

**AGENDA**  
**NEWTON PARKING AUTHORITY**

**November 3, 2022**  
**8:45 A.M.**  
**VIA ZOOM**

**I. ROLL CALL**

Ms. Le Frois	Mr. Boyle	Mr. Mitchell	Ms. Kweselait
Ms. Schlosser	Mr. Russo	Ms. Wood-Rosso	

**II. OPEN PUBLIC MEETINGS ACT STATEMENT**

**III. APPROVAL OF MINUTES**

- September 1, 2022 Meeting

**IV. FINANCIAL REPORTS**

- August 31, 2022 Treasurer's Report  
September 30, 2022 Treasurer's Report  
October 31, 2022 Treasurer's Report

**V. OLD BUSINESS**

**VI. NEW BUSINESS**

- a. Resolution F-2022 – Authorization of 2023 Parking Authority/Town of Newton Agreement
- b. Resolution G-2022 – Appointment of Treasurer for the Newton Parking Authority for Calendar Year 2023
- c. Resolution H-2022 – Resolution Authorizing the Execution of an Agreement with BLD, LLC for Lot #3 – the Western Plaza Lot for Calendar Year 2023
- d. Resolution I-2022 – Approve 2023 Budget
- e. Review of Purchase Ledgers for Parking Passes – August 2022, September 2022, October 2022

**VII. APPROVAL OF BILLS**

- a. Constellation NewEnergy Gas Div \_\_\_\_\_ \$103.08
- b. Eric M. Bernstein & Associates, LLC. \_\_\_\_\_ \$39.00
- c. JCP&L \_\_\_\_\_ \$218.41
- d. Parkeon, Inc. \_\_\_\_\_ \$39,642.00
- e. Synchrony Bank \_\_\_\_\_ \$26.38
- f. Take a Powder Inc DBA Meter Product \_\_\_\_\_ \$1,960.00
- g. Constellation NewEnergy Gas Div \_\_\_\_\_ \$123.68
- h. Current Account \_\_\_\_\_ \$38.01
- i. Current Account \_\_\_\_\_ \$11,250.00
- j. Home Depot, Inc. \_\_\_\_\_ \$120.38
- k. JCP&L \_\_\_\_\_ \$371.05
- l. Monica Miebach \_\_\_\_\_ \$13.99
- m. NJLM \_\_\_\_\_ \$60.00
- n. Sebring Auto Parts, Inc. \_\_\_\_\_ \$32.52
- o. Wielkots & Company, LLC. \_\_\_\_\_ \$2,850.00
- p. Constellation NewEnergy Gas Div \_\_\_\_\_ \$95.72
- q. Gatehouse Media New York Holdings, Inc. \_\_\_\_\_ \$93.00
- r. Gravity Design Works, Inc. \_\_\_\_\_ \$1,340.00
- s. JCP&L \_\_\_\_\_ \$419.09
- t. Kieffer Electric, Inc. \_\_\_\_\_ \$3,217.50
- u. Parkeon, Inc. \_\_\_\_\_ \$228.00

**VIII. PUBLIC TO BE HEARD**

**IX. ADJOURNMENT**

**NEXT MEETING IS DECEMBER 1, 2022 VIA ZOOM.**

**Newton Parking Authority Meeting  
September 1, 2022 – Minutes  
Via ZOOM**

**Roll Call** – meeting called to order at 8:47 a.m. by Chairman Le Frois.

**Present:** Mr. Boyle, Ms. Kweselait, Chairperson Le Frois  
**Also Present:** Theresa Schlosser, Tax Collector  
Thomas S. Russo, Jr., Newton Town Manager/PA Secretary  
**Excused:** Vice Chairperson Mitchell, Jessica Wood-Rosso, Parking Enforcement Officer

**Open Public Meetings Act Statement** – read by Chairperson Le Frois.

**Approval of Minutes**

Motion to approve April 7, 2022 Minutes as presented, by Ms. Kweselait, seconded by Mr. Boyle. Approved 3-0.

**Financial Reports**

Motion to approve April 30, 2022, May 31, 2022, June 30, 2022, and July 31, 2022 Treasurer Reports, as presented, by Ms. Kweselait, seconded by Mr. Boyle. Approved 3-0.

**Old Business** – Ms. Schlosser discussed the new parking rates and the installation of the new parking kiosks. Mr. Boyle questioned if there are old phone lines that need to be canceled with the installation of new kiosks. Ms. Schlosser stated no. Mr. Boyle also questioned if the kiosks have solar powered sources. Ms. Schlosser stated yes. Ms. Kweselait questioned the cost of replacement solar batteries. Ms. Schlosser will find out and advise.

Mr. Russo gave an overview of parking lot usage and sales. He also mentioned an upcoming meeting to revise the RFP/RFQ for the McGuire's location to include hotels. Chairperson Le Frois may also participate.

**New Business**

- a. Resolution E-2022 – Certification of Annual Audit for the Town of Newton Parking Authority

**WHEREAS**, N.J.S.A. 40A:5A-15 requires the Governing Body of each local authority to cause and annual audit of its accounts to be made; and

**WHEREAS**, the annual audit report for the fiscal year ended December 31, 2021 has been completed and filed with the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15; and

**WHEREAS**, N.J.S.A. 40A:5A-17 requires the Governing Body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

**WHEREAS**, the members of the Governing Body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A.40A:5A17;

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Town of Newton Parking Authority hereby certifies to the Local Finance Board of the State of New Jersey that each Governing Body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2021, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by Group Affidavit in the form prescribed by the Local Finance Board;

**BE IT FURTHER RESOLVED** that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid Group Affidavit, accompanied by a certified true copy of this resolution.

Motion to approve Resolution E-2022 by Mr. Boyle, seconded by Ms. Kweselait. Approved 3-0.

- b. Review of Purchase Ledgers for Parking Passes – April, May, June, and July 2022 – No discussion. Motion to approve by Ms. Kweselait, seconded by Mr. Boyle. Approved 3-0.

**Approval of Bills**

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

a.	Constellation NewEnergy – Gas Div _____	\$217.33
b.	Current Account _____	\$76.02
c.	Eric M. Bernstein & Associates, LLC _____	\$286.00
d.	JCP&L _____	\$428.15
e.	Monica Miebach _____	\$39.98
f.	Take a Powder Inc DBA Meter Product _____	\$975.00
g.	Amano McGann, Inc. _____	\$940.00
h.	Constellation NewEnergy – Gas Div _____	\$199.23
i.	Current Account _____	\$38.01
j.	Current Account _____	\$11,250.00
k.	Eric M. Bernstein & Associates, LLC _____	\$260.00
l.	JCP&L _____	\$617.21
m.	Constellation NewEnergy – Gas Div _____	\$92.82
n.	Current Account _____	\$119.70
o.	Gatehouse Media New York Holdings, Inc. _____	\$15.60
p.	JCP&L _____	\$309.49
q.	Amano McGann, Inc. _____	\$653.00
r.	Current Account _____	\$176.01
s.	Eric M. Bernstein & Associates, LLC _____	\$221.00
t.	JCP&L _____	\$324.06
u.	Staples _____	\$30.11

**Public to be Heard** - None.

Mr. Russo informed the members that an EV Charging Station grant that was recently awarded. Chairperson Le Frois thanked the municipal staff for work on the grant.

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

**ADJOURNED AT 9:10 a.m.**

**Next meeting is November 3, 2022 at 8:45 a.m. via Zoom.**

**Respectfully submitted,**



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

**NEWTON PARKING AUTHORITY TREASURER'S REPORT  
AUGUST 31, 2022**

<u>CASH BALANCE:</u>		<u>INTEREST:</u>	<u>MONTH</u>	<u>YR-TO-DATE</u>
CHECKING ACCOUNT	\$ 268,744.19		\$ 505.73	\$ 1,084.25

<u>STREET METER RECEIPTS:</u>		<u>PLAZA RECEIPTS:</u>	
<u>MONTH</u>	\$ 1,559.06	<u>MONTH</u>	\$ 177.90
<u>YR-TO-DATE</u>		<u>YR-TO-DATE</u>	
2022	\$ 9,560.26	2022	\$ 5,605.56
2021	\$ 9,504.34	2021	\$ 7,154.10
2020	\$ 8,270.29	2020	\$ 5,061.57

<u>PARKING PASS RECEIPTS:</u>		<u>MISCELLANEOUS:</u>	
<u>MONTH</u>	\$ 2,345.00	<u>MONTH</u>	\$ 20.00
<u>YR-TO-DATE</u>		<u>YR-TO-DATE</u>	
2022	\$ 56,975.00	2022	\$ 40.00
2021	\$ 48,690.00	2021	\$ 64.80
2020	\$ 51,480.00	2020	\$ -

<u>LEASING CONTRACT:</u>	
<u>MONTH</u>	\$ -
<u>YR-TO-DATE</u>	
2022	\$ 750.00
2021	\$ 750.00
2020	\$ 700.00

<u>MONTH</u>	<u>STREET MTR</u>	(CENTRAL) <u>#4 BLUE</u>	(MAIN) <u>#2 BLK</u>	(ADAMS) <u>#1 RED</u>	(WESTERN) <u>#3 GRN</u>	<u>PASSES</u> <u>MERCHANT</u>	<u>PASSES</u> <u>OVERNIGHT</u>	<u>PASSES</u> <u>DAILY</u>
	158	69	30	43	125			
2022	\$ 1,559.06	\$ 68.35	\$ 17.85	\$ 13.45	\$ 78.25		\$ 1,250.00	\$ 1,095.00
2021	\$ 1,187.18	\$ 307.00	\$ 67.00	\$ 87.71	\$ 312.95		\$ 780.00	\$ 1,170.00
2020	\$ 794.38	\$ 71.50	\$ 64.80	\$ 74.95	\$ 195.06	\$ -	\$ 480.00	\$ 630.00
<u>YR-TO-DATE</u>								
2022	\$ 9,560.26	\$ 1,972.10	\$ 762.86	\$ 436.35	\$ 2,434.25	\$ 13,200.00	\$ 9,440.00	\$ 34,335.00
2021	\$ 9,504.34	\$ 3,218.77	\$ 618.38	\$ 1,053.47	\$ 2,263.48	\$ 12,300.00	\$ 6,990.00	\$ 29,400.00
2020	\$ 8,270.29	\$ 1,803.05	\$ 628.92	\$ 575.85	\$ 2,053.75	\$ 13,950.00	\$ 5,130.00	\$ 32,400.00

Free parking at kiosks for the month  
New parking pass rates in effect

Respectfully Submitted: Theresa Schlosser

**NEWTON PARKING AUTHORITY TREASURER'S REPORT  
SEPTEMBER 30, 2022**

<b><u>CASH BALANCE:</u></b>		<b><u>INTEREST:</u></b>	<b>MONTH</b>	<b>YR-TO-DATE</b>
CHECKING ACCOUNT	\$ 271,976.71		\$ 466.76	\$ 1,084.25

<b><u>STREET METER RECEIPTS:</u></b>		<b><u>PLAZA RECEIPTS:</u></b>	
MONTH	\$ 1,525.26	MONTH	\$ 882.37
YR-TO-DATE		YR-TO-DATE	
2022	\$ 11,085.52	2022	\$ 6,487.93
2021	\$ 10,723.93	2021	\$ 8,089.05
2020	\$ 9,161.85	2020	\$ 5,700.77

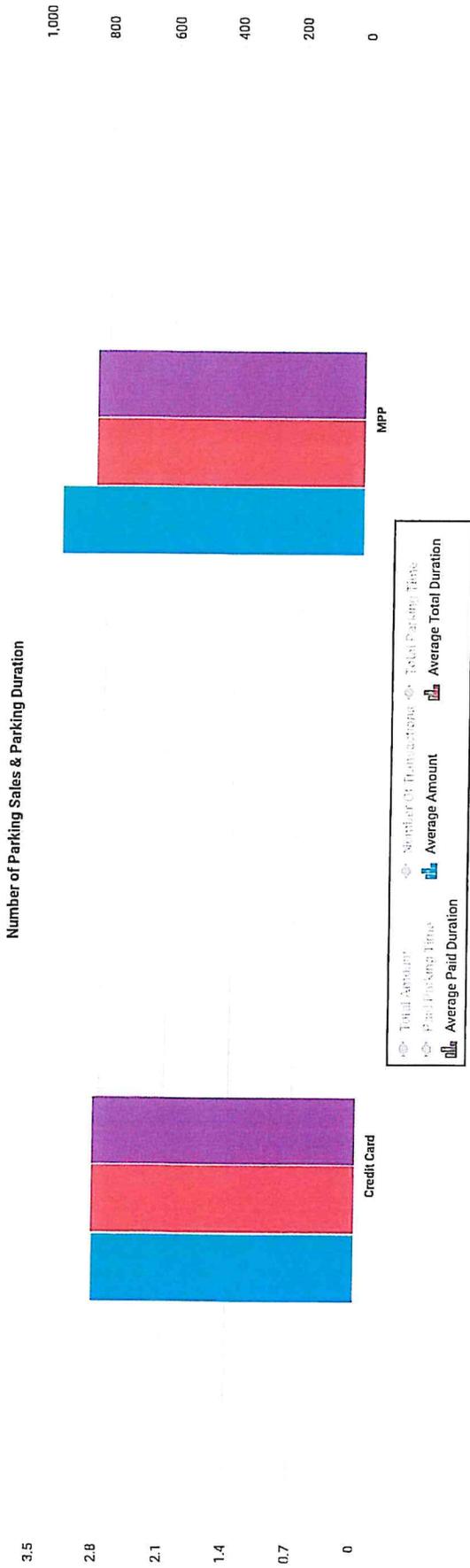
<b><u>PARKING PASS RECEIPTS:</u></b>		<b><u>CREDIT CARD/APP:</u></b>	<b><u>KIOSKS</u></b>	<b><u>METERS</u></b>
MONTH	\$ 2,705.00	MONTH	\$ 978.25	\$ 242.90
YR-TO-DATE		YR-TO-DATE		
2022	\$ 59,680.00	2022	\$ 978.25	\$ 242.90
2021	\$ 50,805.00			
2020	\$ 52,770.00			

<b><u>LEASING CONTRACT:</u></b>		<b><u>MISCELLANEOUS:</u></b>	
MONTH	\$ -	MONTH	\$ -
YR-TO-DATE		YR-TO-DATE	
2022	\$ 750.00	2022	
2021	\$ 750.00	2021	\$ 64.80
2020	\$ 700.00	2020	\$ -

<u>MONTH</u>	<u>STREET MTR</u>	(CENTRAL) <u>#4 BLUE</u>	(MAIN) <u>#2 BLK</u>	(ADAMS) <u>#1 RED</u>	(WESTERN) <u>#3 GRN</u>	<u>PASSES</u> <u>MERCHANT</u>	<u>PASSES</u> <u>OVERNIGHT</u>	<u>PASSES</u> <u>DAILY</u>
	158	69	30	43	125			
2022	\$ 1,525.26	\$ 448.96	\$ 101.96	\$ 144.60	\$ 186.85		\$ 1,400.00	\$ 1,305.00
2021	\$ 1,219.59	\$ 441.70	\$ 123.80	\$ 4.90	\$ 364.55	\$ -	\$ 825.00	\$ 1,290.00
2020	\$ 891.56	\$ 111.40	\$ 220.70	\$ 107.55	\$ 199.55	\$ -	\$ 585.00	\$ 705.00
<b><u>YR-TO-DATE</u></b>								
2022	\$ 11,085.52	\$ 2,421.06	\$ 864.82	\$ 580.95	\$ 2,621.10	\$ 13,200.00	\$ 10,840.00	\$ 35,640.00
2021	\$ 10,723.93	\$ 3,660.47	\$ 742.18	\$ 1,058.37	\$ 2,628.03	\$ 12,300.00	\$ 7,815.00	\$ 30,690.00
2020	\$ 9,161.85	\$ 1,914.45	\$ 849.62	\$ 683.40	\$ 2,253.30	\$ 13,950.00	\$ 5,715.00	\$ 33,105.00

New rates and new kiosks in effect 9/1/22

Respectfully Submitted: Theresa Schlosser



Payment Type	Total Amount	Number Of Transactions	Total Parking Time	Paid Parking Time	Average Amount	Average Total Duration	Average Paid Duration
Credit Card	\$ 978.25	343	982:25	982:25	\$ 2.85	2:51	2:51
MPP	\$ 242.90	74	216:03	216:03	\$ 3.28	2:55	2:55

**NEWTON PARKING AUTHORITY TREASURER'S REPORT  
OCTOBER 31, 2022**

<b><u>CASH BALANCE:</u></b>		<b><u>INTEREST:</u></b>	<b>MONTH</b>	<b>YR-TO-DATE</b>
CHECKING ACCOUNT	\$ 223,793.67		\$ 545.44	\$ 2,096.45

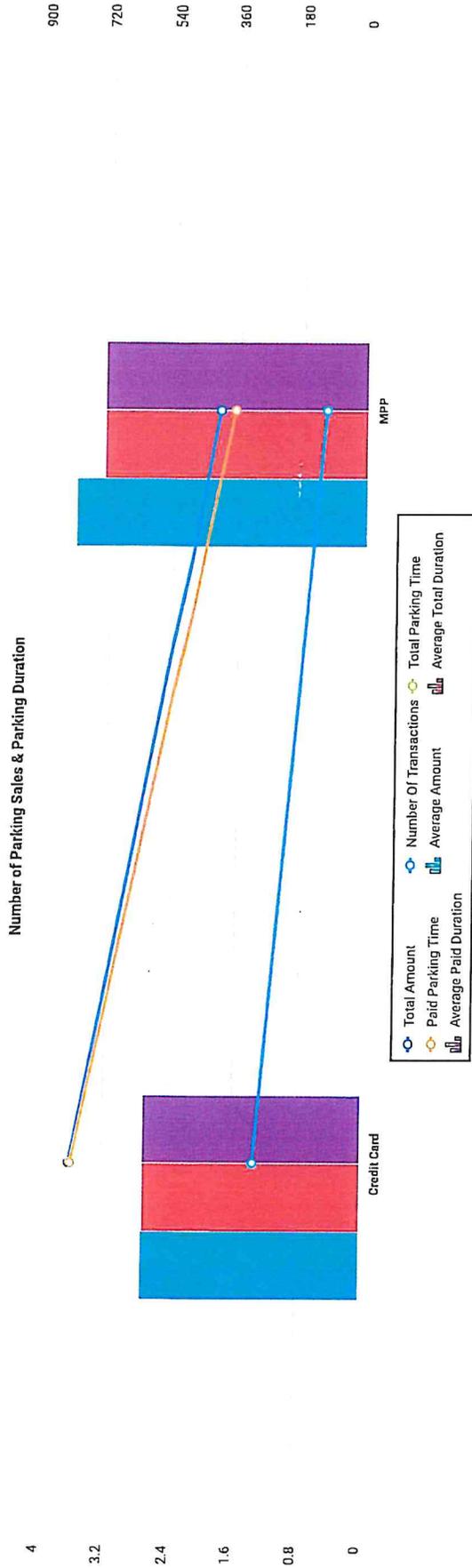
<b><u>STREET METER RECEIPTS:</u></b>		<b><u>PLAZA RECEIPTS:</u></b>	<b>MONTH</b>	<b>YR-TO-DATE</b>
MONTH	\$ 2,001.05			\$ 1,007.10
<b>YR-TO-DATE</b>		<b>YR-TO-DATE</b>		
2022	\$ 12,860.96	2022	\$ 7,495.01	
2021	\$ 12,234.73	2021	\$ 8,729.00	
2020	\$ 10,463.24	2020	\$ 6,369.18	

<b><u>PARKING PASS RECEIPTS:</u></b>		<b><u>CREDIT CARD/APP:</u></b>	Kiosks/lots	Meters
MONTH	\$ 2,765.00	MONTH	\$ 812.75	\$ 414.50
<b>YR-TO-DATE</b>		<b>YR-TO-DATE</b>		
2022	\$ 62,445.00	2022	\$ 1,791.00	\$ 657.40
2021	\$ 53,715.00			
2020	\$ 53,985.00			

<b><u>LEASING CONTRACT:</u></b>		<b><u>MISCELLANEOUS:</u></b>	<b>MONTH</b>	<b>YR-TO-DATE</b>
MONTH	\$ -			\$ -
<b>YR-TO-DATE</b>		<b>YR-TO-DATE</b>		
2022	\$ 750.00	2022	\$ 40.00	
2021	\$ 750.00	2021	\$ 64.80	
2020	\$ 700.00	2020	\$ -	

<b><u>MONTH</u></b>	<b><u>STREET MTR</u></b>	(CENTRAL) <b><u>#4 BLUE</u></b>	(MAIN) <b><u>#2 BLK</u></b>	(ADAMS) <b><u>#1 RED</u></b>	(WESTERN) <b><u>#3 GRN</u></b>	<b><u>PASSES MERCHANT</u></b>	<b><u>PASSES OVERNIGHT</u></b>	<b><u>PASSES DAILY</u></b>
CASH	158	69	30	43	125			
2022	\$ 2,001.05	\$ 404.95	\$ 161.40	\$ 148.25	\$ 292.50	\$ 13,200.00	\$ 1,100.00	\$ 1,665.00
2021	\$ 1,510.80	\$ 108.05	\$ 50.60	\$ 52.45	\$ 428.85	\$ 12,300.00	\$ 8,865.00	\$ 1,860.00
2020	\$ 1,301.39	\$ 173.60	\$ 42.05	\$ 95.00	\$ 357.76	\$ 13,950.00	\$ 495.00	\$ 720.00
<b><u>YR-TO-DATE</u></b>								
2022	\$ 12,860.96	\$ 2,826.01	\$ 1,026.22	\$ 729.20	\$ 2,913.60	\$ 13,200.00	\$ 11,940.00	\$ 37,305.00
2021	\$ 12,234.73	\$ 3,768.52	\$ 792.78	\$ 1,110.82	\$ 3,056.88	\$ 12,300.00	\$ 8,865.00	\$ 32,550.00
2020	\$ 10,463.24	\$ 2,088.05	\$ 891.67	\$ 778.40	\$ 2,611.06	\$ 13,950.00	\$ 6,210.00	\$ 33,825.00

Respectfully Submitted: Theresa Schlosser



Payment Type	Total Amount	Number Of Transactions	Total Parking Time	Paid Parking Time	Average Amount	Average Total Duration	Average Paid Duration
Credit Card	\$ 812.75	301	810:08	809:17	\$ 2.70	2:41	2:41
MPP	\$ 414.50	115	373:31	373:31	\$ 3.60	3:15	3:15

Oct 2022

**AGREEMENT**

**THIS AGREEMENT** is made this 1<sup>st</sup> day of January, 2023, 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, 2023 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.

Resolution & Agreement F-2022

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-eight thousand dollars (\$48,000.00) per year for rendering of said services. Said forty-eight thousand dollars (\$48,000.00) shall be due and payable quarterly as follows:

Twelve thousand dollars (\$12,000.00) commencing on the first day of March, 2023; and a like sum on the first day of June, 2023; the first day of September, 2023; and the first day of December, 2023. 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.

**TOWN OF NEWTON**

\_\_\_\_\_  
Jason J. Schlaffer, Mayor

ATTEST:

\_\_\_\_\_  
Teresa A. Oswin, RMC  
Municipal Clerk

**PARKING AUTHORITY OF  
THE TOWN OF NEWTON**

ATTEST:

\_\_\_\_\_  
Thomas S. Russo, Jr.  
Parking Authority Secy.

# THE NEWTON PARKING AUTHORITY

## RESOLUTION #G-2022

November 3, 2022

**“Appointment of Treasurer for the Newton  
Parking Authority for Calendar Year 2023”**

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

**NOW, THEREFORE BE IT RESOLVED**, that Monica B. Meibach, C.M.F.O. for the Town of Newton be named as Treasurer for the Newton Parking Authority for calendar year 2023; 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.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Parking Authority of the Town of Newton at a regular meeting of said Governing Body conducted on November 3, 2022.

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Thomas S. Russo, Jr., Town Manager  
Secretary to the Newton Parking Authority

**NEWTON PARKING AUTHORITY**

**RESOLUTION #H-2022**

**November 3, 2022**

**“Resolution Authorizing the Execution of an Agreement with BLD, LLC for Lot #3 - the Western Plaza Lot for Calendar Year 2023”**

**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, 2023.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Parking Authority of the Town of Newton at a regular meeting of said Governing Body conducted on November 3, 2022.

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Thomas S. Russo, Jr., Town Manager  
Secretary to the Newton Parking Authority

## AGREEMENT

**THIS AGREEMENT** entered into this \_\_\_\_ day of \_\_\_\_\_, 2022 between **THE PARKING AUTHORITY OF THE TOWN OF NEWTON**, a corporate body of the State of New Jersey, 39 Trinity Street, Newton, New Jersey 07860, hereinafter referred to as the "Authority" and **BLD, L.L.C.**, c/o Daniel Lepore, 83 Spring Street, Newton, New Jersey 07860, hereinafter referred to as "BLD".

### **WITNESSETH:**

**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 owns a certain parking lot as shown on the Newton Tax Map as the portion of 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 consolidate, subject to the provisions of this Agreement, Block 8.03, Lot 3 described above with Block 8.03, Lot 4 for use as a single parking lot to be known as Lot #3 - Western Plaza to be administered by the Authority;

**NOW, THEREFORE**, in consideration of the promises and covenants herein contained and One Dollar (\$1.00) and other good and valuable considerations, the parties agree as follows:

1. BLD hereby leases to the Authority, 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 to be consolidated, subject to the provisions of this Agreement, with Block 8.03, Lot 4 formerly known as Block 716, Lot 16 for use as a single parking lot to be known as Lot #3 - Western Plaza to be administered by the Authority and used for the benefit of mercantile businesses and offices for the purpose of furnishing short-term, off-street customer and client parking for motor vehicles only, with the Authority making such charges for parking as it determines within its discretion and with the Authority receiving all proceeds from such charges.

2. The term of this Agreement shall be for a period of one (1) year beginning January 1, 2023 and ending December 31, 2023. This Lease shall renew for one additional one (1) year term upon the same terms and conditions unless either party serves written notice of termination by Certified Mail, Return Receipt Requested, to the other party at the addresses set forth above prior to October 1, 2023.

3. The Authority shall provide BLD, at no charge, annually, twenty (20) parking passes to any lot.

4. The Authority shall be solely responsible for all costs and expenses for the maintenance including, but not limited to real estate taxes, snow plowing and sanding, paving, patching, striping, and shall keep the premises free from all litter and debris at all times and for all operating expenses and responsibilities of the Lot #3 - Western Plaza parking lot. The Authority agrees to assume all expenses of insurance and shall name BLD as an additional insured on its liability policy, which shall be in an aggregate amount of not less than \$5,000,000.00. The Authority agrees to defend, indemnify, and save harmless BLD from any and all actions, costs or expense including, but not limited to legal fees that may result from its maintenance and operation of the aforesaid Lot #3 - Western Plaza parking lot, except for any expense caused by the actions including the negligence of BLD or its employees, agents, invitees, or assigns. The Authority and BLD each further agrees that in its use of the Lot #3 - Western Plaza, it or its assignees or agents shall not cause any nuisance on the above described premises or any part thereof.

5. During the term of this Agreement, the Authority shall patrol the Lot #3 - Western Plaza and enforce all applicable laws and ordinances that apply thereto or may apply thereto in the future through the Newton Police Department.

6. Notwithstanding any other provisions to the contrary, it is expressly understood and agreed that the configuration of the parking lot shall not be altered or amended without the written consent of BLD which shall not be unreasonably withheld.

7. Notwithstanding any other provision set forth herein, it is expressly understood and agreed that BLD shall have the right to use for its tenants and invitees in its building, which is commonly known as 83 Spring Street, Newton, New Jersey, the parking lot for ingress and egress, on and over the area consolidated hereunder, commonly known as the Lot #3 - Western Plaza, and it is further understood and agreed that BLD shall have rights, subject to ordinances, to install additional means of ingress and egress into its building and specifically reserves the right to reactivate the drive-up banking window that was previously in operation at the rear of the former Shelby's Department Store, including the right to have banking customers utilize such portions of the parking lot that are necessary to access the drive-in banking facility provided such use does not result in the loss of any parking spaces.

8. No provision of this Agreement shall be waived or altered except by written endorsement hereon or attached hereto, signed by both parties.

9. This Agreement shall bind and inure not only to the benefit of the parties hereto, but to their successors or assigns.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement the day and year first written above.

ATTEST:

PARKING AUTHORITY OF  
THE TOWN OF NEWTON

\_\_\_\_\_  
Thomas S. Russo, Jr., Secy.

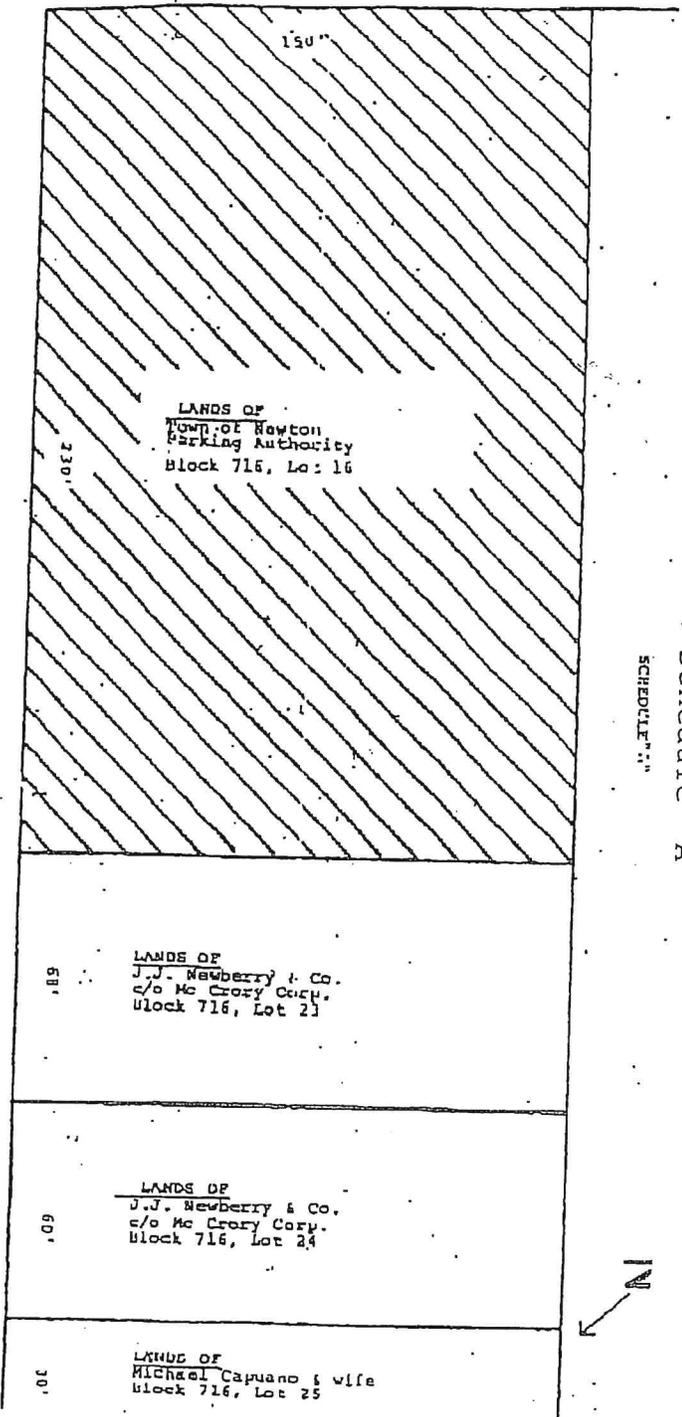
By: \_\_\_\_\_  
Helen R. Le Frois, Chairperson

ATTEST:

BLD, L.L.C.

\_\_\_\_\_

By: \_\_\_\_\_  
Daniel Lepore, Member



Schedule "A"  
SCHEDULE "A"



TRINITY STREET

NOTE: (SCALE 1" = 30')

The information and dimensions hereof are taken from the tax map of the Town of Newton. In no way should they be construed to mean field measured dimensions.

# Resolution I-2022

## 2022 (2023-2024) AUTHORITY BUDGET RESOLUTION

### Town of Newton Parking Authority Budget

FISCAL YEAR: FROM: 1/1/2023 TO: 12/31/2023

WHEREAS, the Annual Budget and Capital Budget for the Town of Newton Parking Authority for the fiscal year beginning, January 1, 2023 and ending, December 31, 2023 has been presented before the governing body of the Parking Authority at its open public meeting of November 3, 2022; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$96,000.00, Total Appropriations, including any Accumulated Deficit if any, of \$96,000.00 and Total Unrestricted Net Position utilized of \$0.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$12,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$12,000.00; 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 3, 2022 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Town of Newton Parking Authority for the fiscal year beginning, January 1, 2023 and ending, December 31, 2023 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 Parking Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 1, 2022.

\_\_\_\_\_  
(Secretary's Signature)

\_\_\_\_\_  
(Date)

Governing Body

Recorded Vote

Member:

Aye

Nay

Abstain

Absent

Le Frois

Boyle

Mitchell

Kweselait

# Expenditure Budget 2023

Account	Description	2019 FINAL BUDGET	2020 FINAL BUDGET	2021 FINAL BUDGET	2022 ADJUST BUD.	2022 CHARGED	2023 Requested	2023 Approved
<b>6251200</b>	<b>SERVICES - OTHER EXPENSES</b>							
6251205	SERVICES - OE - AUDIT	2,600.00	8,260.00	8,360.00	5,760.00	2,850.00	3,135.00	-
6251216	SERVICES - OE - CONSULTANT	1,575.00	1,050.00	4,550.00	1,050.00	1,106.00	1,200.00	-
6251217	SERVICES - OE - CONTRACTUAL	42,000.00	45,000.00	45,000.00	45,000.00	33,750.00	48,000.00	-
<b>6251200</b>	<b>SERVICES - OTHER EXPENSES</b>	<b>46,175.00</b>	<b>54,310.00</b>	<b>57,910.00</b>	<b>51,810.00</b>	<b>37,706.00</b>	<b>52,335.00</b>	<b>-</b>
<b>6252200</b>	<b>ADMINISTRATIVE - OTHER EXPENSES</b>							
6252201	ADMINISTRATIVE - OE - ADVERTISING	150.00	-	-	-	108.60	100.00	-
6252236	ADMINISTRATIVE - OE - INSURANCE PREMIUMS	11,930.00	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00	-
6252247	ADMINISTRATIVE - OE - OFFICE SUPPLIES	450.00	890.00	890.00	890.00	515.48	800.00	-
6252251	ADMINISTRATIVE - OE - POSTAGE	100.00	-	-	-	-	-	-
6252271	ADMINISTRATIVE - OE - UNIFORM EXPENSES	1,045.00	1,400.00	1,400.00	1,609.00	222.99	1,200.00	-
6252278	ADMINISTRATIVE - OE - ADMIN COSTS	200.00	-	-	-	-	-	-
6252279	ADMINISTRATIVE - OE - SPECIAL EVENTS	-	-	-	-	-	-	-
6252296	ADMINISTRATIVE - OE - PERS CONTRIBUTION	-	-	-	-	-	-	-
6252297	ADMINISTRATIVE - OE - SOCIAL SECURITY	-	-	-	-	-	-	-
<b>6252200</b>	<b>ADMINISTRATIVE - OTHER EXPENSES</b>	<b>13,875.00</b>	<b>14,290.00</b>	<b>14,290.00</b>	<b>14,499.00</b>	<b>12,847.07</b>	<b>14,100.00</b>	<b>-</b>
<b>6253200</b>	<b>OPERATIONS - OTHER EXPENSES</b>							
6253200	OPERATIONS - OTHER EXPENSES	-	-	-	-	(0.00)	-	-
6253217	OPERATIONS - OE - CONTRACTUAL SERVICES	2,000.00	1,500.00	1,576.02	6,500.00	756.06	9,000.00	-
6253225	OPERATIONS - OE - ELECTRICAL POWER	11,000.00	11,000.00	11,000.00	11,000.00	4,371.79	7,065.00	-
6253226	OPERATIONS - OE - EQUIPMENT MAINTENANCE	-	-	-	-	-	-	-
6253229	OPERATIONS - OE - GAS/DIESEL	1,250.00	1,500.00	1,500.00	1,500.00	119.70	1,500.00	-
6253239	OPERATIONS - OE - MATERIALS & SUPPLIES	2,800.00	2,800.00	3,441.68	3,690.00	2,725.31	3,300.00	-
6253243	OPERATIONS - OE - METER MAINTENANCE	5,000.00	5,000.00	5,300.00	6,900.00	6,770.50	5,000.00	-
6253270	OPERATIONS - OE - LOT MAINTENANCE	700.00	1,000.00	1,000.00	1,000.00	120.38	500.00	-
6253272	OPERATIONS - OE - VEHICLE MAINTENANCE	1,200.00	1,200.00	1,200.00	1,200.00	32.52	1,200.00	-
6253299	OPERATIONS - OE - MISC.	-	-	-	-	-	-	-
<b>6253200</b>	<b>OPERATIONS - OTHER EXPENSES</b>	<b>23,950.00</b>	<b>24,000.00</b>	<b>25,017.70</b>	<b>31,790.00</b>	<b>14,896.26</b>	<b>27,565.00</b>	<b>-</b>
<b>6254200</b>	<b>CAPITAL IMPROVEMENTS - CAPITAL OUTLAY</b>							
6254200	CAPITAL IMPROVEMENTS - CAPITAL OUTLAY	12,000.00	14,000.00	14,000.00	47,000.00	39,642.00	12,000.00	-
	<b>GRAND TOTAL</b>	<b>96,000.00</b>	<b>106,600.00</b>	<b>111,217.70</b>	<b>145,099.00</b>	<b>105,091.33</b>	<b>106,000.00</b>	<b>-</b>

# Revenue Budget 2023

Account	Description	2019 FINAL BUDGET	2020 FINAL BUDGET	2021 FINAL BUDGET	2022 ADJUST BUD.	2022 COLLECTED	2023 Requested	2023 Approved
624301	SURPLUS	12,000.00	14,000.00	14,000.00	47,000.00	47,000.00	10,000.00	-
624301	SURPLUS							
624320	OPERATING REVENUE							
624321	PARKING FEES(not subject to sales tax)	77,300.00	83,300.00	83,300.00	89,500.00	-	89,500.00	-
624322	LEASING CONTRACTS	4,700.00	4,700.00	4,700.00	4,750.00	750.00	4,750.00	-
624323	Due S/NJ Sales Tax	-	-	-	-	-	-	-
624324	PARKING FEES(subject to sales tax)	-	-	-	-	-	-	-
624339	Parking Passes - MERCHANT	-	-	-	-	13,200.00	-	-
624340	Parking Passes - OVERNIGHT	-	-	-	-	11,940.00	-	-
624341	Parking Passes - Daily	-	-	-	-	37,305.00	-	-
624342	Street Meters	-	-	-	-	12,495.45	-	-
624343	Central Lot#4 blue	-	-	-	-	2,738.71	-	-
624344	Eastern Lot	-	-	-	-	-	-	-
624345	Main Lot #2 black	-	-	-	-	1,003.47	-	-
624346	Adams Lot #1 Red	-	-	-	-	696.45	-	-
624347	Western Lot#3 green	-	-	-	-	2,846.65	-	-
624348	Theatre Lot	-	-	-	-	-	-	-
624349	Lower Spring Street Meters	-	-	-	-	-	-	-
624320	OPERATING REVENUE	82,000.00	88,000.00	88,000.00	94,250.00	82,975.73	94,250.00	-
624530	NON-OPERATING REVENUE							
624531	INTEREST ON INVESTMENTS	2,000.00	2,000.00	2,000.00	600.00	1,551.01	1,750.00	-
624532	OTHER REVENUE	-	-	-	-	40.00	-	-
624530	NON-OPERATING REVENUE	2,000.00	2,000.00	2,000.00	600.00	1,591.01	1,750.00	-
	GRAND TOTAL	96,000.00	104,000.00	104,000.00	141,850.00	131,566.74	106,000.00	-

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TOWN OF NEWTON

# Check Register - (620001) CASH - PARKING AUTH-LAKELAND #594

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
8/30/2022	23321	4138 CONSTELLATION NEWENERGY -GAS DIV	103.08			
8/30/2022	23322	4385 ERIC M. BERNSTEIN & ASSOCIATES, LLC.	39.00			
8/30/2022	23323	113 JCP&L	218.41			
8/30/2022	23324	4538 PARKEON, INC.	39,642.00			
8/30/2022	23325	3897 SYNCHRONY BANK	26.38			
8/30/2022	23326	3748 TAKE A POWDER INC DBA METER PRODUCT	1,960.00			
			-----			
			41,988.87			
			=====			
			41,988.87			

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TOWN OF NEWTON

# Check Register - (620001) CASH - PARKING AUTH-LAKELAND #594

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
9/29/2022	23327	4138 CONSTELLATION NEWENERGY -GAS DIV	123.68			
9/29/2022	23328	286 CURRENT ACCOUNT	38.01			
9/29/2022	23329	286 CURRENT ACCOUNT	11,250.00			
9/29/2022	23330	1866 HOME DEPOT, INC.	120.38			
9/29/2022	23331	113 JCP&L	371.05			
9/29/2022	23332	4372 MONICA MIEBACH	13.99			
9/29/2022	23333	2701 NJLM	60.00			
9/29/2022	23334	611 SEBRING AUTO PARTS, INC.	32.52			
9/29/2022	23335	4261 WIELKOTZ & COMPANY, LLC.	2,850.00			
			-----			
			14,859.63			
			=====			
			14,859.63			

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TOWN OF NEWTON

# Check Register - (620001) CASH - PARKING AUTH-LAKELAND #594

DATE	CHECK #	PAID TO	AMOUNT	VOID AMOUNT	VOID DATE	REASON
10/25/2022	23336	4138 CONSTELLATION NEWENERGY -GAS DIV	95.72			
10/25/2022	23337	4536 GATEHOUSE MEDIA NEW YORK HOLDINGS , INC.	93.00			
10/25/2022	23338	2313 GRAVITY DESIGN WORKS, INC.	1,340.00			
10/25/2022	23339	113 JCP&L	419.09			
10/25/2022	23340	2569 KIEFFER ELECTRIC, INC.	3,217.50			
10/25/2022	23341	4538 PARKEON, INC.	228.00			
			-----			
			5,393.31			
			=====			
			5,393.31			