

July 1, 2010

The Reorganization meeting of the Town Council of the Town of Newton was held on the above date at 6:00 p.m. Present were Mr. Elvidge, Mr. Ricciardo, Mrs. Diglio, Mrs. Le Frois, Mrs. Becker and Town Manager, Mr. Thomas Russo, Jr.

Pastor Scott Boger, First Baptist Church, led the invocation. Mr. Russo led the Pledge of Allegiance to the flag.

Mrs. Lorraine A. Read, Municipal Clerk, made the following declaration that "in accordance with the Open Public Meetings Act, notice of this special meeting was given to the two newspapers of record and posted on the official bulletin board on December 31, 2009."

Mrs. Read introduced Mr. Sanford L. Hollander, Esq. who proceeded with the swearing-in ceremony for the newly elected Councilwoman, Sandra Lee Diglio, while her son, Philip, held the bible.

Mr. Hollander then swore in incumbent Councilman E. Kevin Elvidge.

Mrs. Read then introduced Mr. Kevin Kelly, Esq. who proceeded with the swearing-in ceremony of incumbent Councilman Joseph A. Ricciardo, while Carol Wiley held the bible.

#### **DESIGNATION OF TEMPORARY MAYOR**

Mrs. Read called the roll and then requested a motion for nomination of Temporary Mayor. Upon motion by Mrs. Becker, seconded by Mr. Ricciardo and unanimously carried, the nomination of Councilman E. Kevin Elvidge was designated as Temporary Mayor.

#### **NOMINATION AND SELECTION OF MAYOR**

Councilman Elvidge, designated Temporary Mayor, entertained a motion for nomination of Mayor for the year 2010-2011. Mr. Elvidge then nominated Mrs. Kristen S. Becker and the nomination was seconded by Mrs. Le Frois. There being no further names to be submitted, nominations were declared closed and roll call resulted as follows:

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Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker		Yes	

Mr. Hollander then proceeded with the swearing-in ceremony of Mayor Kristen S. Becker, while her mother held the bible. Mrs. Becker was also accompanied by her father and sister.

#### **NOMINATION AND SELECTION OF DEPUTY MAYOR**

Mayor Becker entertained a motion for nomination of Deputy Mayor for the year 2010-2011. Mr. Ricciardo then nominated Mrs. Helen R. Le Frois, and the nomination was seconded by Mr. Elvidge. There being no further names to be submitted, nominations were declared closed and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker		Yes	

Mr. Hollander then proceeded with the swearing-in ceremony of Mrs. Helen R. Le Frois, while her husband, Greg, held the bible. Mrs. Le Frois was also accompanied by her children, Jordan, Madelyn and Kathryn.

#### **COMMENTS BY MANAGER, COUNCIL, DEPUTY MAYOR AND MAYOR**

Mr. Russo congratulated Mayor Becker, Deputy Mayor Le Frois as well as the two re-elected incumbents E. Kevin Elvidge and Joseph A. Ricciardo. Mr. Russo also congratulated and welcomed newly elected Councilwoman Sandra Lee Diglio. Mr. Russo thanked Kevin Elvidge for his year of service as Mayor and looked forward to "serving all of you in the upcoming year."

Mayor Becker read from a prepared statement. "Good evening. I want to start off by thanking everyone for attending this special reorganization. It means a lot to me to see so many family and friends here to celebrate the Town's achievements as we prepare for another successful year in Newton.

I want to recognize and thank the Town employees, volunteers and professionals for all that they do on a daily basis to ensure that customer service

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is our top priority and I am very proud to say that we deliver it every day of the year.

I want to especially recognize my grandparents and parents who are in attendance this evening and all of my other family members. I am truly blessed to have such a wonderful support system – I am surrounded by much love, support and guidance and it is through them that I have developed the strength to succeed in both my personal family life and professional endeavors.

It is also through them that I developed my entrepreneurial spirit and strong work ethic and I love them for that and so much more. It is also their commitment to volunteerism and community spirit that I observed throughout my childhood and lifetime that enabled me to see the world as a place where success is earned and not given...achievement is worth the risk...and living a life of virtue is a worthy and admirable goal.

I want to thank my husband Dennis and my sons Alex and Hunter for their love and support. I am lucky to be able to teach my kids the joys and satisfaction one gets from being involved in the community.

I want to thank my staff at my stores on Spring Street. My team consistently demonstrates the qualities of hard work, understanding, and patience. Their efforts provide me the time to be away from my businesses to focus on my volunteer, Council, and now, mayoral duties.

I want to thank my fellow Council members for their support as mayor for the 2010 - 2011 Council year. We are an eclectic, dynamic group of committed individuals who are proud to call Newton home. I look forward to leading them as we embark on some new challenges and I am sure new successes in our immediate and long-term future.

Finally, I want to thank the Town Manager, Thomas Russo, Jr., for his commitment to the Town and for his leadership and support. I share Tom's passion for Newton's growth and revitalization and look forward to working with

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him and his team to develop new ideas and creative solutions as we continue to make Newton a destination place for all.

As someone who was born and raised in Newton, and graduated from Newton High School, I have seen many changes in the community. We have evolved from a small, rural area to the economic, political, cultural, educational (thru Sussex Community College) and medical capital (through Newton Memorial Hospital) of Sussex County and the region. With these changes have come many improvements and certainly many challenges and opportunities.

As mayor I look at five key areas that are critical for us to address in the next 12 months:

**The first is Economic Revitalization.** We must endeavor to create, with the help of the County and local Chambers of Commerce, a strong economic environment in our community by increasing quality tax rates from both small and large businesses alike. We are all extremely proud of the accomplishment of bringing Thorlabs, a world-class photonics and technology leader, to Newton. We are also working to finish the environmental studies on the Armory so that this large property can return to the private tax rolls and be another economic success on Route 206. We look forward to the transformation of the Aberlour building into a viable residential property.

And we look forward to the successful implementation this year of the Circulation Plan Phase One recommendations. The installation of bike racks on Spring Street, parking way finding, central business directory kiosks, truck route signage, and enhanced lighting in the alleys and parking areas, will demonstrate to the business community that we are serious about helping them to succeed.

**The second is Facilities.** Due to the numbers of tax-exempt properties in our community, the residential taxpayers of Newton have seen above average increases in taxes in years past. The last two years we have begun the process

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of retrenching into a more realistic tax model of lower increases with a more critical eye on all of our expense categories.

One area that we are always looking to improve upon in an intelligent fashion is the quality of our physical buildings and infrastructure – ideally, how to ensure that the residents reap value through the use of our facilities.

I look to the Armory property as a unique opportunity for a combination Teen/Senior Community Room and Center. I look forward to the eventual upgrade and improvement to these Council Chambers thanks to the work done by FKA Architects. I am pleased that we are working diligently at the staff and professional level to create necessary improvements to our Water and Sewer systems via our long-overdue Master Plan update. And I am proud that we will continue with improvements to Memory Park and Pine Street Park recreational facilities – providing hours of fun for neighbors and friends near and far.

**The third is Efficiency.** Through the leadership of our Town Manager, we have seen dramatic improvements in the level of customer service provided by our employees. There is a stronger emphasis now on service delivery at the lowest possible cost. We are at the vanguard of shared services through various initiatives such as dispatching for seven communities; the implementation of shared services in Construction next week with our friends from Hardyston; and ongoing discussions with our neighbors in Andover on a variety of initiatives, building on the success of our efforts with them on the brine system and truck wash facility.

We look to the successful implementation this year of the energy audit recommendations on all of our facilities and are pleased with the savings realized by the purchase of electricity and natural gas on the open market.

Our award-winning website will continue to help promote an ever efficient Newton by the implementation of our online tax and eventually, utility, payment system. If you have not had occasion to, I ask that you take a look at **newtownhall.com** or sign up to be a friend on Facebook or get our “tweets” on

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Twitter to learn more about us and the exciting things that are happening in Newton.

This year will also see revisions to our Zoning Ordinances by our Town Planner, as well as improvements to our Historic District regulations. Newton has a proud history, one to surely be proud of, and the more we can do to promote the unique 259-year history, while affording private land owners the opportunity to make necessary enhancements to their properties, the better off we will be both culturally and economically.

**The fourth is Public Safety.** This is the number one priority of any municipality and Newton is no exception. We are going out to bid on our new ladder truck for the Fire Department. We have completed renovations to Firehouse 1 and now shift our focus on selling the fire patrol building and improving Firehouse 2. The installation of cameras on Spring Street will enhance our crime fighting and prevention efforts. And the pursuit of accreditation by our Police Department will help bring policies and procedures up to national standards.

It is important to recognize the efforts of our volunteer First Aid Squad and volunteer Fire Department, and the day-to-day work of our Police Department. Whether in an unpaid or paid capacity, the men and women of our emergency services deserve and will have my support and that of the Council and Administration.

**Last, but certainly not least,** is my emphasis on recruiting talented new individuals to volunteer for various Town boards and committees. I look forward to building greater relationships with the teenagers in our community to get their input on economic and parks & recreation issues. I look forward to stronger alliances with our senior citizens who have so much valuable input to share.

And I also look to continue working with various houses of worship and local nonprofits such as Greater Newton Chamber of Commerce, Main Street Newton, PSS, and others, to promote the Town and provide services to the people of Newton and all of Sussex County.

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There are, I am sure, numerous pockets of untapped potential resources that I ask all of you to help us find. Communities can only succeed by the active, two-way communication and participation of its residents, and I look forward to a greater outreach effort in this regard.

As Mahatma Gandhi once stated, "The **future** depends on what we do in the **present**." By working together...all of us in this room...we can make the Town a better place to live, work and play – one Council...one Manager...one Committee...one Business...One Person...One Idea at a time. The opportunity to seize change and embrace it is **now**, and we look to not only survive these challenging economic times we face, we look to thrive and lead the County and region by example. Thank you for your time and attention. May God continue to bless each and everyone one of you and the people of Newton! Thank you."

Councilman Ricciardo first thanked all of those people who assisted and helped with his successful campaign in getting re-elected for another four years. Mr. Ricciardo thanked Carol for her wisdom and guidance. "I look forward to changes, prosperity and growth in our economy," Councilman Ricciardo concluded.

Councilwoman Diglio thanked her Campaign Manager, Joan Current, as well as her neighbors, Anne and Don Carlson, for all their assistance during her campaign. Mrs. Diglio thanked her family and her late husband, Phil Diglio, for his example and encouragement to run for Council and do the right thing for the people of Newton. Mrs. Diglio also thanked the citizens of Newton for giving her the opportunity to serve and stated that "we are a government of the people, by the people and for the people."

Deputy Mayor Le Frois thanked her fellow colleagues for allowing her to serve as Deputy Mayor, as well as for their continued support and guidance. Mrs. Le Frois also thanked the Town Manager, Town employees, Mayor Becker, residents of Newton and volunteers, for their continued support and confidence

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in the Newton Town Council. Mrs. Le Frois thanked her family and friends for their unconditional love and support. Mrs. Le Frois reaffirmed Mayor Becker's vision noting the five key areas of improvements for Newton. "It's an exciting time to be involved in Newton and to make Newton a destination place," Deputy Mayor Le Frois concluded.

Councilman Elvidge thanked the citizens of Newton for giving him the opportunity to serve another four years. Mr. Elvidge also thanked Eileen Kithcart, Kevin Kelly, Megan Ward as well as his running mate, Joseph Ricciardo, for all their support and efforts during his campaign. He is proud to be a part of a great group of people who represent the Town of Newton and look forward to being a part of the new visions for Newton.

As a final note, Mayor Becker recognized Mrs. Terri Oswin, Administrative Assistant, for all her efforts and assistance with the Council's special events, such as tonight.

#### **CONSENT AGENDA**

Mayor Becker 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."*

Councilman Elvidge requested that Item F "Mayor's Appointment," as well as Resolution #102-2010; and Resolution #106-2010 be removed from the consent agenda for separate discussion.

#### **RESOLUTION #97-2010\***

##### **Reaffirm Banks as Depositories**

**BE IT RESOLVED** by the Town Council of the Town of Newton that the following policy is hereby reaffirmed pertaining to Town funds for calendar year 2010:

- 1) The cash management and investment objectives for the Town of Newton include preservation of capital, adequate safekeeping of assets, maintenance of liquidity to meet operating needs, diversification of the Town's portfolio to minimize risks associated with individual investments, and investment of assets in accordance with State and Federal laws and regulations.

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- 2) The following banks are hereby authorized to be used as depositories for Town funds:

PNC Bank  
Chase  
New Jersey Cash Management Fund  
Sussex Bank  
Lakeland Bank  
First Hope Bank  
Sovereign Bank  
TD Bank  
Noble Community Bank  
Highland State Bank  
Valley National Bank

The above designated official depositories are required to submit to the Chief Financial Officer, a copy of the Governmental Unit Deposit Protection Act Notification of Eligibility, which is filed semi-annually with the Department of Banking each June 30th and December 31st every year.

The above designated official depositories are required to submit to the Chief Financial Officer a copy of the institution's "Annual Report" each year.

- 3) All funds shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer.

- 4) Permissible investments for the Town of Newton shall include a) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America; b) government money market mutual funds; c) any Federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors; d) Bonds or other obligations of the local unit or school districts of which the local unit is a part; e) any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments; f) local government investment pools; g) New Jersey State Cash Management Fund; and h) repurchase agreements of fully collateralized securities.
- 5) The Chief Financial Officer is authorized and directed to make investments on behalf of the Town of Newton. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.
- 6) Securities purchased on behalf of the Town of Newton shall be delivered electronically or physically to the Town's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on

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behalf of the Town.

- 7) The Chief Financial Officer shall report to the Town Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.
- 8) The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.
- 9) The Chief Financial Officer shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

**RESOLUTION #98-2010\***

**Reaffirm Legal Newspapers**

**WHEREAS**, the *New Jersey Herald* and the *New Jersey Sunday Herald* were previously designated as legal newspapers for the Town of Newton during calendar year 2010 by Resolution #257-2009;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that said two newspapers be reaffirmed as legal newspapers for the remainder of calendar year 2010.

**RESOLUTION #99-2010\***

**Reaffirm Schedule of Town Council Meetings for the Remainder of 2010**

**WHEREAS**, the Newton Town Council established their meeting dates for calendar year 2010 by the adoption of Resolution #248-2009 at their meeting on December 14, 2009;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, Sussex County, New Jersey that the following schedule for 2010 indicates all public meetings of the Newton Town Council for the remainder of the calendar year which will be held on the second and fourth Mondays of each month at 7:00pm, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey;

**Council Meetings**

7:00pm

July	12	and	26
August	9	and	23
September	15*	and	27
October	13*	and	25
November	8	and	22
December	13	and	29*

*\*Held Wednesday*

**BE IT FURTHER RESOLVED** that, for the purposes of the Act, the official bulletin board for posting notices shall be the bulletin board in the first floor lobby of the Municipal Building at 39 Trinity Street, Newton, New Jersey, with said board being just outside the door of the Municipal Clerk's Office; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution be forwarded to the New Jersey Herald and the NJ Sunday Herald, and a copy be filed with the Municipal Clerk; and

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**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be mailed to any person requesting notices of meetings of the Town Council pursuant to N.J.S.A. 10:4-19 and whoever has paid the required fee for such notice.

**RESOLUTION #100-2010\***

**Reaffirm Officials to Sign Checks**

**BE IT RESOLVED** by the Town Council of the Town of Newton that the Newton Town Manager, Chief Financial Officer, and/or Treasurer be authorized to sign all Town, Water and Sewer Utility, and payroll checks effective July 1, 2010.

**RESOLUTION #101-2010\***

**Reaffirm Designating the Chief Financial Officer and/or Finance Director as the Individuals Authorized to Sell Bond Anticipation Notes**

**BE IT RESOLVED** by the Town Council of the Town of Newton that the following policy is hereby reaffirmed pertaining to the sale of Bond Anticipation Notes:

1) The Chief Financial Officer and/or the Finance Director are hereby authorized to sell Bond Anticipation Notes and directed to determine all matters in connection with said Notes not determined by this or subsequent Resolutions.

2) The Chief Financial Officer and/or the Finance Director are directed to report in writing to the Governing Body at the meeting next succeeding the date when the sale or delivery of Notes pursuant to this Resolution is made. Such report is to include the amount, description, interest rate, maturity of the Notes sold, the price obtained, and the name of the purchaser.

3) This Resolution shall take effect immediately upon its adoption.

**RESOLUTION #103-2010\***

**Appoint the Town Manager as Hearing Officer in all Matters of Dispute Regarding the Town of Newton**

**WHEREAS**, certain matters may arise over the course of the year which require a hearing to be conducted for the purpose of resolving issues; and

**WHEREAS**, Mr. Thomas S. Russo, Jr., Town Manager of the Town of Newton, is the representative of the Governing Body, as well as the Chief Executive and Administrative Officer of the municipality;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the remainder of calendar year 2010.

**RESOLUTION #104-2010\***

**Appointment of Mayor Kristen S. Becker as the Town Council Liaison to the Economic Development Advisory Commission**

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**BE IT RESOLVED** by the Town Council of the Town of Newton that Mayor Kristen S. Becker be and is hereby appointed to the Economic Development Advisory Commission as the Town Council liaison member for a one-year period commencing July 1, 2010 and ending June 30, 2011.

**RESOLUTION #105-2010\***

**To Establish a Town of Newton Ad Hoc Redevelopment Team**

**WHEREAS**, the Town of Newton acknowledges there are potential benefits to the Town of Newton to be gained through the process of redevelopment; and

**WHEREAS**, opportunities for beneficial redevelopment should be thoroughly, expeditiously and efficiently evaluated and pursued;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON** that it hereby establishes an ad hoc Redevelopment Team to evaluate and pursue redevelopment opportunities in the Town of Newton for a one-year period from July 1, 2010 through June 30, 2011; and

**BE IT FURTHER RESOLVED** that individuals representing the following positions shall be members of the Redevelopment Team, with said meetings to be called by the Town Manager as needed:

Mayor;

Town Manager;

Deputy Town Manager;

Town Planner;

Town Engineer;

Planning Board Chairperson;

Redevelopment Counsel; and other professionals and/or staff as deemed necessary by the Town Manager; and

**BE IT FURTHER RESOLVED** said Redevelopment Team is a purely advisory group working only in an analytical and advisory capacity and is: (a) not empowered to make any decisions; (b) has no effective authority; (c) is not empowered to act by vote; (d) is not governed by the Open Public Meetings Act; and (e) is not a "Redevelopment Agency" pursuant to N.J.S. 40A:12A-11.

**RESOLUTION #107-2010\***

**Appointment of Town Council Liaison to the Historic Preservation Advisory Commission**

**BE IT RESOLVED** by the Town Council of the Town of Newton that Councilwoman Sandra Lee Diglio be and is hereby appointed to the Historic Preservation Advisory Commission as the Town Council liaison member for a one-year period commencing July 1, 2010 and ending June 30, 2011.

A motion was made by Mrs. Le Frois to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Mrs. Diglio and roll call resulted as follows:

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Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker		Yes	

**SEPARATE DISCUSSION**

**MAYOR'S APPOINTMENT**

**CLASS II REPRESENTATIVE TO THE NEWTON PLANNING (APPOINTMENT OF TOWN MANAGER BY MAYOR)**

The following **RESOLUTION**, naming Thomas S. Russo, Jr., was offered by Mrs. Le Frois who moved its adoption, seconded by Mr. Ricciardo and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker		Yes	

**RESOLUTION #102-2010**

**Appointment of Mayor as a Class I Member of the Newton Planning Board**

**BE IT RESOLVED** by the Town Council of the Town of Newton that Mayor Kristen S. Becker be and is hereby appointed to the Newton Planning Board as a Class I member for the one year period commencing July 1, 2010 and ending June 30, 2011.

The following **RESOLUTION**, naming Kristen S. Becker, was offered by Mrs. Le Frois who moved its adoption, seconded by Mr. Ricciardo and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker		Yes	

**RESOLUTION #106-2010**

**Appointment of Town Council Representative as a Class III Member of the Newton Planning Board**

**BE IT RESOLVED** by the Town Council of the Town of Newton that Deputy Mayor Helen R. Le Frois, Town Council member, be and is hereby appointed to the Newton Planning Board as a Class III member for the one-year period commencing July 1, 2010 and ending June 30, 2011.

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The following **RESOLUTION**, naming Helen R. Le Frois, was offered by Mayor Becker who moved its adoption, seconded by Mr. Ricciardo and roll call resulted as follows:

Mr. Elvidge	Yes	Mr. Ricciardo	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
Mayor Becker	Yes		

Mayor Becker opened the meeting to the public.

There was no one from the public to be heard.

Mayor Becker introduced Rev. Peter Filipkowski of Saint Joseph's R.C. Church, who led all in the benediction.

Mr. Russo recognized some dignitaries who were in attendance: County Administrator, John Eskilson, Freeholders Parker Space and Rich Zeoli, Former-Freeholder/Director Glen Vetrano, as well as Det. Lt. Mike Richards, Newton Police, Captain Irv Kinney, Newton First Aid Squad, and all the department heads, staff and professionals. "Thank you all for coming," Mr. Russo concluded.

There being no further business to be heard, upon motion of Mrs. Le Frois, seconded by Mr. Ricciardo and carried, the meeting was adjourned at 6:41 p.m.

Respectfully submitted,

Lorraine A. Read, RMC  
Municipal Clerk