



AGENDA
NEWTON TOWN COUNCIL
July 17, 2018
7:00 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

June 25, 2018 Regular Meeting
July 1, 2018 Reorganization Meeting

V. OPEN TO THE PUBLIC

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.

VI. COUNCIL & MANAGER REPORTS

- a. Mayor Le Frois
- b. Deputy Mayor Flynn
- c. Councilwoman Diglio
- d. Councilman Schlaffer
- e. Councilman Dickson
- f. Town Manager Russo

VII. ORDINANCES

- a. Introduction
Ordinance 2018-16

An Ordinance to Revise Section 307-49 of the Code of the Town of Newton, to Revise Parking Restrictions on Plainfield Avenue

Ordinance 2018-17

Ordinance Appropriating \$50,000 from the Capital Surplus Fund for Preliminary Planning Expenses for Redevelopment Planning for New Projects in and by the Town of Newton, in the County of Sussex, New Jersey

VIII. OLD BUSINESS

IX. CONSENT AGENDA

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.

- a. Resolution #155-2018* To Cancel Capital Appropriation Balance and NJ DOT Grant Receivable Balance in the General Capital Fund
- b. Resolution #156-2018* Appointment of Kathryn Walker as Action Alliance Coordinator for the Town of Newton for the Remainder of Calendar Year 2018
- c. Resolution #157-2018* Town of Newton Capital Budget Amendment
- d. Resolution #158-2018* Authorize the Award of a Required Disclosure Contract for Suburban Propane, LP
- e. Resolution #159-2018* Authorize the Award of a Required Disclosure Contract for W. Campbell Supply Company of Sussex County LLC
- f. Resolution #160-2018* Resolution Authorizing Disposal of Surplus Property
- g. Resolution #161-2018* Authorize Credits Due Water and Sewer Utility Accounts
- h. Resolution #162-2018* A Resolution of the Town of Newton Authorizing the Purchase of Natural Gas Supply Services for Public Use on an Online Auction Website
- i. Resolution #163-2018* Approve Bills and Vouchers for Payment
- j. Resolution #164-2018* Authorizing Defense and Indemnification of Officers and Employees in Current Litigation, the New Jersey Government Records Council Denial of Access Complaint filed by Wayne Levante and the Complaint filed in the Superior Court of New Jersey, Law Division, No. SSX-L-313-18, Dr. Ludmilla G. Mecaj, et al. v Town of Newton, et al.
- k. Application(s)* An Application for a Special Permit for a Social Affair from the Greater Newton Chamber of Commerce to be held on September 10, 2018 from 6:30pm to 9:30pm on Spring Street, Newton, NJ

X. INTERMISSION

XI. DISCUSSION

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENTS

XIV. EXECUTIVE SESSION

a. Resolution #165-2018

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

- i. Litigation – GRC Complaint
- ii. Litigation – Dr. Lumdilla G. Mecaj, et al. v Town of Newton, et al.

XV. ADJOURNMENT

**TOWN OF NEWTON
ORDINANCE #2018-16**

**AN ORDINANCE TO REVISE SECTION 307-49 OF THE CODE OF THE TOWN OF
NEWTON, TO REVISE PARKING RESTRICTIONS ON PLAINFIELD AVENUE**

WHEREAS, it has been determined the parking permitted on Plainfield Avenue should be revised, as recommended by the Town of Newton Engineer and Police Department;

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

Section 1. Chapter 307-49, Schedule II of the Code of the Town of Newton, Parking Prohibited During Certain Hours on Certain Streets, shall be revised by the deletion of the following:

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
Plainfield Avenue	West	7:00 a.m. to 4:00 p.m., school days	From a point 50 feet from its intersection with West Nelson Street and continuing to the point of its intersection with Condit Street

Section 2. Chapter 307-49, Schedule II of the Code of the Town of Newton, Parking Prohibited During Certain Hours on Certain Streets, shall be revised by the addition of the following:

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
Plainfield Avenue	West	7:00 a.m. to 4:00 p.m., school days	From its intersection with Condit Street to the point of its intersection with Barry Lane

Section 3. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 4. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 5. Effective Date. This Ordinance will take effect after publication and passage according to law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Tuesday, July 17, 2018. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body, to be conducted at 7:00pm on Monday, August 13, 2018 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

TOWN OF NEWTON

Ordinance 2018-17

ORDINANCE APPROPRIATING \$50,000 FROM THE CAPITAL SURPLUS FUND FOR PRELIMINARY PLANNING EXPENSES FOR REDEVELOPMENT PLANNING FOR NEW PROJECTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$50,000 is hereby appropriated from the Capital Surplus Fund for preliminary planning expenses for redevelopment planning for new projects, including work and expenses relating to new proposals for the Armory, G & H property, Paterson Avenue, Hicks Avenue, McGuire's and other areas in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town").

Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Tuesday, July 17, 2018. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body, to be conducted at 7:00pm on Monday, August 13, 2018 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #155-2018

July 17, 2018

**"To Cancel Capital Appropriation Balance and
NJ DOT Grant Receivable Balance in the General
Capital Fund**

WHEREAS, the Town of Newton received an award in 2015 in the amount of \$80,000.00 from the State of New Jersey Department of Transportation for Liberty Street; and

WHEREAS, there is an unexpended balance of \$72,616.08 in General Capital Improvement Authorization - Ordinance 2016-5 for Improvements to Liberty Street; and

WHEREAS, the Town Engineer has certified there are no additional costs for this project and the Mayor and Council have accepted this project as complete per Resolution #275-2017; and

WHEREAS, there is a grant receivable balance of \$27,417.63 *Due from State of New Jersey Department of Transportation* for Liberty Street on the General Capital balance sheet; and

WHEREAS, it is necessary to formally cancel the receivable balance and the unexpended improvement authorization balance (debt was not authorized for the \$80,000 funding expected to be received from the DOT grant);

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton, that we hereby cancel the following grant receivable and the balance of the General Capital appropriation:

General Capital Fund

NJ DOT Grant Receivable – Liberty Street (Ord #2016-5) #3001525	\$27,417.63
Improvement Authorization Ord #2016-5 Liberty Street #30916051	\$72,616.08

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Tuesday, July 17, 2018.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #156-2018

July 17, 2018

“Appointment of Kathryn Walker as Action Alliance Coordinator for the Town of Newton for the Remainder of Calendar Year 2018”

BE IT RESOLVED, by the Town Council of the Town of Newton that Kathryn Walker be and is hereby appointed as the Action Alliance Coordinator for the Town of Newton effective immediately and continuing through the remainder of calendar year 2018.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Tuesday, July 17, 2018.

Lorraine A. Read, RMC
Municipal Clerk

TOWN OF NEWTON CAPITAL BUDGET AMENDMENT

RESOLUTION NO. 157-2018

Whereas, the local Capital Budget for the year 2018 was approved on the 9th day of April 2018; and
Whereas, it is desired to amend said adopted Capital Budget Section;

Now, Therefore Be It Resolved, by the Town Council of the Town of Newton, County of Sussex that the following General Capital Budget amendment of 2018 be made:

RECORDED VOTE:	AYES	(NAYS	(ABSTAIN	(
(insert last name)						
		((
		((ABSENT	(
		((

**CAPITAL BUDGET (Current Year Action)
2018**

PLANNED FUNDING SERVICES FOR CURRENT YEAR 2018									
PROJECT	PROJECT NUMBER	ESTIMATED COST	AMOUNTS RESERVED IN PRIOR YEARS	2018 BUDGET APPROPRIATIONS	CAPITAL - CAPITAL IMPROVEMENT FUND	CAPITAL FUND BALANCE	GRANTS IN AID AND OTHER FUNDS	DEBT AUTHORIZED	TO BE FUNDED IN FUTURE YEARS
Prelim Planning & Redevelopment	2	50,000				50,000			
TOTAL ALL PROJECTS		50,000				50,000			

**3 YEAR CAPITAL PROGRAM 2018 - 2020
Anticipated Project Schedule and Funding Requirements**

PROJECT	PROJECT NUMBER	ESTIMATED COST	ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER YEAR			TO BE FUNDED IN FUTURE YEARS
				BUDGET YEAR: 2018	2019	2020	
Prelim Planning & Redevelopment	2	50,000	2019	50,000			2022
TOTAL ALL PROJECTS		50,000		50,000			

**3 YEAR CAPITAL PROGRAM 2018 - 2020
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

PROJECT	BUDGET APPROPRIATIONS			BONDS AND NOTES						
	ESTIMATED COST	CURRENT YEAR 2018	FUTURE YEARS	GENERAL CAPITAL - CAPITAL IMPROVEMENT FUND	CAPITAL FUND BALANCE	GRANTS IN AID AND OTHER FUNDS	GENERAL	SELF LIQUIDATING	ASSESSMENT	SCHOOL
Prelim Planning & Redevelopment	50,000				50,000					
TOTAL ALL PROJECTS	50,000				50,000					

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

It is hereby certified that this is a true copy of a resolution creating the General Capital Budget section adopted by the Governing Body on the 17th day of July, 2018.

Certified by: _____
Date _____
Lorraine A. Read, Municipal Clerk



TOWN OF NEWTON

RESOLUTION #158-2018

July 17, 2018

“Authorize the Award of a Required Disclosure Contract for Suburban Propane LP”

WHEREAS, the Town of Newton has a need to maintain operations in its facilities, provide for services and maintain facility's heating and other propane-based source of operations through SUBURBAN PROPANE, LP., 93 HAMPTON HOUSE RD., AUGUSTA, NJ 07822, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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 services will exceed \$17,500; and

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

WHEREAS, it is anticipated during the 2018 budget year that Suburban Propane LP services will exceed in the aggregate the pay to play threshold of \$17,500.00; and

WHEREAS Suburban Propane LP., has completed and submitted a Business Entity Disclosure Certification and Political Disclosure Contribution form, which certifies Suburban Propane LP., 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 Suburban Propane LP., from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer hereby certifies funds are available in the 2018 Water Sewer Utility Budget, NOT TO EXCEED \$20,000 have/will be encumbered as follows:

Water Treatment – OE - Propane – #6064245

“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 SUBURBAN PROPANE, LP., 93 HAMPTON HOUSE RD., AUGUSTA, NJ 07822, not to exceed \$20,000.00 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 in the Municipal Clerk's Office.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Tuesday, July 17, 2018.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #159-2018

July 17, 2018

"Authorize the Award of a Required Disclosure Contract for W. Campbell Supply Company of Sussex County LLC"

WHEREAS, the Town of Newton has a need to maintain and repair its larger vehicles for public works, and other Town of Newton operations, in serving the public through W. Campbell Supply Company of Sussex County LLC, 2 Route 94, Lafayette, N.J. 07848, pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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 services will exceed \$17,500; and

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

WHEREAS, W. Campbell Supply Company of Sussex County LLC, in the aggregate is expected to exceed the pay-to-play threshold of \$17,500.00; and

WHEREAS, W. Campbell Supply Company of Sussex County LLC, has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies W. Campbell Supply Company of Sussex County LLC, 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 W. Campbell Supply Company of Sussex County LLC, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer hereby certifies that funds are available in the 2017 & 2018 Current Budgets, NOT TO EXCEED \$22,000 will be encumbered as follows:

2017 Vehicle Maintenance, Other Expenses - #10983300A	\$5,000
2018 Vehicle Maintenance, Other Expenses - #10983300	\$17,000

"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 W. Campbell Supply Company of Sussex County LLC not to exceed \$22,000 for the 2018 calendar year; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file in the Municipal Clerk's Office.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #160-2018

July 17, 2018

"Resolution Authorizing Disposal of Surplus Property"

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

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

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is **govdeals.com**.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 - (1) 2012 Ford Explorer Rear Seat
Condition: Fair
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



**TOWN OF NEWTON
RESOLUTION #161-2018**

JULY 17, 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:

WAIVER OF PENALTY ERRONEOUSLY CHARGED:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
26489	110 SPRING STREET	\$8.15

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 amounts billed incorrectly due to the reason(s) stated.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #162-2018

July 17, 2018

**“A Resolution of the Town of Newton Authorizing
the Purchase of Natural Gas Supply Services for
Public Use on an Online Auction Website”**

WHEREAS, the Town of Newton has determined to move forward with the EMEX Reverse Auction in order procure natural gas for Town of Newton; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

WHEREAS, the Town of Newton will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$0.50/therm or less for a 12 month term, a price of \$0.50/therm or less for an 18 month term, a price of \$0.49303/therm or less for a 24 month term; the Town of Newton may award a contract to the winning supplier for the selected term;

NOW, THEREFORE BE IT RESOLVED, that the Town Manager of the Town of Newton be and he is hereby is authorized to execute on behalf of the Town of Newton any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.50/therm or less for a 12 month term, a price of \$0.50/therm or less for an 18 month term, a price of \$0.49303/therm or less for a 24 month term; the Town of Newton may award a contract to the winning supplier for the selected term.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Tuesday, July 17, 2018.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #163-2018

July 17, 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.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #164-2018

July 17, 2018

"Authorizing Defense and Indemnification of Officers and Employees in Current Litigation, the New Jersey Government Records Council Denial of Access Complaint filed by Wayne Levante and the Complaint filed in the Superior Court of New Jersey, Law Division, No. SSX-L-313-18, Dr. Ludmilla G. Mecaj, et al. v Town of Newton, et al."

WHEREAS, Newton Town Code Section 3-88 provides the Town will provide a defense and indemnification for Town officers and employees in proceedings related to official duties: "Whenever an officer or employee of the municipality is a defendant in any action or legal proceeding arising out of or incidental to the performance of his duties, the Town shall provide the officer or employee with the necessary defense or, at its option, means for the defense of such action or proceedings and shall hold the officer or employee harmless from any payment, settlement or judgment resulting from the proceeding", except in certain situations; and

WHEREAS, there are currently pending actions against the Town of Newton, the Governing Body, and the Town Clerk, including a New Jersey Government Records Council Denial of Access Complaint filed by Wayne Levante and a Complaint filed in the Superior Court of New Jersey, Law Division, No. SSX-L-313-18, Dr. Ludmilla G. Mecaj, et al. v Town of Newton, et al.; and

WHEREAS, the Town Council desires to confirm, via resolution, its support of Town officers and employees in defense of the New Jersey Government Records Council Denial of Access Complaint filed by Wayne Levante and a Complaint filed in the Superior Court of New Jersey, Law Division, No. SSX-L-313-18, Dr. Ludmilla G. Mecaj, et al. v Town of Newton, et al.;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby authorizes the Town to provide a defense and indemnification to current Town employees and officers, via providing a legal defense, regarding the New Jersey Government Records Council Denial of Access Complaint filed by Wayne Levante and the Complaint filed in the Superior Court of New Jersey, Law Division, No. SSX-L-313-18, Dr. Ludmilla G. Mecaj, et al. v Town of Newton, et al.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #165-2018

July 17, 2018

“A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12”

WHEREAS, the Town Council of the Town of Newton is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Town Council of the Town of Newton to discuss in a session not open to the public certain matters relating to the item authorized by N.J.S.A. 10:4-12b and designated below:

- i. Litigation – GRC Complaint
- ii. Litigation – Dr. Ludmilla G. Mecaj, et al. v Town of Newton, et al.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on July 17, 2018, that an Executive Session closed to the public shall be held on July 17, 2018 at _____ pm in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific item designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Town Council that the public interest will no longer be served by such confidentiality.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a public meeting of said Governing Body conducted on Tuesday, July 17, 2018.

Lorraine A. Read, RMC
Municipal Clerk

AGENDA ITEMS

For July 17, 2018 Council Meeting

Minutes: - June 25, 2018 – Regular Meeting
July 1, 2018 – Reorganization Meeting

An application for a Special Permit for Social Affair from the Greater Newton Chamber of Commerce to be held on September 10, 2018 from 6:30 pm to 9:30 pm on Spring Street, Newton.

**List of Bills - (100001) CASH - CURRENT - LAKELAND #434
CURRENT FUND**

Check#	Vendor	Description	Payment	Check Total
40331	3861 - ARF RENTAL SERVICES, INC.	PO 51722 BLANKET: PORT A JOHN @ \$48 \$5,000	430.92	430.92
40332	1132 - BOONTON TIRE SUPPLY INC.	PO 52325 PD VEHICLE REPAIR	458.02	458.02
40333	2124 - BUCKMAN'S INC.	PO 51938 BLANKET: CHLORINE/MURIATIC ACID/SO	1,277.63	1,277.63
40334	3893 - CAMPBELLS SUPPLY OF SUSSEX COUNTY L	PO 51942 BLANKET: VEH MAINT RD acct #27674	125.00	125.00
40335	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 51901 BLANKET: ALARM CIRCUITS HIGH ST TO	125.85	125.85
40336	2843 - CHELBUS CLEANING CO., INC.	PO 51919 CLEAN TOWN BLDGS1/23/18-12/31/18	1,813.75	1,813.75
40337	3770 - CINTAS CORPORATION NO. 2	PO 51710 BLANKET: 1ST AID SUPP'S	187.81	187.81
40338	2518 - DAWN BABCOCK	PO 52931 MILEAGE REIMB SEMINARS	28.89	28.89
40339	4069 - DELL MARKETING LP	PO 51493 ASSESSOR LAP TOP cust #36731320	1,105.47	
		PO 52781 Laptop for Video Recording in Counc	878.45	1,983.92
40340	4077 - ESS, INC.	PO 52720 MICROPHONE #3955317	62.72	62.72
40341	3124 - EXTRA TECH DATA SERVICES, LLC.	PO 52900 IT SVCS CODE ENF. MITCHELL HUMPHRIE	200.00	200.00
40342	225 - FEDERAL EXPRESS	PO 51825 BLANKET: EXPRESS MAIL ACCT #1344-0	24.77	24.77
40343	1880 - FIRE & SAFETY SERVICES, LTD., INC.	PO 52780 ENG #803 REPAIRS	976.00	976.00
40344	4074 - FOSTER ARBORE VELEZ	PO 52881 ALTERNATE PUB DEFNDR -MAR/MAY/JUNE	450.00	450.00
40345	448 - GARRIS, JEAN	PO 52835 MEDICARE PART B REIMB	804.00	804.00
40346	230 - HAYEK'S MARKET INC.	PO 52770 Lunch Mtg discuss Finance Special E	46.70	46.70
40347	1866 - HOME DEPOT, INC.	PO 51845 BLANKET: PARK SUPP'S	282.89	
		PO 51878 BLANKET: CENCOM SUPP'S	37.74	320.63
40348	1866 - HOME DEPOT, INC.	PO 52087 BLANKET: B&G/VEH MAINT/RD SUPP'S	790.55	790.55
40349	1866 - HOME DEPOT, INC.	PO 52949 B: POOL SUPP'S	251.46	251.46
40350	3357 - ICORE SYSTEMS	PO 52716 Defensive Driver Training - S Estle	10.00	10.00
40351	113 - JCP&L	PO 52936 JUNE ELECTRIC	319.33	319.33
40352	4075 - JGSC GROUP LLC	PO 52912 REDEVELOPMENT EXPERT - SCCC/MCQUIRE	500.00	500.00
40353	3711 - KKPR MARKETING & PUBLIC RELATIONS,	PO 51754 BLANKET: 2018 MARKETING & PUBLIC R	400.00	400.00
40354	2365 - KRAVE CAFE	PO 52911 ReOrg mtg brownie & cookie	160.00	160.00
40355	2532 - LADDEY, CLARK & RYAN, LLP	PO 52934 BANKRUPTCY/TAX APPEALS JUNE	464.00	
		PO 52933 LEGAL JUNE	4,288.00	4,752.00
40356	1141 - MCGUIRE, INC.	PO 52822 TRUCK 1 REPAIR/SERVICE CUST #2252	519.35	519.35
40357	62 - MGL FORMS - SYSTEMS, LLC.	PO 52614 TAX ADDRESS LABEL STICKERS	214.00	
		PO 52844 TAX COLLECTOR FORMS	43.50	257.50
40358	409 - MINISINK PRESS INC	PO 52767 Business Cards and Letterhead for J	673.34	
		PO 52859 Pool Training Logs	110.00	783.34
40359	53 - MONTAGUE TOOL & SUPPLY, INC.	PO 52846 PLATE COMPACTOR	949.50	949.50
40360	4000 - NEC FINANCIAL SERVICES, LLC.	PO 51978 B: PHONE SYSTEM LEASE (\$49,435 T 60	4,119.50	4,119.50
40361	116 - NEW JERSEY HERALD, INC.	PO 52902 NJ Ads	126.60	
		PO 52920 Ad Ord 2018-13 reapprop Pool	18.60	145.20
40362	336 - NEWTON TROPHY	PO 52772 Acrylic Awards & Name Plates	223.00	223.00
40363	3040 - NJ DIV PENSION & BENEFIT	PO 52921 DCRP ER share Apr-June 14	636.69	636.69
40364	2835 - NJMEBF	PO 52929 JULY MED & DENTAL	179,849.00	179,849.00
40365	1762 - NJSACOP	PO 52689 ABC COURSE 11/13-11/14/18	210.00	210.00
40366	106 - ELIZABETHTOWN GAS	PO 52937 NAT GAS MAY	1,168.55	1,168.55
40367	499 - OFFICE BUSINESS SYSTEMS INC	PO 52778 Revshield Program Renewal CUST #PB	685.00	685.00
40368	57 - PRINTING CENTER, INC	PO 52838 Primary Election Expenses	3,196.78	3,196.78
40369	3731 - READY REFRESH BY NESTLE	PO 51723 BLANKET: 2018 WATER DELV \$1,500 ANN	163.29	163.29
40370	61 - S K PAPER SHRED	PO 52458 BLANKET: 2018 PAPER SHREDDING	150.00	150.00
40371	3660 - SCHENCK, PRICE, SMITH, & KING, LLP	PO 52860 SPECIAL CONFLICT ATTORNEY -MAY	94.50	
		PO 52861 TAX APPEALS -MAY	3,306.55	3,401.05
40372	3973 - Schlosser, Theresa	PO 52898 MILEAGE TO SEMINARS	31.28	31.28
40373	951 - SERVICE ELECTRIC CABLE TV, INC.	PO 51991 BLANKET: DIGITAL CONVERTERS & DTA'	85.30	85.30
40374	3134 - SHOP RITE, INC.	PO 52930 Water for redevelopment meeting	17.07	17.07
40375	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 51740 BLANKET: POLICE/CENCOM OFFICE SUPPL	325.18	
		PO 52905 Office Sup's 1059247	236.94	
		PO 52946 CLERK OFFICE SUPP'S	129.96	692.08
40376	273 - STATE TREASURER	PO 52880 T SCHLOSSER CTC RECERT	50.00	50.00
40377	3044 - STATIONERS INC.	PO 52532 DET. BUREAU NOTEBOOKS acct #N8204	56.23	56.23

**List of Bills - (100001) CASH - CURRENT - LAKELAND #434
CURRENT FUND**

Check#	Vendor	Description	Payment	Check Total
40378	3442 - SUNLIGHT GENERAL	PO 51736 BLANKET: DPW/STP ELECTRIC	561.09	561.09
40379	2561 - SUSSEX COUNTY CHAMBER OF COMMERCE	PO 52829 WORKPLACE VIOLENCE PREVENTION SEMIN	100.00	100.00
40380	3851 - THE CANNING GROUP, LLC.	PO 51709 BLANKET: PURCHASING QPA (\$7,500/12	625.00	625.00
40381	3105 - THYSSENKRUPP ELEVATOR CORP.	PO 51713 BLANKET: ELEVATOR MAINT (TH SIDE) \$	227.07	227.07
40382	2662 - TONY SANCHEZ LTD, INC.	PO 52207 RePair ROLLOFF CABLE RECYCLE TRK #1	493.09	493.09
40383	2880 - TRACTOR SUPPLY	PO 52736 TrkLighting #6035301203147200	89.95	
		PO 52756 Storm Drain RPR #6035301203147200	11.98	101.93
40384	3249 - TRI-STATE RENTALS/PARTY WORLD INC	PO 52877 Tables for Reorganization Reception	42.50	42.50
40385	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 51986 LABOR RELATIONS (JAN-APR) ANNUAL \$	4,512.50	4,512.50
40386	2115 - WEST PAYMENT CENTER	PO 52746 2018 NJ DD Manual	405.90	
		PO 52816 Book (Judge) #1000194603	250.00	655.90
TOTAL				221,208.74

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
100001	CASH - CURRENT - LAKELAND #434			0.00	221,208.74
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	1,632.18			
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES	424.97			
1051500	ELECTIONS - OTHER EXPENSES	3,196.78			
1052200	TOWN COUNCIL - OTHER EXPENSES	1,047.17			
1053200	HUMAN RESOURCE - OTHER EXPENSES	23.33			
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES	52.22			
1055200A	(2017) ASSESSMENT OF TAXES - OTHER EXPEN		1,105.47		
1056200	COLLECTION OF TAXES - OTHER EXPENSES	362.12			
1058200	LEGAL SERVICES - OTHER EXPENSES	13,115.55			
1059200	MUNICIPAL COURT - OTHER EXPENSES	892.84			
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	7,026.48			
1062200	PLANNING BOARD - OTHER EXPENSES	78.34			
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	625.00			
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	180,653.00			
1070200	FIRE DEPARTMENT - OTHER EXPENSES	65.00			
1074200	POLICE DEPARTMENT - OTHER EXPENSES	817.22			
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	722.74			
1077200	INSPECTION OF BUILDINGS - OTHER EXPENSES	55.00			
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES	55.00			
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	1,323.88			
1083200	RECYCLING/SANITATION - OTHER EXPENSES	493.09			
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	2,168.32			
1087200	RECREATION - OTHER EXPENSES	23.33			
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	2,260.12			
1090200	SWIMMING POOL - OTHER EXPENSES	1,639.09			
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES	713.81			
1098200	STATUTORY EXPENDITURES - OTHER EXPENSES	636.69			
TOTALS FOR	CURRENT FUND	220,103.27	1,105.47	0.00	221,208.74

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT

Total to be paid from Fund 10 CURRENT FUND		221,208.74			

		221,208.74			

Checks Previously Disbursed

181047	ELAVON	July COURT MERCHANT FEE	247.44	7/02/2018
181046	PAYROLL ACCOUNT	Gross Payroll	203,609.12	7/12/2018
181045	US BANK OPER.CTR/TRUST MGMT	MCIA 2011A(new) & Ref Bond int	507,332.70	7/13/2018
181044	Wells Fargo Bank	CASH - CURRENT - LAKELAND #434	9,745.46	7/13/2018

			720,934.72	

Total paid from Fund 10 CURRENT FUND		720,934.72

		720,934.72

Total for this Bills List: 942,143.46

**List of Bills - (300001) CASH - CAPITAL - LAKELAND #450
CAPITAL**

Check#	Vendor	Description	Payment	Check Total
8722	2744 - FKA ARCHITECTS INC.	PO 48892 ARCHITECT -FIREHOUSE #2 RENOVATION	1,624.13	1,624.13
8723	116 - NEW JERSEY HERALD, INC.	PO 52920 Ad Ord 2018-13 reapprop Pool	25.20	
		PO 52932 ORD #18-13 REAPPROP POOL	28.80	54.00
TOTAL				1,678.13

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
300001	CASH - CAPITAL - LAKELAND #450			0.00	1,678.13
3091605	ORD 2016-5 VARIOUS \$1,190T	1,624.13			
3091813	ORD 2018-13 reapprop for Pool \$27,244	54.00			
TOTALS FOR	CAPITAL	1,678.13	0.00	0.00	1,678.13

Total to be paid from Fund 30 CAPITAL

1,678.13

1,678.13

**List of Bills - (600001) CASH - W/S OPERATING-LAKELAND #426
WATER/SEWER UTILITY**

Check#	Vendor	Description	Payment	Check Total
16998	921 - AIRGAS EAST	PO 52105 B: CARBON DIOXIDE \$30 X 12 =\$360	16.41	16.41
16999	2141 - AIRMATIC COMPRESSOR SYSTEMS, INC.	PO 52863 COMPRESSOR REPAIR	451.50	
		PO 52888 SERVICE WTP COMPRESSOR & BACK UP UN	2,134.65	2,586.15
17000	77 - CCP INDUSTRIES, INC.	PO 52848 Cleaning Supplies Cust #53794	1,096.77	1,096.77
17001	3770 - CINTAS CORPORATION NO. 2	PO 51710 BLANKET: 1ST AID SUPP'S	82.72	82.72
17002	155 - COYNE CHEMICAL CORP., INC.	PO 52701 B: SODA ASH SODIUM CARBONATE STP (A	2,825.62	
		PO 52831 CP-837	462.93	3,288.55
17003	4069 - DELL MARKETING LP	PO 52781 Laptop for Video Recording in Counc	468.45	468.45
17004	3233 - FASTENAL COMPANY, INC.	PO 52737 SCREWS MORRIS LAKE cust #NJSPA0909	115.16	115.16
17005	232 - HAMBURG PLUMBING SUPPLY CO INC	PO 52722 Manhole Inserts 41 Douma / Per Mott	3,401.00	3,401.00
17006	1866 - HOME DEPOT, INC.	PO 51844 BLANKET: WATER/SEWER	198.79	198.79
17007	4075 - JGSC GROUP LLC	PO 52912 REDEVELOPMENT EXPERT - SCCC/MCQUIRE	500.00	500.00
17008	2138 - KISTLER O'BRIEN FIRE PROTECTION, IN	PO 51957 REPAIR FIRE ALARM & CHEMICAL TANKS	1,339.00	1,339.00
17009	2532 - LADDEY, CLARK & RYAN, LLP	PO 52933 LEGAL JUNE	240.00	240.00
17010	409 - MINISINK PRESS INC	PO 52767 Business Cards and Letterhead for J	46.66	46.66
17011	53 - MONTAGUE TOOL & SUPPLY, INC.	PO 52846 PLATE COMPACTOR	949.50	949.50
17012	3166 - MOTT MACDONALD	PO 50872 CAF: SEWER LINE INSPECTION	6,196.97	
		PO 52918 Water Quality / Tank JUNE	3,222.00	9,418.97
17013	106 - ELIZABETHTOWN GAS	PO 52937 NAT GAS MAY	888.42	888.42
17014	2882 - ONE CALL CONCEPTS, INC.	PO 52037 B: ONE CALL MESSAGES (JAN-DEC)	90.00	90.00
17015	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 52709 B: SLUDGE DISPOSAL (APR-DEC)	13,524.00	13,524.00
17016	55 - SCHMIDT'S WHOLESALE, INC	PO 52528 BID#1-2018 METER/ HYDRANT/REPAIR/MA	13,064.52	
		PO 52845 To Replenish Stock / Have Quote Fr	2,496.71	15,561.23
17017	3442 - SUNLIGHT GENERAL	PO 51736 BLANKET: DPW/STP ELECTRIC	982.95	982.95
17018	130 - SUSSEX COUNTY P & H, INC.	PO 51856 BLANKET: PLUMBING SUPP'S	288.91	288.91
17019	1151 - TREASURER, STATE OF NEW JERSEY	PO 52935 SAFE DRINKING WATER (7/1/18-6/30/19	720.00	720.00
	TOTAL			55,803.64

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
600001	CASH - W/S OPERATING-LAKELAND #426			0.00	55,803.64
6051200	W&S OPERATING - TOTAL OTHER EXPENSES	31,485.02			
6089293	W&S CAP IMPROVE - CAPITAL OUTLAY	14,899.65			
6089305	W&S CAP IMPROVE - WATER TANK IMPROV	3,222.00			
6089340A	(2017) W&S CAP IMPROVE - SEWER LINE INSP		6,196.97		
TOTALS FOR	WATER/SEWER UTILITY	49,606.67	6,196.97	0.00	55,803.64

Total to be paid from Fund 60 WATER/SEWER UTILITY 55,803.64

55,803.64

Checks Previously Disbursed

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
186026	PAYROLL ACCOUNT	7/12 W/S Pay		35,171.76	7/12/2018
186025	ELAVON - ON LINE FEES	Elavon Online fees		174.76	7/10/2018

				35,346.52	
Total paid from Fund 60 WATER/SEWER UTILITY				35,346.52	

				35,346.52	

Total for this Bills List: **91,150.16**

**List of Bills - (710001) CASH - TRUST - LAKELAND #469
TRUST**

Check#	Vendor	Description	Payment	Check Total
3755	391 - LOU'S GLASS	PO 52711 Park/Pool Notifications	542.37	542.37
3756	64 - PELLOW, HAROLD & ASSO, INC.	PO 52907 CELLCO/VERIZON-MAY ESCROW	32.50	
		PO 52919 MCCABE/SOARES-JULY 2017 ESCROW	715.00	747.50
TOTAL				1,289.87

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
710001	CASH - TRUST - LAKELAND #469			0.00	1,289.87
711207	RESERVE FOR HANK SMITH REC. DONATION			83.60	
711208	RES RECREATION (ALL)			458.77	
711440	ENGINEER REVIEW FEES			715.00	
711700	REDEVELOPMENT ESCROW FEES			32.50	
TOTALS FOR	TRUST	0.00	0.00	1,289.87	1,289.87

Total to be paid from Fund 71 TRUST

1,289.87
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1,289.87

Checks Previously Disbursed

187114	PAYROLL ACCOUNT	7/12 Trust Pay	2,592.00	7/12/2018

			2,592.00	

Total paid from Fund 71 TRUST

2,592.00

2,592.00

Total for this Bills List: **3,881.87**

**List of Bills - (750001) CASH - HOUSING TRUST FUND (COAH) #0301
HOUSING TRUST FUND (COAH) (Fund 75)**

Check#	Vendor	Description	Payment	Check Total
168	2532 - LADDEY, CLARK & RYAN, LLP	PO 52933 LEGAL JUNE	128.00	128.00
	TOTAL			128.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
750001	CASH - HOUSING TRUST FUND (COAH) #0301			0.00	128.00
751220	RESERVES FOR COMMERCIAL DEVELOPMENT			128.00	
TOTALS FOR	HOUSING TRUST FUND (COAH) (Fund 75)	0.00	0.00	128.00	128.00

Total to be paid from Fund 75 HOUSING TRUST FUND (COAH) (Fund 75) 128.00
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 128.00