

MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD MONDAY, DECEMBER 1, 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 Gervasio, Lucia, Stamato, Tighe and Chairperson Brady

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

Absent: None

At this point, the Executive Director requested a motion to suspend the Regular order of Business. The motion was moved by Commissioner Lucia, seconded by Commissioner Tighe. The Executive Director then announced that there was a public hearing for any bond holders to be heard.

There being no bond holders or other persons in attendance wishing to be heard, On motion of Commissioner Lucia, seconded by Commissioner Stamato, 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 9, 2015 Regular Meeting. On motion of Commissioner Stamato, seconded by Commissioner Gervasio, the Minutes were approved.

At this point, The Executive Director presented the Minutes of the Executive Session of the November 9, 2015 Regular Meeting. On motion of Commissioner Stamato, seconded by Commissioner Gervasio, 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 November 24, 2015

To: Chairperson, Commissioners and Counsel, MPA
From: George Fiore, Executive Director

Letter serving as official Meeting Notice for the next Regular Meeting of the Parking Authority to be held on Tuesday, December 1, 2015 at 6:00 p.m. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of October 30, 2015

To: Mark Axelrod
From: Allison Larena

Letter on behalf of the Board of Trustees and Staff of MPAC expressing thanks to Pat Geary for assistance with the parking challenges they are faced with. The letter further states that MPAC will adhere to all of the MPA's regulations and appreciates all that the MPA does to help it continue to serve the patrons of the community. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 5, 2015

To: MPA Associates
From: Mark Axelrod

Correspondence thanking the MPA associates for pitching in to help while Melissa is on maternity leave. The correspondence advises that Wade has joined the office team and will be able to lend a hand in the office and field as needed. The correspondence also advises and reminds the MPA associates that as the holidays approach, office staffing must remain with at least two personnel to meet service levels and to coordinate any requested time with the other associates and Mr. Axelrod. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of November 5, 2015

To: Gerard Giosa
From: George Fiore, Executive Director

Communication advising Mr. Giosa that it was anticipated that the Board of Commissioners would be considering approval of the Bijou contract on November 9, 2015. The communication requested that Mr. Giosa provide an opinion on the sale of same and the ability of the Authority to meet net revenue requirements. At this point, the Executive Director advised the Board that he had a meeting with Mayor Dougherty, the Business Administrator, Mr. Pawar, Mr. Inglesino and Mr. Abramson and that the Town had decided to proceed with a Redevelopment Agreement and that the status of the Bijou negotiations was put on hold. The Executive Director also noted that there was now no urgency to Mr. Giosa's report. The Executive Director suggested that it would be appropriate to extend the negotiation period between the Parking Authority and Bijou from sixty to ninety days in view of the Town's decision to proceed with a Redevelopment Agreement. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of November 10, 2015

To: Daniel Roose
From: George Fiore, Executive Director

Correspondence advising that on October 26, 2015 the Board of Commissioners of the MPA approved the extension of the contract with USI Security for a one year period at existing rates. At this point, the Executive Director advised the Board of Commissioners that there had been an incident where evidently a shopping cart was thrown off the Dalton Garage and damaged the canopy over the bridge connecting the Dalton Garage and Century 21. Mr. Axelrod will be meeting with Century 21 to address options to protect the public with respect to such conduct. There is a possibility of installing a fence along the perimeter of the garage

overlooking the bridge. There is also the possibility of cameras and the possibility of cost sharing with Century 21. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of November 12, 2015

To: Morristown Parking Authority
From: William Pendexter

Correspondence providing notification that historic fill-type contamination has been identified on MPA's property during due diligence sampling conducted on behalf of Morristown Development Urban Renewal Phase II, LLC. The correspondence advises that the presence of this contamination is being reported to the NJDEP in order to allow Morristown Development Urban Renewal Phase II, LLC to establish a Site Remediation Program case with the NJDEP and take corrective actions during redevelopment to address this contamination. The correspondence further advises that Dewberry will be informing NJDEP that Morristown Development Urban Renewal Phase II, LLC is to receive all correspondence with regard to the case and that Morristown Urban Renewal Phase II, LLC is responsible for any and all remediation costs. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of November 12, 2015

To: Patrick Geary
From: Craig Schlosser

Correspondence requesting the use of the Morristown Parking Authority's parking garages and parking lots for New Year's Eve, First Night Morris 2016 Celebration. Commissioner Stamato noted that this is a revenue loss to the Parking Authority and should be recognized as a significant contribution by the Parking Authority to the Town and to the First Night event. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 12, 2015

To: Eric Stevenson
From: Mark Axelrod

Correspondence advising that Mr. Axelrod spoke with the Morristown Municipal Court and they confirmed that they received the information sent by Mr. Stevenson. The Municipal Court also advised that the information would be given to the judge and they would contact the Department of Motor Vehicles to lift the suspension of Mr. Stevenson's license. On motion of Commissioner Stamato, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of November 16, 2015

To: George Fiore, Executive Director
From: Frank Corrente

Correspondence confirming that the County of Morris is requesting 24 additional temporary parking scan cards due to the County parking lot on Ann Street being temporarily closed for renovation. The correspondence advises that the timeline for this construction aims to be completed around August 2016, at which time the County will return the requested 24 cards and alleviate some of the current congestion in the Ann Bank and Dalton parking garages. On motion of Commissioner Lucia, seconded by Chairperson Tighe, the letter was accepted for file.

Under date of November 18, 2015

To: Morristown Parking Authority
From: Matthew Molnar

Letter of resignation from Matthew Molnar. The letter advises that Mr. Molnar found a job closer to his home and was unhappy with the fact that the Parking Enforcement Officers are not allowed to defend themselves during altercations and in some situations have not been provided with police assistance during assault altercations with civilians. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of November 20, 2015

To: Matthew Molnar
From: Mark Axelrod

Letter acknowledging receipt of Mr. Molnar's letter of resignation effective immediately. The letter requests that Mr. Molnar return the Enforcement Officer badge and uniform that was provided to him, at which time he would receive his final paycheck. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director advised the Board of Commissioners that all credit card meters were now in place. Approximately 430 such meters had been installed. The balance of the meter conversions from 50 cents to 75 cents in the non-credit card meters is largely completed as well. The Executive Director advised the Board that during the month of November there was \$16,351 in credit card transactions, 12,000 credit card transactions and an average of \$1.35 per transaction. This value per transaction supports the Parking Authority's need to increase rates given the charges associated with the credit card meters. It was also noted that there had been some very positive feedback from the parking public with respect to the convenience and ease of use of the new credit card meters.

At this point, under the Old Business portion of the meeting, the Administration presented for consideration the Adoption of the Budget of Current Operating Expenses for Fiscal Year Ending December 31, 2016 (NJ DLGS). On motion of Commissioner Tighe, seconded by Commissioner Stamato, the Budget was adopted on the following vote:

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

At this point, under the Old Business portion of the meeting, the Executive Director presented the Proposed 2016 Regular Meeting Dates of the Morristown Parking Authority and Confirmation and Authorization to Publish the MPA Annual Reorganization Meeting date of January 5, 2016 (Tuesday at 6:00 p.m.). Chairperson Brady suggested that there might be a need for Special Meetings in March or April and it was agreed that Special Meetings would be scheduled if necessary. On motion of Commissioner Stamato, seconded by Commissioner Lucia, the 2016 Regular Meeting dates were approved and the Administration was authorized to publish notice of the MPA Annual Reorganization Meeting on January 5, 2016.

At this point, under the Old Business portion of the meeting, the Executive Director and Counsel updated the Board on the status of the Epstein's Building C / MPA Property Access

Easement Agreement. The Board was advised that the Agreement is nearly complete. The only outstanding items are the provision of Exhibit C to the Agreement and the Board was advised that it was the recommendation of the Executive Director and Counsel that the Agreement not be delivered until key information with respect to the Vail Mansion ramp be provided by the redeveloper to the Parking Authority and further that the matter of the physical protection over the DeHart Street access to the DeHart Street garage be finalized between the Morristown Parking Authority architect, Robert Weissenborn and the Building C architect, Marchetto, Higgins and Stieve.

At this point, under the Old Business portion of the meeting, the Board of Commissioners discussed the 2015 Holiday Dinner. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the dinner was authorized at JK Steak in Morristown at a price of \$56 per person. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the approval was granted on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Geary advised the Board that he would be working with Mr. Axelrod to prepare 2015/2016 Winter Season Snow Bids.

At this point, under the New Business portion of the meeting, the Executive Director and Counsel discussed with the Board of Commissioners the matter of Common Area Maintenance Charges on Tenants of the 14 Maple Avenue Office Building. The Board was advised that in view of the minimal inflation over the last few years and the recognition that Social Security would not be increased in 2016 given the limited increase in the CPI, the recommendation was being made to the Board of Commissioners to waive the Common Area Maintenance Charges for years 2011, 2012, 2013 and 2014 and to advise the respective tenants, The Seeing Eye, The Dodge Foundation, The Fannie Rippel Foundation and The Morristown Partnership of the Board's decision to waive such charges during those years but to reserve the right to impose such fees on a going forward basis in future years. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the recommendation was approved by the Board of Commissioners on the following vote:

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

At this point, under the New Business portion of the meeting, the Executive Director suggested the authorization to Establish a Fund for Possible Development of Lot 10 at the Rear of the US Post Office. The Commissioners agreed that it was an appropriate recommendation to create dedicated funds toward the likely redevelopment of Lot 10. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the authorization was granted on the following vote:

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

At this point, on motion of Commissioner Stamato, seconded by Commissioner Gervasio, the

Board moved into Executive Session.

At this point, on motion of Commissioner Stamato, seconded by Commissioner Gervasio, the agreements between the Parking Authority of the Town of Morristown and Morristown Development Urban Renewal Phase II, LLC and the respective Collateral Agreements were approved and authorized to be executed on the following vote:

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

Note, however, that the Parking License Agreement would be subject to further negotiation and was not yet approved.

At this point, on motion of Commissioner Lucia, seconded by Commissioner Gervasio, the Proposal of CBD Consultant, Michael Fabrizio, to serve as consultant for redevelopment and development matters relating to the Morristown Parking Authority and to authorize the administration to determine when the services should commence was authorized on the following vote:

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

The following Resolutions were presented for the record:

Resolution No. 64-2015: (Certifying that Net Revenues for Years 2015 and 2016 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). On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Resolution No. 65-2015: (Adopting Annual Budget of Current Expenses for the Parking Authority of the Town of Morristown for Fiscal Year Ending December 31, 2016). On motion of Commissioner Stamato, seconded by Commissioner Lucia, the Resolution was authorized on the following vote:

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

Resolution No. 66-2015: (Authorizing the Hiring of Morristown Parking Authority

Employees). On motion of Commissioner Stamato, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Resolution No. 67-2015: (Resolution Authorizing Emergency Repairs to Pedestrian Door and Frame at Ann/Bank Garage). On motion of Commissioner Lucia, seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

Resolution No. 68-2015: (Resolution Authorizing Contract of Sale with Morristown Development Urban Renewal Phase II, LLC). On motion of Commissioner Tighe, seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

Resolution No. 69-2015: (Operating Fund Bills). On motion of Commissioner Lucia, seconded by Commissioner Tighe, the Resolution was authorized on the following vote:

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

Resolution No. 70-2015: (Improvement Fund Bills). On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Resolution was authorized on the following vote:

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

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

George Fiore, Executive Director

Linda Stamato, Secretary

Prepared By: Robert S. Goldsmith, Esq.