

June 8, 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, Mr. Levante, Deputy Mayor Flynn, Mayor Elvidge, Thomas S. Russo, Jr., Town Manager and Ursula H. Leo, Esq. Mrs. Diglio was excused.

Mayor Elvidge made the following declaration "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 Mrs. Becker and carried, the minutes of the May 27, 2015 Regular Meeting was 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."

Jonathan Andrews, Springboard Shoppes, 145 Spring Street, updated Council on the various happenings with the merchants on Spring Street. Mr. Andrews provided Council with several pictures of code/maintenance issues throughout the Town. He feels the Town could look better.

Rick Bitondo, owner of Maxwell & Molly's Closet, 216-218 Spring Street, addressed his concerns with the disruption during the one-way Spring Street project and had several questions surrounding the construction. Mr. Bitondo asked if a liquidated damage clause was in the construction contract; if not completed timely. Who would be managing the project? Are the contractor and the police department working together? Is there an exit plan if the one-way concept is not successful, as predicted?

Jackie Espinoza, Representative of JCP&L, 56 Hampton House Road, updated Council on the Montville-Whippany Reinforcement Project. She advised this project will install a new transmission line from Montville to East Hanover, Morris County, but will benefit Sussex County. Ms. Espinoza will be requesting a resolution from the Governing Body in support of the transmission project.

John Vegas, 116-118 Spring Street, Plaza Restaurant, addressed concerns with the one-way Spring Street project. He feels the effort is good, but the one-way will be detrimental to the downtown. He asked Council to review a video of a municipality similar to Newton with a busy downtown with two-way traffic and parking on both sides.

Mike Alvarez, 8 Hillside Avenue, addressed concern with the heavy traffic congestion.

He feels the one-way traffic on Spring Street will make it difficult for all emergency vehicles.

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

**COUNCIL & MANAGER REPORTS**

Mr. Russo asked Mr. Andrews to coordinate the plantings on Town property with his office.

Mr. Russo addressed the questions of Mr. Bitondo regarding the construction of the on-way Spring Street. Mrs. Millikin advised she will be the person to oversee the project and will be on-site daily.

Mr. Russo asked Ms. Espinoza to forward the resolution to his office for support of the transmission line and he will place it on the next Town Council meeting agenda.

Mr. Russo read a request from the Newton First Aid Squad (NFAS) to hold their annual coin toss on July 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>; Aug. 1<sup>st</sup> & 2<sup>nd</sup>; Aug. 7<sup>th</sup> & 8<sup>th</sup>; Sept. 5<sup>th</sup>, 6<sup>th</sup>, & 7<sup>th</sup> and Nov. 27<sup>th</sup>, 28<sup>th</sup> & 29<sup>th</sup> at the intersection of Diller/Sparta Avenue. After a brief discussion, the Council unanimously granted permission to hold a coin toss at Diller/Sparta Avenue on the dates requested.

Mr. Russo reminded Council that Newton Day is Saturday, June 13, 2015 beginning at 11:00 am. The 5K race begins at 9:00 am and the evening festivities will be held at Memory Park with a fireworks display at dusk.

Finally, Mr. Russo announced the successful event with the Miss Newton and Little Miss and Mister contests. Mr. Russo thanked the Recreation Commission and all the members involved for a successful event. Mr. Russo also thanked Project Self Sufficiency (PSS) for providing the venue.

**ORDINANCES**

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

**ORDINANCE 2015-17**

**AN ORDINANCE TO REVISE THE LENGTH OF SERVICE AWARD PROGRAM (LOSAP) SCHEDULE FOR MEMBERS OF THE NEWTON VOLUNTEER FIRST AID SQUAD**

**WHEREAS**, the Town Council of the Town of Newton, via Ordinance 2013-3, established a Length of Service Award Program (“LOSAP”) for members of the Newton Volunteer First Aid Squad, in accordance with the “Emergency Services Volunteer Length of Service Award Program Act”, N.J.S.A. 40A:14-183 to -194, to reward members of the Newton Volunteer First Aid Squad for their loyal, diligent, and devoted service to the residents of the Town of Newton; and

**WHEREAS**, the voters of the Town of Newton voted in favor of the LOSAP via a public question referendum; and

**WHEREAS**, the adopting Ordinance requires Volunteer First Aid Squad members to accumulate at least 50 points for activities, as set forth in Schedule "A", annexed to the adopted Ordinance 2013-3; and

**WHEREAS**, Schedule "A" of Ordinance 2013-3 detailed how points could be earned in determining contributions towards members' LOSAP account; and

**WHEREAS**, the Town Council has determined that the formula used to award points for member participation needs to be revised in order to more accurately reflect the eligibility for contributions for Volunteer First Aid Squad members; and

**WHEREAS**, pursuant to N.J.A.C. 4:30-14.8, minor amendments to LOSAP may be made by approval of the majority of the governing body, so long as minor amendments do not materially affect the elements of the LOSAP originally approved by the voters;

**NOW, THEREFORE BE IT ORDAINED**, by the Town Council of the Town of Newton that Schedule "A", which sets forth how points are earned for LOSAP contributions for Newton Volunteer First Aid Squad members is revised, in part, as follows:

**Section 1.** Paragraph A.2, "Points earned for first aid calls", is deleted in its entirety and replaced as follows:

A.2. Points earned for duty.

Members shall be credited one (1) point for each 12-hour duty period completed, for a maximum of 60 points earned in a calendar year.

**Section 2.** Paragraph A.3, "Elected Officers", shall be deleted in its entirety and revised to read as follows:

A.3. Administrative Officers.

President	20 Points
Vice President	20 Points
Secretary	20 Points
Treasurer	20 Points

Administrative officers shall earn five (5) points for every three months served, for a maximum of 20 points for each calendar year.

**Section 3.** Paragraph A., "Miscellaneous", shall be revised by the addition of the following sentence:

The points earned for participation shall be earned on a pro-rata basis.

**Section 4.** Paragraph A.6, "Longevity Point System", shall be deleted in its entirety and revised as follows:

A.6. Longevity Point System.

Each member shall receive one (1) point for each year completed as a member of the Town of Newton Volunteer First Aid Squad. Members shall receive one (1) point for each previous year completed, to a maximum of up to 25 points.

**Section 5. Severability.** If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

**Section 6. Repealer.** All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 7. Effective Date.** This Ordinance will take effect after publication and passage according to law.

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 Mrs. Becker and unanimously carried, the hearing was closed.

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

Mrs. Diglio	Absent	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 Clerk to read aloud the following Ordinance relative to introduction of same.

**ORDINANCE 2015- 18**

**A FULLY FUNDED GENERAL CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$45,000.00 FOR IMPROVEMENTS TO THE NEWTON FIRE MUSEUM IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY**

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

Mrs. Diglio	Absent	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 June 22, 2015.

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

**ORDINANCE 2015-19**

**AN ORDINANCE REVISING SECTION 307-55 OF THE CODE OF THE TOWN OF NEWTON TO DESIGNATE A PORTION OF SPRING STREET AS ONE-WAY VEHICULAR TRAFFIC**

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	Absent	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 June 22, 2015.

**ORDINANCE 2015-20**

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$56,000 FOR IMPROVEMENTS TO TRINITY STREET IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$53,200 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF**

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	Absent	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 June 22, 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.

Prior to approval, Deputy Mayor Flynn asked to remove Resolution 87-2015, Resolution 88-2015 and Resolution 89-2015 for further discussion.

**RESOLUTION # 84-2015\***

**TRANSFER OF SCHOOL MONIES FOR THE PERIOD JULY 1, 2015 TO DECEMBER 31, 2015**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that the Town Treasurer be authorized to turn over to the Treasurer of School Monies, as monies become available, \$6,189,899.00 to meet the obligations of the Newton Board of Education, exclusive of Debt Service, in accordance with the Statutes and the request of the Board of Education of Newton;

Amount of Tax Voted (Exclusive of Debt Service)	\$12,379,798.00
Amount Received to Date	0.00
Amount of This Request	<u>6,189,899.00</u>
Balance Due Board of Education	6,189,899.00

**RESOLUTION # 85-2015\***

**TOWN OF NEWTON CAPITAL BUDGET AMENDMENT**

**WHEREAS**, the local capital budget for the year 2015 was adopted on April 13, 2015; and

**WHEREAS**, it is desired to amend the capital budget section;

**NOW, THEREFORE BE IT RESOLVED**, by a majority of the full membership of the Governing Body of the Town of Newton, County of Sussex that the following capital budget amendment of 2015 be made; and

RECORDED VOTE: ( Becker ( )  
 AYES ( Flynn NAYS ( )  
 (Insert last name) ( Levante ( )  
 ( Elvidge ( )  
 ( ) ( )  
 ABSTAIN ( ) ( )  
 ABSENT ( Diglio ( )

Project Title	Project Number	Cost Estimate as Adopted	Cost Estimate as Amended	Funding as Amended			
				Capital Improvement Fund	Capital Surplus	Reserve for Fire Museum	Debt Authorized
<b>General Capital</b>							
Improvements to Fire Museum	#2015-18	\$0.00	\$45,000.00	\$0.00	\$0.00	\$45,000.00	\$0.00
Improvements to Trinity Street & Traffic Signals	#2015-20	\$0.00	\$56,000.00	\$2,800.00	\$0.00	\$0.00	\$53,200.00
<b>Total - All Projects</b>		<b>\$0.00</b>	<b>\$101,000.00</b>	<b>\$2,800.00</b>	<b>\$0.00</b>	<b>\$45,000.00</b>	<b>\$53,200.00</b>

**BE IT FURTHER RESOLVED**, that one certified copy of this resolution be filed forthwith in the Office of the Director of Local Government Services, and one copy be forwarded to the Town Auditor and filed with the Chief Financial Officer.

**RESOLUTION # 86-2015\***

**RESOLUTION TO SUPPORT THE SUBMISSION OF A TONNAGE GRANT APPLICATION FOR RECYCLING TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the **2014 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Newton Town Council of the Town of Newton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, a resolution should designate the individual authorized to ensure the application is properly completed and timely filed; and

**WHEREAS**, the Newton Town Council adopted Resolution #39-2015, authorizing entering into a Shared Services Agreement with the Sussex County Municipal Utilities Authority to provide a Certified Recycling Professional for the Town of Newton;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Town of Newton hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Reenee Casapulla, Recycling Coordinator for SCMUA, to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

**RESOLUTION #90-2015\***

**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**

229.84	Montague Tool & Supply, Inc.	35211
1,528.50	Pellow, Harold & Assoc., Inc.	35212
80.00	ABCODE Security Inc.	35213
960.05	G & G Diesel Service Inc	35214
5,520.30	JCP&L	35215
1,969.53	SCMUA	35216
258.87	Read, Lorraine	35217
327.58	Campbell's Small Engine Inc.	35218
149.00	Neopost Leasing, Inc.	35219
71.00	Lock & Key World	35220
56.43	Federal Express	35221
41.33	Hayek's Market Inc.	35222
1,271.25	Willco, Inc.	35223
50.00	NJ Police Traffic Officers	35224
157.50	Galls Incorporated	35225
38.02	Sebring Auto Parts, Inc.	35226
370.74	Boonton Tire Supply Inc.	35227
289.33	McGuire, Inc.	35228
694.91	Vision Service Plan	35229
44,540.39	Statewide Insurance Fund	35230
193.71	Verizon Wireless, Inc.	35231
1,160.64	Walmart	35232
840.00	Vogel, Chait, Collins, Schneider, PC	35233
2,425.40	Home Depot, Inc.	35234
684.17	Sussex County Mailing Service	35235
96.53	Staples Business Advantage, Inc.	35236
9,747.32	First Hope Bank Inc.	35237
117.30	Language Line Services, Inc.	35238
74.95	Nestle Waters, Inc.	35239
275.00	The Emblem Authority	35240
5,625.15	Hampton Body Works, Inc	35241
2,480.84	Rachels/Michele's Oil Company, Inc.	35242
2,649.81	Taylor Oil Co., Inc.	35243
69.30	Northern Rain	35244
84.05	W.B. Mason, Inc.	35245
7,918.35	County of Sussex	35246
132,061.00	NJMEBF	35247
490.80	Chelbus Cleaning Co., Inc.	35248
235.00	Rutgers, Center for Government Serv	35249
9,135.77	Harter Equipment Inc.	35250
205.11	Thyssenkrupp Elevator Corp.	35251
84.50	Some's World Wide Uniforms, Inc.	35252
118.00	J. Caldwell & Associates, LLC.	35253
150.00	Prime Lube, Inc.	35254
427.50	Leda C Gonzalez	35255
144.90	Strand Book Store	35256
650.00	Phoenix Advisors, LLC.	35257
24.50	Spring Street Pub & Grill	35258
82.00	NJ Legislative Manual	35259
950.00	Azul Core	35260
630.00	Atlantic Training Center	35261
196,077.36	Payroll	151033

**CAPITAL**

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5,746.13	Pellow, Harold & Assoc., Inc.	8418
2,949.97	McManimon, Scotland & Baumann, LLC	8419
269,987.50	Pierce Manufacturing Inc.	8417

**Total TOWN BILLS    \$ 713,197.13**

**WATER AND SEWER ACCOUNT**

5,210.75	Pellow, Harold & Assoc., Inc.	14986
5,118.76	JCP&L	14987
255.30	SCMUA	14988
133.70	Sussex County P & H, Inc.	14989
1,100.00	Garden State Laboratories Inc	14990
1,174.77	Hamburg Plumbing Supply Co Inc	14991
82.89	Sebring Auto Parts, Inc.	14992
750.00	Frank Semeraro Construction, Inc.	14993
24.00	Lasso, Ervin	14994
1,300.00	Instrumentation Tech Systems, Inc.	14995
176.00	Vision Service Plan	14996
50,355.36	Statewide Insurance Fund	14997
1,125.00	Westra, Albert L.	14998
11,160.00	Passaic Valley Sewerage Comm.	14999
843.05	Dell Marketing L.P.	15000
68.04	Home Depot, Inc.	15001
684.17	Sussex County Mailing Service	15002
2,534.54	Airmatic Compressor Systems, Inc.	15003
4,458.18	Pall Corporation	15004
8.00	Eric Tompkins	15005
4,000.00	William Grenville, LLC	15006
28,861.00	NJMEBF	15007
17.00	Dustin McGarry	15008
690.00	Azul Core	15009
35,138.75	Payroll	156016
931.26	Sparta Postmaster	14985

**CAPITAL**

3,553.88	Pellow, Harold & Assoc., Inc	2389
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**Total WATER & SEWER Bills    \$ 159,754.40**

**TRUST ACCOUNT**

3,211.00	Pellow, Harold & Assoc., Inc.	3365
1,060.00	Simmons Transport, Inc.	3366
209.76	Walmart	3367
360.00	Vogel, Chait, Collins, Schneider, PC	3368
192.00	Laddey, Clark & Ryan, LLP	3369
843.00	Payroll	157112
200.00	Town of Newton	157111

**Total TRUST ACCOUNT Bills    \$ 6,075.76**

**DEVELOPER'S ESCROW ACCOUNT**

60.00	Vogel, Chait, Collins, Schneider, PC	1230
1,058.98	Ferriero Engineering Inc.	1231
250.00	Edward J Buzak	1232

**Total DEVELOPER'S ESCROW ACCOUNT Bills    \$ 1,368.98**

**FEDERAL/STATE GRANTS**

300.00	Movies In Motion	1267
401.00	Swank Motion Pictures	1268

**Total FEDERAL/STATE/ GRANTS    \$ 701.00**

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A motion was made by Deputy Mayor Flynn (recused on check #1231) to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Mrs. Becker and roll call resulted as follows:

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

Deputy Mayor Flynn advised that he addressed questions to Mrs. Millikin earlier today regarding Resolution #87-2015, Resolution #88-2015 and Resolution #89-2015 which were addressed. Deputy Mayor Flynn directed Mrs. Millikin to clarify the three Resolutions, which are all related to the one-way Spring Street project. Mrs. Millikin reviewed the sequence of events related to the one-way project. Mrs. Millikin will keep the merchants up to date on all aspects of the project. After a brief discussion, Council thanked Mrs. Millikin for the updates.

**RESOLUTION #87-2015**

**AWARD BID FOR RESURFACING AND IMPROVEMENTS TO SPRING STREET PROJECT**

**WHEREAS**, the Town of Newton publicly accepted and opened bids for the Resurfacing and Improvements to Spring Street Project on Wednesday, June 3, 2015 at 11:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Base Bid</u>	<u>Alternate A</u>	<u>Alternate B</u>	<u>Alternate C</u>
Tony's Concrete Co., Inc. 316 E. Kinney Street Newark, NJ 07105	\$369,321.15	\$232,615.00	\$40,898.00	\$443,499.40
Your Way Construction, Inc. 404 Coit Street Irvington, NJ 07111	\$661,882.55	\$487,104.30	\$111,283.25	\$819,870.40

**WHEREAS**, based on review of the bid documents, the Town Engineer, Harold E. Pellow from Harold E. Pellow & Associates, Inc., recommends awarding the Resurfacing and Improvements to Spring Street Project, based on his letter of recommendation dated June 3, 2015, to Tony's Concrete Co., Inc., Alternate A in the amount of \$232,615.00; and

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

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the contract for the Resurfacing and Improvements to Spring Street Project is hereby awarded to Tony's Concrete Co., Inc., Newark, NJ in the amount of \$232,615.00. A copy of this resolution and the proposed Contract is to be forwarded to Tony's Concrete Co., Inc., for execution.

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

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

**RESOLUTION #88-2015**

**AWARD BID FOR TRAFFIC SIGNAL IMPROVEMENTS FOR TRINITY STREET PROJECT**

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**WHEREAS**, the Town of Newton publicly accepted and opened bids for the Traffic Signal Improvements for Trinity Street Project on Wednesday, June 3, 2015 at 11:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Base Bid</u>
<b>FAI-GON Electric, Inc. 140 11<sup>th</sup> Street Piscataway, NJ 08854</b>	<b>\$294,875.00</b>
J.C. Contracting, Inc. 25 Orange Street Bloomfield, NJ 07003	\$295,685.00
Tiffany Electric, Inc. 3 Edison Place Fairfield, NJ 07004	\$298,096.00
Zuccaro, Inc. 248 Alberta Drive Saddle Brook, NJ 07663	\$349,190.00

**WHEREAS**, based on review of the bid documents, the Town Engineer, Harold E. Pellow of Harold E. Pellow & Associates, Inc., recommends awarding the Traffic Signal Improvements for Trinity Street Project based on his letter of recommendation dated June 3, 2015, to FAI-GON Electric, Inc., in the amount of \$294,875.00; and

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

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the contract for the Traffic Signal Improvements for Trinity Street Project here is awarded to FAI-GON Electric, Inc., Piscataway, NJ in the amount of \$294,875.00. A copy of this resolution and the proposed Contract is to be forwarded to FAI-GON Electric, Inc., for execution.

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

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

**RESOLUTION #89-2015**

**AWARD THE CONTRACT FOR THE MILLING AND PAVING OF SPRING STREET PROJECT TO TILCON, NEW YORK**

**WHEREAS**, the Governing Body of the Town of Newton adopted Resolution #189-2011 on September 14, 2011 in an effort to save budgeted monies and improve services for itself by participating in the Morris County Cooperative Pricing Council; and

**WHEREAS**, Tilcon New York, 625 Mt. Hope Road, Wharton, New Jersey was awarded Contract #6, Road Surfacing for District #2 in the Morris County Co-Op's portion for municipalities with regard to Resurfacing of Roads; and

**WHEREAS**, the Town Engineer, Harold E. Pellow, of Harold E. Pellow & Associates, Inc., has recommended Tilcon, New York be retained for the Milling and Paving of Spring Street Project in the Town of Newton, based on the Morris County Cooperative Pricing Council as outlined in the memo dated June 3, 2015, which is attached to and made part of this resolution; and

**WHEREAS**, traffic control will be required for the completion of said project, which staff and costs will be supplied by the Town of Newton:

To be awarded to Tilcon, New York through the Morris County Co-op: \$95,543.70

**WHEREAS**, the Chief Financial Officer has certified that funds are available to support this project as per attached certification;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that the contract for the Milling and Paving of Spring Street Project in the Town of Newton is hereby awarded to Tilcon New York in the amount of \$95,543.70, based on the Morris County Cooperative Pricing Council bid results.

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

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

**INTERMISSION** - None

**DISCUSSION**

**a. Sign Ordinance Draft - Jessica Caldwell, Town Planner**

Mrs. Caldwell outlined and reviewed the draft sign ordinance, which would repeal Section 240-9, "Signs" and Chapter 266, "Signs and Banners" in its entirety. Ms. Caldwell also reviewed all the definitions to Section 320-03 and reviewed Section 320-25 "Sign Standards".

After a lengthy discussion, Council unanimously agreed to the changes and amendments as presented.

Mayor Elvidge opened the meeting to the public.

Judith Kolbach-Fulton, resident of Bristol Glen, questioned the current Chun-Bo Restaurant signage and was advised that Chun-Bo would be grandfathered in, but a new facility would be required to meet all regulations set forth in this new Sign Ordinance.

Mr. Russo will forward the draft ordinance, with two minor changes, to the Newton Planning Board for their review.

**OPEN TO THE PUBLIC**

Rick Bitondo, owner of Maxwell & Molly's Closet, 216-218 Spring Street, inquired whether the Town has an exit plan for the one-way Spring Street project. He also asked if the Town would consider waiving parking fees while construction is in progress on Spring Street.

The Town Attorney, Mrs. Leo, addressing the exit plan, advised the Town Council would be required to obtain the Town Engineer's report as well as a newly adopted ordinance.

Mr. Russo advised the Newton Parking Authority would be the Board to authorize the waiving of parking fees. Mr. Russo will review and advise the Council.

Mr. Andrews suggested the maintenance issues around Town (he provided pictures) could be corrected before Newton Day on Saturday.

Bonnie Bitondo, owner of Maxwell & Molly's Closet, 216-218 Spring Street, thanked the Council for the current radio advertisements which encourage the community to shop on Spring

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Street. She suggested and encouraged the Town to continue these advertisements throughout the construction project.

John Vegas, 116-118 Spring Street, Plaza Restaurant, reiterated the similarities in another community in Colorado, and encouraged the Council to review the video on same. He outlined their changes and believes the same improvements to Newton would assist the Town tremendously.

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

**COUNCIL & MANAGER COMMENTS**

Councilman Levante feels the traffic on Route 206 is very heavy and feels the Town should advocate, to the State, to widen the highway to a four lane.

Mayor Elvidge noted the Town is supportive of the downtown business district and hopes all will be supportive of the one-way street upon completion.

There being no further business to be conducted, upon motion of Mrs. Becker, seconded by Deputy Mayor Flynn and unanimously carried, the meeting was adjourned at 7:56 pm.

Respectfully submitted,



Lorraine A. Read, RMC  
Municipal Clerk