

# **WEST WINDSOR PARKING AUTHORITY**

## **Minutes of Meeting**

**March 11, 2015**

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The West Windsor Parking Authority held their meeting on Wednesday, March 11, 2015 at 8:00 p.m. in their office at 64 Princeton-Hightstown Road, Suite 24, Princeton Junction, NJ 08550.

The next Board meeting is scheduled on Wednesday, April 8, 2015 at 8:00 p.m.

### **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 8:00 p.m. The following individuals attended:

#### **Commissioners**

Andy Lupo, Chair  
Alison Miller, Secretary  
Thomas Crane, Treasurer

#### **Non-Commissioners**

Martha Watlington, General Manager  
Robert Schwartz, Attorney  
Kristina Samonte, Council Liaison  
Tom Calu, Parking Consultant  
Ron Ghrist, Financial Consultant  
Sergeant Mary Lou Tarr, Police  
Adam Browne, Surf and Turf Food Truck Vendor  
Beata Browne, Surf and Turf Food Truck Vendor  
Robert Korkuch, ACT Engineers  
Dan Fabrizio, Permit Holder  
Melanie Stein, Permit Holder

#### **Not Present**

Lyle Girandola, Vice Chair  
Pat Boyle, Assistant Treasurer

### **Comments from Audience**

Melanie Stein, a parking permit holder, joined the meeting to express why she feels she was unfairly ticketed. Ms. Stein complained that the WWPA's website instructions are not clear enough about new car plate registrations, which caused her to be ticketed. She registered her temporary plate, but did not subsequently register her permanent plate once it was received. She also feels that the penalty of \$60 is excessive. Chair Lupo thanked Ms. Stein for sharing her opinion with the Board, and explained to her that the ticket costs are set by the courts and the money goes to the Township, not WWPA.

### **ACTION ITEMS**

#### **Approval of Minutes (February 11, 2015)**

Commissioner Crane moved to approve the February 11, 2015 minutes. Commissioner Miller seconded the motion. All Commissioners present voted to approve the minutes.

#### **Approval of Bills (February 2014)**

The Board discussed the bills in detail. Commissioner Miller moved resolution 03.11.15-01 to approve the February bills. Commissioner Crane seconded the motion. The motion was unanimously approved.

#### **Authorization for the purchase of one new (additional) enforcement vehicle and replacement of a maintenance vehicle:**

Mr. Calu discussed with the Board the purchase of a new additional enforcement vehicle and the need to replace the maintenance vehicle. Mr. Calu suggested that the cost of the vehicle stay in the \$20,000 range, which makes it challenging for the public sector to procure since availability under the state contract is limited. The only acceptable vehicle available currently under state contract is a four wheel drive, Jeep Patriot Sport.

Mr. Calu recommended that the Board move resolution 03.11.15-02 to authorize the General Manager to take all actions necessary to purchase a four wheel drive, Jeep Patriot Sport at a price not to exceed \$22,000, base price plus options, pursuant to NJ State Contract A83011 awarded to Hertrich Fleet Services of Milford Delaware.

Mr. Calu discussed with the Board replacing the eleven year old pickup truck with a new Class 1 pickup truck. Mr. Calu stated that there are currently no state contract opportunities available, meaning that it is unknown what brand will become available.

Mr. Calu recommended that the Board move resolution 03.11.15-03 to authorize the General Manager to take all actions necessary to purchase an appropriately equipped Class 1 pickup truck at such price approved by the Chairman not to exceed \$30,000 from such vendor to be determined as soon as the pending award of a state contract for such vehicle is determined. The capital budget will be amended.

Commissioner Crane moved resolutions 03.11.15-02 and 03.11.15-03. Commissioner Miller seconded the motion. The motion was unanimously approved.

**Authorization for Engineering Services for a Storage Shed**

Mr. Calu recommended that the Board move resolution 03.11.15-04 to authorize the Chairman to contract with ACT Engineers for services relating to the purchase, installation, permits, etc. of a storage trailer in accordance with ACT's proposal in an amount not to exceed \$9,000. Mr. Korkuch stated that ACT is trying to avoid wetlands and place where it is convenient to operations and to where electrical can reach, etc.

Commissioner Miller moved resolution 03.11.15-04 to authorize the Chairman to contract with ACT Engineers for services relating to the purchase, installation, permits, etc. of a storage trailer in accordance with ACT's proposal in an amount not to exceed \$9,000. Commissioner Crane seconded the motion. The motion was unanimously approved.

**DISCUSSION ITEMS**

**Food Truck Initiative**

Mr. Schwartz discussed with the Board his concern about holding the food truck event on the new south Vaughn lot because the township owns this property and WWPA only leases it. Chair Lupo informed Mr. Schwartz that the township is aware of the event and is supportive of it. Chair Lupo suggested that the township be listed as the insured to eliminate any potential issues. Commissioner Miller requested that Mr. Schwartz speak with the township about whether we need to ask Council for permission to use this lot for the event, and Mr. Schwartz agreed to do so.

Commissioner Crane read to the Board the event description: In order to create a unique opportunity for the community and based on the growing popularity of food trucks, WWPA has

decided to create an event called Father's Day Food Truck Fete. The event has been planned to draw in 2,000 to 3,000 attendees. The focus is to offer variety of local food trucks with unique fare to guests while offering children's activities, music, etc. The event has potential for enthusiastic public interest and goodwill for the Township. The event will take place on Sunday, June 21.

The Board discussed foundational details such as traffic control, clean up, admission charges, personnel, electricity, security, etc. with Mr. and Mrs. Browne, owners of Surf and Turf Food Truck. The Brownes offered their suggestions and recommendations to ensure a successful event.

## **REPORTS**

### **Police**

Sgt. Tarr presented the February reports, and the incidents were discussed with the Board.

## **DISCUSSION ITEMS (continued)**

### **Rehabilitation of Authority-Owned Wallace Owned Permit Lot (ACT)**

Mr. Calu stated to Mr. Korkuch that WWPA signed an authorization to proceed with the Wallace Road Permit Lot rehabilitation and reminded Mr. Korkuch to obtain from the Township a copy of their latest boilerplate for Construction Bid documents to spare WWPA from having to recreate it, and Mr. Schwartz agreed.

### **Pedestrian Walkway Trail**

Mr. Korkuch informed the Board that NJ Transit mailed the license agreement yesterday, March 10; however, there still remains the issue with DEP in that NJ Transit never fulfilled all of the requirements of the permit that they needed in 1994. DEP will not issue a permit for this project without that being resolved because part of the project is on NJ Transit's property. ACT representatives visited the DEP to review their files, and to argue WWPA's case that a permit could be issued right away, but it may still require a public hearing, and/or a deed restriction on either WWPA's property or the Township's property before a permit will be issued.

Further complicating the timeline is a holdup due to potential "Indiana bat habitat" in the area, and the related endangered species prohibition against clearing trees between April 1

and September 30. Mr. Korkuch stated that getting this accomplished with DEP by April 1 is unlikely and suggests that the Board allow the bids to be rejected, if unsuccessful within the next few days.

In conclusion, since NJ Transit has no incentive to challenge DEP over the permits not fulfilled since 1994, ACT advises that the Authority perform the work and pay it themselves, despite not being accounted for this year's budget. Therefore, it was suggested by the board that a plan be devised for proceeding without NJT over the summer. Ms. Miller suggested that the Board write to them apologizing that we can't do the project due to the Indiana Bat season constraints and request new bids for next fall.

Commissioner Miller moved resolution 03.11.15-05 to approve signing the licensing agreement after Mr. Schwartz's review. Commissioner Crane seconded the motion. The motion was unanimously approved.

### **Artis Senior Living Easement**

Mr. Korkuch, of ACT Engineers, informed the Board of his review of the planning documents for the Artis Senior Living (ASL) easement which will adjoin WWPA's property at the new Vaughn lot. It appears that the part of the property being improved is in very close proximity to the new Vaughn parking lot, and it will require some additional landscaping for drainage features and swales on the adjoining property. There is also concern that since municipal solid waste was piled there, WWPA would not want ASL planting under the current proposal. Our recommendation would be either to alter ASL's plans for landscaping to avoid planting on the parking lot property, or prepare for them an alternative plan on how to do it. Further, since the new Vaughn lot is essentially owned by the town and not WWPA, an easement plan would have to be approved by the Township rather than the Authority. Commissioners Crane and Miller suggested making a recommendation to the Township. Mr. Schwartz requested to see the plan before deciding.

Ms. Miller also suggested that WWPA issue a formal resolution that would be part of the package that is brought to the Township when ASL asks for the Township's approval. Mr. Korkuch suggested that the Authority accompany the applicant with an endorsement, including the items of concern that have been noted so that the Township is aware of all details.

### **Pending NJ Transit Approval of Engineering Contracts for Consulting Engineering Services for Rehabilitation of Wallace and Station Drive Daily Pay Lots**

Mr. Calu discussed with the Board the rehabilitation of NJ Transit properties, specifically the Wallace Road and the Station Drive daily pay lots. Those authorizations are subject to NJ Transit approving WWPA as their agent in awarding those contracts. In this manner, the funds for those services could come out of WWPA's normal payments to NJ Transit, if required.

The Board approved this approach on January 14, and subsequently requested that NJ Transit approve its recommendation by February 15. This past week (of WWPA's March meeting) NJ Transit granted approval. Chair Lupo now has authorization to execute two contracts with ACT Engineers so that ACT can proceed to prepare designs and bid documentation for the two targeted lots. They will be staged for completion in logical sequence, which will be determined. Chair Lupo signed the contracts.

### **Video Surveillance System**

Mr. Calu had nothing to report on the video surveillance system other than the sub-committee would meet on March 18 with the intention of performing an in-depth review of the functionality, and subsequently report with recommendations at the April 14 meeting for a Board presentation.

### **Pedestrian Ramp Repairs by NJ Transit**

Mr. Calu wanted to have on record that the pedestrian ramp repairs by NJ Transit have not yet been completed.

### **Pending Orders for New (Replacement) Pay Stations and Pay by Phone Services for NJ Transit**

Mr. Calu informed the Board that the new pay stations and shelters that are on order for NJ Transit's Wallace Road and Station Drive daily pay lots will function in a "pay by plate" mode. The order has been pending for a while; as of Friday, it is still in manufacturing and it is expected to be available for installation in June. Within the next few weeks, WWPA will schedule a delivery date and an installation date for the several locations followed by a public announcement to commuters.

Concurrently planned is the "mPay2Park" phone system that integrates with these new machines. WWPA's intentions are to install mPay2Park in the Vaughn lots first, followed by the NJ Transit owned daily pay lots located on both sides of the tracks.

As of last Friday, mPay2Park has still not completed all that it needs to do to push required data to the Genetec LPR system. This task is expected to be completed in a month or two. Mr. Calu told mPay2Park that WWPA would not consider their camera system as a replacement for Genetec until their base system works as expected. A lot of time was lost due to this data

push hurdle, and it is important that we don't launch prematurely. This additional service, once launched, is expected to offer customers a more efficient daily parking experience, as well as relieve WWPA from the burden of having to manually collect cash.

## **REPORTS (continued)**

### **Administration**

Ms. Samonte, Township Councilwoman, stated that there was nothing to report. Mr. Ghrist announced that he completed the year end numbers, which showed that WWPA operated last year at approximately a \$70,000 loss. He told Ms. Samonte that she could report that and that there are not additional payments to the Township and that the \$70,000 loss is before accounting for a contribution to the Township. The loss is due to the snowfall and the considerable fees charged by the vendor for their snow removal services. The Township had estimated that the WWPA would account for an extra \$40,000 in the budget for 2015. Ms. Samonte will send an email to the Council letting them know not to expect the 40k in revenue next year.

### **Risk Management**

Regarding the scheduled lot repairs discussed earlier in the meeting (see above), Mr. Calu stated that WWPA can let the insurance providers know that approval was received from NJ Transit on the two lots. Mr. Calu will email ACT asking for a proposal on the Alexander lots because WWPA's insurance company found there to be safety problems with those properties, which are gradually getting worse. Further, WWPA will write to NJ Transit informing them of the repairs needed.

### **Maintenance**

Mr. Calu and Ms. Watlington discussed the electrical shortage due to corrosion under the platform. Cifelli Electrical estimated that the repair would cost approximately \$11,000. NJ Transit gave approval for the repair to be made but Mr. Calu advised that WWPA should not accept responsibility for infrastructure repairs, as compared to routine maintenance and that they should be handled by NJ Transit.

### **Lawsuit Against NJ Transit**

Chair Lupo asked Mr. Schwartz to discuss the lawsuit brought by NJ Transit for recoupment of attorney's fees that were expended in a lawsuit that was previously settled between NJ Transit and a customer. Mr. Schwartz stated that the case went before Judge Anklowitz, but his ruling was inconsistent. On one hand he found that NJ Transit could not claim the

attorney fees, but on the other hand Judge Ankowitz did not issue a summary judgment on the attorney's fees issue. This provided NJ Transit the opportunity to continue to try and claim reimbursement from WWPA's insurance carrier for their legal fees. WWPA's insurance company has stated that if NJ Transit had legal costs that they wanted to be reimbursed, they should have included those before the case was settled. The legal fee reimbursement issue remains open.

## **CLOSED SESSION**

Commissioner Miller moved that the Board enter into closed session to discuss contract issues. Commissioner Crane seconded the motion. The Board went into closed session at 9:57 p.m. At 10:06 p.m., Commissioner Miller moved the Board to come out of closed session. Commissioner Crane seconded the motion.

## **ADJOURNMENT**

Chair Lupo moved to adjourn. There being no further business to discuss, the meeting was adjourned at 10:08 p.m.

Respectfully,

Elle Magarelli