

May 13, 2013

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 p.m. Present were Mrs. Becker, Mr. Elvidge, Deputy Mayor Ricciardo, Mr. Flynn, Thomas S. Russo, Jr., Town Manager and Ursula Leo, Town Attorney. Mayor Diglio was excused.

Deputy Mayor Ricciardo made the following declaration that "in accordance with the Open Public Meetings Act, notice of this public meeting was given to the two newspapers of record and posted on the official bulletin board on December 31, 2012."

Deputy Mayor Ricciardo led the Pledge of Allegiance to the flag and the Clerk called the roll and upon motion of Deputy Mayor Ricciardo, seconded by Mr. Flynn and carried, the minutes of April 22, 2013 Regular meeting and April 22, 2013 Executive meeting were approved.

### **OPEN TO THE PUBLIC**

Deputy Mayor Ricciardo read the following statement:

*"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."*

Nanette Thomas, 7 Orchard Street, addressed her concerns with regarding to overnight parking issues in her neighborhood. Mrs. Thomas would like to have clearly delineated parking signs posted with hours of parking.

John McChasney, owner of two properties in Newton, addressed his concerns with regard to the ordinance which will require landlords to post adequate security against the consequences of disorderly behavior of the tenants. Mr. McChasney questioned whether guidelines would be provided to the landlords.

Deputy Mayor Ricciardo advised Mr. McChasney that this ordinance will be addressed by legal counsel later in the meeting.

There was no one else from the public to be heard.

### **PRESENTATION**

#### **a. Proclamation – National Police Week**

Deputy Mayor Ricciardo presented the following Proclamation to Newton Police Chief Michael Richards and his officers.

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**PROCLAMATION**

**NATIONAL POLICE WEEK**

**May 12 -18, 2013**

**WHEREAS**, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Newton Police Department; and

**WHEREAS**, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and

**WHEREAS**, since the first recorded death in 1791, almost 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including Chief John D. Kinney of the Newton Police Department who died in the line of duty on November 29, 1934; and

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

**WHEREAS**, 321 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this year, including 120 officers killed in the performance of duty in 2012 and 201 officers killed in previous years, including Newton Police Chief John D. Kinney; and

**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 25<sup>th</sup> Annual Candlelight Vigil, on the evening of May 13, 2013; and

**WHEREAS**, the Candlelight Vigil is part of National Police Week, which takes place this year on May 12-18; and

**WHEREAS**, May 15<sup>th</sup> is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton formally designates May 12-18, 2013, as Police Week in the Town of Newton, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

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

s/Mayor Sandra L. Diglio  
Attest: s/Lorraine A. Read  
Date: May 13, 2013

Chief Richards thanked the Council for the Proclamation honoring the Police Department for their service of law enforcement in our community.

**COUNCIL & MANAGER REPORTS**

Mr. Russo advised Council that the Town officials recently attend a New Jersey Planning Officials event and the Town was presented with an award entitled "Achievement in Planning Award" for Newton's Form Based Code, which was created by Jessica Caldwell, our Town Planner. Mr. Russo congratulated the Town, staff and the professionals for this award.

**ORDINANCES**

Deputy Mayor Ricciardo directed the Clerk to read aloud the following Ordinance relative to final adoption.

**ORDINANCE #2013-12**

**AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR THE PREPARATION AND IMPLEMENTAION OF A REASSESSMENT OF THE COMPLETE PROGRAM FOR REVALATION OF REAL ESTATE FOR USE OF THE TOWN OF NEWTON TAX ASSESSOR (N.J.S.A. 40A: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.

Deputy Mayor Ricciardo opened the hearing to the public.

Nanette Thomas, 7 Orchard Street, noting that this is the third reassessment in the Town within the past five years, addressed her concerns with regard to the increase in taxes due to the reassessment. Deputy Mayor Ricciardo advised Mrs. Thomas that this reassessment was mandated by the Sussex County Board of Taxation. It was noted that this reassessment is a "hybrid" of the assessment process.

There being no one else from the public to be heard, upon motion of Mrs. Becker, seconded by Mr. Elvidge and unanimously carried, the hearing was closed.

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The aforementioned **ORDINANCE** was offered by Mr. Elvidge, who moved its adoption, seconded by Mr. Flynn and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes
Mayor Diglio		Absent	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

Deputy Mayor Ricciardo directed the Clerk to read aloud the following Ordinance relative to final adoption.

**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.

Deputy Mayor Ricciardo opened the hearing to the public.

There being no one from the public to be heard, upon motion of Mrs. Becker, seconded by Mr. Elvidge and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE** was offered by Mr. Elvidge, who moved its adoption, seconded by Mr. Flynn and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes
Mayor Diglio		Absent	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

Deputy Mayor Ricciardo directed the Clerk to read aloud the following Ordinance relative to introduction of same.

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**ORDINANCE #2013-14**

**AN ORDINANCE AMENDING THE CODE OF THE TOWN OF NEWTON TO ESTABLISH A NEW ARTICLE III TO CHAPTER 213, SECTION 213-11, ET SEQ., REQUIRING CERTAIN LANDLORDS TO POST ADEQUATE SECURITY AGAINST THE CONSEQUENCES OF DISORDERLY BEHAVIOR OF THE TENANTS**

The following **ORDINANCE** was offered by Mr. Flynn, who moved its introduction, seconded by Mrs. Becker and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes
Mayor Diglio		Absent	

**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on same to be held on May 29, 2013.

Deputy Mayor Ricciardo directed the Clerk to read aloud the following Ordinance relative to introduction of same.

**ORDINANCE #2013-15**

**AN ORDINANCE REVISING SECTION 283-17.8, FOREIGN LIMOUSINE REGISTRATION, OF THE CODE OF THE TOWN OF NEWTON**

The following **ORDINANCE** was offered by Mr. Elvidge, who moved its introduction, seconded by Mr. Flynn and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes
Mayor Diglio		Absent	

**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on same to be held on May 29, 2013.

Deputy Mayor Ricciardo directed the Clerk to read aloud the following Ordinance relative to introduction of same.

**ORDINANCE #2013-16**

**AN ORDINANCE AMENDING SECTION 100-24.H OF THE CODE OF THE TOWN OF NEWTON TO INCLUDE A PROVISION REGARDING FUTURE PAYMENT**

The following **ORDINANCE** was offered by Mr. Elvidge, who moved its introduction, seconded by Mr. Flynn and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes
Mayor Diglio		Absent	

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**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on same to be held on May 29, 2013.

**OLD BUSINESS** – None

**CONSENT AGENDA**

Deputy Mayor Ricciardo read the following statement:

*"All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda."*

Mr. Russo reviewed the various resolutions on the Consent Agenda.

**RESOLUTION #70-2013\***

**PROVIDE EMERGENCY APPROPRIATION IN THE AMOUNT OF \$110,000 IN THE TOWN OF NEWTON 2013 BUDGET**

**WHEREAS**, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses to be incurred for the preparation and implementation of a reassessment of all real property within the Town of Newton; and

**WHEREAS**, N.J.S. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Newton (not less than two-thirds (2/3) of all the members thereof affirmatively concurring), that in accordance with the provisions of N.J.S. 40A:4-55:

- 1) An emergency appropriation is hereby made for preparation and implementation of a reassessment of all real property within the Town of Newton in the total amount of \$110,000.00;
- 2) Said "special emergency note", not in excess of the amount authorized pursuant to law, be provided (should the Town determine the need for said note);
- 3) Said note (if necessary) shall be executed by the Mayor and Chief Financial Officer of the Town of Newton;
- 4) Said note shall be dated at such time as it may be issued, may be renewed from time to time provided that said note and any renewals thereof shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization; and
- 5) One (1) certified copy of this resolution be filed with the Director of the Division of Local Government Services.

**RESOLUTION #71-2013\***

**TOWN OF NEWTON CERTIFICATION OF ANNUAL AUDIT**

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

**WHEREAS**, the Annual Report of Audit for the year 2012 has been filed by a

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

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

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

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

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

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

**WHEREAS**, the Chief Financial Officer has prepared, distributed and filed the Corrective Action Plan in accordance with Federal and State Guidelines; and

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

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

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

**RESOLUTION #72-2013\***

**AUTHORIZING A LEASE AGREEMENT WITH FIRST HOPE BANK FOR THE ACQUISITION OF TWO (2) 2013 FORD INTERCEPTOR SEDAN POLICE CARS**

**WHEREAS**, a need exists for the acquisition of the vehicles/equipment as described on Exhibit D of the Lease and Option Agreement, attached hereto; and

**WHEREAS**, the Town of Newton ("Lessee") has taken the necessary steps, in compliance with the New Jersey Local Public Contracts Law ("the Law"), or an exception to the Law, including any legal bidding requirements, under applicable law for the acquisition of such vehicles/equipment; and

**WHEREAS**, the terms of the Municipal Lease and Option Agreement as attached hereto, are in the best interests of the Town of Newton for the acquisition of such vehicles/equipment;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Town Council of the Town of Newton designates and authorizes the Town Manager and Chief Financial Officer to

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execute, attest, and deliver the Municipal Lease and Option Agreement and any related documents necessary for the consummation of the transactions contemplated by the Municipal Lease and Option Agreement; and

**BE IT FURTHER RESOLVED**, that the Governing Body of the Lessee hereby represents that the reasonably anticipated amount of qualified tax-exempt obligations which have been and will be issued by the Lessee does not exceed \$10,000,000 for the calendar year within which this Lease and Option Agreement is to be a "qualified tax-exempt obligation" pursuant to Section 265(b) of the Internal Revenue Code; and

**BE IT FURTHER RESOLVED** that the Town of Newton's Chief Financial Officer has certified that sufficient funds are available to pay the initial lease payment, which is due on June 1, 2013. Approval of this Resolution and Lease is subject to the appropriation by the Town Council of sufficient funds to make the lease payments for the years 2014 and 2015; and

**BE IT FURTHER RESOLVED**, that a copy of said Municipal Lease and Option Agreement be placed on file in the Office of the Municipal Clerk.

**RESOLUTION #73-2013\***

**INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2013 TOWN OF NEWTON BUDGET  
PURSUANT TO NJSA 40A:4-87 (C.159, PL 1948)**

**WHEREAS**, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation of equal amount; and

**WHEREAS**, the Town of Newton will receive payment in the amount of \$14,416.88 from the State of New Jersey Solid Waste Administration for a FY2013 Clean Community Grant;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following item of revenue in the 2013 Budget of the Town of Newton which is now available as revenue from:

Miscellaneous Revenues:  
Section F: Special Items of Revenue  
Public and Private Revenues Off-set with Appropriations:  
State of New Jersey Clean Community Grant..... \$ 14,416.88

**BE IT FURTHER RESOLVED** that the following like sum be and the same is hereby appropriated under the caption of:

General Appropriations:  
(A) Operations - Excluded from CAPS  
Public and Private Programs Off-Set by Revenues:  
State of New Jersey Clean Community Grant ..... \$ 14,416.88

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

**RESOLUTION #74-2013\***

**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.

**TOWN BILLS**

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

Check#	Vendor	Description	Payment	Check Total
31835	32 - B & R UNIFORM	PO 41591 UNIFORM REPLACEMENT	147.40	147.40
31836	39 - QUILL CORPORATION	PO 41387 CARPET PROTECTOR & PEN	57.48	
		PO 41563 PRINTING CRT ORDERS: CHEAPER TO GO	579.03	
		PO 41579 COLOR LASER PRINTER	175.00	811.51
31837	55 - SCHMIDT'S WHOLESALE, INC	PO 41584 HYDRANT @ DPW CUST #600	257.00	257.00
31838	64 - PELLOW, HAROLD & ASSO, INC.	PO 41580 MAR ENGINEERING	1,609.50	1,609.50
31839	65 - MUNICIPAL SOFTWARE, INC.	PO 41545 BANKING PC PROFILE	100.00	100.00
31840	84 - ABCODE SECURITY INC.	PO 40967 2ND QTR ALARM MONITORING	117.00	117.00
31841	102 - SUSSEX CAR WASH INC	PO 41059 APR POLICE CAR WASH	112.50	112.50
31842	106 - NUI CORPORATION	PO 41631 MAR NAT GAS #2 FIRE	94.60	94.60
31843	113 - JCP&L	PO 41602 MAR/APR ELECTRIC	7,553.25	7,553.25
31844	116 - NEW JERSEY HERALD, INC.	PO 41588 MAR ADVERTISING	460.06	460.06
31845	130 - SUSSEX COUNTY P & H, INC.	PO 41632 APR P & H SUPP'S	42.76	42.76
31846	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 40937 APR POLICE MOBILE DATA TERMINALS	121.39	121.39
31847	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 41574 LOCAL PHONE SERVICE APR	2,951.98	2,951.98
31848	170 - NEWTON BOARD OF EDUCATION	PO 41514 SENIOR SPRING LUNCHEON	150.00	150.00
31849	176 - COUNTY OF SUSSEX	PO 41627 2nd QTR PURPOSE TAX	761,134.70	761,134.70
31850	177 - COUNTY OF SUSSEX	PO 41628 2ND QTR HEALTH TAX	21,465.54	21,465.54
31851	178 - COUNTY OF SUSSEX	PO 41629 2ND QTR LIBRARY TAX	55,372.23	55,372.23
31852	179 - READ, LORRAINE	PO 41653 REIMB MILEAGE SANDYSTON	19.21	19.21
31853	192 - CAMPBELL'S SMALL ENGINE INC.	PO 41581 TRIMMER WACKER LINE & CHAINS	606.46	606.46
31854	199 - NEOPOST LEASING, INC.	PO 41570 2ND QTR POSTAGE MACH LEASE #N111115	504.00	504.00
31855	219 - TRI-STATE RENTALS, INC.	PO 41573 (2) TIRES	150.00	150.00
31856	255 - NEW JERSEY PLANNING OFFICIALS	PO 41560 AWARDS DINNER 5/3/13	385.00	385.00
31857	257 - FERRAIOLI, CERULLO & CUVA	PO 40517 2012 AUDITING SERV'S	8,910.00	
		PO 41666 LOSAP AUDIT 2012	1,500.00	10,410.00
31858	277 - SISCO, JAMES	PO 41103 MEAL ALLOWANCE	4.00	
		PO 41490 BOOT ALLOWANCE	200.00	204.00
31859	279 - STRAWAY, RICHARD A. JR.	PO 41105 MEAL ALLOWANCE	4.00	
		PO 41481 BOOT ALLOWANCE	200.00	204.00
31860	280 - STRAWAY, THOMAS	PO 41106 MEAL ALLOWANCE	4.00	
		PO 41482 BOOT ALLOWANCE	200.00	204.00
31861	336 - NEWTON TROPHY	PO 41577 PLAQUE FOR MR. TRUDGEON	84.27	84.27
31862	338 - SMITH, WILLIAM F	PO 40866 MEAL ALLOWANCE	8.00	
		PO 41486 BOOT ALLOWANCE	200.00	208.00
31863	365 - KITHCART, BROCK	PO 41104 MEAL ALLOWANCE	4.00	
		PO 41491 BOOT ALLOWANCE	200.00	204.00
31864	367 - TREASURER, STATE OF NEW JERSEY	PO 41635 1ST QTR MARRIAGE LICENSE (7)	175.00	175.00
31865	371 - T.A. MOUNTFORD COMPANY, INC.	PO 41443 COURT COPIER CONTRACT	250.00	250.00
31866	387 - HAGAMAN, WILLIAM	PO 41108 MEAL ALLOWANCE	4.00	
		PO 41485 BOOT ALLOWANCE	200.00	204.00
31867	409 - MINISINK PRESS INC	PO 41525 Spring Newsletter	622.50	
		PO 41597 POOL BROCHURE	465.00	1,087.50
31868	506 - CARR, JOSEPH	PO 41119 MEAL ALLOWANCE C-2 APP4 MILEAGE TRE	20.00	20.00
31869	556 - SUSSEX COUNTY ASSESSORS ASSOC.	PO 41394 S HOLZHAUER 2013 ASSOC. DUES STA	100.00	100.00
31870	633 - WEIS MARKETS, INC.	PO 41593 SUPPLIES FOR DED. CEREMONY/ACTION A	63.46	63.46
31871	643 - SHERWIN-WILLIAMS	PO 41571 PAINT COURT RM ACCT #5122-3815-5	240.64	240.64
31872	789 - GREATER NEWTON CHMBR OF COMM.	PO 41426 QTRLY DINNER T RUSSO & D FLYNN	60.00	60.00
31873	874 - MILLIKIN, DEBRA	PO 41650 MILEAGE TO TRENTO FROM PIC MEETING	80.29	80.29
31874	1011 - LASSO, ERVIN	PO 40852 MEAL ALLOWANCE	4.00	4.00
31875	1132 - BOONTON TIRE SUPPLY INC.	PO 40862 POLICE VEHICLE MAINT MARCH	1,225.06	
		PO 41611 TRK #17 U6 BALL JOINTS RIGHT SIDE	764.64	1,989.70
31876	1141 - MCGUIRE, INC.	PO 41572 MIRROR TRK #10 ACCT #2252	234.82	234.82
31877	1158 - VISION SERVICE PLAN	PO 40944 VISION ACCT #12 133820 0001	762.80	762.80
31878	1212 - STATEWIDE INSURANCE FUND	PO 41659 2ND OF 4 INS ALL LINES W/C & UMBREL	52,707.77	52,707.77
31879	1280 - VERIZON WIRELESS, INC.	PO 40936 APR 1X AIRCARDS	190.41	190.41
31880	1425 - COUNTY OF SUSSEX	PO 41630 2ND QTR OPEN SPACE TAX	3,756.99	3,756.99
31881	1532 - PRIME TIME NEWTON SENIORS	PO 41677 2013 CONTRIBUTION	3,000.00	3,000.00
31882	1556 - NENA	PO 40848 MEMBERSHIP #11664911	130.00	130.00
31883	1656 - WILDFLOWERS WITH TAMI	PO 41436 APRIL FLOWERS	125.00	125.00
31884	1714 - JAEKEL, KENNETH	PO 41480 BOOT ALLOWANCE	200.00	200.00
31885	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 41471 MARTORANA MARCH	315.00	315.00

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31886	1866 - HOME DEPOT, INC.	PO 41550 PAINT SUPP'S	421.41	
		PO 41600 TOOLS	112.85	
		PO 41642 PAINT SUPPLIES COURT RM	37.28	571.5
31887	1872 - RR DONNELLEY	PO 41522 VITAL RECORD PAPER BLUE	312.50	312.5
31888	1900 - CARQUEST, INC.	PO 41582 FUSE CUST #253521	6.72	6.7
31889	1936 - ROGO FASTENER CO., INC.	PO 41646 BITS & TUBING ACCT #107936	215.57	215.5
31890	2166 - MATTHEW BENDER & CO., INC.	PO 41463 HANDBOOKS ACCT #9098647001	141.90	141.9
31891	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 41049 POLICE/CENCOM/DETECT OFFICE SUPPLY	966.00	
		PO 41459 INK CART'S LARGE ENVELOPES	418.35	
		PO 41535 2ND FLR OFFICE SUPPLIES	88.51	
		PO 41530 2ND FLR OFFICE SUPPLIES	50.35	
		PO 41541 OFFICE SUPPLIES	139.91	1,663.1
31892	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 41607 NOTARY SUPP'S	188.54	188.5
31893	2268 - FIRST HOPE BANK INC.	PO 41622 2011 EXPLORER 4WD POLICE VEH LEASE	11,201.48	11,201.4
31894	2300 - LOWE'S, INC.	PO 41639 DPW PAINT SUPPLIES	55.43	55.4
31895	2353 - Katherine Citterbart	PO 41606 REIMB NOTARY	15.00	15.0
31896	2387 - NESTLE WATERS, INC.	PO 41583 APR BOTTLED WATER	41.01	41.0
31897	2400 - STEVE ESTLER	PO 41100 MEAL ALLOWANCE	4.00	
		PO 41487 BOOT ALLOWANCE	200.00	204.0
31898	2421 - NJ DRUG RECOGNITION EXPERTS ASSOC.	PO 41355 ANNUAL MEMBERSHIP (2)	50.00	50.0
31899	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 41651 GAS ACCT #40382	4,858.46	4,858.4
31900	2479 - TAYLOR OIL CO., INC.	PO 41518 DIESEL ACCT #62714	6,002.68	6,002.6
31901	2514 - ERIC TOMPKINS	PO 40850 MEAL ALLOWANCE	6.00	6.0
31902	2518 - DAWN BABCOCK	PO 41587 REIMB MILEAGE PURCHASE CLASS	158.20	
		PO 41676 REIMB MILEAGE PURCHASING COURSE	62.15	220.3
31903	2532 - LADDEY, CLARK & RYAN, LLP	PO 40838 TAX APPEAL LITIGATION FOR 2012 APPE	960.00	
		PO 41657 APRIL RAIL ROAD LOT SALE	450.00	
		PO 41670 LEGAL SERVICES APR	7,824.00	9,234.0
31904	2540 - ADAM VOUGH	PO 41099 MEAL ALLOWANCE	4.00	
		PO 41483 BOOT ALLOWANCE	200.00	204.0
31905	2576 - JOSEPH WHITE	PO 41107 MEAL ALLOWANCE	4.00	4.0
31906	2576 - JOSEPH WHITE	PO 41489 BOOT ALLOWANCE	200.00	200.0
31907	2626 - GENERAL CODE, LLC	PO 41559 ANNUAL MAINT CODE BOOKS & EDITORIAL	1,905.75	1,905.7
31908	2675 - TIRE KING, INC.	PO 41442 ROAD CALL & O-RING'S ACCT #4122	164.00	164.0
31909	2704 - GRAND HOTEL OF CAPE MAY	PO 41429 COURT CONF. HOTEL 6/3-5	411.00	411.0
31910	2718 - WILLIAM OSWIN III	PO 41102 MEAL ALLOWANCE	4.00	4.0
31911	2718 - WILLIAM OSWIN III	PO 41488 BOOT ALLOWANCE	200.00	200.0
31912	2765 - CODE 96	PO 41343 DESKTOP/MULLER	203.63	
		PO 41423 SERVER EQUIPMENT	329.00	532.6
31913	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 41055 APR LEGAL SERV'S	2,540.00	2,540.0
31914	2835 - NJMEBF	PO 41595 MAY MEDCAL & DENTAL	133,086.00	133,086.0
31915	2843 - CHELBUS CLEANING CO., INC.	PO 41625 MAY CLEANING TOWN BLDGINGS	2,010.00	2,010.0
31916	2844 - NORTH JERSEY COURT ADMIN. ASSOC.	PO 41431 Dues Court Admin & Deputy	60.00	60.0
31917	2848 - ROY LEYMAN	PO 41101 MEAL ALLOWANCE	4.00	4.0
31918	2848 - ROY LEYMAN	PO 41484 BOOT ALLOWANCE	200.00	200.0
31919	2854 - DUSTIN MCGARRY	PO 40851 MEAL ALLOWANCE	5.00	5.0
31920	2872 - DIRECT ENERGY BUSINESS INC.	PO 41601 MAR ELECTRIC	6,192.28	6,192.2
31921	2902 - JANIEN N ROBERTS	PO 41605 REIMB NOTARY	15.00	15.0
31922	2938 - WOODRUFF ENERGY US, INC.	PO 41624 MAR NATURAL GAS FIRE #2	57.04	57.0
31923	3092 - IACP NET/Login, INC.	PO 41592 IACP NET MEMBERSHIP FEE	800.00	800.0
31924	3108 - SPARTA POSTMASTER	PO 41594 2013 FIRST CLASS & STANDARD MAIL PE	200.00	200.0
31925	3124 - EXTRA TECH DATA SERVCIES LLC	PO 41596 CONNECT SOLAR PANEL EQ TO NETWORK	90.00	90.0
31926	3141 - SONIA BARRIA	PO 41427 SPANISH INTERPRETER	280.00	280.0
31927	3164 - KERRY DECKERT	PO 41461 REIMBURSEMENT FOR OVERNIGHT STAY	91.03	91.0
31928	3199 - D. LOVENBERG'S PORTABLE TOILET RENT	PO 41517 PORT A JOHNS PARK/PARKNRIDE/PINE ST	712.50	712.5
31929	3233 - FASTENAL COMPANY, INC.	PO 41524 SAFETY EYEWASH cust #NJSPA0642	94.97	94.9
31930	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 41576 MAR PLANNING	678.00	678.0
31931	3308 - KIMBERLY MASON-WILLIAMS	PO 41435 MILEAGE TO ASSESSORS CLASS	259.30	259.3
31932	3311 - LA POLICE GEAR	PO 40712 HOLSTERS CUST #725221	149.97	149.9
31933	3352 - LANGUAGE WORKS, INC.	PO 41433 INTERPRETER CHINESE, POLISH	570.00	570.0
31934	3353 - BURLINGTON CNTY MUNIC COURT ASSOC	PO 41430 Conf Regis- Court Administrator	225.00	225.0
31935	3356 - CROWNE PLAZA PHILADELPHIA CHERRY HI	PO 41476 L ROTH ROOM FOR CONF (5/20-5/23/13)	285.00	285.0
31936	3357 - ICORE SYSTEMS	PO 41528 DEFENSIVE DRIVING COURSE (20)	150.00	150.0

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31937	3358 - HOMEFRONT PROTECTIVE GROUP INC	PO 41544 POLICE SUPERVISION COURSE (2)	130.00	130.00
31938	3359 - PUBLIC ENGINES, INC.	PO 41549 ANNUAL SUBSCRIPTION	1,417.80	1,417.80
TOTAL				<u>1,120,298.31</u>

Total to be paid from Fund 10 CURRENT FUND 1,120,298.31  
1,120,298.31

Checks Previously Disbursed

131035	CAPITAL ACCOUNT	repay 4/12 interfund for school pa	1,000,000.00	5/08/2013
131034	PAYROLL ACCOUNT	5/02 CWA RETRO SSI	309.70	5/07/2013
131037	PAYROLL ACCOUNT	5/9 CURRENT PAY	197,229.47	5/09/2013
131036	Elavon (merchant svc)	MAY COURT Merchant fee	85.29	5/06/2013
11834	THOMAS S RUSSO JR	65 MILES REIMB NJPO CONFERENCE	36.73	5/06/2013
11833	OCEAN PLACE RESORT	PO# 41458 Hotel 5/8 & 5/9 L.DELORETO	369.36	5/02/2013
11832	MCAA OF NJ -SPRING CONFERENCE	PO# 41457 CONFERENCE: DELORETO	225.00	5/02/2013
11831	HARLEYSVILLE LIFE INSURANCE COMPANY	PO# 41369 FIRE ACC/LIFE INSURANCE 3/1/13-2/2	258.31	5/02/2013
11830	THOMAS S RUSSO JR	Mileage reimb sc managers lunch me	13.56	5/02/2013
131035	Elavon (merchant svc)	APR court merchant fee	73.14	5/01/2013
11828	KRAVE CAFE	PO# 41643 REDEVELOPMENT LUNCH MEETING	37.00	4/30/2013
131034	PAYROLL ACCOUNT	5/02 CWA RETRO CURR PAY	4,048.42	5/02/2013
11827	KRAVE CAFE	LUNCH (4) ADMIN PROF DAY	126.00	4/24/2013
131033	PAYROLL ACCOUNT	4/25 CURRENT PAY	191,019.78	4/23/2013
131032	TRUST ACCOUNT, TOWN OF NEWTON	PAY 2012 ACCUMULATED ABSENCE OVER	20,000.00	4/22/2013
131031	CHASE BANK	2012 Refund USDA debt p \$1685T @3.	105,000.00	4/17/2013
131030	CHASE BANK	2012 Refund USDA \$1,685 int	29,412.50	4/30/2013
			<u>1,548,244.26</u>	

Total paid from Fund 10 CURRENT FUND 1,548,244.26  
1,548,244.26

Total for this Bills List: **2,668,542.57**

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

Check#	Vendor	Description	Payment	Check Total
1133	633 - WEIS MARKETS, INC.	PO 41593 SUPPLIES FOR DED. CEREMONY/ACTION A	15.96	15.96
1134	3164 - KERRY DECKERT	PO 41460 ACTION ALLIANCE	250.00	250.00
TOTAL				<u>265.96</u>

Total to be paid from Fund 11 FEDERAL/STATE GRANTS 265.96  
265.96

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

Check#	Vendor	Description	Payment	Check Total
8102	64 - PELLOW, HAROLD & ASSO, INC.	PO 41580 MAR ENGINEERING	470.25	470.25
8103	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC	PO 38948 ARMORY REDEV MAR	1,547.94	1,547.94
8104	1461 - SPARTA READY MIX	PO 41532 CONCRETE FOR BLEACHERS	3,315.00	3,315.00
8105	1797 - THE PHILLIPS COMPANIES, INC.	PO 41569 SEALER ACCT #1788	61.00	61.00
8106	1866 - HOME DEPOT, INC.	PO 41599 BLEACHER/DEDICATION SUPP'S	763.02	763.02
8107	1973 - EXCELSIOR LUMBER COMPANY INC.	PO 41417 BOARDS & WOOD ACCT #314280	80.08	80.08
8108	2300 - LOWE'S , INC.	PO 41640 CEILING TILE MUNIC BLDG COURT RM	693.20	693.20
8109	2425 - LIBERTY SOD FARMS, INC.	PO 41679 SOD FOR BLEACHERS	930.00	930.00
8110	2532 - LADDEY, CLARK & RYAN, LLP	PO 41670 LEGAL SERVICES APR	384.00	384.00
8111	3080 - WINGLE SUPPLY COMPANY INC.	PO 41531 CONCRETE SEALER FOR BLEACHERS CU	118.73	118.73
8112	3124 - EXTRA TECH DATA SERVCIES LLC	PO 41608 SET-UP FUEL SYSTEM TO NETWORK	440.00	440.00
8113	3216 - KOZDEBA & SON LLC.	PO 41527 STONE BLEACHERS & GRAND WTR BREAK	362.50	362.50
8114	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 41576 MAR PLANNING	649.75	649.75
8115	3286 - V & K CONSTRUCTION, INC.	PO 40347 STREETSCAPE IMPROVEMENTS LOWER SPRI	33,614.00	33,614.00
8116	3345 - MODERN OFFICE	PO 41358 (3) CHAIRS FOR CENCOM	1,254.00	1,254.00
TOTAL				44,683.47
Total to be paid from Fund 30 CAPITAL		44,683.47		
		<u>44,683.47</u>		
<b>Checks Previously Disbursed</b>				
33002	PAYROLL ACCOUNT	4/25 CAPITAL PAY	146.92	4/23/2013
			-----	
			146.92	
Total paid from Fund 30 CAPITAL		146.92		
		-----		
		146.92		
Total for this Bills List: <b>44,830.39</b>				

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

Check#	Vendor	Description	Payment	Check Total
13551	39 - QUILL CORPORATION	PO 41579 COLOR LASER PRINTER	174.99	174.99
13552	55 - SCHMIDT'S WHOLESALE, INC	PO 41584 HYDRANT @ DFW CUST #600	20.77	20.77
13553	64 - PELLOW, HAROLD & ASSO, INC.	PO 41580 MAR ENGINEERING	10,786.25	10,786.25
13554	65 - MUNICIPAL SOFTWARE, INC.	PO 41545 BANKING PC PROFILE	50.00	50.00
13555	70 - HACH COMPANY	PO 41633 STP LAB SUPPLIES ACCT #9410	165.34	165.34
13556	113 - JCP&L	PO 41602 MAR/APR ELECTRIC	5,803.20	5,803.20
13557	115 - MADDEN, JOHN	PO 41493 BOOT ALLOWANCE	200.00	200.00
13558	121 - PUMPING SERVICES, INC.	PO 41215 1ST QTR INSPECT STP	3,946.74	3,946.74
13559	130 - SUSSEX COUNTY P & H, INC.	PO 41632 APR P & H SUPP'S	88.40	88.40
13560	143 - BALDWIN, PAUL	PO 41492 BOOT ALLOWANCE	200.00	200.00
13561	144 - HAVENS, PAUL M.	PO 41494 BOOT ALLOWANCE	200.00	200.00
13562	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 40907 APR WOODSIDE AVE PS 9733834159 ACCT	33.41	33.41
13563	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 40938 W/S T-1 LINE 127-1000 MAR	125.85	125.85
13564	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 41574 LOCAL PHONE SERVICE APR	1,220.18	1,220.18
13565	192 - CAMPBELL'S SMALL ENGINE INC.	PO 41543 FILTERS & BELTS	166.70	166.70
13566	200 - GARDEN STATE LABORATORIES INC	PO 40950 DRINKING/WASTEWATER ANALYSIS MAR	4,765.00	4,765.00
13567	231 - ZEP MANUFACTURING COMPANY	PO 41575 GREASE FOR STP	1,711.23	1,711.23
13568	257 - FERRAIOLI, CERULLO & CUVA	PO 40517 2012 AUDITING SERV'S	9,450.00	9,450.00
13569	409 - MINISINK PRESS INC	PO 41525 Spring Newsletter	622.50	622.50
13570	506 - CARR, JOSEPH	PO 41119 MEAL ALLOWANCE C-2 APP& MILEAGE TRE	174.10	
		PO 41515 BOOT ALLOWANCE	200.00	
		PO 41585 REIMB FOR SPECIAL PENS	294.98	669.08
13571	611 - SEBRING AUTO PARTS, INC.	PO 41542 BULB ACCT #46	2.78	2.78
13572	853 - R&D TRUCKING INC	PO 41566 SLUDGE REMOVAL (SEWER PLANT) 2013	4,832.00	4,832.00
13573	1011 - LASSO, ERVIN	PO 40852 MEAL ALLOWANCE	87.00	
		PO 41495 BOOT ALLOWANCE	200.00	287.00
13574	1062 - INSTRUMENTATION TECH SYSTEMS, INC.	PO 38865 3 RD OR 4 QTRLY VISIT CONMPUTER & C	1,200.00	1,200.00
13575	1158 - VISION SERVICE PLAN	PO 40944 VISION ACCT #12 133820 0001	186.54	186.54
13576	1212 - STATEWIDE INSURANCE FUND	PO 41659 2ND OF 4 INS ALL LINES W/C & UMBREL	47,037.23	47,037.23
13577	1271 - JCI JONES CHEMICALS, INC	PO 41551 SULFUR DIOXIDE	502.50	
		PO 41552 CHLORINE STP	450.00	952.50
13578	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 40942 SLUDGE DISPOSAL -WWT(Blanket)	6,300.00	6,300.00
13579	1866 - HOME DEPOT, INC.	PO 41598 W/S APR SUPP'S	183.57	183.57
13580	2212 - PROCESS TECH SALES AND SERVICE	PO 41446 3/27 SERVICE CALL WTP & TURBIDITY	1,042.95	
		PO 41567 CHLORINE SENSOR (499ACL)	932.82	1,975.77
13581	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 41434 (3) INK CART WTP	100.97	100.97
13582	2514 - ERIC TOMPKINS	PO 40850 MEAL ALLOWANCE	69.00	
		PO 41496 BOOT ALLOWANCE	200.00	269.00
13583	2532 - LADDEY, CLARK & RYAN, LLP	PO 41670 LEGAL SERVICES APR	96.00	96.00
13584	2709 - ACCURATE WASTE REMOVAL INC.	PO 41135 MARCH SLUDGE REMOVAL	6,823.80	6,823.80
13585	2835 - NMBEF	PO 41595 MAY MEDCAL & DENTAL	24,133.00	24,133.00
13586	2854 - DUSTIN MCGARRY	PO 40851 MEAL ALLOWANCE	37.00	
		PO 41497 BOOT ALLOWANCE	200.00	237.00
13587	2872 - DIRECT ENERGY BUSINESS INC.	PO 41601 MAR ELECTRIC	6,459.78	6,459.78
13588	3108 - SPARTA POSTMASTER	PO 41594 2013 FIRST CLASS & STANDARD MAIL PE	200.00	200.00
13589	3166 - HATCH MOTT MACDONALD	PO 40182 COMPLETE SEWER MASTER PLAN WITH MOD	9,090.48	9,090.48
13590	3216 - KOZDEBA & SON LLC.	PO 41527 STONE BLEACHERS & GRAND WTR BREAK	900.00	900.00
13591	3346 - PENN JERSEY MACHINERY	PO 41455 ELEMENT SEPARATOR	68.63	68.63
13592	3357 - ICORE SYSTEMS	PO 41528 DEFENSIVE DRIVING COURSE (20)	50.00	50.00
TOTAL				151,785.69
Total to be paid from Fund 60 WATER/SEWER UTILITY		151,785.69		
		<u>151,785.69</u>		

Checks Previously Disbursed

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

Check#	Vendor	Description	Payment	Check Total
136020	PAYROLL ACCOUNT	1/17 W/S PAYROLL	36,860.83	5/09/2013
136019	PAYROLL ACCOUNT	4/25 W/S PAYROLL	33,636.72	4/25/2013
136018	CHASE BANK	2012 Refund WS USDA int \$8,525	159,106.25	4/30/2013
136017	CHASE BANK	2012 Refund W/S USDA prin \$8525T @	200,000.00	4/30/2013
136016	PAYROLL ACCOUNT	4/18 W/S 2013 Retro local 911 (w/s	2,267.41	4/15/2013
			431,871.21	
Total paid from Fund 60 WATER/SEWER UTILITY		431,871.21		
		<u>431,871.21</u>		

Total for this Bills List: **583,656.90**

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

Check#	Vendor	Description	Payment	Check Total
2283	64 - PELLOW, HAROLD & ASSO, INC.	PO 41580 MAR ENGINEERING	31.25	31.25
TOTAL				31.25
Total to be paid from Fund 61 WATER/SEWER CAPITAL			31.25	
			<u>31.25</u>	
			31.25	

**Checks Previously Disbursed**

126113	WATER & SEWER OPERATING ACCT	PAY W/S CAP RES VEHT SVC TO 2013 W	13,668.00	3/28/2013
			<u>13,668.00</u>	
Total paid from Fund 61 WATER/SEWER CAPITAL			13,668.00	
			<u>13,668.00</u>	

Total for this Bills List: **13,699.25**

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

Check#	Vendor	Description	Payment	Check Total
3124	64 - PELLOW, HAROLD & ASSO, INC.	PO 41678 NEWTON HOSPITAL-FEBRUARY 2013 ESCRO	1,058.75	
		PO 41580 MAR ENGINEERING	1,250.00	
		PO 41609 J&R DEVEL/J PUTRINO/TWN SQ GRDNG-20	125.00	
		PO 41610 KEN MARTIN/KOHL'S-MARCH ESCROW	156.25	
		PO 41613 EJ BROOKS-MARCH ESCROW	31.25	
		PO 41614 WEIS-MARCH 2013 ESCROW	31.25	
		PO 41616 NEWTON HOSPITAL-MARCH 2013 ESCROW	342.50	
		PO 41623 NVE-OCCHINFINTO-MARCH 2013 ESROW	472.75	3,467.75
3125	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC	PO 41669 RPM REDEV	1,462.00	1,462.00
3126	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 41348 EJ BROOKS - MAR ESCROW	169.50	
		PO 41345 NEWTON HOSPITAL-MARCH 2013 ESCROW	904.00	
		PO 41576 MAR PLANNING	932.25	2,005.75
TOTAL				6,935.50
Total to be paid from Fund 71 TRUST			6,935.50	
			<u>6,935.50</u>	

**Checks Previously Disbursed**

137111	PAYROLL ACCOUNT	5/9 TRUST PAY	275.00	5/09/2013
137110	PAYROLL ACCOUNT	4/25 TRUST PAY	618.75	4/23/2013
			<u>893.75</u>	
Total paid from Fund 71 TRUST			893.75	
			<u>893.75</u>	

Total for this Bills List: **7,829.25**

**List of Bills - (720001) CASH - DEV ESCROW - LAKELAND #515**

**DEVELOPERS ESCROW (Fund 72)**

Check#	Vendor	Description	Payment	Check Total
1125	64 - FELLOW, HAROLD & ASSO, INC.	PO 41580 MAR ENGINEERING	86.00	
		PO 41615 MARTORANA/GRANDE VILLAGGIO-MARCH 20	930.00	
		PO 41617 THORLABSJAN	93.75	
		PO 41619 THORLABS-MARCH 2013 ESCROW	655.00	
		PO 41620 THORLAB-MARCH 2013 ESCROW	342.50	
		PO 41621 THORLABS-MARCH 2013 ESCROW	43.00	2,150.25
1126	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 41467 MARTORANA-MARCH 2013 ESCROW	195.00	
		PO 41471 MARTORANA MARCH	315.00	
		PO 41618 THORLABS-MARCH 2013 ESCROW	105.00	615.00
1127	2852 - FERRIERO ENGINEERING INC.	PO 41438 MARTORANA-2013 MARCH ESCROW	600.00	600.00
1128	2963 - THE BUZAK LAW GROUP, LLC.	PO 41537 MARTORANO FEB/MAR	50.00	50.00
1129	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 41437 MARTORANA-MARCH 2013	508.50	
		PO 41576 MAR PLANNING	226.00	734.50
TOTAL				4,149.75
Total to be paid from Fund 72 DEVELOPERS ESCROW (Fund 72)		4,149.75		
		4,149.75		

**RESOLUTION #75-2013\***

**APPOINTMENT OF MELISSA LOGAN AS A REGULAR MEMBER OF THE NEWTON PLANNING**

**WHEREAS**, there is currently a vacancy on the Town of Newton Planning Board due to the resignation of Anthony Torre; and

**WHEREAS**, Melissa Logan, currently Alternate No. 1 on the Planning Board, has expressed interest in serving as a Regular Member of the Planning Board;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that Melissa Logan is hereby appointed to an unexpired four-year term as a Regular Member of the Newton Planning Board, effective immediately with said term continuing to December 31, 2015.

The Municipal Clerk presented a membership application for William J. Demarest, 10 Glenn Brook Drive, Hampton into the Newton Fire Department. It was noted that the membership application was in order and was signed by the Chief of the Newton Fire Department.

Mr. Russo noted that an additional Resolution was added to the agenda.

Upon motion of Mrs. Becker, seconded by Mr. Flynn, to add Resolution #77-2013 to the consent agenda and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes
Mayor Diglio		Absent	

**RESOLUTION #77-2013\***

**AUTHORIZING A CONTRACT WITH APPRAISAL SYSTEMS, INC., FOR THE REASSESSMENT OF ALL REAL PROPERTY FOR TAX EQUALIZATION PURPOSES**

**WHEREAS**, a need exists for the reassessment of all real property in the Town of Newton for tax equalization purposes; and

**WHEREAS**, the Town of Newton has taken the necessary steps, in compliance with the New Jersey Local Public Contracts Law, including exceptions and legal bidding requirements, for the reassessment of such real property; and

**WHEREAS**, entering into a contract with Appraisal Systems, Inc., for the Reassessment of All Real Property for Tax Equalization Purposes ("Contract") as attached hereto, and made a part of this Resolution, is in the best interests of the Town of Newton;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Town Council of the Town of Newton hereby authorize the Mayor and Clerk to execute the attached Contract; and

**BE IT FURTHER RESOLVED**, that the Town of Newton's Chief Financial Officer has certified that sufficient funds are available to pay the Contract consideration of \$98,900 over the term of the Contract, as attached hereto.

A motion was made by Mrs. Becker to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Mr. Elvidge and roll call resulted as follows:

Mrs. Becker	Yes	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes *w/abstention
Mayor Diglio		Absent	

\*Mr. Flynn abstained from check #1127 on the bill list.

**INTERMISSION**– 5 Minutes

**DISCUSSION**

**a. Property Maintenance Code Penalty Ordinance - Draft**

Ursula Leo, Esq. outlined the Property Maintenance Code Penalty Ordinance. Mrs. Leo noted that a penalty provision was added to the current ordinance. After a brief discussion, Council unanimously agreed to move forward and introduce the ordinance on May 29, 2013.

**b. Commercial Vehicle Ordinance - Draft**

Ursula Leo, Esq. and Jessica Caldwell, Town Planner, presented Council with a draft ordinance on commercial vehicles. After a lengthy discussion, Council requested the draft ordinance be updated, with the recommended amendments, and carried for further discussion at the next Council meeting on Wednesday, May 29<sup>th</sup>.

**c. Zoning Tax Map - Draft**

Jessica Caldwell, Town Planner, updated Council on the Zoning Map amendments and corrections in order to comply with the current ordinances. After a brief discussion, Council agreed to move forward with the recommendations of the Town Planner.

**OPEN TO THE PUBLIC**

Deputy Mayor Ricciardo opened the hearing to the public.

May 13, 2013

At this time, Mrs. Leo addressed the questions of John McChasney, owner of two properties in Newton. Mr. McChasney advised that he is concerned due of the lack of ability to control the tenants.

Matt Olinsky, owner of property in Newton, disagreed with the ordinance and feels that the ordinance is punishing the landlords. Mr. Olinsky feels that this ordinance will penalize the landlord twice: 1) The tenant's non-payment for rent; 2) The possibility of the penalty to a landlord after a hearing.

Herb Frasier, 47 Phillips Road, owner of boarding homes in Newton, questioned whether boarding homes were included in this ordinance and was advised by Mrs. Leo that this does not cover boarding homes but there is current pending State legislation which does incorporate the boarding homes.

Fred Judge, owner of several properties in Newton, expressed his disappointment with this ordinance and suggested that the ordinance be tabled and revisited prior to adoption.

Mrs. Leo outlined the guidelines in the ordinance and advised that the landlords will be notified three times prior to a hearing date.

Anwar Qarmout, 45 Woodside Avenue, made several suggestions for streamlining the ordinance.

Mr. Russo highlighted the guidelines of the ordinance and outlined the burdens felt by the municipality, without such an ordinance.

Kate McChesney, 4 North Shore Trail, Sparta, and property owner in Newton, questioned whether a domestic violence conviction by the tenant is associated with this ordinance, which was addressed by Mrs. Leo.

Herb Frasier, 47 Phillips Road, Newton, questioned whether hotel/motel rooms are covered under this proposed ordinance and was advised that hotel/motel rooms are regulated by the State and are not part of this ordinance.

Michael Malone, 59 Trinity Street, questioned the landlord definition and was advised by Mrs. Leo that this ordinance covers landlords with 4 units or less and that the addition of boarding homes and rooming homes will be added automatically once passed by legislation. It was noted that another public hearing will be held at the next Council meeting on Wednesday, May 29, 2013 prior to adoption of this ordinance.

Anwar Qarmout, 45 Woodside Avenue, questioned whether this ordinance

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applies to homeowners and was advised that this ordinance applies to rental units with one to four units.

Chief Richards noted that the Newton Police Department has an automated system which provides alerts to residents who have signed up. Go to [www.newtonpolice.org](http://www.newtonpolice.org) for more information.

Nanette Thomas, 7 Orchard Street, suggested that the Town provide a list of landlords with name and address in the Town of Newton. Mrs. Thomas suggested that all landlords should obtain a certificate of occupancy for all new tenants.

Mr. Boyle, 12 James Street, Newton, questioned whether business owners are responsible for tenants renting commercial space and was advised that it only applies to "living space" rentals.

There was no one else from the public to be heard.

#### **COUNCIL & MANAGER COMMENTS**

Deputy Mayor Ricciardo questioned the JCP&L property on East Stuart Street and Mr. Russo will obtain a report on same.

Deputy Mayor Ricciardo inquired about the repair on the Newton pool and was advised that Mr. Russo will obtain an update from Mrs. Deckert and advise Council.

Councilman Flynn inquired about Morris Lake fishing permits, which have been on hold due to insurance concerns and was advised by Mr. Russo that safety measures and additional policies are being drafted and noted that the Lake should open in May.

#### **EXECUTIVE SESSION**

Mr. Russo read Resolution #76-2013 and Council entered into Executive Session at 8:37 p.m.

Upon motion of Mr. Elvidge, seconded by Deputy Mayor Ricciardo and carried, Council left Executive Session at 10:17 p.m.

There being no further business to be conducted, upon motion of Mrs. Becker, seconded by Deputy Mayor Ricciardo and unanimously carried, the meeting was adjourned at 10:18 p.m.

Respectfully submitted,

Lorraine A. Read, RMC  
Municipal Clerk

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