

MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, APRIL 8, 2014 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 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, Lucia and Chairperson Gervasio

Also Present: George Fiore, Executive Director, Patrick W. Geary, Operations Manager, Mark Axelrod, Assistant Director, Robert S. Goldsmith, Esq.,

Absent: Commissioner Tighe

Note: Commissioner Garibian tendered his resignation

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

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

There were no Public Comments.

There was no Mayor’s Report.

The following communications were presented for the record:

Under date of March 24, 2014

To: MPA
From: Christopher Garibian

Correspondence serving as notice of resignation from the Parking Authority as Commissioner effective immediately for personal reasons. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of March 11, 2014

To: George Fiore, Executive Director
From: Jacklyn Maduro

Letter notifying the Landlord that the tenant of 10 Pine Street would like to exercise the

right to renew the last remaining option to extend the lease. As it states on the original lease agreement dated on the 1st day of October 1998, the lease will be extended through May 31, 2019. On motion of Chairperson Gervasio, seconded by Commissioner Brady, the letter was accepted for file.

Under date of March 14, 2014

To: George Fiore, Executive Director
From: Debbie Leon

Letter confirming that Literacy Volunteers of Morris County wishes to exercise its option to extend its lease for the period of September 1, 2014 to May 31, 2019 and that the rent will be increased based upon the percentage increase in the CPI or \$45, whichever is lower. The letter further confirms that the utilities will continue to be \$400 a month. On motion of Chairperson Gervasio, seconded by Commissioner Brady, the letter was accepted for file.

Under date of March 18, 2014

To: Devon Tomlinson
From: George Fiore, Executive Director

Letter serving as confirmation that Mr. Tomlinson failed to follow the MPA Handbook, specifically the failure to exercise restraint in dealing with a fellow employee and for conduct that constitutes a threat to the life, health or safety of another employee. The matter was presented to the Board of Commissioners at the March 18 regular meeting and a 10 day suspension, without pay, imposed commencing March 20 to April 3. A copy of the written notice will be made part of Mr. Tomlinson's personnel file. On motion of Chairperson Gervasio, seconded by Commissioner Brady, the letter was accepted for file.

Under date of March 18, 2014

To: Carlos Bustos
From: George Fiore, Executive Director

Letter serving as confirmation that Mr. Bustos failed to follow the MPA Handbook, specifically the failure to exercise restraint in dealing with a fellow employee and for conduct that constitutes a threat to the life, health or safety of another employee. The matter was presented to the Board of Commissioners at the March 18 regular meeting and a 10 day suspension, without pay, imposed commencing March 20 to April 3. A copy of the written notice will be made part of Mr. Bustos' personnel file. On motion of Chairperson Gervasio, seconded by Commissioner Brady, the letter was accepted for file.

Under date of March 19, 2014

To: George Fiore, Executive Director
From: Peter Demnitz

Correspondence serving as follow-up to conversation of March 18 and stating that although the only thing that seems to keep traffic flowing at peak times is an individual waving cars through traffic signals, NJDOT regulations prohibit the use of civilian persons within intersections to move traffic. The solution seems to be to utilize regular police officers as much as possible. The problem locations have been identified as South and South Park, and Speedwell and Sussex. Staffing those locations at other times to move traffic when isolated problems are identified has also been effective in maintaining traffic flow. The correspondence suggests that MPA officers address certain parking complaints and problems, not MPD, so that MPD officers would then be available to address more pressing needs including assisting with traffic flow. On motion of Commissioner Brady, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 19, 2014

To: Peter Demnitz
From: George Fiore, Executive Director

Correspondence in response to email of 3/19 and recent conversation. Mr. Fiore would see no problem with MPA assuming the primary responsibility for “parking complaints” during morning rush hour and lunch. MPA would propose to support and assist the MPD during other regular working hours. Mr. Fiore suggests that matters presenting the potential for conflict be handled by the MPD. Mr. Fiore also agrees that to communicate parking complaints from the MPD to MPA, a call to the office would suffice during business hours, and a line of communication will need to be established for after office hours. On motion of Commissioner Brady, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 21, 2014

To: Patricia O’Connor
From: George Fiore, Executive Director

Letter enclosing the following documents regarding the 3/19 OPRA request of Digital Payment Technologies:

- Vendor Sign-In Sheet
- Written Bid Tabulation Form with attached Bid Recording & Tabulation Form (for both Devo & Associates, LLC and ITS, Inc.)
- Construction Journal Project Information Request
- Contract Award Letter (dated May 22, 2013)
- Executed Contract (dated May 29, 2013)

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

Under date of March 21, 2014

To: James Turteltaub
From: Robert Beckelman

Letter enclosing Plaintiff’s Response to Defendant’s First Notice to Produce Documents. There was some discussion about options to litigation but for now the Parking Authority is obligated to proceed with the litigation and stay within the contemplated time trends of the Rules of Court. On motion of Commissioner Brady, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 25, 2014

To: Christopher Walker
From: George Fiore, Executive Director

Letter stating that the Ann-Bank Parking Garage is now approaching its 30th year of operation and that MPA has undertaken a modernization of both elevators. In addition, MPA will be replacing the existing interior garage way-finding signage and will exclusively bear the cost. MPA also recently undertook major changes to the Bank Street exit, which improvement was well received by the public and MPA bore the expense in excess of \$50,000. For the second phase elevator modernization a judgment was made to improve the annunciation system in both elevators. These changes are anticipated to significantly help parkers return to their automobiles and improve convenience for all parking facility users. The proposal with Schuyler Elevator for these additional

modifications was reduced from \$32,000 to \$24,560. The letter further serves as 30 days notice that the County's share for the cost of repairs and replacement of capital items is \$9,824, per the 2004 Tenant in Common Agreement. On motion of Commissioner Brady, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 26, 2014

To: Don Engels
From: George Fiore, Executive Director

Letter enclosing Greenbaum, Rowe, Smith & Davis, LLP letter and Invoice No. 4004662 in the amount of \$3,810 for services rendered in relation to the Fox Rothschild/Hampshire Management Project. The letter states there is a balance of \$310 currently in the escrow account. Therefore, precisely \$3,500 is due to MPA for reimbursement. No further work is anticipated at this stage. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of March 27, 2014

To: MPA Facility Attendants
From: Mark Axelrod

Letter serving as reminder of uniform standards and that all attendants must wear their issued photo ID card to comply with Security Protocol and good business practices. On motion of Commissioner Brady, seconded by Commissioner Lucia, the letter was accepted for file.

All reports were tabled and will be presented at the Board meeting in May.

At this point, under the Old Business portion of the meeting, the Executive Director reported on the On-Street and Off-Street Parking Meter Program. Mr. Fiore noted that both he and the Mayor had a strong preference for pay stations in parking lots, but not on the street and rather individual credit card meters on the street in the high volume areas.

At this point, under the Old Business portion of the meeting, the Executive Director advised the Board of the status of the Morris County deck on Ann Street and the possibility that it could be replaced or it might be repaired.

At this point, under the Old Business portion of the meeting, Assistant Director Axelrod presented recommendations on a website vendor selection and file server and network monitoring. The Assistant Director described the value of an independent website indicating that a proposal had been received from the company that provides service to the Town of Morristown for its website and that the initial fee would be \$2,370 with maintenance and hosting thereafter at a price of \$450 per year.

The Assistant Director then advised the Board as to his discussions with Amano for use of credit card payments on a reoccurring basis, a credit card protocol to protect MPA credit card users as well as to protect Morristown Parking Authority. The Assistant Director noted that the IPARC program, which the Parking Authority has already and is in use, has an automatic mechanism to permit reoccurring credit card payments and that this would go a long way in facilitating payments by monthly users and also reduce cash handling.

The Assistant Director then discussed with the Board of Commissioners a concept of a file

server and network monitoring to better integrate, protect and secure data of the Parking Authority.

On motion of Chairperson Gervasio, seconded by Commissioner Lucia, the website vendor govoffice.com was approved for website vendor services in the amount of \$2,370 for the initial fee and \$450 for annual maintenance thereafter and Matthew Russell of Killion Systems was also approved to provide file server services and network monitoring to better integrate, protect and secure data of the Parking Authority and its customers. The motion was approved on the following vote:

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

At this point, under the New Business portion of the meeting, the Executive Director advised the Board that the Parking Authority had increased the charge for the Metropolitan Apartment Building to \$90 per month which is the parking contractual amount authorized in the relevant agreement. The Executive Director also noted that there is an obligation from Rosewood in the amount of \$462,000 for which the Parking Authority has security in the Building C land and negotiations are under way for payment. The Executive Director also noted that the Rosewood Partnership has been paying interest on the balance outstanding. The Executive Director also noted that there is an issue of subsidence at the Vail Mansion and that there is a need to address repair of the ramp to the MPA parking deck.

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

At this point, on motion of Chairperson Gervasio, seconded by Commissioner Brady, stipends as directed by the Board of Commissioners for office staff and for certain personnel, excluding management, in an amount totaling \$3,450 were authorized on the following vote:

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

At this point, Commissioner Geary advised that he had received a request by the Arts Council to utilize certain basement space for an art exhibit for some artists on Friday, May 23, 2014 through Saturday, May 24, 2014. The Board of Commissioners approved the use of the MPA basement space.

The following Resolutions were presented for the record:

Resolution No. 21-2014: (Operating Fund Bills). On motion of Commissioner Brady, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Resolution No. 22-2014: (Improvement Fund Bills). On motion of Commissioner Brady, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

Ayes: Commissioners Brady, Lucia and Chairperson Gervasio

Nays: None

Absent: Commissioner Tighe

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

George Fiore, Executive Director

Anthony Lucia, Assistant Secretary/Treasurer

Prepared By: Robert S. Goldsmith, Esq.