

July 20, 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 Mr. Elvidge, Deputy Mayor Diglio, Mrs. Becker, Mr. Levante, Mayor Flynn, Thomas S. Russo, Jr., Town Manager and Ursula H. Leo, Esq.

Mayor Flynn 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 Flynn led the Pledge of Allegiance to the flag and the Clerk called the roll and, upon motion of Deputy Mayor Diglio, seconded by Mr. Levante and carried, the minutes of the June 22, 2015 Regular Meeting and the July 1, 2015 Reorganization Meeting was unanimously approved. Mrs. Becker abstained from June 22, 2015 meeting minutes.

OPEN TO THE PUBLIC

Mayor Flynn 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."

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

COUNCIL & MANAGER REPORTS

a. St. Patrick's Day 2016 Parade Request

Mr. Russo read a communication from Dennis Harrington, Chairman of St. Patrick's Day Committee, requesting permission to hold their Annual St. Patrick's Day parade in Newton on Saturday, March 19, 2016 at 11:30 a.m.

After a brief discussion, the Town Council unanimously agreed to grant permission to host the parade on said date and time.

b. Proclamation - Steven P. Sherwood, Jr. Eagle Scout

Mayor Flynn noted he and Deputy Mayor Diglio attended the Eagle Scout ceremony on Saturday, July 18, 2015 and presented Steven P. Sherwood, Jr. with the following Proclamation.

PROCLAMATION

Steven P. Sherwood, Jr.

Eagle Scout

WHEREAS, Steven P. Sherwood, Jr., a member of Boy Scout Troop 85, has earned the status of Eagle Scout; and

WHEREAS, We, the Town Council of the Town of Newton, recognize the many hours Steven has devoted to attaining the status of Eagle Scout, working with diligence and making sacrifices in order to achieve this highly coveted position; and

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WHEREAS, Steven P. Sherwood, Jr., has served the Boy Scouts in an exemplary manner and is deserving of the honor bestowed upon him; and

WHEREAS, for Steven’s Eagle Scout Leadership Project he refurbished the “Welcome Signs” entering the Town of Newton on Mill Street and Sparta Avenue; and

WHEREAS, as part of his project, Steven cleaned both signs to make them look like new, replaced the solar panels and landscaped, which included planting flowers around the signs; and

WHEREAS, Steven P. Sherwood, Jr., serves as an example to youth through his high level of personal achievement, leadership and community service, and we are very proud that Steven is a member of our community.

NOW, THEREFORE BE IT PROCLAIMED, that We, the Mayor and Town Council of the Town of Newton do hereby recognize and extend our sincere congratulations to Steven P. Sherwood, Jr. for having achieved the status of Eagle Scout, an honor for both him and for those who have guided him, with best wishes for a bright future.

In witness whereof I have hereunto set my Hand and caused this seal to be affixed.

_____s/Mayor Daniel G. Flynn_____

Attest:_____

Date: _____July 18, 2015_____

ORDINANCES

There were no Ordinances to be discussed.

OLD BUSINESS

There was no Old Business to be discussed.

CONSENT AGENDA

Mayor Flynn 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.”

RESOLUTION # 118-2015 *

AUTHORIZE THE RELEASE OF THE EXECUTIVE SESSION MINUTES TO THE PUBLIC

WHEREAS, the Newton Mayor and Council met in Executive Session on certain occasions; and

WHEREAS, as a result of these Executive Sessions, minutes were prepared and approved by the Mayor and Council although the minutes were not released to the public; and

WHEREAS, the Town Attorney, Town Clerk, and Town Manager have reviewed such approved minutes and recommend the release of certain meeting minutes to the public;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex, and State of New Jersey that the minutes of the following Executive Sessions be released to the public:

11/24/14 12/08/14 1/12/15 1/28/15 2/23/15 3/23/15

BE IT FURTHER RESOLVED that these specified minutes may be released to the public upon request.

RESOLUTION #119-2015*

RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Town of Newton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town Council is desirous of selling said surplus property in an “as is” condition without express or implied warranties;

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk’s Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 1. Kyocera Mita Corporation
5035 Copier Machine
Condition: Good
- 5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

RESOLUTION #120-2015*

THE SUPPORT FOR ESTABLISHING A U.S. DEPARTMENT OF VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC IN SUSSEX COUNTY

WHEREAS, the U.S. Department of Veterans Affairs identifies a total of 46,229 Veterans living in Sussex County and the bordering counties as of September 30, 2014; and

WHEREAS, the nearest U.S. Department of Veterans Affairs Community Based Outpatient Clinic is located at the East Orange Campus approximately 40 miles from the County center; and

WHEREAS, Dr. Jean-Paul Bonnet has stated interest in providing space at 406 Route 23 North in Franklin, NJ for veterans services at an annual rent of \$1.00 per year; and

WHEREAS, the Sussex County veterans community has identified the need for a U.S. Department of Veterans Affairs Community Based Outpatient Clinic in Sussex County;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton supports the establishment of a U.S. Department of Veterans Affairs Community Based Outpatient Clinic in Sussex County;

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Ken Mizrach, Director, VA New Jersey Health Care System, 385 Tremont Avenue, East Orange NJ 07018; Hon. Rodney P. Frelinghuysen, United States Representative, 30 Schuyler Place, 2nd Fl., Morristown NJ 07960; Hon. Cory A. Booker, United States Senator, One Gateway Center, Suite 2300, Newark, NJ 07102; Hon. E. Scott Garrett, United States Representative, 266 Harristown Road, Suite 104 Glen Rock NJ 07452; and Hon. Robert Menendez, United States Senator, 208 White Horse Pike, Suite 18 Barrington, NJ 08101.

RESOLUTION #121-2015*

AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS

WHEREAS, the Newton Board of Education’s June meeting was rescheduled to June 30, 2015 and the Chief Financial Officer had advised that receipt of payment of utility fees on the following day would be accepted without penalty; and

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WHEREAS, at month end the utility accounting system automatically applies a penalty and a resolution is required to credit the penalty; and

WHEREAS, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated:

CREDIT FOR PENALTY ERRONEOUSLY CHARGED:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
21674	94 Merriam Ave.	\$229.70
21681	94A Merriam Ave.	\$101.85
21699	94A Merriam Ave.	\$70.91
21755	55A Halsted St.	\$240.57
21716	54A Ryerson Ave.	\$110.52
21723	54B Ryerson Ave.	\$346.14
21730	54C Ryerson Ave.	\$976.00
21667	57 Trinity St.	\$7.50

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 #122-2015*

ACCEPT THE FIRE MUSEUM MASONRY RENOVATION PROJECT AS COMPLETE

WHEREAS, on June 24, 2013 the Newton Town Council adopted Resolution #114-2013, awarding a contract to Edge Property Maintenance, Inc., for the Proposed Fire Museum Masonry Renovation Project; and

WHEREAS, on November 25, 2013 the Newton Town Council adopted Resolution #202-2013 approving Change Order No. 1; and

WHEREAS, on March 23, 2015 the Newton Town Council adopted Resolution #47-2015 approving Change Order No. 2; and

WHEREAS, on May 27, 2015 the Newton Town Council adopted Resolution #78-2015 approving Change Order No. 3; and

WHEREAS, the Town Engineer, Cory L. Stoner of Harold E. Pellow & Associates, Inc., in his letter dated July 2, 2015, states that said project has been completed and recommends the project be accepted as final and complete;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby accepts the Fire Museum Masonry Renovation Project as complete so the final paperwork can be started and a one-year Maintenance Bond secured.

RESOLUTION #123-2015*

AUTHORIZE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES FOR THE ROTATING BIOLOGICAL CONTACTOR (RBC) REPLACEMENT AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the Town of Newton has a need to acquire the services of Hatch Mott MacDonald for a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 for engineering services for the Rotating Biological Contactor (RBC) replacement at the Wastewater Treatment Plant located on Townsend Street; and

WHEREAS, Hatch Mott MacDonald has submitted a proposal, dated April 22, 2015, outlining the services to be provided for an amount not to exceed \$56,600.00; and

WHEREAS, the Chief Financial Officer of the Town of Newton has certified that funds are available to support this contractual services agreement;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with Hatch Mott MacDonald, for the engineering services for the RBC replacement at the Wastewater Treatment Plant

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located on Townsend Street, and that a notice of this agreement be published in the newspaper of record for the Town in accordance with the Local Public Contracts Law.

RESOLUTION #125-2015*

DECLARING SUPPORT FOR THE JCP&L MONTVILLE-WHIPpany REINFORCEMENT PROJECT

WHEREAS, the Town of Newton recognizes that reliable electric service plays a crucial role in the daily lives of Town residents; and

WHEREAS, the Town of Newton recognizes that reliable electric service also is critical to the local businesses within our community, and drives commerce in our Town and across the region; and

WHEREAS, the Town of Newton supports efforts to enhance our energy infrastructure to continue to provide families and businesses the reliable source of energy they need; and

WHEREAS, the Town of Newton believes Jersey Central Power and Light Company's (JCP&L) Montville - Whippany Reinforcement project will enhance service reliability and system redundancy, and meet the ever-increasing demand for power in our town; and

WHEREAS, the Town of Newton has been informed that in the event of a transmission disruption or during periods of great demand, this new line can reroute electricity to help reduce the frequency and duration of outages; and

WHEREAS, the Town of Newton has been informed that the approximate \$35 million investment will provide greater flexibility for rerouting power; and

WHEREAS, the Town of Newton understands that this project will help to enhance the reliability of electric service today and in the future for approximately 86,000 customers in Morris and Sussex Counties; and

WHEREAS, the Town of Newton believes that JCP&L has made a good-faith effort to keep the community informed about this project and to limit any disturbances to our local businesses or the fine families that comprise the Town of Newton.

NOW, THEREFORE BE IT RESOLVED that we, the Mayor and Town Council of the Town of Newton hereby find and declare:

"The Montville - Whippany Reinforcement Project will benefit residents and businesses in the Town of Newton and throughout Sussex County by enhancing the reliability and redundancy of the electric system and by limiting disruptions to our electric service."

BE IT FURTHER RESOLVED, that the Montville - Whippany Reinforcement Project be approved by the New Jersey Board of Public Utilities.

RESOLUTION #126-2015*

AUTHORIZE AND DIRECT THE TAX COLLECTOR TO SELL MUNICIPAL LIENS IN ACCORDANCE WITH NEW JERSEY LAW

WHEREAS, the Governing Body of the Town of Newton, in the County of Sussex, New Jersey, desires to collect all taxes, assessments and other municipal charges that are now delinquent; and

WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2014 in a manner prescribed by N.J.S.A. 54:5-19 and amended by Chapter 99, Public Laws of 1998;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with the New Jersey Statutes, as described above, and that said sale shall take place in 2015.

RESOLUTION #127-2015*

AFFIRM THE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 7.03, LOT 12 (FORMERLY KNOWN AS BLOCK 701, LOT 11)

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WHEREAS, at the Municipal Tax Sale held on October 19, 2011, a lien was sold on Block 7.03, Lot 12, (formerly known as Block 701, Lot 11), also known as 11 Linwood Avenue, for 2010 delinquent real estate taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #1357, was sold to Robert Rothman for 0% redemption rate and a premium in the amount of \$15,500.00; and

WHEREAS, First Presbyterian Church, the mortgage holder for the owner of said property, has effected redemption of Certificate #1357 in the amount of \$49,689.43;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Robert Rothman is entitled to the redemption in the amount of \$49,689.43 as well as \$15,500.00 for the return of the premium; and

BE IT FURTHER RESOLVED, that this Governing Body hereby affirms the actions of the Tax Collector who issued two (2) checks, the first in the amount of \$49,689.43 for the redemption of Tax Sale Certificate #1357 and the second in the amount of \$15,500.00 for the return of the premium to Robert Rothman, 411 Grand Avenue, Englewood, NJ 07631.

RESOLUTION #128-2015*

AFFIRM THE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 8.08, LOT 19

WHEREAS, at the Municipal Tax Sale held on November 5, 2014 a lien was sold on Block 8.08, Lot 19, also known as 112 Spring Street, for 2013 delinquent real estate taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #1395, was sold to Sunshine St Cert V/BankUnited TTE for 0% redemption rate and a premium in the amount of \$33,000.00; and

WHEREAS, TD Bank the mortgage company for the owner of said property has affected redemption of Certificate #1395 in the amount of \$35,113.37;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Sunshine St Cert V/BankUnited TTE is entitled to the redemption in the amount of \$35,113.37 as well as \$33,000.00 for the return of the premium; and

BE IT FURTHER RESOLVED, that this Governing Body hereby affirms the actions of the Tax Collector who issued two (2) checks, the first in the amount of \$35,113.37 for the redemption of Tax Sale Certificate #1395 and the second in the amount of \$33,300.00 for the return of the premium to Sunshine St Cert V/BankUnited TTE, 7900 Miami Lks Dr. W, 3rd Floor, Miami Lakes, Florida 33016.

RESOLUTION #129-2015*

CHANGE OF TEXT AND TITLE TO THE TOWN OF NEWTON 2015 CURRENT BUDGET, PURSUANT TO N.J.S.A. 40A:4-85

WHEREAS, N.J.S.A. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the Governing Body, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such municipality.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-85, the Town of Newton requests the Director of the Division of Local Government Services to make the following corrections in the Current Budget of the year 2015:

From: Group Insurance for Employees	\$21,500.00
To: Assessment of Taxes, Salaries and Wages	\$21,500.00

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the Governing Body, warranted and authorized by statute above referred to, and is necessary for the orderly operation of the Town of Newton for the reasons hereinafter set forth:

Per Resolution #38-2015 adopted March 9, 2015 the Town removed the health care coverage for the Tax Assessor and increased the salary.

BE IT FURTHER RESOLVED that the electronic Budget Amendment Certification Form and attached resolution be emailed to the Director of the Division of Local Government Services.

RESOLUTION #130-2015*

APPOINTMENT OF BRIAN LOCKWOOD TO THE UTILITY ADVISORY BOARD

WHEREAS, there currently is a vacancy on the Utility Advisory Board Authority; and

WHEREAS, Brian Lockwood has expressed interest in serving as a member of the Utility Advisory Board;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Brian Lockwood is hereby appointed to a unexpired five (5) year term on the Utility Advisory Board, effective immediately with said term continuing to December 31, 2016.

RESOLUTION #131-2015*

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

317.74	Quill Corporation	35399
2,999.76	Printing Center, LLC	35400
1,364.50	Pellow, Harold & Assoc., Inc.	35401
84.00	Sussex Car Wash Inc	35402
605.27	Elizabethtown Gas	35403
3,952.12	JCP&L	35404
125.85	CenturyLink Communications, Inc.	35405
58.49	Campbell's Small Engine Inc.	35406
101.24	Federal Express	35407
120.00	Ambassador Medical Service	35408
2,160.00	J & D Sales & Service, LLC.	35409
19.00	Newton Trophy	35410
250.00	Treasurer, State of New Jersey	35411
267.30	Weldon Asphalt Company, Inc.	35412
508.43	Minisink Press Inc	35413
306.36	Coppolella, Dean M	35414
19.30	Microsystems-NJ Com, LLC	35415
474.53	Sussex County Clerk	35416
47.68	Sebring Auto Parts, Inc.	35417
24.94	Weis Markets, Inc.	35418
620.52	Dempsey Uniform & Supply Inc	35419
167.60	Airgas East	35420
15.59	Service Electric Cable TV	35421
178.20	L-3 Comm. Mobile-Vision	35422
1,200.00	McCullough Tree Experts LLC	35423
1,321.93	Boonton Tire Supply Inc.	35424
55,790.39	Statewide Insurance Fund	35425
193.55	Verizon Wireless, Inc.	35426
1,716.46	Verizon Wireless, Inc.	35427
570.30	Universal Supply Group Inc.	35428
843.05	Dell Marketing L.P.	35429
73.85	Mr. John, Inc.	35430
2,100.00	Gold Type Business Machines	35431
90.00	Wildflowers With Tami	35432
143.99	Advance Auto Parts	35433
982.21	Home Depot, Inc.	35434
367.50	RR Donnelley	35435

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1,833.00	Sheraton Atlantic City	35436
601.11	Buckman's Inc.	35437
574.67	Staples Business Advantage, Inc.	35438
29.05	Staples Business Advantage, Inc.	29.05
770.00	Screen Creation Plus	35440
192.00	CSS Test Inc.	35441
5.00	Treasurer, State of NJ -Burial	35442
3,642.14	Rachles/Michele's Oil Company, Inc.	35443
1,046.86	Taylor Oil Co., Inc.	35444
3,856.00	Laddey, Clark & Ryan, LLP	35445
88.17	W.B. Mason, Inc.	35446
1,648.31	Tire King, Inc.	35447
847.15	Jersey Central Power & Light, Inc.	35448
76.70	Atlantic Tactical Inc.	35449
2,175.00	Trimboli & Prusinowski, LLC.	35450
133,813.00	NJMEEBF	35451
1,770.00	Chelbus Cleaning Co., Inc.	35452
269.97	Tractor Supply Co	35453
150.00	Idville	35454
228.92	Woodruff Energy US, Inc	35455
600.00	Bonnie Diamond	35456
205.11	Thyssenkrupp Elevator Corp.	35457
59.99	Cartridge World	35458
177.00	J. Caldwell & Associates, LLC	35459
167.90	Recreation Supply Company, Inc.	35460
440.04	Sunlight General	35461
210.00	USA Hoistco., Inc.	35462
109.38	Cintas Fire Protection	35463
475.00	Johnny On The Spot, LLC.	35464
1,100.00	Iheartmedia	35465
54.44	Reisinger Oxygen Service, Inc.	35466
100.00	Maureen Gill	35467
543.75	KKPR Marketing & Public Relations	35468
2,916.67	John Mulhern	35469
375.00	Elianna Kiesling	35470
100.00	Krista Delia	35471
50.00	Scot Fucito	35472
287.50	Aida Cahill	35473
192,199.45	Payroll	151043
83.73	Elavon	151042
1,000,000.00	Newton Board of Education	151041
9,745.46	Treasurer, State of NJ/727 Fund	151040
485,043.13	US Bank Oper.Ctr/Trust Mgmt.	151039
190,946.98	Payroll	151038
80.00	Merriam Ave School PTO	35398
850.00	Spring Street Pub & Grill	35397

CAPITAL

11,368.75	Pellow, Harold & Assoc., Inc.	8433
32.00	Laddey, Clark & Ryan, LLP	8434
197.13	W.B. Mason, Inc.	8435
1,860.95	Global Custom Commerce, Inc.	8436
31,027.00	Beyer Ford	8437
60.00	NJ Motor Vehicle Services	8432
1,000,000.00	Current Account	143005

Total TOWN BILLS \$ 3,165.265.06

WATER AND SEWER ACCOUNT

33.90	Quill Corporation	15065
1,489.75	Pellow, Harold & Assoc., Inc.	15066
872.56	CCP Industries, Inc.	15067
329.22	Elizabethtown Gas	15068
7,708.20	JCP&L	15069
211.37	Sussex County P & H, Inc.	15070
8,412.51	Coyne Chemical Corp., Inc.	15071
100.84	Hayek's Market Inc.	15072

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302.87	Hamburg Plumbing Supply Co Inc.	15073
3,079.00	Chlorinator & Instrument., Inc.	15074
267.29	Weldon Asphalt Company, Inc.	15075
21.56	Minisink Press Inc.	15076
542.40	Water & Sewer Capital Account	15077
321.30	Dempsey Uniform & Supply Inc	15078
750.00	Frank Semeraro Construction, Inc.	15079
7,367.50	R&D Trucking Inc	15080
71.49	Airgas East	15081
50,355.36	Statewide Insurance Fund	15082
161.50	Verizon Wireless, Inc.	15083
33.03	Walmart	15084
79.65	Cooper Electric Supply Co.	15085
342.39	Home Depot, Inc.	15086
1,262.95	Process Tech Sales and Service	15087
1,600.00	Laddey, Clark & Ryan, LLP	15088
535.20	Accurate Waste Removal Inc.	15089
8,000.00	William Grennille, LLC.	15090
28,861.00	NJMEBF	15091
196.06	One Call Concepts, Inc.	15092
194.35	Woodruff Energy US, Inc.	15093
250.00	A.P. Certified Testing, LLC.	15094
1,465.49	Hatch Mott MacDonald	15095
769.71	Sunlight General	15096
1,100.00	IHeartmedia	15097
369.99	Azul Core	15098
543.75	KKPR Marketing & Public Relations	15099
28,519.71	Payroll	156020
27,951.65	Payroll	156019
850.00	Spring Street Pub & Grill	850.00

CAPITAL

1,510.53	Pellow, Harold & Assoc., Inc.	2393
581.00	Hatch Mott MacDonald	2394
68,815.60	Jev Construction, LLC.	2395

Total WATER & SEWER Bills \$ 256,230.68

HOUSING TRUST FUND (COAH)

720.00	Laddey, Clark & Ryan, LLP	130
1,888.00	J. Caldwell & Associates, LLC.	131

Total HOUSING TRUST FUND (COAH) Bills \$ 2,608.00

TRUST ACCOUNT

840.80	Walmart	3384
179.92	Home Depot, Inc.	3385
1,099.37	Country Club Ice Cream, LLC.	3386
95.67	Shop Rite, Inc.	3387
836.00	Jenny Lutz	3388
1,967.00	Payroll	157115
5,795.66	Payroll	157114

Total TRUST ACCOUNT Bills \$ 10,814.42

The Clerk presented an application for a permit for a social affair from the Greater Newton Chamber of Commerce, 93 Spring Street, Newton to be held on Monday, September 21, 2015 from 6:00 p.m. to 9:30 p.m. on Spring Street, Newton. It was noted that the application was in order, signed by the Chief of Police, and accompanied by the prescribed fee.

The Clerk presented an application for an on-premise raffle (50-50) from The Pride Foundation Inc., 44 Ryerson Avenue, Newton to be held on September 11, 2015 at 7:00 pm;

September 25, 2015 at 7:00 pm; October 16, 2015 at 7:00 pm; October 23, 2015 at 7:00 pm; November 6, 2015 at 7:00 pm; November 13, 2015 at 6:00 pm; December 1, 2015 at 6:00 pm; December 8, 2015 at 6:00 pm; and December 15, 2015 at 6:00 pm at 44 Ryerson Avenue, Newton. It was noted that the application was in order and accompanied by the prescribed fees.

The Clerk presented an application for an off-premise raffle (50-50) from St. Joseph Roman Catholic Church, 17 Elm Street, Newton to be held on October 30, 2015 at 7:00 p.m. at St. Joseph Community Center, 20 Jefferson Street, Newton. It was noted that the application was in order and accompanied by the prescribed fees.

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

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

INTERMISSION - None

DISCUSSION

a. Fence Ordinance Draft

Mr. Russo and Ms. Caldwell briefly outlined the amendments to the draft fence ordinance.

After a brief discussion, Council unanimously agreed to the proposed amendments as submitted by the Town Planner. The introduction of the ordinance will be placed on the August 24, 2015 agenda.

b. Housing Ordinance Draft

Mr. Russo outlined the proposed amendments to the Housing Standards Ordinance, Chapter 144.

After a brief discussion, the Council unanimously agreed to the proposed amendments as submitted. The introduction of the ordinance will be placed on the August 24, 2015 agenda.

c. Public Street Ordinance/Decency Ordinance Draft

Mr. Russo and the Town Attorney reviewed the proposed draft ordinance for Public Street Ordinance/Decency Ordinance. Mr. Russo proposed a code of conduct sign be posted in the downtown area. He read the proposed code of conduct sign: "Thank you for choosing the Historic Downtown Newton Business District for shopping, great food, and entertainment! It is our desire to provide you with an enjoyable and delightful family-friendly shopping experience. We ask all of our guests to conduct themselves in a respectful way and in accordance with this Code of Conduct and all laws and local ordinances.

1. Wear appropriate clothing (including shirts and footwear).

2. Disruptive behavior is prohibited.
3. No weapons unless duly licensed.
4. Possession of open alcoholic beverages except in designated and licensed establishments is prohibited.
5. Please be considerate of others and refrain from using vulgar or foul language or from yelling/shouting any time so as to annoy or disturb.
6. No solicitation unless duly licensed.
7. Pets that are properly leashed are welcomed - however, please pick up after them.
8. No littering - please use one of the trash receptacles for proper disposal of garbage.
9. Smoking is allowed but not encouraged - do your lungs a favor and take a fresh breath and remember to dispose of your dirty butts accordingly.
10. Loitering is discouraged and obstructing public passageways is prohibited.

Thank you for shopping Newton where City Style meets Country Cool! ”

After a lengthy discussion, Council agreed to move forward with the code of conduct after modifications are developed by Ms. Leo and Mr. Russo.. Mr. Russo will review with the Downtown Newton Association (DNA) and Greater Newton Chamber of Commerce (GNCC) for their input on same. Council also agreed to proceed with the Public Street Ordinance/Decency Ordinance, with the amendments as discussed. Mr. Russo will work with Mrs. Leo on the changes and will place the Ordinance on the August 24, 2015 agenda for introduction.

d. Sign Ordinance Draft

Mr. Russo reviewed and outlined all the comments addressed by the Newton Planning Board and Historic Commission regarding the draft Sign Ordinance.

After a lengthy discussion, Council made some changes and unanimously agreed to move forward with the draft ordinance. The introduction of this ordinance will be placed on the August 24, 2015 agenda.

OPEN TO THE PUBLIC

There was no one from the public to be heard.

COUNCIL & MANAGER COMMENTS

Councilman Levante agreed with Deputy Mayor Diglio's comments about liaison positions. He believes that each Councilmember should be a liaison on each of the boards and commissions including outside organizations; Board of Education, Sussex County Community College (SCCC), Newton Medical Center and Downtown Newton Association (DNA). He feels communication is key to good success. Mr. Russo noted that SCCC and Newton Medical Center have denied the requested in the past.

After a brief discussion, Mr. Russo advised he will obtain all the appropriate meeting schedules for the various organizations and will forward to the Council for their review.

EXECUTIVE SESSION

Mr. Russo read Resolution #132-2015 and Council entered into Executive Session at 7:59 pm.

Upon motion of Mr. Elvidge, seconded by Deputy Mayor Diglio and carried, Council left

Executive Session at 8:45 pm.

RESOLUTION S

RESOLUTION #133-2015

AUTHORIZE THE RELEASE OF EXECUTIVE SESSION MINUTES TO THE PUBLIC

WHEREAS, the Newton Mayor and Council met in Executive Session on certain occasions; and

WHEREAS, as a result of these Executive Sessions, minutes were prepared and approved by the Mayor and Council although the minutes were not released to the public; and

WHEREAS, the Town Attorney, Town Clerk, and Town Manager have reviewed such approved minutes and recommend the release of certain meeting minutes to the public;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex, and State of New Jersey that the minutes of the following Executive Sessions be released to the public:

4/27/15

BE IT FURTHER RESOLVED that these specified minutes may be released to the public upon request.

A motion was made by Mr. Levante to approve the **RESOLUTION #133-2015**, seconded by Deputy Mayor Diglio and roll call resulted as follows:

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

Prior to adoption of Resolution #134-2015, Jim Prusinowski, Esq., Labor Counsel, indicated the vote would be contingent on further clarification on item #4 (of the hand-written MOA) with regard to the term “across the board” verbiage.

RESOLUTION #134-2015

AUTHORIZING THE MAYOR AND THE MUNICIPAL CLERK TO EXECUTE AGREEMENTS WITH THE POLICE SUPERIOR OFFICERS ’ ASSOCIATION AND POLICEMEN ’S BENEVOLENT ASSOCIATION - LOCAL NO. 138

WHEREAS, the Town Manager and representatives of the Police Superior Officers’ Association and the Policemen’s Benevolent Association - Local No. 138 of the Newton Police Department have negotiated three-year agreements covering calendar years 2015, 2016, and 2017 pursuant to mediation; and

WHEREAS, said agreements for calendar years 2015, 2016, and 2017 have been ratified by the Police Superior Officers’ Association and Policemen’s Benevolent Association - Local No. 138;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the above agreements and authorizes the Mayor and the Municipal Clerk to execute said agreements, in duplicate, with the Police Superior Officers’ Association and Policemen’s Benevolent Association - Local No. 138, based on the terms outlined in the attached Memorandum of Agreement.

A motion was made by Mr. Elvidge to approve the **RESOLUTION #134-2015**, seconded by Deputy Mayor Diglio and roll call resulted as follows:

Mr. Elvidge	Yes	Deputy Mayor Diglio	Yes
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July 20, 2015

Mrs. Becker	Yes	Mr. Levante	Yes
	Mayor Flynn	Yes	

RESOLUTION #135-2015

RESOLUTION FOR INCREASING THE TOWN OF NEWTON 'S BID THRESHOLD

WHEREAS, effective July 1, 2015 the Governor of the State of New Jersey has adjusted the bid threshold for awarding contracts under the Local Public Contracts Law. The change in the bid threshold allows municipalities with a Qualified Purchasing Agent to increase their bid threshold up to \$40,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Debra J. Millikin possesses the designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A. C. 5:34-5 et seq.; and

WHEREAS, the Town of Newton desires to take advantage of the increased bid threshold;

NOW, THEREFORE BE IT RESOLVED, that we the Mayor and Town Council of the Town of Newton, in the County of Sussex, in the State of New Jersey hereby increase its bid threshold from \$36,000 to \$40,000.

A motion was made by Mr. Elvidge to approve the **RESOLUTION #135-2015**, seconded by Mr. Levante and roll call resulted as follows:

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

RESOLUTION #124-2015

APPROVE PURCHASE OF AMBULANCE THROUGH HGAC BUY

WHEREAS, the Governing Body of the Town of Newton adopted Resolution #69-2015 on May 11, 2015 in an effort to save budgeted monies and improve services for itself by joining the Houston-Galveston Area Council "HGAC-Buy"; and

WHEREAS, VCI Emergency Vehicle Specialists., 43 Jefferson Avenue, Berlin, NJ 08009, provided a price in the amount of \$170,800.00 for a 2016 Type III Ford E-450 Horton Ambulance, based on HGAC-Buy Contract #AM10-14; and

WHEREAS, the Town of Newton has appropriated \$150,000 towards the purchase of said ambulance and the Newton Volunteer First Aid Squad is responsible for the remaining \$20,800 based on the letter dated July 8, 2015 from the Treasurer of the Newton Volunteer First Aid Squad; and

WHEREAS, the Town of Newton Purchasing Agent, Debra J. Millikin and the Newton Volunteer First Aid Squad have recommended the purchase of the Ambulance through the HGAC-Buy in the amount of \$170,800.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available to support this project as per attached certification for the \$150,000.00;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Ambulance be purchased through the HGAC-Buy in the amount of \$170,800.00 under contract #AM10-14 through VCI, Berlin, NJ. A certified copy of this resolution shall be forwarded to VCI.

July 20, 2015

A motion was made by Mrs. Becker to approve the **RESOLUTION #124-2015**, seconded by Mr. Levante and roll call resulted as follows:

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

Mr. Russo passed out pictures of the new Town logo to be utilized on all social media. He noted Xavier Izquierdo will be present at the next Council meeting on August 24, 2015 to make a presentation on his work surrounding the social media for the Town of Newton.

There being no further business to be conducted, upon motion of Mrs. Becker, seconded by Deputy Mayor Diglio and unanimously carried, the meeting was adjourned at 8:51 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk