

MORRISTOWN PARKING AUTHORITY

MEETING AGENDA*

Revised

May 16, 2023

Statement: Open Public Meetings Act

Call to Order:

Approval of Minutes:

Minutes of the April 18, 2023 Regular Meeting

Minutes of the April 18, 2023 Executive Session

Public Comments:

Mayor's Report:

Town Council Liaison's Report:

Executive Director Report:

Financial Report*

**** ALL FINANCIAL REPORTS PROVIDED ARE UNAUDITED AND UNADJUSTED.****

Activity Report

Old Business:

-Michael Fabrizio Memorial

New Business:

Executive Session:

-Personnel Matters

-Contractual Matters

-Litigation Update

Official Action Items:

Resolution No. 2023-037: RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

Resolution No. 2023-038: RESOLUTION AMENDING RESOLUTION NO. 2023-033

Resolution No. 2023-039: RESOLUTION AUTHORIZING AN AMENDED AGREEMENT WITH LEVEL G ASSOCIATES FOR PARKING CONSULTANT SERVICES

Resolution No. 2023-040: RESOLUTION AMENDING RESOLUTION NO. 49-2021 ADOPTING PROCEDURE FOR THE EXECUTION OF CHECKS, RESOLUTIONS AND BILL PAYMENT

Resolution No. 2023-041: RESOLUTION OF THE AUTHORITY OF THE TOWN OF MORRISTOWN DIRECTING APPLICATION TO BE MADE TO THE LOCAL FINANCE BOARD PURUSANT TO N.J.S.A. 40A:5A-6 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000 TO REFUND A PORTION OF ITS SERIES 2017 A BONDS AND SERIES 2017 B BONDS

Resolution No. 2023-042: RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SETTLEMENT AGREEMENT TO RESOLVE THE LITIGATION ENTITLED *PARKING AUTHORITY OF THE TOWN OF MORRISTOWN V. NEW JERSEY TRANSIT CORPORATION*, DOCKET NO. MRS-C-000032-2022*

Adjournment:

*Placed at table

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, HELD TUESDAY, APRIL 18, 2023, 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 Stamato 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 established fee for such mailing. In addition, subsequent notice was made with the instructions for accessing the virtual meeting by Zoom. Such notice was sent to the newspapers and listed on the official website of the Town of Morristown.

Present: Commissioners Brady, Lloyd*, Lucia, Tighe (Zoom) and Chairperson Stamato

Also Nicole Fox - Executive Director

Present: Gregory Deal – Director of Facilities, Sandi Mayer – Town Council Liaison, Robert S. Goldsmith, Esq. of Greenbaum Rowe Smith & Davis LLP, Gerard Giosa of Level G Associates (Zoom for portions of Executive Session) and Kathy Hatfield, Esq.

Public: Kevin Coughlin and Brett Friedensohn

Absent: None

At this point, Ms. Fox presented the Minutes of the Regular Meeting of March 21, 2023. The Open Session and Executive Session Minutes were accepted for the record on the following vote:

Ayes: Commissioners Brady, Lloyd, Lucia, Tighe and Chairperson Stamato

Nays: None

Absent: Commissioner Lloyd

Public Comment - None.

Mayor's Report – None.

Town Council Liaison Report – Ms. Mayer was present but had no formal content other than to express general appreciation for the Morristown Parking Authority.

Reports

At this point, Executive Director Fox presented the Financial Report, noting that the Financial Reports provided are unaudited and unadjusted. She explained that the question that arose from with respect to pension payments and advised that the pension payments were made timely and that it was a bookkeeping item which she had addressed and refined.

At this point, the Executive Director presented the Activity Report and noted that there were several open positions sought to be filled.

Old Business

At this point under the Old Business portion of the meeting, the Executive Director described the timing of the 24/7 DeHart Street access increase and suggested that there would be a postponement of certain related actions. An amending resolution will be presented at the next meeting.

At this point under the Old Business portion of the meeting, the Executive Director and Mr. Deal advised the Board of correspondence regarding regulation of the right-of-way off DeHart Street.

*At this point Commissioner Lloyd joined the meeting.

At this point under the Old Business portion of the meeting, the Executive Director explained in detail the satisfactory resolution of the pension payment issue. She explained that, as noted above, the payment had been timely made and the bookkeeping function related to the pension payment was revised.

New Business.

At this point under the New Business portion of the meeting, the Executive Director noted that the Annual Financial Disclosure Statement was due April 30, 2023. She advised the Board that while the procedure had been delayed, notice had been received that the Disclosure Statements could be filed.

At this point on motion of Commissioner Brady, seconded by Commissioner Lucia, the Board moved into Executive Session on the following vote:

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

On motion of Commissioner Lucia, seconded by Commissioner Lloyd, the Board voted to return to the Regular Session on the following vote:

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

At this point, Ms. Fox requested the Chairperson to introduce Official Action Items.

OFFICIAL ACTION ITEMS:

Resolution No. 2023-034: Resolution authorizing the payment of bills.

On motion of Commissioner Lloyd, seconded by Commissioner Brady, the Resolution was accepted on the following vote:

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

Resolution No. 2023-035: Resolution authorizing the Executive Director to investigate the issuance of Taxable Revenue Bonds by the Morristown Parking Authority

On motion of Commissioner Tighe, seconded by Commissioner Lucia, the Resolution was accepted on the following vote:

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

Resolution No. 2023-036: Resolution Appointing Bryan Burd to the Position of Field Manager of the Parking Authority of the Town of Morristown

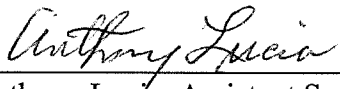
On motion of Commissioner Lucia, seconded by Commissioner Lloyd the Resolution was adopted on the following vote:

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

At this point, following the Official Action Items, Commissioner Tighe raised the question of a memorial for Mr. Fabrizio. He was concerned that we were approaching the second anniversary of Mr. Fabrizio's passing. Mr. Goldsmith volunteered to determine the status of the Partnership efforts and will report at the next Board Meeting.

On motion of Commissioner Lloyd, the meeting was adjourned on the following vote:

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



Anthony Lucia, Assistant Secretary

RESOLUTION NO. 2023-037

RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

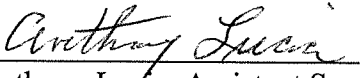
BE IT RESOLVED by the PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, that the following bills or item of demand, in the total sum of \$250,895.39 authorized and approved for payment of Operating Fund.

BE IT FURTHER RESOLVED that the Parking Authority of the Town of Morristown has determined that adequate funds are available and committed for the purposes described herein.

BE IT FURTHER RESOLVED that a check or checks of the Authority, drawn on ConnectOne Bank payable to the parties claiming payment in the amounts due on said bills or items of demand, as included in the attached Exhibit A and incorporated by reference herein, be executed in the name of the Authority by its Chairperson and/or its Vice Chairperson and its Executive Director, Director of Facilities or Director of Operations for a total of three signatures.

This resolution shall take effect immediately.

I hereby certify the above to be a true copy of a Resolution adopted by the Parking Authority of the Town of Morristown this 16th day of May, 2023.


Anthony Lucia, Assistant Secretary

Governing Member:	Aye	Nay	Abstain	Absent
Commissioner Brady	✓			
Commissioner Lloyd	✓			
Commissioner Lucia	✓			
Commissioner Stamato	✓			
Commissioner Tighe	✓			

Morristown Parking Authority
Unpaid Bills Detail
Exhibit A Bill List
As of May 11, 2023

	Type	Date	Num	Due Date	Aging	Open Balance
11 Cattano Ave LLC						
	Bill	05/16/2023	01/03/23	05/26/2023		13,500.00
Total 11 Cattano Ave LLC						<u>13,500.00</u>
AES Fire, LLC						
	Bill	12/27/2022	F22001213	01/26/2023	105	830.20
	Bill	02/28/2023	F22001341	03/30/2023	42	2,100.00
	Bill	03/23/2023	F22001385	04/22/2023	19	3,500.00
Total AES Fire, LLC						<u>6,430.20</u>
AMANO MCGANN INC.						
	Bill	04/01/2023	INVC021246	04/11/2023	30	3,160.00
	Bill	04/01/2023	INVC021255	04/11/2023	30	3,160.00
	Bill	05/06/2023	SVC331352	05/09/2023	2	560.00
Total AMANO MCGANN INC.						<u>6,880.00</u>
AMR Contractors LLC						
	Bill	04/01/2023	23-04	04/01/2023	40	1,331.25
	Bill	05/01/2023	23-05	05/01/2023	10	1,775.00
Total AMR Contractors LLC						<u>3,106.25</u>
Automatic Data Processing Inc.						
	Bill	04/28/2023	632178111	04/28/2023	13	1,461.18
Total Automatic Data Processing Inc.						<u>1,461.18</u>
AWC NJ LLC						
	Bill	04/25/2023	171820	05/25/2023		175.00
Total AWC NJ LLC						<u>175.00</u>
Bowman Consulting Group LTD						
	Bill	04/28/2023	374402	05/08/2023	3	2,772.50
Total Bowman Consulting Group LTD						<u>2,772.50</u>
Cipshred Paper LLC.						
	Bill	05/02/2023	05022023	05/12/2023		810.00
Total Cipshred Paper LLC.						<u>810.00</u>
Concern Behavioral & Management Solutions						
	Bill	04/14/2023	4490	04/29/2023	12	306.60
Total Concern Behavioral & Management Solutions						<u>306.60</u>
Dean Tire Service, Inc.						
	Bill	05/09/2023	M96065	05/09/2023	2	365.00
Total Dean Tire Service, Inc.						<u>365.00</u>
Decotiis, FitzPatrick & Cole, LLP						
	Bill	04/17/2023	262441	04/27/2023	14	585.00
Total Decotiis, FitzPatrick & Cole, LLP						<u>585.00</u>
Devo & Associates LLC						
	Bill	05/01/2023	6081820	05/31/2023		1,143.90
Total Devo & Associates LLC						<u>1,143.90</u>
Employment Horizons, Inc.						
	Bill	04/30/2023	452	05/30/2023		6,763.00
Total Employment Horizons, Inc.						<u>6,763.00</u>
GovConnection						
	Bill	04/25/2023	25487817.01	05/25/2023		1,744.16
Total GovConnection						<u>1,744.16</u>
Hatfield Schwartz Law Group						
	Bill	04/25/2023	3170	05/05/2023	6	3,185.00
Total Hatfield Schwartz Law Group						<u>3,185.00</u>
Hicks Communication, Inc						
	Bill	05/04/2023	3449	05/14/2023		2,200.00
	Bill	05/04/2023	3450	05/14/2023		2,200.00
Total Hicks Communication, Inc						<u>4,400.00</u>
Interstate Waste Services, Inc.						
	Bill	04/26/2023	0008936469	05/06/2023	5	675.32
Total Interstate Waste Services, Inc.						<u>675.32</u>
IPS Group, Inc.						

Morristown Parking Authority
Unpaid Bills Detail
Exhibit A Bill List
As of May 11, 2023

Type	Date	Num	Due Date	Aging	Open Balance
Bill	04/30/2023	84085	05/30/2023		6,456.84
Total IPS Group, Inc.					6,456.84
Jackson Lewis P.C.					
Bill	10/31/2022	8124154	11/10/2022	182	135.00
Total Jackson Lewis P.C.					135.00
JCP & L Co.					
Bill	04/07/2023	95019299106	04/17/2023	24	9,183.84
Bill	04/24/2023	95247925331	05/04/2023	7	8,299.89
Total JCP & L Co.					17,483.73
Juice Bar Charger'					
Bill	04/10/2023	20230410-154031338	04/20/2023	21	285.00
Total Juice Bar Charger'					285.00
Killion Systems					
Bill	02/16/2023	1265	02/16/2023	84	2,400.00
Bill	02/16/2023	1266	02/16/2023	84	1,248.00
Total Killion Systems					3,648.00
Level G Consulting Inc					
Bill	04/28/2023	20-0103.16	05/13/2023		2,750.00
Bill	04/28/2023	22-0503.09	05/13/2023		8,332.50
Bill	04/28/2023	22-0505.06	05/13/2023		965.00
Bill	04/28/2023	23-0507.03	05/13/2023		7,227.50
Bill	04/28/2023	23-0509.01	05/13/2023		525.00
Total Level G Consulting Inc					19,800.00
Morristown Partnership					
Bill	04/26/2023	04262023	05/06/2023	5	60.00
Total Morristown Partnership					60.00
MPA Payroll Account # 385336 (2021)					
Bill	04/21/2023	PAYROLL 23-008	05/01/2023	10	49,755.61
Bill	05/05/2023	PAYROLL 23-009	05/15/2023		47,633.68
Total MPA Payroll Account # 385336 (2021)					97,389.29
MPA Payroll Account (Employer FICA/MEDI)					
Bill	04/21/2023	PAY23-008	05/01/2023	10	3,619.08
Bill	05/05/2023	PAY23-009	05/15/2023		3,456.75
Total MPA Payroll Account (Employer FICA/MEDI)					7,075.83
MPA Payroll Account (Employer SUI)					
Bill	04/21/2023	PAY23-008	05/01/2023	10	267.40
Bill	05/05/2023	PAY23-009	05/15/2023		248.30
Total MPA Payroll Account (Employer SUI)					515.70
Murphy's Garage, Inc.					
Bill	12/07/2022	32392	12/17/2022	145	76.45
Bill	04/27/2023	33407	05/07/2023	4	57.05
Total Murphy's Garage, Inc.					133.50
Nicole Fox-Beadle					
Bill	05/05/2023	23.05	05/05/2023	6	891.63
Total Nicole Fox-Beadle					891.63
Nicole S. Fox, Executive Director					
Bill	05/16/2023	Petty Cash Reimburse	05/26/2023		84.84
Total Nicole S. Fox, Executive Director					84.84
PayByPhone Technologies Inc.					
Bill	04/30/2023	INVPBP-HQ-7126	05/30/2023		1,673.88
Total PayByPhone Technologies Inc.					1,673.88
Prudential Retirement					
Bill	05/05/2023	PRU23-005	05/05/2023	6	165.96
Bill	05/05/2023	PRU23-006	05/05/2023	6	166.21
Total Prudential Retirement					332.17
Ready Refresh by Nestle					
Bill	04/22/2023	23D0013160064	05/02/2023	9	123.90

Morristown Parking Authority
Unpaid Bills Detail
Exhibit A Bill List
As of May 11, 2023

	Type	Date	Num	Due Date	Aging	Open Balance
Total Ready Refresh by Nestle						123.91
Schindler Elevator						
	Bill	04/26/2023	7153702176	05/26/2023		2,761.15
Total Schindler Elevator						2,761.15
Shields Business Solutions Inc.						
	Bill	04/30/2023	20274	05/30/2023		287.04
Total Shields Business Solutions Inc.						287.04
Staples Advantage						
	Bill	04/29/2023	8070087880	05/14/2023		332.05
Total Staples Advantage						332.05
State of New Jersey SHBP/SEHBP						
	Bill	05/01/2023	05012023	05/01/2023	10	29,950.91
Total State of New Jersey SHBP/SEHBP						29,950.91
The Vail Mansion Condominium						
	Bill	05/01/2023	PARK-MAY 2023	05/16/2023		1,269.55
Total The Vail Mansion Condominium						1,269.55
Town of Morristown-Tax Collector						
	Bill	04/29/2023	1824-0 Apr-Jun 2023	05/09/2023	2	104.98
	Bill	04/29/2023	2590-0 Apr-Jun 2023	05/09/2023	2	104.98
Total Town of Morristown-Tax Collector						209.96
Town of Morristown - Bureau of Police						
	Bill	05/16/2023	40723-12	05/26/2023		627.20
	Bill	05/16/2023	42123-2	05/26/2023		313.60
	Bill	05/16/2023	50523-5	05/26/2023		1,254.40
Total Town of Morristown - Bureau of Police						2,195.20
Verizon -B16801						
	Bill	04/15/2023	156 081 192 0001 58	04/25/2023	16	140.64
	Bill	04/15/2023	250 786 662 0001 66	04/25/2023	16	560.30
	Bill	04/15/2023	250-564-094-0001-08	04/25/2023	16	164.17
	Bill	04/15/2023	353-517-946-0001-10	04/25/2023	16	120.64
	Bill	04/15/2023	353-557-254-0001-12	04/25/2023	16	184.99
	Bill	04/15/2023	450-786-662-0001-23	04/25/2023	16	52.51
	Bill	04/15/2023	452-135-355-0001-72	04/25/2023	16	129.99
	Bill	04/15/2023	452-494-797-0001-53	04/25/2023	16	160.64
	Bill	04/15/2023	550-786-662-0001-97	04/25/2023	16	100.65
	Bill	04/15/2023	652-129-550-0001-68	04/25/2023	16	129.65
	Bill	04/15/2023	655-734-744-0001-51	04/25/2023	16	298.01
	Bill	04/15/2023	752-103-276-0001-65	04/25/2023	16	129.99
	Bill	04/15/2023	851-687-992-0001-29	04/25/2023	16	939.66
	Bill	04/15/2023	852-758-767-0001-04	04/25/2023	16	219.43
Total Verizon -B16801						3,331.27
Western Pest Services						
	Bill	05/01/2023	8354507	05/01/2023	10	29.87
	Bill	05/01/2023	8354302	05/01/2023	10	67.98
	Bill	05/01/2023	8353291	05/01/2023	10	67.98
Total Western Pest Services						165.83
TOTAL						250,895.39

RESOLUTION NO. 2023-038

RESOLUTION AMENDING RESOLUTION NO. 2023-033

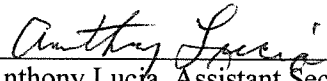
WHEREAS, on November 9, 2021, the Board of Commissioners of the Parking Authority of the Town of Morristown (the “Board”) approved Resolution No. 58-2021 establishing new parking rates for its off-street parking facilities; and,

WHEREAS, on March 21, 2023, the Board approved Resolution No. 2023-033 to amend the parking rate structure adopted on November 9, 2021, which amendment authorized, in-part, an increase in the rate for the DeHart Garage 24 Hour All Access Scan Card to \$115 per month effective June 1, 2023; and,

WHEREAS, the Board wishes to amend Resolution No 2023-033 to postpone the effective date of the rate increase for the DeHart Garage 24 Hour All Access Scan Card from June 1, 2023 until January 1, 2024; and

NOW, THEREFORE, be it resolved, by the Board of Commissioners of the Parking Authority of the Town of Morristown that the Executive Director is authorized to increase the rate for the DeHart Garage 24 Hour All Access Scan Card to \$115 per month effective on January 1, 2024.

I hereby certify that the forgoing is a true copy of a resolution introduced and adopted by The Parking Authority of the Town of Morristown at a meeting held on May 18, 2023.



Anthony Lucia, Assistant Secretary

Governing Member:	Aye	Nay	Abstain	Absent
Commissioner Brady	✓			
Commissioner Lloyd	✓			
Commissioner Lucia	✓			
Commissioner Stamato	✓			
Commissioner Tighe	✓			

RESOLUTION NO. 2023-039

RESOLUTION AUTHORIZING AN AMENDED AGREEMENT WITH LEVEL G ASSOCIATES FOR PARKING CONSULTANT SERVICES

WHEREAS, on January 3, 2023, the Commissioners of the Parking Authority for the Town of Morristown (the "Parking Authority") approved Resolution No. 2023-007 authorizing an alternate method agreement with Level G Associates, in an amount not to exceed \$40,500.00 for Parking Consultant services; and

WHEREAS, the Parking Authority desires to increase the total appropriation of funds available under the agreement in an amount of \$50,000.00, for a total amendatory contract not to exceed \$90,500.

WHEREAS, the Board of Commissioners for the Parking Authority desires to authorize the execution of the amendatory contract.

NOW, THEREFORE, BE IT RESOLVED by the Parking Authority of the Town as follows:

1. The Executive Director is hereby authorized to enter into an amendatory contract with Level G Associates for the additional amount of \$50,000.00, for a total amendatory contract not to exceed \$90,500 for Parking Consultant services.

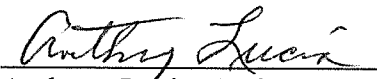
2. The Executive Director certified that the funds for the services contemplated under this amendatory contract are appropriated and available under Budget Line Items 54250 and 81000 and 82000.

3. Notice of award of this amendatory professional service contract shall be published by the Secretary of the Board of Commissioners for the Parking Authority of the Town of Morristown in accordance with the law.

4. A copy of the executed amendatory agreement shall be filed with the Secretary of the Board of Commissioners for the Parking Authority of the Town of Morristown.

This resolution shall take effect immediately.

I hereby certify the above to be a true copy of a Resolution adopted by the Parking Authority of the Town of Morristown this 16th day of May 2023.


Anthony Lucia, Assistant Secretary

Governing Member:	Aye	Nay	Abstain	Absent
Commissioner Brady	✓			
Commissioner Lloyd	✓			
Commissioner Lucia	✓			
Commissioner Stamato	✓			
Commissioner Tighe	✓			

RESOLUTION NO. 2023-040

RESOLUTION AMENDING RESOLUTION NO. 49-2021 ADOPTING PROCEDURE FOR THE EXECUTION OF CHECKS, RESOLUTIONS AND BILL PAYMENT

WHEREAS, the Parking Authority of the Town of Morristown (the “**Authority**”) is governed by a Board of Commissioners (“**Board**”) adopted resolution No. 49-2021 setting forth procedures for the Execution of Checks, Resolutions and Bill Payment (the “**Procedure**”); and


WHEREAS, the Authority desires to make modifications set forth in Exhibit A; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Parking Authority of the Town of Morristown as follows:

1. The Procedure attached hereto as Exhibit A is adopted as the Authority’s official policy concerning the execution of checks and resolutions and the payment of bills. To the extent that any provision of the Procedure contradicts any other policy or procedure previously adopted by the Authority, this Procedure shall control.

2. Authority staff is hereby directed to take all actions necessary to effectuate this Resolution.

I hereby certify that the foregoing is a true copy of a Resolution introduced and adopted by the Parking Authority of the Town of Morristown at a regular meeting held on May 16, 2022.


Anthony Lucia, Assistant Secretary

Governing Member:	Aye	Nay	Abstain	Absent
Commissioner Brady	✓			
Commissioner Lloyd	✓			
Commissioner Lucia	✓			
Commissioner Stamato	✓			
Commissioner Tighe	✓			

RESOLUTION NO. 2023-041

**RESOLUTION OF PARKING AUTHORITY OF THE TOWN OF MORRISTOWN
DIRECTING APPLICATION BE MADE TO THE LOCAL FINANCE BOARD
PURSUANT TO N.J.S.A. 40A:5A-6
IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000
TO REUND A PORTION OF ITS SERIES 2017 A BONDS AND SERIES 2017 B BONDS**

WHEREAS, the Parking Authority of the Town of Morristown (together with any successor thereto, the "Authority") has been duly created as a public body corporate and politic of the State of New Jersey (the "State") duly adopted pursuant to and in accordance with all applicable law, including the Parking Authority Law, constituting Chapter 198 of the Pamphlet Laws of 1948 of the State, and the acts amendatory thereof and supplemental thereto (the Act");

WHEREAS, on June 16, 2017, the Authority issued its \$23,855,000 Guaranteed Parking Revenue Bonds - Series 2017, consisting of its Series 2017 A in the amount of \$12,005,000 (the "Series 2017 A Bonds"), its Series 2017 B in the amount of \$7,845,000 (the "Series 2017 B Bonds") and its Series 2017 C in the amount of \$4,005,000 (the "Series 2017 C Bonds") (collectively, the "Series 2017 Bonds");

WHEREAS, Authority desires to finance: (i) the refunding of all or a portion of the Series 2017 A Bonds and Series 2017 B Bonds; and (ii) certain costs of issuing the hereinafter Series 2023 Bonds (collectively, the "Project Financing");

WHEREAS, the Authority desires to make an application (the "Local Finance Board Application") to, and seek, obtain, and officially recognize the findings from the Local Finance Board (the "Local Finance Board") in the Department of Local Government Services of the State Department of Community Affairs, all in accordance with N.J.S.A. 40A:5A-6, 7 and 8 of the Local Authorities Fiscal Control Law, in an amount not to exceed \$6,000,000 (the "Series 2023 Bonds"); and

WHEREAS, PARKING AUTHORITY OF THE TOWN OF MORRISTOWN believes that:

- (a) it is in the public interest to accomplish such purposes,
- (b) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units,
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant,
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and such purposes or improvements will not cause any undue financial burden to be placed upon the local unit or units,

NOW, THEREFORE, BE IT RESOLVED BY PARKING AUTHORITY OF THE TOWN OF MORRISTOWN, as follows:

Section 1. Application to the Local Finance Board for consideration by said Board of the Authority's proposed Project Financing is hereby approved and the Chairman and Executive Director of the Authority (including their designees, each an "Authorized Officer") in consultation with the Authority's Counsel, Bond Counsel and Financial Advisor (collectively, the "Consultants"), along with the other representatives of the Authority, are hereby authorized to prepare the Local Finance Board Application. All of such parties are hereby authorized and directed to represent the Authority in matters pertaining thereto, including without limitation, the hearing to be held by the Local Finance Board relating to the Project Financing required by N.J.S.A. 40A:5A-6.

Section 2. The Secretary of the Authority is hereby directed to prepare and cause counsel to the Authority to file a copy of this resolution with the Local Finance Board as part of the Local Finance Board Application.

Section 3. The Local Finance Board is hereby respectfully requested to consider the Local Finance Board Application and to record its findings and recommendations as provided by N.J.S.A. 40A:5A-7 of the Local Authorities Fiscal Control Law.

Section 4. All actions of the Authorized Officers and the Consultants taken prior to the date of adoption hereof in connection with the Project Financing or any of the foregoing transactions contemplated by this resolution are hereby ratified and approved.

I hereby certify the above to be a true copy of a Resolution adopted by the Parking Authority of the Town of Morristown this 16th day of May, 2023.


Anthony Lucia, Assistant Secretary

Recorded Vote:

Governing Member:	Aye	Nay	Abstain	Absent
Commissioner Brady	✓			
Commissioner Lloyd	✓			
Commissioner Lucia	✓			
Commissioner Stamato	✓			
Commissioner Tighe	✓			

RESOLUTION NO. 2023-042

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A SETTLEMENT AGREEMENT TO RESOLVE THE LITIGATION ENTITLED *PARKING AUTHORITY OF THE TOWN OF MORRISTOWN V. NEW JERSEY TRANSIT CORPORATION*, DOCKET NO. MRS-C-000032-2022

WHEREAS, the Parking Authority of the Town of Morristown (the “**Parking Authority**”) is a body corporate and politic of the State of New Jersey, and is organized pursuant to the Parking Authorities Law, *N.J.S.A. 40:11A-1, et seq.*; and

WHEREAS, the Parking Authority is the owner of certain property designated as Block 3602, Lot 13 (the “**Property**”) on the tax maps of the Town of Morristown; and

WHEREAS, the Property is subject to a covenant for the benefit of the New Jersey Transit Corporation (“**NJ Transit**”) and to be used for public parking and the movement of vehicles in connection therewith (the “**Deed Restrictions**”); and

WHEREAS, the Parking Authority entered into an agreement with a private redeveloper (“**Redeveloper**”) to sell the Property to permit redevelopment in accordance with the with Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Project**”); and

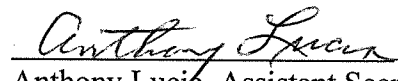
WHEREAS, on September 6, 2022, the Parking Authority filed an amended complaint in the matter entitled *Parking Authority of the Town of Morristown v. New Jersey Transit Corporation*, Docket No. MRS-C-000032-2022, seeking a declaratory judgment that the Redevelopment Project would not constitute a violation of the Deed Restrictions, and in the alternative, that the Deed Restrictions are invalid as being unreasonable and/or in violation of public policy (the “**Litigation**”); and

WHEREAS, the Parking Authority, NJ Transit, and the Redeveloper negotiated a resolution to the Litigation, which is memorialized in a Settlement Agreement; and

WHEREAS, after consultation with Parking Authority officials and the Parking Authority counsel and upon consideration of the expense and uncertainty of result associated with continued litigation, the Board of Commissioners for the Parking Authority has determined to resolve the Litigation upon the terms and conditions contained within the Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Parking Authority of the Town of Morristown that the Executive Director, with the assistance of counsel, be and is hereby authorized to execute the Settlement Agreement and take all action necessary to effectuate the terms of the Settlement Agreement.

I hereby certify the above to be a true copy of a Resolution adopted by the Parking Authority of the Town of Morristown this 16th day of May, 2023.


Anthony Lucia, Assistant Secretary

Governing Member:	Aye	Nay	Abstain	Absent
Commissioner Brady	✓			
Commissioner Lloyd	✓			
Commissioner Lucia	✓			
Commissioner Stamato	✓			
Commissioner Tighe	✓			