

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, FEBRUARY 4, 2014 AT THE OFFICES OF THE PARKING AUTHORITY, 14 MAPLE AVENUE, SUITE 101, MORRISTOWN, NEW JERSEY, AT 12:30 P.M. PREVAILING TIME**

The meeting was called to order by Commissioner 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, Gervasio and Tighe, Chairperson Lucia

Also Present: George Fiore, Executive Director, Patrick W. Geary, Operations Manager, Robert S. Goldsmith, Esq., Parking Authority Counsel, Gerard Giosa, Philip Abramson, Morristown Planner

Absent: Commissioner Garibian

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At this point, The Executive Director presented the Minutes of the January 21, 2014 regular meeting. On motion of Commissioner Brady, seconded by Chairperson Lucia, the Minutes were approved.

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At this point, The Executive Director presented the Minutes of the Executive Session of the January 21, 2014 regular meeting. On motion of Commissioner Brady, seconded by Chairperson Lucia, the Minutes were approved.

The Executive Director noted that the Parking Enforcement Officer Wade Chan very much appreciated the promotion granted by the Board of Commissioners.

The Executive Director noted that the proof of notice of change for the time in the last meeting was published.

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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 January 13, 2014

To: Superior Court of New Jersey  
From: Robert Beckelman

Letter enclosing an Answer to Counterclaim and Affirmative Defenses for filing re: Parking Authority of the Town of Morristown v. Speedwell, LLC. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of January 14, 2014

To: Chana Fitton  
From: Patrick Geary, Operations Manager

Letter in response to Ms. Fitton's request to bring a dog once or twice a month to the office. The letter advises that the Rules and Regulations do not prohibit such action so long as her co-workers find it acceptable, there is no excess noise (which the Rules and Regulations do prohibit) and Ms. Fitton cleans up after the dog. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of January 22, 2014

To: Matthew Stechauner  
From: George Fiore, Executive Director

Letter enclosing 8 copies of the Parking Authority's 3<sup>rd</sup> Quarter Audit for the period ending September 30, 2013 of the parking system as a whole (Project). The letter states that 7 copies are for distribution to the members of the Town Council of Morristown and one copy is for the file. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

Under date of January 22, 2014

To: Vincent M. Montanino  
From: George Fiore, Executive Director

Letter enclosing an executed copy of VM Associates, Inc. January 10, 2014 letter proposal describing the scope of services and fees to be charged in connection with 2014 audit. On motion of Commissioner Brady, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of January 22, 2014

To: MPA  
From: Joseph Lobo

The Notice of Hearing to Property Owners for a hearing before the Zoning Board of Adjustment, February 5, 2014 at 7:30 p.m. for property located at 48 South Street, 50 South Street by Joseph Lobo, Managing Member of South Street Morristown, L.P./South Dumont Morristown, L.P. The Executive Director noted that it was impossible to discern from the notice, but the proposed project had been reviewed by the Executive Director and Counsel, it is an impressive project and it will substantially improve the property and only eight additional spaces will be required. The Executive Director also noted that he had already prepared a letter to the Board of Adjustment advising the Board that the Parking Authority can accommodate the additional need of eight spaces. On motion of Commissioner Tighe, seconded by Chairperson Gervasio, the notice was accepted for file.

Under date of January 23, 2014

To: Marcy Segro  
From: George Fiore, Executive Director

Letter providing evidence of insurance renewal for the Morristown Parking Authority for the policy term January 1, 2014 through January 1, 2015. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of January 23, 2014

To: Rosemary Melendez  
From: George Fiore, Executive Director

Letter requesting transfer from the Series 2007 Debt Service Fund (Account No. 476387)

any excess funds over \$354,000 to the Series 2002 General Reserve and Replacement Fund (Account No. 105086). After the February 1, 2014 debt service payment, the Authority wants to retain \$354,000 in the Series 2007 Debt Service Fund for the August 1, 2014 Debt Service payment. The letter also requests that these monies be invested in Treasury Notes or Treasury Bills to yield the maximum rate of return. The funds should be invested, but must be available prior to the August 1, 2014 Debt Service Payment date. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of January 23, 2014

To: Rosemary Melendez  
From: George Fiore, Executive Director

Letter requesting transfer from the Series 2011 Debt Service Fund (Account No. 351621) any excess funds over \$642,000 to the Series 2002 General Reserve and Replacement Fund (Account No. 105086). After the February 1, 2014 debt service payment, the Authority wants to retain \$642,000 in the Series 20011 Debt Service Fund for the August 1, 2014 Debt Service payment. The letter also requests that these monies be invested in Treasury Notes or Treasury Bills to yield the maximum rate of return. The funds should be invested, but must be available prior to the August 1, 2014 Debt Service Payment date. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of January 23, 2014

To: Rosemary Melendez  
From: George Fiore, Executive Director

Letter authorizing and directing Ms. Melendez to invest all funds in the Series 2002 General Reserve and Replacement Fund (Account No. 105086) and Series 1997 General Reserve and Replacement Fund (Account No. 10509) in Treasury Notes or Treasury Bills to yield the maximum rate of return. The funds should be invested, but must be available prior to the August 1, 2014 Debt Service Payment date. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of January 27, 2014

To: Union Center National Bank  
From: Patrick Geary, Operations Manager

Letter providing the following list of employees to be added to the resolution to make bank wire transfers from MPA accounts: Patrick W. Geary, Annah Pledger Foster, Elizabeth Devito and Melissa Latella. On motion of Commissioner Tighe, seconded by Commissioner Brady, the letter was accepted for file.

Under date of January 27, 2014

To: Stephen Santola  
From: George Fiore, Executive Director

Letter stating that pursuant to Section 34 of the Vail Mansion Agreement and the related Agreement, as amended, for the period January 1, 2013 to December 31, 2013, the Net Operating Loss, which is the sum of established Lost Interest Income (\$37,500) plus established Operating costs (\$44,000), totaled \$81,500. The letter further states that the gross revenues for 2013 were \$72,394.73, which is less than the Net Operating Loss. Therefore, the Net Operating Loss was \$9,105.27 (\$81,500 minus \$72,394.73). This triggers the 2013 Guarantee Cap in the amount of \$15,000. The letter requests that payment be made in the amount of \$9,105.27. On motion of Commissioner Lucia, seconded by Commissioner Brady, the letter was accepted for file.

On motion of Commissioner Brady, seconded by Commissioner Lucia, the authorization to release the Seeing Eye was granted on the following vote:

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

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At this point, under the Report portion of the meeting, the Executive Director presented the December 2013 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 2012/2013 Comparative Meter Revenue 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 2012/2013 Comparative Cash Revenue Report. On motion of Commissioner Brady, seconded by Chairperson Gervasio, the report was accepted for file.

At this point, under the Report portion of the meeting, the Executive Director presented the December 2012/2013 Year-to-Date Revenue Summary. 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 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 2013 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 presented the December 2013 After Hours Overtime Report (P. Geary, G. Deal). On motion of Commissioner Gervasio, seconded by Commissioner Lucia, 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 Division of Local Government Services confirmed the Adopted Budget (2014) on January 17, 2014.

At this point, under the Old Business portion of the meeting, Gerard Giosa, the Parking Authority Parking Consultant, made a presentation on the Occupancy Counts for November 2013 and of certain plans and improvements to the Parking Authority operations. The report was well received and the Board of Directors expressed appreciation for Mr. Giosa's presentation.

At this point, under the Old Business portion of the meeting, Philip Abramson, the town's planner, met with the Board of Commissioners to discuss a report entitled Morristown Moving Forward A Mobility & Community Form Plan. Mr. Abramson explained the significance of the mobility study in the context of existing and planned development in and around the town of Morristown. The report was also appreciated by the Board of Commissioners.

At this point, under the Old Business portion of the meeting, the Executive Director and Council presented the Parking License Agreement for consideration by the Board of Commissioners. The Agreement is between the Parking Authority and Hampshire Global Partners, LLC. This relates to proposed construction of an approximately 40,000 square foot office building on a portion of the properties owned by Harry Simon. Mr. Goldsmith noted that as an incentive, the initial charge for parking effective with the executed Agreement would be \$35, increasing approximately 18 months to \$50 and then \$100 per space per month, on the earlier of a date specified or occupancy of the building. Mr. Goldsmith also noted the term expires if not operative in the 5 years. On motion of Commissioner Lucia, seconded by Commissioner Brady, the Parking Agreement was approved and authorized on the following vote:

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

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At this point, the Executive Director presented the signature cards for the Union Center National Bank accounts for execution and approval by the Board of Commissioners. On motion of Chairperson Gervasio, seconded by Commissioner Brady, the approval authorization was granted on the following vote:

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

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The following Resolutions were presented for the record:

Resolution No. 10-2014: Operating Fund Bills.

Ayes: Commissioners Brady and Lucia  
Nayes: None  
Absent: Commissioners Garibian

Resolution No. 11-2014: Improvement Fund Bills.

Ayes: Commissioners Brady and Lucia  
Nayes: None  
Absent: Commissioners Garibian

Resolution No. 12-2014: (Authorizing the Emergency Repair to 10 Pine Street, Morristown, New Jersey). The Executive Director noted that 10 Pine Street would require a new roof. He also noted that the tenant has been very patient given there was significant damage to his office suite. On motion of Commissioner Lucia, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

Ayes: Commissioners Lucia and Brady  
Nayes: None  
Absent: Commissioners Garibian

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

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At this point, on motion of Commissioner Tighe, seconded by Chairperson Gervasio, the Board of Commissioners directed the hire of Mark Axelrod into a newly created position of Assistant Director upon terms to be determined by the Personnel Committee in conjunction with the Executive Director and Counsel and reported back to the full Board of Commissioners. The hire is to be probationary consistent with the Employee Manual and commencement of service on a date to be agreed approximately between March 1 and March 15, 2014. On motion of Commissioner Lucia, seconded by Commissioner Brady, the hire was approved and authorized on the following vote:

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

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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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Anthony Lucia, Assistant Secretary/Treasurer

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Prepared By: Robert S. Goldsmith, Esq.