



Ted Zeller – Chairperson
Santo Napoli – Vice Chairperson
Daryl Hendricks – Secretary
Bina Patel – Treasurer
Yamilett Gomez - Member
John N. Morgan – Executive Director
Dan McCarthy, Davison McCarthy – APA Solicitor

ALLENTOWN PARKING AUTHORITY BOARD OF DIRECTORS MINUTES

A special meeting of the Allentown Parking Authority Board of Directors was held at 12:00 p.m. on Wednesday, January 10, 2024, at the Offices of Allentown Parking Authority, located at 603 W Linden Street, Allentown, PA 18101.

The following attended:

Ted Zeller – Chairperson
Santo Napoli – Vice Chairperson
Daryl Hendricks – Secretary
Bina Patel – Treasurer
Yamilett Gomez - Member
Dan McCarthy – APA Solicitor
John Morgan – Executive Director
Jon Haney – Deputy Director
Christina Dayton – Deputy Director
Jill Fessler – Finance Manager
Jayme Adams – Minutes (Absent)

Guests:

Jennifer Dalrymple - City Center
Zach Sienicki - City Center
Daryl Peck - Concord Financial
Kevin Reed – King Spry
Rich Campbell – King Spry
Candida Affa – City of Allentown City Council
Chief Spang – Guest

CALL TO ORDER

Mr. Zeller called the meeting to order at 12:13 p.m.

EXECUTIVE SESSION

Coming out of executive session there was no action taken.

Mr. Zeller states that we are modifying our loan for the Maple Street Deck. The \$25 million loan will be split between taxable and non-taxable loan amounts to lower the interest rates and that is our only consideration for today. Mr. Zeller comments that he suspects the public presence may be relating to

a matter that will not have any action taken upon today. Mr. Zeller states he will reveal the resolution, ask for public comment on that, and move into public comment for anything.

Mr. Zeller speaks about the resolution on modifying the existing debt for the Maple Street Deck. Mr. Zeller makes a motion to approve the resolution and Mr. Napoli seconds the motion. Mr. Zeller takes a vote and the motion is passed unanimously. Mr. Zeller opens for public comment for the resolution. There is none.

COURTESY OF THE FLOOR

Mr. Zeller invites Candida Affa, City Council Member, and retired Allentown Parking Authority Board member to speak first.

Ms. Affa opens by stating that she misses being on board. She was on board for 13 years. She knows that we are responsible for so much that happens in this city. The buying, selling, and progress of the city. This is about 75% of what you do, she states. Business. 25% is the tickets and law enforcement. She speculates that 90% of the public have no idea what the job is here and they think of nothing but the ticket they got. She doesn't think that the public understands that it is the legislative branch of the city who makes the laws. Council people are the ones who make the laws. The parking authority goes out and does what they are supposed to in upholding the law. Ms. Affa references the instance when the parking authority received bad press for ticketing when the church held the free food event. The fault was on the church, not the parking authority. She states that she spoke about this on the Spanish radio station, and that they agreed with her once they heard her explain it to them. She continues that we have laws and regulations, so we don't have problems and chaos in this city. When people don't follow the rules and they get ticketed or booted, people think the parking authority is at fault. The church should have gotten a permit, made the parking authority aware, public works should have been made aware, barricades and notices should have gone out. The authority was called to the church by residents who couldn't get out of their driveways and couldn't get through the streets. The officers asked people to move. They did not move so they got tickets. Ms. Affa speculates, why is breaking the law OK? Why is it going through the procedures we put in place not OK? And then, someone must get fired for it. After everything was said and done, the violators who were warned and didn't move were excused. The Director released them from their obligation to pay those tickets.

Ms. Affa continues. She speaks about ticketing Santa Claus' sled (the UPS truck that was booted around Christmas time). She continues to state that he broke the law. The truck had 44 violations against it. In Philadelphia, UPS paid \$9 million in fines this year. They get booted in other cities as well. This gentleman broke the law. For years, Ms. Affa has been wondering why UPS and other trucks are allowed to park wherever they want anytime they want. When Ms. Affa was on the board, there were discussions about drop off zones, which is what we really need. But we can't allow these people to break the law. These companies can afford to pay these tickets. They can afford to break our laws. Philadelphia doesn't put the \$9 million they are owed in the papers. Our citizens are not getting this. They are not getting that we have laws. So they take videos and it goes in the paper.

Ms. Affa speaks candidly. She knows there's been talk about having our director John Morgan step down. Everything that she's just explained, why is any of that his fault? None of it is. When we needed to hire a director, we wanted a businessman. After his interview, they were blown out the door. We hired John to do the job he is doing. Examples of what he hired him to do that he has done : he's instrumental in kiosks, instrumental in building the Maple Street Garage, the 7th & Allen surface lot, creating International Parking Day and the donations to the Sixth Street Shelter and Ecumenical Food Bank, he's worked with developers (J.B. Reilly, the Jainds, and more) and come back to the board with the deals that they're making and how the city is going to progress. This is what we wanted in a director, and this is what we got in a director.

Ms. Affa states that she could have brought other people here. Mr. Morgan said yes to anything he was asked by the council and the mayor. Any issues brought forth to him, he has always addressed. John had absolutely nothing to do with the UPS truck being booted. Ms. Affa states that she is here to ask you to please consider everything John has done and the expectations we had when we hired him on how we want our city and our parking to go forward. John did that. He did what he was supposed to do. Ms. Affa feels if the public could understand what goes on here and spend one year on the board they wouldn't be worrying that much about a ticket. The mayor got ticketed in an alley, he paid it. Ms. Affa states that she is 80 years old and has a bad back, but she parks in accordance with the law. But Betty Cauler has been given permission to park her car anywhere she wants. She had the fire chief come up and testify at council how dangerous it is to park in the alleys, not just with trucks getting in but they must open the sides. Just imagine if there's a fire and they can't put it out in a timely manner due to cars blocking the alley with is the precedent Ms. Culler is being allowed to set. Imagine if the fire can't be put out and 4 homes go down or someone is killed. They're going to hit the mayor hard. They're going to hit the City Council hard. They're going to hit the parking authority. Why weren't they ticketed? Why were they allowed to be parked in the alley? That's exactly what will happen. We are a city of laws, and we are allowing the laws to be broken. If we didn't have the parking authority, we would have such chaos. Ms. Affa implores the board to think about the job John has done. She then speaks about the trials and tribulations she witnessed the last executive director go through and questions, who wants this job? What exactly would change with law enforcement if we were to see John go? Nothing. She thanks the board, wishes John luck, and expresses that she believes that he lived up to her expectations when she was on the board.

Chief Spang claps for Ms. Affa and regards her eloquent speaking. He thanks the board for hearing him. He states that he just got off the phone with the redevelopment authority and approves of Mr. Morgan's plan of putting a parking lot at Ridge and Gordon, an area that desperately needs off street parking next to a five-story apartment building (what used to be the widows building in the 70's). The grass area is currently being used as a party area with drugs. He wants this area straightened out and wants to see Mr. Morgan's plan come through. The bad news Chief Spang has is he wants to give them hell. He sees a lot of good people in the room. He sees one of the smartest attorneys in the Commonwealth of Pennsylvania. They ran for office against each other and like two Irishmen, they fought like hell during the campaign. He won and I lost, Chief Spang states. But at the end of the campaign, they met at a club and had a very good time. The Morning Call wrote an article about how that is the proper way to run a campaign. The winner won, the loser lost, and they had a good time.

Chief Spang proceeds to his complaint. Some members of the board went to the papers and publicly discussed employee discipline for tickets that were written for violations of commonwealth and city statues. He doesn't know if the city runs exactly like the commonwealth, but he's held the Sergeant in Arms position for 20 years with the state and 40 with the county. He took an oath of office in front of a judge. He inquires if board members are sworn an oath. Mr. McCarthy states that the mayor appoints them, but there is no oath requirement. Chief Spang notes that this is a problem and believes board members should have to sign an oath. Mr. Zeller states that he holds an oath as a member of the BAR. Chief Spang continues that the oath makes it clear that "I have to respect the laws of the commonwealth of Pennsylvania and the U.S. constitution and the constitution of the state". At the enforcement level, Chief Spang states that they have to swear an oath because they are code enforcement officers. If an officer makes a mistake writing a ticket, which will happen because it's law enforcement and it's not 100% perfect, a citizen has the right to appeal it and maybe it goes to the magistrate and there is a hearing. In this instance, parking authority officers are being disciplined because someone is upset on the boob tube in your hand (smart phone), and laws are being enforced, or not, due to those opinions. We must teach Civics 101, he states. If there is a complaint about officers or management, the board, or whoever is talking to the press, needs to call Danny (Mr. McCarthy) and consult with him before talking to the press. Chief Spang believes his advice would be to get your facts straight, document everything, and review it with him (Mr. McCarthy) before talking to the press. Chief Spang continues that our enforcement officers need their (the board's) support. Chief Spang says that we want them (enforcement officers) in our neighborhoods writing tickets. If someone

with a faulty inspection sticker gets into an accident with faulty brakes because their car hasn't been inspected and they run into a bunch of school kids, but we didn't police it because "it was only a sticker". Chief Spang states that he got a ticket last year. It was his fault. He forgot to transfer something. He came to the office and it was taken care of. He corrected the issue and paid for his ticket.

Chief Spang closes with a sentiment stating that the parking authority is not the villain in this society, they are the keepers of the peace, and if they don't enforce the parking, the double parking becomes the drug dealing, the drug dealing becomes the shooting, and the shooting becomes murders. Chief Spang implores the board to read "Broken Windows" and understand law enforcement. He warns them to be careful that their comments don't rise to a possible level of obstruction of justice. He doesn't want to see the feds come in here and come after the parking authority because we let politics get in the middle of our decisions. Chief Spang thanks the board for their time.

SCHEDULING PUBLIC FORUM

Mr. Zeller inquires with the board if we want to proceed with public forums again considering what happened just before Christmas and if we need it. He is asking the board if there is a need for this currently. He also states that we now have a public relations person who is ready to meet the board today. Mr. Hendricks questions whether we really need the public forum. Mr. Zeller states it was put on the agenda in response to the blow up with the press. Mr. Hendricks gives credit to Mr. Spang as it pertains to allowing social media to become the harbinger of policy and it's sometimes not a good thing. Mr. Zeller recaps the incident. It is clarified that he was parked legally but had not paid. Mr. Zeller states he was not violating the public safety at the time of the boot. Mr. Morgan clarifies that the ticket is not issued to the driver, it's issued to the truck. Our technology knows the license plate and if it is eligible for a boot. Ms. Gomez speaks up that a human operator should know if it is a commercial vehicle or not. She would also like to state that we aren't living in times like before. We are living in times where people go on social media and people use their cell phones and they like to blast the Allentown Parking Authority because in the past officers have done things unethically which got us where we are now. She reiterates that we need to work with the public and is glad we have hired someone that can communicate with the public because things are getting out of control again. She states that the bad sentiments are snowballing again due to the UPS incident and that the authority does not take the boards advice when they are told to work with the public. Mr. Morgan asks why she thinks we are not working with the public. Ms. Gomez states that the authority makes a joke about the payment plan and that we need it for the people who cannot afford to pay for a \$20 ticket. Then we boot them and give them \$150 ticket and they lose their cars. Mr. Morgan states that we treat everyone the same way and we are not picking on anyone. Mr. Zeller states again that we are making a subcommittee to look into the payment plan. Ms. Gomez tells Mr. Zeller that he is making a joke about the payment plan. Mr. Zeller circles back to the unethical claims Ms. Gomez is making against APA officers and states that officers behaving unethically would suggest that they are trying to rip somebody off, our officers, however, have nothing to gain personally from writing a ticket. Ms. Gomez goes back to the cost of the \$150 boot and states that some people cannot afford that. Mr. Zeller clarifies that what Ms. Gomez is suggesting when she says our officers have behaved in an unethical manner is that they put money in their pocket when the issue a ticket or a boot and that is simply not happening. Ms. Gomez inquires if the APA is a privately owned entity and Mr. Zeller clarifies that it is an independent public authority. Ms. Gomez states that she's been here meeting after meeting asking to work with the public and she gets shut down and that the APA can't keep doing what they're doing to the public. She asks Ted what word she should use if not 'unethical'. He suggests 'breach of discretion' and Ms. Gomez says that that is not it and she feels attacked because everyone here knows she went in front of City Council she took the petition to them. Mr. Zeller states he doesn't know about that and wasn't focusing on that. Mr. Morgan comments that there is no joke about it and informs her that we've already talked to our vendor about payment plans. Ms. Gomez demands to know when. Mr. Morgan states that we have informed our vendor that we need their help with understanding what the details are, how it will be administered, etc... Ms. Gomez interjects Mr.

Morgan's comments and says that he told her no to payment plans and now the story is changing. Mr. Zeller and Mr. Morgan both relay that we are working on it. Mr. Morgan says he cannot commit to it if he cannot get a vendor to do it. Ms. Gomez says that she has been on the board since June and doesn't understand why it hasn't been done. Mr. Morgan says the vendor must create the process. Ms. Gomez asks when he went to the vendor. Mr. Morgan responds that he inquired with them two months ago. Ms. Gomez asks why he went to the vendor and Mr. Morgan responded that they did so at the request of the board. The discussion continues back and forth.

Mr. Napoli chimes in that there has been a disconnect with the public. Mr. Napoli understands what Ms. Affa and Mr. Spang were speaking to and understands that we have to do enforcement, but he also understands there is a disconnect with the public on the why and the how we do it. Mr. Zeller agrees there is a major disconnect in communication and that is why we have now hired a community relations specialist. Mr. Napoli does not want to see the payment plan take 13 months to be implemented. Mr. Morgan clarifies that the vendor's software engineers have huge requests on them, and they are looking into it as it has to tie into our ticketing system and violations and how it's going to be accounted for. It's not as simple as it may seem, it's not that easy.

More conversations continued around payment plans, booting or not booting, booting commercial vehicles, etc. Mr. Morgan states that we implemented a new policy per the recommendation of Mr. Zeller. We do not boot for one outstanding ticket. We now boot if there are three outstanding tickets. Ms. Gomez wants to know if we are going to continue booting commercial vehicles and go through the embarrassment again. Mr. Zeller proposes that from December 15 – January 2 we don't boot anyone.

Ms. Gomez states that no other parking authority, not Bethlehem, nor Easton, gets a bad rap. Mr. Zeller responds that we have big city technology and operations in a small city and there's a big disconnect there and that's where the messaging really exacerbated our issues. Ms. Gomez says it's also an issue with the City Council. The city is overcrowded, parking is horrible, they're letting apartment buildings and hotels open all over the city with no parking and that is causing issues. Mr. Zeller states that the biggest parking pressures are in the wards and that is not where the hotels are being built, it's just a dense population. Ms. Gomez asks how the public will feel about that and the amount of tickets being issued there. Mr. Morgan and Mr. Zeller agree there are tickets being issued everywhere. Mr. Zeller points out the tickets in the ward are due to the density and Ms. Gomez states that people won't see it like that. Mr. Zeller responds by saying that some people face a harsh reality sometimes that maybe they shouldn't own a vehicle if you can't afford to get it inspected or make it safe. Ms. Gomez continues that she feels like she is being treated like she is a joke because she comes to every meeting and gets shut down for wanting to work with the public. Mr. Zeller disagrees that she is being treated as a joke. Ms. Gomez says that she reads the notes from the meeting every time and requests Mr. Zeller should go back and re-read them as well. Mr. Zeller agrees to.

Mr. Napoli asks for clarification on the new boot eligibility policy. Mr. Morgan states that a vehicle with three or more outstanding tickets is boot eligible. Mr. Napoli asks when that policy starts. Mr. Morgan answers that it started 01/01/2024. Mr. Morgan and Mr. Haney confirm that you need to have three open tickets, not one, and one of those tickets needs to be 35-40 days (pending holidays) past payment due date to be boot eligible. Mr. Napoli says he's still a little confused and wants to understand so that they can understand. Mr. Haney clarifies that city ordinance requires that a person have an outstanding ticket and they can be declared a scofflaw (boot eligible). There have been many complaints from the public previously about having only one ticket and becoming boot eligible and now it is three tickets. Mr. Morgan states that even after we get a determination from the software company on a payment plan, there's going to be a cost and a collection part of it because just having a payment system isn't the end of it. Ms. Gomez responds that is OK if you are just giving them something. Mr. Morgan's response is that it's not OK to have a payment system if no one pays, which is a problem that Reading is having right now being \$28 million in the hole on payment plans because no one is paying. Ms. Gomez wants to know why he is comparing us to Reading and Mr. Morgan

states that it's a good idea to compare yourself to other municipalities and he wants to simply relay that a comparable city is not successful in this endeavor. Ms. Gomez replies that maybe we will be different, and we should have hope. Mr. Morgan says he's not saying no but he simply wants us to understand moving forward that it's not just about figuring out the payment plan process with our vendor it's also figuring out how to collect so that we do not wind up in the same boat Reading is in. Mr. Zeller wants us to look into this further and wants us to make sure it's on the agenda for the next meeting. Mr. Napoli wants to know what Reading did wrong so we can correct that issue. More discussion ensues.

Mr. Zeller states that we have gotten off course on the agenda for our special meeting and he wants to bring it back. He inquires again if we see a need for a public forum. Mr. Napoli thinks it might be a good opportunity to introduce the new communications director. Mr. Zeller asks to meet him now.

Kevin McNulty stands and introduces himself as the Community Relations Specialist at the Allentown Parking Authority. He states that he started on December 11, and he is here on his 5th week learning what this is all about and he's happy to answer any questions the board may have for him. Ms. Gomez inquires if he lives in Allentown. Mr. McNulty answers that he does not. He lives in Bethlehem. He talks about his father who has worked for the Allentown School District for that last 20 years. Ms. Gomez asks who his father is. Mr. McNulty answers that he works as Principle at Harrison- Morton and Ms. Gomez says that she knows him. Mr. McNulty states that he worked for the City of Bethlehem previously both as an intern and again while obtaining his master's in public policy at Lehigh University as a fellow. Ms. Gomez inquired about how much community work he has done. He talks about the primary goals that he had in South Bethlehem with similar demographics. His approach to mobilize those groups would be similar to those he engaged in that position. He's hoping to engage with the citizens and help them understand what we do and listen to them more. Ms. Gomez asks if he speaks or understand Spanish. Mr. McNulty states that he does not speak Spanish but can understand some as he took Spanish in high school and college. He will, at times, be collaborating with some Spanish speaking staff to help with his work.

Mr. Napoli suggests offering a workshop in lieu of a public meeting and Mr. Zeller states we should start with one in February and see where it goes from there. Mr. Napoli doesn't want it to be a venting session like the last one.

Ms. Patel expresses her feelings as a board member coming up on a year. She observes that a lot of things are talked about in board meetings that should be fixed but that we are lacking action and that is her concern. Mr. Zeller thinks there are items we do take action on and some we do not and is not totally in disagreement with Ms. Patel's assessment. He states that we will set up a Community Parking Workshop in February.

Mr. Zeller states that we still have some executive session personnel matters to attend to. He dismisses the public.

EXECUTIVE SESSION

Mr. Zeller states that there is no formal board action being taken coming out of executive session and adjourns the meeting.

This meeting was adjourned at 2:40 p.m.

The next Board Meeting will be Wednesday, January 24, 2024
at The Offices of Allentown Parking Authority at 603 W Linden Street, 515 Hamilton Street