

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, MARCH 4, 2014 AT THE OFFICES OF THE PARKING AUTHORITY, 14 MAPLE AVENUE, SUITE 101, MORRISTOWN, NEW JERSEY, AT 12:30 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 21, 2014, 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 \*Tighe, Chairperson Gervasio

Also Present: George Fiore, Executive Director, Patrick W. Geary, Operations Manager, Mark Axelrod, Assistant Director, Robert S. Goldsmith, Esq., Parking Authority Counsel, Gerard Giosa, Parking consultant

Absent:

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At this point, The Executive Director presented the Minutes of the February 4, 2014 regular meeting. On motion of Commissioner Tighe, seconded by Commissioner Brady, the Minutes were approved.

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At this point, The Executive Director presented the Minutes of the Executive Session of the February 4, 2014 regular meeting. On motion of Commissioner Tighe, seconded by Commissioner Garibian, the Minutes were approved.

At this point, The Executive Director presented the Minutes of the February 18, 2014 regular meeting. On motion of Commissioner Lucia, seconded by Commissioner Brady, the Minutes were approved.

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There were no Public Comments.

There was no Mayor's Report.

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The following communications were presented for the record:

Under date of February 19, 2014

To: Honorable Timothy Dougherty  
From: James Gervasio

Letter enclosing a Morristown Parking Authority check in the amount of \$5,931 representing payment in lieu of taxes for the Parking Authority's office space at 14 Maple Avenue. The letter states that the Parking Authority through the increased public parking inventory supports the Epstein's Project which has generated significant new ratables for the Town and provide for existing and future parking demand, which will help reduce the burden for taxpayers. On motion of Commissioner Tighe, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of February 12, 2014

To: Fire Chief Flanagan  
From: Patrick Geary, Operations Manager

Letter advising that a photo-voltaic array is located on the upper most level of the Ann Bank Street Parking Garage. The letter further states that the array provides electric power to both the Ann Bank Street Parking Garage as well as the County of Morris office building on Schuyler Place. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 18, 2014

To: Patrick Geary  
From: Debbie Leon

Letter stating that the LVMC have been tenants on the first floor at 10 Pine Street since 9/1/09, and have been using the space both as an administrative office and as a classroom for adults who are learning to read, write and speak English. The letter further states that the back office can only hold about 8 students, not very comfortably, has no windows or natural light, is hot and cold during the winter and summer, and the hallway outside the office is unheated. The LVMC would like to ask permission from the Parking Authority to seek grants to renovate the hallway and back office and create a larger, brighter classroom space and if possible, make the bathrooms handicapped accessible. The letter also states that the LVMC would like to renew its lease for another 5 years, with two 5 year options for renewal. The Executive Director advised the Board of Commissioners that the LVMC would like to extend the leases beyond the MPA's operational control of May 31, 2019. They would also like to do some improvements in particular to render the bathrooms handicapped accessible. The Executive Director and Counsel noted to the Board that Mr. Beckelman would discuss the possibility of an extension beyond May 31, 2019 with Mr. Shabsis, the current owner of 10 Pine Street. Mr. Beckelman would not engage in negotiations on behalf of LVMC but would propose a reasonable CPI extension. The Executive Director then presented a proposal to extend the lease increasing the rent from \$1875 per month to \$1920 per month and to also permit the minor improvements subject to the approval of Mr. Shabsis. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

On motion of Commissioner Lucia, seconded by Commissioner Tighe, the lease renewal was authorized on the following vote:

Ayes: Commissioners Brady, Garibian, Lucia and Tighe, Chairperson  
Gervasio

Nayes: None

Absent: None

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Under date of February 19, 2014

To: Paul Freeland  
From: George Fiore, Executive Director

Letter enclosing check No. 2369 in the amount of \$4,568.26 representing the first semi-annual payment due for leasing church property adjacent to and part of the Cattano Mall parking facility due March 1, 2014 and for the lease period March 1, 2014 through February 28, 2015. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 20, 2014

To: Cathy Burd  
From: George Fiore, Executive Director

Letter requesting reimbursement to the Parking Authority in the sum of \$2,561.57 representing the County's pro rata share of the cost of the property insurance relating to the Garage Portion, covering the period January 1, 2014 through December 31, 2014. The County's share due is \$12,624.80 @ 20.29% = \$2,561.57. A copy of the current Certificate of Insurance is enclosed. On motion of Commissioner Tighe, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 24, 2014

To: Morristown Parking Authority  
From: Marc Giaquinto

Letter stating that the contractors plowing the MPA Lot 10J have caused two conditions which have affected the building located at 38 Dumont Place. Specifically, plowed piles of snow partially blocked the two emergency fire exits and completely blocked the drainage culvert and sewer located near the northwest corner of the building. As a result, there was flooding and a trench had to be dug through the pile of ice and snow to reach the sewer for drainage. The letter requests that MPA be mindful of this problem and avoid causing it in the future. Commissioner Tighe indicated his appreciation of the professional tone of the response issued by Mr. Deal on behalf of the Parking Authority to the concern and complaint. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of February 27, 2014

To: Marc Giaquinto  
From: Greg Deal

Correspondence confirming receipt of 2/24/14 letter and stating that the contractors will be instructed to make sure that the emergency exits are accessible and that every attempt will be made to keep the drain clear for drainage. The correspondence also expressed an apology for any inconvenience caused. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the letter was accepted for file.

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At this point, under the Old Business portion of the meeting, Mr. Fiore and Mr. Geary reported on the expenses of the extensive snow removal operations so far this year. The administration advised the Board of Commissioners that \$45,000 had been budgeted and \$70,000 in costs had been incurred to date. The Board of Commissioners indicated their complete understanding on the costs.

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At this point, under the New Business portion of the meeting, the administration recommended 2014 Operating Budget Appropriate Transfers (March 4, 2014). The Executive Director noted that the transfers were necessitated by the substantial snow removal expenses and further that an Amano service contract was being paid in full this year but it was a two year contract and the advantage of a two year contract saved the Parking Authority \$20,000. The Executive Director also noted that on the advice of Mr. Montanino, the Parking Authority's auditor, the Administration would defer any further budget transfers until likely the third quarter. On motion of Commissioner Tighe, seconded by Commissioner Garibian, the Appropriation Transfers (in form attached hereto) were authorized on the following vote:

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

At this point, under the New Business portion of the meeting, the Executive Director advised the Board of the request of NK Architects, a long standing architectural firm at 95 Washington Street, Morristown, request for twenty parking spaces. The Executive Director indicated that the Administration was recommending that up to twenty spaces be made available to NK Architects, the Parking Authority would reserve the right to transfer spaces between the Mall Lot and the Dalton Parking Garage on an as needed basis and the rate would be \$75 for five years, increased to \$85 thereafter and increase would be subject to the terms of a for a long term agreement. The agreement is subject to preparation, review and approval. On motion of Commissioner Tighe, seconded by Commissioner Brady, the request for parking was authorized on the following vote:

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

At this point, under the New Business portion of the meeting, the Executive Director presented the request of a Lease Renewal of Mr. Laurence Shapiro, Esq. for the second floor at 10 Pine Street office building. The Executive Director noted that Mr. Shapiro is a long term tenant and very cooperative as a tenant. He suggested that there be two years fixed with a one year increase. Mr. Goldsmith suggested that the lease be extended for two months so that the end of the lease period would coincide with May 31<sup>st</sup>, the date upon which the Parking Authority's master leasehold terminates in 2019. On motion of Commissioner Lucia, seconded by Commissioner Brady, the lease was authorized on the following vote:

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

At this point, under the New Business portion of the meeting, the Executive Director also presented for consideration the extension of the lease of All Smiles Dentistry. He advised that there was some time before formal action would be required, but consistent with the discussions regarding the Literacy Volunteers of Morris County Mr. Beckelman would propose a further extension of the All Smiles Dentistry lease to Mr. Shabsis without negotiating same. The alternative would be to permit the building to go dark after May 31, 2019 and the consensus was to give Mr. Shabsis the courtesy of the option not to do that. Mr. Fiore requested the ability to extend the next lease period for All Smiles Dentistry with one year at the existing rate with the CPI for a balance of four years. On motion of Commissioner Lucia, seconded by Commissioner Garibian, the proposed terms as presented by Mr. Fiore were accepted on the following vote:

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

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At this point, under the Report portion of the meeting, Mr. Gerard Giosa, Parking Consultant of Level G Associates, LLC presented a Comprehensive Report to the Board of Commissioners on On-Street and Off-Street Parking Meter Upgrade Program. There was also some discussion of a possible on-street rate increase to be requested from the Town Council. Commissioner Tighe felt strongly that the rate should be increased from .50 to \$1.00 per hour and other Commissioners expressed support for that increase. No formal action was taken at this time with respect to the rate increase.

With respect to the proposed cannister system and multi-space meters, Mr. Giosa presented a very comprehensive report to the Board of Commissioners. The Administration and Mr. Giosa were directed to undertake a PILOT program, preferably on North Park Place to determine the acceptability and cost associated with a multi-space meter program on street. The Board of Commissioners further advised the Administration and Mr. Giosa that there was a recognition of the value of going to a closed container system on those less busy streets to ensure the security of the coin collection process.

\*At this point, Commissioners Tighe and Brady left the meeting to attend a meeting of the Morristown Council.

At this point, on motion of Commissioner Lucia, seconded by Commissioner Garibian, the Board moved into Executive Session.

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The following Resolutions were presented for the record:

Resolution No. 15-2014: (Resolution Authorizing the Award of a Non-Fair and Open Contract for Services). On motion of Commissioner Garibian, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Resolution No. 16-2014: (Authorizing Execution of an Extension of the HVAC Building Automation Systems Agreement Between the Parking Authority of the Town of Morristown and Johnson Controls, Inc.). On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

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

Resolution No. 17-2014: (Operating Fund Bills). On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

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

Resolution No. 18-2014: (Improvement Fund Bills). On motion of Commissioner Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

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

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

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George Fiore, Executive Director

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Anthony Lucia, Assistant Secretary/Treasurer

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Prepared By: Robert S. Goldsmith, Esq.