

January 28 2008

The regular work session meeting of the Town Council of the Town of Newton was held on the above date at 7:00 p.m. 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”.

GARRET FLAG DONATION

Ms. Kithcart and the Governing Body discussed possible ways to display the American Flag (which flew over the State Capital) donated by Congressman Garrett to the Town of Newton.

After a brief discussion Mr. Ricciardo advised he would call Senator Oroho to obtain a New Jersey State Flag and have both flags framed and displayed together.

OFFICIAL TOWN CRIER

Mayor Unhoch advised Council of a request made by Mr. William Joseph to be named as Official Town Crier for the Town of Newton. Mr. Joseph is the official Town Crier for several other communities among Morris, Sussex and Warren Counties.

After a brief discussion, the Governing Body unanimously agreed to name Mr. William Joseph as the Official Town Crier for the Town of Newton. Ms. Kithcart will prepare a Resolution for the next Council meeting.

BOY SCOUT REQUEST

Ms. Kithcart advised Council that the Boy Scouts are requesting permission to open up a Town Council meeting with a flag ceremony. After

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a brief discussion, the Town Council had no objection to the Boy Scouts conducting an opening flag ceremony at the next Council meeting.

WATERLINE UPDATE

Mrs. Millikin updated the Governing Body regarding the Mill Street waterline project. Mrs. Millikin also advised that the contractor has completed one portion of the project and will be back in April to begin the Trinity Street portion of the waterline project.

REDEVELOPMENT UPDATE

Mrs. Millikin updated Council on the new COAH regulations regarding development fees. After a brief discussion, Mrs. Millikin outlined the “confusion” with these new mandates which would require an obligation going back to 1999. It was noted that several municipalities, including Newton, have several questions regarding these new mandates and Mrs. Millikin will keep Council up to date.

Mrs. Millikin advised that the Plan Endorsement document was sent to Trenton on Friday.

MISCELLANEOUS

Mayor Unhoch advised that Mrs. Karen Schulte is interested in serving on the Historic Commission again. It was noted that the resignation of Mr. McCabe has not been forwarded to Town Hall to date. The request of Mrs. Schulte will be addressed at that time.

Council addressed Mrs. Carola Hartley inquired regarding whether the Town’s revenue from the Hotel Tax was dedicated to any particular area and indicated that a portion is allowed to be used toward attracting tourism, ie. brochures, etc. Ms. Kithcart will research the law and advise.

EXECUTIVE SESSION

Upon motion of Mr. Ricciardo, seconded by Mr. Storm and carried,

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the Town Council went into executive session at 8:10 p.m.

WHEREAS, the Town Council of the Town of Newton (hereinafter 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 personnel issues and litigation;

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 several personnel issues.

Upon motion of Mr. Diglio, seconded Mr. Ricciardo and carried, the Town Council left executive session at 8:53 p.m.

Mayor Unhoch declared the meeting opened to the public.

There being no one from the public to be heard, upon motion of Mr. Storm, seconded by Mr. Ricciardo and carried, the meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Lorraine A. Read, RMC
Municipal Clerk