

June 22, 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. Diglio, Mr. Levante, Deputy Mayor Flynn, Mayor Elvidge, Thomas S. Russo, Jr., Town Manager and Ursula H. Leo, Esq. Mrs. Becker 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 Mrs. Diglio, seconded by Deputy Mayor Flynn and carried, the minutes of the June 8, 2015 Regular Meeting, with minor amendments, 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."

Sara Megletti, owner of PB&J Stores, 219 Spring Street, read from a prepared statement:

"Earlier today I posted an online request to the public to support the council's discussion on decency standards proposed as an ordinance within Town code Chapter 266. I was pleased that I had some good discussion about the need for decency standards in **Newton**. That discussion illuminated several additional thoughts.

I am speaking today on my own behalf as a merchant in Newton who watches people on Spring Street nearly every day. I also interact with the special duty officers who patrol our shopping district, and I am an active founder of the Downtown Newton Association (DNA). Conversations about revitalizing Newton happen nearly every day in my store, typically beginning with a customer's remark about how Newton is improving. In general, the out-of-town comments are very encouraging and positive. The comments I hear from area residents are less hopeful, and their perceptions center around safety, appearance and vacancy issues, particularly on Spring Street.

I know that you have heard it all before. Newton is the county seat; we are home to a diverse population that has low-income housing mixed in with a struggling downtown. Those things are not going to change quickly. However, right now, we have the opportunity to fix many, many issues before we bottom out and Newton starts to look like other sad cities in New Jersey.

Next week on July 1, the Council reorganizes. Last year the Town rallied around its 150th anniversary. This year we need a new community focus. I propose that the Council initiate a campaign to restore community pride, clean up our streets, and take back our reputation as a family-friendly, safe, clean and progressive community.

The revisions to town code Chapter 266 are simple and logical. The basic requirement that all people wear shoes, wear a shirt, and pull up your pants in public surely cannot be debated as a good standard to publicly acceptable behavior. We need to stand up and actively claim the quality of life we want in Newton. Insisting upon a standard of decency is a reasonable and logical starting point.

I wish to compliment the special duty officers and the police department for being sensitive, responsive, and working hard every day to make our community safe. Right now all they can do is provide a strong public presence. This ordinance gives the police the ability to cite infractions. It reinforces the behavior that we want, and it discourages the behavior that contributes to negative public perceptions.

Newton has a public relations problem. Passing the revisions to Chapter 266 is your opportunity to start a new conversation. You, the Council, can be the catalysts for fixing Newton's bruised reputation. Kick off your new year by prioritizing all of the small problems and hacking away at them one at a time. Safety issues, appearance issues, parking issues are all very, very public. They add up, and you can solve them with simple solutions.

I congratulate you for a successful 2014-15 term, and I wish you well for a great 2015-16."

Xavier Izquierdo, resident and business owner, 38 Dogwood Drive, addressing the concern with proper attire on Spring Street, strongly disagrees with the method of approach and does not believe the Town should tell people how to dress. Mr. Izquierdo believes there are other methods in order to address and discourage inappropriate dress code.

Nanette Thomas, 7 Orchard Street, also addressed the draft ordinance surrounding the decency standards and suggested the Council table the ordinance. She believes it is "highly subjective" and is not enforceable.

Xavier Izquierdo believes this Ordinance will portray a negative impact on the Town and the community. He believes there are other ways to address decency standards.

COUNCIL & MANAGER REPORTS

Mr. Russo advised Mr. Izquierdo the draft ordinance for decency standards was a recommendation from his office.

Mr. Russo reminded Council the Reorganization meeting is set for Wednesday, July 1, 2015 at 6:00 pm.

Mrs. Read introduced Michelle Estermera as the newest part-time member of the Municipal Clerk's team. Michelle began six weeks ago and has truly been an asset to the office thus far, Mrs. Read stated. Michelle addressed Council and advised she and her family have lived in Newton for the past 9 years and is excited to work for the Town of Newton. Council welcomed Mrs. Estermera to the Town and wished her luck.

Mr. Russo announced the Town was nominated for a Municipal Award from SCEDP. The award luncheon will be held on Friday, June 26, 2015 at Lafayette House and he will keep Council abreast of the winners.

Mr. Russo introduced and congratulated the winners of the Miss Newton contest. Miss Newton was Amelia Macchietto, who was unable to attend this evening. Little Mr. Newton was Mr. Rodolfo Romero and Little Miss Newton was Zariah Moore. Council took a few minutes to take pictures with the winners.

At this time, Sandy Diglio and Mayor Kevin Elvidge read a proclamation for Senior Citizen of the Year, honoring Nancy Woods.

PROCLAMATION

NANCY WOODS

June 22, 2015

WHEREAS, Nancy Woods was born in Sussex County and is the daughter of Ralph and Phoebe Shotwell. She grew up on a farm with her two brothers and one sister. After graduating high school she attended Trenton State College and upon graduation in May 1967, she accepted a teaching position at Fredon Elementary School; and

WHEREAS, On November 4, 1967 she married Robert Woods and they moved to Newton. When their children Gregory and daughter, Kimberly were born, Nancy decided to give up teaching and raise her children; and.

WHEREAS, while raising her children, Nancy was actively involved with the 4H Club and was a 4H Leader. To this day, she still judges the 4H Food Categories during the State Fair; and

WHEREAS, Nancy is an active member of Yellow Frame Church where she has served as a trustee. She has also served as a volunteer on the Newton Memorial Hospital Auxiliary for over 25 years; and

WHEREAS, in 1984 Nancy decided to open Abilgails with her sister-in-law, Peggy Woods. They had a small location on Spring Street. As the business grew they moved to a larger location and then they moved to 145 Spring Street. She became involved with the Greater Newton Chamber of Commerce and was on the Board of Directors as well as serving on many committees. After 25 years, Peg and Nancy decided to retire and close Abilgails; and

WHEREAS, today Nancy continues her exceptional community service as Executive Director of the Greater Newton Chamber of Commerce where she holds a part-time position but puts in the hours of a full-time employee, always making sure that everything is done and done correctly;

NOW THEREFORE, WE, the Mayor and Town Council of the Town of Newton, hereby proclaim our appreciation and gratitude to Nancy Woods for exemplifying the vital role senior citizens play within their community. In recognition of her personal and professional accomplishments and volunteer efforts, we commend Nancy for her spirit and dedication to our Town and hereby name Nancy Woods:

2015 “Newton Senior Citizen of the Year ”

Mrs. Woods stated you “don’t do anything alone” and thanked her husband, Bob and her family for their support. Mrs. Woods thanked the Town Council for the honor of being named “2015 Newton Senior Citizen of the Year”.

ORDINANCES

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

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

BE IT ORDAINED by the Town Council of the Town of Newton, in the County of Sussex, as follows:

Section 1 a. \$45,000.00 is hereby appropriated for Improvements to Newton Fire Museum and all costs necessary therefore or incidental thereto from the following sources:

General Capital - Reserve for Fire Museum Improvements \$45,000.00

The Town of Newton sold the Fire Patrol Building on Stuart Street for \$55,000. \$10,000 of the sale proceeds was deposited into the Current Fund to reimburse the costs of removal of an underground storage tank and associated legal, advertising and permitting costs.

The \$45,000 being appropriated is in addition to the \$207,000 appropriated by Section 3(f) of bond ordinance #2012-13 finally adopted 4/9/12, the \$70,000 appropriated by Section

3(d) of bond ordinance #2013-11 finally adopted 4/22/13, the \$35,000 appropriated by Section 3(e) of bond ordinance #2014-6 finally adopted 4/14/14.

When this fully funded ordinance is adopted and effective, a resolution to cancel the \$37,000 appropriated in Section 3(l) of bond ordinance #2015-16 will be acted on.

Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of local Government Services and is filed and available for public inspection in the office of the Clerk.

Section 3. This ordinance shall take effect as provided by the 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 Mr. Levante and roll call resulted as follows:

Mrs. Diglio	Yes	Mrs. Becker	Absent
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 #2015-19

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

WHEREAS, the Town Council has determined a portion of Spring Street should be designated as one-way to allow for additional parking along Spring Street for the benefit to the downtown business community; and

WHEREAS, N.J.S.A. 39:4-85.1 permits governing bodies of municipalities to designate local roadways for one-way traffic; and

WHEREAS, the Town engineer has recommended that Spring Street be one-way from Madison Street running northwesterly approximately 982 feet to Route US 206; and two-way vehicular traffic from Sparta Avenue to Madison Street;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, as follows:

Section 1. Spring Street is hereby designated as a One-Way Street to vehicular traffic in a northwesterly direction from Madison Street-Union Place to Route US 206.

Section 2. Section 307-55, of the Code of the Town of Newton, entitled "Schedule VI: One-Way Streets" shall be revised to include the following:

Name of Street	Direction	Location
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Spring Street Northwesterly From Madison Street-Union Place to Route US 206

Section 3. 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 4. 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 5. 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 Mr. Levante, seconded by Deputy Mayor Flynn and unanimously carried, the hearing was closed.

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

Mrs. Diglio	No	Mrs. Becker	Absent
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.

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

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$56,000, such sum being in addition to the \$385,000 appropriated therefor by Bond Ordinance #2015-16 of the Town, finally adopted April 27, 2015 (the "Original Bond Ordinance"), and including the sum of \$2,800 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$53,200 pursuant to the Local Bond Law. In anticipation

of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is improvements to Trinity Street including signal costs, milling and paving, as described in the Original Bond Ordinance, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$293,950, including the \$240,750 authorized by Section 3(b) the Original Bond Ordinance and the \$53,200 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$441,000, including the \$385,000 appropriated by Section 3(b) the Original Bond Ordinance and the \$56,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$53,200, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$105,381 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$79,381 was estimated for these items of expense in Section 3(b) of the Original Bond Ordinance and an additional \$26,000 is estimated therefor herein.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

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

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule

15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

Mayor 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 Mrs. Diglio, who moved its adoption, seconded by Deputy Mayor Flynn and roll call resulted as follows:

Mrs. Diglio	Yes	Mrs. Becker	Absent
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.

OLD BUSINESS

Mr. Russo noted the sign ordinance will be discussed at the next regular Council meeting on July 20th. He noted there are a few recommendations from the Newton Historic Commission as well as the Newton Planning Board.

Mr. Russo updated Council on the construction dates for the Spring Street improvement project.

CONSENT AGENDA

Mayor Elvidge read the following statement:

June 22, 2015

“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.”

RESOLUTION #91-2015*

APPROVE PURCHASE OF SIX (6) SCBA PACKS FOR THE NEWTON FIRE DEPARTMENT

WHEREAS, FF1 Professional Safety Services has supplied a quote dated May 19, 2015 under NJ State Contract #A80953 to the Newton Fire Department for the purchase of six (6) SCBA Packs in the amount of \$49,080.00; and

WHEREAS, the Purchasing Agent and the Chief of the Fire Department have recommended the purchase of six (6) SCBA Packs in the amount of \$49,080.00; and

WHEREAS, the Town Treasurer 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 six (6) SCBA packs be purchased from FF1 Professional Safety Services, Sparta, NJ through NJ State Contract #A80953, in the amount of \$49,080.00.

RESOLUTION #92-2015*

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:

CREDIT FOR EXCESS USAGE FROM A READOUT MALFUNCTION:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
2946	40 Moran Street	\$46.07

CREDIT FOR ACCOUNT ERRONEOUSLY CHARGED:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
11073	177 Main Street	\$75.00

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 aforementioned accounts for amounts billed incorrectly due to the reason(s) stated.

RESOLUTION #93-2015*

RENEWAL OF CLUB LICENSES

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Club Licenses be renewed for the licensing year 2015-2016, effective July 1, 2015:

No. 1915-31-014-001 be issued to Newton Memorial Post 5360, Veterans of Foreign Wars, t/a Newton Memorial Post 5360, V.F.W., 85 Mill Street, Newton, New Jersey; and

No. 1915-31-013-002 be issued to Loyal Order of Moose Newton Lodge #432, t/a Loyal Order of Moose Newton Lodge #432, 4 Diller Avenue, Newton, New Jersey.

RESOLUTION #94-2015*

RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Plenary Retail Distribution Licenses be renewed for the licensing year 2015-2016, effective July 1, 2015:

June 22, 2015

No. 1915-44-010-003 be issued to Bia Krishna, Inc., t/a Seplow's Liquors, 5 Woodside Avenue, Newton, New Jersey; and

No. 1915-44-004-012 be issued to HV Patel Corporation, t/a Spring Liquors, 110 Spring Street, Newton, New Jersey.

RESOLUTION #95-2015*

APPROVE PURCHASE OF 2016 FORD F-250 4WD SUPER CAB 158 W B FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Beyer Ford has supplied a quote under State Contract #A88727 to the Newton Department of Public Works for the purchase of a 2016 Ford F-250 4WD Super Cab 158" WB in the amount of \$34,251.50; and

WHEREAS, the Purchasing Agent and the Department of Public Works Supervisor have recommended the purchase of the 2016 Ford F-250 4WD Super Cab 158" WB in the amount of \$34,251.50; and

WHEREAS, the Town Treasurer has certified 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 2016 Ford F-250 4WD Super Cab 158" WB be purchased from Beyer Ford, East Hanover, NJ through State Contract #A88727 in the amount of \$34,251.50.

RESOLUTION #96-2015*

APPROVE PURCHASE OF 2015 FORD F-450 4WD REG CAB 141 " WB 60" CA XL MASON DUMP CAB & CHASSIS FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Beyer Ford has supplied a quote under State Contract #A88214 to the Newton Department of Public Works for the purchase of a 2015 Ford F-450 4WD Reg Cab 141" WB 60" CA XL Mason Dump Cab & Chassis in the amount of \$31,027.00; and

WHEREAS, the Purchasing Agent and the Department of Public Works Supervisor have recommended the purchase of the Ford F-450 4WD Reg Cab 141" WB 60" CA XL Mason Dump Cab & Chassis in the amount of \$31,027.00; and

WHEREAS, the Town Treasurer has certified 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 Ford F-450 4WD Reg Cab 141" WB 60" CA XL Mason Dump Cab & Chassis be purchased from Beyer Ford, East Hanover, NJ through State Contract #A88214 in the amount of \$31,027.00.

RESOLUTION #97-2015*

APPROVE PURCHASE OF GALION MASON DUMP BODY AND RELATED EQUIPMENT FOR MASON DUMP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Cliffside Body Corporation has supplied a quote under State Contract #73499 Index #T-2108 to the Newton Department of Public Works for the purchase of a Galion Mason Dump Body and Related Equipment for the Mason Dump Truck awarded under Resolution #96-2015, in the amount of \$38,741.00; and

WHEREAS, the Purchasing Agent and the Department of Public Works Supervisor have recommended the purchase of the Galion Mason Dump Body and Related Equipment for the Mason Dump Truck in the amount of \$38,741.00; and

WHEREAS, the Town Treasurer has certified 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 Galion Mason Dump Body and Related Equipment for the Mason Dump Truck be purchased from Cliffside Body Corporation, Fairview, New Jersey through State Contract #73499 Index #T-2108 in the amount of \$38,741.00.

Deputy Mayor Flynn recused from check #1234 on Resolution #98-2015.

RESOLUTION #98-2015*

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

261.00	MGL Forms - Systems, LLC.	35264
250.00	Pellow, Harold & Assoc., Inc.	35265
238.00	Sussex Car Wash Inc	35266
782.29	Elizabethtown Gas	35267
629.40	Furgiuele, Camille	35268
376.69	G & G Diesel Service Inc	35269
9,085.10	JCP&L	35270
1,095.00	New Jersey Herald, Inc.	35271
756.40	New Jersey Herald, Inc.	35272
112.00	Teets, Michael D	35273
1,573.50	Zenes, Nancy	35274
125.85	Centurylink Communications, Inc.	35275
181.24	Centurylink Communications, Inc.	35276
3,373.41	Centurylink Communications, Inc.	35277
1,258.80	Frisbie, Arthur & Rita	35278
1,258.80	Iliff, John and Terry	35279
3.54	Campbell's Small Engine Inc.	35280
86.50	Fire Fighters Equipment Co. Inc.	35281
30.23	Federal Express	35282
100.00	Sussex County Economic	35283
28.09	Hayek's Market Inc.	35284
6,043.50	Newton First Aid Squad	35285
100.00	First United Methodist Church	35286
112.00	Holzhauser, Scott	35287
1,678.40	Kays, Peter J.	35288
1,011.25	Willco, Inc.	35289
499.17	Sloan, James PPC.	35290
170.75	Newton Trophy	35291
37.50	Kithcart, Brock	35292
125.00	Lou's Glass	35293
629.40	Donofrio, Donald	35294
629.40	Garris, Jean	35295
454.70	Sebring Auto Parts, Inc.	35296
30.00	Sussex County Community College	35297
481.46	Dempsey Uniform & Supply Inc	35298
181.23	Millikin, Debra	35299
7.34	Airgas East	35300
18.22	Service Electric Cable TV	35301
629.40	Richards, Jean	35302
319.59	Boonton Tire Supply Inc.	35303
629.40	Ransnorth, Nancy	35304
1,337.90	Verizon Wireless, Inc.	35305
48.83	Walmart	35306
73.85	Mr. John, Inc.	35307
812.50	Alternate Power Inc.	35308
140.00	NJ Municipalities	35309
37.50	Teresa Ann Oswin	35310
930.00	Vogel, Chait, Collins, Schneider, PC	35311
282.14	Home Depot, Inc.	35312
629.40	Romyns, Larry E.	35313
1,258.80	Morris, Thomas & Bulah	35314
80.78	Buckman's Inc.	35315
703.40	Staples Business Advantage, Inc.	35316
629.40	Douglas Cummins	35317
226.36	Sussex County Engineering Division	35318
250.00	Black Lagoon	35319

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3,181.41	Rachels/Michele's Oil Company, Inc.	35320
1,796.94	Taylor Oil Co., Inc.	35321
2,458.33	Laddey, Clark & Ryan, LLP	35322
1,258.80	Ronald Clouse	35323
1,598.00	Tire King, Inc.	35324
847.15	Jersey Central Power & Light, Inc.	35325
864.35	Atlantic Tactical Inc.	35326
629.40	James J Kilduff	35327
945.00	Trimboli & Prusinowski, LLC.	35328
689.70	Penteledata	35329
629.40	Steve Mills	35330
514.68	Woodruff Energy US, Inc	35331
629.40	Michael A Pandiscia	35332
42.64	Shop Rite, Inc.	35333
121.50	Kerry Deckert	35334
295.00	J. Caldwell & Associates, LLC.	35335
2,633.69	Morphotrak, Inc.	35336
100.00	Somerset County Police Academy	35337
89.00	Ceunion	35338
12,861.79	Edge Property Maintenance, Inc.	35339
772.48	Route 23 Patio, LLC.	35340
82.25	Toyota/Subaru/Scion of Morristown I	35341
150.00	Prime Lube, Inc.	35342
533.65	Sunlight General	35343
420.00	USA Hoistco., Inc.	35344
225.00	Resolutions	35345
493.72	STS Tire & Auto, Inc.	35346
210.00	Lifesavers, Inc.	35347
629.40	Ann Rosellen	35348
3,989.50	Schenck, Price, Smith, & King, LLP	35349
445.05	Radisson Hotel Hartford	35350
90.00	Azul Core	35351
81.75	Jennifer Dodd	35352
750.00	Newton Theatre	35353
610.00	VJ Truglio, CPO-I	35354
204,046.63	Payroll Account	151037
622.00	Trust Account, Town of Newton	151036
120.00	Sussex County Chamber of Commerce	35263
132.80	Elavon	151035
60.00	NJ Motor Vehicle Services	35262
1,011,421.34	Newton Board of Education	151034

CAPITAL

543.90	New Jersey Herald, Inc.	8421
1,787.50	McManimon, Scotland & Baumann, LLC	8422
135.00	FKA Architects, Inc.	8423
6,504.88	Excel Environmental Resources, Inc.	8424
1,298.00	J. Caldwell & Associates, LLC.	8425
38,070.04	Edge Property Maintenance, Inc.	8426

Total TOWN BILLS \$ 1,349,245.48

WATER AND SEWER ACCOUNT

611.11	Schmidt's Wholesale, Inc	15010
29.00	MGL Forms-Systems, LLC.	15011
973.97	Elizabethtown Gas	15012
7,142.55	JCP&L	15013
60.00	New Jersey Herald, Inc.	15014
975.00	Pumping Services, Inc.	15015
6,359.82	Coyne Chemical Corp, Inc.	15016
36.51	Centurylink Communications, Inc.	15017
1,332.28	Centurylink Communications, Inc.	15018
885.00	Garden State Laboratories Inc	15019
31.00	Allied Meter Service Inc.	15020
1,258.80	Wagner, William	15021
213.54	Dempsey Uniform & Supply Inc	15022
66.85	Airgas East	15023

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294.43	Boonton Tire Supply Inc.	15024
1,020.00	JCI Jones Chemicals, Inc.	15025
220.21	Verizon Wireless, Inc.	15026
2,508.80	Smalley, John	15027
936.00	Main Pool & Chemical Company, Inc.	15028
2,155.13	Tilcon New Jersey, Inc.	15029
1,335.00	Alternate Power Inc.	15030
254.37	Home Depot, Inc.	15031
1,536.00	Accurate Waste Removal Inc.	15032
8,000.00	William Grennille, LLC.	15033
119.90	Penteledata	15034
223.30	One Call Concepts, Inc.	15035
233.46	Woodruff Energy US, Inc.	15036
3,094.79	Hatch Mott MacDonald	15037
288.00	Route 23 Patio, LLC.	15038
472.08	Toyota Motor Credit Corp.	15039
955.59	Sunlight General	15040
225.00	Resolutions	15041
90.00	Azul Core	15042
750.00	Newton Theatre	15043
28,492.17	Payroll Account	156018
441.40	State of New Jersey - PWT	156017

CAPITAL

542.40	Accurate Waste Removal Inc.	2391
1,997.50	Hatch Mott MacDonald	2392
4,000.00	Treasurer, State of New Jersey	2390

Total WATER & SEWER BILLS \$ 80,160.96

TRUST ACCOUNT

1,530.50	Pellow, Harold & Assoc., Inc.	3370
468.00	Hollander, Strelzik, Pasculli, Hinkes	3371
730.00	Sloan, James PPC.	3372
1,110.00	Vogel, Chait, Collins, Schneider, PC,	3373
578.05	Foremost Promotions, Inc.	3374
64.00	Laddey, Clark & Ryan, LLP	3375
531.00	J. Caldwell & Associates, LLC.	3376
1,475.25	Payroll Account	157113

Total TRUST ACCOUNT Bills \$ 6,486.80

DEVELOPER'S ESCROW ACCOUNT

390.00	Vogel, Chait, Collins, Schneider, PC,	1233
219.48	Ferriero Engineering Inc.	1234

Total DEVELOPER'S ESCROW ACCOUNT Bills \$ 609.48

FEDERAL/STATE GRANTS

340.00	Minisink Press Inc	1269
1,609.50	Screen Creation Plus	1270
88.01	Shop Rite, Inc.	1271
112.00	Clarke Caton Hintz	1272
1,000.00	Cornell Thomas	1273
80.00	Merriam Ave School PTO	1274

Total FEDERAL/STATE GRANTS \$ 3,229.51

RESOLUTION #99-2015*

RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Plenary Retail Consumption Licenses are renewed for licensing year 2015-2016, effective July 1, 2015:

No. 1915-33-001-006 be issued to Chenlin Chun Bo, Inc., t/a Chun Bo Chinese Restaurant, 66 Sparta Avenue, Newton, New Jersey; and

No. 1915-33-002-009 be issued to B&M LLC, t/a O'Reillys Pub & Grill, 271 Spring Street, Newton, New Jersey; and

No. 1915-33-003-007 be issued to Big Tadew, LLC, t/a Andre's Restaurant, 188-190 Spring Street, Newton, New Jersey; and

No. 1915-33-007-005 be issued to Apple Food Service of Newton, LLC., t/a Applebee's Neighborhood Grill & Bar, 6 North Park Drive, Newton, New Jersey; and

No. 1915-33-008-004 be issued to F. Roger Pierson Enterprises, Inc., t/a Trinity, 173 Spring Street, Newton, New Jersey; and

No. 1915-33-011-008 be issued to The County Seat Restaurant, LLC, t/a The County Seat Dining Cocktails & Caterers, 64 Water Street, Newton, New Jersey; and

No. 1915-33-006-011 be issued to Thordon Inc., t/a Tuscany Bistro, 216 Woodside Avenue, Newton, New Jersey; and

No. 1915-33-009-004 be issued to Sakel-Grapsas Inc., t/a Spring Pub and Grill, 144 Spring Street, Newton, New Jersey;

BE IT FURTHER RESOLVED by the Town Council of the Town of Newton, County of Sussex State of New Jersey, that the following Plenary Retail Consumption License w/Broad Package Privilege be renewed for licensing year 2015-2016, effective July 1, 2015:

No. 1915-32-005-011 be issued to Newton Bar & Liquors, Inc., t/a Shop Rite Liquors of Newton, 127 Water Street, (Route 206 N.) Newton, New Jersey.

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

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

INTERMISSION - 10 minutes

DISCUSSION

a. Fence Ordinance Draft - Jessica Caldwell, Town Planner

Mrs. Caldwell outlined and reviewed the proposed amendments to the draft fence ordinance. After a lengthy discussion, Council unanimously agreed to the recommended amendments to the draft fence ordinance. It was noted Mrs. Caldwell will further clarify deer fences and temporary fences.

b. Housing Ordinance Draft - Angelo Bolcato, Esq.

Angelo Bolcato, Esq. outlined and reviewed the proposed housing ordinance to amend the existing Chapter 144 "Housing Standards" of the Town Code by adopting the New Jersey State Housing Code. A meeting was held last year with officials from Zoning, Construction, County Health, and Fire Enforcement where it was noted that the current housing ordinance is not consistent with the State Housing Code. It was recommended the Town adopt said code to provide adequate living standards and ease of enforcement. After a lengthy discussion, Mr.

Levante requested amendments to the draft, in particular the notice and appeal process. Mr. Bolcato will review and resubmit the amended draft upon completion.

c. Public Street Ordinance - Chief Richards, SLEO Donofrio

Chief Richards made a presentation to the Council on the draft ordinance surrounding the "Property Maintenance" which addresses security and public safety on Spring Street. Chief Richards also addressed Article VII, "Depositing Items on Public Streets and Sidewalks". Mrs. Leo addressed the procedure regarding the violations.

Mr. Russo addressed and outlined Article VIII, "Decency Standards for Public Streets and Sidewalks" of the draft ordinance which establishes additional measures on public safety and decency in the downtown district.

After a lengthy discussion, Council requested additional information regarding the draft ordinance. Mr. Russo will work with the Town Attorney on same and will focus on the foot protection and the shirt requirement as this time.

OPEN TO THE PUBLIC

Mayor Elvidge opened the meeting to the public.

Nanette Thomas, 7 Orchard Street, asked for a copy of the draft fence ordinance. Mrs. Thomas addressed her concerns on Spring Street and does not feel the clothing attire should be first priority.

Xavier Izquierdo, 38 Dogwood Drive, outlined his opinion regarding the draft ordinance proposed and feels there are other avenues to pursue regarding the decency standards on public streets and sidewalks.

Mayor Elvidge feels these small changes will help change the perception of Newton.

Sara Magletti, owner of PB&J Stores, stated there is a perception in Newton and believes that change is needed in Newton and believes the draft decency standards are necessary.

Councilman Levante requested information on any pending litigation surrounding this proposed ordinance.

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

COUNCIL & MANAGER COMMENTS

Mr. Russo thanked Mayor Elvidge for his dedicated service as Mayor this past year.

Mayor Elvidge inquired about the parking availability in the Municipal Parking Lots during construction on Spring Street. Mr. Russo advised that there will be "relaxed" parking enforcement during the construction project on Spring Street in Municipal Parking Lots (Lots 4 &

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5).

Councilwoman Diglio questioned if a liaison from the governing body should be assigned to all boards and commissions. Mr. Russo addressed the current policy in which boards and commission are represented by governing body members. Mr. Russo advised Council if there are issues to advise him of same.

There being no further business to be conducted, upon motion of Mrs. Diglio, seconded by Mr. Levante and unanimously carried, the meeting was adjourned at 8:50 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine A. Read". The signature is written in black ink and is positioned to the right of the typed name.

Lorraine A. Read, RMC
Municipal Clerk