

February 12, 2018

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Mr. Flynn, Mrs. Le Frois, Mrs. Diglio, Deputy Mayor Elvidge, 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 January 4, 2018."

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 January 22, 2018 Regular and Executive 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 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."

Mr. Neil Flaherty, 154 Sparta Avenue. Mr. Flaherty questioned the circumstances which brought about the litigation with Mid-America Salt in Resolution #41-2018 and what the allegations were against the Morris County Cooperative and the Town of Newton.

Ms. Leo explained Mid-America Salt filed suit against over 30 municipalities, counties and the Morris County Co-op, who is the agency responsible for receiving bids. The magistrate for the matter, as this is a federal court case, held a case management conference and encouraged municipalities to settle. At this point there has been no discovery or further action, so we are at the point where we are settling now. Mr. Flaherty further questioned what the allegations against the Town were. Ms. Leo explained it was a contract claim, explaining when a municipality submits estimates as part of the Co-op request, Mid-America's claim is the municipality is bound by that amount. Mr. Flaherty thanked Ms. Leo for her explanation.

Next, Jacki Espinosa of Jersey Central Power & Light, 56 Hampton House Road, and with the Sussex County League of Municipalities came forward. Ms. Espinosa introduced Ms. Chris Quinn, Deputy Mayor of Sparta and President of the Sussex County League of Municipalities. Ms. Espinosa stated they were in attendance to speak about the League's

upcoming meeting on March 15th and distributed invitations to the Deputy Clerk for the Council for the meeting. Ms. Quinn came forward and gave an overview on the upcoming meeting. It is called a "Municipal Intervention" and will be a panel discussion on the topic of Opioid abuse. They are holding the meeting in hopes of getting all 24 municipalities in the County to attend and for all to get on the same page on this very important topic.

Councilwoman Le Frois thanked both women for attending and expressed her gratitude for the Sussex County League for talking about this important topic. Mrs. Le Frois went on to state the Town of Newton, over the last few years, has taken the lead on not only educating people but also creating programs to help our residents and County residents with regards to this issue. Chief Richards has taken a leadership role with the Center for Prevention and Counseling and the CLEAR Program. Mrs. Le Frois went on to say as a municipality we are very encouraged to see other municipalities come on board and recognize this issue and become members of the CLEAR Program and join us in the advocacy work on the opioid epidemic. Ms. Quinn thanked Mrs. Le Frois for her support and stated the goal was to network and share information.

Mr. Russo questioned Ms. Quinn on whether the League has taken a position on the lawsuit that has been going on. He went on to say he has been approached by the County regarding a lawsuit discussion. A law firm has reach out to both the County and the Town about a possible class action suit on the matter and he questioned whether this will be part of the discussion on March 15th. Ms. Quinn stated this will not be a topic of discussion and she was not aware of any lawsuit. Mr. Russo advised he will reach out to Ms. Quinn offline on the matter. Ms. Quinn stated the purpose of the March 15th panel discussion is about education, networking and coming up with solutions that we can all share.

Mayor Levante added his thanks for the efforts everyone involved.

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

COUNCIL & MANAGER REPORTS

a. **Mayor Levante** – continues interacting with the merchant groups and making progress and will elaborate later when the proposed resolution is discussed.

b. **Deputy Mayor Elvidge** – thanked the Police Department, Public Works and Water & Sewer for their contributions to the budget discussions this past Thursday and Saturday.

c. **Councilwoman Le Frois** – publicly thanked the Police, Fire, Public Works, Auditor, Tom and staff for their input during the long budget discussions. It shows how much work goes into the budget. Lastly, Mrs. Le Frois thanked the members of the public that attended the meetings on Thursday and Saturday. Our goal is to be transparent and appreciates everyone that participated.

d. **Councilman Flynn** – thanked the department heads for giving a thorough explanation of all their budgetary needs. Thanked the engineers, Public Works, Planning/Zoning, Tom’s office and staff.

e. **Councilwoman Diglio** – expressed thanks on the budget work. Mrs. Diglio also advised she attended the Valentine’s Day Dinner Dance hosted by the GNCC on Saturday night. About 70 people attended. The band was good for listening, but not for dancing. Overall, the night was a success, and she hopes it will be held again next year.

f. **Town Manager Russo** – nothing at this time.

ORDINANCES

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

ORDINANCE #2018-3

AN ORDINANCE TO EXCEED THE 2018 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

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

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, February 26, 2018.

OLD BUSINESS

a. Spring Street Parking Analysis – No Update

No update at this time.

b. Town Events and Fees – Update

A draft resolution was presented to Council for consideration and discussion. Mr. Russo gave an overview of the key points in resolution which will set guidelines for events held in the town. As proposed:

RESOLUTION RECOGNIZING TOWNS EVENTS AND TOWN ENDORSED EVENTS

WHEREAS, the Town of Newton sponsors certain events throughout the year and endorses other privately held events for which it lends specified assistance; and

WHEREAS, the Town Council of the Town of Newton has adopted a policy whereby it will recognize Town and Town endorsed events by Resolution to be considered on an annual basis.

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 there shall be two categories of events run or endorsed by the Town:

Town Events – Events that are run by the Town.

Town Endorsed Events – Privately held events the Town will provide specified assistance to (some of which will be free, other which will include escrow or other fee payment).

BE IT FURTHER RESOLVED that the Town events and Town endorsed events for the year 2018 shall be as follows:

Town Events	Town Endorsed Events
<i>Easter Egg Hunt</i>	<i>Saint Patrick's Day Parade</i>
<i>Recreation Events at Newton Town Pool</i>	<i>May the 4th Be With You</i>
<i>Halloween Parade</i>	<i>Memorial Day Parade</i>
<i>Ladies' Night Out</i>	<i>Newton Day/Fireworks</i>
<i>Movie Nights @ Memory Park</i>	<i>Taste of Newton</i>
<i>Bacon, Brews & Blues Festival</i>	<i>Fall Festival</i>
<i>Miss Newton Contest</i>	<i>Holiday Parade/Wizards Event</i>
<i>Farmers Market</i>	
<i>Town-wide Garage Sale</i>	
<i>Neighbors Helping Neighbors</i>	

<i>Annual Christmas Tree Lighting</i>	
<i>Newton Recreation Department Events</i>	

BE IT FURTHER RESOLVED that Town endorsed events must meet the following criteria:

1. *The event must be sponsored by a private non-profit organization located within the Town or County.*
2. *The event must be open to all Town residents, whether free or by fee.*
3. *Each organization shall be limited to one or two events per calendar year.*
4. *The Greater Newton Chamber of Commerce (GNCC), due to its importance and special relationship with the Town of Newton for many decades, shall be limited to six (6) outdoor events per calendar year.*
5. *Organizations utilizing Town-owned facilities, parks or roadways must be in compliance with all applicable resolutions and ordinances of the Town of Newton.*
6. *Each organization is required to inform the Newton Town Manager's Office in writing the date of an event at least sixty days prior to the event. The written notice must also include their request of the Newton DPW and/or the Newton Police.*
7. *The Newton Town Manager shall review all DPW and/or Police requests and determine the amount of escrow funds necessary to be provided by the sponsoring organization to the Town of Newton. Any funds not utilized for the event shall be returned after the event within 30 days by the Town of Newton Finance Department to the sponsoring organization.*
8. *Each organization shall be responsible for providing honest and thorough answers to the "Town of Newton Event Checklist Application" which will be available at the Community Development Office in the Town of Newton. The Community Development Director and Town Manager shall both be required to be signatories on a final event checklist application which must be completed no later than seven (7) calendar days prior to the event. The Town will not charge a fee for the review of said event checklist application.*
9. *Town endorsed events may include but not be limited to the following: shows, carnivals, circuses, festivals, fairs, flea markets, outdoor plays, dances, concerts or theatrical events, parades, sporting events not sponsored by the Town of Newton or Town of Newton recognized league; any event requiring temporary or permanent closure of any Town streets or sidewalks or impacting the public health, safety and welfare of the Town or its residents; excludes funerals, memorials, graduations or Town sponsored functions.*

The Council discussed the merits of the proposed resolution. Mr. Russo stated doing a resolution as opposed to an ordinance will allow for discussion during the October – December budget planning, and allowing to change the events listed in the resolution each year in January.

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. At this time Mayor Levante asked to pull Resolution #39-2018 for discussion. Mrs. Diglio stated she would like to recuse herself from Check #39528.

RESOLUTION #37-2018*

Concur with the Recommendation of the Utility Advisory Board in 8-10 Douma Court to Connect to the Town of Newton Sanitary Sewer System

WHEREAS, at the December 20, 2017 meeting of the Utility Advisory Board, Mr. Hristos Kaltsas, owner of Block 6.01, Lot 6, known as 8-10 Douma Court, Newton, New Jersey, appeared to request permission to abandon the existing on-site septic system on his property and connect into the Newton Sanitary Sewer system on Douma Court; and

WHEREAS, after review by the Town Water Engineer, David B. Simmons, Jr., PE, LS, CME of Harold E. Pellow & Associates, Inc., of the plans submitted, the Utility Advisory Board met on January 23, 2018 and approved Mr. Kaltsas' request with several conditions; and

WHEREAS, the conditions of approval with fees and costs are outlined in Mr. Simmons memo dated January 15, 2018 and email dated January 22, 2018, which is attached to and made part of this Resolution; and

WHEREAS, the applicant is further required to record a deed to himself indicating his responsibility, so any prospective future owner of the property would be aware if a title search was performed on said property;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body hereby concurs with the recommendation of the Utility Advisory Board and approves the conditions with fees and costs set forth in Mr. Simmons memo dated January 15, 2018 and email dated January 22, 2018 for Block 6.01, Lot 6.

Newton Utility Advisory Board
RE: Lands of Hristos Kaltsas
8-10 Douma Court
Block 6.01, Tax Lot 6
Town of Newton, Sussex County
January 15, 2018

- c. New 1,500 gallon poly pump tank to collect sanitary waste from both #8 and #10 Douma Court and pump it up to the existing sanitary sewer manhole in the center of Douma Drive.
- 5. The sanitary sewer plan provided is basically conceptual in scope and will have to be revised to include all details and information required by the Sussex County Health Department and Newton Water & Sewer Utility, including the following:
 - a. Typical trench details.
 - b. Sewage pump make and model numbers, along with hydraulic calculations.
 - c. Alarm systems.
 - d. Inverts of all components.
 - e. Trench repair details.
 - f. Pavement/concrete walk/curb details for work in Douma Court.
 - g. Tank ballast and backfill material.
 - h. Underground warning ribbons.
- 6. The Applicant indicated in an earlier utility board meeting that the existing well that serves the subject property is located near the northeasterly corner of #10 Douma Court. The well to be shown on the plan, along with the connecting piping going from the utility room in #10 Douma Drive to #8 Douma Drive.
- 7. The quarterly sanitary sewer charge is based on water volume used. Since the two existing buildings are not connected to the Town's public water system, there will have to be a new water meter installed in #10 Douma Court where the existing supply line from the well enters the building, prior to any tap used by either building.
- 8. For reference purposes, I have attached a photo of the subject property that shows #8 and #10 Douma Court.

The plan shows a silo, shed, and remains of a barn, which are also shown in the photo.

The Applicant to confirm that there are no plans to convert any of the remaining structures and/or add sanitary sewer facilities into any of the remaining structures.
- 9. There is an existing stream, and possibly some existing wetlands on the Fredon Township side of the municipal boundary line by the subject property. The Applicant to determine if there are any wetlands/transition areas on the subject property, and obtain any NJDEP required permits as needed.
- 10. The following approvals will be required for the proposed installation:
 - a. Sussex County Health Department
 - b. Newton Construction Official
 - c. Newton Water & Sewer Utility

HAROLD E. PELLOW & ASSOCIATES, INC.
Established 1969
17 PLAINS ROAD, AUGUSTA, NEW JERSEY 07822-2009 • TELEPHONE: 973-948-6463 • FAX: 973-948-2916
CERTIFICATE OF AUTHORIZATION NO. 24GA27959300

Newton Utility Advisory Board
RE: Lands of Hristos Kaltsas
8-10 Douma Court
Block 6.01, Tax Lot 6
Town of Newton, Sussex County
January 15, 2018

- d. Newton DPW – Street Opening
- e. NJDEP – Wetland Permits
- 11. All costs associated with the proposed sanitary sewer tie-in will be the responsibility of the Applicant and will include, but not be limited to, the following:
 - a. Section 100-19I – Sanitary Sewer Tap Charge: \$ 600.00
 - b. Section 100-19J(1) – Sewer Connection
3 Apartments @ \$5,933.00 Per Apartment: - \$17,799.00
 - Total: \$18,399.00
 - c. Water Meter and Outside Reader with Lockable Shut-Off Valve
- 12. The property owner will be responsible for all sanitary sewer charges to the Town of Newton.

Any reimbursement from the tenants to the property owner is between those parties and does not involve the Town of Newton.
- 13. In the event of non-payment, the property owner has to grant the Town the right to enter the subject property to shut the water meter valve off and secure it by lock until the outstanding bill is paid.
- 14. An as-built plan prepared by the Applicant's New Jersey licensed land surveyor to be prepared and provided to the Town upon completion of the project.

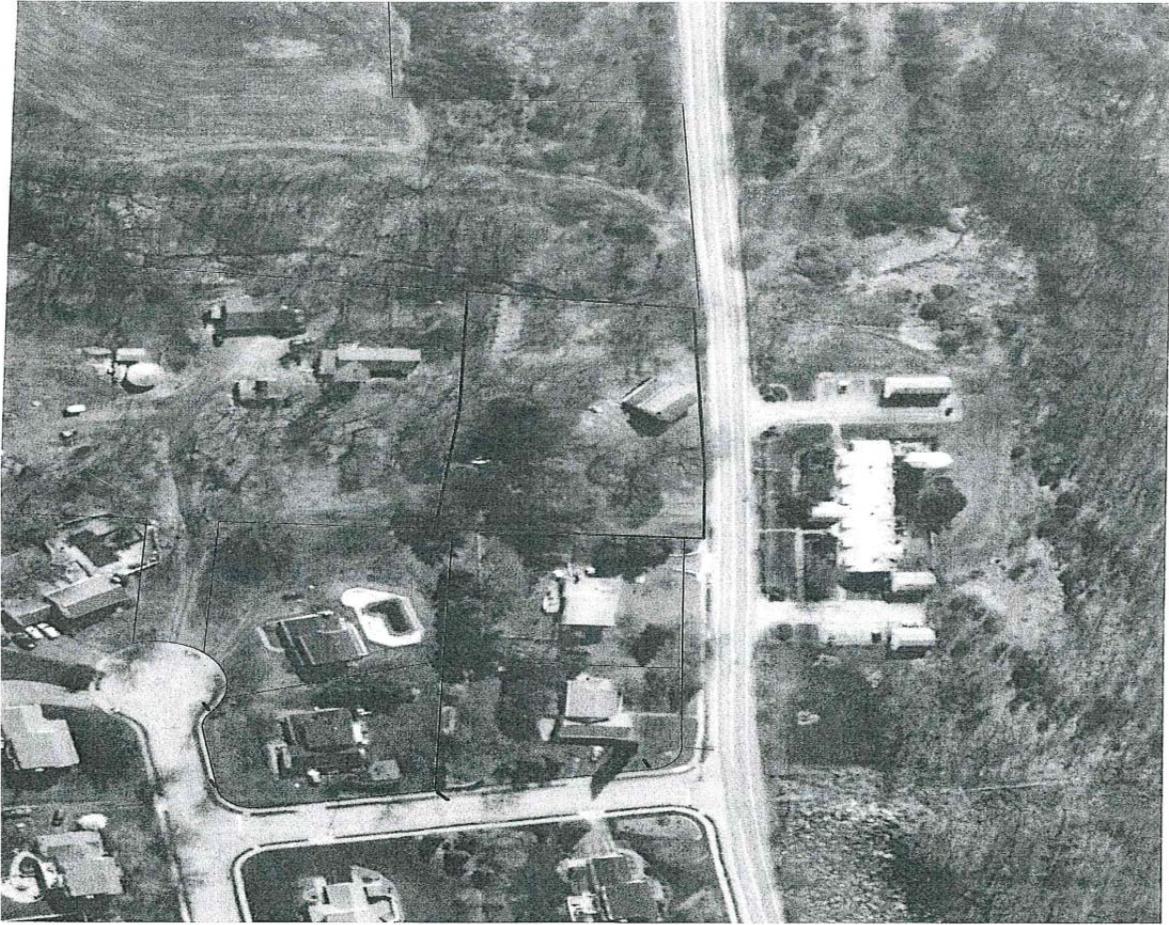
Very truly yours,
David B. Simmons, Jr. /js
David B. Simmons, Jr., P.E., L.S., C.M.E. for
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineers

DBS:mac
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Enclosure

cc: VIA E-MAIL
J. Shackleton, Newton Utility Advisory Board Secretary
J. Carr, Newton Licensed Water & Sewer Operator
K. Jaekel, Newton DPW Supervisor
J. Butto, Newton Construction Official
H. Bach, III, P.E.

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CERTIFICATE OF AUTHORIZATION NO. 24GA27959300



Jacki Shackleton

From: David Simmons <DSimmons@hpellow.com>
Sent: Monday, January 22, 2018 1:15 PM
To: "Thomas Lawler"
Cc: dvrahnos@embarqmail.com; lockwood@embarqmail.com; Carchia, Ralph;
RAFFAELE.CARR@YAHOO.COM; jcarr@newtontownhall.com; Jacki Shackleton
Subject: RE: NEW UAB DATE 1.23.18 - Questions

1/22/18

Tom.....

In response to your questions below....

1. There is no subdivision involved with this application (existing lot), so the RSIS standards don't apply directly. With regards to the water availability, I don't believe anything is changing on the "supply" side, ie water flow from the well. The "discharge" side from a septic system to the sanitary sewer is what is changing.

I believe that any capacity of the existing well system to serve the dwelling units in the two buildings should be in the jurisdiction of the Sussex County Health Dept. I suggest the UAB make SCHD a condition of any approval it may consider granting on this application.

2. I believe any NJDEP wetlands permits required would have to be a "third party approval", and that any approval the UAB may consider be conditioned upon receiving approval from NJDEP for any wetland/transition area permits needed, or providing documentation to confirm that NJDEP approval for any wetland/transition area approvals are not required.

3. Since the proposed tie-in to the Newton Sanitary Sewer system involves a pumping system, I would suggest that as a condition of any approval from the UAB, that a condition be the property owner is responsible for the entire system, all the way to the existing manhole in Douma Court. There could be a deed recorded from the property owner to himself indicating this, so that any future owner of the property would find this requirement out when they did a title search on the property prior to purchase/closing.

David B. Simmons, Jr. for
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineers

-----Original Message-----

From: Thomas Lawler [mailto:tomlawlernewton@yahoo.com]
Sent: Sunday, January 21, 2018 3:16 PM
To: David Simmons <DSimmons@hpellow.com>
Cc: dvrahnos@embarqmail.com; lockwood@embarqmail.com; Carchia, Ralph <RCarchia@RANDOLPHNJ.ORG>;
RAFFAELE.CARR@YAHOO.COM; jcarr@newtontownhall.com; Jacki Shackleton <jshackleton@newtontownhall.com>
Subject: Re: NEW UAB DATE 1.23.18 - Questions

Good morning David

Sorry to be pain.

RESOLUTION #38-2018*

Authorize the Award of a Required Disclosure Contract for Fire & Safety Services Ltd

WHEREAS, the Town of Newton has a need to maintain fire apparatus and provide for required maintenance and repairs through Fire & Safety Services Ltd, 200 Ryan Street, South Plainfield, NJ 07080, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

February 12, 2018

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

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

WHEREAS, for Fire & Safety Services Ltd., it is anticipated during the 2018 budget year that services will exceed in the aggregate the Pay-to-Play threshold of \$17,500.00; and

WHEREAS, Fire & Safety Services Ltd., has completed and submitted a Business Entity Disclosure Certification and Political Disclosure Contribution form, which certifies that Fire & Safety Services Ltd. 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 Fire & Safety Services Ltd., from making any reportable contributions through the term of the contract; and

WHEREAS, subject to the Governing Body appropriating sufficient funds in the 2018 Current Budget – Vehicle Maintenance #1083300, the Chief Financial Officer will certify funds pursuant to NJAC 5:30-5.5 (b) open-end contract (2) through the budgetary accounting encumbrance process set forth in NJAC 5:30-5.3(c) and 5:30-5.4(b), in an amount NOT TO EXCEED \$26,000.00.

"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 Fire & Safety Services Ltd, 200 Ryan Street, South Plainfield, NJ 07080, not to exceed \$26,000.00 for the 2018 calendar year; and

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

RESOLUTION #40-2018*

2017 Tonnage Grant Application

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2017 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Town of Newton's Mayor and Town Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulation; and

February 12, 2018

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Newton that the Town of Newton hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates the Sussex County Municipal Utility Authority for the services of Certified Recycling Professional, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of the recycling.

RESOLUTION #41-2018*

Resolution Authorizing the Execution of a Settlement Agreement and Release Concerning the Mid-American Salt Litigation

WHEREAS, the Town of Newton is currently involved in litigation filed in the United States District Court of New Jersey by Mid-American Salt, LLC ("Mid-American") entitled Mid-American Salt, LLC v. Morris County Cooperative Pricing Council, et al., Docket No. 2:17-cv-04262 (SDW/LSW), concerning an agreement to purchase roadway rock salt during the winter of 2016-17; and

WHEREAS, since the filing of the litigation, the parties have worked to address and amicably resolve the claims asserted in the litigation, and now desire to enter into a Settlement Agreement and Release to resolve this pending litigation; and

WHEREAS, settlement of the litigation presents an opportunity for the Town of Newton to resolve the matter pending between parties, which will result in significant cost savings and other benefits to the Town of Newton, and will provide certainty regarding the outcome of claims asserted, and serves the interest of the public; and

WHEREAS, without admitting liability or fault in the litigation, the Town of Newton desires to settle the litigation by making a payment of \$11 per ton for seventy (70%) percent of the estimate for rock salt that it submitted to the Morris County Cooperative Pricing Council ("MCCPC") for inclusion in the 2016-17 Bid Package, which totals \$6,160.00, in full satisfaction of the claim, and execution of a Settlement Agreement and Release;

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

1. The Mayor and/or Town Manager are hereby authorized and directed to sign a Settlement Agreement and Release on behalf of the Town, a copy of which is on file in the Town Clerk's Office.
2. The Mayor, Town Manager, Clerk, Town Attorney, and other appropriate officers, employees and professionals, are hereby authorized and directed to prepare, revise and execute any and all documents and undertake any and all acts necessary to effectuate the settlement.

RESOLUTION #42-2018*

Resolution to Accept the Certified List of Qualifying 2017 Newton Fire Department LOSAP Participants

WHEREAS, the Length of Service Awards Program (LOSAP) for the Newton Volunteer Fire Department was approved by the Mayor and Council through the passage of Ordinance #2003-12 on August 11, 2003, confirmed by Resolution #104-2003, and approved by Newton voters as a public question at the General Election on November 4, 2003; and

February 12, 2018

WHEREAS, the Newton Volunteer Fire Department has certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 2003-12, to receive an amount between \$115.00 and \$1,150.00 based on points credited for volunteer services rendered in 2017 as per the 2017 LOSAP LIST attached; and

WHEREAS, the total number of qualifying volunteers for the Fire Department is 30, for a total contribution of \$21,792.50; and

WHEREAS, the Chief Financial Officer has certified sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2017 to cover the cost of this contribution;

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council do hereby accept the certified list from the Newton Fire Department dated January 20, 2018.

2017 LOSAP - NEWTON FIRE DEPARTMENT

	Last	First	MI	2017
1	BAILEY	WILLIAM	JR	1,150.00
2	BENCIVENGA	MICHAEL	J	287.50
3	BLAKELY	CHRISTO		1,150.00
4	BOWNE	DOUGLAS	R	1,150.00
5	CARD	JEAN		287.50
6	CATON	ROBERT		115.00
7	COOPER	GARY	R	1,150.00
8	DAYERMANJIAN	RICHARD	JR	115.00
9	DIENER	JEFFREY	R	1,150.00
10	ESTLER	STEVEN		1,150.00
11	FLANAGAN	JOHN		115.00
12	HAYES	MICHAEL		575.00
13	LEMASSON	JOSHUA		1,150.00
14	MANDARA	NICK		287.50
15	MCCARTY	EUGENE	R	1,150.00
16	MILLER	JASON	J	1,150.00
17	NAUMOWIZ	PETER		115.00
18	PERIGO	ANTHONY		1,150.00
19	PERIGO	CHRIS		115.00
20	PHLEGAR	JAY		1,150.00
21	RAZZANO	ANTHONY MICHAEL	JR	1,150.00
22	RAZZANO	ANTONIO		1,150.00
23	SCHIFFNER	JEFFREY	B	287.50
24	STREETER	MICHAEL		575.00
25	TEETS	MICHAEL		1,150.00
26	URENA	JOSE		1,150.00
27	VERKON	SCOTT	J	1,150.00
28	WEBER	CHARLES		287.50
29	WECHTLER	DEREK	J	115.00
30	YAZDANFAR	KAMRAN		115.00
				21,792.50

RESOLUTION #43-2018*

Authorize the Award of a Required Disclosure Contract for Garden State Laboratories Inc.

WHEREAS, the Town of Newton has a need to maintain the public health, safety and welfare of its water supply and provide for required quality and health testing through Garden State Laboratories Inc., 410 Hillside Ave, Hillside, N.J. 07205, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

February 12, 2018

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

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

WHEREAS, it is anticipated that during the 2018 budget year Garden State Laboratories Inc., services will exceed in the aggregate the pay to play threshold of \$17,500.00; and

WHEREAS, Garden State Laboratories Inc., has completed and submitted a Business Entity Disclosure Certification and Political Disclosure Contribution form, which certifies that Garden State Laboratories Inc., 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 Garden State Laboratories Inc., 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 budget, funds NOT TO EXCEED \$26,000.00 will be encumbered as follows:

2018 Water Sewer Utility Budget – Water Lab/Svc/Supply #6064237	\$ 7,000
2018 Water Sewer Utility Budget – Sewer Lab Svc/Supply #6077237	\$17,500
2018 Current Budget - Pool #1090217	\$ 1,500

"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 to utilize Garden State Laboratories Inc., 410 Hillside Ave, Hillside, N.J. 07205, for required quality and health testing for its drinking water and sewer analysis and pool sampling and said services shall not exceed \$26,000.00 for the 2018 calendar year; and

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

RESOLUTION #44-2018*

Reappointment of Emergency Management Coordinator

BE IT RESOLVED by the Town Council of the Town of Newton that Kenneth A. Teets is hereby reappointed to a three-year term as Emergency Management Coordinator for the Town of Newton, in accordance with State law. Said term will expire on December 31, 2020.

RESOLUTION #45-2018*

**RESOLUTION AND AGREEMENT
FOR PROFESSIONAL SERVICES**

DEPUTY PUBLIC DEFENDER

WHEREAS, there exists a need for special counsel to be appointed as Deputy Municipal Public Defender to represent defendants before the Town of Newton Municipal Court for calendar year 2018; and

February 12, 2018

WHEREAS, John Paul Velez, Esq., has agreed to perform the services of Deputy Municipal Public Defender at a rate of \$150.00 per client, with an amount not to exceed \$1,500.00 which the Newton Town Council deems fair and equitable for said professional services; and

WHEREAS, the Town of Newton's Chief Financial Officer certifies funds will be provided in the 2018 Municipal Current Budget – 'Legal Services – Other Expenses' for expenditures pertaining to this open-ended contract for said municipal matters; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids and the Contract itself, must be available for public inspection;

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

1. The Mayor and Clerk of the Town of Newton are hereby authorized and directed to execute a duplicate of this resolution which shall act as the authority and agreement between the Town of Newton and John Paul Velez, Esq., providing for his retention as Deputy Municipal Public Defender in and on behalf of the Town of Newton for calendar year 2018.
2. The services to be rendered by John Paul Velez, Esq., shall be on a per defendant basis, on an as needed requirement, as sought by certain defendants required to appear before the Newton Municipal Court, at a rate of \$150.00 per client with an amount not to exceed \$1,500.00.
3. This contract is awarded without competitive bidding as a "professional service", in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, because John Paul Velez, Esq., is a licensed attorney of the State of New Jersey, and as such is duly qualified as a professional to carry out the subject services, which are expressly exempt from the Local Public Contracts bidding requirements and the candidate complies with all requirements for appointment without public bidding under N.J.S. 19:44A-1 et seq.
4. 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.
5. Notice of this action shall be printed once in the *New Jersey Herald*.

ATTEST:

TOWN OF NEWTON

Lorraine A. Read, RMC, Municipal Clerk

Wayne F. Levante, Newton Mayor

I hereby acknowledge executing this duplicate Resolution and agree to be bound by its terms, covenants and conditions for the year 2018.

Date:_____

John Paul Velez, Esq.

February 12, 2018

RESOLUTION #46-2018*

Authorize Credits Due Water and Sewer Utility Accounts

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

CREDIT FOR ERRONEOUS CHARGES AND PENALTY WHILE WATER WAS OFF:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
6429	15 SHADY LANE	\$82.50

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 #47-2018*

Refund of Redemption Monies to Outside Lien Holder for Block 7.04, Lot 1, also Known as 35 Liberty Street

WHEREAS, at the Municipal Tax Sale held on October 20, 2017, a lien was sold on Block 7.04, Lot 1, also known as 35 Liberty Street, for 2016 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2017-001 was sold to US BANK cust for PC7 FIRSTRUST BANK for a 0% redemption fee and a premium of \$1,000.00; and

WHEREAS, Keith Paterson, Esq., the attorney representing the owner, Bayview Loan Servicing, LLC, has effected the redemption of Certificate #2017-001 in the amount of \$599.88;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges US BANK cust for PC7 FIRSTRUST BANK is entitled to a redemption in the amount of \$599.88 as well as the return of the premium in the amount of \$1,000.00; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$599.88 for the redemption and a check in the amount of \$1,000.00 for the return of the premium for Certificate #2017-001 to US BANK cust for PC7 FIRSTRUST BANK Philadelphia, PA.

RESOLUTION #48-2018*

Approve 2017 Appropriation Reserve Transfers

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

<u>From</u> <u>CURRENT</u>	<u>To</u>	<u>Amount</u>
Code Enforcement SW 1077403A	Planning Board OE 1062216A	\$1,000.00
Election OE 1051501A	Legal OE 1058296A	\$5,000.00
Fire OE 1070200A	Vehicle Maint. OE 1083300A	\$5,000.00
Stormwater OE 1082226A	Vehicle Maint. OE 1083300A	\$3,000.00

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Stat. Expend: Social Security 1098298A	Stat. Expend: PERS 1098296A	\$3,100.00
Stat. Expend: Social Security 1098298A	Stat. Expend: PFRS 1098297A	\$4,100.00
Parks & Playgrounds SW 1091102A	Parks & Playgrounds OE 1091227A	\$1,000.00
Recycling OE 1083226A	Court OE 1059217A	\$600.00
TOTAL CURRENT TRANSFERS		\$22,800.00

RESOLUTION #49-2018*

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 2017 and 2018 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

39441	ABCODE SECURITY INC.	237.00
39442	ADVANCE AUTO PARTS	130.30
39443	ALEX ARMSTRONG	28.00
39444	ANN ROSELLEN	125.00
39445	ARF RENTAL SERVICES, INC.	191.52
39446	ATLANTIC TACTICAL INC.	47.94
39447	B & R UNIFORM, INC.	878.80
39448	BENTLEY & SIMON JUDICIAL ROBES	390.95
39449	BEYER FORD	714.43
39450	BONNIE MESSINA	662.50
39451	BOONTON TIRE SUPPLY INC.	3,062.92
39452	BRINDLEE MOUNTAIN FIRE APPARATUS	5,000.00
39453	CAMPBELL'S SMALL ENGINE INC.	96.40
39454	CAMPBELLS SUPPLY OF SUSSEX COUNTY L	2.48
39455	CENTURYLINK COMMUNICATIONS, INC.	125.85
39456	CENTURYLINK COMMUNICATIONS, INC.	3,579.83
39457	CINTAS FIRE PROTECTION	557.11
39458	CIVIC PLUS INC	3,126.59
39459	COUNTY OF SUSSEX	111.04
39460	COUNTY OF SUSSEX	51,546.53
39461	COUNTY OF SUSSEX	6.34
39462	COUNTY OF SUSSEX	3,662.77
39463	COUNTY OF SUSSEX	1,766.60
39464	COUNTY OF SUSSEX	835,894.74
39465	CSS TEST INC.	288.00
39466	DANFORTH'S TRAILER & AUTO, INC	446.40
39467	DELL MARKETING L.P.	2,857.66
39468	DEMPSEY UNIFORM & SUPPLY INC	2,048.33
39469	DLS HEALTH WORKS, LLC.	225.00
39470	DOMINICK'S PIZZA LLC	53.85
39471	DUSTIN MCGARRY	47.00
39472	E.A. MORSE & COMPANY, INC.	902.35
39473	FACILITY DUDE	3,486.00
39474	FEDERAL EXPRESS	61.06
39475	FIRE FIGHTERS EQUIPMENT CO. INC.	1,933.90
39476	FIRST COMMUNITY DEVELOPMENT	891.81
39477	FREEDOM BUSINESS MACHINES	396.00
39478	GALLS, LLC	278.95

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39479	GENSERVE INC.	862.50
39480	GRAMCO BUSINESS COMMUNICATIONS INC.	995.00
39481	GREATER NEWTON CHMBR OF COMM.	195.00
39482	HAMPTON BODY WORKS, INC.	1,212.37
39483	HARTER EQUIPMENT INC.	484.58
39484	HAYDEE BALLESTER	165.00
39485	IAAO	540.00
39486	IACP - MEMBERSHIP	150.00
39487	J & D SALES & SERVICE,LLC.	2,280.00
39488	J. CALDWELL & ASSOCIATES, LLC.	240.00
39489	JCP&L	6,809.42
39490	JMC ENVIRONMENTAL CONSULTANTS, INC.	262.50
39491	KAY PRINTING	514.00
39492	KIEFER SWIM PRODUCTS	703.01
39493	KIEFFER ELECTRIC, INC.	3,981.68
39494	KITHCART, BROCK	47.00
39495	LADDEY, CLARK & RYAN, LLP	2,544.00
39496	LANG, DIANE	500.00
39497	LANGUAGE LINE SERVICES, INC.	1.70
39498	LEYMAN, JUSTIN	172.00
39499	MCGUIRE, INC.	107.48
39500	MCMANIMON, SCOTLAND & BAUMANN, LLC	130.00
39501	MINISINK PRESS INC	130.00
39502	L-3 COMM. MOBILE-VISION	861.20
39503	MONTAGUE TOOL & SUPPLY, INC.	319.90
39504	MORRIS COUNTY COOP	550.00
39505	MUNICIPAL SOFTWARE, INC.	130.00
39506	NENA	137.00
39507	NEOPOST LEASING, INC.	529.41
39508	NEW JERSEY HERALD, INC.	276.18
39509	NEW JERSEY PLANNING OFFICIALS	370.00
39510	NEWTON URGENT CARE LLC	90.00
39511	NJ POLICE TRAFFIC OFFICERS	50.00
39512	NJLM	670.00
39513	NJMEBF	156,437.00
39514	NJSACOP	500.00
39515	NRAAO	40.00
39516	OFFICE OF WEIGHTS & MEASURES	100.00
39517	ORR'S	1,800.00
39518	PAYROLL ACCOUNT	280,000.00
39519	PELLOW, HAROLD & ASSO, INC.	3,245.50
39520	PENTELEDATA	729.70
39521	PETRO-MECHANICS, INC.	180.39
39522	PINNACLE WIRELESS FBO UNITEK GLOBAL	4,638.67
39523	QUILL CORPORATION	648.95
39524	R.S. PHILLIPS STEEL LLC	57.00
39525	RACHLES/MICHELE'S OIL COMPANY, INC.	7,942.50
39526	ROGO FASTENER CO., INC.	456.25
39527	ROY LEYMAN	47.00
39528	SANDRA DIGLIO	30.00
39529	SCHENCK, PRICE, SMITH, & KING, LLP	1,778.70
39530	SCMUA	1,000.96
39531	SEBRING AUTO PARTS, INC.	40.03
39532	SERVICE ELECTRIC CABLE TV, INC.	65.35
39533	SISCO, JAMES	38.00
39534	STAPLES BUSINESS ADVANTAGE, INC.	804.10
39535	STEVE ESTLER	47.00
39536	SUSSEX & WARREN TAX COLL	90.00
39537	SUSSEX CAR WASH INC	231.00
39538	SUSSEX CO.ASSOC.-CHIEFS-POLICE	600.00
39539	SUSSEX COUNTY CHAMBER OF COMMERCE	150.00
39540	SUSSEX COUNTY CLERK'S ASSN	150.00
39541	SUSSEX COUNTY COMM COLLEGE FOUNDATI	300.00

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39542	SUSSEX COUNTY ECONOMIC	250.00
39543	SUSSEX COUNTY LEAGUE OF	100.00
39544	TAYLOR OIL CO., INC.	7,652.69
39545	TCTANJ	100.00
39546	THE CANNING GROUP, LLC.	625.00
39547	THE NJ SHADE TREE FEDERATION	95.00
39548	TREASURER, STATE OF NEW JERSEY	320.00
39549	TREASURER, STATE OF NEW JERSEY	450.00
39550	TREASURER, STATE OF NJ -BURIAL	5.00
39551	TROY INDUSTRIES, INC.	2,742.38
39552	VCI EMERGENCY VEHICLE SPECIALISTS	545.47
39553	W.B. MASON, INC.	7,497.47
39554	W.B. MASON, INC.	571.69
39555	WALMART	78.83
39556	WHENTOWORK INC	315.00
39557	WILDFLOWERS WITH TAMI	75.00
39558	WISTUBA, TRAVIS	28.00
39559	WITMER PUBLIC SAFETY GROUP, IINC.	589.00
181011	PAYROLL ACCOUNT	191,882.66
39440	PAR TROY SOUND OF NEWTON, INC.	235.00
38983	PAR TROY SOUND OF NEWTON, INC.	-235.00
181010	ELAVON	234.50
39439	NJMVC	85.00
181009	FEDERAL & STATE GRANT	9,989.08
181008	PAYROLL ACCOUNT	193,079.08
181007	PAYROLL ACCOUNT	247,619.41

CAPITAL

8691	NEW JERSEY HERALD, INC.	354.60
8692	PELLOW, HAROLD & ASSO, INC.	707.20

Total TOWN BILLS \$ 2,081,013.04

WATER AND SEWER ACCOUNT

16721	AIRMATIC COMPRESSOR SYSTEMS, INC.	387.00
16722	APPALACHIAN FORESTRY SERVICE	1,427.00
16723	CARR, JOSEPH	204.80
16724	CENTURYLINK COMMUNICATIONS, INC.	39.83
16725	CENTURYLINK COMMUNICATIONS, INC.	1,213.24
16726	CIVIC PLUS INC	3,126.59
16727	DEMPSEY UNIFORM & SUPPLY INC	694.84
16728	DUSTIN MCGARRY	18.00
16729	FACILITY DUDE	3,486.00
16730	FASTENAL COMPANY, INC.	161.48
16731	GARDEN STATE LABORATORIES INC	3,289.00
16732	HACH COMPANY	7,048.32
16733	JCP&L	17,476.83
16734	JK HVAC SERVICE, LLC.	654.44
16735	KAYLANI, SHERRI	49.22
16736	KIEFFER ELECTRIC, INC.	900.20
16737	LANG, DIANE	500.00
16738	MORRIS COUNTY COOP	550.00
16739	MOTT MACDONALD	1,303.70
16740	MUNICIPAL SOFTWARE, INC.	53.00
16741	NEW JERSEY HERALD, INC.	17.10
16742	NJ DEPT OF ENVIRONMENTAL PROTECTION	7,235.00
16743	ORR'S	750.00
16744	PALL CORPORATION	4,670.90
16745	PASSAIC VALLEY SEWERAGE COMM.	10,100.00
16746	PELLOW, HAROLD & ASSO, INC.	1,483.05
16747	PENTELEDATA	219.90

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16748	PUMPING SERVICES, INC.	8,443.00
16749	SCMUA	507.15
16750	SISCO, JAMES	18.00
16751	STAPLES BUSINESS ADVANTAGE, INC.	131.47
16752	SUBURBAN PROPANE, LP.	5,453.33
16753	SUSSEX COUNTY COMM COLLEGE FOUNDATI	300.00
16754	TREASURER, STATE OF NEW JERSEY	1,267.00
16755	W.B. MASON, INC.	3.92
186005	PAYROLL ACCOUNT	36,490.84
186004	PAYROLL ACCOUNT	36,542.89
186003	CURRENT ACCOUNT	2,500.00
186002	PAYROLL ACCOUNT	36,562.47

CAPITAL

2471	JEV CONSTRUCTION, LLC.	27,400.00
2472	LADDEY, CLARK & RYAN, LLP	352.00

Total WATER & SEWER Bills \$ 223,031.51

TRUST ACCOUNT

3690	AUTOZONE	7.80
3691	J. CALDWELL & ASSOCIATES, LLC.	463.00
3692	LADDEY, CLARK & RYAN, LLP	96.00
3693	MINISINK PRESS INC	350.00
3694	MORRIS DOWNING & SHERRED	2,779.47
3695	MOTT MACDONALD	3,362.00
3696	PELLOW, HAROLD & ASSO, INC.	2,388.45
3697	SEELY BROTHERS, INC.	84.00
187103	PAYROLL ACCOUNT	3,037.50
187102	PAYROLL ACCOUNT	7,128.00
187101	PAYROLL ACCOUNT	6,601.50

Total TRUST ACCOUNT Bills \$ 26,297.72

DEVELOPERS ESCROW (FUND 72) ACCOUNT

1295	AUTOZONE	11,554.13
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Total DEVELOPERS ESCROW (FUND 72) Bills \$ 11,554.13

FEDERAL/STATE GRANTS

1393	CENTER FOR PREVENTION & COUNSELING	1,640.57
1394	CLARKE CATON HINTZ	2,750.00
181103	PAYROLL ACCOUNT	436.95
181102	PAYROLL ACCOUNT	436.95
181101	PAYROLL ACCOUNT	436.95

Total FEDERAL/STATE GRANTS Bills \$ 5,701.42

DOG RESERVE ACCOUNT

8567	HOME DEPOT, INC.	17.88
8568	TRANQUILITY VETERINARY	325.00

Total HOUSING TRUST (COAH) Bills \$ 342.88

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The Deputy Clerk presented an application for Special Permit for an Extension of Premise from B&M LLC (t/a O'Reilly's Pub & Grill) to be held on March 17, 2018 from 10:00am to 10:00pm at 271 Spring Street.

A motion was made by Deputy Mayor Elvidge to approve, the revised **COMBINED ACTION RESOLUTIONS**, removing Resolution #39-2018 and recusing Mrs. Diglio from check #39528 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	

Mayor Levante asked for clarification on the agreement we are entering into with Hopatcong as they are closing their pound. Mrs. Leo explained the Hopatcong pound is closing, however in the agreement it states if they need to house any animals else where they will charge Newton a rate of \$10 a day and bill quarterly. Mr. Flynn questioned who is responsible for paying the \$10 a day. Mrs. Leo explained ultimately it is the responsibility of the Town as outlined in State statute. The fear in making a resident pay the \$10 a day is they won't pick up their pet. Mr. Russo explained we moved to Hopatcong as Wantage was looking to almost double the fee we paid in 2017.

RESOLUTION #39-2018

Authorizing the Town of Newton to Enter into a Shared Services Agreement with the Borough of Hopatcong, New Jersey for Animal Control and Pound Services

WHEREAS, the Town of Newton is in need of animal control and pound services; and

WHEREAS, the Town of Newton and the Borough of Hopatcong have determined it would be mutually beneficial to enter into a Shared Services Agreement whereby the Borough's Animal Control Official would also service the Town of Newton; and

WHEREAS, the Town of Newton and the Borough of Hopatcong desire to enter into a Shared Services Agreement effective February 7, 2018 through January 31, 2019, which will allow the Town of Newton to call upon the Borough of Hopatcong's Animal Control Official and utilize Hopatcong's Animal Pound; and

WHEREAS, State Statute permits municipalities to enter into Shared Service Agreements pursuant to N.J.S.A. 40A:65-1 et seq., and authorizes municipalities to enter into Shared Service Agreements by adoption of a Resolution;

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

1. The Mayor is hereby authorized to execute this Shared Services Agreement between the Town of Newton and the Borough of Hopatcong, New Jersey.
2. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to Hopatcong Borough Clerk's office.

A motion was made by Mayor Levante to approve, the Resolution #39-2018, as presented seconded by Mrs. Diglio roll call resulted as follows:

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

INTERMISSION – none at this time.

DISCUSSION

a. Ordinance Draft – Mrs. Leo stated there are basically four changes proposed. Lorraine Read’s office requested an increase in the plenary retail consumption and distribution liquor license fees to \$1,800 each. Bernie Hattersley requested an adjustment of the fees associated with the Certificate of Compliance inspections. The proposed will adjust the fees to increase the amount to those who requested an inspection less than 2 days in advance, and decrease the others. They feel this will work better for their department. The third change came from Lorraine and Michelle and it will eliminate prorating the fee for abandoned properties. Lastly, the fourth change clarifies the re-inspection fee for abandoned properties.

Mayor Levante questioned the increase in the liquor license fees. Deputy Clerk Oswin explained you are allowed no more than a 20% increase over the preceding year fee with the maximum fee being no more than \$2,500. A brief discussion took place on the increase with all the Council members agreeing to the increase.

Mr. Russo recommended a brief intermission at this time.

INTERMISSION – 7:49pm.

After the brief intermission, the Council went on to discuss the 2018 Proposed Budget.

Mr. Russo advised after the Thursday and Saturday meetings he went back and cut the street sign budget amount down to \$35,000, which will eliminate the Town Seal from the signs. He is not looking to cut anymore from the Capital budget at this time until after the bids for the new firehouse are opened. In the Current Fund, he adjusted it to put an additional \$24,000 in the Fund Balance as Tom Ferry recommended. He also will give the Fire Department an additional \$1,000 for protective gear, \$500 for hose replacement and \$500 for education. He also has to increase OEM’s education by \$700 for required training. This should put the increase at about \$30 per average assessed property. A discussion ensued regarding the budget.

Mrs. Diglio questioned requesting two vehicles. Mr. Russo explained in addition to a Ford Explorer for OEM, he would look for possibly acquiring a Ford Escape or Ford Edge through State contract to replace the Ford Ranger currently being utilized by three departments. With Kimberly on board, she will be the fourth department to be utilizing the current Ranger and he would like to replace that vehicle. Mrs. Diglio suggested using the Ford Taurus.

Mayor Levante asked if they could talk about the digester. Mr. Russo stated he was aware of the Council's concerns and asked if the Council wanted him to revisit the matter with John Scheri because it doesn't appear the cost factor lines up with the benefit. After a brief discussion by the Council, they advised Mr. Russo he should change the money allocated to the "soft costs" to sewer repairs for maintenance and preventative care, and the digester can be revisited next year.

Mr. Russo also advised we are still waiting on State Aid figures and the Firehouse bids to finalize the budget figures. The goal is to introduce the budget at the March 12th meeting and adoption in April to remain in compliance with statutory requirements.

OPEN TO THE PUBLIC

John Paul Couce, 26 Linmor Avenue speaking on behalf the Newton First Aid Squad came forward. Mr. Couce stated the First Aid Squad has been working on improvements. He gave a summary of the Squad's activities for 2017. They responded to 1,802 requests, the highest in Sussex County in 2017. Their response rate went from 38 % in January 2017 to a year-long average 91.7% by the end of 2017. In January 2018, their response rate was 92.6%. They are proud to have the best average response time in the County at 5.8 mins from dispatch to the ambulance arriving. The County average is about 22 minutes. There has been about a 38% increase in requests from January 2017 of under 100 to January 2018 of 131.

Mr. Couce asked the Council to consider increasing the Town's allotment to the Squad by 2%, which comes out to \$480, or round it up to \$500. It would be greatly appreciated.

Mayor Levante thanked Mr. Couce and the Squad for their dedication and he is in support of the increase. Mrs. Le Frois also expressed her gratitude for the Squad and their dedication to the Town and its residents. Mrs. Le Frois questioned if Mr. Couce knew what the majority of the calls were. Mr. Couce didn't have the data in front of him but would

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certainly bring the information to the next Council meeting. She also stated she is in support of the requested increase. Mr. Flynn thanked Mr. Couce for his service and acknowledged the improvements being made in service. He is in support of the increase requested.

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

COUNCIL & MANAGER COMMENTS

Mayor Levante thanked Tom and his staff for their hard work in putting together the budget. It is a long and difficult process. Although there is an increase, many of the line items did not increase; those that did increase were beyond our control, such as health benefits, pensions, and labor relations. Mayor Levante went on to mention there is a need to consolidate services for cost savings. There needs to be a shift in the way government is organized here in New Jersey. We have far too many municipalities and school boards. This Council needs to take a hard look at lobbying the State to incentivize shared services and consolidation and taking a long term look at the future and the possibility of regionalization. Mayor closed by thanking Tom and the staff.

There being no further business to be conducted, upon motion of Mrs. Le Frois seconded by Mrs. Diglio and unanimously carried, the meeting was adjourned at 8:20 pm.

Respectfully submitted,



Teresa Ann Oswin, RMC
Deputy Municipal Clerk