

Agenda New Brunswick Parking Authority December 19, 2022

A.	Call	to	Order
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- B. Reading of Public Notice
- C. Minutes from October 2022 Regular Board Meeting
- D. Executive Director's Report
- E. Financial Report
- F. Legal Report
- G. Public Comment
- H. Board Discussion
- I. Resolutions
 - 1. Payment Resolution for December 2022
 - 2. Resolution Adopting the 2023 Authority Budget
 - 3. Resolution Appointing New Parking Enforcement Officer Stephen Mihalenko
 - 4. Resolution Authorizing Auction of Taxicab Licenses
 - 5. Resolution Approving Architectural Services for Wellness Plaza
 - 6. Resolution Authorizing Settlement Agreement with Premium Food & Beverage LLC
- J. Old Business
- K. New Business
- L. Adjournment

Minutes of a Regular Board Meeting December 19, 2022

A regular meeting of the New Brunswick Parking Authority was held on December 19, 2022, in the conference room of the New Brunswick Parking Authority, located at 106 Somerset Street, New Brunswick, New Jersey. Chairman Kevin McTernan called the meeting to order at 5:01 p.m.

Mr. McTernan read the public statement of meeting on adequate notice as required by P. L. 1975.

Commissioners in Attendance:

Kevin McTernan

Chairman

Tony Caputo

Vice Chairman (via telephone)

Louis Garlatti, Jr.

Andrea Eato-White

Treasurer Commissioner (via telephone)

Legal in Attendance:

Aaron Rainone

General Counsel

NBPA Personnel in Attendance:

Matthew Kennedy

Executive Director

Bright Rajaratnam

Chief Financial Officer Human Resources Manager

Alexandra Perez

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Not in Attendance:

Edwin Keefe

Secretary

Minutes

On motion of Mr. Garlatti, seconded by Mr. Caputo, the board approved the October 2022 regular board meeting minutes. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

Executive Director's Report

Mr. Kennedy reported that the revenue and expense results continue to be closely aligned with budget year to date through September. He noted that new construction worker parkers in the Wellness Plaza Deck, added in November and December due to the Innovation Hub project, now total 250.

Mr. Kennedy also reported that the NBPA staff was making preparations for the winter storm expected later in the week.

Finance

Mr. Rajaratnam reported that the November financial report would be generated during the following week.

Legal

No legal to report.

Public Comment

A member of the public asked for an update on the unoccupied Wellness Plaza tenant space leased by the county, including when the work relating to the Wellness Plaza resolution on the evening's agenda would be done. Mr. McTernan replied that the work was expected to start in the new year. A member of the public inquired about the settlement agreement with Premium Food & Beverage on the evening's agenda,

asking which space the tenant has been occupying and whether the tenant would be leaving. Mr. Kennedy stated that the settling tenant was in the Redd's space in Gateway Transit Village, and Mr. McTernan stated that the tenant would be leaving. A member of the public asked if he could receive information about other tenants behind on rent, and Mr. McTernan asked him to reach out to Mr. Kennedy to receive the information. A member of the public noted that a bus shelter that had been on Kirkpatrick Street outside Wellness Plaza had been relocated within the Innovation Hub construction site, and he asked whether it had to be removed. Mr. McTernan affirmed that it had to be removed due to the construction.

Resolutions

On motion of Mr. Garlatti, seconded by Ms. Eato-White, the board approved the Payment Resolution for December 2022. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

On motion of Mr. Garlatti, seconded by Mr. Caputo, the board approved the Resolution Adopting the 2023 Authority Budget. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

On motion of Ms. Eato-White, seconded by Mr. Garlatti, the board approved the Resolution Appointing New Parking Enforcement Officer. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

On motion of Mr. Caputo, seconded by Mr. Garlatti, the board approved the Resolution Authorizing Auction of Taxicab Licenses. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

On motion of Ms. Eato-White, seconded by Mr. Garlatti, the board approved the Resolution Approving Architectural Services for Wellness Plaza. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

On motion of Mr. Garlatti, seconded by Ms. Eato-White, the board approved the Resolution Authorizing Settlement Agreement with Premium Food & Beverage LLC. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

Old Business

No old business.

New Business

No new business.

Adjournment

On motion of Mr. Garlatti, seconded by Ms. Eato-White, the board adjourned at 5:14 p.m. Vote: 4 - yes, 0 - no, 0 - abstain, 1 - absent (Keefe).

Kevin McTernan Chairman

The Parking Authority of the City of New Brunswick December 2022 Resolution of Operating Expenditures

The estimated revenue operating fund expenditures, which are noted below, carry us through the next payment resolution. The following figures are for the period ending January 25, 2023.

Payroll Estimate	12/21/2022	80,000.00
Payroll Estimate	01/04/2023	80,000.00
Payroli Estimate	01/18/2023	80,000.00
Pension Estimate - December	01/07/2023	16,000.00
Health Estimate - January	01/14/2023	70,000.00
Prior Month Estimate		(409,000.00)
Total Disbursements		3,697,191.33
Total Resolution Amount		3,614,191.33

Change for white

The Parking Authority of the City of New Brunswick December 2022 Resolution of Operating Expenditures

The following expenditures are necessary for the Authority operations and are provided for within the annual budget then applicable:

CHECKS	VENDOR NAME		DATE	AMOUNT
78509	JAMES KELLY-COURT OFFICER		11/30/2022	120.00
78510	TASC		11/30/2022	572.18
78511	THYSSENKRUPP ELEVATOR CORP		11/30/2022	7,318.11
78512	TRIANGLE FIDELCO INDUST. CTR		11/30/2022	30,281.88
78513	VERIZON WIRELESS		11/30/2022	1,811.62
78514	VERIZON		11/30/2022	1,196.72
78515	VERIZON CABS		11/30/2022	1,007.22
78516	VERIZON CABS		11/30/2022	2,014.44
78517	VERIZON		11/30/2022	36.46
78518	VERIZON/WELLNESS		11/30/2022	426,31
78519	VERIZON/FAX		11/30/2022	53.80
78520	CLARENCE WALKER		11/30/2022	98.00
78521	WB MASON CO INC		11/30/2022	39.70
78522	PRITA MEHTA		12/19/2022	3.00
78523	COSTELLOS ACE HARDWARE		12/19/2022	21.40
78524	ACME AUTO BODY		12/19/2022	6,010.17
78525	ADVANZA TECHNOLOGIES INC		12/19/2022	1,317.90
78526	ALLIED FIRE & SAFETY		12/19/2022	. 840.00
78527	GIANCARLO ANDRETTA		12/19/2022	620.00
78528	APRUZZESE MCDERMOTT		12/19/2022	1,366.98
78529	AUTOMATED LOGIC		12/19/2022	2,195.00
78530	BRUNSWICK SIGN & EXHIBIT CORP.		12/19/2022	625.00
78531	BRUNSWICK URGENT CARE PA		12/19/2022	585.00
78532	OPTIMUM		12/19/2022	41.85
78533	CABLEVISION LIGHTPATH INC		12/19/2022	2,544.76
78534	CASH: CHANGE FUND/PETTY CASH		12/19/2022	58.00
78535	CENTRAL JERSEY PROPERTY		12/19/2022	4,453.00
78536	CIRCLE JANITORIAL SUPPLIES		12/19/2022	130.50
78537	CLEAN MAT SERVICES LLC		12/19/2022	347.10
78538	CITY OF NEW BRUNSWICK		12/19/2022	126.39
7853 9	CITY OF NEW BRUNSWICK- INSPCTN		12/19/2022	2,328.00
78540	CITY OF NEW BRUNSWICK		12/19/2022	57.00
78541	CITY OF NEW BRUNSWICK		12/19/2022	2,487,500.00
78542	CONCEPTPRINT		12/19/2022	4,027.60
78543	CULTURAL CENTER		12/19/2022	2,806.00
78544	VALERIE DELAROSA		12/19/2022	330.00
78545	VICTORIA DUCA		12/19/2022	340.00
78546	EASTERN ARMORED SERVICES INC		12/19/2022	2,253.00
78547	MARC ECKERT		12/19/2022	170.00
78548	J.C. EHRLICH CO., INC.		12/19/2022	75.60
78549	NEW JERSEY FAMILY SUPPORT		12/19/2022	250.00
78550	JOHN WALLING-COURT OFFICER		12/19/2022	134.80
78551	MATHEW GATTO	5	12/19/2022	165.00

The Parking Authority of the City of New Brunswick December 2022 Resolution of Operating Expenditures

The following expenditures are necessary for the Authority operations and are provided for within the annual budget then applicable:

CHECKS	VENDOR NAME		DATE	AMOUNT
78552	GEORGE ST HOLDINGS LLC		12/19/2022	1,118.77
78553	GSRP PROJECT HOLDINGS I, LLC		12/19/2022	2,514.65
78554	HIRERIGHT LLC		12/19/2022	338.00
78555	HOME DEPOT CREDIT SERVICES		12/19/2022	1,006.43
78556	THE HOME DEPOT PRO		12/19/2022	247.99
78557	HUB PARKING		12/19/2022	10,372.72
78558	IDENTISOURCE		12/19/2022	2,037.99
78559	INSTITUTE FOR PROFESSIONAL		12/19/2022	50.00
78560	INTERSTATE WASTE SERVICES		12/19/2022	1,894.04
78561	IPS GROUP INC.		12/19/2022	45,516.98
78562	INTERNAL REVENUE SERVICE		12/19/2022	13,349.03
78563	CHRIS ISAKSEN		12/19/2022	340.00
78564	JERSEY ELEVATOR		12/19/2022	1,219.23
78565	HAN GYUL JI		12/19/2022	165.00
78566	BRANDON JOHNSON		12/19/2022	310.00
78567	MICHAEL KELLY		12/19/2022	180.00
78568	KF MECHANICAL HEATING & AIR CO		12/19/2022	7,250.00
78569	LOUIS MADAMA		12/19/2022	180.00
78570	MIKAELA MATIAS		12/19/2022	155.00
78571	MAUL POWER GROUP		12/19/2022	1,862.00
78572	METLIFE		12/19/2022	710.00
78573	MIDDLESEX COUNTY TREASURER		12/19/2022	5,024.60
78574	RAINONE COUGHLIN MINCHELLO LLC		12/19/2022	13,249.42
78575	ASHLEY MORITZ		12/19/2022	180.00
78576	NEW BRUNSWICK CITY MARKET		12/19/2022	85.00
78577	NIELSEN FORD OF MORRISTOWN		12/19/2022	28,375.52
78578	NATIONAL PARKING ASSOCIATION		12/19/2022	695.00
78579	THOMAS J. O'DONNELL		12/19/2022	170.00
78580	OTIS ELEVATOR COMPANY		12/19/2022	19,470.96
78581	PARKMOBILE USA INC		12/19/2022	9,620.45
78582	JOE PATSKANICK		12/19/2022	340.00
78583	PRESTON PODELL		12/19/2022	155,00
78584	PRECISION TECHNOLOGY SOLUTIONS		12/19/2022	750.00
78585	PRIMEPOINT LLC		12/19/2022	915.30
78586	PSE&G/WELLNESS ELECTRIC		12/19/2022	7,374.65
78587	PSE&G		12/19/2022	26,577.72
78588	PSE&G		12/19/2022	2,070.23
78589	QUADIENT FINANCE USA INC		12/19/2022	500.00
78590	ROBERT RACKMIL		12/19/2022	495.00
78591	RESPONSE COMPUTER GROUP INC		12/19/2022	101.00
78592	ROUTE 18		12/19/2022	315.88
78593	RUTGERS STATE OF NJ		12/19/2022	8,398.65
78594	RUTGERS UNIV CAREER	6	12/19/2022	2,887.21
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The Parking Authority of the City of New Brunswick December 2022 Resolution of Operating Expenditures

The following expenditures are necessary for the Authority operations and are provided for within the annual budget then applicable:

CHECKS	VENDOR NAME	DATE	AMOUNT
78595	CLAIRE SCHUURMANS	12/19/2022	175.00
78596	VINIT SHAH	12/19/2022	270.00
78597	SIGNAL ELECTRIC CORP	12/19/2022	29,727.90
78598	MAURICIO SILVA	12/19/2022	295.00
78599	SPECTROTEL	12/19/2022	52.38
78600	STAPLES	12/19/2022	1,322.93
78601	JAMES KELLY-COURT OFFICER	12/19/2022	240.00
78602	SWIFT ELECTRICAL SUPPLY CO	12/19/2022	1,429.30
78603	TEAMSTERS LOCAL 4069	12/19/2022	187.00
78604	JASON TIPPETT	12/19/2022	180.00
78605	TRAX CAR WASH	12/19/2022	1,700.00
78606	VERIZON WIRELESS	12/19/2022	1,663.83
78607	VERIZON CABS	12/19/2022	957.98
78608	VERIZON CABS	12/19/2022	1,007.22
78609	VERIZON CABS	12/19/2022	2,014.44
78610	VERIZON/WELLNESS	12/19/2022	426.31
78611	VERIZON/FAX	12/19/2022	53.80
78612	WB MASON CO INC	12/19/2022	620.87
78613	INTERNAL REVENUE SERVICE	12/19/2022	13,192.47

3,697,191.33

2023 ADOPTED BUDGET RESOLUTION

New Brunswick Parking Authority

FISCAL YEAR: January 01, 2023 to December 31, 2023

WHEREAS, the Annual Budget and Capital Budget/Program for the New Brunswick Parking Authority for the fiscal year beginning January 01, 2023 and ending December 31, 2023 has been presented for adoption before the governing body of the New Brunswick Parking Authority at its open public meeting of December 19, 2022; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget presented for adoption reflects Total Revenues of \$41,604,938.00, Total Appropriations, including any Accumulated Deficit, if any, of \$31,121,036.00, and Total Unrestricted Net Position utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflect Total Capital Appropriations of \$2,100,000.00 and Total Unrestriced Net Position Utilized of \$2,100,000.00; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the New Brunswick Parking Authority at an open public meeting held on December 19, 2022 that the Annual Budget and Capital Budget/Program of the New Brunswick Parking Authority for the fiscal year beginning January 01, 2023 and ending December 31, 2023 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

12/19/2022
(Date)

Governing Body Recorded Vote

Member	Aye	Nay	Abstain	Absent
Kevin McTernan				
Tony Caputo				
Louis Garlatti, Jr.				
Edwin Keefe				
Andrea Eato-White				

NEW BRUNSWICK PARKING AUTHORITY RESOLUTION APPOINTING PARKING ENFORCEMENT OFFICER

Whereas it is deemed necessary and in the best interest of the Commissioners of the Parking Authority of the City of New Brunswick, in the County of Middlesex, State of New Jersey, and in the best interests of the inhabitants of the City of New Brunswick to designate certain employees of the aforesaid Parking Authority as Parking Enforcement Officers pursuant to New Jersey Statutes 40:11A et. seq.

Now, Therefore, Be It Resolved that the following new employee of the New Brunswick Parking Authority be designated as Parking Enforcement Officer, for an indefinite period unless otherwise amended by the Parking Authority's Board of Commissioners:

Stephen Mihalenko

Be It Further Resolved that, in order to effectuate the objectives of this resolution, the Commissioners of the Parking Authority of the City of New Brunswick authorize Matthew Kennedy, the Executive Director of the Parking Authority, to forward a copy of this resolution to the Municipal Clerk for adoption by the New Brunswick City Council.

VOTING RECORD

Dated: December 19, 2022

COMMISSIONERS	<u>/YES</u>	<u>/NO</u>	_/ABSTAIN	_/ABSENT
Kevin McTernan				
Anthony Caputo	/			
Edwin Keefe				/
Louis Garlatti, Jr.				
Andrea Eato-White				

I certify that the above record is an accurate recitation of the votes cast by the Board of Commissioners of the New Brunswick Parking Authority.

Dated: December 19, 2022

Kevin McTernan, Chairman

NEW BRUNSWICK PARKING AUTHORITY RESOLUTION AUTHORIZING THE AUCTION OF CITY OF NEW BRUNSWICK TAXICAB LICENSES

Whereas, the New Brunswick Parking Authority has two City of New Brunswick taxicab licenses, license number 6 and license number 21; and

Whereas, P.L. 2001, c. 30, authorizes the sale of surplus property through the use of an online auction service; and

Whereas, the New Brunswick Parking Authority intends to utilize the online auction services of USGovBid; and

Whereas, the online auction shall be conducted pursuant to the provisions of N.J.S.A. 40A:11-36 and New Jersey Local Finance Notice 2008-9; and

Whereas, the terms and conditions of the agreement being entered into by and between the New Brunswick Parking Authority and USGovBid shall be available in the office of the New Brunswick Parking Authority's Qualified Purchasing Agent.

Now Therefore Be It Resolved, by the Board of The New Brunswick Parking Authority, as follows:

- 1. The following are hereby declared surplus property to be forthwith advertised for public sale pursuant to N.J.S.A. 40A: 11-36 and New Jersey Finance Notice 2008-09:
 - City of New Brunswick Taxicab License #6
 - City of New Brunswick Taxicab License #21
- 2. That said items are to be sold via an online auction through the online auction website entitled USGovBid in accordance with New Jersey state statutes and New Jersey Local Finance Notice 2008-09.
- 3. That the Authority hereby approves the execution of the Contract for Online Auction, in substantially the form annexed hereto and made a part hereof, and authorizes the Executive Director to approve and execute the Contract setting forth the terms of the auction.

Passed and adopted at a regular meeting of the Board of Commissioners of the New Brunswick Parking Authority held on December 19, 2022.

VOTING RECORD

COMMISSIONERS	<u>/YES</u>	<u>/NO</u>	/ABSTAIN	/ABSENT
Kevin McTernan	/			
Anthony Caputo	1			
Louis Garlatti, Jr.	1		`	
Edwin Keefe				1
Andrea Eato-White	1			

I certify that the above record is an accurate recitation of the votes cast by the Board of Commissioners of the New Brunswick Parking Authority.

Dated: December 19, 2022

Kevin McTernan, Chairman

NEW BRUNSWICK PARKING AUTHORITY RESOLUTION FOR WELLNESS PLAZA OFFICE SPACE ARCHITECTURAL SERVICES PURSUANT TO A NON-FAIR & OPEN PROCESS

Whereas, it is deemed necessary and in the best interest of the Commissioners of the Parking Authority of the City of New Brunswick, in the County of Middlesex, State of New Jersey, to engage an architectural services firm for Wellness Plaza office space pursuant to the "Non-Fair and Open" professional services procurement process; and

Whereas, the Commissioners of the New Brunswick Parking Authority desire to engage Netta Architects, 1084 Route 22 West, Mountainside, NJ 07092, for architectural services for Wellness Plaza office space, including interior design plan changes and demolition bid cycle oversight, in the amount of \$38,300.00; and

Whereas, the Commissioners of the New Brunswick Parking Authority recommend the selection of Netta Architects for the completion of the desired services; and

Whereas, the architectural services for Wellness Plaza office space provided by the firm of Netta Architects are professional services within the definition contained in NJSA 40:11-2(6).

Now Therefore Be It Resolved, that the New Brunswick Parking Authority hereby selects the firm of Netta Architects to provide the aforesaid architectural and related oversight services for Wellness Plaza office space, until the completion of the assigned project; and

Be It Further Resolved, that this selection is contingent upon the NBPA having sufficient funds and the Chief Financial Officer of the NBPA certifying that there are sufficient funds budgeted by the Authority for said professional services.

VOTING RECORD

COMMISSIONERS	<u>/YES</u>	<u>/NO</u>	_/ABSTAIN	/ABSENT
Kevin McTernan				
Anthony Caputo				
Edwin Keefe				1
Louis Garlatti, Jr.				
Andrea Eato-White	1			

I certify that the above record is an accurate recitation of the votes cast by the Board of Commissioners of the New Brunswick Parking Authority.

Dated: December 19, 2022

Kevin McTernan, Chairman

RESOLUTION OF THE NEW BRUNSWICK PARKING AUTHORITY AUTHORIZING THE NBPA TO EXECUTE A SETTLEMENT AGREEMENT WITH PREMIUM FOOD & BEVERAGE LLC RELATING TO THE LEASE OF 5 EASTON AVENUE, NEW BRUNSWICK, NEW JERSEY

WHEREAS, the New Brunswick Parking Authority (the "Authority") has been duly created by ordinance of the City of New Brunswick as a public body corporate and politic of the State of New Jersey pursuant to and in accordance with the Parking Authority Law, N.J.S.A. 40:11A-1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:11A-6(4)(1), the Authority is empowered to enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts and things necessary or useful and convenient for the purposes of the Authority, subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Authority is the landlord of certain property located at 5 Easton Avenue, New Brunswick, Middlesex County, New Jersey 08901; and

WHEREAS, Premium Food & Beverage LLC, a New Jersey limited liability company with address of 317 Washington Avenue, Carlstadt, New Jersey 07072 (the "Tenant") currently leases 5 Easton Avenue, New Brunswick, New Jersey 08901 from the Authority; and

WHEREAS, the ongoing COVID-19 pandemic caused widespread financial hardship to businesses in New Brunswick, including the Tenant; and

WHEREAS, the Authority and the Tenant would like to enter into a Settlement Agreement under which the Tenant shall pay the Authority a settlement of \$120,000.00 to satisfy all current and future obligations of the lease and allow the lease to conclude effective December 31, 2022; and

WHEREAS, the Tenant consents to the Settlement Agreement; and

WHEREAS, the Authority consents to and approves the Settlement Agreement; and WHEREAS, the Authority desires to authorize the execution of the Settlement Agreement with the Tenant, and any other documents related thereto, in substantially the form annexed hereto and made a part hereof;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MEMBERS OF THE NEW BRUNSWICK PARKING AUTHORITY AS FOLLOWS:

- The Authority hereby approves the execution of the Settlement Agreement with the
 Tenant in substantially the form annexed hereto and made a part hereof, and any other
 documents related thereto.
- 2. The Authority authorizes the Chairman, Executive Director, or Treasurer to approve and execute the Settlement Agreement with the Tenant, setting forth the terms of the agreement. Such approval and execution by the Chairman, Executive Director, or Treasurer shall be deemed approval by the Authority, and no further action or approval shall be required.
- 3. This resolution shall take effect immediately.

(Recorded Vote on Following Page)

RESOLUTION OF THE NEW BRUNSWICK PARKING AUTHORITY AUTHORIZING THE NBPA TO EXECUTE A SETTLEMENT AGREEMENT WITH PREMIUM FOOD & BEVERAGE LLC RELATING TO THE LEASE OF 5 EASTON AVENUE, NEW BRUNSWICK, NEW JERSEY

Voting Record

Dated: December 19, 2022

COMMISSIONERS	/YES	/NO	/ABSTAIN	/ABSENT
KEVIN MCTERNAN	/			
ANTHONY CAPUTO	/			
EDWIN KEEFE				
LOUIS GARLATTI, JR.	/			
ANDREA EATO-WHITE	1			

I certify that the above record is an accurate recitation of the votes cast by the Board of Commissioners of the New Brunswick Parking Authority.

Dated: December 19, 2022

Kevin McTernan Chairman