



AGENDA
NEWTON TOWN COUNCIL
ANNUAL REORGANIZATION MEETING

FRIDAY, JULY 1, 2011

6:00 P.M.

- I. INVOCATION – REV. BRIAN SULLIVAN, SAINT JOSEPH'S R.C. CHURCH, NEWTON, NJ**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. OPEN PUBLIC MEETINGS ACT STATEMENT**
- V. DESIGNATION OF TEMPORARY MAYOR**
 - a. _____
- VI. NOMINATION AND SELECTION OF MAYOR**
 - a. _____
- VII. SWEARING-IN OF MAYOR**
- VIII. NOMINATION AND SELECTION OF DEPUTY MAYOR**
 - a. _____
- IX. SWEARING-IN OF DEPUTY MAYOR**
- X. COMMENTS BY TOWN MANAGER, COUNCIL, DEPUTY MAYOR AND MAYOR**
- XI. CONSENT AGENDA**

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.

- a. RESOLUTION #136-2011* REAFFIRM BANKS AS DEPOSITORIES
- b. RESOLUTION #137-2011* REAFFIRM LEGAL NEWSPAPERS
- c. RESOLUTION #138-2011* REAFFIRM SCHEDULE OF TOWN COUNCIL MEETINGS FOR THE REMAINDER OF 2011
- d. RESOLUTION #139-2011* REAFFIRM OFFICIALS TO SIGN CHECKS
- e. RESOLUTION #140-2011* REAFFIRM CHIEF FINANCIAL OFFICER AND/OR FINANCE DIRECTOR AS THE INDIVIDUAL TO SELL BOND ANTICIPATION NOTES
- f. RESOLUTION #141-2011* APPOINTMENT OF MAYOR AS A CLASS I MEMBER OF THE NEWTON PLANNING BOARD
- g. RESOLUTION #142-2011 APPOINTMENT OF TOWN COUNCIL REPRESENTATIVE AS A CLASS III MEMBER OF THE NEWTON PLANNING BOARD
- h. RESOLUTION #143-2011* APPOINTMENT OF THE TOWN MANAGER AS HEARING OFFICER IN ALL MATTERS OF DISPUTE REGARDING THE TOWN OF NEWTON
- i. RESOLUTION #144-2011* APPOINTMENT OF MEMBERS OF THE TOWN OF NEWTON AD HOC REDEVELOPMENT TEAM
- j. RESOLUTION #145-2011* APPOINTMENT OF MS. KRISTEN BECKER AS THE TOWN COUNCIL LIAISON TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION
- k. RESOLUTION #146-2011* APPOINTMENT MR. E. KEVIN ELVIDGE AS THE TOWN COUNCIL LIAISON TO THE HISTORIC PRESERVATION ADVISORY COMMISSION

XII. APPOINTMENT

- a. MAYOR'S APPOINTMENT CLASS II REPRESENTATIVE TO THE NEWTON PLANNING BOARD (*APPOINTMENT OF TOWN MANAGER BY THE MAYOR*)

XIII. OPEN TO THE PUBLIC

XIV. COUNCIL & MANAGER COMMENTS

XV. BENEDICTION – REV. BRIAN SULLIVAN, SAINT JOSEPH'S R.C. CHURCH, NEWTON, NJ

XVI. ADJOURNMENT



TOWN OF NEWTON
RESOLUTION #136-2011

July 1, 2011

"Reaffirm Banks as Depositories"

BE IT RESOLVED by the Town Council of the Town of Newton that the following policy is hereby reaffirmed 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
Bank of New York Mellon (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, 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. Effective September 30, 2010 the Chief Financial Officer can obtain a copy of the GUDPA on the website www.state.nj.us/dobi/division_banking/depositories/gudpa.htm.

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

- 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 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.

- 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 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 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 shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Friday, July 1, 2011.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #137-2011

July 1, 2011

“Reaffirm Legal Newspapers”

WHEREAS, the *New Jersey Herald* and the *New Jersey Sunday Herald* were previously designated as legal newspapers for the Town of Newton during calendar year 2011 by Resolution #219-2010;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that said two newspapers be reaffirmed as legal newspapers for the remainder of calendar year 2011.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #138-2011

July 1, 2011

“Reaffirm Schedule of Town Council Meetings for the Remainder of 2011”

WHEREAS, the Newton Town Council established their meeting dates for calendar year 2011 by the adoption of Resolution #225-2010 at their meeting on December 13, 2010;

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 for the remainder of the calendar year which 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;

Council Meetings

7:00pm

July	11	and	25
August	8	and	22
September	14*	and	26
October	12*	and	24
November	14	and	28
December	12	and	28*

**Held Wednesday*

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.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #139-2011

July 1, 2011

“Reaffirm Officials to Sign Checks”

BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Manager, Chief Financial Officer, and/or Treasurer be authorized to sign all Town, Water and Sewer Utility, and payroll checks effective July 1, 2011.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #140-2011

July 1, 2011

**“Reaffirm Designating the Chief Financial Officer
and/or Finance Director as the Individuals
Authorized to Sell Bond Anticipation Notes”**

BE IT RESOLVED, by the Town Council of the Town of Newton that the following policy is hereby reaffirmed pertaining to the sale of Bond Anticipation Notes:

- 1) The Chief Financial Officer and/or the Finance Director are 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 and/or the Finance Director are 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.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #141-2011

July 1, 2011

**“Appointment of Mayor as a Class I Member of
the Newton Planning Board”**

BE IT RESOLVED, by the Town Council of the Town of Newton that Mayor Helen R. Le Frois be and is hereby appointed to the Newton Planning Board as a Class I member for the one year period commencing July 1, 2011 and ending June 30, 2012.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #142-2011

July 1, 2011

“Appointment of Town Council Representative as a Class III Member of the Newton Planning Board”

BE IT RESOLVED, by the Town Council of the Town of Newton that Deputy Mayor Sandra Lee Diglio, Town Council member, be and is hereby appointed to the Newton Planning Board as a Class III member for the one-year period commencing July 1, 2011 and ending June 30, 2012.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #143-2011

July 1, 2011

“Appointment of 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, Mr. 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 remainder of calendar year 2011.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #144-2011

July 1, 2011

**“Appointment of Members of the Town of Newton
Ad Hoc Redevelopment Team”**

WHEREAS, the Town of Newton acknowledges there are potential benefits to the Town of Newton to be gained through the process of redevelopment; and

WHEREAS, opportunities for beneficial redevelopment should be thoroughly, expeditiously and efficiently evaluated and pursued;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby appoints the positions listed below to an ad hoc Redevelopment Team to evaluate and pursue redevelopment opportunities in the Town of Newton for a one-year period from July 1, 2011 through June 30, 2012; and

BE IT FURTHER RESOLVED that individuals representing the following positions shall be members of the Redevelopment Team, with said meetings to be called by the Town Manager as needed:

Mayor;

Town Manager;

Deputy Town Manager;

Town Planner;

Town Engineer;

Planning Board Chairperson;

Redevelopment Counsel; and other professionals and/or staff as deemed necessary by the Town Manager; and

BE IT FURTHER RESOLVED, said Redevelopment Team is a purely advisory group working only in an analytical and advisory capacity and is: (a) not empowered to make any decisions; (b) has no effective authority; (c) is not empowered to act by vote; (d) is not governed by the Open Public Meetings Act; and (e) is not a “Redevelopment Agency” pursuant to N.J.S. 40A:12A-11.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #145-2011

July 1, 2011

**“Appointment of Ms. Kristen S. Becker as the
Town Council Liaison to the Economic
Development Advisory Commission”**

BE IT RESOLVED, by the Town Council of the Town of Newton that Councilwoman Kristen S. Becker be and is hereby appointed to the Economic Development Advisory Commission as the Town Council liaison member for a one-year period commencing July 1, 2011 and ending June 30, 2012.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #146-2011

July 1, 2011

"Appointment of Mr. E. Kevin Elvidge as Town Council Liaison to the Historic Preservation Advisory Commission"

BE IT RESOLVED, by the Town Council of the Town of Newton that Councilman E. Kevin Elvidge be and is hereby appointed to the Historic Preservation Advisory Commission as the Town Council liaison member for a one-year period commencing July 1, 2011 and ending June 30, 2012.

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Lorraine A. Read, RMC
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