

PARKING AUTHORITY OF THE CITY OF SCRANTON

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HELD:

WEDNESDAY, MAY 19th, 2021

LOCATION:

VIA TELECONFERENCE

APPEARANCES:

JAMES WINTERMANTLE

ALEX MOLFETAS - Chairman

MICAH WOODARD - Vice Chairman

MICHAEL SALERNO - Secretary/Treasurer

JACK HARRINGTON

TODD A. JOHNS, ESQUIRE - EXECUTIVE DIRECTOR/SOLICITOR

MARIA McCOOL, RPR  
OFFICIAL COURT REPORTER

1                   ATTY. JOHNS: So, Mr. Chairman, if  
2                   you want to call the meeting to order, first  
3                   item on the agenda is the Pledge of Allegiance.

4  
5                   (Pledge of Allegiance.)

6  
7                   ATTY. JOHNS: Mr. Chairman, if I  
8                   could call the meeting -- if you want to call  
9                   the meeting to order I will perform a roll  
10                  call.

11                  MR. MOLFETAS: Let's call the May  
12                  19th meeting to order.

13                  ATTY. JOHNS: Chairman Molfetas for  
14                  roll call.

15                  MR. MOLFETAS: Present.

16                  ATTY. JOHNS: Mr. Woodard.

17                  MR. WOODARD: Present.

18                  ATTY. JOHNS: Mr. Salerno.

19                  MR. SALERNO: Here.

20                  ATTY. JOHNS: Mr. Harrington.

21                  MR. HARRINGTON: Here.

22                  ATTY. JOHNS: And Mr. Wintermantle.

23                  MR. WINTERMANTLE: Here.

24                  ATTY. JOHNS: All right. Okay. We  
25                  have a full house. All right. Mr. Chairman,

1 the first item on the agenda is an Executive  
2 Director report which again was provided to  
3 everyone prior to the meeting as well as our  
4 court reporter. It contains the bank  
5 statements for the FNCR concession slash  
6 operating account from January 1st, 2021  
7 through February 30th, 2021, indicates that the  
8 balance in the April statement was \$390,146.07.

9 One of the items listed was a  
10 deposit of -- that was made of \$557,677. That  
11 was a check from the County of Lackawanna  
12 Transit System to the Scranton Parking  
13 Authority. That's part of the grant that --  
14 the intermodal grant that was approved for the  
15 Scranton Parking Authority.

16 So the Parking Authority processes  
17 that check through the account and then  
18 forwards it to NDC because they're the  
19 individuals that spend the money. They have to  
20 spend the money. They submit the invoice, then  
21 they're reimbursed. The COLT acts as a  
22 passthrough. They provided the check to the  
23 Authority. The Authority deposits the check.

24 And then the money is wire  
25 transferred to NDC to reimburse them for

1 construction expenses that they've incurred.  
2 So that is reflective that the check was  
3 deposited on January 11th, 2021 and the wire  
4 transfer was made on January 28th, 2021.

5 Also another item listed with the  
6 checking, there was a stop payment on check  
7 number 1120. That was a check to Maria McCool  
8 our court reporter for her preparing a  
9 transcript for the December meeting or the --  
10 November -- December meeting.

11 For whatever reason that check never  
12 reached Ms. McCool. It never was returned to  
13 the Authority. So I contacted upon learning  
14 that check had not cleared, I contacted FNCB  
15 Bank and placed a stop payment order on that  
16 check and a new check was issued to Miss McCool  
17 to cover her invoice from last year.

18 Also attached to my report is a copy  
19 of the liability insurance declaration page and  
20 policy that is purchased by NDC -- by CDPS on  
21 behalf of the Parking Authority. So if there  
22 is any issue or losses or damages or lawsuits  
23 or anything that occur we are covered by the  
24 policy.

25 In the past there have been some

1 claims that were filed by individuals who were  
2 injured at a garage. However, as we are out of  
3 possession landlord, we have a Hold Harmless  
4 Agreement with CDPS.

5 And their insurance policy that they  
6 pay for covers any claims that may arise from  
7 any injuries or damages or other incidents that  
8 could occur at any of the garages. So the  
9 liability insurance for the 2021 year is  
10 attached hereto.

11 And finally as part of my report as  
12 the Board -- some members of the Board that  
13 were present, some are new, last year the Board  
14 put out a request for people to give proposals  
15 to do a review of the account that we have the  
16 concessions revenue slash operating account.

17 That account was opened on August  
18 30th, 2016 with funds from the concession  
19 agreement. That account is a double signatory  
20 account, requires the signature of the  
21 Treasurer of the Authority as well as myself as  
22 Executive Director. And if we wanted to just  
23 have a review done to, you know, for full  
24 transparency and to show that, you know, there  
25 are no issues or problems with the account or

1 the public monies in the account.

2 And in the report it was determined  
3 after three proposals and a scoring system that  
4 was done by the Board members of the Authority  
5 last year that Mcgrail Merkel Quinn &  
6 Associates were chosen as the accounting firm  
7 to perform the review of the account. I then  
8 provided them with the concession agreement  
9 checking account.

10 I provided them with all bank  
11 statements from the date of the opening of the  
12 account through December of 2020. And I also  
13 provided them with a sampling of receipts and  
14 other invoices that they requested. And  
15 pursuant to the procedure and associated  
16 findings and review, it's indicated in the  
17 report which, Maria, we can attach this to the  
18 transcript that they found no exceptions or  
19 issues.

20 The only thing they saw was there  
21 was a -- there was a discrepancy in the  
22 checkbook where two wire transfer fees were  
23 inadvertently not listed within the checkbook.  
24 But other than that, that was corrected. And  
25 they found no irregularities, no improper

1 procedures or any other issues.

2 All of the invoices and the  
3 checkbook and the bank statements that they  
4 reviewed matched up. They did not have any  
5 concern. And the checkbook was returned to me  
6 and the correspondence dated May 3rd, 2021 from  
7 Mcgrail Merkel Quinn & Associates is attached  
8 to my Executive Director report.

9 And so that is the last item I have  
10 for the Board. So that would conclude my  
11 presentation. I would -- if anyone in the  
12 public or press or the Board has any questions  
13 regarding the report or anything therein, you  
14 know, I'm happy to answer any questions anyone  
15 may have.

16 Okay. All right. The next item on  
17 the agenda, Mr. Chairman, would be the report  
18 from Ben Anderson on behalf of CDPS.  
19 Mr. Anderson provided me with his slideshow  
20 presentation earlier today. It was forwarded  
21 to Mr. Lockwood from the Scranton  
22 Times-Tribune, our court reporter and the Board  
23 members.

24 Again, except for Mr. Wintermantle,  
25 which I will forward him a copy with as we

1 conclude the meeting. So, Maria, we'd also ask  
2 that this be attached to the transcript of the  
3 hearing as well, okay? Mr. Anderson.

4 MR. ANDERSON: Thank you very much.  
5 Good evening to the Scranton Parking Authority  
6 Board, Miss McCool, and members of the public.  
7 Thank you for the opportunity to present on  
8 CDPS's operations through April, 2021.

9 Let's advance to slide two where  
10 you'll see our capital improvements update. As  
11 previously recorded in February -- the last  
12 Parking Authority meeting the south side of the  
13 Electric City Garage was reopened at the end of  
14 2020. At that time -- well, at our last  
15 meeting CDPS projected that the improving  
16 weather would allow for the remaining work on  
17 the garage's north side bordering Lackawanna to  
18 Spruce to be completed in April of this year.

19 However, only recently were we able  
20 to make significant headway on painting and  
21 lighting finishes. So what remains to be  
22 completed, striping on the upper levels, safety  
23 improvements and sign installation. Proceeding  
24 to the next you can see a representation of  
25 the ADA compliance striping plan we'll be



1 instituting on the levels two, three and four.

2 And then the following slide shows  
3 areas of improvement on the roof deck where we  
4 are coordinating currently with Scranton  
5 Tomorrow and Lackawanna County to hold this  
6 year's Independence Day fireworks celebration.  
7 So it's looking really good including new light  
8 posts and repainting finishes along that wall.

9 As I move to the next slide --  
10 unless there are any questions on the Electric  
11 City reconstruction? The next slide, slide  
12 number five you'll find a recap of the sources  
13 and uses of construction financing and you'll  
14 see that sources totaled 5,192,028 dollars  
15 shared between CDPS and the Electric City  
16 Parking Company.

17 Then the following slide is where  
18 you'll find our financial highlights  
19 year-to-date performance. So summary goes that  
20 revenue is worse than budget by \$112,000 so far  
21 this year. But the sunny side of that is  
22 expenses were better than budget by nearly just  
23 as much by 109,000.

24 So our net operating income is worse  
25 than budget by just 3,000 through this trying

1 year.

2 The next slide gives you a lot more  
3 detail on our operation in April and through  
4 April 30th. So you'll see in the first column  
5 the April actual net operating income was  
6 \$214,000 in April, quite a positive figure.

7 So while CDPS isn't making debt  
8 service, there are signs that things are slowly  
9 coming back and business is steadying. We have  
10 been speaking with a perspective tenant on our  
11 last vacant rental space. That in the -- one  
12 remaining space is the Casey Garage off Center  
13 Street.

14 And I'm also happy to report that  
15 Catch 21 restaurant in the Linden garage should  
16 open by the end of the month and begin making  
17 rental payments. So we have filled up all of  
18 our available spaces. And I think this  
19 indicates that business is getting better,  
20 business is coming back. So thank for your  
21 time. I'm happy to answer any questions you  
22 may have.

23 MR. WINTERMANTLE: I have a  
24 question. On the fire suppression doors on the  
25 garages, are they up to code?

1 MR. ANDERSON: Are you saying  
2 currently across the system?

3 MR. WINTERMANTLE: Yes.

4 MR. ANDERSON: So we worked with a  
5 fire safety contractor and -- by the name of  
6 Cosgroves to improve this system. And the fire  
7 suppression doors should have been a part of  
8 the scope.

9 ATTY. JOHNS: Ben, if possible,  
10 would you be able to verify that and maybe send  
11 me a supplemental e-mail that I could pass onto  
12 the Board members regarding that specific  
13 issue?

14 MR. ANDERSON: I'll follow up  
15 promptly.

16 ATTY. JOHNS: Okay. Mr. Chairman,  
17 the next item on the agenda would be the  
18 introduction of the resolutions. And the two  
19 resolutions would simply be resolution to  
20 accept and adopt the report I presented as well  
21 as Mr. Anderson's report.

22 So this would be Resolution No. 3 of  
23 2021 of the Scranton Parking Authority, whereas  
24 the Authority hereby formally accepts the  
25 report of Todd A. Johns, Esquire Authority

1 Executive Director/Solicitor presented at the  
2 Authority Board's regular meeting held on May  
3 19th, 2021.

4 Now, therefore, the Board of the  
5 Authority hereby resolves that the report of  
6 Todd A. Johns, Esquire Executive  
7 Director/Solicitor is hereby accepted, adopted  
8 by at least a majority of the Authority on May  
9 19th, 2021.

10 Resolution No. 4 of 2021 would be a  
11 resolution of the Authority to hereby formally  
12 accept the report of NDC/CDPS presented by the  
13 Authority's regular meeting on May 19th, 2021.  
14 Whereas the written and oral presentation of  
15 NDC/CDPS is hereby accepted, adopted by at  
16 least a majority of the Board of the Authority  
17 on the 19th day of May, 2021.

18 Mr. Chairman, those are the two  
19 resolutions that I have prepared and forwarded  
20 to the Board and the court reporter for the  
21 Board's review. So at this point if anyone has  
22 any -- if there is any members of the public  
23 who wish to comment, I just want to state for  
24 the record that the call-in information meeting  
25 agenda and notice that the meeting was going to

1 be held telephonically was placed on the City  
2 of Scranton's website under the Scranton  
3 Parking Authority page.

4 And just for purposes of the  
5 transcript and as I stated prior to the  
6 commencement of the meeting, I have been  
7 notified by the Law Department that the COVID  
8 restrictions on meetings in City Hall are being  
9 lifted as of June 1st.

10 So our next scheduled meeting is  
11 scheduled for Wednesday -- regular meeting is  
12 scheduled for Wednesday, September 15th at  
13 6 p.m. And that meeting will be held at  
14 Scranton City Hall in either the Governor's  
15 room or the City Council Chamber.

16 I will determine that prior to the  
17 meeting. And as I indicated in the meeting  
18 notice that was presented in the Scranton  
19 Times-Tribune in January listing the meeting  
20 hearing dates that the meeting will be -- the  
21 date -- so the date and time of the meeting has  
22 already been advertised.

23 But the location of the meeting will  
24 be listed to the public on the Scranton -- City  
25 of Scranton website under the Scranton Parking

1 Authority page at least one week prior to the  
2 September meeting advising the public that the  
3 meeting will be held at City Hall and advising  
4 them what room it will be held in at City Hall.  
5 So I will make sure that it's placed prior to  
6 that.

7 But I'm placing it in the transcript  
8 here. Under the Sunshine Act and Open Records  
9 Act, we are required and we will post a copy of  
10 this meeting transcript to the Scranton Parking  
11 Authority page of the City of Scranton's  
12 website within seven days of today's meeting.

13 So with that, Mr. Chairman. I would  
14 open up -- on the agenda is now any public  
15 comment to the Authority. All right. Having  
16 there been no public comment, I would call for  
17 a vote on Resolution No. 3 of 2021 adopting the  
18 report of the Executive Director. Is there a  
19 motion to accept the report?

20 MR. MOLFETAS: I make a motion --  
21 Alex.

22 MR. WOODARD: I second.

23 ATTY. JOHNS: Okay. All right.

24 Roll call vote, Alex -- Mr. Molfetas?

25 MR. MOLFETAS: Yes.

1 ATTY. JOHNS: Mr. Woodard?

2 MR. WOODARD: Yes.

3 ATTY. JOHNS: Mr. Salerno.

4 MR. SALERNO: Yes.

5 ATTY. JOHNS: Mr. Harrington?

6 MR. HARRINGTON: Yes.

7 ATTY. JOHNS: Mr. Wintermantle.

8 MR. WINTERMANTLE: Yes.

9 ATTY. JOHNS: Okay. Resolution No.  
10 3 of 2021 passed by a vote of 5 to 0. I will  
11 forward a copy of the original resolution to  
12 you, Mr. Chairman, and then to our  
13 Treasurer/Secretary for your signature and then  
14 filing.

15 Resolution No. 4 to accept the  
16 report of CDPS that has been presented by  
17 Mr. Anderson, do I have a motion to accept the  
18 report?

19 MR. MOLFETAS: I'll make a motion.

20 ATTY. JOHNS: And second?

21 MR. SALERNO: Mike Salerno, second.

22 ATTY. JOHNS: Okay. All right. Mr.  
23 Molfetas?

24 MR. MOLFETAS: Yes.

25 ATTY. JOHNS: Mr. Woodard?

1 MR. WOODARD: Yes.

2 ATTY. JOHNS: Mr. Salerno?

3 MR. SALERNO: Yes.

4 ATTY. JOHNS: Mr. Harrington.

5 MR. HARRINGTON: Yes.

6 ATTY. JOHNS: Mr. Wintermantle?

7 MR. WINTERMANTLE: Yes.

8 ATTY. JOHNS: Okay. All right.

9 Both resolutions three and four of 2021 have  
10 passed with a vote of 5 to 0. They will be  
11 circulated to the Chairman and to the  
12 Secretary/Treasurer for their signature and for  
13 retention with the Authority.

14 Any -- I have no New Business, Mr.  
15 Chairman. I don't know if any other board  
16 members have any New Business?

17 Next item on the agenda, Mr.  
18 Chairman, is Old Business. I have no Old  
19 Business. I don't know if any members of the  
20 Authority Board have any Old Business?

21 With that, pursuant to the agenda,  
22 number 11 would be a motion for adjournment  
23 unless there is any other public -- or Board  
24 comments? So do we have a motion to adjourn?

25 MR. SALERNO: Motion to adjourn,



1 Mike Salerno.

2 MR. MOLFETAS: Second.

3 ATTY. JOHNS: All in favor?

4 ALL MEMBERS: Aye.

5 ATTY. JOHNS: Okay. Thank you  
6 everyone. I will get copies of the resolutions  
7 out to the appropriate parties for their  
8 signature. Ms. McCool, thank you for helping  
9 us tonight and just forward the transcript to  
10 me which I will publish on the -- I will  
11 forward to the City of Scranton to place on the  
12 Scranton Parking Authority page of the City's  
13 website.

14 And again, our next scheduled  
15 meeting is Wednesday, September 15th at 6 p.m.,  
16 which will take place in person at City Hall.  
17 And the location will be -- exact location will  
18 be announced prior to the meeting. And as  
19 always, if there is any issues or things that  
20 arise, we could always call a special meeting.  
21 Thank you everyone.

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C E R T I F I C A T E

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2  
3 I hereby certify that the proceedings and  
4 evidence are contained fully and accurately in the  
5 notes taken by me of the above-cause and that this copy  
6 is a correct transcript of the same to the best of my  
7 ability.

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11 Maria McCool, RPR  
12 Official Court Reporter  
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22 (The foregoing certificate of this transcript does not  
23 apply to any reproduction of the same by any means  
24 unless under the direct control and/or supervision of  
25 the certifying reporter.)