

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF  
THE TOWN OF MORRISTOWN, HELD TUESDAY, JANUARY 19, 2010, AT  
THE OFFICES OF THE PARKING AUTHORITY, 14 MAPLE AVENUE, SUITE 101,  
MORRISTOWN, NEW JERSEY, AT 7:00 P.M. PREVAILING TIME**

The meeting was called to order by Chairperson Gervasio who then announced that "Notice of this meeting was provided in accordance with a Resolution adopted by the Board of Commissioners of the Parking Authority of the Town of Morristown, New Jersey at the Reorganization Meeting on January 5, 2010, setting forth the time, date and location of each meeting. A copy of the Resolution was distributed to The Daily Record and The Star Ledger, filed with the Executive Director of the Parking Authority, posted on the Bulletin Board at the Parking Authority Office building and mailed to any person who has requested and prepaid the established fee for such mailing".

Present - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Also Present- George Fiore, Executive Director, Patrick W. Geary, Operations Manager, Robert S. Goldsmith, Esq., Parking Authority Counsel, Council Liaison Rebecca Feldman, Former Commissioner Theresa Battista Needham.

Absent - None.

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At this point, the Executive Director presented the final 2010 Regular Meeting Dates and Slate of Officers, in view of the recent Council action appointing Michael R. Elms as a new Commissioner of the Parking Authority of the Town of Morristown, replacing Theresa Battista Needham. On motion of Commissioner Garibian, seconded by Commissioner Lucia, the final 2010 Regular Meeting Dates and Slate of Officers was approved on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

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At this point, the Executive Director presented the Minutes of the January 5, 2010, Reorganization and Regular Meeting. On motion of Commissioner Lucia, seconded by Commissioner Brady, the Minutes were approved.

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At this point, Chairperson Gervasio suspended the Regular Order of Business to present a plaque on behalf of the Morristown Parking Authority to Commissioner Battista Needham for her dedicated time and effort as a Commissioner for the Morristown Parking Authority. Commissioner Needham accepted the plaque with gracious remarks and thanked the Board and Administration for its efforts and contributions to the Town of Morristown.

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The following communications were presented for the record:

Under date of January 14, 2010

To: Commissioner Michael R. Elms  
From: George Fiore, Executive Director

Correspondence extending cordial greetings and congratulations to Mr. Elms on the occasion of his recent appointment to the Parking Authority and suggesting that Mr. Elms contact the Town Clerk's Office as soon as possible for the purpose of being sworn in prior to January 19, 2010, the date of the next regular Parking Authority meeting. In addition, materials were provided to familiarize Mr. Elms with the current and ongoing activities of the Parking Authority. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of December 27, 2009

To: Robert G. Calise, The Town of Morristown  
From: Clifford W. Starrett, The Trustees of the Morristown Green, Inc.

Correspondence providing check in the amount of \$4,760.54, in accordance with Mr. Calise's letter of December 22, 2009, for the period June 20<sup>th</sup> to December 18<sup>th</sup>, 2009. In addition, Mr. Calise provides an Accounting for the Year 2009, which sets forth the Receipts and Disbursements for the indicated periods. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of January 6, 2010

To: Daily Record  
From: George Fiore, Executive Director

Correspondence providing a copy of Resolution No. 2-2010 and Resolution No. 3-2010 for publication in the newspaper not later than January 11, 2010. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: The Star Ledger  
From: George Fiore, Executive Director

Correspondence providing a copy of Resolution No. 2-2010 and Resolution No. 3-2010 for publication in the newspaper not later than January 11, 2010. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Mr. Carlos Caprioli, Vocero Latino  
From: George Fiore, Executive Director

Correspondence providing a copy of Resolution No. 2-2010 for publication in the newspaper. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Mr. Vincent M. Montanino, VM Associates, Inc.  
From: George Fiore, Executive Director

Correspondence advising that at the January 5, 2010 Annual Reorganization Meeting of the Parking Authority of the Town of Morristown, that the firm of VM Associates, Inc. was duly appointed as Parking Authority Auditor for the fiscal and calendar year 2010, at an annual retainer of \$25,500.00, and outline the apportionment of same. On motion of Commissioner Brady, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Robert S. Goldsmith, Esq.  
From: George Fiore, Executive Director

Correspondence advising that at the January 5, 2010 Annual Reorganization Meeting of the Parking Authority of the Town of Morristown, Mr. Goldsmith was duly appointed as Parking Authority Legal Counsel for the fiscal and calendar year 2010. On motion of Commissioner Brady, seconded by Chairperson Garibian, the letter was accepted for file.

Under date of January 5, 2010

To: Mr. Gerard Giosa, Level G Associates, LLC  
From: George Fiore, Executive Director

Correspondence advising that at the January 5, 2010 Annual Reorganization Meeting of the Parking Authority of the Town of Morristown, the firm Level G Associates, LLC was duly appointed as Parking Authority Parking Consultant for the fiscal and calendar year 2010. On motion of Commissioner Brady, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Mr. Gary Pulcini, VALCO Capital, Ltd.  
From: George Fiore, Executive Director

Correspondence advising that at the January 5, 2010 Annual Reorganization Meeting of the Parking Authority of the Town of Morristown, Mr. Pulcini was duly appointed as Parking Authority Financial Consultant for the fiscal and calendar year 2010. On motion of Commissioner Brady, seconded by Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Mr. Christopher Grell, The Bank of New York  
From: George Fiore, Executive Director

Correspondence enclosing a copy of Morristown Parking Authority Resolution No. 4-2010, designating JP Morgan Bank, The Bank of New York Mellon, Bank of American and Union Center National Bank as Official Depositories of the period January 1, 2010 through December 31, 2010 and providing copies of the Cash Management Plan of the Parking Authority of the Town of Morristown and each Depository shall acknowledge in writing receipt of said Plan. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Ms. Sandra Davis, JP Morgan Chase Bank  
From: George Fiore, Executive Director

Correspondence enclosing a copy of Morristown Parking Authority Resolution No. 4-2010, designating JP Morgan Bank, The Bank of New York Mellon, Bank of American and Union Center National Bank as Official Depositories of the period January 1, 2010 through December 31, 2010 and providing copies of the Cash Management Plan of the Parking Authority of the Town of Morristown and each Depository shall acknowledge in writing receipt of said Plan. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Bank Manager, Bank of America  
From: George Fiore, Executive Director

Correspondence enclosing a copy of Morristown Parking Authority Resolution No. 4-2010, designating JP Morgan Bank, The Bank of New York Mellon, Bank of American and Union Center National Bank as Official Depositories of the period January 1, 2010 through December 31, 2010 and providing copies of the Cash Management Plan of the Parking Authority of the Town of Morristown and each Depository shall acknowledge in writing receipt of said Plan. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Richardo A. Salamanca, Union Center National Bank  
From: George Fiore, Executive Director

Correspondence enclosing a copy of Morristown Parking Authority Resolution No. 4-2010, designating JP Morgan Bank, The Bank of New York Mellon, Bank of American and Union Center National Bank as Official Depositories of the period January 1, 2010 through December 31, 2010 and providing copies of the Cash Management Plan of the Parking Authority of the Town of Morristown and each Depository shall acknowledge in writing receipt of said Plan. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 6, 2010

To: Ms. Pamela Bitter, Riverstone Residential  
From: George Fiore, Executive Director

Correspondence providing Parking Authority Check in the amount of \$13,500.00, representing payment of parking income due for October, November and December, 2009. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of January 7, 2010

To: George Fiore, Executive Director  
From: Rebecca P. Feldman, Council Liaison

Correspondence advising that Ms. Feldman would like to let the "in town" neighbors know about the MPA meeting dates that they feel welcome to listen in and to perhaps ask questions. This correspondence reflects an exchange of e-mails between Council Liaison Feldman and Mr. Fiore to address public information with respect to MPA Meeting dates as well as access to MPA meetings. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 8, 2010

To: Rebecca P. Feldman  
From: George Fiore, Executive Director

Correspondence replying to Ms. Feldman's correspondence of January 8, 2010 and Mr. Fiore's sense and that of Chairperson Gervasio is that the best forum would be the Board of Commissioners Meetings being open to the public as well as direct calls to Mr. Fiore or his staff with any parking related questions. In addition, Mr. Fiore sent a list of 2010 meeting dates. Further, the Executive Director advised the Board of Commissioners and Council Liaison Feldman that the Parking Authority was working with Laura Leach on behalf of the Town to make significant additions and improvements to both the Town of Morristown's website as well as the website of the Morristown Parking Authority itself. Council Liaison Feldman expressed her appreciation for those efforts. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of January 12, 2010

To: Peter Demnitz, Chief of Police  
From: Robert S. Goldsmith, Esq.

Correspondence providing various backup documents and advising that the Parking Authority intends to enforce its Rules and Regulations, which was provided, regarding the Right-of-Way. The Executive Director noted that he had a conversation with one individual whose property is served by the Right-of-Way and was hopeful that there had been significant progress made with respect to improvement of the overall parking and traffic situation on the Right-of-Way. On motion of Commissioner Garibian, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of January 19, 2010

To: Mr. Christopher Grell, The Bank of New York Mellon  
From: George Fiore, Executive Director

Correspondence advising that after meeting the Morristown Parking Authority's February 1, 2010 Debt Service obligation, any excess funds over \$37,000.00 should be transferred from the Series 2002 Debt Service Fund to the Series 2002 General Reserve and Replacement Fund, that is, after the February 1, 2010 debt service payment, the Authority wants to retain \$37,000.00 in the Series 2002 Debt Service Fund for the August 1, 2010 Debt Service payment and that the excess monies should be invested in Treasury Notes or Treasury Bills to yield the maximum rate of return but must be available prior to the August 1, 2010 Debt Service Payment date. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of January 19, 2010

To: Mr. Christopher J. Grell, The Bank of New York Mellon  
From: George Fiore, Executive Director

Correspondence advising that after meeting the Morristown Parking Authority's February 1, 2010 Debt Service obligation, any excess funds over \$256,000.00 should be transferred from the Series 2004 Debt Service Fund to the Series 2002 General Reserve and Replacement Fund, that is, after the February 1, 2010 debt service payment, the Authority wants to retain \$256,000.00 in the Series 2004 Debt Service Fund for the August 1, 2010 Debt Service payment and that the excess monies should be invested in Treasury Notes or Treasury Bills to yield the maximum rate of return but must be available prior to the August 1, 2010 Debt Service Payment date. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of January 19, 2010

To: Mr. Christopher J. Grell, The Bank of New York Mellon  
From: George Fiore, Executive Director

Correspondence advising that after meeting the Morristown Parking Authority's February 1, 2010 Debt Service obligation, any excess funds over \$710,000.00 should be transferred from the Series 2007 Debt Service Fund to the Series 2002 General Reserve and Replacement Fund, That is, after the February 1, 2010 debt service payment , the Authority wants to retain, \$710,000.00 in the Series 2007 Debt Service Fund for August 1, 2010 Debt Service payment and that the excess monies should be invested in Treasury Notes or Treasury Bills to yield the maximum rate of return but must be available prior to the August 1, 2010 Debt Service Payment date. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of January 19, 2010

To: Mr. Christopher J. Grell, The Bank of New York Mellon  
From: George Fiore, Executive Director

Correspondence authorizing and directing that all funds in the Series 2002 General Reserve and Replacement Fund and Series 1997 General Reserve and Replacement Fund be invested in Treasury Notes or Treasury Bills to yield the maximum rate of return but be available prior to August 1, 2010. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

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At this point, under the Report portion of meeting, the Executive Director reviewed the Off-Street Occupancy Counts for November 2009 and Ten Year Occupancy Count Summary, prepared by Mr. Giosa of Level G Associates, LLC. At this point, there was a discussion with respect to certain significant changes in parking usage. Mr. Goldsmith advised the Board that based on a recent meeting with representatives of the Epstein's project, move-ins would

commence in February 2010 into 40 Park Place. The rental office for Metropolitan on Market Street would be opening in February with move-ins commencing March 2010. There was further discussion that Schenck Price Smith & King will be moving out of its offices on Washington Street in Morristown to a Florham Park location but overall the sense was that, while there was some diminution in parking, parking lots have stabilized at the current time. On motion of Commissioner Lucia, seconded by Commissioner Brady, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the December 2009 Monthly Enforcement Report. On motion of Commissioner Lucia, seconded by Commissioner Garibian the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the December 2008/2009 Comparative Meter Revenue Report. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the December 2008/2009 Comparative Cash Revenue Report. On motion of Commissioner Garibian, seconded by Commissioner Lucia, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the December 2008/2009 Year-to-Date Revenue Summary. On motion of Commissioner Lucia, seconded by Commissioner Elms, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the December 2009 Sick and Vacation Report. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the December 2009 Vehicle Maintenance Report. On motion of Commissioner Garibian, seconded by Commissioner Lucia, the report was accepted for file.

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At this point, under the Old Business portion of the meeting, the Executive Director updated the Board of Commissioners and Council Liaison Feldman on the possible installation of parking meters on King Street at the intersection with Morris Street.

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There was no New Business.

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There was no Executive Session.

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The following Resolutions were presented for the record:

Resolution No. 9-2010: Resolution Authorizing VALCO Capital, Ltd. the Award of a Non-Fair and Open Contract for Financial Consultant Services. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 10-2010: Resolution Authorizing Level G Associates, LLC the Award of a Non-Fair and Open Contract for Parking Consultant Services. On motion of Commissioner Brady, seconded by Chairperson Gervasio, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 11-2010: Resolution Authorizing Greenbaum, Rowe, Smith & Davis LLP the Award of a Non-Fair and Open Contract for Legal Services. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 12 -2010: Resolution Authorizing VM Associates, Inc. the Award of a Non-Fair and Open Contract for Auditing Services. On motion of Commissioner Garibian, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 13 -2010: Resolution Authorizing Desman Associates, Inc. the Award of a Non-Fair and Open Contract for Engineering Services. On motion of Commissioner Brady, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 14-2010: Resolution Authorizing Wm. Blanchard Co. the Award of a Non-Fair and Open Contract for Construction Management Services. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 15-2010: Resolution Authorizing Employment Horizons the Award of a Non-Fair and Open Contract for Janitorial Services. On motion of Commissioner Brady, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio; Nays - None.

Absent - None.

Resolution No. 16-2010: Resolution Authorizing Minno & Wasko Architects and Planners the Award of a Non-Fair and Open Contract for Architectural Services. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 17-2010: Resolution Authorizing USI Security, Inc. the Award of a Non-Fair and Open Contract for Security Services. On motion of Commissioner Brady, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 18-2010: Resolution Authorizing Payment of Bills from Operating Fund. On motion of Chairperson Gervasio, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 19-2010: Resolution authorizing payment of bills from Morristown Parking Authority Maple Avenue Parking Garage Construction Project Checking Account. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms, Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

Resolution No. 20-2010: Resolution Authorizing Payment of Bills from Parking Authority of the Town of Morristown Improvement Fund and Authorizing and Directing JP Morgan Chase Bank to Transfer Moneys from the Vista Fund's 100% U.S. Treasury Money Market Fund to the Parking Authority of the Town of Morristown Improvement Fund Checking Account. On motion of Chairperson Gervasio, seconded by Commissioner Elms, the Resolution was adopted on the following vote:

Ayes - Commissioners Brady, Elms Garibian, Lucia, and Chairperson Gervasio;

Nays - None.

Absent - None.

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There being no further business to be transacted, on motion of Commissioner Garibian, the meeting was held adjourned.

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George Fiore, Executive Director

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Antony Lucia, Secretary

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Prepared By: Robert S. Goldsmith, Esq.