

September 26, 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 Mr. Elvidge, Mr. Flynn, Deputy Mayor Levante, Mayor Diglio, and Thomas S. Russo, Jr., Town Manager and Ursula Leo, Esq., Town Attorney. Mrs. Le Frois was excused.

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 Clerk called the roll. Upon motion of Deputy Mayor Levante, seconded by Mr. Elvidge and carried, the minutes of September 14, 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, questioned whether the water restrictions were still in effect. After a brief discussion, Mayor Diglio advised the Town is currently 47" below spillway and the water restrictions will remain in effect.

Deputy Mayor Levante inquired whether the Town issues code violations for houses in need of power washing. Mr. Russo advised the Code Enforcement Department does not ask for projects to be completed that require a water source at this time.

Jackie Espinosa, JCP&L Representative, updated Council on the Union Place project. Ms. Espinosa also informed Council of a program called Power Systems Institute (PSI). This two-year program combines classroom learning with hands-on training. An information session will take place on Thursday, November 10, 2016 at the Raritan Valley Community College.

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

COUNCIL & MANAGER REPORTS

a. Samaritan Inn Request

Mr. Russo advised Council of a request from Samaritan Inn for a waiver of Town fees. Mr. Russo and Mrs. Leo recommended the Council deny the request for this non-profit organization. The Town has consistently denied such requests and should continue that policy; otherwise it will open the door to other non-profit applicants request for waiver of fees.

After a brief discussion, Council directed Mrs. Leo to forward a letter to Samaritan Inn denying their request to waive Town fees.

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Mr. Russo advised Council he will be attending the annual TransOptions Breakfast meeting on Wednesday, September 28, 2016. Mr. Russo and Police Chief Richards will be receiving the Government Officials of the Year Award for the work completed on the Safe Streets Campaign.

Mayor Diglio congratulated Mr. Russo and Chief Richards on receiving this Award.

Mr. Russo reminded Council the next Council meeting will be held on Wednesday, October 12, 2016.

Mayor Diglio commended the Universal Health Fair held on Saturday, September 24, 2016 for a successful event.

Councilman Flynn noted the intersection of Lawnwood Avenue and Main Street was recently repaired and a pile of asphalt was left behind. Mr. Russo will have someone address this issue.

ORDINANCES

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

ORDINANCE 2016-1 3

AN ORDINANCE AMENDING NEWTON TOWN CODE §100-15 REGARDING PARKING FEES AND RATES

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

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

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on same to be held on October 12, 2016.

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 # 158-2016*

AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS

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WHEREAS, in the third quarter of 2016, John Klein Plumbing and Heating purchased three additional meters to be installed at 62 Woodside Avenue; and

WHEREAS, the Utility Collector posted and deposited said payment for meters; and

WHEREAS, John Klein Plumbing returned said meters at the request of the property owner;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to refund the aforementioned contractor for the purchase of three meters:

REFUND FOR PURCHASE OF THREE ADDITIONAL METERS :

<u>Account</u>	<u>Address</u>	<u>Amount</u>
21748	62 Woodside Ave., 2 nd Floor	\$250.00
22710	62 Woodside Ave., Left House	\$250.00
22727	62 Woodside Ave., Right House	\$250.00

BE IT FURTHER RESOLVED, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated:

UTILITY ADVISORY BOARD RECOMMENDS WAIVER OF DELINQUENT PENALTY :

<u>Account</u>	<u>Address</u>	<u>Amount</u>
15014	15 Linmor Ave.	\$28.58

RESOLUTION # 159-2016*

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

120.00	ABCODE SECURITY INC.	37232
173.81	AIRGAS EAST	37233
369.99	AZUL CORE	37324
695.31	BOONTON TIRE SUPPLY INC.	37235
26.44	CAMPBELL'S SMALL ENGINE INC.	37236
139.52	CENTURYLINK COMMUNICATIONS, INC.	37237
3,517.07	CENTURYLINK COMMUNICATIONS, INC.	37238
63.00	COOPER ELECTRIC SUPPLY CO.	37239
380.40	CSS TEST INC.	37240
115.00	DANIELSON, DEBORAH	37241
691.22	DELL MARKETING L.P.	37242
416.18	DEMPSEY UNIFORM & SUUPPLY INC	37243
24.25	DOMINICK'S PIZZA LLC	37244
1,452.50	EXTRA TECH DATA SERVICES, LLC.	37245
1,111.52	GALLS, LLC	37246
115.00	HOLZHAUER, SCOTT	37247
823.06	HOME DEPOT, INC.	37248
312.04	HOME DEPOT, INC.	37249
395.00	J & D SALES & SERVICE, LLC.	37250
220.00	J. CALDWELL & ASSOCIATES, LLC.	37251
8,335.59	JCP&L	37252
250.00	JMC ENVIRONMENTAL CONSULTANTS, INC.	37253
3,791.67	JOHN MULHERN	37254
1,900.00	JOHNNY ON THE SPOT, LLC.	37255
80.00	JP MONZO MUNIC CONSULTING, LLC.	37256

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37.50	KITHCART, BROCK	37257
2,458.33	LADDEY, CLARK & RYAN, LLP	37258
1,044.44	LADDEY, CLARK & RYAN, LLP	37259
130.00	MICROSYSTEMS-NJ COM, LLC.	37260
143.75	MILLIKIN, DEBRA	37261
605.00	MINISINK PRESS INC	37262
840.35	L-3 COMM. MOBILE-VISION	37263
83.00	MR. JOHN, INC.	37264
4,276.25	MUNICIPAL SOFTWARE, INC.	37265
171.79	NEOPOST LEASING, INC.	37266
6,125.00	NEWTON FIRST AID SQUAD	37267
275.00	NJLM	37268
86,913.00	NJMEBF	37269
189.76	ELIZABETHTOWN GAS	37270
3,403.13	PELLOW, HAROLD 7 ASSO, INC.	37271
729.70	PENTELEDATA	37272
471.35	QUILL CORPORATION	37273
225.60	ROUTE 23 PATIO, LLC.	37274
1,394.40	SCHENCK, PRICE, SMITH & KING, LLP	37275
24.96	SERVICE ELECTRIC CABLE TV	37276
200.00	SHEPARD KAYS, ESQ.	37277
722.00	SIGN-A-RAMA, INC.	37278
104.17	SLOAN, JAMES PPC.	37279
156.42	STAPLES BUSINESS ADVANTAGE, INC.	37280
1,270.76	STAPLES BUSINESS ADVANTAGE, INC.	37281
500.22	SUNLIGHT GENERAL	37282
119.00	SUSSEX CAR WASH INC	37283
115.00	TEETS, MICHAEL D	37284
37.50	TERESA ANN OSWIN	37285
4,800.00	THE BUZAK LAW GROUP, LLC.	37286
330.00	THE NJ SHADE TREE FEDERATION	37287
21.00	TOWN OF NEWTON	37288
472.08	TOYOTA MOTOR CREDIT CORP.	37289
2,490.00	TRIMBOLI & PRUSINOWSKI, LLC.	37290
1,481.31	VERIZON WIRELESS, INC.	37291
1,008.64	VISION SERVICE PLAN	37292
825.00	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	37293
29.62	WALMART	37294
204,426.20	PAYROLL ACCOUNT	161057
131.70	ELAVON	161056
1,052,283.00	NEWTON BOARD OF EDUCATION	161055
150.00	GLORIA CIRULLI CONSULTING	37231
206,198.79	PAYROLL ACCOUNT	161054

CAPITAL

3,474.42	EVANS CONSOLES INC.	8577
2,593.75	EXCEL ENVIRONMENTAL RESOURCES, INC.	8578
959.52	HOME DEPOT, INC.	8579
1,200.00	MCELWEE & QUINN FINANCIAL PRINTNG	8580

Total TOWN BILLS \$ 1,621,160.98

WATER AND SEWER ACCOUNT

980.00	ACCURATE WASTE REMOVAL INC.	15874
3.67	AIRGAS EAST	15875
1,804.32	AIRMATIC COMPRESSOR SYSTEMS, INC.	15876
87.00	ALLIED METER SERVICE INC.	15877
1,176.00	BADGER METER, INC.	15878
435.48	BRAEN STONE SPARTA	15879
26.68	CAMPBELL'S SMALL ENGINE INC.	15880
39.13	CENTURYLINK COMMUNICATIONS, INC.	15881
1,199.15	CENTURYLINK COMMUNICATIONS, INC.	15882
394.09	COOPER ELECTRIC SUPPLY CO.	15883
22,499.90	COYNE CHEMICAL CORP., INC.	15884
363.15	DEMPSEY UNIFORM & SUPPLY INC.	15885
135.00	EXTRA TECH DATA SERVICES, LLC.	15886
2,080.00	GARDEN STATE LABORATORIES INC.	15887

159.79	HAMBURG PLUMBING SUPPLY CO INC.	15888
269.69	HOME DEPOT, INC.	15889
13,875.41	JCP&L	15890
750.00	JOHN KLEIN P&H	15891
521.90	LUBRICATION ENGINEERS INC.	15892
1,943.75	MUNICIPAL SOFTWARE, INC.	15893
83,306.00	NJMEBF	15894
132.93	ELIZABETHTOWN GAS	15895
230.00	ONE CALL CONCEPTS, INC.	15896
4,571.72	PALL CORPORATION	15897
130.00	PELLOW, HAROLD & ASSOC., INC.	15898
219.90	PENTELEDATA	15899
8,979.60	PUMPING SERVICES, INC.	15900
145.00	RECTIFIER AUTO ELECTRIC	15901
5,642.48	SCHMIDT'S WHOLESALE, INC.	15902
1,250.00	SMALLEY, JOHN H	15903
34.78	STAPLES BUSINESS ADVANTAGE, INC.	15904
978.81	SUNLIGHT GENERAL	15905
5,078.75	TRI-STATE RENTALS, INC.	15906
223.46	VERIZON WIRELESS, INC.	15907
31,744.57	PAYROLL ACCOUNT	166027

CAPITAL

2,621.23	PELLOW, HAROLD & ASSOC., INC.	2428
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Total WATER & SEWER Bills \$ 194,033.34

TRUST ACCOUNT

949.50	J. CALDWELL & ASSOCIATES, LLC.	3528
7,641.09	PELLOW, HAROLD & ASSO, INC.	3529
1,640.75	PELLOW, HAROLD & ASSO, INC.	3530
1,125.00	SLOAN, JAMES PPC.	3531
450.00	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC	3532
540.00	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC	3533
2,725.50	PAYROLL ACCOUNT	167119

Total TRUST ACCOUNT Bills \$ 15,071.84

FEDERAL/STATE GRANTS

169.00	DRAGER SAFETY DIAGNOSTICS, INC.	1328
371.13	PAYROLL ACCOUNT	161119

Total FEDERAL/STATE GRANTS \$ 540.13

DEVELOPERS ESCROW (FUND 72)

112.26	NEWTON 213, LLC	1264
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Total DEVELOPERS ESCROW (FUND 72) Bills \$ 112.26

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

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

INTERMISSION - None.

DISCUSSION - None.

OPEN TO THE PUBLIC

September 26, 2016

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

COUNCIL & MANAGER COMMENTS

Councilman Flynn inquired if there was any update on the Town Square Garden Planning Board application which was denied in April, 2016 and was advised there has been no update or appeal to date.

Councilman Levante questioned when the Dunkin' Donuts project on Sparta Avenue will begin and Mr. Russo has not received an update on same. He will inquire and keep the Council posted.

Councilman Elvidge and Councilman Flynn asked various questions on upcoming projects which was addressed by Mr. Russo.

There being no further business to be conducted, upon motion of Deputy Mayor Levante, seconded by Mr. Flynn and unanimously carried, the meeting was adjourned at 7:24 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk