

June 11, 2018

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

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 January 8, 2018."

Mayor Levante led the Pledge of Allegiance to the flag. It was noted the minutes of May 30, 2018 Special and Regular meetings were not approved because the Councilmembers did not receive them for review therefore the minutes were carried to the next Council meeting.

OPEN TO THE PUBLIC

At this time, 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 take one turn at the microphone and please limit their comments to 5 minutes. The Clerk will keep time. 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."

Mayor Levante opened the meeting to the public.

Dr. Ludmilla Mecaj, 9 Madison Street, read from a prepared statement:

"I'll read the following statement into the record and submit the hard copy for attachment to the meeting.

Per town record: We have not withdrawn our petition to move the election to November. Therefore your Ordinance number 2018-12 should never have been introduced, because it is in conflict with our petition already introduced on April 18th 2018.

We have not given permission to anyone to change our petition in any way. Ms. Leo: the same statement applies to you. You have no authority over our petition. To refresh your memory, the Council rejected our position, but could not legally reject our petition.

Therefore this is a legal matter that has moved to the Town Clerk. Town Clerk, Mrs. Read! You have no authority to change our petition without asking for a Judge's permission. Further, we believe there is an ethical conflict for you to use the legal services of Laddey-Clark-Ryan. They represent our opponent and the Town Clerk is supposed to remain independent and unbiased. Thank You."

Melissa Costello, 16 Halsted Street, addressed the Council and indicated she was advised by a reliable source, who does not live in Newton, but is involved in politics. Ms. Costello was told "the Town Clerk cannot change the Petition" and "must hire her own

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attorney to remain independent". The Town Clerk must not get advice from the Town Manager or the Town Attorney.

Anwar Qarmout, 45 Woodside Avenue, believes since the Petition was rejected by the Governing Body and not deemed illegal then it cannot be changed. He is pleading that the Municipal Clerk move forward with the Petition and stated he does not give the Municipal Clerk permission to change the Petition.

Maureen Snellen, Plainfield Avenue, questioned if public parking is available under the new complex at Newton Town Centre located at 145 Spring Street. Mr. Russo will address after public comment.

James P. Ciaravolo, 124 Spring Street, read a prepared statement:

"The GNCC has always worked towards enhancing the beauty of the town's business district by providing street flags, hanging flower baskets; as well as, holiday decorations.

Recently, a beautification committee was established and, as a result, a partnership was formed with the Town of Newton Community Development Office. As a partnership, a new program was established; a program document known as "Adopt-A-Site Program" (AASP) and was, subsequently, approved by the Town Council.

An overview of the AASP was to reach out to the local businesses, civic organizations and individuals to adopt a Town welcome sign for the purpose of enhancing the beauty of the roads leading to the Town, and by making it a more beautiful and pleasant place to live, work, visit and shop.

There are 5 main roads leading to the center of Town and each welcome sign has been adopted by local businesses. Each sponsor will determine the upgrading of their site by planting perennial or seasonal plants and maintain them at their expense; which would include weeding, pruning, and watering for a minimum period of 2 years. This maintenance would also include the replacement of dead plants or seasonal changes of annual flowering plants. In exchange for their dedication and support, a sign bearing the sponsor's name will be posted in the area they adopted. Funding of the signs was made possible from donations and there will be no expense to the Town or the Chamber of Commerce. We are very pleased with the level of participation and look forward to expanding the program to other Town locations.

All welcome sign site locations have been adopted by the following companies and locations:

1. Barn Hill Medical Care: Route 94 across from Lentini Vegetable Farms.
2. Ray Bears Landscape: Route 206 across from Valley View Farms.
3. Graphic Designworks: Newton-Sparta Road.
4. SB One Bank: Route 519 by the Sussex County Community College Ball Field.
5. KUDZU Emporium: Route 206 across from Carpet Gallery.

We look forward to expanding the "Adopt-A-Site Program" and welcome any businesses, civic organizations or individuals that would have an interest in participating to contact James Ciaravolo @ 973-903-2369 or Kimberly Williams @ 973-383-3521.

We further appreciate your past and future support."

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Suzanne Kimble, 20 Orchard Street, asked the Town Council to reconsider the Petition.

Ted L'Estrange, 43 Prospect Hill Road, New York, addressed the Council to request a Resolution condemning China's state-sanctioned harvesting organs from Falun Gong practitioners for profit. He disseminated information to the Town Council.

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

COUNCIL & MANAGER REPORTS

a. **Mayor Levante** - reported on a recent article in the NJH, advising that the Sussex County Community College will no longer be having the 'Thursday on the Green' concerts after a 15-year run. He suggested perhaps the Town may consider taking over such an event and bringing it to the downtown area of Newton.

b. **Deputy Mayor Elvidge** – no report at this time.

c. **Councilwoman Le Frois** – reported on her recent tour of the Newton pool and thanked the pool crew for the work in preparing for the new summer season. She advised of her recent tour of the new 'Newton Town Centre' and noted only 10 units are left for rent. She attended the ribbon cutting ceremony at Crowdaddy's on Moran Street. The restaurant has been successful, thus far and the owner advised they will soon open two additional locations in Warren County, NJ and in Madison, NJ. Mrs. Le Frois reported on the Miss Newton, Little Mr. Newton, and Little Miss Newton contests which took place Friday, June 8th. She noted Newton Day was a great success on Saturday, June 9th with the fireworks display in the evening. She thanked all involved with the Newton Day events and the fireworks. She congratulated various new restaurants who recently opened and wished them all much success.

d. **Councilman Flynn** – reported on his recent executive board meeting with the New Jersey State League of Municipalities. Many legislative updates were addressed along with discussions on the redevelopment and pilot programs. He commented on Hackettstown's viability and had conversation with Jim Sheldon, Executive Director in Hackettstown. He believes Newton is looking better but cannot compare to Hackettstown yet.

e. **Councilwoman Diglio** – absent.

f. **Town Manager Russo** – congratulated all the contestants of the Miss Newton contest held Friday evening, as well as, the contestants of Little Miss/Mr. Newton. He also congratulated all the organizations/groups involved with Newton Day on Saturday, June 9th. Mr. Russo addressed the public parking spaces held under the 'Newton Town Centre'. There are 27 parking spaces controlled by the Newton Parking Authority and noted that 23 traditional and 2 handicapped spaces will be provided, through a lottery, to the merchants on Spring Street. This will allow the parking spaces on Spring Street to be freed up for customers and public use.

ORDINANCES

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

ORDINANCE #2018-8

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF NEWTON, CHAPTER 100, FEES AND COSTS

WHEREAS, the Town Council of the Town of Newton, upon recommendation from the Town Manager and Town employees, has determined that Chapter 100, entitled Fees & Costs, is in need of revisions regarding current Town fees and costs;

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

SECTION 1. Section 100-2 "Peddling and soliciting" is hereby amended to add new section 100-2.C as follows:

100-2.C Annual Food Truck Permit Fee: Starting January 1, 2019, \$500.00 per year (limit of six (6) permits issued within the Town per year). The pro-rated fee for the remainder of 2018 shall be \$250.00.

SECTION 2. Section 100-17 "Health Codes" is hereby amended to add new section 100-17.C(3) as follows:

100-17.C(3) Late Fee for Food Handler's Permit: \$75.00 per month

SECTION 3. Section 100-24 "Miscellaneous fees and charges" is hereby amended to add new sections 100-24.M and 100-24.N as follows:

100-24.M Annual Bulk Permit Pickup Fee: \$30.00 (one per household)

100-24.N Annual Farmer's Market Fee: \$200.00

SECTION 4. SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

Mayor Levante opened the meeting to the public.

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

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

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

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

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

ORDINANCE #2018-9

AN ORDINANCE AMENDING SECTIONS 320-3 "DEFINITIONS" AND 320-2.C "PERMITTED USES" OF THE NEWTON TOWN CODE TO PERMIT LIGHT INDUSTRIAL USES IN THE T-4 AND T-5 ZONES

WHEREAS, the Town Council of the Town of Newton wishes to update permitted uses in the T-4 and T-5 Zones to be consistent with redevelopment in the areas which include the T-4 and T-5 Zones within the Town of Newton; and

WHEREAS, the Town Council of the Town of Newton wish to update the Town Ordinances to be consistent with existing development patterns in the T-4 and T-5 Zones; and

WHEREAS, the Town Council of the Town of Newton finds that after having reviewed the various zoning districts within the Town of Newton, that the T-4 and T-5 Zones are suitable locations for various light industrial uses;

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

SECTION 1: Section 320-3 of the "Zoning: Form-Based Code" Chapter of the Code of the Town of Newton, shall be and is hereby amended as follows:

The definition of "Warehouse and Storage" shall be deleted in its entirety and the following new definition added:

WAREHOUSE AND STORAGE – The storage of materials in a warehouse or terminal and where such materials may be combined, broken down or aggregated for transshipment or storage and where the original material is not chemically or physically changed. Excludes bulk storage of materials that are hazardous or explosive, outdoor storage or materials that present hazards or conditions commonly recognized as offensive.

The definition of "Product Filling and Assembly" shall be added as follows:

PRODUCT FILLING AND ASSEMBLY – The filling of containers or packages with a product for shipping and assembly of products from pre-made parts or products manufactured elsewhere.

SECTION 2: Section 320-2.C "Permitted Uses" shall be revised as follows:

	Light Industrial	T-1	T-2	T-3	T-4	T-5	T-6
75	Warehouse and storage	NP	NP	NP	P	P	NP
76	Light manufacturing	NP	NP	NP	P	P	NP
77	Product filling and assembly	NP	NP	NP	P	P	NP

SECTION 3: SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 4: NOTICE

The Town Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Town Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 5: EFFECTIVE DATE

Mayor Levante opened the meeting to the public.

Wayne McCabe, 125 High Street, questioned the light industrial uses under the proposed Ordinance which was addressed by Mr. Russo.

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

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

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

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

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

ORDINANCE #2018-10

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF NEWTON, SECTION 320-25, SIGN STANDARDS, REGARDING THE EXISTING SIGNS AT 116-118 SPRING STREET

WHEREAS, the Town Council of the Town of Newton desires to allow the existing signs of the Plaza Restaurant, located at 116-118 Spring Street, Block 8.08, Lot 20 to remain and be replaced if removed;

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

SECTION 1: Section 320, General Sign Provisions, is amended by the addition of the following Section 320-25A(11),

320-25A(11) The signs existing at the Plaza Restaurant, 116-118 Spring Street (Block 8.08, Lot 20) are grandfathered and permitted to remain as is, as of the date of adoption of this ordinance, and may be replaced if partially or completely destroyed; and may be replaced as is, if removed. Any new or additional signs at the property must comply with all applicable provisions of the Town Code.

SECTION 2: SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 3: NOTICE

The Municipal Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Municipal Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

Mayor Levante opened the meeting to the public.

Councilman Flynn believes the transaction may not happen at this location and questioned the Ordinance. Mr. Russo indicated it should still be adopted in case the transaction takes place in the future.

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

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

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

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

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

ORDINANCE #2018-11

AN ORDINANCE CREATING A NEW ARTICLE III TO CHAPTER 206 OF THE CODE OF THE TOWN OF NEWTON, PEDDLING AND SOLICITING, TO ALLOW FOR FOOD TRUCKS

WHEREAS, the Town Council of the Town of Newton desires to allow food trucks in certain areas within the Town, subject to certain regulation.

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, that the Newton Town Code shall be revised with the adoption of a new Article III, Food Trucks, as a part of Chapter 206, Peddling and Soliciting.

Section 1. A new Article III, Food Trucks, of Chapter 206 of the Town Code, Peddling and Soliciting, is hereby adopted as follows:

Article III: FOOD TRUCKS

A. Fees, Permits and Insurance

1. Starting January 1, 2019, a \$500.00 fee shall be payable to the Town on an annual calendar year basis for a Food Truck Permit within the Town of Newton. Said fee shall not be prorated and no refunds will be given. For the remainder of 2018, the fee shall be set at \$250.00. No refunds will be given for 2018.
2. A maximum of six (6) permits will be issued by the Town of Newton Municipal Clerk's Office each calendar year, on a first-come, first-serve basis, beginning January 1st.
3. The Food Truck owner shall be responsible for obtaining approval from the County of Sussex Fire Marshal and County of Sussex Health Department. Prior to issuance of a Town of Newton Food Truck Permit, the Food Truck owner must provide a copy of both County approvals to the Town of Newton Municipal Clerk's Office.
4. The Food Truck owner shall provide the Town of Newton Municipal Clerk's Office a signed Hold Harmless Agreement and Certificate of Insurance naming the Town as an additional insured, both of which shall be reviewed and approved by the Town Manager in consultation with the Town's professionals, prior to issuance of a permit.

B. Location, Parking and Garbage Removal

1. Food trucks shall only be allowed at the following locations:
 - a. Pine Street Park;
 - b. Memory Park;
 - c. Newton Town Pool; and
 - d. Newton Park-N-Ride Lot.
2. The exact parking location of the food trucks shall be determined by the Town Manager or his designee.
3. The Food Truck owner shall be responsible for removing any garbage or refuse created by their truck operations.

C. Time Limit/Schedule

1. Food trucks shall follow the permitted park hours of Section 200-2 Hours; prohibited activities; fines of the Newton Municipal Code.
2. Registered food trucks shall only be allowed in the approved locations from April 1st through November 30th.

Section 2. 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 3. 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 4. Effective Date. This Ordinance will take effect after publication and passage according to law.

Mayor Levante opened the meeting to the public.

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

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

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

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

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

Mayor Levante asked Mrs. Leo how to proceed with this Ordinance and was advised since the Petition was not withdrawn, this Ordinance cannot be adopted.

ORDINANCE #2018-12

AN ORDINANCE DIRECTING THE CLERK OF THE TOWN OF NEWTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO SUBMIT THE FOLLOWING NON-BINDING REFERENDUM TO THE VOTERS OF THE TOWN OF NEWTON AT THE NEXT GENERAL ELECTION

WHEREAS, the Town of Newton has a non-partisan Council-Manager form of government, which holds regular Municipal elections on the second Tuesday in May, per N.J.S.A. 40:69A-83.1; and

WHEREAS, Newton may, by ordinance, choose to hold regular municipal elections on the day of the General election, the Tuesday after the first Monday in November, per N.J.S.A. 40:45-7.1; and

WHEREAS, a Committee of Petitioners, Dr. Ludmilla G. Mecaj, Suzanne M. Kimble, William R. Kimble, Barbara J. Morris, and Neil L. Morris, submitted an initiative petition to the Town of Newton Clerk on April 18, 2018, proposing an ordinance to move the Municipal election from May to November; and

WHEREAS, the Town Council desires to propose to the voters, at the next General election, on November 6, 2018, the question as to whether they support moving the Town Municipal elections from May to November;

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

1. The Newton Town Council does hereby request the following referendum be forwarded to the Sussex County Clerk for inclusion on the next General election ballot:

Shall the Town of Newton's regular municipal elections be moved from May, and instead be held on the day of the General election, in November?

[] Yes

[] No

INTERPRETIVE STATEMENT

Newton is a non-partisan Faulkner Act municipality, which has held elections in May to maintain the non-partisan nature of municipal elections and government.

The proposed ordinance would move Municipal elections from May to the General elections in November. The General elections necessarily include political party identification of candidates running for office other than Newton Town Council member. Candidates running for the Newton Town Council will not have a party affiliation listed after their name.

The May Municipal elections cost approximately \$16,000.00 every two years, at a cost of approximately \$5.00 per Town household every two years. Once a municipality changes the date of the regular Municipal election to the day of the General election in November, it shall not be permitted to change the day of the election back to the second Tuesday in May until at least 10 years have passed since adoption of the ordinance changing the municipal election to the day of the General election.

1. "Yes" vote on this question will mean the voters desire the Municipal elections be moved from May to November, at the same time as the General elections.

2. The Sussex County Clerk is hereby requested to print the Referendum and Interpretive Statement on the Official Ballot for the next General election to be held on November 6, 2018.

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.

Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Effective date. This Ordinance shall take effect after its final passage and publication as required by law.

Mayor Levante opened the meeting to the public on this Ordinance.

Anwar Qarmout, 45 Woodside Avenue, again pleaded the Petition, submitted by the residents of Newton, be sent to the General Election by the Municipal Clerk.

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

Councilman Flynn stated there are strong words being spoken from those who do not hold a law degree. He feels the Committee, who submitted the Petition, should

have sought legal advice prior to submitting the Petition to the Town. The Town Council tried to rectify this Petition with the proposed Ordinance, which would have eliminated the need for a Special Election, but the Petition Committee did not withdraw their Petition, so now a Special Election is required by State law. I feel this is the "fault" of the Petitioners and not the Governing Body. Mr. Flynn than noted the Petition Committee directed the Municipal Clerk to obtain separate legal Counsel, at the cost of the taxpayers, in addition to the cost (\$16,000) of the Special Election. "It's a bad situation" which none the Councilmembers put the Town in, Councilman Flynn concluded.

Mayor Levante stated he continues to be "disheartened" by the criticism of the public. He feels the Petition filed should have been either claimed as "valid" or "illegal" and the Town chose to "reject it."

Councilman Flynn indicated the Petition was considered "valid" but Council chose to "reject it" and submitted a solution which would allow the question to be moved to November as requested. But the Petition was not withdrawn therefore a Special Election must be held.

Deputy Mayor Elvidge agreed with Mr. Flynn that the Petition submitted was not sufficient and feels the Council compromised with the proposed Ordinance. He feels the Municipal Clerk should not "have to stand on her own" because this issue was addressed by the Town Council.

Councilwoman Le Frois indicated the Council has discussed this issue for the past three Council meetings which clearly outlined the necessary steps as well as the "causes and effects" of the submitted Petition. It was clearly noted that a Special Election would have to take place, if the Petition was not withdrawn by 8:30 am on June 11th. This is the result of the 'unintended consequence' of the Petition Committee, Mrs. Le Frois concluded.

Mrs. Leo indicated the Municipal Clerk performed the two necessary requirements by Statue. She indicated the proposed Ordinance needs to be rejected because the Petition is now required to go to a Special Election.

A motion to reject this Ordinance by Mr. Flynn, seconded by Deputy Mayor Elvidge and roll call resulted as follows:

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

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Mayor Levante

No Vote

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

ORDINANCE #2018-13

ORDINANCE REAPPROPRIATING \$27,244.53 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR IMPROVEMENTS TO THE TOWN POOL IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$27,244.53 of the proceeds of obligations originally made available for light improvements for the Central Business District and parking lots as set forth in Section 3(c) of bond ordinance #2015-16 of the Town of Newton, in the County of Sussex, New Jersey (the "Town") finally adopted April 27, 2015 are no longer necessary for the purpose for which the amount previously was authorized.

Section 2. The \$27,244.53 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for improvements to the Town pool.

Section 3. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Levante opened the meeting to the public.

Anwar Qarmout, 145 Woodside Avenue, suggested the Newton pool be a year-round facility. He suggested it be enclosed for year-round use for the community and the public.

Ludmilla Mecaj, 9 Madison Street, agrees the Newton pool should be a year-round facility and suggested partnering with Sussex County Community College.

Maureen Snellen, Plainfield Avenue, suggested this Ordinance be rejected and put the money toward the Special Election.

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

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Councilman Flynn feels a year-round pool would be great but believes it would need to have a retractable roof for summer use. Mr. Russo indicated the Town is looking into enclosing the pool but needs to get through this pool season first.

Mayor Levante noted the Town has put a lot of money into the municipal pool in the past several years and believes an all year round pool facility would be a great asset to this community.

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

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

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

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

ORDINANCE #2018-14

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$105,000.00 FOR WATER TANK AND RELATED WATER QUALITY IMPROVEMENTS IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

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

Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Absent
	Mayor Levante	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 the same to be held on Monday, June 25, 2018.

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

ORDINANCE #2018-15

A FULLY FUNDED GENERAL CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$15,000.00 FOR ACQUISITION OF ROAD EQUIPMENT IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

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

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Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Absent
	Mayor Levante	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 the same to be held on Monday, June 25, 2018.

OLD BUSINESS

a. Resolution

RESOLUTION #95-2018

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWN OF NEWTON AND THE NEWTON HOUSING AUTHORITY FOR THE USE OF VARIOUS TOWN ENGINEERING AND EMPLOYEE SERVICES

Mr. Russo advised this Resolution will be carried to the next regular Council Meeting on June 25th.

CONSENT AGENDA

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 reviewed the Resolutions on the consent agenda.

RESOLUTION #122-2018*

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH WILLIAM HINKES, ESQ., AS CONFLICT COUNSEL FOR THE TOWN OF NEWTON FOR A SPECIAL PROJECT

WHEREAS, a professional services of Conflict Counsel is needed by the Town of Newton to assist with water issues concerning the Wawa convenience store being constructed in Sparta; and

WHEREAS William Hinkes, Esq. has expressed an interest in serving as Conflict Counsel; and

WHEREAS, an appropriate agreement for said services has been prepared for execution by both parties; and

WHEREAS, legal services are 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 the candidate complies with all requirements for appointment without public bidding under N.J.S.A. 19:44A-1 et seq.;

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby authorizes the Mayor and Municipal Clerk to execute an agreement, in duplicate, with William Hinkes, Esq. to permit him to perform the services of Special Counsel for the Town of Newton related to water issues concerning the Wawa convenience store being constructed in Sparta; and

BE IT FURTHER RESOLVED, that a fully executed copy of the agreement and a certified copy of this Resolution be forwarded to William Hinkes, Esq. and kept on file in the Municipal Clerk's office for public viewing.

RESOLUTION #123-2018*

TO CANCEL CAPITAL APPROPRIATION BALANCES IN THE GENERAL CAPITAL FUND

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

WHEREAS, the Town Manager and other Town Officials have reviewed and determined 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 or credited to Fund Balance, and unused debt authorizations may be cancelled;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton that the following unexpended and dedicated balances of the General Capital appropriations totaling \$28,907.29 be cancelled:

<u>Ordinance Number</u>	<u>Date Auth.</u>	<u>Project Description</u>	<u>Amount Cancelled</u>	
			<u>Funded</u>	<u>Unfunded</u>
2014-6	4/14/14	Var.-Control Panel Sussex Pump Station	\$8,500.00	
2015-16	04/27/15	Var.- Road Paving/curbing/sidewalk	\$4,870.17	
2015-16	04/27/15	Various - Body Cameras – Police	\$783.84	
2017-2	01/30/17	Reapprop. Police Car	\$1,019.52	
2017-9	05/08/17	Various - DPW Pickup Truck		\$1,037.65
2017-9	05/08/17	Various - Crash Trailers		\$12,696.11

RESOLUTION #124-2018*

Town of Newton Resolution #124-2018 Amendment to the Water/Sewer Capital Budget									
WHEREAS , the local water sewer capital budget for the year 2018 was adopted on the 9th day of April, 2018; and									
WHEREAS , it is desired to amend said capital budget section;									
NOW, AND THEREFORE BE IT RESOLVED , by the Town Council of the Town of Newton, County of Sussex, the following amendment(s) to the adopted capital budget section of Water/Sewer Capital Fund be made;									
Recorded Vote (Insert Names)								Abstain (
		(Elvidge						(
		(Flynn						(
		Ayes (Le Frois		Nays (
		(Levante						(
		(Absent (Diglio	
								(
WATER/SEWER CAPITAL BUDGET (Current Year Action)									
2018									
Planned Funding Services for Current Year 2018									
1	2	3	4	5a	5b	5c	5d	5f	Total Funded
Project	Project Num.	Est. Total Cost	Amt. Res. In Prior Years	2018 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid/Other Fund	Debt Authorized	In Future Year
Water Tank Improvements	2018-14	\$ 105,000.00	\$ 105,000.00						
Total All Projects		\$ 105,000.00	\$ 105,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

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SIX YEAR CAPITAL PROGRAM 2018 TO 2023
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS

1 Project	2 Project Number	3 Est. Total Cost	4 Estimated Completion Time	5 Capital Improvement Fund Budget	Funding Amounts Per Year					
					2018	2019	2020	2021	2022	2023
Water Tank Improvements	2018-14	\$ 105,000.00	2018		\$ 105,000.00					
Total All Projects		\$ 105,000.00		\$ -	\$ 105,000.00	\$ -	\$ -	\$ -	\$ -	\$ -

Be It Further Resolved, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services, and one copy be forwarded to the Town Auditor and Chief Financial Officer.

It is hereby certified that this is a true copy of a resolution amending the Capital Budget section 'as adopted by the Governing Body on the 11th day of June, 2018.

Certified by:

Date

Lorraine A. Read, RMC
Municipal Clerk

RESOLUTION #125-2018*

CAPITAL BUDGET AMENDMENT

Whereas, the local Capital Budget for the year 2018 was approved on the 9th day of April 2018; and **RESOLUTION NO. 125-2018**
Whereas, it is desired to amend said adopted Capital Budget Section;
Now, Therefore Be It Resolved, by the Town Council of the Town of Newton, County of Sussex that the following Capital Budget amendment of 2018 be made:

RECORDED VOTE:	AYES	(NAYS	(ABSTAIN	(
(Insert last name)	((((ABSENT	(
	(((((
	(((((

CAPITAL BUDGET (Current Year Action)

2018

PLANNED FUNDING SERVICES FOR CURRENT YEAR 2018

PROJECT	PROJECT NUMBER	ESTIMATED COST	AMOUNTS RESERVED IN PRIOR YEARS	2018 BUDGET APPROPRIATIONS	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS IN AID AND OTHER FUNDS	DEBT AUTHORIZED	TO BE FUNDED IN FUTURE YEARS
Acquisition Road Equipment	#2018-15	15,000.00	15,000.00						
TOTAL ALL PROJECTS		15,000.00	15,000.00						

3 YEAR CAPITAL PROGRAM 2018 - 2020

Anticipated Project Schedule and Funding Requirements

PROJECT	PROJECT NUMBER	ESTIMATED COST	ESTIMATED COMPLETION TIME	BUDGET YEAR: 2018	FUNDING AMOUNTS PER YEAR					TO BE FUNDED IN FUTURE YEARS
					2019	2020	2021	2022	2023	
Acquisition Road Equipment	#2018-15	15,000.00	2018	15,000.00						
TOTAL ALL PROJECTS		15,000.00		15,000.00						

3 YEAR CAPITAL PROGRAM 2018 - 2020

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

PROJECT	ESTIMATED COST	BUDGET APPROPRIATIONS			CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS IN AID AND OTHER FUNDS	BONDS AND NOTES		
		CURRENT YEAR 2018	FUTURE YEARS					GENERAL	SELF LIQUIDATING	ASSESSMENT
Acquisition Road Equipment	15,000.00					15,000.00				
TOTAL ALL PROJECTS	15,000.00					15,000.00				

Be It Further Resolved, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services, and one copy be forwarded to the Town Auditor and Chief Financial Officer.

It is hereby certified that this is a true copy of a resolution amending the Capital Budget section 'as adopted by the Governing Body on the 11th day of June, 2018.

Certified by:

Date

Lorraine A. Read, RMC
Municipal Clerk

RESOLUTION #126-2018*

AUTHORIZING THE USE OF SOURCEWELL COOPERATIVE

WHEREAS, N.J.S.A. 52:34-6.2 authorizes contracting units, including the Town of Newton, to make purchases and contract for services through the use of nationally recognized and accepted cooperative purchasing agreements that have been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey or within any other state; and

WHEREAS, the Town of Newton has determined the use of cooperative purchasing agreements may result in significant cost savings and is desirous of joining and participating in a national cooperative called Sourcewell; and

WHEREAS, Sourcewell is established as a public agency and serves agencies across the United States and Canada as a municipal contracting agency; and

WHEREAS, Sourcewell operates under the enabling authority of Minnesota Statute 123A.21; and

WHEREAS, the Town of Newton desires to become a member of Sourcewell for the purposes of purchasing goods and or services through a procurement process that is more efficient and provides a cost savings to the Town;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, being the Governing Body thereof, that the Town of Newton be and hereby is authorized to join and become a member of Sourcewell; and

BE IT FURTHER RESOLVED that the Town Manager be and hereby is authorized to execute any agreement and the Municipal Clerk is authorized to attest to the signature of the Town Manager on any agreement signed in connection with joining and participating in Sourcewell; and

BE IT FURTHER RESOLVED that the Town of Newton shall be responsible for ensuring that all goods and/or services procured through Sourcewell comply with all laws of the State of New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and all other provisions of the revised statutes of the State of New Jersey.

RESOLUTION #127-2018*

AUTHORIZE ELECTRONIC TAX SALE NOTICE FEES TO BE CHARGED

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee not to exceed \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, the Town of Newton wishes to balance the effect of fees upon the property owner, which may be experiencing financial hardship, with other residents who should not have to bear any additional costs. The Town hereby sets a one-time fee of \$25.00 for the two (2) required notices;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that a one-time fee of \$25.00 is hereby authorized and is to be charged to each property owner appearing on the 2018 electronic tax sale list.

RESOLUTION #128-2018*

AUTHORIZE TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE FOR THE YEAR 2018

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WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors and RealAuction.com to conduct electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the Town of Newton wishes to participate in an electronic tax sale;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

RESOLUTION #129-2018*

TRANSFER OF SCHOOL MONIES FOR THE PERIOD JULY 1, 2018 TO DECEMBER 31, 2018

BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Treasurer be authorized to turn over to the Treasurer of School Monies, as monies become available, the amount of \$6,178,593.00 to meet the obligations of the Newton Board of Education, exclusive of Debt Service, in accordance with the Statutes and the request of the Board of Education of Newton;

Amount of Tax Voted \$12,357,185.00
(Exclusive of Debt Service)

Amount Received to Date 0.00
Amount of This Request \$6,178,593.00

Balance Due Board of Education \$6,178,592.00

RESOLUTION #130-2018*

MEMORIALIZE THE SPRING STREET & LOWER SPRING STREET CONSTRUCTION PLAN FOR PARKING ON SPRING STREET AND LOWER SPRING STREET

WHEREAS, Harold E. Pellow, P.E & L.S., has prepared a Spring Street & Lower Spring Street Construction Plan, consisting of 2 pages, dated June 2018 (the "Plan"); and

WHEREAS, the Plan details the maximum parking arrangement and spaces along Spring Street and Lower Spring Street; and

WHEREAS, the Town Council wishes to memorialize and accept the Plan for parking on Spring Street and Lower Spring Street;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Newton, County of Sussex, and State of New Jersey that the Town Council hereby memorializes and accepts the Spring Street & Lower Spring Street Construction Plan dated June 2018 for parking on Spring Street and Lower Spring Street.

RESOLUTION #131-2018*

APPOINTMENT OF VICKI HALL AS AN ALTERNATE MEMBER OF THE NEWTON PLANNING BOARD

WHEREAS, there currently is a vacancy on the Town of Newton Planning Board for an Alternate Member; and

WHEREAS, Vicki Hall has expressed an interest in serving on the Planning Board;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Vicki Hall is hereby appointed to fill an unexpired two-year term as an Alternate Member of the Newton Planning Board, effective immediately with said term continuing to December 31, 2018.

RESOLUTION #132-2018*

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 2017 and 2018 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

40140	AG CHOICE, LLC.	1,086.00
40141	AJ Images, Inc.	1,000.00
40142	AMERICAN SOCIETY OF COMPOSERS,	350.92
40143	ARF RENTAL SERVICES, INC.	335.16
40144	ATLANTIC TACTICAL INC.	39.88
40145	BOONTON TIRE SUPPLY INC.	1,851.87
40146	CAMPBELL'S SMALL ENGINE INC.	16.99
40147	CAPITAL ACCOUNT	60,000.00
40148	CENTURYLINK COMMUNICATIONS, INC.	125.85
40149	CENTURYLINK COMMUNICATIONS, INC.	2,692.48
40150	COOPER ELECTRIC SUPPLY CO.	166.30
40151	CSS TEST INC.	48.00
40152	EXTRA TECH DATA SERVICES, LLC.	80.00
40153	FALCONER, LORETTA	75.00
40154	FIRST UNITED METHODIST CHURCH	100.00
40155	FOCHT, DOUGLAS	3,768.31
40156	GALLS, LLC	348.21
40157	HOME DEPOT, INC.	19.88
40158	IHEARTMEDIA + ENTERTAINMENT INC.	1,000.00
40159	J. CALDWELL & ASSOCIATES, LLC.	2,735.00
40160	JCP&L	6,595.44
40161	LADDEY, CLARK & RYAN, LLP	4,480.90
40162	LOWE'S , INC.	371.44
40163	NEW JERSEY HERALD, INC.	20.70
40164	Newton Medical Center Foundation	250.00
40165	NJLM	25.00
40166	NJLM	175.00
40167	NJMEBF	84,182.00
40168	NORTHERN RAIN	219.00
40169	PREMIER HOOD CLEANING LLC	485.00
40170	PRIME TIME NEWTON SENIORS	3,000.00
40171	PUBLIC ENGINES, INC.	1,529.15
40172	QUALITY INN & SUITES	71.40
40173	QUILL CORPORATION	60.17
40174	R & J CONTROL INC.	2,973.00
40175	RACHLES/MICHELE'S OIL COMPANY, INC.	5,334.99
40176	READ, LORRAINE	21.26

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40177	ROGO FASTENER CO., INC.	364.42
40178	SARAH GRUB	51.92
40179	SEBRING AUTO PARTS, INC.	400.40
40180	STAPLES BUSINESS ADVANTAGE, INC.	72.98
40181	SUSSEX COUNTY CHAMBER OF COMMERCE	1,200.00
40182	TAP INTO, LLC	975.00
40183	TAYLOR OIL CO., INC.	2,336.43
40184	TERESA ANN OSWIN	6.70
40185	THE CANNING GROUP, LLC.	625.00
40186	THYSSENKRUPP ELEVATOR CORP.	227.07
40187	TRIMBOLI & PRUSINOWSKI, LLC.	1,625.00
40188	UNIVERSAL MAILING SERVICE	934.16
40189	USA HOISTCO., INC.	1,489.00
40190	VOGEL,CHAIT,COLLINS,SCHNEIDER, PC,	2,010.00
40139	MAZURYK, MICHAEL	75.00
181038	ELAVON	201.04
181037	PAYROLL ACCOUNT	206,428.45
40086	TRANSUNION ALTERNATIVE RISK & DATA	1,140.00
40031	MARTYN MAZURYK	-75.00

CAPITAL

8716	FKA ARCHITECTS INC.	1,580.00
8717	T.R. WENIGER, INC.	39,446.96

Total TOWN BILLS \$446,748.83

WATER AND SEWER ACCOUNT

16925	CENTURYLINK COMMUNICATIONS, INC.	1,207.13
16926	CURRENT ACCOUNT	1,651.63
16927	EAGLE EQUIPMENT, INC.	483.30
16928	EXTRA TECH DATA SERVICES, LLC.	250.00
16929	HOME DEPOT, INC.	48.97
16930	IHEARTMEDIA + ENTERTAINMENT INC.	1,000.00
16931	J. CALDWELL & ASSOCIATES, LLC.	935.00
16932	JCP&L	14,789.94
16933	KKPR MARKETING & PUBLIC RELATIONS,	975.00
16934	LADDEY, CLARK & RYAN, LLP	416.00
16935	NJMEBF	89,406.00
16936	PROCESS TECH SALES AND SERVICE	1,455.95
16937	PUMPING SERVICES, INC.	31,325.80
16938	R & J CONTROL INC.	4,635.00
16939	SCHNEIDER ELECTRIC IT USA, INC.	4,091.05
16940	SUSSEX COUNTY CHAMBER OF COMMERCE	1,200.00
16941	TAP INTO, LLC	975.00
16942	TRUST ACCOUNT, TOWN OF NEWTON	20,000.00
186021	PAYROLL ACCOUNT	34,939.43
186020	STATE OF NEW JERSEY - PWT	425.01

Total WATER & SEWER Bills \$ 210,210.21

TRUST ACCOUNT

3741	BRODHECKER FARM, LLC.	1,419.00
3742	CREATIVE SERVICE OF NEW ENGLAND	207.95
3743	DANIELSON, DEBORAH	50.00
3744	FOREMOST PROMOTIONS, INC.	928.85
3745	PELLOW, HAROLD & ASSO, INC.	520.00
3746	SIGN-A-RAMA, INC.	840.00
3747	VOGEL,CHAIT,COLLINS,SCHNEIDER, PC,	1,050.00
187111	PAYROLL ACCOUNT	972.00

Total TRUST ACCOUNT Bills \$ 5,987.80

FEDERAL/STATE GRANTS

1413	GALLS, LLC	3,050.69
1414	SHRED-IT US JV, INC.	836.25
181111	PAYROLL ACCOUNT	445.67

Total FEDERAL/STATE GRANT Bills \$ 4,332.61

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

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

INTERMISSION – None.

DISCUSSION

Mr. Russo indicated he and the Municipal Clerk worked on the schedule requirements and financial aspects of the necessary Special Election. Mrs. Leo outlined the required statutes for the Special Election and Mrs. Read outlined the financial obligations born solely by the Town of Newton. A date of July 31st was proposed but needs to be confirmed. Mr. Russo noted the CFO will prepare an emergency resolution at the next Council meeting for the proposed cost of approx. \$20,000.00 with the additional factors of DPW staffing and comp time for Election officials.

OPEN TO THE PUBLIC

Mayor Levante opened the meeting to the public.

Melissa Costello, 16 Halsted Street, advised her son fell on the sidewalk on Halsted Street while walking home from school and inquired what avenue she needs to pursue. Mr. Russo directed Mr. Costello to contact him for information.

Anwar Qarmout, 45 Woodside Avenue, directing comment to Councilman Flynn, he noted a legal degree is not necessary with the availability of legal books and online information. Noting the Petition filed, is a “constitutional right” and should not be “stripped away”, Mr. Qarmout stated.

Jason Schlaffer, 180 Sparta Avenue, feels there should be no blame on the Town Council and they are abiding by State statute.

Roger Kent, 5 Ridgeview Road, questioned where he could obtain a copy of the Petition filed and was given a copy.

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Suzanne Kimble, 20 Orchard Street, questioned the cost of the election and feels it would be the last time for taxpayers to absorb the cost of an election. We do respect the Council work on this issue.

Ludmilla Mecaj, 9 Madison Street, noted the Petition Committee is standing by the voters who signed the Petition. "You are forcing the Special Election"; not this Committee, Mrs. Mecaj stated.

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

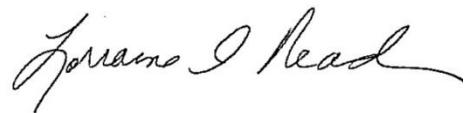
COUNCIL & MANAGER COMMENTS

Mayor Levante stated he recently requested documents from the Town and has not yet received them. He requests a legal opinion if documents are not provided to him. Mayor Levante noted the various discussions over the past three Council meetings regarding the Petition. He stated "it's all interruptions and opinions" and only judges make decisions. He stated he is for "accepting the Petition" and is disheartened by the negative comments. He feels the Petition should have been deemed "illegal".

Councilman Flynn indicated if the Petition was deemed "illegal" the Petitioners would have had to resubmit the Petition.

There being no further business to be conducted, upon motion of Mrs. Le Frois seconded by Deputy Mayor Elvidge and unanimously carried, the meeting was adjourned at 8:15pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk