

September 14, 2016

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Mrs. Le Frois, Mr. Elvidge, Mr. Flynn, Deputy Mayor Levante, Mayor Diglio, and Thomas S. Russo, Jr., Town Manager and Ursula Leo, Esq., Town Attorney.

Mayor Diglio 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, 2015."

Mayor Diglio led the Pledge of Allegiance to the flag and the Deputy Clerk called the roll. Upon motion of Deputy Mayor Levante, seconded by Mr. Flynn and carried, the minutes of August 22, 2016 Regular and Executive meetings were approved.

OPEN TO THE PUBLIC

Mayor Diglio 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."

Margaret Baldini, 10 Barry Lane, spoke in support of keeping Straway Boulevard open.

Maureen Snellen, Plainfield Avenue, spoke urging the Council to keep Straway Boulevard open, stating she uses the road on a daily basis. She went on further to state it is her understanding that Weis Supermarket paid for the road to be paved years ago to make it more accessible for the local people.

Michael Malone, 59 Trinity Street, spoke questioning the Town Manager's action to close Straway Boulevard. Mr. Malone read excerpts from State statutes outlining the Council - Manager Form of Government under the Faulkner Act. As he understood the statute the Town Manager did not have authorization to overrule the Town Council.

Ralph Porter, 12 Pine Street, inquired about the sidewalks on Main Street near Nelson Street. The sidewalks on the northbound side are non-existent. There were discussions at previous meetings stating the sidewalks would be installed. Mr. Porter asked if the sidewalks will be installed.

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

COUNCIL & MANAGER REPORTS

Mayor Dilgio asked if Mr. Russo could address Mr. Porter's concerns. Mr. Russo advised Mr. Porter he would get back to him as it is a NJDOT matter and he will have to look into it. Mr. Russo stated he will be meeting with NJDOT in the near future regarding the circulation around the Green, and he will bring up the matter to them at that time.

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Mr. Russo then addressed Mr. Malone's comments regarding Straway Boulevard. Mr. Russo stated he was the one who opened Straway Boulevard. The Council took no action and left things status quo. Mr. Russo went on to say it is his fiduciary responsibility as Town Manager to maintain the health, safety and welfare of the residents and visitors of Newton. The police chief came to Mr. Russo with a safety hazard, a draft ordinance was created which the Town Council reviewed and did not authorize. The Town of Newton was put on notice of an unsafe condition, and as Town Manager it is his responsibility to protect the citizens of this community. He chose to close the road and will make no apologies for such. Mr. Russo asked the Town Council to readdress this issue, and asked the Town's Public Works Supervisor, Ken Jaekel to address the history of Straway Boulevard, as Ms. Snellen speaks inaccurately when she talks about Weis' involvement. Mr. Russo is asking the Council for direction this evening so an ordinance may be drafted so this matter can be put to bed and not be subject to further posting on Facebook or other types of conversations that have simply been inaccurate. At this time Mr. Russo asked Mr. Jaekel to speak.

Mr. Jaekel stated he has worked for the Town for sixteen years, has lived in the Town since 1989 and coached all sorts of sports down at the park. Straway Boulevard was created as an access road for a dump that was back in that area. When the dump was closed, the access path remained. Mr. Jaekel stated he has blueprints from 1977 showing the access road, which was long before South Park Drive was envisioned. Through the years the Department of Public Works has used Straway Boulevard to bypass Route 206 for access to the Recycling Center and for snow removal. Mr. Jaekel stated Ms. Snellen is incorrect in her statement that Weis paid for the paving. It was paved about six (6) years ago by Tilcon after the paving of Moran Street. Deputy Mayor Levante questioned the width of the road. Mr. Jaekel stated that the width varies from approximately eighteen (18) feet wide to twenty-four (24) feet wide. It is not designed for traffic flow. Mrs. Le Frois stated it was her understanding the road was not a dedicated road and asked Mr. Jaekel and Mrs. Millikin to speak to their knowledge on the matter. Mr. Jaekel agreed and said originally a wooden sign was created calling it "Straway Boulevard" in respect to several generations of Straways employed with the Town, and over the years a sign was created for the access path. Lastly, Mr. Jaekel said he has nothing in his files stating it is a dedicated road. Mrs. Millikin stated Harold Pellow's office performed research when creating the proposed ordinance and determined it is not a dedicated road. She went on to state she has worked for the Town for eighteen (18) years and grew up in the Town and never remembers it being a formal road.

Mayor Diglio stated we need to come up with a solution. She stated she has spoken with the Chief of Police, and has issues with parking on both sides for safety reasons and her

suggestion was to put up signs stating “No Parking” on both sides “DPW Thruway Only” and “Travel at Your Own Risk”. Ms. Leo advised she believe we need to have the engineer weigh in on the matter and she didn’t think signs would cover the Town’s liability. A discussion ensued on the matter with the Chief stating his concerns for the risk for safety of children which use the park.

Mrs. Le Frois spoke at this time to clarify the procedure for enacting an ordinance. Explaining, the Council makes a motion to introduce an ordinance, and the ordinance is introduced if the Council is inclined to do so. Then if the ordinance is introduced, the next meeting is when the Council opens the meeting to public for input, then closes it and takes action on the ordinance. What happened at the last meeting was the ordinance failed to get approval for introduction as presented on a 2-3 vote. As a result there was no ordinance to be discussed, so the Town Manager, DPW or Police were not given any direction by the Council nor was there input from the public. The Town Manager had to make a decision concerning the safety concerns presented to him, so he was well within his realm as Town Manager to tell DPW to close Straway Boulevard. He was not given direction by the Council, so he did not override the Council; he was acting in the best interest of the public.

Mr. Flynn concurred with Mrs. Le Frois stating the road was closed by the Town Manager because the Council failed to accept the ordinance that was proposed. Mr. Flynn went on to state when he first moved to Town years ago, the road was always closed. It was only opened in the past few years.

Mr. Malone spoke out again questioning Mr. Russo’s authority because the Council vote indicated to keep the road open. Mr. Flynn replied, that he may not have approved the ordinance but he would not have made a motion to override Mr. Russo’s decision to close the road for safety, and after hearing all the statements tonight he believes the road should remain closed.

Mrs. Le Frois just wanted to clarify Mr. Russo did not override the Council, his actions were based on a lack of direction given to him by the Council.

Mr. Russo stated the Council voted 2-3 to not introduce a particular ordinance. It was not an ordinance or discussion about opening the road or leaving the road open. It was a particular ordinance drafted by the Chief of Police, Town Engineer, himself, Mrs. Millikin and the Town Attorney, and the Council voted not to introduce the ordinance. This left the situation status quo, and Mr. Russo stated he is well within his authority to shut down an unsafe condition until the Council can give him direction one way or the other on how they would like to address the matter. Mr. Malone questioned the “safety concerns” which keeps getting brought up. Mr. Russo asked the Police Chief to address the concerns.

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Chief Richards stated there is concern for safety as currently there is two-traffic on the road and a lot people are using it as a through street to avoid traffic on Route 206. People are driving through a park area and increasing traffic on Moran Street. It is in very close proximity to the parks; most notably one of the soccer goals is very close to the roadway. Chief Richards asked Mr. Jaekel to state his observations. Mr. Jaekel stated two or three years ago, kids where playing soccer, they missed the goal, a child about seven years old chased after the ball. The child ran into the side of a moving vehicle, luckily he was not hurt. It could have easily been worse. Mr. Jaekel stated he would rather not have parking on either side as you would still have an issue with children entering and crossing the roadway. The DPW uses that road to gain access to certain fields and has had some close calls as the roadway is quite narrow in spots. Mr. Jaekel believes having the road open is a severe safety issue with the large crowds that use the parks for sporting events.

Chief Richards stated when he observes a potential problem; it is the Town's obligation to address the matter. In the past, when people have come forward to voice concerns about crosswalks, they often stated "does someone have to die before something is to be done", while the complaints are directed the NJDOT, in this matter where we have some local control of the things, it is a lot easier to take appropriate action. Chief Richards stated this is why this matter was brought forward as it is blatantly apparent this is a brewing problem that needs to be acted upon.

Mr. Flynn stated he doesn't disagree with the closing of the road, he just felt the ordinance that was presented was not a good solution.

Mr. Russo stated the road was opened after he was approached by Senior Citizens and people with handicaps that wanted access to the park.

Mr. Elvidge stated this is a challenge. Safety is the number one concern, and he does not want to see the road as a throughway for traffic. He suggested possibly opening it certain hours when kids are not present. A balance should be struck.

Chief Richards did not think opening it for certain hours would work. He went on further to state that he felt it was illogical to do a traffic study on a road that isn't a road.

Deputy Mayor Levante stated he has heard such a backlash on this topic since the last meeting, people want this road open. He feels we need to work with the county and state to create a bypass road around Town. He went on further to state too many non-Newton residents are traveling through Newton without stopping, using Newton as throughway. He went on further to state he feels a bypass can be created on the wetlands behind ShopRite over to Hicks Avenue. Creating this bypass would make is so if people from Sparta wanted to go to Walmart they wouldn't have to go through Newton, as a result it would lessen the traffic on Route 206.

Mr. Flynn stated that area is wildlife management area owned by the state. Deputy Mayor Levante believes we can build on wetlands, we need to address the issue now to keep taxes down.

Mrs. Le Frois cautioned against creating a bypass. As soon as you take traffic away from an area, it will impact business and other developments as was the historic case of Route 66.

Mayor Diglio asked Mrs. Le Frois where she stands on the issue. Mrs. Le Frois voiced her concerns and understands parking is a big issue in that area. She does understand it was never meant to be a road and agrees with the Chief and our engineer that it is not a safe condition.

Mayor Diglio feels parking on both sides still creates a safety issue.

Mr. Russo asked if there was a consensus on to keep the road open or closed before we look forward. Also, he asked if the Council does deem it to open, then should parking be on both sides, one side or neither side. He asked to be given some guidance.

A discussion ensued on the Town's liability if we leave the road open for public use knowing there are safety concerns. Ms. Leo advised she still believes there would be a liability issue if we open the road knowing there are safety concerns and it is not an adequately constructed or dedicated road.

Mayor Diglio asked her fellow councilmembers if they would like to keep the road opened after hearing the testimony tonight. A brief discussion ensued, it was the consensus of the Council to leave the roadway closed and access will be available to DPW and emergency personnel only. Mr. Russo will ask Mr. Pellow to give a cost estimate for improving the road to discuss during the budget process.

a. Proclamation - Childhood Cancer Awareness Month

Mr. Russo requested the following Proclamation be incorporated into the minutes.

PROCLAMATION

Childhood Cancer Awareness Month

September

WHEREAS, each year, pediatric cancer interrupts the childhood and limits the potential of thousands of young Americans, and it remains the leading cause of disease related deaths in children; and

WHEREAS, September has been declared as National Childhood Cancer Awareness Month, and in an effort to raise awareness, everyone is encouraged to go GOLD to show support and promote recognition of those your lives affected by cancer; and

WHEREAS, during Childhood Cancer Awareness Month, we come together to remember all those whose lives were cut short by pediatric cancer, to recognize the loved ones who know too well the pain it causes, and to support every child and every family battling cancer each day. We join with their loved ones and the researchers, health-care providers, and advocates who support them as we work toward a tomorrow where all children are able to pursue their full

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

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Yes
Mayor Diglio		Yes	

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

OLD BUSINESS

There was no Old Business to be discussed.

CONSENT AGENDA

Mayor Diglio read the following statement:

“All items listed with an asterisk (*) are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.”

Mr. Russo outlined the Resolutions on the Consent Agenda.

RESOLUTION # 153-2016*

SUPPORT OF THE SCHOOL FUNDING REFORM PLAN: EQUAL EDUCATIONAL OPPORTUNITY & FAIR FUNDING FOR NEW JERSEY SCHOOLS

WHEREAS, eight years ago, the School Funding Reform Act promised adequate funding to offer equal educational opportunities for all of New Jersey’s schoolchildren - regardless of where they live; and

WHEREAS, the School Funding Reform Act offered the promise of making real the constitutional duty of offering a “thorough and efficient” education for each and every school and that school aid would be given fairly and equitably statewide based on a formula that took into account each municipality’s property tax base, its ability to pay, increases and decreases in enrollment and any special needs of the children; and

WHEREAS, due to political compromises over time, New Jersey’s school aid funding has grown less fair and less adequate, year after year; and

WHEREAS, in order to facilitate the most efficient and effective remedy to this inadequacy, Senate President Steve Sweeney and Senator M. Teresa Ruiz, the chair of the Senate Education Committee, developed a plan to restore fairness and equity to New Jersey’s school aid formula; and

WHEREAS, the School Funding Reform plan would propose a two prong approach first by instituting the expansion of school aid for all of New Jersey’s schools via the method of fully funding the school formula, and second, through the drafting of legislation establishing the State School Aid Funding Fairness Commission; and

WHEREAS, this legislation would create the commission that would study the adjustment aid process, the enrollment growth cap and other provisions set forth by the 2008 funding law to determine what revisions are needed to bring all school districts to full funding over a period of five years; and

WHEREAS, the guiding principle and the real-life goal of the School Funding Reform plan would be to bring fairness to the way we allocate school aid, and set New Jersey firmly on the path to full, fair and adequate funding in every school district in the state so that every child is afforded an equal opportunity for a quality education;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, of Sussex County, New Jersey, its support of the School Funding Reform plan set forth by Senate President Sweeney and Senator M. Teresa Ruiz and herby recommend that the State establish this standard of funding for all school districts throughout the State of New Jersey.

RESOLUTION # 154-2016*

TO CANCEL OUTSTANDING CHECKS IN VARIOUS FUNDS

WHEREAS, there are checks which have not been cashed in various Town of Newton funds; and

WHEREAS, those checks have been reviewed to determine if they should be canceled to fund balance so as not to be required to escheat them to the State of New Jersey;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the following outstanding checks are hereby canceled:

Current Fund

#36188	1/25/16	Awareness Protective Consultants	\$200.00
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Water Fund

#14355	6/27/2014	Treasurer, State of New Jersey	\$1,450.00
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Grant Fund

#1238	11/24/14	Screen Creation Plus	\$500.00
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Parking Authority

#22881	7/17/15	JCP&L	\$298.02
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RESOLUTION # 155-2016*

TO CANCEL AND RESE RVE APPROPRIATION BALANCES IN THE WATER SEWER CAPITAL FUND

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

WHEREAS, the Town Manager and Deputy Town Manager, in consultation with the Town Engineer, have reviewed and determined that there are no additional costs for these projects; and

WHEREAS, it is necessary to formally cancel said balances so the unexpended balances may be returned to each respective Capital Improvement Fund (CIF), Reserve, or 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 Water Sewer Capital appropriations totaling \$154,786.67 be cancelled:

Ordinance Number	Date Auth.	Project Description	Amount Cancelled	
			Funded	Unfunded
2008-9	5/28/08	High St Water Tower Scrape/Paint (to Reserve for Water Tower/ Property Improvements)	\$72,300.00	
2013-13	5/13/13	Howard Street Watermain (to W/S Cap CIF)	\$16,531.15	
2014-4	3/24/14	STP Clarifier Drive/Tank Covers (to W/S Cap Fund Balance)	\$62,414.07	
2014-21	10/27/14	Eng/Survey Water Reservoir (to Reserve for Water Tower/	\$3,541.45	

Property Improvements)

RESOLUTION # 156-2016*

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 2015 and 2016 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

144.00	AAA	37174
181.52	ADVANCE AUTO PARTS	37175
2,239.79	AIRMARK POOLS, INC.	37176
491.70	ATLANTIC TACTICAL INC.	37177
574.68	ADP, LLC	37178
500.00	ANNA KING	37179
2,282.69	BOONTON TIRE SUPPLY INC.	37180
1,115.27	BUCKMAN'S INC.	37181
36.07	BURKE, SHAWN	37182
345.71	CAMPBELL'S SMALL ENGINE INC.	37183
763.88	CARTRIDGE WORLD	37184
125.85	CENTURYLINK COMMUNICATIONS, INC.	37185
1,770.00	CHELBUS CLEANING CO., INC.	37186
233.84	CINTAS FIRE PROTECTION	37187
184.99	COMPASS ENERGY GAS SERVICES, INC.	37188
273.22	COOPER ELECTRIC SUPPLY CO.	37189
1,438.94	E.A. MORSE & COMPANY, INC.	37190
112.50	EXTRA TECH DATA SERVICES, LLC.	37191
399.99	FASTENAL COMPANY, INC.	37192
223.97	FIREFIGHTER ONE, LLC.	37193
1,389.76	GENERAL CODE, LLC	37194
100.00	GLORY PROPERTIES LLC	37195
2,403.82	GOLD TYPE BUSINES MACHINES	37196
165.00	HAYDEE BALLESTER	37197
91.00	IMAGEPOINT LOGOWEAR, LLC.	37198
59.00	J. CALDWELL & ASSOCIATES, LLC.	37199
8,110.27	JCP&L	37200
787.50	JMC ENVIRONMENTAL CONSULTANTS, INC.	37201
124.43	MATTHEW BENDER & CO., INC.	37202
2,500.00	MCCULLOUGH TREE EXPERTS LLC	37203
535.22	MCGUIRE, INC.	37204
110.00	MINISINK PRESS INC	37205
3,169.00	MITCHELL AGENCY, INC.	37206
356.40	L-3 COMM. MOBILE-VISION	37207
318.00	PEEL INSTITUTE OF APPLIED POLICING	37208
503.25	PELLOW, HAROLD & ASSO, INC.	37209
1,009.80	QUILL COPORATION	37210
3,204.57	RACHLES/MICHELE'S OIL COMPANY, INC.	37211
73.64	READY REFRESH BY NESTLE	37212
441.00	RR DONNELLEY	37213
308.30	SEBRING AUTO PARTS, INC.	37214
669.49	SHERWIN-WILLIAMS, INC.	37215
728.55	STAPLES BUSINESS ADVANTAGE, INC.	37216
10.00	SUSSEX COUNTY CLERK'S ASSN	37217
50.00	SUSSEX COUNTY ECONOMIC	37218
895.97	SUSSEX COUNTY ENGINEERING DIVISION	37219
50.00	SUSSEX COUNTY LEAGUE OF	37220
374.05	SUSSEX COUNTY P & H, INC.	37221
538.33	TAYLOR OIL CO., INC.	37222
212.18	THYSSENKRUPP ELEVATOR CORP.	37223
127.23	UNITED TELEPHONE/CENTURY LINK	37224
215.00	USA HOISTCO., INC.	37225

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194.37	VERIZON WIRELESS, INC.	37226
431.36	VISION SERVICE PLAN	37227
29.62	WALMART	37228
125.00	WILDFLOWERS WITH TAMI	37229
913.42	WINGLE SUPPLY COMPANY INC.	37230
3,417.54	CENTURYLINK COMMUNICATIONS, INC.	37173
16.00	SISCO, JAMES	37172
16.00	WILLIAM OSWIN III	37171
16.00	ROY LEYMAN	37170
49.00	ROY LEYMAN	37169
90.86	DANIELSON, DEBORAH	37168
-16.00	SISCO, JAMES	35507
-16.00	WILLIAM OSWIN III	35557
-16.00	ROY LEYMAN	35562
385,250.00	BANK OF NEW YORK MELLON	161053
61,912.54	CAPITAL ACCOUNT	161052
1,052,283.00	NEWTON BOARD OF EDUCATION	161051
203,158.62	PAYROLL ACCOUNT	161050

CAPITAL

5,000.00	FERRAIOLI, CERULLO & CUVA	8569
500.00	FMHUB LLC	8570
590.00	J. CALDWELL & ASSOCIATES, LLC.	8571
2,386.50	MCMANIMON, SCOTLAND & BAUMANN, LLC	8572
7,095.55	PELLOW, HAROLD & ASSO, INC.	8573
12,500.00	PHOENIX ADVISORS, LLC.	8574
1,649.00	SOURCE MEDIA INC.	8575
588.94	WEST CHESTER MACHINERY	8576
4,200,912.54	JP MORGAN CHASE BANK	163008

Total TOWN BILLS \$ 5,982,147.23

WATER AND SEWER ACCOUNT

3,309.83	AIRMATIC COMPRESSOR SYSTEMS, INC.	15841
1,000.00	CIT-E-NET, LLC	15842
149.72	COMPASS ENERGY GAS SERVICES, INC.	15843
56.66	COOPER ELECTRIC SUPPLY CO.	15844
11,469.05	COYNE CHEMICAL CORP., INC.	15845
90.00	EXTRA TECH DATA SERVICES, LLC.	15846
7,246.40	HAMPTON RV SALES, INC.	15847
134.00	HANNA INSTRUMENTS, UNITED STATES, I	15848
400.00	HUNTERDON COUNTY POLY TECH	15849
59.00	J. CALDWELL & ASSOCIATES, LLC.	15850
230.00	KIEFFER ELECTRIC, INC.	15851
200.00	LASSO, ERVIN	15852
492.10	LOWE'S, INC.	15853
758.88	MAIN POOL & CHEMICAL COMPANY, INC.	15854
1,250.00	MCCULLOUGH TREE EXPERTS LLC	15855
759.00	MIRACLE CHEMICAL CO	15856
6,400.00	PASSAIC COUNTY SEWERAGE COMM.	15857
2,284.50	PELLOW, HAROLD & ASSO, INC.	15858
6.58	QUILL CORPORATION	15859
5,966.40	R&D TRUCKING INC	15860
122.00	R.S. PHILLIPS STEEL LLC	15861
24.96	SEBRING AUTO PARTS, INC.	15862
28.00	STAPLES BUSINESS ADVANTAGE, INC.	15863
402.46	SUSSEX COUNTY P & H, INC	15864
255.00	T.A. MOUNTFORD COMPANY, INC.	15865
102.35	TREASURER, STATE OF NEW JERSEY	15866
518.00	VISION SERVICE PLAN	15867
858.89	WELDON ASPHALT COMPANY, INC.	15868
177.00	WILDFLOWERS WITH TAMI	15869
2,500.00	WILLIAM GRENNILLE, LLC.	15870
29,235.38	PAYROLL ACCOUNT	167118
463.13	STATE OF NEW JERSEY - PWT	166025
912.46	SPARTA POSTMASTER	15840
200.00	TREASURER, STATE OF NEW JERSEY	15839
30,423.80	PAYROLL ACCOUNT	166024

CAPITAL

1,460.61	PELLOW, HAROLD & ASSO, INC.	2427
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Total WATER & SEWER Bills \$ 109,946.16

TRUST ACCOUNT

3,905.50	321 THEATRICAL MANAGEMENT, LLC.	3521
783.75	LAMBERT CABLE	3522
150.50	MCMANIMON, SCOTLAND & BAUMANN, LLC	3523
1,330.50	PELLOW, HAROLD & ASSO, INC.	3524
520.00	PELLOW, HAROLD & ASSO, INC.	3525
111.00	SEELY BROTHERS, INC.	3526
225.00	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	3527
12,166.00	PAYROLL ACCOUNT	167118
26,070.00	PAYROLL ACCOUNT	167117

Total TRUST ACCOUNT Bills \$ 45,262.25

FEDERAL/STATE GRANTS

2,393.40	ATLANTIC TACTICAL INC.	1327
371.13	Payroll Account	161118
371.13	Payroll Account	161117

Total FEDERAL/STATE GRANTS \$ 3,135.66

HOUSING TRUST FUND COAH (FUND 75)

65.00	PELLOW, HAROLD & ASSO, INC.	154
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Total HOUSING TRUST FUND COAH (FUND 75) Bills \$ 65.00

SUI (FUND 73)

848.02	S/NJ EMPLOYER ACCOUNTS	1108
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Total HOUSING TRUST FUND COAH (FUND 75) Bills \$ 848.02

The Deputy Clerk presented an application for an off-premise raffle (50-50) from the HSA Camp Auxilium Learning Center to be held on December 10, 2016 from 12:00 pm to 1:00 pm at 44 Ryerson Avenue, Newton. It was noted the application was in order and accompanied by the prescribed fees.

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

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Yes
Mayor Diglio		Yes	

Before breaking for an intermission, Mr. Russo asked Mr. Adam Vough, Assistant DPW Supervisor to update the Council on the weather we had earlier today and any storm damage. Mr. Vough advised the Council crews have been all over Town. There are some downed wires on Halsted Street. Mr. Russo questioned if that would affect school tomorrow. He asked JCP&L

to put a rush on it so it would not impact school. He went on to say there was a tree uprooted on Linwood and the crews are surveying the whole Town.

INTERMISSION - 7:55pm.

DISCUSSION -

a. Parking Rates - EDC and Parking Authority Recommendations

Deputy Mayor Levante attended the Parking Authority meeting on September 1st on behalf of the EDC and enumerated the following recommendations:

1. Adams and Central Lots to have 2 hour free parking during the day.
2. Change rates to .50 an hour uniform throughout all meters and lots.
3. Increase monthly passes by \$5 to \$30; increase quarterly passes by \$15 to \$90; and increase annual passes by \$31 to \$300.

Deputy Mayor Levante advised the majority of the Parking Authority members supported #2 and #3. The only caveat to same is that several members expressed general concern about increasing rates during this difficult economic time in the downtown.

A discussion ensued amongst the Council members on the recommendations presented. Mr. Elvidge questioned the annual income generated from Adams and Central lots. Mr. Levante advised Adams generated \$1,700 and Central generated \$5,500 annually. After further discussion, Deputy Mayor Levante advised he feels increasing the fees should to 25 cents per half-hour would be more reasonable and the EDC doesn't want the overnight rates increased as they are used by residents.

The Council further discussed the recommendations and the consensus was to make Adams Lot and Central Lot free 2-hour parking, change the rates to 25 cents per half-hour and to increase the monthly, quarterly and annual parking permits as proposed. Parking should remain free 1-hour on Spring Street. Mayor Diglio advised Mr. Russo to work with Ms. Leo to draft an ordinance to reflect the changes.

OPEN TO THE PUBLIC

Mr. Malone came forward to ask if the merchants were survived on the proposed changes. Mayor Diglio advised several merchants attended the Parking Authority meeting. Deputy Mayor Levante stated they were all invited to the Economic Development Commission meetings, and some did attend those as well.

Next, Mr. Malone also questioned the logic on the safety for children on Straway Boulevard. He feels every road poses a safety risk for children. Mayor Diglio explained the difference is Straway Boulevard is not an engineered dedicated road and the Town's liability is greater compared to a dedicated road like Trinity Street.

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Mr. Malone went on further to inquire about an area of swamp grass that has been recently cleared that could possibly be considered for parking in the lower park by the soccer field.

Mr. James Ciaravolo of Kazoo Emporium, member of the Downtown Newton Association (DNA) and member of the Parking Authority came forward. At the recent Parking Authority meeting on September 1st there was not a consensus on the changes. A discussion was held on whether or not a consultant was to be hired to review the matter. He stated he wonders how the Parking Authority commissioners will feel given a decision has been made, he feels the EDC is almost sidestepping the Parking Authority in this instance making a recommendation to the Council. If the Parking Authority had more time for a discussion, they would have made a decision. As far as the DNA, they are all over the map on parking rates and they cannot make a decision. As a store owner he feels the Town should focus on the abusers on Spring Street. In the last ninety (90) days, seven (7) store fronts have emptied. He feels we need to focus on the Town making it a destination and develop more. Mr. Ciaravolo is not for free-parking in Adams Street Lot. Having Central Lot free two-hour would be better in his opinion. He asks if any changes are made he requests they be universal rates.

Deputy Mayor Levante spoke giving credit to Mr. Ciaravolo for his involvement in the process and he does believe these changes are going to add value to the store fronts that are on Spring Street.

Jennifer Dodd, resident of 160 Sparta Avenue. Mrs. Dodd states she has been a resident of Newton for 15+ years, she is a coach, mother and committee member for the Recreation Cheerleading Program. Mrs. Dodd wanted to provide clarification with the Straway Boulevard issue. The recreation programs are evolving and merging with neighboring towns which will bring in more children and activity to the park area. She has seen a twenty (20) percent increase this year in the cheerleading program. She thanks the Council for clarification on the process and in reviewing the Straway Boulevard matter.

Mr. Ralph Porter, 12 Pine Street came forward. The history he remembers of Straway Boulevard when he started coaching in 1988 was the road was closed, then around 1992 one gate was opened only on Saturdays. He asks the Town to consider access passes similar to what they have at condominium complexes for residents to access to the Recycling Center. As for parking on Spring Street, he questions the two (2) hour free parking and what will stop people from just moving their cars every two hours. Finally, we are losing Eastern Plaza with the new development, and many senior citizens use this lot to access Spring Street. Mr. Porter asked the Council to consider this when making changes to the parking regulations. ,

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

COUNCIL & MANAGER COMMENTS

Mr. Flynn question when the NJDOT discussion on the pedestrian circulation around Town would be. Mr. Russo replied September 26th or 27th is being considered at this time. Mr. Flynn requested if no other member of the Council objects, he would like to attend this discussion. Deputy Mayor Levante stated it was a good idea for Mr. Flynn to attend as he is an engineer. Mr. Russo stated he will advise when a firm date is decided.

EXECUTIVE SESSION

Mayor Diglio read Resolution #157-2016. Upon motion of Mr. Flynn, seconded by Deputy Mayor Levante and unanimously carried, Council entered Executive Session at 8:44 pm.

Upon motion of Mrs. Le Frois, seconded by Mr. Flynn and unanimously carried, Council left Executive Session at 9:31 pm.

There being no further business to be conducted, upon motion of Mr. Flynn, seconded by Mr. Elvidge and unanimously carried, the meeting was adjourned at 9:32 pm.

Respectfully submitted,



Teresa A. Oswin, RMC
Deputy Municipal Clerk