

November 27, 2017

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:02 pm. Present were Deputy Mayor Elvidge, Mr. Flynn, Mrs. Le Frois, Mrs. Diglio, Mayor Levante, and Thomas S. Russo, Jr., Town Manager. Ursula Leo, Esq., Town Attorney was also present.

Mayor Levante made the following declaration "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, 2016."

Mayor Levante led the Pledge of Allegiance to the flag and the Clerk called the roll. Upon motion of Mrs. Le Frois, seconded by Deputy Mayor Elvidge and carried, the minutes for November 13, 2017 Special Executive, Regular, and Executive meetings were approved. Councilman Flynn recused from the minutes.

OPEN TO THE PUBLIC

Mayor Levante 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."

Doragail Spicer, owner of DAD's Taxi & Limo, addressed the Council to inquire about the proposed Ordinance to amend the cost of insurance for taxis. Ms. Spicer noted her taxi has been off the road since June and waiting for the Ordinance to be amended. After a brief discussion, Ms. Leo advised the current Ordinance should be sufficient for the insurance requirements. Ms. Leo will work with the Municipal Clerk to address the issue.

There being no one else from the public to be heard, Mayor Levante closed the hearing to the public.

COUNCIL & MANAGER REPORTS

Councilman Flynn thanked Sandy Diglio and the Greater Newton Chamber of Commerce for success of the Holiday Parade held this past Saturday. Mr. Flynn also commended the Spring Street Merchants for the fantastic Harry Potter event held following the Holiday Parade.

Deputy Mayor Elvidge also congratulated the Spring Street Merchants group for a successful event. "It was great to see such a huge turnout for the merchants of Spring Street," Deputy Mayor Elvidge concluded.

Councilwoman Le Frois congratulated the merchants of Spring Street as well for their great idea of "Diagon Alley" theme. She noted an estimation of 35,000 people on Spring Street for the event. Mrs. Le Frois commended all who participated in this terrific event.

ORDINANCES

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

ORDINANCE #2017-21

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2018

WHEREAS, N.J.S.A. 40A:9-165 permits a municipality to determine salaries, wages or compensation to be paid to the officers and employees of the municipality; and

WHEREAS, the Town Council and Town Manager have made a careful examination of the salaries, wages, and compensation appropriate to compensate said Town employees and officers;

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

Section 1. The minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton are hereby fixed for calendar year 2018 as shown in Schedules "A" and "B" attached hereto in accordance with §25-12 of the Code of the Town of Newton.

Section 2. Any officer or employee of the Town of Newton who is at any time receiving less than the maximum compensation or salary as hereinabove provided may be given a single increment of salary increase during the calendar year by the Town Manager.

Section 3. The Town Manager of the Town of Newton may hire any new employee at any hourly or annual rate between the minimum and maximum salary provided for such office or position.

Section 4. Those employees at wage level 9 serving in the position of Deputy Municipal Court Administrator may be compensated with a stipend of \$50.00 in lieu of 2 hours compensatory time for each court related call-out with written certification.

Section 5. Those officers and employees at wage level 17 shall be paid their annual salary in equal quarterly payments during the last pay period of each quarter.

Section 6. All ordinances or parts of ordinances which may be inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Section 7. If any chapter, article, division, section, subsection, paragraph, sentence, clause, or provision of the Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect all remaining portions of the

Ordinance.

Section 8. This Ordinance shall take effect twenty (20) days after final passage, approval and publication after adoption by the Town Council and shall be effective January 1, 2018.

Mayor Levante opened the hearing to the public.

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

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

Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Yes
	Mayor Levante	Yes	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

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

ORDINANCE #2017-22

AN ORDINANCE AMENDING SECTION 307-48.A OF THE CODE OF THE TOWN OF NEWTON TO PROHIBIT PARKING ON CERTAIN PORTIONS OF CONDIT STREET

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

Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Yes
	Mayor Levante	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 the same to be held on Monday, December 11, 2017.

OLD BUSINESS

There was no old business to discuss.

CONSENT AGENDA

Mayor Levante 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."*

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Mr. Russo reviewed the Resolutions on the consent agenda.

Mrs. Diglio requested Resolution #233-2017 be removed for separate discussion.

RESOLUTION #225-2017*

AUTHORIZE REFUND OF TAXES; BLOCK 6.04, LOT 9, FOR A 100% DISABLED VETERAN EXEMPTION

WHEREAS, Richard P. Shields purchased Block 6.04, Lot 9, also known as 12 Ridge View Rd., Newton New Jersey on September 2, 2017; and

WHEREAS, the Municipal Tax Assessor has granted a 100% Disabled Veteran Tax Exemption effective September 2, 2017 for the property owned by Richard P. Shields; and

WHEREAS, the property taxes for Block 6.04, Lot 9, are paid through the 4th quarter of 2017, therefore, a refund is necessary; and

WHEREAS, the Tax Collector has determined the amount to be refunded for a portion of the 3rd quarter and the entire 4th quarter of 2017 is \$3,017.18; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Governing Body acknowledges that a refund is due to Richard P. Shields in the total amount of \$3,017.18 which is retroactive to September 2, 2017 and that this refund is the result of a 100% Disabled Veteran Tax Exemption; and

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the total amount of \$3,017.18 to Richard P. Shields, 12 Ridge View Rd., Newton, NJ 07860.

RESOLUTION #226-2017*

CONFIRMING A REFUND OF MONIES FOR TAXES DUE TO A STATE APPEAL

WHEREAS, Carey Gage, Esq., Trustee for Indu & Jaya Corporation of Block 14.04; Lot 13, also known as 177 Main Street, filed a Tax Appeal with the Tax Court of New Jersey for the tax year 2017; and

WHEREAS, on November 15, 2017 the Tax Court of New Jersey settled said Tax Appeal and entered a Judgment in the amount of \$200,000.00 which is a \$50,000.00 reduction in the 2017 Tax Assessment for said property; and

WHEREAS, Carey Gage, Esq., of the law firm Antholis & Gage, LLC, Trustee for Indu & Jaya Corporation is requesting a refund be issued in the amount of \$2,119.00 which is the amount overpaid by Indu & Jaya Corporation for the tax year 2017;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Governing Body acknowledges this Judgment entered by the Tax Court of New Jersey and Carey Gage, Esq., of the law firm, Antholis & Gage, LLC, Trustee for Indu & Jaya Corporation is entitled to this refund in the amount of \$2,119.00; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue said refund to Antholis & Gage, LLC, Attorney Trust Account, Attn: Carey Gage, Esq., 22 Pine Street, Morristown, NJ 07960 on behalf of Indu & Jaya Corporation in the amount of \$2,119.00 in accordance with said Tax Court of New Jersey's Judgment.

RESOLUTION #227-2017*

AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO AN AGREEMENT WITH THE CANNING GROUP, LLC FOR THE PROVISION OF QUALIFIED PURCHASING AGENT SERVICES FOR CALENDAR YEAR 2018

WHEREAS, the Town of Newton is in need of Qualified Purchasing Agent (“QPA”) services; and

WHEREAS, The Canning Group, LLC can provide QPA services, in accordance with N.J.S.A. 40A:11-9; and

WHEREAS, QPA services are exempt from bidding requirements per N.J.S.A. 40A:11-3, et. seq.; and

WHEREAS, the Town of Newton desires to enter into an agreement with The Canning Group, LLC for QPA services, effective January 1, 2018 through December 31, 2018, as set forth in the attached Agreement;

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

1. The Town Manager is hereby authorized to execute the Agreement between the Town of Newton and The Canning Group, LLC for QPA services; and
2. This Resolution shall take effect immediately.

RESOLUTION #228-2017*

RESOLUTION APPROVING VACATION & SICK LEAVE TIME PAYOUT FOR ERVIN LASSO

WHEREAS, Ervin Lasso, Water Foreman with the Town of Newton, retires effective November 30, 2017 and is entitled to payout for unused and accrued vacation & sick leave time pursuant to applicable law, Town ordinances, United Public Service Employees Union Agreement and the Town of Newton Personnel Policy and Procedures Manual and Employee Handbook;

NOW, THEREFORE BE IT RESOLVED, the Town Council of the Town of Newton authorizes the following payout for unused and accrued vacation & sick leave to Ervin Lasso as follows:

<u>EMPLOYEE</u>	<u>RETIREMENT DATE</u>	<u>PAYOUT TOTAL</u>
Ervin Lasso	November 30, 2017	\$10,771.22

BE IT FURTHER RESOLVED, that appropriate Town employees are hereby authorized to make the payments set forth above, with any required revisions to the payout amounts.

RESOLUTION #229-2017*

ACCEPT THE FOX HOLLOW LAKE TRANSMISSION MAIN REPLACEMENT PROJECT IN THE TOWNSHIP OF SPARTA FOR THE TOWN OF NEWTON AS COMPLETE

WHEREAS, the Town of Newton awarded the contract for the Fox Hollow Lake Transmission Main Replacement Project in the Township of Sparta to Montana Contracting Corp, Inc., on Monday, August 22, 2016 by the adoption of Resolution #142-2016 for a total contract amount \$878,311.00; and

WHEREAS, Resolution #195-2016, Resolution #68-2017, Resolution #128-2017, Resolution #175-2017 and Resolution #181-2017 authorized change orders for a total construction price of \$1,187,507.75, and extended the date of completion; and

WHEREAS, David B. Simmons, of Harold E. Pellow & Associates, Inc., the Town Water Engineer, in his memo dated November 13, 2017, recommends the project be accepted as final and complete so the contractor, Montana Construction Corp., may obtain the required two-year Maintenance Bond;

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

that we hereby accept the Fox Hollow Lake Transmission Main Replacement Project in the Township for of Sparta for the Town of Newton and deem it as complete so the contractor Montana Construction Corp., may obtain the required two-year Maintenance Bond.

RESOLUTION #230-2017*

APPROVE 2017 APPROPRIATION TRANSFERS

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2017 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
CURRENT		
Court SW 1059101	Court OE 1059217	9,000.00
Clerk SW 1051103	Manager SW 1050101	675.00
Clerk SW 1051103	Finance SW 1054101	260.00
Clerk SW 1051103	Tax Assessment SW 1055103	600.00
Clerk SW 1051103	Tax Collection SW 1056101	1,000.00
Tax Collection OE 1056200	Tax Collection SW 1056101	1,000.00
Inspection of Building SW 1077105	Tax Collection SW 1056101	6,000.00
Health Benefit Waiver OE 1066300	Road SW 1080101	4,000.00
TOTAL CURRENT TRANSFERS		\$22,535.00

RESOLUTION #231-2017*

RESOLUTION SUPPORTING SCHOOL FUNDING LITIGATION

WHEREAS, the School Funding Reform Act of 2008 (SFRA) reflects the current New Jersey law that provides State Aid to public school districts; and

WHEREAS, the New Jersey Legislature has appropriated limited monies to fund such State Aid for public school districts; and

WHEREAS, the Newton School District is receiving less than 70% of the State Aid it would otherwise receive pursuant to the SFRA; and

WHEREAS, the Newton School District’s taxpayers are paying more than 100% of their fair share of local taxes as determined by the State of New Jersey; and

WHEREAS, other school districts are receiving 100% and more of their State Aid allocation pursuant to the SFRA, while their taxpayers pay less than 100% of their fair share of local taxes as determined by the State of New Jersey; and

WHEREAS, such disparate treatment is neither “equal” nor “equitable” and is without a rational basis;

NOW, THEREFORE BE IT RESOLVED, that the Town of Newton hereby determines to join in litigation proposed by the Newton Board of Education and the Town of Newton to address the unequal and disparate results caused by the SFRA's distribution of available State Aid and its impact upon its local taxpayers; and

BE IT FURTHER RESOLVED, that the Town of Newton Administration is directed and authorized to provide whatever assistance is reasonably required by the Newton Board of Education in order to pursue such litigation in order to further the interests of the Town of Newton and its taxpayers; and

BE IT FURTHER RESOLVED, that the Town of Newton will authorize an appropriate and pro-rated expenditure of funds to support said litigation, such amount to be determined by the Newton Town Council after consultation with the Newton Board of Education. Any such expenditure of funds will be processed according to the Town of Newton applicable procedures.

RESOLUTION #232-2017*

APPOINTMENT OF KEITH MITCHELL AS RISK MANAGEMENT CONSULTANT FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2018

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

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

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

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

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

1. The Town of Newton, hereby appoints Keith Mitchell its local Risk Management Consultant.
2. The Town Manager, Municipal Clerk and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2018 in the form attached hereto.

Name of Entity: Town of Newton

Attest:

s/ Lorraine A. Read

s/Wayne F. Levante

Lorraine A. Read, Municipal Clerk

Wayne F. Levante, Mayor

RESOLUTION #234-2017*

RESOLUTION APPOINTING FUND COMMISSIONER FOR THE STATEWIDE INSURANCE FUND FOR CALENDAR YEAR 2018

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

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

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NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town of Newton that Thomas S. Russo, Jr. is hereby appointed as the Fund Commissioner for the Local Unit for the year 2018; and

BE IT FURTHER RESOLVED that Jennifer A. Dodd is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2018; and

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

Name of Entity: Town of Newton

By: _____
Wayne F. Levante, Mayor

ATTEST:

Lorraine A. Read, Municipal Clerk

This Resolution agreed to the 27th day of November, 2017 by a vote of:

___ Affirmative ___ Abstain ___ Negative ___ Absent.

RESOLUTION #235-2017*

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 2016 and 2017 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

39122	ABCODE SECURITY INC.	117.00
39123	ADVANCE AUTO PARTS	64.35
39124	AG CHOICE, LLC.	78.00
39125	ANN ROSELLEN	875.00
39126	ARF RENTAL SERVICES, INC.	430.92
39127	BLUE RIDGE LUMBER, INC.	1,133.53
39128	BONNIE MESSINA	1,587.50
39129	BRAEN STONE SPARTA	464.14
39130	CAMPBELL’S SMALL ENGINE INC.	209.56
39131	CENTURYLINK COMMUNICATIONS, INC.	202.82
39132	CHUCK FANTASIA	200.00
39133	CINTAS CORPORATION NO. 2	47.20
39134	CODE 96 LLC	780.00
39135	COLEMAN, PHILLIP	116.71
39136	CSS TEST INC.	96.00
39137	CUTTING EDGE LANDSCAPE EQUIP	94.32
39138	DEMPSEY UNIFORM & SUPPLY INC	930.53
39139	EM SIGNS, LLC	66.00
39140	EXTRA TECH DATA SERVICES, LLC.	220.00
39141	FBI – LEEDA	50.00
39142	FEDERAL EXPRESS	23.23
39143	FRIST COMMUNITY DEVELOPMENT CORP I	1,783.63
39144	GALLS, LLC	165.53
39145	GENERAL CODE, LLC	1,195.00
39146	HAYEK’S MARKET INC.	100.00
39147	J. CALDWELL & ASSOCIATES, LLC.	206.50

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39148	JCP&L	13,170.97
39149	JOHN MULHERN	2,916.67
39150	KELLER WELDING COMPANY, LLC.	1,355.00
39151	KIEFFER ELECTRIC, INC.	552.00
39152	KKPR MARKETING & PUBLIC RELATIONS	11.99
39153	LADDEY, CLARK & RYAN, LLP	2,462.50
39154	MCCULLOUGH TREE EXPERTS LLC	2,000.00
39155	MCMANIMON, SCOTLAND & BAUMANN, LLC	486.40
39156	MONROE SYSTEMS FOR BUSINESS	261.20
39157	MONTAGUE TOOL & SUPPLY, INC.	555.95
39158	NEW JERSEY HERALD, INC.	526.90
39159	NORTHERN RAIN	97.50
39160	ELIZABETHTOWN GAS	949.98
39161	P.O.S. SOLUTIONS, NJ, LLC	81.00
39162	PELLOW, HAROLD & ASSO, INC.	647.60
39163	PENTELEDATA	729.70
39164	QUILL CORPORATION	53.95
39165	RODRIGUEZ, MAGRET	52.50
39166	SARAH GRUB	1,300.00
39167	SERVICE ELECTRIC CABLE TV	62.30
39168	SIGN-A-RAMA, INC.	3,288.00
39169	SLOAN, JAMES PPC.	106.25
39170	STALKER RADAR INC.	257.00
39171	SUSSEX CAR WASH INC.	112.00
39172	THOMAS, CHRISTINE M.	250.00
39173	THOMSON WEST, INC.	424.00
39174	TOYOTA MOTOR CREDIT CORP.	472.08
39175	VERIZON WIRELESS, INC.	1,700.98
171077	NEWTON BOARD OF EDUCATION	1,054,850.00
171076	PAYROLL ACCOUNT	199,134.49
171072	BNY MELLON	7,875.00
171071	BNY MELLON	89,270.00

CAPITAL

8679	MCMANIMON, SCOTLAND & BAUMANN, LLC	1,040.10
8680	NEW JERSEY HERALD, INC.	188.40
8681	PELLOW, HAROLD & ASSO, INC.	3,087.50
8682	YOUR WAY CONSTRUCTION, INC.	18,205.97

Total TOWN BILLS \$ 1,419,773.35

WATER AND SEWER ACCOUNT

16627	ACCURATE WASTE REMOVAL INC.	5,183.50
16628	AIRGAS EAST	11.01
16629	CENTURYLINK COMMUNICATIONS, INC.	39.66
16630	CHUCK FANTASIA	200.00
16631	CINTAS CORPORATION NO. 2	118.55
16632	COYNE CHEMICAL CORP. INC.	2,097.56
16633	DEMPSEY UNIFORM & SUPPLY INC	371.30
16634	EXTRA TECH DATA SERVICES, LLC.	210.00
16635	FRANK SEMERARO CONSTRUCTION, INC.	750.00
16636	HACH COMPANY	555.71
16637	HOLLAND COMPANY, INC.	6,482.61
16638	JCP&L	13,748.78
16639	MORRIS ASPHALT SUPPLY, LLC	240.06
16640	ELIZABETHTOWN GAS	387.73
16641	ONE CALL CONCEPTS, INC.	225.00
16642	PELLOW, HAROLD & ASSO, INC.	188.30
16643	PENTELEDATA	219.90
16644	PROCESS TECH SALES AND SERVICES	4,937.97
16645	PUMPING SERVICES, INC.	8,523.00

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16646	SMALLEY, JOHN H	1,250.00
16647	SPARTA READY MIX, INC.	301.50
16648	SUBURBAN PROPANE, LP.	916.21
16649	T.A. MOUNTFORD COMPANY, INC.	250.00
16650	VERIZON WIRELESS, INC.	223.67
16626	SPARTA POSTMASTER	914.61
176036	PAYROLL ACCOUNT	38,458.71

CAPITAL

2464	NEW JERSEY HERALD, INC.	21.00
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Total WATER & SEWER Bills \$ 86,826.34

FEDERAL/STATE GRANTS

1389	SHOP RITE, INC.	283.77
171124	PAYROLL ACCOUNT	436.95

Total FEDERAL/STATE GRANTS Bills \$ 720.72

TRUST ACCOUNT

3675	J. CALDWELL & ASSOCIATES, LLC.	1,711.00
3676	LAKELAND BUS LINES, INC.	850.00
3677	SLOAN, JAMES PPC.	1,125.00
3674	TREASURER, TOWN OF NEWTON	50.00
177123	PAYROLL ACCOUNT	12,838.50

Total TRUST ACCOUNT Bills \$ 16,574.50

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

Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Yes
	Mayor Levante	Yes	

RESOLUTION #233-2017

AWARD CONTRACT TO IBN CORP., FOR THE BUILDING DEMOLITION AND SITE CLEARING AT NEWTON FIREHOUSE NO. 2 PROJECT

WHEREAS, the Town of Newton solicited bids for the Building Demolition and Site Clearing at Newton Firehouse No. 2 Project; and

WHEREAS, the bids for the Building Demolition and Site Clearing at Newton Firehouse No. 2 Project were publicly opened and read on Wednesday, November 8, 2017 at 11:00 a.m. as follows:

<u>Bidder</u>	<u>Bid Amount</u>
IBN Construction Corp. 49 Hermon Street Newark, NJ 07105	\$96,000
Two Brothers Contracting, Inc. 11 Vreeland Avenue Totowa, NJ 07512	\$97,488

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Thomas & Sons Builders, LLC 174 Cedar Road New Milford, NJ 07646	\$114,000
Tomco Construction, Inc. 22 Howard Blvd., Suite 204 Mt. Arlington, NJ 07856	\$124,890
Unicorn Construction Corp 32 Willow Way Woodland Park, NJ 07424	\$127,750
CMS Construction, Inc. 521 North Ave. Plainfield, NJ 07060	\$135,000
Samson Concrete & Masonry LLC 120 S. Main Street, Suite A Phillipsburg, NJ 08865	\$137,000
Caravella Demolition 40 Deforest Ave. East Hanover, NJ 07936	\$139,500
Yanuzzi Group, Inc. 135 Kinnelon Rd., Suite 102 Kinnelon, NJ 07405	\$143,000
Wild Heart Industries 1524 Millstone River Road Hillsborough, NJ 08844	\$147,000
NorthStar Contracting Group, Inc. 32 Williams Parkway East Hanover, NJ 07936	\$184,000
Walkill Group, Inc. P.O. Box 213 McAfee, NJ	\$193,000
Ferraro Construction Corp. 5 Park Drive Franklin, NJ 07416	\$218,800

WHEREAS, after review of all submitted bids, Cory L. Stoner, P.E, C.M.E. of Harold E. Pellow and Associates, Inc., the Town Engineer, recommends award of the Building Demolition and Site Clearing at Newton Firehouse No. 2 Project to IBN Construction Corp., in the amount of \$96,000; and

WHEREAS, the Chief Financial Officer, Dawn L. Babcock has certified that funds are available;

General Capital – Ord.#2016-5 Demolition and Construction of new Firehouse #2 - #30916052 \$96,000.00

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby awards the contract for the Building Demolition and Site Clearing at Newton Firehouse No. 2 Project and authorizes the Mayor and Clerk to execute an agreement with IBN Construction Corp., Newark, New Jersey in the amount of \$96,000.

Councilwoman Diglio, removed Resolution #233-2017, to address her concern with the huge difference between the lowest bidder and highest bidder.

After a brief discussion, Mr. Russo addressed questions of Mrs. Diglio and Mr. Flynn with satisfaction.

A motion was made by Mrs. Diglio to approve **Resolution #233-2017**, seconded by Deputy Mayor Elvidge and roll call resulted as follows:

Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Yes
Mayor Levante		Yes	

INTERMISSION – None

DISCUSSION

a. Tax Abatement Program Expansion

Scott Holzhauser, Tax Assessor, reviewed his memo dated October 5, 2017 regarding a concept of a Five-Year Exemption Ordinance and the potential Expansion of the Rehabilitation Area.

Mr. Holzhauser provided an outline of the added assessment over the past 6 years and suggested the entire Town be proposed.

After a lengthy discussion, Mr. Holzhauser believes the concept has merit and would be a good thing for the Town of Newton.

OPEN TO THE PUBLIC

Anwar Qarmout, 45 Woodside Ave, advised of his recent property listing and proposed the Town Engineer be involved instead of the property owner having to hire an engineer. He suggested the property owner would then pay the Town for engineering services.

After a lengthy discussion, the Council didn't feel it would work as suggested by Mr. Qarmout due to State laws.

There being no one else from the public to be heard, Mayor Levante closed the meeting to the public.

COUNCIL & MANAGER COMMENTS

Mrs. Le Frois reminded everyone of the house decorating contest and annual tree lighting taking place on December 11th. Additionally, she noted the upcoming annual Senior Luncheon scheduled for Sunday, December 10th to be held at Newton High School.

Mr. Flynn requested an update on the Krogh's project. Mr. Russo will update

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Council shortly. He also inquired when the marketing group will be updating the Town Council. Mr. Russo intends to have the marketing group to come in during the budget hearings. Mr. Flynn directed Mr. Russo to advise Code Enforcement to view issue on High Street. More specifics can be given upon request.

Mayor Levante commended Jim Hoffman, leader of Newton Robotics, on a job well done with the recent Robotics event in Sparta. Mayor Levante was asked to attend and was impressed with the event.

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Mrs. Diglio and unanimously carried, the meeting was adjourned at 8:12 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine A. Read". The signature is written in black ink and is positioned above the printed name.

Lorraine A. Read, RMC
Municipal Clerk