

**MINUTES OF THE REGULAR MEETING OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, NOVEMBER 13, 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, 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: Commissioner Gervasio

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At this point, The Executive Director presented the Minutes of the October 17, 2017 Special Budget Meeting. On motion of Chairperson Lucia, seconded by Commissioner Tighe, the Minutes were approved.

At this point, The Executive Director presented the Executive Session Minutes of the October 17, 2017 Special Budget Meeting. On motion of Commissioner Brady, seconded by Chairperson Lucia, the Minutes were approved.

The October 17, 2017 Special Budget Meeting and Executive Session Minutes were authorized on the following vote:

Ayes: Commissioners Brady, Stamato, Tighe and Chairperson Lucia

Nays: None

Absent: Commissioner Gervasio

At this point, The Executive Director presented the Minutes of the October 17, 2017 Regular Meeting. On motion of Commissioner Stamato, seconded by Chairperson Lucia, the Minutes were approved.

At this point, The Executive Director presented the Executive Session Minutes of the October 17, 2017 Regular Meeting. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the Minutes were approved.

The October 17, 2017 Regular Meeting and Executive Session Minutes were authorized on the following vote:

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

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There were no Public Comments.

There was no Mayor's Report.

Councilman Iannaccone reported that there was only one Council meeting in October, advised that the traffic study for the Town was still underway, he indicated that a new issue in Morristown is stacking, particularly FDU students, he indicated that the Morris Avenue development by Hampshire for a storage facility was generating controversy and he commended the Morristown Parking Authority and noted that others had commended the Morristown Parking Authority for facilitating parking for the recent Morristown Book Fair.

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Commissioner Stamato suggested some context for correspondence. Mr. Fabrizio indicated that he does that in his notes and would be glad to provide that with respect to the correspondence. Mr. Fabrizio indicated that the relevant information would be provided to the Board.

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The following communications were presented for the record:

Under date of October 9, 2017

To: MPA  
From: Bill Schlosser

Email attaching the updated Indemnity Agreement and Resolution Agreement for review. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the email was accepted for file.

Under date of October 23, 2017

To: MPA  
From: Duff & Phelps

Email confirming receipt of the signed acceptance submitted for the Property Record Outsourcing Service for MPA as of 12/31/17. On motion of Chairperson Lucia, seconded by Commissioner Brady, the email was accepted for file.

Under date of October 30, 2017

To: MPD  
From: Mark Axelrod

Email requesting the name/number of owners of abandoned vehicles that appear to not have been moved in a while. On motion of Chairperson Lucia, seconded by Commissioner Brady, the email was accepted for file.

Under date of October 30, 2017

To: Michael Fabrizio, Executive Director  
From: Daniel Sudler

Email requesting a meeting to discuss MPA net loss/gain of total parking, NJ Transit covenant and current use of MPA site and Lumber Street by adjacent neighbors. On motion of Commissioner Tighe, seconded by Commissioner Brady, the email was accepted for file.

Under date of October 30, 2017

To: Michael Fabrizio, Executive Director  
From: Frank Vitolo

Email requesting confirmation that the 21 South Street agreement could be assigned through

a foreclosure or deed in lieu and that initial Para. 15 be changed to reflect this. On motion of Commissioner Brady, seconded by Chairperson Lucia, the email was accepted for file.

Under date of October 31, 2017

To: Michael Fabrizio, Executive Director  
From: Jay Jaffe

Email advising of SESI's three possible areas of concern for which future investigation is likely to be recommended regarding the Phase I Environmental Site Assessment/Preliminary Assessment Report. Mr. Fabrizio advised the Board that he had discussed the matter with Mr. Jaffe and Mr. Weissenborn and Mr. Weissenborn had suggested that there was no need for further investigation with respect to underground storage tanks or historic fill and that the matter would be routinely addressed in the field should issues arise. On motion of Chairperson Lucia, seconded by Commissioner Tighe, the email was accepted for file.

Under date of October 31, 2017

To: MPA  
From: Vail Mansion Condo

Letter advising that the Vail Mansion Condominium Association will be holding its Annual Meeting of the Association on Tuesday, December 5, 2017 at 6:30 p.m. Mr. Goldsmith advised the Board that the Board of Trustees of Vail Mansion had failed to notify the Parking Authority or Mr. Goldsmith with respect to a number of meetings that had taken place. It appeared that the situation had been corrected. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of November 1, 2017

To: Michael Fabrizio, Executive Director  
From: Anthony Durante

Email requesting any data on projected AM/PM peak hour trips to/from the proposed Lot 10 garage. On motion of Commissioner Stamato, seconded by Commissioner Brady, the email was accepted for file.

Under date of November 2, 2017

To: Mayor/MPA  
From: Mariana Angulo-Pizarro

Email advising that Ms. Angulo-Pizarro received 5 separate fraudulent parking charges of

\$100 after visiting Morristown twice during the month of October. Mr. Deal advised the Board of Commissioners that there was no correlation between payments at the MPA meters and the evident fraud perpetrated on Ms. Angulo-Pizarro's debit card. He further advised that the debit card information is not retained by the Parking Authority or in the meters. On motion of Commissioner Stamato, seconded by Chairperson Lucia, the email was accepted for file.

Under date of November 3, 2017

To: Richard Murphy  
From: Robert Goldsmith

Letter advising that the MPA would prefer to call its new facility in the Phase II structure the Early Street Parking Garage. The letter also requests to be advised of any progress with the ADA clearance issue discussed during the recent site inspection and any updated information regarding the need for parking. On motion of Commissioner Stamato, seconded by Commissioner Brady, the letter was accepted for file.

Under date of November 7, 2017

To: MPA  
From: Richard Murphy

Email attaching a plan and advising that the potential issue with regard to maintaining an 8ft. 2in. clearance for handicap vans is believed to be resolved. Mr. Goldsmith and Mr. Fabrizio advised the Board of Commissioners that issues had arisen with respect to the ADA accessibility in the facility and that they were in the process of being addressed, but not yet fully resolved. On motion of Commissioner Tighe, seconded by Commissioner Brady, the email was accepted for file.

Under date of November 7, 2017

To: Steven Tombalakian  
From: Francis Regan

Letter advising that on October 17, 2017 the MPA Board consented to a six month extension of the date in accordance with Section 7e(iii) of the Contract. On motion of Commissioner Tighe, seconded by Chairperson Lucia, the letter was accepted for file.

Under date of November 7, 2017

To: MPA  
From: Richard Murphy

Email advising that at the land closing for the MCR Phase 2 community a Letter of Credit in the amount of \$1,320,000 was placed in favor of the Parking Authority of Morristown. The email further advises that per the terms of the Construction Agreement dated March 29, 2016, the referenced LOC shall be reduced to \$320,000 upon completion of the concrete superstructure. Mr. Fabrizio advised that the work was in place and that Mr. Goldsmith had indicated that he had requested a certification of an engineer or architect as a matter of due diligence to confirm that the work was in place. On motion of Chairperson Lucia, seconded by Commissioner Brady, the letter was accepted for file.

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At this point, under the Report portion of the meeting, Mr. Axelrod presented the October 2017 Enforcement Report. On motion of Commissioner Stamato, seconded by Commissioner Brady, the report was accepted for file.

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

At this point, under the Report portion of the meeting, Mr. Axelrod presented the October 2017 Off Street Meter Revenue Report. Commissioner Stamato, who also serves on the Board of Trustees for the Morristown-Morris Township Public Library, indicated that some concerns had been voiced at a recent meeting with respect to parking in the area of the Morristown-Morris Township Public Library. Commissioner Stamato indicated that she was aware of prior efforts undertaken by the Parking Authority with respect to a consolidation of parking facilities in the area of the public library and that they had been opposed vigorously by the public library. Mr. Fabrizio indicated his willingness to undertake another effort at the consolidation of the parking facilities which would yield a meaningful number of additional spaces over the existing lots. Mr. Fabrizio suggested that before the Parking Authority should undertake such efforts he would confer with a number of members of the Board of Trustees of the library and obtain a commitment that the library would proceed with such consolidation if it could be achieved.

Mr. Goldsmith expressed some concern about the difficulty in bringing in the four private property owners on Maple Avenue but it was agreed that the effort would be undertaken if the public library indicated its willingness to proceed. On motion of Commissioner Stamato, seconded by Commissioner Brady, the report was accepted for file.

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

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At this point, under the Old Business portion of the meeting, Mr. Fabrizio advised that the MPA 2018 Budget had been approved and that Mr. Montanino was impressed that it was approved so quickly with no comments.

At this point, under the Old Business portion of the meeting, Mr. Fabrizio and Mr. Deal presented the concept for the DeHart Street Garage signage. Mr. Fabrizio advised that the Rules and Regulations were being revised, that there would be some rate increases recommended and that the Rules and Regulations would be presented to the Board at the next meeting.

At this point, under the Old Business portion of the meeting, the Holiday Dinner was discussed. The dinner will take place on December 19, 2017 and the consensus was that Fiore's would be the first choice for the dinner in the \$50 per person range.

At this point, under the Old Business portion of the meeting, Mr. Fabrizio noted that the MPA Reorganizational Meeting would be held Tuesday, January 2, 2018.

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At this point, under the New Business portion of the meeting, there was a discussion about the Holiday "Free" Parking. Mr. Fabrizio indicated that the Morristown Partnership had decided not to proceed with the free parking at the on-street meters. As a gesture to the business community, Mr. Fabrizio is recommending that the Ann Bank Parking Garage would be made available to the public on Saturdays during the month of December. He noted that the garage is free to the public on Sundays. The Board concurred in Mr. Fabrizio's suggestion.

At this point, under the New Business portion of the meeting, Mr. Fabrizio presented the NJIF Indemnity and Trust Agreement. On motion of Commissioner Stamato, seconded by Commissioner Tighe, the Agreement was authorized on the following vote:

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

At this point, under the New Business portion of the meeting, a Request for Information for License Plate Recognition Systems was discussed. Mr. Axelrod and Mr. Fabrizio discussed the potential value and benefits from such a system and indicated that the Parking Authority Administration would be seeking input from various vendors

At this point, under the New Business portion of the meeting, Mr. Fabrizio advised the Board of the enclosed Town of Morristown Budget Hearing Schedule for informational purposes.

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

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At this point, on motion of Chairperson Lucia, seconded by Commissioner Tighe, certain salary changes discussed in closed session were adopted on the following vote:

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

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The following Resolutions were presented for the record:

Resolution No. 78-2017: (Authorizing the Transfer of Funds from the Parking Authority of the Town of Morristown MPA Special Revenue Account to the MPA Improvement and Preventative Maintenance Fund). On motion of Chairperson Lucia, seconded by Commissioner Stamato, the Resolution was authorized on the following vote:

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

Resolution No. 79-2017: (Authorizing and Directing the Executive Director to Effectuate the Transfer of Funds from the MPA Special Revenue Account to the MPA Lot 10J Future Redevelopment Account). Commissioner Stamato noted a recent article discussing the sale of parking spaces as a commodity and investment. On motion of Commissioner Tighe, seconded by Commissioner Brady, the Resolution was authorized on the following vote:

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

Resolution No. 80-2017: (Authorizing the Payment of MPA Operating Fund Bills). On motion of Commissioner Stamato, seconded by Chairperson Lucia, the Resolution was authorized on the following vote:

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

Resolution No. 81-2017: (Authorizing the Payment of MPA Improvement Fund Bills). On motion of Commissioner Brady, seconded by Commissioner Tighe, the Resolution was adopted on the following vote:

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

Resolution No. 82-2017: (Authorizing the Payment of MPA Lot 10 Future Redevelopment Fund Bills). On motion of Commissioner Brady, seconded by Commissioner Tighe, the Resolution was adopted on the following vote:

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

Resolution No. 83-2017: (Approving a Change Order in the Amount of \$6,500.00 for SESI Consulting Engineers with Respect to the Preliminary Environmental and Engineering Services for the Lot 10 Project). Council Liaison Iannaconne mentioned to the Board of Commissioners that he was concerned that the Planning Board and Board of Adjustment were not properly coordinating with the Parking Authority with respect to parking demand and parking as a condition of Resolutions of approval. He noted that the Parking Authority was acting diligently but was concerned about the Boards that he mentioned. On motion of Commissioner Stamato, seconded by Commissioner Brady, the Resolution was authorized on the following vote:

Ayes: Commissioners Brady, Stamato, Tighe and Chairperson Lucia

Nayes: None  
Absent: Commissioner Gervasio

Resolution No. 84-2017: (Authorizing Execution of Parking Agreement Between the Parking Authority of the Town of Morristown and 21 South Street Joint Venture, LLC). On motion of Commissioner Stamato, seconded by Commissioner Brady, the Resolution was authorized on the following vote:

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

Resolution No. 85-2017: (Consenting Participation of the Parking Authority of the Town of Morristown in the New Jersey Intergovernmental Insurance Fund). On motion of Commissioner Stamato, seconded by Chairperson Lucia, the Resolution was authorized on the following vote:

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

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There being no further business to be transacted, on motion of Chairperson Lucia, 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.