

MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, MARCH 3, 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, Tighe and Chairperson Brady

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

Absent: Commissioner Stamato

At this point, The Executive Director presented the Minutes of the February 3, 2015 Regular Meeting. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the Minutes were approved.

At this point, The Executive Director presented the Minutes of the Executive Session of the February 3, 2015 Regular Meeting. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Minutes were approved.

At this point, the Executive Director requested that the Board of Commissioners moralize the vote to advance the Regular Meeting of March 3, 2015 from 6:00 pm to 3:00 pm. in view of the anticipated inclement weather. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the authorization to advance the meeting was memorialized and restated on the following vote:

Ayes: Commissioners Gervasio, Lucia, Tighe and Chairperson Brady

Nays: None

Absent: Commissioner Stamato

There were no Public Comments.

There was no Mayor’s Report.

Town Council Liaison’s Report: Council President Feldman advised the Board of Commissioners on the following matters: (1) that the Long Range Planning Committee was meeting and addressing a comprehensive new Zoning Ordinance which would be form based. The Council President indicated for a quote that parking matters would be included in considerations as essentially a force factor involving peak time considerations; (2) Council President Feldman advised that the Hampshire building on the Harry Simon property

between Bank and Market Street was preceding and it was hoped that efforts could be made to gain cooperation from the New Jersey Department of Transportation to address comprehensively DOT's issues relating to the development including pedestrian safety in relation to cars making the right turn from Maple Avenue onto Market Street as well as the potential reconfiguration of the intersection of Market Street and Bank Street to perhaps facilitate a left hand turn from Bank Street to Market Street given improved turning _____ for automobiles; and (3) Council President Feldman informed the Board of the challenge to certain restrictions imposed on the expansion of the Iron Bar facility.

The following communications were presented for the record:

Under date of February 10, 2015

To: Daily Record
From: George Fiore, Executive Director

Correspondence requesting that the Daily Record publish the attached "Meeting Notice" in the Legal Section of the newspaper on or before February 12, 2015 and provide Affidavit of Publication and a confirmation upon its receipt. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of January 21, 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, February 18, 2015 at 7:30 pm to hear the application of Pedro Mataj, their property situate Block 5102, Lot 16 also known as 36 Sussex Avenue, Morristown, NJ. The letter states that the applicants propose to construct an addition to an existing Salon-a non-conforming use with a 2nd Floor apartment above. The Application # is 2345. The letter further states that according to the Zoning Officer's denial the application needs variances for: (1) Type C "Bulk Variances"; (2) Other unaffected pre-existing non-conforming conditions; (3) Ordinance Section 30-1102 Schedule II Type D Use Variance for expansion of non-conforming business use; (4) Ordinance Section 30-803.1 Parking; and (5) Any other variances that the Board may deem necessary. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of February 15, 2015

To: George Fiore, Executive Director
From: Geoffrey Gogan

Correspondence stating that Mr. Gogan is working on an application for a mixed use facility on Sussex Ave across from Lot 14N. The correspondence states that Mr. Gogan is seeking data on the availability of parking spaces during the day for the light business uses, and at night by permit users, and should spaces be available, what the process would be for the owner of the property to obtain permits. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the communication was accepted for file.

Under date of February 17, 2015

To: Geoffrey Gogan
From: George Fiore, Executive Director

Correspondence stating that at the present time, there is availability to accommodate 2 or 3 residential parking spaces during the evening and 7-10 for daytime use. The correspondence

further states that the terms consistent with Parking Authority Policy would be as follows: (1) up to three parking spaces on a permit basis will be made available for residential use only at Lot 14N; (2) The spaces would be unreserved and not designated but you will have assurance of available parking. The rate would be \$25 per month per space, subject to increases from time to time when prevailing rates at that same facility are implemented; (3) It will be necessary to make payments in full for the monthly rate and payment is due by the first of the month; (4) Payment for all parking spaces will be the obligation of the property owner, by payment made by a single check; (5) The basis obligation to rent spaces shall be referenced in any resolution of approval; and (6) This authorization is valid through July 1, 2015. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the communication was accepted for file.

Under date of January 27, 2015

To: Morristown Parking Authority
From: Anthony Gervasio

Letter on behalf of the Knights of Columbus thanking MPA for its full page sponsorship in support of its recently held Firefighters Appreciation Dinner. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of February 2, 2015

To: George Fiore, Executive Director
From: Kristen Wedderburn

Correspondence stating that the Mayor is requesting a letter on the operations of the garage when it comes to the residents of 40 Park who have paid parking. The correspondence further states that the Mayor received a complaint from a 40 Park resident who claims there was no parking due to the residential parking during the snow event. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of February 3, 2015

To: Mayor Dougherty
From: George Fiore, Executive Director

Letter regarding parking during snow emergencies that states that there are approximately 135 parking spaces below the Metropolitan Apartments that serve the 40 Park residents and that there are some three units in 40 Park that obtain additional permits directly from MPA for some five or six additional vehicles that park in the DeHart Street Garage. The letter further states that coordination begins immediately when a snow emergency is declared and that the influx of vehicles can happen very rapidly, and given the prediction on Monday, January 26th, that was the case. The letter further states that MPA protocol mandates the constant monitoring of DeHart Street occupancy by its personnel and that on the evening of January 26th full occupancy was approached, but not reached. The entrance to the DeHart Street Garage was manned by Parking Enforcement Officers to direct non-paying Morristown residents seeking snow refuge to other facilities where they were easily accommodated. A copy of the MPA protocol and map that is followed and distributed to parkers to facilitate their movement to other parking facilities is attached to the letter. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of February 4, 2015

To: Mayor Dougherty
From: Margret Brady

Letter enclosing a Morristown Parking Authority check in the amount of \$5,931.00 representing payment in lieu of taxes for the Parking Authority's office space at 14 Maple Avenue. The letter states that this will help reduce the burden for the taxpayers of Morristown, particularly during these current economic conditions. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of February 4, 2015

To: Cynthia Evans
From: George Fiore, Executive Director

Letter stating that the Parking Authority has made a judgment to make payment based on a rate of \$1.50 per square foot. The letter further states 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 and the Parking Authority's payment will be \$5,931.00. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of February 4, 2015

To: Robert Pudlak
From: George Fiore, Executive Director

Letter stating that the Parking Authority has made a judgment to make payment based on a rate of \$1.50 per square foot. The letter further states 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 and the Parking Authority's payment will be \$5,931.00. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of February 4, 2015

To: Laura Landy
From: George Fiore, Executive Director

Letter stating that the Parking Authority has made a judgment to make payment based on a rate of \$1.50 per square foot. The letter further states 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 and the Parking Authority's payment will be \$5,931.00. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of February 5, 2015

To: George Fiore, Executive Director
From: Vincent Montanino

Letter enclosing a letter relative to the scope of engagement with VM Associates, Inc. and fees to be charged to MPA for the 2015 audit. The Executive Director commented on the excellent quality of services provided by Mr. Montanino and requested that the Board authorize him to execute the proposal for services. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the authorization was granted on the following vote:

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

Under date of February 10, 2015

To: Stephen Santola
From: Robert Goldsmith

Letter to confirm the agreement between MPA and the Rosewood Entities with respect to the \$460,822 that remains outstanding with respect to Building C parking and related costs. The letter further confirms that upon MPA's receipt of payment of \$300,000 from Pinnacle Development with respect to infrastructure costs incurred by both MPA and Rosewood, MPA will apply \$200,000 from that payment to reduce the outstanding balance of \$460,822 to \$260,822, and Rosewood will also reimburse MPA for 50% of the legal costs incurred in negotiating the settlement with respect to the outstanding infrastructure costs. The Executive Director noted that the negotiations with respect to the payment for the infrastructure costs had concluded very well and that the Parking Authority had received a payment of \$300,00, applying \$100,00 towards money due the Parking Authority with respect to infrastructure improvement and the balance of \$200,000 was received as payment due Rosewood and would be applied to reduce the obligation from Rosewood to MPA by \$200,000 and that the current amount of the outstanding balance is \$260,822. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of February 12, 2015

To: Stephen Santola
From: George Fiore, Executive Director

Letter advising that for the period January 1, 2014 to December 31, 2014, the Net Operating Loss totaled \$81,500. The letter also states that the gross revenues for 2014 were \$91,829.65, which is greater than the Net Operating Loss. Thus, the Net Operating Loss is the lesser amount and the Parking Authority does not demand payment, as no payment is due. The Executive Director noted that for the first time there was no payment due from the Rosewood entity as revenues had increased at the Vail Mansion facility. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of February 25, 2015

To: George Fiore, Executive Director
From: Laura Landy

Letter stating that the Rippel Foundation has grown significantly since it was first constructed and that growth has resulted from a change in its strategy to improve health and health care in the US, an increase in its endowment to \$85 million, and significant external funding from strong relationships with the Robert Wood Johnson Foundation, Telligen and the Centers for Medicare and Medicaid Services, and numerous health systems and community initiatives. The letter further states that the Foundation is hoping to work with the Parking Authority to lease the vacant basement space and transform it into productive, high end use that may include offices and work spaces, a small fitness room, a kitchen, bathroom, an idea lab, and conference room. The letter also states that Rippel is fully prepared to cover the design and building costs for space it would occupy or share, and has already had preliminary conversations with architects and the building's construction team to explore early feasibility. Before proceeding to the next step, the Foundation is asking for the commitment of the Parking Authority to the intent of making the space available to it.

The Executive Director proceeded to advise the Board that the Fannie Rippel Foundation had requested additional space based on significant growth. The Executive Director noted that Commissioner Stamato, being unable to make the accelerated time for the meeting, requested that no substantive action be taken at this time. The Executive Director informed the Board that he felt that appropriate could be made for provision of a conference room in the basement space dedicated to the Parking Authority which would free up the ground for a conference room for additional office or work space. That there would be further value when incentivizing Fannie Rippel to extend its lease for the main space on the second floor

The consensus of the Board was that the Board would be flexible and open minded with respect to negotiations for the space for Fannie Rippel Foundation. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the Board accepted the letter for file but deferred formal action noting, however, that the proposal was well received.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the December 2014 Monthly Enforcement Report. 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 December 2013/2014 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 December 2013/2014 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 December 2013/2014 Year-to-Date Revenue Summary. 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 December 2014 Employee Sick & Vacation 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 December 2014 MPA Vehicle Maintenance 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 referenced the February 2015 Security Report.

At this point, under the Report portion of the meeting, the Executive Director presented the MPA Parking Facility Occupancy Counts – October 2014 – Level G Associates, LLC. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the report was accepted for file.

At this point, Commissioner Lucia asked about whether any progress was being made with the Visiting Nurse Association. Mr. Goldsmith and Mr. Fiore advised that a meeting was tentatively scheduled for Monday, March 9, 2015 at 3:30 p.m. with VNA. It was noted that Mr. Rogers had been invited on behalf of the Town and Council President Feldman expressed interest in joining the meeting as Parking Authority liaison as well as the Council Representative for that ward. Mr. Fiore advised that he would make that request on behalf of Council President Feldman.

At this point, under the Report portion of the meeting, the Executive Director presented the Report on Examination of Financial Statements Quarter Ended September 30, 2014. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the report was accepted for file.

At this point, under the Old Business portion of the meeting, the Executive Director noted that the Additional Parking Facility LED Signage Installation had been implemented and was working well.

At this point, under the Old Business portion of the meeting, the Executive Director noted that there was a proposal for Flat Rate Parking Rate Increases (Effective on or about 4/1/15) at the DeHart Street Garage, Ann Bank Garage, Dalton Garage and Vail Deck. The Executive Director noted that the hope was that increasing the rate at the DeHart Street Garage to a flat rate of \$5.00 per hour from \$4.00 and reducing the rate at the Dalton Garage from \$4.00 to \$3.00 might incentivize parking at the Dalton Garage and reduce demand at the DeHart Street Garage. Again, in view of Commissioner Stamato's inability to be present at the meeting, this matter was tabled on motion of Commissioner Lucia, seconded by Commissioner Tighe.

At this point, under the New Business portion of the meeting, the Executive Director requested Authorization to Participate in the New Jersey Parking Cooperative Pricing System, a new cooperative that was being established in New Jersey with Parking Authority taking the lead. The Executive Director noted that this could be very helpful to the Parking Authority in implementing its new upgraded meters.

At this point, under the New Business portion of the meeting, the Executive Director noted that there had always been a discussion with respect to the possible tenant basement space to be utilized by the Parking Authority and Fannie Rippel Foundation.

At this point, under the New Business portion of the meeting, the Executive Director and Assistant Director, Mr. Axelrod, informed the Board of Commissioners regarding installation of a PILOT program for "Lost Ticket" Condition. It was an extensive discussion regarding the extent of the issue and the concern for Parking Attendants who often have to deal with physical situations regarding lost parking tickets in the early morning hours. The implementation of the "Lost Ticket" mechanism at the DeHart Street Garage would help to avoid the burden of controversy from lost tickets that generally falls on Attendants. The Administration recommended a \$1,000 PILOT. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the PILOT program was authorized on the following vote:

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

There was no Executive Session.

The following Resolutions were presented for the record:

Resolution No. 20-2015: (Operating Fund Bills). On motion of Commissioner Lucia, seconded by Commissioner Tighe, the Resolution was adopted on the following vote:

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

Resolution No. 21-2015: (Improvement Fund Bills). On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

Resolution No. 22-2015: (Authorizing Membership in New Jersey Parking Cooperative Pricing System). On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Resolution was adopted on the following vote:

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

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

George Fiore, Executive Director

James Gervasio, Assistant Secretary

Prepared By: Robert S. Goldsmith, Esq.