

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF
THE TOWN OF MORRISTOWN, HELD TUESDAY, JULY 13, 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, Lucia, and Chairperson Gervasio.

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

Absent - Commissioner Garibian.

At this point, Commissioner Brady read a Resolution honoring the Honorable Emilio Gervasio who served two terms as Mayor of the Town of Morristown on the occasion of his 100th birthday. The Resolution was approved on a unanimous vote.

At this point, the Executive Director presented the Minutes of the June 15, 2010, Regular Meeting. On motion of Commissioner Lucia, seconded by Commissioner Brady, the Minutes were approved.

At this point, the Executive Director presented the Minutes of the June 15, 2010, Executive Session Meeting. On motion of Chairperson Gervasio, seconded by Commissioner Lucia, the Minutes were approved.

The following communications were presented for the record:

Under date of June 15, 2010

To: Mr. Pat Geary
From: Edward J. Yaw, Ed. D., County College of Morris

Correspondence advising that the college will be moving to 30 Schuyler Place in January 2011 and will require approximately 75 parking spaces for students. The Executive Director advised that current counts estimated that approximately 125 spaces are available at the Ann/Bank Parking Garage and that the potential revenue would tend to offset the loss of revenues from Schenck, Price, Smith & King. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of June 25, 2010

To: Mr. Edward J. Yaw, Ed. D.
From: Patrick W. Geary

Correspondence advising that the Parking Authority can make available to the college a limited number of parking spaces at the Ann/Bank Parking Garage and outlining the basic terms of same. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of June 16, 2010

To: Mr. Paul Freeland, The First Baptist Church
From: George Fiore

Correspondence providing check in the amount of \$4,687.20, representing the second semi-annual payment due for leasing church property adjacent to and part of the Cattano Mall parking facility due July 1, 2010 and for lease period March 1, 2010 through February 28, 2011. On motion of Commissioner Lucia, seconded by Commissioner Elms, the letter was accepted for file.

Under date of June 16, 2010

To: Mr. Patrick Sullivan, Asphalt Paving Systems
From: George Fiore

Correspondence advising that at the June 15, 2010 regular meeting of the Morristown Parking Authority the Board of Commissioners accepted Asphalt Paving Systems Proposal in the amount of \$22,912.00 with respect to Parking Area Lot 10J and further provides a work plan to be signed by Asphalt Paving Systems. On motion of Chairperson Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of July 2, 2010

To: Monthly Permit Parkers Lot 10J and Area Businesses
From: Patrick W. Geary

Correspondence advising that on July 8, 2010 the Parking Authority will be repaving, filling cracks and re-striping Lot 10J and anticipates that the work will be completed in one day as well as outlining what part of the parking lot will be available for use at various times during the day. The notice further advises that monthly permit parkers will be allowed to park at on-street parking meters and the Vail Mansion Parking Deck on the day that the work will be performed. The Executive Director noted that it has been difficult securing a commitment from the contractor to perform the new process at Lot 10J. If arrangements cannot be implemented within the next few weeks then the Parking Authority may resort to paving and seal coating as more routine operations can continue. On motion of Chairperson Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of July 1, 2010

To: Christopher S. Mahoney, Esq., DeGrado Halkovich, LLC
From: Joseph A. Reardon, III, Esq., Weston, Stierli, McFadden & Capotorto

Correspondence providing a copy of the Honorable David Rand's Order granting partial summary judgment dismissing Benfatto Masonry and Morristown Parking Authority from the case entitled *Czwakiel, Tadeusz v. Wm. Blanchard Co., et al.* The Executive Director noted that the content of the Order effectuated the dismissal of the scaffolding case with respect to the Morristown Parking Authority. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of June 17, 2010

To: Mr. John Fugger, Town of Morristown
From: Robert S. Goldsmith, Esq.

Correspondence regarding Application #06-08 - Peter Austin, Block 4801, Lot 11 - 89 Morris Street, Morristown, New Jersey and advising that the Parking Authority concurs with Mr. Carrino's letter of June 9, 2010 that it is not the Parking Authority's responsibility to maintain the ditch. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of July 8, 2010

To: Nicholas DiMaiuta, Property Manager, Jones Lang LaSalle
From: George Fiore

Correspondence regarding the Wachovia DeHart Street Parking Lot and the after-hour users from improperly entering the lot and outlining what steps could be taken to secure the parking lot. The Executive Director advised the Board that he and Mr. Goldsmith had met with Mr. DiMaiuta on behalf of the Wachovia Bank on DeHart Street. The meeting had gone well and both the Planning Board and the Police Department were accepting of the proposed limitations on use of the facility. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the letter was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the June 2010 Monthly Enforcement Report. The Executive Director noted that the June 2010 Monthly Enforcement Report had been revised. 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 June 2009/2010 Comparative Meter Revenue Report. The Executive Director noted that because of the change in the bank relationship and the change in the bank coin collection procedures, and contractor, coin was held and the June Report will be presented with the July Report at the August 10, 2010, otherwise the number would be unduly aberrational. 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 June 2009/2010 Comparative Cash Revenue Report. The Executive Director noted that because of the change in the bank relationship and the change in the bank coin collection procedures, and contractor, coin was held and the June Report will be presented with the July Report at the August 10, 2010, otherwise the number would be unduly aberrational. 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 the June 2009/2010 Year-to-Date Revenue Summary. The Executive Director noted that because of the change in the bank relationship and the change in the bank coin collection procedures, and contractor, coin was held and the June Report will be presented with the July Report at the August 10, 2010, otherwise the number would be unduly aberrational. 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 the June 2010 Vehicle Maintenance Report. The Executive Director noted that the 1997 Sierra truck owned by the Parking Authority had limited use and there was a pending proposal which would be recommended by the MPA administration to sell the truck to the Morristown Partnership for \$2,500.00. It was suggested that the Kelly Blue Book should be reviewed to ensure that it is a fair price. 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 the June 2010 Sick and Vacation Report. 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 the May 2010 Parking Facility Occupancy Counts. The Executive Director noted that the Report reflected that these were the lowest occupancy counts in 10 years. On motion of Commissioner Lucia, seconded by Chairperson Gervasio, the report was accepted for file.

At this point, under the Old Business portion of the meeting, the Executive Director and Counsel recommended the approval of the proposal from American Appraisal Associates, Inc. for a fixed asset appraisal services. The Executive Director noted that Mr. Montanino, the Parking Authority's auditor strongly recommended this service given the substantial growth in the parking facilities and assets of the Parking Authority in the last few years that the work be undertaken by an independent entity and recommended the services of American Appraisal Associates, Inc. On motion of Commissioner Lucia, seconded by Commissioner Brady, the services were authorized in the amount of \$4,300.00 for the initial survey and \$1,300.00 per year for subsequent updates on the following vote:

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

Nays - None.

Absent - Commissioner Garibian.

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At this point, under the New Business portion of the meeting, the Executive Director noted that Standard Parking, which operates the New Jersey Transit Parking Structure, at the Highlands Project was issuing summons at the front of the trail station. The Parking Authority communicated with New Jersey Transit, Mr. Lothian, and the issue should be resolved.

At this point, on motion of Commissioner Brady, seconded by Chairperson Gervasio, the Board of Commissioners retired to Executive Session.

Following Executive Session, the Board returned to the Regular Order of Business.

At this point, Commissioner Brady noted that a recent Daily Record article focused on the financial concerns of various Morris County municipalities as well Morris County itself. The article noted that Morristown was on of the few municipalities that added significant ratables. Commissioner Brady applauded the contributions of the Parking Authority in being the basis for increased ratables in the Town of Morristown and commended the Parking Authority for its actions.

At this point, on motion of Commissioner Brady, seconded by Commissioner Lucia, the appointment of PEO Gloria Marotta, who previously served as a PEO for the Morristown Parking Authority was authorized at the salary of \$28,040.00, on the following vote:

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

Nays - None.

Absent - Commissioner Garibian.

The following Resolutions were presented for the record:

Resolution No. 55-2010 - 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, Elms, Lucia and Chairperson Gervasio.

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 56-2010 - 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 Brady, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Nays - None.

Absent - Commissioner Garibian.

Resolution No. 57-2010 - 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 Brady, the Resolution was adopted on the following vote:

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

Nays - None.

Absent - Commissioner Garibian.

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

George Fiore, Executive Director

Anthony Lucia, Secretary

Prepared By: Robert S. Goldsmith, Esq.