

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF
THE TOWN OF MORRISTOWN, HELD TUESDAY, APRIL 6, 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, Garibian, Lucia, and Chairperson Gervasio;

Also Present- George Fiore, Executive Director, Patrick W. Geary, Operations Manager, Robert S. Goldsmith, Esq., Parking Authority Counsel, *Honorable Timothy P. Dougherty, Mayor, Council Liaison Rebecca Feldman.

Absent - Commissioner Elms.

At this point, the Executive Director presented the Minutes of the March 16, 2010, Regular Meeting. At this point Commissioner Brady suggested that former Commissioner, David Williamson's Resolution be attached to the Minutes. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Minutes were approved.

The following communications were presented for the record:

Under date of March 17, 2010

To: Honorable Timothy P. Dougherty, Mayor
From: Chairperson James Gervasio

Correspondence providing check in the amount of \$225,000 representing the Morristown Parking Authority's contribution to the Town Budget. On motion of Commissioner Garibian, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 17, 2010

To: Ms. Jennifer Wehring, Morristown Partnership
From: George Fiore, Executive Director

Correspondence regarding the installation of a shed for the Morristown Farmers Market and advising that permission is subject to the Morristown Partnership obtaining all necessary Town approvals and permits and the Parking Authority's receipt of certificates of insurance. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of March 17, 2010

To: George Fiore
From: Paul G. Marshall

Correspondence regarding the Option and proposed Speedwell Development and advising that plans to develop the property would improve and assure their continued economic viability and those plans would conform to the Redevelopment Plan. Following a brief general discussion, on motion of Chairperson Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

* At this point, Mayor Dougherty joined the meeting.

Under date of March 24, 2010

To: Paul G. Marshall
From: Robert S. Goldsmith, Esq.

Correspondence advising that with respect to the Option and proposed Speedwell Development that the letter is accepted as reserving whatever rights Speedwell LLC may have under the Option Agreement and that the Parking Authority is prepared to work with whomever as appropriate. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of March 19, 2010

To: Parking Facility Attendants, Parking Enforcement Manager, Administrative Staff
From: Patrick W. Geary, Operations Manager

Correspondence attaching the MPA Informational Card/Parking Coupon to be distributed when a parking summons is issued for overtime parking only and outlining the purpose of the card distribution. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of March 22, 2010

To: Eric J. Nemeth, Esq., NJIIF
From: Robert Beckelman, Esq.

Correspondence regarding a request for indemnification by New Jersey Transit and a copy of a Tort Claim Notice by Todd Caputo against New Jersey Transit and that Mr. Caputo has now advised that he will not be pursuing this claim. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of March 24, 2010

To: Mr. John Fugger, Town of Morristown
From: George Fiore, Executive Director

Correspondence regarding DB Holding Company's variance and advising that should the Town of Morristown Board of Adjustment determine that alternative parking arrangements are satisfactory and that the property owners do not need to maintain a lease of space from the Morristown Parking Authority, the Parking Authority has no objection to such consideration. On motion of Chairperson Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 25, 2010

To: Mr. Baldo Dattolo
From: George Fiore, Executive Director

Correspondence regarding DB Holding Company's existing approval by the Board of Adjustment requires that if DB Holding Company wishes to seek alternatives to parking with the Parking Authority that it may only be done by action of the Board of Adjustment and that it is incumbent upon Mr. Dattolo to change the status quo by affirmative action taken with the Board of Adjustment. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of March 26, 2010

To: Laurence Shapiro, Esq.
From: George Fiore, Executive Director

Correspondence providing fully executed copy of the Lease Agreement between the Parking Authority and Laurence Shapiro, Esq. The Executive Director advised the Board that he had some discussions with Daniel E. Somers, Esq., a tenant at 10 Pine Street. Mr. Somers would like to stay at 10 Pine Street and perhaps sublease some of the space. Mr. Fiore explained that there was a fee for subleasing which Mr. Fiore indicated he would be prepared to waive. Mr. Fiore suggested that he thought it was best to work with the tenant to retain the tenant. Mr. Fiore also noted that another tenant, William Cohen, had expressed interest in all or part of the Somers' space. Mr. Fiore also indicated that he was prepared to provide Mr. Somers with additional time to sublet some of this space. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of March 26, 2010

To: The Cedric Z. Shabsis Trust
From: George Fiore, Executive Director

Correspondence advising that the Parking Authority has renewed the lease with Laurence Shapiro, Esq., which will now be a sublease for a portion of 10 Pine Street, with reference to the Lease Agreement dated November 8, 2007 between The Cedric Z. Shabsis Trust, et al. as Landlord and The Parking Authority of the Town of Morristown as Tenant. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of March 26, 2010

To: Ms. Debra Tantleff, Roseland Properties
From: George Fiore, Executive Director

Correspondence advising that to date the cost of work associated with the fire alarm/safety system in connection with integration/testing for 14 Maple Avenue/DeHart Street Garage and Morristown Epstein's Project is now \$9,199.00. As agreed the Morristown Parking Authority will bear 33% of the cost up to a maximum amount of \$5,000.00 and will be making payment for the full amount and requests that the Parking Authority be reimbursed your share of 67% totaling \$6,163.33. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of March 29, 2010

To: Michael Fabrizio, Morristown Partnership
From: George Fiore, Executive Director

Correspondence advising that as of May 1, 2010 the Partnership is authorized and directed to cause Glacial Energy to act as a preferred electricity supplier for the Morristown Parking Authority. Mr. Fiore advised the Board that working with Mr. Fabrizio he was proceeding with Glacial Energy and was expecting to reduce much of the energy cost from \$.16 to \$.11 per kilowatt hour with a hope for savings of \$35,000 to \$40,000, per year. Mr. Fiore noted that the Parking Authority could terminate this new agreement on 30 days notice. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of April 2, 2010

To: Mr. James Gervasio
From: William Riviere, State of New Jersey

Correspondence regarding the Morristown Bicycle Plan and advising that the NJDOT-OBPP has requested that Michael Baker, Jr., Inc. assist the Town of Morristown in further development of their Bicycle Plan from April 2009 and that the purposed of the study is to create an Addendum to supplement the Bicycle Plan. In addition, Mr. Gervasio is invited to attend a Study Coordinating Committee for the Morristown Bicycle Plan Addendum. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

There were no Reports.

At this point, under the Old Business portion of the meeting, the Executive Director noted that the new President of the Geraldine R. Dodge Foundation was Christopher Daggett. Mr. Goldsmith advised that he knew Mr. Daggett quite well and that he is a first-class individual, former candidate for Governor and anticipates a very good working relationship going forward.

At this point, under the Old Business portion of the meeting, the Executive Director noted that he already discussed with the Board the possible extension of the lease for Daniel E. Somers, Esq.

At this point, under the New Business portion of the meeting, Counsel advised the Board that he had been approached by Jeanne McManus of Weiner Lesniak on behalf of a number of clients that might be interested in development of Lot 3R, the lot behind the train station. He indicated that Ms. McManus had informed him that her partner, Paul Weiner, had spoken with the Mayor about such possible development and the Mayor said that such discussions could take place. Mayor Dougherty being present explicitly advised that no such conversation had taken place with respect to Lot 3R, that there was some discussion with respect to Cole and Center Street, but he asked that the Parking Authority not take any further action with respect to Lot 3R at this time.

There was no Executive Session.

The following Resolutions were presented for the record:

Resolution No. 37-2010 - Resolution Authorizing Payment of Bills from the Operating Fund. On motion of Commissioner Lucia, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

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

Nays - None.

Absent - Commissioner Elms.

Resolution No. 38-2010 - 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 Commissioner Garibian, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Nays - None.

Absent - Commissioner Elms.

Resolution No. 39-2010 - 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, Garibian, Lucia and Chairperson Gervasio;

Nays - None.

Absent - Commissioner Elms.

At this point, the Mayor reported on the following matters:

- The Mayor sees the potential for development of Lot 10 at some point in the future.
- The Mayor expressed his appreciation to the Board, Chairperson, Mr. Fiore and Mr. Goldsmith for the Boards' financial support to the Town of Morristown to assist the Town in a difficult budget situation. The Mayor noted that he understood that it was a difficult vote for the Board but again expressed his appreciation.
- The Mayor expressed his appreciation for the continued interest of Marshall & Moran as evidenced by their recent letter.
- The Mayor expressed his disappointment with the reluctance of the Visiting Nurses Association to work with the Town and the Parking Authority with respect to assisting on a shared basis with residential parking for the Ambassador Apartments.
- The Mayor and Council Liaison Feldman noted the discussions with Kings Supermarket and the possible improvement of parking flow and ingress and egress to the Kings parking lot and possible development there. It was agreed that the Mayor would reach out to Kings Supermarket's representatives to attempt to arrange a meeting with the Parking Authority's Parking Consultant to make a determination as to actual need for both Kings and Walbaums parking demand.
- At this point the Mayor and Council Liaison Feldman discussed possible shared parking with South & Elm and Town Hall and the possibility of increasing a charge to the South & Elm tenants for parking at the Town Hall parking lot.

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

George Fiore, Executive Director

Anthony Lucia, Secretary

Prepared By: Robert S. Goldsmith, Esq.