



**AGENDA
NEWTON TOWN COUNCIL**

APRIL 22, 2013

7:00 P.M.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

- APRIL 8, 2013 SPECIAL MEETING
- APRIL 8, 2013 REGULAR MEETING
- APRIL 8, 2013 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

- a. PROCLAMATION – *RELAY FOR LIFE*

VII. ORDINANCES

- a. 2ND READING & PUBLIC HEARING

ORDINANCE 2013-10

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$400,000 FOR VARIOUS UTILITY CAPITAL IMPROVEMENTS IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

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

ORDINANCE 2013-11

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,079,000 THEREFOR, INCLUDING A \$140,000 SAFE ROUTES TO SCHOOL PROGRAM GRANT RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$860,050 IN BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

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

b. INTRODUCTION

ORDINANCE 2013-12

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR THE PREPARATION AND IMPLEMENTATION OF A REASSESSMENT OF THE COMPLETE PROGRAM FOR REVALUATION OF REAL ESTATE FOR USE OF THE TOWN OF NEWTON TAX ASSESSOR (N.J.S.A. 40A-53)

ORDINANCE 2013-13

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$95,000.00 FOR HOWARD STREET WATERMAIN UPGRADES IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

VIII. OLD BUSINESS

- a. FOX HOLLOW DISCUSSION
- b. DISRUPTIVE PROPERTIES
- c. HISTORIC PRESERVATION COMMISSION

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 #60-2013* TO CANCEL GRANT RECEIVABLE AND APPROPRIATED RESERVE FOR UNREALIZED MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$390.23
- b. RESOLUTION #61-2013* APPOINTMENT OF WAYNE LEVANTE TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION
- c. RESOLUTION #62-2013* TO CANCEL OUTSTANDING CHECKS IN MUNICIPAL COURT GENERAL ACCOUNT
- d. RESOLUTION #63-2013* TO CANCEL OUTSTANDING CHECKS IN MUNICIPAL COURT BAIL ACCOUNT
- e. RESOLUTION #64-2013* AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS
- f. RESOLUTION #65-2013* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- g. RESOLUTION #66-2013* TO CANCEL CAPITAL APPROPRIATION BALANCES IN THE WATER SEWER CAPITAL FUND
- h. RESOLUTION #67-2013* WATER AND SEWER CAPITAL BUDGET AMENDMENT

X. INTERMISSION

XI. DISCUSSION

- a. LIMOUSINE ORDINANCE – DRAFT

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENTS

XIV. EXECUTIVE SESSION

- a. RESOLUTION #68-2013

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

1. CONTRACT NEGOTIATIONS

XV. RESOLUTION

- a. RESOLUTION #69-2013

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH THE COMMUNICATION WORKERS OF AMERICA, AFL/CIO LOCAL 1032 EMPLOYEES UNION

XVI. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

Relay for Life

WHEREAS, Relay for Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

WHEREAS, money raised during Relay for Life of Sussex County supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays – by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and

WHEREAS, Relay for Life helped fund more than \$150 million in cancer research last year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that we hereby proclaim the Week of May 13th as “**RELAY FOR LIFE DAYS**” and encourage citizens to participate in the Relay for Life event at Sussex County Community College from *Saturday, May 18th at 4:00pm to Sunday, May 19th at 6:00am.*

*In witness whereof I have hereunto set my
Hand and caused this seal to be affixed.*

Attest: _____

Date: April 22, 2013

TOWN OF NEWTON

ORDINANCE #2013-10

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$400,000.00 FOR VARIOUS UTILITY CAPITAL IMPROVEMENTS IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY.

BE IT ORDAINED by the Town Council of the Town of Newton, in the County of Sussex, as follows:

Section 1 a. \$360,000.00 is hereby appropriated for Inlet Building Upgrades including climbing screen, garage door, other items during construction and all costs necessary therefore or incidental thereto from the following sources:

Water Sewer Capital – Capital Improvement Fund	\$147,429.65
Water Sewer Capital – Reserve for Capital Outlay	\$ 6,940.35
Water Sewer Utility – Reserve for Hook Up Fees	\$205,630.00

Section 1 b. \$40,000.00 is hereby appropriated for improvements to Gardner Avenue Well, including all costs necessary therefore or incidental thereto from the following sources: (This amount is in addition to the \$60,000 appropriated in the 2012 Water Sewer Utility Budget, Capital Improvements – Gardner Ave Well Study.)

Water Sewer Capital – Fund Balance	\$ 40,000.00
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Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of local Government Services and is filed and available for public inspection in the office of the Clerk.

Section 3. This ordinance shall take effect as provided by the law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on April 8, 2013. It was adopted, after final reading and public hearing thereon, at a meeting of the Newton Governing Body conducted at 7:00 pm on April 22, 2013 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 2013-11

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,079,000 THEREFOR, INCLUDING A \$140,000 SAFE ROUTES TO SCHOOL PROGRAM GRANT RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$860,050 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,079,000, including a \$140,000 Safe Routes to School Program Grant received from the New Jersey Department of Transportation and also including the aggregate sum of \$53,950 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, reserves or grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$860,050 pursuant to the Local Bond

Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of fire proof filing cabinets	\$13,000	\$12,350	15 years
b) Refurbishing of truck 2 tandem	\$65,000	\$61,750	5 years
c) Replacement of exterior doors at Firehouse 2	\$10,000	\$9,500	20 years
d) Renovation of fire museum	\$70,000	\$66,500	20 years
e) Improvement of roads along entire length of Hillside Terrace, Kelsey Avenue and Cedar Street, consisting of reconstruction, renovations, resurfacing, drainage work, stop bars, crosswalks, inlet heads, bicycle grates, and sidewalk installation or reconstruction	\$125,000	\$118,750	20 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
f) Improvement of sidewalks on Madison Street	\$165,000 (including a \$140,000 Safe Routes to School Program Grant received from the New Jersey Department of Transportation)	\$16,750	10 years
g) Acquisition of high band portable radios and pagers and mobile data terminals for Fire Department	\$20,000	\$19,000	5 years
h) Acquisition of firefighter bailout kits	\$10,000	\$9,500	5 years
i) Acquisition of a senior shuttle bus	\$200,000 (including \$25,000 reserved in prior years)	\$165,000	5 years
j) Improvements to municipal buildings, including upgrades, renovations and acquisition and installation of furniture and equipment	\$20,000	\$19,000	20 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
k) Acquisition and installation of mobile data terminals for Police Department	\$35,000	\$33,250	5 years
l) CENCOM (Central Communications) upgrades	\$200,000	\$190,000	7 years
m) Acquisition and installation of park and playground equipment and site work for Pine Street Park	\$15,000	\$14,250	15 years
n) Acquisition of loader attachment	\$6,000	\$5,700	15 years
o) Business Improvement District Planning Study	\$25,000	\$23,750	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
p) Supplemental appropriation for redevelopment planning	\$100,000 (in addition to the \$55,000 appropriated by bond ordinance #2012-06 finally adopted 3/12/12, the \$75,000 appropriated by bond ordinance #2011-5 finally adopted 4/25/11, the \$250,000 appropriated by bond ordinance #2009-5 finally adopted 2/23/09, the \$50,000 appropriated by bond ordinance #2005-8 finally adopted 5/9/05, the \$75,000 appropriated by bond ordinance #2007-8 finally adopted 6/11/07, the \$250,000 appropriated by bond ordinance #2007-21 finally adopted 8/27/07 and \$50,000 available from an Office of Smart Growth grant)	\$95,000 (in addition to the \$52,250 bonds or notes authorized by bond ordinance #2012-06 finally adopted 3/12/12, \$71,250 bonds or notes authorized by bond ordinance #2011-5 finally adopted 4/25/11, the \$238,000 bonds or notes authorized by bond ordinance #2009-5 finally adopted 2/23/09, the \$47,500 bonds or notes authorized by bond ordinance #2005-8 finally adopted 5/9/05, the \$71,400 bonds or notes authorized by bond ordinance #2007-8 finally adopted 6/11/07, the \$238,000 bonds or notes authorized by bond ordinance #2007-21 finally adopted 8/27/07 and the \$25,000 grant received under the 2005 ordinance, reducing the debt authorization)	15 years
TOTALS	<u>\$1,079,000</u>	<u>\$860,050</u>	

The excess of the appropriation minus the reserves and grant made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Town may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.023 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$860,050, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$215,800 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief

Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. The Safe School Program Grant will be applied directly to the Madison Street Sidewalk project cost. Any other grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the

Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on April 8, 2013. It was adopted, after final reading and public hearing thereon, at a meeting of the Newton Governing Body conducted at 7:00 pm on April 22, 2013 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 # 2013-12

**AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION FOR THE PREPARATION AND IMPLEMENTATION
OF A REASSESSMENT OF THE COMPLETE PROGRAM FOR REVALUATION OF
REAL ESTATE FOR USE OF THE TOWN OF NEWTON TAX ASSESSOR
(N.J.S.A. 40A: 4-53)**

WHEREAS, the Sussex County Board of Taxation requested that the State Director of Taxation approve a Civil Order mandating that the Town of Newton conduct a revaluation of all real property within the corporate boundaries of said municipality, and

WHEREAS, the Director of Taxation approved the Civil Order on April 12, 2006; and

WHEREAS, a complete revaluation as completed, was effective on the 2008 tax book;
and

WHEREAS, additionally the Town of Newton adopted Ordinance #2010-23 on October 13, 2010 which authorized a special emergency appropriation of \$60,000 for the Preparation and Implementation of a Reassessment of all Real Property within the Town of Newton; and

WHEREAS, again due to the decrease in the sale of home values, the Town's ratio exceeds 100%. Since the State of New Jersey per chapter 123 does not permit a homeowner to be charged a ratio greater than 100%, the Town of Newton needs to reassess all the properties in the Town of Newton to equitably value the properties in the changing economic environment;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, in the County of Sussex, State of New Jersey, that pursuant to NJSA 40A: 4-53, the sum of One Hundred and Ten Thousand Dollars (\$110,000.00) is hereby appropriated for the preparation and issuance of a complete program of revaluation of real estate for use of the Town of Newton Tax Assessor and shall be deemed an emergency appropriation as defined and provided for in NJSA 40A: 4-53;

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.

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, April 22, 2013. It will be considered for adoption, after public hearing and final reading thereon, at a regular meeting of the Newton Governing Body to be conducted at 7:00pm on Monday, May 13, 2013 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 #2013-13

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$95,000.00 FOR HOWARD STREET WATERMAIN UPGRADES IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY.

BE IT ORDAINED by the Town Council of the Town of Newton, in the County of Sussex, as follows:

Section 1. \$95,000.00 is hereby appropriated from the Capital Improvement Fund in the Water Sewer Capital Fund for Howard Street Watermain Upgrades in the Town of Newton, including all costs necessary therefore or incidental thereto:

Section 2. The Water Sewer Capital Budget of the Town of Newton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by the law.

TAKE NOTICE that the above entitled Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton held on April 22, 2013. It will be considered for adoption, after public hearing and final reading thereon, at a regular meeting of said Governing Body to be conducted on May 13, 2013, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #60-2013

April 22, 2013

“To Cancel Grant Receivable and Appropriated Reserve for Unrealized Municipal Alliance Grant in the Amount of \$390.23”

WHEREAS, the Town of Newton received an award in the amount of \$18,772.00 from the State of New Jersey Governor's Council on Alcoholism and Drug Abuse through the County of Sussex which was appropriated in the 2012 Municipal Budget for a Municipal Alliance Grant; and

WHEREAS, the total costs expended and approved total \$18,381.77; and

WHEREAS, there is a grant receivable balance of \$390.23 *Due from the County of Sussex, State of New Jersey for Municipal Alliance* on the Federal and State Grant balance sheet and an appropriated reserve of the same amount; and

WHEREAS, it is necessary to formally cancel the receivable and appropriation balances;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton, that we hereby cancel the following receivable and appropriated reserve balances:

Federal & State Grant Fund

Grant Receivable – Municipal Alliance	\$390.23
Appropriated Reserves – Municipal Alliance Grant	\$390.23

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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #61-2013

April 22, 2013

"Appointment of Wayne Levante to the Economic Development Advisory Commission"

WHEREAS, there is currently a vacancy for a Regular Member of the Economic Development Advisory Commission; and

WHEREAS, Wayne Levante has expressed an interest in serving on the Commission;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Wayne Levante is hereby appointed to the unexpired three-year term on the Economic Development Advisory Commission, effective immediately with said term continuing to December 31, 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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #62-2013

April 22, 2013

"To Cancel Outstanding Checks in Municipal Court General Account"

WHEREAS, there are check(s) which have not been cashed in the Town of Newton Court General Account; and

WHEREAS, those check(s) have been reviewed to determine if they should be canceled and the amount paid over to the Town Treasurer to be deposited into the Town of Newton Current Fund Balance;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the outstanding checks totaling \$172.53 as per the attached memo from the Court dated March 7, 2013 are hereby canceled.

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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



Town of Newton



Council-Manager Plan Since 1956

MUNICIPAL COURT -
Hon. John E. Mulhern, J.M.C.
Lucy M. DeLoreto, C.M.C.A.

39 Trinity Street
Newton, New Jersey 07860
Telephone: 973-383-3521
Fax: 973-383-6471

March 7, 2013

Treasurer Town of Newton

The following is a list of checks written from the Town of Newton Municipal Court's **General Account** that are more than 6 months old.

(Pursuant to N.J.S.A. 12A:4-404, the bank is not obliged to pay checks that are more than six months old.)

<i>Date check written</i>	<i>Check No.</i>	<i>Name on Check</i>	<i>Check Amt.</i>
02/09/2012	3903	Lisa Jugan	\$ 39.53
4/11/2012	3939	Keith E. Lewis	\$ 1.00
4/12/2012	3944	Tuscany Bistro	\$ 27.50
4/12/2012	3947	Tuscany Bistro	\$ 2.50
5/10/2012	3955	Newton Mem. Hosp.	\$ 50.00
6/6/2012	3965	John H. Vanetten	\$ 1.00
6/7/2012	3968	Newton Mem. Hosp.	\$ 50.00
7/9/2012	3976	Amy Fitzgerald	\$ 1.00
		Total	\$172.53

If I should receive a phone call or letter with regards to any of said checks, I will refer them to you for them to receive their monies.

Sincerely yours,

Lucy M. DeLoreto, CMCA
Town of Newton Municipal Court



TOWN OF NEWTON

RESOLUTION #63-2013

April 22, 2013

"To Cancel Outstanding Checks in Municipal Court Bail Account"

WHEREAS, there are check(s) which have not been cashed in the Town of Newton Court Bail Account; and

WHEREAS, those check(s) have been reviewed to determine if they should be canceled and the amount paid over to the Town Treasurer to be deposited into the Town of Newton Current Fund Balance;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the outstanding check totaling \$1.00 as per the attached memo from the Court dated March 7, 2013 are hereby canceled.

<i>Date check written</i>	<i>Check No.</i>	<i>Name on Check</i>	<i>Check Amt.</i>
2/9/2012	4265	Deborah Dickens-Hunter	\$1.00

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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



Town of Newton



Council-Manager Plan Since 1956

MUNICIPAL COURT -
Hon. John E. Mulhern, J.M.C.
Lucy M. DeLoreto, C.M.C.A.

39 Trinity Street
Newton, New Jersey 07860
Telephone: 973-383-3521
Fax: 973-383-6471

VIA FAX 973 383 2456

March 7, 2013

Treasurer Town of Newton

Re: Stale Checks

The following check written from the Town of Newton Municipal Court's **Bail Account** that is more than 6 months old.

(Pursuant to N.J.S.A. 12A:4-404, the bank is not obliged to pay checks that are more than six months old.)

<i>Date check written</i>	<i>Check No.</i>	<i>Name on Check</i>	<i>Check Amt.</i>
2/9/2012	4265	Deborah Dickens-Hunter	\$1.00

\$1.00

Sincerely yours,

Lucy M. DeLoreto, CMCA
Town of Newton Municipal Court



TOWN OF NEWTON
RESOLUTION #64-2013

April 22, 2013

**"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:

Credit for penalty erroneously charged:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
24690	121 Merriam Ave.	\$4.49

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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #65-2013

April 22, 2013

"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 2012 and 2013 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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #66-2013

April 22, 2013

"To Cancel Capital Appropriation Balances in the Water Sewer Capital Improvement Fund"

WHEREAS, certain Water Sewer Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, the Town Manager and other Town Officials have reviewed and determined that there are no additional costs for these projects; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Fund Balance, and unused debt authorizations may be cancelled;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton that the following unexpended and dedicated balances of the Water Sewer Capital appropriations totaling \$100,578.44 be cancelled:

<u>Ordinance Number</u>	<u>Date Auth.</u>	<u>Project Description</u>	<u>Amount Cancelled</u>	
			<u>Funded</u>	<u>Unfunded</u>
2011-6	4/25/11	Morris Lake Dam Improvements (to Fund Balance)	\$54,959.37	
2011-6	4/25/11	Acquisition of Flusher (to CIF)	\$3,015.40	
2011-8	5/09/11	Merriam Ave Watermain (to CIF)	\$41,949.87	
2012-24	10/22/12	Gear Box WTP (to CIF)	\$653.80	
		TOTAL	\$100,578.44	

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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk

**3 YEAR CAPITAL PROGRAM 2013 - 2015
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

PROJECT	ESTIMATED COST	BUDGET APPROPRIATIONS				BONDS AND NOTES				
		CURRENT YEAR 2013	FUTURE YEARS	CAPITAL IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS IN AID AND OTHER FUNDS	GENERAL	SELF LIQUIDATING	ASSESSMENT	SCHOOL
Howard Street Watermain	95,000			95,000						
TOTAL ALL PROJECTS	95,000			95,000			0			

Be It Further Resolved, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services, and one copy be forwarded to the Town Auditor and Chief Financial Officer.

It is hereby certified that this is a true copy of a resolution amending the Water Sewer Capital Budget section adopted by the Governing Body on the 22nd day of April, 2013.

Certified by:

_____ Date
Lorraine A. Read, Municipal Clerk



TOWN OF NEWTON

RESOLUTION #68-2013

April 22, 2013

“A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12”

WHEREAS, the Town Council of the Town of Newton is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Town Council of the Town of Newton to discuss in a session not open to the public certain matters relating to the item authorized by N.J.S.A. 10:4-12b and designated below:

(1) Contract Negotiations

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on April 22, 2013, that an Executive Session closed to the public shall be held on April 22, 2013, at _____ PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Town Council that the public interest will no longer be served by such confidentiality.

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 public meeting of said Governing Body conducted on Monday, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #69-2013

April 22, 2013

**“Authorize Execution of an Agreement with the
Communication Workers of America, AFL/CIO
Local 1032 Employees Union”**

WHEREAS, the terms of a contract covering the three-year period from January 1, 2013 to December 31, 2015 have been negotiated by representatives of the Communications Workers of America, Local 1032 “CWA” and representatives of the Town of Newton; and

WHEREAS, an appropriate contract reflecting the changes from the previous agreement has been prepared and executed by CWA representatives;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby authorizes the Mayor and the Municipal Clerk to execute said three-year contract covering calendar years 2013, 2014, and 2015 with the Communications Workers of America, Local 1032 Employees Union.

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, April 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk