



AGENDA
NEWTON TOWN COUNCIL
NOVEMBER 26, 2012
600 P.M.

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

- OCTOBER 22, 2012 REGULAR SESSION
- OCTOBER 22, 2012 EXECUTIVE SESSION

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 2012-26

AN ORDINANCE TO AMEND CHAPTER 100, FEES AND COSTS OF THE CODE OF THE TOWN OF NEWTON

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

b. INTRODUCTION

ORDINANCE 2012-27

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2013

VIII. OLD BUSINESS

a. TREE BANK ORDINANCE – JESSICA CALDWELL

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 #225-2012* A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION OF RIDER FOR ELECTRONIC RECEIPT FEES REQUIRED BY THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES PURSUANT TO N.J.S.A. 40A-39
- b. RESOLUTION #226-2012* APPOINTMENT OF TOWN AUDITOR FOR CALENDAR YEAR 2013
- c. RESOLUTION #227-2012* APPOINTMENT OF ENVIRONMENTAL ATTORNEY FOR CALENDAR YEAR 2013
- d. RESOLUTION #228-2012* APPOINTMENT OF TOWN ATTORNEY FOR CALENDAR YEAR 2013
- e. RESOLUTION #229-2012* APPOINTMENT OF BOND COUNSEL FOR CALENDAR YEAR 2013
- f. RESOLUTION #230-2012* APPOINTMENT OF LABOR ATTORNEY FOR CALENDAR YEAR 2013
- g. RESOLUTION #231-2012* AMEND AGREEMENT WITH FRED M. KNAPP, ESQ. AS LABOR RELATIONS LEGAL COUNSEL
- h. RESOLUTION #232-2012* AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 21.09, LOT 16 (FORMERLY BLOCK 1220, LOT 6)
- i. RESOLUTION #233-2012* AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 13.07, LOT 20 (FORMERLY BLOCK 1007, LOT 1)
- j. RESOLUTION #234-2012* AUTHORIZE EXECUTION OF A SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL AND POUND SERVICES WITH THE TOWNSHIP OF WANTAGE COVERING CALENDAR YEAR 2013
- k. RESOLUTION #235-2012* AWARD PURCHASE OF 125 GALLON MELTER APPLICATOR WITH COMPRESSOR AND ON DEMAND ACTIVATED PUMP FEATURE DIESEL FUEL
- l. RESOLUTION #236-2012* AUTHORIZE EXECUTION OF AGREEMENT BETWEEN THE TOWN OF NEWTON AND THE NEWTON PARKING AUTHORITY
- m. RESOLUTION #237-2012* AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS
- n. RESOLUTION #238-2012* APPROVE 2012 APPROPRIATION TRANSFERS
- o. RESOLUTION #239-2012* AUTHORIZE RELEASE OF FUNDS DEPOSITED AS A PERFORMANCE GUARANTEE BY ACQUIRING ENTERPRISES, LLC
- p. RESOLUTION #240-2012* AWARD PURCHASE OF SWEEPER
- q. RESOLUTION #241-2012* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- r. RESOLUTION #242-2012* APPROVAL OF AGREEMENT FOR THE USE OF STRATFORD LANE INLET BY GULL, LLC FOR DRAINAGE

s. APPLICATIONS*

OFF-PREMISE RAFFLE FROM PRIDE FOUNDATION, INC., 44 RYERSON AVENUE, NEWTON, TO BE HELD ON FRIDAY, MARCH 15, 2013 AT 3:00PM AT 44 RYERSON AVENUE, NEWTON

ON-PREMISE RAFFLE (50/50) FROM CATHOLIC ACADEMY OF SUSSEX COUNTY, INC., TO BE HELD ON SATURDAY, JANUARY 12, 2013 AT 9:00PM AND SATURDAY, MARCH 23, 2013 AT 9:00PM AT ST. JOSEPH REGIONAL SCHOOL, 20 JEFFERSON STREET

ON-PREMISE RAFFLE (PULL TAB GAME) LOYAL ORDER OF MOOSE (LOOM #432) NEWTON TO BE HELD FROM JANUARY 1, 2013 TO DECEMBER 31, 2013 AT 4 DILLER AVENUE, NEWTON

X. INTERMISSION

XI. DISCUSSION

- a. VISION PLAN – JESSICA CALDWELL & STUART KOPERWEIS
- b. NON-UNION SALARIES
- c. DECEMBER 26, 2012 COUNCIL MEETING CANCELATION

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENTS

XIV. ADJOURNMENT

TOWN OF NEWTON

ORDINANCE #2012-26

AN ORDINANCE TO AMEND CHAPTER 100, FEES AND COSTS OF THE CODE OF THE TOWN OF NEWTON

BE IT ORDAINED, by the Town Council of the Town of Newton, that Chapter 100, Fees and Costs, be amended with the following changes in *bold* to read as follows:

§ 100-2. **Peddling and soliciting (Chapter 206)** be amended as follows:

- A. (2)(a) License fee (traveling food vendor): ***\$350.00 + Foodhandlers Permit***

§ 100-13. **Animals (Chapter 57)** be amended as follows:

- A. (1) Neutered dog: ***\$15*** per dog.
(2) Nonneutered dog: ***\$18*** per dog.
(3) Cat license (neutered or nonneutered): ***\$12*** per cat.
(4) Replacement dog/cat tag: ***\$2*** each.

§ 100-14. **Taxicabs and limousines (Chapter 283)** be amended with the addition of the following:

- A. ***(4) Fee for Taxicab Owner's application submitted after the due date: \$100.00 per month.***
B. ***(3) Fee for Taxicab Driver's application submitted after the due date: \$10.00 per month.***

§ 100-15. **Vehicles and traffic (Chapter 307)** be amended as follows:

- C. (2)(b) Tractor-trailer/box truck parking: ***\$100*** annually

§ 100-17. **Health codes (Chapters 133; 250, Article I; and 273)** be amended with the addition of the following:

- C. ***(5) Late fee for Food Establishment: \$75 per month***

§ 100-19. **Utilities (Chapter 228)** be amended as follows:

- H. Frozen meter charge: ***\$250.***

§ 100-23. **Zoning (Chapter 320)** be amended as follows:

- C. (3) Residential Escrow, Single-Family ***\$1,500.***

§100-24. Miscellaneous fees and charges.**A. Swimming Pool be amended as follows:****(1) Season Passes****(a) Town of Newton Residents:**

1. **Family \$200** (A family is defined as any adult, his or her spouse and their children ages 3 to 21 living together in 1 household. A maximum of 6 badges will be issued.)
2. **Couple \$150** (A couple is defined as 2 persons married, engaged or otherwise romantically paired living in one household. A couple membership may also be purchased by single parents with 1 child. A maximum of 2 badges will be issued.)
3. **Single \$100**

(b) All Others (residing outside the Town of Newton)

1. **Family \$300** (A family is defined as any adult, his or her spouse and their children ages 3 to 21 living together in 1 household. A maximum of 6 badges will be issued.)
2. **Couple \$200** (A couple is defined as 2 persons married, engaged or otherwise romantically paired living in one household. A couple membership may also be purchased by single parents with 1 child. A maximum of 2 badges will be issued.)
3. **Single: \$125**

(c) Swim Team Participant

1. **\$50 per swimmer up to a family maximum of \$100** (Newton Swim Team)
2. **\$100 per hour** (includes an additional 15 minutes of deck time both before and after practice)

(d) Senior Citizens (Ages 62 and up)

1. **Couple \$60** (A couple is defined as 2 persons married, engaged or otherwise romantically paired living in one household.)
2. **Single \$35**

(e) Replacement Badge \$5 each**(f) Friends of Newton Membership - Available to Town of Newton employees, Town of Newton Emergency Services Personnel (Police, Fire and EMS), Military (active duty, reserve, or retired), people employed within the Town of Newton (as evidenced by a recent pay stub).**

1. **Family \$200** (A family is defined as any adult, his or her spouse and their children ages 3 to 21 living together in 1 household. A maximum of 6 badges will be issued.)
2. **Couple \$150** (A couple is defined as 2 persons married, engaged or otherwise romantically paired living in one household. A couple membership may also be purchased by single parents with 1 child. A maximum of 2 badges will be issued.)

3. Single \$100

(e) Swim Team Family Membership:

1. Town of Newton Resident: \$150

2. Non-resident: \$250

(2) Daily Admission:

(a) Senior Citizens (ages 62 and up): \$2

(b) All Others: \$5

(c) Twilight Fee for non-senior citizens (after 5pm): \$3

(3) Swim Lessons:

(a) Season Pass Holder: \$55 for 8 30-minute lessons

(b) All Others: \$75 for 8 30-minute lessons

(4) Special Group Rate: \$3 per person to be used when a group visits the pool in off-peak hours

(5) Lifeguard Training - Red Cross Fees are additional and are not covered under this Ordinance

(a) Season Pass Holder: \$250

(b) All Others: \$275

(6) Birthday Parties:

(a) Season Pass Holders: \$150 for the first 10 guests, \$5 each additional guest, pizza and soda are included. Ice cream is an additional charge.

(b) All Others: \$200 for the first 10 guests, \$5 each additional guest, pizza and soda are included. Ice cream is an additional charge.

(7) Scuba Discovery Class: \$100 per student/per class

(8) Water Aerobics:

(a) Season Pass Holders: \$15 for five (5) sessions

(b) All Others: \$35 for five (5) sessions includes daily visit fee

(9) Guard Start: A pre-lifeguarding class for ages 11-14 resulting in CPR and First Aid Certification

(a) Season Pass Holders: \$75

(b) All Others: \$100

- B. (2): **\$12. (now in color)**
- C. (1) Fingerprints: **\$5 Delete**
- (2) Meter covers, per day: **(no charge)**
- (3) Accident reports (copies), per page: **.05¢** when picked up at Police Department, **\$5** when mailed with a self-address stamped envelope: **\$5.**

(17) Electronic Transaction Fees. *Any surcharges or convenience fees shall be itemized separately on the invoice, charge slip, or receipt, and shall be disclosed to the payor at the time the transaction occurs. Such fees shall not exceed the cost of handling and processing the transaction to the local unit. The Town will periodically review all the costs to determine an appropriate percentage or fee to be charged.*

a. *The fee for the use of a credit card for the payment of taxes, interest, penalties and municipal charges or other fees and charges by the Town of Newton shall equal a percentage of the transaction. Said percentage fee shall not, in any event, exceed 4.0% of the total amount of the payment due to the Town of Newton.*

b. *The fee for use of an ACH checking account payment ("e-check") for the payment of taxes, interest, penalties and municipal charges or other fees and charges by the Town of Newton shall be \$2.00 per transaction.*

- D. (1) Marriage certificate, per copy: **\$15.**
- (2) Birth certificate, per copy: **\$15.**
- (3) Death certificate, per copy: **\$15.**
- (4) Correction to birth certificates, marriages, or death certificates: **\$20**
- (5) Domestic partnership, per copy: **\$15.**
- (6) Civil union, per copy: **\$15.**

E: Park use fees: be amended as follows:

(1) Park/Field Use Fees will be waived for residents of the Town of Newton, Newton High School and for youth athletic teams based within the Town of Newton.

(2) Not-for-Profit Groups (daily):

Half Day Rate: (up to 4 hours) \$50.

Full Day Rate: (4 hours or more) \$100.

(3) All Other Groups (daily):

Half Day Rate: (up to 4 hours) \$75.

Full Day Rate: (4 hours or more) \$150.

(4) \$75 per game for use of our athletic fields or basketball courts.

(5) \$50 per practice for use of our athletic fields or basketball courts.

(6) \$25 per hour for use of the lights for the basketball, baseball or multi-purpose field.

(7) A deposit of \$50 will be required from all groups based outside the Town of Newton (this deposit is payable by check and will be returned to the organization provided there is no damage to the facility).

(8) Payment of the above fees shall be due upon approval of the application for park use.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on October 22, 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 November 26, 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 #2012-27**

**AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM
SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF
THE TOWN OF NEWTON FOR CALENDAR YEAR 2013**

WHEREAS, N.J.S.A. 40A:9-165 permits a municipality to establish salaries, wages or compensation to be paid to the officers and employees of the municipality; and

WHEREAS, the Town Council and Town Manager have made a careful examination of the salaries, wages, and compensation appropriate to compensate said Town employees;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, as follows:

Section 1. The minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton are hereby fixed for calendar year 2013 as shown in Schedules "A" and "B" attached hereto in accordance with §25-12 of the Code of the Town of Newton.

Section 2. Any officer or employee of the Town of Newton who is at any time receiving less than the maximum compensation or salary as hereinabove provided may be given a single increment of salary increase during the calendar year by the Town Manager.

Section 3. The Town Manager of the Town of Newton may hire any new employee at any hourly or annual rate between the minimum and maximum salary provided for such office or position.

Section 4. Those employees at wage level 4 serving in the position of Deputy Court Administrator, may be compensated with a stipend of \$50.00 in lieu of 2 hours compensatory time for each court related call-out requiring written certification.

Section 5. Those officers and employees at wage level 17 shall be paid their annual salary in equal quarterly payments during the last pay of each quarter.

Section 6. All Ordinances or parts of Ordinances which may be inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Section 7. If any chapter, article, division, section, subsection, paragraph, sentence, clause, or provision of the Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect all remaining portions of the Ordinance.

Section 8. This Ordinance shall take effect twenty (20) days after final passage, approval and publication after adoption by the Town Council and shall be effective retroactive to January 1, 2013.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, November 26, 2012. It was adopted, after final reading and public hearing thereon, at a meeting of the Town Council of the Town of Newton conducted at 7:00pm on Monday, December 10, 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
#2012-27
SCHEDULE "A"**

<u>LEVEL</u>	<u>HOURLY</u>		<u>35 HRS / WK</u>		<u>40 HRS / WK</u>		<u>IRREGULAR HOURS ANNUALIZED</u>
	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	
1	\$7.25	\$15.50	\$13,195	\$28,210	\$15,080	\$32,240	
2	\$7.50	\$17.00	\$13,650	\$30,940	\$15,600	\$35,360	
3	\$7.75	\$19.25	\$14,105	\$35,035	\$16,120	\$40,040	
4	\$8.00	\$24.75	\$14,560	\$45,045	\$16,640	\$51,480	
5	\$9.00	\$30.25	\$16,380	\$55,055	\$18,720	\$62,920	
6	\$9.50	\$33.00	\$17,290	\$60,060	\$19,760	\$68,640	
7	\$10.50	\$35.75	\$19,110	\$65,065	\$21,840	\$74,360	
8	\$11.00	\$38.50	\$20,020	\$70,070	\$22,880	\$80,080	
9			\$25,000	\$80,000	\$28,571	\$85,000	
10			\$30,000	\$85,000	\$34,286	\$95,000	
11			\$32,000	\$90,000	\$36,571	\$110,000	
12			\$45,000	\$95,000	\$51,429	\$115,000	
13			\$50,000	\$100,000	\$57,143	\$125,000	
14			\$65,000	\$125,000	\$74,286	\$145,000	
15			\$70,000	\$150,000	\$80,000	\$160,000	
16							\$500 - \$5,000
17							\$2,500 - \$7,500
18							\$3,000 - \$25,000
19							\$12,000 - \$55,000
20	Min. Wage	\$7.25/hr					

TOWN OF NEWTON
ORDINANCE #2012-27
SCHEDULE "B"

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
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
Human Resource Coordinator
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 Emergency Management Coordinator
Assistant Right-to-Know Coordinator
Code Enforcement Officer
Deputy Code Enforcement Officer
Deputy Municipal Clerk
Deputy Registrar
Deputy Right-to-Know Coordinator
Right-to-Know Coordinator

LEVEL 17

Council Member
Mayor

LEVEL 18

Building Subcode Official/Inspector
Chief Combustible Inspector
Chief Financial Officer
Deputy Emergency Management Coordinator
Electrical Subcode Official/Inspector
Emergency Management Coordinator
Fire Subcode Official
Plumbing Subcode Official/Inspector
Zoning Officer

LEVEL 19

Deputy Town Manager
Municipal Judge
Recreation Supervisor
Tax Assessor



TOWN OF NEWTON

RESOLUTION #225-2012

November 26, 2012 "A Resolution Requesting Permission for the Dedication by Rider for Electronic Receipt Fees Required by the Director of the Division of Local Government Services Pursuant to N.J.S.A. 40A-39"

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, the State of New Jersey sets forth that any local unit is authorized and empowered to assess surcharges or convenience fees made to it per N.J.S.A. 40A:4-39 and the Division of Local Government Services sets forth that this is an allowable dedication by rider; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, as follows:

1. The Mayor and Town Council hereby request permission of the Director of the Division of Local Government Services to assess surcharges or convenience fees for the payment of taxes, interest, penalties and municipal charges or other fees and charges in the manner set forth per NJAC 5:30-9.9 and N.J.S.A. 40A:4-39.

2. The Municipal Clerk of the Town of Newton, County of Sussex is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #226-2012

November 26, 2012 "Appointment of Town Auditor for Calendar Year 2013"

WHEREAS, auditing services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, the Town of Newton advertised a Request for Proposals for the services of a qualified Auditor and received several responses; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. has submitted a proposal outlining the services to be provided; and

WHEREAS, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined that, Ferraioli, Wielkotz, Cerullo & Cuva, P.A., is the best candidate for the position; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2013;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with Ferraioli, Wielkotz, Cerullo & Cuva, P.A., for services as Town Auditor for calendar year 2013; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Ferraioli, Wielkotz, Cerullo & Cuva, P.A.; and

BE IT FURTHER RESOLVED that a fully-executed copy of this agreement be kept on file and available for public inspection in the Municipal Clerk's office.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #227-2012

November 26, 2012 "Appointment of Environmental Attorney for Calendar Year 2013"

WHEREAS, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, the Town of Newton advertised a Request for Proposals for the services of a qualified Environmental Attorney and received several responses; and

WHEREAS, The Buzak Law Group has submitted a proposal outlining the services to be provided; and

WHEREAS, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined that The Buzak Law Group, is the best candidate for the position; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2013;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with The Buzak Law Group, for services as Environmental Attorney for calendar year 2013; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to The Buzak Law Group; and

BE IT FURTHER RESOLVED that a fully-executed copy of this agreement be kept on file and available for public inspection in the Municipal Clerk's office.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #228-2012

November 26, 2012 "Appointment of Town Attorney for Calendar Year 2013"

WHEREAS, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, the Town of Newton advertised a Request for Proposals for the services of a qualified Municipal Attorney and received several responses; and

WHEREAS, Ursula Leo, Esq., of the firm Laddey, Clark & Ryan, LLP has submitted a proposal outlining the services to be provided; and

WHEREAS, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined that, Ursula Leo, Esq., of the firm Lady Clark and Ryan, is the best candidate for the position; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2013;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with , Ursula Leo, Esq., of the firm Laddey, Clark & Ryan, LLP, for services as Municipal Attorney for calendar year 2013; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Ursula Leo, Esq., of the firm Laddey, Clark & Ryan, LLP; and

BE IT FURTHER RESOLVED that a fully-executed copy of this agreement be kept on file and available for public inspection in the Municipal Clerk's office.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #229-2012

November 26, 2012 "Appointment of Bond Counsel for Calendar Year 2013"

WHEREAS, bond counsel services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, the Town of Newton advertised a Request for Proposals for the services of a qualified Bond Counsel and received several responses; and

WHEREAS, McManimon, Scotland & Bauman, LLC has submitted a proposal outlining the services to be provided; and

WHEREAS, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined that McManimon, Scotland & Bauman, LLC is the best firm for the position; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2013;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with, McManimon, Scotland & Bauman, LLC for services as Bond Counsel for calendar year 2013; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to McManimon, Scotland & Bauman, LLC; and

BE IT FURTHER RESOLVED that a fully-executed copy of this agreement be kept on file and available for public inspection in the Municipal Clerk's office.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #230-2012

November 26, 2012 "Appointment of Labor Attorney for Calendar Year 2013"

WHEREAS, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, the Town of Newton advertised a Request for Proposals for the services of a qualified Labor Attorney and received several responses; and

WHEREAS, James Prusinowski of the firm Knapp, Trimboli, and Prusinowski, LLC has submitted a proposal outlining the services to be provided; and

WHEREAS, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined that James Prusinowski of the firm Knapp, Trimboli, and Prusinowski, LLC is the best candidate for the position; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2013;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with James Prusinowski of Knapp, Trimboli, and Prusinowski, LLC for services as Labor Attorney for calendar year 2013; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to James Prusinowski of the firm Knapp, Trimboli, and Prusinowski, LLC; and

BE IT FURTHER RESOLVED that a fully-executed copy of this agreement be kept on file and available for public inspection in the Municipal Clerk's office.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #231-2012

November 26, 2012 "Amend Agreement with Fred M. Knapp, Esq., as Labor Relations Legal Counsel"

WHEREAS, the Town of Newton has a need to acquire legal counsel for certain specific matters under non-fair and open contracts pursuant to provisions of N.J.S. 19:44A-20; and

WHEREAS, the Town Council appointed Fredric M. Knapp, Esq., of Knapp, Trimboli & Prusinowski, LLC as Labor Relations Attorney for calendar year 2012 by the adoption of Resolution #296-2011 at their meeting on December 28, 2011; and

WHEREAS, said contract stipulated that the amount expended during the term of the contract is not to exceed \$17,500.00; and

WHEREAS, due to circumstances beyond the Town's control the costs for labor relations legal counsel exceeded the \$17,500.00 allocated and thus Resolution #45-2012 was adopted on March 6, 2012 to amend the contract to an amount not to exceed \$30,000.00; and

WHEREAS, due to circumstances beyond the Town's control the costs for labor relations legal counsel exceeded the \$30,000.00 allocated and

WHEREAS, both parties have agreed to increase the amount of the original contract to be increased by \$15,000.00 to a new amount not to exceed \$45,000.00; and

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

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to amend the agreement with Fredric M. Knapp, Esq., of Knapp, Trimboli & Prusinowski, LLC as the Town of Newton's Labor Relations Attorney for the remainder of calendar year 2012 for an amount not to exceed \$45,000.00;

BE IT FURTHER RESOLVED that a fully executed copy of said amended agreement be provided to Fredric M. Knapp, Esq. and filed in the Office of the Municipal Clerk.

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, November 26, 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 #: 231-2012

APPROVING: FREDRIC KNAPP, ESQ.

FOR THE PURPOSE OF: SPECIAL COUNSEL FOR LABOR RELATIONS

IN THE AMOUNT OF: NOT TO EXCEED \$15,000.00
(AT HOURLY RATE OF \$150.00)

APPROPRIATED BY: CURRENT 2012 - LEGAL SERVICES AND COSTS
#1058204

DATED THIS 26TH DAY OF NOVEMBER 2012

BY *Dawn L. Babcock*

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON
RESOLUTION #232-2012

November 26, 2012 "Authorize Refund of Redemption Monies to Outside Lien Holder for Block 21.09, Lot 16 (Formerly Block 1220, Lot 6)"

WHEREAS, at the Municipal Tax Sale held on June 2, 2010, a lien was sold on Block 21.09, Lot 16 (Formerly Block 1220, Lot 16), also known as 37 Dogwood Drive, for 2008 delinquent water and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1348, was sold to Lawrence & Helen Earl, LLC for 0% redemption fee and a premium of \$600.00; and

WHEREAS, IndyMac Mortgage Services, the owner's mortgage company, has effected the redemption of Certificate #1348 in the amount of \$4,205.67;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Lawrence & Helen Earl, LLC is entitled to a redemption in the amount of \$4,205.67; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check, in the amount of \$4,205.67 for the redemption of Certificate #1348 to Lawrence & Helen Earl, LLC, Box 42, Stillwater, NJ 07875.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #233-2012

November 26, 2012 "Authorize Refund of Redemption Monies to Outside Lien Holder for Block 13.07, Lot 20 (Formerly Block 1007, Lot 1)"

WHEREAS, at the Municipal Tax Sale held on October 29, 2008, a lien was sold on Block 13.07, Lot 20 (Formerly Block 1007, Lot 1), also known as 120 Woodside Avenue, for delinquent real estate taxes as well as delinquent water and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1268, was sold to Jesse Wolosky for 0% redemption fee and a premium of \$4,500.00; and

WHEREAS, ASAP Management, LLC, property owner, has effected the redemption of Certificate #1268 in the amount of \$39,297.81. The redeemer has also paid legal fees in the amount of \$1,254.27;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Jesse Wolosky is entitled to a redemption in the amount of \$39,297.81, the premium in the amount of \$4,500.00, as well as the legal fees in the amount of \$1,254.27; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue three (3) checks, in the amount of \$39,297.81 for the redemption of Certificate #1268, \$4,500.00 for the premium and \$1,254.27 for the legal fees to Jesse Wolosky, 1 Vista Drive, Sparta, NJ 07871.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #234-2012

November 26, 2012 **“Authorize Execution of a Shared Services Agreement for Animal Control and Pound Services with the Township of Wantage Covering Calendar Year 2013”**

WHEREAS, the Town of Newton desires to enter into a shared service agreement with the Township of Wantage animal control and pound services; and

WHEREAS, the annual fee for the year 2013 is \$15,800; and

WHEREAS, sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2013 for said services;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement for animal control and pound services, in duplicate, with the Township of Wantage for calendar year 2013; and

BE IT FURTHER RESOLVED that a copy of said agreement shall be placed on file in the Municipal Clerk's office and available for public viewing.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk

SHARED SERVICES AGREEMENT

THIS AGREEMENT, effective upon the 1st day of January 2013, By and Between

THE TOWNSHIP OF WANTAGE, a municipal corporation of the State of New Jersey, hereinafter referred to as "Provider", and

THE TOWN OF NEWTON, a municipal corporation of the State of New Jersey, Hereinafter referred to as "Recipient"

WITNESSETH, that Wantage and Newton, for the consideration hereinafter named and pursuant to the Uniform Shared Services and Consolidation Act, NJSA 40A:65-1 et seq. agrees as follows:"

ARTICLE II: ACTIVITIES

A. Services To Be Provided

The Provider shall provide the services of its **Animal Control Officer** to enforce the Recipient's Animal Control Ordinance and relevant state statutes during the course of the term of this agreement, pursuant to Attachment "A".

The Provider agrees to accept, hold and dispose of all dogs and cats from the municipality of the Recipient, which shall be delivered to the **Wantage Township Municipal Dog Pound Facility** in accordance with the statutes applicable thereto, and the rules and regulations of the New Jersey State Department of Health. Food, shelter and care for such dogs and cats during the holding period will be provided and the Provider will, when necessary, dispose of such dogs and cats at the end of the holding period. After delivery of dog(s) and/or cat(s) by Recipient to Provider, the Provider shall have exclusive control and full responsibility for the holding and disposal of such dog(s) and/or cat(s).

B. Hours of Operation; Routes

The Animal Control Officer of the Provider shall be available during regular business hours and after hours, as needed. In the event that the Animal Control Officer is unavailable for a response, the Provider shall locate another certified Animal Control Officer to provide the service required. The Provider shall furnish the Recipient with the phone and/or beeper numbers for the Animal Control Officer. Normal response time shall be within 40 minutes of having received a Request For Service.

The Dog Pound Facility shall be maintained open to the general public for the benefit of the Recipient's citizens in accordance with state law, a minimum of two hours per day, seven days a week. Additional access to the facility shall be provided to authorized personnel of the recipient upon request, during regular business hours.

ARTICLE III: COMPENSATION

- A. The Recipient shall pay the Provider the annual sum of \$15,800, payable in quarterly installments, in compensation for the services provided herein.
- B. Upon providing an animal control response in the jurisdiction of the Recipient's boundaries, if the ACO or his/her duly designated representative finds that an animal is injured to the point of requiring immediate veterinary care, the animal shall be transported to a veterinarian prior to being brought to the Wantage Dog Pound for the purpose of securing the required veterinary care. Any costs incurred to the Veterinarian by such veterinary care are not covered under the terms of this animal control contract, and the Recipient shall be responsible for paying the cost incurred directly to the veterinarian.

ARTICLE IV: DURATION OF CONTRACT; TERMS OF AMENDMENT

A. Duration

The Provider agrees to provide the services named in Article II for calendar year 2013.

B. Amendment

This agreement may be amended or extended at any time by mutual agreement of the parties provided that such amendment is reduced to writing, executed by the chief administrative official of each party or his/her designated representative, and specifies the date the provisions of such amendment shall be effective.

C. Termination

This agreement may be terminated in writing by either party on any of the following dates: March 31, June 30, or September 30, with at least two weeks advance written notification. No further quarterly payments shall be owed after the termination date.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the day and year first above written.

TOWNSHIP OF WANTAGE

Signed: _____
Mayor, Township Of Wantage

Attest: _____
Municipal Clerk

TOWN OF NEWTON

Signed: _____
Mayor, Town of Newton

Attest: _____
Municipal Clerk

Attachment “A”

Wantage Township maintains staggered hours for our certified animal control officers during the work day, providing clients with “on duty” service from 8:00 a.m. through 6:00 p.m., Monday through Friday. Experience shows that animal control calls are prevalent during late afternoon-early evening, when pet owners come home from work and situations unfold.

Wantage Township makes an estimate of the number of off-duty call outs (evenings and weekends) that can be expected from a community during a given calendar year, and charges a flat rate accordingly for that year’s ACO and pound service. **Newton’s estimated off-duty calls for the year 2013 is 12 callouts.** If, by the end of a calendar year, it becomes evident that the community being served expects a greater amount of off-duty service than that which was anticipated, Wantage Township would need to adjust the amount being charged as a service fee in the next year beyond the normal COLA adjustment.

As a cost saving measure, Wantage Township identifies “emergency” vs. “non-emergency” situations for animal control. When Wantage Township has an ACO on duty, Wantage will respond to any request for animal control in a client community. During off-duty hours (evenings, holidays and weekends), Wantage Township will request that the client’s Police Department and/or other designated representative make a value judgment regarding whether or not the request for animal control service warrants an “emergency” situation.

Situations involving a dog barking complaint do not require a physical response from an ACO during off-hours. Neither does a complaint about a dog running at large, if the dog is not causing damage, danger or harm to any person or other animal. Both of these situations could be deemed to be “non-emergency”, and dealt with as follow up activity during the next regular work day. Similarly, concerns that people may have regarding seeing a skunk or raccoon during an evening would not warrant an immediate response, as both of these animals are nocturnal by nature.

If a person calls to report a habitual “dog running loose” situation during off hours, it is likely that by the time a response is offered that same night, the dog would already be gone and the expense of the call out would be wasted. Instead, Wantage Township would offer to work with the person complaining, to identify likely days and hours that a special patrol would take place in the coming several weeks, so that if the dog is seen, an immediate response can be made when the person telephones with a request for service.

“Emergency” situations are clear cut in most situations: any situation involving an animal bite or scratch that affects a person or another animal; any time a person is confronted with a situation in which they believe that their personal safety is being threatened; any situation in which a member of the public has reason to suspect that an animal may have rabies; ... all of these situations warrant an immediate response, regardless of time of day or day of week.

There will, of course, be some situations in which it is difficult to decide whether or not the request involves an emergency or non-emergency situation. Wantage requests the police officer or other designated client representative to make a value judgment based on the situation. If the police officer or other designated client representative is not sure, then treat it as an emergency situation and Wantage will respond.



TOWN OF NEWTON

RESOLUTION #235-2012

November 26, 2012 “Award Purchase of 125 Gallon Melter Applicator with Compressor and on Demand Activated Pump Feature Diesel Fuel”

WHEREAS, the Town of Newton publicly opened and read bids for the purchase of a 125 Gallon Melter Applicator with Compressor and on Demand Activated Pump Feature Diesel Fuel on Wednesday, November 14, 2012 at 10:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Bid Price</u>	<u>Options A -G</u>	<u>Total Amount</u>
Crafco, Inc. 420 N. Roosevelt Avenue Chandler, AZ 85226	\$38,681.92	\$1,095.24	\$39,777.16

WHEREAS, after review of the bid documents, the Department of Public Works Supervisor, Kenneth Jaekel and Newton's Qualified Purchasing Agent, Debra J. Millikin recommend awarding the contract for the purchase of a 125 Gallon Melter Applicator with Compressor and on Demand Activated Pump Feature Diesel Fuel to Crafco, Inc., in the amount of \$39,777.16 to Crafco, Inc.; 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 the bid submitted for the purchase of 125 Gallon Melter Applicator with Compressor and on Demand Activated Pump Feature Diesel Fuel be awarded to Crafco, Inc., 420 N. Roosevelt Avenue, Chandler, AZ 85226, in the amount of \$39,777.16. A copy of this resolution and the proposed Contract is to be forwarded to Crafco, Inc., for execution.

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, November 26, 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 #:235-2012

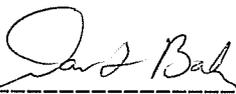
APPROVING: CRAFCO, INC.

FOR THE PURPOSE OF: PURCHASE CRACK SEALER

IN THE AMOUNT OF: \$39,777.16

APPROPRIATED BY: GENERAL CAPITAL FUND: ORD.#2012-13
#309121303 ACQ.SWEEPER/CHIPPER/CRACK SEALER \$39,777.16

DATED THIS 26TH DAY OF NOVEMBER, 2012

BY  _____

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #236-2012

November 26, 2012 **“Authorize Execution of Agreement Between the Town of Newton and the Newton Parking Authority”**

WHEREAS, on January 15, 1982, the Town Council of the Town of Newton adopted an Ordinance authorizing the execution of an agreement with the Newton Parking Authority for the purpose of dedicating revenue from certain parking meters to said Parking Authority; and

WHEREAS, such agreements between governmental agencies and authorities may be extended each year by adoption of a Resolution of the Governing Body; and

WHEREAS, at a regular meeting of the Newton Parking Authority conducted on November 1, 2012, the members of the Authority approved an appropriate agreement for calendar year 2013 and authorized the Chairman and the Secretary to execute said agreement;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute said agreement with the Newton Parking Authority, dedicating revenue from certain parking meters to said Authority and describing certain services to be performed on behalf of the Authority by the Town of Newton during calendar year 2013.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk

AGREEMENT

THIS AGREEMENT is made this 1st day of January, 2013, between the **TOWN OF NEWTON**, a public body corporate of the State of New Jersey (hereinafter called the "Town"), having its office at 39 Trinity Street in the Town of Newton, County of Sussex, and State of New Jersey; and the **PARKING AUTHORITY OF THE TOWN OF NEWTON**, a public body corporate of the State of New Jersey (hereinafter called the "Authority"), having its office at 39 Trinity Street in the Town of Newton, County of Sussex, and State of New Jersey.

WHEREAS, the Authority has been in existence since August 10, 1953 and has the management and control of various parking lots within the Town of Newton under its jurisdiction, in and upon which the Authority has caused to be made certain substantial improvements; and

WHEREAS, the Authority wishes to receive the income presently received by the Town from, or with respect to, the parking of motor vehicles in the streets or otherwise; including funds collected in parking meters located in and along streets or otherwise; and

WHEREAS, the Town presently performs certain administrative, maintenance, and police services on behalf of the Authority in the operation and management of its offices and functions;

NOW, THEREFORE, each of the parties hereto, for and in consideration of the premises and the mutual obligations herein, do hereby covenant and agree with the other as follows:

- 1) Commencing January 1, 2013 the Town pledges to the Authority and covenants and agrees with the Authority to pay to the Authority, all of any funds thereafter received by the Town for or with respect to the parking or storage of motor vehicles in the streets or otherwise; including funds collected from parking meters located in and along streets

or otherwise.

2) The Town shall perform all administrative, maintenance and police services required to be performed by the Authority, for the Authority; including, but not limited to, bookkeeping, secretarial work, investment counseling, snow removal, cleaning, striping, and enforcement of Ordinances, rules and regulations related to the operation of the parking lots owned and operated by the Authority; and employment of one full-time and one part-time individual for Spring Street foot patrol and meter enforcement duties.

Page 1 of 2

3) The Authority shall pay to the Town the sum of fifty-thousand dollars (\$50,000.00) per year for rendering of said services. Said fifty-thousand dollars (\$50,000.00) shall be due and payable quarterly as follows:

Twelve thousand, two-hundred and fifty dollars (\$12,250.00) commencing on the first day of March, 2013; and a like sum on the first day of June, 2013; the first day of September, 2013; and the first day of December, 2013. This Agreement may be terminated by either party upon ninety (90) days written notice to the other.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed on their behalf, and their respective seals to be hereunto affixed and attested to on the day and year first above written.

TOWN OF NEWTON

Sandra Lee Diglio, Newton Mayor

ATTEST:

Lorraine A. Read, RMC
Municipal Clerk

**PARKING AUTHORITY OF
THE TOWN OF NEWTON**

Kenneth Edwards, Chairman

ATTEST:

Thomas S. Russo, Jr.
Parking Authority Secy.



**TOWN OF NEWTON
RESOLUTION #237-2012**

**November 26, 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:

Payment Posted to Incorrect Account:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
6980	6 Liberty Street	(\$265.13)
6997	6 ½ Liberty Street	\$265.13

Credit for Overestimated Reading:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
18689	44 Diller Avenue	\$32.30

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #238-2012

November 26, 2012 "Approve 2012 Appropriation Transfers"

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2012 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
CURRENT		
Assessment of Taxes SW 1055103	Assessment of Taxes OE 1055218	\$2,000.00
Collection of Taxes SW 1056101	Assessment of Taxes OE 1055218	3,750.00
Health Benefit Waiver OE 1066300	Group Health Insurance OE 1066201	3,000.00
Snow Removal OE 1081239	Group Health Insurance OE 1066201	16,000.00
Snow Removal OE 1081239	Road SW 1080198	15,000.00
Recycling/Sanitation OE 1083269	Vehicle Maintenance OE 1083393	8,000.00
Court SW 1059101	Road SW 1080102	7,000.00
Swimming Pool SW 1090102	Vehicle Maintenance OE 1083393	2,000.00
Misc. Operations SW 1079100	Parks SW 1091101	6,000.00
Misc. Operations SW 1079100	Police SW 1074113	1,400.00
Stat.Expend-Social Security 1098298	Stat.Expend-DCRP 1098294	750.00
TOTAL CURRENT TRANSFERS		<hr/> \$64,900.00

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #239-2012

November 26, 2012 "Authorize Release of Funds Deposited as a Performance Guarantee by Acquiring Enterprises, LLC"

WHEREAS, Acquiring Enterprises, LLC posted a \$250,000 letter of credit as a performance guarantee with Columbia Bank in favor of the Town of Newton in connection with the development of Block 9.03, Lot 27 (Formerly Block 803, Lot 1.02), located at 2-10 East Clinton Street in the Town of Newton; and

WHEREAS, the Newton Town Council on the recommendation of the Town Engineer, David B. Simmons, Jr., PE of the engineering firm of Harold E. Pellow & Associates, Inc. reduced the performance guarantee to \$50,798.40 by the adoption of Resolution #207-2008 on December 8, 2008; and

WHEREAS, by the adoption of Resolution #26-2010, the performance guarantee was reduced to \$13,620.00 on February 22, 2010 based on the recommendation of the Town Engineer; and

WHEREAS, in a letter dated November 8, 2012, Acquiring Enterprises, LLC requested the release of said performance guarantee; and

WHEREAS, in a letter dated November 14, 2012, the Town Engineer, has recommended that the remaining performance guarantee in the amount of \$13,620.00 be released;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby authorizes the release of the performance guarantee of \$13,620.00 by Acquiring Enterprises, LLC related to the development of Block 9.03, Lot 27 (Formerly Block 803, Lot 1.02), located at 2-10 East Clinton Street based on the recommendation of the office of the Town Engineer.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



NOV 16 2012

HAROLD E. PELLOW & ASSOCIATES, INC.
CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS
Established 1969

HAROLD E. PELLOW, *PRESIDENT*
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.,
PA - P.E. & L.S.

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(5/26/84 - 7/27/89)

DAVID B. SIMMONS, JR., *VICE PRESIDENT*
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.,
NY - P.E. & L.S., PA - P.E. & L.S.

CORY L. STONER, *ASSOCIATE*
NJ - P.E., NJ - C.M.E.,
PA - P.E.

THOMAS G. KNUTELSKY
NJ - P.E.

November 14, 2012

FAX: (973) 383-8961

MEMORANDUM TO: Mrs. Debra Millikin, Newton Deputy Town Manager

FROM: David B. Simmons, Jr., P.E., L.S., C.M.E.

SUBJECT: Acquiring Enterprises
Block 803, Lot 1.02 *9.03 07*
Located at 2-19 East Clinton Street
Town of Newton, Sussex County
HPA No. 06-263

Dear Mrs. Millikin:

Our office has inspected the site captioned above and reviewed the documentation provided by the Applicant's consultant, Wander Ecological Consultants, in their letter of August 29, 2012, regarding the sidewalk construction and NJDEP permitting (copy attached). Based on this documentation, I recommend that the remaining performance guarantee of \$13,620.00 as outlined in my February 9, 2010 letter to you (copy attached) be released, subject to payment of all review and inspection fees.

Very truly yours,

David B. Simmons, Jr., P.E., L.S., C.M.E. for
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineers

DBS:mac
K:\Projects\Municipal\Newton\PB\06-263 - East Clinton St-Acquiring Enterprises\Millikin3.doc

Enclosures

cc: Via Fax Only
Thomas S. Russo, Jr., Newton Town Manager (973) 383-8961
Kathy Citterbart, Newton Planning Board Administrator (973) 383-8961
Sue DePasquale, Managing Member – Acquiring Enterprises, LLC (973) 956-7195

Acquiring Enterprises LLC
P.O. Box 222
Totowa, NJ 07512

November 8, 2012

Harold E. Pellow & Associates Inc.
17 Plains Rd.
Augusta, NJ 07822

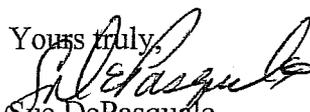
David B. Simmons, Jr.

Re: Performance Bond DePasquale Plaza
Block 803 Lot 1.02
Located at: 2-10 East Clinton St.
Newton, NJ 0860
HPA No. 06-263

Dear David,

The inspection has been completed by Wade Wander, M.Sc. I understand you have reviewed the enclosed letter from Wander Ecological Consultants. I appreciate your consideration to continue the process with Newton Town Council to release funds being held in escrow for the Performance Bond. Thank you for your time and consideration.

Yours truly,


Sue DePasquale
Managing Member
973-956-9599

Cc: Newton Town Council
Debra Milkin



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

HAROLD E. PELLOW, PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.,
PA - P.E. & L.S.

CORY L. STONER, ASSOCIATE
NJ - P.E., NJ - C.M.E.,
PA - P.E.

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(612/84 - 7127/89)

JESSICA C. CALDWELL
NJ - P.P., A.I.C.P.

MATTHEW J. MORRIS
NJ - L.L.A.

DAVID B. SIMMONS, JR., VICE PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.,
NY - P.E. & L.S., PA - P.E. & L.S.

THOMAS G. KNUTELSKY
NJ - P.E.

February 9, 2010

FAX: (973) 383-8961

MEMORANDUM TO: Mrs. Debra Millikin, Newton Community Development Director

FROM: David B. Simmons, Jr., P.E., L.S., C.M.E.

SUBJECT: Acquiring Enterprises
Block 803, Lot 1.02
Located at 2-19 East Clinton Street
Town of Newton, Sussex County
HPA No. 06-263

Dear Mrs. Millikin:

As per the Applicant's request, our office inspected the site captioned above on February 8, 2010 to determine what remaining site improvements have been completed on the subject property. Based on that inspection, I recommend that the existing performance guarantee be reduced to include the following remaining items:

ITEM NO.	DESCRIPTION	UNIT MEASURE	QUANTITY	UNIT PRICE	AMOUNT
1	Brick Paver Walkway, Curbing, & Associated NJDEP Permits, and Engineering/Wetlands Work for Phase II Walkway*	L.S.	100%	\$10,000.00	\$10,000.00.00
2	Landscaping**	L.S.	100%	\$750.00	\$750.00
3	Handicap Parking Only Sign***	UNIT	1	\$150.00	\$150.00
4	Traffic Control Sign****	UNIT	3	\$150.00	\$450.00
TOTAL:					\$11,350.00
120% OF TOTAL:					\$13,620.00

* Provide copy of NJDEP Permits to Town
 ** Two trees in island area, plus planter landscaping by freestanding sign
 *** One Handicap Sign must be on its own post - not on utility pole
 **** Two Stop Signs and One Do Not Enter Sign



Wander Ecological Consultants

28 Warner Road, Newton, New Jersey 07860 Phone/Fax: 973-579-2293

Wetland Delineations • Endangered Species Surveys • Vegetation and Wildlife Inventories
Ornithological Studies • Habitat Evaluation • Impact Assessments • Mitigation Proposals



August 29, 2012

Mr. Tom DePasquale
Acquiring Enterprises, LLC
135 Jefferson Place
Totowa, NJ 07512

Re: David DePasquale Plaza
2-19 East Clinton Street, Newton, Sussex County, NJ

Dear Mr. DePasquale:

I understand that as one of the conditions of site plan and bulk variance approval, the Town of Newton Planning Board required that Acquiring Enterprises obtain the necessary NJDEP permits to construct a sidewalk between the northwesterly entrance to the plaza and the bridge over Moore's Brook near Water Street. Although not stated in the correspondence that I reviewed, I assume that the "permits" referred to were Freshwater Wetlands and/or Stream Encroachment (now Flood Hazard Area) approvals.

I examined the site on June 28 and August 29, 2012. At my earlier inspection I found that the sidewalk was completed. It is approximately 55 feet long and 5 feet wide, totaling about 275 s.f. It is my information that the sidewalk was constructed on broken pavement and other impervious surface material that was traversed by pedestrians. (Google Earth and Bing ground and aerial photographs from 2007 confirm that the area in question was disturbed but the identification of the impervious material could not be determined.) For most of its length the sidewalk is more than 25 feet from the top-of-bank of Moore's Brook, which is classified by the NJDEP as Freshwater Non-Trout (FW2-NT).

My inspection was performed using the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands* (Federal Interagency Committee for Wetland Delineation, 1989) that is also used by the New Jersey Department of Environmental Protection (DEP). To meet the Federal definition of a wetland, an area generally must exhibit **all** of the following: (1) a hydric soil; (2) a predominance of hydrophytic vegetation; and (3) evidence of wetland hydrology. Transition areas, which are upland areas adjacent to wetlands, can be 0 feet wide (Ordinary resource value), 50 feet wide (Intermediate resource value) or 150 feet wide (Exceptional resource value). State open waters are bodies of surface water (e.g., streams and ponds). Most State open waters require riparian zones of 50 feet, 150 feet, or 300 feet (Category One). The DEP regulates most activities in wetlands, transition areas, State open waters, and riparian zones.

In my opinion, wetlands are not present within 50 feet of the sidewalk. Moore's Brook, within 50 feet of the sidewalk, is a State open water without any associated wetlands. The sidewalk is within the 50-foot riparian zone of Moore's Brook. However, it is also my opinion that the construction of the sidewalk in an already disturbed area that did not require the removal of trees qualifies for Flood Hazard Area Control Act permit-by-rule N.J.A.C. 7:13-7.2(a)2 (construction within a disturbed riparian zone). A regulated activity that meets the requirements of a permit-by-rule may be conducted without prior DEP approval.

Therefore, it is my opinion that the construction of the short stretch of sidewalk on disturbed, impervious, ground did not require prior DEP approval.

Please call me with any questions.

Very truly yours,

Wade Wander, M.Sc.
Army Corps of Engineers Certified Wetland Delineator #WDCP93MD0910074B



TOWN OF NEWTON

RESOLUTION #240-2012

November 26, 2012 "Award Purchase of Sweeper"

WHEREAS, the Town of Newton publicly opened and read bids for the purchase of a Sweeper on Wednesday, November 14, 2012 at 11:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Bid Price</u>	<u>Trade In</u>	<u>Options 30.1-30.5</u>	<u>Total</u>
W.E. Timmerman Co., Inc. 3554 Route 22 West PO Box 71 Whitehouse, NJ 08888	\$182,300.00	\$6,000.00	\$8,140.00	\$184,440.00

WHEREAS, after review of the bid documents, the Department of Public Works Supervisor, Kenneth Jaekel and Newton's Qualified Purchasing Agent, Debra J. Millikin recommend awarding the contract for purchase of a Sweeper to W.E. Timmerman Co., Inc., in the amount of \$184,440; 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 the bid submitted for the purchase of a Sweeper be awarded to W.E. Timmerman Co., Inc., 3554 Route 22 West, PO Box 71, Whitehouse, NJ 08888, in the amount of \$184,440.00. A copy of this resolution and the proposed Contract is to be forwarded to W.E. Timmerman Co., Inc., for execution.

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, November 26, 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 #: 240-2012

APPROVING: W.E. TIMMERMAN CO., INC.

FOR THE PURPOSE OF: PURCHASE SWEEPER

IN THE AMOUNT OF: \$184,440.00

APPROPRIATED BY: GENERAL CAPITAL FUND: ORD.#2012-13
#309121303 ACQ.SWEEPER/CHIPPER/CRACK SEALER \$184,440.00

DATED THIS 26TH DAY OF NOVEMBER, 2012

BY *Dawn L. Babcock*

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #241-2012

November 26, 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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #242-2012

November 26, 2012 "Approval of Agreement for the Use of Stratford Lane Inlet by Gull, LLC for Drainage"

WHEREAS, Gull, LLC (hereinafter referred to as "GULL") is the owner of improved real property located in the Town of Newton ("TOWN") commonly known as 52 Paterson Avenue and more precisely identified on the official tax map of the Town of Newton as Block 16.03, Lot 6 and formerly known as Block 1201.02, Lot 2.01 (hereinafter referred to as the "PROPERTY"); and

WHEREAS, the TOWN and GULL recognize that there are drainage issues that affect the rear of the PROPERTY; and

WHEREAS, The TOWN owns and maintains a storm drainage system, which, in part, conveys water from portions of the Castle Ridge development to a detention basin on Jersey Place; and there exists on this system an inline inlet located near the southwest corner of the PROPERTY (hereinafter known as the "STRATFORD LANE INLET"); and

WHEREAS, GULL seeks to utilize the STRATFORD LANE INLET as a means of expediting the drainage of stormwater on the PROPERTY resulting from normal one – and two – year storms by allowing the STRATFORD LANE INLET to accept limited stormwater discharge from the PROPERTY; and

WHEREAS, the TOWN and GULL acknowledge that the PROPERTY is subject to regular flooding from normal storm events and that utilization of the STRATFORD LANE INLET will neither cure the flooding to which the PROPERTY is subject nor prevent flooding of the PROPERTY in any storm event; and

WHEREAS, the TOWN and GULL have reached an agreement governing each parties' respective rights and obligations regarding the utilization of the STRATFORD LANE INLET as a means of expediting but not alleviating stormwater issues on the PROPERTY;

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Newton does hereby approve the Agreement for the Use of the Town of Newton's Stratford Lane Inlet by Gull, LLC for Drainage, as set forth substantially in the form attached hereto, and does hereby authorize the Mayor to execute said agreement substantially in the form attached hereto and subject to review and approval of the Town Attorney.

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, November 26, 2012.

Lorraine A. Read, RMC
Municipal Clerk

AGREEMENT FOR THE USE OF
THE TOWN OF NEWTON'S STRATFORD LANE INLET
BY GULL, LLC FOR DRAINAGE

This Agreement for the Use of The Town of Newton's Stratford Lane Inlet by Gull, LLC for Drainage (hereinafter referred to as the "Agreement"), is made and entered into this ____ day of _____, 2012 by and between The Town of Newton, with an office address at: 39 Trinity Street, Newton, New Jersey 07860, (hereinafter referred to as "THE TOWN") and Gull, LLC, with office address and physical location at: 52 Paterson Avenue, Newton, New Jersey (hereinafter referred to as "GULL").

Whereas, GULL is the owner of improved real property located in the Town of Newton commonly known as 52 Paterson Avenue and more precisely identified on the official tax map of the Town of Newton as Block 16.03, Lot 6 and formerly known as Block 1201.02, Lot 2.01 (hereinafter referred to as the "PROPERTY"); and

Whereas, THE TOWN and GULL recognize that there are drainage issues that affect the rear of the PROPERTY; and

Whereas, THE TOWN owns and maintains a storm drainage system, which, in part, conveys water from portions of the Castle Ridge development to a detention basin on Jersey Place; and there exists on this system an inline inlet located near the southwest corner of the PROPERTY (hereinafter known as the "STRATFORD LANE INLET"); and

Whereas, GULL seeks to utilize the STRATFORD LANE INLET as a means of expediting the drainage of stormwater on the PROPERTY resulting from normal one – and two – year storms by allowing the STRATFORD LANE INLET to accept limited stormwater discharge from the PROPERTY; and

Whereas, THE TOWN and GULL acknowledge that the PROPERTY is subject to regular flooding from normal storm events and that utilization of the STRATFORD LANE INLET will neither cure the flooding to which the PROPERTY is subject nor prevent flooding of the PROPERTY in any storm event; and

IT IS HEREBY AGREED AS FOLLOWS:

1. THE TOWN hereby grants to GULL, its successors and assigns to interest in the PROPERTY, the right to connect to and utilize the STRATFORD LANE INLET, subject to the conditions, restrictions, limitations and requirements set forth herein, for the purposes of allowing limited stormwater discharge from the PROPERTY.

2. This Agreement is intended to run with the land, i.e., the PROPERTY. Unless otherwise specifically provided in this Agreement, the term GULL shall include Gull, L.L.C. and its successors and assigns of property interest in the PROPERTY.

3. In order to utilize the STRATFORD LANE INLET, GULL shall construct improvements to the drainage system on the PROPERTY to enable a connection to the STRATFORD LANE INLET. GULL shall bear all responsibility for maintaining the integrity and viability of said connection to the STRATFORD LANE INLET.
4. The connection to the STRATFORD LANE INLET is subject to the following conditions, requirements and restrictions:
 - A. The connection shall be through the rear side of the STRATFORD LANE INLET, in order to avoid disturbing any curbing or pavement.
 - B. The piping to be designed/constructed to direct the discharge water so that it does not cause damage to the inlet walls and appurtenances.
 - C. The discharge end of the force main shall be designed and constructed to reduce the velocity to 10 feet per second or less.
 - D. The force main shall not interfere with any ladder rungs in the inlet or impede access for Newton DPW workers.
 - E. The invert of the force main in the STRATFORD LANE INLET shall be set high enough in the inlet to avoid being impacted by the flow of storm water coming down Stratford Lane from the Castle Ridge subdivision towards the detention basin on the Jersey Place cul-de-sac.
 - F. The pump on the PROPERTY shall be sized so that it is physically capable of discharging no more than 1 CFS into the STRATFORD LANE INLET. The maximum rate of discharge into the STRATFORD LANE INLET shall be 1 CFS.
 - G. A check valve shall be constructed on the force main to help prevent the flow of storm water in the STRATFORD LANE INLET from entering into GULL's property, and also to allow bleed back of water in the force main to help avoid a frozen line.
 - H. Other than the force main pipe connection, all other appurtenances associated with the GULL's pumping system shall be located in suitably sized structures within the property lines of the PROPERTY, so the pumping system can be serviced without going onto and disturbing THE TOWN's right-of-way.
 - I. GULL shall provide a properly-sized emergency generator with an automatic transfer switch to power all the storm water pumping systems on the PROPERTY and shall maintain same. A list of the stormwater pumping stations on the PROPERTY to be powered by the emergency generator is as follows: *[INSERT]*.
5. GULL bears all responsibility for the force main, pumping system, generators and

all appurtenances.

6. GULL acknowledges that the discharging of the force main into the STRATFORD LANE INLET is intended to drain some stormwater from the PROPERTY, but cannot and will not prevent or entirely alleviate stormwater flooding on the GULL's property.

7. The existing Bond Agreement dated August 1943 and recorded in Book 396 of Deeds on pages 404, etc., that allows connection to the inlet on Paterson Avenue, shall be and hereby is released by GULL, and any existing opening in the inlet shall be properly repaired and sealed by GULL to the satisfaction of THE TOWN.

8. In the event that GULL does not perform as outlined in this Agreement which shall serve as a utility easement, then THE TOWN has the right to disconnect the force main from the STRATFORD LANE INLET.

9. In the event THE TOWN ever has to alter or move the STRATFORD LANE INLET, any work and cost to extend or adapt the force main to the new inlet is the responsibility of GULL.

10. This Agreement shall be recorded with GULL's Deed to the PROPERTY.

11. The plan entitled, "UTILITY PLAN, Block 1201.02, Lot 2.01, TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY," prepared by G. Gloede and Associates and signed by George R. Gloede, Jr., which depicts the proposed force main and its connection to the STRATFORD LANE INLET, as further described in this agreement, is attached hereto as Schedule A. The improvements to the PROPERTY contemplated in this Agreement shall, at a minimum, conform to the designs set forth in said utility plan and shall also satisfy all of the terms of this Agreement.

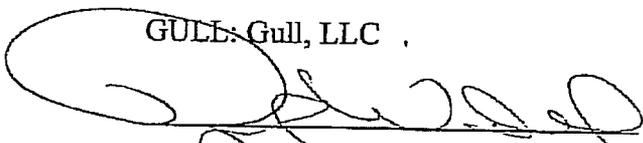
In Witness Whereof, the Parties hereto have executed this Agreement as of this ____ day of _____, 2012.

THE TOWN: Town of Newton

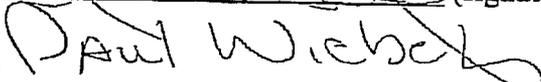
_____ (signature)

By:

GULL: Gull, LLC .

 (signature)

BY:



List of Bills - (100001) CASH - CURRENT - LAKELAND #434 CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
31090	53 - MONTAGUE TOOL & SUPPLY	PO 40555 SAW & HELMET HURR SANDY	720.92	720.92
31091	64 - PELLOW, HAROLD & ASSO, INC.	PO 40456 SEPT ENGINEERING	1,618.50	1,618.50
31092	75 - DECKER'S FIRE & SAFETY	PO 40454 FIRE SUPPRESSION SYSTEM SERVICED	135.00	135.00
31093	84 - ABCODE SECURITY	PO 40552 FIRE #2 ALARM MONITORING	117.00	117.00
31094	110 - G & G DIESEL SERVICE INC	PO 40435 VEHICLE REPLACEMENT LAMPS	247.20	247.20
31095	116 - NEW JERSEY HERALD	PO 40488 OCT ADVERTISING	411.20	411.20
31096	126 - SCMUA	PO 40459 SOLID WASTE REMOVAL 10/7-10/31/12	685.92	685.92
31097	162 - B & G ELEVATOR INC.	PO 38598 NOV ELEVATOR MAINT	200.00	200.00
31098	164 - HOLLANDER, STRELZIK, PASCULLI, HINKES	PO 40526 OCT LEGAL	5,022.00	5,022.00
31099	167 - ROWE & COMPANY INC.	PO 40537 OIL/GLOVES/RAGS DPW TRKS	446.57	446.57
31100	175 - CAPITAL ACCOUNT	PO 40476 PAY 2012 CIF TURN OUT GEAR TO CAPIT	5,000.00	5,000.00
31101	192 - CAMPBELL'S SMALL ENGINE	PO 40434 MOWER FLUID/MIX	27.99	
		PO 40544 OCT SUPPLIES	459.01	487.00
31102	206 - LOCK & KEY WORLD	PO 40533 5 KEYS POLICE DEPT	15.00	15.00
31103	240 - NEWTON FIRST AID SQUAD	PO 39680 USE OF BLDG GENERAL ELECTION 11/6	50.00	50.00
31104	280 - STRAWAY, THOMAS	PO 38751 MEAL ALLOWANCE	39.00	39.00
31105	282 - WILLCO, INC.	PO 40545 TRANE UNIT BELT REPLACED	210.00	210.00
31106	288 - NEWTON CITGO	PO 40439 REPAIR WORK ON SENIOR BUS	1,745.59	1,745.59
31107	304 - STAPLES PRINT SOLUTIONS	PO 39990 ATS/ACS Daily Mailers Court	437.04	437.04
31108	338 - SMITH, WILLIAM F	PO 38752 MEAL ALLOWANCE	39.00	39.00
31109	367 - TREASURER, STATE OF NEW JERSEY	3RD QTR MARR/CIVIL UNION LICENSES (325.00	325.00
31110	391 - LOU'S GLASS	PO 40441 2 PATROL CARS WINDOW REPAIR	750.00	750.00
31111	409 - MINISINK PRESS INC	PO 40559 20 POSTERS NIGHT OUT	7.80	7.80
31112	473 - BANK OF NEW YORK	PO 40515 RABS SERIES 2010A ADMIN FEE	2,000.00	2,000.00
31113	480 - GOOD YEAR	PO 40341 POLICE VEHICLE TIRES	1,670.24	
		PO 40534 2 TIRES FIRST AID SQUAD	242.26	
		PO 40535 6 TIRES SENIOR BUS	810.86	2,723.36
31114	656 - ZEE MEDICAL	PO 40464 FIRST AID SUPPLIES	125.90	125.90
31115	756 - SUI ACCOUNT	PO 40475 PAY 2012 UNEMPLOYMENT TO SUI	16,000.00	16,000.00
31116	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 40548 OCT UNIFORM & MAT RENTALS	760.43	760.43
31117	921 - AIRGAS EAST	PO 40541 ACETYLENE & OXYGEN	182.19	182.19
31118	1132 - BOONTON TIRE SUPPLY	PO 38588 POLICE VEC REPAIRS	886.69	
		PO 40553 TOWN VEC REPAIRS OCT	2,203.49	3,090.18
31119	1141 - MCGUIRE	PO 40536 TRK #1 MAINTENANCE	103.35	103.35
31120	1280 - VERIZON WIRELESS	PO 38686 OCT 1X AIRCARDS ACCT #201 M15-0207	193.55	193.55
31121	1474 - DELL MARKETING L.P.	PO 40420 RADIO CONSOLE MONITOR	139.30	139.30
31122	1500 - WALMART	PO 40457 WTR VISION MEETINGS	15.92	15.92
31123	1712 - HOLZHAUER & HOLENSTEIN, LLC	PO 40101 2012 TAX APPEAL SERVICES	5,500.00	5,500.00
31124	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC	PO 40508 PB LITIGATION OCT	180.00	
		PO 40516 PB ATTORNEY NON ESCROW OCT	1,215.00	1,395.00
31125	1880 - FIRE & SAFETY SERVICES, LTD.	PO 39570 PREVENTIVE MAINT ENG #803	934.30	934.30
31126	1900 - CARQUEST	PO 40532 BACKHOE HOSE & FITTINGS CUST #25	77.08	
		PO 40538 HYDRAULIC HOSE & FITTINGS	99.73	176.81
31127	2163 - WARD'S FLOWERS AND GIFTS	PO 40560 OCT FLOWERS ORDERED	200.85	200.85
31128	2257 - STAPLES BUSINESS ADVANTAGE	PO 38735 OFFICE SUPPLIES CUST #NYC 1507868	60.00	
		PO 38735 OFFICE SUPPLIES CUST #NYC 1507868	984.52	
		PO 40353 2ND FLR OFFICE SUPPLIES	231.31	1,275.83
31129	2257 - STAPLES BUSINESS ADVANTAGE	PO 40504 DPW OFFICE SUPPLIES	66.27	
		PO 40510 OFFICE SUPP'S	12.49	
		PO 40557 CAMERAS HURR SANDY	249.97	328.73
31130	2278 - LANGUAGE LINE SERVICES	PO 39589 SPANISH INTERPERATOR 9/25 ACCT	5.10	5.10
31131	2300 - LOWE'S	PO 40556 BATTERIES HURR SANDY	174.13	174.13
31132	2361 - CSS TEST	PO 38898 2 PRE-EMPLOYMENT DRUG SCREENS	96.00	96.00
31133	2365 - KRAVE CAFE	PO 40511 LUNCH MEETING MANAGER/ATTORNEY	46.00	46.00
31134	2387 - NESTLE WATERS	PO 40550 WATER BOTTLE DELV	26.07	26.07
31135	2393 - SUSSEX COUNTY RENTAL CENTER	PO 40525 10/31 PUMPS FOR FIRE DEPT HURR SAND	420.19	420.19
31136	2450 - PINNACLE WIRELESS FBO UNITEK GLOBAL	PO 40338 RADIO	620.00	620.00
31137	2476 - TREASURER, STATE OF NJ -BURIAL	3RD QTR BURIAL PERMIT FEES (2) @ 5.	10.00	10.00
31138	2540 - ADAM VOUGH	PO 38745 MEAL ALLOWANCE	30.00	30.00
31139	2639 - COUNTY OF SUSSEX	PO 39110 DUE TO CNTY FROM THOR PILOT 4TH QTR	5,320.18	5,320.18
31140	2685 - B & H	PO 40337 PHOTO EQUIPMENT ACCT #42526615	815.34	815.34
31141	2753 - PORTER LEE CORPORATION	PO 40402 ANNUAL SUPPORT BEAST BARCODE SYSTEM	800.00	800.00

**List of Bills - (100001) CASH - CURRENT - LAKELAND #434
CURRENT FUND**

Check#	Vendor	Description	Payment	Check Total
31065	THOMAS S RUSSO JR	Multiple: PO# 40437 PO# 40438	171.84	10/25/2012
121060	PAYROLL ACCOUNT	10/23 PAY M. KAYLANI WC 9/30-10/7/	925.71	10/25/2012
121059	PAYROLL ACCOUNT	10/25 PAY CURRENT	193,958.14	10/25/2012

			2,693,953.44	

Total paid from Fund 10 CURRENT FUND

2,693,953.44

2,693,953.44

Total for this Bills List: 2,761,618.06

List of Bills - (110001) CASH FEDERAL/STATE GRANTS

Check#	Vendor	Description	Payment	Check Total
1113	2206 - CENTER FOR PREVENTION & COUNSELING	PO 40380 STRATEGIC PLANNING FRAMEWORK	225.00	
		PO 40382 NHS FRESHMAN ORIENTATION TEAM BUILD	350.00	
		PO 40383 LATINO COMMUNITY PROJECT	1,450.00	2,025.00

	TOTAL			2,025.00
Total to be paid from Fund 11 FEDERAL/STATE GRANTS			2,025.00	
			<u>2,025.00</u>	

List of Bills - (210001) CASH - DOG RESERVE - LAKELAND #493

DOG RESERVE

Check#	Vendor	Description	Payment	Check Total
8527	2350 - TOWNSHIP OF WANTAGE	PO 39210 2012 ANIMAL CONTRACT \$15,500 ANNUAL	7,750.00	7,750.00
	TOTAL			<u>7,750.00</u>

Total to be paid from Fund 21 DOG RESERVE

7,750.00

7,750.00

**List of Bills - (300001) CASH - CAPITAL - LAKELAND #450
CAPITAL**

Check#	Vendor	Description	Payment	Check Total
8030	64 - PELLOW, HAROLD & ASSO, INC.	PO 38734 PLAN FOR RAILROAD DISTRICT SEPT	420.00	
		PO 39602 EMERGENCY MANAGEMENT MAPPING FOR TO	1,260.00	
		PO 40456 SEPT ENGINEERING	4,532.00	6,212.00
8031	116 - NEW JERSEY HERALD	PO 40488 OCT ADVERTISING	60.60	60.60
8032	164 - HOLLANDER, STRELZIK, PASCULLI, HINKES	PO 40526 OCT LEGAL	72.00	72.00
8033	232 - HAMBURG PLUMBING SUPPLY CO INC	PO 40461 STORM PIPE REPLACEMENT FOSTER ST	463.20	463.20
8034	263 - MCMANIMON & SCOTLAND	PO 40453 PREP \$950 BAN	4,759.66	4,759.66
8035	391 - LOU'S GLASS	PO 40519 LIGHT BAR RECYCLING TRUCK	1,179.95	1,179.95
8036	2215 - BCI BURK COMPANY	PO 40344 PARK EQUIPMENT MEMORY PARKk	3,067.07	3,067.07
8037	2765 - SPARCTECH SOLUTIONS, LLC.	PO 40354 EQUIPMENT FOR NEW SERVER	274.99	274.99
8038	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 40116 VISION PLAN OCT	5,129.50	
		PO 40564 OCT PLANNER	296.50	5,426.00
TOTAL				21,515.47

Total to be paid from Fund 30 CAPITAL

21,515.47

21,515.47

Checks Previously Disbursed

8029	CMS CONSTRUCTION INC.	PO# 40273	IMPROVE EMERG SPILLWAY PAULINSKILL	35,035.00	11/15/2012
8028	SZ CONSTRUCTION LLC	PO# 38884	RETAINING WALL RENOVATION @ MUNICI	10,006.00	11/07/2012
				45,041.00	

Total paid from Fund 30 CAPITAL

45,041.00

45,041.00

Total for this Bills List: 66,556.47

List of Bills - (600001) CASH - W/S OPERATING-LAKELAND #426 WATER/SEWER UTILITY

Check#	Vendor	Description	Payment	Check Total
13240	55 - SCHMIDT'S WHOLESALE, INC	PO 40546 40 WATER METERS	7,890.00	7,890.00
13241	64 - PELLOW, HAROLD & ASSO, INC.	PO 40361 J MCGILL OPRA REQUEST MAY	163.00	
		PO 40456 SEPT ENGINEERING	3,286.25	3,449.25
13242	70 - HACH COMPANY	PO 40542 LAB CHEMICALS	213.77	213.77
13243	126 - SCMUA	PO 40459 SOLID WASTE REMOVAL 10/7-10/31/12	656.65	656.65
13244	130 - SUSSEX COUNTY PLUMBING &	PO 40458 SANDCLOTH	22.75	22.75
13245	155 - COYNE CHEMICAL CORP., INC.	PO 39303 CES PACL 2500	7,622.40	
		PO 39782 SODIUM BISULFITE	1,511.84	
		PO 39895 SODA ASH	3,650.64	12,784.88
13246	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 38708 WOODSIDE PUMP STATION 973-383-4159	33.56	33.56
13247	164 - HOLLANDER, STRELZIK, PASCULLI, HINKES	PO 40526 OCT LEGAL	450.00	450.00
13248	477 - WATER & SEWER CAPITAL ACCOUNT	PO 40477 PAY 2012 CIF TO W/S CAPITAL	45,000.00	45,000.00
13249	506 - CARR, JOSEPH	PO 40499 RIEMB ADV COLLECTION COURSE & LICEN	819.00	819.00
13250	756 - SUI ACCOUNT	PO 40513 PAY 2012 W/S UNEMPLOYMENT TO SUI FU	4,000.00	4,000.00
13251	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 40548 OCT UNIFORM & MAT RENTALS	388.80	388.80
13252	921 - AIRGAS EAST	PO 40539 CARBON DIOXIDE	243.52	243.52
13253	1011 - LASSO, ERVIN	PO 38565 MEAL ALLOWANCE	62.00	62.00
13254	1132 - BOONTON TIRE SUPPLY	PO 40463 VACUUM HOSE & LABOR	87.39	
		PO 40549 SEWER LIFT TRK BRAKES ROTORS BALL J	1,554.69	1,642.08
13255	1271 - JCI JONES CHEMICALS, INC	PO 39592 CHLORINE STP	700.00	700.00
13256	1305 - ACCURATE DOOR, INC.	PO 40540 SMALL GARAGE DOOR REPAIR	135.00	135.00
13257	1406 - UNIVAR USA INC.	PO 39756 SULFUR DIOXIDE	743.40	743.40
13258	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 38776 OCT SLUDGE DISPOSAL CUST #00127-01	5,130.00	5,130.00
13259	1474 - DELL MARKETING L.P.	PO 40345 OPTIPLEX 580 COMPUTER W/S COLLECTOR	794.50	794.50
13260	1566 - MAIN POOL & CHEMICAL COMPANY	PO 39745 SODIUM HYPOCHLORITE	1,392.60	1,392.60
13261	1846 - ADVANCE AUTO PARTS	PO 38580 PARTS DPW TRUCKS	14.98	14.98
13262	1913 - RAM MOTORS & CONTROLS	PO 39962 REPLACE 2 RBC UNITS STP	32,720.00	32,720.00
13263	2140 - HYDRO TECHNOLOGY, LLC.	PO 40389 BACKFLOW VAVLE INSPECTIONS 1ST 2ND	900.00	900.00
13264	2141 - AIRMATI CCOMPRESSOR SYSTEMS, INC.	PO 39150 SERVICE COMPRESSORS MORRIS LAKE AC	1,408.89	1,408.89
13265	2212 - PROCESS TECH SALES AND SERVICE	PO 40265 WTP SENSORS/MEMBRANE ASSEMBLY	1,915.00	1,915.00
13266	2216 - PALL CORPORATION	PO 39096 QTRLY INSPECITON 2012 ANNUAL CONTRA	3,736.00	3,736.00
13267	2514 - ERIC TOMPKINS	PO 38582 MEAL ALLOWANCE	78.00	78.00
13268	2575 - ANDY MATT, INC.	PO 39516 MNTHLY LANDSCAPING WATER TANK	962.00	962.00
13269	2675 - TIRE KING	PO 40309 4 TIRES FOR W-5	980.00	980.00
13270	2709 - ACCURATE WASTE REMOVAL	PO 39368 SLUDGE REMOVAL (SEWER PLANT) OCT	4,827.00	4,827.00
13271	2854 - DUSTIN MCGARRY	PO 39158 MEAL ALLOWANCE	129.00	129.00
13272	2882 - ONE CALL CONCEPTS	PO 38649 OCT ONE CALL MESSAGES ACCT #12-NEW	235.10	235.10

TOTAL

134,457.73

Total to be paid from Fund 60 WATER/SEWER UTILITY

134,457.73

134,457.73

Checks Previously Disbursed

3206	WOODRUFF ENERGY US, LLC.	PO# 40561	OCT NAT GAS	942.58	11/15/2012
3205	VERIZON WIRELESS	PO# 38624	OCT CELL PHONES ACCT #882571077-00	231.34	11/15/2012
3204	NUI CORPORATION	PO# 40531	OCT NAT GAS	754.35	11/15/2012
3203	JCP&L	PO# 40562	OCT ELECTRIC	2,201.81	11/15/2012
3202	DIRECT ENERGY BUSINESS	PO# 40530	OCT ELECTRIC	12,847.57	11/15/2012
3201	CIVIC PLUS	PO# 40490	Website Graphics Change	187.50	11/15/2012
3200	CENTURYLINK COMMUNICATIONS, INC.	PO# 38867	W/S T-1 LINE 127-1000 ACCT #309485	125.85	11/15/2012
26037	PAYROLL ACCOUNT		11/8 PAY WATER/SEWER OPERATING	34,042.07	11/08/2012
3199	VISION SERVICE PLAN	PO# 38773	NOV VISION SERVICE PLAN BLANKET PO	170.92	11/07/2012
3198	NJMEBF		NOV W/S MEDICAL & DENTAL BENEFITS	18,039.00	11/07/2012

**List of Bills - (600001) CASH - W/S OPERATING-LAKELAND #426
WATER/SEWER UTILITY**

Check#	Vendor	Description	Payment	Check Total
126036	CHASE BANK	2012 Refund WS USDA int \$8,525	84,856.64	10/31/2012
126035	CHASE BANK	2012 Refund W/S USDA p&i \$8525T @3	171,359.99	10/31/2012
13197	Appalachian Forestry Service	PO# 39218 PREPARE A FORESTRY MANAGEMENT PLAN	2,250.00	10/25/2012
126034	PAYROLL ACCOUNT	10/25 PAY WATER/SEWER	35,175.11	10/25/2012

			363,184.73	
Total paid from Fund 60 WATER/SEWER UTILITY			363,184.73	

			363,184.73	

Total for this Bills List: 497,642.46

**List of Bills - (610001) CASH - W/S CAPITAL - LAKELAND #442
WATER/SEWER CAPITAL**

Check#	Vendor	Description	Payment	Check Total
2262	55 - SCHMIDT'S WHOLESALE, INC	PO 40471 (2) HYDRANT EXT'S CUST #600	1,100.73	1,100.73
2263	64 - PELLOW, HAROLD & ASSO, INC.	PO 40456 SEPT ENGINEERING	255.00	255.00
2264	116 - NEW JERSEY HERALD	PO 40488 OCT ADVERTISING	34.20	34.20
2265	167 - ROWE & COMPANY INC.	PO 40472 FITTINGS MAPLE AVE PROJ	139.80	139.80
2266	297 - WATER & SEWER OPERATING ACCT	PO 40478 PAY DEBT SERV TO W/S ANTIC 2012 REV	6,266.50	6,266.50
2267	382 - WELDON ASPHALT COMPANY	PO 40558 ASPHALT MAPLE AVE PROJ	25,304.83	25,304.83
2268	1913 - RAM MOTORS & CONTROLS	PO 40277 2 GEARBOX REPAIRS WTP RBC UNITS	5,796.00	5,796.00
2269	3015 - CAPITOL SUPPLY CONST PRODUCTS, INC.	PO 40391 DRILLS & REPAIR CLAMPS MAPLE AVE PR	1,585.83	1,585.83
2270	3032 - HARTER EQUIPMENT INC.	PO 39889 OCT RENTAL TRCH COMPACTOR	1,850.00	1,850.00

TOTAL

42,332.89

Total to be paid from Fund 61 WATER/SEWER CAPITAL

42,332.89

42,332.89

Checks Previously Disbursed

126110	PAYROLL ACCOUNT	11/8 PAY W/S CAPITAL	146.80 11/08/2012
126109	PAYROLL ACCOUNT	10/25 W/S CAPITAL MAPLE AVE PROJ	77.69 10/25/2012

			224.49

Total paid from Fund 61 WATER/SEWER CAPITAL

224.49

224.49

Total for this Bills List: 42,557.38

List of Bills - (710001) CASH - TRUST - LAKELAND #469 TRUST

Check#	Vendor	Description	Payment	Check Total
3079	64 - PELLOW, HAROLD & ASSO, INC.	PO 40456 SEPT ENGINEERING	270.00	
		PO 40473 PROJECT SELF SUFFICIENCY-MAY 2012 E	60.00	
		PO 40474 HAYEK'S MARKET-SEPTEMBER 2012 ESCR	204.00	
		PO 40481 G. MILLER/GEORGE'S SALVAGE-SEPTEMBE	30.00	
		PO 40482 BARNHILL CARE CENTER-SEPTEMBER 2012	90.00	
		PO 40483 JERSEY CENTRAL POWER & LIGHT/FIRST	30.00	684.00
3080	164 - HOLLANDER, STRELZIK, PASCULLI, HINKES	PO 40526 OCT LEGAL	522.00	
		PO 40497 KEN MARTIN/KOHL'S OCT	36.00	
		PO 40551 GULL OCT	288.00	846.00
3081	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC	PO 40496 BARNHILL CARE CENTER - OCTOBER 2012	60.00	
		PO 40495 ALEX CABLE - OCTOBER 2012 ESCROW	15.00	
		PO 40494 DAN HAYEK - OCT 2012 ESCROW	15.00	
		PO 40554 SAK ASSOC'S OCT	15.00	105.00
3082	3295 - KIN PROPERTIES	PO 40563 REFUND UNUSED ESCROW BALANCE	209.00	209.00
TOTAL				1,844.00

Total to be paid from Fund 71 TRUST

1,844.00

1,844.00

Checks Previously Disbursed

127120	CURRENT ACCOUNT	PAY POLICE O/S ADMIN TO VEH MAINT	2,163.75	11/08/2012
127119	PAYROLL ACCOUNT	11/08 TRUST PAYROLL	1,616.88	11/08/2012
3078	MS. NICOLE M GIBSON	PO# 40250 REIMB PUBLIC DEFENDER FEE NOT USED	200.00	11/07/2012
127118	PAYROLL ACCOUNT	10/25 TRUST PAY POLICE O/S fix S K	202.11	10/25/2012
127117	PAYROLL ACCOUNT	10/25 TRUST PAY POLICE O/S	1,010.55	10/25/2012
			5,193.29	

Total paid from Fund 71 TRUST

5,193.29

5,193.29

Total for this Bills List: 7,037.29

**List of Bills - (730001) CASH - SUI - LAKELAND #027
SUI (Fund 73)**

Check#	Vendor	Description	Payment	Check Total
1076	1261 - S/NJ EMPLOYER ACCOUNTS	PO 40452 3RD QTR UNEMPLOYMENT	7,398.73	7,398.73
	TOTAL			7,398.73
Total to be paid from Fund 73 SUI (Fund 73)			7,398.73	
			<u>7,398.73</u>	
			7,398.73	

AGENDA ITEMS

For November 26, 2012 Council Meeting

Minutes: October 22, 2012 (Executive Session)
 October 22, 2012 (Regular)

Off-premise raffle from Pride Foundation, 44 Ryerson Avenue, Newton to be held at 3:00 p.m. on Friday, March 15, 2013 at 44 Ryerson Avenue, Newton.

On-Premise raffle (50/50) from Catholic Academy of Sussex County, Inc. to be held on Saturday, January 12, 2013 at 9 p.m. and Saturday, March 23, 2013 at 9 p.m. at St. Joseph Regional School, 20 Jefferson Street, Newton.

On-premise raffle (pull tab game) from Loyal Order of Moose (LOOM Lodge #432) Newton to be held from January 1, 2013 to December 31, 2013 at 4 Diller Avenue, Newton.