

April 9, 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 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 January 8, 2018."

Mayor Levante led the Pledge of Allegiance to the flag and the Clerk called the roll. Upon motion of Mrs. Diglio, seconded by Deputy Mayor Elvidge and unanimously carried, the minutes for March 26, 2018 Regular meeting were approved.

### **OPEN TO THE PUBLIC**

At this time, 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."

Mayor Levante opened the meeting to the public.

Danielle Zito, a Newton resident, read from a prepared statement.

"Mr. Levante has once again made himself out to be the victim and attacked numerous people in the process. His latest online social media antics lashed out against current council members, council candidates, and TAPinto Newton. Since I once again find myself here, only a month later, let me make a few things clear again.

First, you have indeed facilitated some positive changes in Newton. I have not found many people dispute that. I have in fact commended you for your efforts in the past.

Second, anyone with an iota of common sense understands that you have Freedom of Speech. However, you still seem to lack the comprehension that your freedom to say as you please does not equate to being free from criticism. Quite the contrary, Mr. Levante. You are an elected public official. What you say or do will always be under a microscope, whether you find it fair or not. The Free Press is the cornerstone of democracy and it is appalling to once again see you attack it. This is now the second instance in a short time span that you have done so. Shame on you. Also, I recommend you reevaluate what your perception of 'Fake News' is. Just because something hurts your feelings or does not portray you in a favorable light does not mean it is 'fake.'

Lastly, you continue to bemoan the fact that people are "unfairly" attacking you while touting that Newton could not function without you. It can, and it will. People are tired of your pettiness, arrogance, and condescending attitude over the last year. Yes, you have the capability of being polite and have achieved a few great things. But many of us feel as though your accomplishments have become negated and tainted due to your lack of character and composure. Please back away from your online rants and give some decorum to the time you have left in your elected position."

Ralph Porter, 12 Pine Street, mentioned he recently toured the new RPM facility on Trinity Street and was pleased with the building but addressed concern with the parking garage

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egress onto Union Place. He also addressed concern with the enforcement of front yard parking throughout Newton.

Anwar Qarmout, 45 Woodside Avenue, complained about the Zoning Officer and her issuance of tickets to his tenant on Diller Avenue. He feels it is unfair and wants Council to address same. Mr. Qarmout asked Council to consider changing the Ordinance and allowing canopies in downtown Historic District.

**COUNCIL & MANAGER REPORTS**

a. **Mayor Levante** - updated Council on a recent meeting held with Thorlabs officials regarding upcoming plans on Lower Spring Street. More information to follow.

Mayor Levante and Councilwoman Diglio meet with SCCC President, Dr. Connolly and John Vegas, owner of Plaza Restaurant, regarding opportunities for students at SCCC. More information to follow.

Mayor Levante read a prepared Proclamation and presented it to Kelly Montventre, Manager of NJ Sharing Network and her team.

**PROCLAMATION**

**NATIONAL DONATE LIFE MONTH**

**APRIL 2018**

**WHEREAS**, realizing the urgent need for organ and tissue donors across the country, the **NATIONAL DONATE LIFE MONTH** observance promotes a greater understanding about the life-saving benefits of donation and transplantation. Moreover, the need is increasing. NJ Sharing Network - who in 2018 is celebrating over 30 years of saving lives - is committed to addressing that need through increased awareness; and

**WHEREAS**, the transplantation of organs and tissue is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. One organ donor can save eight lives and one tissue donor can restore health to over 75 others. People of all ages, ethnic backgrounds and religions are touched by donation and by the serious shortage of organ donors that exists. Currently, there are over 4,000 New Jersey residents and over 120,000 Americans awaiting life-saving transplant operations; and

**WHEREAS**, every capable person should support this vital effort by registering as an organ and tissue donor, making their family aware of their wishes and being willing to give the precious gift of health, sight and life to people in need; and

**WHEREAS**, registering as an organ and tissue donor at a local Motor Vehicle Agency or online at [www.NJSharingNetwork.org](http://www.NJSharingNetwork.org) signifies our fundamental human responsibility to help others;

**NOW THEREFORE**, be it resolved that the Town Council of the Town of Newton does proclaim **April** as Donate Life Month in the Town of Newton, New Jersey, and we urge all residents to join us in promoting organ and tissue donor education throughout the month.

In witness whereof I have hereunto set my Hand and caused this seal to be affixed.

s/Lorraine A. Read, Town Clerk \_\_\_\_\_  
Attest: s/Wayne Levante \_\_\_\_\_  
Date: \_\_\_\_\_ April 9, 2018 \_\_\_\_\_

Councilwoman Le Frois commended Kelly Montventre and her team for a worthy organization. Mrs. Le Frois shared a story of her brother, Carl, who passed away at the age of

39 and noted he was an organ donor. Having since been educated on this organization and the life-saving benefits of donation and transplantation, her family are now all organ donors as well.

b. **Deputy Mayor Elvidge** - also updated Council on the recent meeting with Thorlabs representatives regarding plans for Lower Spring Street, Newton.

c. **Councilwoman Le Frois** - advised Council of the Ladies Retreat held at SCCC this past Saturday. It was well attended and thanked the Town for their support with this event.

Councilwoman Le Frois recently attended and testified at the Senate Budget Appropriations Committee hearings and updated Council on the current conversations surrounding the 'fair school funding formulas'.

In light of Council's recent conversation regarding vapor stores, Mrs. Le Frois updated Council on Trenton's discussion regarding the vapor stores and the 75% tax proposed on these stores if the State budget is approved as submitted.

d. **Councilman Flynn** - requested an update on McGuire's property and Plaza Restaurant proposal which was addressed by Mayor Levante and Councilwoman Diglio. Councilman Flynn addressed concern with the potential of losing ratables.

e. **Councilwoman Diglio** - updated Council on a recent meeting hosted by the Sussex County Freeholders entitled "Sussex County Human Services Forum". Mrs. Diglio outlined the various organizations in attendance who provide resources to all Sussex County residents. Mrs. Diglio was impressed with the presentations and feel the public should be educated on these resources.

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

#### **HEARING ON THE 2018 BUDGET**

##### **2018 Municipal and Water & Sewer Utility Budget**

Mayor Levante opened the meeting to the public.

Anwar Qarmout, 45 Woodside Avenue, complained about the water bill cost and questioned when the water bill would be reduced, as proposed by the Town Council several years ago.

Margaret Baldini, 5 Barry Lane, also complained about the cost of the Newton water bills and asked the Council to change the due date of payment back to the original date, which was at end of the month.

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

At this time, Mr. Russo presented the following PowerPoint presentation on the 2018 Municipal and Water & Sewer Utility Budget.

#### **YOUR TAX DOLLARS**



# FISCAL FACTS

## YOUR TAX DOLLARS

The property tax is divided among the County of Sussex, County Library, County Open Space, Newton Board of Education and the Town of Newton. The chart below illustrates the percentage that each of the jurisdictions received in 2017 from the average taxpayer in the Town.



Newton Board of Education	51.70%	\$2.191
Town of Newton	34.29%	\$1.453
County of Sussex	13.14%	\$0.557
County Library	.82%	\$0.035
County Open Space	.05%	\$0.002
<b>Total</b>	<b>100.00%</b>	<b>\$4.238 per \$100 of assessed value</b>



# APPROPRIATIONS 2017 vs. 2018

Newton's 2018 Municipal Budget and Capital Improvement Program totals **\$12,766,000**. The Municipal Government is a service-based organization. Approximately **63%** of the municipal budget provides funding for the salaries and benefits of **58 full-time and 46 part-time employees (104)**. The chart below presents a summary of how appropriations are divided within the budget and, in turn, impact local taxes.

COMPARISON OF APPROPRIATION BUDGETED AMOUNTS FOR 2017 AND 2018				
	2017 ADOPTED		2018 PROPOSED	
	Amount	%	Amount	%
Salaries	5,071,237	40.46	5,100,643	39.95
Health/Dental/Vision/Work Comp.	1,687,700	13.46	1,781,592	13.96
Pensions	863,649	6.89	990,625	7.76
FICA/SUI	214,005	1.71	214,927	1.68
Retirement/LOSAP/Accum. Absence	48,000	.38	44,000	.35
<b>Subtotal</b>	<b>\$7,884,591</b>	<b>62.90</b>	<b>8,131,787</b>	<b>63.70</b>
General Operating Expenses	1,707,994	13.63	1,696,524	13.28
Debt/Capital/Deferred Charges	2,393,530	19.09	2,373,010	18.59
Reserve for Tax Appeals	30,000	.24	20,000	.16
Reserve for Uncollected Taxes	478,500	3.82	503,000	3.94
Grants	40,385	.32	41,679	.33
<b>Total</b>	<b>\$12,535,000</b>	<b>100%</b>	<b>12,766,000</b>	<b>100%</b>



# TOP 10 BUDGET APPROPRIATION INCREASES BY DOLLAR AMOUNT



APPROPRIATION	2017 BUDGET	2018 BUDGET	\$ CHANGE	% CHANGE
Police and Firemen's Retirement System	596,211.00	703,745.00	107,534.00	18%
Group Insurance for Employees	1,491,058.00	1,589,701.00	98,643.00	7%
Payment of Bond Anticipation Notes		60,000.00	60,000.00	100%
Road Repair and Maintenance, SW	480,040.00	509,875.00	29,835.00	6%
Legal Services and Costs, OE	166,000.00	186,000.00	20,000.00	12%
Public Employees' Retirement System	255,438.00	274,880.00	19,442.00	8%
Collection of Taxes, SW	51,185.00	63,060.00	11,875.00	23%
Community Development, SW	19,100.00	29,780.00	10,680.00	56%
General Administration, OE	46,500.00	55,000.00	8,500.00	18%
General Administration, SW	113,000.00	121,120.00	8,120.00	7%



# REVENUE HISTORY



The chart below tracks revenues over the course of the last five (5) years. As you can see, State Aid has continued to stay flat while the taxpayers of Newton have had to pick up where the State has left off. Local fees continue to fluctuate along with the ability of the Town to create a consistent level of fund balance. Here is a comparison of revenues from the period of 2014 – 2018:

	2014	2015	2016	2017	2018
State Aid	1,025,916	1,025,916	1,025,916	1,025,916	1,025,916
Local Fees, Fines, Interest	598,368	564,230	594,723	620,003	587,015
Fund Balance (Surplus)	841,461	776,048	810,876	897,000	1,096,000
Delinquent Taxes	360,000	519,000	512,376	359,000	350,000
Municipal Taxes	8,189,331	8,434,016	8,612,938	8,733,000	8,815,313
Shared Services	402,780	85,000	122,840	123,640	82,000
Grants	47,083	51,962	68,916	38,885	40,179
Spec. Items of Revenue	610,961	588,828	665,853	737,556	769,577
<b>Total</b>	<b>\$12,075,900</b>	<b>\$12,045,000</b>	<b>\$12,414,438</b>	<b>\$12,535,000</b>	<b>\$12,766,000</b>



# TAX RATE FOR 2018

With the uncertainty of State Aid payments and the fluctuating prospects of grant funding, coupled with the reality of a tax base that has more than 1/3 exempt properties, it is an ever increasing challenge to maintain appropriate service levels and sound fiscal policies while mitigating any significant municipal tax increases. Furthermore, the Net Taxable Valuation (NVT) for the Town decreased by \$1,888,607, a far cry from the necessary level of economic activity needed in our community and region.

Additionally, the new average residential property assessment has gone down slightly from the 2017 level of \$185,938 to the new 2018 level of \$185,611. Therefore, factoring in the budget and tax levy as proposed, **the municipal taxes on an average residential property are estimated to go from \$2,702 in 2017 to \$2,731 in 2018 – an increase of \$2.42 a month or about .08 cents a day.** Considering the reality that we are at full staffing and operating expenses are being tightly monitored, the only way for Newton to succeed going forward is to increase user fees and revenues and work towards increased economic activity, driving up construction revenues and increasing the overall ratable base.



# TAX RATE HISTORY - 2010 thru 2018

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Subtotal General Revenues	3,379,864	3,058,706	3,606,835	3,688,513	3,886,569	3,610,984	3,801,500	3,802,000	3,950,687
Amt to be Raised Taxes - Local	7,384,386	7,860,281	7,860,280	7,911,487	8,189,331	8,434,016	8,612,938	8,733,000	8,815,313
Budget as Introduced	10,764,250	10,918,987	11,467,115	11,600,000	12,075,900	12,045,000	12,414,438	12,535,000	12,766,000
Local TAX Increase over prior yr	526,822	475,895	-1	51,207	277,844	244,685	178,922	120,062	82,313
Local TAX POINT increase over P/Yr	6.79	Reassess	0.96	1.341	Reassess	3.868	3.219	2.610	1.832
Local tax rate	0.9031	1.1285	1.1380	1.1514	1.3561	1.3948	1.4270	1.4531	1.4714
Assessed valuation / 10,000	81,768	69,654	69,069	68,709	60,387	60,467	60,357	60,099	59,910
	2010	2011	2012	2013	2014	2015	2016	2017	2018
Net Valuation Taxable	817,684,380	696,539,041	690,686,490	687,090,410	603,870,714	604,669,025	603,569,459	600,989,949	599,101,342
Tax Point	81,768	69,654	69,069	68,709	60,387	60,467	60,357	60,099	59,910
Municipal Tax Rate	0.9031	1.1285	1.1380	1.1514	1.3561	1.3948	1.4270	1.4531	1.4714
Amount to be Raised by Taxes	7,384,386	7,860,281	7,860,280	7,911,487	8,189,331	8,434,016	8,612,938	8,733,000	8,815,313
Class 2 Residential Total Taxable	529,836,200	436,837,600	435,739,900	433,661,600	370,357,700	370,575,800	370,400,000	366,298,200	366,024,200
Number of Residential Parcels	1,970	1,965	1,962	1,960	1,962	1,969	1,974	1,970	1,972
Average Assessed Home	268,952	222,309	222,090	221,256	188,765	188,205	187,639	185,938	185,611
Munic Taxes on Avg Assess Home	2,429	2,509	2,527	2,548	2,560	2,625	2,678	2,702	2,731
Increase in taxes over p/yr	182	80	19	20	12	65	53	24	29
Weekly increase	3.50	1.54	0.36	0.39	0.24	1.25	1.01	0.47	0.56
Daily increase	0.499	0.219	0.051	0.055	0.034	0.179	0.144	0.066	0.079



# Estimated Municipal Tax Increase on Average Assessed Residential Property



- 2003 - \$67
- 2004 - \$250
- 2005 - \$247
- 2006 - \$187
- 2007 - \$125
- 2008 - \$298
- 2009 - \$188
- 2010 - \$182
- 2011 - \$80
- 2012 - \$19
- 2013 - \$20
- 2014 - \$12
- 2015 - \$65
- 2016 - \$53
- 2017 - \$24
- 2018 - \$29



# FUND BALANCE HISTORY



<b>Year</b>	<b>Total Surplus Available</b>	<b>Amt. Used to Support Budget</b>	<b>Balance</b>
<b>January 1</b>			
1983	414,784	275,000	139,784
1984	257,385	175,000	82,385
1985	300,547	230,000	125,547
1986	337,382	230,000	107,382
1987	487,335	364,000	123,335
1988	1,028,052	828,775	199,277
1989	610,531	516,407	94,124
1990	315,660	180,000	135,660
1991	406,772	280,000	126,772
1992	366,583	323,000	43,583
1993	616,181	430,000	186,181
1994	500,000	400,000	100,000
1995	910,886	650,000	260,886
1996	666,558	500,000	166,558
1997	458,525	350,000	108,525
1998	583,487	495,000	88,487
1999	584,140	450,000	134,140
2000	595,320	475,000	120,320
2001	758,919	670,000	195,124
2002	750,000	670,000	78,182
2003	774,407	670,000	104,407
2004	755,416	626,000	129,416
2005	726,654	580,000	146,654
2006	909,066	700,000	209,066
2007	1,071,959	721,000	350,959
2008	1,256,151	863,571	392,580
2009	920,307	607,000	313,307
2010	1,112,645	803,000	309,645
2011	859,757	550,000	309,757
2012	979,774	641,000	338,774
2013	1,542,318	776,000	766,318
2014	1,563,752	841,461	722,291
2015	1,498,339	776,048	722,291
2016	1,504,223	810,876	693,347
2017	2,260,302	897,000	1,363,302
2018	2,482,557	1,096,000	1,386,557



# REVENUE COMPARISON – TOWN



REVENUE COMPARISON (2009 -2018)										
	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009
Fund Balance	1,096,000	897,000	810,876	776,048	841,461	776,000	641,000	550,000	803,000	607,000
Energy Receipts Tax	1,017,377	1,017,377	1,013,467	1,013,467	998,389	993,278	973,105	938,154	918,311	1,031,008
Supp ERT			0	3,910	18,988	24,099	44,272	79,223	99,066	201,430
CMPTRA										
Discret. Supp MPTRA										
MPTA										
Legis Init Mun Block Grant										
GSTrust	8,539	8,539	8,539	8,539	8,539	8,539	8,539	8,539	12,809	14,149
Homeland Security										
Subtotal State Aid	1,025,916	1,025,916	1,025,916	1,025,916	1,025,916	1,025,916	1,025,916	1,025,916	1,030,186	1,246,587
Public & Private	40,179	38,885	68,916	51,961	47,083	38,317	45,346	34,904	296,889	102,157
All Other Misc.	1,438,592	1,481,199	1,383,416	1,238,059	1,612,109	1,518,280	1,409,948	1,042,259	909,789	1,063,160
Delinquent Taxes	350,000	359,000	512,376	519,000	360,000	330,000	440,000	390,000	340,000	466,000
Subtotal General Revenues	3,950,687	3,802,000	3,801,500	3,610,984	3,886,569	3,616,581	3,562,210	3,043,079	3,448,049	3,484,904
Local Taxes	8,815,313	8,733,000	8,612,938	8,434,016	8,189,331	7,911,487	7,860,280	7,860,281	7,384,386	6,857,564
Total Budget Revenues	12,766,000	12,535,000	12,414,438	12,045,000	12,075,900	11,600,000	11,422,490	10,903,360	10,764,250	10,342,468
State Aid	1,025,916	1,025,916								
Total budget	12,766,000	12,535,000								
% State Aid to Total Budget	8.04%	8.18%						State Aid has remained flat for eight years		
Fund Balance Anticipated	1,096,000	897,000	810,876	776,048	841,461	776,000	641,000	550,000	803,000	607,000
% F/Bal to Total budget	0.09	0.07	0.07	0.06	0.07	0.07	0.06	0.05	0.07	0.06



# CAPITAL PROJECTS FOR 2018



Town of Newton							
2018 General Capital Improvement Program							
			Reserved	Town	Other	Debt	Future
Dept.	Project	Cost	To Date	CIF	Funds	Authorized	
CIF	Capital Improvement Fund	\$150,000.00		\$150,000.00			
DPW/Eng.	Road Improvements/Resurfacing/Curbing/Sidewalks*	\$125,000.00			\$90,000.00	\$35,000.00	
DPW	Street Signs	\$35,000.00				\$35,000.00	
Fire	Firehouse No. 2 Construction	\$2,505,000.00	\$1,805,000.00			\$700,000.00	
OEM	4x4/AWD Vehicle	\$30,000.00				\$30,000.00	
Town	4x4/AWD Vehicle	\$30,000.00				\$30,000.00	
	Totals	\$2,875,000.00	\$1,805,000.00	\$150,000.00	\$90,000.00	\$830,000.00	



# CIF PROJECTS FOR 2018



2018	CAPITAL IMPROVEMENT FUND	
Department	Item	Amount
CIF	Downpayment	\$50,000
Fire	Turnout Gear	\$15,000
Manager	Munic. Buildings/Facilities Improvements/Upgrades/Renovations/Furniture/Equipment	\$20,000
Planning	Master Plan Reexamination	\$10,000
	Mitchell Humphries Software	\$5,000
Police	Patrol Rifles/Morpho Trak Fingerprinting/Antenna Systems for Patrol Vehicles	\$50,000
<b>2018 TOTAL:</b>		<b>\$150,000</b>



# W/S BUDGET



The Town maintains independent financial records for the Water and Sewer fund. Both functions are supported by customer billings and do not require property tax revenues to meet financial obligations.

The Water and Sewer budget is proposed at \$4,525,000 for the 2018 year. The Water and Sewer budget provides service to 2,660 accounts. The current rate structure continues to allow the Town to reserve funds for future capital upgrades and the retirement of existing debt. Most importantly, it allows the Town to intelligently use a fiscally conservative approach to budgeting as it relates to necessary infrastructure improvements.



# REVENUE COMPARISON – W/S



WATER SEWER REVENUE COMPARISON (2010 -2018)									
	2018	2017	2016	2015	2014	2013	2012	2011	2010
<b>Fund Balance</b>	407,000	330,000	303,000	357,767	353,424	438,274	371,588	173,945	144,000
<b>Water &amp; Sewer Rents</b>	4,001,546	3,539,843	3,552,781	3,553,500	3,566,198	3,709,920	3,596,680	3,690,270	3,802,600
<b>Additional Rents</b>	0	442,000							
<b>Miscellaneous</b>	52,820	55,820	52,808	51,075	47,200	44,470	48,660	60,785	68,400
<b>W/S Capital Fund Balance</b>	50,000	50,000	50,000	50,000	50,000				
<b>W/S Reserve for Debt Svc</b>						13,668	6,267		
<b>W/S Insurance Emerg Fundg</b>							37,805		
<b>Interest &amp; Costs on Assessments</b>	13,634	14,337	15,011	15,658	16,278	16,918			
<b>W/S Reserves for Cap Impr</b>									
<b>Total W/S Utility Revenues</b>	4,525,000	4,432,000	3,973,600	4,028,000	4,033,100	4,223,250	4,061,000	3,925,000	4,015,000
<b>Fund Balance Anticipated</b>	407,000	330,000	303,000	357,767	353,424	438,274	371,588	173,945	144,000
<b>% F/Bal to Total budget</b>	0.09	0.07	0.08	0.09	0.09	0.10	0.09	0.04	0.04
<b>Fund Balance 1/1</b>	1,070,766	886,950	842,620	897,441	779,506	931,674	790,635	460,010	436,088
<b>Fund balance Anticipated</b>	407,000	330,000	303,000	357,767	353,424	438,274	371,588	173,945	144,000
<b>F/Balance after Budget Intro</b>	663,766	556,950	539,620	539,674	426,082	493,400	419,047	286,065	292,088
<b>Statutory excess to F/Bal</b>		513,816	347,330	302,946	471,359	286,106	512,627	504,570	167,922
<b>Fund Balance 12/31</b>		1,070,766	886,950	842,620	897,441	779,506	931,674	790,635	460,010



# CAPITAL PROJECTS FOR 2018 W/S



2018 W/S Capital Improvement Program						
			Reserved	W/S	Debt	Future
Dept.	Project	Cost	To Date	CIF	Authorized	
W/S	Capital Improvement Fund	\$75,000.00		\$75,000.00		
W/S	Capital Outlay	\$75,000.00		\$75,000.00		
W/S	High Street Water Tank Mixer	\$150,000.00		\$150,000.00		
W/S	Grit Collector WWTP	\$450,000.00		\$450,000.00		
	<b>Totals</b>	<b>\$750,000.00</b>		<b>\$750,000.00</b>		



# CONCLUSION

## RENEWED COMMITMENT TO EFFECTIVE, EFFICIENT, AND LIMITED GOVERNMENT

Now that we have concluded the 2018 budget process, I want to thank all department heads and staff for their invaluable assistance in putting together these important documents. In closing, it is my firm belief the budget appropriations and revenue projections, as contained in the 2018 budget for Newton, will enable the Town to meet the public's demand and need for critical services. Furthermore, the budget is structured as a fiscally responsible document to ensure the financial well-being of our municipal government is preserved.

This 2018 budget as presented will enable the municipal organization to continue mission achievement - achieving the excellence in governance expected by our customers: the taxpayers, businesses, and residents of Newton.

Thank you once again for the opportunity to serve the good people of Newton.

Yours for a Better Newton,

*Thomas S. Russo, Jr.*

Town Manager

Mayor Levante opened the hearing to the public on the 2018 Municipal Budget.

Anwar Qarmout, 45 Woodside Avenue, stated his objection to funding projects with Water/Sewer budget and questioned why the Town continues to do same instead of reducing the fees on the Water/Sewer bills for Newton residents. Mr. Russo outlined the procedures and reasons for the necessary projects within the Water/Sewer budget.

Neil Flaherty, 154 Sparta Avenue, noting his attendance at all the budget hearings, commended the Town on the presented Municipal & Water Sewer budgets.

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

Councilman Flynn noted other municipalities have much higher water/sewer fees and feels Newton's fees are a "deal" and believes this is a good budget.

Councilwoman Le Frois commended Tom and his team for all the preparation on this current budget. She noted our municipality is a service business with 30% non-ratable and feels Newton provides a great service with fair prices.

Councilman Elvidge also commended Tom and his team for a great job on the presented budget. He feels the fees are fair and appropriate in Newton and is confident with the proposed budget.

Councilwoman Diglio also thanked Tom and his team for their hard work on the Municipal & Water/Sewer budget.

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Mayor Levante stated “we need to do better”. He sees people moving out of state and feels we need to do something about it. He feels the Town needs “to think outside the boundaries” and suggests more share services. He thanked Tom and his team for the great job they did on the budget.

A motion was made by Mrs. Le Frois to **ADOPT THE 2018 TOWN OF NEWTON BUDGET**, seconded by Mr. Flynn and roll call resulted as follows:

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

**ORDINANCES** - None

**OLD BUSINESS**

**a. Spring Street Parking Analysis - (May 14<sup>th</sup>)**

Mayor Levante advised Harold Pellow of Harold Pellow and Associates will be at the May 14<sup>th</sup> meeting to address the Spring Street Parking Analysis.

**b. Vapor and Tobacconists - (April 23<sup>rd</sup>)**

Mayor Levante advised Jessica Caldwell, Town Planner, will be in attendance on April 23, 2018 to address Vapor and Tobacconists stores.

**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.

**RESOLUTION # 85-2018\***

**RELEASE OF MAINTENANCE BONDS FOR THE 85 SPARTA, LLC PROJECT**

**WHEREAS**, the Town of Newton had easements and water transmission mains that cross property in the Township of Sparta shown as Block 10001, Lot 9 (formerly known as Block 35, Lot 16) on the Sparta Township Tax Map with a street address of 85 Sparta Avenue (the “Property”); and

**WHEREAS**, on May 28, 2014 by way of adoption of Resolution #87-2014, the Newton Town Council entered into an agreement to restate the existing Newton easement and relocate the Newton easements and waterline with 85 Sparta, LLC; and

**WHEREAS**, on January 11, 2016 by way of adoption of Resolution #2-2016, the Newton Town Council accepted the project as final and complete so two Maintenance Bonds may be secured by 85 Sparta, LLC;

**WHEREAS**, in an email dated March 23, 2018, Michael Paterno of Dynamic Engineering, the Engineer for 85 Sparta LLC, requested release of two maintenance bonds for the water main repairs and water main relocation:

**Bond B1169226 - in the amount of \$15,152.25; and  
Bond B1169229 - in the amount of \$20,424.45**

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**WHEREAS**, In a memo to the Town Manager dated March 27, 2018, Town Water Engineer, David B. Simmons, Jr., P.E., L.S., C.M.E., of Harold E. Pellow & Associates, Inc., states the two relocated sections of the water main are operating satisfactorily and recommends the above referenced bonds be released;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby concurs with the Town of Newton Water Engineer's recommendation and authorizes the two Maintenance Bonds secured by 85 Sparta, LLC be released subject to payment of all inspection and review fees; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to Michael Paterno of Dynamic Engineering and the Town Water Engineer.

**RESOLUTION # 86-2018\***

**CERTIFY SELF-EXAMINATION OF 2018 BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Newton has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Town of Newton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality

5. The budget and associated amendments (if any) have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: Elvidge, Flynn, Le Frois, Diglio, Levante

Vote recorded as follows:

**TOWN OF NEWTON**  
**SUSSEX COUNTY, NEW JERSEY**  
**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C.5:30-7.4 AND 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: \_\_\_\_\_

By:

\_\_\_\_\_  
Officer

Chief Financial

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e)).

**RESOLUTION # 87-2018\***

**RESOLUTION AUTHORIZING SETTLEMENTS REGARDING DPW MARK-OUTS  
PURSUANT TO THE UNDERGROUND FACILITY PROTECTION ACT**

**WHEREAS**, the Town of Newton was notified of probable violations and offers of settlement regarding the DPW’s responses to mark-outs required by the Underground Facility Protection Act (the “Act”) by the New Jersey Board of Public Utilities (“BPU”), Mark-out Requests No. 703-173400037 and 703-180401649; and

**WHEREAS**, Town DPW employees and the Town Attorney attended a prehearing/mitigation conference regarding Mark-out Request No. 703-173400037 with the BPU on March 29, 2018; and

**WHEREAS**, settlement of the violations presents an opportunity for the Town to resolve the violations issued by the BPU, which will result in significant cost savings and other benefits to the Town, will provide certainty regarding the outcome of claims asserted, and serves the interest of the public; and

**WHEREAS**, the Town of Newton desires to settle the violations by making a payment of \$6,000.00 to the BPU, and to conduct annual DPW trainings regarding mark-outs, and have a consultant review compliance with the Act, in order to settle this matter;

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

1. The Town Manager and Attorney are authorized and directed to execute the Answering Certification on behalf of the Town, copies of which are 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 settlements.

**RESOLUTION # 88-2018\***

**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**

39768	ABCODE SECURITY INC.	230.00
39769	ATLANTIC TACTICAL INC.	39.71
39770	BOONTON TIRE SUPPLY INC.	124.64
39771	BRAEN STONE SPARTA	229.85
39772	CAESARS ATLANTIC CITY	312.00
39773	CENTURYLINK COMMUNICATIONS, INC.	125.85
39774	CHELBUS CLEANING CO., INC.	1,813.75
39775	D & E SERVICE CENTER, INC.	20,626.71
39776	DOMINICK'S PIZZA LLC	92.95
39777	EMERGENCY REPORTING, INC.	1,420.00
39778	EXTRA TECH DATA SERVICES, LLC.	1,435.00
39779	FBI- LEEDA	695.00
39780	FIREFIGHTER ONE, LLC.	3,076.90
39781	GENSERVE INC.	190.00
39782	GOLD TYPE BUSINESS MACHINES	88.11
39783	HAYEK'S MARKET INC.	32.65
39784	J. CALDWELL & ASSOCIATES, LLC.	90.00
39785	JCP&L	385.73
39786	JK HVAC SERVICE, LLC.	1,169.23
39787	KRAVE CAFE	75.00
39788	MCGUIRE, INC.	1,664.91
39789	MGL FORMS - SYSTEMS, LLC.	143.00
39790	MID-AMERICAN ELEVATOR COMPANY. INC.	225.00
39791	MINISINK PRESS INC	305.00
39792	L-3 COMM. MOBILE-VISION	4,057.50
39793	MONTAGUE TOOL & SUPPLY, INC.	79.19
39794	NEC FINANCIAL SERVICES, LLC.	4,943.40
39795	NEW JERSEY CONFERENCE OF MAYORS	395.00
39796	NEW JERSEY HERALD, INC.	830.84
39797	NEWTON BOARD OF EDUCATION	1,700.00
39798	NORTH CHURCH GRAVEL, INC.	1,805.02
39799	PELLOW, HAROLD & ASSO, INC.	1,129.68
39800	PENNSYLVANIA STATE UNIVERSITY	345.00
39801	R.S. PHILLIPS STEEL LLC	42.00
39802	READY REFRESH BY NESTLE	125.57
39803	REISINGER OXYGEN SERVICE, INC.	54.44
39804	RUTGERS, CENTER FOR GOVERNMENT SERV	235.00
39805	SARAH GRUB	591.84
39806	SCHWARTZ EDELSTEIN LAW GROUP	2,500.00
39807	SEBRING AUTO PARTS, INC.	493.79
39808	SPECTROTEL	669.69
39809	STAPLES BUSINESS ADVANTAGE, INC.	188.57
39810	STEVE VAN NIEUWLAND	113.40
39811	SUSSEX CAR WASH INC	280.00
39812	SUSSEX COUNTY DETECTIVES ASSOC.	125.00
39813	T.A. MOUNTFORD COMPANY, INC.	875.00
39814	TCTANJ	395.00
39815	TEAM LIFE, INC.	80.00
39816	THE CANNING GROUP, LLC.	625.00
39817	TONY SANCHEZ LTD, INC.	801.31
39818	TRIMBOLI & PRUSINOWSKI, LLC.	3,495.00
39819	TRUST ACCOUNT, TOWN OF NEWTON	25,000.00
39820	UNITED TELEPHONE/CENTURY LINK	128.87
39821	WALMART	65.00
181021	PAYROLL ACCOUNT	204,633.10
39767	NATIONWIDE EMPLOYEE BENEFITS	2,585.00
181020	JP MORGAN CHASE BANK	261,475.00
181019	NEWTON BOARD OF EDUCATION	1,054,849.00

**CAPITAL**

8703	FKA ARCHITECTS INC.	1,660.84
8704	PELLOW, HAROLD & ASSO, INC.	4,285.33

**Total TOWN BILLS    \$1,616,249.37**

**WATER AND SEWER ACCOUNT**

16821	CCP INDUSTRIES, INC.	876.98
16822	COYNE CHEMICAL CORP., INC.	5,191.45
16823	DELAWARE RIVER BASIN COMMISSION	456.00
16824	EXTRA TECH DATA SERVICES, LLC.	602.00
16825	FISHER SCIENTIFIC	283.80
16826	HACH COMPANY	928.76
16827	HAYEK'S MARKET INC.	32.64
16828	HOLLAND COMPANY, INC.	20,126.13
16829	J. CALDWELL & ASSOCIATES, LLC.	90.00
16830	JCP&L	17,424.39
16831	MINISINK PRESS INC	110.00
16832	MOTT MACDONALD	3,732.16
16833	PASSAIC VALLEY SEWERAGE COMM.	5,200.00
16834	PELLOW, HAROLD & ASSO, INC.	1,633.45
16835	PROCESS TECH SALES AND SERVICE	500.00
16836	PUMPING SERVICES, INC.	7,107.58
16837	SEBRING AUTO PARTS, INC.	23.58
16838	TIRE KING, INC.	840.00
16820	TREASURER, STATE OF NEW JERSEY	1,000.00
186011	PAYROLL ACCOUNT	36,424.47
16819	WATER & SEWER OPERATING ACCT	100.00
186010	JP MORGAN CHASE BANK	121,175.00
16797	DEPARTMENT OF ENVIRONMENTAL PROTECT	-1,000.00

**CAPITAL**

2476	MOTT MACDONALD	2,522.41
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**Total WATER & SEWER Bills    \$ 225,380.80**

**TRUST ACCOUNT**

3716	BACK THRU THE FUTURE	447.50
3717	FOREMOST PROMOTIONS, INC.	1,518.06
3718	PELLOW, HAROLD & ASSO, INC.	1,787.50
3719	PELLOW, HAROLD & ASSO, INC.	2,061.20
3720	STERLING METS LP	3,975.00
187107	PAYROLL ACCOUNT	162.00
3715	K MARTIN COMPANIES, LLC	3,260.00
3710	KENNETH MARTIN OF MARTIN REALTY & D	-3,260.00

**Total TRUST ACOUNT Bills    \$ 9,951.26**

**DEVELOPERS ESCROW (FUND 72) ACCOUNT**

1304	CURRENT ACCOUNT	12.99
1305	PELLOW, HAROLD & ASSO, INC.	1,564.00
1303	K MARTIN COMPANIES, LLC	7,674.82
1300	KENNETH MARTIN OF MARTIN REALTY & D	-7,674.82

**Total DEVELOPERS ESCROW (FUND 72) Bills    \$ 1,576.99**

**FEDERAL/STATE GRANTS**

1398	ATLANTIC TACTICAL INC.	961.70
181107	PAYROLL ACCOUNT	262.17

**Total HOUSING FEDERAL/STATE GRANTS Bills    \$ 1,223.87**

**RESOLUTION #8 9-2018\***

**RESOLUTION AUTHORIZING ADOPT-A-SITE PROGRAM**

**WHEREAS**, the Town of Newton, through the Town Manager’s Office and Community Development Director, and the Greater Newton Chamber of Commerce, Beautification Committee, have come together to develop an Adopt-A-Site Program which allows citizens to participate in helping keep the Town of Newton clean and beautiful; and

**WHERSAS**, the Town Council of the Town of Newton wishes to support such programs which will help to beautify the Town;

**NOW THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton hereby authorizes the Adopt-A-Site Program under the direction of the Town Manager’s Office and Community Development Director.

The Clerk presented an application for a permit for a social affair from the Sussex County Arts & Heritage Council, to be held on Saturday, May 19, 2018 from 5:00 pm to 7:00 pm at 122 Spring Street, Newton. It was noted the application was in order.

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

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

**INTERMISSION** - None

**DISCUSSION** - None

**OPEN TO THE PUBLIC** \_\_\_\_\_

Anwar Qarmout, 45 Woodside Avenue, addressed questions regarding the bill list which was addressed by Mr. Russo.

Michael Malone, 57 Trinity Street, addressed concerns with the water supply limitation on our water treatment plant which was addressed by the Town Council. It was noted the Town’s water source is monitored by our Water/Sewer Engineer.

James Ciaravolo, owner of Kudzu Emporium, 124 Spring Street, thanked Council for passing Resolution #89-2018. He believes this will be a great program for Newton and will allow citizens to participate in helping keep the Town of Newton clean and beautiful. Mr. Ciaravolo also stated that the Sussex County Community College would be a “welcome” neighbor in the downtown area.

Ralph Porter, 12 Pine Street, noted he walks throughout Newton daily and addressed several areas of concern for handicap accessibility.

Anwar Qarmout, 45 Woodside Avenue, questioned why the Town of Newton pays Sparta Township taxes for Morris Lake. Mr. Qarmout asked Council to further investigate.

Mayor Levante requested Mr. Russo update the current Council on the Morris Lake taxes issue.

Jason Schlaffer, 180 Sparta Avenue, questioned why the Council has not moved the Municipal Election to November. He knows it will produce a larger turnout as well as saving

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taxpayers money. He knows there is a petition circulating to move the election to November and hopes the Council supports same.

The Council held a brief discussion regarding moving the Municipal Election to November.

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

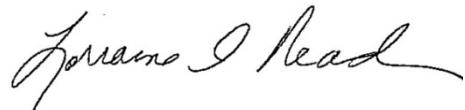
**COUNCIL & MANAGER COMMENTS**

Councilwoman Le Frois announced the details on Neighbors Helping Neighbors on Saturday, April 21, 2018. She noted RPM Tour and Grand Opening will be held on Wed., April 25<sup>th</sup>.

Councilwoman Diglio noted the Memorial Day parade will be held on Monday, May 28, 2018.

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 8:40 pm.

Respectfully submitted,



Lorraine A. Read, RMC  
Municipal Clerk