

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, MAY 20, 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 by Go2Meeting. Such notice was sent to the aforementioned newspapers and listed on the official website of the Town of Morristown. Mr. Goldsmith then added that notice of the change in meeting date was published January 24, 2020, which established the meeting date as May 20, 2020 at 6:00 p.m. This notice was published on the calendar of The Town of Morristown on the website townofmorristown.org.

Present: Chairperson Brady, Commissioners Gervasio, 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: None.

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At this point, Mr. Fabrizio presented the Minutes of the Special Meeting on April 27, 2020. On motion of Commissioner Stamato, seconded by Commissioner Lucia, the Minutes were approved on the following vote:

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

There were no Public Comments.

There was no Mayor’s Report.

There was no Town Council Liaison Report.

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At this point, Mr. Mlenak conducted a Public Hearing and asked a member of the Board to make a motion to enter the Public Hearing on Motion of Commissioner Stamato, seconded by Commissioner Tighe, the Motion was authorized on the followed vote:

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

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At this point, Mr. Mlenak noted that on April 14, 2020, Public Notice of this public hearing was published in the Star Ledger and the Daily Record. The purpose of this public hearing is to read into the record proposed pre-qualifications with respect to anticipated bid requests for the parking facility proposed to be constructed on the current parking lot known as Lot 10 and to provide an opportunity to the public to comment on the proposed pre-qualifications.

The regulations seek to control the qualifications of prospective bidders as follows:

- (1) Excavation/site work/utility contractors;
- (2) Concrete contractors;
- (3) Electrical contractors; and
- (4) Elevator contractors.

At this point, Mr. Mlenak inquired whether there were any members of the public wishing to be heard at this time on these proposed regulations.

Hearing none, the Board proceeded to entertain a motion to close the Public Hearing. It is also noted that a court reporter was present for the record with respect for this Public Hearing. On motion of Commissioner Stamato and seconded by Commissioner Tighe, the Public Hearing was closed on the following vote:

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

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Under date of April 27, 2020

To: Rodney  
From: Fabrizio

Correspondence regarding adjusted schedule notice. On motion of Commissioner Gervasio,

seconded by Commissioner Stamato, the correspondence was approved for the record.

Under date of April 27, 2020

To: Hall  
From: Axelrod

Correspondence regarding furlough notice of certain Parking Enforcement Officers to the PEO Union. On motion of Commissioner Stamato, seconded by Commissioner Gervasio the correspondence was approved for the record.

Under date of April 27, 2020

To: Staff  
From: Fabrizio

Correspondence regarding sample furlough letter. On motion of Commissioner Stamato, seconded by Commissioner Lucia the correspondence was approved for the record.

Under date of April 29, 2020

To: Needle  
From: Fabrizio

Correspondence regarding deferral option. Mr. Fabrizio noted there was no response to the letter. On motion of Commissioner Tighe, seconded by Commissioner Stamato, the correspondence was approved for the record.

Under date of April 29, 2020

To: Khoshaba  
From: Fabrizio

Correspondence regarding deferral option. Mr. Fabrizio noted that Mr. Khoshaba had agreed and appreciated the terms of the proposal. On motion of Commissioner Stamato, seconded by Commissioner Lucia, the correspondence was approved for the record.

Under date of April 30, 2020

To: Fabrizio  
From: Khoshaba

Correspondence regarding acceptance of deferral option. On motion of Commissioner Stamato, seconded by Commissioner Lucia, the correspondence was approved for the record.

Under date of May 4, 2020

To: Klausner  
From: Goldsmith

Correspondence regarding deferral option. Mr. Goldsmith noted that there was no response to the letter. On motion of Commissioner Stamato, seconded by Commissioner Gervasio, the correspondence was approved for the record.

Under date of May 7, 2020

To: MPA  
From: PMA

Correspondence regarding business interruption claim. The Board of Commissioners was advised that it was likely that the claim would be denied. Mr. Goldsmith then advised that there was no action to be taken at this time. A decision of the Pennsylvania Supreme Court was helpful with the respect to the potential for business interruption insurance coverage for Covid-19, however, the Pennsylvania Supreme Court decision was not dispositive as it was a different jurisdiction and a somewhat distinct, but related, legal issue. We would await the results of future litigation. On motion of Commissioner Gervasio, seconded by Commissioner Stamato, 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 April financial reports. He noted the year-to-date data shows an approximately \$500,000 shortfall. Mr. Fabrizio noted that Mr. Giosa's prior report was a remarkably accurate prediction for loss revenues during the Covid-19 crisis. Mr. Fabrizio went on to note that the Parking Authority remains in decent financial condition. There remains \$900,000 in the Special Revenue Account and no funds have been taken from the Improvement Fund or the Lot 10 fund. On motion of Commissioner Stamato and seconded by Commissioner Lucia, the Report was accepted for the record on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Giosa presented the MPA Coronavirus Response Program in great detail. He reviewed the six points set forth in the Memorandum entitled "MPA Coronavirus Response Program". The Commissioners expressed appreciation for the thought and effort and felt that the programs were appropriate and of value. On motion of Commissioner Stamato and seconded by Commissioner Lucia, the Report was accepted for the record on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Deal presented the bid of First-Rate Landscape LLC. There were no other bids submitted. Mr. Deal advised the Board that the MPA personnel would try to do as much as possible but would look to First Rate for additional landscape support as needed. On motion of Commissioner Lucia and seconded by Commissioner Stamato the bid was approved on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Axelrod presented the Board with the concept that there could be significant savings for security services since the bars were not open, businesses were generally not open, and that there could be a cutback in security services which typically served through 5 a.m. on certain days. Mr. Axelrod also noted that there were currently no shows at the Mayo Theatre, thereby, further reducing utilization of the MPA facilities. On motion of Commissioner Tighe and seconded by Commissioner Stamato, the Administration was authorized to reduce security on a month-to-month basis within its discretion on the following vote:

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

At this point, under the New Business portion of the meeting, Mr. Giosa and Mr. Fabrizio presented the Bi-annual Survey Summary which reflected dramatic reductions consistent with limited utilization by residents and some essential workers, but a vast reduction in use by the general public and monthly parkers. On motion of Commissioner Tighe and seconded by Commissioner Lucia, the Bi-annual Survey Summary was authorized on the following vote:

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

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At this point, under the Old Business portion of the meeting, Mr. Fabrizio noted that the curbside parking had already been discussed during the review of the MPA Coronavirus Response Program.

**Resolution No.: 28-2020:** (Authorizing the payment of the Operating Fund Bills) On Motion of Commissioner Stamato, and seconded by Commissioner Brady, the Resolution was authorized on the following vote:

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

**Resolution No.: 29-2020:** (Authorizing the payment of the Improvement Fund Bills) On Motion of Commissioner Tighe, and seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

**Resolution No.: 30-2020:** (Authorizing the payment of Lot 10 Redevelopment Fund Bills) On Motion of Commissioner Lucia, and seconded by Commissioner Gervasio the Resolution was authorized on the following vote:

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

**Resolution No.: 31-2020:** (Approving Prequalifications for General Contracting Lot 10J Project) On Motion of Commissioner Brady, and seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

On motion of Commissioner Tighe, 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.