

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, JUNE 16, 2020, BY TELECONFERENCE PURSUANT TO PL2020(c)11 AT 6:00 P.M. PREVAILING TIME**

The meeting was called to order by Chairperson Brady who then announced that adequate notice of the Regular Meeting of The Parking Authority of the Town of Morristown was provided by notice to The Daily Record and The Star Ledger, filed with the Executive Director of the Parking Authority of the Town of Morristown, 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. In addition, subsequent notice was made with the instructions for accessing the virtual meeting via Zoom. Such notice was sent to the aforementioned newspapers and listed on the official website of the Town of Morristown.

Present: Chairperson Brady, Commissioners 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. and Steven G. Mlenak, Esq.

Absent: Commissioner Gervasio

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At this point, Mr. Fabrizio presented the Minutes of the Regular Meeting of the Board of Commissioners on May 20, 2020. On motion of Commissioner Stamato, seconded by Commissioner Lucia, the Minutes were approved on the following vote:

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

There were no Public Comments.

There was no Mayor's Report.

There was no Town Council Liaison Report.

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## **CORRESPONDENCE**

*Under date of May 14, 2020*

To: Steven Mlenak  
From: Greg Deal

Email describing communications between The Morristown Parking Authority of Morristown Green with respect to delayed payments. Mr. Fabrizio advised the Board of Commissioners that there is a need for a meeting with David Brown. He is current on basic monthly payments but there is a need to address the Morristown Green right to call for parking in excess of 200 spaces and a differential in payments made creating a balance due. On motion of Commissioner Lucia, seconded by Chairperson Brady, the correspondence was approved for the record.

*Under date of May 18, 2020*

To: Jacob Brown  
From: Greg Deal

Communication proposing dates for a meeting between the Morristown Parking Authority and Morristown Green. On motion of Commissioner Lucia, seconded by Chairperson Brady, the correspondence was approved for the record.

*Under date of May 28, 2020*

To: Morristown Parking Authority  
From: Robert S. Goldsmith

Memorandum to the file detailing sweep account protocols. Mr. Fabrizio advised the Board that this was a mechanism by which funds would be swept into an interest-bearing account and swept out of an interest-bearing account automatically when needed for payments to be made. On motion of Commissioner Stamato, seconded by Commissioner Lucia the correspondence was approved for the record.

*Under date of May 28, 2020*

To: Matt O'Donnell  
From: Robert S. Goldsmith

Email advising Mr. O'Donnell of costs to be reimbursed to the Parking Authority with respect to services performed in relation to the BAKOD project totaling \$11,106. Mr. Fabrizio indicated that he would pursue the discussion with Mr. O'Donnell. On motion of

Commissioner Tighe, seconded by Commissioner Lucia, the correspondence was approved for the record.

Under date of June 11, 2020

To: Greg Deal  
From: Cassidy Champi

Communication regarding suspension of enforcement and addressing the resumption of parking enforcement on street. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the correspondence was approved for the record.

Under date of June 11, 2020

To: James DeMaio  
From: Gregory Deal

Communication further addressing the matter of on-street enforcement. On motion of Commissioner Lucia, seconded by Commissioner Stamato, the correspondence was approved for the record.

Under date of June 12, 2020

To: Greg Deal  
From: Stefan Armington

Emails addressing technical questions with respect to the garage design for M Station. On motion of Commissioner Lucia, seconded by Commissioner Tighe, the correspondence was approved for the record.

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At this point, under the New Business portion of the meeting, Mr. Fabrizio presented the May financial reports. He noted the Parking Authority had lost approximately \$850,000 year-to-date, consistent with Mr. Giosa's projections on lost revenues. He also noted that the Parking Authority retains approximately \$800,000 in the Special Revenue Account which fortunately has not needed to be used as of this time. On motion of Commissioner Lucia and seconded by Commissioner Tighe, the May Financial Reports were accepted for the record on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Giosa briefly discussed the bids for pay-by-phone parking. Mr. Fabrizio advised that there would be further investigation and anticipated that the matter would be presented to the Board at the next meeting.

At this point, under the New Business portion of the meeting, Mr. Fabrizio inquired of Mr. Goldsmith as to the status of discussions with New Jersey Transit. Mr. Goldsmith advised that there was some slow progress but no resolution as of this time. Mr. Fabrizio then recommended to the Board of Commissioners that the Amendment to Contract of Sale for Lot 3 with Bijou be extended.

On motion of Commissioner Stamato, seconded by Commissioner Lucia, the extension was authorized on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Fabrizio presented the indemnification form for use of MPA property and again noted that the Grasshopper was the only restaurant that have availed itself of this procedure.

On motion of Commissioner Lucia, seconded by Commissioner Stamato, the procedure for indemnification for use of MPA property to facilitate restaurants re-opening was authorized on the following vote:

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

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At this point, under the Old Business portion of the meeting, Mr. Fabrizio updated the Board in detail on various policies and programs being implemented by the Morristown Parking Authority. These included the fact that enforcement on street has begun as of June 15, 2020. Based on discussions with the Town of Morristown, certain residential enforcement is beginning Tuesday, June 16, 2020 as certain neighborhoods were experiencing excessive, unauthorized parking and the enforcement was being undertaken at the request of the Town Administration.

Mr. Fabrizio also indicated that he would anticipate bringing some PEOs back to expand enforcement. It is also anticipated that there will be an expansion of supervisory responsibilities given increased activity.

Mr. Fabrizio advised the Board that the 14 Maple Avenue office building has been open to the public and the Morristown Parking Authority window has been open to the public with anti-bacterial gel available on the outside of the window for the public. Mr. Fabrizio anticipates continuing to rotate office personnel to reduce occupancy and further advised the Board that given cyber-security concerns, no one is working from home.

Mr. Fabrizio advised that the Parking Authority had prepared a Form of Access and Indemnification Agreement to permit restaurants to utilize certain MPA parking locations. The only restaurant as of now is the Grasshopper utilizing four spaces subject to prior Town of Morristown approval with respect to dining protocol and layout.

Mr. Fabrizio also noted that a significant number of parking spaces are being made available for pedestrian passage, the largest being from Starbucks toward Qdoba so that there could be expanded dining on the sidewalk with pedestrian barriers at a 7 ft. mark within the parking stalls to provide safe pedestrian passage through the parking spaces. Mr. Fabrizio noted that there would be a number of other locations with similar layouts and these locations are being established by the Morristown Partnership in consultation with the Town of Morristown.

Mr. Fabrizio indicated that there were some suggestions fitness programs might want to utilize certain resources in the MPA parking garage. Mr. Goldsmith suggested that if the Parking Authority were so inclined there should be an appropriate indemnification agreement which also provides for insurance coverage to the Parking Authority.

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**Resolution No.: 32-2020:** (Authorizing the payment of the Operating Fund Bills)

On Motion of Commissioner Lucia, and seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

**Resolution No.: 33-2020:** (Authorizing the payment of bills from the Parking Authority of the Town of Morristown Improvement and Preventative Maintenance Fund Checking Account)

On Motion of Commissioner Stamato, and seconded by Chairperson Brady, the Resolution was authorized on the following vote:

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

**Resolution No.: 34-2020:** (Resolution Authorizing Payment of Bills from The Parking

Authority of the Town of Morristown MPA Lot 10J Future Redevelopment Checking Account)

On Motion of Commissioner Stamato, and seconded by Chairperson Brady the Resolution was authorized on the following vote:

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

**Resolution No.: 35-2020:** (Resolution Approving and Authorizing the Execution of a Fourth Amendment To The Contract For Sale of Real Estate By and Between BIJOU PROPERTIES, LLC and the Morristown Parking Authority For The Sale and Development of Lot 3R, also known as Block 3602, Lot 13)

On Motion of Chairperson Brady, and seconded by Commissioner Lucia, the Resolution was authorized on the following vote:

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

Commissioner Lucia requested consideration of the July meeting being held in the MPA office building in person and Mr. Fabrizio advised that the Administration would carefully look an appropriate configuration to try to effectuate that request.

On motion of Commissioner Lucia, the meeting was adjourned.

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Michael Fabrizio, Executive Director

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Linda Stamato, Secretary

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Prepared By: Robert S. Goldsmith, Esq.