

June 13, 2011

## **EXECUTIVE SESSION**

Mr. Russo read Resolution #109-2011 and Council entered into Executive Session at 6:30 p.m.

Council returned from Executive Session at 6:50 p.m.

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, Deputy Mayor 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, 2010."

Mayor Becker led the Pledge of Allegiance to the flag. The Clerk called the roll. Upon motion of Mr. Elvidge, seconded by Mr. Ricciardo, the minutes of May 23, 2011 (Regular and Executive) were approved as amended, with an abstention from Mrs. Diglio.

## **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. Scott Mooney, 459 Taylor Street, South Hackensack, thanked the Town Council for the adoption of Resolution #114-2011, "Resolution in Support of H.R. 1489 Return to Prudent Banking Act of 2011". Mr. Mooney updated Council on the status of the Glass-Steagall law.

## **COUNCIL & MANAGER REPORTS**

### a. **Tax Exemption Ordinance Discussion**

Jennifer Credidio, Esq., Redevelopment Counsel and Scott Holzhauer, Tax

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Assessor appeared before the Council to provide an update on the revised draft Tax Exemption Ordinance. Ms. Credidio outlined the revisions and provided Council with two options for the implementation of the five-year exemption and abatement law.

After a lengthy discussion, Council had some additional revisions as well as requests for additional information. Ms. Credidio will do some research and submit any potential additional amendments at the next Council meeting on June 27, 2011.

b. **MSN Challenge Grant Discussion**

Mr. John Eskilson and Mr. Bruce Tomlinson present to provide an overview of the grant application seeking \$15,000 to conduct a study to determine the feasibility of creating a Business Improvement District (BID). Council discussed the next step and looks forward to a favorable grant award.

Mr. Russo advised Council of an email request from the Sussex County Community College to hold their annual Skylanders 10K Run to be held on Sunday, October 2, 2011. The Governing Body had no objection to this request.

**ORDINANCES**

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

**ORDINANCE #2011-10**

**AN ORDINANCE AUTHORIZING SALE BY PUBLIC AUCTION OF MUNICIPAL LANDS NOT NEEDED FOR PUBLIC USE – WOODSIDE AVENUE**

**WHEREAS**, the Town of Newton has title to certain parcels of real property which are Lots 42.02 and 42.03 in Block 902 as shown on the Newton Tax Map, which parcels are not needed for public use; and

**WHEREAS**, the governing body has determined that said Block 902, Lots 42.02 and 42.03 be sold together at public sale to the highest bidder, or, in the alternative, be sold separately at public sale to the highest bidder(s), subject to the following terms and conditions hereinafter set forth pursuant to N.J.S.A. 40A:12-13.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY AS FOLLOWS:**

1. That Block 902, Lots 42.02 and 42.03 shall first be offered for sale together to the highest bidder with a minimum bid of FIFTY THOUSAND DOLLARS (\$50,000.00) required for both lots together, pursuant to N.J.S. 40A:12-13.

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2. In the event the parcels are not sold together, the parcels (Lots 42.02 and 42.03) shall next be offered for sale separately to the highest bidder with a minimum bid of TWENTY-NINE THOUSAND DOLLARS (\$29,000.00) for Block 902, Lot 42.02 and THIRTY THOUSAND DOLLARS (\$30,000.00) for 902, Lot 42.03, pursuant to N.J.S. 40A:12-13.

3. The sales shall be conducted in the Municipal Building of the Town of Newton, 39 Trinity Street, Newton, New Jersey, on August 2, 2011 at 10:00 a.m.

4. The Governing Body hereby appoints and designates the Newton Town Manager or such other person as the Town Manager shall designate, to conduct the combined, or in the alternative, separate sales of Block 902, Lots 42.02 and 42.03 on behalf of the Governing Body.

5. The parcels placed for sale in this auction shall be auctioned with reservation. No bid shall be accepted in an amount less than FIFTY THOUSAND DOLLARS (\$50,000.00) for Lots 42.02 and 42.03 together. In the alternative and in the event of no sale of the parcels together, then each parcel of Lot 42.02 and Lot 42.03 shall be auctioned separately with no bid accepted in an amount less than TWENTY-NINE THOUSAND DOLLARS (\$29,000.00) for Block 902, Lot 42.02 and THIRTY THOUSAND DOLLARS (\$30,000.00) for 902, Lot 42.03. The auctioneer shall commence the bidding at each auction at the required minimum required bid, beginning with the auction of the parcels together and then, if necessary, continuing with the auctions of the lots separately. The Town of Newton reserves the right, in its sole discretion, to either accept or reject any bid it deems in the Town of Newton's best interests. The Town, in its sole discretion, may accept a lower bid for any reason it deems in the Town's best interests. No bid shall be considered finally accepted until the passage of a Resolution by the Town Council of the Town of Newton as set forth in Paragraph 9 hereof.

6. The higher bidder for both lots together, or, in the alternative, for each lot separately, shall execute separate Offers to Purchase in the form attached hereto at the conclusion of the bidding and pay a deposit by cash, bank check or cashier's check or attorney's trust account check in an amount equal to ten (10%) percent of the highest bid for each lot. The balance of the monies due pursuant to the highest bid and Offer to Purchase shall be paid in cash or certified check on delivery of the Deed, which shall be no later than September 13, 2011 at the offices of the Municipal Attorney, Hollander Strelzik Pasculli Pasculli Hinkes Gacquin Vandenberg & Hontz, LLC, 40 Park Place, Newton, NJ 07860, or at such other location as mutually agreed upon.

7. The municipality expressly disclaims any and all implied warranties of habitability or usability with respect to both and each of these properties. The highest bidder shall purchase the property in an "as is" condition, having had an ample and sufficient opportunity to inspect said premises, examine its title, and review municipal ordinances and laws effectuating said premises, and that no representations regarding the value, character, quality, habitability or condition thereof, including environmental conditions, have been made to Buyer on behalf of the Town of Newton, prior to making a bid. The highest bidder, after closing, shall be responsible for all present and future defects of any kind in any part of the property. This agreement shall survive the closing of title.

8. The parcels offered for sale in this auction are the same lands and premises which the Town of Newton took title to by virtue of a certain Final Judgment of the Superior Court of New Jersey, Docket No. F-63920-02, dated May 4, 2010, and recorded in the Sussex County Clerk's Office in Deed Book 3249, Page 231&c. A copy of Judgment is attached hereto as **Schedule A**. The Town of Newton shall use in the deed of conveyance the description set forth in **Schedule A**. The highest bidder for each lot shall have the right, at its sole cost

and expense, to obtain a new survey of that lot. Provided such survey depicts the lot and is certified to be correct to the Town of Newton, the Town of Newton shall utilize the legal description drawn in accordance with such survey in the Deed of conveyance, provided the highest bidder provides such legal description and a copy of the certified survey to the Town of Newton not less than one week prior to the date set for closing of title.

9. The conveyance of each lot shall be by Bargain and Sale Deed, and each lot shall be sold subject to covenants, restrictions, conditions, reservations of record, easements established of record, or by prescription, including but not limited to, Deed Book 383, Page 73&c., Deed Book 1537, Page 63&c., Deed Book 1578, Page 89&c., Deed Book 2235, Page 12&c., and Deed Book 2332, Page 108&c., laws, municipal ordinances, water and sewer connection fees, if any, and such state of facts as an accurate survey or inspection of the premises may disclose.

10. The highest bid for both lots together, or, in the alternative, for each lot separately, shall be separately accepted or rejected by a Resolution of the Governing Body no later than the second regular meeting of the Governing Body following the date of such auction sale. No bid may be withdrawn prior to such Resolution.

11. This notice of the auction sale of said lots shall be advertised in the New Jersey Herald at least once a week during two consecutive weeks, the last publication being no earlier than seven days prior to the date of such sale.

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

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

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Deputy Mayor 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**

**A. Utility Board Appeal – Oricchio**

Alfredo Ramos, Esq., representative for Alex Oricchio, made a presentation with regard to an outstanding water and sewer bill for 17 Hicks Avenue, Newton. Mr. Ramos has asked that the Council deliberate and negotiate the balance on this utility account.

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At this time, Mark Hontz, Esq. directed Mrs. Millikin to make a presentation with regard to the outstanding utility account in the amount of \$9,130.42. Mrs. Millikin outlined the chain of events which occurred since the 2<sup>nd</sup> quarter of 2004.

Mr. Paul Baldwin, Supervisor of Newton Water and Sewer, addressed questions of Mr. Hontz and advised that he was denied access to the property on several occasions. Mr. Baldwin also reported that the water meter was ripped off of the house.

Mr. Eric Tompkins, Truck Driver of Newton Water and Sewer, also addressed questions of Mr. Hontz. Mr. Tompkins addressed an event, in May 2010, in which he gained access and proceeded to hear a loud noise which was identified as a toilet constantly flushing. The tenant indicated that the flushing has been going on for a while. Mr. Tompkins proceeded to shut off the water for the tenant so she did not have to constantly hear the flushing noise. Mr. Tompkins showed the tenant how to turn the water on when necessary.

Mr. Ramos asked Council for further negotiation and requested a stay on the utility shut off until the issue is resolved. The Council agreed to the stay on the utility shut off.

After a lengthy discussion, Council unanimously agreed to have Mr. Hontz contact Mr. Ramos for further deliberations and negotiations on the outstanding water and sewer bill for 17 Hicks Avenue.

### **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 the resolutions on the Consent Agenda.

### **RESOLUTION #110-2011\***

**TRANSFER OF SCHOOL MONIES FOR THE PERIOD JULY 1, 2011 TO DECEMBER 31, 2011**

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**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, \$5,522,449.00 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)	\$11,044,898.00
Amount Received to Date	0.00
Amount of This Request	<u>\$5,522,449.00</u>
Balance Due Board of Education	\$5,522,449.00

**RESOLUTION #111-2011\***

**AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR  
BLOCK 401, LOT 25**

**WHEREAS**, at the Municipal Tax Sale held on June 24, 2009, a lien was sold on Block 401, Lot 25, also known as 10 Center Street, for 2008 delinquent taxes and water and sewer charges; and

**WHEREAS**, this lien, known as Tax Sale Certificate #1290, was sold to Robert Rothman for 0% redemption fee as well as a premium in the amount of \$1,700.00; and

**WHEREAS**, Barbara Johnson, owner of said property, has affected redemption of Certificate #1290 in the amount of \$8,290.32;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body acknowledges that Robert Rothman is entitled to the redemption in the amount of \$8,290.32 as well as the premium in the amount of \$1,700.00; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be authorized to issue two checks, the first in the amount of \$8,290.32 for the redemption of Certificate #1290 and the second in the amount of \$1,700.00 for the premium both made payable to Robert Rothman, 411 Grand Avenue, Englewood, NJ 07631.

**RESOLUTION #112-2011\***

**AUTHORIZE AN AGREEMENT WITH THE OWNER OF 170 SPRING STREET FOR THE  
PLACEMENT OF OUTDOOR SURVEILLANCE CAMERAS**

**WHEREAS**, the Town of Newton is in need of and desires to locate and operate outdoor video surveillance cameras on the exterior portion of the building located at 170 Spring Street, in the interest of public safety; and

**WHEREAS**, an agreement with the owner of the 170 Spring Street has been negotiated for the placement and operation of said cameras, copies of which are annexed hereto;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute the three agreements for the aforesaid purposes in the form annexed to and made part of this resolution.

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**RESOLUTION #113-2011\***

**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;

**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 to accounts for Final water bills that were calculated erroneously:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
17741	24 Lincoln Place	\$30.00
4453	58 Swartswood Road	\$75.00
23248	70 Glen Road	\$90.00

**RESOLUTION #114-2011\***

**RESOLUTION IN SUPPORT OF H.R. 1489 RETURN TO PRUDENT BANKING ACT OF 2011**

**WHEREAS**, in response to the collapse of the United States banking system, the Glass-Steagall law of 1933 was enacted to regulate the system to prevent commercial banks from engaging in financial speculation and the creation of financial bubbles; and

**WHEREAS**, until its repeal in 1999, the Glass-Steagall law erected a firewall to separate investment banking, insurance and brokerage firms from traditional commercial banking; and

**WHEREAS**, financial institutions, foreign and domestic, have been bailed out by the American taxpayers at a cost of as much as \$27 trillion and they also participated in the creation of hundreds of trillions of dollars in derivatives, contracts and other toxic "investments" which are bankrupting the United States economy; and

**WHEREAS**, legislation was introduced in the United States Congress in 2009 and 2010 to reinstate the Glass-Steagall law;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Town Council of the Town of Newton, Sussex County, State of New Jersey, that the Mayor and Town Council hereby strongly urge President Barack Obama to do all that he can do to assist the United States Congress to enact legislation to re-instate the Glass-Steagall law; and

**BE IT FURTHER RESOLVED** a copy of this resolution be forwarded to the President of the United States, and each member of the Congress representing New Jersey.

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Kristen S. Becker, Mayor

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Lorraine A. Read, Municipal Clerk

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**RESOLUTION #115-2011\***

**RESOLUTION SUPPORTING THE SUBMISSION OF A GRANT APPLICATION TO THE STATE OF NEW JERSEY FOR \$15,000 IN MAIN STREET IMPROVEMENT DISTRICT CHALLENGE GRANT FUNDS**

**WHEREAS**, Main Street Newton was established as a 501-c3 not for profit public/private partnership to work toward the revitalization of Newton's downtown business district and a sustainable, vibrant local economy; and

**WHEREAS**, Main Street Newton was designated by the State of New Jersey as an official Main Street New Jersey organization utilizing the four point approach of organization, economic restructuring, promotions and design to restoring economic vitality to the downtown area; and

**WHEREAS**, despite initial fund raising successes, the Main Street Newton Board of Director's efforts to raise funds to support programs was significantly affected by the nationwide economic recession; and

**WHEREAS**, in an effort to identify a long-term sustainable source of funding the Newton Main Street Board of Directors initiated a discussion with the Newton Town Council regarding the establishment of a downtown Business Improvement District (BID); and

**WHEREAS**, the Newton Town Council has requested the Main Street Newton Board of Directors provide an in-depth analysis of the feasibility of establishing a BID within the Town of Newton to assist the Council in their deliberations; and

**WHEREAS**, the State of New Jersey has made available \$15,000 in grant funds through the "Main Street Improvement District Challenge Grant" program to study the feasibility of creating a BID within the Town of Newton; and

**WHEREAS**, the Main Street Newton Board of Directors seeks to apply for said grant to determine the feasibility of creating a BID within the Town of Newton as a means to providing a long-term, sustainable source of funding to support, at least in part, the four point Main Street program of downtown revitalization.

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Newton that it hereby supports the Main Street Newton Chairman and/or other designated members to file the attached grant application to the State of New Jersey seeking \$15,000 to conduct a study to determine the feasibility of creating a Business Improvement District (BID) in the Town of Newton.

**RESOLUTION #116-2011\***

**APPOINTMENT OF A CLASS II - SPECIAL POLICE OFFICER – JOHN D. TOMASULA**

**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;

**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 individual as a Class II - Special Police Officer for calendar year 2011:

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John D. Tomasula

**RESOLUTION #117-2011\***

**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 2010 and 2011 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**

138.00	VOID	28727
410.02	Debra Millikin	28812
500.00	American Legion Post 86	28813
74.75	Thomas S. Russo, Jr.	28814
9,000.00	Greater Newton Chamber of Commerce	28815
2,709.00	Brach Eicher LLC and	28816
24,381.01	Brach Eicher LLC and	28817
214.20	Linda Roth	28818
417.89	Montague Tool & Supply	28819
833.50	Harold Pellow & Assoc. Inc.	28820
93.75	ABCCode Security	28821
181.25	Sussex Car Wash Inc.	28822
986.29	G & G Diesel Service Inc.	28823
7,906.53	JCP&L	28824
1,815.06	SCMUA	28825
35.00	Centurylink Communications, Inc.	28826
123.99	Centurylink Communications, Inc.	28827
212.65	Centurylink Communications, Inc.	28828
1,058.98	Rowe & Company, Inc.	28829
1,038.97	Campbell's Small Engine	28830
396.00	Neopost Leasing	28831
13,800.00	Neopost Leasing	28832
140.00	Lock & Key World	28833
36.00	Tri-State Rentals, Inc.	28834
697.61	Newton Citgo	28835
60.00	Treasurer, Petty Cash Fund	28836
10.00	Newton Trophy	28837
14.00	William F. Smith	28838
2,116.80	Office Business Systems, Inc.	28839
44.29	Sebring Auto Parts	28840
390.83	F. W. Bennett & Son, Inc.	28841
46.17	Sirchie Finger Print Labs	28842
1,100.17	Boonton Tire Supply	28843
762.88	McGuire	28844
839.62	Vision Service Plan	28845
37,345.00	Statewide Insurance Fund	28846
75.00	TCTANJ	28847
189.42	Verizon Wireless	28848
515.55	State Chemical	28849
375.00	Accurate Door, Inc.	28850
400.00	Maglocen	28851
380.00	North Jersey Portable Toilets	28852
39.00	NJ Div. Alcohol Beverage Control	28853
40.00	NJSACOP	28854

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390.00	Alva Plastic Printing Co.	28855
61.13	Advance Auto Parts	28856
2,227.91	The Home Depot	28857
517.48	Fire & Safety Services, LTD	28858
120.00	Mid-Atlantic For Safety	28859
87.90	Scarinci & Hollenbeck, LLC	28860
780.00	Penn State University	28861
356.52	American Bus & Coach	28862
838.49	Staples Business Advantage	28863
36.60	Lowe's	28864
162.00	Screen Creation Plus	28865
37.56	Nestle Waters	28866
14.00	Steve Estler	28867
81.00	Jeff Schiffner	28868
85.00	Pinnacle Wireless, Inc.	28869
4,338.38	Rachles/Michele's Oil Company	28870
842.16	Structural Metal Fabricators	28871
200.00	Awareness protective Consultants	28872
252.50	Barco Products	28873
233.00	Northern Rain	28874
168.00	Jersey Central Power & Light	28875
2,790.00	Knapp, Trimboli & Prusinowski, LLC	28876
2,243.68	EM Electrical Contractors, LLC	28877
104,435.96	NJMEBF	28878
1,770.00	Chelbus Cleaning Co., Inc.	28879
495.00	NJ Homocide Investigator's Assoc.	28880
90.00	GPANJ	28881
8,142.52	Direct Energy Business	28882
588.00	Crime Reports	28883
7,083.33	The Station Inc.	28884
1,200.00	Mainly Menus	28885
899.88	Locateplus	28886
157.00	Treasurer, State of NJ	28887
81.00	Jay Phleger	28888
67.06	Karen Schulte	28889
176,296.09	Payroll Account	111030

**CAPITAL**

241,802.00	Pierce Manufacturing Inc.	7705
11,163.77	Harold Pellow & Assoc., Inc.	7706
5,538.14	McManimon & Scotland	7707
831.32	The Home Depot	7708
83.89	Excelsior Lumber Company	7709
180.50	Barco Products	7710
54,727.82	Earthcam, Inc.	7711

**Total TOWN BILLS \$744,218.77**

**WATER AND SEWER ACCOUNT**

138.00	VOID	12130
135.25	VOID	12132
576.04	VOID	12176
6,328.03	Harold Pellow & Assoc., Inc.	12177
3,204.35	JCP&L	12178
4,672.00	Pumping Services	12179
235.44	SCMUA	12180
347.13	Sussex County Plumbing	12181

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28.00	Paul M. Havens	12182
3,769.08	Coyne Chemical Corp., Inc.	12183
125.85	Centurylink Communications, Inc.	12184
5,000.00	Neopost Leasing	12185
635.00	Lock & Key World	12186
163.92	Vision Service Plan	12187
56,373.00	Statewide Insurance Fund	12188
2,356.00	Univar USA Inc.	12189
26.48	Advance Auto Parts	12190
423.58	The Home Depot	12191
262.50	Screen Creation Plus	12192
88.57	Dan's Auto	12193
8,883.60	Accurate Waste Removal	12194
1,250.00	HCP Consulting Group LLC	12195
14,007.04	NJMEBF	12196
11,520.12	Direct Energy Business	12197
180.12	Bruce Supply Corp.	12198
330.00	Lancaster Laboratories	12199
24,363.00	U.S.D.A. / FHA	116018
32,378.88	Payroll Account	116019
461.05	State of New Jersey PWT	116020

**CAPITAL**

43.00	McManimon & Scotland	2175
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**Total WATER & SEWER BILLS \$177,182.49**

**TRUST ACCOUNT**

1,582.00	Harold Pellow & Assoc., Inc.	2897
19.99	Simon Peter Sport	2898
674.83	Dillonchem.com	2899
290.00	Jersey Shirts & Signs	2900
603.24	Payroll Account	117112

**Total TRUST ACCOUNT BILLS \$3,170.06**

**FED. STATE GRANT**

325.42	The Home Depot	1072
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**Total FED. STATE GRANT BILLS \$325.42**

**RESOLUTION #118-2011\***

**AUTHORIZING A LEASE AGREEMENT WITH FIRST HOPE BANK FOR THE ACQUISITION OF A 2011 FORD EXPLORER WITH OPTIONS**

**WHEREAS**, a need exists for the acquisition of a 2011 Explorer 4WD with options described in the Municipal Lease and Option Agreement with is on file in the Office of the Municipal Clerk; and

**WHEREAS**, the Newton Town Council has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of a 2011 Ford Explorer 4WD with options; and

**WHEREAS**, the 2011 Ford Explorer 4WD is being purchased through the State of NJ Contract #A78762 in the amount of \$32,338;

**NOW, THEREFORE BE IT RESOLVED**, by the Newton Town Council that it hereby designates and authorizes the Newton Town Manager and Chief Financial Officer to execute, attest and deliver the Municipal Lease and Option Agreement on file in the Office of the Municipal Clerk, and any related documents necessary to the consummation of transactions contemplated by the Lease and Option Agreement; and

**BE IT FURTHER RESOLVED**, that the Newton Town Council hereby represents that the reasonably anticipated amount of qualified tax-exempt obligations which have been and will be issued by the Lessee does not exceed \$10,000,000 for the calendar year within which this Municipal Lease and Option Agreement is to be a "qualified tax-exempt obligation" pursuant to Section 265(b) of the Internal Revenue Code; and

**BE IT FURTHER RESOLVED**, that a copy of said Municipal Lease and Option Agreement shall remain on file in the Office of the Municipal Clerk.

The Clerk presented an application for Special Permit for a Social Affair from the Men's VFW Auxiliary Post 5360, 85 Mill Street, Newton to be held on June 18, 2011 from 4:00 p.m. to 7:00 p.m. at the Newton VFW Post 560, 85 Mill Street, Newton. It was noted that the application was in order and signed by the Chief of Police.

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

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

**INTERMISSION**

**DISCUSSION**

**A. Paterson Avenue Redevelopment Plan – Amendment Draft**

Mrs. Jessica Caldwell, Town Planner, outlined the draft Paterson Avenue Redevelopment Plan Amendment. Mrs. Caldwell noted that there is a pending developer, Meadowbrook Inventions, looking to purchase and improve the property. This company has been in business since 1934 and is the world's leading manufacturer and supplier of glitter. Mrs. Caldwell indicated that this amended Plan is only adding light manufacturing and offices as permitted uses.

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Representatives of Meadowbrook addressed questions from the Town Council.

After a lengthy discussion, the consensus of the Town Council was to refer the proposed amendments, set forth in the Paterson Avenue Redevelopment Plan, to the Planning Board.

**OPEN TO THE PUBLIC**

There was no one from the public to be heard.

**COUNCIL & MANAGER COMMENTS**

Councilman Ricciardo commended the Town Manager, Deputy Town Manager, Water and Sewer Department and all who were involved in the recent water main break crisis. The recent emergency was handled quickly and in a professional manner, Councilman Ricciardo concluded.

Deputy Mayor Le Frois commended the communication efforts during the recent emergency crisis.

Mr. Russo advised Council of the Newton Fire Department "wetdown" event which is set for Saturday, August 27, 2011. Mr. Russo outlined the rules and regulations as defined by the Statewide Insurance Fund with regard to these types of events. Mr. Russo will advise Fire Chief Michael Teets of the insurance rules and regulations as it relates to the event.

Mr. Russo presented Council with two samples of the way finding signage. After a brief discussion, Council unanimously agreed on one of the samples displayed by Mr. Russo. Outlining the schedule for erecting the signs, Mr. Russo noted that the signs are anticipated to be displayed around the Town by Fall. After obtaining several quotes, the Town received a cost estimate of approximately \$5,000.00 for the way finding signs.

There being no further business to be conducted, upon motion of Deputy Mayor Le Frois, seconded by Mrs. Diglio and unanimously carried, the meeting was adjourned at 9:16 pm.

Respectfully submitted,

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Lorraine A. Read, RMC  
Municipal Clerk