

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, SEPTEMBER 19, 2017 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, 2017, 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, Stamato, Tighe and Chairperson Lucia

Also Present: Michael Fabrizio, Executive Director, Mark Axelrod, Director of Operations, Gregory Deal, Director of Facilities, Robert S. Goldsmith, Esq., Robert Iannaccone, Council Liaison, Wendell Brady

Absent: None

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At this point, The Executive Director presented the Minutes of the August 15, 2017 Regular Meeting. On motion of Chairperson Lucia, seconded by Commissioner Brady, the Minutes were approved.

At this point, The Executive Director presented the Executive Session Minutes of the August 15, 2017 Regular Meeting. On motion of Commissioner Tighe, seconded by Commissioner Brady, the Minutes were approved.

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There were no Public Comments.

There was no Mayor’s Report.

Councilman Iannaccone advised that there was little to report but did advise the Board of Commissioners that he understood that the traffic study would be available in late September or early October and that the new Zoning Ordinance would shortly be presented for Council consideration as well.

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The following communications were presented for the record:

Under date of August 17, 2017

To: Paul Marshall  
From: Dean Donatelli

Letter serving as notice of default under Settlement Agreement to Speedwell, LLC. On motion of Chairperson Lucia, seconded by Commissioner Tighe, the letter was accepted for file.

Under date of August 20, 2017

To: Mark Axelrod  
From: Craig Schlosser

Letter requesting to use MPA's garages and lots for parking on New Year's Eve. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of August 20, 2017

To: Craig Schlosser  
From: Mark Axelrod

Email advising that New Year's Eve falls on a Sunday this year so all the lots are free and the garages will not charge after 5pm. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the email was accepted for file.

Under date of August 20, 2017

To: Mark Axelrod  
From: Craig Schlosser

Email thanking Mr. Axelrod for the information regarding parking on New Year's Eve. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the email was accepted for file.

Under date of August 24, 2017

To: Dean Donatelli  
From: Philip Rosenbach

Letter in response to Mr. Donatelli's August 17, 2017 letter regarding Phase Three of the Speedwell Avenue Redevelopment Area and the Settlement Agreement between Speedwell, LLC, MPA and the Town of Morristown. On motion of Commissioner Stamato, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of August 31, 2017

To: MPA  
From: Heather Suarez

Email attaching a cover letter and OPRA request. On motion of Commissioner Brady, seconded by Commissioner Tighe, the email was accepted for file.

Under date of August 31, 2017

To: Heather Suarez  
From: Mark Axelrod

Email in response to Ms. Suarez's August 31, 2017 OPRA request. On motion of Commissioner Brady, seconded by Commissioner Tighe, the email was accepted for file.

Under date of September 1, 2017

To: James Campbell  
From: Michael Fabrizio, Executive Director

Letter requesting materials be made available to the Board Members in advance of the upcoming meeting with the Board of Adjustment. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of September 7, 2017

To: Adina Casper  
From: Michael Fabrizio, Executive Director

Email attaching the 10-year and the final report for the 2007 Bond Series. On motion of Chairperson Lucia, seconded by Commissioner Brady, the email was accepted for file.

Under date of September 12, 2017

To: MPA  
From: Heather Suarez

Letter attaching a revised August 31, 2017 OPRA request. On motion of Chairperson Lucia, seconded by Commissioner Stamato, the letter was accepted for file.

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At this point, under the Report portion of the meeting, Mr. Axelrod presented the August 2017 Enforcement Report. Mr. Axelrod advised that there were no incidents of concern. There was some type of incident on Market Street and some rumor circulated that someone had been accosted in the DeHart Street Garage but that was inaccurate. The factual basis was that the event occurred on Market Street. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the report was accepted for file.

At this point, under the Report portion of the meeting, Mr. Axelrod presented the August 2017 Comparative Meter Revenue Report. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the report was accepted for file.

At this point, under the Report portion of the meeting, Mr. Axelrod presented the August 2017 Off Street Meter Revenue Report. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the report was accepted for file.

At this point, under the Report portion of the meeting, Mr. Axelrod presented the August 2017 Pay Station & Cashier Revenue Report. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the report was accepted for file.

At this point, under the Report portion of the meeting, Mr. Axelrod presented the MPA Income YTD Report. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the report was accepted for file.

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At this point, under the Old Business portion of the meeting, Mr. Fabrizio and Mr. Axelrod presented information regarding the Morristown High School student reduced rate parking program. The Board was advised that an FDU student living on Prospect Street was seeking to obtain the benefit of that provision and the Board determined without question that this program was solely for Morristown High School students and that an FDU student would not be eligible for the program. On motion of Commissioner Stamato, seconded by Chairperson Lucia, the memo regarding the parking program was accepted for the record.

At this point, under the Old Business portion of the meeting, Mr. Fabrizio presented the GeoTech, Phase I Findings from SESI for Lot 10. On motion of Chairperson Lucia, seconded by Commissioner Tighe, the findings were accepted for the record.

At this point, under the Old Business portion of the meeting, Mr. Fabrizio and Mr. Goldsmith informed the Board of the presentation made by Messrs. Fabrizio, Goldsmith and Giosa to the Board of Adjustment and that it was a productive, effective interaction. Councilman Iannaccone suggested that there might be a more people-friendly format for the Level G reports. On motion of Chairperson Lucia, seconded by Commissioner Brady, the information was accepted for the record.

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At this point, under the New Business portion of the meeting, Mr. Fabrizio presented the Recommended Appropriation Transfer for the MPA Operating Budget 2017 in form attached hereto. On motion of Chairperson Lucia, seconded by Commissioner Gervasio, the Appropriation Transfer was authorized on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Fabrizio confirmed that the Board of Commissioners would be meeting on October 17, 2017 for the Budget Workshop at 4:30 followed by the Regular MPA meeting at 6:00. On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the notice was accepted for the record.

At this point, under the New Business portion of the meeting, Mr. Fabrizio advised the Board of the upcoming League of Municipalities Convention from November 14-16, 2017. He requested that Commissioners advise the Administration within a week or ten days as to their anticipated interest in attendance at the League of Municipalities. Commissioner Tighe advised that he would be going to the League. On motion of Commissioner Stamato, seconded by Chairperson Lucia, the matter was entered into the record.

At this point, under the New Business portion of the meeting, Mr. Fabrizio reviewed with the Board of Commissioners the Security Precautions for the Fall Festival of September 24, 2017. On motion of Commissioner Tighe, seconded by Commissioner Brady, the report was accepted for the record.

At this point, under the New Business portion of the meeting, Mr. Fabrizio presented for consideration by the Board of Commissioners the Award of Contract for Maintenance and Repairs to Schnell Contracting Systems, LLC for Repair and Maintenance Services to Parking Garage Facilities. In response to a question from Commissioner Stamato, Mr. Deal advised that representatives of Desman, the Parking Authority's parking garage architects and engineers, would be inspecting the work on a routine basis. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the contract was approved on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Fabrizio presented to the Board for consideration the Memorandum describing the key modifications to the employee handbook for review by the Board of Commissioners.

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The following Resolutions were presented for the record:

Resolution No. 65-2017: (Authorizing Amendment of Parking Agreement Between the Parking Authority of the Town of Morristown and Sunstone Hotels Morristown, LLC). On motion of Commissioner Tighe, seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

Resolution No. 66-2017: (Authorizing the Purchase and Installation of 85 Additional Credit Card Meters 16 of which are Spare Meters). On motion of Commissioner Brady, seconded by Commissioner Gervasio, the Resolution was authorized on the following vote:

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

Resolution No. 67-2017: (Award of Contract for Maintenance and Repairs). On motion of Commissioner Brady, seconded by Commissioner Stamato, the Resolution was adopted on the following vote:

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

Resolution No. 68-2017: (Authorizing the Transfer of Funds from the Parking Authority of the Town of Morristown MPA Special Revenue to the MPA Improvement and Preventative Maintenance Fund). On motion of Commissioner Gervasio, seconded by Commissioner Brady, the Resolution was adopted on the following vote:

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

Resolution No. 69-2017: (Authorizing and Directing the Executive Director to Effectuate the Transfer of Funds from the MPA Special Revenue Account to the MPA Lot 10 Future Redevelopment Account). On motion of Commissioner Tighe, seconded by Commissioner Gervasio, the Resolution was authorized on the following vote:

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

Resolution No. 70-2017: (Authorizing the Payment of MPA Operating Fund Bills). On motion of Commissioner Gervasio, seconded by Commissioner Brady, the Resolution was authorized on the following vote:

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

Resolution No. 71-2017: (Authorizing the Payment of MPA Improvement Fund Bills). On motion of Commissioner Gervasio, seconded by Chairperson Lucia, the Resolution was authorized on the following vote:

Ayes: Commissioners Brady, Gervasio, Stamato, Tighe and Chairperson Lucia

Nayes: None

Absent: None

Resolution No. 72-2017: (Authorizing the Payment of MPA Lot 10 Future Redevelopment Fund Bills). On motion of Commissioner Tighe, seconded by Commissioner Brady, the Resolution was authorized on the following vote:

Ayes: Commissioners Brady, Gervasio, Stamato, Tighe and Chairperson Lucia

Nayes: None

Absent: None

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

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At this point, Mr. Goldsmith and Mr. Fabrizio advised the Board of Commissioners that Mr. Cavanaugh had retained new counsel for the Right of Way litigation, Schenck, Price, Smith & King, LLP and further that Mr. Fabrizio would confer with Mr. Cavanaugh with respect to the possibility of settlement.

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

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Michael Fabrizio, Executive Director

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Margret Brady, Secretary

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Prepared By: Robert S. Goldsmith, Esq.