

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, OCTOBER 13, 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, Stamato, Tighe, Lucia and Chairperson Brady

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

Absent: None.

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Note that the meeting commenced following the Budget meeting of the Board of Commissioners and the time of commencement of the Regular meeting was 6:15 p.m.

At this point, The Executive Director presented the Minutes of the September 8, 2015 Regular Meeting. On motion of Commissioner Gervasio, seconded by Commissioner Lucia, the Minutes were approved.

At this point, The Executive Director presented the Minutes of the Executive Session of the September 8, 2015 Regular Meeting. On motion of Commissioner Stamato, seconded by Commissioner Lucia, 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 August 11, 2015

To: Greg Deal  
From: Glenn Cianci

Correspondence advising that The Seeing Eye, Inc. will not need the four additional parking spaces. The correspondence also advises that The Seeing Eye will keep its eight allotted parking spaces and would like them to be consolidated so that they are contiguous. The correspondence further advises that The Seeing Eye might begin to search for a new vendor for its security system and asks for a referral. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 2, 2015

To: Robert Goldsmith  
From: Allen Kopelson

Correspondence advising that Mr. Kopelson is on vacation and will invite Ray to lunch upon his return to discuss the VNA and Community Theatre issues, and will then get back to Mr. Goldsmith afterwards. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 2, 2015

To: MPA  
From: John DeLaney

Notice of hearing on September 24, 2015 at 7:30 p.m. in the Council Room, Morristown Town Hall, 200 South Street, Morristown, New Jersey, to consider an application affecting the property whose street address is known as 51 Bank Street, Morristown, New Jersey and designated as Block 6003, Lot 5 on the Morristown Tax Map. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 3, 2015

To: George Fiore, Executive Director  
From: Allen Magrini

Letter confirming the interest of 11 Cattano Avenue, L.L.C. in working with the MPA and the Town of Morristown for the development of additional housing with the existing parking area. The letter states that 11 Cattano Avenue is in the process of developing preliminary plans and requests the opportunity to meet with the Authority. On motion of Commissioner Tighe, seconded by Chairperson Brady, the letter was accepted for file.

Under date of September 4, 2015

To: George Fiore, Executive Director  
From: Robert Dunn

Letter advising that Mr. Loboizzo is requesting up to twenty (20) parking spaces for the property located at 2 South Street (40-42 Park Place South) and 5 Park Place (43-45 Park Place South) which are being converted to eighteen (18) residential units. The letter further advises that the Mayor of Morristown, the Town Planner and the Zoning Officer are in favor of this project and look forward to the development. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 4, 2015

To: Robert Dunn  
From: George Fiore, Executive Director

Letter stating that the MPA can accommodate up to twenty (20) unreserved not designated residential parking spaces among the DeHart Garage, Ann Bank and Lot 10J, all of which are within 1,000 feet of the subject property. The letter also states that the offer is valid through December 31, 2015, and at the present time the MPA cannot commit beyond that date. The letter further states that the MPA is prepared to enter into a mutually agreeable Parking License Agreement for an initial term of twenty (20) years. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 4, 2015

To: Morristown Parking Authority  
From: Drinker Biddle & Reath LLP

Notice of hearing on September 14, 2015 at 7:00 p.m. at Morristown Town Hall, 200 South Street, Morristown, New Jersey regarding the application filed by Morristown Development Phase II, LLC with the Planning Board of the Town of Morristown concerning property shown on the official tax map of the Town of Morristown as the following lots in Block 5803: Lot 1, Lot 6, Lot 34, Lot 35, Lot 36, Lot 37, Lot 38, Lot 39, Lot 42, Lot 43, Lot 44.01, Lot 44.02 and Lot 44.03. The notice states that the overall tract is located within the Speedwell Redevelopment Area and is governed by the Amended Speedwell Redevelopment Plan. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of September 14, 2015

To: Eugene Diaz  
From: George Fiore, Executive Director

Letter advising that Mr. Diaz's request to meet with MPA representatives regarding Lot 13 was presented to the MPA Board of Commissioners at the regular meeting of September 8, 2015. The letter also advises that the MPA is in an extended sixty (60) day period of exclusivity with Bijou Properties to negotiate for the possible development of that property. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 14, 2015

To: Gerard Giosa  
From: Olivia Perl

Correspondence attaching data received from Cambria Suites, White Plains, NY. The correspondence advises that the data is consistent with KBA's general thoughts in that its busy period for guest check-in will be between 3pm and 9pm, and parking demand will be the strongest then. The correspondence further advises that Dan Khoshaba spoke with Frank Vitolo and Frank will be reaching out to Gerry to schedule a date to discuss structuring an agreement for approximately 60 parking spaces needed with the Morristown Parking Authority. On motion of Commissioner Stamato, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 15, 2015

To: Kevin Harris and George Fiore, Executive Director  
From: Kristen Wedderburn

Correspondence regarding Don Ginsberg's interest of serving on the Parking Authority Board. On motion of Commissioner Stamato, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 16, 2015

To: George Sandusky  
From: Mark Axelrod

Correspondence attaching the revised proposal for the "Lost Ticket" retro fit. The Executive Director advised the Board that this reflected a decision already discussed with and rendered by the Board of Commissioners with respect to a lost ticket fee and a lost ticket machine to avoid confrontations and disputes between booth attendants and the public. The Executive Director requested a vote to memorialize the purchase of two lost ticket machines as set forth

in the correspondence. On motion of Commissioner Gervasio, seconded by Commissioner Stamato, the authorization was granted on the following vote:

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

Under date of September 17, 2015

To: Chairperson and Commissioners  
From: Mark Axelrod

Correspondence confirming that at the MPA's March Board meeting the Board was presented with a pilot program for the installation of a Lost Ticket Machine at the DeHart garage. The correspondence states that the discounted rate of \$1,000 for purchase and installation of Amano repurposed equipment was approved. The correspondence also states that the Board will be asking for the Commissioners' approval to expand the Lost Ticket function to the Dalton and Ann/Bank facilities before the start of the holiday shopping season. The correspondence further states that with the consent of the Board of Commissioners, MPA will proceed with the purchase order and the matter will be placed on the October 13, 2015 MPA regular meeting agenda for memorialization if authorized at that time. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of September 17, 2015

To: George Fiore, Executive Director  
From: David Smazik

Correspondence advising that the Presbyterian Church in Morristown has entered into an agreement with the Morristown Performing Arts Center for use of its parking lot on nights that the church does not have activities. The correspondence states that the church does not often have events on Friday and Saturday nights so that might be helpful to MPAC and the town. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of September 17, 2015

To: David Smazik  
From: George Fiore, Executive Director

Letter thanking the Pastor for the Church's working with the Community Theatre to finalize a useage arrangement of the parking spaces on the Church's property. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of September 28, 2015

To: David Smazik  
From: Rebecca Feldman

Correspondence thanking Reverend Smazik and the Board of the Presbyterian Church in Morristown for entering into a partnership with the MAYO Performing Arts Center to help meet the parking needs of their patrons on theater nights. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of September 30, 2015

To: George Fiore, Executive Director  
From: Kevin Coughlin

Correspondence confirming Mr. Coughlin's understanding that the Presbyterian Church has pitched in to help the theater with parking on show nights. The correspondence asks whose idea this was, how exactly it will work and if it is hopeful that other businesses/organizations will follow this example. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of October 1, 2015

To: Kevin Coughlin  
From: Mark Axelrod

Correspondence explaining that the main objective of the Parking Authority was to bring additional short-term parking to the area (mid South Street) with an emphasis on assisting the Theatre with its parking needs and that the Presbyterian Church and its under-utilized lot at night seemed to be a natural fit. The correspondence states that MPA representatives met with Pastor Smazik and his associates to discuss and later finalize a parking arrangement. The correspondence also states that the MPA is hopeful that other businesses and/or Non Profits in town will explore shared parking and follow the Presbyterian Church's example. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Under date of September 22, 2015

To: Daily Record, Star Ledger  
From: George Fiore, Executive Director

Correspondence requesting the attached "Meeting Notice" be published in the legal section of the newspaper on September 25, 2015 and that an Affidavit of Publication is provided. On motion of Commissioner Gervasio, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 24, 2015

To: Morristown Planning Board  
From: George Fiore, Executive Director

Letter advising the Board that MPA is negotiating the details of an access easement for Epstein's relating to the approvals sought in its application. The letter states that the major terms for the easement have been agreed upon with only a few remaining issues, all of which either are resolved or will be resolved via written agreement. The letter further states that the open items include the potential installation of a BBQ, the installation of fencing along the upper floors of the garage and some type of overhead protection between the building and the garage façade to safeguard equipment from weather.

The Executive Director and Counsel briefly reviewed with the Board of Commissioners the recent discussion with Mr. Santola and the resolution of the final open issues which include perpetual access between Building C and the DeHart Street Garage contemplated by the original negotiations and overall conveyance of properties and exchange of properties, the agreement by Rosewood to install fencing adjacent to the easement in the DeHart Street Garage consistent with the fencing already installed by MPA. The fencing would be installed by Rosewood, at its cost, upon direction by MPA in the event of a perceived or actual risk. The agreement will include overhead protection between the new building and the garage façade to safeguard MPA equipment from the weather, and finally, the matter of the BBQ, if it is to be installed it will not be installed in the easement area. However,

Councilman Tighe advised that to his knowledge the matter of the BBQ was rejected. On motion of Commissioner Gervasio, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of September 24, 2015

To: George Fiore, Executive Director  
From: Hugh DeFazio

Letter advising that the DeFazio Group has been working to put forth a proposal that accomplishes the goal of the MPA, the Town of Morristown and the DeFazio Group as developers. The letter further advises that the DeFazio Group and its team is looking forward to discussing its proposal and the results of Mr. Giosa's study to produce a parking plan for the future and a first class multifamily development. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of October 1, 2015

To: Council President Feldman and Council Members  
From: George Fiore, Executive Director

Letter confirming that MPA supports the proposal to covert the first on-street metered parking space located at the corner of Maple Avenue and Market Street, directly in front of Rios' Engraving, to a handicapped parking space on a temporary basis and until the jersey barriers are removed and parking restored on Market Street. The Executive Director noted that the installation of jersey barriers on the residential end of Market Street had resulted in a significant inconvenience to residents as well as to Mr. Rios who is handicapped and who occupies the store at the corner of Maple Avenue and Market Street. The Executive Director also noted that an agreement had been reached with Hampshire to provide reduced rate parking at Hampshire's expense for twelve (12) parkers otherwise displaced during the period that the jersey barriers are obstructing the roadway.

The Executive Director also noted that Hampshire was paying MPA \$5,000 per month to reserve parking for the building under construction. That is one of the reasons for the reduced rate. On motion of Commissioner Tighe, 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 August 2015 Monthly Enforcement Report. On motion of Commissioner Gervasio, 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 August 2014/2015 Comparative Meter Revenue Report. On motion of Commissioner Stamato, seconded by Commissioner Gervasio, the report was accepted for file.

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

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

At this point, under the Report portion of the meeting, the Executive Director presented the Parking Authority of the Town of Morristown Report on Examination of Financial Statements for the Quarter Ended June 30, 2015. The Executive Director noted that the Morristown Parking Authority was in sound financial condition. On motion of

Commissioner Tighe, seconded by Commissioner Lucia, the Report was accepted on the following vote:

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

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At this point, under the Old Business portion of the meeting, the Executive Director noted that the Board of Commissioners had already memorialized the Authorization for the Expansion of the Parking Equipment Upgrade for “Lost Ticket” Condition at the Dalton Garage and the Ann Bank Garage.

At this point, under the Old Business portion of the meeting, the Executive Director noted that arrangements and reservations had been made for the staff and Commissioners planning to attend the League of Municipalities Convention. He also noted that through the efforts of Mr. Goldsmith’s assistant, Jahna Moore, rooms were reserved for Chairperson Brady, for her convenience, notwithstanding a severe limitation on availability of spaces at the Sheraton Hotel.

At this point, under the Old Business portion of the meeting, the Executive Director and Council advised the Board of Commissioners that the Epstein’s Building C/MPA Property Access Easement Agreement was being finalized as previously discussed during the correspondence section of the meeting and that it would be presented to the Board of Commissioners for final approval.

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At this point, under the New Business portion of the meeting, the Executive Director outlined the scheduling for the Public Hearing on the 2016 MPA Annual Budget of Operating Expenses for the December 1, 2015 MPA Meeting.

At this point, under the New Business portion of the meeting, the Executive Director asked for suggestions from the Board of Commissioners with respect to the 2015 Holiday Dinner. Chairperson Brady suggested J&K Steakhouse and there was a general agreement assuming appropriate arrangements and reasonable costs that the dinner would likely be held there.

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At this point, on motion of Commissioner Gervasio, seconded by Commissioner Tighe, the Board moved into Executive Session.

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Upon returning to the public session of the meeting, the Executive Director asked for action on one of the booth attendants who had not been present for more than a month. The Executive Director had also described the efforts made to contact the employee as well as the fact that Rice notice had been provided to the employee. On motion of Commissioner Lucia, seconded by Commissioner Gervasio, employment was terminated on the following vote:

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

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The following Resolutions were presented for the record:

Resolution No. 54-2015: (Operating 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

Resolution No. 55-2015: (Improvement Fund Bills). On motion of Commissioner Lucia, seconded by Commissioner Gervasio, the Resolution was authorized on the following vote:

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

Resolution No. 56-2015: (Authorizing the Executive Director and/or Appropriate Officers to Establish and Maintain a Night Supervisor's Backup Change Fund in the Amount of \$100.00). 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. 57-2015: (Authorizing an Extension of an Agreement for a 60-Day Period of Exclusivity for Bijou Properties and the Morristown Parking Authority to Negotiate for the Possible Development of Lot 3R, also known as Block 3602, Lot 13). 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. 58-2015: (Authorization for On-Street Solar Powered Credit Card Meter Banking Services). The Executive Director advised the Board that the Parking Authority already had an existing contract with Chase Bank and although the Bank of America had submitted a low bid for the services, the contract with Chase Bank required Chase Bank to provide all such services. Through negotiations, Chase Bank agreed to match the bid of the Bank of America and by retaining Chase on all such banking services the Parking Authority would remain in compliance with the Chase contract. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the Resolution was adopted 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 Gervais, seconded by Commissioner Tighe, the meeting was held adjourned.

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George Fiore, Executive Director

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Linda Stamato, Secretary

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Prepared By: Robert S. Goldsmith, Esq.