

April 13, 2009

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, Mrs. Unhoch, Mrs. Becker, Mrs. Le Frois, Mayor Ricciardo and Town Manager, Tom Russo.

Mayor Ricciardo 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 22, 2008”.

Reverend Frank Leone, II of the Christ Community Church, Newton, led the invocation.

Mayor Ricciardo led the Pledge of Allegiance to the flag. The Deputy Clerk called the roll and upon completion of same, upon motion made by Mrs. Unhoch, seconded by Mrs. Le Frois and carried that the minutes of February 23, 2009 (Regular), Feb 23, 2009 Executive, and March 9, 2009 were approved.

Mayor Ricciardo read the following Proclamation congratulating Minisink Press for their 50th year serving the greater Newton area.

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

Minisink Press, Inc. 50th Anniversary

WHEREAS, Tom Delaney, Sr., and his son Tom Jr., purchased the assets of the Quality Print Shop which was located on Moran Street in Newton in 1959, and

WHEREAS, the new business was named Minisink Press, Inc., to reflect the family’s interest in local history and to pay homage to Sussex County’s Minisink Indian Tribe, and

WHEREAS, over the past 50 years Minisink Press has grown and flourished while serving the residents and businesses in the Newton area and surrounding counties and

WHEREAS, the Delaney family has given back to the community by being an active participant in the local Chamber of Commerce supporting many local events, including Newton Day, The Taste of Newton and Business Expo;

NOW THEREFORE, WE, the Mayor and Town Council of the Town of Newton, hereby proclaim our **Congratulations & Best Wishes** to **Minisink Press, Inc.**, for their “**50th Anniversary**” and thank them for their service and support of

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the Town of Newton.

Mayor Ricciardo presented Mr. and Mrs. Delaney with the Proclamation and a bouquet of flowers. Mrs. Delaney thanked the Governing Body for recognizing their years of service to the community.

Mayor Ricciardo declared the meeting open to the public.

PUBLIC

There was no one from the public to be heard.

PUBLIC HEARING

Mr. Mark Hontz, Esq. reviewed and summarized the revisions of the final report of the Cable Franchise Renewal for Service Electric Cable TV of New Jersey, Inc. At this time Mayor Ricciardo opened the hearing to the public. There being no one from the public to be heard, Mayor Ricciardo closed the hearing and requested a resolution to approve submission of the Municipal Report on Cable Franchise Renewal.

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

| | | | |
|-----------------|-----|---------------|-----|
| Mr. Elvidge | Yes | Mrs. Unhoch | Yes |
| Mrs. Becker | Yes | Mrs. Le Frois | Yes |
| Mayor Ricciardo | Yes | | |

RESOLUTION #58-2009

WHEREAS, the Town of Newton has completed the Ascertainment Phase of its cable franchise renewal process; and

WHEREAS, the Town Council has held a properly-noticed public hearing on April 13, 2009 regarding the adoption of a Municipal Report summarizing said Ascertainment Phase;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Newton: (1) approves the attached "Municipal Report of the Town of Newton regarding Cable Franchise Renewal for Service Electric Cable TV of New Jersey, Inc.", dated April 13, 2009, and (2) authorizes the filing, submission and/or service of said Municipal Report pursuant to the requirements of the franchise renewal process.

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Mayor Ricciardo and the Governing Body thanked Mr. Hontz for his thorough research regarding during this franchise renewal process.

Council & Manager Reports

Mr. Russo advised Council of correspondence received from the Sussex County Chapter of the American Red Cross requesting permission to hold their semi-annual coin toss at the corner of County Route 616 (Sparta Avenue) and Diller Avenue on May 9, 2009 from 9:00 a.m. to 1:00 p.m.

The Governing Body had no objection to granting permission for the County Chapter of the American Red Cross to hold their semi-annual coin toss on May 9, 2009.

Mr. Russo advised Council of correspondence received from Greater Newton Chamber of Commerce requesting permission to close Spring Street on June 13, 2009 for the Newton Day Festival.

The Governing Body had no objection to the closure of Spring Street on June 13, 2009 in celebration of the Newton Day Festival.

The Town Manager reminded Council of the ribbon-cutting ceremony for Bristol Glen on April 16, 2009 at 2:00 p.m.

Councilwoman Unhoch attended the Sussex County Vision 2020 Economic Strategy Committee Plan. Mrs. Unhoch indicated that general idea of the plan is to create more and better paying local jobs across a range of diverse and sustainable industries in order to strengthen the County's economic base, increase tax rates, and provide better career opportunities and a higher standard of living for residents, while preserving the County's natural resources and environment. Mrs. Unhoch also reported that she learned that the State has put in funding from stimulus funds for parking decks for town centers and requested the Town Manager to look in this.

Mrs. Unhoch reported she attended the League of Municipalities dinner

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meeting and indicated that Senator Steve Oroho spoke regarding the Open Public Records amendment. This amendment would allow municipalities more time to comply with requests, and to establish a set fee. Mrs. Unhoch indicated that the amendments will be sent to all municipalities for their review.

Mrs. Unhoch indicated that Senator Oroho also spoke regarding the position of Certified Purchasing Agent. According to Mrs. Unhoch, several Municipalities were not in favor of a Certified Purchasing Agent due to the additional expense. Mrs. Unhoch explained to the group that the Town of Newton has a Certified Purchasing Agent and the position of Certified Purchasing Agent is written into the job description of the Deputy Town Manager. Mrs. Unhoch stated that Senator Oroho explained that the Certified Purchasing Agent could be a shared service with other communities.

Mayor Ricciardo reported that Sussex County is the only County in the State of New Jersey without a "Hub Zone." A Hub Zone is defined as a business incentive zone for small and minority contractors.

Mr. Ricciardo stated that he contacted Mrs. Tammy Horsfeld, Executive Director, Sussex County Chamber of Commerce, and she will investigate creating a Hub Zone area within Sussex County.

ORDINANCES

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

ORDINANCE # 2009-7

AN ORDINANCE CONCERNING THE FEEDING OF DEER AND AMENDING CHAPTER 5, SECTION 5-21 OF THE MUNICIPAL CODE OF THE TOWN OF NEWTON

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

| | | | |
|-------------|-----|-------------|----|
| Mr. Elvidge | Yes | Mrs. Unhoch | No |
|-------------|-----|-------------|----|

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| | | | |
|-------------|-----------------|---------------|-----|
| Mrs. Becker | Yes | Mrs. Le Frois | Yes |
| | Mayor Ricciardo | 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 April 27, 2009.

The Deputy Clerk will advertise the above Ordinance according to law.

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

ORDINANCE # 2009-8

AN ORDINANCE OF THE TOWN OF NEWTON ESTABLISHING REGULATIONS AND PERMIT REQUIREMENTS FOR THE PLACEMENT AND USE OF CHARITABLE CLOTHING BINS THROUGHOUT THE TOWN

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

| | | | |
|-------------|-----------------|---------------|-----|
| Mr. Elvidge | Yes | Mrs. Unhoch | Yes |
| Mrs. Becker | Yes | Mrs. Le Frois | Yes |
| | Mayor Ricciardo | 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 April 27, 2009.

The Deputy Clerk will advertise the above Ordinance according to law.

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

ORDINANCE # 2009-9

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,262,000 AND AUTHORIZING THE ISSUANCE OF \$1,028,300 BONDS OR NOTES

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

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| | | | |
|-----------------|-----|---------------|-----|
| Mr. Elvidge | Yes | Mrs. Unhoch | Yes |
| Mrs. Becker | Yes | Mrs. Le Frois | Yes |
| Mayor Ricciardo | 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 April 27, 2009.

The Deputy Clerk will advertise the above Ordinance according to law.

OLD BUSINESS

There was no Old Business to come before the Council.

CONSENT AGENDA

Mayor Ricciardo 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.”*

RESOLUTION #59-2009*

RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Town of Newton strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Town of Newton hereby acknowledges that the residents of Town of Newton desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Town of Newton wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Town of Newton is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

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WHEREAS, as elected representatives of the Town of Newton, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW, THEREFORE, BE IT RESOLVED, that to focus attention and effort within Town of Newton on matters of sustainability, the Town of Newton's Town Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Town of Newton's Town Council of the Town of Newton that we do hereby authorize Thomas S. Russo, Jr., Town Manager and Debra Millikin, Deputy Town Manager to serve as Town of Newton's agent for the Sustainable Jersey Municipal Certification process and authorize them to complete the Municipal registration on behalf of the Town of Newton.

RESOLUTION #60-2009*

APPROVE REFUND OF TAX PAYMENT MADE ERRONEOUSLY

WHEREAS, First American Real Estate Tax Service paid the 1st quarter property taxes for Block 902.02; Lot 17, also known as 134 Merriam Avenue in the amount of \$1,863.17 on February 9, 2009 as part of their bulk payment on behalf of the property owners, Joseph & Arlene Mullins, and

WHEREAS, Quicken Loan also paid the 1st quarter 2009 taxes in the same amount on February 12, 2009 on behalf of Joseph & Arlene Mullins, and

WHEREAS, Quicken Loan is requesting a refund be made directly to Joseph & Arlene Mullins for this erroneous tax payment, and

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that this Governing Body acknowledges that Joseph & Arlene Mullins are entitled to a refund in the amount of \$1,863.17 and

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to process a refund to Joseph & Arlene Mullins in the amount of \$1,863.17 for this erroneous tax payment.

RESOLUTION #61-2009*

RESOLUTION TO AUTHORIZE PARTICIPATION IN A COUNTY SEAT COALITION

WHEREAS, the Town of Newton is the County Seat of Sussex County; and

WHEREAS, the existence of the County Seat including the County Courthouse and related facilities, County Offices, and other properties owned and controlled by the County or State of New Jersey, are located within the Town of Newton as the host community for such facilities; and

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WHEREAS, the existence of County or State facilities within the Town of Newton nonetheless necessitate the need for and the existence of local resources and services for such properties; and

WHEREAS, the Town of Newton is also the host community of Newton Memorial Hospital, Sussex County Community College, and numerous other not-for-profit entities; and

WHEREAS, the Town of Newton has over 25% of its properties listed as tax-exempt, resulting in a loss of ratables to the community; and

WHEREAS, an era of declining ratables and diminishing economic activity generally speaking has placed a hardship upon municipal governments to provide for and pay for the escalating costs of the services and municipal needs for all residents and businesses; and

WHEREAS, though there are voluntary PILOT programs available, there are no mandatory offsetting revenues provided to municipalities by counties, the State, or local not-for-profit entities which operate and occupy tax exempt properties within municipalities; and

WHEREAS, municipal governments are faced with increasing financial pressure and reduced state aid and in municipalities which serve as host communities for County Seats, and acquisition of properties by County governments, the State, and local not-for-profit entities results in a further loss of ratables impacting local budgets;

NOW, THEREFORE BE IT RESOLVED, by the Town of Newton that the State of New Jersey and the County of Sussex be and are hereby requested to consider alternative funding proposals including payments to County Seats as the host communities for County facilities, State facilities, and local not-for-profit entities lying within their borders in order to help defray the loss of revenue from ratables converted to County use, State use, or for use by local not-for-profit entities, and to request that a consistent funding stream to assist local governments to provide such services be authorized so that offsetting mandatory revenue streams to local governing bodies are paid to host communities which have otherwise lost ratables devoted to County, State or other not-for-profit uses; and

BE IT FURTHER RESOLVED, that the governing body of the Town of Newton hereby authorizes the Town Manager and his designee, to work with the Administrators/Managers of the other County Seats, on a coordinated effort to petition the Counties and the State of New Jersey for economic relief for all 21 County Seats; and

BE IT FURTHER RESOLVED, by the governing body of the Town of Newton that a copy of this Resolution be provided to all County Freeholders in this County and that a copy of the same be provided to Governor Jon S. Corzine, our State legislators, the League of Municipalities and the Administrators/Managers of the fellow County Seats.

RESOLUTION #62-2009*

DECLARE JUNE AS MYASTHENIA GRAVIS MONTH IN THE TOWN OF

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NEWTON

WHEREAS, Myasthenia Gravis is a neuro-muscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and

WHEREAS, the symptoms of this order include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and

WHEREAS, the Myasthenia Gravis Foundation of America, Inc., is a non-profit organization founded, “to facilitate the timely diagnosis and optimal care of individuals affected by myasthenia gravis and closely related disorders, and to improve the lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care,” and

WHEREAS, Myasthenia Gravis is one of the major neuro-muscular disorders affecting residents of New Jersey; and

WHEREAS, it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that we hereby proclaim the month of June 2009 as “Myasthenia Gravis Awareness Month” in the Town of Newton.

RESOLUTION #63-2009*

**AUTHORIZE HAROLD E. PELLOW & ASSOCIATES, INC., TO CREATE
A CIRCULATION PLAN**

WHEREAS, the Town of Newton authorized the submission of a grant application to the Office of Smart Growth for the creation of a Circulation Plan for the Town by the adoption of Resolution #235-2008 which was adopted on December 23, 2008; and

WHEREAS, the Town was awarded \$60,000 as a result of said grant application and Resolution #235-2008 authorizes the expenditure of funds for the creation of the circulation plan; and

WHEREAS, Harold E. Pellow and Associates, Inc., the Town’s Engineer and Planner assisted with the grant application and provided a proposal for the request for funding and creation of the plan which was reviewed by and approved by the Office of Smart Growth; and

WHEREAS, the Chief Financial Officer has certified funds are available based on the attached certification..

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby authorizes Harold E. Pellow & Associates Inc. to create a Circulation Plan on the Town’s behalf and the cost for their services and the plan shall not exceed \$60,000.

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RESOLUTION #64-2009*

**AUTHORIZE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
ENGINEERING SERVICES WITH REGARD TO ENERGY
CONSERVATION PROJECTS**

WHEREAS, the Town of Newton has a need to acquire the services of Metro Energy Solutions as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 to conduct an energy audit for the implementation of energy conservation measures, and

WHEREAS, Metro Energy Solutions submitted a proposal dated March 23, 2009 outlining the services to be provided for an amount not to exceed \$20,000 which is less than the threshold established by the Local Public Contracts Law, and

WHEREAS, the Chief Financial Officer of the Town of Newton has certified that funds are available to support this contractual services agreement.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with Metro Energy Solutions, for an energy audit of the Town of Newton owned properties, and that a notice of this agreement be published in the newspaper of record for the Town in accordance with the Local Public Contracts Law.

RESOLUTION #65-2009*

**A RESOLUTION HONORING OUR TROOPS AND SUPPORT OUR
TROOPS DAY**

WHEREAS, the people of this municipality support the New Jersey National Guard and Reserve in the strongest possible terms, are immensely proud of their accomplishments, and are extremely grateful for their service to this State and to the nation over the years; and

WHEREAS, in the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession by responding to their community and their country in time of need; and

WHEREAS, it is right and proper that we set aside time to honor these fine men and women for the sacrifices they make for every one of us; and

WHEREAS, the New Jersey National Guard State Family Readiness Council is honoring them with at concert by the Blawenburg Band at the National Guard Armory in Lawrenceville on "Support Our Troops Day" on Sunday, April 19, 2009,

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby resolves that it honors these service members and the day of appreciation set aside for them,

AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to the New Jersey National Guard State Family Readiness Council, and the New Jersey League of Municipalities.

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RESOLUTION #66-2009*

REIMBURSE TOWN EMPLOYEES FOR VEHICLE EXPENSE

WHEREAS, Section 4-10.7(a) within Chapter 4 of the Town of Newton Revised General Ordinances requires the Town Council to establish the rate of reimbursement for employees who use their private vehicles for Town business;

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 for out-of-town business trips, employees and officers of the Town of Newton who use their personal means of transportation and has been authorized by the Town Manager shall be reimbursed at the standard IRS business-mileage reimbursement rate currently in effect at the time of travel from Newton to the point of destination and return.

RESOLUTION #67-2009*

**AWARD PURCHASE CONTRACTS FOR THE ACQUISITION OF
CHEMICALS**

WHEREAS, specifications were prepared for the purchase of various chemicals needed to operate the Newton wastewater treatment plant and the Newton Water Filtration Plant, bids were subsequently solicited and publicly opened and read on Wednesday, April 8, 2009 as follows:

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| | Liquid Sodium Carbonate | Liquid Aluminum Sulfate | Liquid/gas Sulfur Dioxide | Liquid Chlorine /gas | CES PACI 2500 | Liquid Sodium Hydroxide | Liquid Hydrofluosilic Acid | Sodium Hypochlorite |
|--|--|---|---|--|--|--|--|---|
| Delta Chemical Corp 2601 Cannery Ave Baltimore, MD 21226 | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>.97 3,000</u> per gal \$ <u>.916 5,000</u> per gal \$ <u>2,910</u> total (.3,000) \$ <u>4,580</u> total (.5,000) | \$ <u>No Bid</u> lb \$ <u>No Bid</u> total | \$ <u>No Bid</u> lb \$ <u>No Bid</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total |
| Univar 532 E. Emmaus Street Middletown, Pa 18641 | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>.849</u> lb \$ <u>9,296.55</u> total | \$ <u>.864</u> lb \$ <u>9,460.80</u> .total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>5.25</u> gal \$ <u>6,652.50</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total |
| Coyne Chemical Co. 3015 State Rd Croydon, Pa 19021 | \$ <u>0.792</u> gal \$ <u>71,280.00</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>No Bid</u> lb \$ <u>No Bid</u> total | \$ <u>.845</u> lb \$ <u>9,252.75</u> total | \$ <u>4.42</u> gal \$ <u>70,720</u> total | \$ <u>No bid</u> gal \$ <u>No bid</u> total | \$ <u>5.08</u> gal \$ <u>6,350</u> total | \$ <u>No Bid</u> \$ <u>No Bid</u> total |
| Main Pool & Chemical 501 Main Street Avoca, Pa 18641 | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>1.10</u> lb \$ <u>12.045</u> total | \$ <u>.745</u> lb \$ <u>8,157.75</u> total | \$ <u>No Bid</u> gal \$ <u>No Bid</u> total | \$ <u>1.94</u> gal \$ <u>10,670.00</u> total | \$ <u>5.25</u> gal \$ <u>6,562.50</u> total | \$ <u>1.84</u> gal \$ <u>13,800.00</u> total |

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| | | | | | | | | |
|--------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------|------------------------|---------------------------|
| Basic Chemical Solutions | \$ <u>No Bid</u> gal | \$ <u>No Bid</u> gal | \$ <u>No Bid</u> lb | \$ <u>No Bid</u> gal | \$ <u>No Bid</u> gal | \$1.92 gal | \$ <u>No Bid</u> gal | \$ 1.79 gal |
| 5 Steel Road East | | | | | | | | |
| Morrisville, PA 19067 | \$ <u>No Bid</u> total | \$10,560.00 total | \$ <u>No Bid</u> total | \$ 13,425.00 total |

WHEREAS, the bids for chemicals listed above were reviewed by the Water and Sewer Superintendent and he has recommended the awards for the following purchase of chemicals based on submission of the low bids which are in the best interest of the Town of Newton;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby awards bids for the purchase of chemicals as follows:

Chemical

Liquid Sodium Carbonate
 Liquid Aluminum Sulfate
 Liquid/Gas Sulfur Dioxide
 Liquid Chlorine/Gas
 CES PACI 2500
 Liquid Sodium Hydroxide
 Liquid Hydrofluosilic Acid

Bidder Receiving Award

Coyne Chemical Co.
 Delta Chemical Corp.
 Univar
 Main Pool & Chemical
 Coyne Chemical Co.
 Basic Chemical Solutions
 Coyne Chemical Co.

BE IT FURTHER RESOLVED that the Water and Sewer Superintendent is hereby authorized to issue purchase order contracts to the above listed chemical suppliers for the corresponding chemical purchases, and that certified copies of this Resolution be forwarded to each of the bidders.

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RESOLUTION #68-2009*

AMENDMENT TO 2009 TEMPORARY OPERATING BUDGET

WHEREAS, the Town Council of the Town of Newton adopted the 2009 Temporary Operating Budget and Temporary Water and Sewer Utility Budget by Resolution #244-2008 dated December 22, 2008, and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body, by resolution adopted by a 2/3 vote of the full membership, may make amendments to temporary budgets in an amount not to exceed one-twelfth (1/12) of the preceding year's Budget (2008 Budget \$8,175,285 x 1/12 = \$681,273 and that a copy of this resolution be filed forthwith with the director;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that the 2009 Temporary Operating Budget be hereby amended as follows:

**TOWN OF NEWTON
2009 TEMPORARY BUDGET AMENDMENT**

| <u>Current Account</u> | <u>Account No.</u> | <u>Amt of Amendment</u> |
|------------------------------------|--------------------|-------------------------|
| Parks & Playgrounds OE | 1091285 | \$ <u>6,000</u> |
| Total Current Temp Amendment | | \$ 6,000 |
| | | |
| <u>Water Sewer Utility Account</u> | | |
| Statutory Expend- PERS retirement | 6093296 | \$ <u>9,400</u> |
| Total Water Sewer Temp Amendment | | \$ 9,400 |

2008 TOWN OF NEWTON BUDGET

| <u>CURRENT</u> | | <u>WATER/SEWER</u> |
|----------------|---|--------------------|
| \$9,796 010 | Total 2008 General Appropriations | \$4,142,000 |
| 1,043,690 | Less: Debt service | 1,475,000 |
| 182,800 | Capital Improvements | 285,000 |
| <u>394,235</u> | Reserve for Uncollected Taxes | <u>- 0 -</u> |
| \$8,175,285 | Total Amount to calculate upon | \$2,382,000 |
| <u>x 1/12</u> | | <u>x 1/12</u> |
| \$ 681,273 | Allowable 2009 Temporary Budget Amendment | \$ 198,500 |

RESOLUTION #69-2009*

**USE A THREE-YEAR AVERAGE COLLECTION RATE FOR THE 2009
BUDGET RESERVE FOR UNCOLLECTED TAXES**

WHEREAS, according to NJSA 40A:4-40 et seq., a town may utilize a three-year average tax collection rate to calculate a line item appropriation known as Reserve for Uncollected Taxes; and

WHEREAS, prior Town of Newton tax collection rates for the calendar years 2008, 2007, and 2006 were 97.15%, 98.09%, and 97.85% respectively; and

WHEREAS, the average of these aforementioned collection rates is 97.7%, however the Town intends to use a more conservative rate of 97.63%.

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NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Newton, that we hereby request that it utilize a tax collection rate of 97.63% (which is less than the 97.7% allowable rate) when calculating the line item appropriation Reserve for Uncollected Taxes in its calendar year 2009 Municipal Budget.

RESOLUTION #70-2009*

ADOPTION OF TEMPORARY CAPITAL BUDGET

WHEREAS, the Town of Newton is desirous to constitute the 2009 Temporary Capital Budget by inserting therein the Various Capital Improvements as introduced by Ordinance #2009-9 simultaneously herewith;

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

1. The 2009 Temporary Capital Budget of the Town of Newton is hereby constituted by the adoption of a schedule to read as follows:

**TEMPORARY CAPITAL BUDGET OF THE TOWN OF NEWTON
COUNTY OF SUSSEX, NEW JERSEY**

| Project Title | Project Number | Cost Estimate as Adopted | Budget Appropriation | Method of Financing | | |
|--|----------------|--------------------------|----------------------|--------------------------|-----------------------|-------------------|
| | | | | Capital Improvement Fund | Bonds and Notes Auth. | Grants in Aid |
| <u>General Capital</u> | | | | | | |
| Various Capital Improvements | 2009-2 | \$ 1,262,000 | \$ 43,100 * | \$ 70,600 | \$ 1,028,300 | \$ 120,000 |
| | | | | | | |
| Total - All Temporary Projects | | \$1,262,000 | \$ 43,100 | \$ 70,600 | \$ 1,028,300 | \$ 120,000 |
| *Funds reserved from prior year budgets | | | | | | |

2. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

RESOLUTION #71-2009*

AWARD PURCHASE CONTRACT FOR SLUDGE AND CHEMICAL WASTE TRUCKING

WHEREAS, the services of a private company are required by the Town of Newton to provide equipment and personnel for sludge trucking services and chemical waste trucking services, and

WHEREAS, specifications were prepared indicating that the successful bidder shall remove an estimated total of 120,000 gallons of sludge per month from the Newton wastewater treatment plant and an estimated total of 45,000 gallons of chemical waste from the Newton Water Filtration Plant located in Sparta for a period of one year, and

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WHEREAS, bids for sludge trucking services and chemical waste trucking services were solicited and publicly opened and read on Wednesday, April 8, 2009 as follows:

| | <u>Sludge Trucking</u> | <u>Chemical Trucking</u> |
|--|------------------------|--------------------------|
| Russell Reid 200 Smith Street PO Box 130 Keasbey, NJ 08832-0130 | \$0.0697 | \$0.0497 |
| R & D Trucking, Inc. 1874 Route 23 North West Milford, NJ 07480 | \$0.038 | \$0.03 |
| Residuals Management Services Earth Care 99 Maple Grange Road Vernon, NJ 07462 | \$0.049 | \$0.0375 |
| Accurate Waste Removal PO BOX 90 Ironia, NJ 07845 | \$0.04 | \$0.0299 |

WHEREAS, R&D Trucking, was the lowest bidder for sludge trucking and Accurate Waste Removal was the lowest bidder for chemical trucking;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby awards the contract for sludge trucking to R&D Trucking, and chemical trucking to Accurate Waste Removal and that a certified copy of this resolution be forwarded to both bidders.

RESOLUTION #72-2009*

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 2008 and 2009 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

| | | |
|------------|--------------------------|--------|
| 59,742.84 | NJSHBP | 910024 |
| 29,123.94 | NJSHBP | 910025 |
| 49,219.00 | U.S.D.A. / FHA | 910026 |
| 411.62 | S/NJ – GIT | 910027 |
| 176,845.00 | Payroll Account | 910028 |
| 443,380.00 | Payroll Account | 910029 |
| 2,568.75 | Bank OF New York | 910030 |
| 77,630.00 | JP Morgan Chase Bank | 910031 |
| 125,000.00 | Depository Trust Company | 910032 |

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| | | |
|------------|-------------------------------------|--------|
| 177,059.61 | Payroll Account | 910033 |
| 59,742.84 | NJSHBP | 910034 |
| 29,123.94 | NJSHBP | 910035 |
| 764.54 | Quill Corporation | 25230 |
| 170.95 | Staples Credit Plan | 25231 |
| 568.12 | E.A. Morse & Company | 25232 |
| 125.00 | S. K. Office Supply | 25233 |
| 46.00 | MGL Printing Solutions | 25234 |
| 1,712.64 | Harold Pellow & Assoc., Inc. | 25235 |
| 435.00 | Municipal Software, Inc. | 25236 |
| 287.00 | Decker's Fire & Safety | 25237 |
| 736.50 | ABCode Security | 25238 |
| 105.00 | Alpine Spring Water Company | 25239 |
| 9,235.03 | NUI Corporation | 25240 |
| 36.68 | G & H Service, Inc. | 25241 |
| 15,581.10 | Jersey Central Power & Light | 25242 |
| 972.40 | Keller Welding Company | 25243 |
| 179.00 | New Jersey Herald | 25244 |
| 1,568.40 | Pumping Services | 25245 |
| 3,013.85 | SCMUA | 25246 |
| 350.00 | B & G Elevator Inc. | 25247 |
| 35.00 | EMBARQ | 25248 |
| 577.82 | EMBARQ | 25249 |
| 124.63 | EMBARQ | 25250 |
| 6,300.00 | Hollander,Hontz,Hinkes&Pasculli LLC | 25251 |
| 2,434.57 | Delta Dental | 25252 |
| 2,629.28 | Delta Dental | 25253 |
| 410.76 | Campbell's Small Engine | 25254 |
| 95.00 | D & E Service Center | 25255 |
| 294.40 | Neopost Leasing | 25256 |
| 671.50 | Lock & Key World | 25257 |
| 1,416.77 | Timmerman Company | 25258 |
| 932.28 | Hayek's Market | 25259 |
| 897.09 | Willco, Inc. | 25260 |
| 1,599.16 | Newton Citgo | 25261 |
| 50.00 | NJ State League of Munic. | 25262 |
| 20.00 | Sussex County League of | 25263 |
| 84.90 | Gall's Inc. | 25264 |
| 2,629.99 | Minisink Press, Inc. | 25265 |
| 25.00 | Neil Casey | 25266 |
| 679.63 | Diamond Sand & Gravel, Inc. | 25267 |
| 662.00 | Wilfred MacDonald, Inc. | 25268 |
| 20.82 | Sebring Auto Parts | 25269 |
| 68.97 | Weis Markets | 25270 |
| 745.54 | Dempsey Uniform & Supply, Inc. | 25271 |
| 61.43 | Debra Millikin | 25272 |
| 90.00 | G.F.O.A. of NJ | 25273 |
| 27.53 | Boonton Tire Supply | 25274 |
| 276.76 | McGuire | 25275 |
| 777.84 | Vision Service Plan | 25276 |
| 346.00 | Rutgers Center for Government Serv. | 25277 |
| 14.00 | Grinnell Recycle | 25278 |
| 193.20 | Verizon Wireless | 25279 |

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| | | |
|----------|----------------------------------|-------|
| 2,922.03 | Dell Computer Corporation | 25280 |
| 393.72 | Walmart | 25281 |
| 354.00 | Gold Type Business Machines | 25282 |
| 218.33 | Cooper Electric Supply Co. | 25283 |
| 230.00 | Wildflowers with Tami | 25284 |
| 1,875.00 | Vogel,Chait,Collins,Schneider,PC | 25285 |
| 31.56 | Advance Commercial | 25286 |
| 763.52 | County of Sussex | 25287 |
| 968.06 | Staples Business Advantage | 25288 |
| 6.80 | Language Line Services | 25289 |
| 142.76 | Lowe's | 25290 |
| 43.88 | Nestle Waters | 25291 |
| 1,491.67 | Andrews & Company, LLC | 25292 |
| 3,510.00 | Rachles/Michele's Oil Company | 25293 |
| 2,364.27 | Taylor Oil Co. | 25294 |
| 168.84 | Action Office Supplies | 25295 |
| 622.92 | Structural Metal Fabricators | 25296 |
| 1,169.10 | Highland Products Group | 25297 |
| 547.42 | Firefighter One | 25298 |
| 12.20 | Sprint | 25299 |
| 610.00 | Tire King | 25300 |
| 63.45 | Gormley's Auto Center | 25301 |
| 372.00 | Garden State Highway Products | 25302 |
| 374.90 | Central Poly Corp. | 25303 |
| 150.60 | Central Poly Corp. | 25304 |
| 672.00 | All County Window Cleaning | 25305 |

CAPITAL

| | | |
|----------|-------------------------------------|------|
| 9,086.70 | Harold Pellow & Assoc., Inc. | 7303 |
| 79.80 | New Jersey Herald | 7304 |
| 126.00 | Hollander,Hontz,Hinkes&Pasculli LLC | 7305 |
| 7,544.83 | McManimon & Scotland | 7306 |
| 90.00 | Vogel,Chait,Collins,Schneider,PC | 7307 |
| 291.42 | Excelsior Lumber Company | 7308 |
| 117.00 | Spacesaver Systems | 7309 |
| 220.00 | Essentials, LLC | 7310 |

Total TOWN BILLS \$1,328,561.40

WATER AND SEWER ACCOUNT

| | | |
|-----------|----------------------------------|--------|
| 4,013.73 | Payroll Account | 960011 |
| 463.14 | State of New Jersey – PWT | 960010 |
| 9,400.00 | Payroll Account | 960012 |
| 38,700.00 | Bank of New York | 960013 |
| 28,859.00 | Payroll Account | 960014 |
| 284.40 | Quill Corporation | 10672 |
| 80.27 | Staples Credit Plan | 10673 |
| 131.82 | Montague Tool & Supply | 10674 |
| 757.00 | M G L Printing Solutions | 10675 |
| 246.48 | Harold Pellow & Associates, Inc. | 10676 |
| 1,155.00 | Decker's Fire & Safety | 10677 |

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| | | |
|-----------|-------------------------------------|-------|
| 3,478.28 | NUI Corporation | 10678 |
| 21,312.21 | Jersey Central Power & Light | 10679 |
| 250.00 | Keller Welding Company | 10680 |
| 13,191.00 | Pumping Services | 10681 |
| 434.15 | SCMUA | 10682 |
| 6.00 | Paul M. Havens | 10683 |
| 2,699.28 | Coyne Chemical Corp., Inc. | 10684 |
| 27.60 | EMBARQ | 10685 |
| 134.66 | EMBARQ | 10686 |
| 108.00 | Hollander,Hontz,Hinkes&Pasculli LLC | 10687 |
| 873.52 | Delta Dental | 10688 |
| 2,027.00 | Garden State Laboratories, Inc. | 10689 |
| 130.00 | NJ State League of Munic. | 10690 |
| 1,500.00 | Cosper Environmental Services, Inc. | 10691 |
| 24.00 | Joseph Carr | 10692 |
| 330.25 | Dempsey Uniform & Supply Inc. | 10693 |
| 131.50 | One Call Systems | 10694 |
| 500.00 | Frank Semeraro Construction, Inc. | 10695 |
| 2,480.00 | R & D Trucking Inc. | 10696 |
| 250.65 | Airgas | 10697 |
| 164.79 | Vision Service Plan | 10698 |
| 882.00 | Grinnell Recycle | 10699 |
| 1,048.80 | Univar USA Inc. | 10700 |
| 1,368.00 | Passaic Valley Sewerage Comm. | 10701 |
| 945.00 | Main Pool & Chemical Company | 10702 |
| 533.53 | Suburban Energy Services | 10703 |
| 1,840.50 | Kistler O'Brien Fire Protection | 10704 |
| 1,814.79 | Pall Corporation | 10705 |
| 88.73 | Staples Business Advantage | 10706 |
| 38.00 | Eric Tompkins | 10707 |

CAPITAL

| | | |
|----------|----------------------------------|------|
| 3,866.27 | VOID | 2133 |
| 3,866.27 | Harold Pellow & Associates, Inc. | 2134 |

Total WATER & SEWER BILLS \$146,569.35

TRUST

| | | |
|----------|---|---------|
| 1,511.25 | Payroll Account | 9710008 |
| 6,962.32 | Harold Pellow & Assoc, Inc. | 2628 |
| 1,116.00 | Hollander, Hontz, Hinkes & Pasculli LLC | 2629 |
| 1,300.00 | Zion Grove Trout Hatchery | 2630 |
| 300.00 | Daniel Colfax, Esq. | 2631 |
| 2,225.00 | Colleen Cunningham, Esq. | 2632 |
| 249.99 | Staples Business Advantage | 2633 |
| 3,561.71 | CDW Government, Inc. | 2634 |
| 1,800.00 | Barnhill | 2635 |
| 881.03 | Payroll Account | 911002 |
| 1,027.53 | Harold Pellow & Assoc, Inc. | 1030 |

Total TRUST BILLS \$19,026.27

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The Clerk presented an application for a Special Permit for a Social Affair from the Greater Newton Chamber of Commerce, 61 Spring Street, Newton, New Jersey to be held on June 13, 2009 from 5:00 p.m. to 10:00 p.m. at Memory Park, Newton. It was noted that the application was in order, accompanied by the prescribed fees and approved by the Chief of Police.

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

| | | | |
|-------------|-----------------|---------------|-----|
| Mr. Elvidge | Yes | Mrs. Unhoch | Yes |
| Mrs. Becker | Yes | Mrs. Le Frois | Yes |
| | Mayor Ricciardo | Yes | |

INTRODUCTION OF 2009 BUDGET

Mr. Russo read the following message before introduction of the 2009 Municipal Budget & Water/Sewer Final Budget.

To: Council Members and Members of the Public

Date: April 13, 2009

Re: 2009 Municipal Budget & Water/Sewer Final Budget Message

OUR GUIDING PRINCIPLES

As we look forward to the introduction and eventual adoption of the 2009 Newton municipal budget, we are guided by focusing on three (3) core areas. The first is a focus on improving **cost effectiveness** through increased staff productivity with a targeted use of part-time personnel, volunteers and technology. By assessing and reducing the cost of our services, identifying and correcting inefficiencies and replacing them with higher impact alternatives, we can become an even more successful organization.

The second is a focus on **protecting core services**. We must always be cognizant of maintaining our exceptional reputation for delivering quality municipal services with an emphasis on doing things the right way. It is our goal to sustain service levels at the 2008 level, if possible, and demonstrate positive results to the taxpayers.

Finally, we are guided by a focus on **revenue enhancement**. This allows us to minimize tax increases on the overall community while forcing us to be more

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deliberative with user fees and shared services strategies with the Newton Board of Education, County of Sussex & communities like Andover Township. Newton has a proven track record of working with other entities to provide cost effective solutions for various problems and those relationships must and will continue.

Ultimately, all three core principles are inexorably tied to the prevailing ideology of enhancing mission achievement – making the Newton municipal organization the best it can be.

APPROPRIATIONS

Newton's 2009 Municipal Budget and Capital Improvement Program totals **\$10,342,468**. The Municipal government is a people-oriented, service-based organization. Therefore, approximately **65%** of the municipal budget provides funding for the salaries and benefits of **67 full-time and 56 part-time** employees. The following chart presents a summary of how appropriations are divided within the budget and, in turn, impact local taxes.

COMPARISON OF APPROPRIATION BUDGETED AMOUNTS FOR 2008 AND 2009

| | 2008 | | 2009 | |
|---------------------------------|--------------------|----------------|---------------------|----------------|
| | <u>Amount</u> | <u>%</u> | <u>Amount</u> | <u>%</u> |
| Salaries | \$4,585,123 | 46.30% | \$4,660,089 | 45.06% |
| Health/Dental/Vision/Work Comp. | 1,077,799 | 10.88% | 1,126,311 | 10.89% |
| Pensions | 540,586 | 5.46% | 620,425 | 6.00% |
| FICA/SUI | 236,900 | 2.39% | 218,200 | 2.11% |
| Retirement/LOSAP/Accum. Absence | 56,450 | 0.57% | 44,450 | 0.43% |
| Subtotal | \$6,496,858 | 65.60% | \$6,669,475 | 64.49% |
| General Operating Expenses | \$1,485,088 | 15.00% | \$1,499,863 | 14.50% |
| Debt/Capital/Deferred Charges | 1,296,490 | 13.09% | 1,498,982 | 14.49% |
| Reserve for Uncollected Taxes | 394,236 | 3.98% | 495,113 | 4.79% |
| Grants | 230,462 | 2.33% | 179,035 | 1.73% |
| Total | \$9,903,134 | 100.00% | \$10,342,468 | 100.00% |

The budget reflects the full funding of both PERS and PFRS pension systems. Although the option has been given to municipalities by the State of New Jersey to defer payments, I do not feel that it is prudent fiscal policy for the Town of Newton.

Though the cost of providing health insurance continues to increase, the Town has, over a period of years, implemented policies requiring employees to share in health insurance premium costs for dependent coverage. These policies are necessary and will certainly continue for the foreseeable future. Additionally, we are undertaking a comprehensive review of our State Health Benefits Program as it compares to the North Jersey Municipal Employee Benefits Fund.

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CAP CALCULATION AND TAX LEVY CAP

The State of New Jersey imposes a 2.5% CAP increase on allowable appropriations. By ordinance, the Town of Newton is able to increase this allowable CAP increase to 3.5%. The Total Allowable Appropriations for Newton is \$7,234,892.62. The Total General Appropriations for Municipal Purposes within "CAPS" is \$7,084,102, or \$150,790.62 under CAP (Sheet 3b-1).

Additionally, the State of New Jersey imposes a 4% increase on the Tax Levy Cap Calculation. The Maximum Allowable Amount to be Raised by Taxation is \$6,921,144. The Amount to be Raised by Taxation for Municipal Purposes in 2009 is \$6,857,564, or \$63,580 under Cap (Sheet 3b-2).

RESERVE FOR UNCOLLECTED TAXES

The Reserve for Uncollected Taxes has two components. One portion of the Reserve supports municipal budget taxes. The second component covers taxes collected and remitted to the Newton Board of Education and Sussex County. The Reserve for Uncollected Taxes exists as a buffer to address the shortfall between property taxes required to support local governments and the actual rate of tax collection.

The Town's last revaluation was conducted in 2007 with property assessments based upon real estate market conditions at that time. Though 2008 saw a marked increase in the number of tax appeals and economic conditions still continue to stagnate as of this writing, there were significantly less tax appeals filed on commercial, residential, and apartment properties as of the most recent April 1, 2009 deadline.

REVENUES IN SUPPORT OF THE BUDGET

The following chart tracks revenues over the course of the last five (5) years. As you can see, State Aid has continued to decrease while the taxpayers of Newton have had to pick up where the State has left off. Local fees continue to fluctuate along with the ability of the Town to create a consistent level of fund balance.

Here is a comparison of revenues from the period of 2005 – 2009:

| | <u>2005</u> | <u>2006</u> | <u>2007</u> | <u>2008</u> | <u>2009</u> |
|-----------------------------|--------------------|--------------------|--------------------|--------------------|---------------------|
| State Aid | 1,428,325 | 1,428,325 | 1,472,084 | 1,266,699 | 1,246,587 |
| Local Fees, Fines, Interest | 604,244 | 727,450 | 620,000 | 726,145 | 684,127 |
| Fund Balance (Surplus) | 580,000 | 700,000 | 721,000 | 863,571 | 607,000 |
| Delinquent Taxes | 277,499 | 344,030 | 320,000 | 257,748 | 466,000 |
| Municipal Taxes | 4,448,585 | 5,008,719 | 5,412,595 | 6,184,697 | 6,857,564 |
| Interlocal Agreements | 251,200 | 250,400 | 254,700 | 274,400 | 285,716 |
| Grants | 274,482 | 182,085 | 230,927 | 153,533 | 102,157 |
| Special Items of Revenue | 146,894 | 63,857 | 86,222 | 76,476 | 93,317 |
| Total | \$8,011,229 | \$8,704,866 | \$9,117,528 | \$9,803,269 | \$10,342,468 |

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With State Aid and grant funding continuing to diminish, coupled with the reality of a property tax base that is 25% exempt, it is an ever increasing challenge to maintain appropriate service levels and sound fiscal policies while mitigating any significant municipal tax increases.

Under the direction of the Town Council, this office has led the creation of a Coalition of County Seats with 14 of the 21 NJ County Seats participating. It is the goal of this Coalition to seek a legislative remedy at the State or County level to alleviate the tax burden afflicted on the taxpayers of Newton by the preponderance of tax exempt properties in our community.

The Municipal Tax necessary to support the municipal organization, including the Reserve for Uncollected Taxes, is increasing for the 2009 year. **The 2009 municipal tax rate will be .8352 vs .7602 from 2008, an increase of 7.5 tax points.** The impact on the average assessed residential structure (\$269,000 assessed value) is \$201 per year or less than \$3.88 per week. This is the smallest municipal tax increase since 2003.

Though I am pleased with the cost-saving initiatives that we have undertaken during my tenure as Town Manager thus far, there is still much more work to be done in this regard. It is my goal that next year the municipal budget is even leaner and that any tax increase is noticeably smaller than the one recommended for this calendar year.

WATER AND SEWER

The Town maintains independent financial records for the Water and Sewer fund. Both functions are supported by customer billings and do not require property tax revenues to meet financial obligations. The Water and Sewer budget is proposed at **\$4,160,000** for the 2009 year. The Water and Sewer budget provides service to over **2,600 accounts**. The current rate structure continues to allow the Town to reserve funds for necessary future capital improvements and the retirement of existing debt. As one of the few communities in the area with a viable independent water and sewer system, it is incumbent that we use utility dollars wisely to maintain and enhance this critical infrastructure.

SUMMARY

As we conclude the budget process and work towards approval of same, I want to once again thank all department heads and staff for their invaluable assistance in putting together these important documents. It is my belief that the budget appropriations and revenue projections, as contained in the 2009 budget for Newton, will enable the Town to meet the public's demand and need for critical services. Furthermore, the budget is structured as a fiscally responsible document to ensure that the financial well being of our municipal government is preserved.

This 2009 budget as presented will enable the municipal organization to continue mission achievement - achieving the excellence in governance expected by our customers, the taxpayers and residents of Newton.

The following RESOLUTION was offered by Mr. Ricciardo who moved its

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adoption, seconded by Mr. Elvidge, and roll call resulted as follows:

| | | | |
|-------------|-----------------|---------------|-----|
| Mr. Elvidge | Yes | Mrs. Unhoch | Yes |
| Mrs. Becker | Yes | Mrs. Le Frois | Yes |
| | Mayor Ricciardo | Yes | |

Municipal Budget of the Town of Newton, County of Sussex for the Fiscal Year 2009;

BE IT RESOLVED that the following statement of revenues and appropriations shall constitute the Municipal Budget for the year 2009;

BE IT FURTHER RESOLVED, that said Budget be published in the New Jersey Herald in the issue of April 22, 2009. The Governing Body of the Town of Newton does hereby approve the following as the Budget for the year 2009.

Notice is hereby given that the Budget and Tax Resolution was approved by the Town Council of the Town of Newton, County of Sussex, on April 13, 2009. A hearing on Budget and Tax Resolution will be held at the Municipal Building, on May 11, 2009 at 7:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2009 may be presented by taxpayers or other interested persons.

BUDGET IN FULL AT END OF MINUTES

Intermission (10 minutes)

DISCUSSION (WORK SESSION)

Mayor Ricciardo publicly recognized Mr. William Grennille, Superintendent of the Water and Sewer Department, for his years of service and wished him well in his upcoming retirement.

a. Water Allocation

Mrs. Debra Milliken and Mr. William Grennille outlined the submitted timeline for unaccounted water in the Town of Newton. Mrs. Milliken indicated due to the diligent work of our Water & Sewer Department, during leak detection, there has been a significant decrease in the amount of unaccounted water.

b. C-2 Zones

Ms. Jessica Caldwell, Town Planner, distributed and outlined the proposed

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revisions for the C-2 zone which are in line with the Master Plan as well as the Vision Plan.

The Governing Body had several questions which were addressed by Ms. Caldwell.

OPEN TO THE PUBLIC

Mr. Anwar Qarmout, 45 Woodside Avenue, Newton, commended the Governing Body on the revisions to the C-2 Zone. Mr. Qarmout addressed his concern regarding the square footage of one-bedroom apartments which was addressed by Mayor Ricciardo.

Mr. Tom Lawler, 41 Condit Street, Newton, requested an amendment to Ordinance #2009-8 (Charitable Clothing Bins) to include a definition of "Charitable." Mayor Ricciardo directed the Town Manager to review this with legal counsel.

COUNCIL & MANAGER COMMENTS

Councilwoman Le Frois stated that "under the Consent Agenda, Resolution #65-2009 honoring our Troops and Support our Troops Day, as a municipality on Sunday, April 19, 2009, we will be extending our support for those families and members in these armed services."

Councilman Elvidge requested increased police coverage at the abandoned Acme Market due to increased vandalism.

Councilman Elvidge also requested enforcement of front yard parking which will be addressed by the Zoning Officer.

Councilwoman Becker requested the bleachers in front of the Newton Fire Museum be removed due to safety considerations.

Mayor Ricciardo had several requests: the right of way behind DMV is becoming a dumping area and needs to be cleaned up; valve covers are missing on several streets which will be addressed by the Water and Sewer Department.

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Mayor Ricciardo also requested that the State be notified of a collapsed catch basin on the corner of Halsted Street and Rt. 206 and noted that there are several unlicensed vehicles parked at the Beetle Barn.

Mayor Ricciardo requested a future discussion regarding the possibility of property owners, who have apartments but no parking, purchasing annual permits for their tenants.

Mayor Ricciardo requested the Town Manager to set up an interview prior to the next Council meeting for a potential volunteer, Dr. Crystal Clark, to the Economic Development Commission.

There being no further business to conduct, upon motion of Mrs. Unhoch, seconded by Mrs. Le Frois and carried, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Irene O'Connor
Deputy Municipal Clerk