

August 25, 2008

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 p.m. Present were Mr. Elvidge, Mrs. Unhoch Mrs. Le Frois, Mayor Ricciardo and Town Manager, Tom Russo. Mrs. Becker was excused.

Mayor Ricciardo made the following declaration that “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 26, 2007”.

Mayor Ricciardo led all present in the Lord’s Prayer and the Pledge of Allegiance to the flag. The Clerk called the roll and upon completion of same, upon motion made by Mr. Elvidge, seconded by Mrs. Unhoch and carried that the minutes of June 23, 2008 (Special), June 23, 2008 (Regular and Work), June 24, 2008 (Executive Session), June 30, 2008 (Executive Session), July 1, 2008 (Special Reorganization) were approved. Mrs. Le Frois abstained from the June 23, 24, and 30, 2008 meetings.

Under Reading of Ordinances, Mayor Ricciardo directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE #2008-19

ORDINANCE FOR DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM IN AND BY THE TOWN OF NEWTON IN THE COUNTY OF SUSSEX, NEW JERSEY.

WHEREAS, the State Legislature recently adopted Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various municipal officials; and,

WHEREAS, N.J.S. 43:15C-2 requires the governing body of each municipality to adopt, an ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

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WHEREAS, the Mayor and Council of the town of Newton has considered the guidelines issued by the Local Finance Board;

THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Newton that:

1. Pursuant to N.J.S.43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:

- a. Town Manager;
- b. Positions with principal responsibility of a government function(s), commonly called “department heads” or similar title, that are filled by action of the governing body and who report directly to an elected official (s) or chief administrative officer (if and when they exist);
- c. Municipal Attorney;
- d. Municipal Engineer;
- e. Municipal Prosecutor;
- f. Municipal Court Judge;
- g. Appointed members of local authority Board of Commissioners (subject to N.J.S. 40A:5A-1 et seq.) (if and when they exist);
- h. Gubernatorial appointees who serve in municipal government for a fixed term (if and when they exist).

2. Individual serving in the following positions are exempt from Defined Contribution Retirement Program membership, pursuant to N.J.S. 43:15C-2;

- a. Tax Collector;
- b. Chief Financial Officer;
- c. Construction Code Official;
- d. Qualified Purchasing Agent;
- e. Tax Assessor;
- f. Registered Municipal Clerk;
- g. Licensed Uniform Subcode Inspector;
- h. Principal Public Works Manager

3. If an individual is appointed to one of the positions listed in Section 1 and the individual is not serving in a position as described in Section 2 above, the Pension Certifying Officer of the municipality may determine that the individual is not required to join the Defined Contribution Retirement Program if that individual;

- a. Was an active participant in the Public Employee retirement System on July 1, 2007 and continuously since that time; or
- b. Has been appointed pursuant to a valid promotional process; or
- c. Is appointed on a temporary, interim, or “acting” basis to a position requiring State Certification as set forth in Section 2 herein, and is in pursuit of the required certification; or
- d. Meets such other exceptions that may be approved by the Local Finance board or the Division of Pensions and Benefits.

4. This ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board of the Division of Pensions and Benefits.

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5. Should any part or parts of this ordinance be held to be invalid by any competent court of law, such invalidity shall only affect the part or parts held to be invalid, and all other parts shall remain in effect.

6. A copy of this ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

7. This ordinance shall take effect upon its passage and publication as required by law.

Mayor Ricciardo declared the hearing on Ordinance #2008-19 open to the public.

There being no one from the public to be heard, upon motion by Mayor Ricciardo, seconded by Mr. Elvidge and carried, the hearing was closed.

The following RESOLUTION was offered by Mrs. Le Frois, who moved its adoption, seconded by Mr. Elvidge and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be adopted in its entirety according to law.

The Clerk will advertise the above Ordinance according to law.

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

ORDINANCE #2008-20

AN ORDINANCE AMENDING CHAPTER 18A, LAND USE PROCEDURES OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF NEWTON, REGARDING DEVELOPMENT FEES.

The following RESOLUTION was offered by Mr. Elvidge, who moved its adoption, seconded by Mrs. Unhoch and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
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Mrs. Becker	Absent	Mrs. Le Frois	Yes
	Mayor Ricciardo	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 September 8, 2008.

The Clerk will advertise the above Ordinance according to law.

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

ORDINANCE #2008-21

AN ORDINANCE TO ACCEPT THE DEDICATION OF PORTIONS OF PATERSON PLACE, WINDSOR DRIVE, BUCKINGHAM COURT, STRATFORD LANE, DOUMA DRIVE, BABBET COURT, VALLEY VIEW COURT, DOUMA COURT AND RYERSON AVENUE BY THE TOWN OF NEWTON IN THE COUNTY OF SUSSEX.

The following RESOLUTION was offered by Mrs. Unhoch, who moved its adoption, seconded by Mr. Elvidge and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
	Mayor Ricciardo	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 September 8, 2008.

The Clerk will advertise the above Ordinance according to law.

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

ORDINANCE #2008-22

AN ORDINANCE TO AMEND CHAPTER 5, GENERAL POLICE REGULATIONS* OF THE TOWN OF NEWTON'S REVISED GENERAL ORDINANCES.

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The following RESOLUTION was offered by Mrs. Le Frois, who moved its adoption, seconded by Mr. Elvidge and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	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 September 8, 2008.

The Clerk will advertise the above Ordinance according to law.

There being no Old Business, under New Business, the Town Manager requested a resolution for the appointment of Mr. Mark Vandyk as a Regular Member of the Newton Planning Board.

The following RESOLUTION was offered by Mrs. Unhoch who moved its adoption, seconded by Mr. Elvidge and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

RESOLUTION #144-2008

WHEREAS, Mr. Gregory Le Frois resigned from his term as a Regular Member of the Planning Board, and

WHEREAS, Alternate Board member mark Vandyk has expressed interest in serving as a Regular Member;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that Mr. Mark Vandyk is hereby appointed to the unexpired four-year term left vacant by the resignation of Gregory Le Frois on the Planning Board, effective immediately with said term continuing to December 31, 2011.

The Town Manager requested a resolution to approve fireworks display at Newton Memorial Hospital.

The following RESOLUTION was offered by Mrs. Le Frois who moved its adoption, seconded by Mayor Ricciardo and roll call resulted as follows:

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Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

RESOLUTION #145-2008

WHEREAS, a Resolution of the Newton 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, a site diagram and other pertinent information, in conjunction with a fireworks display that will take place at Newton Memorial Hospital on Saturday, November 22, 2008 as part of the annual “Festival of Lights”, and

WHEREAS, Newton Fire Official Joseph C. Inga has advised that 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 Memorial Hospital is granted permission for a fireworks display during the “Festival of Lights” event to take place on November 22, 2008 and that said fireworks display will be provided by Zambelli Fireworks of New Castle, PA;

BE IT FURTHER RESOLVED that a certified original of this Resolution be forwarded to the New Jersey Department of Labor and Newton Fire Official Joseph C. Inga.

The Town Manager requested a resolution for the denial of Application for a Renewal Taxicab Driver’s License for Harold R. Storm, Jr.

The following RESOLUTION was offered by Mrs. Le Frois who moved its adoption, seconded by Mrs. Becker and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

RESOLUTION #146-2008

WHEREAS, the Newton General Revised Ordinances **Section 9-2** require that no person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter and all licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police; and

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WHEREAS, said renewal application for the above Taxicab Driver's License application lists his business address at 203 Spring Street, Newton, New Jersey which was mis-represented based on the Town receiving notification from Mr. Bernard Glow, owner of 203 Spring Street, Newton, New Jersey, that a business space is not rented, leased or occupied by either Mr. Harold Storm or Chip's Taxi, Limo & Courier; and

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby denies the application for a renewal Taxicab Driver's License submitted by Harold R. Storm, Jr., 203 Spring Street, Newton, N.J. which expired on May 31, 2008.

The Town Manager requested a resolution of the Town of Newton, in the County of Sussex, New Jersey directing the Town Planning Board to review and comment on a proposed redevelopment plan pursuant to the Local Redevelopment and Housing Law.

The following RESOLUTION was offered by Mrs. Le Frois who moved its adoption, seconded by Mr. Elvidge and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

RESOLUTION #147-2008

WHEREAS, the *Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain areas within the Town of Newton, in the County of Sussex, New Jersey (the "Town") constitute areas in need of redevelopment, the Town Council, by way of Resolution #125-2007 adopted July 9, 2007, authorized and directed the Planning Board (the "Planning Board") of the Town of Newton to conduct a preliminary investigation and public hearing to determine whether Block 1309, Lots 1, 1.01, 2, 6, 8, 9, 12, 13.01, 29.01, 31, 32, 33, 34, 35, 41 and 42 and Block 1310, Lots 1, 2, 3, 4, 5, 6.01, 6, 7, 8, 9, 10, 11, 12.04, and 21, along with all roads and any other public lands encompassed in or directly bordering those parcels (collectively, the "Study Area ") met the criteria set forth in *N.J.S.A. 40A:12A-5* and should be designated as an area in need of redevelopment; and

WHEREAS, as part of this investigation, the Planning Board requested A. Nelessen Associates, Inc. (the "Planning Consultant") to examine the Study Area and to prepare a report of its findings in connection with the investigation of the Study Area; and

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WHEREAS, the Planning Consultant produced a report regarding the study and investigation of the Study Area entitled "Redevelopment Investigation of Block 1309, Lots 1, 1.01, 2, 6, 8, 9, 12, 13.01, 29.01, 31, 32, 33, 34, 35, 41 and 42 and Block 1310, Lots 1, 2, 3, 4, 5, 6.01, 6, 7, 8, 9, 10, 11, 12.04, and 21" (the "Report"); and

WHEREAS, at a duly noticed public hearing held on December 5, 2007, and continued to December 6, 2007, the Planning Board reviewed the Report and heard testimony from the Planning Consultant that the Study Area satisfies the criteria in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment, including subsections (d), (e) and (h), and that all properties within the Study Area were necessary to the effective redevelopment of the Study Area, as contemplated by *N.J.S.A. 40A:12A-3*; and

WHEREAS, at the public hearing, all those who were interested in or would be affected by a finding that the Study Area is an area in need of redevelopment were given the opportunity to ask questions, provide testimony, and question the Planning Consultant; and

WHEREAS, on December 6, 2007, the Planning Board Secretary forwarded to the Town Council a Resolution of the Planning Board indicating that on December 5, 2007 the Planning Board adopted a resolution at the conclusion of the public hearing recommending that the Town Council designate Block 1309, Lots 1, 1.01, 2, 6, 8, 9, 41 and 42, along with all public roadways and right of ways appurtenant thereto as an area in need of redevelopment; and

WHEREAS, on December 10, 2007, the Town Council, acting by resolution, did so designate the area recommended by the Planning Board as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, in accordance with the Act, the Town has prepared a proposed Redevelopment Plan for the Redevelopment Area, which is attached hereto as Exhibit A; and

WHEREAS, the Town Council desires to utilize the Planning Board's expertise and experience in crafting a redevelopment plan for the Area,

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

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. PLANNING BOARD DIRECTED TO REVIEW REDEVELOPMENT PLAN

The Town Council hereby authorizes and directs the Planning Board to review the draft Redevelopment Plan attached hereto as Exhibit A, and to transmit its comments to the Town Council within 45 days, as required by *N.J.S.A. 40A:12A-7(e)*.

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III. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

IV. AVAILABILITY OF THE RESOLUTION

A copy of this resolution shall be available for public inspection at the offices of the Town.

V. EFFECTIVE DATE

This Resolution shall take effect upon final passage.

The Town Manager requested a resolution to authorize the execution of an Agreement with General Code, LLC for Code Revitalization Services.

The following RESOLUTION was offered by Mr. Elvidge who moved its adoption, seconded by Mrs. Unhoch and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
	Mayor Ricciardo	Yes	

RESOLUTION #148-2008

WHEREAS, the Town of Newton requested proposals for the services of a qualified Codification Firm for the Code Revitalization of the Town Revised General Ordinances received two responses, and

WHEREAS, General Code, LLC of Rochester, NY submitted a proposal outlining the services to be provided dated July 7, 2008, revised August 20, 2008 for a sum of money less than the threshold established by the Local Public Contracts Law, and

WHEREAS, after an interview process, the Governing Body has determined that General Code, LLC is the best candidate for the project;

WHEREAS, Codification Revitalization 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

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with General Code, LLC for the Code Revitalization services of the Town of Newton's Revised General Ordinances as had proposed, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to General Code, and that a notice of this agreement

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be published in the newspaper of record for the Town in accordance with the Local Public Contracts Law.

The Town Manager requested a resolution to approve Bills and Vouchers for payment.

The following RESOLUTION was offered by Mr. Elvidge who moved its adoption, seconded by Mrs. Le Frois and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

RESOLUTION #149-2008

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 2007 and 2008 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

3,130.00	Gravity Design Works, Inc.	24193
4.00	NJ Motor Vehicle Services	24194
500,000.00	Newton Board of Education	24195
26,976.98	NJSHBP	810061
54,926.77	NJSHBP	810062
168,289.07	Payroll Account	810063
2,000,000.00	Lakeland Bank	810064
150.00	Main Street Newton, Inc.	24196
1,839.20	B & R Uniform	24197
211.11	Quill Corporation	24198
340.93	Staples Credit Plan	24199
529.99	Montague Tool & Supply	24200
90.00	S K Office Supply	24201
3,010.72	Harold Pellow & Assoc., Inc.	24202
105.00	Freedom Business Machines	24203
29.68	Airmark Pools	24204
90.00	Alpine Spring Water Company	24205
87.50	Sussex Car Wash, Inc.	24206
1,043.18	NUI Corporation	24207
173.00	G & G Diesel Service, Inc.	24208
790.00	New Jersey Herald	24209
36.36	SCMUA	24210
350.00	B & G Elevator	24211
2,232.00	EMBARQ	24212
4,077.50	Hollander,Hontz,Hinkes&Pasculli LLC	24213
21.18	Federal Express	24214

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89.36	ZEP Manufacturing Company	24215
1,646.00	JRF Tire, Inc.	24216
615.80	Willco, Inc.	24217
78.61	Newton Trophy	24218
375.00	Treasurer, State of New Jersey	24219
575.00	T. A. Mountford Company	24220
289.91	Galls Incorporated	24221
500.00	Lou's Glass	24222
388.00	Good Year	24223
147.25	Office Business Systems, Inc.	24224
50.00	Sussex County Assessors Assoc.	24225
554.22	Dempsey Uniform & Supply Inc.	24226
45.00	Royal Communications	24227
56.25	McGuire	24228
392.00	Grinnell Recycle	24229
288.06	Verizon Wireless	24230
2,102.05	Dell Marketing L.P.	24231
44.76	Walmart	24232
77.52	Mr. John	24233
892.50	Hampton-Clarke, Inc.	24234
99.00	Fred Pryor Seminars	24235
500.00	Teresa Ann Oswin	24236
1,575.00	Vogel,Chait,Collins,Schneider,PC	24237
10.95	Bowens Bluelines	24238
1,187.69	The Home Depot	24239
493.35	Buckman's Inc.	24240
1,816.47	Staples Business Advantage	24241
108.68	Gerber Landscaping Services, LLC	24242
48.36	Lowe's	24243
15.00	Screen Creation Plus	24244
625.00	Franklin Precast Tanks	24245
48.00	CSS Test	24246
1,491.67	Andrews & Company, LLC	24247
69.31	Hampton Body Works	24248
356.72	Municipal Graphics, Inc.	24249
320.00	Treasurer, State of NJ – Burial	24250
1,832.16	Rachles/Michele's Oil Company	24251
988.94	Taylor Oil Co.	24252
1,550.00	Laddey, Clark & Ryan LLP	24253
542.50	Municipal Record Service	24254
113.84	Industrial Chem Labs & Services Inc.	24255
455.00	Mahir Kaylani	22426

CAPITAL

10,396.57	Harold Pellow & Assoc., Inc.	7199
1,172.50	Hollander, Hontz, Hinkes & Pasculli LLC	7200
4,519.28	McManimon & Scotland	7201
3,054.35	Lou's Glass	7202
100.00	Art Frisbie's Airworx	7203
187.50	Houghton, Quarty, Warr	7204
217.44	Walmart	7205
474.41	Tilcon New Jersey	7206
140.18	Cooper Electric Supply Co.	7207
389.68	The Home Depot	7208

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9,772.28	A. Nelessen & Associates, Inc.	7209
365.42	Halcyon Roofing Solutions, Inc.	7210
435.00	Structural Metal Fabrications	7211
532.87	Cutting Edge Landscape Equip.	7212
200.00	NJ Dept. of Transportation	7213

Total TOWN BILLS \$2,823,947.41

WATER AND SEWER ACCOUNT

31,938.73	Payroll Account	860037
4,306.17	Harold Pellow & Assoc., Inc.	10265
1,174.65	MWH Americas, Inc.	10266
88.95	HACH Company	10267
773.62	CCP Industries	10268
505.08	Lee Company	10269
539.05	NUI Corporation	10270
11,017.69	Coyne Chemical Corp., Inc.	10271
25.46	EMBARQ	10272
350.00	Hollander, Hontz, Hinkes, & Pasculli LLC	10273
372.63	Beaver Run Farms	10274
1,530.00	Garden State Laboratories, Inc.	10275
19.58	Federal Express	10276
10,269.87	Current Account	10277
752.02	Lubrication Engineers Inc.	10278
250.00	Cosper Environmental Services, Inc.	10279
125.00	Rutgers Continuing Educ. Cook College	10280
267.97	Dempsey Uniform & Supply Inc.	10281
180.18	One Call Systems	10282
750.00	Frank Semeraro Construction Inc.	10283
8,510.00	R & D Trucking Inc.	10284
106.11	Airgas East	10285
196.00	Grinnell Recycle	10286
248.09	Universal Supply Group, Inc.	10287
1,250.00	John Smalley	10288
473.61	Tilcon New Jersey	10289
425.83	The Home Depot	10290
434.00	Kistler O'Brien Fire Protection	10291
249.68	Staples Business Advantage	10292
2,884.33	Andy Matt, Inc.	10293

CAPITAL

4,159.34	Harold Pellow & Assoc., Inc.	2108
140.00	Hollander,Hontz,Hinkes&Pasculli LLC	2109

Total WATER & SEWER BILLS \$84,313.64

TRUST

885.73	Payroll Account	871017
1,614.53	Harold Pellow & Associates, Inc.	2537
385.00	Hollander, Hontz, Hinkes & Pasculli LLC	2538
415.00	Art Frisbie's Airworx	2539
477.50	Weiner Lesniak	2540

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1,215.00	Vogel, Chait, Collins, Schneider, PC	2541
3,316.91	Walters Customer Cabinetry	2542
862.50	VOIDED	

Total TRUST ACCOUNT \$7,447.17

The Town Manager requested a resolution to authorize the execution of an Agreement with National Watermain for work relating to the Sewer Investigation – Phase I.

The following RESOLUTION was offered by Mrs. Unhoch who moved its adoption, seconded by Mayor Ricciardo and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

RESOLUTION #150-2008

WHEREAS, the Town Council of the Town of Newton awarded the contract for Consulting Services for the Newton Sewer Investigation, Phase I to MWH Americas, Inc. (MWH) by Resolution #100-2008 which was adopted June 23, 2008, and

WHEREAS, as part of the investigation there is need to locate potential inflow sources between storm drains and sanitary sewers and to determine the general condition of the sewers in the study area, and

WHEREAS, MWH requested proposals from several qualified companies to perform said services and is recommending, after review of the submitted proposals, that the contract be awarded to National Watermain, Inc., and

WHEREAS, National Watermain, Inc. has submitted the required paperwork for compliance with New Jersey Pay to Play laws, and said paperwork is on file in the Clerk’s office, and

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

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that the Town Manager and Municipal Clerk are hereby authorized to execute an agreement with National Watermain, Inc. for services related to the Sewer Investigation, Phase I based on the recommendation of MWH Americas, Inc. and that a copy of said agreement be attached to and made part of this resolution.

The Clerk presented an application from Thomas Fox, 25 Rt. 519, Newton, New Jersey and John-Paul Couce of 26 Linmor Avenue, Newton,

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New Jersey for membership of the Newton Fire Department's Junior Firefighters Program. It was noted that the applications were in order and had been approved by the Chief of the Fire Department.

The following RESOLUTION was offered by Mrs. Le Frois, who moved its adoption, seconded by Mrs. Unhoch and roll call resulted as follows:

Mr. Elvidge	Yes	Mrs. Unhoch	Yes
Mrs. Becker	Absent	Mrs. Le Frois	Yes
Mayor Ricciardo	Yes		

BE IT RESOLVED by the Town Council of the Town of Newton that Thomas Fox, 25 Rt. 519, Newton, New Jersey and John-Paul Couce, 26 Linmor Avenue, Newton, New Jersey be and is hereby appointed as members of the Newton Fire Department's Junior Firefighters Program.

Under Manager's Reports, Mr. Russo indicated the Newton Fire Chief reported that several fire trucks will be out-of-town on August 30th and Oct. 4th to participate in various parades.

Mrs. Millikin updated the Governing Body regarding on-going parking issues at Valley View Nursing Home and advised the issues have been resolved.

Mr. Russo updated Council on the paving projects for Harrison, Center and Cherry Streets and advised paving will take place in October.

Mayor Ricciardo addressed concerns regarding newly renovated landscaping for the Municipal Building. Mr. Russo will address Mayor Ricciardo's concerns with Mr. Ken Jaekel, Department of Public Works Director.

Mayor Ricciardo declared the meeting open to the public.

Mr. Don Meng, 185 Spring Street, Newton requested the closing of Spring Street on Saturday, October 11, 2008 for the Old Mine Road Festival.

The Governing Body had no objection to the closing of Spring Street

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for the Old Mine Road Festival.

Mr. Meng requested permission to hang a banner on the lamppost by the Newton Movie Theatre to advertise "Second Saturday" for Main Street Newton. The Governing Body permitted Main Street Newton to hang a banner on the lamppost advertising "Second Saturday."

Mr. Meng questioned the repaving of 185-191 Spring Street driveway and after a brief discussion, Mrs. Millikin advised that paving project was in the works.

There being no one else from the public to be heard, upon motion of Mayor Ricciardo, seconded by Mrs. Unhoch and carried, the meeting was adjourned at 7:19 p.m.

Respectfully submitted,

Lorraine A. Read, RMC
Municipal Clerk