

December 13, 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."

Mayor Becker led the Invocation and Pledge of Allegiance to the flag. The Clerk called the roll and upon completion of same, upon motion of Mrs. Le Frois, seconded by Mrs. Diglio, the minutes of November 22, 2010 (Regular) meeting 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. Donald Scott, 33 Trinity Street, requested that the stop sign at the end of our driveway be removed. Mr. Scott indicated that the stop sign was originally placed there when the police department was constructed and now finds it difficult to pull out of his driveway. Council directed Mr. Russo to address this request.

Mr. Neil Flaherty, 154 Sparta Avenue, updated the Governing Body on the progress of the Newton High School Robotics Team. The Team recently applied for and was awarded a NASA Grant and will now be sponsored by NASA. Newton High School Robotics Team is one of three in the State of New Jersey to receive a grant from NASA. The Town Council congratulated the Newton High School Robotics Team on their great accomplishments.

COUNCIL & MANAGER REPORTS

Mr. Russo reviewed correspondence from Eric Reichenbaum who has offered to donate the property of 124 Spring Street to the Town of Newton. Mr. Russo noted that there is a lack of information provided in the correspondence. After a brief discussion, the Council directed Mr. Russo to review this request with legal counsel.

Mr. Russo noted that he will be emailing a list of delinquent taxpayers to the Governing Body members and asked that they provide a friendly phone call to the property owners and inquire whether taxes will be paid by year end.

Mr. Russo noted that the Municipal Building will be closing on Friday, December 17, 2010 at 3:30 p.m. for the staff holiday gathering. Also, the building will be closing at noon on Friday, December 24, 2010, in observation of Christmas Eve and closed on Monday, December 27, 2010 in observation of Christmas Day. Mr. Russo also indicated that Town Hall will closing at 3:30 p.m. on Friday, December 31, 2010 for New Year's Eve.

ORDINANCES

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

ORDINANCE #2010-27

AN ORDINANCE TO AMEND AND SUPPLEMENT CERTAIN PORTIONS OF CHAPTER 21 ENTITLED "FEES AND COSTS" OF NEWTON'S REVISED GENERAL ORDINANCES

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, in the County of Sussex and State of New Jersey, that Chapter 21, entitled "Fees and Costs" of the Revised General Ordinances of the Town of Newton is hereby amended as follows:

1. Chapter 21 "Fees and Costs"

21-1.15 Miscellaneous Fees and Charges

c. Miscellaneous Charges:

18. Electronic Fees - a fee for the use of credit cards for the payment of taxes, interest, penalties and municipal charges or other fees and charges by the Town of Newton, which fee shall equal a percentage of the amount of payment charged as set by a financial institution chosen by the Town to process said credit card payments. Said percentage fee shall not exceed in any event, two and one-half percent (2.5%) of the total amount of the payment due to the Town of Newton.

- 2. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.
- 3. If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.
- 4. This Ordinance shall take effect immediately upon final publication as provided by law.

Mayor Becker opened the hearing to the public.

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

The following **ORDINANCE** was offered by Mr. Ricciardo, who moved its adoption, seconded by Mr. Elvidge 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 introduction of same.

ORDINANCE #2010-28

AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF AN ENCROACHMENT EASEMENT OVER PART OF BLOCK 1302 LOT 9 ON THE OFFICIAL TAX MAP OF THE TOWN OF NEWTON, OWNED BY THE TOWN OF NEWTON, TO PERMIT THE ENCROACHMENT OF THE DWELLING AND THE CONCRETE STAIRS AND WALLS ADJACENT TO THE DWELLING, ALL LOCATED ON BLOCK 1108, LOT 19.05 AND LOT 23 AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWN OF NEWTON, PURSUANT TO N.J.S.A. 40A:12-13, et. seq.

At this time, Mark Hontz, Esq. recused himself from the reading of Ordinance #2010-28 due to a conflict of interest.

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

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

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Mayor Becker 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 Wednesday, December 29, 2010.

The Clerk will advertise the above Ordinance according to law.

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

ORDINANCE #2010-29

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2011

The following **ORDINANCE** was offered by Mrs. Diglio, who moved its introduction, 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		

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 Wednesday, December 29, 2010.

The Clerk will advertise the above Ordinance according to law.

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

ORDINANCE #2010-30

AN ORDINANCE FOR PROFESSIONAL SERVICES FOR CALENDAR YEAR 2011

At this time, Mark Hontz, Esq. recused himself from the reading of Ordinance #2010-30 due to conflict of interest.

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

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker	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 Wednesday, December 29, 2010.

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. Mr. Russo noted that there was a question on the bill list, therefore he requested Council to pull check #27972 from Resolution #246-2010, which is payment to the Newton Fire Department.

RESOLUTION #206-2010*

TO CANCEL OUTSTANDING CHECKS IN VARIOUS FUNDS

WHEREAS, there are checks which have not been cashed in the following Town of Newton funds; and

WHEREAS, those checks have been reviewed to determine if they should be canceled to fund balance so as not to be required to escheat them to the State of New Jersey;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the following outstanding checks are hereby canceled:

Current Fund

#23998	\$ 27.20	6/26/2008	Meagan Gill (lifeguard not cash check)
#26518	\$ 69.92	1/25/2010	Sprint (paid on a later check)
#26920	\$ 5.80	4/26/2010	Airgas (paid on a later check)
#27406	<u>\$245.00</u>	7/26/2010	Sign a Rama (paid from Trust fund)
	\$347.92		

Water Sewer Operating Fund

#11347	\$170.88	3/8/2010	Lee Company
#11391	<u>\$ 43.53</u>	3/22/2010	United States Plastic Corp.
	\$214.41		

RESOLUTION #207-2010*

CONCUR WITH THE TOWN MANAGER'S APPOINTMENT OF SPECIAL POLICE OFFICERS

WHEREAS, Section 3-10 within Chapter III, Police Department, of the Revised General Ordinances of the Town of Newton indicates that the Town Manager may appoint Special Police Officers for a term not to exceed one year;

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NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager's appointment of the following individuals as Special Police Officers for calendar year 2011:

Class II

Joseph Sapio

Donald Donofrio

Arlene Lippencott

Class I

Louis Read

RESOLUTION #208-2010*

CANCELLATION OF SMALL BALANCES

WHEREAS, N.J.S.A. 40A: 5-17.1 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than ten (\$10.00) dollars; and

WHEREAS, the Town Council of the Town of Newton may authorize the Tax Collector to process, without any further action on the part of the Governing Body, any cancellation of property tax refunds or delinquencies of less than ten (\$10.00) dollars;

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 Tax Collector is hereby authorized to process the cancellation of any property tax refunds or delinquencies of less than ten (\$10.00) dollars.

RESOLUTION #209-2010*

DESIGNATION OF LINDA A. ROTH AS TAX SEARCH OFFICER FOR THE TOWN OF NEWTON FOR 2011

WHEREAS, N.J.S.A. 54:5-11 provides that each municipality within the State of New Jersey shall designate a person to act as the Tax Search Officer for the municipality; and

WHEREAS, Linda A. Roth, as Certified Tax Collector for the Town of Newton, is qualified to make examinations of the municipalities records as to unpaid municipal liens and to certify the results of that examination;

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Newton hereby designates Linda A. Roth as the Tax Search Officer for the Town of Newton.

RESOLUTION #210-2010*

ESTABLISH THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DUE DATE

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for late payment of taxes as provided by law; and

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WHEREAS, N.J.S.A. 54:6-67 has been amended to permit the fixing of said rate at eight percent (8%) per annum for the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum for amounts in excess of \$1,500.00, and an additional penalty of six percent (6%) may be collected for delinquencies in excess of \$10,000.00 from property owners who fail to pay the delinquency prior to the end of the calendar year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to charge an eight percent (8%) per annum rate of interest on the first \$1,500.00 of taxes which become delinquent after the tax due date, and a rate of eighteen percent (18%) per annum interest on any amount of taxes due in excess of \$1,500.00 which becomes delinquent after the tax due date; and

BE IT FURTHER RESOLVED, that the Tax Collector is also authorized and directed to charge an additional penalty of six percent (6%) if a delinquency is in an amount in excess of \$10,000.00 and remains in arrears beyond December 31st of each calendar year; and

BE IT FURTHER RESOLVED, that the ten (10) day grace period for quarterly tax payments shall remain in effect, that any payment of taxes not made on or before the due date in accordance with this Resolution shall be charged interest from the due date as set forth by law, and that this Resolution shall take effect immediately.

RESOLUTION #211-2010*

**DESIGNATE THE TOWN MANAGER AS THE NATIONAL ORGANIZATION ON
DISABILITY REPRESENTATIVE**

WHEREAS, the Town Manager has historically been appointed as the National Organization of Disability representative for the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Manager, Thomas S. Russo, Jr., is hereby appointed as the National Organization on Disability representative for the Town of Newton; and

BE IT FURTHER RESOLVED that the Mayor and the Town Manager are authorized to sign any documents that may be required by the National Organization on Disability to confirm this appointment.

RESOLUTION #212-2010*

APPOINT LOCAL EMERGENCY PLANNING COMMITTEE

WHEREAS, Appendix A:9-41 of the NJ Statutes Annotated, and N.J.A.C. 13:64-2.3 pertaining to Emergency Management, require that every New Jersey municipality create a Local Emergency Planning Committee; and

WHEREAS, the individual appointed as the local Emergency Management Coordinator shall also be a member of, and shall serve as Chairman of, said Local Emergency Planning Committee;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the appointment of the individuals recommended by Emergency Management Coordinator Kenneth A. Teets for membership on the Newton Local Emergency Planning Committee for calendar year 2011 as listed below:

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Kenneth A. Teets	Emergency Management Coordinator
Dan Finkle	Deputy Emergency Management Coordinator
Chief Michael S. Richards	Newton Police Department
Thomas S. Russo, Jr.	Newton Town Manager
Michael Teets	Newton Fire Chief
Irv Kinney	Newton Vol. First Aid and Rescue Squad
Ken Jaekel	Newton Public Works Director
Paul Baldwin	Newton Water and Sewer Supervisor
Lorraine Read	Newton Municipal Clerk
Debra Millikin	Deputy Town Manager
Keith Utter	Newton/Hardyston Construction Official
Dr. Kennedy Greene	Newton School Superintendent
Robert Dunphy	Radio Station WNNJ
Patricia Day	Sussex County Chapter of the American Red Cross

RESOLUTION #213-2010*

DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER

BE IT RESOLVED, by the Town Council of the Town of Newton that Debra Millikin is hereby designated as the Public Agency Compliance Officer for the Town of Newton for 2011; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the NJ Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity, as requested by said agency.

RESOLUTION #214-2010*

DESIGNATE CHIEF FINANCIAL OFFICER/FINANCE DIRECTOR AS THE INDIVIDUAL AUTHORIZED TO SELL BOND ANTICIPATION NOTES

WHEREAS, it is necessary from time to time for the Town of Newton to sell Bond Anticipation Notes or other Notes for the benefit of the municipality; and

WHEREAS, the Chief Financial Officer/Finance Director is the individual responsible for maintaining the financial records of the Town of Newton;

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

1) The Chief Financial Officer/Finance Director is hereby authorized to sell Bond Anticipation Notes and directed to determine all matters in connection with said Notes not determined by this or subsequent Resolutions.

2) The Chief Financial Officer/Finance Director is directed to report in writing to the Governing Body at the meeting next succeeding the date when the sale or delivery of Notes pursuant to this Resolution is made. Such report is to include the amount, description, interest rate, maturity of the Notes sold, the price obtained, and the name of the purchaser.

3) This Resolution shall take effect immediately upon its adoption.

RESOLUTION #215-2010*

DESIGNATE OFFICIALS TO SIGN CHECKS

BE IT RESOLVED by the Town Council of the Town of Newton that the Town Manager, the Town Treasurer and/or the Chief Financial Officer are hereby

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designated as officials authorized to sign all municipal checks, Water and Sewer Utility checks, and payroll checks during calendar year 2011.

RESOLUTION #216-2010*

AUTHORIZE THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH THE COMMUNICATIONS WORKERS OF AMERICA AFL/CIO LOCAL 1032

WHEREAS, the Town Manager has negotiated a three-year agreement with representatives of the Communications Workers of America AFL/CIO Local 1032 for calendar years 2010, 2011, and 2012, covering Public Safety Telecommunicators and Trainees; and

WHEREAS, said agreement has been accepted by the union for the above three-year period, and has been executed by representatives of Local 1032;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby authorizes the Mayor and the Municipal Clerk to execute said 3-year contract covering calendar years 2010, 2011, and 2012 with the Communications Workers of America AFL/CIO Local 1032 on behalf of the Town of Newton.

RESOLUTION #217-2010*

DESIGNATE BANKS AS DEPOSITORIES FOR 2011

BE IT RESOLVED, by the Town Council of the Town of Newton that the following policy is hereby adopted pertaining to Town funds for calendar year 2011:

1) The cash management and investment objectives for the Town of Newton include preservation of capital, adequate safekeeping of assets, maintenance of liquidity to meet operating needs, diversification of the Town's portfolio to minimize risks associated with individual investments, and investment of assets in accordance with State and Federal laws and regulations.

2) The following banks are hereby authorized to be used as depositories for Town funds:

PNC Bank
Chase
New Jersey Cash Management Fund
Sussex Bank
Lakeland Bank
First Hope Bank
Sovereign Bank
TD Bank
Highland State Bank
Valley National Bank

The above designated official depositories are required to submit to the Chief Financial Officer/Finance Director, a copy of the Governmental Unit Deposit Protection Act Notification of Eligibility, which is filed semi-annually with the Department of Banking each June 30th and December 31st every year.

The above designated official depositories are required to submit to the Chief Financial Officer/Finance Director a copy of the institution's "Annual Report" each year.

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3) All funds shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer/Finance Director shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer/Finance Director.

4) Permissible investments for the Town of Newton shall include a) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America; b) government money market mutual funds; c) any Federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors; d) Bonds or other obligations of the local unit or school districts of which the local unit is a part; e) any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments; f) local government investment pools; g) New Jersey State Cash Management Fund; and h) repurchase agreements of fully collateralized securities.

5) The Chief Financial Officer/Finance Director is authorized and directed to make investments on behalf of the Town of Newton. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6) Securities purchased on behalf of the Town of Newton shall be delivered electronically or physically to the Town's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Town.

7) The Chief Financial Officer/Finance Director shall report to the Town Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

8) The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

9) The Chief Financial Officer/Finance Director shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

RESOLUTION #218-2010*

DESIGNATE NEWSPAPERS THAT WILL RECEIVE NOTICES REQUIRED BY THE NJ PUBLIC MEETINGS ACT FOR 2011

WHEREAS, Section 3D(2) of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to designate two (2) newspapers to receive notices required to be mailed, telephoned, telegraphed or hand delivered;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby designates the newspapers listed below as newspapers to receive notices required by the Open Public Meetings Act:

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New Jersey Herald

New Jersey Sunday Herald

RESOLUTION #219-2010*

DESIGNATE LEGAL NEWSPAPERS FOR CALENDAR YEAR 2011

BE IT RESOLVED by the Town Council of the Town of Newton that the newspapers listed below be designated as the official newspapers for the Town of Newton for legal advertising during the 2011 calendar year:

New Jersey Herald

New Jersey Sunday Herald

RESOLUTION #220-2010*

APPOINTMENT OF PAUL BALDWIN AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY WATER QUALITY POLICY ADVISORY COMMITTEE

BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Supervisor, Paul Baldwin, is hereby appointed as the municipality's representative to the Sussex County Water Quality Policy Advisory Committee for 2011 and will attend regular meetings of said Committee conducted on the second Thursday evening of each month at 7:30pm at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED, that, if required, the Newton Water and Sewer Supervisor may also attend workshop meetings of the Sussex County Water Quality Policy Advisory Committee; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chairman of the Sussex Water Quality PAC.

RESOLUTION #221-2010*

APPOINTMENT OF KEN JAEKEL AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE

BE IT RESOLVED by the Town Council of the Town of Newton that the Public Works Director, Kenneth Jaekel, is hereby appointed as the municipality's representative to the Sussex County Solid Waste Advisory Committee to attend regular meetings of said Committee conducted on the second Tuesday evening of each month at 7:30pm at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED that, if required, the Public Works Director may also attend workshop meetings of the Sussex County Solid Waste Advisory Committee; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chairman of the Sussex County SWAC.

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RESOLUTION #222-2010*

AUTHORIZE THE TAX ASSESSOR, THE TOWN ATTORNEY AND THE TOWN MANAGER TO ACT ON BEHALF OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2011 WITH REGARD TO TAX APPEALS

BE IT RESOLVED, by the Town Council of the Town of Newton that the Municipal Tax Assessor and the Town Attorney are hereby authorized to defend all contest appeals before the Sussex County Board of Taxation and the Tax Court of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Tax Assessor and the Town Attorney are also hereby authorized to initiate municipal appeals to correct the Town of Newton tax listing including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as may be necessary to correct the assessments for the Town of Newton; and

BE IT FURTHER RESOLVED, that the Municipal Assessor, the Municipal Attorney, and the Town Manager are hereby designated as the agents of the Town of Newton for the purpose of signing settlements of the foregoing matters by stipulation for the 2011 Calendar Year.

RESOLUTION #223-2010*

APPOINT THE TOWN MANAGER AS HEARING OFFICER IN ALL MATTERS OF DISPUTE REGARDING THE TOWN OF NEWTON

WHEREAS, certain matters may arise over the course of the year which require a hearing to be conducted for the purpose of resolving issues; and

WHEREAS, Thomas S. Russo, Jr., Town Manager of the Town of Newton, is the representative of the Governing Body, as well as the Chief Executive and Administrative Officer of the municipality;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the calendar year 2011.

RESOLUTION #224-2010*

APPOINTMENT OF JESSICA C. CALDWELL, P.P., A.I.C.P., AS TOWN PLANNER FOR CALENDAR YEAR 2011

WHEREAS, the Town of Newton has a need for professional planning services for certain specific matters under non-fair and open contracts pursuant to provisions of N.J.S.A 40A:11-5(1)(a); and

WHEREAS, Jessica C. Caldwell, P.P., A.I.C.P, as employed by Harold E. Pellow & Associates, Inc. was appointed to provide professional services for the Town of Newton during 2010, and said professional services will be needed by the Town of Newton during calendar year 2011, and the appropriate agreement for the appointment has been prepared and executed by said Planner; and

WHEREAS, Jessica C. Caldwell, P.P., A.I.C.P., as employed by Harold E. Pellow & Associates, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that neither she nor the firm has made any reportable contributions to a political or candidate committee in the Town

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of Newton in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2011; and

WHEREAS, this contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law, because Jessica C. Caldwell, P.P., A.I.C.P., is a licensed professional planner of the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services which are expressly exempt from the Local Public Contracts bidding requirements;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that it authorizes the Mayor and Municipal Clerk to execute an agreement in duplicate with Jessica C. Caldwell, P.P., A.I.C.P., of Harold E. Pellow & Associates, Inc.; and

BE IT FURTHER RESOLVED that a fully-certified copy of this Resolution and a fully-executed copy of the Agreement shall be provided to Jessica C. Caldwell, P.P., A.I.C.P., of Harold E. Pellow & Associates, Inc.; and

BE IT FURTHER RESOLVED that a fully-executed copy of this agreement be kept on file and available for public inspection in the Municipal Clerk's office.

RESOLUTION #225-2010*

ESTABLISH SCHEDULE OF PUBLIC TOWN COUNCIL MEETINGS FOR 2011

WHEREAS, Section 13 of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to post and maintain posted throughout the year a schedule of the meetings of said public body;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, Sussex County, New Jersey that the following schedule for 2011 indicates all public meetings of the Newton Town Council will be held on the second and fourth Mondays of each month at 7:00pm, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey; and

Council Meetings

7:00pm

January	10	and	24	July	11	and	25
February	14	and	28	August	8	and	22
March	14	and	28	September	14*	and	26
April	11	and	25	October	12*	and	24
May	9	and	23	November	14	and	28
June	13	and	27	December	12	and	28*

*Held Wednesday

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****Reorganizational Meeting**

6:00pm

Friday, July 1, 2011

BE IT FURTHER RESOLVED, that, for the purposes of the Act, the official bulletin board for posting notices shall be the bulletin board in the first floor lobby of the Municipal Building at 39 Trinity Street, Newton, New Jersey, with said board being just outside the door of the Municipal Clerk's Office; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey Herald and the NJ Sunday Herald, and a copy be filed with the Municipal Clerk; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be mailed to any person requesting notices of meetings of the Town Council pursuant to N.J.S.A. 10:4-19 and whoever has paid the required fee for such notice.

RESOLUTION #226-2010*

**A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE SITE
REMEDATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY
ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

WHEREAS, the Town of Newton has applied for and been awarded a grant in the amount of \$63,120 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for Preliminary Assessment and Site Investigation activities, as well as document preparation of the Newton Armory Property located at Tax Block 801, Lot 49.01 also known as 5 South Park Drive, Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the above referenced grant is hereby accepted and the Mayor and Municipal Clerk are hereby authorized to execute grant documents as authorized representatives thereunder, as the representatives for the Town of Newton; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

RESOLUTION #227-2010*

**REAPPOINTMENT OF DR. KIMBERLY WOODHULL TO THE ECONOMIC DEVELOPMENT
ADVISORY COMMISSION**

BE IT RESOLVED, by the Town Council of the Town of Newton that Dr. Kimberly Woodhull is hereby reappointed to a full three-year term on the Newton Economic Development Advisory Commission, effective January 1, 2011 and continuing through December 31, 2013.

RESOLUTION #228-2010*

AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER

WHEREAS, at the Municipal Tax Sale held on October 29, 2008, a lien was sold on Block 202, Lot 40, also known as 50 Hillside Terrace, for 2007 delinquent Real Estate Taxes; and

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WHEREAS, this lien, known as Tax Sale Certificate #1254, was sold to Crusader Lien Services for a 0% redemption fee with a \$5,100.00 premium; and

WHEREAS, Thomas H. Lemke, brother-in-law of property owner Ms. Emily Kampka, has effected redemption of Certificate #1254 in the amount of \$13,437.12;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Crusader Lien Services is entitled to a refund in the amount of \$13,437.12 as well as a refund of the premium in the amount of \$5,100.00; and

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to issue a check in the amount of \$13,437.12 for the redemption of Certificate #1254 and check for the refund of the premium in the amount of \$5,100.00, payable to Crusader Lien Services, 115 West Avenue, Suite 300, Jenkintown, PA 19046.

RESOLUTION #229-2010*

APPOINTMENT OF KEITH MITCHELL OF THE MITCHELL INSURANCE AGENCY AS INSURANCE AGENT

WHEREAS, the Town Council of the Town of Newton previously appointed local insurance agents to provide insurance coverage on behalf of the municipality; and

WHEREAS, said insurance services will be needed during calendar year 2011;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Mr. Keith Mitchell, of the Mitchell Agency, 29 Trinity Street, Newton be named as agent of record effective January 1, 2011 for the following insurance policies:

a) Package	SIF2011-07860NEW
b) Workers' Compensation	WC1007860NEW
c) Umbrella Policy	S1730038
d) Fire Accident Insurance	VFP 4331-2338D1
e) Fire Life Insurance	G001047-0001

BE IT FURTHER RESOLVED, that the above named insurance agent is appointed to provide insurance services without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because the services to be provided are of a nature requiring specific professional skills and knowledge; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

RESOLUTION #230-2010*

APPOINTMENT OF KEITH MITCHELL AS RISK MANAGEMENT CONSULTANT FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2011

WHEREAS, the TOWN OF NEWTON (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

December 13, 2010

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of "Local Unit", in the County of Sussex and State of New Jersey, as follows:

1. The TOWN OF NEWTON hereby appoints KEITH MITCHELL as its local Risk Management Consultant.

2. The MAYOR AND MUNICIPAL CLERK and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2011 in the form attached hereto.

Attest:

Town of Newton

Lorraine A. Read, R.M.C., Municipal Clerk

By: _____
Kristen S. Becker, Mayor

RESOLUTION #231-2010*

RESOLUTION APPOINTING THOMAS S. RUSSO, JR., FUND COMMISSIONER FOR STATEWIDE INSURANCE

WHEREAS, The Town of Newton (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Local Unit that Thomas S. Russo, Jr., is hereby appointed as the Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that Dawn L. Babcock is hereby appointed as the Alternate Fund Commissioner for the Local Unit; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Name of Entity: Town of Newton

By: _____
Kristen S. Becker, Mayor

ATTEST:

Lorraine A. Read, R.M.C., Municipal Clerk

This Resolution agreed to the 13th day of December, 2010 by a vote of:

___ Affirmative ___ Abstain ___ Negative ___ Absent

December 13, 2010

RESOLUTION #232-2010*

**AUTHORIZE EXECUTION OF AGREEMENT BETWEEN THE TOWN OF NEWTON AND THE
NEWTON PARKING AUTHORITY**

WHEREAS, on January 15, 1982, the Town Council of the Town of Newton adopted an Ordinance authorizing the execution of an agreement with the Newton Parking Authority for the purpose of dedicating revenue from certain parking meters to said Parking Authority; and

WHEREAS, such agreements between governmental agencies and authorities may be extended each year by adoption of a Resolution of the Governing Body; and

WHEREAS, at a regular meeting of the Newton Parking Authority conducted on December 2, 2010, the members of the Authority approved an appropriate agreement for calendar year 2011 and authorized the Chairman and the Secretary to execute said agreement;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute said agreement with the Newton Parking Authority, dedicating revenue from certain parking meters to said Authority and describing certain services to be performed on behalf of the Authority by the Town of Newton during calendar year 2011.

RESOLUTION #233-2010*

TO CANCEL OUTSTANDING CHECKS IN THE MUNICIPAL COURT BAIL ACCOUNT

WHEREAS, there are check(s) which have not been cashed in the Town of Newton Court Bail Account; and

WHEREAS, those check(s) have been reviewed to determine if they should be canceled and the amount paid over to the Town Treasurer to be deposited into the Town of Newton Current Fund Balance;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton, that the following outstanding checks are hereby canceled:

Municipal Court Bail Account

#3874 \$61.00 issued 11/19/2001 to Christopher Tobin

RESOLUTION #234-2010*

**APPOINTMENT OF THEA UNHOCH AS SENIOR CITIZEN COORDINATOR FOR THE
TOWN OF NEWTON FOR 2011**

BE IT RESOLVED, by the Town Council of the Town of Newton that Thea Unhoch be and is hereby appointed as the Senior Citizen Coordinator for the Town of Newton during calendar year 2011.

RESOLUTION #235-2010*

**REAPPOINTMENT OF EDWARD DUDES AND RICHARD VALENTINO TO THE NEWTON
PARKING AUTHORITY**

BE IT RESOLVED by the Town Council of the Town of Newton that Edward

December 13, 2010

Dudes and Richard Valentino are each hereby reappointed to full five-year terms on the Newton Parking Authority, effective January 1, 2011 and continuing through December 31, 2015.

RESOLUTION #236-2010*

REAPPOINTMENT OF HARRY KAPLAN, KEVIN WRIGHT, KAREN SCHULTE AND AMANDA BEST TO THE HISTORIC PRESERVATION ADVISORY COMMISSION

BE IT RESOLVED, by the Town Council of the Town of Newton that the following four (4) year reappointments to the Historic Preservation Advisory Commission be made effective January 1, 2011 with said terms continuing to December 31, 2014:

1. Harry Kaplan, as Class C Member
2. Kevin Wright, as Class B Member
3. Karen Schulte, as an Alternate Member
4. Amanda Best, as an Alternate Member

RESOLUTION #237-2010*

REAPPOINTMENT OF NGHIEM PHAM AND DONALD VRAHNOS TO THE UTILITY ADVISORY BOARD

BE IT RESOLVED, by the Town Council of the Town of Newton that Nghiem Pham and Donald Vrahnos are each hereby reappointed to five-year terms on the Utility Advisory Board, effective January 1, 2011 and continuing through December 31, 2015.

RESOLUTION #238-2010*

REIMBURSE TOWN EMPLOYEES FOR VEHICLE EXPENSES

WHEREAS, certain Town of Newton employees use their private vehicles in connection with Town business; and

WHEREAS, such employees routinely use their vehicles for travel within Sussex County; and

WHEREAS, it is appropriate to reimburse said Town employees for use of their personal vehicles;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the employees listed below receive the following quarterly allowances for all vehicular trips within Sussex County effective January 1, 2011:

<u>Employee</u>	<u>Position</u>	<u>Estimated Miles/Qtr.</u>	<u>Quarterly Amount</u>
Debra Millikin	Deputy Town Manager	300 miles	\$153.00
Scott Holzhauer	Tax Assessor	300 miles	\$153.00
Jason Miller	Deputy Fire Chief	200 miles	\$102.00
Brian Fox	Assistant Fire Chief	200 miles	\$102.00
Thomas Trudgeon, Sr.	Recreation Supervisor	200 miles	\$102.00

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BE IT FURTHER RESOLVED that for out-of-town business trips, employees and officers of the Town of Newton who use their personal means of transportation shall be reimbursed, in accordance with the IRS standard allowance in effect at the time of travel, from Newton to the point of destination and return during calendar year 2011.

RESOLUTION #239-2010*

REAPPOINTMENT OF KENT HARDMEYER TO THE ADVISORY SHADE TREE COMMISSION

BE IT RESOLVED, by the Town Council of the Town of Newton that Kent Hardmeyer is hereby reappointed to a five (5) year term as a Member of the Advisory Shade Tree Commission, effective January 1, 2011, with said term continuing to December 31, 2015.

RESOLUTION #240-2010*

REAPPOINTMENT OF REV. RICHARD L. CARLSON TO THE ADVISORY BOARD OF HEALTH

BE IT RESOLVED, by the Town Council of the Town of Newton that Rev. Richard L. Carlson is hereby reappointed to a full five-year term on the Advisory Board of Health, effective January 1, 2011 and continuing through December 31, 2015.

RESOLUTION #241-2010*

AUTHORIZE EXECUTION OF SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL AND POUND SERVICES WITH THE TOWNSHIP OF WANTAGE COVERING CALENDAR YEAR 2011

WHEREAS, the Town of Newton desires to enter into a shared service agreement with the Township of Wantage animal control and pound services; and

WHEREAS, the annual fee for the year 2011 is \$15,200; and

WHEREAS, sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2011 for said services;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement for animal control and pound services, in duplicate, with the Township of Wantage for calendar year 2011; and

BE IT FURTHER RESOLVED that a copy of said agreement shall be placed on file in the municipal clerk's office and available for public viewing.

RESOLUTION #242-2010*

AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS

WHEREAS, the Water and Sewer Collector has determined that the following Water and Sewer Utility Accounts are due credits for the reasons stated;

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NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the following accounts for amounts billed incorrectly due to the reason(s) stated:

Credit portion of sewer charge for Newton Memorial Hospital - cooling system is run on water and does not pass through sewer system:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
19749	175 High Street	\$2,420.90

Water was shut off and account should have been inactive and not charged:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
5802	75 High Street	\$770.00

RESOLUTION #243-2010*

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>		
Community Devel SW 1064103	Planning/Zoning SW 1062102	\$1,400.00
Community Devel SW 1064103	Zoning Board OE 1062316	\$300.00
Assessment Taxes SW 1055103	Inspection of Buildings SW 1077101	\$2,100.00
Recycling OE 1083244	Finance Audit OE 1054300	\$3,000.00
Building & Grounds OE 1061217	Finance Audit OE 1054300	\$2,510.00
Pool SW 1090102	Parks & Playgrounds SW 1091101	\$450.00
Road OE 1080259	Group Health Insurance 1066200	\$5,360.00
Clerk SW 1051101	Group Health Insurance 1066200	\$5,100.00
Aid to Volunteer Fire OE 1072200	Group Health Insurance 1066200	\$640.00
TOTAL CURRENT TRANSFERS		<u>\$20,860.00</u>

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RESOLUTION #244-2010*

**TRANSFER OF SCHOOL MONIES FOR THE PERIOD FROM JANUARY 1, 2011 TO
JUNE 30, 2011**

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, \$5,536,714.00, 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 (Exclusive of Debt Service)	\$11,073,429.00
Amount Received to Date	5,536,715.00
Amount of This Request	<u>5,536,714.00</u>
Balance Due Board of Education	-0-

RESOLUTION #245-2010*

**REAPPOINTMENT OF JAMES SCHMITT, WALLACE SMITH AND FRANK SEBASTIANO TO
THE RECREATION ADVISORY COMMISSION**

BE IT RESOLVED, by the Town Council of the Town of Newton that James Schmitt, Wallace (Hank) Smith and Frank Sebastiano are each hereby reappointed to a five (5) year term as Members on the Recreation Advisory Commission, effective January 1, 2011, with said terms continuing to December 31, 2015.

RESOLUTION #246-2010*

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

3,013.94	VOID	27868
2,766.50	Harold Pellow & Assoc., Inc.	27917
550.00	Inst. For Forensic Psychology	27918
1,362.75	Partac Peat Corporation	27919
128.00	Decker's Fire & Safety	27920
112.50	Sussex Car Wash, Inc.	27921
1,158.00	Camille Furguele	27922
9,648.80	JCP&L	27923
150.00	Michael D. Teets	27924
35.00	Centurylink Communications, Inc.	27925
36.00	Centurylink Communications, Inc.	27926
121.83	Centurylink Communications, Inc.	27927
154.55	Centurylink Communications, Inc.	27928
2,900.32	Centurylink Communications, Inc.	27929
270.00	Newton Memorial Hospital	27930

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1,158.00	Arthur & Rita Frisbie	27931
1,158.00	John & Terry Iliff	27932
5,000.00	Capital Account	27933
464.00	Beaver Run Farms	27934
5,232.78	Newton First Aid Squad	27935
37.50	Joseph Inga	27936
351.50	Thomas Trudgeon	27937
200.00	Scott Holzhauer	27938
199.98	Treasurer, Petty Cash Fund	27939
482.50	Eugene Williams	27940
220.00	Miami Systems	27941
37.50	Brock Kithcart	27942
17.69	Galls Incorporated	27943
40.00	Ann M. Rosellen	27944
579.00	Donald Donofrio	27945
1,158.00	Gerald & Jean Garris	27946
480.75	Sussex County Clerk	27947
66.54	Zee Medical	27948
18,000.00	SUI Account	27949
37.50	Debra Millikin	27950
600.00	McCullough Tree Service	27951
25.00	Sussex County Clerk's Assn.	27952
2,117.25	F.W. Bennett & Son, Inc.	27953
579.00	Jean Richards	27954
613.02	Boonton Tire Supply	27955
384.00	Weiner Lesniak	27956
839.62	Vision Service Plan	27957
398.00	Rutgers Center for Gov't Serv.	27958
150.00	Jason Miller	27959
1,326.00	James & Nancy Ransnorth	27960
186.13	Verizon Wireless	27961
750.00	Cerbo's Hampton Nursery	27962
804.50	Orr's	27963
42.56	Walmart	27964
150.00	Gold Type Business Machines	27965
35.00	S/NJ Toxicology Laboratory	27966
579.00	Larry E. Romyns	27967
1,158.00	Thomas & Bulah Morris	27968
186.39	Guardline Fire & Safety Co., Inc.	27969
1.00	Town of Newton	27970
587.50	Tania L. Ell	27971
12,356.00	Newton Fire Department	27972
453.85	Universal Uniform	27973
345.00	Sussex County Community College	27974
309.49	Staples Business Advantage	27975
579.00	Douglas Cummins	27976
479.88	Lowe's	27977
8,600.00	Appraisal Service, Inc.	27978
166.05	Stalker Radar	27979
1,076.00	The Emblem Authority	27980
925.00	National Fire Codes Subscription	27981
1,347.64	Taylor Oil Co.	27982
2,619.07	Structural Metal Fabricators	27983
2,508.00	Innovative Data Solutions	27984
2,250.00	Laddey, Clark & Ryan, LLP	27985
1,158.00	Ronald Clouse	27986
440.00	Kieffer Electric, Inc.	27987
120.00	Sussex County Firemen's Association	27988
250.00	Civic Plus	27989

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168.00	Jersey Central Power & Light	27990
579.00	James J. Kilduff	27991
870.00	Knapp, Trimboli & Prusinowski, LLC	27992
32.00	Debra Carter	27993
60.00	SC Office of Public Health Nursing	27994
1,242.00	Penguin Communication, LLC	27995
90,048.00	NJMEBF	27996
100.00	NJGIA	27997
45.00	Motorola	27998
1,430.33	Woodruff Energy	27999
7,083.33	The Station Inc.	28000
1,800.00	Cliffside Body Corp.	28001
92.00	Custom Networks, Inc.	28002
1,685.00	AG Choice, LLC	28003
193,917.22	Payroll Account	28004
222,553.81	Payroll Account	28005

CAPITAL

18,900.00	VOID	7627
18,900.00	Best Control environmental Corp.	7630
37,055.20	Harold Pellow & Assoc., Inc.	7631
227.00	Accurate Door, Inc.	7632
2,900.00	Garden State Highway Products	7633
2,690.00	Level G Associates, LLC	7634
3,218.75	Guide Rite Highway Steel	7635
22,087.11	Manor II Electric	7636

Total TOWN BILLS \$688,680.25

WATER AND SEWER ACCOUNT

568.81	Newton Postmaster	11838
24,363.00	U.S.D.A. /FHA	106038
34,844.26	Payroll Account	106039
1,065.00	Harold Pellow & Associates, Inc.	11839
5,755.54	JCP&L	11840
11,593.10	Pumping Services	11841
484.92	Sussex County Plumbing	11842
21.00	Paul M. Havens	11843
12,515.23	Coyne Chemical Corp., Inc.	11844
125.85	Centurylink Communications, Inc.	11845
28.01	Centurylink Communications, Inc.	11846
1,344.98	Centurylink Communications, Inc.	11847
23.00	Campbell's Small Engine	11848
37.68	Water & Sewer Petty Cash Fund	11849
370,000.00	Water & Sewer Capital Account	11850
20,000.00	Trust Account, Town of Newton	11851
3,060.00	SUI Account	11852
28.00	Ervin Lasso	11853
163.92	Vision Service Plan	11854
5,184.00	Passaic Valley Sewerage Comm.	11855
1,250.00	John Smalley	11856
976.00	Process Tech Sales & Service	11857
42.00	Eric Tompkins	11858
250.00	Civic Plus	11859
14,525.00	NJMEBF	11860
125.19	One Call Concepts	11861
306.01	Woodruff energy	11862

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1,125.00	AA Fence Co., Inc.	11863
213.64	Action Data Services, Inc.	11864

CAPITAL

1,579.50	Harold Pellow & Assoc., Inc.	2165
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Total WATER & SEWER BILLS \$511,598.64

FEDERAL STATE GRANTS

82.63	Current Account	1057
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Total FEDERAL STATE GRANT BILLS \$82.63

DOG RESERVE ACCOUNT

5,762.34	Current Account	8513
2,446.00	Peachtree Business Products	8514
7,500.00	Township of Wantage	8515

Total DOG RESERVE ACCOUNT BILLS \$15,708.34

A motion was made by Mr. Ricciardo to approve the **COMBINED ACTION RESOLUTIONS**, 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	

INTERMISSION (None)

DISCUSSION

a. Rental Housing Inspections – Draft Ordinance

Mr. Russo indicated that he and members of his staff have been working on an ordinance for rental housing inspections. Mr. Russo introduced Mark Hontz, Esq., Town Attorney, to outline the draft ordinance. Mr. Hontz, Esq. provided an overview of the lengthy draft ordinance entitled "Rental Unit Registration, Inspection and Licensing Ordinance". Mr. Hontz, Esq. noted that the three major aspects to this ordinance are: property owners are required to register; property owners are required to license each rental unit; and property owner must have each unit inspected. Mr. Russo noted that this ordinance is not expected to be implemented prior to July 1, 2011.

After a lengthy discussion, Mr. Russo noted that he will revisit the timing

element, the grace period for licensing, as well as the initial registration timeline (phasing in). Mr. Russo noted that this program should be self-funded and be able to cover all costs associated with the licensing and inspections of the housing ordinance.

OPEN TO THE PUBLIC

Mr. Anwar Qarmout, 45 Woodside Avenue, addressed questions regarding the proposed ordinance which were addressed by Mr. Hontz, Esq.

Mr. Fred Judge, 24 Hicks Avenue, feels that there are good and bad points to this ordinance and outlined some of the negative aspects of the ordinance. Mr. Judge suggested that the Town create a committee, staffed with landlords, tenants as well as Town Officials to review all aspects of the proposed ordinance.

Mr. Bruce Glindmeier, owner of 141 Mill Street, expressed his frustration indicating that his apartment complex is already inspected by the State of New Jersey and noted that this ordinance would require another inspection by the Town. Mr. Glindmeier feels that the fees associated with these inspections are excessive.

Mr. Qarmout asked a legal question regarding eviction procedure which was addressed by Mr. Hontz, Esq.

Mr. Mike Malone, 59 Trinity Street, questioned why this Ordinance is necessary. Mr. Russo noted that there are absentee landlords, who are not maintaining their property; tenants who live in uninhabitable conditions and feels that this community should have some form of inspection program to protect not only the Town but their residents. This proposed ordinance would be a mechanism to hold every landlord and tenant to the same standards, Mr. Russo concluded.

After a lengthy discussion, Mr. Russo indicated that he will revisit this proposed ordinance with a working committee and would like to invite the four landlords, who were present this evening, to attend the next rental housing inspection meeting for their input.

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COUNCIL & MANAGER COMMENTS

There was no discussion at this time.

EXECUTIVE SESSION

Mr. Russo read Resolution #247-2010 and Council entered into Executive Session at 8:55 p.m.

Council returned from Executive Session at 10:13 p.m.

There being no further business to be conducted, upon motion by Mrs. Le Frois, seconded by Mr. Ricciardo and unanimously carried, the meeting was adjourned at 10:13 p.m.

Respectfully submitted,

Lorraine A. Read, RMC/CMR
Municipal Clerk