

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, AUGUST 20, 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: Commissioners Brady, Lucia, Stamato, Tighe and Chairperson Gervasio.

Also Present: Mark Axelrod, Director of Operations, Gregory Deal, Director of Facilities, Robert S. Goldsmith, Esq. Emily A. Kaller, Esq. and Council Liaison Iannaccone

Absent: Executive Director Fabrizio.

At this point, Mr. Goldsmith presented the Minutes of the Regular Meeting on July 16, 2019. On motion of Commissioner Stamato, seconded by Commissioner Lucia, the Board approved the Minutes of Regular Meeting of July 16, 2019 on the following vote:

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

At this point, Mr. Fabrizio presented the Minutes of the Executive Session of the July 16, 2019 Regular Meeting. On motion of Commissioner Brady, seconded by Commissioner Lucia, the Board approved the Minutes of the Executive Session of July 16, 2019 on the following vote:

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

There were no Public Comments.

There was no Mayor's Report.

Town Council Liaison Report: Council Liaison Iannaccone reported on the following matters.

Council Liaison Iannaccone noted that although there is much business for the governing body there is only one meeting in July and one meeting in August.

Council Liaison Iannaccone advised that the Town Council had passed a revised visiting parking ordinance returning to the old number of visitor permits.

Council Liaison Iannaccone noted that there is discussion regarding parking restrictions on Hill Street which are being considered by the Town Council.

Council Liaison Iannaccone reported that there is a proposal to expand the Daily Record Building on the corner of South Park Place and Dumont Street into a 5-story building. He noted that he perceived a growing public concern about parking and traffic.

Council Liaison Iannaccone noted that there is consideration of a project at Morristown Plaza on Morris Street. He opined that traffic is a major issue and that the proposed roundabout is being considered at the intersection of Morris Street and Spring Street.

Council Liaison Iannaccone noted that the traffic study is still not available.

Council Liaison Iannaccone noted that there is a possibility of litigation with respect to Early Street by Marshall and Moran.

Council Liaison Iannaccone noted that a new concept has been proposed for Morris Street and its intersection with Ridgedale Avenue. A 90-unit live/work type facility that would be right turn in and right turn out only.

Council Liaison Iannaccone noted that the Planning Board approved the Schuyler application which had a pre-existing agreement with the Morristown Parking Authority for parking.

It was noted that the Iron Bar/Revolution litigation was lost by the Town of Morristown before the Appellate Division.

Mr. Axelrod noted that the Town had advised that the Parking Authority should begin enforcement under the new visitor pass program on September 1, 2019.

Correspondence:

Under date of July 23, 2019

To: David Brown
From: Michael Fabrizio

Submission of a Parking Authority audit to David Brown on motion of Commissioner Tighe, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of June 23, 2019

To: Mr. Lenoweaver
From: Michael Fabrizio

Provision of Audit to the Morris Township Library. On motion of Commissioner Brady, seconded by Commissioner Lucia, the letter was accepted for file.

Under date of July 23, 2019

To: Margot Kaye, Town Clerk, Town of Morristown
From: Michael Fabrizio

Provision of 8 copies of the Morristown Parking Authority fiscal and calendar year 2018 Audit and Annual Report. On motion of Commissioner Lucia, seconded by Commissioner Brady the letter was accepted for file.

Under date of August 8, 2019

To: Michael Fabrizio and Commissioners
From: Wade Chan

Letter of resignation from Wade Chan expressing appreciation of the Parking Authority and expressing excitement with respect to his new opportunity to be working as a Code Enforcement Officer for the Town of Morristown. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the letter was accepted for file.

Mr. Axelrod advised that he, Mr. Deal and Mr. Fabrizio had discussed provision for filling the void from Mr. Chan's departure. It was noted that Marlina Martinelli would go from part-time to full-time, Christina Colaneri and Marlina will address reconciliation and related issues. Mr. Axelrod and Sgt. Rodney Davenport will be addressing enforcement matters. Mr. Axelrod noted that Ms. Martinelli expressed an interest in being trained in equipment

repair and maintenance and that would commence shortly. Mr. Axelrod noted that he would take over the responsibility of addressing customer complaints from Mr. Chan and again that he and Sgt. Rodney Davenport will handle the management of the Parking Enforcement Officers. Mr. Axelrod also expressed his anticipation of improving his relationships with the Parking Enforcement Officers. The matter of long term replacement of Mr. Chan would be addressed for the 2020 calendar year.

Mr. Axelrod also noted that Mr. Gorman had returned all of his equipment except for a winter coat and his badge and that a police report and complaint would be filed for the record with respect to Mr. Gorman's failure to return those items.

At this point, an inquiry was made with respect to the status of Mr. Gorman. It was noted that he was terminated and that he was advised by letter of his COBRA rights and Mr. Axelrod indicated that he had requested return of his pension payments and that would be proceeding in due course.

At this point under the Report portion of the meeting Mr. Axelrod presented the June and July 2019 Enforcement Report and noted that consistent with the Parking Authority's goal, the number of summonses issued would be down somewhat from the prior year reflecting a balance in the amount of parking tickets being issued. Mr. Axelrod advised that PEO Capellini who had left for a full-time job as a Corrections Officer had decided to seek to return to the Parking Authority and would be returning on a part-time basis for Wednesday, Thursday, Friday and Saturday night enforcement responsibilities. On motion of Commissioner Tighe, seconded by Chairperson Gervasio the June and July 2019 Enforcement Reports were accepted for the record.

At this point under the Report portion of the meeting Mr. Alexrod provided a first iteration of a financial report reflecting the Quick Books comparison of certain revenue streams as between 2018 and 2019. It was recognized that these reports would be refined from input from administration as well as from the Board of Commissioners. On motion of Commissioner Tighe, seconded by Chairperson Gervasio the June and July 2019 income comparison was accepted for the record.

At this point under the New Business portion of the meeting Mr. Goldsmith explained the need and purpose of the change order for SESI and that this would close out and provide some protection to the Morristown Parking Authority with respect to environmental issues caused by adjacent properties in relation to the development of Lot 10. On motion of Commissioner Lucia, seconded by Commissioner Stamato the contract revision was approved.

At this point under the New Business portion of the meeting, Mr. Deal explained that there

was substantial work needed for maintenance of the upper elevation of the Mall Lot and some lesser repairs for the lower elevation of the Mall Lot. Mr. Giosa had prepared an estimate and was preparing bid documents. The estimate is \$135,000 and Mr. Deal requested authorization to proceed with bid documents with an upset value of \$150,000. On motion of Commissioner Lucia and seconded by Commissioner Stamato, the Administration was authorized to proceed with bid documents. There was a discussion during which it was agreed that no bid would be authorized without further action of the Board and if necessary the Board would agree to a Special Meeting.

At this point under the New Business portion of the meeting, Mr. Deal described the need for a garage sidewalk replacement in the area of the Dalton Garage on Cattano Avenue. Here again, he noted the anticipated the cost of approximately \$50,000. On motion of Chairperson Gervasio, seconded by Commissioner Tighe, the Administration was authorized to proceed with preparation of bid documents subject to final approval and authorization of bids.

At this point under the New Business portion of the meeting, Mr. Goldsmith presented the recommended appropriation transfers. On motion of Chairperson Gervasio, seconded by Commissioner Tighe, the appropriation transfers were authorized by the following vote:

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

At this point under the Old Business portion of the meeting, Mr. Goldsmith advised the Board that the Parking Authority would be taking a booth at the Festival on the Green and would, as usual, participate in the event.

At this point under the Old Business portion of the meeting, Mr. Goldsmith advised the Board of Commissioners that under the terms of the Vail Mansion Guaranty Agreement, after five years with no call on the Guaranty, the Guaranty would end. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the Board approved the ending of the Guaranty pursuant to the terms of the agreement on the following vote:

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

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

The following Resolutions were presented for the record:

Resolution No.: 43-2019: (Approving a Change Order in the amount of \$2,500,000 for SESI Consulting Engineers with respect to the preliminary environmental and engineering services for the Lot10J Project) On Motion of the Commissioner Tighe, and seconded by Commissioner Lucia, the Resolution was authorized on the following vote:

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

Resolution No.: 44-2019: (Authorizing the payment of the Operating Fund Bills). On Motion of the Commissioner Lucia, and seconded by Chairperson Gervasio, the Resolution was authorized on the following vote:

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

Resolution No.: 45-2019: (Authorizing the payment of the Improvement Fund Bills.) On Motion of the Commissioner Lucia, and seconded by Chairperson Gervasio, the Resolution was authorized on the following vote:

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

Resolution No.: 46-2019: (Authorizing the payment of the Lot 10 Redevelopment Fund Bills.) On Motion of the Commissioner Tighe and seconded by Commissioner Lucia the Resolution was authorized on the following vote:

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

Resolution No.: 47-2019: (Adopting Revised Rules and Regulations) On Motion of the Commissioner Tighe and seconded by Chairperson Gervasio the Resolution was authorized on the following vote:

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

Resolution No.: 48-2019: (Authorizing the Executive Direction to execute a Settlement Agreement and Mutual Release, Dumpster License Agreement and Permitted License

Agreement. On Motion of the Commissioner Tighe and seconded by Commissioner Lucia the Resolution was authorized on the following vote:

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

On motion of Chairperson Gervasio, the meeting was held adjourned.

Robert S. Goldsmith, acting on behalf of the
Executive Director

Anthony Lucia, Secretary

Prepared By: Robert S. Goldsmith, Esq.