

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, FEBRUARY 16, 2016 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 Tighe, 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, 2016 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, Stamato and Chairperson Tighe

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

Absent: Commissioner Gervasio

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At this point, The Executive Director presented the Minutes of the February 2, 2016 Regular Meeting for approval. 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.

There was no Town Council Liaison’s Report.

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The following communications were presented for the record:

Under date of February 2, 2016

To: Kingsley Dowman  
From: George Fiore, Executive Director

Letter serving as notice of termination of employment based on the fact that Mr. Dowman does not have a valid NJ Driver’s license which is a requirement of the maintenance position. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 2, 2016

To: Morristown Parking Authority  
From: Vincent Kramer

Letter advising that Mr. Kramer represents Liz McHaney, who is the Executrix of the Estate of the late Peter LaCanfora and to forward future lease payments to Ms. McHaney. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 3, 2016

To: Hon. Timothy Dougherty  
From: Richard Tighe

Letter enclosing a MPA check in the amount of \$5,931.00 representing payment in lieu of taxes for the MPA's office space at 14 Maple Avenue. Mr. Fiore advised the Board of Commissioners that he was recommending that Councilperson Toshiba Foster report on the approximately \$36,000 total in voluntary payments made by the Parking Authority and required by the Parking Authority to be made by the tenants of 14 Maple Avenue. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 3, 2016

To: Robert Pudlak  
From: George Fiore, Executive Director

Letter confirming that the lease provides for a PILOT to the Town of Morristown for an amount approximately equal to the Town's share of real property taxes. The letter further confirms that for The Seeing Eye, Inc., 1,880 square feet at \$1.50 per square foot equals a payment in lieu of taxes of \$2,820.00. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 3, 2016

To: Laura Landy  
From: George Fiore, Executive Director

Letter confirming that the lease provides for a PILOT to the Town of Morristown for an amount approximately equal to the Town's share of real property taxes. The letter further confirms that for the Fannie Rippel Foundation, 3,329 square feet at \$1.50 per square foot equals a payment in lieu of taxes of \$4,993.50. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 3, 2016

To: Cynthia Evans  
From: George Fiore, Executive Director

Letter confirming that the lease provides for a PILOT to the Town of Morristown for an amount approximately equal to the Town's share of real property taxes. The letter further confirms that for The Geraldine R. Dodge Foundation, 13,715 square feet at \$1.50 per square foot equals a payment in lieu of taxes of \$20,572.50. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of February 3, 2016

To: Paul Freeland  
From: George Fiore, Executive Director

Letter enclosing check no. 3678 of \$4,761.71 representing the first semi-annual payment due for leasing church property adjacent to and part of the Cattano Mall parking facility due March 1, 2016 and for the lease period March 1, 2016 through February 28, 2017. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of February 3, 2016

To: David Walsh  
From: Gerard Giosa

Letter enclosing summaries of the most recent two occupancy counts in response to Mr. Walsh's request for information regarding parking availability in the DeHart and Ann-Bank Street parking garages. The Executive Director noted that the MPA was approaching 90% of occupancy at peak time at its respective facilities. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of February 4, 2016

To: Allison Larena  
From: Mark Axelrod

Correspondence congratulating Ms. Larena on recently being named one of NJ's top women in business. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of February 4, 2016

To: Mark Axelrod  
From: Allison Larena

Correspondence thanking Mr. Axelrod for his email of congratulations. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of February 4, 2016

To: George Fiore, Executive Director  
From: Jerold Zaro

Letter requesting that the MPA meet with Prism Capital Partners, LLC to discuss the acquisition and subsequent development of the lands owned and located at Lackawanna Place if the MPA is no longer bound by the terms of the Exclusivity Agreement. The Commissioners commented that in their opinion the Exclusivity Period was renewable and would likely be renewed at the expiration of the current renewal period. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of February 5, 2016

To: Jerold Zaro  
From: George Fiore, Executive Director

Letter advising Mr. Zaro that the "Exclusivity" Agreement is still in effect through March 16, 2016. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of February 9, 2016

To: Stephen Santola  
From: George Fiore, Executive Director

Letter advising that for the period January 1, 2015 to December 31, 2015, the Net Operating Loss totaled \$81,500 and the gross revenues for 2015 were \$124,022.71 therefore no payment is due. Mr. Fiore noted that revenues were up to \$124,000 from \$91,000 last year. On motion of Commissioner Lucia, 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 MPA Parking Facility Occupancy Counts for November 2015 prepared by Level G Associates. Mr. Fiore noted that last year the snapshot was 70% occupancy, this year for 2015 the snapshot was 81% occupancy. On motion of Commissioner Lucia, seconded by Chairperson Tighe, the report was accepted for file.

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At this point, under the Old Business portion of the meeting, the Executive Director noted that the only outstanding item with respect to the Epstein's Building C/MPA Access Agreement was Exhibit C, for the design of the connection between Building C and the DeHart Street Garage.

At this point, under the Old Business portion of the meeting, the Executive Director and counsel reported on the completion of the Monitoring Well Installation at Wilmot Walk (MPA Parking Lot 10) and the report will be provided to the Parking Authority.

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At this point, under the New Business portion of the meeting, the Executive Director requested the Board of Commissioners to authorize the execution of the Bank of New York Mellon (Corporate Trust) Incumbency Certificate. On motion of Commissioner Brady, seconded by Commissioner Stamato, the execution was authorized on the following vote:

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

At this point, under the New Business portion of the meeting, the Executive Director asked Mr. Axelrod to comment on the efforts to implement a rotating on call manager and contact person for MPA emergencies during off business hours.

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

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On motion of Commissioner Lucia, seconded by Commissioner Brady, the Board authorized Mr. Fiore to spend up to a \$500 contribution toward the retirement party for Patrick Geary on the following vote:

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

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The following Resolutions were presented for the record:

Resolution No. 20-2016: (Authorizing the Hiring of a Morristown Parking Authority Employee). On motion of Commissioner Brady, seconded by Commissioner Lucia, the Resolution was authorized on the following vote:

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

Resolution No. 21-2016: (Operating Fund Bills). On motion of Chairperson Tighe, seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

Resolution No. 22-2016: (Authorizing Professional Service Between the Parking Authority of the Town of Morristown and Blau Appraisal Company for Appraisal Services in Connection with 12 Prospect Street, Morristown, New Jersey). On motion of Commissioner Lucia, seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

Resolution No. 23-2016: (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.). The Executive Director noted that the proposal was below the bid threshold and that it could be extended for up to five years. Mr. Fiore noted that Johnson Controls had installed the original control system. It was a sophisticated system and they now had it operating at peak performance. Commissioner Stamato did note that recently Johnson Controls was doing an inverse acquisition whereby it would reduce its tax obligation to the United States and was discouraged by that fact. On motion of Commissioner Brady, seconded by Commissioner Lucia, the Resolution was authorized on the following vote:

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

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

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George Fiore, Executive Director

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James Gervasio, Secretary

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Prepared By: Robert S. Goldsmith, Esq.

