

MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, JUNE 18, 2013, 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 Lucia, 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 3, 2013, 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: Chairperson Lucia and Commissioners Brady, Elms, Garibian, and Gervasio

Also Present: George Fiore, Executive Director, Patrick Geary, Operations Manager, Charles J. Wilkes, Esq., Parking Authority Counsel, and Gerard Giosa, Parking Consultant

Absent: None

At this point, the Executive Director presented the Minutes of the May 21, 2013. On motion of Commissioner Gervasio, seconded by Chairperson Lucia, the Minutes were approved.

At this point, the Executive Director presented the Minutes of the May 21, 2013 Executive Session. On motion of Commissioner Gervasio, seconded by Chairperson Lucia, the Minutes were approved.

At this point, the Board returned to the regular order of business.

The following communications were presented for the record:

Under date of May 23, 2013

To: Matthew Stechauner
From: George Fiore, Executive Director

Letter enclosing original filing receipts for electronically filed 2013 Financial Disclosure Statements for Parking Authority Officers. On motion of Commissioner Gervasio, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of May 3, 2013

To: Robert S. Goldsmith, Esq.
From: Charles Wilkes

Correspondence advising that the Parking Authority and its Parking Enforcement Officers should not be liable for an officer’s good faith efforts to provide emergency medical care. Mr. Wilkes provides New Jersey statutes and case law which support his conclusion. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file. At this point, on the motion of Commissioner Brady, seconded by Chairperson Lucia, the Board authorized the Executive Director to explore options for providing emergency medical training to Parking Enforcement Officers.

Under date of May 7, 2013

To: Morristown Parking Authority
From: Bernat; Dinelli; Previdi

Notice advising of the transfer of Retail Distribution Liquor License Number 1424-44-024-002 to Cambridge Wine Cellar LLC. Objections to the transfer must be made immediately to the Town of Morristown. On motion of Commissioner Brady, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of May 13, 2013

To: Morristown Parking Authority
From: Edward F. Correa

Letter request for information pursuant to the Open Public Records Act. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of May 24, 2013

To: Patrick Geary, Operations Manager
From: Edward F. Correa

Correspondence confirming payment of \$150 and for Mr. Geary to proceed with the response to Mr. Correa's OPRA request. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of May 28, 2013

To: Edward F. Correa
From: Patrick W. Geary, Operations Manager

Letter confirming receipt of \$150 for the preparation of documents requested pursuant to OPRA. The letter further confirms that Mr. Correa will be advised when the documents are ready for pick up. On motion of Commissioner Garibian, seconded by Commissioner Elms, the letter was accepted for file.

Under date of June 5, 2013

To: Edward F. Correa
From: Patrick W. Geary, Operations Manager

Correspondence advising that the documents fulfilling Mr. Correa's OPRA request are ready for pick up. The letter further advises that the labor involved in compiling the documents was greater than expected. Therefore, the cost of the same exceeds the original quote of \$190, which was the maximum expected cost. The Parking Authority is requiring an additional \$40 in addition to the \$150 already paid. On motion of Commissioner Garibian seconded by Commissioner Brady, the letter was accepted for file.

Under date of June 12, 2013

To: Edward F. Correa
From: Patrick W. Geary, Operations Manager

Follow up correspondence with respect to Mr. Correa's OPRA request, advising that the Parking Authority technically complied with Mr. Correa's OPRA request but will proceed to copy the forms and tickets and will advise when the same has been completed. The Parking Authority has agreed to waive any additional copying costs. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of May 22, 2013

To: Daily Record, Legal Advertising Department
From: George Fiore, Executive Director

Letter attaching the Parking Authority's Summary of Synopsis of Audit Report for a single publication under the Legal Notice section of the paper on May 23, 2013. The attached summary is for the Fiscal Year Ending December 31, 2012 to meet the requirements of *N.J.S.A 40A:5A-16*. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of May 28, 2013

To: Christy Hartnett
From: George Fiore, Executive Director

Letter enclosing a certified true copy of Resolution No. 24-2013 and a group affidavit form for the annual audit report for the fiscal year ended December 31, 2012. The letter also encloses a copy of the Synopsis of Audit published on May 24, 2013. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of May 22, 2013

To: Matthew Stechauner
From: George Fiore, Executive Director

Letter enclosing 8 copies of the Parking Authority's fiscal and calendar 2012 Annual Audit of the parking system as a whole. The Executive Director also advises that he made copies directly available to Mayor Dougherty and Michael F. Rogers. On motion of Commissioner Garibian, seconded by Commissioner Elms, the letter was accepted for file.

Under date of May 22, 2013

To: David M. Brown
From: George Fiore, Executive Director

Letter enclosing a copy of the Parking Authority's fiscal and calendar year 2012 Annual Audit of the parking system as a whole. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of May 22, 2013

To: Maria Norton, Director
From: George Fiore, Executive Director

Letter enclosing a copy of the Parking Authority's fiscal and calendar year 2012 Annual Audit of the parking system as a whole. On motion of Commissioner Garibian, seconded by Commissioner Brady, the letter was accepted for file.

Under date of May 22, 2013

To: Christopher J. Grell
From: George Fiore, Executive Director

Correspondence attaching Compliance Item - Report on Examination of Financial Statements for the year ending December 31, 2012. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of May 22, 2013

To: Christopher J. Grell
From: George Fiore, Executive Director

Correspondence authorizing and directing Mr. Grell to transfer precisely \$250,000 from the Series 2002 General Reserve and Replacement Fund and deposit same in the Morristown Parking Authority Improvement Fund checking account. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of May 22, 2013

To: Daryl Volgarino, President
DEVO & Associates, LLC
From: George Fiore, Executive Director

Letter advising that at the May 21, 2013 regular meeting of the Parking Authority the proposal to provide multi-space parking meters and related work was accepted and the Contract was awarded to DEVO & Associates, LLC for the amount of \$156,419.00. On motion of Commissioner Garibian, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of May 22, 2013

To: Anthony Thimba
From: George Fiore, Executive Director

Correspondence advising that at the May 21, 2013 meeting of the Parking Authority the Board accepted the proposal dated May 9, 2013 to add a pay station in the Ann/Bank Parking Garage. The letter encloses a fully executed copy of the same. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of May 23, 2013

To: William Schlosser
From: George Fiore, Executive Director

Correspondence advising that the Parking Authority awarded a contract for the purchase of multi-space parking meters and related work. The Executive Director has asked Mr. Schlosser to update the current Statement of Values to reflect the changes noted in this letter with an effective date of August 1, 2013. On motion of Chairperson Gervasio, seconded by Commissioner Garibian, the letter was accepted for file.

Under date of May 29, 2013

To: Joseph G. Yorlano
From: George Fiore, Executive Director

Correspondence advising that the Parking Authority has awarded the contract for multi-space parking meters to DEVO & Associates, LLC. The letter also thanks Mr. Yorlano for his interest and time. On motion of Commissioner Garibian, seconded by Commissioner Elms, the letter was accepted for file.

Under date of May 20, 2013

To: George Fiore, Executive Director
From: Marty Epstein

Correspondence confirming the Gran Fondo NJ 2013 ride will be held on September 8, 2013. The ride will begin at 7:00 a.m. Mr. Epstein is anticipating 2500 riders at this event. Mr.

Epstein is requesting the use of the parking lots. On motion of Commissioner Gervasio, seconded by Commissioner Garibian, the letter was accepted for file. At this point, on the motion of Commissioner Garibian, seconded by Chairperson Lucia, the Board authorized the Executive Director to make parking spaces available for the Gran Fondo NJ 2013 ride.

Under date of May 30, 2013

To: Morristown Parking Authority
From: Harry Simon

Letter regarding the reservation of parking spaces by a developer interested in Mr. Simon's project. Mr. Simon confirms that he previously mentioned that his first test of developer seriousness is the willingness to sign an agreement for the parking spaces that support the developer's proposed project. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of June 11, 2013

To: Harry Simon
From: Morristown Parking Authority

Correspondence indicating to Mr. Simon that a developer's seriousness will be measured by the developer's willingness to enter into a parking agreement. The 50% payment to reserve parking for a project is not substantial, relatively speaking. The letter further confirms that Mr. Koshaba has not signed an agreement. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of June 11, 2013

To: George Fiore, Executive Director
From: Anthony E. Carlos

Letter confirming the scheduling of a public agency review for 10 a.m. on Thursday, June 13, 2013 at the Parking Authority's office. The purpose of this review is to determine compliance with the EEO/AA public contracting requirements set forth at *N.J.S.A. 10:5-31 et seq.* and *N.J.A.C. 17:27*. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of June 13, 2013

To: Anthony E. Carlos
From: George Fiore, Executive Director

Correspondence enclosing documents for review as well as evidence of compliance with EEO/AA public contracting requirements. The Executive Director believes that this submission places the Parking Authority below the 10% threshold for compliance and renders the MPA at the satisfactory level. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

Under date of June 17, 2013

To: Anthony Lucia, Board Chairman
From: John Ruth, Jr., Supervisor

Correspondence confirming that the EEO/AA public agency review has found that the Parking Authority is in compliance. On motion of Commissioner Garibian, seconded by Commissioner Gervasio, the letter was accepted for file.

At this point, Commissioner Elms left the meeting.

At this point, under the Report portion of the meeting, the Executive Director presented to the Board the May 2013 Monthly Enforcement Report. On motion of Chairperson Lucia, seconded by Commissioner Garibian, the report was accepted for file.

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

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

At this point, under the Report portion of the meeting, the Executive Director presented the May 2012/2013 Year-to-Date Revenue Summary. On motion of Commissioner Gervasio, seconded by Commissioner Brady, the report was accepted for file.

At this point, under the Old Business portion of the meeting, the Executive Director advised the Board that the proposed arrangement with Transparent Outdoor Commercial is on hold.

At this point, under the New Business portion of the meeting, the Executive Director and the Board discussed the EEO/AA public agency review.

On motion of Commissioner Gervasio, seconded by Commissioner Garibian, the Board moved into Executive Session.

The following Resolutions were presented for the record:

Resolution No. 29-2013 - Operating Fund Bills. On motion of Chairperson Lucia, seconded by Commissioner Garibian, the Resolution was adopted on the following vote:

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

Resolution No. 30-2013 - Maple Avenue Building Fund Bills. On motion of Chairperson Lucia, seconded by Commissioner Gervasio, the Resolution was adopted on the following vote:

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

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

George Fiore, Executive Director

Margret Brady, Secretary

Prepared By: Robert S. Goldsmith, Esq.