

May 12, 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, Mr. Storm, Mr. Ricciardo, Mayor Unhoch and Town Manager, Eileen Kithcart. Mr. Diglio was excused.

Mayor Unhoch 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 29, 2007”.

Mayor Unhoch 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 by Mr. Ricciardo, seconded by Mr. Storm and carried, the minutes of February 25, 2008 (regular and work) and March 3, 2008 (work) meetings were approved.

At this time, Mayor Unhoch presented and read a Proclamation honoring Mrs. Angela Catalano as 2008 Newton Senior Citizen of the Year.

### **PROCLAMATION**

#### Angela Catalano

**WHEREAS**, Angela Catalano moved to Newton nearly sixteen years ago to be near her daughter Ann, her 3 grandchildren and 8 great-grandchildren, and

**WHEREAS**, over the years, Angela has unselfishly dedicated her life to volunteering within her community, setting an example to all those who know and love her, and

**WHEREAS**, retiring after 35 years as a paralegal on Wall Street, Angela has spent countless hours volunteering her time and services to numerous organizations. Currently, Angela is a member of the Columbiettes, the women’s branch of the Knights of Columbus; sings in her Church Choir; is a volunteer at the Newton Hospital Beehive Thrift Shop; and volunteers twice weekly at Newton Memorial Hospital, making good use of her clerical skills, and

**WHEREAS**, in addition to volunteering, Angela crochets and embroiders gifts for various fundraising activities and keeps herself socially active with other seniors;

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**NOW, THEREFORE, We, the Mayor and Town Council of the Town of Newton hereby proclaim our appreciation and gratitude to Angela Catalano for exemplifying the vital role that senior citizens play within their community. In recognition of her volunteer efforts, we commend Angela for her spirit and dedication to our Town and hereby name Angela Catalano: 2008 “Newton Senior Citizen of the Year.”**

Mrs. Unhoch presented Mrs. Catalano with a bouquet of flowers, as well as the Proclamation and invited everyone in attendance for a cake and coffee reception honoring Mrs. Catalano.

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

**ORDINANCE #2008-8**

**AN ORDINANCE TO AMEND CHAPTER XV “UTILITIES” AND CHAPTER XXI “FEES AND COSTS” OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF NEWTON**

**BE IT ORDAINED**, by the Town council of the Town of Newton, that Chapter XV, Utilities, be amended as follows:

**Section 15-4.3 Billing and Collecting**

The Water and Sewer Department of the Town of Newton will prepare bills setting forth water, sewer and other department charges and send them to its customers through the U.S. Postal System. Bills that are not delivered by the U.S. Postal System shall, nevertheless, remain due and owing. The amount of such non-delivered bills shall, upon request, be made available to customers either in person, in writing or by telephone.

- a. All payments of water and sewer rentals shall be made quarterly on the first days of December, March, June and September. All bills not paid within 30 days after June 1<sup>st</sup> and September 1<sup>st</sup> and 31 days after March 1<sup>st</sup> and December 1<sup>st</sup> are subject to a 10% penalty which shall be added to the amount of the bill and collected as other charges.
- b. All bills shall be due no later than the due date set forth on said bill. To avoid additional charges, such as on and off fees, payments for delinquent accounts must be paid before 10:00 a.m. on the scheduled shut-off day. If the payment is not received by this time and date, the water will be shut off and any fees so stated in this ordinance will be imposed.
- c. Charges for both connection and use shall be payable to the Town of Newton Water Sewer Utility. The Town shall have the same remedies for the collection charges with penalties and costs as the collection of taxes upon real estate.

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- d. In the event that a bill remains unpaid for thirty (30) days or more after the due date of such bill, the department may discontinue water service to the property for which the water bill is due, provided that the department has complied with the following procedure:
  1. A delinquent notice shall be sent to the account stating that service will be discontinued because the bill remains unpaid for thirty days. This notice shall be deemed satisfactory if sent as follows:
    - a. By regular mail, provided that the mailing is made to the last known address of the *owner of record*.
  2. The Town may also deliver this notice to the physical address or phone the account if that number has been provided to the Utility Collector.
  3. The notice must be postmarked at least ten (10) days prior to the date of the discontinuation of service; and
  4. In the event that the delinquent account is that of a landlord/tenant situation, then the tenant will have the option of paying the delinquent bill.
  5. In the event that a partial payment of the amount due and owing on a bill is made but the outstanding balance is more than twenty-five (\$25.00) dollars, no additional notices will be given before discontinuance of service as set forth in this section.
- e. A customer must contact the Town water/sewer utility clerk, by phone, in person or in writing, to arrange for a payment plan to avoid the scheduled discontinuation of service. If the payment plan is violated, service may be terminated provided notice is given ten (10) working days prior to discontinuation.
- f. A service charge shall be assessed for the restoration of service when service to a property has been discontinued. Said service charge shall be due and payable immediately upon restoration of service. If said service restoration fee is not paid within one business day of the date of restoration, the service may be discontinued without further notice.
- g. The Utility Advisory Board shall have the authority to recommend to Newton Town Council to waive any fees or service charges incurred on account of the provisions of this section for reasons of hardship or upon other good cause shown.
- h. All accounts will be listed in the name of the legal owner of the property and forwarded to the property owner's last known address.
- i. In the event that more than one resident is connected to the curb box, preventing a shut-off, the shut-off fee will nevertheless be imposed. Furthermore, a delinquent owner of a residence which cannot be shut off due to a shared curb box, will be required to install a separate curb box in the event that a shut-off would have been imposed for two consecutive quarters. It is the intent of this ordinance to permit a shared curb box only if it may be

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accomplished without conflict and without problems. In the event a conflict or problem should arise, the Utility Advisory Board, in its sole and absolute discretion, may recommend to the Town Council that it may require the property owner to install separate curb boxes.

**BE IT FURTHER ORDAINED**, by the Town Council of the Town of Newton, that Chapter XXI, Fees and Costs, be amended as follows:

21-1.10 Utilities (Relating to Chapter XV).

e. Standpipes or Sprinklers annually (15-2.5k)	\$ 200.00/inch
n. Service charge for restoration of service when service to a property has been discontinued due to non-payment of water bill (15-4.3f)	\$ 50.00
o. Turn off water illegally turned on	\$ 500.00

21-1.15 Miscellaneous Fees and Charges

a. Swimming Pool	
1. Season Passes:	
e. Replacement Badge	\$ 5.00 each.
2. Daily Admission:	
a. Senior Citizens	\$ 2.00
b. All Others	\$ 5.00
3. Swimming Lessons	
a. Season Pass Holder	\$ 30.00
b. All Others	\$ 75.00

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect according to law and the fees and costs established above will be reflected in the second quarterly utility billing in 2008.

Mayor Unhoch declared the hearing on Ordinance #2008-8 open to the public.

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

Mr. Storm addressed his concerns regarding the verbiage for unpaid water bills as well as the water shut-off notices. Ms. Kithcart clarified the notice verbiage for the utility bills.

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	No	Mr. Ricciardo	Yes

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Mayor Unhoch      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.

Upon motion by Mr. Ricciardo, seconded by Mr. Elvidge and carried, that the Clerk be authorized and directed to advertise the above Ordinance according to law.

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

**ORDINANCE #2008-9**

**A FULLY FUNDED WATER AND SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$234,000 FOR VARIOUS UTILITY CAPITAL IMPROVEMENTS WITHIN THE TOWN OF NEWTON**

Before introducing Ordinance #2008-9, Mayor Unhoch read the following statement:

“This ordinance is a capital improvement ordinance relative to various Utility projects that we have previously discussed and will finally be undertaken in 2008...the installation of an 8” replacement sanitary sewer line in the alleyway between Spring and Trinity Streets, the cleaning and re-coating of the water tank at Summit, along with scraping and painting of the High Street water tower and the demolition of two dilapidated out buildings. You will be pleased to note that each of these projects will be paid in “cash” as accumulated over the past few years. I set up special reserves to accommodate this, which will allow for the projects to be completed without affecting the budget or rates. In that regard, the work necessary to the water tower has no cost estimate as of today, so I am appropriating the entire amount we have on hand to cover ourselves. In checking with the Auditor, as soon as the project is complete, the left over monies can be cancelled back

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to the original reserve and left there for the next time work is needed on or around the tower.”

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
	Mayor Unhoch	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 May 28, 2008.

Upon motion of Mr. Storm, seconded by Mr. Elvidge and carried, that the Clerk be authorized and directed to advertise the above Ordinance according to law.

There being no Old Business, under New Business, the Town Manager requested a resolution to amend the 2008 Water and Sewer Capital Budget.

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
	Mayor Unhoch	Yes	

#### **RESOLUTION #70-2008**

**WHEREAS**, the Town of Newton deems it necessary and desirable to modify or provide additional funding for capital projects previously reflected in the 2008 Water and Sewer Capital Budget, and

**WHEREAS**, N.J.A.C. 5:30-4.4B provides that the Capital Budget of a Governing Body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Newton, in the County of Sussex, State of New Jersey, that the 2008 Water and Sewer Capital Budget shall be amended to reflect the

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adoption of Ordinance 2008-9 in the amount of \$234,000 for various Utility improvements, said projects being necessary and are reflected on the Amended Water and Sewer Capital Budget form attached hereto;

**BE IT FURTHER RESOLVED**, by the Town Council of the Town of Newton, that said Ordinances 2008-9 contains the proper verbiage regarding Capital Budget amendments and that a certified copy of this resolution will be forwarded to the Division of Local Government Services as required.

**TOWN OF NEWTON  
WATER AND SEWER CAPITAL BUDGET AMENDMENT  
RESOLUTION #70-2008**

Project Title	Project Number	Cost Estimate as Adopted	Cost Estimate as Amended	Funding as Amended for Current Year			
				Prior Year Reserves	2008 Budget Approp	Capital Improvement Fund	Grants in Aid
<b>Water &amp; Sewer Utility Capital</b>							
Sewer Rehabilitation	2008-U1	1,000,000	1,000,000	40,000	40,000		
Water Tower Painting/Improvements	2008-U2	95,000	97,500	72,500	25,000		
Water Tank Refurbishment/Improvement	2008-U3	100,000	100,000	51,500	25,000		
Morris Lake Dam Improvements	2008-U4	120,000	120,000	40,000	40,000		
Sewer Main Improvements	2008-U5	0	110,000	0	0	110,000	
<b>Total - Water &amp; Sewer Projects</b>		1,315,000	1,427,500	204,000	130,000	110,000	0

The Town Manager requested a resolution to approve Change Order No. 1 for the Mill Street Waterline Project.

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
Mayor Unhoch	Yes		

**RESOLUTION #71-2008**

**WHEREAS**, the Town Council of the Town of Newton awarded a contract for the Mill Street Waterline Project to Underground Utilities Corp. in the amount of \$1,374,691.35 by Resolution #173-2007 adopted on October 1, 2007, and

**WHEREAS**, Harold E. Pellow and Associates, the Project Engineer, has recommended approval of Change Order No. 1 to provide the additional traffic control necessary to cover the unforeseen project delays, emergencies and additional night work beyond the scope anticipated in the original contract , and

**WHEREAS**, Change Order No. 1 will increase the contract amount

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by \$27,450.00 to the adjusted contract total of \$1,402,141.35, and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds to support the above change order;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that approval of Change Order No. 1 for the Mill Street Waterline Project is hereby affirmed, and that the Town Manager is authorized to execute said Change Order No. 1 on behalf of the Town, thereby increasing the contract amount to \$1,402,141.35.

The Town Manager requested a resolution to amend Resolution #197-2007 to accurately reflect the Water and Sewer connection fees for the Kohl's Department Store.

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
	Mayor Unhoch	Yes	

#### **RESOLUTION #72-2008**

**WHEREAS**, there is need to amend Resolution #197-2007 dated November 26, 2007 adopted by the Newton Town Council granting approval of the water and sewer allocation of 1000 gallons to the Kohl's Department Store being constructed at 11 North Park Drive shown as Block 303, Lot 26.05 on the Tax Map of the Town of Newton, in order to accurately reflect the water and sewer connection fees due, and

**WHEREAS**, in preparation of the required Developer's Agreement for said Kohl's project, it was determined that said Resolution #197-2007 inaccurately stated that the connection fees were \$18,000 for water and \$16,500 for sewer;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that this Governing Body hereby amends Resolution #197-2007 to accurately reflect the connection fees for the Kohl's Department Store as \$18,500 for water and \$16,000 for sewer, as established by local ordinance.

The Town Manager requested a resolution for the insertion of special items of revenue in the 2008 Town of Newton budget pursuant to NJSA 40A:4-87(C.159,PL 1948).

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
Mayor Unhoch	Yes		

**RESOLUTION #73-2008**

**WHEREAS,** NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget, and

**WHEREAS,** said Director may also approve the insertion of an item of appropriation of equal amount;

**WHEREAS,** the Town of Newton has received notice of an award in the amount of \$22,124.00 from the State of New Jersey Title V Project YES Grant;

**NOW THEREFORE BE IT RESOLVED** that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following item of revenue in the 2008 Budget of the Town of Newton which is now available as revenue from:

Miscellaneous Revenues:  
Section F: Special Items of Revenue  
Public and Private Revenues Off-set with Appropriations:  
State of New Jersey Title V Project Yes Grant .....\$ 22,124.00

**BE IT FURTHER RESOLVED** that the following like sum be and the same is hereby appropriated under the caption of:

General Appropriations:  
(A) Operations - Excluded from CAPS  
Public and Private Programs Off-Set by Revenues:  
State of New Jersey Title V Project Yes Grant  
Other Expenses ..... \$ 22,124.00

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

The Town Manager requested a resolution to authorize release of Maintenance Guarantee posted by Joseph & Sons Construction, LLC for Woodridge Court.

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
Mayor Unhoch	Yes		

**RESOLUTION #74-2008**

**WHEREAS**, Joseph & Sons Construction, LLC posted a Maintenance Guarantee with the Town of Newton in connection with the development of former Block 1201.02, Lot 1, now subdivided into Block 1201.01, Lots 1.01 thru 1.18 located on Woodridge Court in the Town of Newton, and

**WHEREAS**, in a letter dated April 15, 2008, attached to and made part of this resolution, David B. Simmons, Jr., PE of the firm of Harold E. Pellow & Associates, Inc., Town Engineer, has recommended that the Maintenance Guarantee currently on file with the Town of Newton in the amount of \$52,245.00 be released;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that it hereby authorizes the release of the Maintenance Guarantee in the amount of \$52,245.00 posted with the Town of Newton by Joseph & Sons Construction, LLC related to the development of former Block 1201.01, Lot 1, now subdivided into Block 1201.01, Lots 1.01 thru 1.18 located on Woodridge Court based on the recommendation of the Town Engineer.

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

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
Mayor Unhoch	Yes		

**RESOLUTION #75-2008**

**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

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where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

**TOWN BILLS**

1,505.65	B & R Uniform	23535
288.40	Montague Tool & Supply	23536
1,426.50	MGL Printing Solutions	23537
3,495.68	Harold Pellow & Assoc., Inc.	23538
117.00	ABCode Security	23539
100.00	Sussex Car Wash, Inc.	23540
10,440.09	NUI Corporation	23541
251.75	G & G Diesel Service, Inc.	23542
7,191.95	JCP&L	23543
1,284.35	New Jersey Herald	23544
474.71	SCMUA	23545
526.15	Township of Sparta	23546
3,171.11	EMBARQ	23547
2,870.00	Hollander,Hontz,Hinkes&Pasculli LLC	23548
131.49	Campbell's Small Engine	23549
788.25	Timmerman Company	23550
784.08	Hayek's Market, Inc.	23551
815.00	R.S. Phillips Steel Company	23552
190.00	NJLM	23553
60.00	Sussex County League of	23554
48.00	Newton Trophy	23555
225.00	Treasurer, State of New Jersey	23556
218.75	Warner Communications Co., Inc.	23557
1,599.34	Good Year	23558
609.07	Office Business Systems, Inc.	23559
84.21	Sebring Auto Parts	23560
4,635.00	Newton Junior Athletic League	23561
882.87	Zee Medical	23562
143.85	Airgas East	23563
592.00	L-3 Comm. Mobile-Vision	23564
2,710.00	Modern	23565
449.40	Weiner Lesniak	23566
187.00	North Jersey Portable Toilets	23567
950.00	Dell Marketing L.P.	23568
74.38	Mr. John	23569
722.33	Cooper Electric Supply Co.	23570
41.00	Teresa Ann Oswin	23571
285.00	Vogel, Chait, Collins, Schneider, PC	23572
67.62	The Home Depot	23573
152.70	Rogo Fastener Co., Inc.	23574
30.44	Excelsior Lumber Company	23575
910.00	Scarinci & Hollenbeck, LLC	23576
902.65	Sussex County Mailing Service	23577
20.00	Tania L. Ell	23578
4,987.50	Creative Networking Concepts, Inc.	23579
55.95	Ward's Flowers and Gifts	23580
164.90	Emergency Medical Products	23581
87.95	Universal Uniform	23582

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802.84	Staples Business Advantage	23583
462.00	Trane	23584
350.00	Gerber Landscaping Services, LLC	23585
4,347.30	Spectrum Communication	23586
8.89	Easylink Services Corporation	23587
96.00	CSS Test	23588
35.00	Lawmen Supply Co. of NJ	23589
50.30	Dominick's Pizza	23590
425.70	New Jersey Law Journal	23591
125.00	Pinnacle Wireless, Inc.	23592
82.96	Schwaab, Inc.	23593
760.00	Treasurer, State of NJ Burial	23594
3,583.55	Rachles/Michele's Oil Company	23595
4,996.92	Taylor Oil Co.	23596
1,200.00	Government Management Advisors, LLC	23597
256.85	R & R Radar, Inc.	23598
482.81	Physio-Control, Inc.	23599
609.00	Kieffer Electric, Inc.	23600
58.33	Laurel Grove	23601
218.75	VOID	23602
170,353.88	Payroll Account	810034
4.77	Payroll Account	810035
17,470.68	Payroll Account	810036
2,413.60	Delta Dental	23603
2,033.08	Delta Dental	23604
670.22	Vision Service Plan	23605
447.18	Quill Corporation	23606
90.00	S K Office Supply	23607
241.44	Harold Pellow & Assoc., Inc.	23608
130.00	Decker's Fire & Safety	23609
348.99	Airmark Pools	23610
39.00	Alpine Spring Water Company	23611
330.56	G & G Diesel Service Inc.	23612
7,624.65	JCP&L	23613
262.07	SCMUA	23614
191.53	Sussex County Plumbing	23615
609,631.69	County of Sussex	23616
20,092.44	County of Sussex	23617
51,969.54	County of Sussex	23618
29.99	Campbell's Small Engine	23619
189.75	Lock & Key World	23620
37.15	Federal Express	23621
33.10	Ray's Sport Shop	23622
150.00	Peter J. Kays	23623
150.00	James Sisco	23624
150.00	Richard A. Straway, Jr.	23625
150.00	Thomas Straway	23626
2,820.81	Willco, Inc.	23627
165.85	Newton Citgo	23628
150.00	William F. Smith	23629
150.00	Brock Kithcart	23630
150.00	William Hagaman	23631
70.00	Minisink Press, Inc.	23632

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6,590.00	Newton Hockey c/o J. Hoffman	23633
90.00	Greater Newton Chamber of Commerce	23634
2,212.00	Statewide Insurance Fund	23635
28.00	Grinnell Recycle	23636
203.85	Verizon Wireless	23637
390.66	Verizon Wireless	23638
115.00	Accurate Door, Inc.	23639
330.75	Robert Bittle	23640
64,414.30	County of Sussex	23641
312.50	Alternate Power, Inc.	23642
150.00	Kenneth Jaekel	23643
14,944.00	Selective Insurance Company	23644
89.74	Advance Auto Parts	23645
293.52	Williams Weldon & Lick Inc.	23646
1,041.06	Staples Business Advantage	23647
52.97	Dominick's Pizza	23648
8.16	Nestle Waters	23649
150.00	Steve Estler	23650
150.00	Roy Leyman	23651
1,491.67	Andrews & Company, Inc.	23652
735.00	ACS Firehouse Solutions	23653
500.00	Pinnacle Wireless, Inc.	23654
49.90	Schwaab, Inc.	23655
4,868.79	Rachles/Michele's Oil Company	23656
150.00	Adam Vough	23657
117.33	Industrial Chem Labs & Services Inc.	23658
150.00	Joseph White	23659

**CAPITAL**

10,120.08	Harold Pellow & Assoc., Inc.	7136
192.50	Hollander,Hontz,Hinkes&Pasculli LLC	7137
9,527.31	McManimon & Scotland	7138
720.00	Key-Tech	7139
401.97	Cooper Electric Supply Co.	7140
1,275.00	Vogel,Chait,Collins,Schneider,PC	7141
745.88	Excelsior Lumber Company	7142
2,293.70	A. Nelessen & Associates, Inc.	7143
7,388.51	Harold Pellow & Assoc., Inc.	7144
2,555.00	Ben Shaffer & Associates	7145
72.57	Paint Spot	7146
1,037.00	Airpurifiers, Inc.	7147
37,285.95	Firefighter One	7148

Total TOWN BILLS \$1,138,469.15

**WATER AND SEWER ACCOUNT**

1,174.14	E S C Enterprises	10009
3,040.19	Schmidt's Wholesale, Inc.	10010
11,156.80	Harold Pellow & Assoc., Inc.	10011
1,266.52	MWH Americas, Inc.	10012
766.01	Lee Company	10013

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45.00	Freedom Business Machines	10014
13.56	Albertsons Inc.	10015
4,228.92	NUI corporation	10016
5,942.56	JCP&L	10017
3,275.00	Pumping Services	10018
70.81	SCMUA	10019
30.00	Paul Baldwin	10020
18.00	Paul M. Havens	10021
8,439.25	Coyne Chemical Corp., Inc.	10022
1,359.13	EMBARQ	10023
25.45	EMBARQ	10024
315.00	Hollander,Hontz,Hinkes&Pasculli LLC	10025
2,767.00	Garden State Laboratories, Inc.	10026
105.89	Hamburg Plumbing Supply Co., Inc.	10027
10,283.55	Current Account	10028
11,212.37	Sparta Township Tax Collector	10029
1,500.00	Cosper Environmental Services, Inc.	10030
81.90	Joseph G. Pollard Co., Inc.	10031
50.00	William Grennille	10032
255.00	Rutgers Continuing Educ. Cook College	10033
160.93	One Call Systems	10034
6,750.60	R&D Trucking Inc.	10035
112.40	Airgas East	10036
30.00	Ervin Lasso	10037
1,065.00	Instrumentation Tech systems, Inc.	10038
252.45	Verizon Wireless	10039
100.00	Dell Marketing LP	10040
1,250.00	John Smalley	10041
1,014.00	Main Pool & Chemical Company	10042
15.32	Cooper Electric Supply Co.	10043
103.58	The Home Depot	10044
217.15	Wasak, Inc.	10045
103.86	Schwaab, Inc.	10046
26,602.61	Payroll Account	860021
3,916.38	Payroll Account	860022
873.52	Delta Dental	10047
165.05	Vision Service Plan	10048
5,935.92	Schmidt's Wholesale Inc.	10049
290.00	Municipal Software, Inc.	10050
125.34	Hach Company	10051
32.66	Lee Company	10052
50.52	Aurora Electrical Supply	10053
15,810.01	JCP&L	10054
175.00	John Madden	10055
4,169.75	Pumping Services	10056
76.26	SCMUA	10057
194.00	Paul Baldwin	10058
150.00	Paul M. Havens	10059
119.06	EMBARQ	10060
132.00	Lock & Key World	10061
662.40	Hamburg Plumbing Supply Co., Inc.	10062
35.85	Lafayette Auto Parts	10063
150.00	William Grennille	10064

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186.00	Joseph Carr	10065
3.40	Sebring Auto Parts	10066
220.00	Ervin Lasso	10067
30,594.00	Statewide Insurance Fund	10068
910.00	Main Pool & Chemical Company	10069
1,335.00	Alternate Power Inc.	10070
3.24	Advance Auto Parts	10071
32.18	Carquest	10072
65.39	Sparta Stationary	10073
3,036.79	Pall Corporation	10074
14.99	Staples Business Advantage	10075
9,231.00	On-Site Service Corporation	10076
150.00	Eric Tompkins	10077
3,026.62	Eimco Water Technologies LLC	10078

**CAPITAL**

1,282.40	Harold Pellow & Associates, Inc.	2084
52.50	Hollander,Hontz,Hinkes&Pasculli LLC	2085
1,225.55	McManimon & Scotland	2086
782.97	Scarinci & Hollenbeck, LLC	2087
1,275.49	Sussex County Plumbing &	2088
1,524.50	McManimon & Scotland	2089
151,789.17	Underground Utility Corp.	2090
44,600.00	On-site Service Corporation	2091

Total WATER & SEWER BILLS \$389,604.86

The Town Manager requested a resolution for the appointment of Mr. Richard Valentino as a member of the Newton Parking Authority.

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

Mr. Elvidge	Yes	Mr. Diglio	Absent
Mr. Storm	Yes	Mr. Ricciardo	Yes
Mayor Unhoch	Yes		

**RESOLUTION #76-2008**

**WHEREAS**, there is currently on vacancy on the Newton Parking Authority, and

**WHEREAS**, Mr. Richard Valentino has expressed an interested in serving on the Newton Parking Authority;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that Mr. Richard Valentino is hereby appointed to an

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unexpired five-year term on the Newton Parking, effective immediately with said term continuing to December 31, 2010.

Under Managers reports, Ms. Kithcart introduced new employee, Joseph White to the position of Laborer effective March 24, 2008 to fill the vacancy in the Department of Public Works, following the retirement of Chris Bond. Ms. Kithcart advised Mr. White is a life long resident of Sussex County, graduated High Point High School and presently lives in Layton. Mr. White brings with him experience in auto mechanics and preventative maintenance, since hired Mr. White completed courses in chain saw safety and general grounds maintenance.

The Governing Body welcomed Mr. White and wished him well in his new position.

Ms. Kithcart read the following Proclamation for National Ovarian Cancer Awareness Month for September.

## **P R O C L A M A T I O N**

### **Ovarian Cancer Awareness Month**

**WHEREAS**, Ovarian cancer is called the “silent killer” because its symptoms are often vague or subtle, and

**WHEREAS**, Ovarian cancer is the fourth leading cause of cancer death among women and the leading cause of gynecologic cancer death in the United States; and the risk of developing it increases with age and a family history of this disease. Other risk factors include a history of endometrial, colon or breast cancer and obesity. Because early detection is crucial in treating ovarian cancer and its symptoms can be difficult to identify, women should consult their doctors about personal risk factors, early warning signs and screening options, and

**WHEREAS**, during national ovarian cancer awareness month, we remember those who have lost their lives to ovarian cancer and we honor the courage and strength of those who continue to fight this disease. We also recognize the dedicated medical professionals and researchers whose timeless efforts help provide a brighter, healthier future for women, and

**WHEREAS**, each year, more than 22,000 Americans are diagnosed with the disease and approximately 16,000 die from it, and

**WHEREAS**, if detected it ins early stages, survival from ovarian

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cancer is 90-95 percent, yet the five-year survival rate for the disease is only 28 percent, because it is so difficult to detect early, and

**WHEREAS**, the Kaleidoscope of Hope Foundation (KOH), a local non-profit group co-founded by ovarian cancer survivors Gail MacNeil of Chatham Township and Lois Myers of Harding Township, raises funds for research and to increase awareness of the disease and its symptoms, and wishes to remind the public that September is Ovarian Cancer Awareness Month by tying teal ribbons on trees throughout the Town;

**NOW THEREFORE, WE**, the Mayor and Town Council of the Town of Newton, hereby proclaim support for National Ovarian Cancer Awareness Month in September 2008.

Ms. Kithcart read a communication from Sussex County Community College requesting permission to use the Senior Shuttle bus for graduation night on May 19, 2008 and agreed to reimburse the Town for the cost of the bus driver. The Governing Body approved their request.

Ms. Kithcart indicated that St. Joseph Church has requested the use of Halsted and Elm Streets for their procession on May 25, 2008 from 12:30 to 1:30 p.m. The Governing Body approved their request.

Ms. Kithcart indicated that the Newton Fire Department has requested permission to host a wet down for our new fire truck at the Newton VFW on July 26, 2008 from 4:00 p.m. to 10:00 p.m. The Governing Body approved their request.

Ms. Kithcart indicated that the Christ Community Church held their volunteer day on May 4<sup>th</sup> and did a wonderful job on the Pine Street Park installing the wood carpet under the playground equipment. Ms. Kithcart also indicated that an official letter of recognition and thanks will be sent.

Ms. Kithcart updated the Governing Body regarding the Community briefing of our Vision Plan update on Saturday, May 10<sup>th</sup> at the Newton Theatre. Ms. Kithcart indicated the briefing was very informative and successful with a crowd of about 50-55 people.

Ms. Kithcart indicated the Main Street Newton will be hosting a

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“Business Enhancement Day” which is similar to the “Design Day” recently held in Newton. This event will take place on Thursday, May 15, 2008 with a full day schedule with the Economic Restructuring Team from the Office of Main Street New Jersey. A presentation by the Main Street New Jersey State Team will be held in the Council Chambers at 7:00 pm to present their summary findings to those in attendance.

Ms. Kithcart indicated that she and the Finance Director, Dawn Babcock, held a three hour 2007 audit exit conference with Tom Ferry, our Auditor. There were no comments or recommendations noted on the 2007 financial activities, which indicates that the Town did a great job.

Ms. Kithcart updated the Governing body regarding progress of the Mill Street waterline project.

Ms. Kithcart announced that Morris Lake is 1” below spillway.

Ms. Kithcart wished Councilman Storm and the other candidates much luck in the Municipal Election tomorrow.

Councilman Ricciardo urged everyone to go out and vote tomorrow and stated, “all candidates are worthy of your support”.

Mayor Unhoch declared the meeting open to the public.

Mrs. Connie Sutton-Falk, 20 Hicks Avenue, presented the Town Manager with a signed Petition requesting the Governing Body to pass an Ordinance Prohibiting Eminent Domain for Economic Development or Redevelopment in Newton. Ms. Kithcart accepted the Petition and will forward same to our Town Attorney.

Ms. Kathleen Retz, 12 Division Street, requested the Governing Body to consider town-wide garbage collection. Ms. Kithcart advised the Town is currently looking into this matter and will be surveying surrounding Towns.

Ms. Retz addressed concerns regarding parking on Liberty Street. Ms.

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Kithcart will forward her concerns to Newton Police Department for their review.

Councilman Storm thanked all the citizens of Newton for all their support over the last 16 years.

There being no one else from the public to be heard, upon motion of Mr. Storm, seconded by Mr. Elvidge and carried, the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Lorraine A. Read, RMC  
Municipal Clerk