PARKING AUTHORITY MINUTES

DECEMBER 20, 2006

ATTENDANCE: Urban Mulvehill, Chairman; Stephen Bentkover, Burt Shatz, John Federici, Victor Cavallo

STAFF: Hal Alvord, DPW Director; Kathryn Hebert, Administrative Manager; Frank DelMonaco, LAZ Parking

CALL TO ORDER

Chairman Mulvehill called the meeting to order and stated that there were three members of the Authority present, which constituted a quorum.

APPROVALS/AUTHORIZATIONS

1. Approve the Minutes from the Parking Authority meeting held on Wednesday, November 15, 2006.

The following corrections were noted:

Page 3, paragraph 3, line three: please change "Mr. Shatz said that this would need to be considered carefully. Mr. Sheehan reiterated that this was a zoning issue." To "Mr. Shatz said that this would need to be considered carefully and that zoning limit are not necessarily the most desirable standards. Mr. Sheehan reiterated that it would be studied."

Page 4, paragraph 1, line 2: please change "Mr. Alvord explained that asphalt patching is being pulled up by vehicles. Mr. Shatz suggested concrete patching." To "Mr. Alvord explained that asphalt patching is being pulled up by vehicles. Mr. Shatz emphasized that the road surface was deplorable and that he had fallen there."

** CHAIRMAN MULVEHILL MOVED TO APPROVE THE MINUTES AS CORRECTED.
** THE MOTION PASSED WITH TWO IN FAVOR (MULVEHILL AND SHATZ) AND ONE ABSTENSION (BENTKOVER).

2. Authorize LAZ Parking to purchase and install on behalf of the Parking Authority ADA compliant doors at the Maritime Garage outside lobby area for a sum not to exceed $20,000.

Ms. Hebert reviewed the situation with the Authority. She stated that no one seems to know how the building got its Certificate of Occupancy (CO) with the doors that are currently there. These doors need to be changed and Ms. Hebert suggested that this be done before the garage's busiest week, the President's weekend. She said that she had submitted it through the Capital Budget twice and it had not been approved. Mr. Bentkover had some questions about the estimate, which Ms. Hebert reviewed with him. Chairman Mulvehill asked if the garage doors could be used at the Railroad Station. Ms. Hebert replied that she had been told that the Railroad Station doors needed to be made out of a specific material. Mr. Alvord said that the design for the doors was not the same as what was needed at the Railroad Station. There was a discussion about which doors at the garage needed to be replaced at both locations.

** MR. BENTKOVER MOVED TO AUTHORIZE LAZ PARKING TO PURCHASE AND INSTALL ON BEHALF OF THE PARKING AUTHORITY ADA COMPLIANT DOORS AT THE MARITIME GARAGE OUTSIDE LOBBY AREA FOR A SUM NOT TO EXCEED $20,000.
** THE MOTION PASSED UNANIMOUSLY.

3. Authorize the Chairman or the Vice Chairman to retain Attorney Scott S. Orenstein, LLC to provide legal services related to preparation of agreements, preparation of legal opinions and the defense and/or prosecution of litigation matters in accordance with the engagement letter dated October 28, 2006.

Chairman Mulvehill stated that there were two aspects for this proposal, one of which would be done in executive session. Chairman Mulvehill stated that the Authority has received legal services from the Corporation Counsel and additional services from other departments in the City. Chairman Mulvehill expressed concerns about adding this expense into the budget. Chairman Mulvehill said that he would like input from the Corporation Counsel on this issue.

Mr. Alvord gave a brief overview of the situation and stated that the WPCA had recently hired an outside attorney. He stated that the Law Department is now down to two attorneys. Mr. Alvord then reviewed the fact that Attorney Orenstein also is a registered professional engineer and that he had a strong background in construction estimation. Mr. Alvord said that because of this, it takes less time for Attorney Orenstein to process contracts. Ms. Hebert stated that the Law Department represents the entire City plus the Board of Education. Atty. Orenstein would mostly be responsible for contract preparation, however, it would not preclude the Parking Authority from seeking legal advice or contract preparation from the City of Norwalk's Corporation Counsel. The City's Corporation Counsel, Atty. Nolin is aware of this and is in agreement with it. A discussion of this proposal followed. Chairman Mulvehill stated he was concerned in that there was supposed to be a group that would be handling this already and that the fees would escalate. He stated that he would like to speak to Corporation Counsel about this. Mr. Alvord suggested that the continuation of this discussion be done in executive session.

** CHAIRMAN MULVEHILL MOVED TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE AUTHORIZATION OF THE

CHAIRMAN OR THE VICE CHAIRMAN TO RETAIN ATTORNEY SCOTT S. ORENSTEIN, LLC TO PROVIDE LEGAL SERVICES RELATED TO PREPARATION OF AGREEMENTS, PREPARATION OF LEGAL OPINIONS AND THE DEFENSE AND/OR PROSECUTION OF LITIGATION MATTERS IN ACCORDANCE WITH THE ENGAGEMENT LETTER DATED OCTOBER 28, 2006.
**THE MOTION PASSED UNANIMOUSLY.

The Parking Authority entered into Executive Session at 7:40 p.m. and returned to the Public Session at 7:55 p.m.

** MR. BENTKOVER MOVED TO AUTHORIZE THE CHAIRMAN OR THE VICE CHAIRMAN TO RETAIN ATTORNEY SCOTT S. ORENSTEIN, LLC TO PROVIDE LEGAL SERVICES RELATED TO PREPARATION OF AGREEMENTS, PREPARATION OF LEGAL OPINIONS AND THE DEFENSE AND/OR PROSECUTION OF LITIGATION MATTERS IN ACCORDANCE WITH THE ENGAGEMENT LETTER DATED OCTOBER 28, 2006.
**THE MOTION PASSED UNANIMOUSLY.

Mr. Bentkover had several comments about the terms of the agreement, in regard to the prompt payment of any billing.

4. Approve the installation of a wireless hotspot at the South Norwalk Railroad Station through Advanced Corporate Networking, Inc. paid for through the One Future WiFi Initiative Grant.

Mr. Alvord reviewed this quickly and stated that it has been to the Corporation Counsel and to the Common Council and approved. Mr. Alvord stated that the funds must be obligated at the end of December.

** MR. BENTKOVER MOVED TO APPROVE THE INSTALLATION OF A WIRELESS HOTSPOT AT THE SOUTH NORWALK RAILROAD STATION THROUGH ADVANCED CORPORATE NETWORKING, INC. PAID FOR THROUGH THE ONE FUTURE WIFI INITIATIVE GRANT.

Chairman Mulvehill asked how long the grant would be for. Mr. Alvord stated that it was for one year, but that there would be a minimal cost to maintain the system after that. He stated that he hoped to expand this to other parts of the City in the future. Mr. Alvord stated that this would not cost the Parking Authority any money.

Chairman Mulvehill asked about the One Future WiFi group and why they were doing this. Mr. Alvord explained that One Coast, One Future was the name of a concept that this particular grant was being dispersed under. It is the Business Council of Fairfield County that is supervising the grant funds.

**THE MOTION PASSED UNANIMOUSLY.

5. Approve the Parking Authority meeting schedule for Calendar Year 2007.

Ms. Hebert presented the Parking Authority with the proposed scheduled for 2007.

** CHAIRMAN MULVEHILL MOVED TO APPROVE THE PARKING AUTHORITY MEETING SCHEDULE FOR CALENDAR YEAR 2007.
** THE MOTION PASSED UNANIMOUSLY.

DISCUSSION

The Authority then decided to discuss the items listed under OTHER BUSINESS at this time.

9. Other Business

Crown Theater Agreement

Ms. Hebert stated that the updated version of the agreement had been sent out last week to Crown Theaters, which is being operated by BowTie Entertainment. Ms. Hebert stated that the transfer of ownership from Crown to BowTie had been closed and that the theaters were in the middle of transition. Mr. Alvord reviewed the contract details and assured the Authority members that the changes they had requested had been included in the contract.

Leases

· St. Thomas Church School – ENRR Station

Ms. Hebert reported that the contract had been modified to include the changes that the Authority had requested and the contract had been mailed to the Church.

· Virgin Atlantic Airways – Maritime Garage

Ms. Hebert reported that the contract had been modified to include the changes that the Authority had requested and the contract had been mailed to the company.

· New England Fashion and Design Association – SNRR Station.

The contract has been mailed to the Association and the Association had numerous legal and liability questions. A meeting was held with Diane and a redraft of the contract was mailed out last week.

6. Monthly Financial Report

Ms. Hebert reported that to date there was a net cash of slightly over $152,000, which does not include any changes made in November. Compared to the budget, there is a net positive of $129,000. Ms. Hebert reviewed the details of the report. There was also a discussion about the new enforcement of the parking rules at City Hall. Mr. Alvord reviewed the process that was used.

There was also a discussion on the positive cash flow. Ms. Hebert cautioned the members of the Authority that there hasn't been any plowing, or sanding of the various lots to date. However, this may not continue, depending on the weather.

7. Monthly Operation Report

Mr. Bentkover had some questions about the negative income at the Maritime Garage and at the Isaacs Street Lots. He wanted to know why the use was decreased at these two locations. A discussion about the various factors involved followed, including the fact that people are now aware they are not required to pay at night for parking.

Chairman Mulvehill asked about the progress being made on creating the 15 minute parking spaces on Main Street. Ms. Hebert commented that the Traffic Authority recently approved the change. Mr. Alvord stated that signage for the spaces was already there. Chairman Mulvehill stated when he was in the area; he could not find one of the spaces. Mr. Alvord said that it was called a "loading zone" and Ms. Hebert said that the merchants were giving them good feedback. Mr. Alvord explained that the Traffic Authority has now extended enforcement until 9 p.m. on North Main Street. Chairman Mulvehill said that he did not believe that it should be called a loading zone because in his case, he did not realize that he could use the loading zone spaces. Mr. Alvord said that the positive feedback from the merchants may indicate that the Authority should just leave the situation as it is.

Mr. Bentkover had some questions regarding the graphs on pages 5 and 6 of the Operation Report. Mr. DelMonaco reviewed the data with him regarding the 05-06 and 06-07 fiscal years.

Mr. Alvord pointed out that on page 1 of Mr. DelMonaco's report regarding the Maritime Aquarium show a drop in Aquarium attendance. Mr. Alvord reminded everyone that Mr. DelMonaco had reported that the Aquarium attendance had been off for a number of months. Mr. DelMonaco had suggested several ideas to increase the attendance, particularly during the President's weekend. A meeting was scheduled with the Aquarium staff, but it was cancelled and has not been rescheduled. Mr. Alvord said that he believes that Maritime Yards will offset the drop in Aquarium attendance. Mr. Alvord stated that the residential units are almost completely sold and may open in the spring. The Aquarium has contacted the Mayor about their concerns that the recent contracts with Virgin Atlantic will cut into the Aquarium customers parking. Mr. Bentkover asked Chairman Mulvehill if he had been able to get the attendance figures. Chairman Mulvehill said that he had not been able to follow up on that. A lengthy discussion about this situation followed. Mr. Alvord said that there were three challenges that contribute to the decreasing attendance at the Aquarium. The first is that the programs are not strong, the second is they are infrequently changed, and finally there is a lack of marketing and advertising.

8. Capital Projects

a. Webster Parking Lot

Ms. Hebert reported that the work on the lot was completed.

b. Haviland Deck

Ms. Hebert stated that a consultant bid had just been put out. Mr. Alvord explained that in order to repair the potholes, a cut needs to be made in the surface, the filler poured and then it should be sealed. This has to be done by a contractor. The reinforcement bars are close to the surface, so the surface cannot be milled down. Mr. Alvord stated that until the engineering evaluation is completed, he did not want to repave the deck, which would add more weight to the deck.

c. Yankee Doodle Garage Improvement Project

Ms. Hebert reported that work has started on the stair towers and the ceiling. This work should be completed by the end of the month. There is a request in the capital budget for the funds needed to do the rest of capital improvements. Mr. Bentkover stated that he had concerns about the statement made by the incoming Congress regarding the discontinuation of earmarked funds. Mr. Alvord reassured him that while the incoming Congress may call these allocations something else, Mr. Alvord did not believe that the funds would be discontinued. There was also a discussion on the procedure for requesting money from the State Legislature. Mr. Alvord stated that he was very pleased with the new grants coordinator, who understands the grant application procedure and is able to utilize it. Currently, Mr. Alvord said that the City is getting about 12 cents on the dollar as a return for the amount that the residents and businesses in Norwalk pay in State Taxes.

d. SoNo Lighting Under the Bridge Project

Ms. Hebert reported that the lights underneath the bridge will be done by the end of the month, but the historic street lights need to be ordered. These will not be completed until the spring. Mr. Alvord reported after some review, the department had discovered a way to save on electrical fees for those lights and proceeded to give an overview of the details.

e. Other

There were no additional items to discuss at this time.

9. Other Business CONT'D

d. Proposed Operating Budget – Fiscal Year 2007-08

Mr. Bentkover stated for the record that he would like to thank the Chairman for taking the time and effort for going through the questions that are being proposed regarding the budget.

There was a brief discussion regarding the City self-insurance and possibly liability for the parking garages. Mr. Mulvehill asked if the City has a commercial carrier. Mr. Alvord said that there had not been a claim that actually went to stop loss during the time that he has been employed. Mr. Bentkover stated that as someone involved in insurance, he believes that the City has taken some risky positions. The Board of Education also self insure itself and this may not be the wisest position. Mr. Alvord pointed out that for a number of years, the property taxes in Norwalk were frozen, but the cost of operations continued to increase. This results in the administration cutting costs to stay within the budget. Among the items that were cut during that period, were stop loss policies and other practices that may have exposed the City to liability. This is also true of the infrastructure maintenance. There is no such thing as deferred maintenance, Mr. Alvord explained. It is actually planned negligence. Chairman Mulvehill wondered if the Authority should not request commercial insurance on some of the structures.

Ms. Hebert reviewed the various details of the budget with the Authority. There was some concern regarding the significant drop in health insurance costs. Ms. Hebert reported that she had spoken with Mr. Hamilton and several others in order to verify the numbers. The Finance Department is now using a new formula for this calculation. Mr. Alvord stated that it should be noted and the issue addressed with Mr. Hamilton after the budget is set.

Chairman Mulvehill had some questions about the decreased number of permits that are issued. Mr. DelMonaco reviewed the reason for keeping the number of issued permits down, and the number of transient users has increased.

There was also a questions about the number of days calculated. Ms. Hebert stated that she would rather put in a conservative number. There was a brief discussion about this.

Mr. Bentkover stated that he had not seen a letter to the editor in the paper in over a month and he felt this was notable. Mr. DelMonaco agreed that this was remarkable. Ms. Hebert stated that the Parking Authority was required to have a public hearing on this issue before it is submitted to the Finance Department.

e. Proposed Capital Improvement Projects – Fiscal Year 2007-08

Chairman Mulvehill asked if the request for the Maritime Garage doors were included in the Capital Improvements list. Ms. Hebert replied that she had removed that project from the list. Mr. Alvord stated that if there is a surplus at the end of the fiscal year, there is value in starting to build the capital reserve account. By having a capital reserve account, items like the garage doors can be handled without waiting for the next capital budget cycle, or having to incur debt. Mr. Alvord pointed out that the WPCA has developed a fund balance of over seven million dollars. There have been two emergency partial pipe collapses this year, each costing one million dollars. Because of the WPCA capital reserve account, the repairs were executed immediately without having to submit to an appropriation process. Now is the time to start building the capital reserve.

Ms. Hebert reviewed the forms along with the five year plan.

Mr. Bentkover had questions about the Yankee Doodle Garage. Mr. Alvord listed the number of repairs that will be required and also listed them in order of importance. Mr. Frederici commented that the $150,000 stopped the bleeding and the rest of the money will deal with issues to add another 20 years of useful life.

Ms. Hebert reviewed Phase 3 and 4 for the Webster Street Lot, which include the placement of trash and grease receptacles, along with constructing a third lane Martin Luther King Drive entrance. There was a discussion about the order of importance of the third lane. Mr. Alvord stated that the concerns about this have dropped drastically. There was a discussion about the project list and the priority rating for the projects.

There were strong concerns about the condition of the Haviland Deck. Mr. Alvord explained the RFP had been published and the due date was on or around January 14th. An evaluation, selection and interviewing process will then be done. With Atty Orenstein's assistance, a consultant could be on site by the end of January. The Authority will have to approve the Chairman signing the contract. Chairman Mulvehill asked if there could be a list of capital budget items that have already been approved included to help the Authority keep track of the status of the various projects. Ms. Hebert said that she had a spreadsheet that will help with this.

There was also a question about the security cameras. Ms. Hebert stated that this had been requested as part of Homeland Security in 2005. Ms. Hebert believes that there is a good chance that a major portion of the $81,000 could be approved. She then reviewed the details of the project, which include non-upgradable, black and white cameras. Mr. Alvord reported that a spending plan for the 2005 funds had been submitted, but it was discovered that these documents had never been submitted. In order to get the spending plan approved, an extension had to be granted. Because of this, there is the possibility that this request might not be approved.

f. Other

Chairman Mulvehill stated that it appeared that the SNRR Station Eastbound parking lot had been expanded and utilized some additional space. He stated that he was pleased to see this. Ms. Hebert stated that there were an additional twenty spots.

She then stated that she and Mr. Alvord had a meeting with the owners of the three taxi cab companies. The taxi cabs were supposed to park beyond a designated point, but the cabs were blocking the lot and then park along the curbs. When the cab drivers were told that they would be ticketed, one driver confronted Mr. DelMonaco and the police were called. The meeting with the three owners followed. Mr. Alvord stated that when the meeting took place, the intent was to offer them an opportunity to control their cabs and make sure that it was fair. Mr. Alvord said we offered the cab companies to lease space inside the Eastbound Lobby area and that a taxi lane will be painted that will hold ten or so taxis but still allow exit from the far end of the lot. The cab companies were not interested in working together. Mr. Alvord then announced that only cabs will be allowed to park in the cab lane. Any cab parked elsewhere will be ticketed. Chairman Mulvehill stated that a City ordinance may be needed to enforce customer pick up in designated areas. Mr. Alvord said that having a starter would be a great idea.

Mr. Alvord reported that he had met with Mr. Linnartz and Mr. Schulman regarding improving shuttle schedule from the railroad station to Merritt Seven or other destination. Mr. Alvord stated that Mr. Schulman is very good at locating grant funding for transportation. Mr. Schulman may be able to get funding for variable message boards for both sides of the track. This may help control traffic on both sides.

Mr. Frederici thanked Ms. Hebert and Mr. Alvord for doing an excellent job and stated that they make the job of the Authority members easier. Mr. Bentkover also thanked Mr. DelMonaco for his hard work, also. Chairman Mulvehill thanked all the Authority members for their participation as well.

ADJOURNMENT

** MR. BENTKOVER MOVED TO ADJOURN.
** THE MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services