

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, DECEMBER 2, 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, Stamato and Tighe, Chairperson Gervasio

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

Absent: Commissioner Lucia

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At this point, on Motion of Commissioner Tighe, seconded by Commissioner Brady, the Regular Order of Business was suspended and the public hearing portion of the meeting as advertised in The Daily Record on October 23, 2014, and The Star Ledger on October 23, 2014, was declared open to any bond holder or any other person in attendance who wished to be heard regarding the 2015 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 Commissioner Stamato, seconded by Commissioner Brady, the public hearing was declared closed and the Parking Authority returned to the Regular Order of Business.

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At this point, The Executive Director presented the Minutes of the November 5, 2014 Regular Meeting. On motion of Commissioner Tighe, seconded by Commissioner Brady, the Minutes were approved.

At this point, The Executive Director presented the Minutes of the November 5, 2014 Executive Session Meeting. On motion of Commissioner Stamato, 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 November 25, 2014

To: Chairperson, Commissioners & Counsel, MPA  
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 2, 2014. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 12, 2014

To: Town Council President and Council Members  
From: Richard Tighe

Correspondence by Commissioner Tighe expressing interest in continuing to serve as a Commissioner of the Morristown Parking Authority and noting the cooperative efforts involving the Morristown Parking Authority, the Town Council and other Town Boards. Commissioner Tighe noted that Mr. Fiore is correct in his correspondence to the Deputy Town Clerk regarding the expiration of Commissioner's Tighe's term being December 31, 2014. On motion of Commissioner Stamato, seconded by Commissioner Brady, the letter was accepted for file.

Under date of November 12, 2014

To: Robin Kesselmeyer  
From: George Fiore, Executive Director

Letter advising that the matter of reappointment to the Commission has been discussed and Mr. Tighe has expressed his interest in continuing to serve. Records of attendance records during Mr. Tighe's tenure are enclosed with the letter. The letter further advises that the recommendation for the reappointment of Mr. Tighe to the Board of Commissioners has the full and unequivocal support of the Board of Commissioners, as well as the administration and staff. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 6, 2014

To: MPA  
From: Gerard Giosa

Correspondence enclosing the graph that was discussed at the last MPA meeting that illustrates the results of inflationary pressure on a relatively static revenue stream. The correspondence advises that the MPA has let the Town know that it needs to raise revenue levels in response to a jump in its debt service schedule and is required to do so by law. The correspondence further advises that if the on-street rate increase does not go forward the MPA will have to raise rates in off-street facilities which is counter to "best practices" and the Master Plan goals. On motion of Commissioner Tighe, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of November 7, 2014

To: George Fiore, Executive Director  
From: John Kraft

Letter regarding consideration for an appointment of Kraft & Capizzi, LLC to serve as Bond Counsel to the MPA. The letter encloses information about the firm (attorney biographies and select articles and a form of the firm's fee agreement). On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 25, 2014

To: John Kraft

From: George Fiore, Executive Director

Letter acknowledging receipt of Mr. Kraft's November 7, 2014 letter and advising that the MPA utilizes the services of John D. Draikiwicz of the Gibbons firm and he has provided outstanding services, furthermore, the MPA is not considering any significant bond issues in the next year or so. The letter further advises that the MPA will keep Mr. Kraft's name on file and will consider his services in the future should such services be needed. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of October 27, 2014

To: George Fiore, Executive Director  
From: American Appraisal Associates

Engagement letter to the Morristown Parking Authority providing for services to update the fixed asset accounting ledger for accounting and financial reporting as of December 31, 2014 and provide an updated property insurance appraisal for the Morristown Parking Authority's use in connection with its internal analysis of its insurance needs with respect to the identified property as of December 31, 2014. The correspondence also sets forth the engagement scope and certain terms of retention. The Executive Director noted that this was a very fair price for a great deal of work undertaken by American Appraisal. On motion of Commissioner Stamato, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of November 6, 2014

To: Yvonne Marcuse  
From: Robert Goldsmith

Letter regarding The Morristown Rehabilitation Project for Infrastructure Costs. The letter states that although an agreement was never achieved on the amount of Mr. Simon's "fair share" obligation, there was an agreement that such a fair share contribution was due, that significant benefit to Mr. Simon was conferred and that the only open item was the amount. The letter further states that in a July 6, 2004 letter from Mr. Geiger to George Fiore it was clear that Mr. Simon contemplated and consented to a fair share contribution and was willing to share in the proposed Market Street trunk line storm sewer improvement on an equitable basis. In a letter dated February 21, 2008 Mr. Simon rejected the idea of "equitable apportionment" for the improvement costs to Market Street "or any other streets in the Rehabilitation Zone", but again reiterated his consent to an allocation. The correspondence of Mr. Geiger and Mr. Simon himself dispose of any lingering uncertainty regarding Mr. Simon's acceptance of an allocation of costs. In conclusion the letter states that the MPA remains ready to discuss a fair share if Mr. Simon is so disposed. On motion of Commissioner Stamato, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of November 7, 2014

To: William Parrish  
From: George Fiore, Executive Director

Letter stating that the Parking Authority of the Town of Morristown re-designates George Fiore, pursuant to Resolution No. 36-1990, to act as liaison and serve as the Public Agency Compliance Officer (P.A.C.O.) for the period January 1, 2015 through December 31, 2015 and providing contact information for the P.A.C.O. On motion of Commissioner Tighe, seconded by Chairperson Gervasio, the letter was accepted for file.

Under date of November 12, 2014

To: Christopher Walker  
From: George Fiore, Executive Director

Letter stating that pursuant to Section 5 of the Tenant in Common, Parking and Interlocal Services Agreement dated February 18, 2004 (the "Agreement"), the Monthly Maintenance Fee is to be adjusted as of January 1 of each year of the term of the Agreement, based on the percentage change in the CPI. The letter further states that the current fee is \$26.44 per month/per space and that commencing with the January 1, 2015 invoice, monthly invoices will reflect the 2015 adjusted Maintenance Fee in the amount of \$5,340.00 (\$26.70 per space). On motion of Chairperson Gervasio, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 20, 2014

To: Town of Morristown  
From: Timothy Ripley

Correspondence wherein Mr. Ripley states that he has noticed Morristown has reduced the number of handicapped parking spots by removing them and those that do exist are not located conveniently to business locations and paths of travel for wheelchair users. The correspondence further states that that is also apparent from the Parking Authority's maps that little attention has been made to provide information as to the locations of handicapped parking in Morristown. Reference is made that the Federal ADA guidelines have very specific information regarding ratios of parking spots and that Mr. Ripley believes Morristown should have a minimum of 2% or 14 on-street parking spots available rather than the existing 5 spots (of 705). On motion of Chairperson Gervasio, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 21, 2014

To: George Fiore, Executive Director  
From: Michael Rogers

Correspondence forwarding Mr. Ripley's email of November 20, 2014 regarding handicapped parking in Morristown. On motion of Chairperson Gervasio, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of November 25, 2014

To: Timothy Ripley  
From: George Fiore, Executive Director

At this point, the Executive Director and Counsel noted that the Parking Authority has a great concern to appropriately address matters of accessible parking both on-street and off-street. It was further noted that we specifically recalled our work with Ms. Starnes who was then Director of Morris County Office of the Disabled and would become a nationally recognized expert on the rights of the disabled and appointed to the United States Access Board, the Federal Agency charged with administration of the ADA. The correspondence sets forth that MPA undertook activities both 20 years ago and in 2013-2014 to appropriately address ADA requirements and other requirements relating to accessible parking. On motion of Chairperson Gervasio, seconded by Commissioner Stamato, the letter was accepted for file.

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At this point, under the Report portion of the meeting, the Executive Director presented to the Board the October 2014 Monthly Enforcement Report. The Executive Director noted that enforcement has increased appropriately. On motion of Commissioner Stamato, seconded by Commissioner Brady, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the October 2013/2014 Comparative Meter Revenue Report. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the October 2013/2014 Comparative Cash Revenue Report. On motion of Commissioner Stamato, 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 October/2014 Year-to-Date Revenue Summary. At this time there was inquiry made with respect to operations at the Vail Mansion. Mr. Goldsmith reported that certain issues regarding maintenance charges for the Vail Mansion had been in controversy with the Vail Mansion Condominium Association Board but had been largely improved based on negotiations between the Condominium Board and the Redevelopers of the Vail Mansion Condominium Unit with respect to necessary improvements for the placement of the Jockey Hollow Restaurant.

The Executive Director then reported to the Board of Commissioners on the need for repairs at the Vail Mansion ramp and the efforts of Mr. Weissenborn, the Morristown Parking Authority's long term architect, for approximately 20 years, and the need to make repairs but in the range of \$10,000 rather than \$50,000. The Executive Director also noted that we would be looking to share these costs with the Vail Mansion redeveloper in view of issues with respect to the propriety of the initial construction. On motion of Chairperson Gervasio, seconded by Commissioner Stamato, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director referenced the November 2014 Security Report.

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At this point, under the Old Business portion of the meeting, the Executive Director noted that certain comments had been received from the Division of Local Government Services on the Budget of Current Expenses for Fiscal Year Ending 12/31/15. The Executive Director noted that Mr. Montanino promptly addressed those issues and the Division of Local Government Services promptly approved the budget. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the budget was adopted on the following vote:

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

At this point, under the Old Business portion of the meeting, the Executive Director presented for the information of the Board of Commissioners the Proposed 2015 Regular Meeting Dates of the Morristown Parking Authority.

At this point, under the Old Business portion of the meeting, the Executive Director advised the Board that the 2014 Holiday Dinner would take place at Fiore's Restaurant on Elm Street at 6:15 p.m., Tuesday, December 16, following the regular MPA meeting which was advanced to 5:00 p.m.

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At this point, under the New Business portion of the meeting, the Executive Director noted that Ms. Godby had made an inquiry with respect to the possible leasing of the 14 Maple Avenue basement space by the Great Swamp Association. The Executive Director noted that the Parking Authority would consider a five year lease, subject to Board approval, but would

want to ensure for the long term the availability to expand MPA operations into the basement space. The Executive Director noted that as of now there have been no further communications with respect to the possible use of the space.

At this point, under the New Business portion of the meeting, the Executive Director advised the Board of Commissioners that the elevator project at the Ann Bank Parking Garage was days away from completion. Commissioner Brady raised some questions and expressed some frustration about the new signage. The Executive Director noted that additional plaques would be installed in the respective elevators to facilitate pedestrian access to the respective pedestrian street exits.

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The following Resolutions were presented for the record:

Resolution No. 49-2014: (Resolution Adopting Annual Budget of Current Expenses for the Parking Authority the Town of Morristown for Fiscal Year Ending December 31, 2015). On motion of Commissioner Tighe, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

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

Resolution No. 50-2014: (Certifying that Net Revenue Requirement as Established under Section 7.06 General Resolution of the Morristown Parking Authority Revenue Bond Series 2011). On motion of Commissioner Brady, seconded by Commissioner Stamato, the Resolution was adopted on the following vote:

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

Resolution No. 51-2014: (Authorizing the Transfer of Funds from the Parking Authority of the Town of Morristown MPA Special Revenue to the MPA Improvement and Preventative Maintenance Fund). On motion of Commissioner Tighe, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

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

Resolution No. 52-2014: (Local Public Contracts Law – Designating the Firm Desman Associates to Serve as Parking Engineer). On motion of Commissioner Tighe, seconded by Chairperson Gervasio, the Resolution was adopted on the following vote:

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

Resolution No. 53-2014: (Operating Fund Bills). On motion of Commissioner Tighe, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

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

Absent: Commissioner Lucia

Resolution No. 54-2014: (Improvement Fund Bills). On motion of Commissioner Tighe, seconded by Chairperson Gervasio, the Resolution was adopted on the following vote:

Ayes: Commissioners Brady, Stamato and Tighe, Chairperson Gervasio

Nays: None

Absent: Commissioner Lucia

Resolution No. 55-2014: (Maple Avenue Fund Bills). On motion of Commissioner Brady, seconded by Commissioner Stamato, the Resolution was adopted on the following vote:

Ayes: Commissioners Brady, Stamato and Tighe, Chairperson Gervasio

Nays: None

Absent: Commissioner Lucia

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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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Linda Stamato, Assistant Secretary/Treasurer

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Prepared By: Robert S. Goldsmith, Esq.