

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, DECEMBER 3, 2013 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 Garibian, 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 3, 2013, 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: Chairperson Lucia, Commissioners Brady, \*\*Garibian, \*Gervasio and Tighe

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

Absent: Commissioner Elms

---

At this point, on Motion of Chairperson Lucia, seconded by Commissioner Tighe, the Regular Order of Business was suspended and the public hearing portion of the meeting as advertised in The Daily Record on 10/24/13, and The Star Ledger on 10/24/13, was declared open to any bond holder or any other person in attendance who wished to be heard regarding the 2014 Annual Budget of Operating Expenses as prepared by the Parking Authority.

There being no bond holders or other persons in attendance wishing to be heard, on Motion of Chairperson Lucia, seconded by Commissioner Tighe, the public hearing was declared closed and the Parking Authority returned to the Regular Order of Business.

---

At this point, The Executive Director presented the Minutes of the November 5, 2013 regular meeting. On motion of Chairperson Lucia, seconded by Commissioner Tighe, the Minutes were approved.

---

\* At this point, Commissioner Gervasio joined the meeting.

---

At this point, the Executive Director presented the Minutes of the November 5, 2013 executive session regular meeting on motion of Commissioner Gervasio, seconded by Chairperson Lucia, the Minutes were approved.

At this point, the Executive Director advised the Board of Commissioners that the attendance at the New Jersey League of Municipalities by representatives of the Parking Authority was worthwhile and that the seminars and exhibits were of value to the Parking Authority.

There were no Public Comments.

There was no Mayor’s Report.

---

It should be noted that the Executive Director requested that since there would be some minor reimbursement checks to certain of the Commissioners who attended the League of Municipalities, it would be appropriate that neither check be signed by the Commissioners who are being reimbursed but rather be signed by other members of the Board of Commissioners.

---

The following communications were presented for the record:

Under date of November 26, 2013

To: Chairperson, Commissioners and Counsel, Parking Authority of the Town of Morristown  
From: George Fiore, Executive Director

Correspondence providing official Meeting Notice for the Regular Meeting of the Parking Authority of the Town of Morristown to be held Tuesday, December 3, 2013. On motion of Chairperson Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of November 11, 2013

To: Matthew Stechauner  
From: George Fiore, Executive Director

Letter and attendance record regarding reappointment to the Commission at the conclusion of Commissioner Lucia's term. On motion of Chairperson Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of November 11, 2013

To: Town Council President and Council Members  
From: Anthony Lucia

Letter serving as formal request for reappointment as Commissioner of the Morristown Parking Authority. On motion of Commissioner Brady, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of October 25, 2013

To: Morristown Parking Authority  
From: John DeLaney

Notice of hearing on November 7, 2013 at 7:30 p.m. to consider an application affecting the property whose street address is 40 Market Street, Morristown, NJ, Block 6004, Lot 16. The applicant is proposing to install an exterior generator in the northeast corner of the Metropolitan. On motion of Chairperson Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date October 30, 2013

To: Town of Morristown Planning Board  
From: Charles Thomas

Correspondence regarding 22 sets of plans entitled "Minor site Plans for the Metropolitan" dated February 21, 2013 revised through October 29, 2013 and stating that it was decided to revise the bollard locations to be adjacent to the generator. On

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

Under date of October 31, 2013

To: American Appraisal  
From: George Fiore

Correspondence enclosing an executed copy of American Appraisal's engagement letter (dated 10/31/13) to provide the Annual Appraisal Update Service for 2013 and a listing of fixed assets acquired in 2013. On motion of Commissioner Tighe, seconded by Commissioner Brady, the letter was accepted for file.

Under date of November 6, 2013

To: Morristown Parking Authority  
From: Wayne Walton

Letter advising that the Church of the Redeemer is receiving \$293,810.00 from the Morris County Historic Preservation Trust Fund for Phase 1B Exterior Restoration of the Parish House including windows and masonry work. On motion of Commissioner Gervasio, seconded by Commissioner Brady, the letter was accepted for file.

Under date of November 6, 2013

To: Michael Fabrizio  
From: George Fiore

Letter regarding an outstanding balance due the MPA in the amount of \$40,229.89 for the advancement of funds for the fit-out of the MP offices. The letter states that there is also a remaining outstanding balance of \$2,991.00 for the security and access system that was installed by the MPA for the MP, and that the MPA will waive the \$2,991.00 balance due. The letter further states that the MPA will allow the MP to make equal monthly payments of \$447.00 on the \$40,229.89 over the remaining term of the initial lease, without interest and within an additional nine years and 36 months period. The Executive Director noted that at this point there had not been any formal response by the Board of Trustees of the MP. On motion of Commissioner Brady, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of November 7, 2013

To: William Parrish  
From: George Fiore

Letter informing the Chief Affirmative Action Officer of the State of New Jersey that George Fiore, Executive Director, would continue as the 2014 Public Compliance Officer for the Morristown Parking Authority. On motion of Commissioner Brady, seconded by Commissioner Tighe, the Notice was accepted for file.

Under date of November 12, 2013

To: Christopher Walker  
From: George Fiore

Letter advising the County of Morris that pursuant to the Tenant in Common, Parking and Interlocal Services Agreement dated February 18, 2004, the Monthly Maintenance Fee is to be adjusted as of January 1 of each year pursuant to the CPI and that the current rate of \$26.08 per month per space would be increased to \$26.44 per space for a total of \$5,289.00 a month. At this point, Commissioner Tighe raised the matter

regarding the urgent need for County parking in view of the recently announced need to demolish the County's Ann Street parking facility. There was an extensive discussion of MPA negotiations with the County of Morris with respect to the need for 170 spaces on an interim parking basis. The Commissioners were receptive to this request. The Administration also indicated that it was receptive to this emergent request. The Executive Director noted as did counsel that the Parking Authority had made it clear to the County Officials that the Parking Authority could make the parking available for one year, probably up to two years, but that the Parking Authority could not be the solution for the long term parking needs of the County of Morris. The Executive Director and Counsel also noted and suggested to Mr. Bonani, the County Administrator and Christopher Walker, the Superintendent of Buildings and Grounds Division, that notwithstanding the historic reservoir wall contained within the existing structure, it might be possible to expand the footprint of the parking structure and gain more spaces on a reasonably efficient basis while maintaining the historic element as a feature of a new parking facility.

The Board of Commissioners agreed that the Parking Authority was obligated to support the Town of Morristown development and could not jeopardize such development to serve the County's parking needs and that a long term solution from the County to replace the Ann Street facility was necessary. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of November 13, 2013

To: Carlos Jaramillo  
From: Patrick Geary

Letter confirming that Mr. Jaramillo has chosen to leave his employment with the Morristown Parking Authority to continue with his new occupation and enclosing pension information. The letter states that Mr. Jaramillo will be covered under the Parking Authority's Group Health Plan through December 31, 2013. On motion of Commissioner Tighe, seconded by Commissioner Brady, the letter was accepted for file.

Under date of November 13, 2013

To: Carlos Jaramillo  
From: George Fiore

Letter enclosing a Notice of Right to Elect COBRA Continuation Coverage. On motion of Commissioner Tighe, seconded by Commissioner Brady, the letter was accepted for file.

Under date of November 13, 2013

To: Christopher Walker  
From: George Fiore

Letter confirming that the County of Morris currently needs to lease some 150 parking spaces from the Morristown Parking Authority to provide adequate parking for County personnel and allow time to address concerns regarding the County's Ann Street Parking Garage and setting forth the terms and requiring a signature of acceptance. On motion of Commissioner Brady, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of November 14, 2013

To: George Fiore  
From: Debra Tantleff

Letter confirming that at the November 7<sup>th</sup> Planning Board meeting, residents raised concerns about the potential constraints and existing conditions associated with the drive aisle clearances into the public garage when trucks are parked and utilizing the loading bay that serves the Metropolitan. The letter also states that the loading zone conditions will be improved and a striped area will be added to designate with signage where trucks should park. On motion of Commissioner Brady, seconded by Commissioner Gervasio, the letter was accepted for file.

---

At this point, under the Report portion of the meeting the Administration advised the Board that the Overtime Reports would be deferred until the next meeting.

---

\*\*At this point, under the Old Business portion of the meeting, Commissioner Garibian joined the meeting by telephone.

At this point, under the Old Business portion of the meeting, the Administration presented for adoption the Budget of Current Expenses for Fiscal Year Ending 12/31/14 (NJ DLGS). On motion of Chairperson Lucia, seconded by Commissioner Gervasio, the Budget was adopted on the following vote:

Ayes: Chairperson Lucia, Commissioners Brady, Garibian, Gervasio and Tighe  
Nays: None  
Absent: None

At this point, under the Old Business portion of the meeting, the Executive Director advised the Board that the Board's Annual Holiday Dinner was confirmed at Olive Lucy at 6:30 following the Board of Commissioner's December 17, 2013 5:00 meeting. The Executive Director also noted this time that on November 13, 2013 the Division of Local Government Services had approved the MPA Budget.

At this point, under the Old Business portion of the meeting, Mr. Goldsmith suggested that the Board adopt a policy that would provide for telephone participation by members of the Board of Commissioners. Commissioner Tighe noted that the Morristown Town Council has permitted this procedure for some years and participation by phone has been deemed by the Morristown Town Council to count toward a quorum but with continuous participation by the absent person by telephone. On motion of Commissioner Tighe, seconded Chairperson Lucia, the Board of Commissioners of the Morristown Parking Authority approved a policy whereby members of the Board of Commissioners could participate in Board meetings by telephonic communications and further that participation by such Board Members could count toward a quorum. On motion of Commissioner Tighe, seconded by Commissioner Brady, the policy was authorized on the following vote:

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nays: None  
Absent: Commissioner Garibian

At this point, under the Old Business portion of the meeting, the Executive Director presented the Proposed 2014 Regular Meeting Dates of the Morristown Parking Authority (dated 12/3/13) and Confirmation of Annual Reorganizational Meeting January 7, 2014 (Tuesday). On motion of Commissioner Tighe, seconded by Commissioner Brady, the Meeting Dates and Reorganizational Meeting were approved on the following vote:

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nayes: None  
Absent: Commissioner Garibian

---

At this point, under the New Business portion of the meeting, the Administration presented for Authorization the Leasing of Approximately 170 Parking Spaces to the County of Morris on a Short-term Interim Basis to Accommodate Displaced County Garage Parkers. Mr. Geary noted that during the month of December the allocation of spaces would be as follows: 50 in the Dalton Parking Garage, 50 in the Ann Bank Parking Garage, 50 in the DeHart Street Parking Garage and 20 in the Mall Lot. This was to minimize the impact on Holiday shoppers and businesses. Starting January 2014 the allocation would be 150 spaces at the Dalton Parking Garage and 20 spaces at the Mall Lot. On motion of Commissioner Lucia seconded by Commissioner Gervasio the Board authorized the Parking License Agreement between the MPA and the County of Morris. The motion carried on the following vote:

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nayes: None  
Absent: Commissioner Garibian

At this point, under the New Business portion of the meeting, the Administration advised the Board of Commissioners that 2014 winter season snow bids are pending.

At this point, under the New Business portion of the meeting, the Administration presented Appropriation Transfers in the form attached. On motion of Commissioner Brady, seconded by Chairperson Lucia, the Appropriation Transfers were authorized on the following vote:

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nayes: None  
Absent: Commissioner Garibian

On motion of Chairperson Lucia, seconded by Commissioner Gervasio, the Board moved into Executive Session.

At this point, under the New Business portion of the meeting, the Executive Director advised the Board of Commissioners that Mr. Giosa had implemented a new inventory of all MPA facilities and at the request of the Board of Commissioners Mr. Giosa was also asked to attend the meeting of the Board of Commissioners scheduled for January 21, 2014, a meeting which Mr. Abramson will also be attending.

---

The following Resolutions were presented for the record:

Resolution No. 49-2013: Resolution Adopting Annual Budget of Current Expenses for the Parking Authority of the Town of Morristown for Fiscal Year December 31, 2014.

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nayes: None  
Absent: Commissioner Garibian

Resolution No. 50-2013: Certifying that Net Revenue for Years 2013 and 2014 Shall at

Least Equal the Net Revenue Requirement as Established Under Section 7.06 – General Resolution of the Morristown Parking Authority Revenue Bonds Series 2011).

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nays: None  
Absent: Commissioner Garibian

Resolution No. 51-2013: Operating Fund Bills.

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nays: None  
Absent: Commissioner Garibian

Resolution No. 52-2013: Improvement Fund Bills

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nays: None  
Absent: Commissioner Garibian

Resolution No. 53-2013: Maple Avenue Fund Bills.

Ayes: Chairperson Lucia, Commissioners Brady, Gervasio and Tighe  
Nays: None  
Absent: Commissioner Garibian

---

George Fiore, Executive Director

---

Richard Tighe, Assistant Secretary

---

Prepared By: Robert S. Goldsmith, Esq.