

January 14, 2019

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Mr. Dickson, Mrs. Diglio, Mr. Schlaffer, Mayor Le Frois and Thomas S. Russo, Jr., Town Manager. Ursula Leo, Esq., Town Attorney was also present. Deputy Mayor Flynn was excused.

Mayor Le Frois made the following declaration "in accordance with the Open Public Meetings Act, notice of this Regular meeting was given to the two newspapers of record and posted on the official bulletin board on January 4, 2019."

Mayor Le Frois led the Pledge of Allegiance to the flag and the Clerk called the roll. Upon motion of Mr. Dickson, seconded by Mrs. Diglio and unanimously carried, the minutes for the December 26, 2018 Regular and January 3, 2019 Reorganization meetings 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."

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

Swearing-In Ceremony

a. Newton Fire Department – 2019 Officers

At this time, Mayor Le Frois swore in the 2019 Newton Fire Department Officers while Councilwoman Diglio held the bible. Mayor Le Frois swore in the following Officers:

Fire Chief: Scott Verkon
Deputy Fire Chief: Mike Razzano
Captain: Bill Bailey
Captain: Chris Blakely
Lieutenant: Rich Dayermanjian
Lieutenant: Mike Hayes
Lieutenant: Steve Estler
Lieutenant: Anthony Perigo

Mayor Le Frois thanked the Officers for their continued support and leadership roles in the Newton Fire Department and wished them well in the new year.

COUNCIL & MANAGER REPORTS

January 14, 2019

- a. **Mayor Le Frois** – attended, along with Mr. Russo and Mrs. Williams, the 2019 Annual Musical Showcase in Carlstadt, NJ on January 10, 2019. The intent was to view potential entertainment groups for the various events held in Newton. Mr. Russo noted the Town will follow up with the groups in the next few weeks. Mayor Le Frois noted two new Police Officers are currently at the academy and will be officially sworn in upon completion of the academy. Frederick J. Margron, PE, of Professional Consulting Inc., recently toured the water/sewer facilities and was impressed by Town staff and looks forward to working for the Town of Newton. She noted great strides are being completed on Newton Firehouse #2 on Woodside Avenue with the construction of the building.
- b. **Deputy Mayor Flynn** – Excused.
- c. **Councilwoman Diglio** – attended the Greater Newton Chamber of Commerce meeting and noted the group is reorganizing and new officers will take office shortly. She noted their annual dinner has been postponed and will be rescheduled for March, 2019. GNCC will be honoring Nancy Woods, who recently retired as the long-time Executive Director of GNCC. She also attended the Newton First Aid Squad meeting and they too are reorganizing and new officers will be sworn in shortly.
- d. **Councilman Schlaffer** – nothing at this time.
- e. **Councilman Dickson** – attended the Reorganization meeting of the Newton Board of Education meeting and provided various updates. He attended the Reorganization meeting of the Newton Fire Department on Jan. 1st and congratulated the newly sworn-in Officers and wished them well in the new year. He also also congratulated the Newton Youth Football team on a fantastic season.
- f. **Town Manager Russo** – noted the Newton Municipal Building will be closed on Monday, January 21, 2019 in observation of Dr. Martin Luther King Jr. Day. He advised Council of the Technical Review Committee meeting on Wednesday, January 16th to address the upcoming Thorlabs project. He advised of a scheduled meeting next week with the State of New Jersey for updates on the Armory Project. He reminded Council of the next Council meeting on January 28th.

Mrs. Leo updated Council on the upcoming Committee meeting in Trenton regarding the boarding house legislation. Some Councilmembers will be attending along with the Town Attorney.

January 14, 2019

Mayor Le Frois also noted her attendance at the Freeholders Annual swearing-in ceremony on January 3, 2019 @ 6pm. Also in attendance were Deputy Mayor Flynn, Councilwoman Diglio, Councilman Schlaffer and Councilman Dickson.

At this time, Mayor Le Frois made a presentation to the Newton Braves Youth Football Team, who were all in attendance along with their coaching staff. Mayor Le Frois read the following Proclamation and presented each player with a certificate:

Proclamation

Newton Braves Youth Football Team

WHEREAS, the Newton Town Council members recognize the benefits our youth derive by participating in organized sports; and

WHEREAS, the Newton Youth Football program provides the youngsters of Newton an opportunity to participate in an organized sport during the school year; and

WHEREAS, the Newton Youth Football program is a member of the Morris County Youth Football League, along with Denville, Hackettstown, Jefferson, Long Valley, Madison, Mendham, Mt. Olive, Randolph, Vernon and Wayne; and

WHEREAS, under the direction of Head Coach, Adam Guerra, Assistant Coaches Peter Ferdenzi, Dan Nolan, Teddy Sibblies, Jeff LaCorte and Dennis Mellio, the Braves Youth Eighth-Grade Football Team with 19 team members takes pride in their 2018 season with a record of 10-0, scoring a total of 319 points during the season; and

WHEREAS, the team’s talents and skills helped them to defeat Randolph in the Championship game by a score of 30-6;

NOW THEREFORE, We, the Mayor and Town Council members of the Town of Newton hereby proclaim our congratulations to the Newton Youth Football Team for their outstanding talent and accomplishments, and wish them continued success in the future.

- | | | | |
|----------------------|---------------------|---------------------|----------------------|
| #3 Robert McCullough | #10Evan Robinson | #17Jake Benitz | #13 Dominic Ferdenzi |
| #21 Matt May | #22Mike Mellilo | #32Brayden Nolan | #33Taylor Sibblies |
| #44 Brody Guerra | #52Matt Mclean | #56Aiden LaCorte | #66Claudio Ibarra |
| #68 Michael Troutman | #70Billy Greenhalgh | #78Rylan Ivaldi | #81Pasquale Festa |
| #86 Aiden Akturk | #92Dominick Boscia | #99Devontae Venable | |

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

s/Helen R. Le Frois, Mayor

Attest: s/Lorraine A. Read, Clerk

Date: January 14, 2019

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*

January 14, 2019

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 #28-2019*

RESOLUTION SUPPORTING THE NEW JERSEY SAFE ROUTES TO SCHOOL PROGRAM

WHEREAS, the Town of Newton recognizes there is a need to promote the health and safety of our children; and

WHEREAS, nearly one out of three children (31%) ages 10-17 are overweight or obese in New Jersey, and New Jersey has the second highest rate of obesity (17.9%) for low-income children ages 2-5; and

WHEREAS, lack of physical activity has had a significant impact on children's health and well-being, resulting in higher rates of obesity, diabetes, heart disease, and other related health concerns compared to 30 years ago. Driving children to school by private vehicle and idling in the school vicinity contributes to traffic congestion and air pollution near the school, and air pollution near schools can have adverse effects on student health as well as on the local environment; and

WHEREAS, bicycling and walking to school can have a positive mental and physical impact on the health of children and youth and helps them arrive at school ready to learn; and

WHEREAS, providing safer routes to and from school aims to decrease pedestrian and bicycling related injuries, not just for students but for the entire community; and

WHEREAS, the New Jersey Safe Routes to School program uses education, encouragement, infrastructure and enforcement strategies to help make walking and bicycling to school safer and more attractive to children; and

WHEREAS, a successful Safe Routes to School program involves schools, school boards, citizens and local government to collaborate to enable and encourage children, including those with disabilities, to walk and bicycle to school safely;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that we hereby support the New Jersey Safe Routes to School program which enables and encourages students to walk and bicycle to school and the development and maintenance of safe ways to walk and bicycle to school.

RESOLUTION #29-2019*

RESOLUTION SUPPORTING ASSEMBLY BILL A4037 AND SENATE BILL S2650 AMENDING N.J.S.40A:14-96, N.J.S.40A:14-98 AND P.L.1940, C. 153 ALLOWING MEMBERS OF JUNIOR FIREFIGHTERS' AUXILIARIES TO PERFORM CERTAIN FIRE SUPPORT DUTIES

WHEREAS, fire departments are in dire need of volunteers and have requested amendments to current legislation to help recruit and maintain volunteer firefighters; and

WHEREAS, junior firefighters provide key support to volunteer fire departments in Sussex County and throughout New Jersey, and these departments are lacking the ability to utilize junior firefighters during non-hazardous duties at fire scenes and other emergencies; and

WHEREAS, Assembly Bill 4037 and Senate Bill 2650 provide much needed amendments to current legislation to allow junior firefighters to perform support and training by establishing guidelines allowing junior firefighters the ability to perform certain non-hazardous duties during training, activities at the scene of a fire or other emergencies based on the age of the member; and

January 14, 2019

WHEREAS, Assembly Bill 4037 and Senate Bill 2650 will help expand opportunities for junior volunteer firefighters thereby encouraging youth in our communities to get involved where they live and volunteer for volunteer fire departments and expand their ability to learn and train among seasoned volunteers with the hope they will continue to volunteer as adults in their community;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby supports amending N.J.S.40A:14-96, N.J.S.40A:14-98 and P.L. 1940, c.153 as provided for in Assembly Bill 4037 and Senate Bill S2650 allowing members of junior firefighter auxiliaries to perform certain fire support duties based on the age of the member; and

BE IT FURTHER RESOLVED certified copies of this resolution shall be forwarded to Governor Phil Murphy, Honorable Steven V. Oroho, Honorable Parker Space and Honorable Harold J. Wirths, Senate President Stephen M. Sweeney, Assembly Speaker Craig J. Coughlin, Honorable Adam J. Taliaferro, Chairman of the Law & Public Safety Committee, Honorable Linda R. Greenstein, Chairwoman of the Law & Public Safety Committee, New Jersey State League of Municipalities, Sussex County Board of Chosen Freeholders, and each municipality in Sussex County.

RESOLUTION #30-2019*

**REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 19.05, LOT 16,
ALSO KNOWN AS 12 NEW HAMPSHIRE STREET**

WHEREAS, at the Municipal Tax Sale held on October 24, 2018, a lien was sold on Block 19.05, Lot 16, also known as 12 New Hampshire Street for 2017 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2018-011 was sold to Brian Law for 0% redemption fee and a premium of \$500.00; and

WHEREAS, Corelogic has effected the redemption of Certificate #2018-011 in the amount of \$443.89;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges Brian Law is entitled to a redemption in the amount of \$443.89 as well as the return of the premium in the amount of \$500.00; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton approves and acknowledges the Tax Collector shall issue a check in the amount of \$443.89 for the redemption and a check in the amount of \$500.00 for the return of the premium for Certificate #2018-011 to Brian Law, 23 Westport, Irvine, CA 92620.

RESOLUTION #31-2019*

**APPOINTMENT OF MATTHEW DICKSON AS TOWN COUNCIL LIAISON TO THE NEWTON
BOARD OF EDUCATION**

BE IT RESOLVED, by the Town Council of the Town of Newton that Matthew Dickson be and is hereby appointed as the Town of Newton liaison to the Newton Board of Education for calendar year 2019.

RESOLUTION #32-2019*

**APPOINTMENT OF JOYCE FRANKLIN AS SENIOR CITIZEN COORDINATOR FOR THE TOWN OF
NEWTON FOR 2019**

BE IT RESOLVED, by the Town Council of the Town of Newton that Joyce Franklin be and is hereby appointed as the Senior Citizen Coordinator for the Town of Newton during calendar year 2019.

January 14, 2019

RESOLUTION #33-2019*

APPOINTMENT OF BARBARA VRAHNOS AS A REGULAR MEMBER OF THE PLANNING BOARD

WHEREAS, there is currently a vacancy for a Regular member on the Town of Newton Planning Board; and

WHEREAS, Barbara Vrahnos currently serves as an Alternate Member on the Planning Board;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that Barbara Vrahnos is hereby appointed to a four-year term as a Regular member on the Planning Board, effective immediately with said term continuing to December 31, 2022.

RESOLUTION #34-2019*

AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO AN AGREEMENT WITH EXCEL ENVIRONMENTAL RESOURCES, INC. FOR ENVIRONMENTAL ENGINEERING SERVICES FOR CALENDAR YEAR 2019

WHEREAS, the Town of Newton is in need of environmental engineering services; and

WHEREAS, EXCEL Environmental Resources, Inc., can provide environmental engineering services, in accordance with N.J.S.A. 40A:11-9; and

WHEREAS, environmental engineering services are exempt from bidding requirements per N.J.S.A. 40A:11-3, et. seq.; and

WHEREAS, the Town of Newton desires to enter into an agreement with EXCEL Environmental Resources, Inc., for environmental engineering services, effective January 1, 2019 through December 31, 2019, based on the proposal submitted dated November 12, 2018;

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

1. This resolution hereby serves as an Agreement between the Town of Newton and EXCEL Environmental Resources, Inc., for environmental engineering services; and
2. A copy of this resolution and EXCEL Environmental Resources, Inc., proposal dated November 12, 2018 be place on file in the Municipal Clerk's Office.

RESOLUTION #35-2019*

APPOINTMENT OF JARROD C. COFRANCESCO, ESQ., AS THE TOWN OF NEWTON'S ALTERNATE MUNICIPAL PROSECUTOR FOR CALENDAR YEAR 2019

WHEREAS, Jonathan E. McMeen, Esq., currently serving as the Town of Newton's Municipal Prosecutor, has indicated an Alternate Municipal Prosecutor may be needed by the Town of Newton during calendar year 2019; and

WHEREAS, Jarrod C. Cofrancesco, Esq., has expressed an interest in serving as Newton's Alternate Municipal Prosecutor; and

WHEREAS, compensation for said services will be the sole responsibility of Jonathan E. McMeen, Esq.; and

WHEREAS, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i);

January 14, 2019

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby appoint Jarrod C. Cofrancesco, Esq. as the Town of Newton’s Alternate Municipal Prosecutor for the calendar year 2019; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Jarrod C. Cofrancesco, Esq., Jonathan E. McMeen, Esq., Frances Koch, Sussex County Prosecutor and the Town of Newton Municipal Judge, the Hon. James P. Sloan.

RESOLUTION #36-2019*

ADOPTION OF THE TEMPORARY OPERATING BUDGET AND TEMPORARY WATER AND SEWER BUDGET FOR 2019

WHEREAS, funds are needed to operate the Municipal Government and the Water and Sewer Utility for the first ninety (90) days of calendar year 2019; and

WHEREAS, N.J.S.A. 40A:4-19 provides for adoption of a Temporary Budget, not to exceed twenty-six and one-quarter percent (26.25%) of the total of the appropriations made for all purposes in the budget for the preceding year excluding, in both instances, appropriations made for interest and debt redemption charges, capital improvement fund and public assistance;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the 2019 Temporary Operating Budget and the 2019 Temporary Water and Sewer Utility Budget be and are hereby approved, pending adoption of the 2019 Annual Municipal Budget and the 2019 Water and Sewer Utility Budget.

2019 TEMPORARY BUDGET CALCULATION

\$ 12,766,000	Total 2018 Budget
2,189,010	Less: Debt (principal & interest)
0	Less: Public Assistance
<u>150,000</u>	Less: Capital Improvements
\$10,426,990	Amount on which % is applied
x <u>.2625</u>	Percentage increase allowed by state
\$ 2,737,084	Allowable 2019 Temporary Budget

APPROPRIATIONS NOT SUBJECT TO 26.25% INCREASE

Capital Improvements	OE	1095200	\$100,000
Debt Service	OE	1096200	\$585,000

2019 TEMPORARY WATER AND SEWER BUDGET

	<u>2018 BUDGET</u>	2019 TEMPORARY <u>BUDGET</u>
Salaries and Wages	\$ 887,800	\$ 227,500
Other Expenses	2,012,470	520,000
Deferred Charges		
PE R S	16,750	16,000
Unemployment	4,300	500
Social Security System	<u>68,000</u>	<u>20,696</u>
	\$2,989,320	\$784,696
	x <u>.2625</u>	
	\$ 784,696	
TOTAL 2019 TEMPORARY WATER & SEWER BUDGET		\$784,696
TOTAL 2019 TEMPORARY W&S CAPITAL IMPR BUDGET		\$300,000

TOTAL 2019 TEMPORARY W&S DEBT SERVICE BUDGET		\$200,000
ACCOUNT NUMBER	APPROPRIATIONS	2019 TEMPORARY BUDGET
1050100	TOWN MANAGER'S OFFICE - SALARY & WAGES	33,000.00
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	30,000.00
1051100	TOWN CLERK'S OFFICE - SALARY & WAGES	34,000.00
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES	3,000.00
1051500	ELECTIONS - OTHER EXPENSES	3,000.00
1052100	TOWN COUNCIL - SALARY & WAGES	3,000.00
1052200	TOWN COUNCIL - OTHER EXPENSES	1,800.00
1053100	HUMAN RESOURCE - SALARY & WAGES	10,000.00
1053200	HUMAN RESOURCE - OTHER EXPENSES	3,000.00
1054100	FINANCE ADMINISTRATION - SALARY & WAGES	20,000.00
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES	4,500.00
1054300	FINANCE ADMINISTRATION - AUDIT SERVICES	500.00
1055100	ASSESSMENT OF TAXES - SALARY & WAGES	16,000.00
1055200	ASSESSMENT OF TAXES - OTHER EXPENSES	6,000.00
1056100	COLLECTION OF TAXES - SALARY & WAGES	18,000.00
1056200	COLLECTION OF TAXES - OTHER EXPENSES	4,000.00
1058200	LEGAL SERVICES - OTHER EXPENSES	45,000.00
1059100	MUNICIPAL COURT - SALARY & WAGES	35,000.00
1059200	MUNICIPAL COURT - OTHER EXPENSES	12,000.00
1060200	ENGINEERING - OTHER EXPENSES	5,000.00
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	50,000.00
1062100	PLANNING/ZONING ADMIN - SALARY & WAGES	13,000.00
1062200	PLANNING BOARD - OTHER EXPENSES	7,000.00
1063200	HISTORIC COMMISSION - OTHER EXPENSES	500.00
1064100	COMMUNITY DEVELOPMENT - SALARIES/WAGES	20,000.00
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	10,000.00
1065400	ECONOMIC DEVELOPMENT COMM - OTHER EXP	800.00
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	400,000.00

January 14, 2019

1066300	HEALTH BENEFIT WAIVER	8,000.00
1067200	WORKMEN'S COMP INSURANCE - OTHER EXPENSE	75,000.00
1069200	OTHER INSURANCE PREMIUMS - OTHER EXPENSE	93,000.00
1070200	FIRE DEPARTMENT - OTHER EXPENSES	7,000.00
1073100	CENCOM - SW	95,000.00
1074100	POLICE DEPARTMENT - SALARY & WAGES	850,000.00
1074200	POLICE DEPARTMENT - OTHER EXPENSES	26,000.00
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	48,000.00
1075100	PARKING METERS - SALARY & WAGES	1.00
1076200	AID TO FIRST AID ORGANIZATION - OTHER EX	7,000.00
1077100	INSPECTION OF BUILDINGS - SALARY & WAGES	8,000.00
1077200	INSPECTION OF BUILDINGS - OTHER EXPENSES	1,000.00
1077400	CODE ENFORCEMENT - SALARIES & WAGES	16,000.00
1077500	CODE ENFORCEMENT - OTHER EXPENSES	3,000.00
1078100	EMERGENCY MANAGEMENT - SALARY & WAGES	3,000.00
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES	3,000.00
1080100	ROAD REPAIR & MAINT - SALARY & WAGES	150,000.00
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	30,000.00
1081100	SNOW REMOVAL - SALARY & WAGES	50,000.00
1081200	SNOW REMOVAL - OTHER EXPENSES	45,000.00
1082200	STORMWATER/FLOOD CONTROL - OTHER EXPENSE	6,000.00
1083100	RECYCLING/SANITATION - SALARY & WAGES	600.00
1083200	RECYCLING/SANITATION - OTHER EXPENSES	10,000.00
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	35,000.00
1084200	BOARD OF HEALTH - OTHER EXPENSES	500.00
1085100	OCCUPATIONAL HEALTH - SALARY & WAGES	2,500.00
1085200	OCCUPATIONAL HEALTH - OTHER EXPENSES	4,000.00
1087100	RECREATION - SALARIES & WAGES	5,000.00
1087200	RECREATION - OTHER EXPENSES	6,000.00
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	120,000.00
1090100	SWIMMING POOL - SALARY & WAGES	2,000.00
1090200	SWIMMING POOL - OTHER EXPENSES	6,000.00

1091100	PARKS & PLAYGROUNDS - SALARY & WAGES	22,000.00
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES	10,000.00
1092200	CELEBRATION OF PUBLIC EVENTS - OE	7,000.00
1093100	SENIOR CITIZEN PROGRAM - SALARY & WAGES	10,000.00
1093200	SENIOR CITIZEN PROGRAM - OTHER EXPENSE	500.00
1094550	RECYCLING TAX (PL2007 c.311)O/S CAP	200.00
1094710	INTERLOCAL- PARKING AUTHORITY	5,000.00
1094798	INTERLOCAL - GREEN TWP COURT	10,000.00
1098294	STAT. EXPEND. - DCRP	4,000.00
1098296	STAT. EXPEND. - PERS	104,183.00
1098298	STAT. EXPEND. - SOCIAL SECURITY	60,000.00
1098299	STAT. EXPEND. - UNEMPLOYMENT	<u>500.00</u>
	TOTAL APPROPRIATIONS SUBJECT TO 26.25% INCREASE	2,737,084.00
	APPROPRIATIONS NOT SUBJECT TO 26.25% INCREASE	
1095200	CAPITAL IMPROVEMENTS - OTHER EXPENSES	100,000.00
1096200	DEBT SERVICE - OTHER EXPENSES	585,000.00
	TOTAL CURRENT 2019 TEMPORARY BUDGET	<u><u>3,422,084.00</u></u>

RESOLUTION #37-2019*

APPROVAL OF EXTENSION OF KIEFFER ELECTRICAL SERVICES CONTRACT PER BID 1-2017

WHEREAS, there is a need for electrical services contractor in the Town of Newton; and

WHEREAS, the Town of Newton received bids for electrical services under Bid 1-2017 duly advertised and received in a public manner on February 8, 2017 at 10:30am; and

WHEREAS, Kieffer Electrical Services, 1 Wantage Ave Branchville, NJ has provided for the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq.); and

WHEREAS, the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-15), allows for a two (2) year extension of contract by resolution of the governing body; and

WHEREAS, the contract terms and conditions will be the same as awarded under authorizing resolution for Bid 1-2017, ending January 31, 2021;

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

Kieffer Electric is authorized to enter a two (2) year contract extension through January 31, 2021 to provide for electrical services in the following rates:

Category A	
Standard Hourly Rate	
Foreman	\$120.00
Journeyman	\$110.00
Bucket Truck	\$25.00
Overtime Hourly Rate	
Foreman	\$180.00
Journeyman	\$165.00
Bucket Truck	\$25.00
Sunday and Holiday Hourly Rate	
Foreman	\$240.00
Journeyman	\$220.00
Bucket Truck	\$25.00
Category B Sewer and Water Utility	
Standard Hourly Rate	
Foreman	\$120.00
Journeyman	\$110.00
Bucket Truck	\$25.00
Overtime Hourly Rate	
Foreman	\$180.00
Journeyman	\$165.00
Bucket Truck	\$25.00
Sunday and Holiday Hourly Rate	
Foreman	\$240.00
Journeyman	\$220.00
Bucket Truck	\$25.00

RESOLUTION #38-2019*

GRANTING AUTHORITY FOR APPROVAL OF CERTAIN PURCHASES THROUGH NEW JERSEY STATE CONTRACTS AND/OR PURCHASING COOPERATIVES

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L.2011, c.139, the Governing Body may delegate the power to award purchases, contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Town of Newton is a member; and

WHEREAS, in the interest of streamlining Town operations and improving efficiency, it is the desire of the Mayor and Council to authorize the Purchasing Officer/Qualified Purchasing Agent (QPA) to approve purchases, contracts and agreements through New Jersey State Contracts and/or Purchasing Cooperatives, subject to provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L.2011, c.139 below the \$40,000.00 threshold in individual purchases and the aggregate as defined by N.J.S.A.40A:11-2(19);

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Newton that the Purchasing Officer/Qualified Purchasing Agent (QPA) upon receipt of an identified need and direction from the Town is hereby authorized to approve purchases, contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Town of Newton is a member without further action from Council, provided funds are available to cover the expenditure; and

January 14, 2019

BE IT FURTHER RESOLVED, purchase approvals made by the Purchasing Officer/Qualified Purchasing Agent (QPA) by virtue of the adoption of this Resolution shall be subject to the provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and that no amount of any contract shall be in excess of the bid threshold in a single purchase or the aggregate without express individual resolutions authorizing such cooperative purchases by contract number.

RESOLUTION #39-2019*

UNSAFE ROAD CONDITIONS ON ROUTE 94

WHEREAS, the New Jersey Department of Transportation ("NJDOT") performed and completed road improvements on State Route 94 in the Town of Newton in 2018; and

WHEREAS, the road improvements have led to excessive water runoff near the intersection of Route 94 with Academy Street and Hillside Avenue; and

WHEREAS, the Town of Newton has received numerous public complaints regarding the unsafe condition caused by the excessive water runoff at the intersection of Academy Street and Hillside Avenue with Route 94, and the Town has concerns of potential ice hazards in the future; and

WHEREAS, the Town previously contacted the NJDOT in December 2018 and was advised the pitch of the roadway was changed to meet curb requirements of the American with Disabilities Act (ADA), and increased water runoff onto Route 94 is due to the pitch and direction, and there are no plans to fix this unsafe condition; and

WHEREAS, the Town of Newton is looking to the NJDOT to remove and repair the unsafe condition and the excessive water runoff created by the improvements that exist along Route 94 due to the road improvements;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager, Town Attorney and other appropriate Town representatives are hereby authorized to meet with the Town's State Legislators and with the NJDOT in order to resolve the unsafe conditions that exist along Route 94 due to the NJDOT road project.

RESOLUTION #40-2019*

**PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE
NO. 1915-33-006-011**

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1915-33-006-011, heretofore issued to Thordon, Inc., t/a Tuscany Bistro for premises located at 216 Woodside Avenue, Newton, New Jersey; and

WHEREAS, Thordon, Inc., has agreed to transfer plenary Liquor License #1915-33-006-011 to Sunwoo Management Inc., the lessee of the premises located at 216 Woodside Avenue, Newton, New Jersey; and

WHEREAS, Sunwoo Management, Inc., has submitted a complete application form for Person-to-Person Transfer of a Class C, Plenary Retail Consumption Liquor License bearing the State-assigned license number of 1915-33-006-011; and

WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes and regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton does hereby approve the Person-to-Person transfer of the aforesaid Plenary Retail Consumption License as follows:

- (a) Person-to-Person to Sunwoo Management, Inc. from Thordon, Inc.;

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 216 Woodside Avenue, Newton, New Jersey," effective January 14, 2019.

RESOLUTION #41-2019*

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 2018 and 2019 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

41049	BOONTON TIRE SUPPLY INC	3,971.94
41050	CODE 96 LLC	95.40
41051	COOPER ELECTRIC SUPPLY CO.	4.55
41052	COUNTY SEAT RESTAURANT	75.00
41053	CROWDCENTRIC MEDIA LLR	999.00
41054	DEMPSEY UNIFORM & SUPPLY INC.	1,178.80
41055	DOMINICK'S PIZZA LLC	126.75
41056	EMERGENCY MEDICAL PRODUCTS	197.20
41057	FEDERAL EXPRESS	60.95
41058	FERRAIOLI, CERULLO & CUVA	1,050.00
41059	GALLS, LLC	362.00
41060	GOLD TYPE BUSINESS MACHINES	434.47
41061	INSTANT VERIFICATION CHILD PROTECTION	198.72
41062	J. CALDWELL & ASSOCIATES, LLC	60.00
41063	KRAVE CAFÉ	100.00
41064	LOCK & KEY WORLD	33.50
41065	MCGUIRE, INC.	930.29
41066	MURCH AUTO BODY, INC.	414.00
41067	NEWTON JUNIOR ATHLETIC LEAGUE	1,320.00
41068	READY REFRESH BY NESTLE	117.16
41069	RECREONICS, INC.	284.88
41070	SC DEPT ENVIRONMENTAL & PUBLIC HEALTH	500.00
41071	SCHENCK, PRICE, SMITH & KING LLP	2,413.43
41072	SEBRING AUTO PARTS, INC.	11.52
41073	SHERWIN-WILLIAMS, INC.	51.65
41074	SPACE FARMS	31.00
41075	STAPLES BUSINES ADVANTAGE INC.	808.88
41076	SUSSEX CAR WASH INC.	144.00
41077	SUSSEX COUNTY CHAMBER OF COMMERCE	323.00
41078	SUSSEX COUNTY LOCK & SAFE	137.00
41079	TA MOUNTFORD COMPANY INC.	79.00
41080	TRIMBOLI & PRUSINOWSKI, LLC	3,465.00

PREPAID

191002	PAYROLL ACCOUNT	270,000.00
191001	ELECTRONIC FEES – TAX	500.00

CAPITAL

8763	ENVIRO VISION ENVIRONMENTA	1,675.00
8764	J. CALDWLL & ASSOCIATES, LLC	210.00

Total TOWN BILLS \$ 292,364.09

WATER AND SEWER ACCOUNT

17313	AIRGAS EAST	9.90
17309	AUTHENTIC PIZZA	315.00
17310	BOONTON TIRE SUPPLY INC.	268.57
17311	CCP INDUSTRIES, INC.	183.50
17312	COYNE CHEMICAL CORP., INC	6,115.66
17313	CROWDCENTRIC MEDIA LLC	999.00
17314	DEMPSEY UNIFORM & SUPPLY INC.	327.45
17315	GARDEN STATE LABORATORIES INC.	1,548.50
17316	HOLLAND COMPANY, INC.	7,115.69
17317	JCP&L	16,145.64
17318	MCGUIRE INC.	576.20
17319	ONE CALL CONCEPTS, INC.	35.00
17320	PASSAIC VALLEY SEWERAGE COMM.	3,822.00
17321	PUMPING SERVICES, INC.	5,191.00
17322	STAPLES BUSINESS ADVANTAGE, INC.	162.56
17323	SUBURBAN PROPANE LP	1,498.90
17324	SUSEX COUNTY P & H INC	231.85
17325	WITMER PUBLIC SAFTEY GROUP INC.	522.00

Total WATER & SEWER Bills \$ 45,068.42

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

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

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

INTERMISSION – None.

DISCUSSION – None.

OPEN TO THE PUBLIC

Mayor Le Frois opened the meeting to the public.

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

COUNCIL & MANAGER COMMENTS

Councilman Dickson noted that residents are allowed to attend the hearings in Trenton, on Thursday, regarding the Boarding House legislation.

Councilwoman Diglio noted the Newton First Aid Squad made 2000 calls in 2018, which was up 500 calls from previous year. Mayor Le Frois thanked the members of the

January 14, 2019

NFAS for their efforts this past year.

There being no further business to be conducted, upon motion of Mrs. Diglio, seconded by Mr. Schlaffer and unanimously carried, the meeting was adjourned at 7:37 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine A. Read". The signature is written in black ink and is positioned above the printed name.

Lorraine A. Read, RMC
Municipal Clerk