

WEST WINDSOR PARKING AUTHORITY

Minutes of Meeting

January 13, 2021

The West Windsor Parking Authority meeting was held on Wednesday, January 13, 2021 at 6:00 p.m. via conference call. The dial-in details were posted on the WWPA website.

Sunshine Law Announcement

In compliance with the Sunshine Law, a notice of this meeting's date, time, location, and agenda was mailed to the news media, posted on the Township bulletin board, and filed with the Township Clerk.

Call to Order and Roll Call

Chair Lupo called the meeting to order at 6:00 p.m. The following individuals dialed in:

Commissioners

Andy Lupo, Chair
Tom Crane, Vice Chair
Dan Fabrizio, Treasurer
Michael Cerullo, Asst. Treasurer
Larry Katz, Secretary

Non-Commissioners

Scot MacPherson, Director of Operations
Lyle Girandola, Parking Consultant
James Colitsas, CPA, Princeton Financial Group, LLC
Philip Mosca, CPA, Princeton Financial Group, LLC
Frank Bal, Officer of West Windsor Police
Robert Schwartz, Attorney
Andrea Mandel, Township Liaison
Robert Butvilla, Partner, Suplee, Clooney & Company

Comments from Audience

None present

Reorganization - Election of Officers for 2021

Commissioner Katz moved to reinstate current board member, Andy Lupo, as Chairman of the Board. Commissioner Fabrizio seconded the motion. In a Roll Call vote, each board member approved the motion.

Chair Lupo moved to reinstate current board members: Tom Crane as Vice Chair, Dan Fabrizio as Treasurer, Michael Cerullo as Assistant Treasurer, and Larry Katz as Secretary.

Commissioner Katz seconded the motion. In a Roll Call vote, each board member approved the motion.

Adoption of Resolutions for 2021

The Parking Authority adopted three Resolutions regarding meetings as follows: Chair Lupo moved resolution 01.13.21-01 to establish the monthly meeting date as the second Wednesday at 7:30 p.m. when held in the office and 6:00 p.m. when virtual; announce Parking Authority meetings in the Trenton Times and The Princeton Packet; and set the fixed price of \$36 for a copy of the minutes. Commissioner Katz seconded the motion. Mr. MacPherson called the Roll, and the motion was unanimously approved by all of the board members.

Professional Services Appointments for 2021

Chair Lupo moved to approve the following professional services appointments for calendar year 2021:

- ACT Engineers, Inc. as Engineers
- Princeton Financial Group, LLC as Accountants
- Frank Gubitose of FJG Enterprises as Investment Consultant
- McManimon, Scotland & Baumann, LLC as Bond Counsel
- Robert M. Schwartz as Attorney
- Suplee, Clooney & Company as Auditors

Commissioner Fabrizio seconded the motion. In a Roll Call vote, each board member voted in favor of the motion.

Chair Lupo welcomed Andrea Mandel, Council President of West Windsor Township Council as WWPA’s Township Liaison.

ACTION ITEMS

Approval of Minutes (December 9, 2020)

Chair Lupo moved to approve the December 9, 2020 minutes. Commissioner Katz seconded the motion. All Commissioners voted to approve the minutes.

Approval of Bills (December 2020)

The board members discussed the bills in detail. The prepaid parking refund fees totaled \$8,631 for NJ Transit and \$5,157 for West Windsor, which is less than previous months.

Chair Lupo asked why the unrestricted net assets entry totaling \$235K is included on the bill report. Mr. MacPherson stated that this entry was done in error and will be relocated to the appropriate contingency fund category. He clarified that a check was not issued.

Commissioner Fabrizio moved resolution 01.13.21-02 to approve the December bills. Commissioner Katz seconded the motion. The motion was unanimously approved.

Mr. MacPherson displayed the snow removal and ice treatment reports that included the invoices received from December 1, 2020 through January 12, 2021. Three invoices from Custom Landscaping that were pending payment from last winter have just been processed because they were finally able to provide a certified report from WeatherWorks, a weather subscription service used to gauge the weather for reference.

The invoices received from December 1, 2020 through January 12, 2021 from Woodwinds Associates for salting the platforms totaled approximately \$65K.

REPORTS

Police

Officer Bal informed the Board on the police activity in December stating that there were 46 incidents.

Councilwoman Mandel stated that West Windsor Township has allowed taxi owners to suspend their licenses without having to pay a fee due to COVID.

DISCUSSION ITEMS

2019 Audit/2021 Budget

Mr. MacPherson stated that the auditors from Suplee, Clooney & Company have completed their review of the 2019 Financial Report but cannot consider the audit complete until the State receives the numbers required from The Governmental Accounting Standards Board (GASB) Statement 75. GASB Statement 75 is the accounting and financial reporting for postemployment benefits other than pensions, and it will reveal the Authority's liability for the unfunded medical insurance from the State.

Mr. Butvilla reviewed the financial reports with the Board and stated that no issues were found and that the process went smoothly with the help from Messrs. Mosca and MacPherson. He displayed the Budget versus Actual report that illustrated a surplus of \$485,179K in 2019.

Mr. MacPherson requested that the members of the board approve the resolution to introduce the audit to adopt the 2021 budget next month. The Board agreed to move resolution 01.13.21-03 to introduce the audit to adopt the 2021 budget next month. A Roll Call was held by Mr. MacPherson and each Board member approved the motion.

2021 Budget/ 2020 Revenue Review

Chair Lupo stated that he has not spoken with Mayor Marathe since his last conversation in December regarding renegotiating the budget for 2021. Chair Lupo explained to Councilwoman Mandel that although WWPA wants to help the Township, there is not enough revenue being generated to do so, and the unpredictability of snow removal costs makes budgeting difficult.

The board strategized on ways to decrease potential snow removal and salting costs even more than what was recently negotiated with Custom Landscaping. Chair Lupo explained that the snow removal cost for the campus is split 64/36 with NJ Transit paying 64% and maximizing lot closure could reduce the cost for WWPA and NJ Transit.

Mr. MacPherson stated that during the recent snowstorm, NJ Transit had to close the platforms since the flagger was not available for snow removal services until it was too late. He notified the response center at 7:30 a.m. to dispatch a flagger to be ready at the platform at 1:45 p.m. By 3:00 p.m, when the flagger was not present, Mr. MacPherson notified NJ Transit who stated that the flagger went to the wrong location and was brought to the platform, but at that point, it was too late. Mr. MacPherson explained to Councilwoman Mandel that NJ Transit recently announced that there was a new rule implemented from the Federal Railroad Commission, that only NJ Transit employees could be certified as flaggers, therefore, Woodwinds Associates, the snow removal contractor for the platforms, can no longer be certified as flaggers. The new condition requires that a contractor notify NJ Transit's response center 6 hours prior to working on the platforms so that NJ Transit has enough time to dispatch their own flagger. The board agreed that this new requirement is a liability risk, since Woodwinds Associates cannot remove snow or ice on the platform until a flagger is present, thereby potentially delaying the clearing of the platforms. Mr. MacPherson will obtain

additional cones to block off the platforms from pedestrians, should they be temporarily closed again.

Mr. MacPherson sent NJ Transit 3 letters expressing the Authority's concern and requested that Woodwinds Associates be granted permission to become certified as flaggers, otherwise, NJ Transit would have to resume the responsibility of managing their platform. NJ Transit's legal department responded that allowing anyone other than a NJ Transit employee to be certified as a flagger would violate federal regulations and assured Mr. MacPherson that as long as the Authority follows the safety guidelines, they are covered from liability.

Commissioner Fabrizio suggested closing all lots but the Wallace lot for permit parkers and a portion of the daily lot just for the first quarter of 2021. The Wallace lot currently has a sufficient number of spaces available for all permit parkers, and this would eliminate the need of salting and snow removal services in the other lots. Board members agreed. Mr. MacPherson described particular areas that will still need to be treated such as the sidewalks in Station and Vaughn Drive and the Dinky area. He will present the plan to Custom Landscaping and renegotiate the contract. Mr. MacPherson will plan to send notification to all commuters, should they go forward with lot closures.

REPORTS (continued)

Accounting

Mr. Colitsas discussed the financial reports stating that most of the income and expense accounts are under the budgeted amount. The YTD Actual 2020 vs. the YTD Budget 2020 indicates that permit parking is down \$979,941K (28%) and daily parking is down \$1,656,397 (71%).

The YTD Actual 2020 vs. the YTD Actual 2019 shows that permit parking is down \$1,045,989 (29%) and daily parking is down \$1,838,201 (73%). The total is \$2,884,190 less from last year.

Mr. Colitsas said that the net income for the 2020 year-end was positive at approximately \$84K. Of this total, The Authority had a net loss of about \$149K and NJ Transit had a net income of about \$233K. It is fairly better compared to 2019 with the combined loss of about \$124K. The difference from last year is mainly caused by the snow expenses being significantly less in 2020 from 2019 and the NJ Transit Guarantee payment was not made. Chair Lupo added that the net loss includes the waived quarterly fee for permit parking. Mr.

Colitsas agreed and stated that the \$149K is based on actual collections and would have been higher had quarterly permit parking fees been collected.

Mr. Colitsas displayed the monthly cash flow budget report. Commissioner Cerullo discovered that the shared expense numbers were erroneously duplicated in the due to/from cash flow category. Mr. Mosco removed the duplicate entries to illustrate the actual bank balance that has increased for each month, which also increases NJ Transit's net cash, however still negative.

The board members analyzed and discussed the cash flow budget and the shared expenses in detail. Mr. MacPherson stated that he is waiting for NJ Transit representatives to set a meeting to discuss that they take back the responsibility of their platform and to renegotiate the Guarantee quarterly payment of \$375k.

Mr. MacPherson stated that the repairs required on the platform, as suggested from the report prepared by representatives from the State of Good Repair, is the Authority's responsibility through NJ Transit's revenue. Commissioner Katz inquired if the original estimate was reevaluated, and Mr. MacPherson said that Mr. Korkuch is working with Cifelli Electric and will get drawings and projections.

Mr. Colitsas shared the P&L Budget Overview on shared expenses displaying that most of the expense numbers are down significantly. Mr. MacPherson stated that he renegotiated the monthly insurance cost for the properties, not including the platforms, and was able to have it reduced from \$32K to \$24.5K, effective January 2021. Mr. Mosca will update the budget to reflect the reduced rate.

The board members reviewed the P&L Budget for WWPA. Chair Lupo requested that the Interest Income category be reduced from \$1,500 to \$750 a month.

Councilwoman Mandel inquired about the land rent fees. Chair Lupo stated that he spoke with Mayor Marathe about renegotiating the fee for the 2021 budget and is awaiting his decision. Councilwoman Mandel will discuss with Mayor Marathe.

The board members reviewed the P&L Budget for NJ Transit and requested various adjustments. Mr. Colitsas will make the changes requested and recirculate for the Board's

review. Board members expressed their approval of the financial reports prepared by Messrs. Colitsas and Mosca.

DISCUSSION ITEMS (continued)

Projects

Mr. MacPherson said that he sent a letter to NJ Transit regarding the Authority's concerns of funding the repairs required on their platforms as indicated on the State of Good Repair report issued by the Federal Railroad Administration. The letter explained that NJ Transit does not have revenue to draw funds from and that instruction on how to proceed is needed. The response received from the assistant head of the State of Good Repair group for NJ Transit questioned why they would have to pay since the platforms are the Authority's responsibility. Apparently, not all NJ Transit members are aware that they own the platforms and the Authority only manages them. It was suggested that the Authority apply for a grant, but since the platforms are owned by NJ Transit, the Authority is not legally able to apply for a grant. Chair Lupo and Mr. Girandola requested that Messrs. MacPherson and Schwartz prepare another letter that is legally sufficient to have sent on behalf of the board members that clarifies ownership, along with a copy of the State of Good Repair report. Copies should be sent to various members for awareness across NJ Transit.

Mr. MacPherson stated that the back-up generator will soon need repair and will cost approximately \$50K.

Repairs will be made next week on the propellers of the two tunnel pumps that were installed 4½ years ago caused by debris entering the pit. As a preventative, screens will be installed on the trash cages that are placed at the end of the pipes. This is a NJ Transit station maintenance expense.

Snow Plan

Mr. MacPherson displayed the WWPA Operating Statistics report to display the significant decrease of parkers from last year. Mr. MacPherson sent letters to the first 50 individuals on the waitlist offering them a spot with the provision that it could be temporary should capacity resume. Those who declined the offer were removed from the waitlist, and it was determined that those individuals should have the option to remain on the waitlist should they not accept the offer. Mr. MacPherson will notify those individuals of this change and continue forwarding permit parking offers to those on the waitlist in order until the limit has been met.

REPORTS (continued)

Administration

Mr. MacPherson stated that the Authority's part-time enforcement officer retired.

Mr. MacPherson stated that he informed employees that pay increases and year-end adjustments will not occur for 2021 due to the decline in revenue.

EXECUTIVE SESSION

Chair Lupo moved that board members enter executive session to discuss Sidetraxx, a private lot on Station Drive. Commissioner Fabrizio seconded the motion. Board members went into executive session at 9:42 p.m. At 10:13 p.m., Chair Lupo moved that board members come out of executive session. Commissioner Katz seconded the motion.

ADJOURNMENT

Chair Lupo moved to adjourn. There being no further business to discuss, the meeting was adjourned at 10:15 p.m.

Respectfully,

Elle Magarelli