

March 9, 2015

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 Mr. Levante, seconded by Deputy Mayor Flynn and carried, the minutes of February 23, 2015 Regular Meeting and February 24, 2015 Special BoE Meeting were unanimously approved.

Mayor Elvidge and Mrs. Becker abstained from the minutes of February 24th Special BoE meeting.

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.”

Jonathan Andrews, owner of Springboard Shoppes, 145 Spring Street, read the following from a prepared statement:

“I’d like to make the Council aware of the organization of the Downtown Newton Association, and suggest that you consider supporting it as a more expedient and effective approach than the proposed Special Improvement District.

Your February 2013 Vision Plan states “the community’s perception of the Town is based on the vitality of Spring Street and the overall health, economic vitality and sense of place hinges on Spring Street. Therefore the Strategic Vision Plan provides a vision for a safe, vibrant and attractive downtown that will breathe life and vitality into the Town as a whole.”

The Downtown Newton Association has been incorporated as a non-profit by 4 downtown building owners and is reaching out to all other owners, merchants and businesses in the downtown area to join our effort. We have organized with the cooperation and support of the Greater Newton Chamber of Commerce and the New Spring Street Group. These organizations are active and involved, but are not structured to achieve the goals of the Vision Plan.

The Downtown Newton Association is starting immediately, and can benefit greatly from your support. We are local, knowledgeable, and invested in Newton. Several concrete improvement actions are already in preliminary stages.

Our founding Board (Sara Megletti, Jim Ciaravolo and Rich Krasnomowitz) has reached out today to the community seeking additional Board and Committee members, and hope to have a full Board established within the next month. We already have expressions of interest from a number of community members.

Most of our merchants, restaurateurs and other business people are experienced and knowledgeable business people. Collectively we’d like to take the lead in reviving our business district.

At the least, we would like your tabling of the SID plan until you see how successful the Downtown Newton Association is, with an official resolution of support for our efforts.

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At the most, we'd like a matching contribution to the Association, with quarterly disbursements conditioned on successful progress, in an amount comparable to your initial investment in the earlier Main Street Program.

Additional Notes, not included in verbal presentation:

There is no doubt that downtown Newton still needs improvement. And it needs more effective action than has happened in the 2 years since the February 2013 Vision Plan was presented.

That Plan's Goal 1 was to improve the conditions of buildings in the downtown. The first action suggested was aggressive code enforcement. As you know, progress in this area has been slow despite my 'gadfly' approach.

Goal 2 of the Vision Plan included studying the feasibility of a SID. The Vision Plan, in February 2013, was followed by the SID Feasibility Study in January 2014. We are now in March of 2015 with many more months projected before possible implementation of SID version 2. Building owners and merchants cannot afford to wait.

As you know from the reaction to the first proposed SID, support from building owners is far from assured. The new SID plan, even if approved by owners, as presented, will take many more months to get started. If an outsider is hired to be Executive Director, it will be even more months before it can be up to speed. (We'd also note that several of the SID's you visited seem to have significant vacancy increases since your visits.

We will base our structure on the handbook for Board Members of Main Street organizations provided by the NJ Department of Community Affairs. This comprehensive organizational document considers many aspects of what such an organization involves.

Consider for instance their comment on SIDs - "New programs that attempt to institute these districts, however, often create ill will due to the mandatory nature of the assessment fees. During the program's initial years, a voluntary contribution system usually works better." Based on the reaction to SID 1, this analysis is exactly on target.

We have consulted with the Downtown Waynesville Association (NC), a 30 year old program in a population 9,000 rural county seat. They began with 26% vacancy and are now a vibrant downtown. Their Board represents a wide range of community interests.

Several recent actions or inactions by Newton have been inadvertently harmful to downtown merchants. Several of these actions have been undertaken with no input sought from our district businesses.

The Town Council and Management have many demands on your time and attention. You care about Spring Street, but cannot focus on it. We do focus on it, and would like your support in our taking the lead in meeting the goals of the Vision Plan."

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

COUNCIL & MANAGER REPORTS

Mr. Russo congratulated Mr. Andrews and his organization on creating the Downtown Newton Association and advised the Town of Newton has put the SID program "on the shelf." Mr. Russo requested Mr. Andrews forward him information regarding the new organization, in order to create a resolution in support of the Downtown Newton Association. Mr. Russo noted the Town would consider funding for 2016, as the budget has been completed for this year. He advised the Downtown Newton Association to submit a request for funding no later than October 2015.

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Mr. Russo advised the Armory conference call has been rescheduled and will keep the Council posted on same.

Mr. Russo reported the funding deadline for the RPM project was announced for this summer and he will be meeting with Susannah Henschel at RPM offices to go over the Town of Newton's application.

Ursula Leo, Esq. outlined the draft code enforcement ordinance to address the interior issues of properties. Mrs. Leo outlined the process and procedures to be addressed by Mrs. Crift, Code Enforcement Director.

ORDINANCES

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

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)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Town Council of the Town of Newton in the County of Sussex finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Newton Town Council hereby determines that a 2% increase in the budget for said year, amounting to \$164,711.73 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Newton Town Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Town of Newton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 2%, amounting to \$164,711.73, and that the CY 2015 municipal budget for the Town of Newton be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon be filed with said Director within 5 days after such adoption.

Mayor Elvidge opened the hearing to the public.

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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 Mrs. Diglio, who moved its adoption, 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		

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

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

ORDINANCE #2015-5

A FULLY FUNDED GENERAL CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$25,000.00 FOR ACQUISITION OF A NEW FIRE ENGINE WITH EQUIPMENT IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

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 23, 2015.

ORDINANCE #2015-6

AN ORDINANCE OF THE TOWN OF NEWTON ELIMINATING RUN-OFF ELECTIONS

The following **ORDINANCE** was offered by Mrs. Diglio, who moved its introduction, seconded by Mr. Levante 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 23, 2015.

ORDINANCE #2015-7

AN ORDINANCE REPEALING ORDINANCE #2003-6 IN ITS ENTIRETY; AND DELETING AND CONFIRMING CERTAIN SECTIONS OF THE MUNICIPAL CODE OF THE TOWN OF NEWTON

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

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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 23, 2015.

ORDINANCE #2015-8

AN ORDINANCE ADOPTING AMENDMENTS TO THE MERRIAM GATEWAY REDEVELOPMENT PLAN

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 23, 2015.

ORDINANCE #2015-9

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE MCGUIRE REDEVELOPMENT AREA

The following **ORDINANCE** was offered by Mrs. Becker, 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 23, 2015.

OLD BUSINESS

Jessica Caldwell, Town Planner, gave a brief overview of the draft Tree Bank Ordinance and Tree Protection Ordinance.

After a lengthy discussion, the Town Council unanimously agreed to not proceed with a Tree Protection Ordinance at this time. The Governing Body also unanimously agreed to move forward with the Tree Bank Ordinance with some amendments as suggested by the Town Council. Mrs. Caldwell will prepare the Ordinance for the next Council meeting.

CONSENT AGENDA

Mayor Elvidge read the following statement:

“All items listed with an asterisk (*) are considered to be routine and non-controversial by

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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.

Councilwoman Diglio requested Resolution #41-2015 be removed for separate discussion.

RESOLUTION # 34-2015*

RESOLUTION TO ACCEPT THE CERTIFIED LIST OF QUALIFYING 2014 NEWTON FIRE DEPARTMENT LOSAP PARTICIPANTS

WHEREAS, the Length of Service Awards Program (LOSAP) for the Newton Volunteer Fire Department was approved by the Mayor and Council through the passage of Ordinance #2003-12 on August 11, 2003, confirmed by Resolution #104-2003, and approved by Newton voters as a public question at the General Election on November 4, 2003; and

WHEREAS, the Newton Volunteer Fire Department has certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 2003-12, to receive an amount between \$115.00 and \$1,150.00 based on points credited for volunteer services rendered in 2014 as per the 2014 LOSAP LIST attached; and

WHEREAS, the total number of qualifying volunteers for the Fire Department is 34, for a total contribution of \$27,427.50; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2014 to cover the cost of this contract;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council do hereby accept the certified list from the Newton Fire Department dated March 9, 2015.

RESOLUTION #35-2015 *

APPROVAL OF THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH BYRAM TOWNSHIP TO PROVIDE CERTIFIED TAX COLLECTION SERVICES FOR MAY 1, 2015 THROUGH DECEMBER 31, 2015

WHEREAS, the Township of Byram (“Byram”) required the services of a Certified Tax Collector on an occasional and part-time basis; and

WHEREAS, the Town of Newton (“Newton”), under Resolution #164-2014, approved a shared services agreement dated August 25, 2014 whereby Newton provided the services of its Certified Tax Collector, Linda A. Roth, on an occasional and part-time basis to Byram; and

WHEREAS, said agreement expires April 30, 2015; and

WHEREAS, Newton has submitted to Byram the attached agreement dated March 9, 2015 which outlines the terms and conditions of a new shared services agreement between Newton and Byram for Newton’s Certified Tax Collector, Linda A. Roth, to perform tax collection duties for Byram on an occasional and part-time basis from May 1, 2015 through December 31, 2015; and

WHEREAS, the State of New Jersey strongly encourages municipalities to enter into Shared Services Agreements such as this;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body hereby approves and authorizes the execution of a new Shared Services Agreement with the Township of Byram for the provision of certified tax collection services.

RESOLUTION # 36-2015 *

APPOINTMENT OF ERNEST HEMSCHOT AS AN ALTERNATE MEMBER OF THE NEWTON PLANNING BOARD

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WHEREAS, there is currently a vacancy on the Town of Newton Planning Board for an Alternate position; and

WHEREAS, Ernest Hemschot has expressed an interest in serving on the Planning Board as an Alternate Member;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Ernest Hemschot is hereby appointed to an unexpired two-year term as Alternate Member #1 of the Newton Planning Board, effective immediately with said term continuing to December 31, 2016.

RESOLUTION # 37-2015*

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 2015 by Ordinance #2014-25; and

WHEREAS, the Town Manager, as part of his 2015 Town of Newton Preliminary Budget, has recommended a TWO PER CENT (2.0%) increase in salary for calendar year 2015 to be paid to certain Town of Newton employees, whose employment is not the subject of any bargaining agreement or individual contract; 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 or individual contract, for calendar year 2015 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. The following employees are excluded from this TWO PERCENT (2%) increase:
 - a. Code Enforcement Director
 - b. Deputy Town Manager/Community Development Director
 - c. Human Resources Director
 - d. Public Works Supervisor
 - e. Administrative Assistant to Public Works Director
 - f. Assistant Water/Sewer Supervisor - Licensed Plant Operator
 - g. Municipal Judge
 - h. Tax Assessor
7. Said raises shall be retroactive to January 1, 2015.
8. 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 2015 for non-union Town of Newton employees, whose employment is not covered by bargaining agreement or individual contract and with the aforementioned exceptions, shall be increased by TWO PERCENT (2%), retroactive to January 1, 2015.

RESOLUTION #38-2015 *

MODIFYING BENEFIT COVERAGE FOR SCOTT J. HOLZHAUER AND ADJUSTING ANNUAL SALARY FOR SCOTT J. HOLZHAUER

WHEREAS, pursuant to Resolution #276-2009, adopted on December 28, 2009, the Town Council of the Town of Newton authorized the continuation of healthcare coverage for certain part-time employees, including the Town of Newton’s Tax Assessor, Scott J. Holzauer, with a reduction in salary to cover the cost of such coverage; and

WHEREAS, the Town of Newton’s Tax Assessor, Scott J. Holzauer has notified the Town that he no longer requires healthcare coverage provided by the Town of Newton and wishes to be removed from such coverage, as he will be obtaining healthcare elsewhere; and

WHEREAS, Mr. Holzauer has been advised and agrees that he will no longer be eligible for such healthcare coverage in the future; and

WHEREAS, Mr. Holzauer’s salary will be set to \$40,000 annually, upon the termination of the existing insurance coverage provided by the Town;

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

1. The Town Council of the Town of Newton will remove Scott J. Holzauer from its healthcare coverage effective April 1, 2015.
2. The Town Council agrees to allow Mr. Holzauer to participate in the Town of Newton group dental and vision plans, for him and his qualified dependents, with the full cost of such participation being borne by Mr. Holzauer, with Mr. Holzauer being charged through a payroll deduction.
3. Mr. Holzauer shall receive an annual salary of \$40,000, commencing at the termination of his healthcare coverage with the Town.
4. The Town Council further confirms that Mr. Holzauer will not be eligible at any time in the future for healthcare coverage through the Town.
5. The annual salary of \$40,000 is not subject to increase unless agreed to in writing by the Town Manager and Scott J. Holzauer.
6. This Resolution shall take effect immediately.

RESOLUTION # 39-2015*

AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE PURPOSE OF PROVIDING A CERTIFIED RECYCLING PROFESSIONAL FOR THE TOWN OF NEWTON

WHEREAS, the Town of Newton “NEWTON” has enacted a recycling plan for all recyclables as designated by the Sussex County Solid Waste Management Plan; and

WHEREAS, the State of New Jersey requires to have its annual recycling tonnage reports approved and executed by a duly Certified Recycling Professional “CRP”; and

WHEREAS, the Town of Newton and the Sussex County Municipal Utilities Authority “SCMUA”, a municipal utilities authority of the State of New Jersey, have negotiated a Shared Services Agreement stating that SCMUA shall serve as NEWTON’s CRP; and

WHEREAS, said Shared Services Agreement is attached to and made part of this resolution;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and Clerk are hereby authorized to execute the attached Agreement authorizing the Sussex County Municipal Utilities Authority to serve as the Town of Newton’s Certified Recycling Professional.

RESOLUTION # 40-2015*

APPROVE 2014 APPROPRIATION RESERVE BE LAPSED TO TRUST - SNOW REMOVAL RESERVE

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2014 appropriation reserve balance be lapsed to Trust - Snow Removal Reserve pursuant to NJSA40A: 4-62.1. This resolution is being adopted in accordance with the provisions of NJSA 40A:4-59.

<u>From</u> <u>CURRENT</u>	<u>To</u> <u>TRUST</u>	<u>Amount</u>
Snow Removal OE 1081226A	Snow Removal Reserve 711202	\$6,000.00
Snow Removal SW 1081102A	Snow Removal Reserve 711202	\$5,600.00
Road OE -Machinery 1080326A	Snow Removal Reserve 711202	\$4,400.00
TOTAL		<u>\$16,000.00</u>

RESOLUTION #42-2015*

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>#</u>	<u>COMPANY</u>	<u>AMOUNT</u>
34780	Quill Corporation	\$ 744.57
34781	MGL Forms - Systems, LLC	\$ 401.50
34782	Pellow, Harold & Assoc., Inc.	\$ 995.75
34783	JCP&L	\$ 6,231.14
34784	NJ Herald, Inc.	\$ 153.40
34785	NJ Herald, Inc.	\$ 215.40
34786	SCMUA	\$ 491.52
34787	Centurylink Communications, Inc.	\$ 3,383.36
34788	Centurylink Communications, Inc.	\$ 475.00
34789	Read, Lorraine	\$ 15.00
34790	Campbell's Small Engine Inc.	\$ 7.95
34791	Fire Fighters Equipment Co. Inc.	\$ 364.00
34792	Timmerman Company, Inc.	\$ 592.90
34793	Tri-State Rentals, Inc.	\$ 270.73
34794	Sisco, James	\$ 75.00
34795	Straway, Richard A. Jr.	\$ 75.00
34796	Straway, Thomas	\$ 83.00
34797	Willco, Inc.	\$ 10,318.30
34798	Vital Computer Resources, Inc.	\$ 523.24

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34799	Bally's Park Pl Cas. Hotel	\$	168.20
34800	Kithcart, Brock	\$	67.00
34801	Microsystems-NJ Com., LLC	\$	31.28
34802	Airgas East	\$	174.10
34803	GFOA of NJ	\$	90.00
34804	Lasso, Ervin	\$	58.00
34805	Sirchie Finger Print Labs, LLC	\$	214.76
34806	Vision Service Plan	\$	670.66
34807	Rutgers Center for Gov't Serv., Inc.	\$	30.00
34808	Statewide Insurance Fund	\$	55,790.39
34809	Sussex Co. Assoc. Chiefs Police	\$	600.00
34810	IAAO	\$	175.00
34811	Verizon Wireless, Inc.	\$	193.41
34812	Accurate Door, Inc.	\$	820.00
34813	IACP - Membership	\$	150.00
34814	MCAA of New Jersey	\$	90.00
34815	Petro-Mechanics, Inc.	\$	469.00
34816	Dell Marketing LP	\$	171.91
34817	Wildflowers with Tami	\$	130.00
34818	NJSACOP	\$	275.00
34819	ROGO Fastener Co., Inc.	\$	350.10
34820	Total Fire Group, Inc.	\$	4,227.16
34821	Staples Business Advantage, Inc.	\$	101.21
34822	Language Line Services, Inc.	\$	6.80
34823	Spectrum Communications, Inc.	\$	299.20
34824	CSS Test, Inc.	\$	48.00
34825	Nestle Waters, Inc.	\$	76.60
34826	Steve Estler	\$	83.00
34827	Rachles/Michele's Oil Company, Inc.	\$	2,156.88
34828	Taylor Oil Co., Inc.	\$	3,680.76
34829	Laddey, Clark & Ryan, LLP	\$	8,067.90
34830	Joseph White	\$	83.00
34831	JMC Environmental Consultants, Inc.	\$	716.78
34832	Tony Sanchez Ltd., Inc.	\$	1,285.84
34833	Tire King, Inc.	\$	3,582.00
34834	William Oswin, III	\$	83.00
34835	Code 96 LLC	\$	312.00
34836	Penteledata	\$	689.70
34837	Chelbus Cleaning Co., Inc.	\$	1,770.00
34838	Roy Leyman	\$	75.00
34839	Dustin McGarry	\$	33.00
34840	Cit-E-Net, LLC	\$	2,000.00
34841	Harter Equipment Inc.	\$	1,283.18
34842	Van Meter & Assoc., Inc.	\$	280.00
34843	The NJ Shade Tree Federation	\$	95.00
34844	United Telephone/Century Link	\$	126.80
34845	Tape-Tel Electronics Inc.	\$	377.00
34846	Prime Lube, Inc.	\$	1,495.50
34847	Texas Canvas	\$	250.00
34848	North Church Gravel, Inc.	\$	4,178.64
34849	Morton Salt, Inc.	\$	7,437.24
34850	Jean Bond	\$	25.70

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34851	Jeffrey B. Tener	\$	1,000.00
151011	Bank of New York	\$	69,700.00
151010	Payroll Account	\$	197,337.37
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		\$	399,099.83

CAPITAL

8404	Pellow, Harold & Assoc., Inc.	\$	6,190.75
8405	NJ Herald, Inc.	\$	15.30
8406	McManimon, Scotland & Baumann, LLC	\$	559.00
8407	Spectrum Communications, Inc.	\$	699.50
			<hr/>
		\$	7,464.55

FEDERAL/STATE GRANTS

1258	Center for Prevention & Counseling	\$	1,300.00
1259	Kerry Deckert	\$	250.00
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		\$	1,550.00

WATER/SEWER ACCOUNT BILLS

14765	Schmidt's Wholesale, Inc.	\$	955.50
14766	Pellow, Harold & Associates, Inc.	\$	11,367.25
14767	Fisher Scientific	\$	248.12
14768	CCP Industries, Inc.	\$	777.30
14769	JCP&L	\$	5,602.43
14770	Pumping Services, Inc.	\$	5,417.40
14771	SCMUA	\$	683.10
14772	Sussex County P&H, Inc.	\$	233.69
14773	Centurylink Communications, Inc.	\$	36.45
14774	Centurylink Communications, Inc.	\$	1,329.77
14775	Rectifier Auto Electric	\$	180.00
14776	Garden State Laboratories, Inc.	\$	850.00
14777	Hamburg Plumbing Supply Co., Inc.	\$	52.15
14778	Willco, Inc.	\$	225.00
14779	Pollard Water	\$	135.41
14780	Weis Markets, Inc.	\$	2.36
14781	Airgas East	\$	18.35
14782	Vision Service Plan	\$	169.50
14783	Statewide Insurance Fund	\$	50,355.36
14784	JCI Jones Chemicals, Inc.	\$	479.97
14785	Dell Marketing LP	\$	171.91
14786	Alternate Power Inc.	\$	1,335.00
14787	Fairclough Fuel	\$	100.00
14788	Suburban Propane LP	\$	2,910.90
14789	Kistler O'Brien Fire Protection, Inc.	\$	877.60
14790	Pall Corporation	\$	4,345.02
14791	Laddey, Clark & Ryan LLP	\$	720.00
14792	William Grenville, LLC	\$	4,000.00
14793	Penteledata	\$	119.90
14794	Capitol Supply Construction Products, Inc.	\$	378.67
14795	Hatch Mott MacDonald	\$	5,168.38
14796	Miracle Chemical Co.	\$	564.30
156005	State of New Jersey - PWT	\$	432.65

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14764	Sparta Postmaster	\$	952.76
156004	Payroll	\$	30,036.54
		\$	131,232.74

WATER/SEWER CAPITAL

2378	NJ Herald, Inc.	\$	15.00
2379	Laddey, Clark & Ryan LLP	\$	480.00
2380	Hatch Mott MacDonald	\$	1,599.36
		\$	2,094.36

TRUST ACCOUNT BILLS

3332	Pellow, Harold & Assoc., Inc.	\$	1,970.75
3333	McManimon, Scotland & Baumann, LLC	\$	292.50
3334	Foremost Promotions, Inc.	\$	366.03
3335	Laddey, Clark & Ryan, LLP	\$	64.00
3336	Prospect Point Marinas	\$	45.00
3337	Katherine Member	\$	408.00
157104	Payroll	\$	5,943.34
		\$	9,089.62

DEVELOPERS ESCROW BILLS

1220	Pellow, Harold & Assoc., Inc.	\$	125.00
1221	Vogel, Chait, Collins, Schneider, PC, Inc.	\$	45.00
1222	Ferriero Engineering Inc.	\$	401.98
1223	Edward J. Buzak	\$	200.00
1224	J. Caldwell & Associates, Inc.	\$	118.00
		\$	889.98

GRAND TOTAL

\$ 554,416.26

The Clerk presented an application for a special permit for a social affair from the Sussex County Arts & Heritage Council, 133 Spring Street, to be held on Saturday, May 2, 2015 from 4 pm - 6 pm. It was noted the application was in order and accompanied by the prescribed fees.

Deputy Mayor Flynn recused himself from check #1222 on Resolution #42-2015.

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

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

Councilwoman Diglio asked questions regarding Resolution #41-2015 which were addressed by Mrs. Millikin. Deputy Mayor Flynn recused himself from Resolution #41-2015.

RESOLUTION #41-2015

**AUTHORIZING THE REDUCTION OF UTILITY FEES FOR MARTORANA ENTERPRISES
IN
CONNECTION WITH THE DEVELOPMENT OF THE PROPERTY KNOWN AS BLOCK
22.05, LOT
13, NEWTON, NEW JERSEY (GRANDE VILLAGGIO)**

March 9, 2015

WHEREAS, on April 14, 2014, the Town Council of the Town of Newton adopted Resolution #63-2014, which concurred with the recommendation of the Utility Advisory Board in allocating water and sewer gallonage for Martorana Enterprises ("Martorana") for Grande Villaggio on property formally known as Block 22.05, Lot 13, located at 104 Sparta Avenue, Newton, New Jersey; and

WHEREAS, Resolution #63-2014 specifically required the payment of \$588,990.00 for water and sewer hook-up fees for the 60 residential units and clubhouse; and

WHEREAS, Martorana subsequently informed the Town that Martorana will be installing the water and sewer service for the proposed development; and

WHEREAS, Section 228-3C of the Town Code provides that no tap fees shall be required for any water tap when the tap has been installed by a developer or his agent prior to the acceptance of the distribution mains in the development by the Town; and

WHEREAS, Section 228-14 of the Town Code provides that no tap fees shall be required for any sewer tap when the tap has been installed by a developer or his agent prior to the acceptance of the sewer mains by the Town; and

WHEREAS, accordingly, Martorana requests that the utility fees set forth in Resolution #63-2014 be revised to eliminate the water and sewer tap fees; and

WHEREAS, the Town desires to revise the utility fees due from Martorana in connection with the Grande Villaggio development as set forth in Resolution #63-2014 to eliminate the water and sewer tap fees;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, they being the Governing Body thereof as follows:

1. The water and sewer hook-up fees for the 60 residential units and clubhouse due from Marotara in connection with the Grande Villaggio development on property formally known as Block 22.05, Lot 13, located at 104 Sparta Avenue, Newton, New Jersey as set forth in Resolution #63-2014 is hereby amended from Five Hundred Eighty-Eight Thousand Nine Hundred Ninety Dollars (\$588,990.00) to a total of Five Hundred Fifty-Two Thousand Nine Hundred Ninety Dollars (\$552,990.00) as set forth in detail in the attached Exhibit A.
2. All the remaining terms and conditions of Resolution #63-2014 remain in full force and effect.
3. The Mayor and Town Clerk together with all other appropriate officers and employees of the Town of Newton are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

Utility Fees
Grande Villaggio
Block 22.05, Lot 13
104 Sparta Avenue, Newton, New Jersey

March 9, 2015

	Phase I (20 units)	
Water	5,200 per unit x 20 units =	104,000
Sewer	3,200 per unit x 20 units =	<u>64,000</u>
		\$168,000
	Phase II (18 units & club house)	
Water	5,200 per unit x 18 units =	93,600
Sewer	3,200 per unit x 18 units =	57,600
Clubhouse		<u>48,990</u>
		\$200,190

March 9, 2015

	Phase III (22 units)	
Water 5,200 per unit x 22 units =		114,400*
Sewer 3,200 per unit x 22 units =		<u>70,400</u>
		\$184,800
	TOTAL	\$552,990

*correction of previous mathematical error

A motion was made by Mrs. Becker to approve the **RESOLUTION #41-2015**, seconded by Mr. Levante and roll call resulted as follows:

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

INTERMISSION - None

INTRODUCTION OF 2015 BUDGET

A. TOWN OF NEWTON MUNICIPAL AND WATER & SEWER UTILITY BUDGET

At this time, Mr. Russo read the following statement:

Municipal Budget Notice

Section 1.

Municipal Budget of the Town of Newton, County of Sussex for the Fiscal Year 2015. Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2015; Be it Further Resolved, that said Budget be published in the New Jersey Herald In the issue of March 31, 2015. The Governing Body of the Town of Newton does hereby approve the following as the Budget for the year 2015:

RECORDED VOTE (Insert Last Name)

AYES:	(DIGLIO (BECKER (FLYNN (LEVANTE (ELVIDGE	NAYES:	ABSTAINED:
			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 9, 2015. A hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 13, 2015 at 7:00 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.

Mr. Russo then reviewed and outlined the Revenue and Appropriation summaries (located at the end of budget).

Mr. Russo noted that a formal PowerPoint presentation of the 2015 Municipal Budget will take place on Monday, April 13, 2015 at 7:00 pm.

Upon motion of Mr. Levante, seconded by Mrs. Diglio to **introduce the 2015 Municipal &**

March 9, 2015

Water-Sewer Utility Budget and roll call resulted as follows:

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

DISCUSSION

Mayor Elvidge commended Mr. Andrews for spearheading the Downtown Newton Association (DNA) and wished the organization the best of luck. He noted the SID is currently on hold.

OPEN TO THE PUBLIC

Michael Malone, 59 Trinity Street, read an article from the Daily Record regarding property taxes in Morris County. Mr. Malone asked the Governing Body why the Town cannot lower taxes. Mayor Elvidge and Mr. Russo explained many aspects of the Municipal Budget. Mr. Malone thanked Mr. Russo for the explanation and now has a better understanding.

COUNCIL & MANAGER COMMENTS

There were no additional Council and Manager comments.

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 8:00 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk