

October 12, 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, Mrs. Le Frois, Deputy Mayor Levante, Mayor Diglio (via teleconference), Thomas S. Russo, Jr., Town Manager and Ursula Leo, Esq., Town Attorney.

Deputy Mayor Levante 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."

Deputy Mayor Levante led the Pledge of Allegiance to the flag and the Clerk called the roll. Upon motion of Mr. Elvidge, seconded by Mr. Flynn and unanimously carried, the minutes of September 26, 2016 Regular and September 27, 2016 Special BOE meetings were approved.

OPEN TO THE PUBLIC

Deputy Mayor Levante 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."

John Jackson, on behalf of Sussex County Office of Transit & Skylands Ride, thanked the Town Council for the recent renovation of the Trinity Street bus stop. He has instructed all bus drivers to implore the riders to "respect" the newly renovated bus stop.

Michael Malone, 59 Trinity Street, indicated he will speak after all others have had the opportunity to speak.

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

COUNCIL & MANAGER REPORTS

a. Best Practices Worksheet - CFO Dawn Babcock

Dawn Babcock, CFO, briefly outlined the Best Practices Worksheet for calendar year 2016/2017 with the Governing Body. Ms. Babcock advised that Newton answered 22 (Yes); and 2 (N/A) out of 30 questions. This provided a score of 80%, which is passing. Ms. Babcock will submit to the State prior to the due date of October 21st.

Council thanked Ms. Babcock for completion of this annual survey.

b. Water - Sewer Connection Fees - Tom Ferry

Tom Ferry, Town Auditor, made a lengthy presentation on the Water/Sewer connection fees for the Town of Newton. Mr. Ferry provided a detailed calculation which included average

daily usage; number of service units; calculation of connection fee for both Water and Sewer. Mr. Ferry provided an analysis of 2015 Water Billings and Water Usage in gallons. Based on Mr. Ferry's analysis, the calculation results in a new water connection fee of \$3,402 and a new sewer connection fee of \$5,933.

c. Water - Sewer Rates - Tom Ferry

Tom Ferry, Town Auditor, made a lengthy presentation on the Water/Sewer rates for the Town of Newton. Mr. Ferry provided an analysis with several different scenarios. These scenarios provided the potential rate increase and Capital Improvement Fund (CIF).

Ms. Babcock noted 3rd quarter of the water/sewer receipts were a decrease of \$60,000.

After a lengthy discussion, the governing body unanimously agreed to move forward with \$2.50 rate increase with an \$800,000 CIF. There would be no increase on flat rate for non-senior and seniors; increase over 4,000 for non-senior and seniors by \$2.50; increase operating and deferred charges and statutory expenditures by 2% yearly; use pay as you go on capital improvements (CIF) in the amount of \$800,000; and actual debt service.

Mr. Russo also recommended a review of the water/sewer rates every five (5) years.

Council thanked Mr. Ferry for his presentation.

ORDINANCES

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

ORDINANCE 2016-1 3

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

WHEREAS, The Town of Newton Parking Authority and Town of Newton Economic Development Advisory Commission have reviewed and made recommendations regarding existing parking fees and rates within the Town of Newton; and

WHEREAS, The Newton Town Council has reviewed the current and proposed parking fees and rates and finds that current Code §100-15 regarding parking fees and rates needs to be revised as set forth herein;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Newton, County of Sussex, and State of New Jersey that Newton Town Code Section 100-15, "Vehicles and Traffic" of Chapter 100, "Fees and Costs" is hereby revised as follows:

SECTION 1. Section 100-15.A shall be and is hereby deleted in its entirety and replaced as follows:

A. Parking meter fees (§ 307-24):

(1) Each ½ hour: \$0.25.

SECTION 2. Section 100-15.B shall be and is hereby deleted in its entirety and replaced as follows:

B. Parking lot meter fees (§ 307-35):

(1) Lot No. 1 Adams Street Plaza and Lot No. 4 Central Plaza.

(a) Two (2) hours free parking with purchase of paid ½ hour for \$0.25.

(b) Each additional ½ hour thereafter: \$0.25.

(2) Lot No. 2 Main Street Plaza and Lot No. 3 Western Plaza and Lot No. 5 Eastern Plaza.

(a) Each ½ hour: \$0.25.

(b) Ten-hour maximum.

SECTION 3. Section 100-15.C(1) shall be and is hereby deleted in its entirety and replaced as follows:

C. Parking passes may be purchased at the Municipal Building for the above metered lots at the following rates:

(1) Lot No. 1 Adams Street Plaza, Lot No. 2 Main Street Plaza, Lot No. 3 Western Plaza, Lot No. 4 Central Plaza, and Lot No. 5 Eastern Plaza:

(a) Monthly: \$30, plus tax if applicable.*

(b) Quarterly: \$90, plus tax if applicable.*

(c) Annual: \$300, plus tax if applicable.*

(d) Merchant, annual: two for \$300, plus tax if applicable.*

(e) Merchant, semiannual: two for \$150, plus tax if applicable.*

SECTION 4. 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 5. 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 6. Effective Date. This Ordinance will take effect after publication and passage according to law.

Deputy Mayor Levante opened the hearing to the public.

There being no one from the public to be heard, upon motion of Mrs. Le Frois, seconded by Mr. Flynn and unanimously carried, the hearing was closed.

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 Clerk will advertise the above Ordinance according to law.

OLD BUSINESS

There was no Old Business to be discussed.

CONSENT AGENDA

Deputy Mayor Levante 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 # 160-2016*

APPROVE FIREWORKS DISPLAY AT NEWTON MEDICAL CENTER, ATLANTIC HEALTH SYSTEM

WHEREAS, a Resolution of the local Governing Body is required by the New Jersey Department of Labor, Division of Workplace Standards, to grant permission for the public display of fireworks; and

WHEREAS, Zambelli Fireworks of New Castle, PA has submitted a proposal for a fireworks display with a copy of the permit application, certificate of insurance, site diagram and other pertinent information, in conjunction with a fireworks display that will take place at Newton Medical Center, 175 High Street, Newton, New Jersey on Saturday, November 12, 2016 as part of the annual "Festival of Lights"; and

WHEREAS, the Sussex County Fire Marshal, Virgil R. Rome, Jr., has advised the application for said fireworks display is complete and in order;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Newton Medical Center is hereby granted permission for a fireworks display during the "Festival of Lights" event to take place on November 12, 2016 and that said fireworks display will be provided by Zambelli Fireworks of New Castle, PA; and

BE IT FURTHER RESOLVED that a certified original of this Resolution be forwarded to the New Jersey Department of Labor and Sussex County Fire Marshal, Virgil R. Rome, Jr.

RESOLUTION # 161-2016*

CONCUR WITH THE TOWN MANAGER 'S APPOINTMENT OF SCHOOL CROSSING GUARDS

WHEREAS, New Jersey Statute 40A:9-154.1 states "The governing body, or the chief executive, or the chief administrative officer, as appropriate to the form of government of any municipality, may appoint adult school crossing guards for terms not exceeding 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 School Crossing Guards for the 2016-2017 school year:

Luz A. Vega

Alexis M. Cibula

RESOLUTION # 162-2016*

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) NISCA Model PR5300 color ID card thermal printer
Condition: Good

- b) HP Laserjet 4100n printer; black and white
Condition: Fair (intermittent paper feed issue)
- 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.
The Town of Newton reserves the right to accept or reject any bids submitted.

RESOLUTION # 163-2016*

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

100.00	ABCODE SECURITY INC.	37297
11.90	AIRGAS EAST	37298
523.49	ADP, LLC	37299
235.31	BUCKMAN’S INC.	37300
109.98	CARTRIDGE WORLD	37301
125.85	CENTURYLINK COMMUNICATIONS, INC.	37302
1,770.00	CHELBUS CLEANING CO., INC.	37303
48.00	CSS TEST INC.	37304
2,115.55	DEMPSEY UNIFORM & SUPPLY INC	37305
174.49	FEDERAL EXPRESS	37306
129.94	GOLD TYPE BUSINESS MACHINES	37307
100.00	GREATER NEWTON CHMBR OF COMM.	37308
165.00	HAYDEE BALLESTER	37309
328.00	HOLZHAUER, SCOTT	37310
643.70	HOME DEPOT, INC.	37311
2,160.00	J & D SALES & SERVICE, LLC.	37312
59.00	J. CALDWELL & ASSOCIATES, LLC.	37313
5,792.00	LADDEY, CLARK & RYAN, LLP	37314
663.63	MORRIS ASPHALT SUPPLY, LLC	37315
360.00	MUNICIPAL SOFTWARE, INC.	37316
1,566.60	NEW JERSEY HERALD, INC.	37317
172,674.00	NJMEBF	37318
208.10	OLIVO, CHRISTOPHER	37319
15.75	PELLOW, HAROLD & ASSO, INC.	37320
412.50	PINNACLE WIRELESS FBO UNITEK GLOBAL	37321
207.14	QUILL CORPORATION	37322
3,124.85	RACHLES/MICHELE’S OIL COMPANY, INC.	37323
88.59	READY REFRESH BY NESTLE	37324
60.00	SC DEPT ENVIRONMENTAL & PUBLIC HEAL	37325
1,005.09	SCMUA	37326
390.00	SCREEN CREATION PLUS	37327
154.03	SHOP RITE, INC.	37328
432.00	STAPLES BUSINESS ADVANTAGE, INC.	37329
50.00	SUSSEX COUNTY ECONOMIC	37330
1,691.86	TAYLOR OIL CO., INC.	37331
279.00	TEAM LIFE, INC.	37332
212.18	THYSSENKRUPP ELEVATOR CORP.	37333
9.95	TRI-STATE RENTALS, INC.	37334
1,470.00	TRIMBOLI & PRUSINOWSKI, LLC.	37335
127.23	UNITED TELEPHONE/CENTURY LINK	37336
448.76	UNIVERSAL SUPPLY GROUP INC.	37337
215.00	USA HOISTCO., INC.	37338
194.90	VERIZON WIRELESS, INC.	37339
278.00	WALMART	37340
2.00	NJMVC	37296
53.36	ELAVON	161059
199,030.16	PAYROLL ACCOUNT	161060
45,875.00	JP MORGAN CHASE BANK	161058

CAPITAL

4,368.14	BARCO PRODUCTS INC.	8581
32.40	NEW JERSEY HERALD, INC.	8582
3,281.31	PELLOW, HAROLD & ASSO, INC.	8583

Total TOWN BILLS \$ 453,573.74

WATER AND SEWER ACCOUNT

31.85	AURORA ELECTRICAL SUPPLY, LLC.	15909
655.74	DEMPSEY UNIFORM & SUPPLY INC	15910
72.69	HOME DEPOT, INC.	15911
1,365.00	JCI JONES CHEMICALS, INC	15912
3,600.00	KIEFFER ELECTRIC, INC.	15913
62.00	LOCK & KEY WORLD	15914
64.00	MGL FORMS - SYSTEMS, LLC.	15915
360.00	MUNICIPAL SOFTWARE, INC.	15916
633.30	MIRACLE CHEMICAL CO	15917
7,040.00	PASSAIC VALLEY SEWERAGE COMM.	15918
6,997.77	PELLOW, HAROLD & ASSO, INC.	15919
719.00	PUMPING SERVICES, INC.	15920
4,508.70	R&D TRUCKING INC	15921
2,100.00	RELIABLE WOOD PRODUCTS, LLC.	15922
112.00	SCHMIDT'S WHOLESALE, INC	15923
540.50	SCMUA	15924
158.96	SEBRING AUTO PARTS, INC.	15925
214.22	SUSSEX COUNTY P & H, INC.	15926
250.00	T.A. MOUNTFORD COMPANY, INC.	15927
1,267.00	TREASURER, STATE OF NEW JERSEY	15928
31,266.17	PAYROLL ACCOUNT	166029
23,075.00	JP MORGAN CHASE BANK	166028

CAPITAL

800.00	LADDEY, CLARK & RYAN, LLP	2429
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Total WATER & SEWER Bills \$ 85,893.90

HOUSING TRUST FUND (COAH)

885.00	J. CALDWELL & ASSOCIATES, LLC.	155
64.00	LADDEY, CLARK & RYAN, LLP	156

Total HOUSING TRUST FUND (COAH) Bills \$ 949.00

FEDERAL/STATE GRANTS

250.00	DANIELSON, DEBORAH	1329
371.13	PAYROLL ACCOUNT	161120

Total FEDERAL/STATE GRANTS \$ 621.13

RESOLUTION # 164-2016*

RATIFY AND AFFIRM THE ISSUANCE OF BONDS

WHEREAS, in early 2016 the Town Manager, CFO, Auditor, Bond Counsel and Financial Advisor discussed the unissued debt for the Town and current market rates for notes and bonds. The Town's Financial Advisor, Phoenix Advisors, prepared a summary of borrowing scenarios. It was determined that the market was favorable to issue permanent debt; and

WHEREAS, all the necessary resolutions and approvals were obtained; and

WHEREAS, the appropriate Town Officials executed said General Improvement Bonds in the amount of \$4,979,000.00 dated August 25, 2016 with a NIC 2.049199% maturing 8/15/2032; and

WHEREAS, to comply with N.J.S.A. 40A:2-28 of the Local Bond Law, which requires that the Chief Financial Officer report certain information in writing to the Mayor and Council at the next Council meeting, herewith attached is a copy of the Certificate of Delivery and Payment with the attached Schedule A;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it does hereby ratify and affirm the issuance of said Bonds by the Chief Financial Officer and the execution of said bonds by the appropriate Town Officials.

RESOLUTION # 165-2016*

AUTHORIZING CERTAIN PAVING BY KLAЕ CONSTRUCTION, INC. AT BLOCK 10.01, LOT 5 IN THE TOWN OF NEWTON

WHEREAS, the Town of Newton has a noise ordinance, Newton Town Code Section 187-3.J, which generally prohibits construction development noise between the hours of 10:00 p.m. and 7:00 a.m. every day; and

WHEREAS, KLAЕ Construction, Inc. has requested approval from the Town of Newton to make curb repairs and mill, pave and stripe lines on pavement on the property known as Block 10.01, Lot 5, in the Town of Newton, which property currently is occupied by Newton ShopRite; and

WHEREAS, KLAЕ Construction, Inc. has submitted a written request and a phasing plan to the Town for the paving, milling, line striping, and curb repairs to the ShopRite property, which provides for an improvement to the existing commercial property; and

WHEREAS, Town employees and the Newton Police Department have reviewed the request and have no objections to the proposed work;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Newton authorizes the following construction work by KLAЕ Construction, Inc. on Block 10.01, Lot 5 at the following dates and times:

- Curb repairs from October 13, 2016 through October 17, 2016, from 10:00 p.m. until 6:00 a.m.;
- Milling, paving, and line striping from October 18, 2016 through October 25, 2016, from 10:00 p.m. until 6:00 a.m.

BE IT FURTHER RESOLVED, that the Town Manager or his designee may extend the dates and times for construction work due to weather or other conditions as necessary.

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

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

INTERMISSION - None

DISCUSSION - None

OPEN TO THE PUBLIC

Michael Malone, 59 Trinity Street read the following prepared statement:

“As a retired resident and a very concerned taxpayer in this Town of Newton, I am offering suggestions in this presentation for consideration by Newton's Town Council during the "Open To The Public" segment of their agenda. My presentation and the conclusions I have arrived at are mine and mine alone and come as the result of what I have heard and seen at various Town Council and other meetings; seen, as I visited Memory Park and the Straway

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Boulevard [S.B.] area on a number of occasions; my own personal experiences; and, my visions of what I believe could be accomplished which includes a great deal of speculation as to what I think Council could, might or should do. All this without my having the benefit of information of any of Council's additional, public, private, Executive or other meetings and, any of their after-thoughts or plans, if any, on this subject.

There's a popular saying going around these days and it goes something like this: "If you see something, say something". That statement implies: "If you see something wrong, say something". Well, I've seen something that I believe IS wrong and IS unnecessarily unfair to a significant segment of this town's residents so I'm not only saying something about it to you at this time on their behalf, but am offering, for consideration and/or discussion, 3 easy and relatively inexpensive solutions known herein as #4, #5 and #6. Numbers 1, 2 and 3 do not fall into that category.

At a recent Town Council Meeting Police Chief Richards made a rather lengthy presentation of legitimate reasons why he also believed Straway Boulevard [S.B.] should be closed. His appearance and presentation at that meeting did not strike me as being coincidental but rather, as an attempt by Mr. Russo to pressure the Council to vote in favor of his ordinance, 2016-11 to close S.B, unfortunately for Mr. Russo, a majority of the Council voted to not close, but leave S.B. open. It became quite clear that Mr. Russo was not at all pleased with that vote so he, illegally, overruled Council's vote, (which is not permitted by law as per the Faulkner Act NJSA 40:69A-95, & 40:82-4) AND, had S.B. closed and both gates locked the very next day in spite of the Council's vote not to do so. And it remains closed to this day, Now, try to make sense out of this: Even though both gates are closed so that No vehicles can get into, or all the way through and/or park on the road, Mr. Russo, at taxpayers expense, had the DPW remove all the "NO PARKING" signs. WHY? My belief is that Mr. Russo had so convinced himself that his position was the ultimate and only justifiable one and he would eventually win to have S.B. closed as per his original ordinance, that's why he did that. I also believe that closing S.B. was simply an act of retaliation on Mr. Russo's part and his way of attempting to show who's the boss around here because Council did not vote as he had planned. Now, if, on the other hand, council decides to open S.B. using any one of the following 6 plans, AND the "NO PARKING" signs are replaced by the DPW for any reason, I believe that the total cost of their removal and replacement should come from Mr. Russo's salary and not from our taxes.

In his presentation, Chief Richards mentioned that leaving S.B. open would invite additional traffic on Moran St as well as, as the population increased, their using it as a short-cut to by-pass town traffic. That will not happen with the # 4 plan I am suggesting. Chief Richards also stated, as did others, that S.B. does not conform to regulations as a road. Again,

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that would be irrelevant with the #4 plan because the parents and persons using this area are not the least bit concerned with it's accreditation by the State or County as a road and will not be using it for any reasons other than as a parking area, not a road. Up to the latest point of closure of S.B, conformity to regulations over the past 8 years had not made a bit of difference to anyone in town using the road or area and probably will not to most people, either.

Incidentally, S.B. IF considered an 'illegal road', and there may be some question about that designation, is in much better condition than a number of other roads in town namely: that portion of Union Place next to my residence, from Trinity St. to the cul-de-sac at its end, as well as Madison St. from Spring St. to Elm St. and beyond to that point of a 2" drop into a manhole depression that if your car happens to drop into it at that road's speed limit of 25 MPH, you might very well need to have your car's front end re-aligned. Among other examples are Mt. View and Shady Ln.

Chief Richards also spoke of the additional costs involving police manpower with the patrolling and ticketing of that area. With plan #4 there would be no need for any of that. He also mentioned the difficulty of access by emergency vehicles. With the addition of the proposed, relatively inexpensive to build 68' x 86' or, a possibly larger, new, stone and bank-run gravel parking area, an ambulance would have no problem turning around in it or in the 32' x 40' turn-around area further up the road by the fire hydrant and the "Johnny-On the Spot" outhouse. On the other hand, fire engines will always have trouble turning around just about anywhere they go, but could possibly do so in the proposed new 68' x 86' or even larger parking area which could be built by extending further into the swamp-grass area.

Also mentioned was 'child safety', unquestionably a top priority, with everyone in agreement. Right now, by comparison with S.B. closed, there is more risk to children using the Memory Park parking area because there are no speed bumps to slow cars to a crawl, and that lot is used by many vehicles of various sizes going at various speeds, not just by soccer Moms and Dads vehicles. With plan #4, only participants, bringing in their cars, their children, their relatives, their chairs, their strollers, their coolers and their sports equipment will be using S.B which would be so much more convenient and safer for all involved. So what is #4 and how am I suggesting this area be returned to it's almost former glory? That "almost" part will still not satisfy the hundred or so of us who, previously, used S.B. as a pass through to avoid 206 traffic or to get to the recycling center or Shop Rite or Weis, but, is, ideal for the safety and convenience of the sports groups. With that one negative in mind, the answer to that 'almost' question is relatively simple. Plan #4:

The Moran St. gate will be the ONLY gate that is OPEN. The South Park Drive gate will be CLOSED and padlocked at all times, preventing thru traffic [with the exception of those

attempting to by-pass the So. Park gate by driving on the grass as is presently being done by the DPW & some others]. In addition, at the Moran St. entrance, for the benefit of the unaware past users of S.B. and others who are able to read English before their attempt to drive all the way through to the closed So. Park gate and return to the entrance, there should be 1 or 2 "DEAD END" or "ROAD NOT THRU" signs. As for complying with road regulations, those regulations should no longer apply because this is no longer a road but a parking lot. This idea could also be applicable, possibly, to other of these plans.

Of course, the DPW and certain others who have keys will always be able to get through as they presently do, by unlocking the padlocked So. Park Dr. gate.

At a previous council meeting several council persons suggested further study, but that idea, at that time, didn't gain any traction but if, in hind-sight, Council is now, or will be, re-considering the use of S.B. or making changes to it, keep in mind that whatever you do, ultimately, has to be paid for by the Newton taxpayers. If you are now "thinking big", that's fine, but, "think big and spend small" when considering the many thousands of dollars for engineering plans and drawings as well as the many millions of dollars for removing the existing road; the necessary dynamiting for; and the re-grading of that entire area to accept a one or two - lane thoroughfare; [and what sense does a new 'one lane' road make? Might just as well leave it the way it is]; constructing this monster, along with all associated curbing and necessary drainage costs; and, the inevitable \$500,000 +/- known and particularly, the unknowns; plus the ancillary costs and cost over-runs; the expenses of previous, present, and ongoing legal costs; the internal municipal personnel costs as well as any further DPW costs; and, if done the million dollar way, I would suggest, at additional cost, what I believe is an essential "extra" for safety reasons for everyone, not just children, and that is: the absolute necessity for the installation of a stop light at the intersection of S.B. and South Park Drive to prevent the possible collision of a Lakeland bus, a tractor trailer, as well as any other vehicles, coming South, down the So. Park Dr. hill, colliding with a car full of soccer players as they exit that blind intersection.

Doing anything other than closure of S.B. will, of course, negate Mr. Russo's original plans and ordinance as his reasons for closure, as well as, Chief Richards extended testimony concerning child safety and especially about the additional thru traffic and his department's additional coverage and costs, in his support of Mr. Russo's plan for closure.

Once again, as a concerned taxpayer and,

As I see it, you have 6 choices:

#1] Do nothing and leave both gates closed as it exists presently as per ordinance 2016-11; or,

#2] Open both gates as it was previously, and do nothing more; or,

#3] Open the bidding for expensive engineering plans and drawings; the cost for the removal of the existing road and replacing same with a new multi-million dollar single or dual roadway that conforms to regulations, plus numerous additional miscellaneous other costs, or,

#4] Open the Moran St. gate and keep closed the So. Park Drive gate and build a relatively inexpensive 68' x 86' stone and gravel parking area which will accommodate approximately 15 to 20 cars for the sports participants or possibly, an even larger parking area continuing into the swamp grass area. And there is plenty of room to do that.”

Deputy Mayor Levante respectfully interrupted Mr. Malone and advised that he is reiterating the items which were discussed at the last Council meeting.

After a brief discussion, Council unanimously agreed the gate at both ends of Straway Blvd. needs to stay closed for liability reasons.

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

COUNCIL & MANAGER COMMENTS

Councilman Flynn inquired about the paving schedule around the Town being worked on by the Department of Transportation (NJDOT). Mrs. Millikin updated Council on the latest paving schedule provided to the Town. Mrs. Millikin also advised Council of the sign inventory she created with Chief Richards. The inventory encompasses all signs in and around the square in Town and Mrs. Millikin also created a video of same.

Councilwoman Le Frois thanked the Newton Board of Education for their continued dialogue at the annual joint meeting with the Town Council. It is great to hear the priorities as well as the upcoming projects of both Boards.

Councilman Elvidge noted the deficiencies of the traffic light timing around the square. Mrs. Millikin advised upon completion of the paving project, the State will be addressing the timing of the traffic lights.

EXECUTIVE SESSION

Deputy Mayor Levante read Resolution #166-2016. Upon motion of Mr. Flynn, seconded by Mr. Elvidge and unanimously carried, Council entered Executive Session at 8:51 pm.

Upon motion of Mayor Diglio, seconded by Mr. Elvidge and unanimously carried, Council left Executive Session at 10:33 pm.

Council briefly discussed the boards and commissions and agreed to interview five candidates who submitted their applications of interest. Council agreed to interview these five individuals at the next three Council meetings. The appropriate advertisement will be addressed by the Town Clerk.

There being no further business to be conducted, upon motion of Mr. Flynn, seconded

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by Deputy Mayor Levante and unanimously carried, the meeting was adjourned at 10:42 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lorraine A. Read". The signature is written in a cursive, flowing style with a long, sweeping tail on the final letter.

Lorraine A. Read, RMC
Municipal Clerk