

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF
THE TOWN OF MORRISTOWN, HELD TUESDAY, MAY 17, 2011, 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 Brady, 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 4, 2011, 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 Elms, Lucia and Gervasio and Chairperson Brady.

Also Present- George Fiore, Executive Director, Patrick W. Geary, Operations Manager, Robert S. Goldsmith, Esq., Parking Authority Counsel.

Absent - Commissioner Garibian.

At this point, the Executive Director presented the Minutes of the April 19, 2011, Regular Meeting. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the Minutes were approved.

At this point, the Executive Director noted the expression of some Commissioners to move MPA meetings to 6:00 p.m. There was generally a favorable response to this suggestion, but the decision was made to defer, pending discussion with Commissioner Garibian.

The following communications were presented for the record:

Under date of April 18, 2011

To: MPA
From: Lenita Veiga, Accounting Supervisor

Correspondence enclosing payment of \$20,000 for annual participation fee for Chancery Square.

On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of April 19, 2011

To: George Fiore, Executive Director
From: Stephen A. Santola, Esq.

Correspondence expressing residents' concerns regarding garbage pickup at early morning hours, despite direction from the MPA that garbage pickup is not to take place until 7.00 a.m.

The Executive Director noted that the timing of the garbage pickup has improved substantially. Mr. Goldsmith noted that he had spoken with Mr. Fugger and Mr. Fugger was following up on a request to address code violations with respect to the hour of garbage pickup in the DeHart Street right of way.

On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of April 19, 2011

To: John Fugger, Zoning Officer
From: George Fiore, Executive Director

Correspondence requesting that the Town and the Police Department undertake efforts to enforce Noise Ordinance 3-1.1 in response to residents' complaints regarding the timing of garbage pickup in the DeHart Street right of way.

On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of April 22, 2011

To: George Fiore, Executive Director
From: Michael Schacham

Correspondence requesting assistance with parking for invitees attending the Celebrate Morristown Art Show at the Vail Mansion in June.

On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of April 25, 2011

To: MPA and Morristown Partnership
From: William E. Davis

Correspondence regarding difficulty of finding parking spaces at night and suggesting that the MPA and the Partnership purchase an insurance policy to cover parking lots used by guests in the evening hours.

On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of May 10, 2011

To: William E. Davis
From: George Fiore, Executive Director

Correspondence responding to Mr. Davis' concerns set forth in his letter of April 25, 2011.

On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of April 29, 2011

To: George Fiore, Executive Director
From: Vincent Montanino, Municipal Accountant

Correspondence enclosing copies of the Report of Examination of Financial Statements and Synopsis of Audit and advising that a copy of the Audit will be filed by VM Associates, Inc. with the Division of Local Government Services.

The Executive Director explained that there was an increase in the value of MPA fixed assets in large part because American Appraisals had prepared a professional appraisal of the MPA assets, as noted in the audit, and further that the prior analysis had overstated depreciation and certain real property had been undervalued, including both assets and land using the market value of land rather than acquisition cost, as well as adjustments with the 14 Maple Avenue office building now completed there is no longer construction-in-progress.

On motion of Commissioner Gervasio, seconded by Chairperson Brady, the letter was accepted for file.

Under date of May 3, 2011

To: Patrick Geary, Operations Manager
From: Abdul Stateh

Correspondence thanking the MPA for its donation to the Morris County Sexual Assault Center's Denim Day rally.

On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of May 4, 2011

To: MPA Associates
From: George, Fiore Executive Director

Correspondence directing personnel to be alert and report any suspicious or unusual activity to the MPA Administration or the Police Department.

On motion of Commissioner Lucia, seconded by Commissioner Elms, the letter was accepted for file.

Under date of May 6, 2011

To: MPA
From: The United Methodist Church of Morristown

Correspondence advising of a notice of hearing regarding the Church's proposed installation of a non-illuminated wall sign and flame and cross sign.

On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of May 9, 2011

To: Mr. David Brown
From: Robert S. Goldsmith, Esq.

Correspondence advising that there is no payment due by Penobscot Corp. for the guaranty payment for the period January 1, 2010 through December 31, 2010.

On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the Report on Examination of Financial Statements Year Ended December 31, 2010. The Executive Director noted that he had already advised the Board with respect to the fixed assets discussion.

The Executive Director then called the Board's attention to Schedule 1, on Sheet 1. He noted that the Ann Bank revenues were down, based largely on the relocation of Schenck Price Smith & King which resulted in approximately \$50,000 in lost revenues. The Executive Director noted that the County College of Morris will likely be taking parking at the Ann Bank Garage but that is currently delayed until August or September. The anticipated revenues are in the range of \$25,000 annually. The Executive Director noted that in reviewing revenues with Mr. Giosa, they are both comfortable that the MPA is in good shape with respect to the debt service schedule through 2013. The Executive Director noted loss of revenues from the front of the train station and further noted that the MPA has taken some hits throughout the parking system. He noted major increases in cash receipts at the DeHart Street parking garage because of Roots and anticipates further increases with the opening of Urban Table and some additional support from Qdoba and Starbucks, although they are largely walk-in customers.

The Executive Director asked Mr. Geary to move the chain up an additional 50 spaces to expand the available inventory of parking at the DeHart Street Garage. He noted that currently 150 spaces are blocked by the chain. The Executive Director noted that Mr. Giosa was preparing a revenue projection based on the new retail tenants at 40 Park.

The Executive Director presented the Level G Walking Distance Map to show the volume of convenient, accessible parking throughout the downtown business district.

The Executive Director then went over his memo to the file with the Board of Commissioners where he noted that \$201,000 in receipts were deposited directly into the Improvement Fund and the Maple Avenue Construction Fund and they did not go into the Special Revenue Account and therefore are not included within the audit as revenues. He further noted that the audit references the MPA budget, and that the MPA underspent the budget by \$66,000. When these numbers are considered, the MPA in fact, was about \$3,000 in the positive.

On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the audit report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the April 2011 Monthly Enforcement Report.

The Executive Director noted that he recently had a conversation with Morristown Business Administrator Michael Rogers and advised Mr. Rogers that 2,206 tickets had been issued since November for the residential enforcement program, generating approximately \$77,000 to the Town. This is the Town's share of the fine receipts, excluding the State's share. On motion of Commissioner Lucia, seconded by Commissioner 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 April 2010/2011 Comparative Meter Revenue Report. Mr. Geary noted that \$11,000 for Christmas meters was paid in 2009 for 2010 and that this was part of the disparity for meter revenues. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the April 2010/2011 Comparative Cash Revenue Report. On motion of Commissioner Gervasio, 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 April 2010/2011 Year-to-Date Revenue Summary. On motion of Commissioner Lucia, seconded by Commissioner Gervasio the report was accepted for file.

At this point, under the Old Business portion of the meeting, the Executive Director noted that the MPA had completed the partial repaving at the back of Lot 6 and approximately 1/3 of the lot was repaved or improved.

At this point, under the Old Business portion of the meeting, the Administration presented the bids for the new MPA enforcement vehicle. The sole bidder was Dover Dodge/Chrysler Jeep. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the bid was authorized for the amount of \$21,241.98 on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

At this point, under the Old Business portion of the meeting, the Executive Director updated the Board on the proposal of Amano McGann Inc. for MPA software and equipment (iPARC Professional Upgrade and Support Agreement). The Executive Director noted that the newest proposal had not yet been received but advised that the original proposal for the equipment would have cost \$180,000, and Mr. Fiore negotiated that down to \$159,000 and further negotiated to what is anticipated to be a proposal of \$132,000. With respect to maintenance, Mr. Fiore noted that he had advised Mr. Anthony Thimba at Amano McGann Inc. that maintenance was not needed on the new equipment. The original proposal for maintenance was \$84,000 reduced to \$70,000 and further reduced to \$67,500 which is anticipated to be the amount reflected in the final proposal.

At this point, under the Old Business portion of the meeting, the Executive Director requested authorization from the Board to proceed with implementation of the iPARC Professional Upgrade and Support Agreement in amounts not to exceed \$132,000 for the MPA software and equipment, and \$67,500 for maintenance. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the authorization was granted on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

At this point, under the Old Business portion of the meeting, the Executive Director noted again that the County College of Morris campus opening commencement date would likely be deferred until August or September.

At this point, under the New Business portion of the meeting, the Executive Director noted that the MPA was going to begin advertising in both online editions of Morristown Patch and Morristown Green starting June 1.

At this point, under the New Business portion of the meeting, Commissioner Lucia expressed a concern relayed to him by a third party that a parking enforcement officer was observed standing and waiting for a meter to expire. The Executive Director noted that is not MPA policy. Mr. Lucia noted also that he advised this person that that was not MPA policy and there was a grace period. In any event, Mr. Geary agreed that he would remind the parking enforcement officers that MPA policy prohibits waiting at meters for the time to expire.

The following Resolutions were presented for the record:

Resolution No. 21-2011 - Resolution Confirming Review of Annual Audit Report for Fiscal Year Ended December 31, 2010. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 22-2011 - Resolution Authorizing and Directing Executive Director to Execute Contract with Dover Dodge Chrysler Jeep Incorporated, with respect to Purchase of a New Morristown Parking Authority Parking Enforcement Vehicle. On motion of Commissioner Gervasio, seconded by Chairperson Brady, the Resolution was adopted on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 23-2011 - Resolution Authorizing Payment of Bills from the Parking Authority of the Town of Morristown Operating Fund Checking Account. On motion of Commissioner Lucia, seconded by Chairperson Brady, the Resolution was adopted on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 24-2011 - Resolution Authorizing Payment of Bills from the Parking Authority of the Town of Morristown Improvement Fund Checking Account. On motion of Commissioner Lucia, seconded by Commissioner Elms, the Resolution was adopted on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 25-2011 - Resolution Authorizing Payment of Bills from the Parking Authority of the Town of Morristown MPA 14 Maple Avenue Construction Fund Checking Account. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the Resolution was adopted on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 26-2011 - Resolution Authorizing the Award of Non-Fair and Open Contracts. On motion of Commissioner Lucia, seconded by Commissioner Elms, the Resolution was adopted on the following vote:

Ayes - Commissioners Elms, Gervasio, Lucia and Chairperson Brady.

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 27-2011 - Resolution of the Parking Authority of the Town of Morristown Directing Payment to the Town Morristown from the Parking Authority of the Town of Morristown Parking Authority Special Revenue Account. On motion of Commissioner Lucia, seconded by Commissioner Elms, the Resolution was adopted on the following vote:

Ayes - Commissioners Elms, Gervasio and Lucia.

Nays - None.

Absent - Commissioner Garibian.

Abstain - Chairperson Brady.

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

George Fiore, Executive Director

~~Michael R. Elms, Secretary~~
James Gervasio, Assistant Secretary