

November 8, 2010

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. Ricciardo, Mrs. Diglio, Mrs. Le Frois, Mayor Becker, Mr. Thomas S. Russo, Jr., Town Manager and Mark Hontz, Esq., Town Attorney.

Mayor Becker 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 31, 2009."

Pastor Bressler, Sparta Evangelical Free Church, led the innovation. Mayor Becker led Pledge of Allegiance to the flag. The Deputy Clerk called the roll and upon completion of same, upon motion of Mrs. Diglio seconded by Mrs. Le Frois, the minutes of October 25, 2010 (Regular and Executive) meetings were approved as presented.

OPEN TO THE PUBLIC

Mayor Becker read the following statement:

"At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 5 minutes. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes."

Mr. Jonathan Andrews, 145 Spring Street (SpringBoard Shoppes), read the following prepared statement:

"Good evening, my name is Jonathan Andrews, owner of the Springboard Shoppes at 145 Spring Street. I have some comments on the proposed Improvement district and on the Main Street Newton Project. You are all familiar with the technique called bait and switch. You are enticed by a great product or service at a great price, but when you are at the point of purchase there are unexpected changes in the products, and a significant price increase. The Town Council has a 2009 Letter of Agreement with Main Street New Jersey establishing the Main Street Newton Program of at least \$30,000. The National Trust for Historic Preservation, overseer of the National

November 8, 2010

Main Street Program currently calls for program budgets ranging from \$45,000 to \$100,000 depending on size. Towns such as Jersey City, Glassboro and Georgetown, Texas would be at the upper end of this range. As a small district, one would expect Newton to be at the low end of that range. So the Newton Town Council ordered a relatively inexpensive program, driven by cooperative volunteer efforts. That was the Bait. Times were good when it started, and the initial budgets were in the high 5 figures. But why is the budget of perhaps \$70,000 being expanded to \$130,000, and accordingly to last week's presentation over \$300,000? This is the Switch. And Newton does not need it. Main Street Newton gave us a jump start. Over the past year it has not been a positive force. Previously successful events have not been carried forward. We need to restore the energy in the Main Street Program to match the other strengths in our community. Our downtown has continued to grow well because of great local resources 1) established and new merchants, 2) building owners investing in improvements, 3) great activities from the Greater Newton Chamber of Commerce, 4) interested involvement from other business owners, and 5) a very supportive local government. Spring Street is steadily moving toward the great, charming venue it can be. New retail and restaurant businesses are opening almost every month. I recommend that the Newton Town Council direct the Main Street Board to prepare a budget within the 30 to 50 thousand dollar budgetary guidelines of the 2009 Letter of Agreement. If the MSN Board does not comply by your first meeting in January, I recommend the Council appoint an ad hoc committee to prepare the above budget."

Mr. Ricciardo agreed the Main Street Newton program is struggling, not from a lack of interest, but from financial issues.

Mr. Tom Hoffman, Sandyston, expressed his concern that invitations to the swearing-in ceremony were not extended to all Newton employees. Mr. Russo advised Mr. Hoffman that the police department was responsible for sending

November 8, 2010

out invitations and that the ceremony was open to all Town of Newton employees and the public and was posted on the Town website.

Mr. Anwar Qarmout, 45 Woodside Avenue, addressed concerns regarding the impact of the County's decision to eliminate the Medical Examiners office in favor of shared services with Morris County. Mr. Qarmout also addressed concerns regarding the inclusion of four residential homes on Diller in the Redevelopment Plan. Mr. Qarmout requested Council to please reconsider and remove residential homes from the Redevelopment Plan.

Mr. Qarmout expressed appreciation to the Town for their support to the Main Street Newton program and stated there has to be an alternative to attract businesses to the Town other than spending tax dollars on an organization that does not work.

Mr. Jay Phlegar, 74 Sparta Avenue, stated he has an automotive business located within the Redevelopment Plan that is classified as a "non-conforming" business and stated he would like assurance that should he need assistance to rebuild his business due to fire, he has an avenue to follow.

PRESENTATION

A. Sussex County Mental Health Board.

Ernest Hemschot, Esq., Chairman of the Sussex County Mental Health Board, gave an overview of homelessness in Sussex County and explained the function of the Sussex County Mental Health Board.

Mr. Hemschot explained in 2009 the State Legislature enacted a statute targeting financial aid for the homeless and further explained the statute offers the County the ability to pass an ordinance to allow the County Clerk to add a surcharge of \$3 onto recording charges of certain documents.

Mr. Hemschot requested Council to consider sending a resolution to the Sussex County Freeholders urging them to enact the establishment of a Homeless Trust Fund. Mr. Hemschot then distributed a sample resolution to each Council member for their consideration.

November 8, 2010

Mr. Ricciardo had several questions which were addressed by Mr. Hemschot.

COUNCIL & MANAGER REPORTS

a. Andover Subacute

At this point in the meeting, Mark Hontz, Esq. Town Attorney stepped down due to a conflict of interest.

Mr. Cory Stoner, Town Engineer, provided background history regarding Andover Subacute's acquisition of property known as 21 Kelsey Avenue. Mr. Stoner explained that a portion of the aforementioned property encroaches on Town-owned property and an easement is required to sell the property. After a brief discussion, Council directed Mr. Russo to prepare an Ordinance to convey a permanent easement to the contract purchaser for the next Council meeting.

ORDINANCES

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

ORDINANCE #2010-25

AN ORDINANCE TO CREATE A TECHNICAL REVIEW COMMITTEE OF THE PLANNING BOARD

WHEREAS, N.J.S. 40:55D-10.3 and -39(f) authorize the creation of a committee of the Planning Board to review applications for completeness and to assist the Planning Board and applicants in the review process, and to otherwise support the Planning Board in its duties; and

WHEREAS, the governing body of the Town of Newton has determined that a technical review committee to assist the Planning Board in streamlining the technical aspects of development review would result in benefits and efficiencies to the Board and to applicants, municipal staff, and the community at-large.

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

I. Section 18A-3 shall be inserted as follows:

18A-3 TECHNICAL REVIEW COMMITTEE.

A Technical Review Committee of the Planning Board (the "Board") shall be established to review any applications for development or requests for review

presented to the Board which may benefit from preliminary review by the Board's professionals.

a. The Technical Review Committee shall consist of up to five (5) members and one (1) alternate:

1. Up to two (2) Board members are to be appointed by the Board Chair. An alternate shall also be named by the Board Chair, which alternate shall attend a review meeting as needed in the absence of a regular Board member so that two (2) Board members are scheduled to be present for each meeting of the Technical Review Committee.

2. Other members shall be the Zoning Officer, Planning Board Planner and Planning Board Engineer.

3. If the applicant is to be represented by an attorney at the Technical Review Committee meeting, the Board Attorney in his or her discretion may attend. The Board Attorney may attend in his or her discretion on other applications where legal issues may be raised.

4. The terms of Board members and alternates on the Technical Review Committee shall be one (1) year, computed from the first day of January of the year of appointment. Vacancies shall be filled in the same manner as the original appointment; and those that occur other than by the expiration of a term shall be filled for the duration of the unexpired term. Members shall continue serving after the expiration of their terms until such time as their successors shall be appointed.

5. The Technical Review Committee may meet and make decisions as required herein as long as at least three members are present.

b. All applications to the Planning Board shall be initially referred to the Technical Review Committee. The Technical Review Committee shall conduct informal meetings at the municipal building to review an application submitted to it. Applicants shall be advised of the date and time of the meeting, and may appear at the meeting on their own behalf or through an attorney, planner, architect, or engineer.

c. The cost of the Board's professionals to prepare for and appear at the Technical Review Committee shall be paid by the applicant prior to the meeting through the escrow established by the Board Secretary for the application.

d. The responsibility of the Technical Review Committee shall include, but not be limited to, the following responsibilities:

1. Determine compliance with the Town's zoning requirements, development regulations and design standards.

2. Make recommendations on the design and technical elements of any application.

3. Review waiver requests and certify whether an application is complete and ready for a public hearing.

e. Requests for waivers of application requirements must be granted or denied and completeness certified or denied by the Technical Review

November 8, 2010

Committee within forty-five (45) days of the date of submission of the application in keeping with the Municipal Land Use Law.

f. Applicants who disagree with the position of the Technical Review Committee, as to their application, may appeal the matter to the Planning Board for a determination of completeness, waivers and/or the right to proceed.

g. Applicants shall be advised that they will not appear at the regularly scheduled Planning Board meeting the same month that they are reviewed for completeness at the Technical Review Committee because the Board Engineer will not have time to prepare a report and submit it to the Board ten (10) days prior to the meeting. However, exceptions may be granted where appropriate as determined by the Technical Review Committee.

h. The report of the Technical Review Committee on an application shall be presented to Board members at the next meeting of the Planning Board.

II. This Ordinance shall be effective January 1, 2011.

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

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

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
	Mayor Becker	Yes	

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

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

ORDINANCE #2010-26

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES ON SPARTA AVENUE, MERRIAM AVENUE, DILLER AVENUE, SUSSEX STREET AND RAILROAD PLACE

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 or areas in need of rehabilitation, as such terms are defined in the Act; and

WHEREAS, on April 23, 2007, the Town of Newton (the "Town"), designated certain properties within its borders as an area in need of rehabilitation in accordance with the Act (the "Rehabilitation Area"); and

WHEREAS, the Town wishes to implement a redevelopment plan for a portion of the Rehabilitation Area comprised of: Block 1104, Lot 22; Block 1209, Lots 10, 11, 12.01; Block 1301, Lots 1, 1.04, 10, 11, 12, 13, 14, 15, 16; and Block 1308, Lots 1, 1.01, 1.02, 10, 11, 12, 13 and 14, together with the public streets and rights-of-way adjacent thereto (collectively, the "Plan Area"); and

WHEREAS, in accordance with the Act, the Town, in consultation with RES Design, L.L.C. (the "Planning Consultant"), prepared a proposed Redevelopment Plan for the Plan Area, which is attached hereto as Exhibit A (the "Proposal"); and

WHEREAS, on September 27, 2010, the Town Council, acting by Resolution, referred the Proposal to the Planning Board for its review and comment in accordance with Section 7 of the Act; and

WHEREAS, at a duly noticed and constituted public meeting of the Planning Board held on October 20, 2010, the Planning Consultant presented the Proposal and further addressed any questions and comments presented by the Planning Board and the public; and

WHEREAS, after due consideration of the Proposal, comments from the public, and the testimony of the Planning Consultant, the Planning Board determined by Resolution dated October 20, 2010, attached hereto as Exhibit B (the "Planning Board Resolution"), that the Proposal is consistent with the Town's Master Plan, and recommended to the Town Council that it adopt a modified version of the Proposal, with such changes as summarized at Exhibit B to the Planning Board Resolution, as the redevelopment plan for the Plan Area (as revised and attached hereto as Exhibit C, the "Planning Board Proposal");

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, AS FOLLOWS:

Section 1. The Planning Board Proposal, as filed in the Office of the Town Clerk, and attached hereto as Exhibit C, is hereby approved.

Section 2. The zoning map of the Town of Newton is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Plan Area.

Section 3. This ordinance shall take effect as provided in law.

Prior to the hearing on Ordinance 2010-26, Jennifer Credidio, Esq., McManimon and Scotland, and Ross Sheasley, REF Design, Town Redevelopment Planner, addressed two concerns that were raised during the initial public comment portion of the meeting.

Ms. Credidio addressed the first concern relating to residential housing in this redevelopment area. Ms. Credidio explained this is the first Redevelopment Plan that the Town is enacting that deals with a Rehabilitation area and further explained the Council & Mayor have been very concerned with not exposing a

November 8, 2010

property owner to eminent domain. Ms. Credidio stated Eminent Domain is a power that the municipality has over a redevelopment area but does not exist in a rehabilitation area.

Ms. Credidio addressed the second concern dealing with pre-existing, non-conforming uses. Ms. Credidio explained when an event occurs which renders a pre-existing non-conforming property totally destroyed, that property owner may appeal for relief to the Board of Adjustment or Joint Land Use Board for a variance, however, under the Redevelopment Plan that option for a variance is not available. Ms. Credidio explained under the Redevelopment Plan the property owner would be allowed to request relief directly to the Governing Body.

Mark Hontz, Esq., reiterated that a simple majority vote of the Town Council would make the ruling as to whether or not to make the plan amendment rather than the required votes necessary for a variance from the Land Use Board.

Mrs. Le Frois stated these are two separate processes: the above process applies only to the Redevelopment area and traditional zoning would go before the Land Use Board.

Mrs. Digio questioned why the aforementioned process was not included in the Redevelopment Plan which was addressed by Mrs. Credidio. After a brief discussion, Council agreed to amend the Redevelopment Plan to include a description of the process.

Mrs. Diglio had several other questions which were addressed by Ms. Credidio and Mr. Sheasley.

Mayor Becker opened the hearing to the public.

Mrs. Thea Unhoch, 17 Condit Street, addressed her concerns regarding businesses not being able to rebuild should they be destroyed by fire and supports the aforementioned comments regarding this issue.

November 8, 2010

Mr. Anwar Qarmout, 45 Woodside Avenue, had several questions regarding pre-existing, non-comforming businesses and residential homes in the redevelopment area which were clarified by the Governing Body.

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

The following **ORDINANCE** was offered by Mrs. Le Frois **AS AMENDED**, who moved its adoption, seconded by Mrs. Diglio and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker	Yes		

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

OLD BUSINESS

There was no Old Business to be discussed.

CONSENT AGENDA

Mayor Becker 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 provided an overview of all the resolutions on the Consent Agenda.

RESOLUTION #193-2010*

INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2010 TOWN OF NEWTON BUDGET PURSUANT TO NJSA 40A:4-87 (C.159,PL1948)

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 into 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; and

WHEREAS, the Town of Newton has received notice of approval in the amount of \$63,120.00 from the State of New Jersey Department of

November 8, 2010

Environmental Protection for a Hazardous Discharge Site Remediation Fund Grant for the preliminary assessment and site investigation at the Newton Armory site;

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 2010 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:
NJ DEP Hazardous Discharge Site Remediation Grant \$63,120.00

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:
NJ DEP Hazardous Discharge Site Remediation Grant
Other Expenses \$63,120.00

RESOLUTION #194-2010*

RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY"

WHEREAS, the Town of Newton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties;

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 1. 1999 Chevrolet Pickup
VIN#: 1GCGK24ROXR707487
Odometer Reading: 69,259 miles
Condition: Poor

November 8, 2010

2. 1986 Ford F8000
Vin#: 1FDYK8707GVA01045
Odometer Reading: 45,201 miles
Condition: Fair
 3. 2003 Ford Crown Victoria
VIN# 2FAFP71W43X193962
Odometer Reading: 90,455 miles
Condition: Poor
 4. 1998 Ford Crown Victoria
VIN# 2FAFP71W4WX166815
Odometer Reading: 111,849
Condition: Poor
 5. File Cabinets
Assorted Sizes
Quantity: 6
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

RESOLUTION #195-2010*

APPROVE 2010 APPROPRIATION TRANSFERS

BE IT RESOLVED by the Town Council of the Town of Newton that the following 2010 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
<u>CURRENT</u>		
Historic Commission – OE 1063223	Zoning Board – OE 1062316	750.
Planning Board – OE 1062216	Zoning Board – OE 1062316	350.
Finance – OE 1054226	Elections – OE 1051544	200.
Misc Operating Expense - OE 1079200	Elections – OE 1051544	1,000.
Misc Operating Expense – SW 1079100	Inspection of Buildings – SW 1077101	3,400.
Senior Citizen – SW 1093100	Inspection of Buildings – SW 1077101	2,000.
TOTAL CURRENT TRANSFERS		<hr/> \$ 7,700.

November 8, 2010

RESOLUTION #196-2010*

AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER"

WHEREAS, at the Municipal Tax Sale held on June 2, 2010 a lien was sold on Block 711, Lot 48, also known as 9 Halsted Street, for 2009 delinquent water and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1329, was sold to US Bank Cust for Pro Capital I, LLC for a 0% redemption fee, and a premium of \$100.00; and

WHEREAS, Deutsche Bank, mortgage company for property owners Galvin, Daniel and Stacey has effected redemption of Certificate #1329 in the amount of \$1,572.97;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that US Bank Cust for Pro Capital I, LLC, is entitled to the redemption in the amount of \$1,572.97 as well as a refund of the premium in the amount of \$100.00; and

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to issue two (2) checks, the first in the amount of \$1,572.97 for the redemption of Certificate #1329 and the second check in the amount of \$100.00 for the refund of the premium, both checks will be payable to US Bank Cust for Pro Capital I, LLC, 50 S 16th St, Suite 1950, Philadelphia, PA 19102.

RESOLUTION #197-2010*

AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the Municipal Tax Sale held on June 2, 2010 a lien was sold on Block 1201, Lot 5.04, also known as 61 Pine Street, for 2009 delinquent water and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1343, was sold to US Bank Cust for CCTS Capital, LLC for a 0% redemption fee, and a premium of \$100.00; and

WHEREAS, Deutsche Bank, mortgage company for property owner Couture, Alan has effected redemption of Certificate #1343 in the amount of \$401.03;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that US Bank Cust for CCTS Capital, LLC, is entitled to the redemption in the amount of \$401.03 as well as a refund of the premium in the amount of \$100.00; and

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to issue two (2) checks, the first in the amount of \$401.03 for the redemption of Certificate #1343 and the second check in the amount of \$100.00 for the refund of the premium, both checks will be payable to US Bank Cust for CCTS Capital, LLC, 50 S 16th St, Suite 1950, Philadelphia, PA 19102.

November 8, 2010

RESOLUTION #198-2010*

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 2009 and 2010 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

609.30	Quill Corporation	27772
1,030.51	Harold Pellow & Assoc., Inc.	27773
254.13	ABCCode Security	27774
1,664.17	G & G Diesel Service, Inc.	27775
1,097.67	G & H Service, Inc.	27776
3,553.87	JCP&L	27777
13.81	Roy Company	27778
35.00	Centurylink Communications, Inc.	27779
121.83	Centurylink Communications, Inc.	27780
1,350.86	Rowe & Company, Inc.	27781
61.05	Campbell's Small Engine	27782
1,236.25	Firefighters Equipment Co.	27783
51.69	Timmerman Company	27784
151.00	West Group	27785
50.00	Newton First Aid Squad	27786
652.96	Vital Computer Resources, Inc.	27787
200.00	NJLM	27788
100.00	Sussex County Assessors Assoc.	27789
44.00	Sussex County Clerk	27790
276.61	Sebring Auto Parts	27791
1,093.54	Sussex County Board of Elections	27792
650.00	L-3 Comm. Mobile-Vision	27793
48.00	Weiner Lesniak	27794
831.04	Vision Service Plan	27795
427.50	Grinnell Recycle	27796
186.70	Verizon Wireless	27797
1,245.37	Verizon Wireless	27798
285.00	North Jersey Portable Toilets	27799
265.72	Cooper Electric Supply Co.	27800
99.00	Fred Pryor Seminars	27801
39.59	Advance Auto Parts	27802
84.82	Guardline Fire & Safety Co., Inc.	27803
4.58	Carquest	27804
288.25	Rogo Fastener Co., Inc.	27805
900.00	Penn State University	27806
507.50	Staples Business Advantage	27807
256.11	Lowe's	27808
3,114.45	Sussex County Engineering Division	27809
334.08	Spectrum Communications	27810
96.00	CSS Test	27811
62.92	Nestle Waters	27812
996.50	Pinnacle Wireless, Inc.	27813
2,279.16	Rachles/Michele's Oil Company	27814
269.00	Sussex County Chamber of Commerce	27815
168.00	Jersey Central Power & Light	27816

November 8, 2010

2,805.00	Knapp, Trimboli & Prusinowski, LLC	27817
90,399.22	NJMEBF	27818
2,162.23	Direct Energy Business	27819
232.00	Infogroup	27820
150.00	Fire One	27821
240.00	Atlas Business Solutions, Inc.	27822
195,184.30	Payroll Account	27823

CAPITAL

23,290.01	Harold Pellow & Assoc., Inc.	7601
338.00	Hamburg Plumbing Supply Co., Inc.	7602
1,696.50	Garden State Highway Products	7603
6,087.50	Metro Energy Solutions	7604
590.00	Eli & Donna Thomas	7605
590.00	Dale & Laurie Duckworth	7606
300.00	Kathleen Messina	7607
590.00	William MacMillan	7608
590.00	Paul Couvrette	7609
590.00	Noel & Emlyn Tebangin	7610
590.00	Fred Barbieri	7611
590.00	Kathleen Schaffren	7612
600.00	Danny Innamorato	7613
600.00	David & Kathleen Steinberg	7614
590.00	Rey & Maria Ferrer	7615
590.00	David & Lori Petry	7616
295.00	Cynthia Chia	7617

Total TOWN BILLS \$356,777.30

WATER AND SEWER ACCOUNT

28,841.04	Payroll Account	106033
28.19	Quill Corporation	11791
808.50	Harold Pellow & Assoc., Inc.	11792
2,300.38	MWH Americas, Inc.	11793
425.10	G & H Service, Inc.	11794
2,500.09	JCP&L	11795
457.84	Sussex County Plumbing	11796
4,595.92	Coyne chemical Corp., Inc.	11797
750.00	Cosper Environmental Services, Inc.	11798
86.75	Zee Medical	11799
172.50	Vision Service Plan	11800
903.96	JCI Jones Chemicals, Inc.	11801
115.43	Verizon Wireless	11802
956.95	Process Tech Sales & Services	11803
2000.00	Pall Corporation	11804
14,082.78	NJMEBF	11805
6,242.87	Direct Energy Business	11806

CAPITAL

11,858.48	Harold Pellow & Assoc., Inc.	2160
29,169.90	G & H Service, Inc.	2161
175.00	Cerbo's Hampton Nursery	2162
1,454.05	Earth-Tec Associates, Inc.	2163

Total WATER & SEWER BILLS \$107,925.73

TRUST ACCOUNT

1,125.00	VOID	2822
1,162.50	Harold Pellow & Assoc., Inc.	2827
462.50	Harold Pellow & Assoc., Inc.	2828

Total TRUST ACCOUNT BILLS \$500.00

FEDERAL STATE GRANTS

2,981.00	Stalker Radar	1055
914.76	Payroll Account	101114

Total FEDERAL STATE GRANT BILLS \$3,895.76

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

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker	Yes		

The Deputy Clerk presented a Transfer Application from Andover Township Fire Department to the Newton Fire Department from Jeffrey Coombs, 35 Woodside Avenue, Newton. The application is in order and signed by the Chief of the Fire Department.

A motion to approve this application was made by Mrs. Le Frois, seconded by Mr. Ricciardo and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker	Yes		

INTERMISSION (10 minutes)

DISCUSSION –

a. Business Improvement District (BID)

Mr. Russo indicated that Kevin Kelly, Esq. would not be able to attend tonight’s meeting and requested the presentation for the Business Improvement District (BID) be carried to the November 22, 2010 meeting.

Mr. Russo reported he spoke with Mr. Jeff Buehler, State Director, Main

November 8, 2010

Street New Jersey, regarding the Main Street Newton Designation in the event the BID was rejected or further discussion was necessary into the new calendar year. Mr. Russo stated Mr. Buehler advised a letter be written from the Town and Main Street Newton requesting an extension. The Governing Body unanimously agreed and requested Mr. Russo to proceed.

Mr. Russo stated there was another feasible option in the event the BID did not come to fruition and presented a brief overview of two consulting firms that assist with the planning process to establish a Business Improvement District.

After a lengthy discussion regarding the BID Program, the Governing Body directed Mr. Russo to continue to reach out to the two consulting firms and report back at the next Council meeting.

OPEN TO THE PUBLIC

Mr. Anwar Qarmout, 45 Woodside Avenue, had a question regarding Resolution #194-2010, which was addressed by Mr. Russo. Mr. Qarmout suggestion to hold mandatory meetings of all property owners in Newton was addressed by Mr. Russo and the Governing Body.

Mr. Michael Malone, 59 Trinity Street, had a question regarding the homeless population in the Town which was addressed by the Town Attorney and Governing Body.

Mrs. Thea Unhoch, 17 Condit Street, addressed a concern regarding underground utilities in the redevelopment area which was addressed by the Governing Body.

Mr. Wayne Levante, 5 East Stuart Street, indicated he was pleased with the alternative information presented about the BID and looks forward to having the work done by experts.

COUNCIL & MANAGER COMMENTS

Mrs. Le Frois wished everyone well at the League of Municipalities Convention next week.

Mrs. Le Frois indicated that the rental Fire Truck 804 is in service.

November 8, 2010

Mark Hontz, Esq., addressed deficiencies in the sample resolution for a Homeless Trust Fund given to the Council tonight and after a brief discussion, the Governing Body directed Mr. Russo to reach out to the County Administrator for feedback and to report back at the next Council meeting.

There being no further business to be conducted, upon motion by Mrs. Diglio, seconded by Mrs. Le Frois and unanimously carried, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Irene M. O'Connor
Deputy Municipal Clerk