

December 11, 2017

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. 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 Deputy Mayor Elvidge, seconded by Mr. Flynn and carried, the minutes for November 27, 2017 Special and Regular meetings were 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 take one turn at the microphone and please limit their comments to 5 minutes. The Clerk will keep time. 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."

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

COUNCIL & MANAGER REPORTS

Mr. Russo commented the Tree Lighting ceremony this evening was a great success. Thanks to Deb Danielson, Newton Recreation Commission and the Newton DPW for their assistance with this event.

Mr. Russo reminded Council the Municipal Building will be closing on Friday, December 15th at 1:30 pm for the Town Holiday party for Town employees. He noted Town Hall will be closed Friday, December 22nd and Monday, December 25th in observation of the Christmas Holiday. Mr. Russo wished those celebrating a Happy Hanukkah as well as a very Merry Christmas! Lastly, he reminded everyone the next Council meeting is Wednesday, December 27th.

a. Seton Hall Market Research Presentation –

Students from Seton Hall University appeared before the Town Council and made a lengthy presentation on their research marketing project completed for the

December 11, 2017

Town of Newton. Cody Wimmer, Romelia Argudo, and Cailee Valente presented different areas of the attached presentation:



Who is Newton and Who Do They Want to be When They Grow Up?



Newton Wants: →



Objectives

1. Understand how to coordinate events
2. Understand most effective way to communicate events to
 - Residents
 - Non residents
3. Recognize attitudes on specific areas on Spring St
4. Understand how to better the town in comparison to popular cities

Executive Summary

How can the Town of Newton better understand and accommodate the community needs from their long-standing residents and new residents?

AND

How can we attract the large "daytime" population of Newton into the downtown to support current businesses and alter negative perceptions, especially about Spring Street?

Phase 1

Conducted 114 IDIs of Newton residents and Sussex county residents

- Younger demographic have more town pride
- Current events are not well planned

Phase 2

Received 641 completed surveys of Newton & Sussex county residents

- Respondents want family oriented events
- Marketing techniques are based on age groups
- Morristown & Hackettstown should be used as inspo

Survey Breakdown



641 Total Responses & 858 Partial Responses

270 Newton Residents

370 Non Residents

277 Sussex County

93 Outside Sussex County



Methodology

On 11/03/17 3,000 surveys were sent out via email to Newton and Sussex County residents. The survey was also posted on:

- Newton's town website
- ThorLabs
- School website
- County College of Sussex



Objectives

1. Get a better insight on how to coordinate town events.
2. Understand the most effective way to communicate town events to residents/non residents.
3. Recognize specific areas of Spring St. residents feel safe/unsafe.
4. Understand how to better the town in comparison to popular cities.

Sample

3,000 survey emails sent out.
Surveys sent out to:

- Newton residents
- Sussex County residents
- Male and Female of all ages
- Long time/ new residents
- Students/ Workers in town of Newton

641 Responses



Community Perception



People want community engagement. Both residents and non-residents feel that there is a strong sense of Newton Town pride.

There was **no difference** from age groups in feelings towards a strong community feel in Newton.

Local business support is key for community events. Many respondents identified that as a reason they enjoyed events. Those who did not enjoy often stated they wanted to have more of the local businesses involved.

"It is so nice to see Spring Street come alive! It is an important event to support local business and for community"

"I love the community coming together to celebrate!"

How Are Current Efforts Shaping the Downtown?

Most Acknowledged Improvements:

- Streets are Cleaner
- Spring Street is More Family Friendly
- Current Events (Taste of Newton, Newton Day)
- Retail Renovations
- New Local Businesses



Most Desired Improvements:

- Fill Retail Vacancies
- 2-Way Traffic on Spring Street
- Additional Parking
- Decrease in Crime (Drugs on Spring Street)
- Revitalize the Old, Shabby Appearance of the Downtown



How do the people really feel?



"I have seen great improvements over recent years. Spring Street becoming a one way street was very helpful as well."

"I am not aware of what the current efforts are."

"Still shabby looking, no parking, still unsavory characters lurking about with an unattractive feeling which does not make me want to be there."

- Many respondents stated that they could see improvements being made in the Downtown, especially in terms of cleanliness and retail renovations.

Continue current efforts

- Despite the stigma of Spring Street, most respondents said they felt safe in all areas on our heat map

Comfortability in Newton



Total Responses: 674
 Highest Response Rate for all Areas: Indifferent (>45% for each region)
 Most Uncomfortable: Theater (15.5% of respondents)
 Most Comfortable: Historic District (38.5% of respondents)
 Most Indifferent: Hayek (75% of respondents)
 Ordering by Discomfort: See Picture (1 is most uncomfortable -- 7 is most comfortable)*

*Areas 1 & 2 correlate with what we heard while conducting in-person surveys. All discomfort <15.5%.

How Do People Hear About Events?

Currently people of all ages are hearing through primarily word of mouth. While this is a good method for reaching people, it can fall short if it is the main source of information.



Depending on what age group you are targeting with an event there are different channels to take:



Facebook, street banners and posters are the most preferred means of information across all age groups.

The younger crowd wants to hear from the school system and street banners.

Longstanding residents prefer the NJ Herald and emails for information.



The Downtown View

"Variety of business, historic charm maintained" (Morristown)



"It's a quaint little town that has so much history, you can walk everywhere and the businesses are great." (Hackettstown)



"Very walkable, cute town, you actually want to sit outside on porches, upscale specialty places" (Milford)

"Walkability, safety, atmosphere. it's a quaint little town that has so much history. the businesses are great too." (Warwick)



Event Prices

Would not pay - Sidewalk Sales, Fall Fest

\$1-\$9 - Movie Nights, Music Nights, Fall Fest

\$10-\$19 - Music Nights, Bacon and Brews, Cinco de Mayo

\$20-\$29 - Taste of Newton, Bacon and Brews, Girls Night Out

\$30-\$39 - Taste of Newton

\$40-\$49 - Taste of Newton



Most Popular Event Days

1. Saturday
2. Sunday
3. Friday
4. Thursday



Weekends are obviously the most favored day for events. Therefore, for the highest attendance, host more events on the weekends. If it needs to be a week day event, host it on a Thursday or Friday for greatest attendance.

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What Businesses Should Come to Spring Street?

	Resident	Non-Resident	Total
Bakery	185	235	420
Sit-Down Restaurant	169	223	392
Coffee Shop	171	216	387
Icecream/ FroYo Shop	156	194	350
Total	681	868	1,549



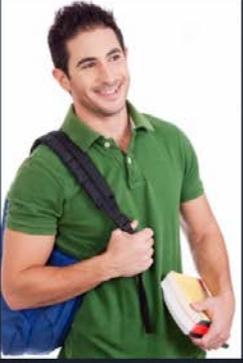


The top 4 most wanted businesses to fill up vacant retail buildings on Spring Street were selected by both Newton residents and non residents.

People love to eat! These business encourage a family oriented atmosphere which shows the vibe Newton is encourage to maintain. There can be a tradeoff between a coffee shop and bakery.

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Who Are the Residents and What Do They Want ?



Age: 21

Lives in a town near Newton

Student at Sussex County College

Has Limited Money to Spend

Wants to: Drink, stay out late with friends and eat food



Mom and Dad with Kids
Ages: 5 and 10

Live in Newton

Want to: Have one drink, eat food with the family, spend little-to moderate amount of money

Where can they all go and be satisfied?

Newton Nuggets!

Local non-chain theoretical business Inspired by Buffalo Wild Wings or similar

Attracts: Current Residents, Families, College students, People from Surrounding Towns

Why?: People who want to stay out late, drink (breweries), go out with their families and not spend too much money.

Newton Nuggets can offer:

- Late hours of operation
- Town of Newton Microbrews
- Pictures on the inside/ interior design inspired by the Town of Newton

Newton Nuggets!

Coming Soon to Spring Street!



heSmokies.com



Bring The kids!



Come Enjoy a drink!

Married a Music Man (Music Store)

- Music Store started by a couple in late 30s; met on the Broadway set of Billy Elliot
 - She was a actress
 - He played cello in the orchestra
- Wanted to move to country after attending Newton Theater



- Residents wanted more businesses and more entertainment options in the town
- Specialty Shops like a music store attract non-resident shoppers to the town

What they do:

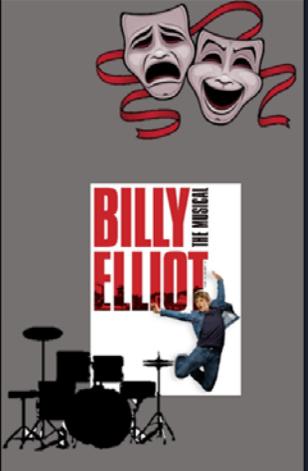
- Sell and rent Instruments
- Teach Acting & Music Lessons
- Community Involvement

Aspirations:

- Inspire Newton residents to pursue entertaining as a creative outlet and a potential career

Community Involvement:

- Host a Music Festival
- Host talent show at Theater
- Free Music Fridays



Bacon and Brews

- Admission: \$15 in advance, \$20 day of
 - This would cover a set of beer samples and a Bacon and Brews mug
- Events:
 - Beer flights and tastings
 - Bacon eating contest
 - Local Restaurants sponsoring "bacon themed dishes"
 - People's choice contest for best bacon and beer based dish from local restaurants
 - Small vendors sending bacon/pork/beer based products (ex. beer infused sauces, apparel, bacon lollipops and more)
 - Host a band or two for outdoor performances



BACON AND BREWS FESTIVAL

SATURDAY, JUNE 16TH
4 P.M.-10 P.M.
NEWTON, NJ

"The only thing better than bacon is bacon wrapped in lollipops"



Music Festival

- Charge: \$10-\$14 in advance
 - \$15-\$19 day of
 - Admission would provide you with an event t-shirt
- Promotion:
 - Facebook and Posters around town
- Location:
 - Newton Theatre (Winter)
 - Memory Park (Summer)
- Events:
 - Kiddies corner - an area where younger kids can play and get their faces painted etc.
 - Roped off bar area for 21+
 - Food trucks and local food vendors
 - Host 3-5 bands
- Local Involvement
 - Local restaurants and bars would host tables and stands for light refreshments



Town of Newton presents
MUSIC FESTIVAL
 June 12-15, 2019
 +ROCK
 +COUNTRY
 +R&B
 +LOCAL MERCHANTS
Memory Park
 111 Moran St, Newton, NJ 07860

\$10
in advance
\$15
At door

Harry Potter Festival

Admission:
Pay As You Go

Key Takeaways:

- Facebook Promotion
- Popular topic leads to tremendous draw
- Local Restaurant/Vendor Involvement
- Back-to-back



You are cordially invited to join Spring Circle as we transform Spring St Newton NJ into

Diagon Alley

November 25 immediately following the holiday parade

Join our local businesses as they transform into

Ollivanders
 The Leaky Cauldron
 Weasleys Wizard Wheezes & More

- Cosplay Contest
- Giveaways
- Quidditch Lessons
- Horcrux Hunt
- Potion Making
- Owls delivering discounts
- And everything Hogwarts!

Come to the sorting hat to find out which house you're in

Albus Dumbledore

Recommendations

- Utilize the Town of Newton's Facebook page or Facebook ads to promote events
- Plan events for weekends
- Try to make event prices under \$30
- Fill up spring street with affordable businesses, a mixture of mom and pop shops and chain stores, and a bakery
- Many respondents cited feeling unsafe in parking areas. By beautifying the areas with more lights, plants or street art it could help the appearance and overall feeling of safety.
- Fill retail vacancies and continue to renovate existing stores. Respondents seem very excited by the current renovations so posting weekly updates on the town's website can excite and engage possible customers as the renovations continue.
- Incorporate local businesses as vendors at new events. Help build a following for newly established businesses and increase foot traffic on Spring Street. Also, emphasize local business participation in community events. People want to support these businesses and see them engaging with the community.
- Facebook events are a preferred means of information from younger residents to older residents. Take advantage of these for community events. Most people said they would share Newton Events that they saw on Facebook. This method is similar to word of mouth except it sticks better because it is a visual and has event reminders and descriptions. One share can reach way more people than one person mentioning it to another.

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Mayor Levante and the Town Council thanked the students for their PowerPoint presentation and terrific information it provided to the Town.

Councilwoman Le Frois also thanked the Seton Hall students for their presentation and hard work on their research project.

ORDINANCES

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

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

WHEREAS, the Newton Town Engineer has reviewed the existing parking conditions on Condit Street; and

WHEREAS, Condit Street is 30 feet wide and the Town Engineer has recommended the Town Code be revised to prohibit parking on the east side of Condit Street from Ryerson Avenue to Jimland Terrace;

NOW, THEREFORE BE IT ORDAINED, as follows:

Section 1. Newton Town Code Section 307-48.A, Schedule 1, No Parking, shall be revised by the addition of the following:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Condit Street	East	From Ryerson Avenue to Jimland Terrace

Section 2. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Date. This Ordinance will take effect after publication and passage according to law.

Mayor Levante opened the hearing to the public.

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

The aforementioned **ORDINANCE** was offered by Mrs. Diglio, 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.

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."*

Mr. Russo reviewed the Resolutions on the consent agenda.

Mr. Flynn requested Resolution #260-2017 be removed for separate discussion.

RESOLUTION #236-2017*

CONCUR WITH THE TOWN MANAGER'S APPOINTMENT OF SPECIAL POLICE OFFICERS

WHEREAS, within Chapter Thirty, Police Department, of the Revised General Ordinances of the Town of Newton, it indicates the Town Manager may appoint Special Police Officers for a term not to exceed one year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager's appointment of the following individuals as Special Police Officers for calendar year 2018:

Class II

Raul Couce

Donald Donofrio

Stephen Moran

RESOLUTION #237-2017*

APPOINTMENT OF JOSEPH CARR AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY WATER QUALITY POLICY ADVISORY COMMITTEE

BE IT RESOLVED, by the Town Council of the Town of Newton's Licensed Operator Joseph Carr, is hereby appointed as the municipality's representative to the Sussex County Water Quality Policy Advisory Committee for 2018 and will attend regular meetings of said Committee conducted on the second Thursday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED, that, if required, Newton's Licensed or his designee may also attend workshop meetings of the Sussex County Water Quality Policy Advisory Committee; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chairman of the Sussex Water Quality PAC.

RESOLUTION #238-2017*

DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR CALENDAR YEAR 2018

BE IT RESOLVED, by the Town Council of the Town of Newton that Thomas S. Russo, Jr., Town Manager, is hereby designated as the Public Agency Compliance Officer for the Town of Newton for 2018; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the NJ Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity, as requested by said agency.

RESOLUTION #239-2017*

DESIGNATION OF THERESA SCHLOSSER AS TAX SEARCH OFFICER FOR THE TOWN OF NEWTON FOR 2018

WHEREAS, N.J.S.A. 54:5-11 provides that each municipality within the State of New Jersey shall designate a person to act as the Tax Search Officer for the municipality; and

WHEREAS, Theresa Schlosser, as Certified Tax Collector for the Town of Newton, is qualified to make examinations of the municipalities records as to unpaid municipal liens and to certify the results of that examination;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby designates Theresa Schlosser as the Tax Search Officer for the Town of Newton for calendar year 2018.

RESOLUTION #240-2017*

APPOINTMENT OF ADAM VOUGH AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE FOR 2018

BE IT RESOLVED by the Town Council of the Town of Newton the Assistant Public Works Supervisor, Adam Vough, is hereby appointed as the municipality's representative to the Sussex County Solid Waste Advisory Committee to attend regular meetings of said Committee conducted on the second Tuesday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED that, if required, the Assistant Public Works Supervisor or his designee may also attend workshop meetings of the Sussex County Solid Waste Advisory Committee; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chairman of the Sussex County SWAC.

RESOLUTION #241-2017*

APPOINT THE TOWN MANAGER AS HEARING OFFICER IN ALL MATTERS OF DISPUTE REGARDING THE TOWN OF NEWTON FOR CALENDAR YEAR 2018

WHEREAS, certain matters may arise over the course of the year which require a hearing to be conducted for the purpose of resolving issues; and

WHEREAS, Thomas S. Russo, Jr., Town Manager of the Town of Newton, is the representative of the Governing Body, as well as the Chief Executive and Administrative Officer of the municipality;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the calendar year 2018.

December 11, 2017

RESOLUTION #242-2017*

DESIGNATE NEWSPAPERS THAT WILL RECEIVE NOTICES REQUIRED BY THE NJ OPEN PUBLIC MEETINGS ACT FOR 2018

WHEREAS, Section 3D(2) of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to designate two (2) newspapers to receive notices required to be mailed, telephoned, telegraphed or hand delivered;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby designates the newspapers listed below as newspapers to receive notices required by the Open Public Meetings Act:

New Jersey Herald

New Jersey Sunday Herald

RESOLUTION #243-2017*

DESIGNATE LEGAL NEWSPAPERS FOR CALENDAR YEAR 2018

BE IT RESOLVED by the Town Council of the Town of Newton that the newspapers listed below be designated as the official newspapers for the Town of Newton for legal advertising during the 2018 calendar year:

New Jersey Herald

New Jersey Sunday Herald

RESOLUTION #244-2017*

DESIGNATE THE TOWN MANAGER AS THE NATIONAL ORGANIZATION ON DISABILITY REPRESENTATIVE

WHEREAS, the Town Manager has historically been appointed as the National Organization of Disability representative for the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Manager, Thomas S. Russo, Jr., is hereby appointed as the National Organization on Disability representative for the Town of Newton; and

BE IT FURTHER RESOLVED that the Mayor and the Town Manager are authorized to sign any documents that may be required by the National Organization on Disability to confirm this appointment.

RESOLUTION #245-2017*

ESTABLISH THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DUE DATE

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:6-67 has been amended to permit the fixing of said rate at eight percent (8%) per annum for the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum for amounts in excess of \$1,500.00, and an additional penalty of six percent (6%) may be collected for delinquencies in excess of \$10,000.00 from property owners who fail to pay the delinquency prior to the end of the calendar year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to charge an eight percent (8%) per annum rate of interest on the first \$1,500.00 of taxes which become delinquent

after the tax due date, and a rate of eighteen percent (18%) per annum interest on any amount of taxes due in excess of \$1,500.00 which becomes delinquent after the tax due date; and

BE IT FURTHER RESOLVED, that the Tax Collector is also authorized and directed to charge an additional penalty of six percent (6%) if a delinquency is in an amount in excess of \$10,000.00 and remains in arrears beyond December 31st of each calendar year; and

BE IT FURTHER RESOLVED, that the ten (10) day grace period for quarterly tax payments shall remain in effect, that any payment of taxes not made on or before the due date in accordance with this Resolution shall be charged interest from the due date as set forth by law, and that this Resolution shall take effect immediately.

RESOLUTION #246-2017*

CANCELLATION OF SMALL BALANCES

WHEREAS, N.J.S.A. 40A: 5-17.1 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than ten (\$10.00) dollars; and

WHEREAS, the Town Council of the Town of Newton may authorize the Tax Collector to process, without any further action on the part of the Governing Body, any cancellation of property tax refunds or delinquencies of less than ten (\$10.00) dollars;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton in the County of Sussex, State of New Jersey, that the Tax Collector is hereby authorized to process the cancellation of any property tax refunds or delinquencies of less than ten (\$10.00) dollars.

RESOLUTION #247-2017*

RESOLUTION REVISING CONTRACT FOR TIMBER HARVESTING SERVICES

WHEREAS, The Town of Newton adopted a resolution and entered into an agreement for timber harvesting work to be completed on its property owned at Morris Lake, in Sparta Township, New Jersey as recommended by consulting forester Doug Tavella, as set forth in the Timber Harvesting Report, dated August 22, 2016; and

WHEREAS, via Resolution #20-2017, the Town awarded the timber harvesting contract to Acheson Wood Service, Inc., 94 Marksboro Road, Newton, NJ; and

WHEREAS, the Agreement entered into called for work to be completed by December 31, 2017, and Mr. Tavella and Acheson Wood Service have requested the completion date be moved to February 28, 2018, with no other changes to the Agreement;

NOW, THEREFORE BE IT RESOLVED, that the Newton Town Council and Mayor hereby authorize the Agreement for timber harvesting is hereby revised to allow for the completion of forestry work on February 28, 2018.

RESOLUTION #248-2017*

DESIGNATE OFFICIALS TO SIGN CHECKS

BE IT RESOLVED by the Town Council of the Town of Newton that the Town Manager, the Town Treasurer and/or the Chief Financial Officer are hereby designated as officials authorized to sign all municipal checks, Water and Sewer Utility checks, and payroll checks during calendar year 2018.

RESOLUTION #249-2017*

AUTHORIZE THE TAX ASSESSOR, THE TOWN ATTORNEY AND THE TOWN MANAGER TO ACT ON THE BEHALF OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2018 WITH REGARD TO TAX APPEALS

BE IT RESOLVED, by the Town Council of the Town of Newton that the Municipal Tax Assessor and the Town Attorney are hereby authorized to defend all contest appeals before the Sussex County Board of Taxation and the Tax Court of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Tax Assessor and the Town Attorney are also hereby authorized to initiate municipal appeals to correct the Town of Newton tax listing including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as may be necessary to correct the assessments for the Town of Newton; and

BE IT FURTHER RESOLVED, that the Municipal Assessor, the Municipal Attorney, and the Town Manager are hereby designated as the agents of the Town of Newton for the purpose of signing settlements of the foregoing matters by stipulation for the 2018 Calendar Year.

RESOLUTION #250-2017*

DESIGNATE CHIEF FINANCIAL OFFICER/FINANCE DIRECTOR AS THE INDIVIDUAL AUTHORIZED TO SELL BOND ANTICIPATION NOTES FOR CALENDAR YEAR 2018

WHEREAS, it is necessary from time to time for the Town of Newton to sell Bond Anticipation Notes or other Notes for the benefit of the municipality; and

WHEREAS, the Chief Financial Officer/Finance Director is the individual responsible for maintaining the financial records of the Town of Newton;

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

- 1) The Chief Financial Officer/Finance Director is hereby authorized to sell Bond Anticipation Notes and directed to determine all matters in connection with said Notes not determined by this or subsequent Resolutions.
- 2) The Chief Financial Officer/Finance Director is directed to report in writing to the Governing Body at the meeting next succeeding the date when the sale or delivery of Notes pursuant to this Resolution is made. Such report is to include the amount, description, interest rate, maturity of the Notes sold, the price obtained, and the name of the purchaser.
- 3) This Resolution shall take effect immediately upon its adoption.

RESOLUTION #251-2017*

APPOINTMENT OF DEBORAH DANIELSON AS ACTION ALLIANCE COORDINATOR FOR THE TOWN OF NEWTON FOR 2018

BE IT RESOLVED, by the Town Council of the Town of Newton that Deborah Danielson be and is hereby appointed as the Action Alliance Coordinator for the Town of Newton during calendar year 2018.

RESOLUTION #252-2017*

ESTABLISH SCHEDULE OF PUBLIC TOWN COUNCIL MEETINGS FOR 2018

WHEREAS, Section 13 of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to post and maintain posted throughout the year a schedule of the meetings of said public body;

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

December 11, 2017

Sussex County, New Jersey that the following schedule for 2018 indicates all public meetings of the Newton Town Council will be held on the second and fourth Mondays of each month, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey; and

Council Meetings

7:00pm

January	8	and	22	July	16
February	12	and	26	August	13
March	12	and	26	September	12* and 24
April	9	and	23	October	10* and 22
May	9*	and	21	November	26
June	11	and	25	December	10 and 26*

*Held Wednesday

Reorganizational Meeting

Noon

Sunday, July 1, 2018

BE IT FURTHER RESOLVED, that, for the purposes of the Act, the official bulletin board for posting notices shall be the bulletin board in the first floor lobby of the Municipal Building at 39 Trinity Street, Newton, New Jersey, with said board being just outside the door of the Municipal Clerk’s Office; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey Herald and the NJ Sunday Herald, and a copy be filed with the Municipal Clerk; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be mailed to any person requesting notices of meetings of the Town Council pursuant to N.J.S.A. 10:4-19 and whoever has paid the required fee for such notice.

RESOLUTION #253-2017*

RESOLUTION APPROVING REIMBURSEMENTS OF HEALTH INSURANCE BENEFIT PREMIUMS TO FRANK PHILHOWER, JR.

WHEREAS, following his retirement from service with the Town of Newton (“Town”), Frank Philhower, Jr. was required by the Town to remit a monthly payment for the cost of his continued health benefit coverage in order to remain in his selected plan; and

WHEREAS, effective October 11, 2017, in accordance with the arbitration decision docketed as AR-2017-421 and AR-2017-422, Frank Philhower, Jr. is no longer required to provide the Town with any contribution to the cost of his continued health benefits; and

WHEREAS, the arbitrator made the award retroactive to the date of Mr. Philhower’s retirement; and

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton shall reimburse Frank Philhower, Jr. for the total amount of health insurance contributions submitted for the period of February 1, 2017 through October 31, 2017, in the amount of \$4,014.00 in accordance with and to fulfill the arbitration award requirements.

RESOLUTION #254-2017*

DESIGNATE BANKS AS DEPOSITORIES FOR CALENDAR YEAR 2018

BE IT RESOLVED, by the Town Council of the Town of Newton that the following policy is hereby adopted pertaining to Town funds for calendar year 2018:

- 1) The cash management and investment objectives for the Town of Newton

include preservation of capital, adequate safekeeping of assets, maintenance of liquidity to meet operating needs, diversification of the Town's portfolio to minimize risks associated with individual investments, and investment of assets in accordance with State and Federal laws and regulations.

2) The following banks are hereby authorized to be used as depositories for Town funds:

PNC Bank
JP Morgan Chase Bank
New Jersey Cash Management Fund
Sussex Bank
Lakeland Bank
First Hope Bank
Santander Bank, N.A.
TD Bank
Highland State Bank
Valley National Bank
Wells Fargo Bank, N.A.

Beginning with the filing of September 30, 2010 a list of banks that participate in the Governmental Unit Deposit Protection Act (GUDPA) and the type of certificate of eligibility is available quarterly from the State of New Jersey, Department of Banking and Insurance website: http://www.state.nj.us/dobi/division_banking/depositories/gudpa.htm. The Chief Financial Officer/Finance Director will review this site and provide the Town Auditor with a copy of this list.

The above designated official depositories are required to submit to the Chief Financial Officer/Finance Director a copy of the institution's "Annual Report" each year. This may also be satisfied electronically.

3) All funds shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer/Finance Director shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer/Finance Director.

4) Permissible investments for the Town of Newton shall include a) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America; b) government money market mutual funds; c) any Federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors; d) Bonds or other obligations of the local unit or school districts of which the local unit is a part; e) any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments; f) local government investment pools; g) New Jersey State Cash Management Fund; and h) repurchase agreements of fully collateralized securities.

5) The Chief Financial Officer/Finance Director is authorized and directed to make investments on behalf of the Town of Newton. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6) Securities purchased on behalf of the Town of Newton shall be delivered electronically or physically to the Town's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Town.

December 11, 2017

7) The Chief Financial Officer/Finance Director shall report to the Town Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

8) The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

9) The Chief Financial Officer/Finance Director shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

RESOLUTION #256-2017*

APPOINTMENT OF KEITH MITCHELL OF THE MITCHELL INSURANCE AGENCY AS INSURANCE AGENT

WHEREAS, the Town Council of the Town of Newton previously appointed local insurance agents to provide insurance coverage on behalf of the municipality; and

WHEREAS, said insurance services will be needed during calendar year 2018;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Mr. Keith Mitchell, of the Mitchell Agency, 29 Trinity Street, Newton, NJ 07860, be named as agent of record effective January 1, 2018 for the following insurance policies:

- a) Package SIF2018-07860NEW
- b) Workers' Compensation WC1807860NEW
- c) Umbrella Policy SIF2018-07860NEW
- d) Fire Accident Insurance VFP-4231-3258E-2
- e) Fire Life AD&D Insurance G600592-0001

BE IT FURTHER RESOLVED, that the above named insurance agent is appointed to provide insurance services without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because the services to be provided are of a nature requiring specific professional skills and knowledge; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

RESOLUTION #257-2017*

AUTHORIZE AND DIRECT THE TAX COLLECTOR TO SELL MUNICIPAL LIENS IN ACCORDANCE WITH NEW JERSEY LAW IN 2018

WHEREAS, the Governing Body of the Town of Newton in the County of Sussex, New Jersey, desires to collect all taxes, assessments and other municipal charges that are now delinquent; and

WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2017 in a manner prescribed by NJSA 54:5-19 and amended by Chapter 99, Public Laws of 1998;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with the New Jersey Statutes, as described above, and that said sale shall take place in 2018.

RESOLUTION #258-2017*

December 11, 2017

AUTHORIZE THE RELEASE OF EXECUTIVE SESSION MINUTES TO THE PUBLIC, DECEMBER 2016 THROUGH OCTOBER 2017

WHEREAS, the Newton Mayor and Council met in Executive Session on certain occasions; and

WHEREAS, as a result of these Executive Sessions, minutes were prepared and approved by the Mayor and Council although the minutes were not released to the public; and

WHEREAS, the Town Attorney, Town Clerk, and Town Manager have reviewed such approved minutes and recommend the release of certain meeting minutes to the public;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex, and State of New Jersey, that the minutes of the following Executive Sessions be released to the public:

December 12, 2016
December 28, 2016
January 19, 2017
April 24, 2017
May 22, 2017
August 14, 2017
August 28, 2017
September 13, 2017
October 11, 2017
October 23, 2017

BE IT FURTHER RESOLVED that these specified minutes may be released to the public upon request.

RESOLUTION #259-2017*

REIMBURSE TOWN EMPLOYEES FOR VEHICLE EXPENSES FOR CALENDAR YEAR 2018

WHEREAS, certain Town of Newton employees use their private vehicles in connection with Town business; and

WHEREAS, such employees routinely use their vehicles for travel within Sussex County; and

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 the employees listed below will receive the following quarterly allowances for all vehicular trips within Sussex County effective January 1, 2018:

<u>Employee</u>	<u>Position</u>	<u>Estimated Miles/Qtr.</u>	<u>Quarterly Amount</u>
Scott Holzauer	Tax Assessor	200 miles	\$115.00
Deborah Danielson	Recreation Supervisor	200 miles	\$115.00
Jason Miller	Deputy OEM Coordinator	200 miles	\$115.00

BE IT FURTHER RESOLVED, the following employees are to receive an annual stipend for vehicular trips for Town banking purposes:

<u>Employee</u>	<u>Position</u>	<u>Amount</u>
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Theresa Schlosser	Tax Collector	\$150.00
Jacki Shackleton	Utility Collector	\$150.00

BE IT FURTHER RESOLVED that for out-of-town business trips, employees and officers of the Town of Newton who use their personal means of transportation shall be reimbursed, in accordance with the IRS standard allowance for business miles driven, in effect at the time of travel, from Newton to the point of destination and return during calendar year 2018.

RESOLUTION #261-2017*

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

39180	ADVANCE AUTO PARTS	73.08
39181	AG CHOICE, LLC.	480.00
39182	ANN ROSELLEN	1,279.00
39183	AUTO BODY CONNECTION	942.36
39184	AWARENESS PROTECTIVE CONSULTANTS, LLC	250.00
39185	BARRELL HOUSE	50.00
39186	BONNIE MESSINA	647.50
39187	BOONTON TIRE SUPPLY INC.	744.12
39188	CENTER FOR PREVENTION & COUNSELING,	60.00
39189	CENTURYLINK COMMUNICATIONS, INC.	125.85
39190	CENTURYLINK COMMUNICATIONS, INC.	3,564.46
39191	CLIFFSIDE BODY CORP.	7,130.00
39192	CODE 96 LLC	15,875.00
39193	COUNTY OF SUSSEX	7,135.63
39194	DANIELSON, DEBORAH	115.00
39195	DOUGLAS CUMMINS	1,125.00
39196	E.A. MORSE & COMPANY, INC.	2,052.95
39197	ELVIDGE, E. KEVIN	26.66
39198	FAMILY FORD, Inc.	3,768.61
39199	FIRE FIGHTERS EQUIPMENT CO. INC.	304.50
39200	FIRST COMMUNITY DEVELOPMENT	1,783.63
39201	FRISBIE, ARTHUR & RITA	1,302.00
39202	FURGIUELE, CAMILLE	1,125.00
39203	GALLS, LLC	42.51
39204	GARRIS, JEAN	660.00
39205	GOLD TYPE BUSINESS MACHINES	256.00
39206	HOLZHAUER, SCOTT	115.00
39207	HOME DEPOT, INC.	2,509.51
39208	HOME DEPOT, INC.	99.94
39209	ILIFF, JOHN AND TERRY	1,302.00
39210	JACKI SHACKLETON	150.00
39211	JAMES J KILDUFF	642.00
39212	JCP&L	281.52
39213	JOHN MULHERN	3,809.13
39214	KATHERINE CITTERBART	195.85
39215	KAYS, PETER J.	1,302.00
39216	KITHCART, BROCK	37.50
39217	LADDEY, CLARK & RYAN, LLP	9,208.25
39218	LAWMEN SUPPLY CO OF NJ	3,389.55
39219	LOU'S GLASS	325.00

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39220	LOWE'S , INC.	475.76
39221	METZGAR, CLARENCE	1,284.00
39222	MICHAEL A PANDISCIA	642.00
39223	MINISINK PRESS INC	60.00
39224	MORRIS COUNTY POLICE ACADEMY	350.00
39225	MORRIS, THOMAS & BULAH	1,284.00
39226	NEW JERSEY HERALD, INC.	34.20
39227	NEWTON FIRE DEPARTMENT	12,150.00
39228	NEWTON FIRST AID SQUAD	6,125.00
39229	NITE RIDER TECHNICAL LIGHTING SYSTE	134.15
39230	NJCRIMINAL INTERDICTION LLC	398.00
39231	PELLOW, HAROLD & ASSO, INC.	65.00
39232	PHILHOWER, FRANK E JR	4,014.00
39233	PHOENIX ADVISORS, LLC.	1,350.00
39234	QUILL CORPORATION	210.12
39235	RACHLES/MICHELE'S OIL COMPANY, INC.	4,082.52
39236	RAFTERY, VIRGINIA	181.35
39237	RANSNORTH, NANCY	642.00
39238	READ, LORRAINE	192.29
39239	READY REFRESH BY NESTLE	85.59
39240	REISINGER OXYGEN SERVICE, INC.	61.70
39241	RICHARDS, JEAN	660.00
39242	RICHARDS, MICHAEL	274.26
39243	ROMYNS, LARRY E.	636.00
39244	RONALD CLOUSE	1,278.00
39245	SARAH GRUB	387.50
39246	SCHLOSSER, THERESA	75.00
39247	SLOAN, JAMES PPC.	1,231.25
39248	SMITH, WILLIAM F	660.00
39249	SOL AZTEKA MEXICAN GRILL	1,300.00
39250	SOME'S WORLD WIDE UNIFORMS, INC.	440.00
39251	STEVE MILLS	636.00
39252	STEVE VAN NIEUWLAND	50.00
39253	SUI ACCOUNT	5,500.00
39254	SUSSEX COUNTY CHAMBER OF COMMERCE	281.00
39255	TAYLOR OIL CO., INC.	2,709.71
39256	TERESA ANN OSWIN	37.50
39257	THE CANNING GROUP, LLC.	535.71
39258	THOMAS, CHRISTINE M.	150.00
39259	TRIMBOLI & PRUSINOWSKI, LLC.	4,430.00
39260	UNITED TELEPHONE/CENTURY LINK	128.20
39261	VERIZON WIRELESS, INC.	196.38
39262	VOGEL,CHAIT,COLLINS,SCHNEIDER, PC,	1,343.45
39263	W.B. MASON, INC.	1,211.76
39264	WALMART	11.52
39265	WILFRED MACDONALD, INC.	487.57
39266	ZENES, NANCY	654.00
171079	ELAVON	173.37
171078	PAYROLL ACCOUNT	192326.03
39179	RICHARD P SHIELDS	3017.18
39178	LANG, DIANE	600.00
39177	TOYOTA/SUBARU/SCION OF MORRISTOWN I	140.80
39176	ENOM, INC.	49.87

CAPITAL

8683	JMC ENVIRONMENTAL CONSULTANTS, INC.	4,511.63
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Total TOWN BILLS \$ 334,231.48

WATER AND SEWER ACCOUNT

December 11, 2017

16652	AIRMATIC COMPRESSOR SYSTEMS, INC.	1,834.36
16653	CENTURYLINK COMMUNICATIONS, INC.	1,205.31
16654	COYNE CHEMICAL CORP., INC.	2,961.45
16655	ELVIDGE, E. KEVIN	26.66
16656	GARDEN STATE LABORATORIES INC	1,140.00
16657	GRENNILLE, WILLIAM	536.00
16658	HOME DEPOT, INC.	28.48
16659	KKPR MARKETING & PUBLIC RELATIONS	675.00
16660	MOTT MACDONALD	6,692.16
16661	PASSAIC VALLEY SEWERAGE COMM.	5,600.00
16662	SMALLEY, JOHN H	2,570.00
16663	SUSSEX COUNTY P & H, INC.	989.70
16664	TOYOTA MOTOR CREDIT CORP.	472.08
16665	W.B. MASON, INC.	329.87
16666	WAGNER, WILLIAM	1,308.00
176038	STATE OF NEW JERSEY - PWT	442.93
176037	PAYROLL ACCOUNT	37,649.04
16651	ENOM, INC.	49.88

CAPITAL

2466	MONTANA CONTRACTING CORP., INC.	59,375.39
2467	MOTT MACDONALD	7,219.54
2465	MONTANA CONTRACTING CORP., INC.	166,973.52

Total WATER & SEWER Bills \$ 298,079.37

FEDERAL/STATE GRANTS

1390	SCREEN CREATION PLUS	800.00
171125	PAYROLL ACCOUNT	305.87

Total FEDERAL/STATE GRANTS Bills \$ 1,105.87

TRUST ACCOUNT

3678	PELLOW, HAROLD & ASSO, INC.	2,299.43
3679	PELLOW, HAROLD & ASSO, INC.	402.90
3680	SUSSEX COUNTY HABITAT FOR HUMANITY	1,775.25
3681	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	540.00
177124	PAYROLL ACCOUNT	6,763.50

Total TRUST ACCOUNT Bills \$ 11,781.08

DEVELOPERS ESCROW (FUND 72)

1290	CELLCO PARTNERSHIP C/O HIERING, DUP	7.13
1291	MCMANIMON, SCOTLAND 7 BAUMANN, LLC	1,755.20
1292	PELLOW, HAROLD & ASSO, INC.	3,928.95
1293	PELLOW, HAROLD & ASSO, INC.	3,100.20
1292	PELLOW, HAROLD & ASSO, INC.	-3,928.95

Total DEVELOPERS ESCROW (FUND 72) Bills \$ 4,862.53

SUI (FUND 73)

1114	S/NJ EMPLOYER ACCOUNTS	5,419.82
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Total SUI (FUND 73) Bills \$ 5,419.82

HOUSING TRUST FUND (COAH)

159	MCMANIMON, SCOTLAND & BAUMANN, LLC	552.50
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Total HOUSING TRUST FUND (COAH) Bills \$ 552.50

RESOLUTION #262-2017*

TRANSFER OF SCHOOL MONIES FOR THE PERIOD FROM JANUARY 1, 2018 TO JUNE 30, 2018

BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Treasurer be authorized to turn over to the Treasurer of School Monies, as monies become available, \$6,329,097.00 to meet the obligations of the Newton Board of Education, exclusive of Debt Service, in accordance with the Statutes and the request of the Board of Education of Newton;

Amount of Tax Voted Exclusive of Debt Service)	\$12,658,194.00
Amount Received to Date	6,329,097.00
Amount of This Request	<u>6,329,097.00</u>
Balance Due Board of Education	.00

RESOLUTION #263-2017*

**RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY
AUTHORIZING THE PLANNING BOARD OF THE TOWN TO INVESTIGATE WHETHER A CERTAIN
PROPERTY AT 121 WATER STREET (BLOCK 10.01, LOT 4) SHOULD BE DESIGNATED AS A NON-
CONDEMNATION AREA IN NEED OF REDEVELOPMENT**

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 in accordance with the Act, including Section 5 thereof; and

WHEREAS, the Town wishes to utilize the Planning Board's knowledge and expertise in exploring whether 121 Water Street, as depicted on the map attached hereto as Exhibit A and identified on the official tax map of the Town as Block 10.01, Lot 4 (the "Study Area") meets the criteria established by the Act; and

WHEREAS, the Town therefore seeks to authorize and direct the Planning Board to conduct a preliminary investigation of the Study Area and to make recommendations to the Town, all in accordance with the Act;

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

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. INVESTIGATION OF STUDY AREA AUTHORIZED

The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A.40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in the Act, including N.J.S.A.40A:12A-5, to be designated as a non-condemnation area in need of redevelopment.

III. MAP TO BE PREPARED

As part of its investigation, the Planning Board shall prepare a map showing the boundary of the proposed redevelopment area.

IV. PUBLIC HEARING REQUIRED

The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundary of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area.

At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

V. PLANNING BOARD TO MAKE RECOMMENDATIONS

After conducting its investigation, preparing a map of the proposed redevelopment area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Town as to whether the Town should designate the Study Area as an area in need of redevelopment.

VI. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

VII. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the Town Clerk.

VIII. EFFECTIVE DATE

This Resolution shall take effect immediately.

RESOLUTION #264-2017*

APPOINT LOCAL EMERGENCY PLANNING COMMITTEE

WHEREAS, Appendix A:9-41 of the NJ Statutes Annotated, and N.J.A.C. 13:64-2.3 pertaining to Emergency Management, require that every New Jersey municipality create a Local Emergency Planning Committee; and

WHEREAS, the individual appointed as the local Emergency Management Coordinator shall also be a member of, and shall serve as Chairman of, said Local Emergency Planning Committee;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the appointment of the individuals recommended by Emergency Management Coordinator Kenneth A. Teets for membership on the Newton Local Emergency Planning Committee for calendar year 2018 as listed below:

- | | |
|---------------------------|--|
| Kenneth A. Teets | Emergency Management Coordinator |
| Daniel Finkle | Deputy Emergency Management Coordinator |
| Jason Miller | Deputy Emergency Management Coordinator |
| Deborah Danielson | NIXLE Coordinator |
| Chief Michael S. Richards | Newton Police Department |
| Thomas S. Russo, Jr. | Newton Town Manager |
| Scott Verkon, Chief | Newton Fire Department |
| John Paul Couce, Captain | Newton Vol. First Aid and Rescue Squad |
| Kenneth Jaekel | Newton Public Works Supervisor |
| Adam Vough | Assistant Newton Public Works Supervisor |
| Joseph Carr | Licensed Water and Sewer Operator |
| Lorraine Read | Newton Municipal Clerk |

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Teresa Oswin
Kimberly Williams
Joseph Butto
Dr. Kennedy Greene
Gary Cee, Senior VP of Programming

Deputy Municipal Clerk/Assistant to Town Manager
Community Development Director
Newton/Hardyston Construction Official
Newton School Superintendent
Clear Channel Radio

BE IT FURTHER RESOLVED, if any positions become held by different individuals in the 2018 calendar year then said individuals will assume the aforementioned titled responsibilities on Newton Local Emergency Planning Committee.

RESOLUTION #265-2017*

AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 3 WITH YOUR WAY CONSTRUCTION, INC. FOR THE MADISON STREET SIDEWALK IMPROVEMENTS PROJECT, FEDERAL HIGHWAY ADMINISTRATION TRANSPORTATION ALTERNATIVES PROGRAM GRANT

WHEREAS, the Town of Newton awarded the contract for the Madison Street Sidewalk Improvements Project to Your Way Construction, Inc. on December 28, 2016 by the adoption of Resolution #258-2016 for a total contract amount of \$177,142.05; and

WHEREAS, the Town Council adopted Resolutions #154-2014 and #155-2017 on August 14, 2017 which authorized Change Order No. 1 to extend the completion date to September 26, 2017 and Change Order No. 2 increasing the contract by \$6,150.00 for the removal of trees, resulting in a new contract total of \$183,292.05; and

WHEREAS, the project was completed on September 26, 2017 and all final contract quantities were measured and calculated at that time; and

WHEREAS, the Consulting Engineer, John Ruschke, P.E. of Mott MacDonald, has prepared Change Order No. 3 (Final Change Order) to decrease the total contract amount by \$22,993.79 for the final contract quantities with a new contract total of \$160,298.26; and

WHEREAS, the attached Change Order No. 3 outlines the completion time extension from Change Order No. 1, the cost increase from Change Order No. 2 and the decrease from Change Order No. 3; and

WHEREAS, the Town has accepted and approved the improvements as complete and final;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Newton we hereby approve Change Order No. 3 (Final Change Order) to decrease the total contract amount by \$22,993.79 to a new contract total of \$160,298.26. This change order is contingent upon the approval by the New Jersey Department of Transportation.

RESOLUTION #266-2017*

AUTHORIZING THE SALE OF BRINE SOLUTION TO MUNICIPALITIES

WHEREAS, the Town of Newton has the equipment necessary to make a brine solution which is used on roadways in preparation for inclement weather; and

WHEREAS, in the past, other municipalities have purchased the brine solution from the Town of Newton; and

WHEREAS, the Newton Town Council desires to authorize the sale of brine solution to other municipalities to the extent it is available, subject to the terms and conditions of this Resolution; and

WHEREAS, the New Jersey Local Public Contracts Law authorizes the sale of items such as the brine solution to a local government agency in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-36(2), without the need for bids or public auctions;

December 11, 2017

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

1. The Town of Newton may sell to other municipalities brine solution to the extent that the Town of Newton has the solution available.
2. The DPW Supervisor or his designee shall be responsible for monitoring the quantities of brine solution sold and provide the information to the Town of Newton CFO or his/her designee for invoicing purposes.
3. The sale price of the brine solution at the time of this Resolution is \$0.50 per gallon; however, the Town of Newton reserves the right to adjust the sale price in the event the costs to the Town of Newton increase during the term of this Resolution. Upon receipt of the invoice, the purchasing municipality shall submit a purchase order or voucher to the Town of Newton. Payment of the invoice is expected within 30 days of the invoice date.
4. A copy of this Resolution shall be placed on file with the Clerk of the Town of Newton.
5. This Resolution shall take effect immediately and shall remain in effect through December 31, 2018, or as such time as the Town Council modifies or repeals this Resolution.

RESOLUTION #267-2017*

TO CANCEL CURRENT REVENUE RECEIVABLE AND APPROPRIATION BALANCES

WHEREAS, the Town of Newton adopted a Chapter 159 resolution for a Municipal Alliance Match in the amount of \$1,500.00 per Resolution #200-2017 adopted October 11, 2017; and

WHEREAS, these funds were already included in the 2017 Current Budget as anticipated revenues as Other Special Items of Revenue in the amount of \$500 each from the Township of Andover, Borough of Andover, and Township of Green; and

WHEREAS, the following Current Fund 2017 revenue receivable needs to be cancelled:

Public & Private Revenues – Munic. Alliance Grant-Match A/C #1043663
\$1,500.00

WHEREAS, the following Current Fund 2017 budget appropriation balance needs to be cancelled:

Pub. & Priv. Program O/S Cap – Munic. Alliance Grant-Match #1094863
\$1,500.00

WHEREAS, per NJSA 40A:4-60 any unexpended balances of appropriations may, by resolution of the Governing Body, be canceled prior to the end of the fiscal year;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton that the above listed revenue receivable and unexpended balances of the 2017 Current Budget be canceled.

RESOLUTION #268-2017*

APPOINTMENT OF JOYCE FRANKLIN AS SENIOR CITIZEN COORDINATOR FOR THE TOWN OF NEWTON FOR 2018

BE IT RESOLVED, by the Town Council of the Town of Newton that Joyce Franklin be and is hereby appointed as the Senior Citizen Coordinator for the Town of Newton during calendar year 2018.

RESOLUTION #269-2017*

AUTHORIZE REFUND OF TAXES; BLOCK 7.12, LOT 43 DUE TO BANKRUPTCY

WHEREAS, US Bank Cust BV002 purchased a lien known as Tax Sale Certificate # 2017-002 on Block 7.12, Lot 43, also known as 5 Ashford St., for delinquent 2016 taxes on October 20, 2017; and

WHEREAS, Eric Kalugin, the owner of 5 Ashford St., filed bankruptcy on October 8, 2017 and the Tax Collector was not notified by the US Bankruptcy Court in time to withhold it from the Tax Sale; and

WHEREAS, the Town of Newton’s Bankruptcy Attorney, Angelo Bolcato, Esq., recommended the Tax Sale Certificate be rescinded immediately and the lienholder be refunded for taxes, interest and the premium paid; and

WHEREAS, the Tax Collector has determined the amount to be refunded for the taxes including interest to the lien holder, US Bank Cust BV002, is \$19,895.86 in addition to the amount of the premium, \$24,600.00;

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 US Bank Cust BV002; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue said refund in the amount of \$19,895.86 for the taxes and interest and \$24,600.00 for the return of the premium, to US Bank Cust BV002 Trst & Crdtrs., 50 South 16th Street, Suite 2050, Philadelphia, PA 19102.

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

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

RESOLUTION #260-2017

AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR KKPR MARKETING AND PUBLIC RELATIONS

WHEREAS, the Town of Newton has a need to promote the Town and events through social media and other venues and ensure the public is well informed regarding events sponsored by the Town of Newton, by KKPR Marketing and Public Relations through a 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 the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for the 2018 calendar year (s); and

WHEREAS, KKPR Marketing and Public Relations in the aggregate is expected to sell in excess of the pay to play threshold of \$17,500.00; and

WHEREAS, KKPR Marketing and Public Relations has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies KKPR Marketing and Public Relations 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 KKPR Marketing and Public Relations, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer hereby certifies that subject to the Governing Body appropriating sufficient funds in the 2018 Temporary and Permanent budgets, funds NOT TO EXCEED \$19,000.00 will be encumbered as follows:

2018 Current Budget- Town Manager, Marketing #1050244
2018 Water Sewer Utility Budget – Marketing #6051244

“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with KKPR Marketing and Public Relations not to exceed \$19,000 for the 2018 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.

Councilman Flynn had questions regarding the KKPR Marketing, which was addressed by Mr. Russo. Mr. Russo advised Kimberly Williams, Community Development Director, will be responsible for managing and coordinating the marketing with KKPR Marketing effective December 1, 2017.

After a brief discussion, a motion was made by Mr. Flynn to approve **Resolution #260-2017**, 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	

RESOLUTION

RESOLUTION #255-2017

AUTHORIZING WAIVING OF WATER AND SEWER UTILITY CHARGES FOR THE NEWTON VOLUNTEER FIRST AID SQUAD FOR CALENDAR YEAR 2018

WHEREAS, the Newton First Aid Squad, “NFAS”, is a not-for-profit entity, comprised solely of volunteers that provide emergency assistance to the Newton community; and

WHEREAS, the “NFAS” owns Block 22.01, Lot 24 also known as 66 Sussex Street, which houses their vehicles, equipment, and provides for a meeting place; and

WHEREAS, the “NFAS” operating expenses are funded through donations and fundraising efforts; and

WHEREAS, the Newton Town Council supports the efforts of the “NFAS” and would like to assist, so they may continue to provide this valuable emergency service to the people of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby waives the water and sewer utility charges incurred at Block 22.01, Lot 24 by the Newton First Aid Squad for calendar year 2018.

A motion was made by Mrs. Le Frois to approve **Resolution #255-2017**, seconded by Mr. Flynn and roll call resulted as follows:

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

INTERMISSION – None

DISCUSSION

a. **Dr. Robertozzi – Community Center**

Dr. Robertozzi addressed the Council to update on the status of the proposed Community Center. He advised at his last presentation to the Governing Body he was looking at property owned by Sussex County Community College (SCCC). After meeting with the SCCC Board, the project was declined by the College. Dr. Robertozzi then asked if the Town would have property in Newton that could be utilized for this project. He noted this project needs at least seven (7) acres.

Mr. Russo advised he and Jessica Caldwell, Town Planner, reviewed three properties in Newton with potential for the proposed sports complex. He further advised Memory Park was not a viable option. Dr. Robertozzi will contact the three property owners to review his proposal with them and will keep the Town up to date on his findings.

After a brief discussion, the Town Council was supportive of Dr. Robertozzi's proposed sports complex as well as keeping the facility in Newton. Council looks forward to the update on this project.

OPEN TO THE PUBLIC

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

COUNCIL & MANAGER COMMENTS

Mrs. Le Frois commended the tree lighting event held this evening and thanked all involved for their contributions.

Mrs. Le Frois also thanked Newton Recreation for the success of the Senior Luncheon held on Sunday, December 10, 2017 at Newton High School. Additionally, she wished everyone the best of holidays.

Mrs. Diglio wished everyone a Happy Holiday.

Mayor Levante advised of his recent meeting at Liberty Towers. They are in need of some renovations and would like the Town to support them where possible. He feels

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this facility is an asset to the community and asked the Town Manager to meet with the Executive Director at Liberty Towers.

Mayor Levante requested the Town to continue the Code Enforcement efforts in and around the Town of Newton.

Mayor Levante, noting the recent Harry Potter event, requested the Town Attorney research how some of the overtime costs (Newton PD & DPW) paid by the Town can be offset by the participants of these large events.

Mrs. Diglio noted there are Veterans residing at Liberty Towers. Mayor Levante indicated Home Depot would assist if Veterans were residing at the facility and the Executive Director was reviewing the information.

EXECUTIVE SESSION

Upon motion of Mrs. Diglio, seconded by Mr. Flynn and unanimously carried, Council entered Executive Session at 8:33 pm.

Upon motion of Mrs. Le Frois, seconded by Mr. Flynn and unanimously carried, Council left Executive Session at 10:44pm.

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Mr. Flynn and unanimously carried, the meeting was adjourned at 10:44 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk