

December 14, 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. Upon motion of Deputy Mayor Diglio, seconded by Mrs. Becker and carried, the minutes of the November 23, 2015 Special, Regular and Executive Meetings were unanimously approved.

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."

Jonathan Andrews, owner of SpringBoard Shoppes, 145 Spring Street, read the following statement:

"In 2007, the Newton Main Street program suggested that I start a retail incubator in my building. I invested in substantial renovations, and we opened in 2008. The Main Street Program was allowed to die, but SpringBoard Shoppes has continued.

28% of active retailers on the 1 way portion of Spring Street came through or are still in SpringBoard Shoppes.

A Google search shows SpringBoard as the only retail incubator actually performing the goals of such an operation. We are the leading such operation nationally.

From our 5,000 Sq Ft space, opened in 2008, 9,000 plus Sq. Ft of stores on Spring Street have been occupied. 2 of those have purchased and completely renovated buildings, 2 more have made substantial leasehold improvements.

But one of our graduates closed, and 2 others later moved out of Newton.

Downtown Newton is in crisis. 6 stores have recently left our one way shopping district to continue business in other towns, where they all continue to operate. (Flowers in the Attic, Eaton's, Andre's, Interplay Couture, Perfect 10, and Charm.) A key reason is the Town's unwillingness to consider our concerns or involve us in decisions about the downtown environment.

Numerous people have invested significant time and money in trying to rebuild downtown, but have met with extreme financial damage as a result. (Milici, Becker, D'Arche, DeWaal, Andrews and more to come.)

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Our Christmas shopping season has been extremely disappointing. Before the one way project was begun, we were assured that substantial signs would inform drivers how to get our district. 5 months later, here is the one sign which has been put in place (demonstrating a 1.5 inch by 4 inch arrow.)

Drivers on Route 94 North and South have no indication of how to get to Spring Street. Drivers on Route 519 North and South have no indication of how to get to Spring Street. Drivers on Route 206 South have no indication of how to get to Spring Street. But, AHA, drivers on Route 206 North get this arrow (re demonstrating 1.5 inch by 4 inch arrow.) Thank you so much!

I hear town government folks and friends saying signs are not important, that folks know how to get to Spring Street. Rhetorically, let me ask: Do you know where Shop-Rite is?

Do you know where Home Depot is? Do you know where Weis Markets is? Of course you do. So why do they spend thousands of dollars to erect and maintain large signs?

You promised us signs, we have one (demonstrate). The expensive 2009 Circulation Plan highlighted the need for elaborate directory and wayfinding signs. We have none. The expensive 2013 Vision Plan highlighted the need for elaborate directory and wayfinding signs. We have none.

Some of you say “bricks and mortar” is dead. That would make our properties worth less. But you increased our taxes by 10% this year. You have doubled my taxes since SpringBoard opened.

Why on earth would you just put up large signs in downtown saying “NO weapons.”

In my opinion the problem is an unwillingness to listen to those of us on the ground - knowledgeable, invested community members. We are your employers - but you sit above us, looking down on us, telling us what we can do.

Four quotes for you:

From a downtown merchant, referring to me - “you are like the boy in The Emperor’s New Clothes.”

From two merchants about town hall, same day, unaware of each other’s comments. “They are arrogant.”

From a council member to me “Only positive language free of undermining and condescending comments will be considered.”

From Malcolm Gladwell “legitimacy is based on three things. First of all, the people who are asked to obey authority have to feel like they have a voice—that is they speak up, they will be heard.” We are not heard.

I can no longer continue to invest time and money to swim against the tide here in Newton. This is a beautiful downtown, with tremendous potential. I provided several immediate

opportunities in the write-up I sent you last week, which I hope you take advantage of. I wish you luck in the future.”

Linda Mitchell, Director of The Tree of Health Center, LLC, requested Council change the date, from Sunday, September 18, 2016 to Saturday, September 24, 2016, for the Universal Health Fair event to be held on Spring Street, Newton.

After a brief discussion, Council addressed concerns with holding the event on a Saturday due to the extensive amount of traffic. Council asked Ms. Mitchell to reach out to the merchants and DNA to obtain their opinion on holding the event on Saturday instead of Sunday. Council also asked her to advise of the feedback received from the merchants/DNA. A Council decision was not made.

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

COUNCIL & MANAGER REPORTS

a. Proclamation

Mr. Russo noted Deputy Mayor Diglio attended the Eagle Scout ceremony of Ryan Holzauer on Sunday, December 13, 2015. Deputy Mayor Diglio indicated she was delighted to attend such a prestigious ceremony.

P R O C L A M A T I O N

**Ryan Holzauer
Eagle Scout**

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WHEREAS, Ryan Holzauer, a member of Boy Scout Troop 184, has earned the status of Eagle Scout; and

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

WHEREAS, Ryan Holzauer has served the Boy Scouts in an exemplary manner and is deserving of the honor bestowed upon him; and

WHEREAS, for Ryan’s Eagle Scout Leadership Project he organized and completed the restoration of the Huntsville Cemetery in Green Township, New Jersey; and

WHEREAS, as part of his project, Ryan cleared a half-acre of woods and brush and installed 480 linear feet of post and rail fencing to delineate the rear half of the historic cemetery involving over 200 hours of volunteer service; and

WHEREAS, Ryan Holzauer serves as an example to youth through his high level of personal achievement, leadership and community service, and we are very proud that Ryan 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 Ryan Holzauer 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

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Hand and caused this seal to be affixed.

s/Mayor Daniel G. Flynn
Attest: s/Lorraine A. Read
Date: December 14, 2015

Mr. Russo reminded Council the Municipal Building will be closing at 3:30 pm on Friday, December 18, 2015 for the Town Employee Christmas party.

Mr. Russo also reminded Council the Municipal Building will be closed on Thursday, December 24, 2015 and Friday, December 25, 2015 in observation of Christmas. Mr. Russo wished the Mayor and Town Council "a very Merry Christmas."

The next Town Council meeting will be held on Monday, December 28, 2015, Mr. Russo advised.

Mr. Russo introduced Ms. Babcock, CFO, who will make a presentation on the Finance Department aspect in the Town of Newton. Ms. Babcock suggested making an annual presentation, from various departments, as part of the Best Practices requirement.

b. Finance Training PowerPoint - Dawn Babcock

Ms. Babcock, CFO, provided a lengthy PowerPoint presentation addressing the various financial duties of the Finance Department of the Town of Newton. Linda Roth, Tax Collector, addressed the tax collector requirements, noting Newton tax statistics and Kimberly Williams, Tax Assessor Clerk, addressed the tax assessor requirements.

Ms. Babcock also outlined the Water/Sewer Utility requirements along with the Utility statistics; as well as the Treasury requirements.

Mayor Flynn thanked the finance department and noted it was informative and hopes to continue this type of presentation annually.

ORDINANCES

Mayor Flynn directed the Clerk to read aloud the following Ordinances relative to final adoption.

ORDINANCE 2015-35

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2016

WHEREAS, N.J.S.A. 40A:9-165 permits a municipality to determine salaries, wages or compensation to be paid to the officers and employees of the municipality; and

WHEREAS, the Town Council and Town Manager have made a careful examination of the salaries, wages, and compensation appropriate to compensate said Town employees and officers;

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

Section 1. The minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton are hereby fixed for calendar year 2016 as shown in Schedules "A" and "B" attached hereto in accordance with §25-12 of the Code of the Town of Newton.

Section 2. Any officer or employee of the Town of Newton who is at any time receiving less than the maximum compensation or salary as hereinabove provided may be given a single increment of salary increase during the calendar year by the Town Manager.

Section 3. The Town Manager of the Town of Newton may hire any new employee at any hourly or annual rate between the minimum and maximum salary provided for such office or position.

Section 4. Those employees at wage level 9 serving in the position of Deputy Municipal Court Administrator may be compensated with a stipend of \$50.00 in lieu of 2 hours compensatory time for each court related call-out with written certification.

Section 5. Those officers and employees at wage level 17 shall be paid their annual salary in equal quarterly payments during the last pay period of each quarter.

Section 6. All ordinances or parts of ordinances which may be inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Section 7. If any chapter, article, division, section, subsection, paragraph, sentence, clause, or provision of the Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect all remaining portions of the Ordinance.

Section 8. This Ordinance shall take effect twenty (20) days after final passage, approval and publication after adoption by the Town Council and shall be effective retroactive to January 1, 2016.

TOWN OF NEWTON

ORDINANCE 2015-35

SCHEDULE "A"

<u>LEVEL</u>	<u>HOURLY</u>		<u>35 HRS / WK</u>		<u>40 HRS / WK</u>		<u>IRREGULAR</u>
	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	<u>HOURS</u>
							<u>ANNUALIZED</u>
1	\$8.75	\$17.00	\$15,92 5	\$30,940	\$18,20 0	\$35,360	
2	\$9.00	\$18.50	\$16,38 0	\$33,670	\$18,72 0	\$38,480	
3	\$9.25	\$20.75	\$16,83 5	\$37,765	\$19,24 0	\$43,160	
4	\$9.50	\$26.25	\$17,29 0	\$47,775	\$19,76 0	\$54,600	
5	\$10.50	\$31.75	\$19,11 0	\$57,785	\$21,84 0	\$66,040	
6	\$11.00	\$34.50	\$20,02 0	\$62,790	\$22,88 0	\$71,760	
7	\$12.00	\$37.25	\$21,84 0	\$67,795	\$24,96 0	\$77,480	
8	\$12.50	\$40.00	\$22,75 0	\$72,800	\$26,00 0	\$83,200	
9	\$13.75	\$44.00	\$25,00 0	\$80,080	\$30,000	\$91,520	

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			\$30,00			
10	\$16.50	\$50.00	0	\$91,000	\$35,000	\$104,000
			\$32,50		\$37,50	
11			0	\$95,000	0	\$115,000
			\$45,00			
12			0	\$97,500	\$52,500	\$130,000
			\$50,00			
13			0	\$115,000	\$57,500	\$140,000
			\$65,00			
14			0	\$135,000	\$75,000	\$160,000
			\$70,00			
15			0	\$165,000	\$80,000	\$175,000
16						\$500 - \$7,500
17						\$2,500 - \$10,000
18						\$3,000 - \$25,000
19						\$12,000 - \$60,000

**TOWN OF NEWTON
ORDINANCE 2015 -35**

SCHEDULE "B"

LEVEL 1

Recreation Assistant

LEVEL 2

Lifeguard
Swim Instructor

LEVEL 3

Clerk Typist
Custodian
Keyboarding Clerk I
School Traffic Guard
Secretary

LEVEL 4

Assistant Pool Manager
Code Enforcement Officer Trainee
Keyboarding Clerk II
Laborer
Public Safety Telecommunicator Trainee
Recreation Leader
Senior Clerk Typist

LEVEL 5

Account Supervisor/Treasurer
Assessing Clerk
Building Grounds Maintenance Worker
Fire Prevention Inspector
Planning/Zoning Administrator
Police Clerk
Pool Manager
Records Support Technician
Recreation Enforcement Officer
Sewer Laborer
Water Laborer
Water Meter Reader
Water/Sewer Collector

LEVEL 6

Equipment Operator
Omnibus Operator
Public Safety Telecommunicator
Public Works Repairer
Recycling Foreman
Road Repairer
Sewer Repairer
Truck Driver
Water Repairer

LEVEL 7

Certified Tax Collector/Tax Search Officer
Code Enforcement Officer
Park Caretaker
Parking Meter Enforcer
Payroll Clerk
Senior Public Safety Telecommunicator
Senior Sewer Repairer
Senior Water Repairer
Sewer Repairer 2
Special Police Officer
Water Repairer 2

LEVEL 8

Administrative Assistant
Court Attendant
Road Foreman
Sewer Foreman
Street Foreman
Supervising Public Safety Telecommunicator
Water Foreman

LEVEL 9

Assistant Director of Public Works
Assistant Public Works Supervisor
Assistant Water/Sewer Supervisor
Deputy Municipal Court Administrator
Sewer Plant Operator
Water Plant Operator

LEVEL 10

Code Enforcement Director
Community Development Director
Director of Public Works
Finance Director
Municipal Clerk/Registrar of Vital Statistics
Municipal Court Administrator
Municipal Department Head
Public Works Supervisor
Water/Sewer Supervisor

LEVEL 11

Police Patrolman

LEVEL 12

Police Sergeant

LEVEL 13

Chief Financial Officer
Police Lieutenant

Water/Sewer Superintendent

LEVEL 14
Police Chief

LEVEL 15
Town Manager

LEVEL 16
Assistant Right-to-Know Coordinator
Deputy Municipal Clerk
Deputy Registrar
Deputy Right-to-Know Coordinator
Right-to-Know Coordinator

LEVEL 17
Council Member
Mayor

LEVEL 18
Building Subcode Official/Inspector
Deputy Code Enforcement Officer
Deputy Emergency Management Coordinator
Electrical Subcode Official/Inspector
Emergency Management Coordinator
Fire Subcode Official
Plumbing Subcode Official/Inspector
Zoning Officer

LEVEL 19
Deputy Town Manager
Human Resources Director
Recreation Supervisor
Tax Assessor

Mayor Flynn opened the hearing to the public.

There being no one from the public to be heard, upon motion of Mrs. Becker, seconded by Deputy Mayor Diglio and unanimously carried, the hearing was closed.

Prior to approval, Mr. Russo noted one minor change to the "Schedule A" of this Ordinance. Level 19 salary range should reflect a maximum of \$60,000, not \$75,000.

The aforementioned **ORDINANCE** was offered by Deputy Mayor Diglio, who moved its adoption, 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	

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

Mayor Flynn directed the Clerk to read aloud the following Ordinances relative to final adoption.

ORDINANCE 2015-36

AN ORDINANCE AMENDING CHAPTER 307 "VEHICLES AND TRAFFIC " OF THE CODE OF THE TOWN OF NEWTON TO REVISE PARKING VIOLATIONS

WHEREAS, the Town Council has recently become aware of excessive parking violations in the Town; and

WHEREAS, it has been recommended that additional penalties be assessed to repeated lengthy violators of the parking restrictions;

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

Section 1. §307-6 "Parking prohibited during certain hours" shall be and is hereby amended to add the following sentence:

Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment.

Section 2. §307-7 "Parking time limited on certain streets" shall be and is hereby amended to add the following sentence:

Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment.

Section 3. §307-10.C “Parking time limited in municipal parking lots” shall be and is hereby amended to add the following sentence:

Additionally, whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment and subparagraph D, below.

Section 4. §307-25 “Occupying a space beyond legal time” shall be and is hereby amended to add the following sentence:

Additionally, whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment.

Section 5. §307-43 “Penalty” shall be and is hereby deleted in its entirety and revised to read as follow:

Unless another penalty is expressly provided within this Code, including Section 307-69, or by New Jersey statute, a person convicted of a violation of this chapter or any supplement hereto shall be liable for a penalty of not more than \$100 or imprisonment for a term not exceeding 15 days, or both.

Section 6. §307-69 “Schedule XIX: Local Supplemental Violations Bureau Schedule” shall be and is hereby revised to add the following paragraph:

C. Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, and receives additional summonses, the penalty for each summons shall total the same amount set forth above. (For example, a vehicle which parks on north Trinity Street between the hours of 8:00 a.m. and 5:00 p.m. on a weekday (referring to Sections 307-7 and 307-50) shall be subject to a summons and penalty for \$30 for parking beyond the limited time of 15 minutes, and an additional summons and penalty of \$30 if still parked 15 minutes after the issuance of the first summons. Additional summonses may thereafter be issued for each additional 15 minute violation.)

Additionally, such vehicles which exceed the time permitted by twice the ordinance limit may be subject to impoundment.

Section 7. 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 8. 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 9. Effective Date. This Ordinance will take effect after publication and passage according to law.

Mayor Flynn 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 Diglio and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE** was offered by Deputy Mayor Diglio, who moved its adoption, 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	

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

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

ORDINANCE 2015-3 7

AN ORDINANCE AMENDING SECTION 307A.(1) OF THE NEWTON TOWN CODE REGARDING POLICE DEPARTMENT APPOINTMENTS

The aforementioned **ORDINANCE** was offered by Deputy Mayor Diglio, who moved its introduction, 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	

BE IT RESOLVED by the Town of Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on December 28, 2015.

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 # 204-2015*

ESTABLISH SCHEDULE OF PUBLIC TOWN COU NCIL MEETINGS FOR 2016

WHEREAS, Section 13 of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to post and maintain posted throughout the year a schedule of the meetings of said public body;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, Sussex County, New Jersey that the following schedule for 2016 indicates all public meetings of the Newton Town Council will be held on the second and fourth Mondays of each month, except July and August, at 7:00pm, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey; and

		Council Meetings			
		7:00pm			
		2			
January	11 and	5	July	18	
		2			
February	8 and	2	August	22	
		2			
March	14 and	8	September	14* and	26
		2			
April	11 and	5	October	12* and	24
		2			
May	11* and	3	November	14 and	28
		2			
June	13 and	7	December	12 and	28*

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*Held Wednesday

Reorganizational Meeting

6:00pm

Friday, July 1, 2016

BE IT FURTHER RESOLVED, that, for the purposes of the Act, the official bulletin board for posting notices shall be the bulletin board in the first floor lobby of the Municipal Building at 39 Trinity Street, Newton, New Jersey, with said board being just outside the door of the Municipal Clerk’s Office; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey Herald and the NJ Sunday Herald, and a copy be filed with the Municipal Clerk; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be mailed to any person requesting notices of meetings of the Town Council pursuant to N.J.S.A. 10:4-19 and whoever has paid the required fee for such notice.

RESOLUTION # 205-2015*

CONCUR WITH THE TOWN MANAGER ’S APPOINTMENT OF SPECIAL POLICE OFFICERS

WHEREAS, within Chapter Thirty, Police Department, of the Revised General Ordinances of the Town of Newton, it indicates the Town Manager may appoint Special Police Officers for a term not to exceed one year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager’s appointment of the following individuals as Special Police Officers for calendar year 2016:

Class II

Raul Couce

Donald Donofrio

Stephen Moran

RESOLUTION # 206-2015*

APPOINTMENT OF JOSEPH CARR AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY WATER QUALITY POLICY ADVISORY COMMITTEE

BE IT RESOLVED, by the Town Council of the Town of Newton that the Assistant Supervisor Water and Sewer, Joseph Carr, is hereby appointed as the municipality’s representative to the Sussex County Water Quality Policy Advisory Committee for 2016 and will attend regular meetings of said Committee conducted on the second Thursday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED, that, if required, the Newton Assistant Supervisor Water and Sewer or his designee may also attend workshop meetings of the Sussex County Water Quality Policy Advisory Committee; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chairman of the Sussex Water Quality PAC.

RESOLUTION # 207-2015*

DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR CALENDAR YEAR 2016

BE IT RESOLVED, by the Town Council of the Town of Newton that Debra J. Millikin is hereby designated as the Public Agency Compliance Officer for the Town of Newton for 2016; and

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BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the NJ Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity, as requested by said agency.

RESOLUTION # 208-2015*

APPOINTMENT OF ADAM VOUGH AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE FOR 2016

BE IT RESOLVED by the Town Council of the Town of Newton that the Assistant Public Works Supervisor, Adam Vough, is hereby appointed as the municipality's representative to the Sussex County Solid Waste Advisory Committee to attend regular meetings of said Committee conducted on the second Tuesday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED that, if required, the Assistant Public Works Supervisor or his designee may also attend workshop meetings of the Sussex County Solid Waste Advisory Committee; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chairman of the Sussex County SWAC.

RESOLUTION # 209-2015*

DESIGNATION OF LINDA A. ROTH AS TAX SEARCH OFFICER FOR THE TOWN OF NEWTON FOR 2016

WHEREAS, N.J.S.A. 54:5-11 provides that each municipality within the State of New Jersey shall designate a person to act as the Tax Search Officer for the municipality; and

WHEREAS, Linda A. Roth, as Certified Tax Collector for the Town of Newton, is qualified to make examinations of the municipalities records as to unpaid municipal liens and to certify the results of that examination;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby designates Linda A. Roth as the Tax Search Officer for the Town of Newton.

RESOLUTION # 210-2015*

APPOINT THE TOWN MANAGER AS HEARING OFFICER IN ALL MATTERS OF DISPUTE REGARDING THE TOWN OF NEWTON FOR CALENDAR YEAR 2016

WHEREAS, certain matters may arise over the course of the year which require a hearing to be conducted for the purpose of resolving issues; and

WHEREAS, Thomas S. Russo, Jr., Town Manager of the Town of Newton, is the representative of the Governing Body, as well as the Chief Executive and Administrative Officer of the municipality;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the calendar year 2016.

RESOLUTION # 211-2015*

APPOINTMENT OF THE MUNICIPAL AUDITOR FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2016

WHEREAS, the Town of Newton has a need to acquire auditing services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the anticipated term of this contract is for calendar year 2016; and

WHEREAS, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. has submitted a proposal dated

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November 3, 2015 indicating they will provide the 2016 auditing services for \$26,000.00; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A has completed and submitted a Business Entity Disclosure Certification which certifies that Ferraioli, Wielkotz, Cerullo & Cuva, P.A has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit the Ferraioli, Wielkotz, Cerullo & Cuva, P.A from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available to support an agreement with Ferraioli, Wielkotz, Cerullo & Cuva, P.A in an amount of \$26,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Mayor to enter into a contract with Ferraioli, Wielkotz, Cerullo & Cuva, P.A as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be filed in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

RESOLUTION #212-2015*

AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR AUDITING SERVICES FOR REVIEW OF STATEMENT OF ASSETS AVAILABLE FOR BENEFITS FOR (LOSAP) WITH FERRAIOLI, WIELKOTZ, CERULLO & CUVA

WHEREAS, the Town of Newton will require the services of a qualified Auditor to examine the Statement of Net Assets Available for Benefits for the Town of Newton's Emergency Services Volunteer Length of Service Award Program (LOSAP) as of December 31, 2015; and

WHEREAS, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Mr. Thomas M. Ferry, RMA of the accounting firm Ferraioli, Wielkotz, Cerullo & Cuva, PA has furnished an appropriate contract for said services for a maximum contract amount of \$1,500.00; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, PA has completed and submitted a Business Entity Disclosure Certification with certifies that said firm has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit the firm from making any reportable contributions through the term on the contract; and

WHEREAS, the anticipated term of this contract is for calendar year 2016;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor, the Town Manager and the Treasurer are hereby authorized to execute a contract on behalf of the municipality for review of their LOSAP Statement of Net Assets Available for Benefit and said contract will remain on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED, that a copy of the fully executed contract be forwarded to Mr. Thomas Ferry, and that a notice of this award be published in accordance with the Local Public Contracts Law.

RESOLUTION #213-2015*

AUTHORIZE EXECUTION OF AGREEMENT BETWEEN THE TOWN OF NEWTON AND THE NEWTON PARKING AUTHORITY

WHEREAS, on January 15, 1982, the Town Council of the Town of Newton adopted an Ordinance authorizing the execution of an agreement with the Newton Parking Authority for the purpose of dedicating revenue from certain parking meters to said Parking Authority; and

WHEREAS, such agreements between governmental agencies and authorities may be extended each year by adoption of a Resolution of the Governing Body; and

December 14, 2015

WHEREAS, at a regular meeting of the Newton Parking Authority conducted on November 5, 2015, the members of the Authority approved an appropriate agreement for calendar year 2016 and authorized the Chairman and the Secretary to execute said agreement;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute said agreement with the Newton Parking Authority, dedicating revenue from certain parking meters to said Authority and describing certain services to be performed on behalf of the Authority by the Town of Newton during calendar year 2016.

RESOLUTION #214-2015*

DESIGNATE NEWSPAPERS THAT WILL RECEIVE NOTICES REQUIRED BY THE NJ OPEN PUBLIC MEETINGS ACT FOR 2016

WHEREAS, Section 3D(2) of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to designate two (2) newspapers to receive notices required to be mailed, telephoned, telegraphed or hand delivered;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby designates the newspapers listed below as newspapers to receive notices required by the Open Public Meetings Act:

New Jersey Herald

New Jersey Sunday Herald

RESOLUTION #215-2015*

DESIGNATE LEGAL NEWSPAPERS FOR CALENDAR YEAR 2016

BE IT RESOLVED by the Town Council of the Town of Newton that the newspapers listed below be designated as the official newspapers for the Town of Newton for legal advertising during the 2016 calendar year:

New Jersey Herald

New Jersey Sunday Herald

RESOLUTION #216-2015*

DESIGNATE THE TOWN MANAGER AS NATIONAL ORGANIZATION ON DISABILITY REPRESENTATIVE

WHEREAS, the Town Manager has historically been appointed as the National Organization of Disability representative for the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Manager, Thomas S. Russo, Jr., is hereby appointed as the National Organization on Disability representative for the Town of Newton; and

BE IT FURTHER RESOLVED that the Mayor and the Town Manager are authorized to sign any documents that may be required by the National Organization on Disability to confirm this appointment.

RESOLUTION #217-2015*

ESTABLISH THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DUE DATE

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:6-67 has been amended to permit the fixing of said rate at eight percent (8%) per annum for the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum for amounts in excess of \$1,500.00, and an additional penalty of six percent (6%) may be collected for delinquencies in excess of \$10,000.00 from property owners who fail to pay the delinquency prior to the end of the calendar year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to charge an eight percent (8%) per annum rate of interest on the first \$1,500.00 of taxes which become delinquent after the tax due date, and a rate of eighteen percent (18%) per annum interest on any amount of taxes due in excess of \$1,500.00 which becomes delinquent after the tax due date; and

BE IT FURTHER RESOLVED, that the Tax Collector is also authorized and directed to charge an additional penalty of six percent (6%) if a delinquency is in an amount in excess of \$10,000.00 and remains in arrears beyond December 31st of each calendar year; and

BE IT FURTHER RESOLVED, that the ten (10) day grace period for quarterly tax payments shall remain in effect, that any payment of taxes not made on or before the due date in accordance with this Resolution shall be charged interest from the due date as set forth by law, and that this Resolution shall take effect immediately.

RESOLUTION #218-2015*

CANCELLATION OF SMALL BALANCES

WHEREAS, N.J.S.A. 40A: 5-17.1 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than ten (\$10.00) dollars; and

WHEREAS, the Town Council of the Town of Newton may authorize the Tax Collector to process, without any further action on the part of the Governing Body, any cancellation of property tax refunds or delinquencies of less than ten (\$10.00) dollars;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton in the County of Sussex, State of New Jersey, that the Tax Collector is hereby authorized to process the cancellation of any property tax refunds or delinquencies of less than ten (\$10.00) dollars.

RESOLUTION #219-2015*

APPOINT LOCAL EMERGENCY PLANNING COMMITTEE

WHEREAS, Appendix A:9-41 of the NJ Statutes Annotated, and N.J.A.C. 13:64-2.3 pertaining to Emergency Management, require that every New Jersey municipality create a Local Emergency Planning Committee; and

WHEREAS, the individual appointed as the local Emergency Management Coordinator shall also be a member of, and shall serve as Chairman of, said Local Emergency Planning Committee;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the appointment of the individuals recommended by Emergency Management Coordinator Kenneth A. Teets for membership on the Newton Local Emergency Planning Committee for calendar year 2016 as listed below:

- | | |
|---------------------------|--|
| Kenneth A. Teets | Emergency Management Coordinator |
| Dan Finkle | Deputy Emergency Management Coordinator |
| Deborah Danielson | Deputy Emergency Management Coordinator |
| Chief Michael S. Richards | Newton Police Department |
| Thomas S. Russo, Jr. | Newton Town Manager |
| Chief Jason Miller | Newton Fire Chief |
| Captain, To be determined | Newton Vol. First Aid and Rescue Squad |
| Ken Jaekel | Newton Public Works Supervisor |
| Joseph Carr | Assistant Supervisor Water and Sewer |
| Lorraine A. Read | Newton Municipal Clerk |
| Debra Millikin | Deputy Town Manager |
| Terri Oswin | Deputy Municipal Clerk/Assistant to Town Manager |
| Joseph Butto | Newton/Hardyston Construction Official |
| Dr. Kennedy Greene | Newton School Superintendent |
| Robert Moorehead | Radio Station WNNJ |

RESOLUTION #220-2015*

DESIGNATE OFFICIALS TO SIGN CHECKS

BE IT RESOLVED by the Town Council of the Town of Newton that the Town Manager, the Town Treasurer and/or the Chief Financial Officer are hereby designated as officials authorized to sign all municipal checks, Water and Sewer Utility checks, and payroll checks during calendar year 2016.

RESOLUTION #221-2015*

TO CANCEL CAPITAL APPROPRIATION BALANCES IN THE GENERAL CAPITAL FUND

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, Bond Ordinance #2013-7 was adopted February 25, 2013 reappropriating \$29,000 of proceeds of obligations not needed for their original purpose from Bond Ordinance #2012-13 Section 3c, adopted April 9, 2012 for the Acquisition of Equipment for the Department of Public Works; and

WHEREAS, the Town Manager and other Town Officials have reviewed and determined that there are no additional costs for these projects; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances totaling \$807.01 may be returned to each respective Capital Improvement Fund or credited to Fund Balance, and unused debt authorizations may be cancelled;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton that the following unexpended and dedicated balances of the General Capital appropriations totaling \$807.01 be cancelled:

<u>Ordinance Number</u>	<u>Date Auth.</u>	<u>Project Description</u>	<u>Amount Cancelled Funded</u>
2013-7	2/25/13	Reappropriate \$29,000 proceeds for Acquisition of Equipment for the Department of Public Works	\$807.01

RESOLUTION #222-2015*

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:
 - a) 32 Safariland Basket Weave PX4 Holsters Ser #6258-108 BER PK4 3307
 - b) 22 Safariland Smooth finished PX4 Holsters Ser#6280-180-BER PK4 2409
 - c) 35 Safariland Smooth finished PX4 Light bearing Holsters 6280-1804 -BER PX4 M-3M-6 light 4912
 - d) 1 Safariland Basket Weave Holster PX4 6285-180 BER-PX 2308
 - e) 9 Safariland Basket Weave Holster PX4 6285-180 BER 3407
 - f) 1 Safariland Smooth finished PXR Holster 6280-180-BER PX4 2709
 - g) 1 Safariland Basket Weave PX4 Holster 6285-180-BER-PX4 208
 - h) 1 Sarariland Smooth Finished Light bearing PX4 Holsters
 - i) 6280-1821-BERm3m6 3318
 - j) 2 Gould & Goodrich Plain Holsters B73380FLH
 - k) 1 Safariland Smooth Finished PX4 Holsters 6280-180-BER-PR4 189

- l) 2 Fobus Beretta Holster GL2*EMZ
 - m) 4 Uncle Mikes Nylon Divided Pistol Mag Case #8836-7
 - n) 7 Side Kick Nylon Divided Pistol Mag Case
 - o) 3 Safariland Nylon Divided Pistol Mag Case
 - p) 20 Safariland Clock 3307 Basket Weave Divided Mag Case
 - q) 23 Safariland S&W Ber 92 Basket Weave Divided Mag Case
- 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 #223-2015*

APPOINTMENT OF RALPH CARCHIA TO THE UTILITY ADVISORY BOARD

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

WHEREAS, Ralph Carchia 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 Ralph Carchia is hereby appointed to a unexpired five (5) year term on the Utility Advisory Board, effective immediately with said term continuing to December 31, 2018.

RESOLUTION #224-2015*

AUTHORIZE AN AGREEMENT WITH HOLZHAUER & HOLENSTEIN, LLC FOR APPRAISAL SERVICES FOR DEFENSE OF STATE LEVEL TAX APPEALS IN CALENDAR YEAR 2016

WHEREAS, the Town of Newton anticipates the need for a professional appraiser and consultant in connection with emerging and ongoing tax appeals litigation within the Town of Newton; and

WHEREAS, Michael Holenstein of Holzhauer & Holenstein, LLC has submitted a proposal for his continued appraisal services to defend such tax appeals, which is acceptable to the Newton Governing Body; and

WHEREAS, appraisal service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, the anticipated term of this contract is one (1) year, January 1, 2016 through December 31, 2016; and

WHEREAS, the Chief Financial Officer has certified that funds are available to support an agreement with Holzhauer & Holenstein, LLC, for appraisal services in an amount not to exceed \$17,500;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the execution of an agreement with Holzhauer & Holenstein, LLC, for appraisal services as outlined in Mr. Holenstein’s proposal dated November 23, 2015; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Holzhauer & Holenstein, LLC and that a notice of this agreement be in the newspaper of record published in accordance with the Local Public Contracts Law.

RESOLUTION #225-2015*

FINAL ACCEPTANCE OF THE TRAFFIC SIGNAL IMPROVEMENTS FOR TRINITY STREET

WHEREAS, on June 8, 2015 by way of adoption of Resolution #88-2015, the Newton Town Council awarded a contract to FAI-GON Electric, Inc., for the Traffic Signal Improvements for Trinity Street in the amount of \$297,875.00; and

December 14, 2015

WHEREAS, on November 23, 2015 by way of adoption of Resolution #201-2015, the Newton Town Council approved Change Order No. 1 for the Traffic Signal Improvements for Trinity Street bringing the new contract total to \$297,210.50; and

WHEREAS, in a memo to the Town Manager dated November 23, 2015, Town Engineer, Harold E. Pellow, P.E., L.S., of Harold E. Pellow & Associates, Inc., 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 concurs with the Town Engineer's recommendation and accepts the Traffic Signal Improvements for Trinity Street Project as final and complete so that final paperwork can be started and a one (1) year Maintenance Bond secured by the contractor; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to FAI-GON Electric, Inc., and the Town Engineer.

RESOLUTION #226-2015*

AUTHORIZE TAX ASSESSOR, THE TOWN ATTORNEY, SPECIAL TAX COUNSEL AND THE TOWN MANAGER TO ACT ON BEHALF OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2016 WITH REGARD TO TAX APPEALS

BE IT RESOLVED, by the Town Council of the Town of Newton that the Municipal Tax Assessor, Special Tax Counsel and the Town Attorney are hereby authorized to defend all contest appeals before the Sussex County Board of Taxation and the Tax Court of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Tax Assessor, Special Tax Counsel and the Town Attorney are also hereby authorized to initiate municipal appeals to correct the Town of Newton tax listing including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as may be necessary to correct the assessments for the Town of Newton; and

BE IT FURTHER RESOLVED, that the Municipal Assessor, the Municipal Attorney, Special Tax Counsel and the Town Manager are hereby designated as the agents of the Town of Newton for the purpose of signing settlements of the foregoing matters by stipulation for the 2016 Calendar Year.

RESOLUTION #227-2015*

DESIGNATE CHIEF FINANCIAL OFFICER/FINANCE DIRECTOR AS THE INDIVIDUAL AUTHORIZED TO SELL BOND ANTICIPATION NOTES

WHEREAS, it is necessary from time to time for the Town of Newton to sell Bond Anticipation Notes or other Notes for the benefit of the municipality; and

WHEREAS, the Chief Financial Officer/Finance Director is the individual responsible for maintaining the financial records of the Town of Newton;

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

- 1) The Chief Financial Officer/Finance Director is hereby authorized to sell Bond Anticipation Notes and directed to determine all matters in connection with said Notes not determined by this or subsequent Resolutions.
- 2) The Chief Financial Officer/Finance Director is directed to report in writing to the Governing Body at the meeting next succeeding the date when the sale or delivery of Notes pursuant to this Resolution is made. Such report is to include the amount, description, interest rate, maturity of the Notes sold, the price obtained, and the name of the purchaser.
- 3) This Resolution shall take effect immediately upon its adoption.

RESOLUTION #228-2015*

APPOINTMENT OF DEBORAH DANIELSON AS ACTION ALLIANCE COORDINATOR FOR THE TOWN OF NEWTON FOR 2016

December 14, 2015

BE IT RESOLVED, by the Town Council of the Town of Newton that Deborah Danielson be and is hereby appointed as the Action Alliance Coordinator for the Town of Newton during calendar year 2016.

RESOLUTION #229-2015*

AUTHORIZE EXECUTION OF A SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL AND POUND SERVICES WITH THE TOWNSHIP OF WANTAGE COVERING CALENDAR YEAR 2016

WHEREAS, the Town of Newton desires to enter into a shared service agreement with the Township of Wantage for animal control and pound services; and

WHEREAS, the annual fee for the calendar year 2016 is \$16,687; and

WHEREAS, sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2016 for said services;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement for animal control and pound services, in duplicate, with the Township of Wantage for calendar year 2016; and

BE IT FURTHER RESOLVED that a copy of said agreement shall be placed on file in the Municipal Clerk’s office and available for public viewing.

RESOLUTION #230-2015*

DESIGNATE BANKS AS DEPOSITORIES FOR CALENDAR YEAR 2016

BE IT RESOLVED, by the Town Council of the Town of Newton that the following policy is hereby adopted pertaining to Town funds for calendar year 2016:

1) The cash management and investment objectives for the Town of Newton include preservation of capital, adequate safekeeping of assets, maintenance of liquidity to meet operating needs, diversification of the Town’s portfolio to minimize risks associated with individual investments, and investment of assets in accordance with State and Federal laws and regulations.

2) The following banks are hereby authorized to be used as depositories for Town funds:

- PNC Bank
- Bank of New York Mellon (Chase)
- New Jersey Cash Management Fund
- Sussex Bank
- Lakeland Bank
- First Hope Bank
- Santander Bank (Sovereign Bank)
- TD Bank
- Highland State Bank
- Valley National Bank
- Wells Fargo Bank, N.A.

Beginning with the filing of September 30, 2010 a list of banks that participate in the Governmental Unit Deposit Protection Act (GUDPA) and the type of certificate of eligibility is available quarterly from the State of New Jersey, Department of Banking and Insurance website: http://www.state.nj.us/dobi/division_banking/depositories/gudpa.htm. The Chief Financial Officer/Finance Director will review this site and provide the Town Auditor with a copy of this list.

The above designated official depositories are required to submit to the Chief Financial Officer/Finance Director a copy of the institution’s “Annual Report” each year. This may also be satisfied electronically.

3) All funds shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer/Finance Director shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer/Finance Director.

4) Permissible investments for the Town of Newton shall include a) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America; b) government money market mutual funds; c) any Federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors; d) Bonds or other obligations of the local unit or school districts of which the local unit is a part; e) any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments; f) local government investment pools; g) New Jersey State Cash Management Fund; and h) repurchase agreements of fully collateralized securities.

5) The Chief Financial Officer/Finance Director is authorized and directed to make investments on behalf of the Town of Newton. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6) Securities purchased on behalf of the Town of Newton shall be delivered electronically or physically to the Town’s custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Town.

7) The Chief Financial Officer/Finance Director shall report to the Town Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

8) The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

9) The Chief Financial Officer/Finance Director shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

RESOLUTION #231-2015*

APPOINTMENT OF KEITH MITCHELL OF THE MITCHELL INSURANCE AGENCY AS INSURANCE AGENT

WHEREAS, the Town Council of the Town of Newton previously appointed local insurance agents to provide insurance coverage on behalf of the municipality; and

WHEREAS, said insurance services will be needed during calendar year 2016;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Mr. Keith Mitchell, of the Mitchell Agency, 29 Trinity Street, Newton, NJ 07860 be named as agent of record effective January 1, 2016 for the following insurance policies:

- | | |
|-----------------------------|------------------|
| a) Package | SIF2016-07860NEW |
| b) Workers’ Compensation | WC1407860NEW |
| c) Umbrella Policy | S1730038 |
| d) Fire Accident Insurance | VFP-4231-8172D-0 |
| e) Fire Life AD&D Insurance | G600592-0001 |

BE IT FURTHER RESOLVED, that the above named insurance agent is appointed to provide insurance services without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because the services to be provided are of a nature requiring specific professional skills and knowledge; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

RESOLUTION #232-2015*

REINBURSE TOWN EMPLYEES FOR VEHICLE EXPENSES

WHEREAS, certain Town of Newton employees use their private vehicles in connection with Town business; and

WHEREAS, such employees routinely use their vehicles for travel within Sussex County; and

WHEREAS, it is appropriate to reimburse said Town employees for use of their personal vehicles;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the employees listed below receive the following quarterly allowances for all vehicular trips within Sussex County effective January 1, 2016:

<u>Employee</u>	<u>Position</u>	<u>Estimated Miles/Otr.</u>	<u>Quarterly Amount</u>
Debra Millikin	Deputy Town Manager	250 miles	\$143.75
Scott Holzhauer	Tax Assessor	200 miles	\$115.00
Michael Teets	Deputy Fire Chief	200 miles	\$115.00
Deborah Danielson	Recreation Supervisor	200 miles	\$115.00

BE IT FURTHER RESOLVED that for out-of-town business trips, employees and officers of the Town of Newton who use their personal means of transportation shall be reimbursed, in accordance with the IRS standard allowance for business miles driven, in effect at the time of travel, from Newton to the point of destination and return during calendar year 2016.

RESOLUTION #233-2015*

AUTHORIZE THE SALE OF BRINE SOLUTION TO MUNICIPALITIES

WHEREAS, the Town of Newton has the equipment necessary to make a brine solution which is used on roadways in preparation for inclement weather; and

WHEREAS, in the past, other municipalities have purchased the brine solution from the Town of Newton; and

WHEREAS, the Newton Town Council desires to authorize the sale of brine solution to other municipalities to the extent it is available, subject to the terms and conditions of this Resolution; and

WHEREAS, the New Jersey Local Public Contracts Law authorizes the sale of items such as the brine solution to a local government agency in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-36(2), without the need for bids or public auctions;

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

1. The Town of Newton may sell to other municipalities brine solution to the extent that the Town of Newton has the solution available.
2. The DPW Supervisor or his designee shall be responsible for monitoring the quantities of brine solution sold and provide the information to the Town of Newton CFO or his/her designee for invoicing purposes.
3. The sale price of the brine solution at the time of this Resolution is \$0.50 per gallon; however, the Town of Newton reserves the right to adjust the sale price in the event the costs to the Town of Newton increase during the term of this Resolution. Upon receipt of the invoice, the purchasing municipality shall submit a purchase order or voucher to the Town of Newton. Payment of the invoice is expected within 30 days of the invoice date.
4. A copy of this Resolution shall be placed on file with the Clerk of the Town of Newton.
5. This Resolution shall take effect immediately and shall remain in effect through December 31, 2016, or as such time as the Town Council modifies or repeals this Resolution.

RESOLUTION #234-2015*

TRANSFER OF SCHOOL MONIES FOR THE PERIOD FROM JANUARY 1, 2016 TO JUNE 30, 2016

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,

December 14, 2015

\$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	6,189,899.00
Amount of This Request	<u>6,189,899.00</u>
Balance Due Board of Education	.00

RESOLUTION #235-2015*

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:

7/20/15
8/24/15
10/26/15

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

RESOLUTION #236-2015*

**APPROVAL OF A RENEWAL APPLICATION FOR A JUNK DEALERS LICENSE FOR
NEWTON AUTO EXCHANGE**

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

WHEREAS, said renewal application for the Junk Dealer's License lists the business as Newton Auto Exchange at 79 Mt. View Street, Newton, New Jersey; and

WHEREAS, Section 156.8 requires the Health Officer, Construction Official, Fire Official, Public Works Supervisor, and Zoning Officer are authorized and directed to make periodic inspections of all licensed junkyards in the Town for the purpose of ascertaining the business is being conducted on the licensed premises in accordance with the provision of Chapter 156; and

WHEREAS, Newton Auto Exchange has obtained the necessary approvals as required in Section 156-8; and

WHEREAS, Newton Auto Exchange has provided a two hundred dollar (\$200.00) bond conditioned for the due observance of all ordinances of the Town relating to the business of retail junk dealer;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for a renewal Junk Dealer License submitted by Michael F. Sesera, Jr., t/a Newton Auto Exchange, 79 Mt. View Street, Newton, N.J., which shall expire on December 31, 2015.

RESOLUTION #237-2015*

**APPOINTMENT OF JESSICA C. CALDWELL, P.P., A.I.C.P., AS TOWN PLANNER FOR
CALENDAR YEAR 2016**

WHEREAS, the Town of Newton requires the services of a qualified Planning Consultant for the Town of Newton on an annual basis; and

WHEREAS, planning services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Jessica C. Caldwell, P.P., A.I.C.P., of J. Caldwell & Associates has submitted a Scope of Services proposal outlining the services to be provided; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2016;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby reappoints Ms. Jessica Caldwell of J. Caldwell & Associates, LLC as Town Planner for calendar year 2016 based on her Scope of Services proposal attached hereto dated December 2, 2015; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Ms. Caldwell, at J. Caldwell & Associates, LLC; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

RESOLUTION #238-2015*

TO TRANSFER THE CURRENT APPROPRIATION BALANCE RESERVE TAX APPEALS AND SET UP A RESERVE FOR TAX APPEALS ON THE CURRENT TRIAL BALANCE

WHEREAS, the following Current Fund 2015 budget appropriation balance remains unexpended;

Reserve for Tax Appeals A/C#1094570	\$ 50,000.00
-------------------------------------	--------------

WHEREAS, the Governing Body wishes to reserve this balance in the Current Fund as a reserve so if tax appeals are resolved in a future year this funding may be used;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton, that the above listed unexpended balances of the 2015 Current Budget be canceled and reserved in Current as a Reserve for Tax Appeals.

RESOLUTION #239-2015*

APPROVING REVISED PERSONNEL POLICIES AND PROCEDURE MANUAL AND EMPLOYEE HANDBOOK

WHEREAS, the Town of Newton has adopted a Personnel Policies and Procedures Manual and Employee Handbook (“Handbook”), which applies to all Town officials, appointees, employees, volunteers and independent contractors, providing guidelines covering public service by Town employees, and is not a contract; and

WHEREAS, amendments and supplements to the Handbook become effective via resolution of the Town Council, per Ordinance 2013-34; and

WHEREAS, the Town of Newton has determined that certain portions of the Handbook regarding workers’ compensation pay (Section 4.6(i) and (j)), sick leave pay upon retirement (Section 5.3(e)) and vacation pay upon termination of employment (Section 5.4(d)) are in need of revision;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that the Handbook is hereby amended, as set forth in the new policies, 4.6(i) and (j)- Workers’ Compensation, 5.3(e)- Sick Leave, and Section 5.4(d) - Vacation Leave, attached hereto, to become effective January 1, 2016.

RESOLUTION #240-2015*

CONCUR WITH THE TOWN MANAGER’S APPOINTMENT OF POLICE OFFICERS FOR CERTIFICATION NO. OL151178

December 14, 2015

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager’s appointment of the following individuals as Police Officers from the New Jersey Civil Service Commission “Certification of Eligibles For Appointment” list No. OL151178 effective December 28, 2015:

Edward R. Sperling

Russell Post

RESOLUTION #241-2015*

APPOINTMENT OF HATCH MOTT MACDONALD, AS SEWER ENGINEER FOR CALENDAR YEAR 2016

WHEREAS, the Town of Newton requires the services of a qualified Engineering Consultant for the Newton Sewer Utility on an annual basis; and

WHEREAS, Sewer engineering services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Hatch Mott MacDonald has submitted a proposal outlining the services to be provided; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2016;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby reappoints Hatch Mott MacDonald, as Sewer Engineer for calendar year 2016 based on the Proposal for Professional Engineering Services dated December 2, 2015 attached hereto; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Hatch Mott MacDonald; and

BE IT FURTHER RESOLVED, that a notice of this action shall be published once in the New Jersey Herald.

RESOLUTION #242-2015*

APPROVE CHANGE ORDER NO. 1 FOR THE PROPOSED IMPROVEMENTS TO SPRING STREET PROJECT

WHEREAS, the Town Council of the Town of Newton awarded a contract for the Proposed Improvements for Spring Street to Tony’s Concrete Construction Co., in the amount of \$232,615.00 by Resolution #87-2015, which was adopted on June 8, 2015; and

WHEREAS, the Town Engineer, Harold E. Pellow & Associates, Inc., recommends the approval of Change Order No. 1 for the Proposed Improvements to Spring Street Project. This change order will result in a \$9,378.20 decrease in the contract amount to a new contract total of \$223,236.80; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves Change Order No. 1 for the Proposed Improvements to Spring Street Project based on the recommendation of Harold E. Pellow and Associates, and that the Mayor or Deputy Mayor is authorized to execute said Change Order No. 1 resulting in a new contract total of \$223,236.80.

RESOLUTION #243-2015*

APPOINTMENT OF MARGE CAFFREY AS SENIOR CITIZEN COORDINATOR FOR THE TOWN OF NEWTON FOR 2016

BE IT RESOLVED, by the Town Council of the Town of Newton that Marge Caffrey be and is hereby appointed as the Senior Citizen Coordinator for the Town of Newton during calendar year 2016.

RESOLUTION #244-2015*

APPROVE PURCHASE OF TURN OUT GEAR FOR THE NEWTON FIRE DEPARTMENT

WHEREAS, Skylands Area Fire Equipment & Training, LLC has supplied a quote dated September 11, 2015, under NJ State Contract #80948 to the Newton Fire Department for the purchase of turn out gear in the amount of \$47,368.73; and

WHEREAS, the Purchasing Agent and the Chief of the Fire Department recommend the purchase of the turnout gear in the amount of \$47,368.73; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the turn out gear be purchased from Skylands Area Fire Equipment & Training LLC, Riverdale, NJ through NJ State Contract #80948, in the amount of \$47,368.73.

RESOLUTION #245-2015*

APPROVE PURCHASE OF 2016 FORD EXPEDITION SSV 4X4 FOR THE NEWTON FIRE DEPARTMENT

WHEREAS, Beyer Ford has supplied a quote under Morris County Cooperative Pricing Council Contract #15C Item 5 to the Newton Fire Department for the purchase of a 2016 Ford Expedition SSV in the amount of \$43,282.75; and

WHEREAS, the Qualified Purchasing Agent and the Chief of the Newton Fire Department have recommended the purchase of the 2016 Ford Expedition SSV in the amount of \$43,282.75; and

WHEREAS, the Chief Financial Officer 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 Expedition SSV be purchased from Beyer Ford, Morristown, NJ through the Morris County Cooperative Pricing Council Contract #15C Item 5 in the amount of \$43,282.75.

RESOLUTION #246-2015*

APPOINTMENT OF MUNICIPAL ATTORNEY, CONFLICT MUNICIPAL ATTORNEY, ENVIRONMENTAL, LABOR COUNSEL AND PROSECUTOR FOR CALENDAR YEAR 2016

WHEREAS, the Town of Newton has a need to acquire legal counsel for certain specific matters under non-fair and open contracts pursuant to provisions of N.J.S. 19:44A-20; and

WHEREAS, said professional services will be needed by the Town of Newton during calendar year 2016, and appropriate agreements for the appointment of each attorney have been prepared and executed by said attorneys; and

WHEREAS, the below named professionals have completed and submitted a Business Entity Disclosure Certification which certifies that each professional has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and that the contract will prohibit the professional from making any reportable contributions through the term of the contract; and

WHEREAS, the anticipated term of each individual contract is one (1) year;

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to execute an agreement in duplicate with each professional listed below:

- | | |
|---|----------------------|
| Ursula H. Leo, Esq. of
Laddey, Clark & Ryan, LLP | Municipal Attorney |
| Jonathan E. McMeen, Esq., of
Laddey, Clark & Ryan, LLP | Municipal Prosecutor |
| James T. Prusinowski
Trimboli & Prusinowski, LLC | Labor Counsel |

December 14, 2015

Edward J. Buzak, Esq. of
The Buzak Law Group

Conflict Municipal Attorney
Environment Counsel

BE IT FURTHER RESOLVED that a fully executed copy of each agreement be provided to each of the respective attorneys with a certified copy of this Resolution and advertised according to State Statute.

RESOLUTION #247-2015*

AUTHORIZE AND DIRECT THE TAX COLLECTOR TO SELL MUNICIPAL LIENS IN ACCORDANCE WITH NEW JERSEY LAW IN 2016

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, 2015 in a manner prescribed by NJSA 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 2016.

RESOLUTION #248-2015*

REAPPOINTMENT OF REV. RICHARD L. CARLSON TO THE ADVISORY BOARD OF HEALTH

BE IT RESOLVED, by the Town Council of the Town of Newton that Rev. Richard L. Carlson is hereby reappointed to a full five-year term on the Advisory Board of Health, effective January 1, 2016 and continuing through December 31, 2020.

RESOLUTION #249-2015*

REAPPOINTMENT OF RALPH PORTER AS A CLASS A MEMBER OF THE HISTORIC PRESERVATION ADVISORY COMMISSION

BE IT RESOLVED, by the Town Council of the Town of Newton that Ralph Porter is hereby reappointed to a four (4) year term on the Historic Preservation Advisory Commission as a Class A member effective January 1, 2016 with said term continuing to December 31, 2019.

RESOLUTION #250-2015*

REAPPOINTMENT OF JOSEPH RICCIARDO TO THE NEWTON PLANNING BOARD

BE IT RESOLVED, by the Town Council of the Town of Newton that Joseph Ricciardo is hereby reappointed to the Newton Planning Board, effective January 1, 2016 expiring on December 31, 2019.

RESOLUTION #251-2015*

REAPPOINTMENT OF MICHAEL TEETS, WALLACE (HANK) SMITH AND FRANK SEBASTIANO TO THE ADVISORY RECREATION COMMISSION

BE IT RESOLVED, by the Town Council of the Town of Newton that Michael Teets, Wallace (Hank) Smith and Frank Sebastiano are each hereby reappointed to a full five-year term on the Advisory Recreation Commission, effective January 1, 2016 and continuing through December 31, 2020.

RESOLUTION #252-2015*

REAPPOINTMENT OF KENT HARDMEYER TO THE ADVISORY SHADE TREE COMMISSION

BE IT RESOLVED by the Town Council of the Town of Newton that Kent Hardmeyer is hereby reappointed to a full five-year term on the Advisory Shade Tree Commission effective immediately and continuing through May 31, 2020.

RESOLUTION #253-2015*

REAPPOINTMENT OF REV. FRANK LEONE TO THE NEWTON PARKING AUTHORITY

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Rev. Frank Leone is hereby reappointed to a five (5) year term on the Newton Parking Authority, effective immediately with said term continuing to December 31, 2020.

RESOLUTION #254-2015*

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

1,377.46	Quill Corporation	35944
83.50	MGL Forms- Systems, LLC.	35945
2,181.50	Pellow, Harold & Assoc., Inc.	35946
450.00	Inst For Forensic Psychology, Inc.	35947
629.40	Furgiuele, Camille	35948
15,265.79	JCP&L	35949
112.00	Teets, Michael D	35950
629.40	Zenes, Nancy	35951
2,948.42	Centurylink Communications, Inc.	35952
1,258.80	Frisbie, Arthur & Rita	35953
1,258.80	Iliff, John and Terry	35954
54.00	Neopost Leasing, Inc.	35955
36.21	Federal Express	35956
6,043.50	Newton First Aid Squad	35957
120.00	New Jersey Planning Officials	35958
112.00	Holzhauer, Scott	35959
1,258.80	Kays, Peter J.	35960
1,769.50	Willco, Inc.	35961
1,125.00	Sloan, James PPC.	35962
135.76	Treasurer, Petty Cash Fund	35963
168.00	Newton Trophy	35964
37.50	Kithcart, Brock	35965
175.00	Galls Incorporated	35966
419.60	Donofrio, Donald	35967
629.40	Garris, Jean	35968
88.84	Sebring Auto Parts, Inc.	35969
105.00	Greater Newton Chamber of Comm.	35970
140.00	Millikin, Debra	35971
30.00	Sussex County Clerk's Assn	35972
629.40	Richards, Jean	35973
1,565.27	Boonton Tire Supply Inc.	35974
741.69	McGuire, Inc.	35975
708.36	Vision Service Plan	35976
629.40	Ransnorth, Nancy	35977
192.63	Verizon Wireless, Inc.	35978
1,556.10	Verizon Wireless, Inc.	35979
115.00	Accurate Door, Inc.	35980
99.00	Institute Professional Develop	35981
161.78	Cooper Electric Supply Co.	35982
37.50	Teresa Ann Oswin	35983
629.40	Romyns, Larry E.	35984
1,258.80	Morris, Thomas & Bulah	35985
84.00	Danielson, Deborah	35986
12,650.00	Newton Fire Department	35987
927.89	Staples Business Advantage, Inc.	35988
553.12	Staples Business Advantage, Inc.	35989
629.40	Douglas, Cummins	35990
186.26	Dominick's Pizza LLC	35991

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1,675.00	Black Lagoon	35992
1,735.80	Rachels/Michele's Oil Company, Inc.	35993
3,194.43	Taylor Oil Co., Inc.	35994
2,458.36	Laddey, Clark & Ryan, LLP	35995
2,520.00	Laddey, Clark & Ryan, LLP	35996
583.60	Laddey, Clark & Ryan, LLP	35997
1,258.80	Ronald Clouse	35998
237.88	Barco Products Inc.	35999
1,155.00	Municipal Record Service	36000
1,195.00	General Code, LLC	36001
226.66	Thomas S. Russo Jr	36002
218.78	W.B. Mason, Inc.	36003
1,632.00	Weather Works, Inc.	36004
927.72	Garden State Highway Products, Inc.	36005
319.99	B & H Inc.	36006
2,600.00	Code 96 LLC	36007
629.40	James J. Kilduff	36008
1,710.08	Trimboli & Prusinowski, LLC.	36009
689.70	Penteledata	36010
1,770.00	Chelbus Cleaning Co., Inc.	36011
629.40	Steve Mills	36012
629.40	Michael A Pandiscia	36013
205.11	Thyssenkrupp Elevator Corp.	36014
468.75	Kozdeba & Son LLC.	36015
167.95	Daniel Flynn	36016
125.93	United Telephone/Century Link	36017
43.43	Toyota/Subaru/Scion of Morristown I	36018
210.00	USA Hoistco., Inc.	36019
1,317.50	Leda Gonzalez	36020
1,080.00	Resolutions	36021
629.40	Ann Rosellen	36022
250.00	Northern Border Tree Farms	36023
967.40	Johnny On The Spot, LLC.	36024
260.00	Azul Core	36025
3,791.67	John Mulhern	36026
93.40	Municipal Safety Supply	36027
10,153.14	Warren County Service Center Inc.	36028
398.92	Kyle Bucenec	36029
139.56	Elavon	151076
179,705.11	Payroll Account	151075
28,462.79	Payroll Account	151074
5,000.00	Federal & State Grant	151073
182,640.21	Payroll Account	151072
286.00	Payroll Account	151067
1,000.00	Frank Sebastiano-Franky's Café LL	35943
54.00	Thomas S Russo Jr	35942
1,031,649.83	Newton Board of Education	151071

CAPITAL

12,069.50	Pellow, Harold & Assoc., Inc.	8488
4,500.00	Current Account	8489
16,228.50	L-3 Comm. Mobile-Vision	8490
30,400.38	Tony's Concrete Constr Co, Inc	8491
4,141.20	Grinnell Recycle, Inc.	8492
1,820.50	Sparta Ready Mix, Inc.	8493
597.50	Gravity Design Works, Inc.	8494
32.00	Laddey, Clark & Ryan, LLP	8495
3,750.00	FKA Architects Inc.	8496
34,251.50	Beyer Ford	8497
6,810.36	PM Pool Service	8498
60.00	NJ Motor Vehicle Services	8487
167,836.27	FAI-GON Electric, Inc.	8486

Total TOWN BILLS \$ 1,821,592.99

WATER AND SEWER ACCOUNT

1,994.75	Pellow, Harold & Assoc., Inc.	15328
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December 14, 2015

18,291.30	JCP&L	15329
3,631.10	Pumping Services, Inc.	15330
109.15	Sussex County P & H, Inc.	15331
1,156.89	Centurylink Communications, Inc.	15332
850.00	Garden State Laboratories Inc.	15333
286.77	Hamburg Plumbing Supply Co Inc	15334
198.00	Willco, Inc.	15335
10.95	Water & Sewer Petty Cash Fund	15336
1,258.80	Wagner, William	15337
75.00	Donofrio, Donald	15338
3,808.00	R&D Trucking Inc.	15339
437.50	Airgas East	15340
1,300.00	Instrumentation Technology Systems	15341
176.00	Vision Service Plan	15342
147.05	Verizon Wireless, Inc.	15343
4,480.00	Passaic Valley Sewerage Comm.	15344
2,508.80	Smalley, John	15345
1,080.58	Main Pool & Chemical Company, Inc.	15346
2,082.43	Cooper Electric Supply Co.	15347
27.95	Advance Auto Parts	15348
4,465.59	Pall Corporation	15349
704.00	Laddey, Clark & Ryan, LLP	15350
264.00	Accurate Waste Removal Inc.	15351
12,285.60	William Grennille, LLC.	15352
219.90	Penteledata	15353
205.75	Hatch Mott Macdonald	15354
468.75	Kozdeba & Son LLC.	15355
472.08	Toyota Motor Credit Corp.	15356
250.00	Resolutions	15357
109.99	Azul Core	15358
105,105.00	Jo-Med Contracting Corp	15359
39,422.26	Payroll Account	156036
971.10	Sparta Postmaster	15327
33,315.88	Payroll Account	156035

CAPITAL

3,135.88	Pellow, Harold & Assoc., Inc.	2408
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Total WATER & SEWER Bills \$ 245,306.80

TRUST ACCOUNT

2,968.00	Pellow, Harold & Assoc., Inc.	3436
104.13	Sloan, James PPC.	3437
225.00	Vogel, Chait, Collins, Schneider, PC,	3438
32.00	Laddey, Clark & Ryan, LLP	3439
3,208.57	Payroll Account	157124
-1,686.00	Payroll Account (VOIDED)	157123
7,446.52	Payroll Account	157123

Total TRUST ACCOUNT Bills \$ 12,298.22

DOG RESERVE ACCOUNT

249.00	MGL Forms - Systems, LLC.	8551
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Total DOG RESERVE ACCOUNT Bills \$ 249.00

HOUSING TRUST FUND (COAH)

578.50	Laddey, Clark & Ryan, LLP	139
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Total HOUSING TRUST FUND (COAH) ACCOUNT Bills \$ 578.50

FEDERAL/STATE GRANTS

696.00	Screen Creation Plus	1296
938.71	Payroll Account	151113

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966.70	Payroll Account	151112
966.70	Payroll Account	151111
1,400.00	Payroll Account	151110

Total FEDERAL/STATE/GRANTS \$ 4,968.11

RESOLUTION #255-2015*

APPROVE 2015 APPROPRIATION TRANSFERS

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2015 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
CURRENT		
Recycling OE 1083200	Senior Citizen Bus SW 1093100	700.00
Finance SW 1054101	Manager SW 1050101	50.00
Election OE 1051500	Clerk OE 1051200	2,000.00
Misc. Operating OE 1079200	Code Enforcement OE 10775226	500.00
TOTAL CURRENT TRANSFERS		\$3,250.00

RESOLUTION #256-2015*

APPOINTMENT OF JARROD C. COFRANCESCO, ESQ., AS THE TOWN OF NEWTON 'S ALTERNATE MUNICIPAL PROSECUTOR FOR CALENDAR YEAR 2016

WHEREAS, Jonathan E. McMeen, Esq., currently serving as the Town of Newton's Municipal Prosecutor, has indicated that an Alternate Municipal Prosecutor may be needed by the Town of Newton during calendar year 2016; and

WHEREAS, Jarrod C. Cofrancesco, Esq., has expressed an interest in serving as Newton's Alternate Municipal Prosecutor; and

WHEREAS, compensation for said services will be the sole responsibility of Jonathan E. McMeen, Esq.; and

WHEREAS, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i);

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby appoint Jarrod C. Cofrancesco, Esq. as the Town of Newton's Alternate Municipal Prosecutor for the calendar year 2016; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Jarrod C. Cofrancesco, Esq., Jonathan E. McMeen, Esq., Frances Koch, Sussex County Prosecutor and the Town of Newton Municipal Judge, the Hon. John E. Mulhern.

The Clerk presented an application for an on-premise raffle (50-50) from the St. Joseph RC Church to be held on Saturday, January 9, 2016 at 7:00 pm at 20 Jefferson Street, Newton. It was noted the application was in order and accompanied by the prescribed fees.

A motion was made by Deputy Mayor Diglio 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

RESOLUTIONS

RESOLUTION #257-2015

RESOLUTION TO ACCEPT THE CERTIFIED LIST OF QUALIFYING 2014 NEWTON FIRST AID SQUAD LOSAP PARTICIPANTS

WHEREAS, the Length of Service Awards Program (LOSAP) for the Newton Volunteer First Aid Squad was approved by the Mayor and Council through the passage of Ordinance #2013-3 on February 11, 2013, and approved by Newton voters as a public question at the General Election on November 5, 2013; and

WHEREAS, Resolution #196-2014 and Resolution #198-2014 were adopted October 27, 2014 establishing the LOSAP for the Newton First Aid Squad and awarding the contract to Lincoln Financial Advisors ; and

WHEREAS, the Newton Volunteer First Aid Squad has certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 2013-3, to receive an amount between \$115.00 and \$1,150.00 based on points credited for volunteer services rendered in 2014 as per the 2014 LOSAP LIST attached; and

WHEREAS, the total number of qualifying volunteers for the First Aid Squad is 7, for a total contribution of \$4,830.00; and

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

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council do hereby accept the certified list from the Newton Volunteer First Aid squad dated December 3, 2015.

Name	Contribution
Sandra Diglio	\$1150.00
Marcel Fergus	\$862.50
Meghan Fergus	\$575.00
Rebecca Fergus	\$862.50
Frederick Garcia	\$115.00
Wayne Tennis	\$115.00
Rick Wahlers	\$1150.00
December 3, 2015	
Total Newton First Aid 2014 LOSAP Contribution	\$4,830.00
Prepared by: Sandra Diglio, Newton First Aid Squad	
Certified by: Dawn L. Babcock, Chief Financial Officer	

A motion was made by Mrs. Becker to approve the above **RESOLUTION #257-2015**, 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

RESOLUTION #258-2015

AUTHORIZING WAIVING OF WATER AND SEWER UTILITY CHARGES FOR THE NEWTON VOLUNTEER FIRST AID SQUAD FOR CALENDAR YEAR 2016

WHEREAS, the Newton First Aid Squad, "NFAS", is a not-for-profit entity, comprised solely of volunteers that provide emergency assistance to the Newton community; and

WHEREAS, the “NFAS” owns Block 22.01, Lot 24 also known as 66 Sussex Street, which houses their vehicles, equipment, and provides for a meeting place; and

WHEREAS, the “NFAS” operating expenses are funded through donations and fundraising efforts; and

WHEREAS, the Newton Town Council supports the efforts of the “NFAS” and would like to assist, so they may continue to provide this valuable emergency service to the people of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby waives the water and sewer utility charges incurred at Block 22.01, Lot 24 by the Newton First Aid Squad for calendar year 2016.

A motion was made by Mr. Levante to approve the above **RESOLUTION #258-2015**, seconded by Mr. Becker, and roll call resulted as follows:

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

INTERMISSION - None

DISCUSSION

a. Dog Census - Ordinance Draft

Mrs. Leo, Esq. informed the Governing Body of the recent State Statue repeal on dog canvass. Under Town Code, Section 57-17 requires annual or bi-annual dog canvasses. The Town may revise the Code and delete the dog canvass provision.

After a brief discussion, Council agreed with the repeal and directed Mrs. Leo to delete the dog canvass provision in the Newton Code.

COUNCIL & MANAGER COMMENTS

Mayor Flynn noted Mr. Andrews did not stay around for response to his negative comments early in the meeting. He believes Mr. Andrews needs to blame the Town for the negative impact on Spring Street. Mayor Flynn and other Councilmembers and Town staff have assisted Mr. Andrews and Spring Street merchants in many ways.

Councilwoman Becker noted “for the record” she has never blamed the Town for the closing of her stores and has worked diligently to place someone in her store.

Councilman Elvidge indicated the Town has spent a lot of money on the downtown area (ie. Vision Plan; Implementation of Vision Plan). He believes the changes of the one-way street is now a positive impact on Spring Street.

Mr. Russo noted the Council appreciates Mr. Andrews’ efforts with the Springboard Shoppes and hopes he continues to flourish in his business. He believes there are sufficient signs in the downtown area but have additional signs on order. In addition, a business directory is being developed but will exist through social media, not in the parking lots. Mr. Russo noted

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Code Enforcement is now fully staffed and has worked diligently with Mr. Andrews on his concerns. DPW is doing tremendous work in the downtown and will continue same. The Town will continue to build on the improvements already made to downtown area.

Deputy Mayor Diglio noting Mr. Andrews' comment regarding his increase in property taxes advised that every resident and business owner has the opportunity to file a tax appeal on their assessed property value. Deputy Mayor Diglio also stated the tax rate is the same for both businesses and residential alike.

Councilman Levante feels Mr. Andrews' negative comments are not warranted. Mr. Levante has met with Mr. Andrews on numerous occasions and feels he is a "roadblock" to the various ideas from the Town (ie. Special Improvement District [SID].)

Councilwoman Becker thanked the Newton Fire Department for participating in her grandfather's funeral this past weekend. It was a wonderful sendoff as a longtime resident and firemen in Sussex County, Mrs. Becker concluded.

OPEN TO THE PUBLIC

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

EXECUTIVE SESSION

Mr. Russo read Resolution #259-2015 and Council entered into Executive Session at 8:08 pm.

Upon motion of Deputy Mayor Diglio, seconded by Mrs. Becker and unanimously carried, Council left Executive Session at 11:18 pm.

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 11:19 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk