

April 22, 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, Deputy Mayor Flynn, Mayor Le Frois, and Thomas S. Russo, Jr., Town Manager. Ursula Leo, Esq., Town Attorney was also present. Mr. Schlaffer 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 Municipal Clerk called the roll. Upon motion of Mrs. Diglio, seconded by Deputy Mayor Flynn and unanimously carried, the minutes for the April 8, 2019 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 Municipal 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."

Tracy Paperella, 56 Halsted Street, addressed the Council and provided them with an aerial photo of the Newton pool from 1956 and an aerial photo of the Newton pool in 1963. She then read from a prepared statement: "Aerial photos of the site of the Newton Pool at Memory Park show that the pool was not built on a landfill as stated at the March 11, 2019 council meeting.

The 1956 photo shows the footprint of land surrounding the Newton Pool. You can see a patch of lawn divides the baseball field/football field from a patch of trees. That patch of trees is where the pool is situated now as evidenced in the photo from 1963 after the pool was constructed.

Our county and town historian, Wayne McCabe, confirms that there is no evidence of a landfill ever existing at the site of the Newton Pool. There had been a small dump in the area that is now the parking lot of the Division of Family and Youth Services (the former Rockaway Sales) building. This small dump never crossed the creek into what are now the ball fields at Memory Park. There had been a larger town dump off of South Park Drive in what is now the Park N Ride lot".

Ms. Paparella asked Mr. Russo for any updates regarding the engineering study on the Newton pool. She noted she met with Josh Gottheimer last week, who was surprised to learn the pool was closed for the summer and Mr. Gottheimer asked if the Town plans on transporting the children to another swimming facility this summer.

Maureen Snellen, 30 Plainfield Avenue, noted she is happy the road sign on her street has been replaced. She also acknowledged her street is going to be repaved this year and suggested the money can be used toward the repair of the Newton pool instead of repaving Plainfield Avenue. She believes her neighbors would agree as well. She also questioned if sidewalks were a part of the repave project on Plainfield Avenue. Ms. Snellen also questioned if a refund was given to an apartment complex in Town who was late with their water bill. She indicated she has had to paid a water bill late fee and it's not fair if others are not paying.

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

COUNCIL & MANAGER REPORTS

a. **Mayor Le Frois** – On Friday April 11th she along with several employees attended a Seton Hall Awards ceremony. Tom Russo, Jr. and the Town of Newton were recognized for their work for the project with the Seton Hall students. On April 12th, she attended the Easter egg dying event held at the Newton High School cafeteria. On Saturday, April 13th she attended the Easter Egg Hunt at Newton High School field. It was well attended and thanked the Recreation Department for these wonderful events. Mayor Le Frois and Councilman Dickson visited, along with Hon. Josh Gottheimer, Newton High School Robotics program. She outlined the programs and projects of the Robotics Team and is proud of their accomplishments. On April 17th, the Master Plan Reexamination Subcommittee met and will continue to work on the plan. She then updated on the Planning Board meeting held on April 17th.

b. **Deputy Mayor Flynn** – Elaborated on the Thorlabs project recently approved by the Newton Planning Board on April 17th.

c. **Councilwoman Diglio** – On April 15th, presented a Proclamation to Aileen "Clara" Miller @ Bristol Glen who turned a 105th on April 19th, 2019. On April 18th, she attended the Community College Day @ SCCC, along with Kimberly Williams. She outlined the

program for the day and finished with a tour of the campus @ the McGuire's site on Main Street, Newton.

d. **Councilman Schlaffer** – Excused.

e. **Councilman Dickson** – On April 13th, I attended the Easter egg hunt at NHS.

Thank you to the Recreation Commission for all their hard work going into making this event possible. The children love it every year. Gottheimer's visit to the STEM lab at Newton High School. I always love getting to go up to the STEM lab and see what the robotics team is up to. The stuff they are doing is fantastic and it amazes me every time. I can't say enough good things about the program. Glad the Congressman was able to see some of the fantastic work the students are doing and present the robotics team with a Congressional Certificate of Recognition. The next BOE meeting will be tomorrow night. The meeting will be at MAS with a tour at 6pm and the meeting to follow at 7pm.

f. **Town Manager** – Mr. Russo addressed several questions asked by the public. He noted the two Proclamations below:

Proclamation

Aileen "Clara" Miller

105th Birthday

WHEREAS, Aileen "Clara" Miller was born in Brooklyn, New York on April 19, 1914 and is currently residing in Bristol Glen; and

WHEREAS, when Clara was young, her Dad emphasized the importance of family and always told her she was to take care of her 4 sisters and 1 brother; and

WHEREAS, at the age of 16 Clara began working for the A&P in Brooklyn, New York, where she met her husband John during World War II; and

WHEREAS, Clara spent 50 years working at A&P where her excellent math skills were put to good use becoming a Payroll Master; and

WHEREAS, through the years Clara took joy in helping others either by doing their taxes or helping them to balance their checkbooks or even organizing and cleaning their homes; and

WHEREAS, Clara enjoys listening to Tony Bennett music, visiting Coney Island and Disney World with her sisters, and making her famous potato salad for parties;

NOW, THEREFORE, We, the Mayor and Town Council of the Town of Newton hereby proclaim our Happy Birthday wishes for Aileen "Clara" Miller on her 105th birthday and we commend her dedication to her family and willingness to help those in need.

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: April 15, 2019

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Proclamation

Arbor Day Celebration

May 4th, 2019

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and is now observed throughout the nation and the world; and

WHEREAS, living trees can reduce erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, the Newton Advisory Shade Tree Commission will have a public celebration to mark this important occasion, which involved the planting of a tree in Memory Park on Saturday, May 4, 2019 at 12:00pm;

NOW, THEREFORE, We, the Town Council of the Town of Newton, do hereby proclaim Saturday, May 4, 2019 as an "ARBOR DAY CELEBRATION" in the Town of Newton, and urge all citizens to plant trees to promote the well-being of this and future generations.

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: May 4th, 2019

Mr. Russo reminded Council of the upcoming Neighbors Helping Neighbors event scheduled for Saturday, May 4, 2019. Volunteers are to meet at Memory Park instead of Town Hall. He outlined the schedule for this event and noted paper shredding will also take place from 9am to Noon. On May 11th, Newton has scheduled a Bulk Waste Curbside Pickup for Newton residents. A \$30.00 permit is required for this service. Mr. Russo noted he will be setting up a conference call with Department of Community Affairs (DCA) regarding the Boarding Home issues.

Mayor Le Frois thanked Mr. Russo for his memo which provided the update on the Newton Armory clean-up progress.

ORDINANCES -

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

ORDINANCE #2019-3

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$425,000 THEREFOR, INCLUDING A \$98,192 GRANT RECEIVED FROM THE NEW JERSEY

DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$403,750 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

The aforementioned **ORDINANCE** was offered by Mrs. Diglio, 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	Excused
	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, May 13, 2019.

OLD BUSINESS – None.

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 consent agenda items.

RESOLUTION #114-2019*

AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR DEMPSEY UNIFORM

WHEREAS, the Town of Newton requires the services of uniform supply through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

WHEREAS, Dempsey Uniform 1200 Mid Valley Dr. Jessup, PA 18434, in the aggregate, is expected to exceed the pay to play threshold of \$17,500.00; and

WHEREAS, Dempsey Uniform has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies Dempsey Uniform, has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit Dempsey Uniform, from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer hereby certifies funds are available in the 2019 Current and Water Sewer Utility budgets, NOT TO EXCEED \$18,650.00 will be encumbered as follows:

Current – Road OE – Uniforms #1080271	\$9,000.00
Current – Building & Grounds OE -Contractual #1061217	\$3,500.00
Current – Building & Grounds OE –Material & supply #1061239	\$1,500.00
Water Sewer - Adm&Fin-Uniforms #6051217	\$4,650.00

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"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 Dempsey Uniform, not to exceed \$18,650.00 for the 2019 calendar year; and

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

RESOLUTION #115-2019*

REAPPOINTMENT OF WILLIAM NANNERY AND CAROLE LEONARDO TO THE NEWTON HOUSING AUTHORITY

BE IT RESOLVED by the Town Council of the Town of Newton that William Nannery and Carole Leonard are each hereby reappointed to a full five-year term on the Newton Housing Authority, effective May 1, 2019 and continuing through April 30, 2024.

RESOLUTION #116-2019*

AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO AN AGREEMENT WITH BROOKSIDE REALTY URBAN RENEWAL REGARDING A REDUCTION IN THE PENALTY IMPOSED ON A WATER/SEWER BILL FOR 33 MILL STREET AND A REFUND OF \$997.89

WHEREAS, Brookside Realty Urban Renewal filed an application with the Newton Utility Advisory Board and appeared before the Newton Town Council regarding its appeal of a water and sewer billing penalty; and

WHEREAS, Andrew B. Sobel, Esq., on behalf of Brookside Realty Urban Renewal, the owners of 33 Mill Street in Newton, New Jersey, requested a reduction of the penalty in the amount of \$3,991.57, related to the water and sewer billing account; and

WHEREAS, an agreement has been reached with Brookside Realty Urban Renewal, whereby the amount of the total penalty has been reduced twenty-five (25%) percent to \$2,993.68, in exchange for certain representations; and

WHEREAS, Brookside Realty Urban Renewal has already paid the \$3,991.57 penalty and has further agreed to be responsible for all of its own attorneys' fees, and agrees it has no further claims against the Town of Newton, and waives any and all claims related to water and sewer services to 33 Mill Street;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the agreement entered into with Brookside Realty Urban Renewal dated December 12, 2018 and signed on April 3, 2019 is hereby authorized and the Town of Newton Water and Sewer Collector is hereby authorized to credit 33 Mill Street, Acct. 3594, in the amount of \$997.89.

RESOLUTION #117-2019*

AUTHORIZING THE MAYOR AND THE MUNICIPAL CLERK TO EXECUTE AGREEMENTS WITH THE POLICE SUPERIOR OFFICERS' ASSOCIATION AND POLICEMEN'S BENEVOLENT ASSOCIATION - LOCAL NO. 138

WHEREAS, the Town Manager and representatives of the Police Superior Officers' Association and the Policemen's Benevolent Association - Local No. 138 of the Newton Police Department have negotiated four-year agreements covering calendar years 2018, 2019, 2020, and 2021 pursuant to mediation; and

WHEREAS, said agreements for calendar years 2018, 2019, 2020, and 2021 have been ratified by the Police Superior Officers' Association and Policemen's Benevolent Association - Local No. 138;

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NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the above agreements and authorizes the Mayor and the Municipal Clerk to execute said agreements, in duplicate, with the Police Superior Officers' Association and Policemen's Benevolent Association - Local No. 138, based on the terms outlined in the attached Memorandum of Agreement.

RESOLUTION #118-2019*

RESOLUTION APPROVING THE AWARD OF AN INSURANCE BROKER OF RECORD CONTRACT FOR EMPLOYEE BENEFITS

WHEREAS, the Town of Newton (the "Town") requires the services of an insurance broker of record in order to oversee the Town's employee benefits program including medical, prescription, dental, vision, and Cobra administration as determined by the Town; and

WHEREAS, the Town is presently a member of the North Jersey Municipal Employee Benefits Fund ("NJMEBF"); and

WHEREAS, Health Insurance Broker and/or the Town's program administrator/representative to the NJMEBF is exempt from public bidding and may be awarded via resolution pursuant to N.J.S.A. 40A:11-5(m), in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, Mitchell Insurance Agency d/b/a Acrisure, LLC ("Broker") is qualified to provide the above referenced services; and

WHEREAS, the Town is hereby authorized and directed to execute a Broker of Record authorization and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5.

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. This agreement is hereby authorized and approved.
3. Mitchell Insurance Agency d/b/a Acrisure, LLC is hereby appointed to represent the Town as Broker of Record for employee benefits including medical, prescription, dental, vision, and Cobra administration.
4. Mitchell Insurance Agency d/b/a Acrisure, LLC is here appointed and designated as the Program Administrator/Town representative to NJMEBF.
5. The Town is hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.
6. This resolution shall be effective immediately.

RESOLUTION #119-2019*

REAPPOINTMENT OF DR. JOHN CRADDOCK TO THE ADVISORY SHADE TREE COMMISSION

BE IT RESOLVED by the Town Council of the Town of Newton that Dr. John Craddock is hereby reappointed to the Newton Advisory Shade Tree Commission, effective immediately and continuing through May 31, 2023.

RESOLUTION #120-2019*

APPOINTMENT OF ALEXANDRA KWESELAIT TO THE NEWTON PARKING AUTHORITY

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WHEREAS, there currently is a vacancy on the Newton Parking Authority as a result of the resignation of Edward Dudes; and

WHEREAS, Alexandra Kweselait has expressed interest in serving as a member of the Newton Parking Authority;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Alexandra Kweselait is hereby appointed to an unexpired five (5) year term on the Newton Parking Authority, effective immediately with said term continuing to December 31, 2020.

RESOLUTION #121-2019*

AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS

WHEREAS, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated;

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 following accounts for amounts billed incorrectly due to the reason(s) stated:

UTILITY BOARD RECOMMENDS CREDIT FOR EXCESS SEWER CHARGES DUE TO A LEAK:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
14130	8 Dogwood Drive	\$195.19
18329	14 Grand Avenue	\$632.25

UTILITY BOARD RECOMMENDS CREDIT FOR EXCESS USAGE DUE TO A FAULTY EXPANSION TANK:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
3682	55-D Mill Street	\$937.09

RESOLUTION #122-2019*

CONCUR WITH THE RECOMMENDATION OF THE UTILITY ADVISORY BOARD IN ALLOCATING WATER AND SEWER GALLONAGE AND FEES FOR 132 SPRING STREET ALSO KNOWN AS BLOCK 8.08, LOT 23

WHEREAS, at a regular meeting of the Newton Utility Advisory Board conducted on April 16, 2019, Mr. Wayne McCabe, representing Mr. John Kweselait, appeared before the Board to request an allotment of water and sewer gallonage for a proposed construction consisting of twelve one-bedroom apartment units, three two-bedroom units and eleven studio apartments on the second, third and fourth floors of the property located at 132 Spring Street also known as Block 8.08, Lot 23; and

WHEREAS, the Utility Advisory Board reviewed the estimated usage Mr. McCabe presented on water and sewer usage for the facility and recommends the following:

1. For the residential twelve one-bedroom units, three two-bedroom and eleven studio apartments, \$9,770 each totaling \$254,020.
2. For the commercial unit on the first floor consisting of 6,649 square feet and 831 GPD totaling \$55,843.20.
3. Basement level is for storage only with no water and sewer use.
4. Sewer tap fee is \$600.
5. The total water sewer fees are \$310,463.20, with a credit for existing commercial of \$48,471.36, for a total due of \$261,991.84.

WHEREAS, the volume of water may be in excess of 6,000 GPD, and the number

of apartments is greater than 15, requiring a watermain extension permit to be obtained from the NJDEP Bureau of Water System Engineering by the applicant;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body hereby concurs with the recommendation of the Utility Advisory Board and conditionally approves the fees set forth above.

RESOLUTION #123-2019*

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

41452	ABCODE SECURITY INC.	200.00
41453	ADVANCE AUTO PARTS	11.18
41454	ARF RENTAL SERVICES, INC.	210.67
41455	AUTOZONE	44.45
41456	BOONTON TIRE SUPPLY INC.	726.85
41457	CAMPBELL'S SMALL ENGINE INC.	74.00
41458	CENTURYLINK COMMUNICATIONS INC.	65.81
41459	CHELBUS CLEANING CO., INC.	1,653.75
41460	CINTAS CORPORATION NO. 2	270.00
41461	CONVERGINT TECHNOLOGIES, LLC	22,500.00
41462	COOPER ELECTRIC SUPPLY CO.	1,389.55
41463	EXTRA TECH DATA SERVICES, LLC	469.00
41464	FASTENAL COMPANY INC.	92.81
41465	FEDERAL EXPRESS	36.08
41466	GRUBER COLABELLA LIUZZA & THOMPSON	110.58
41467	HAYEK'S MARKET INC.	35.02
41468	JANIEN N. ROBERTS	17.98
41469	JCP&L	6,997.52
41470	LADDEY, CLARK & RYAN LLP	8,063.33
41471	LOWE'S INC.	224.75
41472	MAILFINANCE INC.	529.41
41473	MGL FORMS – SYSTEMS LLC	84.00
41474	MONTAGUE TOOL & SUPPLY INC.	302.37
41475	NATIONAL ENTERTAINMENT TECH INC.	240.00
41476	NEW JERSEY HERALD INC.	552.12
41477	NEWTON HIGH SCHOOL	1,000.00
41478	NJMEBF	173,388.00
41479	ELIZABETHTOWN GAS	1,926.60
41480	PELLOW, HAROLD & ASSOCIATION, INC.	3,757.25
41481	PENTELEDATA	769.70
41482	PAULA PINTO	425.00
41483	QUILL CORPORATION	437.43
41484	QUILL CORPORATION	122.88
41485	LORRAINE READ	17.98
41486	SANDRA DIGLIO	35.00
41487	SERVICE ELECTRIC CABLE TV INC.	97.75
41488	JAMES P. SLOAN	3,278.50
41489	STAPLES BUSINESS ADVANTAGE INC.	281.44
41490	STAPLES CREDIT PLAN INC.	392.76
41491	STATEWIDE INSURANCE FUND	61,163.14
41492	STEPHEN MORAN	160.38
41493	SUNLIGHT GENERAL	397.90
41494	SUSSEX & WARREN TAX COLL.	100.00

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41495	SUSSEX CAR WASH INC.	192.00
41496	SUSSEX COUNTY LEAGUE OF MUN.	100.00
41497	SUSSEX COUNTY SHERIFF DEPT.	9,335.01
41498	TREASURER, STATE OF NEW JERSEY	75.00
41499	TRI-STATE RENTALS, INC.	137.27
41500	TRIMBOLI & PRUSINOWSKI LLC	610.00
41501	TRUST ACCOUNT, TOWN OF NEWTON	25,000.00
41502	USA HOIST CO., INC.	230.00
41503	VERIZON WIRELESS INC.	1,775.40
41504	WALMART	28.02

CAPITAL

191022	PAYROLL ACCOUNT	191,198.01
191021	PAYROLL ACCOUNT	199,626.93
191020	ELAVON INC.	283.48
41451	MOHAWK HOUSE	75.00
8787	FKA ARCHITECTS INC.	1,017.21
8788	GARDEN STATE HIGHWAY PRODUCTS INC.	987.00
8789	NEW JERSEY HERALD INC.	22.20
8790	TECHNO METAL POST	1,050.00
8791	ZITONE CONSTRUCTION	208,978.14

Total TOWN BILLS \$ 933,373.61

WATER AND SEWER ACCOUNT

17460	ACCURATE WASTE REMOVAL INC.	9,090.90
17461	AIRGAS EAST	9.90
17462	AIRMATIC COMPRESSOR SYSTEMS, INC.	16,000.00
17463	AMERICAN AQUATIC TESTING INC.	1,650.00
17464	CAPITOL SUPPLY CONST. PRODUCTS INC.	498.60
17465	CENTURYLINK COMMUNICATIONS INC.	40.14
17466	DELAWARE RIVER BASIN COMMISSION	1,304.00
17467	EXTRA TECH DATA SERVICES, LLC	469.00
17468	HAMBURG PLUMBING SUPPLY CO INC.	1,051.12
17469	HAYEK'S MARKET INC.	35.03
17470	KKPR MARKETING & PUBLIC RELATIONS	250.00
17471	LADDEY, CLARK & RYAN LLP	48.00
17472	MONTAGUE TOOL & SUPPLY INC.	220.24
17473	ELIZABETHTOWN GAS	776.27
17474	ONE CALL CONCEPTS INC.	83.66
17475	PALL CORPORATION	7,787.68
17476	PENTELEDATA	399.85
17477	PAULA PINTO	425.00
17478	PUMPING SERVICES, INC.	10,279.70
17479	QUILL CORPORATION	135.95
17480	SCHENCK, PRICE, SMITH & KING LLP	41.50
17481	JOHN SMALLEY	1,416.66
17482	STATEWIDE INSURANCE FUND	55,319.11
17483	SUNLIGHT GENERAL	806.10
17484	SUSSEX & WARREN TAX COLLECTOR	50.00
17485	VERIZON WIRELESS INC.	223.82
196018	PAYROLL ACCOUNT	36,009.55
196017	PAYROLL ACCOUNT	35,202.17
17459	MOHAWK HOUSE	75.00
196016	ELAVON - ON LINE FEES	446.53

Total WATER & SEWER Bills \$ 180,135.48

TRUST ACCOUNT

3842	GRUBER COLABELLA LIUZZA & THOMPSON	1,125.00
3843	PROFESSIONAL CONSULTING INC.	155.00

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197108 PAYROLL ACCOUNT 972.00

Total TRUST ACCOUNT Bills \$ 2,252.00

FEDERAL/STATE GRANTS

1445	CENTER FOR PREVENTION & CONSELING	1,800.00
1446	GREATER NEWTON CHAMBER OF COMM.	6,000.00
1447	TIMMERMAN COMPANY INC.	2,123.54
191109	PAYROLL ACCOUNT	1,445.22

Total FEDERAL/STATE GRANT Bills \$11,368.76

The Municipal Clerk presented an application for Special Permit for Social Affair from the Sussex County Arts and Heritage Council, 133 Spring Street, Newton to be held on Saturday, May 18, 2019 from 5:00pm to 7:00pm at 133 Spring Street, Newton.

The Municipal Clerk presented an application for a Special Permit for Social Affair from VFW Auxiliary Newton Memorial Post 5360, 85 Mill Street, Newton to be held on Saturday, June 15, 2019 from 4:00pm to 8:00pm at 85 Mill Street, Newton.

A motion was made by Deputy Mayor Flynn to approve the revised **COMBINED**

ACTION RESOLUTIONS, seconded by Mrs. Diglio and roll call resulted as follows:

Mr. Dickson	Yes	Mrs. Diglio	Yes
		(recused from ck#41486)	
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Excused
	Mayor Le Frois	Yes	

DISCUSSION –

a. **Code Enforcement Department Presentation**

Mr. Bernard Hattersley, Code Enforcement Director and Sherri Kaylani, Admin. Assistant, presented the following PowerPoint presentation:

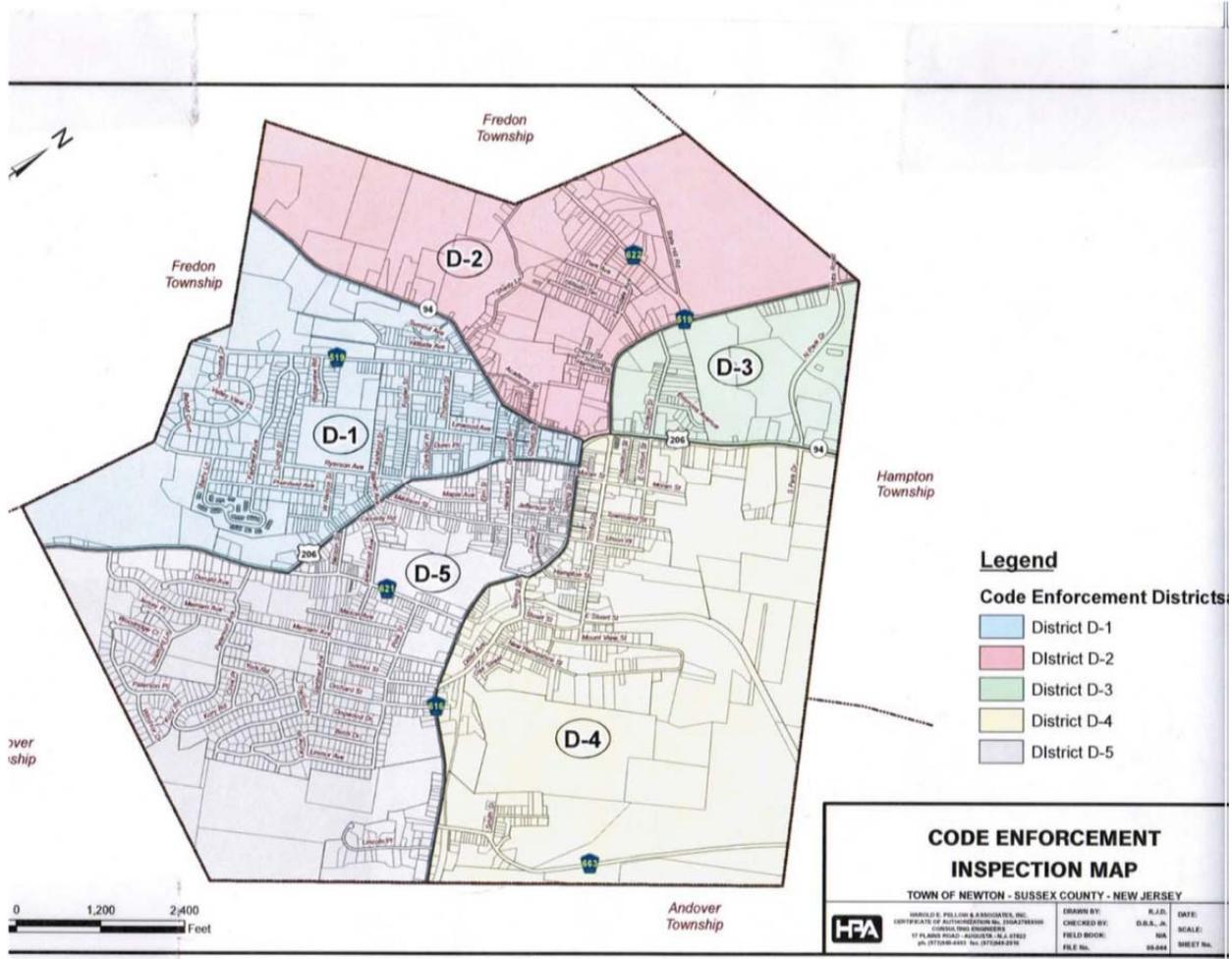
2019 Town of Newton Code Enforcement



Newton Code Enforcement Process

- The Code Enforcement Department responds to citizen complaints received by email, letter, phone call, phone message, or in person walk-ins at the Code Enforcement Office at Town Hall. Complainants can leave their name or chose to remain anonymous.
- The Code Enforcement Department has embraced a proactive approach by addressing issues that may become code enforcement cases or complaints before they escalate to a point of mandated abatement or summons.
- The Town has been divided into five code enforcement districts. Proactive enforcement through the use of periodic drive-through district-wide inspections is used.

Newton Code Enforcement District Map



2018 Code Enforcement Results

- Violations found: **519**
- Violations abated: **483**
- Summonses: **49**
- COC: **199**
- OPRA: **132**

Newton Code Enforcement (Accomplishments)

- The Code Enforcement Department has successfully completed the installation and implementation of the *Mitchell Humphrey Property Maintenance Manager Software*. Computerization of the code enforcement process improves organization, tracking and the service provided to Town residents. Integration with the Building and Planning departments are now possible since all of these departments use *Mitchell Humphrey Software*.
- The Code Enforcement Department, in conjunction with the Municipal Clerk's Office, has assisted in creating a vacant properties list in accordance with Town Ordinance 2017-10.
- The Code Enforcement Department has met with a majority of Town business owners in an effort to create a business owner contact list.
- The Code Enforcement Department has been re-organized with old files archived and new files transferred to the new software system. New signage has been installed in the Code Enforcement Office to make it easier for citizens to locate the office.

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- The Code Enforcement Department has spent considerable amounts of time and effort attempting to establish proper ownership of properties that habitually commit property maintenance violations to initiate and ensure compliance.
- Streamlined the Certificate of Compliance process and revised fee scale.
- Took delivery of a new Town vehicle to conduct inspections.

Newton Code Enforcement Goals for 2019

- Attempt to determine ownership on vacant properties that do not answer summonses.
- Sanitation around dumpsters on properties that use them as their means of trash disposal is an area of emphasis.
- Begin property inspections and send out notifications in the first quarter of the year in order to allow property owners more time to plan abatement measures.
- Develop code enforcement brochure that can be distributed to all new property owners.
- Adjust International Property Maintenance Code and publish onto our Town's website.
- Create a standard operating procedures manual for the code enforcement processes.
- Create/Update job descriptions for Code Enforcement positions.
- Continue to evaluate and improve upon the systems that we have in place and ensure they work for the effective and efficient day-to-day operations of our Department.
- Continue to evaluate and improve upon the systems that we have in place and they work for the effective and efficient day-to-day operations of our Department.

Impact of Newton Code Enforcement

- The Newton Code Enforcement Department has made a conscious effort to establish and foster a more professional and cooperative relationship with Town residents in regards to code enforcement matters.
- We have taken steps to open lines of communication with all Town property owners and residents to create partnerships. These partnerships help improve the image of the Code Enforcement Department and also educate and ease compliance with property maintenance ordinances. It would be difficult for the Town to establish these relationships, with their associated benefits, without having a Code Enforcement Department as part of the day-to-day operations.
- We believe we have made great strides in improving the image and physical appearance of many Town properties. We have included a small physical appearance of many Town sample of these transformations.

April 22, 2019

27 Diller Avenue

AFTER



BEFORE



26 Church Street

AFTER



BEFORE



4 Elm Street

AFTER



BEFORE



April 22, 2019

4 Linwood Annex

AFTER



BEFORE



8 Emmons Avenue

AFTER



BELOW



8 1/2 Woodside Avenue

AFTER



BELOW



April 22, 2019

25 Hamilton Street

AFTER



BEFORE



29 Sparta Avenue

AFTER



BELOW



32 Union Place

AFTER



BEFORE



April 22, 2019

21 Hillside Terrace

AFTER



BEFORE



37 Hillside Terrace

AFTER



BEFORE



Future of Newton Code Enforcement

- Although we are proud of our Department and our work that has been accomplished thus far, we realize there is always more work to be done. We know the code enforcement function is an ongoing process. We are motivated to continue building on these successes and look forward to serving the community in the years to come. Thank You.

Sherri Kaylani, Code Enforcement Administrative Assistant

Jeff Schiffner, Deputy Code Enforcement Officer

Bernard Hattersley, Code Enforcement Director

Code Enforcement Officer going out on his inspections...



THE END



OPEN TO THE PUBLIC

Mayor Le Frois opened the meeting to the public.

Melissa Costello, 16 Halsted Street, commented that Halsted Street sidewalks "are never clear" after a snow storm. She also noted she walked down Spring Street and counted 56 store fronts and 28 are empty. She stated "that is an embarrassment" to this Town.

Ludmilla Mecaj, 9 Madison Street, thanked the Code Enforcement Department for their presentation and likes what they are doing. She did suggest the Code Enforcement staff do their due diligence prior to any violations being issued.

Jenna Genung, 36 Pine Street, is happy with the Thorlabs recent approvals but questioned whether the new traffic pattern change would assist or hinder on the already congested traffic at Halsted Middle School.

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

COUNCIL & MANAGER COMMENTS

Mayor Le Frois requested the process in which code enforcement violations are issued and was addressed by Mr. Hattersley and Mrs. Kaylani. Mayor Le Frois asked Mr. Russo to outline the eligibility requirements needed in order to assist residents during the Neighbors Helping Neighbors event. Mr. Russo outlined the Neighbors Helping Neighbors event as well as the Bulk Waste Curbside Collection event to be held on Saturday, May 11, 2019.

April 22, 2019

Deputy Mayor Flynn addressed the questions of Mrs. Genung regarding the new traffic patterns for the Thorlabs site.

Councilman Dickson advised that "May is just around the corner and it happens to be Mental Health Awareness Month. Mental health is a serious issue that affects all walks of life, and one that I have seen firsthand during my career in EMS. Mental health issues such as depression, schizophrenia, PTSD, etc, can have a lasting effect on not only the patient's life but on their family and friends. According to the Substance Abuse and Mental Health Services Administration 1 in 5 Americans have experienced some sort of mental illness. Not only must the individuals want to seek treatment, they must also overcome stigmas, stereotyping, and discrimination. This is where I believe we, as a town, can make a difference. The Codey Fund for Mental Health has an awareness campaign seeking municipalities throughout the State of New Jersey to declare themselves "Stigma Free". By doing so they hope to promote public awareness, create conversations, and work towards overcoming stigmas, stereotyping, discrimination, and removing any barriers to recovery. If Newton elected to pass a resolution to become a stigma free town, the Codey Fund will provide the town with custom metal road signs at no cost. Towns that have pledged to be stigma free include, Montclair, Denville, Madison, Dover, Pequannock, Morristown and others. Sparta is the only Sussex county municipality I know of to make a similar pledge, though not with the Codey Fund. Being the County Seat, with all the services available to people, I feel this would make a positive impact within the community".

After a brief discussion, the majority of the Council agreed to move forward with a Resolution to become a stigma-free town.

Mr. Russo addressed the statements of Ms. Costello regarding the vacancies on Spring Street. Mr. Russo then updated on the various upcoming projects which will address some of the vacancies on Spring Street and indicated it takes time but progress is being made as a whole. Mayor Le Frois also updated on the upcoming projects which were recently approved by the Newton Planning Board.

EXECUTIVE SESSION – None.

There being no further business to be conducted, upon motion of Deputy Mayor Flynn, seconded by Mr. Dickson and unanimously carried, the meeting was adjourned at 8:30 pm.

April 22, 2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lorraine A. Read". The signature is written in a cursive style with a prominent initial "L".

Lorraine A. Read, RMC
Municipal Clerk