

September 11, 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, Mr. Schlaffer, Mayor Le Frois, and Thomas S. Russo, Jr, Town Manager. Ursula Leo, Esq., Town Attorney was also present.

Mayor Le Frois requested a moment of silence for the lives lost on this tragic day 18 years ago. She noted a 9-11 ceremony took place at 6:00pm this evening at Sussex County Community College and thanked all who attended.

Mayor Le Frois then 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 August 5, 2019 Regular; August 5, 2019 Executive; August 26, 2019 Special Meeting meetings were unanimously 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."

Karen Hardin-Kitchell, resident of Lafayette Twsp., was delighted to notify the Council the SCCC is starting a wrestling team. She also noticed many improvements in and around the Town of Newton and is excited for the future of Newton.

Angelo DePalma, 18 Hillside Avenue, Newton, noted the removal of several trees on Overlook Road and inquired who was responsible for this activity.

Maureen Snellen, 30 Plainfield Avenue, questioned when Mr. Russo's contract is up for renewal.

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

COUNCIL & MANAGER REPORTS

a. **Mayor Le Frois** – On August 28, 2019, welcomed home Sgt. Ream, of Newton, from his tour of duty. Several organizations took part in this event. Mayor Le Frois

September 11, 2019

thanked all involved and thanked Sgt. Ream for his service. On September 9, 2019, she attended the "Taste of Newton" event. It was a wonderful night. On September 10, 2019 was the ribbon cutting for the Atlantic Health Ambulance bldg. (across from the Newton Medical Center). On September 12, 2019, the Town of Newton will be recognized by TransOptions for "Safe Routes to School". Sussex County Day will take place on Sunday, September 15, 2019 from 12-5pm at SC Fairgrounds.

b. **Deputy Mayor Flynn** – nothing at this time.

c. **Councilwoman Diglio** – updated on the Taste of Newton event held on September 9, 2019 on Spring Street and noted its success. Mrs. Diglio announced the Town of Newton's Fall Festival will be held on Sunday, October 13, 2019 from 11am-3pm. The plans for the Holiday parade are underway and will take place on Saturday, November 30, 2019. Mrs. Diglio and Mr. Dickson also attended the 9-11 Ceremony at the college this evening and asked we keep all that have fallen in our prayers.

d. **Councilman Schlaffer** – nothing at this time.

e. **Councilman Dickson** – "Just a brief update on BOE, they have had two meetings since we have last met. At the August 27th meeting, they recognized ThorLabs for all of the contributions they have made and specifically all the contributions during the 2018-2019 school year. A presentation was made by Ian Hockley, who's 6 year old autistic son was killed during the mass shooting at Sandy Hook School, about a program called Dylan's wingman. The program is a youth leadership program that develops social and emotional skills through team bonding and trust building activities. The program inspires children to be more empathetic, courageous, inclusive young leaders.

Mark your calendars because October 3rd will be the Newton Public Schools 2nd Family and Community Connection Event. The spring event was successful bringing over 200 parents and more than 30 partners to provide information about services for families. Children are welcomed as well as there are numerous kid friendly activities. The event is being held at Newton High School from 6-8 pm on October 3rd.

I also attended the Taste of Newton on Monday. Thankfully the weather cooperated this year and it was able to happen outside on Spring St. It was a fantastic showcase from the various different eateries in and around Newton. Thanks to the GNCC for all the work they do putting on this event. Also want to thank the work that

our police department does with traffic control and putting the signs up. To the first aid squad, thank you for providing an ambulance during the event, and thank you to the DPW for all your work. Not only set up and clean up of the event, but making sure the garbage cans were emptied during the event. It was a total team effort.

Prior to coming to the meeting I attended the 9/11 ceremony at SCCC. It was good to see a good turnout with so many younger kids in the audience. It was a poignant and somber event to honor those lost as a result of that acts perpetrated that day. May we never forget that day and never forget the resolve and unity America showed in the aftermath.

I noticed that the Freeholders have a resolution on the agenda at their meeting tonight supporting the Town of Newton's application for the small cities community development block grant. I just wanted to thank the board for their support in our efforts on obtaining this grant for a project that would be beneficial to our community".

f. **Town Manager Russo** – addressed the questions asked of the public. He, too, extended his thoughts and prayers to the families of the 9-11 tragedy. Mr. Russo commended the Taste of Newton event and thanked all who was involved in this wonderful event. Mr. Russo announced the new video the Town has launched showcasing the Town of Newton at Newton Day this year. Mr. Russo also advised of the various others videos coming out in the near future which will showcase businesses in the Town of Newton. Mr. Russo also notified the public of a new program called "Social Media Influencer". This program is open to High School and College students who use social media to influence the Newton community. If chosen, you will have the opportunity to work with us to showcase and highlight some of your most visited sites, stores, restaurants, and favorite spots in the Town of Newton. He also promoted the "Flags of Honor" event to be held on Saturday, November 9, 2019 @ 11am.

At this time, Mr. Russo showed a three minute video showcasing the Town of Newton at Newton Day this year.

PRESENTATION

a. **Suburban Consulting Engineers & SESI Consulting Engineers**

Mr. Russo introduced Joseph D. Perello, Vice President of Suburban Consulting Engineers Inc. and John Chayko, Engineer of Suburban Consulting Engineers, Inc., who made the following PowerPoint Presentation:



MEMORY PARK COMMUNITY POOL



Town of Newton, New Jersey
September 11, 2019



Project Team

- ▶ SUBURBAN CONSULTING ENGINEERS, INC.



- ▶ Atlantic Aquatic Engineering, Inc.



- ▶ SESI Consulting Engineers

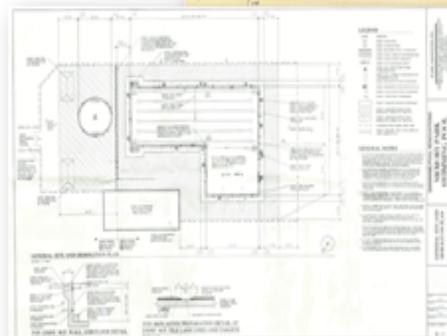


- ▶ Foresight Locating, LLC.



Historical Timeline

- ▶ 1959: Pool Construction by Bradford Construction (\$32,915) from funding donation by Harry Jones!
- ▶ 2005: Extensive renovations to wading pool, lane line configurations, plastering, structural repairs & recirculation piping. Engineering performed by Wade Assoc. Inc.
- ▶ 2014: Re-plastering contract.
- ▶ 2019: Pool season closed due to disrepair concerns. SCE contracted for assessment investigation to determine viability.

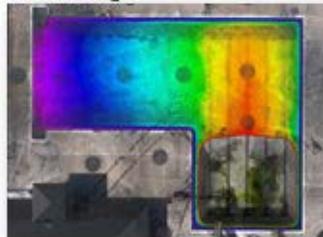


Project Site Evaluation

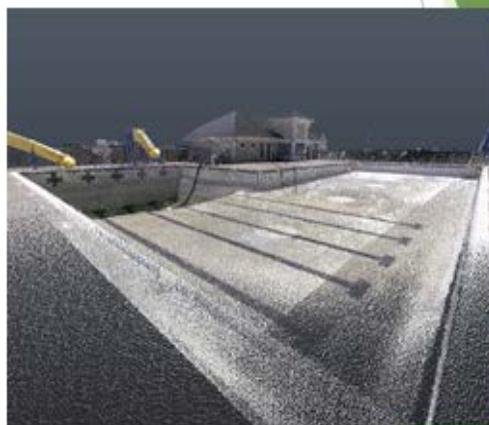
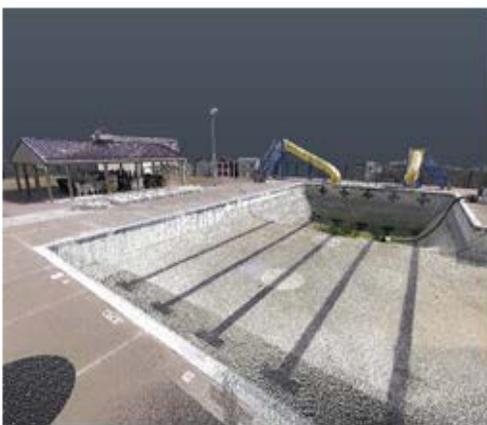


Data Collection: 3D LiDAR Survey Scan

- ▶ April 2019 LiDAR Scan performed during emptied conditions.
- ▶ 4mm level of accuracy (0.01') of "point cloud".
- ▶ Cost effective approach as opposed to conventional survey methods.
- ▶ 3D coordinate values, including elevation data, available of all upper area features including pool, deck, buildings.
- ▶ Data used to support Pool Inspection findings and recommendations.



Survey Scan (cont'd)



Survey Scan (cont'd)



Data Collection: Pool Inspection

- ▶ A formal pool inspection was performed in April 2019 during emptied conditions by Atlantic Aquatic, Engineering, Inc.
- ▶ General Poor Condition as a result of extensive plaster finish cracking and failure, missing tiles, uneven floor surfaces, loose coping blocks.
- ▶ Leakage noted leakage attributed to defective hydrostatic pressure valve.
- ▶ Suspected recent poor craftsmanship attributed to re-plastering, however structural shell integrity unknown without invasive testing measures such as concrete coring.
- ▶ Wading Pool was in good general condition.



Pool Inspection (Cont'd)



Pool Inspection(cont'd)

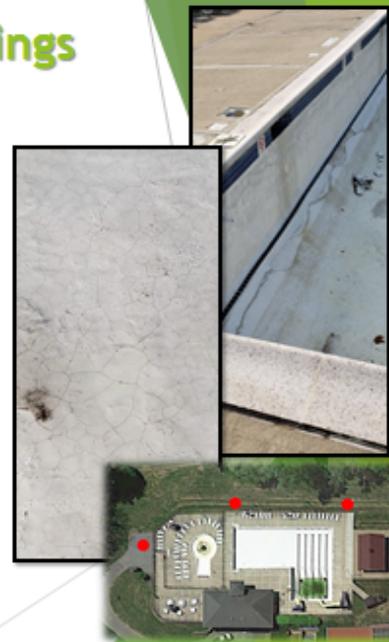
General Site Observations:

- ▶ Wading Pool area utilizes excessive space area in comparison to remainder of campus setting.
- ▶ Existing deep end design which was once serviced by diving boards is outdated and now limits user activity.
- ▶ No age appropriate aquatic recreation areas such as splash pad water features.
- ▶ Lawn area and shade pavilion are nice use features; However, would provide better separation for members if pavilion was closer to perimeter fencing.



Data Collection: Geotechnical Borings

- ▶ Geotechnical borings performed in May 2019 by SESI Consulting Engineers.
- ▶ Three (3) boring locations selected along perimeter of patio areas to assess subsurface soil and groundwater characteristics. Laboratory testing of soil sampling also performed.
- ▶ Borings taken in depths ranging from 6.2' to 13.2'.
- ▶ Field investigation of pool supports similar noted pool inspection findings.
- ▶ Groundwater levels fluctuated from 3.25' to 7.5' below grade.
- ▶ Recommendation not to drain the pool during winter months to avoid potential freeze-thaw soil characteristics.
- ▶ Concrete coring through pool shell recommended to confirm if alligator cracking along floor bottom may be affected by compromised conditions.



Data Collection: Ground Penetrating Radar (GPR)

- ▶ Performed in August 2019 by Foresight Locating, LLC.
- ▶ GPR Scan to determine subsurface anomalies including existing steel reinforcement locations to be avoided during coring process.



Data Collection: Concrete Coring

- ▶ Concrete cores taken at four (4) select flooring locations including; 1-Deep End, 1-Transition to Shallow, 1-Mid Shallow, 1-Shallow End.
- ▶ Compression test results confirm outstanding breaking strength (>8,000 PSI +/-).
- ▶ Three (3) layers of plastering finish noted from samples.
- ▶ Results from Petrographic analysis still pending.



Conceptual Options and Preliminary Cost Estimates:

Option 1: Removal & re-plastering of finish surface.

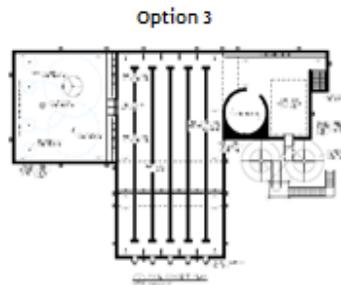
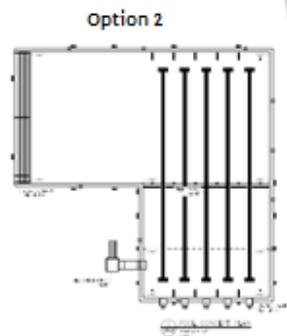
→ Estimated Costs: \$200K to \$250K

Option 2: Removal & re-plastering of finish surface, new steps, shallowed deep end & subsurface drainage improvements.

→ Estimated Costs: \$325K to \$375K

Option 3: Demolition of existing site & new pool configuration, water park features, water slide & vortex feature & underwater benches.

→ Estimated Costs: >\$800K min.



Conclusions

- ▶ SCE's Project Team has determined through due diligence practice that the Community Pool is salvageable as-is; However, the opportunity exists now for a limited enhancement that would expand its current use experience while improving subsurface drainage conditions.
- ▶ All enhancements described under Options 1 & 2 can be designed/constructed with the understanding of re-opening the pool by Summer 2020.
- ▶ Existing mechanical filter system equipment appears to be in good working order and of recent vintage. Improvements are not under consideration.



SCE Project Related Experience



Hetzel Pool Complex Trenton, NJ



Westfield Memorial Pool Renovations



Splash Pad Examples



Splash Pad Examples



Splash Pad Examples



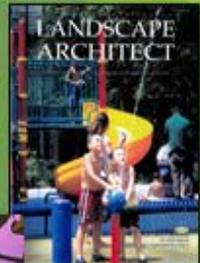
**Municipal Pool/Splash Pad
Washington Township, NJ**



**Miller Park
City of Elizabeth, NJ**



**Madison Street Park
Hoboken, NJ**



Bayside Park Jersey City, NJ



Crystal Springs Splash Pad East Brunswick, NJ



SCE wants to be your Partner in the Town's Pool Design & Planning Process

Why Hire SCE?

- ▶ Our assessment study understanding and associated data collection process, can efficiently be used to advance design engineering towards developing of bid documents
- ▶ Local Professionals with Award Winning "Hands-on" Experience in Park & Recreation Design
- ▶ Familiarity with local trends in Pool & Facility Design
- ▶ Previous Project Experience with Town of Newton
- ▶ Knowledge of State and Regional Regulatory Requirements & Constraints
- ▶ Experienced Professionals with Municipal Consulting Experience in a broad range of Services to ensure project realities
- ▶ Multi-Disciplinary Firm available to be "On-call" 24/7 with the desire to provide a full range of services to the Township
- ▶ "One Stop Shop" for all of your Pool Planning & Design Solutions





Mayor Le Frois thanked Mr. Perello and Mr. Chayko for their presentation on the Newton Pool. She outlined the three pool options and asked the public to declare their opinion on what option they choose when speaking on the pool. The conceptual preliminary cost estimates are: Option1: \$200K to \$250K; Option 2: \$325k to \$375K; Option 3: \$800K minimum.

Mayor Le Frois opened the meeting to the public to address the Newton pool.

Ralph Porter, 12 Pine Street, had several questions which were addressed by the Engineers. He feels the pool should be ADA compliant.

Angela DePalma, 18 Hillside Avenue, Newton, feels Option 1 is sufficient and believes the Town should just restore the pool to current standards. He does not want the deep end reduced or the extended steps.

Tracy Paparella, 56 Halsted Street, Newton, expressed her gratitude for the work done. After a lengthy discussion, she feels Option 1 is sufficient with drainage work and swimming blocks incorporated. She doesn't believe the extended steps are needed.

Teresa Marquina, 7 Liberty Street, Newton, feels Option 1 with the drainage work and swimming blocks. No extended steps needed.

Jessica Broesler, 28 Carriage Lane, Newton, she feels the extended steps are needed for ADA compliance. She believes Option 2 is best. Her daughter, Bailey, would like to keep the two slides in the pool.

Karen Hardin-Kitchell, resident of Lafayette Twsp, suggested we keep the deep end the same. She suggested Option 1 plus.

Felica Carlson, 4 Elm Street, Newton, likes Option 2. She also suggests the Town could open the season up earlier and sell food for additional revenue.

Michael Malone, 57 Trinity Street, Newton, addressed concern with the ground water pressure under the pool which was addressed by the Engineers. His opinion was Option 2.

Nadine Harrison, 17 Linmor Avenue, Newton, was disappointed the Council meeting was the same evening as the 9-11 Ceremony @ SCCC. She would like to keep the depth of the deep end and would prefer two slides. She indicated Option 1 with ADA compliance.

Alan Abramson, 9 Giancarlo Lane, inquired about additional grant funding to assist with the cost of the pool. He believes the pool should be ADA compliant and suggested Option 2.

Evelyn McCord, 70 High Street, Newton, asked several questions regarding the Newton pool specifications which were addressed by the Engineers. She picked Option 2 with the deep end no less than 9ft.

Margaret Baldini, 5 Barry Lane, Newton, questioned if the estimates are based on prevailing wage and advised prevailing wage is required. She addressed several questions regarding the valve which was addressed by the Engineers. She chose Option 1.

Courtney Pfister, 98 Ryerson Avenue, Newton, feels the Town should only fix the area in need of repair. She chose Option 1 plus little more.

Mr. Marquina, 7 Liberty Street, Newton, questioned the reason for the cracks and was advised it was the craftsmanship of the plaster. He chose Option 1.

Felicia Carlson, Elm Street, Newton, questioned what the maintenance cost will be annually. The maintenance cost has not been determined yet.

John McGuigan, 10 Emmons Avenue, Newton, thanked the Council for their diligence with this project. Option 2 would be the best scenario with the additional change in the deep end.

Sarah Lister, 6 Emmons Avenue, Newton, chose Option 1 with ADA compliance.

Dirk Kelly, West End Avenue, Newton, chose Option 2 plus ADA compliance.

There being no additional public to speak, Mayor Le Frois recapped the public view and indicated 17 people spoke with the following statistics: 4 chose Option 1; 4 chose Option 1 plus/Option 2 minus; and 9 chose Option 2.

The Governing Body then had an in-depth conversation regarding the Newton pool with the Engineers. Additionally, Council had questions which were addressed by Mr. Perello and Mr. Chayko. It was noted that the pool should have water in it during the winter months for structural protection.

Councilman Schlaffer announced that Thorlabs has agreed to pledge \$50,000.00 for the repair of the Newton pool. He indicated a few other businesses have also made pledges and hopes to engage more businesses to pledge for this good cause.

The Councilmembers then outlined their thoughts and opinions with the ultimate goal of opening the Newton pool for the 2020 season. Council advised Mr. Russo to proceed with bid specs for Option 2 with drainage improvements, hybrid entry and shallowed deep end.

ORDINANCES

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

ORDINANCE #2019-8

AN ORDINANCE TO CHANGE WAGE LEVEL FOR CHIEF FINANCIAL OFFICER IN THE TOWN SALARY ORDINANCE

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, September 23, 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.”*

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Mr. Russo reviewed the consent agenda items.

RESOLUTION #190-2019*

AWARD BID FOR THE REPLACEMENT OF GRIT COLLECTOR AT THE WASTE WATER TREATMENT PLANT PROJECT

WHEREAS, the Town of Newton publicly accepted and opened bids for the Replacement of the Grit Collector at the Waste Water Treatment Plant Project on Wednesday, July 31, 2019 at 11:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Base Bid</u>
BR Welding Inc. 3 Brook Rd Howell, NJ 07731	\$241,000.00
Rapid Pump & Meter Service Co., Inc. 245 Straight St. Paterson, NJ 07501	\$263,890.00
Ferraro Construction Corp. 5 Park Drive Franklin, NJ 07416	\$386,363.00

WHEREAS, based on review of the bid documents, the Town Sewer Engineer, Professional Consulting, Inc., recommends awarding the Replacement of Grit Collector at the Waste Water Treatment Plant Project in their letter of recommendation dated August 1, 2019, to BR Welding Inc., in the amount of \$241,000.00; and

WHEREAS, the Chief Financial Officer, has certified funds are available as follows:

2018 Water Sewer Utility Fund – CIF Waste Water Treatment Plant Grit Collector a/c #6089341A;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the contract for the Replacement of Grit Collector at the Waste Water Treatment Plant Project is hereby awarded to BR Welding Inc., in the amount of \$241,000.00.

RESOLUTION #191-2019*

INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2019 TOWN OF NEWTON BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (C. 159, PL 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue and also approve the insertion of an item of appropriation of equal amount in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, the Town of Newton is the lead agency, (also including Green Township, Andover Township and Andover Borough) for a grant in the amount of \$18,409.00 from the State of New Jersey Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex for Municipal Alliance Grant; and

WHEREAS, the grant period to runs from July 1, 2019 through June 30, 2020; and

WHEREAS, the Town of Newton authorized the submission of the 2020 Action Alliance Grant per Resolution #79-2019 adopted March 11, 2019;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2019 Budget of the Town of Newton:

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

NJ Municipal Alliance Grant \$18,409.00

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

NJ Municipal Alliance Grant..... \$18,409.00

Local Match – Source:

Current: Celebration of Public Events \$2,602.00

Match Funds-Mun. Alliance: Andover Twp. & Boro., Green, Newton . \$2,000.00

BE IT FURTHER RESOLVED that an electronic version of this Resolution be forwarded to the Director of the Division of Local Government Services.

RESOLUTION #192-2019*

AUTHORIZE AMENDING THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR DAVID B. SIMMONS, JR., OF HAROLD E. PELLOW & ASSOCIATES, INC., AS WATER ENGINEER FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2019

WHEREAS, the Town of Newton requires the services of a qualified Water Engineer for the Town of Newton on an annual basis; 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, the anticipated term of this contract is for the 2019 calendar year(s); and

WHEREAS, David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

WHEREAS, David B. Simmons, Jr., has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies David B. Simmons, Jr. of Harold E. Pellow & Associates, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, there is a need to increase the previous NOT TO EXCEED amount in Resolution #20-2019, adopted on January 3, 2019 for Mr. Simmons’ services; and

WHEREAS, the Chief Financial Officer has certified additional funds are available in an amount NOT TO EXCEED \$22,000.00, will be encumbered as follows:

2019 Water Sewer Utility Budget – Engineer Contractual #6051216

“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 amend the contract with David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., to not exceed \$47,000 for the 2019 calendar year; and

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

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RESOLUTION #193-2019*

APPROVAL OF COOPERATIVE PURCHASING CONTRACT, ROOFING & BUILDING ENVELOPE SERVICES - BID #ESCNJ/AEPA-17-F TO WEATHERPROOF TECHNOLOGIES, INC. (TREMCO)

WHEREAS, there is a need for roofing overlay repairs and restoration at the Town of Newton Municipal Building and Police Department; and

WHEREAS, these repairs can be purchased through Educational Services Commission of New Jersey Cooperative Contract #ESCNJ/AEPA-17-F; and

WHEREAS, this service has been listed in accordance with Cooperative Contract at \$160,900.12 by the awarded vendor, Weatherproof Technologies, Inc. (Tremco), 3735 Green Road, Beachwood, Ohio 44122; and

WHEREAS, the Town of Newton can procure this through the ESCNJ Cooperative Contract under the authority of N.J.S.A. 40A:11-10 et. seq; and

WHEREAS, the Chief Financial Officer certifies funds are available in the amount of \$160,900.12 as follows:

Capital Fund
Ord. #2019-3 Municipal Building Improvements (Roof/HVAC) #30919033

WHEREAS, Sean Canning, OPA, the Qualified Purchasing Agent for the Town of Newton, has concurred with the legality of the purchase in accordance with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. seq.;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex as follows: the Town Manager is authorized to enter into a contract with Weatherproof Technologies Incorporated, under the authority of ESCNJ/AEPA 17-F Cooperative Contract, in the amount of \$160,900.12 for the roofing overlay repairs and restoration at the Town of Newton Municipal Building and Police Department.

RESOLUTION #194-2019*

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 Municibid pursuant to NJ State Contract 19-GNSV1-00696 in accordance with the terms and conditions of the State Contract.
- 2) The sale will be conducted online and the address of the auction site is <https://municibid.com>.
- 3) A list of the surplus property to be sold is as follows:
 - a. Nortel Meridian phones
Quantity: 64
Condition: Good/Fair
- 4) 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.

5) The Town of Newton reserves the right to accept or reject any bids submitted.

RESOLUTION #195-2019*

CONCUR WITH THE TOWN MANAGER’S APPOINTMENT OF SCHOOL CROSSING GUARDS FOR THE 2019-2020 SCHOOL YEAR

WHEREAS, New Jersey Statute 40A:9-154.1 states *“The governing body, or the chief executive, or the chief administrative officer, as appropriate to the form of government of any municipality, may appoint adult school crossing guards for terms not exceeding 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 School Crossing Guards for the 2019-2020 school year:

- | | |
|-----------------|------------------|
| Cindy Bailey | Sue Mihail |
| Carol Blanchard | Barbara Phillips |
| June Bowne | Charles Reynolds |
| Sharon Carlson | Joseph Sapio |
| Jean Card | Louis Slamer |
| Carolyn Dippel | Ruth Stang |
| Nuell Higgins | |
| Harry Kaplan | |
| Peter Kays | |

RESOLUTION #196-2019*

INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2019 TOWN OF NEWTON BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (C. 159, PL 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue and also approve the insertion of an item of appropriation of equal amount in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, the Town of Newton has been awarded a grant in the amount of \$6,000.00 (two grants \$3,000 each, one for Town Hall, one for Police) from the State of New Jersey Department of Health, Office of Tobacco Free, Nutrition and Fitness, Division of Community Health Services, Community Health and Wellness Unit for a Year One agreement signed June 27, 2019 for the Working Well Tobacco Free project;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following item(s) in the 2019 Budget of the Town of Newton which is now available as revenue from:

- Miscellaneous Revenues:
- Section F: Special Items of Revenue
 - Public and Private Revenues Off-set with Appropriations:
 - State of NJ Working Well Tobacco Free Grant \$6,000.00
- General Appropriations:
- (A) Operations - Excluded from CAPS
 - Public and Private Programs Off-Set by Revenues:

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State of New Jersey Working Well Tobacco Free Grant..... \$6,000.00

BE IT FURTHER RESOLVED, that an electronic version of this Resolution be forwarded to the Director of the Division of Local Government Services.

RESOLUTION #197-2019*

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 WAIVER OF PENALTY:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
2914	29 Moran Street	\$24.01
8240	15 Ridgeview Road	\$143.90

CREDIT DUE TO MISREAD METERS:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
10584	92 Main Street	\$413.60
22332	82 Carriage Lane	\$22.00
15399	16 Mason Avenue	\$113.96
21338	138 Merriam Avenue	\$404.80

RESOLUTION #198-2019*

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

41988	AAA	146.00
41989	ACCURATE DOOR, INC.	275.00
41990	SYNCHRONY BANK	623.99
41991	ARF RENTAL SERVICES, INC.	471.80
41992	ATLANTIC TACTICAL INC.	2,520.91
41993	AUTOZONE	171.80
41994	B & H INC.	345.91
41995	BEN SHAFFER & RECREATION INC.	2,602.05
41996	BOONTON TIRE SUPPLY INC.	2,104.83
41997	BUCKMAN'S INC.	692.29
41998	CAMPBELL'S SMALL ENGINE INC.	947.99
41999	CENTURYLINK COMMUNICATIONS INC.	125.85
42000	CENTURYLINK COMMUNICATIONS INC.	106.18
42001	CENTURYLINK COMMUNICATIONS INC.	2,701.11
42002	CHELBUS CLEANING CO., INC.	3,307.50
42003	COUNTY OF SUSSEX	7,800.00
42004	CSS TEST INC.	96.00
42005	DELL MARKETING LP	221.77
42006	DIFRANCESCO, BATEMAN, KUNZMAN	403.52
42007	DOMINICK'S PIZZA LLC	37.90
42008	EMERGENCY MEDICAL PRODUCTS	243.58
42009	ESI EQUIPMENT INC.	80.00
42010	FAIL SAFE TESTING LLC	4,682.90

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42011	FASTENAL COMPANY INC.	597.46
42012	FEDERAL EXPRESS	78.14
42013	FINKLE, DANIEL	44.00
42014	FIRE FIGHTERS EQUIPMENT CO. INC.	211.50
42015	FIREFIGHTER ONE LLC	83.96
42016	FRANKLIN PRECAST	1,439.00
42017	GALLS LLC	82.95
42018	GENERAL CODE LLC	1,479.54
42019	GOLD TYPE BUSINESS MACHINES	200.00
42020	GRAVITY DESIGN WORKS INC.	175.00
42021	HAMBURG PLUMBING SUPPLY CO INC.	3,624.20
42022	HAMPTON BODY WORKS INC.	2,263.11
42023	HAYDEE BALLESTER	165.00
42024	HAYEK'S MARKET INC.	22.43
42025	HIGHWAY EQUIPMENT COMPANY	2,489.80
42026	HOLZHAUER & HOLENSTEIN LLC	14,150.00
42027	IDEMIA IDENITY & SECURITY	329.16
42028	J & D SALES & SERVICE, LLC	471.70
42029	J. CALDWELL & ASSOCIATES LLC	1,361.00
42030	JCP&L	14,010.97
42031	JK HVAC SERVICE LLC	2,000.00
42032	KIEFFER ELECTRIC INC.	2,945.59
42033	LADDEY, CLARK & RYAN LLP	3,251.20
42034	LAKELAND AUTO PARTS	233.28
42035	LANGUAGE LINE SERVICES INC.	5.10
42036	LOCK & KEY WORLD	30.00
42037	LOWE'S INC.	507.68
42038	MCGUIRE INC.	322.19
42039	MGL FORMS – SYSTEMS LLC	113.00
42040	MI RANCHO MEXICAN GRILL	25.00
42041	MINISINK PRESS INC.	623.00
42042	MONTAGUE TOOL & SUPPLY INC.	219.80
42043	MORRIS ASPHALT SUPPLY LLC	1,235.66
42044	MULCH CONCEPT LLC	250.00
42045	MUNICIPAL CLERK'S ASSOC. OF NJ	75.00
42046	MUNICIPAL GRAPHICS INC.	379.87
42047	NELLE, KURT	220.70
42048	NEW JERSEY HERALD INC.	107.40
42049	NJLM	210.00
42050	ELIZABETHTOWN GAS	516.44
42051	PELLOW, HAROLD & ASSOC.	1,361.00
42052	PENTELEDATA	769.70
42053	PRIMERA TECHNOLOGY INC.	110.49
42054	QUILL CORPORATION	782.25
42055	R & J CONTROL INC.	277.50
42056	R.S. PHILLIPS STEEL LLC	32.40
42057	RACHLES/MICHELE'S OIL COMPANY INC.	4,254.09
42058	READY REFRESH BY NESTLE	200.15
42059	REISINGER OXYGEN SERVICE INC.	86.22
42060	RIZZO'S WILDLIFE WORLD	400.00
42061	ROGO FASTENER CO INC.	423.31
42062	SCHENCK, PRICE, SMITH & KING LLP	2,515.80
42063	SCREEN CREATION PLUS	864.00
42064	SEBRING AUTO PARTS INC.	398.55
42065	SEELY BROTHERS INC.	232.00
42066	SERVICE ELECTRIC CABLE TV INC.	108.35
42067	SESI CONSULTING ENGINEERS	11,700.00
42068	SHOP RITE INC.	25.00
42069	SPECTROTEL	629.18
42070	STANLEY J. DUTKUS JR.	476.08
42071	STAPLES BUSINESS ADVANTAGE INC.	535.27
42072	STAPLES BUSINESS ADVANTAGE INC.	208.08
42073	STATEIDE INSURANCE FUND	5,340.68
42074	SURBURBAN CONSULTING ENGINEERS INC.	1,520.00

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42075	SUSSEX CAR WASH INC.	104.00
42076	TAYLOR OIL CO INC.	2,439.03
42077	THE CANNING GROUP LLC	625.00
42078	THE EMBEL AUTHORITY	570.00
42079	TIRE KING INC.	8,230.00
42080	TONY SANCHEZ LTD. INC.	226.20
42081	TREASURER, STATE OF NEW JERSEY	1,640.00
42082	TREASURER, STATE OF NEW JERSEY	50.00
42083	TREASURER, TOWN OF NEWTON	10,455.01
42084	TRIMBOLI & PRUSINOWSKI LLC	9,743.00
42085	UNITED TELEPHONE/CENTURY LINK	134.24
42086	UNIVERSAL SUPPLY GROUP INC.	325.01
42087	USA HOIST CO INC.	460.00
42088	V.E. RALPH & SON INC.	156.48
42089	VERIZON WIRELESS INC.	1,513.72
42090	VISION SERVICE PLAN	1,094.09
42092	W.B. MASON INC.	2,814.64
42093	W.B. MASON INC.	120.83
42094	W.B. MASON INC	787.40
42095	W.B. MASON INC.	450.84
42096	WALMART	19.76
42097	WINGLE SUPPLY COMPANY INC.	801.16

CAPITAL

8831	AIR PURIFIERS INC.	3,160.00
8832	BEN SHAFFER & RECREATION INC.	2,602.05
8833	FKA ARCHITECTS INC.	100.46
8834	NEW JERSEY HERALD INC.	62.10
8835	PELLOW, HAROLD & ASSOCIATES	2,815.93
8836	PHOENIX ADVISORYS LLC	950.00
8837	ZITONE CONSTRUCTION	83,217.68
191049	PAYROLL ACCOUNT	196,657.96
41987	RUTGERS LIFELONG LEARNING CENTER	404.00
191048	ELAVON INC.	147.37
191047	CAPITAL ACCOUNT	57,244.07
191046	BANK OF NEW YORK MELLON	419,575.00
191045	PAYROLL ACCOUNT	196,479.07
41986	NJMEBF	161,444.00
41985	COUNTY OF SUSSEX	3,972.31
41984	COUNTY OF SUSSEX	69,146.52
41983	COUNTY OF SUSSEX	961,317.31
191044	JP MORGAN CHASE BANK	278,823.75
191043	PAYROLL ACCOUNT	191,659.81
41982	TREASURER, STATE OF NEW JERSEY	770.00
41981	TOYOTA WORLD OF NEWTON	149.90

Total TOWN BILLS \$2,702,890.29

WATER AND SEWER ACCOUNT

17672	AIRGAS EAST	9.90
17673	AIRLINE	184.42
17674	AIRMATIC COMPRESSOR SYSTEMS INC.	2,940.00
17675	ALL GAS & WELDING SUPPLY CO INC.	130.50
17676	CENTURYLINK COMMUNICATIONS INC.	41.07
17677	CENTURYLINK COMMUNICATIONS INC.	1,232.43
17678	CIT-E-NET LLC	1,000.00
17679	COYNE CHEMICAL CORP INC.	2,475.58
17680	DELL MARKETING LP	77.82
17681	DOMINICK'S PIZZA	36.70
17682	EXTRA TECH DATA SERVICES LLC	1,055.00
17683	FASTENAL COMPANY INC.	97.08
17684	FRANK SEMERARO CONSTRUCTION INC.	750.00

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17685	GRAVITY DESIGN WORKS INC.	175.00
17686	HACH COMPANY	582.90
17687	HOLLAND COMPANY INC.	6,114.64
17688	JCP&L	14,171.56
17689	JK HVAC SERVICE LLC	23,266.10
17690	KIEFFER ELECTRIC INC.	925.00
17691	KKPR MARKETING & PUBLIC RELATIONS	925.00
17692	LADDEY, CLARK & RYAN LLP	272.00
17693	LUBRICATION ENGINEERS INC.	339.14
17694	MAIN POOL & CHEMICAL COMPANY INC.	6,252.70
17695	MINISINK PRESS INC.	68.00
17696	MONTAGUE TOOL & SUPPLY INC.	160.96
17697	MOTT MACDONALD	3,339.80
17698	NEW JERSEY HERALD INC.	43.20
17699	ELIZABETHTOWN GAS	306.77
17700	ONE CALL CONCEPTS INC.	107.00
17701	PALL CORPORATION	20,574.85
17702	PASSAIC VALLEY SEWERAGE COMM.	6,291.60
17703	PELLOW, HAROLD & ASSOCIATES INC.	3,456.00
17704	PENTELEDATA	399.85
17705	PROCESS TECH SALES AND SERVICE	1,533.10
17706	PROFESSIONAL CONSULTING INC.	8,877.50
17707	R & J CONTROL INC.	412.07
17708	RUSSELL REID WASTE & DISPOSAL INC.	9,872.45
17709	SCHMIDT'S WHOLESALE INC.	4,600.00
17710	SHERWIN-WILLIAMS INC.	66.04
17711	STAPLES BUSINESS ADVANTAGE INC.	145.31
17712	STAPLES CREDIT PLAN INC.	199.99
17713	SUSSEX COUNTY P & H INC.	93.54
17714	VERIZON WIRELESS INC.	225.35
17715	W.B. MASON INC.	251.49
196037	PAYROLL ACCOUNT	34,965.35
196036	ELAVON – ON LINE FEES	98.50
17671	SPARTA POSTMASTER	950.13
196035	WATER & SEWER CAPITAL ACCOUNT	226,396.55
196034	PAYROLL ACCOUNT	36,897.15
17670	HUNTERDON COUNTY POLY TECH	1,300.00
196020	JP MORGAN CHASE BANK	12,901.53
196033	PAYROLL ACCOUNT	36,452.05
17669	HOFFMAN INTERNATIONAL LLC	1,166.88
196032	ELAVON – ONLINE FEES	228.00

Total WATER & SEWER Bills \$474,970.55

TRUST ACCOUNT

181	J. CALDWELL & ASSOCIATES LLC	187.50
182	LADDEY, CLARK & RYAN LLP	32.00
183	MCMANIMON, SCOTLAND & BAUMAN, LLC	195.00
3882	CLIFFHANGER PRODUCTION INC.	3,250.00
3883	J. CALDWELL & ASSOCIATES LLC	250.00
3884	J. CALDWELL & ASSOCIATES LLC	625.00
3885	KATHERINE QUINN	14.00
3886	LADDEY, CLARK & RYAN LLP	1,024.00
3887	NEWTON BOARD OF EDUCATION	672.00
3888	PELLOW, HAROLD & ASSOCIATES, INC.	3,981.00
3889	PUMPING SERVICES, INC.	6,248.00
3890	SEELY BROTHERS, INC.	40.00
3891	SUSSEX COUNTY MAILING SERVICE	971.54
3892	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC	555.00
197118	PAYROLL ACCOUNT	1,450.00
197117	PAYROLL ACCOUNT	983.21
197116	PAYROLL ACCOUNT	4,150.00

Total TRUST ACCOUNT Bills \$ 24,074.65

DEVELOPERS ESCROW (FUND 72)

1348	PELLOW, HAROLD & ASSOCIATES INC.	1,007.50
1349	VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	1,230.00

Total HOUSING TRUST FUND ACCOUNT Bills \$ 2,237.50

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
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
	Mayor Le Frois	Yes	

DISCUSSION - None.

OPEN TO THE PUBLIC

Mayor Le Frois opened the meeting to the public.

Ralph Porter, 12 Pine Street, Newton, is pleased with the progress of the new firehouse on Woodside Avenue. He noted some areas in need of ADA compliance on various sidewalks.

James Hofman, 37 Douma Drive, advised he subscribes to a magazine called, "Athletic Business" and offered to share several copies with the Town Council for ideas on the pool renovation. He also offered his findings from the open forum, for high speed internet, held this summer.

Margaret Baldini, 5 Barry Lane, addressed questions of the Ordinance 2019-8 introduced this evening and also asked Council to take into consideration the community as a whole for the pool project.

Sara Lister, 6 Emmons Avenue, addressed concerns with young families and children walking to school and asked if transportation is available. It was noted Newton is a walking school district based on the size of the community. Councilman Dickson advised it is governed by State Statute but will bring the concerns to the Newton BOE.

Tracy Paparella, 56 Halsted Street, thanked the Town Council for their work with the pool project. She also addressed concern with young families walking to school in the cold months.

Felica Carlson, Elm Street, also thanked the Governing Body for the Newton pool information and project.

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

meeting to the public.

COUNCIL & MANAGER COMMENTS

Mr. Russo indicated he will have the Town Engineers reach out to Mr. Porter for the various ADA issues and concerns. Fiber optics are beginning installation in the Police Department and Town Hall on Monday. The Ordinance introduced is in conjunction with the new CFO position. The school transportation issue will be referred to the Board of Education. Mr. Russo will review Mr. DePalma's concerns (Overlook Rd) with the Engineers.

Deputy Mayor Flynn also noted the ADA sidewalks should be in compliant and Mr. Russo will reach out to the Engineers. He noted the introduced Ordinance this evening is for the CFO position.

Councilwoman Diglio thanked the DPW workers for the great work on Monday night at "Taste of Newton" event.

Councilman Schlaffer feels children walking to school is a great start of the day. He and his children walk five (5) miles daily.

Councilman Dickson advised the BOE is exploring options for the transportation issues in the Town of Newton. He suggested the Town Engineer put together a report outlining the deficient crosswalks throughout the Town of Newton for future repair.

EXECUTIVE SESSION – None.

There being no further business to be conducted, upon motion of Deputy Mayor Flynn, seconded by Mrs. Diglio and unanimously carried, the meeting was adjourned at 10:17pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk