

**Newton Parking Authority Meeting
November 7, 2019 – Minutes**

Roll Call – meeting called to order at 9:00 a.m. by Chairman Edwards

Present: Chairman Edwards, Ms. Kweselait, Mr. Leone

Also Present: Thomas S. Russo, Jr., Newton Town Manager/PA Secretary
Theresa Schlosser, Tax Collector/Finance Office
Kimberly Williams, Community Development Director

Excused: Vice Chairman Mitchell
Gary Govier, Parking Enforcement Officer

Open Public Meetings Act Statement – read by Chairman Edwards.

Approval of Minutes

Motion to approve September 5, 2019 Minutes as presented, by Mr. Leone, seconded by Ms. Kweselait.
Approved 3-0.

Financial Reports

Motion to approve August and September 2019 Treasurer's Reports, as presented, by Mr. Leone, seconded by Ms. Kweselait. Approved 3-0.

Old Business

None.

New Business

a) Resolution F-2019 – Authorization of 2020 Parking Authority/Town of Newton Agreement

THIS AGREEMENT is made this 1st day of January, 2020, between the **TOWN OF NEWTON**, a public body corporate of the State of New Jersey (hereinafter called the "Town"), having its office at 39 Trinity Street in the Town of Newton, County of Sussex, and State of New Jersey; and the **PARKING AUTHORITY OF THE TOWN OF NEWTON**, a public body corporate of the State of New Jersey (hereinafter called the "Authority"), having its office at 39 Trinity Street in the Town of Newton, County of Sussex, and State of New Jersey.

WHEREAS, the Authority has been in existence since August 10, 1953 and has the management and control of various parking lots within the Town of Newton under its jurisdiction, in and upon which the Authority has caused to be made certain substantial improvements; and

WHEREAS, the Authority wishes to receive the income presently received by the Town from, or with respect to, the parking of motor vehicles in the streets or otherwise; including funds collected in parking meters located in and along streets or otherwise; and

WHEREAS, the Town presently performs certain administrative, maintenance, and police services on behalf of the Authority in the operation and management of its offices and functions;

NOW, THEREFORE, each of the parties hereto, for and in consideration of the premises and the mutual obligations herein, do hereby covenant and agree with the other as follows:

1) Commencing January 1, 2020 the Town pledges to the Authority and covenants and agrees with the Authority to pay to the Authority, all of any funds thereafter received by the Town for or with respect to the parking or storage of motor vehicles in the streets or otherwise; including funds collected from parking meters located in and along streets or otherwise.

2) The Town shall perform all administrative, maintenance and police services required to be performed by the Authority, for the Authority; including, but not limited to, bookkeeping, secretarial work, investment counseling, snow removal, cleaning, striping, and enforcement of Ordinances, rules and regulations related to the operation of the parking lots owned and operated by the Authority; and employment of two part-time individuals for Spring Street foot patrol and meter enforcement duties.

3) The Authority shall pay to the Town the sum of forty-five thousand dollars (\$45,000.00) per year for rendering of said services. Said forty-five thousand dollars (\$45,000.00) shall be due and payable quarterly as follows:

Eleven thousand two hundred fifty dollars (\$11,250.00) commencing on the first day of March, 2020; and a like sum on the first day of June, 2020; the first day of September, 2020; and the first day of December, 2020. This Agreement may be terminated by either party upon ninety (90) days written notice to the other.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed on their behalf, and their respective seals to be hereunto affixed and attested to on the day and year first above written.

b) Resolution G-2019 – Appointment of Treasurer for the Newton Parking Authority for Calendar Year 2020

WHEREAS, N.J.S.A. 40:11A-23(3) requires the Parking Authority to appoint a treasurer;

NOW, THEREFORE BE IT RESOLVED, that Monica Meibach, C.M.F.O. for the Town of Newton be named as Treasurer for the Newton Parking Authority for calendar year 2020; and

BE IT FURTHER RESOLVED, in the interest of paying vendors in a timely manner for goods and services rendered to the Authority, that the Treasurer be permitted to pay certain bills, once they have been reviewed and approved for payment by the Authority's Secretary and prior to authorization of the Newton Parking Authority.

c) Resolution H-2019 – Resolution Authorizing the Execution of an Agreement with BLD, LLC for Lot #3 – The Western Plaza Lot – for Calendar Year 2020

WHEREAS, the Authority owns a certain parking lot known as Lot #3 -Western Plaza shown on the Newton Tax Map as Block 8.03, Lot 4 formerly known as Block 716, Lot 16, and more particularly shown on Schedule A attached hereto; and

WHEREAS, BLD, LLC owns a certain parking lot as shown on the Newton Tax Map as Block 8.03 Lot 3 with frontage along Trinity Street, and measuring approximately 138-ft wide by 150-ft deep – which was formerly known as Block 716, Lot 23, and further shown on Schedule A attached hereto; and

WHEREAS, the Authority and BLD wish to continue to consolidate, Block 8.03 Lot 3 with Block 8.03, Lot 4 subject to the provisions of the attached Agreement for use as a single parking lot known as Lot #3 - Western Plaza to be administered by the Authority;

NOW, THEREFORE BE IT RESOLVED, that the Newton Parking Authority, hereby authorizes the Chairman and Secretary to execute said agreement with BLD, LLC for the lease of the property known as Lot #3 - Western Plaza for a period of one-year, commencing on January 1, 2020.

d) Resolution I-2019 – Approve 2020 Budget

WHEREAS, the Annual Budget and Capital Budget for the Town of Newton Parking Authority for the fiscal year beginning, January 1, 2020 and ending, December 31, 2020 has been presented before the governing body of the Town of Newton Authority at its open public meeting of November 7, 2019; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$90,000.00, Total Appropriations, including any Accumulated Deficit if any, of \$90,000.00 and Total Unrestricted Net Position utilized of \$0.00 and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$14,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$14,000.00 and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Town of Newton Parking Authority, at an open public meeting held on November 7, 2019 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Town of Newton Authority for the fiscal year beginning, January 1, 2020 and ending, December 31, 2020 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Town of Newton Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 5, 2019.

Motion to approve items a-d above, by Mr. Leone, seconded by Ms. Kweselait. Approved 3-0.

- e) Review of Purchase Ledgers for Parking Passes – August and September 2019. No comments.

Approval of Bills

a. Direct Energy Business Inc. _____	\$110.05
b. JCP&L _____	\$332.78
c. Verizon Wireless, Inc. _____	\$76.02
d. Direct Energy Business Inc. _____	\$127.11
e. JCP&L _____	\$329.94
f. Verizon Wireless, Inc. _____	\$76.02

Motion to approve bills items a-f as presented, made by Mr. Leone, seconded by Ms. Kweselait. Approved 3-0.

Public to be Heard

None.

Executive Session

- a) Resolution E-2019 – Real Property Acquisition.

WHEREAS, the Newton Parking Authority is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Newton Parking Authority to discuss in a session not open to the public certain matters relating to the item authorized by N.J.S.A. 10:4-12b and designated below:

- i. Attorney Client Privilege – Real Property Acquisition

NOW, THEREFORE, BE IT RESOLVED, by Newton Parking Authority, assembled in public session on November 7, 2019, that an Executive Session closed to the public shall be held on September 5 at _____ in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific item designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Newton Parking Authority that the public interest will no longer be served by such confidentiality.

Motion to approve by Mr. Leone, seconded by Ms. Kweselait. Approved 3-0. Time: 9:06 a.m.

Discussion ensued on potential acquisition of various parcels in Town. Motion to come out of Executive Session at 9:22 a.m. Motion to approve by Mr. Leone, seconded by Chairman Edwards. Approved 3-0.

Motion to Adjourn by Mr. Leone, seconded by Ms. Kweselait. Approved 3-0.

ADJOURNED AT 9:23 a.m.

Next meeting is December 5, 2019 at 8:45 a.m.

Respectfully submitted,

Thomas S. Russo, Jr.

/s/ THOMAS S. RUSSO, JR., TOWN MANAGER/PA SECRETARY