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The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Deputy Mayor Elvidge, Mr. Flynn, Mrs. Diglio, Mayor Levante, and Thomas S. Russo, Jr., Town Manager. Ursula Leo, Esq., Town Attorney was also present. Mrs. Le Frois was excused.

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 Deputy Clerk called the roll. Upon motion of Mrs. Diglio, seconded by Mr. Flynn and carried, the minutes for June 26, 2017 Regular and July 1, 2017 Reorganization meetings were unanimously approved.

**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."*

Cathy Guldán, 28 Clinton Street came forward to express her displeasure on how high her taxes are. Ms. Guldán feels she does not get any services for her money and something needs to be done about it. Mayor Levante responded stating he doesn't disagree with Ms. Guldán but feels the Council is doing everything they can to keep taxes and expenses in line. Mayor Levante went on to thank Ms. Guldán and encouraged her to attend more meetings so she can see the work that is being done in that regard.

Helen MacKanin, 26 Clinton Street came forward to bring attention to some issues she sees. She stated she moved to Newton because it reminded her of Saratoga Springs, New York in the 1970's. Back then Saratoga was a very depressed town. They restructured starting with the infrastructure, moved on to historic preservation, and then the different governmental sectors and it all came together. Now Saratoga Springs is worth billions. Newton is a quaint historic town and she sees the potential for Newton to become another Saratoga Springs. Ms. MacKanin went on to say she sees a lot of

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promise for Newton. Ms. MacKanin offered up a series of articles in "Saratoga" magazine that would be helpful for the future of Newton.

Mayor Levante thanked Ms. MacKanin for the magazine and her comments. He also encouraged her to get involved more. Deputy Mayor Elvidge also thanked Ms. MacKanin for her ideas and also encouraged her to get more involved.

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

### **SWEARING-IN CEREMONY**

Mr. Russo stated the following:

"Jared Zappa is coming from Morris Township Police Department.

He is 28 years old and was born and raised in Newton.

He graduated from Newton High School in June 2007 where he was a 3 sport athlete lettering in football, wrestling and baseball and was also elected captain of all three sports. He was a member of National Honor Society.

He graduated from Rutgers University in May of 2011 with a Bachelor's Degree in Sports Management, minor in Criminology. He graduated with Cum Laude Honors.

He is currently pursuing his Master's Degree.

Upon graduating from Rutgers University, Jared worked in marketing for a professional sports management agency.

Jared always had a great interest in law enforcement and decided to pursue his lifelong dream of becoming a police officer. He fulfilled that dream and graduated from the Morris County Public Safety Training Academy in June of 2015. He graduated in the top 5% of his class in academics and physical fitness.

Prior to graduation Jared was hired by the Morris Township Police Department where he has served for the last 2 years as a Patrolman.

In October of 2016 Jared took the civil service test for Newton and scored a 99.98% which resulted in the #1 non-veteran ranking.

Jared has two brothers: Steven who is an officer in the United States Navy and is currently station in Norfolk, Virginia assigned to the USS San Antonio and Cole who grew up in Newton. He is a student at Sussex County Community College and is a member of the school's baseball team".

Mr. Russo stated he is very proud to welcome Jared to the Newton Organization and to the Police Department.

Chief Richards spoke next. He stated it is very clear Jared is what Newton is looking for the department. He is a hometown guy and possesses all the qualities the Town wants in their recruits. He is an example of getting the right person for the job. He has experience so he is able to hit the ground running. His father is Lt. Zappa and has been with the Department for 28 years. Chief Richards joked when you get a new model it is actually better, so he is really happy to have Jared as part of the organization.

At this time, Mayor Levante swore in Jared, as his girlfriend Katie Monfredi and mother Richelle VanLuvender held the Bible. At the conclusion of the Oath of Office, Lt. Mark Zappa pinned Ptl. Zappa's badge on him.

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At this time Mayor Levante suggested a brief intermission for congratulations and pictures.

### **COUNCIL & MANAGER REPORTS**

Mr. Russo gave an update from our Town Engineer, Harold Pellow. Liberty Street will be milled and paved this Wednesday. The line striping will be done at a later date. Once the milling and paving is complete, the date of line striping can be determined. Harold Pellow was on site on Madison Street this morning with the project inspector Mott MacDonald. Work will begin on Monday, July 24<sup>th</sup>.

Mayor Levante advised the Economic Development Commission ("EDC") met last week. The Property Tax Rebate Card program was well received by the EDC. He was a bit disappointed in the Greater Newton Chamber of Commerce's ("GNCC") lukewarm response to the program when he met with them. The Downtown Newton Association ("DNA") was much more optimistic when the program was explained to them at a recent meeting. The DNA's resistance and concerns were about the cost to the merchants for the program, which will be \$10 per month and approximately \$400 for the optional scanner. Mayor Levante expressed to the DNA they should look at the cost as part of their marketing budget. Mayor Levante expressed his belief in the program and reiterated his belief that in order for the program to be a success, there needs to be at least 15 businesses which participate. The DNA also expressed concern of the "jumping around" from discussing the SID to now this program. Mayor Levante explained to the DNA this is a strategic move and outlined his thoughts on how this program could be helpful to them as well as the Town. He went on to say he has had some great meetings with JP from the Theatre, multiple residents, and things are moving along swiftly and efficiently.

### **ORDINANCES**

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

#### **ORDINANCE 2017-13**

#### **AN ORDINANCE OF THE TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY, AMENDING CHAPTER 125 OF THE CODE OF THE TOWN OF NEWTON ENTITLED "GAMES OF CHANCE" TO ADD SECTION 125-4 DESIGNATING THE TOWN CLERK AS THE "ISSUING AUTHORITY"**

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

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Mr. Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Absent	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 August 14, 2017.

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

**ORDINANCE 2017-14**

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$250,000 FOR CONSTRUCTION OF A 20" HDPE WATER TRANSMISSION MAIN ACROSS FOX HOLLOW LAKE IN THE TOWNSHIP OF SPARTA BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF**

The aforementioned **ORDINANCE** was offered by Deputy Mayor Elvidge, who moved its introduction, seconded by Mr. Flynn;

Mr. Flynn asked for some clarification on the additional appropriation. Ursula Leo explained the project has had total of four change orders. The first two extended the completion date. The other two change orders which increased costs were essentially due to the boulders that were discovered and the increased diving costs. Mr. Flynn questioned if any of the additional monies be recouped through the grant on this project. Ms. Babcock advise she has been in contact with USDA and once we have the final figures for the project we can then submit for additional funding. A brief discussion ensued regarding the project and unforeseen issues. Mr. Flynn requested a bid tab with details from the engineer on the project. Mr. Russo advised he has the information and will get it to the Council. At this time Mayor Levante called for a roll call vote with the following results:

Mr. Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Absent	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 August 14, 2017.

**OLD BUSINESS**

There was no old business to discuss.

**RESOLUTIONS**

At this time, Mrs. Diglio recused herself from the following resolution.

**RESOLUTION #125-2017**

**AUTHORIZE THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR STRYKER MEDICAL**

**WHEREAS**, the Newton First Aid Squad has a need for equipment to perform its mission of emergency medical response services to the public; and

**WHEREAS**, the Newton First Aid Squad has required use of equipment to perform such functions, among them being the use of patient cots; and

**WHEREAS**, the need has arisen to procure a cot pursuant to a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, quotes were solicited for the procurement of a Stryker Medical Model 6506 Medical Cot or equivalent from medical supply companies and Sean Canning, Q.P.A. has determined and certified in writing the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the lowest quoted price from Stryker Medical Inc., was \$21,310.00 for a model 6506 Stryker Medical Cot; and

**WHEREAS**, Stryker Medical in the aggregate is expected to sell in excess of the Pay-to-Play threshold of \$17,500.00; and

**WHEREAS**, Stryker Medical Inc., has completed and submitted a Business Entity Disclosure Certification which certifies Stryker Medical Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit Stryker Medical Inc., from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer hereby certifies funds NOT TO EXCEED \$21,310.00 are available in the 2017 Current Budget – Capital Improvement Fund, First Aid Power Lift A/C#1095335.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Stryker Medical Inc., not to exceed \$21,310.00 for the 2017 calendar year; and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

A motion was made by Mr. Flynn to approve **Resolution #125-2017**, seconded by Deputy Mayor Elvidge and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Absent	Mrs. Diglio	Recused
	Mayor Levante		Yes

**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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**RESOLUTION #126-2017\***

**RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**

**WHEREAS**, the Town of Newton is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Town Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties;

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is **govdeals.com**.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
  - a) 2007 Dodge Durango  
VIN: 1D8HB38P37F548549  
Condition: Fair
  - b) 1999 Spartan Rescue Fire Truck  
VIN: 457AT3896XC31213  
Condition: Fair
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

**RESOLUTION #127-2017\***

**AMEND AGREEMENT WITH JAMES T. PRUSINOWSKI, ESQ., AS LABOR RELATIONS LEGAL COUNSEL FOR 2017**

**WHEREAS**, the Town of Newton has a need to acquire legal counsel for certain specific matters under non-fair and open contracts pursuant to provisions of N.J.S. 19:44A-20; and

**WHEREAS**, the Town Council appointed James T. Prusinowski, Esq., of Trimboli & Prusinowski, LLC as Labor Relations Attorney for calendar year 2017 by the adoption of Resolution #262-2017 at their meeting on December 28, 2016; and

**WHEREAS**, said contract stipulated that the amount expended during the term of the contract is not to exceed \$30,000.00; and

**WHEREAS**, due to circumstances beyond the Town's control the costs for labor relations legal counsel will exceed the \$30,000.00 allocated; and

**WHEREAS**, both parties have agreed to increase the amount of the original contract to be increased by \$15,000.00 to a new amount not to exceed \$45,000.00; and

**WHEREAS**, the Chief Financial Officer has certified funds are available in the 2017 Current Budget – Legal OE A/C #1058204 \$32,000; #1058201 \$6,000; #1058296 \$7,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to amend the agreement with James T.

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Prusinowski, Esq., of, Trimboli & Prusinowski, LLC as the Town of Newton's Labor Relations Attorney for the remainder of calendar year 2017 for an amount not to exceed \$45,000.00; and

**BE IT FURTHER RESOLVED**, that a fully executed copy of said amended agreement be provided to James T. Prusinowski, Esq. and filed in the Office of the Municipal Clerk.

**RESOLUTION #128-2017\***

**APPROVE CHANGE ORDER NO. 4 FOR FOX HOLLOW LAKE TRANSMISSION MAIN REPLACEMENT PROJECT IN THE TOWNSHIP OF SPARTA FOR THE TOWN OF NEWTON**

**WHEREAS**, the Town of Newton awarded the contract for the Fox Hollow Lake Transmission Main Replacement Project in the Township of Sparta for the Town of Newton 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**, Harold E. Pellow & Associates, Inc., the Town Engineer has prepared Change Order No. 4 to increase the total contract amount by \$155,147.24 for costs for the underwater diving services needed to excavate and move underwater boulders and rocks for the 20" HDPE trench, grout mat installation, remobilization, and final quantities; and

**WHEREAS**, the Chief Financial Officer has certified funds are available to support the increase in the Water Sewer Capital Fund, Ordinance #2014-5 Supplement Fox Hollow Water Main, account number 6191405 in the amount of \$155,147.24;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that we hereby approve Change Order No. 4 to increase the total contract amount by \$155,147.24 to a new contract total of \$1,033,458.24 for costs for the underwater Diving Services needed to excavate and move underwater boulders and rocks for the 20" HDPE.

**RESOLUTION #129-2017\***

**APPROVAL OF THE PURCHASE OF MOTOROLA PAGERS, PORTABLE RADIOS AND COMMUNICATIONS EQUIPMENT THROUGH STATE CONTRACT #83927 AND MORRIS COUNTY COOPERATIVE PURCHASING CONTRACT #41 FOR THE NEWTON FIRE DEPARTMENT**

**WHEREAS**, there is a need to purchase portable radios, pager alert and communications equipment for the Newton Fire Department in accordance with the 2017 Budget of the Town of Newton and the Capital Improvement Fund, Town of Newton Fire Department, in the County of Sussex, State of New Jersey; and

**WHEREAS**, this can be purchased through State Contract #83927 and Morris County Cooperative Purchasing System Contract #41, and;

**WHEREAS**, the holder of the State of New Jersey Contract #83927 and Morris County Co-op #41 is:

Spectrum Communications  
47 N. Dell Ave.  
Kenvil, N.J. 07847; and,

**WHEREAS**, the maximum amount of the purchase is \$41,603.55 and funds are available as evidenced by the Finance Director's Certification against General Capital Fund, Ordinance #2017-9 Acquisition of Fire Radio Pagers #309170981; and

**WHEREAS**, the Town of Newton's Qualified Purchasing Agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

**WHEREAS**, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law;

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**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:

The Finance Director is hereby authorized and directed to approve and forward a Purchase Requisition to Spectrum Communications for the purchase of the pagers, radios, and communications equipment.

**RESOLUTION #130-2017\***

**AUTHORIZE TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE FOR THE YEAR 2017**

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors and RealAuction.com to conduct pilot programs; and

**WHEREAS**, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, the Town of Newton wishes to participate in the pilot program for an electronic tax sale;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of Local Government Services.

**RESOLUTION #131-2017\***

**AUTHORIZE ELECTRONIC TAX SALE NOTICE FEES TO BE CHARGED**

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

**WHEREAS**, the rules and regulations require a municipality to send three (3) notices of tax sale to all properties included in said sale; and

**WHEREAS**, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

**WHEREAS**, the Town of Newton wishes to balance the effect of fees upon the property owner, which may be experiencing financial hardship, with the other residents which should not have to bear any additional costs. The Town hereby sets a one-time fee of \$25.00 for the three (3) required notices;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that a one-time fee of \$25.00 is hereby authorized and is to be charged to each property owner appearing on the 2017 Electronic Tax Sale list.

**RESOLUTION #132-2017\***

**AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS**

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**WHEREAS**, the Water and Sewer Collector has determined the following Water and Sewer Utility Account is due credit for the reason stated:

**CREDIT FOR PENALTY ERRONEOUSLY CHARGED:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
6210	136 High Street	\$63.70
5249	34 Hillside Terrace	\$10.58

**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 aforementioned account for the amount billed incorrectly due to the reason stated.

**RESOLUTION #133-2017\***

**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**

38473	ADVANCE AUTO PARTS	129.67
38474	AIRMARK POOLS, INC.	37.63
38475	ALLIED 100 LLC	398.00
38476	ARF RENTAL SERVICES, INC.	430.92
38477	ATLANTIC TRAINING CENTER	210.00
38478	B & R UNIFORM, INC.	139.95
38479	BOONTON TIRE SUPPLY INC.	326.15
38480	CAMPBELL'S SMALL ENGINE INC.	62.63
38481	CENTURYLINK COMMUNICATIONS, INC.	204.45
38482	CENTURYLINK COMMUNICATIONS, INC.	125.85
38483	CENTURYLINK COMMUNICATIONS, INC.	457.11
38484	CINTAS CORPORATION NO. 2	265.93
38485	COUNTY OF SUSSEX	954.60
38486	CRANE SEWER & DRAIN CLEANING	150.00
38487	FIRST HOPE BANK INC.	20,082.99
38488	GENSERVE INC.	1,507.50
38489	HAYEK'S MARKET INC.	29.62
38490	JENNIFER DODD	91.49
38491	JCP&L	7,122.29
38492	JK HVAC SERVICE, LLC.	627.94
38493	JOHN MULHERN	2,916.67
38494	KKPR MARKETING & PUBLIC RELATIONS	142.50
38495	LADDEY, CLARK & RYAN, LLP	2,462.50
38496	MAGDELANO, VICTOR	75.00
38497	MINISINK PRESS INC	330.00
38498	NEWTON TROPHY	13.50
38499	NJMVC	46.50
38500	NJASRO	200.00
38501	NJMEBF	175,822.00
38502	ELIZABETHTOWN GAS	707.11
38503	PELLOW, HAROLD & ASSO, INC.	269.90
38504	PRINTING CENTER, INC	250.56
38505	QUILL CORPORATION	65.97
38506	REISINGER OXYGEN SERVICE, INC.	58.92
38507	RICHARDS, MICHAEL	738.60
38508	RULLO & JUILET ASSOCIATES, INC.	1,261.50
38509	SEBRING AUTO PARTS, INC.	259.86

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38510	SERVICE ELECTRIC CABLE TV	57.35
38511	SLOAN, JAMES PPC.	106.25
38512	STAPLES BUSINESS ADVANTAGE, INC.	67.46
38513	SUNLIGHT GENERAL	547.22
38514	SUSSEX CAR WASH INC	105.00
38515	THE CANNING GROUP, LLC.	535.71
38516	THOMSON WEST, INC.	102.60
38517	THYSSENKRUPP ELEVATOR CORP.	219.50
38518	TIRE KING, INC.	452.00
38519	TOYOTA/SUBARU/SCION OF MORRISTOWN I	273.07
38520	TRI-STATE RENTALS/PARTY WORLD INC	27.95
38521	TRIMBOLI & PRUSINOWSKI, LLC.	10,654.69
38522	USA HOISTCO., INC.	220.00
38523	VERIZON WIRELESS, INC.	193.55
38524	VERIZON WIRELESS, INC.	1,461.11
171048	PAYROLL ACCOUNT	195,624.19

**CAPITAL**

8625	FKA ARCHITECTS INC.	1,975.00
8626	LOU'S GLASS	100.00
8627	MCMANIMON, SCOTLAND & BAUMANN,LLC	107.50
8628	MOTT MACDONALD	385.00
8629	PELLOW, HAROLD & ASSO,INC.	569.63

**Total TOWN BILLS \$ 432,760.59**

**WATER AND SEWER ACCOUNT**

16405	AIRMATIC COMPRESSOR SYSTEMS, INC.	349.25
16406	CCP INDUSTRIES, INC.	608.07
16407	CINTAS CORPORATION NO. 2	167.00
16408	GENSERVE INC.	1,335.00
16409	HAMBURG PLUMBING SUPPLY CO INC	112.95
16410	HOLLAND COMPANY, INC.	7,141.53
16411	KISTLER O'BRIEN FIRE PROTECTION, IN	877.60
16412	KKPR MARKETING & PUBLIC RELATIONS	142.50
16413	MINISINK PRESS INC	44.00
16414	MOTT MACDONALD	1,837.00
16415	ELIZABETHTOWN GAS	280.30
16416	ONE CALL CONCEPTS, INC.	227.50
16417	PELLOW, HAROLD & ASSO, INC.	1,046.15
16418	PROCESS TECH SALES AND SERVICE	1,268.95
16419	RULLO & JUILET ASSOCIATES, INC.	1,261.50
16420	SCHMIDT'S WHOLESALE, INC	51.13
16421	SCHNEIDER ELECTRIC, INC.	3,998.60
16422	SMALLEY, JOHN H	1,250.00
16423	SPARTA TOWNSHIP TAX COLLECTOR	16,428.95
16424	SUNLIGHT GENERAL	963.36
16425	SUSSEX COUNTY P & H, INC.	17.40
16426	TOYOTA MOTOR CREDIT CORP.	472.08
16427	TRIMBOLI & PRUSINOWSKI, LLC.	705.00
16428	VERIZON WIRELESS, INC.	245.89
176023	PAYROLL ACCOUNT	36,314.59

**CAPITAL**

2450	MONTANA CONTRACTING CORP., INC.	294,637.98
2451	PELLOW, HAROLD & ASSO, INC.	6,043.95

**Total WATER & SEWER Bills \$ 377,828.23**

**TRUST ACCOUNT**

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3628	COUNTRY CLUB ICE CREAM, LLC.	347.87
3629	FAI-GON ELECTRIC , INC	1,160.45
3630	LADDEY, CLARK & RYAN, LLP	704.00
3631	MINISINK PRESS INC	350.00
3632	PELLOW, HAROLD & ASSO, INC.	1,430.00
3633	SLOAN, JAMES PPC.	1,125.00
177114	PAYROLL ACCOUNT	14,094.00

**Total TRUST ACCOUNT Bills \$ 19,211.32**

**RESOLUTION #134-2017\***

**AUTHORIZE THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR GOLD TYPE BUSINESS MACHINES**

**WHEREAS**, the Town of Newton Police Department has a need to maintain, inquire and ascertain criminal and motor vehicle warrants and other law enforcement sensitive information through applicable software provided by Gold Type Business Machines as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for the 2017 year (s); and

**WHEREAS**, Gold Type Business Machines in the aggregate is expected to sell in excess of the pay to play threshold of \$17,500.00; and

**WHEREAS**, Gold Type Business Machines has completed and submitted a Business Entity Disclosure Certification which certifies Gold Type Business Machines has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit Gold Type Business Machines, from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$22,500.00 are available as follows:

**2017 Current Budget**

#1095333	CIF- Police InfoCop/ETicket/Printer	\$8,650.00
#1095338	CIF- Police Vehicle Locator/Trunk Modem	\$8,250.00
#1074326	Communications OE	\$5,100.00
#1074226	Police OE	\$ 500.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Gold Type Business Machine not to exceed \$22,500.00 for the 2017 calendar year; and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**RESOLUTION #135-2017\***

**CHANGE OF TEXT AND TITLE TO THE TOWN OF NEWTON 2017 WATER SEWER UTILITY BUDGET, PURSUANT TO N.J.S.A. 40A:4-85**

**WHEREAS**, N.J.S.A. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the Governing Body, make such correction of the title, text, or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such municipality;

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**NOW, THEREFORE BE IT RESOLVED**, in accordance with the provisions of N.J.S.A. 40A:4-85 the Town of Newton requests the Director of the Division of Local Government Services to make the following corrections in the Current Budget of the year 2017:

<b>From:</b> Capital Improvement – Pole Barn	\$70,000.00
Capital Improvement – Back Hoe	\$20,000.00
<b>To:</b> Capital Improvement – Capital Outlay	\$90,000.00

**BE IT FURTHER RESOLVED**, the foregoing correction is, in the opinion of the Governing Body, warranted and authorized by statute referred to above, and is necessary for the orderly operation of the Town of Newton for the reasons hereinafter set forth:

- a) The Back Hoe was purchased through a Co-op with a \$21,000 savings.
- b) Vendors are unwilling to submit quotes for a Pole Barn due to the State requirement for payment of prevailing wage rates. The \$70,000 is needed to upgrade pump stations, via the Capital Outlay line item.

**BE IT FURTHER RESOLVED**, that the electronic Budget Amendment Certification Form and this resolution be emailed to the Director of the Division of Local Government Services.

**RESOLUTION #136-2017\***

**WATER SEWER CAPITAL BUDGET AMENDMENT**

**Whereas**, the local Water Sewer Capital Budget for the year 2017 was approved on the 10th day of April 2017; and  
**Whereas**, it is desired to amend said adopted Capital Budget Section.  
**Now, Therefore Be It Resolved**, by the Town Council of the Town of Newton, County of Sussex that the following Water Sewer Capital Budget amendment of 2017 be made:

(

RECORDED VOTE: AYES ( NAYS ( ABSTAIN (

(Insert last name) (

( ABSENT (

**CAPITAL BUDGET (Current Year Action)**

**2017**

**PLANNED FUNDING SERVICES FOR CURRENT YEAR 2017**

PROJECT	PROJECT NUMBER	ESTIMATE D COST	AMOUNTS RESERVED IN PRIOR YEARS	2017 BUDGET APPROPRIATIONS	W/S CAPITAL - CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS IN AID AND OTHER FUNDS	DEBT AUTHORIZED	TO BE FUNDED IN FUTURE YEARS
Supp. Fox Hollow Watermain	1	250,000						250,000	
<b>TOTAL ALL PROJECTS</b>		250,000						250,000	

**3 YEAR CAPITAL PROGRAM 2017 - 2019**

**Anticipated Project Schedule and Funding Requirements**

FUNDING AMOUNTS PER YEAR

PROJECT	PROJECT NUMBER	ESTIMATE D COST	ESTIMATED COMPLETION TIME	BUDGET YEAR: 2017	2018	2019	2020	2021	TO BE FUNDED IN FUTURE YEARS
Supp. Fox Hollow Watermain	1	250,000	2017						250,000
<b>TOTAL ALL PROJECTS</b>		250,000							250,000

**3 YEAR CAPITAL PROGRAM 2017 - 2019**

**SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

PROJECT	ESTIMATE D COST	BUDGET APPROPRIATIONS			W/S CAPITAL - CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS IN AID AND OTHER FUNDS	GENERAL	BONDS AND NOTES		
		CURRENT YEAR 2017	FUTURE YEARS						SELF LIQUIDATING	ASSESSMENT	SCHOOL
Supp. Fox Hollow Watermain	250,000								250,000		
<b>TOTAL ALL PROJECTS</b>	250,000								250,000		

Be It Further Resolved, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services, and one copy be forwarded to the Town Auditor and Chief Financial Officer.

It is hereby certified that this is a true copy of a resolution creating the Water Sewer Capital Budget section adopted by the Governing Body on the 17th day of July, 2017.

Certified by:

Date

Teresa A. Oswin, RMC  
Deputy Municipal Clerk

**RESOLUTION #137-2017\***

**RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY DIRECTING THE TOWN PLANNING BOARD TO REVIEW AND COMMENT ON THE PROPOSED MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, a redevelopment plan was adopted for a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), including parcels, public streets and rights-of-way adjacent to and including Sparta Avenue and Diller Avenue (the "Plan Area"); and

**WHEREAS**, a redevelopment plan known as the Merriam Gateway Redevelopment Plan, was adopted by the Town Council in November 2010 and amended in September 2012 and March 2015, for a portion of the Rehabilitation Area identified on the official tax map of the Town as: Block 18.03, Lot 10 (former Block 1104, Lot 22); Block 22.02, Lots 8, 9 and 10 (former Block 1209, Lots 10, 11, 12.01); Block 18.02, Lots 9, 10, 11, 12, 14, 15, 16 and 17 (former Block 1301, Lots 1, 1.04, 10, 11, 12, 13, 14, 15,

16); and Block 22.04, Lots 1, 2, 3, 4, 5 (portion), 13, 14 and 15 (former Block 1308, Lots 1 (portion), 1.01, 1.02, 10, 11, 12, 13 and 14); and

**WHEREAS**, in accordance with the Act, the Town has prepared a proposed Amendment to the Redevelopment Plan for the Redevelopment Area, which is attached hereto as Exhibit A; and

**WHEREAS**, the Town Council desires to utilize the Planning Board's expertise and experience in crafting a redevelopment plan for the Plan Area;

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

1. The Town Council hereby authorizes and directs the Newton Planning Board to review the draft Redevelopment Plan Amendment attached hereto as Exhibit A, and to transmit its comments to the Town Council within 45 days, as required by N.J.S.A. 40A:12A-7(e).
2. This Resolution shall take effect immediately.

The Deputy Clerk presented an application for a permit for a Social Affair from the Greater Newton Chamber of Commerce to be held on September 11, 2017 with a rain date of September 12, 2017 from 6:30pm to 9:30pm. It was noted the application was in order.

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

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

**INTERMISSION** – None

**DISCUSSION**

Mr. Flynn stated, you really cannot compare Newton to Saratoga Springs. There is a massive amount of wealth there and a world renowned race track which attracts hundreds of thousands of people to the area. He went on to state maybe some of our zoning laws are possibly too prohibitive. He would like to see comparisons to similar towns. We are forty miles from New York City, and he is having a hard time understanding why we can't make it work.

A brief discussion ensued among the Council. Deputy Mayor Elvidge stated it's the Town's job to create a forum to bring people in and get everyone on the same page. Mr. Flynn stated there use to be music in front of the fire house on Spring Street and antique cars on the street. He doesn't see anyone coming forward to do something like that now.

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Mayor Levante stated Dan Hayek, one of the most valued members of the EDC is very interested in the Property Tax Rebate Card program. His business is very successful and he doesn't even need the program. Mayor Levante went on to say we need to be "City Cool", trendy like Hoboken, Jersey City and Morristown. He looks around and everything looks stale. We need to take a stronger approach to knock down some buildings and completely remodel the Town. Right now we can't get people to rent these rundown, old rickety small windowed buildings. It's time to take a strong approach with this to reach to the out of state landlords. He went on to state we need a point person to be liaison between the Town and businesses.

Mr. Russo advised the Council he believes the problem is taxes. No one complains about construction or permits or historic like they used to. We totally changed the sign ordinance and we neutered the Historic Commission. The Council is progressive, he is task master when it comes to staff, volunteers are great, police are great... so it's taxes. Mr. Russo went on to say the Mayor is correct in stating you can work from home rather inexpensively, so it's hard to get people to invest in a business. We are looking into eliminating some fees for new businesses. Mr. Russo went on to say the key is activity. Mr. Russo suggested to the Mayor that we invite representatives of Haddonfield to Newton. They have a successful downtown and hopefully they can give us some insight to improving ours.

The final thing Mayor Levante wanted to add is he recently asked Mr. Russo to set up a meeting with Dr. Greene and Stella Dunn of the Board of Education to work together on the future of the Town. The meeting is scheduled for tomorrow.

**OPEN TO THE PUBLIC**

At this time, Mayor Levante opened the meeting to the public.

Mr. Barry George, 168 Sparta Avenue came forward. He stated he has lived in town for 20 years and it has changed a lot over the years. He said the Council is right on the mark in some of their comments. Many people travel outside the County for work and he feels the businesses in Town need to stay open later.

His questioned a property on Diller Avenue, in a T4 zone. There is an auto-body business that seems to be progressing into an auto-salvage business. Mr. Russo stated he believed it was a permitted use, but he will double check on it.

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

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meeting to the public.

**COUNCIL & MANAGER COMMENTS**

Mayor Levante stated he was asked for an update on the skating rink project. Mr. Russo advised he will get him the information.

There being no further business to be conducted, upon motion of Deputy Mayor Elvidge, seconded by Mrs. Diglio and unanimously carried, the meeting was adjourned at 7:59 pm.

Respectfully submitted,



Teresa A. Oswin, RMC  
Deputy Municipal Clerk