

**Trenton Parking Authority
Regular Monthly Meeting
August 24, 2022**

16 E. Hanover St. - Trenton, NJ 08608
Via Remote

Chairperson LaBate opened the regular monthly meeting at 5:04 pm by reading the Open Public Meeting Act.

In Attendance: Chairperson Anne LaBate, Evangeline Ugorji, Scott Rice, Samuel Tompoe and Nancy Ugalde

Absent: Commissioner Joseph Mamman

Council Liaison: Absent

Staff: Patrice Harrison; Office Manager, Wil Harrington, Operations Supervisor, Phil Jackson, Operations Supervisor

Legal Counsel: Absent

Owner's Representative: Lou Garlatti, Albert Garlatti Associates,

Presentations: None

Public: Councilwoman Robin Vaughn
Cherie Garrette

Commissioner Ugorji asked why the May and June minutes, reports and checks are not included in this meeting packet since they are on the agenda to approve. Chairperson LaBate explained they were previously circulated in the monthly packet along with the corresponding monthly documents in advance of both the June and July meetings for which we did not have a quorum. To accommodate members who had not reviewed those documents, Chairperson LaBate suggested tabling the May and June 2022 minutes, reports and expense check list until next month's meeting.

Commissioner Ugorji questioned why the board would need to approve a list of checks without the corresponding invoices attached. Chairperson LaBate explained that the signers of the checks review all invoices before signing off on them. If any Commissioner would like to see the corresponding invoices, they are available. Also, as Commissioner Ugorji has access to view Quickbooks online at her convenience; she was issued the login information. Commissioner Ugorji said she should be a signer on the account since she is Vice Chairperson. When former Executive Director Perry Shaw sent the revised Wells Fargo signature page to be signed by Chairperson LaBate, Vice Chairperson Ugorji, Treasurer Ugalde and Secretary Rice, Commissioner Ugorji did not sign the document and responded "I'll defer to the Chairman, his lawyer and Mr. Scott Rice to wrap up their deal for now." Her name was then crossed off the Wells Fargo form. Commissioner Ugorji asked Treasurer, Nancy Ugalde whether she is afforded a copy of the corresponding invoices when the checks are presented to her. Chairperson LaBate, Commissioner Ugalde and Commissioner Rice, all account signers, verified they review the invoices which are attached to the corresponding check prior to signing the checks. Chairperson LaBate suggested possibly holding a separate meeting with the auditors to discuss this further since this was not on the agenda and suggested moving on with the meeting.

June 22, 2022 Minutes:

There were no minutes for June 22, 2022 since the meeting was canceled due to lack of quorum.

July 27, 2022 Minutes:

There were no minutes for July 27, 2022 since the meeting was canceled due to lack of quorum.

July 2022 Garage Financial Reports:

Chairperson LaBate asked the Commissioners if there were any questions or comments concerning the July financial and expense reports. Commissioner Rice commented on the steady increase in monthly revenue. With nothing more, Commissioner Rice motioned to approve the July financial report, seconded by Chairperson LaBate. Vote: 4 yes, 1 opposed, Commissioner Ugorji and 1 absent, Commissioner Mamman.

July 2022 Expense Checks:

Chairperson LaBate asked the Commissioners if there were any questions or comments concerning the July expense checks. Commissioner Ugorji argued the payment for Legal Service performed by Carlin, Ward, Ash and Heiart, in her opinion they are not providing the services they were hired for. With there being nothing more, Commissioner Rice motioned to approve the July expense checks, seconded by Commissioner Tompoe. Vote: 4 yes, 1 opposed, Commissioner Ugorji and 1 absent, Commissioner Mamman.

Chairpersons comments:

Chairperson LaBate informed the board that the \$1.5 million for the Broad and Front Garage Demolition was carried over into the new state budget. Discussion continues with Julie Krause regarding the MOU draft previously drawn up by Attorney Michael Ash. Julie Krause is suggesting two separate MOU's, one between Treasury and CCRC and one between CCRC and TPA. Chairperson LaBate requested once again that the State consider allowing a process whereby TPA can begin to draw from these funds for pre-development hard and soft costs.

Broad and Front Garage security has been evaluated since receiving several complaints from the State concerning safety around the garage. Different options are being reviewed. Rather than just boarding up the remaining openings there are other products that would allow a focus on the vulnerable access points and be more aesthetically appropriate considering the high visibility of this location. A quote provided by D.A.W.G.S Security been received and reviewed. Board members will be kept updated.

Phoenix Advisors prepared a current financial report and stated TPA will have the funds to pay the October 2022 bond payment. US Bank inquired about TPA having half of the April 2023 bond payment in advance of the payment. This is not something normally done, Bond Counsel will advise.

With there being no responses to the Solar Project RFQ, the project will not move forward at this time. Chairperson LaBate explained the Board of Public Utilities had a severely limited time frame within which the project must become operational. Their time frame is nearly impossible for public entities to properly bid the project out. If there is any change in the BPU regulations, we may be able to reconsider.

As the budget is being discussed it must include a review of staffing and salaries since they have not had an increase in several years. A committee has been established, including Commissioners Rice and Tompoe along with Chairperson LaBate to review staffing and schedules along with salaries.

Commissioner Ugorji questioned the payment to Greener by Design as she felt this project was another waste of funds for something that was not legitimate. Chairperson LaBate explained we only paid them for the services they performed. Since there were no bids received, the project cannot move forward and no further payments will be made. Commissioner Ugorji also questioned why the budget was submitted to the city without being voted on by board? Chairperson LaBate explained that the budget would usually be submitted to the city after it is approved by the board, certified by DCA and then adopted by the board and resubmitted to DCA. The 2021 and 2022 budgets have not yet been completed, Non-Profit Accounting Solutions is preparing both TPA budgets.

Chairperson LaBate stated that there is an ongoing issue with Quickbooks Online connecting with Wells Fargo which is causing a problem getting correct financial reports. Non-Profit Accounting reported that we are not the only organization facing this problems and switching banks is likely the only solution since Wells Fargo has not been able to resolve the problem. Chairperson LaBate brought forward a resolution before the board to move all TPA funds from Wells Fargo Bank to TD Bank, seconded by Commissioner Rice. Vote: 3 yes, 1 opposed,

Commissioner Ugorji and 2 absent, Commissioner Mamman and Commissioner Ugalde, stepped out of the meeting.

Chairperson LaBate presented a resolution to authorize TD Ameritrade to transfer \$300,000 into the Wells Fargo account in order to pay J.H. Williams for the February, March and April 2022 invoices pertaining to the elevator project. Chairperson LaBate motioned to approve the \$300,000 funds transfer from TD Ameritrade to Wells Fargo in order to make the February, March and April payments to J.H. Williams for the elevator project, seconded by Commissioner Tompoe. Motion was unanimously approved.

Commissioner Rice had concerns surrounding the authorized signers on the bank accounts, stating that they should be the Chairperson, Vice Chairperson and Treasurer. He is still on file as a signer on the account in case he is needed but feels the documents should be updated and align with the positions. Chairperson LaBate suggested distributing the current forms and see how they can be revised. Commissioner Rice explained that if they want the Secretary to be a main signer then it should be noted.

Commissioner Rice had a few questions concerning the Chairperson's comments. As for the Broad and Front \$1.5 million, is the state now going to move slower on the project and funds since they moved the funds into the current budget? Also, before we secure the garage does it need to be cleaned out? Is it safe for our staff and will there still be an entrance into the garage after the panels are installed? There will be a panel on the door with a 4- digit code to allow entrance. Chairperson LaBate will forward pictures for DAWGS Security outlining the suggested security.

Commissioner Ugorji doesn't feel the \$1.5 million is worth worrying about since we don't have the full amount needed to complete the demolition. We cannot make an educated decision until the board has a better understanding of its financials. Chairperson LaBate explained there are many steps that need to be addressed prior to any redevelopment or demolition, she is hoping to draw down on the funds to allow for any studies or environmental issues to be started. Lou Garlatti agreed the studies would need to be done (or updated) before moving forward.

Chairperson LaBate called on Lou Garlatti to review the facilities reports.

Warren St. Garage:

- Lou Garlatti reiterated the following invoices are still open for JH Williams App#12 for \$64,467.35, App#13 for \$48,509.41 and App#14 for \$35,104.82. J.H. Williams is waiting on steel pieces for the elevator door which has been held up by the manufacture, this will complete the project. They will then move forward with inspections. Chairperson LaBate asked for a motion to approve the \$148,081.57 payment to J.H. Williams for work done of the Warren St. elevator project. Commissioner Rice motioned to approve the total payment of \$148,081.57 to J.H Williams, seconded by Commissioner Tompoe. Vote: 3 yes, 2 no Commissioners Ugorji and Tompoe, 1 absent, Commissioner Mamman.

Commissioner Ugorji pressed the issue of change orders and stated that questions concerning the change order overage has not been answered. She will be moving ahead with an investigation into this. Chairperson LaBate explained each one of the change orders have been reviewed by the board and our attorney and voted on during this project. There were many issues surrounding Phase 1 of the project. DCA changed its requirements which adjusted the scope of work that was not addressed in the original contract documents. These DCA changes are well-documented and have been addressed many times throughout this project. Commissioner Tompoe is asking if the board can hold off longer and wait for Mike Ash to return from his vacation. This is not logical since that would call for a special meeting to discuss the same items that have already previously been discussed. This would just prolong the payment which has been pushed off for several month already. Commissioner Rice said why hold back on the payment, the work has been completed and either way Commissioner Ugorji will be investigated the contract. It will make no difference whether we make these payments or not, the investigation will move forward. Commissioner Rice reiterated the importance of paying our contractors for work done.

Broad and Front Garage:

- Inquiring about securing the building with DAWGS Security.

Liberty Commons Garage:

- Nothing to report

Lafayette St. Garage:

- Nothing to report

Merchant St. Lot:

- Nothing to report

Elks Lot:

- Nothing to report

Public Comments:

Councilwoman Robin Vaughn informed the board when pertaining to change orders there are no exceptions allowing any amount over the 20% of the projects value. The project would have to be reassessed before moving forward. She doesn't know what erroneous information our legal adviser gave but anyone sitting on a board should know that change orders are taken very seriously. Also, Councilwoman Vaughn spoke concerning her opinion on CCRC working in conjunction with the state and feels the state should have nothing to do with city assets. Any redevelopment of city assets should be addressed with taxpayers and city representatives, not the state. She thanked Chairperson LaBate and the board for allowing her to speak.

Cherie Garrett stated she concurred with Councilwoman Vaughn concerning the elevator project change orders, everything should have been laid out correctly in the original scope of work. Legally this should have been addressed prior to the project being complete.

Adjournment of the regular monthly meeting:

Chairperson LaBate asked if there was further business. With being none, Commissioner Tompoe motioned to adjourn, seconded by Commissioner Rice. Commissioners unanimously approved adjournment of the meeting.

Meeting adjourned at 7:10 pm.

Patrice Harrison
Board Secretary