

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Mrs. Becker, Mrs. Diglio, Mr. Levante, Deputy Mayor Flynn, Mayor Elvidge, Thomas S. Russo, Jr., Town Manager and Ursula H. 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 Clerk called the roll and upon motion of Mrs. Becker, seconded by Deputy Mayor Flynn, and carried, the minutes of February 7, 2015 Budget Meeting, February 11, 2015 Special Meeting, February 11, 2015 Regular Meeting and February 12, 2015 Budget Meeting were unanimously 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."

Jackie Espinoza, representative of JCP&L and Sussex County Chamber member, invited the Governing Body to attend Sussex County Day, which will be held at Sussex County Community College on Sunday, May 3, 2015. Ms. Espinoza also advised she is inviting all Sussex County Mayors to take part in a pie throwing contest and left a flyer regarding the event.

Jonathan Andrews, owner of Springboard Shoppes, 145 Spring Street, noted he forwarded an email to Mr. Russo with several concerns, which was addressed by Mr. Russo. Mr. Andrews reiterated his concerns to the Governing Body and suggested the Town should take a proactive approach to these areas of concern on a regular basis. The Police are present on Spring Street daily and should be proactive and notify the Town of these various issues. Mr. Andrews states the Town needs to be proactive in order for the Town to look its best.

There being no one else from the public to be heard, Mayor Elvidge closed the meeting to the public.

COUNCIL & MANAGER REPORTS

Mr. Russo reminded Council of the Joint Council meeting with the Newton Board of Education on Tuesday, February 24, 2015 at 6:00 p.m. The meeting will take place at the Board of Education office, 57 Trinity Street, Newton.

Mr. Russo read a request from Sussex County Arts & Heritage Council to hold their annual outdoor reception at 133 Spring Street on Saturday, May 2, 2015 from 4:00 pm – 6:00 pm. The Heritage Council requested permission to erect a 10'X10' tent in the front of their gallery on the sidewalk at 133 Spring Street. After a brief discussion, the Governing Body unanimously agreed to grant permission to Sussex County Arts & Heritage Council for their annual outdoor reception on Saturday, May 2, 2015 from 4:00 pm to 6:00 pm. Mr. Russo will send a letter of approval to The Heritage Council, and copy the Newton Police.

Mr. Russo noted the Governor's Address will take place tomorrow at 2:00 p.m.

Mr. Russo outlined the individual concerns of Mr. Andrews and advised the Town of Newton is proactively addressing all code enforcement issues that arise. With regard to the parking issues, Mr. Russo directed Police Chief Richards to have the Newton Police officers diligently work on parking enforcement issues on Spring Street.

Councilwoman Becker noted Mr. Andrews left the meeting prior to Mr. Russo's comments and wished he would stay for same.

Council had a brief discussion on the parking issues and Mr. Russo indicated the Newton Police will handle said matter.

ORDINANCES

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

ORDINANCE #2015-4

AN ORDINANCE TO EXCEED THE 2015 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

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

OLD BUSINESS

There was no Old Business to be discussed.

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 outlined the various Resolutions on the Consent Agenda.

RESOLUTION #29-2015*

APPROVAL OF A RENEWAL APPLICATION FOR A JUNK DEALERS LICENSE FOR GEORGE'S SALVAGE COMPANY

WHEREAS, the Code of the Town of Newton under Chapter 156 "Junkyards and Junk Dealers" require that no person shall engage in the business of a retail or wholesale junk dealer except pursuant to and within the terms of a license granted by the Council; and

WHEREAS, said renewal application for the Junk Dealer's License lists the business as George's Salvage Company at 10 South Park Drive, Newton, New Jersey; and

WHEREAS, Section 156-8 requires that the Health Officer, Construction Official, Fire Official, Public Works Supervisor, and Zoning Officer are authorized and directed to make periodic inspections of all licensed junk yards in the Town for the purpose of ascertaining that the business is being conducted on the licensed premises in accordance with the provision of Chapter 156; and

WHEREAS, George Salvage Company has been inspected and approved as required in Section 156-8; and

WHEREAS, George's Salvage Company has provided a two hundred dollar (\$200.00) bond conditioned for the due observance of all ordinances of the Town relating to the business of retail junk dealer;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby approves the application for a renewal Junk Dealer License submitted by George M. Miller, t/a George's Salvage Company, 10 South Park Drive, Newton, NJ which shall expire on December 31, 2015.

RESOLUTION #30-2015*

AMENDMENT TO 2015 TEMPORARY OPERATING BUDGET

WHEREAS, the Town Council of the Town of Newton adopted the 2015 Temporary Operating Budget and Temporary Water and Sewer Utility Budget by Resolution #3 - 2015 dated January 12, 2015; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the Governing Body, by resolution adopted by a 2/3 vote of the full membership, may make amendments to temporary budgets in an amount not to exceed one-twelfth (1/12) of the preceding year's Budget

and that a copy of this resolution be filed with the Director of Local Government Services;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the 2015 Temporary Operating Budget be hereby amended as follows:

**TOWN OF NEWTON
2015 TEMPORARY BUDGET AMENDMENT**

<u>Current Account</u>	<u>Account No.</u>	<u>Amt of Amendment</u>
Code Enforcement SW	1077403	\$7,500
Group Health Insurance OE	1066200	130,000
Communications OE	1074300	15,000
Vehicle maintenance OE	1083300	10,000
Utilities OE	1089200	30,000
Stormwater OE	1082248	5,000
Snow Removal SW	1081100	10,000
Snow Removal OE	1081200	20,000
PERS	1098296	44,578
PFRS	1098297	<u>571,949</u>
Total Current Temp Amendment		\$844,027

CURRENT	2014 TOWN OF NEWTON BUDGET
\$12,075,900	Total 2014 General Appropriations
1,847,572	Less: Debt Service
<u>100,000</u>	Capital Improvements
\$10,128,328	Total Amount to calculate upon
<u>x 1/12</u>	
\$ 844,027	Allowable 2015 Temporary Budget Amend.

RESOLUTION #31-2015*

APPOINTMENT OF WAYNE MCCABE AS A CLASS B MEMBER OF THE HISTORIC PRESERVATION ADVISORY COMMISSION

BE IT RESOLVED, by the Town Council of the Town of Newton that Wayne McCabe is hereby appointed to a four (4) year term on the Historic Preservation Advisory Commission as a Class B member effective February 23, 2015 with said term continuing to December 31, 2018.

RESOLUTION #32-2015*

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

<u>CHECK #</u>	<u>COMPANY</u>	<u>AMOUNT</u>
34722	Abcode Security, Inc.	\$ 60.00
34723	Elizabethtown Gas	\$ 3,628.29
34724	G&G Diesel Service, Inc.	\$ 2,539.11
34725	JCP&L	\$ 1,942.69

34726	Centurylink Communications, Inc.	\$	35.00
34727	Centurylink Communications, Inc.	\$	191.57
34728	Read, Lorraine	\$	40.47
34729	Campbell's Small Engine, Inc.	\$	371.67
34730	Tri-State Rentals, Inc.	\$	472.62
34731	Straway, Richard A. Jr.	\$	57.00
34732	Straway, Thomas	\$	89.00
34733	Sloan, James PPC	\$	1,229.17
34734	Newton Trophy	\$	19.00
34735	Kithcart, Brock	\$	57.00
34736	Minisink Press, Inc.	\$	110.00
34737	Weis Markets, Inc.	\$	23.64
34738	Greater Newton Chamber of Commerce	\$	105.00
34739	Lasso, Ervin	\$	75.00
34740	Boonton Tire Supply Inc.	\$	394.97
34741	Sussex & Warren Tax Collector	\$	30.00
34742	TCTANJ	\$	100.00
34743	Verizon Wireless, Inc.	\$	1,314.98
34744	Petro-Mechanics, Inc.	\$	488.30
34745	Mr. John, Inc.	\$	74.20
34746	Vogel, Chait, Collins, Schneider, PC	\$	1,125.00
34747	Emergency Medical Products	\$	25.08
34748	Staples Business Advantage, Inc.	\$	677.19
34749	Sussex County Engineering Division	\$	645.89
34750	Dominick's Pizza LLC	\$	84.85
34751	Steve Estler	\$	89.00
34752	Rachles/Michele's Oil Company, Inc	\$	2,421.59
34753	Taylor Oil Co., Inc.	\$	1,679.55
34754	Eric Tompkins	\$	59.00
34755	Laddey, Clark & Ryan, LLP	\$	2,458.33
34756	Joseph White	\$	89.00
34757	County of Sussex	\$	6,935.16
34758	Gramco Business Communications Inc.	\$	975.00
34759	William Oswin III	\$	97.00
34760	JCP&L	\$	847.15
34761	Code 96 LLC	\$	15,825.00
34762	Enforsys Police System, Inc.	\$	12,000.00
34763	Trimboli & Prusinowski, LLC	\$	1,410.00
34764	SC Dept. Environmental & Public Health	\$	750.00
34765	NJMEBF	\$	140,356.00
34766	Roy Leyman	\$	57.00
34767	Dustin McGarry	\$	50.00
34768	Rullo & Juliet Associates, Inc.	\$	1,270.00
34769	Fastenal Company, Inc.	\$	474.00
34770	J. Caldwell & Associates, LLC	\$	1,225.00
34771	Recreation Supply Company, Inc.	\$	412.20
34772	Ceunion	\$	89.00
34773	Sunlight General	\$	180.77
34774	Cintas Fire Protection	\$	307.10
34775	Natural Structures, Inc.	\$	3,000.00
34776	Discount Safe Outlet	\$	3,248.00
34777	Johnny on the Spot, LLC	\$	73.54

34778	Warning Order, LLC	\$	75.00
34779	Charles A. Tadduni, Esq.	\$	684.34
151009	Newton Board of Education	\$	1,011,421.33
151008	Elavon	\$	175.81
34721	County of Sussex	\$	3,595.85
34720	County of Sussex	\$	55,210.61
34719	County of Sussex	\$	25,015.73
34718	County of Sussex	\$	2,036.64
34717	County of Sussex	\$	732,552.76
151007	Payroll Account	\$	202,471.18
			<u>\$ 2,245,624.33</u>

CAPITAL

8400	Tilcon New Jersey, Inc.	\$	2,441.57
8401	Vogel, Chait, Collins, Schneider, PC	\$	1,050.00
8402	J. Caldwell & Associates, LLC	\$	3,470.00
8403	Natural Structures, Inc.	\$	1,584.00
			<u>\$ 8,545.57</u>

FEDERAL/STATE GRANTS

1257	J. Caldwell & Associates, LLC	\$	118.00
			<u>\$ 118.00</u>

WATER/SEWER ACCOUNT

14740	Pellow, Harold & Associates, Inc.	\$	343.00
14741	Hach Company	\$	653.80
14742	Elizabethtown Gas	\$	1,442.13
14743	JCP&L	\$	3.25
14744	Pumping Services, Inc.	\$	10,229.66
14745	Coyne Chemical Corp., Inc.	\$	12,180.47
14746	Campbell's Small Engine, Inc.	\$	49.50
14747	Verizon Wireless, Inc.	\$	136.96
14748	Smalley, John	\$	1,250.00
14749	Advance Auto Parts	\$	24.99
14750	Home Depot, Inc.	\$	172.70
14751	Pall Corporation	\$	6,837.80
14752	Kieffer Electric, Inc.	\$	635.34
14753	Tire King, Inc.	\$	2,028.90
14754	William Grennille, LLC	\$	4,000.00
14755	NJMEBF	\$	28,861.00
14756	One Call Concepts, Inc.	\$	89.36
14757	Rullo & Juliet Associates, Inc.	\$	105.00
14758	GP Jager & Associates, Inc.	\$	340.72
14759	Hatch Mott Macdonald	\$	2,748.08
14760	Toyota Motor Credit Corporation	\$	472.08
14761	Sunlight General	\$	366.46
14762	Miracle Chemical Company	\$	676.17
14763	Waterware Corporation	\$	1,179.60
156003	Payroll Account	\$	32,390.79
			<u>\$ 107,217.76</u>

CAPITAL

2376	Pellow, Harold & Associates, Inc.	\$	4,866.50
2377	Hatch Mott MacDonald	\$	1,650.11
			<u>6,516.61</u>

TRUST ACCT

3330	Vogel, Chait, Collins, Schneider, PC	\$	1,020.00
3331	J. Caldwell & Associates, LLC	\$	236.00
157103	Payroll Account	\$	3,477.39
			<u>4,733.39</u>

GRAND TOTAL \$ 2,375,750.84

The Clerk presented an application for an on-premise raffle (50-50) from the Sussex County Community College Foundation to be held on Saturday, April 11, 2015 at 6:30 pm. at 1 College Hill Road, Newton. It was noted the application was in order and accompanied by the prescribed fees.

The Clerk presented an application for an on-premise raffle (merchandise raffle) from the Sussex County Community College Foundation to be held on Saturday, April 11, 2015 from 9:00 am to 6:00 pm at 1 College Hill Road, Newton. It was noted the application was in order and accompanied by the prescribed fees.

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

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

DISCUSSION

There was no discussion at this time.

OPEN TO THE PUBLIC

There was no one from the public to be heard.

COUNCIL & MANAGER COMMENTS

There were no additional Council and Manager comments.

EXECUTIVE SESSION

Mr. Russo read Resolution #33-2015 and Council entered into Executive Session at 7:19 pm.

Upon motion of Mrs. Diglio, seconded by Mayor Elvidge and carried, Council left Executive Session at 8:24 pm.

February 23, 2015

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 8:24 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine A. Read". The signature is written in black ink and is positioned above the printed name.

Lorraine A. Read, RMC
Municipal Clerk