

April 14, 2008

The regular work session meeting of the Town Council of the Town of Newton was held on the above date immediately following the regular meeting. Present were Mr. Elvidge, Mr. Diglio, Mr. Ricciardo, Mr. Storm, Mayor Unhoch and Town Manager, Eileen Kithcart.

Mayor Unhoch the following declaration that “in accordance with the Open Public Meetings Act, notice of this work session meeting was given to the two newspapers of record and posted on the official bulletin board on December 29, 2006”.

OPRA AND EMAILS – Lorraine Read

Mrs. Read, Municipal Clerk, along with Mayor Unhoch and Administrative Assistant, Terri Oswin, attended the Sussex County League of Municipalities meeting which addressed “ Email Archiving as it Relates to OPRA.” Mrs. Read advised Council that Mr. Albin Wagner, Deputy Director for Records Management, was the guest speaker at the League meeting and outlined the guidelines and best practices for electronic mail (email) messages. It was advised that email messages meet the criteria of the definition of a government record therefore must be available to the public upon request under the Open Public Records Act (OPRA). Emails which are not classified as a public record are: personal correspondence; spam; unsolicited email advertisements and personal message not related to business. Mrs. Read advised that since emails are considered a “record”, they must be kept for three years.

Mayor Unhoch updated Council on the COAH issue which was addressed at the League meeting. Mayor Unhoch advised that the League suggested that all the municipalities join together in a coalition to fight the new regulations of COAH.

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WATERLINE UPDATE:

Mrs. Millikin, Community Dev. Director, updated Council on the current water line project on Mill and Trinity Street. Mrs. Millikin advised of the contractors current night schedule in order to complete the project.

REDEVELOPMENT UPDATE:

Mrs. Millikin advised Council of the plan of the Redevelopment Team to hold a few upcoming Stakeholders meetings. One meeting will be held on Wednesday, May 7, 2008 at Town Hall to be attended by Stakeholders and public. The second will be a general meeting to be held on Saturday, May 10, 2008 at the Newton Theater at 10:00 a.m. The intention of the general meeting is to recap the Vision Plan as well as the Redevelopment process to date. All residents are encouraged to attend and the Town will advertise the general meeting to be held on Saturday, May 10, 2008.

It was noted that the Newton Planning Board Work Session Meeting scheduled for Tuesday, April 29, 2008 for Redevelopment (Railroad District) has been postponed until further notice. New notices will be mailed to the property owners when rescheduled.

Ms. Kithcart requested Council direction regarding the proposed Ordinance submitted by Mrs. Sutton-Falk. Council directed Ms. Kithcart to obtain a letter from Redevelopment Counsel addressing their opinion of the proposed Ordinance.

Ms. Kithcart advised Council that Newton Day has been established for Saturday, June 14, 2008. The Town will purchase pens to distribute at the Town of Newton booth.

Upon motion of Mr. Storm, seconded by Mr. Ricciardo and carried, the Town Council went into executive session at 9:03 p.m.

WHEREAS, the Town Council of the Town of Newton (hereinafter

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referred to as the “Town Council”), convened a meeting in full compliance with the New Jersey Open Public Meetings Act, set forth in N.J.S.A. 10:4-12, and

WHEREAS, N.J.S.A. 10:4-12 allows a public body to enter executive session during a public meeting to discuss certain matters, and

WHEREAS, it has become clear to the Town Council that there is a need to enter executive session to discuss one or more of the exceptions to the New Jersey Open Public Meetings Act, as set forth in N.J.S.A. 10:4-12, and

WHEREAS, this work session meeting of the Town Council will not reconvene;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it will enter executive session to discuss issues related to litigation and personnel;

BE IT FURTHER RESOLVED that the discussion conducted in executive session by the Newton Town Council shall be disclosed to the public as follows:

LITIGATION

Ms. Kithcart updated Council on pending litigation issues.

PERSONNEL

Ms. Kithcart updated Council on personnel issues.

Upon motion of Mr. Storm, seconded Mr. Diglio and carried, the Town Council left executive session at 9:30 p.m.

The Town Council requested some research on the issue of Tax Abatement for our Historic District in Newton.

Mayor Unhoch declared the meeting opened to the public.

There being no one from the public to be heard, upon motion of Mr. Ricciardo, seconded by Mr. Storm and carried, the meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Lorraine A. Read, RMC
Municipal Clerk