Human Resources and since we have no official policy in place, he could only give the employee a written warning. While the customer was provided for, the lack of a written policy is an issue.

**Mike Pace made a motion to have a hearing with the employee to explain his actions. John Forbis seconded the motion and discussion followed:**

Leslie expressed concern about pursuing the issue further without a policy in place.

Mike Pace was concerned that a customer was unable to get the transportation needed. He continued that the 30 minutes of overtime requested would not have been a burden on the employee. He felt that this employee should hear from the Board of Directors regarding his actions.

Rich Cabral cautioned against the Board becoming the disciplinarian. The Board is the policy maker, not the policy enforcer.

Ralph Eno felt it important that the employee know that this behavior will not be tolerated by the Board of Directors.

Joe Comerford reported that these drivers were hired with no expectations communicated. There are several policies, all unofficial, out there and no one is clear as to which policy applies. Joe continued that when the policy is approved, this behavior will be considered insubordination and he will fire an employee for this behavior.

The original motion was withdrawn.

Joe Comerford reported that the policy has been reviewed by Dave Lee as well as the HR Director (labor attorney).

Ralph Eno reported that the policy has been reviewed extensively and there is a pressing need to get it in place.

**Ralph Eno made a motion to approve the Operation Policy. Virginia Zawoy seconded the motion. The motion passed unanimously.**

#### Non Discrimination Resolution

The Non Discrimination Resolution was included in the packet.

**Leslie Strauss made a motion that the Estuary Transit District, hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes 4a-60(a)(1) and 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) of Public Act 07-142. Ralph Eno seconded the motion. The motion passed unanimously.**

#### Investment Policy

The Investment Policy was included in the packet. Joe Comerford added that this was an audit finding that needed to be addressed.

**John Forbis made a motion to approve the Investment Policy as presented. Jack Spangler seconded the motion. The motion passed unanimously.**

#### Security Policy

The Security Policy was included in the packet.

**Mike Pace made a motion to approve the Security Policy as presented. John Forbis seconded the motion. The motion passed unanimously.**

Drug and Alcohol Policy Amendment

**John Forbis made a motion to accept the Drug and Alcohol Policy Amendment as presented. Leslie Strauss seconded the motion. The motion passed unanimously.**

Permission to Purchase buses

**Leslie Strauss made a motion to authorize the Executive Director, Joe Comerford, on behalf of the Estuary Transit District, to negotiate and execute all necessary contract documents required to purchase two buses for the Estuary Transit District from the Greater New Haven Transit District vehicle contract with Matthews Buses, Inc. Virginia Zawoy seconded the motion and discussion followed:**

Mike Pace expressed concern that Joe has full authorization to purchase and sign documents with no financial limits. He suggested an amendment to the motion indicating limits.

**Mike Pace amended the motion to authorize the Executive Director, Joe Comerford, on behalf of the Estuary Transit District, to negotiate and execute all necessary contract documents required to purchase two buses for the Estuary Transit District from the Greater New Haven Transit District vehicle contract with Matthews Buses, Inc. in an amount not to exceed \$150,000 (\$75,000 per bus). John Forbis seconded the motion. The motion passed unanimously.**

CHAIR COMMENTS

None.

VISITOR COMMENTS

None.

BOARD MEMBER COMMENTS

Mike Pace suggested that next year's budget process begin early to allow adequate time for input. Joe Comerford responded that it is difficult to begin the budget process with no state budget in place. He continued that the Municipal Grant is still at risk but added that 9TT will be "ok" for about 8 months without the Municipal Grant.

John Forbis suggested that Joe and Halyna provide a budget timetable for the September meeting.

Leslie Strauss requested clarification on the office moving date. Joe Comerford responded that the first available date is September 9 and that the vehicle space lease

expires on August 31, 2009. He has discussed the situation with the building owner Dave Winstead. Mr. Winstead granted permission for the District to move early.

Leslie Strauss commended Joe for his work pertaining to the office move.

Leslie Strauss requested clarification in the by laws pertaining to the weighted voting procedures.

Richard Cabral suggested that the by-laws be amended to reflect past practices.

Ralph Eno commented that language needs to be added to clarify that the majority is defined by the weighted vote formula.

Jack Spangler commented that each Board member should have an equal vote.

John Forbis recommended that Leslie Strauss and Richard Cabral meet to review the by-laws and provide clarification/language if needed.

#### EXECUTIVE SESSION

None.

#### ADJOURNMENT

**John Forbis made a motion to adjourn the meeting at 10:51 a.m. Leslie Strauss seconded the motion. The motion passed unanimously.**

The next meeting is scheduled for September 18, 2009 at Old Saybrook Town Hall.

Respectfully Submitted,

Suzanne Helchowski  
Recording Clerk

Leslie Strauss  
Secretary