

**Newton Parking Authority Meeting  
December 6, 2018 – Minutes**

**Roll Call** – meeting called to order at 8:55 a.m. by Vice-Chairman Mitchell.

**Present:** Mr. Mitchell, Mr. Ciaravolo, Mr. Leone  
Chairman Edwards (Arrived at 8:57 a.m.),

**Also Present:** Teresa Ann Oswin, Assistant to Newton Town Manager/PA Secretary  
Theresa Schlosser, Tax Collector/Finance Office  
Gary Govier, Parking Enforcement Officer  
Ursula Leo, Esq. – Municipal Attorney

**Open Public Meetings Act Statement** – read by Vice-Chairman Mitchell.

**Approval of Minutes**

Motion to approve November 5, 2018 Minutes as presented, by Mr. Ciaravolo, seconded by Mr. Leone.  
Approved 3-0.

**Financial Reports**

Motion to approve October 2018 Treasurer Report, as presented, by Mr. Ciaravolo, seconded by Mr. Leone.  
Approved 3-0.

**Old Business**

None.

**New Business**

- a) Newton Town Centre – Estoppel Agreement. Ursula Leo explained to the Authority a new Estoppel Certificate has been requested by the lender to Newton Town Centre, Urban Renewal Associates, L.P. to change the name of the lender. She went on to explain all terms and conditions remain as the previous Estoppel Certificate except the name change. (Chairman Edwards arrived 8:57 a.m.) Motion to approve by Mr. Leone, seconded by Mr. Ciaravolo. Approved 4-0.

**RESOLUTION #i-2018**

**“Resolution Authorizing the Execution of an Estoppel Certificate As Requested by  
Bonneville Mortgage Company for the Newton Town Centre Urban Renewal Associates,  
L.P. Project”**

**WHEREAS**, the Parking Authority of the Town of Newton (“Parking Authority”) previously entered into a Ground Lease dated December 13, 2016 with Newton Town Center Urban Renewal Associates, L.P. (“Newton Town Centre”) for property owned by the Parking Authority known as Tax Block 8.05, Lots 8 and 9; and

**WHEREAS**, Paragraph 22.1.2 of the Ground Lease provides that the Parking Authority consents to Newton Town Centre’s lender, Bonneville Multifamily Capital’s leasehold mortgage for Newton Town Centre’s permanent financing in the approximate amount of \$2,199,943.00; and

**WHEREAS**, the Parking Authority has been informed that Bonneville Multifamily Capital is a related entity to Bonneville Mortgage Company (“BMC”), the entity that will be making the permanent financing loan in the amount of \$2,199,943.00 to Newton Town Centre; and

**WHEREAS**, BMC has requested that the Parking Authority execute an Estoppel Certificate (“Estoppel Certificate”) in the form attached to this Resolution; and

**WHEREAS**, the Parking Authority desires to approve the execution of the Estoppel Certificate, as well as a proposed amendment to the Ground Lease in order to correct the name of the lender from Bonneville Multifamily Capital to Bonneville Mortgage Company, upon the review and approval of the form of the Ground Lease amendment by the Town Attorney and Town Manager;

**NOW, THEREFORE BE IT RESOLVED**, by the Town of Newton Parking Authority:

I. **GENERAL**

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. **EXECUTION OF ESTOPPEL CERTIFICATE**

The Chairman is hereby authorized to execute, and the Secretary of the Parking Authority is hereby authorized to attest to, the documents required in connection with the Estoppel Certificate, Ground Lease amendment and any related documents.

III. **SEVERABILITY**

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

IV. **AVAILABILITY OF THE RESOLUTION**

A copy of this Resolution shall be available for public inspection at the offices of the Town.

V. **EFFECTIVE DATE**

This Resolution shall take effect upon final passage, however, it shall be void and of no effect in the event that Newton Town Centre Urban Renewal Associates, L.P. fails or refuses to sign the documents.

- b) Resolution H-2018 – Adopt 2019 Budget. Motion to approve by Mr. Leone, seconded by Chairman Edwards. Approved 4-0.

**2019 AUTHORITY BUDGET RESOLUTION  
NEWTON PARKING  
(Name)**

**FISCAL YEAR:      FROM:                      1/1/19                      TO:                      12/31/19**

**WHEREAS**, the Annual Budget and Capital Budget/Program for the Newton Parking Authority for the fiscal year beginning January 1, 2019 and ending, December 31, 2019 has been presented for adoption before the governing body of the Newton Parking Authority at its open public meeting of December 6, 2018; and

**WHEREAS**, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

**WHEREAS**, the Annual Budget as presented for adoption reflects Total Revenues of \$84,000, Total Appropriations, including any Accumulated Deficit, if any, of \$84,000 and Total Unrestricted Net Position utilized of \$-0-; and

**WHEREAS**, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$12,000 and Total Unrestricted Net Position planned to be utilized of \$12,000; and

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of Newton Parking Authority, at an open public meeting held on December 6, 2018 that the Annual Budget and Capital Budget/Program of the Newton Parking Authority for the fiscal year beginning, January 1, 2019 and, ending December 31, 2019 is hereby adopted and shall constitute appropriations for the purposes stated; and

**BE IT FURTHER RESOLVED**, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

c) **Review of Meeting Dates for 2019** – motion to approve made by Mr. Leone, seconded by Mr. Ciaravolo. Approved 4-0.

d) Review of Purchase Ledgers for Parking Passes – October 2018 – no discussion.

e) **New Items of Business:**

- a. **Parking on Spring Street** - Mr. Ciaravolo asked for the Authority to consider changing the time limit for parking on Spring Street from one-hour back to two-hours. He went on to say he is still receiving complaints since the change to one-hour parking. Making it two-hours will give the public more time to park, shop and eat. Mr. Ciaravolo is not in favor of waiting for the results of the parking study before making the change. A discussion ensued where the members considered stricter enforcement for repeat offenders, abuse of parking under the Newton Town Centre and possible use of a “Boot Program”. Pastor Frank cautioned on stricter enforcement can deter people from coming to Spring Street. Mr. Mitchell suggested Mr. Russo visit other towns with Parking Authorities to see how they handle things. The commissioners asked if Ms. Leo could research enforcement of street vs space and graduated fines for frequent offenders.
- b. Newton Town Centre parking – Mr. Ciaravolo then asked to discuss the parking under the Newton Town Centre building. He advised the merchants are not using the assigned spots and residents are parking in them instead. He inquired about enforcement for those parking without a pass under the building. He stated he receives complaints the parking spots are too narrow. A discussion ensued. The commissioners asked Ursula Leo to review the lease with RPM Development regarding enforcement.
- c. Pastor Leone stated he will not be available for the February 7, 2019 meeting.

**Approval of Bills**

Motion to approve bills items **a-g** as presented, made by Chairman Edwards, seconded by Mr. Ciaravolo. Approved 4-0.

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|--|-------------|
| a. Town of Newton, Current Account_____  | \$10,000.00 |
| b. Direct Energy Business, Inc._____     | \$179.70    |
| c. Firefighter One, LLC_____             | \$486.95    |
| d. Home Depot, Inc._____                 | \$29.96     |
| e. JCP&L_____                            | \$685.11    |
| f. Staples Business Advantage, Inc._____ | \$92.28     |
| g. Verizon Wireless, Inc._____           | \$76.02     |

**Public to be Heard**

None.

Motion to Adjourn by Mr. Leone, seconded by Mr. Dudes. Approved 4-0.

**ADJOURNED AT 3:04 p.m.**

Next meeting is February 7, 2019 at 8:45 a.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Teresa Ann Oswin". The signature is written in a cursive style with a loop at the end of the last name.

TERESA OSWIN, DEPUTY MUNICIPAL CLERK/PA SECRETARY ASSISTANT