

June 25, 2012

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 p.m. Present were Mrs. Becker, Mr. Elvidge, Mr. Ricciardo, Deputy Mayor Diglio, Mayor Le Frois, Thomas S. Russo, Jr., Town Manager, and Mark Hontz, Esq., Town Attorney.

Mayor Le Frois made the following declaration that "in accordance with the Open Public Meetings Act, notice of this public meeting was given to the two newspapers of record and posted on the official bulletin board on December 31, 2011."

Mayor Le Frois led the Pledge of Allegiance to the flag and the Clerk called the roll and upon motion of Mr. Ricciardo, seconded by Deputy Mayor Diglio and carried, the minutes of May 30, 2012 (Regular) meeting and June 11, 2012 (Regular) meeting were approved as amended.

OPEN TO THE PUBLIC

Mayor Le Frois read the following statement:

"At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 5 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes."

There being no one from the public to be heard, Mayor Le Frois closed the meeting to the public.

COUNCIL & MANAGER REPORTS

Mr. Russo received a request from the Newton Fire Department to hold their annual celebratory event at the #1 Firehouse, Mill Street, Newton, following the Annual County Parade on October 3, 2012. After a brief discussion, the Council approved their request for October 3, 2012 from 7:00 p.m. to 11:00 p.m.

ORDINANCES

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE #2012-17

AN ORDINANCE AMENDING SECTION 320-2.C PERMITTED USE AND SECTION 320-3 DEFINITIONS AND SECTION 320-26 t-5 TRANSECT ZONE OF CHAPTER 320 FORM-BASED CODE OF THE TOWN OF NEWTON

WHEREAS, the Town of Newton approved and adopted the Chapter 320 Form-Based Code of the Town of Newton, which became effective May 2, 2012; and

WHEREAS, the Town of Newton received public comments following the adoption regarding Section 320—2.C Permitted Uses; and

WHEREAS, the public comments concerned uses on Spring Street which are not permitted on the first floor, particularly Artisinal Workshops; and

WHEREAS, the Town of Newton determined that Artisinal Workshops should be permitted on the first floor and that some additional minor changes to the Permitted Uses table at Section 320-2.C. were warranted provided that the definitions section be updated to address concerns raised by the Town Council; and

WHEREAS, it was noted by the Zoning Officer that under certain cases a Front Porch and Fence private frontage would be merited in the T-5 Transect Zone;

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton that Section 320-2.C Permitted Uses, Section 320-3 Definitions, and Section 320-26 be amended as follows:

Section 1: The permitted uses table for Transect Zones shall be replaced with the following table:

320-2.C PERMITTED USES

The following tables show permitted uses by Transect Zone and Special District. A mix of uses is permitted based on building types designated as such. Unless expressly permitted in the table, all other uses are deemed to be prohibited.

Permitted Uses Table – Transect Zones							
Use	Transect						
	Government/Civic/Institutional	T-1	T-2	T-3	T-4	T-5	T-6
1	Private or parochial school	NP	NP	NP	P	P	P
2	Institutional Use	NP	NP	NP	P	P	P
3	General Hospital, Nursing Home Convalescent home	NP	NP	NP	P	P	NP
4	Community garden	P	P	P	P	P	P
5	Emergency services	NP	NP	P	P	P	P
6	Plaza/square/piazza	NP	NP	NP	P	P	P
7	Hospital/medical center	NP	NP	NP	NP	NP	NP
8	Cultural uses (museum/gallery/library)	NP	NP	NP	P	P	P
9	Park/Playground	P	P	P	P	P	P
10	House of worship	NP	P	P	P	P	P
11	All public buildings and uses	NP	NP	NP	P	P	P
12	Government or public utility use (not including storage uses and garages)	P	P	P	P	P	P
13	Governmental administrative/institutional uses	NP	NP	NP	P	P	P
14	Judicial	NP	NP	NP	NP	P	P
15	Law Enforcement	NP	NP	NP	P	P	P
16	Public works	P	P	P	P	P	P
17	Community Center/Senior Center	NP	P	P	P	P	P
18	Cemeteries	C	C	C	NP	NP	NP
	Commercial Retail Services	T-1	T-2	T-3	T-4	T-5	T-6
19	Antique Stores	NP	NP	NP	P	P	P
20	Appliance Stores	NP	NP	NP	P	P	P
21	Arts and Crafts Stores	NP	NP	NP	P	P	P
22	Bakeries	NP	NP	NP	P	P	P
23	Banks	NP	NP	NP	P	P	P
24	Beauty Salons, spas and barber shops	NP	NP	NP	P	P	P
25	Bed and breakfasts	NP	C	C	P	P	P
26	Auto Body Shops	NP	NP	NP	C	C	NP
27	Book Stores (excluding adult book stores)	NP	NP	NP	P	P	P
28	Camera and photographic supply						

Permitted Uses Table – Transect Zones							
	Use	Transect					
	stores	NP	NP	NP	P	P	P
29	Candy and Ice Cream Shops	NP	NP	NP	P	P	P
	Commercial Retail Services (cont.)	T-1	T-2	T-3	T-4	T-5	T-6
30	Clothing apparel and shoe stores	NP	NP	NP	P	P	P
31	Child care centers	NP	NP	P	P	P	PS
32	Coffee shops	NP	NP	NP	P	P	P
33	Computer supplies and software stores	NP	NP	NP	P	P	P
34	Cosmetic stores, beauty supply stores and perfumeries	NP	NP	NP	P	P	P
35	Delicatessens	NP	NP	NP	P	P	P
36	Department stores	NP	NP	NP	P	P	P
37	Diners, cafes and restaurants	NP	NP	NP	P	P	P
38	Drug stores	NP	NP	NP	P	P	P
39	Electronics, audio and cell phone stores	NP	NP	NP	P	P	P
40	Farmers' Market	P	P	P	P	P	P
41	Florists	NP	NP	NP	P	P	P
42	Food (health) and supplement stores	NP	NP	NP	P	P	P
43	Furniture stores	NP	NP	NP	P	P	P
44	Garden supply stores	NP	NP	NP	P	P	P
45	Gas stations	NP	NP	NP	C	C	NP
46	Grocery stores and specialty food stores	NP	NP	NP	P	P	P
47	Hobby, toy and game stores	NP	NP	NP	P	P	P
48	Home goods, furnishings and accessories stores	NP	NP	NP	P	P	P
49	Hotels (excluding extended stay/efficiencies/single room occupancies)	NP	NP	NP	NP	P	P
50	Jewelers and watch stores (excluding pawn shops)	NP	NP	NP	P	P	P
51	Luggage and leather goods	NP	NP	NP	P	P	P
52	Meat markets	NP	NP	NP	P	P	P
53	Motor vehicle sales	NP	NP	NP	C	C	NP
54	Musical instruments and supplies stores	NP	NP	NP	P	P	P
55	Optical goods stores	NP	NP	NP	P	P	P
56	Package goods stores/ liquor stores	NP	NP	NP	P	P	P
57	Paint, wallpaper, and/or hardware stores	NP	NP	NP	P	P	P
58	Pet grooming, pet shops and pet supplies	NP	NP	NP	P	P	P
59	Pharmacies	NP	NP	NP	P	P	P
	Commercial Retail Services (cont.)	T-1	T-2	T-3	T-4	T-5	T-6
60	Photographers and picture framers	NP	NP	NP	P	P	P
61	Recreational facilities, i.e. gym, bowling alley	NP	NP	NP	P	P	P
62	Souvenir shops	NP	NP	NP	P	P	P
63	Sports and recreation stores (excluding gun stores)	NP	NP	NP	P	P	P
64	Stationery, office supply and card	NP	NP	NP	P	P	P

Permitted Uses Table – Transect Zones							
Use		Transect					
	stores						
65	Taverns and bars	NP	NP	NP	P	P	P
	Business/Office/Professional	T-1	T-2	T-3	T-4	T-5	T-6
66	General and professional offices	NP	NP	NP	P	P	PS*
67	Business services	NP	NP	NP	P	P	P
68	Laboratory (medical/dental)	NP	NP	NP	P	P	NP
69	Office (dental, medical, veterinary, administrative)	NP	NP	NP	P	P	PS*
70	Photo or art studios	NP	NP	NP	P	P	P
71	Home occupations	NP	C	C	P	P	PS
72	Professional occupations	NP	C	C	P	P	P
73	Licensed Taxicab Business Office	NP	NP	NP	C	C	NP
	Light Industrial	T-1	T-2	T-3	T-4	T-5	T-6
74	Research and development	NP	NP	NP	P	NP	NP
75	Warehouse and storage	NP	NP	NP	NP	NP	NP
76	Light manufacturing	NP	NP	NP	NP	NP	NP
77	Product filling and assembly	NP	NP	NP	NP	NP	NP
78	Artisanal workshop	NP	NP	NP	P	P	P
79	Food and beverage production	NP	NP	NP	NP	NP	NP
	Residential	T-1	T-2	T-3	T-4	T-5	T-6
80	Single family detached	NP	P	P	P	P	NP
81	Duplex	NP	NP	P	P	P	NP
82	Age restricted	NP	NP	NP	P	P	NP
83	Residential over commercial	NP	NP	NP	P	P	P
84	Flats or Lofts (elevator fed)	NP	NP	NP	P	P	PS
85	Group Care (elder-care, extended care, special care)	NP	C	C	P	P	P
86	Live/work	NP	NP	NP	P	P	P
87	Residential Cluster Development	NP	C	C	NP	NP	NP
	Other						
88	Club, lodge or fraternal organization	NP	C	C	P	P	P
89	Farming and Agricultural Uses	P	C	C	NP	NP	NP
90	Parking Structure as principal use	NP	NP	NP	P	P	P
91	Surface Parking as principal use	NP	NP	NP	P	P	NP
92	Temporary Uses	P	NP	NP	P	P	P
	Accessory Uses	T-1	T-2	T-3	T-4	T-5	T-6
93	Accessory Apartment	NP	P	P	P	P	NP
94	Carport	NP	P	P	P	P	NP
95	Private Garage	NP	P	P	P	P	NP
96	Storage Shed	NP	P	P	P	P	NP
97	Surface Parking Lot	NP	NP	NP	P	P	P
98	Parking Structure	NP	NP	NP	P	P	P
99	Sidewalk Café (March 1- Dec. 1 provided snow and ice are not present).	NP	NP	NP	P	P	P
100	Street Furniture	P	P	P	P	P	P
101	Drive-Through Facility	NP	NP	NP	P	P	NP
102	Outdoor Display (March 1- Dec. 1 provided snow and ice are not present).	NP	NP	NP	P	P	P
103	Outdoor Storage	NP	NP	NP	NP	NP	NP

P – Permitted NP – Not Permitted PS – Permitted On Any Level Except Street Level C – Conditional Use

*Professional offices are permitted on the first floor or street level north of Main Street in the T-6 Zone.

Section 2: The following definition shall replace the current definitions in Section 320-3 Definitions:

Artisinal Workshop. Shops of special trade including the manufacturing, compounding assembly processing, packaging or similar treatment of such products as: baked goods, candy, ceramics, pottery, china, weaving and other textile arts, painting, cooperage, woodworking and other artistic endeavors and similar trades. Retail sales on the premises of products made on the premises are required in the T-6 Zone. Artisinal Workshops shall not exhibit any exterior noise, smell, glare or dust from manufacturing. If any exterior noise, smell, glare or dust is present, the use shall be classified as light manufacturing.

Section 3: The T-5 Transect Zone Bulk Requirements table shall be amended so that Section 320-26.1 Porch and Fence private frontages are permitted:

Private Frontages (320-26.1)	Common Lawn	Not Permitted
	Porch and Fence	Permitted
	Terrace	Permitted
	Forecourt	Permitted
	Shop front and Awning	Permitted
	Gallery	Permitted
	Arcade	Permitted

Mayor Le Frois opened the hearing to the public. There being no one from the public to be heard, upon motion by Mr. Elvidge, seconded by Mrs. Becker and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE** was offered by Mr. Ricciardo, who moved its adoption, seconded by Mr. Elvidge and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Mr. Ricciardo	Yes	Deputy Mayor Diglio	Yes
Mayor Le Frois		Yes	

This ordinance will take effect after publication and adoption according to law. The Clerk will advertise the above Ordinance according to law.

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE #2012-18

ORDINANCE REAPPROPRIATING \$20,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR COURT ROOM RENOVATIONS AND APPURTENANCES FOR AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$20,000 of the proceeds of obligations originally made available pursuant to Section 3(a) of bond ordinance #2011-5 of the Town of Newton, in the County of Sussex, New Jersey (the "Town") finally adopted April 25, 2011 is no longer necessary for the purpose of road improvements consisting of reconstruction and resurfacing, and reconstruction and/or installation of sidewalks along the entire length of Shady Lane, Hillside Avenue, Overlook Road, Slate Hill Road and Spring Street including adjacent areas for which the obligations previously were authorized.

Section 2. The \$20,000 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for court room renovations and appurtenances.

Section 3. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Le Frois opened the hearing to the public. There being no one from the public to be heard, upon motion by Mrs. Becker, seconded by Mr. Elvidge and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE** was offered by Mr. Ricciardo, who moved its adoption, seconded by Mr. Elvidge and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Mr. Ricciardo	Yes	Deputy Mayor Diglio	Yes
	Mayor Le Frois	Yes	

This ordinance will take effect after publication and adoption according to law. The Clerk will advertise the above Ordinance according to law.

OLD BUSINESS – None

CONSENT AGENDA

Mayor Le Frois read the following statement:

"All items listed with an asterisk () are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda."*

Mr. Russo provided a brief overview of the various Resolutions.

RESOLUTION #109-2012*

AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 16.01, LOT 18 (FORMERLY BLOCK 902.3, LOT 18)

WHEREAS, at the Municipal Tax Sale held on June 2, 2010, a lien was sold on Block 16.01, Lot 18 (Formerly Block 902.03 Lot 18), also known as 17 Jersey Place, for 2009 delinquent water and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1333, and was sold to Another Lien LLC for 0% redemption fee and a premium of \$200.00; and

WHEREAS, CoreLogic Tax Services, LLC, the owner's mortgage company, has effected the redemption of Certificate #1333 in the amount of \$3,326.10;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that, Another Lien LLC is entitled to a redemption in the amount of \$3,326.10 as well as the return of the premium in the amount of \$200.00; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue two (2) checks, the first in the amount of \$3,326.10 for the redemption of Certificate #1333 and the second check in the amount of \$200.00 for the return of the premium to Another Lien LLC, 1 Vista Drive, Sparta, NJ 07871.

RESOLUTION #110-2012*

TRANSFER OF SCHOOL MONIES FOR THE PERIOD JULY 1, 2012 TO DECEMBER 31, 2012

BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Treasurer be authorized to turn over to the Treasurer of School Monies, as monies become available, \$5,579,564.00 to meet the obligations of the Newton Board of Education, exclusive of Debt Service, in accordance with the Statutes and the request of the Board of Education of Newton;

Amount of Tax Voted (Exclusive of Debt Service)	\$11,159,127.00
Amount Received to Date	0.00
Amount of This Request	<u>5,579,564.00</u>
Balance Due Board of Education	5,579,563.00

RESOLUTION #111-2012*

AUTHORIZE REFUND OF ADDITIONAL REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FR BLOCK 22.02, LOT 3 (FORMERLY BLOCK 1209, LOT 3)

WHEREAS, a Redemption took place on Tuesday, June 12, 2012 in the amount of \$117,571.91 for TSC#1242, Block 22.02, Lot 3 (formerly Block 1209, Lot 3), also known as 19 Merriam Avenue; and

June 25, 2012

WHEREAS, it has been determined that a balance in the amount of \$1,003.48 is still due and owing and payable by the redeemer of TSC#1242; and

WHEREAS, Lakeland Bank, the owner's mortgage company, has remitted the balance due in the amount of \$1,003.48;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that, US Bank cust for Sass Muni V dtr is entitled to the additional redemption amount of \$1,003.48 on TSC#1242; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check, in the amount of \$1,003.48 for the balance due on TSC#1242 to US Bank cust for Sass Muni V, dtr, 50 S. 16th Street, Suite 1950, Philadelphia, PA 19102.

RESOLUTION #112-2012*

REAPPOINTMENT OF MR. XAVIER IZQUIERDO TO THE NEWTON HOUSING AUTHORITY

BE IT RESOLVED by the Town Council of the Town of Newton that Mr. Xavier Izquierdo is hereby reappointed to a full five-year term on the Newton Housing Authority, effective May 1, 2012 and continuing through April 30, 2017 based on the recommendation of the Housing Authority Executive Director, Dr. Kimberly Woodhull.

RESOLUTION #113-2012*

RENEWAL OF CLUB LICENSES

BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the renewal Club License No. 1915-31-014-001 be issued to Newton Memorial Post 5360, Veterans of Foreign Wars, t/a Newton Memorial Post 5360, V.F.W., 85 Mill Street, Newton, New Jersey; and that the renewal Club License No. 1915-31-013-002 be issued to Loyal Order of Moose Newton Lodge #432, t/a Loyal Order of Moose Newton Lodge #432, 4 Diller Avenue, Newton, New Jersey for the licensing year 2012-2013, effective July 1, 2012.

RESOLUTION #114-2012*

RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE

BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the renewal Plenary Retail Distribution License No. 1915-44-010-003 be issued to Bia Krishna, Inc., t/a Seplow's Liquors, 5 Woodside Avenue, Newton, New Jersey; that the renewal Plenary Retail Distribution License No. 1915-44-004-012 be issued to HV Patel Corporation, t/a Spring Liquors, 110 Spring Street, Newton, New Jersey for the licensing year 2012-2013, effective July 1, 2012.

RESOLUTION #115-2012*

REAPPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR

BE IT RESOLVED by the Town Council of the Town of Newton that Kenneth A. Teets is hereby reappointed to a three-year term as Emergency Management Coordinator for the Town of Newton, in accordance with State law. Said term will expire on December 31, 2014.

RESOLUTION #116-2012*

RESOLUTION OF THE TOWN OF NEWTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ADOPT THE SUSSEX COUNTY, NEW JERSEY ALL HAZARDS PRE-DISASTER MITIGATION PLAN

WHEREAS, the TOWN OF NEWTON is vulnerable to damages from hazard events which pose a threat to public health and safety and could result in property loss and economic hardship;

June 25, 2012

WHEREAS, a Multi-Jurisdictional All-Hazards Pre-Disaster Mitigation Plan (the Plan) has been developed through the work of the Sussex County Hazard Mitigation Working Group, and interested parties within the TOWN OF NEWTON; and

WHEREAS, the Plan recommends hazard mitigation actions that will protect people and property affected by hazards occurring within the TOWN OF NEWTON, that will reduce future public, private, community and personal costs of disaster response and recovery; and that will reinforce the TOWN OF NEWTON's leadership in emergency preparedness efforts; and

WHEREAS, the Disaster Mitigation Act of 2000 (P.L. 106-390) (DMA 2000) and associated Federal regulations published under 44 CFR Part 201 require the TOWN OF NEWTON to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities; and

WHEREAS, the County of Sussex held public meetings on May 18, 2010, May 15, 2010, July 23, 2010 and August 13, 2010 to receive comment on the Plan as required by DMA 2000;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the TOWN OF NEWTON that:

1. TOWN OF NEWTON adopts the Sussex County, New Jersey Pre-Disaster Hazard Mitigation Plan, dated June 25, 2012 as this jurisdiction's official Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

2. The TOWN OF NEWTON officials identified in the Mitigation Action Plan (Section 6) are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the TOWN OF NEWTON Office of Emergency when any of the projects are to be implemented with availability of funding and allocation of staff.

3. The TOWN OF NEWTON Office of Emergency Management will provide annual progress reports on the status of implementation of the Plan to the Newton Town Council. This report shall be submitted to the Newton Town Council by December 31 of each year provided implementation of projects have stated with availability of funding and allocation of staff.

4. The TOWN OF NEWTON Office of Emergency Management will undertake periodic updates of the Plan in concert with the Sussex County Division of Emergency Management as indicated in the Plan Maintenance Program (Section 7) but no less frequent than every five years.

RESOLUTION #117-2012*

**INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2012 TOWN OF NEWTON BUDGET
PURSUANT TO NJSA 40A:4-87 (C. 159, PL 1948)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount; and

WHEREAS, the Town of Newton received a grant award in the amount of \$25,811.00 from the State of New Jersey Department of Law and Public Safety for a Safe and Secure Communities Program Grant Number P-5502-12; and

WHEREAS, the Town of Newton anticipated \$20,223.00 in the 2012 municipal budget and now needs to insert the incremental amount of \$5,588.00;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following item of revenue in the 2012 Budget of the Town of Newton which is now available as revenue from:

Miscellaneous Revenues:
Section F: Special Items of Revenue
Public and Private Revenues Off-set with Appropriations:
NJ Safe and Secure Communities Grant.....\$5,588.00

BE IT FURTHER RESOLVED that the following like sum be and the same is hereby appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from CAPS
Public and Private Programs Off-Set by Revenues:
NJ Safe and Secure Communities Grant..... \$5,588.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

RESOLUTION #118-2012*

INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2012 TOWN OF NEWTON BUDGET PURSUANT TO NJSA 40A:4-87 (C. 159, PL 1948)

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation of equal amount; and

WHEREAS, the Town of Newton is the lead agency, (also including Green Township, Andover Township and Andover Borough) for a grant in the amount of \$18,772.00 from the State of New Jersey Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex for Municipal Alliance Grant; and

WHEREAS, the Town of Newton authorized the submission of the 2012 Action Alliance Grant per Resolution #188-2011 adopted September 14, 2011;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following item of revenue in the 2012 Budget of the Town of Newton which is now available as revenue from:

Miscellaneous Revenues:
Section F: Special Items of Revenue
Public and Private Revenues Off-set with Appropriations:
NJ Municipal Alliance Grant \$18,772.00

BE IT FURTHER RESOLVED that the following like sum be and the same is hereby appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from CAPS
Public and Private Programs Off-Set by Revenues:
NJ Municipal Alliance Grant \$18,772.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

June 25, 2012

RESOLUTION #119-2012*

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the renewal Plenary Retail Consumption License No. 1915-33-001-005 be issued to Chun Bo, Inc., t/a Chun Bo Chinese Restaurant, 66 Sparta Avenue, Newton, New Jersey; that the renewal Plenary Retail Consumption License No. 1915-33-002-008 be issued to Bader George Qarmout, t/a O'Reillys Pub & Grill, 271 Spring Street, Newton, New Jersey; that the renewal Plenary Retail Consumption License No. 1915-33-003-007 be issued to Big Tadew, LLC t/a Andre's Restaurant, 188-190 Spring Street, Newton, New Jersey; that the renewal Plenary Retail Consumption License w/Broad Package Privilege No. 1915-32-005-011 be issued to Newton Bar & Liquors, Inc., t/a Shop Rite Liquors of Newton, 127 Water Street, (Route 206 N.) Newton, New Jersey; that the renewal Plenary Retail Consumption License No. 1915-33-007-005 be issued to Apple Food Service of Newton, LLC., t/a Applebee's Neighborhood Grill & Bar, 6 North Park Drive, Newton, New Jersey; that the renewal Plenary Retail Consumption License No. 1915-33-008-004 be issued to F. Roger Pierson Enterprises, Inc., t/a Trinity, 173 Spring Street, Newton, New Jersey; and that the renewal Plenary Retail Consumption License No. 1915-33-011-008 be issued to The County Seat Restaurant, LLC, t/a The County Seat Dining & Caterers, 64 Water Street, Newton, New Jersey; for the licensing year 2012-2013, effective July 1, 2012.

RESOLUTION #120-2012*

APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB DRIVER'S LICENSE FOR RALPH EDWARD DRAKE

WHEREAS, the Code of the Town of Newton requires that under **283-2, License Required** "No person shall operate a taxicab within the Town unless both the owner and the driver of the taxicab are licensed under this article." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising that the renewal Taxicab Driver's license application is complete and accurate; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Ralph Edward Drake, 150 Belvidere Avenue, Apt. 2, Washington, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2013.

RESOLUTION #121-2012*

APPOINTMENT OF KAREN SCHULTE AS A CLASS C, REGULAR MEMBER OF THE HISTORIC PRESERVATION ADVISORY COMMISSION

WHEREAS, there is currently a vacancy on the Historic Preservation Advisory Commission for a Class C, Regular Member due to the resignation of Louis Read; and

WHEREAS, Karen Schulte, currently Alternate No.1 on the Historic Preservation Advisory Commission has expressed interest in serving as a Class C, Regular Member on the Commission;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Karen Schulte is hereby appointed to an unexpired four-year term as a Class C, Regular Member of the Newton Historic Preservation Advisory Commission, effective immediately with said term continuing to May 31, 2013.

June 25, 2012

RESOLUTION #122-2012*

RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Town of Newton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, as follows:

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 1. 2003 Mighty Might Radar Trailer
VIN# 4AGAU08163C035307
Condition: Good
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

RESOLUTION #123-2012* (REVISED)

PROVIDE EMERGENCY APPROPRIATION IN THE TOWN OF NEWTON 2012 BUDGET

WHEREAS, an emergency has arisen with respect to building and ground repairs and no adequate provision was made in the 2012 budget for the aforesaid purpose; and

WHEREAS, N.J.S. 40A:4-48 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriation(s) created including the appropriation to be created by this resolution is \$15,000.00 and three percent (3%) of the total operations in the budget for the year is \$ 269,513.70;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton (not less than two-thirds (2/3) of all the members thereof affirmatively concurring), that in accordance with the provisions of N.J.S.A. 40A:4-48 that:

- 1) An emergency appropriation be and the same is hereby made for in the amount of \$15,000.00.
- 2) Said emergency appropriation shall be provided in full in the 2013 budget.
- 3) The Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
- 4) That an "Emergency Note" not in excess of the above amount be authorized pursuant to N.J.S.A. 40A:4-48 and in accordance with the provision of NJSA 40A:4-51.

June 25, 2012

- 5) That such note shall be executed by the Chief Financial Officer and by the Town Clerk.
- 6) That said note be dated after June 25, 2012, and may be renewed from time to time, and such note and any renewals thereof shall be payable on or before December 31, 2013.
- 7) A certified copy of this resolution be filed with the Director of the Division of Local Government Services.

STATEMENT RE:
EMERGENCY RESOLUTION

This statement must be prepared in duplicate by the Chief Financial Officer or other responsible official, and must be filed with the Municipal Clerk prior to the adoption of the emergency resolution. The duplicate thereof must be filed with the Director of Local Government Services at the time of filing the emergency resolution.

Need of Emergency Appropriation:

The air conditioning units for the dispatch and the police departments failed. The Town dispatches for ten municipalities. The computers need temperature controlled environments or they will fail. The outside temperatures were expected to be in the 90's. This caused an emergent need to perform repairs.

Since these costs were not included in the 2012 Current Municipal Budget, an emergent condition exists which requires a supplemental appropriation. Since the repairs are needed immediately it does not allow sufficient time to introduce and adopt a capital ordinance. The State has provided an emergency appropriation resolution as an appropriate means to address happenings of this nature.

Date of Occurrence: **June 18, 2012**

Have any contracts been awarded or purchase orders place in connection with this emergency appropriation? **YES**

Have any payments been made in connection with this emergency appropriation? **NO**

If costs are in excess of \$17,500 for either labor or materials, or both, will bids be advertised for? **N/A.**

If not, have resolutions been adopted declaring an exigency to exist which will not permit the advertisement for public bids? **N/A**

Will work be performed by contract, force account or otherwise? **Contract.**

Signed: _____
Title: Chief Financial Officer

Dated: _____

RESOLUTION #124-2012*

APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB OWNER'S LICENSE FOR DORAGAIL SPICER T/A DADS TAXI & LIMO

WHEREAS, the Code of the Town of Newton requires that under **283.2, License Required**, "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to the expiration to the Chief of Police"; and

WHEREAS, the Police Department has completed the necessary investigation and submitted a letter advising that the renewal Taxicab Owner's License application is complete and accurate; and

June 25, 2012

WHEREAS, in accordance with **283.6, Inspection of Vehicles**, "Before a vehicle is used as a taxicab within the Town it shall be inspected.....to ascertain that it is in a safe, clean and sanitary condition and contains all safety devices required by law";

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the renewal Taxicab Owner's License application submitted by Doragail Spicer, 128 Plains Road, Augusta, NJ 07822, t/a DADS Taxi & Limo, which shall expire June 12, 2013;

BE IT FURTHER RESOLVED that the applicant must be in compliance with all aspects of **Chapter 283**, of the Code of the Town of Newton, as well as, the provisions of N.J.R.S. 46:16.

RESOLUTION #125-2012*

APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB DRIVER'S LICENSE FOR DORAGAIL SPICER

WHEREAS, the Code of the Town of Newton requires that under **283-2, License Required**. "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising that the renewal Taxicab Driver's License application is complete and accurate;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Doragail Spicer, 128 Plains Road, Augusta, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2013.

RESOLUTION #126-2012*

APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB DRIVER'S LICENSE FOR GLEN SPICER

WHEREAS, the Code of the Town of Newton requires that under **283.2, License Required**. "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising that the renewal Taxicab Driver's license application is complete and accurate;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Glenn T. Spicer, 128 Plains Road, Augusta, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2013.

RESOLUTION #127-2012*

AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS

WHEREAS, the Water and Sewer Collector has determined that the following Water and Sewer Utility Accounts are due credits for the reasons stated;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the following accounts for amounts billed incorrectly due to the reason(s) stated:

Utility Board Recommends Credit for Minimum Bills:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
5344	46 Hillside Terr.	\$150.00

RESOLUTION #128-2012*

APPROVE BILLS AND VOUCHERS FOR PAYMENT

BE IT RESOLVED by the Town Council of the Town of Newton that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in the 2011 and 2012 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

TOWN BILLS

479.61	Quill Corporation	30598
3,032.70	Printing Center, Inc.	30599
606.80	M G L Printing Solution	30600
832.50	Harold Pellow & Assoc., Inc.	30601
195.00	ABCCode Security	30602
463.64	Airmark Pools	30603
199.50	New Jersey Herald	30604
2,224.47	SCMUA	30605
245.96	Campbell's Small Engine	30606
259.25	Lock & Key World	30607
12,591.00	Willco, Inc.	30608
193.93	Newton Citgo	30609
95.87	Newton Trophy	30610
1,229.00	T.A. Mountford Company	30611
340.00	Galls Incorporated	30612
1,000.00	NJ State Assoc. of CHF Police	30613
311.71	Airgas East	30614
71.98	Sirchie Finger Print Labs	30615
638.17	McGuire	30616
1,680.22	Vision Service Plan	30617
39,309.28	Statewide Insurance Fund	30618
193.55	Verizon Wireless	30619
48.29	Walmart	30620
1,102.50	Alternate Power Inc.	30621
25.00	Wildflowers with Tami	30622
480.00	Vogel, Chait, Collins, Schneider, PC	30623
4,276.58	Fire & Safety Services, LTD	30624
318.00	Thomson West	30625
783.84	Buckman's Inc.	30626
902.79	Staples Business Advantage	30627
1,793.00	Trane	30628
5,871.17	County of Sussex	30629
58.68	Nestle Waters	30630
707.58	Pinnacle Wireless FBO Unitek Global	30631
1,880.13	Taylor Oil	30632
115,710.00	NJMEBF	30633
290.00	Air Purifiers, Inc.	30634
2,349.00	Morphotrak, Inc.	30635

CAPITAL

10,189.75	Harold Pellow & Assoc., Inc.	7937
25.20	New Jersey Herald	7938
87,263.80	Tilcon New Jersey	7939

12,970.00 Fireman’s Friend LLC 7940

Total TOWN BILLS \$313,239.45

WATER AND SEWER ACCOUNT

30.04	Montague Tool & Supply	12961
316.88	Schmidt’s Wholesale, Inc.	12962
5,046.16	Harold Pellow & Assoc., Inc.	12963
227.08	Fisher Scientific	12964
578.35	CCP Industries	12965
420.00	Andres & Mooney Electric Inc.	12966
386.00	Keller Welding Company	12967
1,019.74	SCMUA	12968
1,810.67	Coyne Chemical Corp., Inc.	12969
107.30	Campbell’s Small Engine	12970
1,045.08	Hamburg Plumbing Supply Co., Inc.	12971
685.00	Minisink Press Inc.	12972
750.00	Frank Semeraro Construction, Inc.	12973
323.42	Vision Service Plan	12974
46,516.72	Statewide Insurance Fund	12975
728.70	Univar USA Inc.	12976
9,198.00	Passaic Valley Sewerage Comm.	12977
797.86	Main Pool & Chemical Company	12978
63,871.35	Tilcon New Jersey	12979
2,210.00	Alternate Power Inc.	12980
143.00	Process Tech Sales and Service	12981
10.21	Pall Corporation	12982
7,241.40	Accurate Waste Removal	12983
20,832.00	NJMEBF	12984
1,850.00	Harter Equipment, Inc.	12985
323.28	Tri-State Rentals/Party World Inc.	12986
585.12	Parkhurst Dist. Co., Inc.	12987

CAPITAL

3,796.32	Harold Pellow & Assoc., Inc.	2225
108,664.08	Tilcon New Jersey	2226
139.10	Sussex County Rental Center	2227

Total WATER & SEWER BILLS \$279,652.86

TRUST

5,997.00	Harold Pellow & Assoc., Inc.	3028
440.75	Current Account	3029
236.26	Walmart	3030
395.85	Foremost Promotions	3031
259.99	Simon Peter Sport	3032

Total TRUST ACCOUNT BILLS \$7,329.85

RESOLUTION #129-2012*

REAPPOINTMENT OF MS. BETSY VAN ORDEN TO THE ADVISORY SHADE TREE COMMISSION

BE IT RESOLVED by the Town Council of the Town of Newton that Ms. Betsy Van Orden is hereby reappointed to a five-year term on the Newton Advisory Shade Tree Commission, effective immediately and continuing through May 31, 2017.

June 25, 2012

RESOLUTION #130-2012*

**RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY
DESIGNATING BLOCK 10.01, LOTS 5 AND 6 AS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land within the municipality constitute an "area in need of redevelopment", as defined in the Redevelopment Law; and

WHEREAS, the Town directed the Planning Board by resolution to examine whether Block 10.01, Lots 5 and 6 (formerly known as Block 801, Lots 49.01 and 49.02, collectively, the "Study Area"), should be determined an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, J. Caldwell and Associates, LLC (the "Planning Consultant") prepared a preliminary investigation report of the above-referenced Study Area in accordance with the Redevelopment Law, entitled "Area in Need of Redevelopment Study for the Newton Armory & ShopRite Block 10.01, Lots 5 & 6" (the "Study", a copy of which is attached hereto as Exhibit A); and

WHEREAS, the Study concluded that the Study Area qualifies as an area in need of redevelopment pursuant to the Redevelopment Law, for the reasons set forth in the Study; and

WHEREAS, pursuant to the Redevelopment Law, the Planning Board caused a duly noticed public hearing to be held concerning the Study on June 20, 2012, giving all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment the opportunity to be heard; and

WHEREAS, at said public hearing, the Board considered the Study, heard the comments of the Planning Consultant, opened the meeting for public comment, and deliberated on the matter using the criteria set forth in the Redevelopment Law; and

WHEREAS, on June 20, 2012, the Planning Board adopted a resolution (a copy of which is attached hereto as Exhibit B) accepting and adopting the recommendations contained in the Study, and recommending that the Study Area be declared an area in need of redevelopment for the reasons set forth therein; and

WHEREAS, after careful consideration of the Study, the Planning Board resolution, and all of the relevant facts and circumstances concerning this matter;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Newton in the County of Sussex, New Jersey as follows:

Section 1. Designation of the Redevelopment Area. Based on substantial evidence and the recommendation of the Planning Board, the Town Council hereby designates Block 10.01, Lots 5 and 6 as an area in need of redevelopment.

Section 2. Transmittal of Resolution to Commissioner of Community Affairs. The Town Council hereby directs the Town Clerk to transmit a certified copy of this resolution forthwith to the Commissioner of the Department of Community Affairs for review.

Section 3. Effective Date. This resolution shall take effect immediately.

RESOLUTION #131-2012*

**RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY
AUTHORIZING AN AMENDMENT TO A SITE ACCESS AGREEMENT WITH RESPECT TO THE
NEWTON ARMORY PROPERTY**

WHEREAS, the Town of Newton owns that certain land known as the Newton Armory and identified on the Official Tax Map of the Town as Block 10.01, Lot 6 (formerly

Block 801, Lot 49.01) (the "**Property**"); and

WHEREAS, Newton 213, L.L.C. (the "**LLC**"), has expressed interest in purchasing the Property, and has requested that the Town grant the LLC access to the Property and permission to conduct thereon certain investigations, surveys, testing and studies of the Property (collectively, the "**Investigations**"), all at the LLC's cost and expense and at no cost or expense to the Town; and

WHEREAS, on April 9, 2012 the Town authorized the execution of a site access agreement (the "**Agreement**") establishing the terms and conditions of such access to the Property; and

WHEREAS, the LLC has requested to extend the term of the Agreement until September 24, 2012, and the Town wishes to so extend the term of the Agreement;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Town hereby authorizes the execution of a letter amendment to the Agreement in substantially the form attached hereto as **Exhibit A** and by this reference incorporated herein. The Mayor is hereby authorized to execute the Agreement in substantially the form attached hereto, with such additions, deletions and modifications as may be necessary or desirable in consultation with the Town Attorney and Special Counsel.

Section 3. 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.

Section 4. A copy of this resolution shall be available for public inspection at the offices of the Town Clerk.

Section 5. This Resolution shall take effect immediately.

EXHIBIT A

FORM OF LETTER AMENDMENT TO SITE ACCESS AGREEMENT

A motion was made by Deputy Mayor Diglio to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Mrs. Becker and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Mr. Ricciardo	Yes	Deputy Mayor Diglio	Yes
	Mayor Le Frois	Yes	

INTERMISSION - None

DISCUSSION

Mr. Russo announced that the Reorganization Meeting will be held on Monday, July 2, 2012 at 6:00 p.m. followed by a reception at Project Self Sufficiency (PSS) at 127 Mill Street, Newton.

June 25, 2012

Mr. Russo advised Council that at the July 9, 2012 Council meeting, the Town Engineer, Harold Pellow and Associates, will address the concepts for the railroad right-of-way.

Mr. Russo also advised that our Town Attorney, Mark Hontz, Esq., will address the draft ordinance on the "disruptive properties" at the next Council meeting on July 9th.

OPEN TO THE PUBLIC

Mr. Neil Flaherty, 154 Sparta Avenue, thanked Mayor Le Frois for her dedicated service to the community. Mr. Flaherty indicated that they didn't always agree but respected Mayor Le Frois for doing what is best for residents.

COUNCIL & MANAGER COMMENTS

At this time, Deputy Mayor Diglio made a presentation and presented Mayor Le Frois with a plaque which was inscribed:

NEWTON TOWN COUNCIL

2008-2012

"FOR YOUR LOYALTY, DEVOTION & DEDICATION
TO THE TOWN OF NEWTON
IN APPRECIATION OF YOUR OUTSTANDING SERVICE TO
THE COMMUNITY AND YOUR EXCEPTIONAL
LEADERSHIP QUALITIES"

Mayor Le Frois thanked the Town Council for the beautiful plaque.

Mayor Le Frois informed Council that she will be attending the Sussex County Chamber of Commerce and the Sussex County League of Municipalities first annual Government and Business Symposium on Wednesday, June 27th. The event will be held at the Sussex County Technical School beginning at 6:00 p.m. This event will bring together businesses and government leaders for their thoughts, ideas and concerns.

Deputy Mayor Diglio thanked Mayor Le Frois for being a wonderful mentor and "will truly be missed."

Councilman Ricciardo thanked Mayor Le Frois for serving the Town for the past four years. "You've done a fine job," Mr. Ricciardo concluded.

Councilwoman Becker noted that she will truly miss Helen on the Town Council, as they were running mates four years ago. "You have been a wonderful role model for the Town and you will be missed," Mrs. Becker concluded.

June 25, 2012

Councilman Elvidge also thanked Helen for her four years of service and has enjoyed working with her. Mr. Elvidge said Helen has done a fantastic job as Mayor and has had several accomplishments throughout this year and will be missed.

Mr. Russo also thanked Mayor Le Frois on behalf of the employees, staff, professionals, and volunteers, for her years of service on the Governing Body. Mrs. Le Frois has always displayed professionalism, is hard working and diligent and he wished Helen much happiness in her new endeavors, Mr. Russo concluded.

At this time, Mayor Le Frois read from a prepared statement:

“Since this is my last meeting, I just wanted to take a couple of minutes and say some thank you’s and share some thoughts.

First of all, I’d like to thank my colleagues of the Council for your friendship and support over the past four years – this is a team that’s not afraid of hard work, is willing to make tough decisions, is fiscally responsible, is visionary and forward thinking and, I believe, always thinks about our taxpayers first and makes decisions based on what best serves the greater community at-large.

Secondly, I’d like to thank Tom, Debi, Terri, Lorraine, and all of the Town of Newton staff. Under Tom’s leadership, I’ve loved watching the transformations and changes in the work environment and culture at Town Hall. Your willingness to push the envelope on efficiency, try new ideas, be open to changes and challenges, and rise up to meet high expectations is greatly appreciated. I’ve always believes that the hardest and most meaningful work is not done by computers and machinery, but by people and I believe best team of people working in municipal government. Thank you for your efforts, a job continuously well done, and for always putting our customers first.

Next I’d like to thank all of the Town’s volunteers – the Newton Fire Department, our First Aide Squad, and the members of our Boards and Commissions – the Town of Newton is a better and safer place because of you. Your commitment to our Town and the countless hours you have served are so valuable and it has truly been my pleasure to work with you and get to know you better. Thank you for your service.

I’d also like to thank all of our professionals who I have counted on numerous times for your advice, counsel, and guidance. Thank you for your professionalism, hard work, attention to detail, and for helping us to make Newton the best Town it can be.

June 25, 2012

And certainly last but not least, a huge and heartfelt thank you to my husband, Greg, and my children, Jordan, Madelyn, and Kathryn...words cannot express how important your support and unconditional love has been to me on this journey over the past 4+ years. The countless hours, meetings and events that you've attended with me or not had me with you I know has not been easy, and I cannot thank you enough for always making me proud, picking up additional responsibilities, and when need be, representing the Town of Newton so wonderfully. Thank you and I love you – I hope you're ready to have me around a lot more!

The Town of Newton has realized many, many accomplishments over the past 4 years. And all of them have been achieved because we have worked hard as a collective team and never in a silo. That's what makes our Town great – we achieve, and sometimes fail, together – not because of any one person, any one department, nor any one initiative, but because of everyone's efforts.

Just in the last year alone, we have:

- Passed a budget with the lowest increase in over 10 years
- Refinanced some of our debt saving over \$2.7 million
- Helped to establish a winter and summer farmer's market
- Established a tax exemption program in the Historic District
- Opened Thorlabs, the Newton Theatre, and other small businesses throughout Town
- Continued work on two redevelopment plans in addition to work on other development project in Town
- Updated our Land Use Ordinances
- Concluded major water main upgrades
- Finalized some outstanding circulation plan items
- Codified our Ordinances
- Updates our Personnel Manual
- Increased the number of shared service agreements
- Taken deliver on Tower 804

And this list only represents a dozen or so of the countless other projects and initiatives that have been accomplished.

June 25, 2012

Being a part of this Council and this team of employees and volunteers is definitely on my top 10 list of greatest personal achievements.

I've often said that being an elected official in municipal government is so rewarding because you are truly able to effect change on issues that are most important to each of us and our neighbors – things like, is my Town safe, are my schools good, are the taxes I pay fair in return for the services I get, are there business nearby that I need – this is the work that we do. I have certainly learned a lot and I am hoping that in some way I have served my community well – for it is through the giving to others that we receive the greatest gifts – my service here has certainly been a wonderful gift.

On July 2nd, the Newton Town Council will be reorganized and will include Councilman-elect Dan Flynn, who will be taking my seat. I wish you all the best of luck on all of your future endeavors. I know you will continue to serve our residents well.

I remain faithfully committed for a better Newton and look forward to whatever role I have next. May God continue to bless each of you as you continue your work for our Town. Thank you.”

Municipal Clerk, Lorraine Read, commented that “it has been a wonderful four years” and on behalf of the Town Council, Staff, Department Heads and residents of the Town of Newton we have a small token gift of flowers. The flowers were presented by Brendon Read with a home-made card for Mrs. Le Frois.

There being no further business to be conducted, upon motion of Mr. Ricciardo, seconded by Deputy Mayor Diglio and unanimously carried, the meeting was adjourned at 7:29 p.m.

Respectfully submitted,

Lorraine A. Read, RMC
Municipal Clerk