

March 10, 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 Deputy Mayor Elvidge, seconded by Mr. Flynn and carried, the minutes of February 24, 2014 Special meeting, February 24, 2014 Regular meeting, and February 24, 2014 Executive meeting were 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."

There was no one from the public to be heard.

COUNCIL & MANAGER REPORTS

There were no Council and Manager reports.

ORDINANCES

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

ORDINANCE #2014-3

BOND ORDINANCE PROVIDING FOR POOL IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$135,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$128,250 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST

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. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town") as a general improvement. For the improvement or purpose

described in Section 3(a), there is hereby appropriated the sum of \$135,000, including the sum of \$6,750 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$128,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is pool improvements including the upgrade of electric, filtration and circulation, lighting and ventilation systems, including engineering, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is

directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$128,250, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$27,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the Rule) for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to

comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Ricciardo opened the hearing to the public.

There being no one from the public to be heard, upon motion of Mrs. Diglio, seconded by Mrs. Becker and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE** was offered by Deputy Mayor Elvidge, who moved its adoption, seconded by Mrs. Becker and roll call resulted as follows:

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

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

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

ORDINANCE #2014-4

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$281,851.15 FOR SEWER TREATMENT PLANT MODIFICATIONS AND IMPROVEMENTS TO REPLACE CLARIFIER DRIVE AND TANK COVERS IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

The following **ORDINANCE** was offered by Mr. Flynn, who moved its introduction, seconded by Mrs. Diglio 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 March 24, 2014.

OLD BUSINESS

There was no Old Business to be discussed.

RESOLUTIONS

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

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

RESOLUTION #39-2014

AUTHORIZING WAIVING OF WATER AND SEWER UTILITY CHARGES FOR THE NEWTON VOLUNTEER FIRST AID SQUAD FOR CALENDAR YEAR 2014

WHEREAS, the Newton First Aid Squad, "NFAS", is a not-for-profit entity, comprised solely of volunteers that provide emergency assistance to the Newton community; and

WHEREAS, the "NFAS" owns Block 22.01, Lot 24 also known as 66 Sussex Street, which houses their vehicles, equipment, and provides for a meeting place; and

WHEREAS, the "NFAS" operating expenses are funded through donations and fundraising efforts; and

WHEREAS, the Newton Town Council supports the efforts of the "NFAS" and would like to assist them, so they may continue to provide this valuable emergency service to the people of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby waives the water and sewer utility charges incurred at Block 22.01, Lot 24 by the Newton First Aid Squad for calendar year 2014.

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."*

Mayor Ricciardo reviewed the various resolutions on the Consent Agenda.

RESOLUTION #40-2014*

AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 22.04, LOT 1

WHEREAS, at the Municipal Tax Sale held on October 29, 2008 and a lien was sold on Block 22.04, Lot 1 (formerly 1308/13), also known as 81 Sparta Ave, for 2007 delinquent real estate taxes and water and sewer charges; and

WHEREAS, this lien which is known as Tax Sale Certificate #1283, was sold to US Bank Cust/Sass Muni V dtr for an 18% redemption fee; and

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WHEREAS, Cono R. Aromando, owner of the property has effected redemption of Certificate #1283 in the amount of \$32,622.29 as well as foreclosure fees in the amount of \$1,312.55;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that US Bank Cust/Sass Muni V dtr is entitled to the redemption in the amount of \$32,622.29 as well as the legal foreclosure fees in the amount \$1,312.55; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$32,622.29 for the redemption of Certificate #1283 as well as a check in the amount of \$1,312.55 for the legal foreclosure fees payable to US Bank Cust/Sass Muni V dtr., 50 S. 16th Street – Suite 1950, Philadelphia, PA 19102.

RESOLUTION #41-2014*

APPROVE CHANGE ORDER NO. 1 FOR THE HOWARD STREET, MAPLE AVENUE, KELSEY AVENUE, AND HILLSIDE TERRACE PORTION OF THE PAVING OF VARIOUS STREETS PROJECT

WHEREAS, the Governing Body of the Town of Newton adopted Resolution #138-2013 on July 22, 2013 awarding the contract for the Paving of Various Streets project to Tilcon New York, Inc., 625 Mt. Hope Road , Wharton, New Jersey through Contract #6 Road Resurfacing in the Morris County Co-Op's portion for municipalities with regard to resurfacing of roads; and

WHEREAS, the Newton Town Council accepted the Howard Street, Maple Avenue, Kelsey Avenue, and Hillside Terrace portion of the Paving of Various Streets Project by the adoption of Resolution #236-2013 on December 9, 2013 based on the recommendation of the Town Engineer, Harold E. Pellow so the final paperwork could be started; and

WHEREAS, the Town Engineer in his letter dated February 20, 2014 recommends the approval of Change Order No. 1 for the Howard Street, Maple Avenue, Kelsey Avenue, and Hillside Terrace portion of the Paving of Various Streets Project. This change order will result in an \$3,357.73 increase in the contract amount to a new contract total of \$162,739.66; 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 it hereby approves Change Order No. 1 for the Howard Street, Maple Avenue, Kelsey Avenue, and Hillside Terrace portion of the Paving of Various Streets Project for a new contract total of \$162,739.66; and

BE IT FURTHER RESOLVED, that a copy of Change Order No. 1 be attached to and made part of this resolution.

RESOLUTION #42-2014*

RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION

WHEREAS, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

WHEREAS, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

WHEREAS, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

WHEREAS, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

WHEREAS, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

WHEREAS, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

WHEREAS, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

WHEREAS, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

WHEREAS, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

BE IT FURTHER RESOLVED, that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, Senator Steven Oroho, Assemblyman Parker Space, Assemblywoman Alison McHose, Governor Chris Christie, and the New Jersey State League of Municipalities.

RESOLUTION #43-2014*

AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS

WHEREAS, the Water and Sewer Collector has determined 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:

CREDIT FOR A METER WHICH WAS READ INCORRECTLY:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
10168	8 West Nelson Street	\$15.30

RESOLUTION #44-2014*

ESTABLISH SALARIES AND WAGES FOR CERTAIN TOWN OF NEWTON EMPLOYEES NOT COVERED BY BARGAINING AGREEMENTS

WHEREAS, minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton were established for calendar year 2014

by Ordinance #2013-30; and

WHEREAS, the Town Manager, as part of his 2014 Town of Newton Preliminary Budget, has recommended a TWO PER CENT (2.0%) increase in salary for calendar year 2014 to be paid to certain Town of Newton employees, whose employment is not the subject of any bargaining agreement; and

WHEREAS, the Town Council has reached the following conclusions:

1. A TWO PERCENT (2.0%) increase in salary for certain full-time and part-time Town of Newton employees, whose employment is not the subject of any bargaining agreement, for calendar year 2014 is appropriate.
2. The Mayor, Deputy Mayor and Members of the Town Council have refused said salary increase.
3. The Police Chief has already received a TWO PERCENT (2.0%) increase according to his contract.
4. The salary increase of the Town Manager has been addressed separately by the Town Council.
5. Seasonal employees are excluded from any salary increase authorized by this resolution.
6. Said raises shall be retroactive to January 1, 2014.
7. Stipends received through payroll are not salary and shall not be entitled to the TWO PERCENT (2%) increase authorized by this resolution.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the salaries and wages for the year 2014 for non-union Town of Newton employees, whose employment is not covered by bargaining agreements and with the aforementioned exceptions, shall be increased by TWO PERCENT (2%), retroactive to January 1, 2014.

RESOLUTION #45-2014*

APPROVE BILLS AND VOUCHERS FOR PAYMENT

TOWN BILLS

351.65	Quill Corporation	33198
267.98	Staples Credit Plan, Inc.	33199
249.20	E.A. Morse & Company, Inc.	33200
3,941.25	Pellow, Harold & Assoc., Inc.	33201
60.00	Abcode Security Inc.	33202
2,866.01	G & G Diesel Service Inc.	33203
12,574.30	JCP&L	33204
428.40	New Jersey Herald, Inc.	33205
35.00	Centurylink Communications, Inc.	33206
3,017.74	Centurylink Communications, Inc.	33207
126.48	Centurylink Communications, Inc.	33208
159.29	Campbell's Small Engine Inc.	33209
748.68	Tri-State Rentals, Inc.	33210
102.00	Lawyers Diary & Manual	33211
120.00	Ambassador Medical Service	33212
49.00	Sisco, James	33213
58.00	Straway, Richard A. Jr.	33214
66.00	Straway, Thomas	33215
598.08	Willco, Inc.	33216
252.75	Newton Citgo, Inc.	33217
10.00	Newton Trophy	33218
66.00	Smith, William F	33219
74.00	Kithcart, Brock	33220
2,070.00	T.A. Mountford Company, Inc.	33221
94.00	Galls Incorporated	33222
1,426.04	Good Year, Inc.	33223
126.88	Sebring Auto Parts, Inc.	33224
350.00	West Chester Machinery	33225

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102.75	L-3 Comm. Mobile-Vision	33226
90.00	G.F.O.A. of N.J.	33227
83.00	Lasso, Ervin	33228
2,002.66	Boonton Tire Supply Inc.	33229
648.47	Boonton Tire Supply Inc.	33230
800.93	Vision Service Plan	33231
25.00	Sussex & Warren Tax Col. Assoc.	33232
192.75	Verizon Wireless, Inc.	33233
252.00	Dolan & Dolan, Inc.	33234
350.74	Universal Supply Group Inc.	33235
250.00	NJSACOP	33236
75.98	Advance Auto Parts	33237
332.99	Home Depot, Inc.	33238
2,196.08	Fire & Safety Services, LTD., Inc.	33239
240.00	National Entertainment Tech., Inc.	33240
162.46	Rogo Fastener Co., Inc.	33241
31,682.50	Lincoln Financial Group	33242
66.00	Matthew Bender & Co., Inc.	33243
1,148.17	Staples Business Advantage, Inc.	33244
329.57	Staples Business Advantage, Inc.	33245
3.40	Language Line Services, Inc.	33246
39.00	Krave Café	33247
82.39	Nestle Waters, Inc.	33248
58.00	Steve Estler	33249
3,241.15	Rachles/Michele's Oil Company, Inc.	33250
8,065.73	Taylor Oil Co., Inc.	33251
41.00	Eric Tompkins	33252
4,920.00	Firefighter One, LLC.	33253
2,955.20	Laddey, Clark & Ryan, LLP	33254
58.00	Joseph White	33255
66.00	William Oswin III	33256
644.75	Jersey Central Power & Light, Inc.	33257
6,548.54	Atlantic Tactical Inc.	33258
870.00	Trimboli & Prusinowski, LLC.	33259
1,770.00	Chelbus Cleaning Co., Inc.	33260
58.00	Roy Leyman	33261
203.50	Custom Products Corp.	33262
123.00	Dustin McGarry	33263
1,930.00	Rutgers, Center for Government Serv.	33264
211.26	Direct Energy Business Inc.	33265
2,000.00	Cit-E-Net, LLC	33266
95.00	The NJ Shade Tree Federation	33267
3,176.16	Harleysville Life Insurance Company	33268
278.68	Fastenal Company, Inc.	33269
115.00	J. Caldwell & Associates, LLC.	33270
50.00	Movies in Motion	33271
336.00	Tracy Villaverde	33272
75.00	Municipal Clerks Association	33273
178.00	Team Life, Inc.	33274
483.00	Pangaro Training & Management	33275
1,890.84	Auto Body Connection	33276
850.00	IAMRESPONDING.com	33277
3,445.60	J & P Crushing, LLC.	33278
250.00	Town of Newton	141013
5,214.40	Ms. Ludmilla Mecaj	33197
-5,214.40	Ms. Ludmilla Mecaj	33196
981,859.17	Newton Board of Education	141012
75,400.00	Bank of New York	141001
198,541.47	Payroll Account	141010

CAPITAL

2,347.00	Pellow, Harold & Assoc., Inc.	8242
1,999.98	Staples Business Advantage, Inc.	8243

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1,224.00	Laddey, Clark & Ryan, LLP	8244
1,897.50	J. Caldwell & Associates, LLC.	8245
1,500.00	Wade Associates	8246
2,100.00	Kings Construction	8241

Total TOWN BILLS \$1,388,516.50

WATER AND SEWER ACCOUNT

29.99	Quill Corporation	14079
253.78	Montague Tool & Supply, Inc.	13080
2,864.75	Pellow, Harold & Assoc., Inc.	14081
926.67	Hach Company	14082
7,463.08	JCP&L	14083
36.31	Centurylink Communications, Inc.	14084
1,242.71	Centurylink Communications, Inc.	14085
1,235.00	Garden State Laboratories Inc.	14086
4,275.00	Willco, Inc.	14087
950.00	Bank of New York	14088
201.69	Airgas East	14089
211.90	Vision Service Plan	14090
1,032.00	JCI Jones Chemicals, Inc.	14091
28.32	Walmart	14092
1,369.50	Main Pool & Chemical Company, Inc.	14093
70.80	Home Depot, Inc.	14094
3,716.99	Suburban Propane, LP.	14095
35.98	Staples Business Advantage, Inc.	14096
544.00	Laddey, Clark & Ryan, LLP	14097
8.00	Dustin McGarry	14098
71.12	One Call Concepts, Inc.	14099
1,705.00	Hatch Mott Macdonald	14100
2,500.00	Community Resource Partners, LLC	14101
462.94	State of New Jersey	146006
953.13	Sparta Postmaster	14078
31,795.02	Payroll Account	146005

CAPITAL

1,900.00	Pellow, Harold & Assoc., Inc.	2332
144.00	Laddey, Clark & Ryan, LLP	2333

Total WATER & SEWER BILLS \$66,027.68

TRUST ACCOUNT

836.25	Pellow, Harold & Assoc., Inc.	3220
1,386.22	McManimon, Scotland & Baumann, LLC	3221
14,389.23	Payroll Account	147105

Total TRUST ACCOUNT BILLS \$16,611.70

DEVELOPERS ESCROW ACCOUNT

1,247.50	Pellow, Harold & Assoc., Inc.	1165
1,635.00	Vogel, Chait, Collins, Schneider, PC	1166
3,913.98	Ferriero Engineering Inc.	1167
5,650.00	Edward J Buzak	1168
339.00	J. Caldwell & Associates, LLC.	1169

Total DEV. ESCROW BILLS \$12,785.48

FEDERAL/ STATE GRANTS

13.80	New Jersey Herald, Inc.	1193
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35.88	Weis Markets, Inc.	1194
952.77	Sussex County Mailing Service	1195
483.32	Center for Prevention & Counseling	1196
362.00	Quality Lapel Pins, Inc.	1197

Total FEDERAL/ STATE GRANTS \$1,847.77

DOG RESERVE ACCOUNT

15.00	Robert J Colyer	8540
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Total DOG RESERVE ACCOUNT BILLS \$15.00

RESOLUTION #46-2014*

AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 22.01, LOT 23

WHEREAS, at the Municipal Tax Sale held on October 19, 2011 a lien was sold on Block 22.01, Lot 23 (formerly 1206/30), also known as 64 Sussex Street, for 2010 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #1365, was sold to ALMAR for a 0% redemption fee with a premium of \$4,100.00; and

WHEREAS, Gary Drake owner of the property has effected redemption of Certificate #1365 in the amount of \$17,846.06 as well as foreclosure fees in the amount of \$1,068.00;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that ALMAR is entitled to the redemption in the amount of \$17,846.06, the legal foreclosure fees in the amount \$1,068.00 as well as the premium in the amount of \$4,100.00; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$17,846.06 for the redemption of Certificate #1365 as well as checks in the amount of \$1,060.00 for the legal foreclosure fees and \$4,100.00 for the return of premium payable to ALMAR, 125 Rickey Blvd., #623, Bear, DE 19701.

A motion was made by Mrs. Diglio 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		

INTERMISSION – NONE

INTRODUCTION OF 2014 BUDGET

a.) Town of Newton Municipal and Water & Sewer Utility Budget

Dawn Babcock, CFO, outlined and explained the minor changes to the 2014 Municipal Budget and noted there were no changes in budget figures.

Mr. Russo read the Municipal Budget notice as follows:

Municipal Budget of the Town of Newton, County of Sussex for the fiscal year

2014. Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014; Be it further resolved, that said Budget be published in the New Jersey Herald in the issue of April 1, 2014. The Governing Body of the Town of Newton does hereby approve the following as the Budget for the year 2014:

RECORDED VOTE:	(Diglio	((
	(Becker	(Abstained (
Ayes	(Elvidge	Nays	(
	(Flynn	((
	(Ricciardo	(Absent (
			(

Notice is hereby given that the Budget and Tax Resolution was approved by the Town Council of the Town of Newton, County of Sussex, on March 10, 2014. A hearing on the Budget and Tax Resolution will be held at the Municipal Building on April 14, 2014 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by taxpayers or other interested persons.

Mr. Russo noted the Total General Appropriations are \$12,075,900. (Sheet 3) and the Total Water/Sewer Utility Revenues are \$4,033,100. (Sheet 31).

Mr. Russo noted that the formal presentation of the 2014 Municipal Budget will take place on Monday, April 14, 2014.

Upon motion of Mrs. Diglio, seconded by Mr. Flynn to **introduce the 2014 Municipal Budget** and roll call resulted as follows:

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

DISCUSSION

a.) Sunsetting Ordinance- Draft

Ursula Leo, Esq. reviewed her memo dated February 19, 2014 regarding a proposed Sunsetting Ordinance. Mrs. Leo recommended an ordinance be adopted setting forth the expiration of subdivision and site plan approvals, in accordance with the Municipal Land Use Law (MLUL). Mrs. Leo drafted an ordinance for Council's consideration.

After a brief discussion, Council agreed with the recommendations of legal counsel as set forth with one additional amendment.

OPEN TO THE PUBLIC

Mike Alvarez, 8 Hillside Avenue, Newton, inquired who pays the overtime for the St. Patrick's Day Parade for DPW and Police and was advised by Mr. Russo that some of the parades are "grandfathered in" but offer a contribution to offset the cost of overtime. Some of the newer events which require DPW and Police assistance are mandated to offset the total cost of any overtime expenses.

Aaron E. Armstrong, 211 Spring Street, Apt. D, Newton, inquired what the cost will be for the pool filtration system and was advised the costs are outlined in Resolution #48-2014 and will be discussed in open session after discussion in executive session. Mr. Russo noted the bids came in under budget.

COUNCIL & MANAGER COMMENTS

There were no Council and Manager comments.

EXECUTIVE SESSION

Mr. Russo read Resolution #47-2014 and Council entered into Executive Session at 7:29 p.m.

Upon motion of Deputy Mayor Elvidge, seconded by Mr. Flynn and carried, Council left Executive Session at 7:47 p.m.

RESOLUTION

Angelo J. Bolcato, Esq., Laddey, Clark & Ryan, LLP, advised that the low bidder, All State Technology Inc., was rejected due to the fact they failed to submit the mandatory required information with its bid regarding its plumbing subcontractor.

Mr. Russo read the following Resolution:

RESOLUTION #48-2014

AWARD BID FOR MAIN POOL FILTRATION SYSTEM RENOVATION AT MEMORY PARK SWIMMING POOL

WHEREAS, the Town of Newton publicly accepted and opened bids for Main Pool Filtration System Renovations at Memory Park Swimming Pool Project on Wednesday, February 26, 2014 at 11:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Base Bid</u>
Main Line Commercial Pools, Inc. 441 Feheley Drive King of Prussia, PA 19406	\$ 95,750.00

March 10, 2014

All State Technology, Inc.
10 Lark Lane
Oak Ridge, NJ 07438
\$ 66,354.00

Cypreco Industries, Inc.
1420 9th Avenue
PO Box 822
Neptune, NJ 07753
\$ 74,000.00

RJR Engineering Co., Inc.
Contractors & Engineers
105 Guinea Hollow Road
Califon, NJ 07830
\$ 86,860.00

CFM Construction, Inc.
5 Bay Street
Stirling, NJ 07980
\$102,500.00

WHEREAS, based on review of the bid documents the Town's Consultant, Wade Associates, LLC, the Town Attorney and Qualified Purchasing Agent recommend award of the Main Pool Filtration System Renovations at Memory Park Swimming Pool to Cypreco Industries, Inc., in the amount of \$74,000.00; and

WHEREAS, the apparent low bidder, All State Technology Inc.'s bid has been rejected due to the fact that it failed to submit the mandatory required information with its bid regarding its plumbing subcontractor; and

WHEREAS, 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 contract for Main Pool Filtration System Renovations at Memory Park Swimming Pool is awarded to Cypreco Industries, Inc., Neptune, NJ in the amount of \$74,000.00. A copy of this resolution and the proposed Contract is to be forwarded to Cypreco Industries, Inc. for execution.

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

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

There being no further business to be conducted, upon motion of Mr. Flynn, seconded by Deputy Mayor Elvidge and unanimously carried, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk