

MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, APRIL 7, 2015 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 6, 2015, 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, Tighe and Chairperson Brady

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

Absent: Commissioners Gervasio and Stamato

At this point, The Executive Director presented the Minutes of the March 17, 2015 Regular Meeting. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Minutes were approved.

There were no Public Comments.

There was no Mayor’s Report.

There was no Town Council Liaison’s Report.

The following communications were presented for the record:

Under date of March 16, 2015

To: Board of Commissioners, MPA
From: Allison Larena

Letter listing the parking challenges faced by the Mayo Performing Arts Center that MPA is assisting to resolve. The issues listed are as follows: (1) Signage is not adequate for any of the parking facilities in town and patrons from out of town cannot easily find the garages; (2) The DeHart Street Garage is filled to capacity on many evenings, especially when the theatre has two performances on one day/evening and during the holiday season; (3) The shuttle service offered to/from DeHart is extremely costly for the theatre, and inadequate for 1300 patrons. There is also no comfortable area for patrons to wait for a shuttle at the garage; (4) The Ann and Bank Garage does not have the ability to allow a shuttle service; and (5) The Cattano Garage is just too far for patrons to walk or be shuttled to/from, and is very difficult to find. The letter further states that customer service has always been one of the major priorities of MPAC, and therefore it is requesting that MPA help to expedite the planning and construction of a new garage in close proximity to the theatre. The Executive Director advised that the MPA reviewed the signage plan and other materials that were prepared to facilitate access to the various MPA facilities, some in conjunction with representatives of MPAC. They were also intended to address some of the MPAC concerns with respect to ease of locating MPA parking facilities. These documents are attached to the minutes. It

was the consensus of the Board that no response was required to the 3/16/15 correspondence. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of March 23, 2015

To: NJ Press Media
From: Keith Remland

Correspondence advising that the Jockey Hollow Bar & Restaurant is becoming a liability to the Town of Morristown due to the fact that it features valet parking that uses the municipal garage as its personal property. The correspondence further advises that the garage should be first-come first-served. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 23, 2015

To: Keith Remland
From: Allison Larena

Correspondence thanking Mr. Remland for sending the email regarding parking challenges for MPAC patrons. The correspondence states that the theatre is delighted that the Town of Morristown continues to grow and looks forward to the opening of many more businesses and restaurants in the years to come. The correspondence further states that the Parking Authority is working with the theatre to come up with some short term solutions to overcome parking challenge and that they are also open to conversations regarding the construction of a new parking garage over existing Lot 10 which is in close proximity to the theatre. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 23, 2015

To: Allison Larena and Keith Remland
From: Mark Axelrod

Letter from Mr. Axelrod thanking Mr. Remland for speaking with him regarding his observations and concerns regarding parking at the Vail facility before attending a show at the Mayo Theatre. The letter explains that there are officers at the entrance ramp to the Vail facility every night there is a show at the Mayo, with a Parking Authority vehicle with its light bar on, to ensure the safe movement of cars, pedestrians and patrons. The letter states that once the Vail facility is full, cones are placed across the entranceway as well as a "lot full" sign and that if the valet service hired by Jockey Hollow Bar & Kitchen are not following this established protocol, the necessary adjustments will be made. The letter further states that there are currently many under-utilized garage spaces and programs that the theatre administration could consider and patrons can avail themselves of should they decide to do so, and that the Town of Morristown and the Parking Authority regularly review parking development options as they become available. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the communication was accepted for file.

Under date of March 17, 2015

To: Cathy Burd
From: George Fiore, Executive Director

Letter requesting in accordance with the provisions of Article IV (Section 4.4(d) of the Agreement of Sale, Mutual Cooperation and Reciprocal Easements, that the Parking Authority of the Town of Morristown be reimbursed 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, based upon its ownership of the Garage Portion, covering the period January 1, 2015 through December 31, 2015. The letter states that the County's share due is computed as follows: \$12,624.80 @ 20.29% = \$2,561.57. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 18, 2015

To: Laura Landy
From: George Fiore, Executive Director

Letter advising that at the March 17, 2015 meeting of the Morristown Parking Authority the Commissioners were supportive and duly authorized the administration to continue with good faith negotiations to seek to achieve a mutually acceptable expansion of the Fannie Rippel Foundation's space in the basement together with a conference room for the Morristown Parking Authority. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 18, 2015

To: MPA
From: Peter Maszczak

Correspondence advising that Mr. Maszczak had reviewed the basement space with Patricia and George and that they came up with the attached plan for discussion purposes. The correspondence states that Mr. Maszczak believes that this would be the most efficient use of the space. The correspondence also states that the layout shown on the drawing is for sizing only and that to make this happen it will be necessary to modify the existing storage areas, which should not be a big deal. The correspondence further states that if everyone agrees, the next step would be to send the plan to the architects/engineers for actual design. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 20, 2015

To: Peter Maszczak
From: George Fiore, Executive Director

Correspondence advising that in January 2014 the TSE gave up that storage space and the MPA is currently using it and will require storage space going forward, although it does not need to be as large. The correspondence states that if the MPA assumed the FRF space and FRF storage is made part of their basement space that may work and that the MPA remains open to ideas. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 20, 2015

To: George Fiore, Executive Director
From: Peter Maszczak

Correspondence stating that Mr. Maszczak believes that Mr. Fiore's suggestion may open up a little more space for Fannie Rippel and still give them adequate storage in their new space. A revised sketch is attached for discussion. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 18, 2015

To: Quincey Moman
From: George Fiore, Executive Director

Letter enclosing a copy of Johnson Controls, Incorporated Agreement for 14 Maple Avenue, Morristown, NJ and for the contract period June 1, 2015 through May 31, 2016 which has been signed by George Fiore. The letter advises that this award of contract is subject to the MPA's receipt and approval of the following documents 10 days prior to the commencement date: (1) "Local Unit Pay-to-Play Law"; (2) Political Contribution Disclosure Form; and (3) Business Entity Disclosure Certification. The letter also advises that in accordance with State Law R.S. 54:32B-9 (a) (1), MPA is classified as a Public Authority, and as such is not subject to the New Jersey State Sales Tax and or Use Tax. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 18, 2015

To: Morristown Parking Authority
From: Geoffrey Gogan

Letter giving notice that the Zoning Board of Adjustment of the Town of Morristown will hold a public hearing on Wednesday, April 1, 2015, at 7:30 PM, in the Municipal Building, 200 South Street, Morristown, NJ to hear the application of Petro Mataj, for property situate Block 5102, Lot 16 also known as 36 Sussex Avenue, Morristown, NJ. The letter states that the applicants propose to demolish a small single story building with a salon, and build a new two story larger building with business or commercial/retail uses on the ground floor and a single apartment on the second floor. The letter further states that the ground floor may be rented to a single or possibly two smaller tenants. The proposed uses could include another salon, a neighborhood delicatessen, personal/professional services, or retail business type tenants envisioned for this area, which has been designated a "Neighborhood Center" in the recently adopted Morristown Master Plan. The letter further states that the tenant will have parking requirements based on 1 space per 200 SF gross and that the apartment requires 1.25 spaces per ordinance. The Application # is 2345. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of March 24, 2015

To: Lawrence Calli
From: Morristown Parking Authority

Notice of Hearing stating that the Morristown Green, LLC (Applicant) has made application to the Town of Morristown Zoning Board of Adjustment seeking use variance, bulk variance and site plan waiver relief and that the property is developed with an existing single-story structure, most recently occupied by a bank branch. The Applicant proposes to relocate the offices of a business tenant (Gensler – architect, design, planning and consulting firm) from Gensler's current office space located at nearby 10 North Park Place, to the Property, for a temporary (less than one-year) period. The Applicant seeks use variance relief, pursuant to N.J.S.A. 40:55D-70(d), from the Town of Morristown Land Development Regulations (Ordinance) related to the proposed use of property. In the subject zone, office uses are not principally permitted on the ground level. The Applicant also seeks variance relief, pursuant to N.J.S.A. 40:55D-70(c), related to the total number of off-street parking spaces. The Applicant seeks site plan waiver relief, or in the alternative and to the extent deemed necessary by the Board, the Applicant will seek site plan approval. The Applicant will also seek any additional variances, waivers, interpretation or relief that may be required by the Board at the time of the public hearing. The Notice states that the matter is scheduled for a public hearing before the Zoning Board on April 1, 2015 at 7:30 pm. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the communication was accepted for file.

Under date of March 26, 2015

To: George Fiore, Executive Director
From: Chana Fitton

Correspondence thanking Mr. Fiore for his recent letter and advising that The Fannie Rippel Foundation is excited that the Trustees of the MPA are in favor of beginning negotiations about the basement space at 14 Maple Avenue. The correspondence states that The Fannie Rippel Foundation is reviewing its current lease and working on a draft proposal to discuss. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 30, 2015

To: Chana Fitton
From: George Fiore, Executive Director

Correspondence requesting that the Fannie Rippel Foundation exercise its first extension term, which would be consistent with the investment that it will be undertaking. The correspondence states that the MPA never received the Fannie Rippel Foundation's confirmation for 501(c)(3) status and is asking that same be provided. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 27, 2015

To: John Braun
From: George Fiore, Executive Director

Letter enclosing executed copies of Schindler Elevator Corporation Upgrade Order Agreements (JBRN - 9FQV2 (2014.2.1) & JBRN - 9JHLTT (2014.2.1) for a total amount of \$49,770.00. The letter asks Mr. Braun to provide MPA with adequate notice prior to the commencement of work to allow MPA to properly notify the parking public and businesses. The Executive Director noted that this related to an upgrade to the Dalton elevators for safety and security systems. The work had already been authorized by the Board of Commissioners. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of March 31, 2015

To: Ms. Melendez
From: George Fiore, Executive Director

Letter enclosing summary pages of the insurance binder (NJIIF) which sets forth in reasonable detail the insurance in effect for the MPA, together with an MPA Insurance Consultant Certificate and Certificate of Liability Insurance naming Bank of New York Mellon, for the period 1/1/15 through 1/1/16. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the February 2015 Monthly Enforcement Report. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the February 2014/2015 Comparative Meter Revenue Report. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the February 2014/2015 Comparative Cash Revenue Report. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the February 2014/2015 Year-to-Date Revenue Summary. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the March 2015 Security Report. The Executive Director noted that while there had been no incidents during the month of March, there was a significant serious incident on Good Friday, April 3, 2015. Evidently, some youths were together and threw a brick from one of the upper levels of the DeHart Street Garage and nearly missed an individual walking in the right-of-way. The Executive Director noted that the MPA administration was taking this very seriously and that there had been numerous contacts with the Morristown Police Department and that the administration was considering installation of small opening cyclone fence along every level of the DeHart Street Garage facing the right-of-way. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the administration was authorized to proceed with such installation on an emergency basis with an estimated authorization of \$35,000. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the authorization was granted on the following vote:

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

At this point, under the Report portion of the meeting, Commissioner Tighe inquired as to whether there had been any response from the Visiting Nurse Association. Mr. Goldsmith advised that the representative of the VNA had informed the MPA that the Board of VNA deferred action at its April meeting, but it is expected that it will take action at its May meeting.

At this point, under the Old Business portion of the meeting, the Executive Director presented for consideration the Renewal of Leases for Stuart M. Cohen and James J. Specht at the 10 Pine Street Office Building. The Executive Director recommended that he lease it as proposed. He noted that the tenants had been long time tenants, reliable, and had also been cooperative and suffered from difficulties with respect to leaking roofs. The Executive Director also noted that it was likely that the roof at 10 Pine Street would need to be repaired prior to the end of the MPA's Master Lease which ends in May, 2019. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Leases were authorized on the following vote:

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

At this point, under the New Business portion of the meeting, the Executive Director

presented and explained certain modifications to the MPA Rules and Regulations Governing Parking Lots dated April 2015. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the revisions to the MPA Rules and Regulations were adopted on the following vote:

Ayes: Commissioners Lucia and Tighe
Nayes: None
Absent: Commissioners Gervasio and Stamato

Abstained: Chairperson Brady

At this point, under the New Business portion of the meeting, the Executive Director informed the Board and provided information and materials to assist in the filing of the Financial Disclosure documents with the Department of Community Affairs online.

At this point, under the New Business portion of the meeting, Commissioner Brady noted that there were evidently restrictions on Morris Street for parking at the meters in the eastbound direction due to the fire on Blachley Place and that this was causing hardship for the businesses in the area. The Executive Director responded that the administration would confer with the Morristown Police Department and the Engineering Department to see whether those restrictions could be eased to improve the business climate, particularly in view of the recent fire.

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

The following Resolutions were presented for the record:

Resolution No. 25-2015: (Authorizing the Award of a Non-Fair and Open Contract for Services). On motion of Commissioner Lucia, seconded by Commissioner Tighe, the Resolution was adopted on the following vote:

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

Resolution No. 26-2015: (Operating Fund Bills). On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Resolution No. 27-2015: (Improvement Fund Bills). On motion of Commissioner Lucia, seconded by Commissioner Tighe, the Resolution was adopted on the following vote:

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

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

George Fiore, Executive Director

Linda Stamato, Secretary

Prepared By: Robert S. Goldsmith, Esq.