

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, JUNE 18, 2019 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 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 8, 2019, 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 Gervasio, Commissioners Brady, Lucia, Stamato and Tighe.

Also Present: Michael Fabrizio, Executive Director, Mark Axelrod, Director of Operations, Gregory Deal, Director of Facilities, Gerard Giosa, Parking Consultant, Robert S. Goldsmith, Esq., Council Liaison Iannaccone, Jeffrey Corradino, MPA Labor Counsel and Wade Chen. Also present from the public PEO Paul Gorman, Mr. Gorman (the father of Paul Gorman), Charles Hall, Union representative, Charles Hall associate, a young woman identified as Paul Gorman's "girlfriend"; and Richard Levin, Livingston resident and associated with PEO Paul Gorman.

Absent: None

At this point, Mr. Fabrizio presented the Minutes of the Regular Meeting on May 21, 2019. Chairperson Gervasio was absent. The Minutes should be deemed so amended. On motion of Vice-Chairperson Brady, seconded by Commissioner Lucia, the Board approved the Minutes of Regular Meeting of May 21, 2019 on the following vote:

Ayes: Vice-Chairperson Brady, Lucia, Stamato and Tighe
Nays: None
Absent: None

At this point, Mr. Fabrizio presented the Minutes of the Executive Session of the May 21, 2019 Regular Meeting. On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Board approved the Minutes of the Executive Session of May 21, 2019 on the following vote:

Ayes: Vice-Chairperson Brady, Lucia, Stamato and Tighe
Nays: None
Absent: None

Public Comments:

PEO Paul Gorman mentioned his letter to the Board of Commissioners and asked for comment from the Board of Commissioners. Mr. Goldsmith advised that no comment was necessary. Commissioner Lucia then proceeded to comment that his opinion was that the conduct of PEO Paul Gorman, was inappropriate, unacceptable and subjected him to termination. Commissioner Lucia engaged in conversation with PEO Gorman's father. Mr. Gorman made multiple references to alleged assaults by way of touching by Mr. Axelrod and related back to an August incident. Mr. Axelrod commented at length that the touching was incidental and was only intended to calm PEO Mr. Gorman. There was substantial discussion. Mr. Goldsmith noted that he had spoken with Mr. Fabrizio and Mr. Deal shortly after the incident and Mr. Fabrizio was clearly threatened and disturbed by PEO Gorman's conduct. Mr. Goldsmith suggested that his perception was that the conduct was unacceptable, inappropriate and grounds for termination.

Mr. Gorman noted the matter of the prior "assault" a number of times. Significantly, Mr. Corradino corrected the record and noted that the issue had first arisen because of PEO Gorman's anger expressed to his direct supervisor, Wade Chen, with profanity on multiple occasions during this incident, followed by PEO Gorman throwing his shoes excitedly into Mr. Axelrod's office, there being some discussion with Mr. Axelrod, profanity used by PEO Gorman against Mr. Axelrod, profanity used by PEO Gorman against Mr. Deal, at which time Mr. Fabrizio approached PEO Gorman and the same type of profanity. This all occurred in the presence of the Administrative Staff was subjected to.

It was only then that Mr. Axelrod tried to calm PEO Gorman down by touching his arm. There was a question posed by Mr. Gorman with respect to the Board's action relating to Mr. Axelrod following the prior touching incident. Mr. Fabrizio responded that Mr. Axelrod was directed to undertake a 13 week course on management and human relations and that the direct line of report was altered by the Parking Authority so that the PEOs would report directly to Mr. Wade Chen, a former PEO rather than directly to Mr. Axelrod. Therefore, actions were taken in response to the prior incident. Mr. Hall, as Union representative suggested that the same way that Mr. Axelrod was given the opportunity to undertake training, that training might be offered to PEO Gorman. The Board of Commissioners took that under consideration.

Commissioner Tighe inquired as to the reason why PEO Gorman had been previously terminated from work at the Governor Morris Hotel. PEO Gorman said "no comment". Further conversation ensued and Commissioner Tighe advised that he had personal

knowledge that the reason was an episode of anger and improper conduct toward PEO Gorman's then supervisor at the Governor Morris Hotel.

Further discussion ensued and after approximately 20 – 25 minutes the discussion concluded.

There was no Mayor's Report.

Town Council Liaison Report: Council Liaison Iannaccone advised that the Town Council had a Council meeting as well as a meeting as the redevelopment agency. He noted that at the last Council meeting he recognized the excellent maintenance of MPA facilities.

Council Liaison Iannaccone went on to comment that the residential parking permits issue was further discussed by the Council and it was likely that the Council would modify the controversial matter of visitor permits from 1 per household to 4 per household. Mr. Axelrod noted that the Parking Authority was enforcing the residential neighborhoods but was not, at the Town's direction, enforcing the visitor permit issues.

Council Liaison Iannaccone mentioned that the liquor licenses for the Iron Bar and Revolution were renewed with prior conditions imposed but that the litigation remains pending.

Council Liaison Iannaccone noted that the traffic study was still not complete but that there was some discussion with the National Park Service concerns that the traffic issues were hurting access to the NPS facilities and that the attendance had dropped to the lowest numbers in years.

Council Liaison Iannaccone noted that there was a possibility of some assistance from the National Park Service with respect to the traffic issues as well as possible assistance with the completion of Patriot's Path.

Council Liaison Iannaccone noted that there was an active bus stop behind the train station. He noted that at the meeting there were concerns expressed with regard to Airbnb.

Council Liaison Iannaccone indicated that there was some discussion on the Spring and Morris Proposed Redevelopment Project; that it was likely to be six to eight stories high, with 15 ft. clear floors, the building could be exceptionally high and that that might be controversial. He also mentioned that there was discussion of a possible turn-about at the intersection of Spring and Morris but that there were pedestrian concerns associated with such a turn-about and also noted that there was concern as to Wilmot becoming a one-way

street as part of the MPA Lot 10 Parking Garage and that concern was expressed by residents of Pine and King Streets.

Council Liaison Iannaccone suggested again that that Parking Authority might want to consider sharing the services of a Human Resources consultant with the Town of Morristown.

Correspondence:

Under date of May 23, 2019

To: Johnson
From: Fabrizio

Correspondence regarding a one year extension of Automation Controls Agreement. On motion of Chairperson Giosa, seconded by Commissioner Lucia the correspondence was approved for the record.

Under date of May 23, 2019

To: Jackson Lewis
From: Fabrizio

Attorney letter for Annual Audit. On motion of Chairperson Gervasio, seconded by Commissioner Lucia, the correspondence was approved for the record.

Under date of May 24, 2019

To: Greenbaum, Rowe, Smith & Davis LLP
From: Fabrizio

Correspondence requesting attorney letter for annual report. On motion of Commissioner Tighe, seconded by Chairperson Gervasio, the correspondence was approved for the record.

Under date of June 1, 2019

To: Fabrizio
From: Goldsmith

Correspondence regarding Elblum/Morristown Green obligations. On motion of Commissioner Tighe, seconded by Chairperson Gervasio the correspondence was approved

for the record.

Under date of June 5, 2019

To: Axelrod
From: Hall

Correspondence regarding Union's request to attend Board Meeting on behalf of PEO Gorman. On motion of Commissioner Lucia, seconded by Chairperson Gervasio the correspondences were approved for the record.

Under date of June 7, 2019

To: Ferraioli, Wielkocz, Cerullo & Cuva
From: Corradino

Correspondence regarding attorney letter to auditors. On motion of Commissioner Tighe, seconded by Commissioner Lucia the correspondences were approved for the record.

Under date of June 5, 2019

To: MPA
From: Calli

Correspondence regarding Zoning Board application. Mr. Fabrizio advised that this relates to Stirling Tavern. On motion of Commissioner Tighe, seconded by Commissioner Lucia the correspondences were approved for the record.

Under date of June 11, 2019

To: Ferraioli, Wielkocz, Cerullo & Cuva
From: Goldsmith

Correspondence regarding attorney letter to auditors. On motion of Commissioner Lucia, seconded by Commissioner Tighe the correspondences were approved for the record.

At this point, under the Report portion of the meeting, Mr. Axelrod advised that this was the last month before the QuickBooks format would be taking hold and also noted that Jockey Hollow was in arrears in payments for that would be forthcoming. The Reports are as follows:

May 2019 Enforcement Report;

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

At this point, on motion of Commissioner Tighe, seconded by Chairperson Gervasio, the Board determined to terminate PEO Paul Gorman for cause and requested Mr. Corradino to advise of such decision on the following vote:

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

The following Resolutions were presented for the record:

Resolution No.: 33-2019: (Authorizing the payment of the Operating Fund Bills.) On Motion of the Commissioner Tighe, and seconded by Commissioner Lucia, the Resolution was authorized on the following vote:

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

Resolution No.: 34-2019: (Authorizing the payment of the Improvement Fund Bills.) On Motion of the Commissioner Tighe and seconded by Chairperson Lucia the Resolution was authorized on the following vote:

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

Resolution No.: 35-2019: (Authorizing the payment of the Lot 10 Redevelopment Fund Bills.) On Motion of the Commissioner Lucia and seconded by Vice-Chairperson Brady the Resolution was authorized on the following vote:

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

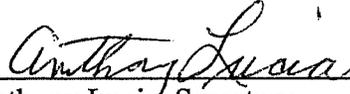
Resolution No.: 36-2019: (Authorizing Transfer of funds from the Parking Authority to the Town of Morristown MPA Special Revenue to the MPA Improvement Preventative Maintenance Fund) On Motion of the Vice-Chairperson Brady and seconded by Commissioner Tighe the Resolution was authorized on the following vote:

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

On motion of Commissioner Lucia, the meeting was held adjourned.



Michael Fabrizio, Executive Director



Anthony Lucia, Secretary

Prepared By: Robert S. Goldsmith, Esq.