



**AGENDA
NEWTON TOWN COUNCIL**

JULY 23, 2012

7:00 P.M.

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. OPEN PUBLIC MEETINGS ACT STATEMENT**
- IV. APPROVAL OF MINUTES**

- JUNE 25, 2012 SPECIAL MEETING
- JULY 2, 2012 REORGANIZATION MEETING
- JULY 9, 2012 REGULAR MEETING

V. OPEN TO THE PUBLIC

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 LIMIT THEIR COMMENTS TO 5 MINUTES. 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.

VI. COUNCIL & MANAGER REPORTS

VII. ORDINANCES

a. 2ND READING & PUBLIC HEARING

ORDINANCE 2012-19

AN ORDINANCE TO AMEND SCHEDULE "B" OF ORDINANCE 2011-25

- i. OPEN HEARING TO PUBLIC
- ii. CLOSE HEARING TO PUBLIC
- iii. ACT ON ORDINANCE

b. INTRODUCTION

ORDINANCE 2012-20

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR THE PREPARATION OF A REVISION AND CODIFICATION OF ORDINANCES FOR THE TOWN OF NEWTON (N.J.S.A. 40A: 4-53)

VIII. OLD BUSINESS

IX. CONSENT AGENDA

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.

a. RESOLUTION #153-2012*

TOWN OF NEWTON CERTIFICATION OF ANNUAL AUDIT

- b. RESOLUTION #154-2012* APPROVAL TO SUBMIT A GRANT AGREEMENT AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF SIDEWALK AND CURBING ALONG WATER STREET (ROUTE 206/94)
- c. RESOLUTION #155-2012* AWARD CONTRACT TO MODERN EQUIPMENT SALES AND RENTAL CO. FOR BANDIT 150XP CHIPPER FOR THE DEPARTMENT OF PUBLIC WORKS
- d. RESOLUTION #156-2012* AWARD CONTRACT TO RAM INDUSTRIAL SERVICE, INC., FOR THE REPAIR OF RBC 2C AND RBC 2D AT THE WASTEWATER TREATMENT PLANT
- e. RESOLUTION #157-2012* APPROVE PURCHASE OF GUARD RAIL FOR STRAWAY BLVD. AND MEMORY PARK PARKING LOT
- f. RESOLUTION #158-2012* AUTHORIZE CHANGE ORDER NO. 1 FOR INSTALLATION OF SIDEWALKS AND CURBS ON VARIOUS INTERSECTIONS PROJECT
- g. RESOLUTION #159-2012* RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY
- h. RESOLUTION #160-2012* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- i. RESOLUTION #161-2012* AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS
- j. RESOLUTION #162-2012* AUTHORIZE EXTENSION FOR PAYMENT OF REAL ESTATE TAXES

X. INTERMISSION

XI. DISCUSSION

- a. RAILROAD RIGHT OF WAY
- b. DISRUPTIVE TENANT ORDINANCE DRAFT

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENTS

XIV. ADJOURNMENT

TOWN OF NEWTON

ORDINANCE # 2012-19

AN ORDINANCE TO AMEND SCHEDULE "B" OF ORDINANCE 2011-25

WHEREAS, there is a need to amend Schedule "B" of Ordinance 2011-25 "An Ordinance to Establish Minimum and Maximum Salaries and Wages for Officers and Employees of the Town of Newton for Calendar Year 2012" to reflect certain staffing changes; and

WHEREAS, Schedule "B" of Ordinance 2011-25 shall be replaced in its entirety to reflect the following changes:

Additions:

Level 3

Swim Instructor

Level 8

Court Attendant

Level 16

Code Enforcement Officer

Deputy Municipal Clerk

Deputy Registrar

Deletions:

Level 4

Deputy Municipal Clerk/Deputy Registrar

Level 10

Const. Official/Code Enforcement Officer/Bldg. Inspector

ORDINANCE 2012-19

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on July 9, 2012. It was adopted, after final reading and public hearing thereon, at a meeting of the Newton Governing Body conducted at 7:00 pm on July 23, 2012 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

**TOWN OF NEWTON
ORDINANCE #2011-25
SCHEDULE "B"
AMENDED BY ORDINANCE #2012-19**

LEVEL 1

Recreation Assistant

LEVEL 2

Assistant Pool Manager

LEVEL 3

Clerk Typist

Custodian

Grounds Maintenance Worker

Keyboarding Clerk I

Lifeguard

School Traffic Guard

Secretary

Swim Instructor

LEVEL 4

Deputy Court Administrator

Keyboarding Clerk II

Laborer

Public Safety Telecommunicator Trainee

Recreation Leader

Senior Clerk Typist

Technical Assistant to Construction Official

LEVEL 5

Account Supervisor/Treasurer

Assessing Clerk

Fire Prevention Inspector

Human Resource Coordinator

Planning/Zoning Administrator

Police Clerk

Pool Manager

Recreation Enforcement Officer

Sewer Laborer

Water Laborer

Water Meter Reader

Water/Sewer Collector

LEVEL 6

Equipment Operator

Omnibus Operator

Public Safety Telecommunicator

Recycling Foreman

Sewer Repairer

Truck Driver

Water Repairer

LEVEL 7

Certified Tax Collector/Tax Search Officer

Park Caretaker

Parking Meter Enforcer

Payroll Clerk

Senior Public Safety Telecommunicator

Senior Sewer Repairer

Senior Water Repairer

Sewer Repairer 2

Special Police Officer

Water Repairer 2

LEVEL 8

Administrative Assistant

Court Attendant

Road Foreman

Street Foreman

Supervising Public Safety Telecommunicator

Water Foreman

LEVEL 9

Assistant Director of Public Works

Assistant Public Works Supervisor

Sewer Plant Operator

Water Plant Operator

LEVEL 10

Community Development Director

Director of Public Works

Finance Director

Municipal Clerk/Registrar of Vital Statistics

Municipal Court Administrator

Public Works Supervisor

Water/Sewer Supervisor

LEVEL 11

Police Patrolman

LEVEL 12

Police Sergeant

LEVEL 13

Police Lieutenant

Water/Sewer Superintendent

LEVEL 14

Police Chief

LEVEL 15

Town Manager

LEVEL 16

Assistant Right-to-Know Coordinator

Code Enforcement Officer

Deputy Code Enforcement Officer

Deputy Emergency Management Coordinator

Deputy Municipal Clerk

Deputy Registrar

Emergency Management Coordinator

Right-to-Know Coordinator

LEVEL 17

Council Member

Mayor

LEVEL 18

Building Subcode Official/Inspector

Chief Combustible Inspector

Chief Financial Officer

Code Enforcement Officer

Deputy Municipal Clerk

Deputy Registrar

Electrical Subcode Official/Inspector

Fire Subcode Official

Plumbing Subcode Official/Inspector

Zoning Officer

LEVEL 19

Deputy Town Manager

Municipal Judge

Recreation Supervisor

Tax Assessor

TOWN OF NEWTON

ORDINANCE # 2012-20

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR THE PREPARATION OF A REVISION AND CODIFICATION OF ORDINANCES FOR THE TOWN OF NEWTON (N.J.S.A. 40A: 4-53)

WHEREAS, the ordinance books of the Town of Newton need to be updated and the cost is estimated to be \$18,000.

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), that pursuant to NJSA 40A: 4-53, the sum of Eighteen Thousand Dollars (\$18,000.00) is hereby appropriated for the preparation of a revision and codification of ordinances for the Town of Newton and shall be deemed an emergency appropriation as defined and provided for in NJSA 40A: 4-55.

BE IT FURTHER ORDAINED, that such appropriation and "special emergency notes" authorized to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth (1/5) of the amount authorized pursuant to this act.

BE IT FURTHER ORDAINED, that a copy of this ordinance be filed with the Director of the Division of Local Government Services.

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on July 23, 2012. It will be considered for adoption, after final reading and public hearing thereon, at a meeting of the Newton Governing Body conducted at 7:00 pm on August 13, 2012 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #153-2012

July 23, 2012

"Town of Newton Certification of Annual Audit"

WHEREAS, N.J.S.A. 40A: 5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the section of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey a order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more that one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk

CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF SUSSEX

We, members of the Governing Body of the *Town of Newton* of, in the County of *Sussex*, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the *Town Council* of the *Town of Newton* in the County of *Sussex*;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2011;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

Sandra Lee Diglio, Mayor

Joseph A. Ricciardo, Deputy Mayor

E. Kevin Elvidge, Councilmember

Kristen S. Becker, Councilmember

Daniel G. Flynn, Councilmember

Sworn to and subscribed before me this
_____ day of _____
Notary Public of New Jersey

Lorraine A. Read, Municipal Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the Governing Body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.



TOWN OF NEWTON

RESOLUTION #154-2012

July 23, 2012

“Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Construction of Sidewalk and Curbing along Water Street (Route 206/94)”

WHEREAS, the Town of Newton is applying for funding in the amount of \$131,260.00 to place sidewalks and curbing along the westerly side of Water Street (Route 206/94) under the NJDOT Transportation Enhancement Grant; and

WHEREAS, there is a need for the placement of sidewalks in this area due to the many pedestrians that walk along the shoulder of Water Street heading toward the retail stores within this area of Town; and

WHEREAS, the curbs and sidewalks will help to promote a safer environment for pedestrians to travel to get to the stores and also connect to the downtown area of Newton;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton formally supports this grant application, and

BE IT FURTHER RESOLVED that the Mayor, Town Manager, and Clerk are hereby authorized to submit an electronic grant application identified as TE-2012-Newton Town-00004 to the New Jersey Department of Transportation on behalf of the Town of Newton; and

BE IT FURTHER RESOLVED that the Mayor, Town Manager, and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Newton and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approval of the execution of same.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk



July 23, 2012

TOWN OF NEWTON

RESOLUTION #155-2012

“Award Contract to Modern Equipment Sales and Rental Co. for Bandit 150XP Chipper for the Department of Public Works”

WHEREAS, the Town of Newton received four quotes from qualified vendors for Bandit 150XP Chipper for the Department of Public Works; and

WHEREAS, Modern Equipment Sales & Rental Co., provided the most cost effective quote for the Bandit 150XP Chipper; and

WHEREAS, it is recommended by the Town of Newton's Purchasing Agent, Debra J. Millikin and the Department of Public Works Supervisor, Kenneth Jaekel that a contract for the purchase of Bandit 150XP Chipper be awarded to Modern Equipment Sales and Rental Co., in the amount of \$28,968.00; and

WHEREAS, the Chief Financial Officer has certified funds are available based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby award the contract for the purchase of a Bandit 150XP Chipper to Modern Equipment Sales and Rental Co., of Edison, NJ in the amount of \$28,968.00.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 155 -2012

APPROVING: MODERN EQUIPMENT SALES & RENTAL CO.

FOR THE PURPOSE OF: PURCHASE BANDIT 150XP CHIPPER

IN THE AMOUNT OF: \$32,720.00

APPROPRIATED BY: GENERAL CAPITAL #309121303
PURCHASE OF STREET SWEEPER/CHIPPER/CRACK SEALER \$28,968.00

DATED THIS 23RD DAY OF JULY, 2012

BY

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #156-2012

July 23, 2012

“Award Contract to RAM Industrial Service, Inc., for the Repair of RBC 2C and RBC 2D at the Waste Water Treatment Plant”

WHEREAS, the Town of Newton received two quotes from qualified vendors for the replacement of two (2) RBC units for the Waste Water Treatment Plant; and

WHEREAS, RAM Industrial Service, Inc., provided the most cost effective quote for the replacement for of both RBC units; and

WHEREAS, it is recommended by the Town of Newton Purchasing Agent, Debra J. Millikin that a contract for the purchase of repair of RBC 2C and RBC 2D for the Waste Water Treatment Plant be awarded to RAM Industrial Service, Inc., in the amount of \$32,720.00; and

WHEREAS, the Chief Financial Officer has certified funds are available based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby award the contract for the repair of RBC 2C and RBC 2D for the Waste Water Treatment Plant to RAM Industrial Services, Inc., of Leesport, PA in the amount of \$32,720.00.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 156 -2012

APPROVING: RAM INDUSTRIAL SERVICE, INC.

FOR THE PURPOSE OF: REPLACEMENT OF 2 RBC UNITS FOR
THE WASTEWATER TREATMENT PLANT

IN THE AMOUNT OF: \$32,720.00

APPROPRIATED BY: WATER SEWER 2012 UTILITY:

CIF- SEWER REHABILITATION WORK	#6089303	\$25,000.00
CIF- STP PLANT MODIFICATION	#6089297	\$ 5,194.58
CIF- CAPITAL OUTLAY	#6089293	\$ 1,701.43
SEWER PLANT - NEW EQUIPMENT	#6077246	\$ 823.99

DATED THIS 23RD DAY OF JULY, 2012

BY

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #157-2012

July 23, 2012

"Approve Purchase of Guide Rail for Straway Blvd and Memory Park Parking Lot"

WHEREAS, the Governing Body of the Town of Newton adopted Resolution #189-2011 on September 14, 2011 in an effort to save budgeted monies and improve services for itself by renewing its membership in the Morris County Cooperative Pricing Council "MCCPC"; and

WHEREAS, M.L Ruberton Construction & Safety, of 1512 Mays Landing Road, Folsom, New Jersey was the low bidder on the "MCCPC" portion for municipalities with regard to Guide Rail; and

WHEREAS, the Town of Newton has received a price through the "MCCPC" for the Guide Rail placement for Straway Blvd. and the Memory Park Parking Lot, for an amount of \$20,025.04; and

WHEREAS, the Town of Newton Purchasing Agent, Debra J. Millikin and the Department of Public Works Supervisor, Kenneth Jaekel have recommended the purchase of the guide rail through M.L. Ruberton Construction & Safety in the amount of \$20,025.04; and

WHEREAS, the Chief Financial Officer has certified that funds are available to support this project as per attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Guide Rail for Straway Blvd., and the Memory Park Parking Lot be purchased through M.L. Ruberton Construction & Safety, Folsom, New Jersey through the "MCCPC" in the amount of \$20,025.04.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 157 -2012

APPROVING: M.L. RUBERTON CONSTRUCTION & SAFETY
(through Morris County Cooperative Pricing Council)

FOR THE PURPOSE OF: PURCHASE GUIDE RAIL

IN THE AMOUNT OF: \$20,025.04

APPROPRIATED BY:

GENERAL CAPITAL - ORD.#2012-13

#309121310 MEMORY PARK GUARD RAIL/FENCE \$20,025.04

DATED THIS 23RD DAY OF JULY, 2012

BY *Dawn L. Babcock*

DAWN L. BABCOCK

CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #158-2012

July 23, 2012

“Authorize Change Order No. 1 for Installation of Sidewalks and Curbs on Various Intersections Project”

WHEREAS, the Town Council of the Town of Newton, awarded the contract for the Installation of Sidewalks and Curbs on Various Intersections to Tony's Concrete Construction Co., Inc. for a contract amount of \$21,246.00 by the adoption of Resolution #102-2012 at their meeting on May 30, 2012; and

WHEREAS, the Governing Body at their meeting on June 11, 2012 accepted the project as complete based on the recommendation of the Town Engineer, Harold E. Pellow & Associates, Inc., by the adoption of Resolution 106-2012; and

WHEREAS, in preparing the final paperwork to close the project, Harold E. Pellow recommends Change Order No. 1 which will result in an overall increase of \$2,440.00 in the project contract amount to a new total of \$23,686.00; and

WHEREAS, the Chief Financial Officer has certified funds are available based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that it hereby authorizes Change Order No. 1 for the Installation of Sidewalks and Curbs on Various Intersections based on the recommendation of the Project Engineer, with said Change Order resulting in a new contract total of \$23,686.00:

BE IT FURTHER RESOLVED, that a copy of Change Order No. 1 be attached to and made part of this resolution.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 158-2012

APPROVING: TONY'S CONCRETE CONSTR. CO

FOR THE PURPOSE OF: C.O.#1 SIDEWALK & CURB IMPROVEMENTS
(ORIGINAL CONTRACT AMOUNT \$21,246.00)

IN THE AMOUNT OF: \$2,440.00

APPROPRIATED BY:

GENERAL CAPITAL:

ORD.#2012-13 #309121301 VARIOUS STREET \$ 2,736.00

WATER SEWER CAPITAL:

ORD.#2011-8 #6191108 MERRIAM AVE WATERMAIN \$ <296.00>

DATED THIS 23RD DAY OF JULY, 2012

BY *Dawn L. Babcock*

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #159-2012

July 23, 2012

"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 GovDeals pursuant to NJ State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 1. 2001 Chevrolet Impala
Vin#: 2G1WF55K3193858841
Odometer Reading: 77,500 MILES
Condition: Fair
- 5) 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.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk

GovDeals Vehicle Inspection Form

Inventory ID

Asset Number

Fair Market Value: \$5,000.00

Short Description:

Year: 2001

Make: Chevrolet

Model: Impala

Please fill in or check

Long Description:

This vehicle: Starts Starts with a boost and Runs Does not run For Parts Only

Engine 3.8L, V6 Gas Diesel engine

This vehicle was maintained every 3,500 Days Hours Miles

Condition: Runs Needs repair is in unknown condition

Repairs needed: blown head gasket

Date Removed From Service: 2-01-2012 Maintenance Records: Available Not Available

Transmission

Transmission: Automatic Manual ___ Speed

Condition is: Operable Needs repair Is Unknown

Repairs Needed: _____

Interior: Color : **Blue** Cloth Vinyl Leather

Minor damage to: _____

Major damage to: _____

Radio: Brand: **Delco** AM AM/FM AM/FM Cassette AM/FM CD

AC No AC Condition: Cold Unknown Air Bags drivers side dual

Cruise Control Tilt Steering Remote Mirrors Climate Control

Power: Windows Door Locks Steering Seats

Exterior: Color: **Silver** **Windows:** No cracked glass cracked _____

Minor Dents Scratches Dings **Tire Condition:** Low ___ Flat ___ Hubcaps 1 2 3 4

Minor dents to: **None Noticed**

Major damage to: **None**

Decals: None Have been sprayed Have been removed Impressions remain No impressions

Emergency equip: None Has been removed There are holes in the exterior There are no holes

Additional Equipment: Description _____

Vehicle Info: VIN #2G1WF55K3193858841 Mileage: 77,500

Title Restriction Y N

Location of Asset: 39 Trinity Street, Newton N.J. 07860

For more information contact: Lieutenant Mark Zappa 973-383-2525 or mzappa@newtonpolice.org

Reminder: Do not close items on or surrounding a Holiday, on Friday nights, or Weekends. Stagger closing times by 15 minutes.



TOWN OF NEWTON

RESOLUTION #160-2012

July 23, 2012

"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 2011 and 2012 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.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #161-2012

July 23, 2012

**"Authorize Credits Due Water and Sewer Utility
Accounts"**

WHEREAS, the Water and Sewer Collector has determined that 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:

Delinquent Penalties Erroneously Charged:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
21184	25 Donald Ave.	\$18.04
14613	8 Birch Dr.	\$18.21
24178	12 Douma Ct.	\$17.53
9081	47 Foster St.	\$25.35
900	5 Washington St.	\$17.36
15381	17 Mason Ave.	\$17.70
13225	21 Woodside Ave.	\$32.32
25580	6 Buckingham Ct.	\$26.88
15656	49 Mason Ave.	\$12.43

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #162-2012

July 23, 2012

“Authorize Extension for Payment of Real Estate Taxes”

WHEREAS, the Sussex County Board of Taxation has certified the 2012 tax rate for the Town of Newton, on July 9, 2012 and as a result, the tax bills for the third installment could not be mailed by June 15, 2012, but were mailed instead on July 25, 2012, and

WHEREAS, the intent of NJSA 54:4-64 is to assure that taxpayers are given adequate notice of taxes due before penalties are invoked requiring payment of interest for delinquency under the provisions of NJSA 54:4-67; and

WHEREAS, in accordance with NJSA 54:4-67 and NJSA 54:4-81 a twenty five (25) day extension period must be provided. In fairness to the taxpayers of the Town of Newton, the Town has extending the twenty five (25) days to August 20, 2012 by establishing the interest rate for delinquency at zero percent (0%) from the certification date of mailing said tax bills; and

WHEREAS, interest shall revert back to August 1, 2012 after the August 20, 2012 extension period to provide consistency and compliance in accordance with NJSA 54:4-67;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the twenty five day (25) extension period is hereby granted for the 3rd 2012 tax quarter (August) by charging zero percent (0%) interest during said extension period; and

BE IT FURTHER RESOLVED that following the August 20, 2012 extension period, interest shall be charged from August 1, 2012, in compliance with NJSA 54:4-67.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 23, 2012.

Lorraine A. Read, RMC
Municipal Clerk