

November 26, 2018

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:36 pm. Present were Mr. Dickson, Mrs. Diglio, Mr. Schlaffer, Deputy Mayor Flynn, Mayor Le Frois and Thomas S. Russo, Jr., Town Manager. Ursula Leo, Esq., Town Attorney was also present.

Mayor Le Frois 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 Le Frois led the Pledge of Allegiance to the flag and the Clerk called the roll. Upon motion of Mrs. Diglio, seconded by Mr. Dickson and unanimously carried, the minutes for the October 22, 2018 Regular meeting were approved.

OPEN TO THE PUBLIC

At this time, Mayor Le Frois 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 Le Frois opened the meeting to the public.

Ralph Porter, 12 Pine Street, complimented the Holiday parade held this past Saturday. He also commended the DPW on the recent winter storm cleanup. Mr. Porter expressed his disappointment with his recent complaint to NPD regarding parking cars during the recent snow storm. He complained of several crosswalks and sidewalks which were not shoveled in time allotted as well as the necessary width for shoveling.

Luz Maria Villanueva, 117 High Street, addressed Council and advised she plans to attend the next Board of Education meeting to address the lack of transportation for residents in the Town of Newton. She indicated she spoke to Fr. ST, Priest of St. Joseph Catholic Church in Newton, who advised that St. Joseph School is available for rent if Newton BOE would like to consider the facility for school use.

Margaret Baldini, 5 Barry Lane, thanked the DPW for fixing the street light on her street. Ms. Baldini addressing Ordinance 2018-23, "Establish minimum & maximum salaries and wages...", feels the Town Manager's salary is too high and suggested his salary be cut as well as his Town vehicle be eliminated. She feels the Town Manager is

not trustworthy and has too much power. She believes the Town Council should hire someone who the Town "can afford, financially and morally".

Kris Hanson, 161 Mill Street, does not concur with the previous statements of Ms. Baldini. Ms. Hanson stated the Town Manager and the Town Council have been courteous and helpful in her recent plight as a new homeowner in the Town of Newton and thanked them for their assistance.

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

PRESENTATION

Mayor Le Frois and Deb Danielson, Recreation Director, made a presentation to Nathaniel Sajdak in recognition of his accomplishments with the Town of Newton.

Key points regarding Nathaniel's honor:

- Has served for the last 17 years as the Watershed Coordinator/Director of the Walkkill River Watershed Management Group
 - Under the auspices of SCUMA - serving the watersheds and communities of Sussex County
- Nathaniel and the Walkkill River Watershed Mgmt. Group have been partnered with the Town of Newton since 2014 and have been coordinating our Community Watershed Restoration Initiative. This partnership has resulted in the successful development and completion of:
 - Stream debris clearing, with NJDEP Permit by Rule authorization, of Moore's Brook, in coordination with the Newton Road Dept, in the Summer of 2014
 - Annual watershed clean-ups in Memory Park dating back to 2014, with students from Halsted Middle School and Merriam Avenue Elementary Schools
 - Since the Fall of 2014, ongoing Floodplain Reforestation Tree planting efforts have been occurring along the Moore's Brook in Memory Park
 - In Partnership with the Newton Shade Tree Commission, Nathaniel continues to actively participate in Annual Tree Proclamations and Dedications. He also participates and assists when needed with vital information for grants, press releases and public dissemination of tree information related to specific geographic locations
 - Our most recent notable, ongoing project to date for our Town is the Rain Garden located in Memory Park. This project was done with student volunteers, Newton DPW staff and Shade Tree Commission Members.
 - In the spring a tree will be planted in Memory of Betsy Van Orden, a member of the Shade Tree Commission who passed away a few months ago. Nathaniel was able to secure a tree donation in her memory.
 - Nathaniel has through these efforts, has also directly helped the Town of Newton to foster partnerships and leverage funding resources for use towards these projects from other partners including the William Penn Foundation, the Nature Conservancy, NJ Audubon, Rutgers Cooperative Extension Water Resources Program, NJ Future National Fish and Wildlife Foundation, as well as a multitude of local businesses and organizations.

- Just as a side note, the SCUMA-WRWMG has also assisted with some of the program development work for the Choose2 Connect after School Program, C2C, which will be initiated this fall in both the Halsted and Merriam Schools.

APPEAL

a. Utility Advisory Board Appeal – 33 Mill Street

Andrew B. Sobel., Esq., Attorney for Brookside Realty Urban Renewal, made an appeal to the Governing Body for the water & sewer bill for 33 Mill Street complex.

After a lengthy discussion, the Governing Body requested additional information and asked it be submitted by November 30th. It was mentioned in the appeal application that the owner: “acknowledged that some sort of penalty is appropriate under the circumstances”. Council agreed to have Mr. Sobel work with the Town Attorney to submit the missing documentation and come to an agreement on a penalty.

COUNCIL & MANAGER REPORTS

a. **Mayor Le Frois** – attended the New Jersey Chapter of the American Planning Association event which designated “Spring Street as a Great Place in New Jersey 2018 Great Street”. The plaque will be placed at Town Hall. On Oct. 24th, Mayor Le Frois attended Sussex County Economic Development Partnership Mayor’s reception and outlined the opportunities for the Town regarding funding. On Oct. 31st, Mayor Le Frois, Councilwoman Diglio, Councilman Dickson and Clerk Read attended the annual Halloween Parade and assisted with the costume contest. Additional categories were added this year along with the 1st Annual Trunk or Treat. Attended SCCC Foundation funding event on Nov. 1st. Attended “Coffee with a Cop” on Nov. 8th. On Nov. 10th, Mayor Le Frois attended the 26th annual Newton Medical Center Festival of Lights event. She attended the New Jersey League of Municipalities in Atlantic City on November 13-15, 2018. Many sessions were attended. On Nov. 20th, she attended a screening at Newton Theatre entitled “A Beautiful Boy”, sponsored by Center for Prevention and Counseling and Newton Theater. She attended the annual Holiday Parade on Saturday, November 24th followed by the WizardCon event. Kudos to Greater Newton Chamber of Commerce; Newton DPW; Newton Police for all their efforts. Mayor Le Frois and Councilwoman Diglio were out at the watermain break on Nov. 16th. A great job was done by Newton DPW. She also noted Newton was recognized in TransOptions newsletter regarding the StreetSmart Campaign.

- b. **Deputy Mayor Flynn** – commended the Greater Newton Chamber of Commerce, Newton DPW and all involved for the successful annual Holiday parade this past Saturday. He also commended the WizardCon event held Saturday afternoon. He noted he too attended the NJ League of Municipalities Conference.
- c. **Councilwoman Diglio** – since the Mayor already discussed Halloween parade; SCCC Foundation dinner; Coffee with a Cop; and the watermain break, I would just like to thank the Newton DPW and Newton Police for all their efforts with the annual Newton Holiday parade.
- d. **Councilman Schlaffer** – commended the Newton Holiday parade committee for the great parade. He attended the WizardCon event and although the attendance was lower than expected, he believes it was a good event and hopes the Newton merchants will try again next year.
- e. **Councilman Dickson** – attended the meeting on Oct. 25th with Senator Oroho; Assemblymen Wirths and Freeholder Space with updates on the legalized marijuana and various other updates. An update was requested regarding boarding homes in the Town of Newton and Mr. Dickson asked if Mr. Russo to provide an update on Police calls to same homes since August, 2018. Councilman Dickson congratulated the newly elected Board of Education members as well as the incumbents. He recognized John Jackson who was not re-elected and thanked him for his years of dedicated service to the Newton BOE. On Nov. 13th, he attended and provided update on the quarterly C.L.E.A.R. Program meeting. Mr. Dickson updated on the recent BOE meeting. On Nov. 15th, he attended the STEM Academy Open House at NHS and advised Mr. Bennington and Mr. Hofmann are doing fantastic things with this program. Mr. Dickson stated Newton High School should be proud of not only with their athletics accomplishments but also their modern academic accomplishments. The Newton parade was fantastic and thanked Mrs. Diglio for all her efforts along with the Greater Newton Chamber of Commerce.
- f. **Town Manager Russo** – congratulated Nathaniel Sajdak for his accomplishments and for his continued work with the Town of Newton. Mr. Russo thanked the Greater Newton Chamber of Commerce for the successful annual parade. He thanked all involved in the WizardCon event and hopes they can build upon it in the future. Mr.

Russo reminded Council of the tree lighting on Friday, Dec. 7th at 5 pm to be held at Newton Municipal Building.

Councilwoman Diglio added a huge thank you to Mr. Hofmann and his students for building Santa's workshop for the Holiday parade. The Town will store it and have it for all future parades.

ORDINANCES

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

ORDINANCE #2018-20

AN ORDINANCE AMENDING NEWTON TOWN CODE SECTION 100-19 REGARDING WATER AND SEWER CONNECTION FEES

WHEREAS, Newton Town Code Section 100-19 sets forth the Town water and sewer rates and connection fees; and

WHEREAS, the County and Municipal Water Supply Act, N.J.S.A 40A-31-1, et seq. and the Municipal and County Sewerage Act, N.J.S.A 40A:26A-10, et seq. set forth the requirements that connection fees for water and sewer shall be uniform within each class of users and requires a computation in accordance with statutory law; and

WHEREAS, Newton Town auditor, Thomas M Ferry, CPA, RMA, at the October 10, 2018 Council public meeting, reviewed the water and sewer connection fees with the Town Council following the statutory formula; and

WHEREAS, the Town Council reviewed the capital base of the sewerage and water system and the number of service units to compute the connection fee calculation and desires to revise the Town Code with updated water and sewer connection fees; and

WHEREAS, the County and Municipal Water Supply Act and the Municipal and County Sewerage Facilities Act were recently amended by the adoption of N.J.S.A 40A:31-11.3 and N.J.S.A 40A:26A-11.3, which require a 50% reduction in connection fees for new connections to the water supply system and to the sewerage system which is to be charged to public housing authorities, non-profit organizations building affordable housing projects, and any other affordable housing, including affordable housing units in inclusionary projects; and

WHEREAS, N.J.S.A 40A:31-11.3 and N.J.S.A 40A:26A-11.3 also require a credit (in the amount of the connection fee previously paid), for units previously connected to the water supply or sewerage system that were demolished or refurbished to allow for new affordable housing units and for which a connection fee was previously paid; and for such affordable housing units previously connected to the water supply or sewage system that were demolished or refurbished to allow for new affordable housing units, the connection fee shall be the lesser of the 50% reduced rate or the current non-reduced rate minus the credit for the connection fee previously paid.

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that Newton Town Code Section 100-19.A, Water connection fees and 100-19.J, Sewer connection fees, shall be revised as follows:

Section 1. Section 100-19.A of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

- A. Water connection fees (§228-3C):

- (1) Residential, per dwelling unit: \$3,759.
- (2) Commercial: Charge will be \$25.75 per gallon per day based on estimated usage, with a minimum of \$3,759, plus labor and materials.
- (3) Public housing authorities, non-profit organizations building affordable housing projects, and any other affordable housing, including affordable housing units in inclusionary projects, shall receive a 50% reduction in connection fees for new connections to the water supply system. Such affordable housing units shall receive a credit in the amount of the connection fee previously paid for units previously connected to the water supply system that were demolished or refurbished to allow for new affordable housing units, with the total connection fee the lesser of the 50% reduced rate or the current non-reduced rate minus the credit for the connection fee previously paid. The affordable housing developer is responsible to provide evidence of the previous connection fee paid, or shall pay the reduced rate.

Section 2. Section 100-19.J of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

J. Sewer connection (§228-16):

- (1) Residential, per dwelling unit: \$6,011.
- (2) Commercial and/or industrial:

Charges Per Gallon Per Day	Minimum
\$41.45	\$6,011

(3) Public housing authorities, non-profit organizations building affordable housing projects, and any other affordable housing, including affordable housing units in inclusionary projects, shall receive a 50% reduction in connection fees for new connections to the sewer system. Such affordable housing units shall receive a credit in the amount of the connection fee previously paid for units previously connected to the sewer system that were demolished or refurbished to allow for new affordable housing units, with the total connection fee the lesser of the 50% reduced rate or the current non-reduced rate minus the credit for the connection fee previously paid. The affordable housing developer is responsible to provide evidence of the previous connection fee paid, or shall pay the reduced rate.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

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

Mayor Le Frois opened the meeting to the public.

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

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

Mr. Dickson	Yes	Mrs. Diglio	Yes
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Deputy Mayor Flynn	No	Mr. Schlauffer	Yes
	Mayor Le Frois	Yes	

This Ordinance will take effect after publication and adoption according to law.
 The Clerk will advertise the above Ordinance according to law.

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

ORDINANCE #2018-21

AN ORDINANCE AMENDING SECTION 320-2.C "PERMITTED USES" OF THE NEWTON TOWN CODE TO PERMIT EXISTING SINGLE-FAMILY DETACHED AND DUPLEX RESIDENTIAL AS A PERMITTED USE IN THE SD-3 ZONE

WHEREAS, the Town Council of the Town of Newton finds that existing residential uses in the SD-3 Zone should be permitted to remain and be reconstructed if destroyed; and

WHEREAS, the Town Council of the Town of Newton finds that Section 320-2.C of The Newton Code should be amended to permit existing Single-family detached and Duplex uses in Special District 3 — Retail/Manufacturing Zone (SD-3 Zone); and

WHEREAS, the Town Council of the Town of Newton finds, after having reviewed the various zoning districts within the Town of Newton, that the SD-3 Zone is a suitable location for existing Single Family and Duplex residential uses to remain if partially or completely destroyed;

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

SECTION 1: Section 320-2.C "Permitted Uses" shall be revised as follows:

	Special Districts	SD-1	SD-2	SD-3	SD-4	SD-5	SD-6	SD-7	SD-8	SD-9
77.	Single-family detached	NP	NP	P*	NP	NP	NP	P	NP	P
78.	Duplex	NP	NP	P*	NP	NP	NP	P	NP	P

*Subject to Section 320-27.B.(1)

SECTION 2: Section 320-27 "Non-Conforming Lots, Uses & Structures"

Section 320-27.B.(1) New single family and duplex residential uses are not permitted. Single family and duplex residential uses existing in the SD-3 District prior to the effective date of this Ordinance, May 2, 2012, may remain subject to the bulk standards in effect prior to this ordinance. Such single family and duplex residential uses may be rebuilt either within the same footprint or in a new location subject to the standards of the zone in effect prior to May 2, 2012, if partially or completely destroyed by natural causes or involuntarily destroyed by human causes. This does not apply to residences that have been destroyed by voluntary means. Remodeling and expansion of preexisting nonconforming residences is permitted, provided that the expansion complies with ordinance standards of the zone in effect prior to May 2, 2012 or is within the existing building footprint.

SECTION 3: SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 4: NOTICE

The Town Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Town Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect upon adoption and publication in accordance with law.

Mayor Le Frois opened the meeting to the public.

Hank Pomerantz, Mill Street, thanked the Town and all the efforts of those who assisted with this Ordinance.

There being no one else from the public to be heard, upon motion of Deputy Mayor Flynn, seconded by Mrs. Diglio and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE** was offered by Mr. Dickson, who moved its adoption, seconded by Mr. Schlaffer and roll call resulted as follows:

Mr. Dickson	Yes	Mrs. Diglio	Yes
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
	Mayor Le Frois	Yes	

This Ordinance will take effect after publication and adoption according to law. The Clerk will advertise the above Ordinance according to law.

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE #2018-22

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF NEWTON, SECTIONS 307-53, SCHEDULE IV-B REGARDING PARKING IN MUNICIPAL PARKING LOTS

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

Mr. Dickson	Yes	Mrs. Diglio	Yes
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
	Mayor Le Frois	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, December 10, 2018.

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE #2018-23

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2019

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

Mr. Dickson	Yes	Mrs. Diglio	Yes
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
	Mayor Le Frois	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, December 10, 2018.

OLD BUSINESS

There was no old business for discussion.

CONSENT AGENDA

Mayor Le Frois 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 #208-2018*

AUTHORIZE REFUND OF TAXES; BLOCK 6.01, LOT 10 ALSO KNOWN AS 18 DOUMA DRIVE

WHEREAS, Jose Lopez owns Block 6.01, Lot 10, also known as 18 Douma Drive, Newton, New Jersey; and

WHEREAS, the Municipal Tax Assessor has granted a 100% Disabled Veteran Tax Exemption effective January 16, 2018 for the property owned by Jose Lopez; and

WHEREAS, the State has granted a Homestead Benefit for the 2nd quarter 2018 on Mr. Lopez's property in the amount of \$500.00 and Mr. Lopez's mortgage company, Corelogic, paid the 3rd quarter taxes in the amount of \$3,390.41; and

WHEREAS, the Tax Collector has determined the amount to be refunded to Mr. Lopez is \$500.00 and the amount to be refunded to Corelogic is \$3,390.41;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the Governing Body acknowledges a refund is due to Jose Lopez in the total

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amount of \$500.00 and a refund is due to Corelogic in the total amount of \$3,390.41; and

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the total amount of \$500.00 to Jose Lopez, 18 Douma Drive, Newton, NJ 07860 and a check in the total amount of \$3,390.41 to Corelogic, PO Box 9202, Coppell, TX 75019-9766.

RESOLUTION #209-2018*

RESOLUTION APPOINTING FUND COMMISSIONER FOR THE STATEWIDE INSURANCE FUND FOR CALENDAR YEAR 2019

WHEREAS, the Town of Newton (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Newton that Thomas S. Russo, Jr. is hereby appointed as the Fund Commissioner for the Local Unit for the year 2019; and

BE IT FURTHER RESOLVED that Jennifer A. Dodd is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2019; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Name of Entity: Town of Newton

By: s/Helen R. Le Frois
Helen R. Le Frois, Mayor

ATTEST:

s/Lorraine A. Read
Lorraine A. Read, Municipal Clerk

This Resolution agreed to the 26th day of November, 2018 by a vote of:

 5 Affirmative ___ Abstain ___ Negative ___ Absent

RESOLUTION #210-2018*

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager's appointment of the following individuals as Special Police Officers for calendar year 2019:

Class II

Raul Couce

Donald Donofrio

Stephen Moran

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RESOLUTION #211-2018*

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:
 - a) 2005 Ford Ranger
VIN: 1FTYR11U95PA90778
Odometer: 31,070
Condition: Good
 - b) 2005 Ford Taurus
VIN: 1FAFP53U5A308942
Odometer: 40,713
Condition: Good
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

RESOLUTION #212-2018*

AUTHORIZE EXECUTION OF AGREEMENT BETWEEN THE TOWN OF NEWTON AND THE NEWTON PARKING AUTHORITY

WHEREAS, on January 15, 1982, the Town Council of the Town of Newton adopted an Ordinance authorizing the execution of an agreement with the Newton Parking Authority for the purpose of dedicating revenue from certain parking meters to said Parking Authority; and

WHEREAS, such agreements between governmental agencies and authorities may be extended each year by adoption of a Resolution of the Governing Body; and

WHEREAS, at a regular meeting of the Newton Parking Authority conducted on November 5, 2018, the members of the Authority approved an appropriate agreement for calendar year 2019 and authorized the Chairman and the Secretary to execute said agreement;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute said agreement with the Newton Parking Authority, dedicating revenue from certain parking

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meters to said Authority and describing certain services to be performed on behalf of the Authority by the Town of Newton during calendar year 2019.

RESOLUTION #213-2018*

AUTHORIZE EMPLOYMENT AGREEMENT OF MICHAEL S. RICHARDS AS POLICE CHIEF

WHEREAS, the Town of Newton, by way of Resolution #185-2010, appointed Michael S. Richards to be the Acting Police Chief effective November 5, 2010, and Police Chief effective January 1, 2011; and

WHEREAS, an Employment Agreement with Michael S. Richards was executed and memorialized via Resolution #193-2014, effective January 1, 2015 through December 31, 2019; and

WHEREAS, Michael S. Richards desires to continue employment as Police Chief for the Town of Newton through December 31, 2022; and

WHEREAS, the Newton Town Manager, Thomas S. Russo, Jr., recognizes the importance of continuing Chief Richards' steady, consistent, and reliable leadership of the Newton Police Department through December 31, 2022, and recommends acceptance of this Employment Agreement by the Newton Town Council; and

WHEREAS, the parties therefore have prepared an Employment Agreement, dated November 26, 2018, entered into by the Town of Newton and Michael S. Richards; and

WHEREAS, the Employment Agreement was accepted and executed by Michael S. Richards;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager and Municipal Clerk are hereby authorized to execute said Employment Agreement dated November 26, 2018, with Michael S. Richards, as Police Chief of the Town of Newton, on behalf of the Town of Newton, and said agreement will be placed on file in the Municipal Clerk's Office.

RESOLUTION #214-2018*

TO CANCEL APPROPRIATION BALANCES IN THE WATER SEWER CAPITAL FUND

WHEREAS, certain Water Sewer Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, the Town Manager and other Town Officials have reviewed and determined there are no additional costs for these projects; and

WHEREAS, it is necessary to formally cancel said balances so the unexpended balances may be returned to each respective Capital Improvement Fund (CIF), or credited to Fund Balance, and any unused debt authorizations may be cancelled;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton that the following unexpended and dedicated balances of the Water Sewer Capital appropriations totaling \$28,382.44 be cancelled:

<u>Ordinance Number</u>	<u>Date Auth.</u>	<u>Project Description</u>	<u>Amount Cancelled</u>	
			<u>Funded</u>	<u>Unfunded</u>
2017-19	8/14/17	Rehabilitation of Sewer Treatment Plant Clarifiers (2)	\$ 5,164.00	
2016-16	12/12/16	Rotating Biological Contactors (RBC's) At the WasteWater Treatment Plant	\$23,218.44	

RESOLUTION #215-2018*

APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR GLENN T. SPICER

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**. "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising that the renewal Taxicab Driver's license application is complete and accurate; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Glenn T. Spicer, 8 Smith Hill Road, Newton, New Jersey and represents D.A.D.S. Taxi & Limo, which will expire on November 26, 2019.

RESOLUTION #216-2018*

APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR DORAGAIL SPICER

WHEREAS, the Code of the Town of Newton requires under **283-2, License Required**. "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising that the renewal Taxicab Driver's license application is complete and accurate;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Doragail Spicer, 8 Smith Hill Road, Newton, New Jersey and represents D.A.D.S. Taxi & Limo, which will expire on November 26, 2019.

RESOLUTION #217-2018*

APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB OWNER'S LICENSE FOR DORAGAIL SPICER T/A DADS TAXI & LIMO

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**, "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to the expiration to the Chief of Police"; and

WHEREAS, the Police Department has completed the necessary investigation and submitted a letter advising that the renewal Taxicab Owner's License application is complete and accurate; and

WHEREAS, in accordance with **§283.6, Inspection of Vehicles**, "Before a vehicle is used as a taxicab within the Town it shall be inspected...to ascertain that it is in a safe, clean and sanitary condition and contains all safety devices required by law";

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the renewal Taxicab Owner's License application submitted by Doragail Spicer, 8 Smith Hill Road, Newton, NJ 07860, t/a D.A.D.S. Taxi & Limo, which shall expire November 26, 2019; and

November 26, 2018

BE IT FURTHER RESOLVED that the applicant must be in compliance with all aspects of **Chapter 283**, of the Code of the Town of Newton, as well as, the provisions of N.J.R.S. 46:16.

RESOLUTION #218-2018*

REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 15.03, LOT 8, ALSO KNOWN AS 74-A TRINITY STREET

WHEREAS, at the Municipal Tax Sale held on October 24, 2018 a lien was sold on Block 15.03, Lot 8, also known as 74-A Trinity Street, for 2017 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2018-009 was sold to John-Paul Couce for a 17% redemption fee; and

WHEREAS, Bayview Loan Servicing has effected the redemption of Certificate #2018-009 in the amount of \$890.70;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges John-Paul Couce is entitled to a redemption in the amount of \$890.70; 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 \$890.70 for the redemption for Certificate #2018-009 to John-Paul Couce, 26 Linmor Ave., Newton, NJ 07860.

RESOLUTION #219-2018*

REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 13.07, LOT 20, ALSO KNOWN AS 120 WOODSIDE AVENUE

WHEREAS, at the Municipal Tax Sale held on November 17, 2016 a lien was sold on Block 13.07, Lot 20, also known as 120 Woodside Ave, for 2015 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #2016-007 was sold to Philip Nadler for an 8% redemption fee; and

WHEREAS, MTAG Services has effected the redemption of Certificate #2016-007 in the amount of \$19,587.77;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges Philip Nadler is entitled to a redemption in the amount of \$19,587.77; 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 \$19,587.77 for the redemption for Certificate #2016-007 to Philip Nadler, 23 Irving Pl., Newton, NJ 07860.

RESOLUTION #220-2018*

AUTHORIZE REDEMPTION OF A TOWN HELD LIEN FOR BLOCK 13.03, LOT 10 ALSO KNOWN AS PLAINFIELD AVENUE

WHEREAS, at the Municipal Tax Sale held on October 24, 2018, a lien was struck off to the Town of Newton for Block 13.03, Lot 10, also known as Plainfield Avenue, for delinquent 2017 Taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #2018-006, was recorded at the Sussex County Clerk's Office on November 7, 2018 as Book 9653, Page 526 at 18% interest; and

WHEREAS, Foundation Title, on behalf of the owner, has effected redemption of Certificate #2018-006 in the amount of \$2,703.13;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges Tax Sale Certificate #2018-006 has been satisfied in full to the Town of Newton; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to cancel Tax Sale Certificate #2018-006 with the Sussex County Clerk's Office.

RESOLUTION #221-2018*

RESOLUTION APPROVING VACATION & SICK LEAVE TIME PAYOUT FOR JOSEPH SAPIO

WHEREAS, Joseph Sapio, FT Public Safety Telecommunicator with the Town of Newton, retires effective November 30, 2018 and is entitled to payout for unused and accrued vacation & sick leave time pursuant to applicable law, Town ordinances, Communication Workers of America, AFL/CIO Union Agreement and the Town of Newton Personnel Policy and Procedures Manual and Employee Handbook;

NOW, THEREFORE BE IT RESOLVED, the Town Council authorizes the following payout for unused and accrued vacation & sick leave to Joseph Sapio as follows:

<u>EMPLOYEE</u>	<u>RETIREMENT DATE</u>	<u>PAYOUT TOTAL</u>
Joseph Sapio	November 30, 2018	\$7,878.82

BE IT FURTHER RESOLVED, that appropriate Town employees are hereby authorized to make the payments set forth above, with any required revisions to the payout amounts.

RESOLUTION #222-2018*

RESOLUTION RENEWING FUND BALANCE POLICY

WHEREAS, The Town of Newton adopted Resolution 101-2014 establishing a Fund Balance Policy on June 9, 2014; and

WHEREAS, the Fund Balance Policy has been reviewed by the Mayor and Council of the Town of Newton and it is deemed appropriate to renew the Policy;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby resolves and agrees to renew the Fund Balance Policy with the same guidelines:

1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 9%.
2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.

- 5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.
- 6. This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

RESOLUTION #223-2018*

RESOLUTION RENEWING THE WATER SEWER UTILITY FUND BALANCE POLICY

WHEREAS, The Town of Newton adopted Resolution 107-2014, establishing a Water/Sewer Utility Fund Balance Policy on June 9, 2014; and

WHEREAS, the Fund Balance Policy has been reviewed by the Mayor and Council of the Town of Newton and it has been deemed appropriate to renew the Policy;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby resolves and agrees to renew the Water/Sewer Utility Fund Balance Policy with the same guidelines:

- 1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 9%.
- 2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
- 3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
- 4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.
- 5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.
- 6. This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

RESOLUTION #224-2018*

APPROVE 2018 APPROPRIATION TRANSFERS

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2018 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
CURRENT		
Employee Group Ins. OE 1066200	Cencom SW 1073103	\$43,000.00
Employee Group Ins. OE 1066200	Road OE 1080266	\$8,000.00

Pool SW 1090102	Pool OE 1090232	\$15,000.00
Employee Group Ins. OE 1066200	Planning Board OE 1062216	\$4,000.00
TOTAL CURRENT TRANSFERS		\$70,000.00

RESOLUTION #225-2018*

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

40779	ADVANCE AUTO PARTS	57.62
40780	AIRMARK POOLS, INC.	1,151.26
40781	ALL GAS & WELDING SUPPLY CO., INC.	62.22
40782	SYNCHRONY BANK	383.35
40783	AMERICAN COACHWORKS LLC	549.90
40784	ARF RENTAL SERVICES, INC.	191.52
40785	ATLANTIC TACTICAL INC.	2,404.60
40786	AUTOZONE	30.97
40787	BANK OF NEW YORK MELLON	3,200.00
40788	BLACK LAGOON	1,675.00
40789	BOONTON TIRE SUPPLY INC.	89.51
40790	CAMPBELL'S SMALL ENGINE INC.	43.71
40791	CAREER DEVELOPMENT INSTITUTE	389.00
40792	CENTURYLINK COMMUNICATIONS, INC.	125.85
40793	CENTURYLINK COMMUNICATIONS, INC.	59.85
40794	CHELBUS CLEANING CO., INC.	1,813.75
40795	CINTAS CORPORATION NO. 2	103.61
40796	CODE 96 LLC	2,815.59
40797	COUNTY OF SUSSEX	7,001.42
40798	COUNTY OF SUSSEX	5,093.91
40799	CUTTING EDGE LANDSCAPE EQUIP	275.59
40800	DOMINICK'S PIZZA LLC	30.40
40801	ESS, INC.	119.00
40802	FBI- LEEDA	50.00
40803	FEDERAL & STATE GRANT	2,000.00
40804	FEDERAL EXPRESS	92.71
40805	FERRAIOLI, CERULLO & CUVA	6,775.00
40806	FIRE FIGHTERS EQUIPMENT CO. INC.	607.00
40807	GALLS, LLC	124.84
40808	GENERAL CODE, LLC	1,195.00
40809	GRUBER, COLABELLA & LIUZZA	1,233.42
40810	HAMBURG PLUMBING SUPPLY CO INC	640.20
40811	HAYDEE BALLESTER	165.00
40812	HAYEK'S MARKET INC.	72.03
40813	HOME DEPOT, INC.	37.00
40814	IDVILLE	531.28
40815	J. CALDWELL & ASSOCIATES, LLC.	1,292.50
40816	JANIEN N ROBERTS	28.67
40817	JENNIFER DODD	30.63
40818	JCP&L	283.35
40819	JERSEY SHIRTS & DESIGNS	272.00

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40820	JP MONZO MUNIC CONSULTING, LLC	50.00
40821	KATHERINE WALKER	138.98
40822	KAY PRINTING	1,326.00
40823	KELLER WELDING COMPANY, LLC.	1,340.00
40824	KIEFFER ELECTRIC, INC.	6,876.20
40825	KKPR MARKETING & PUBLIC RELATIONS,	1,425.00
40826	LADDEY, CLARK & RYAN, LLP	2,638.33
40827	LINCOLN FINANCIAL GROUP	115.00
40828	LINCOLN FINANCIAL GROUP	115.00
40829	LOU'S GLASS	395.00
40830	MAILFINANCE INC.	529.41
40831	MCGUIRE, INC.	55.76
40832	MITCHELL HUMPHREY INC.	1,950.00
40833	L-3 COMM. MOBILE-VISION	35.90
40834	MONTAGUE TOOL & SUPPLY, INC.	379.95
40835	MORRIS ASPHALT SUPPLY, LLC	6,000.00
40836	MUNICIPAL GRAPHICS INC	414.44
40837	NEC FINANCIAL SERVICES, LLC.	823.90
40838	NELLE, KURT	151.48
40839	NEW JERSEY HERALD, INC.	68.40
40840	NEWTON FIRE DEPARTMENT	12,900.00
40841	NEWTON URGENT CARE LLC	50.00
40842	NJMEBF	178,438.00
40843	P.O.S. SOLUTIONS, NJ, LLC.	720.00
40844	PAR TROY SOUND OF NEWTON, INC.	165.00
40845	PELLOW, HAROLD & ASSO, INC.	1,247.50
40846	PHOENIX ADVISORS, LLC.	1,350.00
40847	PORTER LEE CORPORATION	882.00
40848	PROFESSIONL GOVT EDUCATORS INC	90.00
40849	QUILL CORPORATION	722.14
40850	R.S. PHILLIPS STEEL LLC	70.52
40851	READY REFRESH BY NESTLE	150.07
40852	ROK INDUSTRIES, INC	330.00
40853	ROUTE 23 PATIO, LLC.	237.60
40854	RUTGERS, CENTER FOR GOVERNMENT SERV	25.00
40855	S K PAPER SHRED	90.00
40856	SANDRA DIGLIO	30.00
40857	SCHENCK, PRICE, SMITH, & KING, LLP	1,864.80
40858	SEBRING AUTO PARTS, INC.	37.44
40859	SERVICE ELECTRIC CABLE TV, INC.	88.30
40860	SHERWIN-WILLIAMS, INC.	152.74
40861	SLOAN, JAMES P.	3,214.17
40862	SPECTROTEL	943.17
40863	STAPLES BUSINESS ADVANTAGE, INC.	444.12
40864	SUNLIGHT GENERAL	327.55
40865	SUSSEX CAR WASH INC	112.00
40866	SUSSEX COUNTY LOCK & SAFE,	498.00
40867	THE CANNING GROUP, LLC.	625.00
40868	THORLABS URBAN RENEWAL, LLC.	15,400.00
40869	THYSSENKRUPP ELEVATOR CORP.	227.07
40870	TIMMERMAN COMPANY, INC.	25.99
40871	TIRE KING, INC.	840.00
40872	TRACTOR SUPPLY	164.99
40873	TRIMBOLI & PRUSINOWSKI, LLC.	1,400.00
40874	TRUST ACCOUNT, TOWN OF NEWTON	1,831.66
40875	UNITED TELEPHONE/CENTURY LINK	129.61
40876	USA HOIST CO., INC.	225.00
40877	VERIZON WIRELESS, INC.	1,479.07
40878	VOGEL,CHAIT,COLLINS,SCHNEIDER, PC,	1,780.00
40879	W.CAMPBELL SUPPLY OF SUSSEX CTY LLC	832.35
40880	WALMART	297.25
40881	WILDFLOWERS WITH TAMI	75.00
181073	PAYROLL ACCOUNT	189,054.11

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181072	BNY MELLON	7,875.00
181071	BNY MELLON	87,320.00
40778	NEWTON BOARD OF EDUCATION	1,029,766.00
40777	E-Z PASS	0.75
40776	HARD ROCK HOTEL & CASINO ATLANTIC C	149.00
40775	COUNTY OF SUSSEX	3,772.13
40774	COUNTY OF SUSSEX	70,792.60
40773	COUNTY OF SUSSEX	931,543.08
181070	ELAVON, INC.	175.35
181069	JP MORGAN CHASE BANK	18,562.50
181068	PAYROLL ACCOUNT	194,313.49
40772	NJMVC	2.00
40771	SPECTROTEL	628.52

CAPITAL

8749	FKA ARCHITECTS INC.	1,603.63
8750	GARDEN STATE HIGHWAY PRODUCTS, INC.	9,384.00
8751	J. CALDWELL & ASSOCIATES, LLC.	5,942.50
8752	LOU'S GLASS	900.00
8753	MCMANIMON, SCOTLAND & BAUMANN, LLC	1,053.50
8754	PELLOW, HAROLD & ASSO, INC.	5,174.45
8755	ZITONE CONSTRUCTION	382,469.50
8748	NJMVC	120.00
8747	HERTRICH FLEET SERVICES INC.	57,642.00

Total TOWN BILLS \$ 3,296,684.23

WATER AND SEWER ACCOUNT

17218	ACCURATE WASTE REMOVAL INC.	3,986.50
17219	AIRGAS EAST	21.81
17220	AIRMATIC COMPRESSOR SYSTEMS, INC.	3,684.09
17221	ALLIED METER SERVICE INC.	40.00
17222	CENTURYLINK COMMUNICATIONS, INC.	80.49
17223	CINTAS CORPORATION NO. 2	193.23
17224	COYNE CHEMICAL CORP., INC.	5,502.74
17225	GARDEN STATE LABORATORIES INC	5,412.00
17226	HACH COMPANY	318.56
17227	HOLLAND COMPANY, INC.	6,751.02
17228	J. CALDWELL & ASSOCIATES, LLC.	120.00
17229	JK HVAC SERVICE, LLC.	310.56
17230	KIEFFER ELECTRIC, INC.	690.00
17231	MCGUIRE, INC.	395.38
17232	MINISINK PRESS INC	1,330.00
17233	MOTT MACDONALD	2,070.70
17234	NEW JERSEY HERALD, INC.	33.60
17235	NIELSEN FORD INC.	41.16
17236	ONE CALL CONCEPTS, INC.	100.00
17237	PALL CORPORATION	4,677.74
17238	PASSAIC VALLEY SEWERAGE COMM.	4,998.00
17239	PELLOW, HAROLD & ASSO, INC.	2,838.50
17240	PROCESS TECH SALES AND SERVICE	1,255.95
17241	PUMPING SERVICES, INC.	1,400.00
17242	R & J CONTROL INC.	298.00
17243	SEBRING AUTO PARTS, INC.	171.87
17244	SMALLEY, JOHN H	1,250.00
17245	STAPLES BUSINESS ADVANTAGE, INC.	318.48
17246	SUBURBAN PROPANE, LP.	2,445.34
17247	SUNLIGHT GENERAL	620.97
17248	SUSSEX COUNTY P & H, INC.	1,224.39
17249	T.A. MOUNTFORD COMPANY, INC.	250.00
17250	VERIZON WIRELESS, INC.	223.94

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186043	PAYROLL ACCOUNT	35,434.29
186042	ELAVON - ON LINE FEES	113.37
186041	JP MORGAN CHASE BANK	137,181.25
186040	PAYROLL ACCOUNT	35,298.44

CAPITAL

2486	MOTT MACDONALD	2,400.55
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Total WATER & SEWER Bills \$ 263,482.92

TRUST

3792	APPLIED EARTH SOLUTIONS INC	265.50
3793	BRIAN ST. JOHN MUSIC	150.00
3794	HOME DEPOT, INC.	69.32
3795	J. CALDWELL & ASSOCIATES, LLC.	15,525.00
3796	JEIRIS COOK	150.00
3797	Newton Donuts Inc.	1,555.50
3798	PELLOW, HAROLD & ASSO, INC.	1,937.55
3799	PELLOW, HAROLD & ASSO, INC.	2,733.30
3800	SHOP RITE, INC.	897.09
3801	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	1,245.00
3802	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	195.00
3803	WALMART	72.43
3804	WEIS MARKETS, INC.	25.00
187123	PAYROLL ACCOUNT	5,508.00
3791	Treasurer, Town of Newton	50
3790	LAKELAND BUS LINES, INC.	875
3789	MADISON SQUARE GARDEN/ENTERTAINMENT	4,525.00
187122	PAYROLL ACCOUNT	1,863.00

Total TRUST ACCOUNT Bills \$ 37,641.69

DEVELOPERS ESCROW (FUND 72)

1323	PELLOW, HAROLD & ASSO, INC.	2,400.00
1324	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	375.00

Total DEVELOPERS ESCROW ACCOUNT Bills \$ 2,775.00

FEDERAL/STATE GRANTS

1427	DRAEGER, INC.	120.00
1428	NEWTON JUNIOR ATHLETIC LEAGUE	150.00
1429	SCREEN CREATION PLUS	698.00
181123	PAYROLL ACCOUNT	445.67
181122	PAYROLL ACCOUNT	445.67
181121	PAYROLL ACCOUNT	983.92

Total FEDERAL/STATE GRANTS ACCOUNT Bills \$ 2,843.26

DOG RESERVE

8571	MGL FORMS – SYSTEMS, LLC.	269.00
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Total DOG RESERVE ACCOUNT Bills \$ 269.00

A membership application from Bryan Lee Farence, 99 Woodside Avenue, Newton, into the Newton Fire Department.

A motion was made by Mr. Schlaffer to approve the **COMBINED ACTION**

RESOLUTIONS, seconded by Mr. Dickson and roll call resulted as follows:

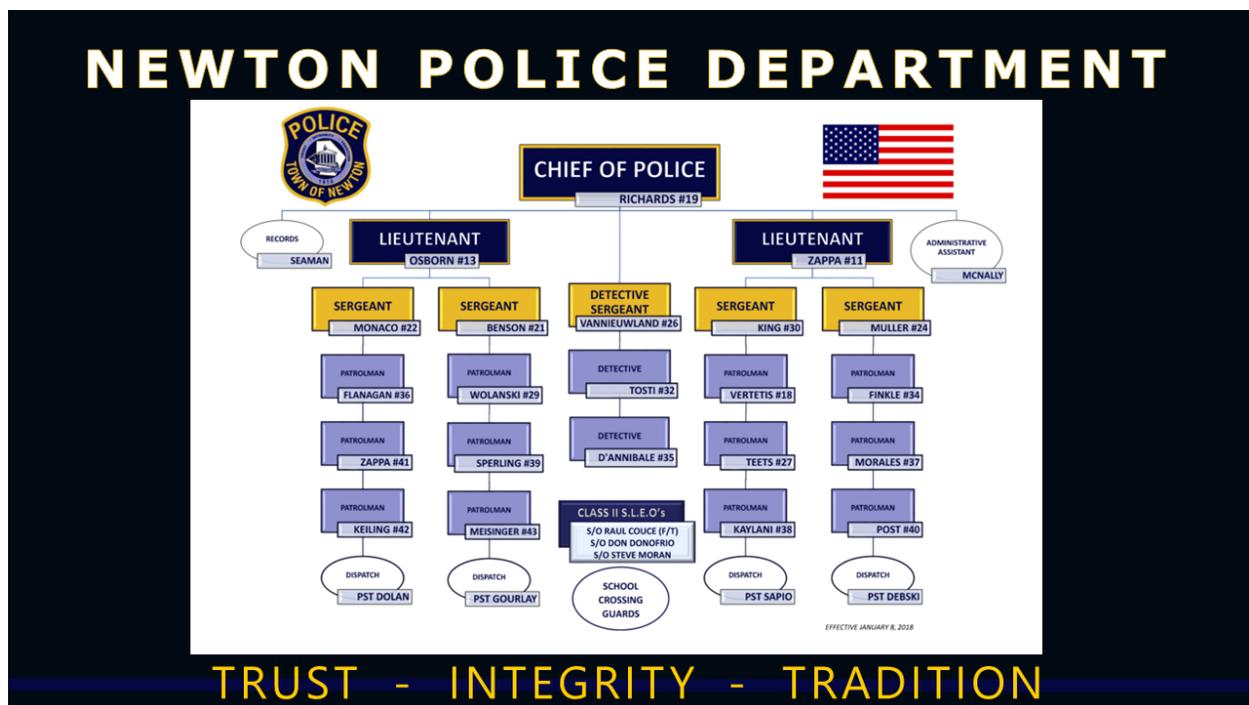
Mr. Dickson	Yes	Mrs. Diglio	Yes
		(recuse ck #40856)	
Deputy Mayor Flynn	Yes	Mr. Schlawfer	Yes
	Mayor Le Frois	Yes	

INTERMISSION – None

DISCUSSION

a. **Police Department Presentation**

Chief Michael Richards made the following presentation regarding Newton Police Department:





NEWTON POLICE DEPARTMENT

Evidence Based Policing

Sometimes also considered Problem Oriented Policing, this model is based on outcomes. As such, we focus on proactively identifying root causes of problems, utilizing data, analyzing strategies to alleviate the problem(s) and collaborating appropriately with other law enforcement agencies and/or other community organizations.

TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT

Functions That Support Outcomes Based Policing

OUR OFFICERS

**DEPARTMENT
PROGRAMS/INITIATIVES**

TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT

OFFICERS

Officers are our most valuable resource, they carry out our mission. They use their judgement and discretion to solve problems in our community. Their authority and responsibilities also put them in a position that inherently involves great risk and liability for themselves, the department and the Town of Newton.

TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT

OFFICERS

The Department must continue to invest in them

- Training/Mentoring
- Supervision/Selection/Management/Inspection
 - Policies/Standards
 - Equipment/Technology

TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT

PROGRAMS

Programs are based on strategies developed through an outcomes based approach to policing.

Community Policing Initiatives = community engagement

- Crime tips/text-a-tip and Crime Reports
- C.L.E.A.R. Program, DVRT, Mental Health CIT
 - Coffee With a Cop, Child Safety Seats
- L.E.A.D. Law Enforcement Against Drugs, #NotEvenOnce
- School Security / organizational security assessments

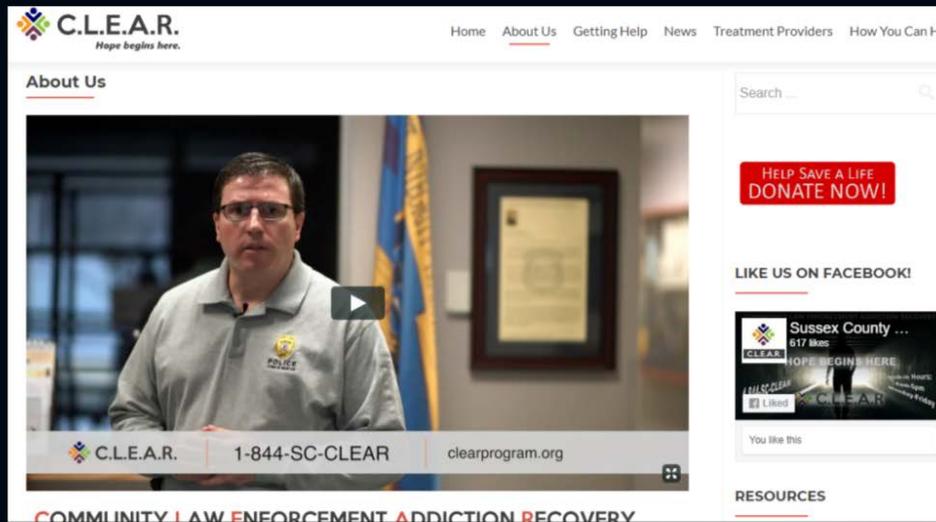
TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT



TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT



TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT



TRUST - INTEGRITY - TRADITION

NEWTON POLICE DEPARTMENT

The members of the Newton Police Department appreciate the continuing support of our community, our Town Manager, the elected officials of the Newton Town Council and the other Departments we work with in Town.

We take our responsibilities seriously, we aim to continuously improve and look forward to receiving your feedback.

TRUST - INTEGRITY - TRADITION

b. Best Practices/Parking Authority/Local Finance Notice

Dawn Babcock, CFO, made a brief presentation on the Best Practices worksheet for calendar year 2018. Ms. Babcock indicated the Town scored 58 which qualifies the Town for 100% State Aid. Ms. Babcock outlined several mandated requirements of the Best Practices worksheet including the Newton Parking Authority which have all been addressed. Municipalities are required to annually assess the Authority created and publicly discuss their findings and conclusions. During preparation of the Parking Authority budget analyses were performed for cash flow, net position, and policies. The continuance of the Authority is beneficial to the Town of Newton.

After a detailed discussion, Council expressed their pleasure with the score of the Best Practice 2018 report. Ms. Babcock noted the Local Finance Notice 2018-26 states: "this year's inventory has an expanded policy focus while continuing to emphasize statutory compliance and core competencies". There have been several follow-up emails from the League of Municipalities and the Government Finance Officers Association on the format. It is likely that next year's format will change.

c. Sparta Avenue Pump Station Update

John J. Scheri, PE, Newton Sewer Engineer and Anthony Gagliostro made a presentation regarding the Sparta Avenue Pump Station. Mr. Scheri outlined the need for this project and presented two separate design alternatives: replacing existing pump station with entirely new pump station and extensively modify existing pump station. Mr. Scheri recommended replacing existing pump station with entirely new pump station with the consideration of unknowns regarding the structural soundness

and viability of reusing the existing pump station facilities due to volume limitations. He also recommended the Town consider USDA Rural Development grant for project financing.

After a lengthy discussion, the Council thanked Mr. Scheri and Mr. Gagliostro for their presentation and agreed to proceed with a new station.

OPEN TO THE PUBLIC

Mayor Le Frois opened the meeting to the public.

Ralph Porter, 12 Pine Street, commended the Newton Police Department on various recent incidents in his neighborhood. He also inquired about the necessary width of a shoveled sidewalk.

Michael Malone, 59 Trinity Street, noting the salary does not appear in the Resolution, inquired what the salary of the Police Chief is and was advised by Mr. Russo the salary is not noted in the Resolution but in the contract. He advised Mr. Malone to OPRA the contract and it will be supplied by the Town Clerk.

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

COUNCIL & MANAGER COMMENTS

Mayor Le Frois reminded Council of the invite to the ribbon cutting on Friday, November 30th at 2:00 pm for the old Style Shop on Spring Street.

Mr. Russo noted he will work with Mrs. Leo on the boarding house report; he will speak to Code Enforcement on the regulations on the required sidewalk width (snow shoveling) and OPRA will be filled tomorrow for Mr. Malone.

EXECUTIVE SESSION

Motion was amended prior to entering into Executive Session in order to add a second item on the Executive Session agenda to include possible litigation.

Upon motion of Mrs. Diglio, seconded by Mr. Dickson and unanimously carried, Council entered Executive Session at 10:08 pm.

Upon motion of Mrs. Diglio, seconded by Mr. Schlaffer and unanimously carried, Council left Executive Session at 10:54 pm.

There being no further business to be conducted, upon motion of Mrs. Diglio, seconded by Deputy Mayor Flynn and unanimously carried, the meeting was adjourned at 10:55 pm.

November 26, 2018

Respectfully submitted,

A handwritten signature in black ink that reads "Lorraine A. Read". The signature is written in a cursive style with a long, sweeping underline.

Lorraine A. Read, RMC
Municipal Clerk