

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 p.m originally scheduled for January 26, 2015. Present were Mrs. Becker, Mrs. Diglio, Mr. Levante, Deputy Mayor Flynn, Mayor Elvidge, Thomas S. Russo, Jr., Town Manager and Ursula Leo, Esq.

Mayor Elvidge 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, 2014."

Mayor Elvidge led the Pledge of Allegiance to the flag and the Deputy Clerk called the roll and upon motion of Mrs. Diglio, seconded by Deputy Mayor Flynn, and carried, the minutes of January 12, 2015 Regular Meeting and January 12, 2015 Executive Session were approved.

OPEN TO THE PUBLIC

Mayor Elvidge 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."

Mr. Jonathan Andrews, 145 Spring Street read the following statement.

"I know that the Town Government has many areas to cover, that Spring Street is far from the only thing on your agenda.

But Spring Street is critical to my agenda and that of many other building owners, so when I appear here the purpose is to urge you to help us revive the street.

Mayor Elvidge has said that I am "all over the place." Let me try to give a narrower focus to illustrate the extreme frustration with the Town's actions or inactions which harm our business district.

As I stand in front of SpringBoard Shoppes, renovated at my expense at the instigation of your Main Street program, here are some of the problems.

- 1.) Across the street to the right is the Bula building, abandoned for years, badly deteriorated inside. Newton has not enforced your building code on the interior problems - and appeared to be unaware at recent meetings that the code covered those problems. Newton has not taken any action under abandoned building rules to correct this problem. A SID is not needed to correct this unsightly and decaying situation. It certainly hurts the value of surrounding properties.
- 2.) Across the street to the left is the new Interplay Couture store. Opened with great flair, its striking visual appearance has been substantially blocked from view throughout the Christmas shopping season by unnecessarily obtrusive 6 foot high green fencing at the adjacent Fire Museum. This fencing almost certainly did not

have to block their store front to the extent which it has. They have moved their primary business activity to Sparta.

- 3.) Directly across the street at the Spring Street Pub and Grill building, scaffolding is in place which has been for years, with exposed insulation on the upper floors. When I raised the issue with the Town in 2013, they explained "It's not our job." They checked with the State and were told the work would be completed by June 2014. Is anyone from the Town pushing the State on this?
- 4.) The building to our right houses Maria's candy store. This store is substantially blocked from view by the base of the 2014 anniversary arch. This is very detrimental to her business.
- 5.) The arch is built around the poles and guide wires for the temporary banner wires erected 2 years ago to help advertise local events. SCAHC has inquired when they might be able to use the banner facility for the sign they purchased in 2013 advertising one of their annual events. Others would also like to use this. It would help business, as it was planned to do.
- 6.) Two store fronts in the building are filled with debris, tools, and as a warehouse for miscellaneous stuff. Again, these unsightly conditions, in violation of the code, significantly hurt the shopping ambience of our downtown, and contribute to the public impression of deterioration.

To quote from your February, 2013 Vision Plan "The public is looking for an entity and leadership that can work independently of government, be self-sustaining, and is directly responsible for and to the retailers, merchants and property owners in the downtown."

All of these 6 items are detrimental to local businesses. The Town has not been able or willing to give necessary attention. A SID is not necessary to get such basic matters corrected.

Local leadership is needed to correct this. I invite you to attend the Greater Newton Chamber annual dinner next Wednesday evening to hear my proposal, born of frustration that such situations are allowed to continue year after year, of a less expensive, less bureaucratic solution than the SID."

Mayor Elvidge addressed Mr. Andrews to clarify it is not beneficial for the animosity to continue between Mr. Andrews, the group he may or may not represent and the Town. The Town of Newton is doing its best to correct some of the things he has stated. It is best to work together, Mr. Andrews should bring forth his immediate concerns, short-term concerns and long-term concerns and address them that way. Mayor Elvidge went on to relay his disappointment in the lack of attendance by the merchants with recent visits to other SID's. The SID is an idea right now, and a decision hasn't been made and he asks Mr. Andrews and everyone to keep an

open mind about it. Mrs. Becker asked Mr. Russo for some clarification on Mr. Andrews' comments. Mr. Russo stated he will address Mr. Andrews comments after the public portion concludes. A discussion ensued between the Town Council and Mr. Andrews regarding the SID's visited. Mr. Levante stated as a resident he is disappointed the merchants did not come on the trips to Washington Borough and Montclair SID's. There were a lot of ideas brought forth that the Town could learn from even if we don't do a SID. He agrees the Town has to communicate with the merchants, but he expects the same in return from the merchants. Mayor Elvidge stated the merchants have a responsibility to get involved; the Town is not solely responsible. Mr. Andrews requested if the Town has received any feedback regarding the benches on Spring Street. A discussion ensued, Deputy Mayor Flynn, stated you have to cater to the clientele you want to attract. Mr. Andrews stated there is no place for the residents of Spring Street that are Section 8 to go and relax except for the benches on Spring Street. Deputy Mayor Flynn advised he felt most of Mr. Andrews comments about property maintenance issues have merit, but he does not agree with him on anything to do with the benches. Mr. Andrews asked if the Town Council would consider putting a bench in front of his store, he would not have a problem with people hanging out with whatever is in their brown paper bags or just their person because he would ask them to move. Mr. Andrews stated there is a perception it is not safe on Spring Street. Mr. Levante disagreed with that statement, his family and friends walk up to Spring Street and have never voiced they didn't feel safe. Mr. Levante said he will be attending Mr. Andrews presentation because he is open to new ideas, and asked the merchants be open also. Mr. Andrews thanked the Council for their time and left at this time.

Neil Flaherty, 154 Sparta Avenue addressed the Town Council next. He asked for clarity on the term "weeds" in Ordinance 2014-2 that is listed on the agenda for first reading. Mr. Flaherty stated that "weeds" is not a botanical term; there are some common plants that could be perceived as weeds. For example "milkweed", many people do not like this plant but it is beneficial to the monarch butterfly.

Mr. Tom Lawler of the Utility Advisory Board stated they are in need of members. They are currently down to three members which creates a problem if there is an illness. Any advertising or promotion of the need for members would be appreciated. Mr. Lawler thanked the Council for their time.

COUNCIL & MANAGER REPORTS

Mr. Russo addressed Mr. Andrews' comments, even though Mr. Andrews left.

- 1) Bula's is being looked at as it relates to the APRA.

- 2) Mr. Russo understands the concern about the fence at the Fire Museum, but that is a public safety matter and the Town must adhere to PEOSHA requirements, so the fence will remain in place.
- 3) As for the permit issues, the State dictates the UCC and the permits for construction and not the Town of Newton. As long as the property owner follows State guidelines, the Town is in no position to make them move any quicker. We all share the desire to see that project come to fruition and be completed.
- 4) & 5) The arch will be removed as soon as the DPW has time for it. The Town does want to be able to take advantage of the poles for the hanging of banners.
- 6) As for code enforcement, the Town deals with exterior issues not interior. Our Code Enforcement Department is very busy. Mr. Russo appreciates Mr. Andrews' concern but the code enforcement issues are being addressed as quickly and accurately as possible. It is a long process.

As for Mr. Flathery's concern about the term "weeds", he will let Mrs. Leo address that but feels there is some discretion with enforcement, and if the property owner can demonstrate the "weed" is indeed a benefit, discretion will be exercised. Mrs. Leo concurred with Mr. Russo, and stated the way the ordinance reads is that it has to pose a threat or danger to public health, safety, welfare or pose a fire hazard. That is where discretion will be exercised. It cannot just be the presence of a weed.

Mrs. Becker asked for clarification on interior code violations. Mr. Russo advised we do not enforce interior violations unless they are triggered by some other matter. Mr. Levante questioned if we were allowed to enforce covering windows of empty stores with paper. Mr. Russo advised we could request it, but not force that matter. Mr. Levante stated it is a shame that Mr. Andrews left, because this is something that he could relay back to the merchants.

ORDINANCES

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

ORDINANCE 2015-1

AN ORDINANCE AMENDING SECTION 320-2.C "PERMITTED USES" OF THE NEWTON TOWN CODE TO PERMIT PUBLIC, PRIVATE AND PAROCHIAL SCHOOLS IN THE T-3, T-4 and T-5 ZONES

WHEREAS, the Town of Newton Planning Board adopted a Master Plan Reexamination Report and Amendment on December 17, 2014 that recommends that Public and Private Schools be added as a permitted use in the T-3, T-4 and T-5 Zones within the Town of Newton; and

WHEREAS, the Mayor and Town Council of the Town of Newton wish to update the Town Ordinances to be consistent with the Master Plan Reexamination and Amendment dated December 17, 2014; and

WHEREAS, the Town Council of the Town of Newton finds that after having reviewed the various zoning districts within the Town of Newton, that the T-3, T-4 and T-5 Zones are suitable locations for Public, Private and Parochial School uses;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Town Council of the Town of Newton, County of Sussex, and State of New Jersey as follows:

SECTION 1: Section 320-2.C “Permitted Uses” shall be revised as follows:

	Transect Zones	T-1	T-2	T-3	T-4	T-5	T-6
1.	Public, private or parochial school	NP	NP	P	P	P	NP

	Special Districts	SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
1.	Public, private or parochial school	NP	P	NP	NP	NP	P	NP	NP	P

SECTION 2: SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 3: NOTICE

The Town Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Town Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 4: EFFECTIVE DATE

This Ordinance will take effect after publication and passage according to law.

Mayor Elvidge opened the hearing to the public.

There being no one from the public to be heard, upon motion of Deputy Mayor Flynn, seconded by Mr. Levante and unanimously carried, the hearing was closed.

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

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

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

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

ORDINANCE #2015-2

AN ORDINANCE AMENDING CHAPTER 213 ENTITLED "PROPERTY MAINTENANCE" REGARDING HAZARDOUS TREES, REVISIONS TO THE CODE ADOPTED, AND REQUIRING CREDITORS IN FORECLOSURE ACTIONS TO CARE FOR AND MAINTAIN THE EXTERIOR OF VACANT AND ABANDONED PROPERTIES

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

Mrs. Diglio	Yes	Deputy Mayor Flynn	Yes
Mr. Levante	Yes	Mayor Elvidge	Yes
	Mrs. Becker	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 9, 2015.

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

ORDINANCE 2015-3

AN ORDINANCE AMENDING CHAPTER 200 "PARKS AND RECREATION AREAS"

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

Mrs. Diglio	Yes	Deputy Mayor Flynn	Yes
Mr. Levante	Yes	Mayor Elvidge	Yes
	Mrs. Becker	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 9, 2015.

OLD BUSINESS

CONSENT AGENDA

Mayor Elvidge 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 following resolutions:

RESOLUTION # 14-2015*

“Award Bid for Replacement of the Primary Settling Tank Drive and Covers at the Newton WWTP”

WHEREAS, the Town of Newton publicly accepted and opened bids for the Replacement of the Primary Settling Tank Drive and Covers at the Newton Wastewater Treatment Plant on Tuesday, January 13, 2015 at 10:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Total Base Bid</u>
Fred Devens Construction 403 Stonetown Road Ringwood, NJ 07456	\$164,000
JEV Construction, LLC 116 W. Main St 2 nd Floor Clinton, NJ 08809	\$156,000

WHEREAS, based on review of the bid documents, John Scheri, of Hatch Mott MacDonald, Sewer Engineer for the Town of Newton, recommends in his letter dated January 15, 2015 award of the Replacement of the Primary Settling Tank Drive and Covers at the Newton Wastewater Treatment Plant, to JEV Construction, in the amount of \$156,000; 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 Replacement of the Primary Setting Tank Drive and Covers at the Newton Wastewater Treatment Plant be awarded to JEV Construction, Roselle, NJ in the amount of \$156,000.00. A copy of this resolution and the proposed Contract is to be forwarded to JEV Construction for execution.

Resolution #15-2015*

“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:

WAIVER OF PENALTY THAT WAS ERRONEOUSLY CHARGED:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
321	155-157 Spring Street	\$36.49
10619	96 Main Street	\$7.50

Resolution #16-2015*

“Authorize Submission of a Strategic Plan for the Municipal Alliance Grant Year 2015 ”

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 year 2015 in the amount of:

DEDR	\$18,772.00
Cash Match	\$4,693.00
In-Kind	\$14,079.00

The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution #17-2015*
“Approve 201 4 Appropriation Reserve Transfers ”

BE IT RESOLVED by the Town Council of the Town of Newton that the following 2014 appropriation reserve transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
CURRENT		
Senior Citizen SW 1093100A	Occupational Health OE 1085200A	\$1,000.00
Clerk SW 1051100A	Stormwater OE 1082200A	\$2,350.00
TOTAL CURRENT TRANSFERS		\$3,350.00

Resolution #18-2015*
“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 2014 and 2015 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

CURRENT FUND		
393.94	Quill Corporation	34574
103.86	Montague Toll & Supply	34575
409.50	MGL Forms - Systems, LLC	34576
125.00	Pellow, Harold & Asso, Inc.	34577
110.50	Sussex Car Wash Inc	34578
3,157.86	Elizabethtown Gas	34579

6,670.11	JCP&L	34580
201.90	New Jersey Herald, Inc.	34581
2,887.11	SCMUA	34582
125.85	Centurylink Communications, Inc.	34583
35.00	Centurylink Communications, Inc.	34584
156.23	Centurylink Communications, Inc.	34585
3,333.49	Centurylink Communications, Inc.	34586
200.00	Newton Board of Education	34587
15.00	Campbell's Small Engine, Inc.	34588
1,125.00	Garden State Laboratories, Inc.	34589
87.00	Lock & Key World	34590
98.70	Tri-State Rental, Inc.	34591
48.29	Federal Express	34592
352.99	Hayek's Market Inc.	34593
838.50	Mcmanimon, Scotland & Baumann, LLC	34594
120.00	Ambassador Medical Services	34595
150.00	Willco, Inc.	34596
1,229.17	Sloan, James P, P.C. Inc.	34597
250.00	Treasurer, Petty Cash Fund	34598
644.00	NJLM	34599
184.70	Newton Trophy	34600
400.00	Minisink Press Inc.	34601
728.63	Sebring Auto Parts, Inc.	34602
137.45	Weis Markets, Inc.	34603
1,832.27	Dempsey Uniform & Supply Inc	34604
184.14	L-3 Comm. Mobile-Vision	34605
592.00	Boonton Tire Supply Inc.	34606
48.84	McGuire, Inc.	34607
191.40	Verizon Wireless, Inc.	34608
1,307.52	Verizon Wireless, Inc.	34609
460.80	Munidex	34610
289.00	NJRPA	34611
180.00	Orr's	34612
5,153.24	Dell Marketing L.P.	34613
75.08	Mr. John, Inc.	34614
699.29	Tilcon New Jersey, Inc.	34615
1,755.00	Vogel, Chait, Collins, Schneider, PC	34616
9.94	Home Depot, Inc.	34617
6,184.23	Fire & Safety Services, LTD., Inc.	34618
118.48	Oraton Custom Products	34619
128.60	ROGO Fastener Co., Inc.	34620
17,227.67	Access Control Technology Inc.	34621
469.50	Recreation Newsletter	34622
176.16	Emergency Medical Products	34623
719.94	Staples Business Advatage, Inc.	34624
288.00	CSS Test Inc.	34625
61.75	Nestle Waters, Inc.	34626
1,675.00	Black Lagoon	34627
3,693.21	Rachels/Michele's Oil Company, Inc.	34628
3,473.71	Taylor Oil Co., Inc.	34629
550.00	Morris County Coop	34630
12,136.81	Laddey Clark & Ryan, LLP	34631
35.55	R & R Radar Inc.	34632
1,910.00	JMC Environmental Consultants, Inc.	34633
3,285.00	Tire King, Inc.	34634
3,322.00	Code 96 LLC	34635
2,970.00	Trimboli & Prusinowski, LLC	34636
1,770.00	Chelbus Cleaning Co., Inc.	34637
3,910.96	Woodruff Energy US, Inc.	34638
395.00	New Jersey Conference of Mayors	34639
250.00	Edward J. Buzak	34640
176.76	Kerry Deckert	34641
744.68	D. Lovenberg's Portable Toilet Rent	34642
250.56	United Telephone/Century Link	34643
264.00	Ream Life, Inc.	34644
472.08	Toyota Motor Credit Corp.	34645
139.65	Sunlight General	34646
420.00	USA Hoistco, Inc.	34647
33.35	Greg Le Frois	34648

725.00	Resolutions	34649
2,530.00	Safety Down Under, Inc.	34650
487.00	Cliffside Body Corp.	34651
250.00	Northern Border Tree Farms	34652
107.67	Bistro Mediterranean	34653

Total paid from Fund 10 Current Fund \$108,450.62

Checks Previously Disbursed:

29.00	Thomas S. Russo, Jr.	34573
124,903.13	US Bank Oper. Ctr/Trust Mgmt	151004
9,745.46	Wells Fargo Bank	151003
209,094.38	Payroll Account	151002

Total previously paid from Fund 10 Current Fund \$343,771.97

Total for this Bills List \$452,771.97

FEDERAL/STATE GRANTS

340.00	Minisink Press Inc.	1252
712.77	Sussex County Mailing Service	1253
165.00	Drager Safety Deagnostics, Inc.	1254
231.31	Shop Rite, Inc.	1255
115.00	J. Caldwell & Associates, LLC.	1256

Total paid from Fund 11 Federal/State Grants \$1,564.08

Checks Previously Disbursed:

26.87	Payroll Account	151101
351.25	Payroll Account	151101

Total previously paid from Fund 11 Federal/State Grants \$378.12

Total for this Bills List \$1,942.20

DOG RESERVE

325.00	Tranquility Veterinary	8545
13.55	Jennifer Fratangelo	8546

Total paid from Fund 21 Dog Reserve \$338.55

CAPITAL

5,404.75	Pellow, Harold & Assoc. Inc.	8388
1,622.40	Fire Fighters Equipment Co. Inc.	8389
900.00	Tony's Concrete Constrt Co, Inc.	8390
2,374.44	Gold Type Business Machines	8391
568.00	Laddey, Clark & Ryan, LLP.	8392
3,953.93	Denville Line Painting, Inc.	8393
225.00	FKA Architects Inc.	8394
1,380.00	J. Caldwell & Associates, LLC	8395
578.00	VMG Group, Inc.	8396
14,477.00	Cliffside Body Corp.	8397

Total paid from Fund 30 Capital \$31,483.52

WATER SEWER UTILITY

2,989.20	Schmidt's Wholesale, Inc.	14663
3,440.00	Pellow, Harold & Asso, Inc.	14664
1,467.84	Elizabethtown Gas	14665
16,165.33	JCP&L	14666
15.00	New Jersey Herald	14667

5,030.00	Pumping Services, Inc.	14668
1,035.00	SCMUA	14669
106.84	Sussex County P & H, Inc.	14670
508.71	Coyne Chemical Corp., Inc.	14671
1,329.91	Centurylink Communications, Inc.	14672
36.45	Centurylink Communications, Inc.	14673
3,980.00	Garden State Laboratories, Inc.	14674
239.50	Lock & Key World	14675
225.00	Willco, Inc.14676	
50.00	Water & Sewer Petty Cash Fund	14677
14,497.24	Sparta Township Tax Collector	14678
42.99	Weis Markets, Inc.	14679
598.10	Dempsey Uniform & Supply Inc.	14680
750.00	Frank Semeraro Construction, Inc.	14681
213.13	Airgas East	14682
60.00	Lasso, Ervin	14683
7,235.00	Treasurer, State of New Jersey	14684
1,119.94	JCI Jones Chemicals, Inc.	14685
409.50	Grinnell Recycle, Inc.	14686
136.96	Verizon Wireless, Inc.	14687
723.00	Univar USA Inc.	14688
4,160.00	Passaic Valley Sewerage Comm.	14689
1,406.74	Smalley, John	14690
757.23	Main Pool & Chemical Company, Inc.	14691
98.97	Advanced Auto Parts	14692
359.45	Home Depot, Inc.	14693
195.00	Crane Sewer & Drain Cleaning	14694
3,124.45	Suburban Propane, LP.	14695
192.18	NASCO, Inc.	14696
1,062.95	Process Tech Sales and Service	14697
123.15	Staples Business Advantage, Inc.	14698
550.00	Morris County Coop	14699
760.00	Laddey, Clark & Ryan, LLP	14700
8,392.80	Accurate Waste Removal Inc.	14701
4,000.00	William Grennille, LLC.	14702
25.00	Dustin McGarry	14703
121.02	One Call Conepts, Inc.	14704
1,907.65	Woodruff Energy US, Inc.	14705
251.47	Capitol Supply Const Products, Inc.	14706
1,277.85	Hatch Mott MacDonald	14707
271.11	Sunlight General	14708
565.29	Miracle Chemical Co.	14709
229.95	Rossi & Company	14710
107.67	Bistro Mediterranean	14711

Total paid from Fund 60 Water/Sewer Utility **\$92,793.57**

Checks Previously Disbursed:

29.00	Thomas S. Russo, Jr.	14662
33,231.18	Payroll Account	156001

Total previously paid rom Fund 60 Water/Sewer Utility **\$33,260.18**

Total for this Bills List **\$126,053.75**

Water/Sewer Capital

4,028.00	Pellow, Harold & Asso, Inc.	2371
246.60	New Jersey Herald, Inc.	2372
368.00	Laddey, Clark & Ryan, LLP	2373

Total paid from Fund 61 Water/Sewer Capital **\$4,642.60**

Trust

1,843.75	Pellow, Harold & Asso, Inc.	3323
64.00	Laddey, Clark & Ryan, LLP	3324

977.50	J. Caldwell & Associates, LLC.	3325
150.00	Lakeland Bus Line, Inc.	3326
Total paid from Fund 71 Trust		\$3,305.25
Checks Previously Disbursed:		
-5,000.00	Payroll Account	15701
9,355.51	Payroll Account	15701
Total previously paid from Fund 71 Trust		\$4,355.51
Total for this Bill List		<u>\$12,390.76</u>

Developers Escrow

187.50	Pellow, Harold & Asso, Inc.	1213
210.00	Vogel, Chait, Collins, Schneider, PC,	1214
647.00	Ferriero Engineering Inc.	1215
250.00	Edward J. Buzak	1216

Total paid from Fund 72 Developers Escrow **\$1,294.50**

The Deputy Clerk presented an application for an on-premise raffle (50/50) from the Newton Pride Foundation, to be held on February 20, 2015 from 5:00 p.m. to 11:00 p.m. at 44 Ryerson Avenue, Newton. It was noted the application was in order and accompanied by the prescribed fees.

The Deputy Clerk presented an application for an on-premise Bingo game from the Newton Pride Foundation, to be held on February 20, 2015 from 5:00 p.m. to 11:00 p.m. at 44 Ryerson Avenue, Newton. It was noted the application was in order and accompanied by the prescribed fees.

The Deputy Clerk presented an application for an on-premise raffle from the Newton Pride Foundation, to be held on February 20, 2015 from 5:00 p.m. to 11:00 p.m. at 44 Ryerson Avenue, Newton. It was noted the application was in order and accompanied by the prescribed fees.

The Deputy Clerk presented an application for an off-premise raffle from the Catholic Academy of Sussex, to be held on May 14, 2015 at 6:00 p.m. at St. Joseph School, 20 Jefferson Street, Newton. It was noted the application was in order and accompanied by the prescribed fees.

The Deputy Clerk presented three applications for membership into the Newton Fire Department from Anthony J. Perigo and Christopher S. Perigo, of 34 Mount View Street and Michael A. Hayes, of Mount View Street. It was noted the application was in order.

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

Deputy Mayor Flynn recused himself from check #1215 on the bill list.

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

RESOLUTION

RESOLUTION # 13-2015

“Authorizing Waiving of Water and Sewer Utility Charges for the Newton Volunteer First Aid Squad for Calendar Year 2015 ”

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, 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 2015.

A motion was made by Deputy Mayor Flynn to approve, as, the aforementioned

RESOLUTION seconded by Mr. Levante and roll call resulted as follows:

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

DISCUSSION

The two items that were originally scheduled, Tree Bank Ordinance and the Sign Ordinance have been moved to the February 9, 2015 meeting so Jessica Caldwell, Town Planner can attend.

OPEN TO THE PUBLIC

Mr. Flaherty questioned a vote was taken on the introduction of Ordinance 2015-2. Mayor Elvidge advised yes a vote was taken; Deputy Mayor Flynn made his comments after the vote.

COUNCIL & MANAGER COMMENTS

No comments were made.

EXECUTIVE SESSION

A motion was offered by Deputy Mayor Flynn, seconded by Mrs. Becker to enter into Executive Session, and roll call resulted as follows:

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

January 28, 2015

Mr. Russo read the following Resolution for Executive Session.

RESOLUTION # 19-2015

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

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

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

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

- (1) Potential Litigation
- (2) Contract Negotiations

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on January 28, 2015, that an Executive Session closed to the public shall be held on January 28, 2015 at 7:44 PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific item designated above.

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

Council returned from Executive Session at 8:25 PM.

There being no further business to be conducted, upon motion of Mayor Elvidge, seconded by Mrs. Becker and unanimously carried, the meeting was adjourned at 8:26 PM.

Respectfully submitted,



Teresa A. Oswin, RMC
Deputy Municipal Clerk