

January 27, 2014

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. Diglio, Mrs. Becker, Deputy Mayor Elvidge, Mr. Flynn, Mayor Ricciardo, Thomas S. Russo, Jr., Town Manager, and Ursula Leo, Esq., Town Attorney.

Mayor Ricciardo 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, 2013."

Mayor Ricciardo led the Pledge of Allegiance to the flag and the Clerk called the roll and upon motion of Mrs. Diglio, seconded by Deputy Mayor Elvidge and carried, the minutes of January 13, 2014 Regular meeting was approved.

OPEN TO THE PUBLIC

Mayor Ricciardo 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."

George Stafford, Outreach Director of New Jersey Highlands Coalition, addressed Council and briefly outlined the Highlands Water and Protection Act which was passed and signed into law on August 10, 2004. Mr. Stafford requested support of the Newton Governing Body by submitting a Resolution in support of the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan. Mr. Stafford also provided a study which revealed the real estate values in New Jersey from 2004 – 2012.

Patricia Bryce, 110 Woodside Avenue, addressed the Council and advised that when she moved here in 1984, she obtained permission from the Town to keep the ten (10) dogs that she had and maintains to this day. Ms. Bryce requested that she be allowed to maintain the ten (10) dogs and the town not allow a limit of four (4) dogs.

John McGuigan, 10 Emmons Avenue, addressed his opposition with the proposed dog ordinance and noted his objections to the pending Ordinance. He noted that his wife, Patty, was also not in favor of this Ordinance.

Barbara Reichman, New Jersey Director of National Animal Interest Alliance (NAIA), addressed concerns with the proposed dog ordinance limit and requested that the Town Council not approve the Ordinance.

COUNCIL & MANAGER REPORTS

Mr. Russo noted current families with four (4) dogs or more would be grandfathered.

Mr. Russo advised the Newton Board of Education and the Newton Town Council will hold a joint meeting on Tuesday, January 28, 2014 at 6:00 p.m. at the Newton Board of Education office, 57 Trinity Street and is open to the public. Mr. Russo noted this is an annual joint meeting.

ORDINANCES

Mayor Ricciardo directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE #2014-1

AN ORDINANCE AMENDING SECTION 320-2.C "PERMITTED USES" OF THE NEWTON TOWN CODE TO PERMIT FOOD AND BEVERAGE PRODUCTION IN THE T-4, T-5 AND T-6 ZONES

The following **ORDINANCE** was offered by Mrs. Becker, who moved its introduction, seconded by Mr. Flynn and roll call resulted as follows:

| | | | |
|----------------------|-----------------|-------------|-----|
| Mrs. Diglio | Yes | Mrs. Becker | Yes |
| Deputy Mayor Elvidge | Yes | Mr. Flynn | Yes |
| | Mayor Ricciardo | Yes | |

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on same to be held on February 24, 2014.

OLD BUSINESS

ORDINANCE #2013-33

AN ORDINANCE TO REVISE THE CODE OF THE TOWN OF NEWTON TO INCLUDE A NEW PROVISION RESTRICTING THE NUMBER OF DOGS PERMITTED

At this time, Ursula Leo, Esq. outlined the recent amendments which included fostering and hobby breeders. Mrs. Leo summarized the meeting held with the group of interested parties on January 16, 2014 at Town Hall.

After a lengthy discussion, a majority of the Council decided to withdraw the Ordinance for restricting the number of dogs permitted in the Town of Newton. Ordinance 2013-33 will not proceed.

CONSENT AGENDA

Mayor Ricciardo 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 reviewed the various resolutions on the Consent Agenda.

RESOLUTION #11-2014*

AWARD PURCHASE OF MINI-BUS

WHEREAS, the Town of Newton publicly accepted bids for a Mini-Bus on Thursday, December 19, 2013 at 11:00 a.m. as follows:

| <u>Name and Address of Bidder</u> | <u>Diesel Engine</u> | <u>Gas Engine</u> |
|---|----------------------|--------------------|
| Alliance Bus Group 51 Kero Road Carlstadt, NJ 07072-2601 | \$79,870.00 | \$67,855.00 |
| Wolfington Body Company, Inc. 1315 Route 38 PO Box 160 Mount Holly, NJ 08060 | \$84,999.00 | \$73,999.00 |

WHEREAS, based on review of the bid documents the Qualified Purchasing Agent recommends award of the Mini-Bus with a gas engine to Alliance Bus Group in the amount of \$67,855.00; and

WHEREAS, the Chief Financial Officer has certified funds are available based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the bid submitted for the purchase of a Mini-Bus with a gas engine be awarded to Alliance Bus Group, Carlstadt, New Jersey in the amount of \$67,855.00. A copy of this resolution and the proposed Contract is to be forwarded to Alliance Bus Group for execution.

RESOLUTION #12-2014*

AFFIRM OF PREMIUM PAYMENT TURNED OVER TO THE TREASURER FOR BLOCK 2.01, LOT 16

WHEREAS, Tax sale certificate #1253 was issued at the Tax Sale held on October 29, 2008 with zero percent redemption and a premium of \$8,100.00 on Block 2.01, Lot 16 also known as 40 Park Avenue; and

WHEREAS, N.J.S.A. 54:5-33 states that if redemption is not made within five (5) years from the date of the sale the premium payment shall be turned over to the Treasurer of the Municipality; and

WHEREAS, Tax sale certificate #1253 was five (5) years from the date of tax sale on October 29, 2013, therefore the premium in the amount of \$8,100.00 was turned over to the Treasurer on December 31, 2013;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that the premium for tax sale certificate #1253 in the amount of \$8,100.00 meets the requirements to be turned over to the Treasurer of the Town of Newton; and

BE IT FURTHER RESOLVED, that this Governing Body hereby affirms the actions of the Tax Collector who issued a check in the amount of \$8,100.00 for said premium to the Treasurer of the Town of Newton.

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RESOLUTION #14-2014*

AFFIRM OF PREMIUM PAYMENT TURNED OVER TO THE TREASURER FOR BLOCK 4.02, LOT 12

WHEREAS, Tax sale certificate #1256 was issued at the Tax Sale held on October 29, 2008 with zero percent redemption and a premium of \$4,800.00 on Block 4.02 Lot 28 also known as 19 Shady Lane; and

WHEREAS, N.J.S.A. 54:5-33 states that if redemption is not made within five (5) years from the date of the sale the premium payment shall be turned over to the Treasurer of the Municipality; and

WHEREAS, Tax sale certificate #1256 was five (5) years from the date of tax sale on October 29, 2013, therefore the premium in the amount of \$4,800.00 was turned over to the Treasurer on December 31, 2013;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that the premium for tax sale certificate #1256 in the amount of \$4,800.00 meets the requirements to be turned over to the Treasurer of the Town of Newton; and

BE IT FURTHER RESOLVED, that this Governing Body hereby affirms the actions of the Tax Collector who issued a check in the amount of \$4,800.00 for said premium to the Treasurer of the Town of Newton.

RESOLUTION #15-2014*

AFFIRM THE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 19.06, LOT 19

WHEREAS, at the Municipal Tax Sale held on October 9, 2013 a lien was sold on Block 19.06, Lot 19, also known as 19-25 New Hampshire Street, for 2012 delinquent real estate taxes and 2012 water and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1389, was sold to US Bank Cust. for Pro Cap III, LLC for 0% redemption rate and a premium in the amount of \$21,700.00; and

WHEREAS, HSBC Mortgage C/O Corelogic, the mortgage servicer for said property has effected redemption of Certificate #1389 in the amount of \$12,504.37;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that US Bank Cust. for Pro Cap III, LLC is entitled to the redemption in the amount of \$12,504.37 as well as \$21,700.00 for the return of the premium; and

BE IT FURTHER RESOLVED, that this Governing Body hereby affirms the actions of the Tax Collector who issued two (2) checks, the first in the amount of \$12,504.37 for the redemption of certificate #1389 and the second in the amount of \$21,700.00 for the return of the premium to US Bank Cust. for Pro Cap III LLC, 50 South 16th Street – Suite 1950, Philadelphia, PA 19102.

RESOLUTION #16-2014*

AFFIRM OF PREMIUM PAYMENT TURNED OVER TO THE TREASURER FOR BLOCK 9.05, LOT 1

WHEREAS, Tax sale certificate #1304 was issued at the Tax Sale held on June 24, 2009 with zero percent redemption and a premium of \$6,600.00 on Block 9.05, Lot 1, also known as 25 Townsend Street; and

WHEREAS, the lien holder received a final judgment from the Superior Court of New Jersey Chancery Division foreclosing the right of redemption, the premium payment shall be turned over to the Treasurer of the Municipality; and

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WHEREAS, Tax sale certificate #1304 received final judgment on July 27, 2012, therefore the premium in the amount of \$6,600.00 was turned over to the Treasurer on December 31, 2013;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that the premium for tax sale certificate #1304 in the amount of \$6,600.00 by court order be turned over to the Treasurer of the Town of Newton; and

BE IT FURTHER RESOLVED, that this Governing Body hereby affirms the actions of the Tax Collector who issued a check in the amount of \$6,600.00 for said premium to the Treasurer of the Town of Newton.

RESOLUTION #17-2014*

AUTHORIZE SUBMISSION OF A STRATEGIC PLAN FOR THE MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2014

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Town Council of the Town of Newton, in the County of Sussex, in the State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex, in the State of New Jersey does hereby recognize the following:

1. The Town Council does hereby authorize submission of a strategic plan for the Action Alliance grant for fiscal year 2014 in the amount of:

| | |
|------------|-------------|
| DEDR | \$18,772.00 |
| Cash Match | \$4,693.00 |
| In-Kind | \$14,079.00 |
2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION #18-2014*

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2012-2013 LICENSING YEAR

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the application for "new" license for the license year 2012-2013, pursuant to N.J.S.A. 33:1-12.18 for Plenary Retail Consumption License No. 1915-33-009-003 be issued to Sakel-Grapsas, Inc. t/a JC's Grill House, 144 Spring Street, Newton, New Jersey, for the licensing year 2012-2013, effective July 1, 2012.

RESOLUTION #19-2014*

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2013-2014 LICENSING YEAR

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the application for "new" license for the license year 2013-2014, pursuant to N.J.S.A. 33:1-12.18 for Plenary Retail Consumption License No. 1915-33-009-003 be issued to Sakel-Grapsas, Inc. t/a JC's Grill House, 144 Spring Street, Newton, New Jersey, for the licensing year 2013-2014, effective July 1, 2013.

RESOLUTION #20-2014*

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 2013 and 2014 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

| | | |
|----------|--------------------------------------|-------|
| 401.44 | Montague Tool & Supply, Inc. | 32970 |
| 177.00 | Decker's Fire & Safety Equip. Inc. | 32971 |
| 23.05 | Aurora Electrical Supply, Inc. | 32972 |
| 195.00 | Sussex Car Wash Inc. | 32973 |
| 3,579.05 | Elizabethtown Gas | 32974 |
| 37.61 | G & G Diesel Service Inc | 32975 |
| 8,228.18 | JCP&L | 32976 |
| 286.80 | New Jersey Herald, Inc. | 32977 |
| 124.74 | Centurylink Communications, Inc. | 32978 |
| 251.70 | Centurylink Communications, Inc. | 32979 |
| 35.00 | Centurylink Communications, Inc. | 32980 |
| 124.74 | Centurylink Communications, Inc. | 32981 |
| 2,652.98 | Centurylink Communications, Inc. | 32982 |
| 184.92 | Centurylink Communications, Inc. | 32983 |
| 2,966.30 | Centurylink Communications, Inc. | 32984 |
| 151.68 | Rowe & Company Inc. | 32985 |
| 504.00 | Neopost Leasing, Inc. | 32986 |
| 15.12 | Tri-State Rentals, Inc. | 32987 |
| 380.79 | Lafayette Auto Parts | 32988 |
| 41.00 | Sisco, James | 32989 |
| 75.00 | Straway, Richard A. Jr | 32990 |
| 300.00 | Willco, Inc. | 32991 |
| 767.91 | Vital Computer Resources, Inc. | 32992 |
| 304.88 | Water & Sewer Operating Acct | 32993 |
| 26.40 | J & D Sales and Service, LLC | 32994 |
| 42.00 | Smith, William F | 32995 |
| 41.00 | Kithcart, Brock | 32996 |
| 108.00 | T.A. Mountford Company, Inc. | 32997 |
| 2,605.40 | Weldon Asphalt Company, Inc. | 32998 |
| 534.60 | Good Year, Inc. | 32999 |
| 174.52 | Sebring Auto Parts, Inc. | 33000 |
| 100.00 | Rutgers Continue Ed Cook College | 33001 |
| 29.95 | Weis Markets, Inc. | 33002 |
| 189.65 | Zee Medical, Inc. | 33003 |
| 936.18 | Dempsey Uniform & Supply Inc. | 33004 |
| 697.69 | Boonton Tire Supply Inc. | 33005 |
| 227.16 | McGuire, Inc. | 33006 |
| 800.93 | Vision Service Plan | 33007 |
| 794.00 | Rutgers Center for Gov't Serv., Inc. | 33008 |

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| 190.58 | Verizon Wireless, Inc. | 33009 |
| 1,510.21 | Verizon Wireless, Inc. | 33010 |
| 1,380.00 | Accurate Door, Inc. | 33011 |
| 1,270.41 | Walmart | 33012 |
| 1,246.97 | Danforth's Trailer & Auto, Inc. | 33013 |
| 675.00 | Vogel, Chait, Collins, Schneider, PC | 33014 |
| 1,004.93 | Sussex County Mailing Service | 33015 |
| 54.99 | Universal Uniform | 33016 |
| 623.78 | Staples Business Advantage, Inc. | 33017 |
| 17.00 | Language Line Services, Inc. | 33018 |
| 10,300.00 | Appraisal Services, Inc. | 33019 |
| 56.00 | Krave Café | 33020 |
| 202.83 | Dominick's Pizza, LLC | 33021 |
| 44.33 | Nestle Waters, Inc. | 33022 |
| 41.00 | Steve Estler | 33023 |
| 7,011.90 | Rachles/ Michele's Oil Company, Inc. | 33024 |
| 10,140.41 | Taylor Oil Co., Inc. | 33025 |
| 2,102.57 | Murch Auto Body, Inc. | 33026 |
| 33.00 | Eric Tompkins | 33027 |
| 2,733.32 | Firefighter One, LLC | 33028 |
| 6,846.00 | Laddey, Clark & Ryan, LLP | 33029 |
| 592.00 | Tony Sanchez Ltd, Inc. | 33030 |
| 2,790.00 | Tire King, Inc. | 33031 |
| 210.00 | Trimboli & Prusinowski, LLC. | 33032 |
| 564.75 | Penteledata | 33033 |
| 136,408.50 | NJMEBF | 33034 |
| 41.00 | Dustin McGarry | 33035 |
| 6,494.12 | Direct Energy Business Inc. | 33036 |
| 3,539.96 | Woodruff Energy US, Inc. | 33037 |
| 3,516.96 | Waterway, LLC | 33038 |
| 36.53 | Harter Equipment Inc. | 33039 |
| 264.68 | Harleysville Life Insurance Company | 33040 |
| 462.00 | Fastenal Company, Inc. | 33041 |
| 169.50 | J. Caldwell & Associates, LLC | 33042 |
| 100.00 | Spring Street Group | 33043 |
| 1,130.00 | RJR Engineering Co., Inc. | 33044 |
| 472.08 | Toyota Motor Credit Corp. | 33045 |
| 125.38 | Sunlight General Sussex Solar LLC | 33046 |
| 750.00 | A&K Equipment Co., Inc. | 33047 |
| 750.00 | Fireflow Services, LLC. | 33048 |
| 981,859.17 | Newton Board of Education | 141006 |
| 461.00 | Scott Sorensen | 32969 |
| 54.02 | Elavon (merchant svc) | 141005 |
| 2,500.00 | Community Resource Partners, LLC. | 32967 |
| 472.08 | Toyota Motor Credit Corp. | 32966 |
| 176.28 | Greg Lefrois | 32968 |
| 131,803.13 | US Bank Oper. Ctr/ Trust Mgmt | 141004 |
| 9,745.45 | Treasurer, State NJ/727 Fund | 141003 |
| 203,770.29 | Payroll Account | 141002 |
| 202,396.58 | Payroll Account | 141001 |

CAPITAL

| | | |
|----------|-------------------------------------|------|
| 32.40 | New Jersey Herald, Inc. | 8226 |
| 322.50 | McManimon, Scotland & Baumann, LLC. | 8227 |
| 612.00 | Laddey, Clark & Ryan, LLP | 8228 |
| 2,547.50 | J. Caldwell & Associates, LLC. | 8229 |

Total TOWN BILLS \$1,771,771.46

WATER AND SEWER ACCOUNT

| | | |
|-----------|------------------------------|-------|
| 432.93 | Montague Tool & Supply, Inc. | 13977 |
| 19,974.61 | Schmidt's Wholesale, Inc. | 13978 |

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| 225.00 | Andres & Mooney Electric Inc. | 13979 |
| 1,674.73 | Elizabethtown Gas | 13980 |
| 6,516.94 | JCP&L | 13981 |
| 52.20 | New Jersey Herald, Inc. | 13982 |
| 897.07 | Sussex County P & H, Inc. | 13983 |
| 8,083.91 | Coyne Chemical Corp., Inc. | 13984 |
| 36.25 | Centurylink Communications, Inc. | 13985 |
| 1,348.57 | Centurylink Communications, Inc. | 13986 |
| 1,244.35 | Centurylink Communications, Inc. | 13987 |
| 36.31 | Centurylink Communications, Inc. | 13988 |
| 985.00 | Garden State Laboratories Inc. | 13989 |
| 448.00 | Willco, Inc. | 13990 |
| 14,630.79 | Sparta Township Tax Collector | 13991 |
| 6,000.00 | Duke's Sales & Service, Inc. | 13992 |
| 188.36 | Sebring Auto Parts, Inc. | 13993 |
| 402.45 | Dempsey Uniform & Supply Inc. | 13994 |
| 1,500.00 | Frank Semeraro Construction, Inc. | 13995 |
| 4,608.00 | R&D Trucking Inc. | 13996 |
| 215.17 | Airgas East | 13997 |
| 211.90 | Vision Service Plan | 13998 |
| 1,762.50 | JCI Jones Chemicals, Inc. | 13999 |
| 154.00 | Verizon Wireless, Inc. | 14000 |
| 90.00 | Orr's | 14001 |
| 5,760.00 | Passiac Valley Sewerage Comm. | 14002 |
| 1,324.89 | Smalley, John | 14003 |
| 1,009.74 | Cooper Electric Supply Co. | 14004 |
| 390.00 | New Jersey Water Association | 14005 |
| 200.00 | Fairclough Fuel | 14006 |
| 3,862.60 | Suburban Energy Services, LP. | 14007 |
| 1,861.57 | Airmatic Compressor Systems, Inc. | 14008 |
| 13,204.00 | Wasak, Inc. | 14009 |
| 1,057.95 | Process Tech Sales and Service | 14010 |
| 100.55 | Staples Business Advantage, Inc. | 14011 |
| 18.50 | Krave Café | 14012 |
| 157.83 | Dominick's Pizza, LLC. | 14013 |
| 384.00 | Laddey, Clark & Ryan, LLC | 14014 |
| 1,008.00 | Accurate Waste Removal Inc. | 14015 |
| 119.90 | Penteledata | 14016 |
| 26,135.50 | NJMEBF | 14017 |
| 41.00 | Dustin McGarry | 14018 |
| 3,962.55 | Direct Energy Business Inc. | 14019 |
| 98.70 | One Call Concepts, Inc. | 14020 |
| 1,712.06 | Woodruff Energy US, Inc. | 14021 |
| 1,809.35 | Capitol Supply Const Products, Inc. | 14022 |
| 785.00 | Hatch Mott MacDonald | 14023 |
| 717.50 | York Analytical Laboratories, Inc. | 14024 |
| 244.50 | Sunlight General Sussex Solar LLC | 14025 |
| 304.88 | Advance Auto Parts | 13979 |
| 35,051.62 | Payroll Account | 146002 |
| 35,017.67 | Payroll Account | 146001 |

CAPITAL

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|----------|-------------------------------------|------|
| 1,080.00 | Pellow, Harold & Assoc., Inc. | 2324 |
| 352.00 | Laddey, Clark & Ryan, LLP | 2325 |
| 7,580.96 | Hatch Mott MacDonald | 2326 |
| 91.01 | D. Lovenberg's Portable Toilet Rent | 2327 |

Total WATER & SEWER BILLS \$217,162.87

TRUST ACCOUNT

| | | |
|----------|-------------------------------|------|
| 1,530.00 | Pellow, Harold & Assoc., Inc. | 3203 |
| 1,333.33 | Sloan, James P, P.C., Inc. | 3204 |

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|----------|--------------------------------------|--------|
| 210.00 | Dolan & Dolan, Inc. | 3205 |
| 525.00 | Vogel, Chait, Collins, Schneider, PC | 3206 |
| 30.00 | Vogel, Chait, Collins, Schneider, PC | 3207 |
| 452.00 | J. Caldwell & Associates, LLC | 3208 |
| 250.00 | Lauren Henninghan | 3209 |
| 158.00 | Sharon Eltzholtz | 3210 |
| 8,196.38 | Payroll Account | 147102 |
| 9,064.75 | Payroll Account | 147101 |

Total TRUST ACCOUNT BILLS \$21,749.46

DEVELOPERS ESCROW ACCOUNT

| | | |
|----------|--------------------------------------|------|
| 686.25 | Pellow, Harold & Assoc., Inc. | 1158 |
| 270.00 | Vogel, Chait, Collins, Schneider, PC | 1159 |
| 1,243.00 | J. Caldwell & Associates, LLC. | 1160 |

Total DEV. ESCROW BILLS \$2,199.25

FEDERAL/ STATE GRANTS

| | | |
|----------|--------------------------------------|--------|
| 340.00 | Minisink Press Inc. | 1187 |
| 270.00 | Newton Junior Athletic League | 1188 |
| 1,000.00 | Center for Prevention and Counseling | 1189 |
| 885.27 | Payroll Account | 141101 |

Total DEV. ESCROW BILLS \$2,495.27

An application for an off-premise raffle (50/50) from the Newton Medical Center Foundation to be held on Monday, June 2, 2014 at 3:00 p.m. at 175 High Street, Newton. It was noted the application was in order and accompanied by the prescribed fees.

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

| | | | |
|----------------------|-----------------|-------------|-----|
| Mrs. Diglio | Yes | Mrs. Becker | Yes |
| Deputy Mayor Elvidge | Yes | Mr. Flynn | Yes |
| | Mayor Ricciardo | Yes | |

RESOLUTIONS

RESOLUTION #13-2014

AFFIRM THE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 8.04, LOT 12

WHEREAS, at the Municipal Tax Sale held on October 9, 2013 a lien was sold on Block 8.04, Lot 12, also known as 155-157 Spring Street, for 2012 delinquent real estate taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #1380, was sold to Tower Fund Svcs/Cust Ebury Fund 1 NJ LLC for 0% redemption rate and a premium in the amount of \$41,000.00; and

WHEREAS, First Hope Bank mortgage servicer for said property has effected redemption of Certificate #1380 in the amount of \$24,697.76;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Tower Fund Svcs/Cust Ebury Fund 1 NJ LLC is entitled to the redemption in the amount of \$24,697.76 as well as \$41,000.00 for the return of the premium; and

BE IT FURTHER RESOLVED, that this Governing Body hereby affirms the actions of the Tax Collector who issued two (2) checks, the first in the amount of \$24,697.76 for the redemption of certificate #1380 and the second in the amount of \$41,000.00 for the return of the premium to Tower Fund Svcs/Cust Ebury Fund 1 NJ LLC, PO Box 37695, Baltimore, MD 21297-3695.

A motion was made by Mrs. Diglio to approve the Resolution #13-2014, seconded by Mayor Ricciardo and roll call resulted as follows:

| | | | |
|----------------------|-----|-------------|---------|
| Mrs. Diglio | Yes | Mrs. Becker | Recused |
| Deputy Mayor Elvidge | Yes | Mr. Flynn | Yes |
| Mayor Ricciardo | Yes | | |

INTERMISSION – 10 minutes

DISCUSSION

a.) Landlord Responsibility Ordinance Modifications

Mayor Ricciardo noted there is a section in the Ordinance which restricts certain attorneys from serving as a hearing officer and questioned the reasoning for same. Mrs. Leo, Esq. read the state statute which outlines the requirements for attorneys serving as hearing officers. After a brief discussion, Council agreed to keep the Ordinance as it reads with no modifications.

b.) Special Improvement District (S.I.D.) Feasibility Study

Mr. Russo introduced Michael J. Pappas and Mary M. Moody of North Branch Associates LLC, to make a presentation on the Special Improvement District (SID) Feasibility Study. Mr. Pappas indicated the SID is created in order to evaluate Newton's downtown existing conditions, make revitalization recommendations and explore the possibility and probability of whether a SID would be an appropriate tool in continuing the Town of Newton's downtown economic revitalization efforts. The SID Feasibility Study evaluated the central downtown business core of the Town of Newton and Mr. Pappas outlined the various areas of coverage in the study. A SID is primarily financed by a special assessment placed on the commercial properties of the area, although funding can also be raised through events, grants or private donations. It was noted the finances would need to be collected by the municipality through tax collection.

When a new SID is formed, the Board of Directors must submit a yearly plan to the Newton Town Council and receive approval as well as produce an annual budget

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that includes an estimate of the cost of operating and maintaining the district management corporation. Mr. Pappas outlined the recommended budget as set forth on page 38 of the study.

Mr. Pappas and Ms. Moody addressed several questions of the Town Council.

Mr. Russo invited his staff to address any questions regarding the SID, which were addressed by Ms. Moody.

Mayor Ricciardo opened this discussion to the public.

Jonathan Andrews, owner of Spring Board Shoppes, is in favor of the SID and believes the program has potential. Mr. Andrews noted communication between the Town Council and the BID is critical to the success of this program.

Neil Flaherty, 154 Sparta Avenue, questioned the assessment variability on the SID and was advised it would have to be discussed with the Tax Assessor.

After a lengthy discussion, Council agreed to carry the discussion to the next Council meeting on February 10th.

OPEN TO THE PUBLIC

There was no one from the public to be heard.

COUNCIL & MANAGER COMMENTS

Councilman Flynn commended the Department of Public Works for a great job on snow plowing.

EXECUTIVE SESSION

Mr. Russo read Resolution #21-2014 and Council entered into Executive Session at 9:19 p.m. At this time, Councilman Flynn recused himself from Executive Session and left the meeting.

Upon motion of Mrs. Diglio, seconded by Mrs. Becker and carried, Council left Executive Session at 9:46 p.m.

There being no further business to be conducted, upon motion of Mrs. Becker, seconded by Mrs. Diglio and unanimously carried, the meeting was adjourned at 9:46 p.m.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk