

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF  
THE TOWN OF MORRISTOWN, HELD TUESDAY, JUNE 21, 2011, AT  
THE OFFICES OF THE PARKING AUTHORITY, 14 MAPLE AVENUE, SUITE  
101, MORRISTOWN, NEW JERSEY, AT 6:00 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 Lucia, Garibian and Gervasio and Chairperson Brady.

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

Absent - Commissioner Elms.

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At this point, the Executive Director presented the Minutes of the May 17, 2011, Regular Meeting. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the Minutes were approved.

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The following communications were presented for the record:

Under date of May 16, 2011

To: Peter Maszczak

From: Anthony Bartolini, Manager of US Sales, Inline Fiberglass

Correspondence responding to Mr. Maszczak’s request for Inline Fiberglass’ report regarding a recent site visit to 14 Maple Avenue and third party testing of the leaking windows.

There was a discussion during which the Executive Director and Counsel advised the Board of the ongoing issues with respect to some of the windows leaking at the MPA office building. It was explained that the manufacturer, Inline, at this point through its own purported expert, determined that the fault was not theirs. On motion of Commissioner Gervasio, seconded by Commissioner Garibian, the Executive Director and Counsel were authorized to undertake an independent study of the window conditions in an amount not to exceed \$2,500.00, and the letter was accepted for file. The Motion was authorized on the following vote:

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

Nays - None.

Absent - Commissioner Elms.

Under date of May 31, 2011

To: Inline Fiberglass Ltd.

From: J.C. O’Keeffe

Correspondence responding to Inline’s letter of May 16, 2011 and disputing Inline’s claims that the windows are not faulty. On motion of Commissioner Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of May 17, 2011

To: Pat Geary, Operations Manager  
From: Leonard A. Locascio

Correspondence detailing painting work to be performed at the Ann/Bank Garage parking garage. The Executive Director advised that he had authorized all elevator doors at the Ann/Bank Garage to be painted. This correspondence relates to the payment for that work and the Executive Director noted that it was a significant improvement at a parking garage that is now 25 years old.

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

Under date of May 18, 2011

To: Honorable Timothy P. Dougherty  
From: Margret Brady, Chairperson

Correspondence enclosing MPA's check in the amount of \$35,000 as a contribution to the Town of Morristown.

At this point, the Executive Director alerted the Board of Commissioners on some possible work required for the retaining wall at the Mall Lot adjacent to the funeral home. The Executive Director showed pictures and advised that he would be meeting with an engineer and Robert Weissenborn to inspect the condition on Thursday. The Executive Director reported that Mr. Weissenborn based on a review of the pictures did not think that major construction would be necessary.

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

Under date of May 18, 2011

To: Michael Shacham  
From: Pat Geary

Correspondence advising that MPA has agreed to accommodate parking needs of the guests of the Morris County Art Association on June 10-11.

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

Under date of May 2011

To: The Daily Record  
From: George Fiore, Executive Director

Correspondence requesting publication of MPA's Summary of Synopsis of Audit Report on May 20, 2011 and requesting an Affidavit of Publication for MPA's file.

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

Under date of May 19, 2011

To: Ms. Debra Tantleff and Mr. Stephen Santola  
From: George Fiore, Executive Director

Correspondence advising that MPA shall assume responsibility for the operation of 16 parking spaces (the "Ramp Spaces") at the Vail Mansion location and that any revenues will continue to be credited towards Vail mansion revenues.

At this point, the Executive Director explained that he had undertaken an analysis of the Guaranty on the Vail Mansion. He noted that he obtained approximately 100 parking spaces at a cost of \$1.5M for a facility that probably cost \$2.0M. He advised the Board that the formula under the agreement with Vail Mansion set forth a conceptual guaranty threshold that is unlikely to be achieved. The Executive Director explained an alternative that he would likely recommend to the Board for modification of the guaranty threshold. The Board was receptive to this discussion.

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

Under date of May 20, 2011

To: Jon C. Connor, Zurich North America  
From: Joseph A. Reardon III

Correspondence copying the MPA on the status of the non-binding arbitration proceedings with respect to Tadeusz Czwakiel. The arbitrator awarded Mr. Czwakiel \$1,000,000 in damages, but notes that Zurich has 30 days to file a trial de novo if it so chooses.

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

Under date of May 24, 2011

To: Christy Hartnett, Bureau of Authority Regulation  
From: George, Fiore Executive Director

Correspondence enclosing a true certified copy of Resolution 21-2011 and Annual Audit Report for the fiscal year ended December 31, 2010, along with a copy of the Synopsis of Audit published on May 20, 2011.

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

Under date of May 1, 2011

To: Mr. Anthony Thimba  
From: George Fiore, Executive Director

Correspondence enclosing executed copies of iParc Professional Upgrade Proposal and Now Care Agreement for 2012.

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

Under date of May 2, 2011

To: Mr. Christopher J. Grell  
From: George Fiore, Executive Director

Correspondence directing the transfer of \$125,000 from the Series 2002 General Reserve and Replacement Fund and deposit of same in the Morristown Parking Authority Improvement Fund Account.

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

Under date of June 2, 2011

To: Mr. Christopher J. Grell  
From: George Fiore, Executive Director

Correspondence directing the transfer of \$125,000 from the Series 2002 General Reserve and Replacement Fund and deposit of same in the Morristown Parking Authority Improvement Fund Account.

The Executive Director advised the Board that the transfers were to make available funds to pay for the upgrades to the computerized parking system.

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

Under date of June 8, 2011

To: Mr. Walter Smith, Acting Executive Director  
From: George Fiore, Executive Director

Correspondence offering condolences on the passing of the Executive Director of the Trenton Parking Authority.

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

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

The Executive Director noted that the drop was largely due to snow and that revenues were picking up. 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 May 2010/2011 Comparative Meter Revenue Report. The Executive Director and Operations Manager advised that the MPA is gaining losses back from the tough winter. 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 May 2010/2011 Comparative Cash Revenue Report. On motion of Commissioner 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 May 2010/2011 Year-to-Date Revenue Summary. 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 the May 2011 MPA Facilities Vehicle Occupancy Counts Report prepared by Level G Associates LLC. The Executive Director noted that Mr. Giosa and he were pleased that there is room for expansion and development and the MPA can meet added demand. The Executive Director also noted that every hour of the day is higher in occupancy than last year. 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 the Report on Examination of Financial Statements - Quarter Ended March 31, 2011. The Executive Director noted some elements regarding timing of revenues and cash flow, given that significant items were paid in advance during the first quarter. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the report was accepted for file.

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At this point, under the Old Business portion of the meeting, the Executive Director requested that the Board memorialize the time change from 7:00 p.m. to 6:00 p.m. for Regular Meetings. On motion of Commissioner Garibian, seconded by Commissioner Lucia, the Board approved the change on the following vote:

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

Nays - None.

Absent - Commissioner Elms.

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At this point, under the New Business portion of the meeting, the Executive Director presented revisions to the MPA Rules and Regulations (Parking Facilities) Giving Vehicle Removal Authorization to Morristown Partners, Inc. in connection with Morristown Farmer's Market. The Executive Director noted that this has been a long-standing issue with cars remaining in the parking lot and interfering with the Farmer's Market on Sunday, notwithstanding appropriate notice to prevent such overnight parking. On Motion of Commissioner Lucia, seconded by Commissioner Garibian, the Board authorized the change to the Rules and Regulations on the following vote:

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

Nays - None.

Absent - Commissioner Elms.

At this point, under the New Business portion of the meeting, the Executive Director and Operations Manager requested authorization from the Board to move from Glacier to Hudson Energy as the electric provider to the Morristown Parking Authority, with an anticipation of significant savings over the next two years. Following a report from Mr. Geary, on motion of Commissioner Lucia, seconded by Commissioner Garibian, the change in electric service provider was authorized on the following vote subject to review by Parking Authority Counsel:

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

Nays - None.

Absent - Commissioner Elms.

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The following Resolutions were presented for the record:

Resolution No. 28-2011 - 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 Commissioner Garibian, the Resolution was adopted on the following vote:

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

Nays - None.

Absent - Commissioner Elms.

Resolution No. 29-2011 - 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 Garibian, the Resolution was adopted on the following vote:

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

Nays - None.

Absent - Commissioner Elms.

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

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George Fiore, Executive Director

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James Gervasio, Assistant Secretary/Treasurer