

THE PARKING AUTHORITY OF THE
TOWNSHIP OF BLOOMFIELD

REGULAR MEETING MINUTES
OF APRIL 16, 2013

The meeting opened 6:02 pm.

Certification of advertised public notification of the meeting was given during the reading of the Open Public Records Act.

Present: Chairman Moserowitz
Commissioner DeMarino
Commissioner McKee
Commissioner Pomares
Commissioner Sobharam
Commissioner Williams
Executive Director Hochman

Others Present: Kevin McManimon, Esq., McManimon, Scotland & Baumann, L.L.C.
Joseph Baumann, Esq., McManimon, Scotland & Baumann, L.L.C.
Gerry Giosa, Level G Associates, L.L.C.
John Sessa, C.P.A

Absent: Commissioner Chalet
Mary Murdoch, Bloomfield Center Alliance Liaison

Public: Steve DeMarzo, Bloomfield resident
Joe Sandora, Bloomfield Carpet and Tile

Pledge of Allegiance was recited.

The minutes of March 19, 2013 were reviewed. No changes were necessary.

Commissioner McKee motioned to approve the March 19, 2013 Meeting Minutes, as presented. Commissioner Pomares seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Abstain
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

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Commissioner McKee motioned to approve the List of Disbursements. Commissioner Williams seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

John Sessa, C.P.A. presented the financial reports for January to March 2013. Counsel McManimon discussed the Project Note debt, detailing a brief history. It was noted that the \$5 million dollars given to the Authority by the Bloomfield Township was a gift but should be classified as capitol, not debt.

Counsel Baumann confirmed that the \$5 million is not debt. Counsel McManimon stated the actual total of the debt is \$18.88 million. A Balance Sheet dated December 31, 2012 was reviewed to confirm that.

Chair Moserowitz questioned what factors influenced the drop in income from 2012 to 2013. The Executive Director was requested to provide a summary of these influences.

Parking permit usage per lot was discussed. The survey of permit lot usage was requested to determine if the Authority should be proactive in selling the permits. The Executive Director described the process currently used to monitor permit usage in the lots and measure the amount of permits to sell by comparing usage to number of permit spaces. Gerry Giosa, of Level G Associates, explained that this was the proper procedure to determine the number of permits to sell. Mr. Giosa discussed the random variables involved in trying to make such a determination.

Gerry Giosa, of Level G Associates, presented the committee recommendations that he and Commissioner Williams had, to address the resident and business complaints concerning the Broad St. meter installation. Commissioner McKee stated he should have been involved as a member of the committee and contacted about the most recent recommendations, which he was not. He further stated not all committee members were represented due to this and negates the formation of a committee.

Mr. Giosa distributed a map which highlighted the areas in which the recommended changes were made. The color codes were explained to be the times of the allowed parking for that area. The red colored areas meant an eight hour parking

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time limit, between 7 a.m. to 3 p.m., for \$0.25 per hour. The green colored area meant a two hour parking time limit, between 9 am to 4 p.m., for \$0.25 per 20 minutes. The gray colored areas represented free parking area with no time limit or fee. Mr. Giosa discussed the eight hour limit meters, or green coded areas. These metered areas were for long term parking that the high school students or residents could park at. Commissioner Williams noted that the gray area, along Bloomfield Avenue, was not the safest to park with the busy traffic along this area. Commissioner Pomares agreed.

Commissioner Williams explained the hours under the red colored area, 7 a.m. to 3 p.m., were to coordinate with the high school hours for the students. Commissioner DeMarino noted that the Bloomfield School District intended to stagger the school hours in the future so that should be considered. Commissioner Sobharam asked why the recommended meter rate was so low. Commissioner Williams stated it was to attract use by the students and/or residents.

Commissioner Williams continued to explain that the green colored areas are parking for the businesses on Broad St. Commissioner McKee questioned how many stores are located in that area upon which Joe Sandora, owner of Bloomfield Carpet and Tile, started listing the stores from the audience. It was noted that additional spaces could be provided, if needed. Mr. Giosa stated the idea was to 'nibble into' or to expand as needed by starting small. Commissioner McKee stated all the spaces should be installed all at once. Commissioner DeMarino expressed that the number recommended may not be enough for the businesses. Commissioner Williams stated that Mr. Giosa has located other possible future areas for parking.

Commissioner Moserowitz asked why the green colored areas had a cutoff time of 4 p.m. Commissioner Williams explained it is for people returning home from work to be able to park, after the high school students leave for the day. Commissioner Sobharam pointed out that some stores are open later than 4 p.m. Chair Moserowitz agreed and stated that residents may take up these metered spaces after 4 p.m. and cause problems for the businesses. He recommended the time should be extended to 6 p.m. or 7 p.m. Commissioner Williams disagreed citing it was too late. Commissioner McKee stated it protects the businesses more if the time is extended to later and the last thing he wants to do is make it hard for the businesses. Commissioner Williams pointed out that the same discussion was held at the last month's meeting and it is about the residents as well.

The meeting opened to Public Comment.

Joe Sandora, owner of Bloomfield Carpet and Tile, stated the closing times of the stores located by him. He stated the recommended time of ending metered parking at 6 p.m. (in the two hour parking areas) was fine as most stores closed by then. He did point out that commuters can park there all day due to lack of enforcement. It was pointed out to Mr. Sandora that the Authority was not responsible for the current enforcement.

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Mr. Steven DeMarzo, of 347 Belleville Avenue in Bloomfield, spoke about his concern for the area around Broad St. and Belleville Avenue. He asked what spaces would be for resident parking. Mr. Giosa explained there would be no change of the current two hour time limit spaces after 'The Green' area. Commissioner McKee stated he is more in favor of businesses but clarified his meaning. Mr. DeMarzo stated he wants an amicable solution for everyone. He wished everyone well for the future.

Chair Moserowitz asked if all board members agreed on the changes as discussed, for the areas indicated on the map.

Commissioner Pomares motioned to approve the changes to the metered parking time limits on Broad St. and other areas, as discussed and agreed upon, and outlined as follows, under Resolution 2013-04-16-1:

Red Parking Zones – Eight hour meter parking, \$0.25 per hour, between 7 a.m. to 3 p.m., Monday to Saturday.

Green Parking Zones – Two hour meter parking, \$0.25 per twenty minutes, between 9 a.m. to 6 p.m., Monday to Saturday.

Commissioner Williams seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

Mr. Sandora discussed the benefit of moving the bus stop to further down the road. He stated all approvals were received from the Township and County of Essex but New Jersey Transit has not acted to complete this. He stated if it was moved, it would give two more parking spaces for the businesses.

Gerry Giosa discussed the replacement of the multi space machines which will no longer have internet capability due to the carrier AT&T removing its 2G network. Mr. Giosa informed the board that Director Hochman found a company that has equipment which can retrofit the current multi space to enable current operations with internet capability. The company is doing test installations and has not gone public with the new equipment. Several commissioners questioned if there was a maintenance contract, if we really needed to do the retrofit, and how many tests will be run. Mr. Giosa advised the Board that waiting to see if the new equipment works is the best course of action for now.

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Mr. Giosa discussed the Parking Garage Construction Schedule and Requisition Tracker. Updated proformas would be provided by the financial advisors.

Mr. Giosa discussed the contract with the expected costs. Several board members posed questions on what other costs will be included in the G.M.P. and how much will be left over. Commissioner McKee agreed with the concern of how much money will be left over. Counsel Baumann stated that the developer, BCUR, cannot choose to *not* spend it. The completion date of the garage was discussed.

Mr. Giosa discussed the system overview for the garage. The signage will cost \$75,000. The difference of the G.M.P. and cost of items was reviewed. Chair Moserowitz expressed concern to Counsel of possible overstated costs. An example he gave was the cost of excavation estimated at \$200,000 but the actual cost came in at \$30,000. Commissioner McKee discussed the precast estimate that had such a difference as well. Commissioner Sobharam expressed that there could be an additional million dollar profit. Counsel Baumann stated that such a profit would not be realized as it was expensive. The history of the contract and financial arrangements was discussed. Counsel stated a parking agreement for the garage parking for Food Town will be presented and a discount is desired. It was expressed that such a discount will have to come from the developer's side as the Authority could not afford to give one. Chair Moserowitz discussed the original arrangement of the courtesy for Food Town.

Counsel Baumann stated a meeting should be held to review all financials of the arrangement and to ensure all board members know where all the monies are spent. Commissioner DeMarino wondered how the Authority can handle the misperception of a 'sweetheart deal' was done concerning the garage. He stated it needed to be handled.

Commissioner McKee asked what else is left to handle. Counsel Baumann stated just the Food Town parking agreement was to be addressed. Counsel Baumann commented that it is unknown what Avalon Bay is profiting but it will eventually be known as they are publicly traded. Chair Moserowitz discussed Avalon Bay's high quality residential projects and what rents were to be charged.

Mr. Giosa continued his discussion on the internal systems of the garage, concentrating on cameras and the locations of the LED blue light stations. Commissioner DeMarino expressed concerns about safety and asked if additional lights could be installed for additional security. Mr. Giosa responded that this would be reviewed in the future.

Mr. Giosa discussed the parking system in the garage, describing the possible various validation systems for Food Town customers. Commissioner McKee asked if that was low cost or no cost to the Authority. Chair Moserowitz stated a pay in advance system does not require collection procedures. He commented that validation is a great service for businesses. Chair Moserowitz discussed the installer hesitant to install the parking system in the garage until the heavy construction is done. Mr. Giosa discussed the temporary parking that will be available with permits which could

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be sold quarterly or semi annually. Chair Moserowitz discussed the possibilities of short term parking and the spaces for the college redevelopment project workers.

Counsel McManimon discussed the Environmental Waste Management Associates (E.W.M.A.) contract, the history, and the necessity of the vapor intrusion work. Commissioner DeMarino asked if the sum total of the contract is in the resolution, which it is. Counsel explained vapor intrusion and the responsibility of the Authority concerning it. The proposal was discussed by Counsel McManimon.

Commissioner McKee motioned to approve the Agreement for Environmental Consulting Services, under Resolution 2013-04-16-2. Commissioner DeMarino seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

The Project note expenses were reviewed. It was confirmed that the payment would be made from the Parking Garage Capitol Account at Provident Bank.

Commissioner Williams motioned to approve the Authorization of the Payment of Certain Project Costs, under Resolution 2013-04-16-3. Commissioner Pomares seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

Commissioner Williams motioned to approve the Authorization of the Payment of Certain Project Costs, under Resolution 2013-04-16-4. Commissioner DeMarino seconded the motion. The motion carried forth as follows:

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Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

Council McManimon discussed the fees for credit card processing imposed by Park Mobile. There were two possible options in the agreement with Park Mobile; the first is to use their credit card processor or use our own. Counsel discussed the emerging payment fees involved if customers paid by PayPal or CitiWallet. Counsel discussed if the Authority wanted to offer this service with the consideration of these fees. Chair Moserowitz stated the credit card processing fee is standard and the fees for credit card processing can be confusing at times. Commissioner Sobharam asked if a minimum number of transactions would be needed to keep the fee at \$0.15 per transaction. Counsel stated there was no such requirement.

Chair Moserowitz stated more research should be done on this, such as what are the current bank (Provident Bank) charges. Chair Moserowitz stated he will call a representative for a credit card processor he knows to see if he can get a favorable rate. He stated he will have to be done for the parking garage anyway.

Counsel McManimon discussed the issue of Park Mobile providing iPhones for the enforcement to access the Park Mobile website. Commissioner McKee commented that the company misrepresented the fees involved.

The approval of the Park Mobile agreement was tabled until the next meeting.

Counsel McManimon discussed the necessity to certify that the Board has reviewed all findings and recommendations of the Local Finance Board, in relation to the \$3.45 Million Parking Project Note Series 2013. Commissioner DeMarino and Sobharam both expressed concern about the certification, especially that they were not board members at the time these findings and recommendations were issued. Counsel Baumann stated both Commissioner DeMarino and Sobharam can abstain due to this.

Commissioner Williams motioned to approve the Certification of Review of the Findings and Recommendations of the Local Finance Board, under Resolution 2013-04-16-5. Commissioner Pomares seconded the motion. The motion carried forth as follows:

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Roll Call Vote: Chairman Moserowitz Yes
Commissioner Chalet Absent
Commissioner DeMarino Abstain
Commissioner McKee Yes
Commissioner Pomares Yes
Commissioner Sobharam Abstain
Commissioner Williams Yes

Commissioner McKee motioned to ratify the Contract for Auditing Services, under Resolution 2013-04-16-6. Commissioner DeMarino seconded the motion. The motion carried forth as follows:

Roll Call Vote: Chairman Moserowitz Yes
Commissioner Chalet Absent
Commissioner DeMarino Yes
Commissioner McKee Yes
Commissioner Pomares Yes
Commissioner Sobharam Yes
Commissioner Williams Yes

Chair Moserowitz discussed the importance of changing auditors as it can reveal shortcomings which the former did not find.

Commissioner Williams motioned to Award the Contract for Auditing Services, effective May 1st, 2013, under Resolution 2013-04-16-7. Commissioner DeMarino seconded the motion. The motion carried forth as follows:

Roll Call Vote: Chairman Moserowitz Yes
Commissioner Chalet Absent
Commissioner DeMarino Yes
Commissioner McKee Yes
Commissioner Pomares Yes
Commissioner Sobharam Yes
Commissioner Williams Yes

Chair Moserowitz discussed the Post Office parking courtesy issue and the history that led up to its retraction. Commissioner DeMarino expressed concern for the postal employees as they would be the ones to suffer the consequences. Commissioner Sobharam stated the news article shows the Authority as being petty. He commented that it was disturbing that the Commissioners were not notified of this until the article. Commissioner DeMarino expressed his disturbance as well at that. Chair Moserowitz stated the intent was to support the Township when the

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Administrator called the Executive Director to request we retract the courtesy due to the Post Office trying to charge the Township fees that were not charged before and should not have been. He further explained that the Executive Director called him to discuss the matter and seek his advice on the matter. Chair Moserowitz stated he advised the Executive Director to support the Township and retract the courtesy as requested. Director Hochman stated if she was advised not to retract the courtesy, she would have had second thoughts on it.

Commissioner DeMarino discussed an example of how things can be misinterpreted. He further expressed that there were real concerns about criticisms on this issue. Counsel Baumann stated the Board could vote to undo the courtesy retraction and to clarify what decisions can be made by the Executive Director on such matters. Chair Moserowitz stated the communications were mishandled. Chair Moserowitz stated a policy should be set forth concerning such matters. A discussion ensued concerning the responsibilities of the Executive Director. Counsel Baumann confirmed that the R.I.C.E. notice given to the Executive Director was for open session.

Shared services with the Township were discussed and the benefits associated with it. Chair Moserowitz recommended sending a proposal with suggestions to the Township for discussion. Commissioner Williams stated the IT Department can be shared as one example. Commissioner McKee expressed concern for the employees as there could be a loss of control.

A discussion of employee evaluations was held. Commissioner DeMarino stated a policy on evaluations should be made. A discussion on whose responsibility it was to send notice of an evaluation for the Executive Director: the Director or the Board. Commissioner DeMarino described the executive evaluation process he was familiar with. It was stated a list of accomplishments and goals should be submitted. This would give an opportunity for feedback from both the Board and Director.

Commissioner Williams stated the staff should evaluate the Executive Director. It was commented that such a method would undermine the Director. Counsel Baumann pointed out that the evaluation process in the contract must be followed. A discussion ensued how the process should be done. Commissioner Pomares described the process he does as an Executive Director in a non-profit agency; he submits a self evaluation for review and then discusses it with his superiors. It was commented again that the Executive Director should start the evaluation process. Chair Moserowitz stated that the list of the Executive Director's accomplishments and goals should be submitted to the Personnel Committee. Commissioner DeMarino emphasized that the employee should be present at any discussions involving evaluations. Commissioner McKee asked what the limits are of the R.I.C.E. form. It was explained that the choice of discussion in open or closed session is the employee's. Counsel Baumann stated that the Executive Director is entitled to be present at any evaluation discussions for her job.

Chair Moserowitz asked if anyone has changes to responsibilities to the

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Executive Director's job description. Commissioner DeMarino stated that should not be done now, that it can be changed as the organization changes. Commissioner Williams stated that developing policies and procedures is not an Executive Director responsibility, for example enforcement routes. Chair Moserowitz remarked that such things are daily operations which are the Executive Director's responsibility.

Commissioner DeMarino stated employees should be treated fairly. The section of the by-Laws, which gives the Executive Director authority as a sitting member of board committees, was discussed. It was discussed that only board members should be on such committees and the by-laws should be changed to reflect that. Commissioner DeMarino asked if the selection of committee members can be tabled but the Personnel Committee did need to do the evaluation. Chair Moserowitz discussed the historical role of the Executive Director and how it needs to change. It was commented that the Executive Director was left out of issues and projects concerning the Authority and must be included more in what is going on. Commissioner DeMarino stated the Executive Director must participate and drive organization.

Chair Moserowitz stated the process of review should be started. The list of accomplishments/goals that are desired starting four and half years back. Commissioner DeMarino asked Mr. Giosa if he could provide by-law samples from other parking authorities. It was requested that the by-laws be sent to all board members for any revisions and all revisions are to be submitted by May 1, 2013 to Counsel Baumann. Counsel Baumann stated he will write a policy on decision making boundaries for consideration.

Commissioner Williams motioned to move the meeting to Executive Session to discuss Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, under Resolution 2013-04-16-8. Commissioner Pomares seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

The meeting opened to Public Session.

Commissioner Pomares motioned to approve a letter to be sent to the Township of Bloomfield requesting that the Township survey the areas outside the Authority's jurisdiction to determine if additional handicap spaces needed to be installed, in a cooperative effort between the Executive Director, Township Engineer

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and Traffic Division, under Resolution 2013-04-16-9. Commissioner DeMarino seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

Commissioner DeMarino discussed his concern that if board members used private computers for email replies, those files in the private computers can be accessed through O.P.R.A. requests. To preserve the board's privacy, Commissioner DeMarino recommended the purchase of iPads for the board to use instead of their private computers. Pricing for the iPads would be done for the board's consideration.

Commissioner Pomares motioned to adjourn the meeting. Commissioner McKee seconded the motion. The motion carried forth as follows:

Roll Call Vote:	Chairman Moserowitz	Yes
	Commissioner Chalet	Absent
	Commissioner DeMarino	Yes
	Commissioner McKee	Yes
	Commissioner Pomares	Yes
	Commissioner Sobharam	Yes
	Commissioner Williams	Yes

The meeting adjourned at 10:55 p.m.