



AGENDA
NEWTON TOWN COUNCIL
APRIL 14, 2014
7:00 P.M.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

- MARCH 24, 2014 REGULAR MEETING
- MARCH 24, 2014 EXECUTIVE MEETING

V. PRESENTATION

- a. PROCLAMATION – NEWTON GIRLS VARSITY BASKETBALL TEAM

VI. 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.

VII. COUNCIL & MANAGER REPORTS

- a. PROCLAMATION – NEWTON FIRE DEPARTMENT

VIII. ORDINANCES

- a. 2ND READING & PUBLIC HEARING

ORDINANCE 2014-5

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$300,000 FOR THE CONSTRUCTION OF A 20" HDPE WATER TRANSMISSION MAIN ACROSS FOX HOLLOW LAKE IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

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

ORDINANCE 2014-6

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$1,912,000 THEREFOR, INCLUDING A \$165,000 NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT EXPECTED TO BE RECEIVED, AND AUTHORIZING THE ISSUANCE OF \$1,473,275 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 2014-7

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 2008-6 OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY FINALLY ADOPTED NOVEMBER 10, 2008 IN ORDER TO INCREASE THE COSTS FOR ITEMS OF EXPENSE LISTED IN AND PERMITTED UNDER N.J.S.A. 40A:2-20

ORDINANCE 2014-8

ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, ESTABLISHING A SPECIAL IMPROVEMENT DISTRICT AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

IX. OLD BUSINESS

X. HEARING ON THE INTRODUCED 2014 BUDGET

a. 2014 MUNICIPAL AND WATER & SEWER UTILITY INTRODUCED BUDGET

1. OPEN HEARING
2. PUBLIC COMMENT
3. CLOSE HEARING

XI. RESOLUTION

a. RESOLUTION #62-2014

AMENDMENT TO THE 2014 INTRODUCED BUDGET

XII. HEARING ON THE 2014 AMENDED BUDGET

a. 2014 MUNICIPAL AND WATER & SEWER UTILITY AMENDED BUDGET

1. OPEN HEARING
2. PUBLIC COMMENT
3. CLOSE HEARING
4. ACT ON AMENDED BUDGET

XIII. 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 #63-2014* CONCUR WITH THE RECOMMENDATION OF THE UTILITY ADVISORY BOARD IN ALLOCATING WATER AND SEWER GALLONAGE FOR MARTORANA ENTERPRISES FOR GRANDE VILLAGIO
- b. RESOLUTION #64-2014* SUPPORT THE USE OF A "NO PASSING ZONE" ON ROUTE 94 IN THE TOWN OF NEWTON
- c. RESOLUTION #65-2014* INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2014 TOWN OF NEWTON BUDGET PURSUANT TO NJSA 40A:4-87 (C. 159, PL 1948)
- d. RESOLUTION #66-2014* APPROVE PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY
- e. RESOLUTION #67-2014* RESOLUTION TO SUPPORT THE SUBMISSION OF A TONNAGE GRANT APPLICATION FOR RECYCLING TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
- f. RESOLUTION #68-2014* RESOLUTION APPOINTING A HEARING OFFICER AND ALTERNATE PURSUANT TO CHAPTER 213, ARTICLE III OF THE CODE OF THE TOWN OF NEWTON RELATED TO HOLDING CERTAIN LANDLORDS RESPONSIBLE FOR DISORDERLY TENANT BEHAVIOR
- g. RESOLUTION #69-2014* LIFTING OF THE WATER RESTRICTIONS FOR THE TOWN OF NEWTON
- h. RESOLUTION #70-2014* REFUND OF MONIES FOR TAXES, DUE TO A STATE TAX COURT JUDGMENT FOR BLOCK 8.03, LOT 13
- i. RESOLUTION #71-2014* AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER FOR BLOCK 14.03, LOT 10
- j. RESOLUTION #72-2014* REFUND OF MONIES FOR TAXES, DUE TO A STATE TAX COURT JUDGMENT FOR BLOCK 13.05, LOT 25
- k. RESOLUTION #73-2014* RESOLUTION SUPPORTING THE *DISTRACTED DRIVING 2014 CRACKDOWN* OF APRIL 1-21, 2014
- l. RESOLUTION #74-2014* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- m. APPLICATION* AN APPLICATION FOR AN ON-PREMISE RAFFLE (50-50 & RAFFLE) FROM THE PRIDE FOUNDATION, INC., TO BE HELD ON FRIDAY, MAY 9, 2014 FROM 6:00PM TO 11:00PM AT MERRIAM AVENUE SCHOOL, 81 MERRIAM AVENUE, NEWTON

AN APPLICATION FOR AN OFF-PREMISE RAFFLE (50-50) FROM THE PRIDE FOUNDATION, INC., TO BE HELD ON WEDNESDAY, JUNE 18, 2014 AT 7:00PM AT NEWTON HIGH SCHOOL, 44 RYERSON AVENUE, NEWTON

XIV. DISCUSSION

a. ZONING ORDINANCE

XV. OPEN TO THE PUBLIC

XVI. COUNCIL & MANAGER COMMENTS

XVII. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

2013-2014 Newton Varsity Girls' Basketball Team

WHEREAS, the Newton Girls' Basketball program provides the young women of our community an opportunity to participate in an organized sport during the school year, and

WHEREAS, under the direction of Head Coach Whitney Dugan and Assistant Coaches Lisa Casamassina and Chris Dugan, the Varsity Girls' Basketball Team takes pride in their 2013-2014 season with a NJAC Freedom Division League record of 13-1 and an overall season record of 24-4, and

WHEREAS, the Team's Captains, Seniors, Morgan Euston, Hannah Buckley, and Kayla Delnero led the team to earning the title of NJAC Freedom Division Co-Champions, North 1, Group 2 Sectional Champions and State Runner-up for Group 2; and

WHEREAS, the Team was further recognized by the New Jersey Herald and Mugs Media, naming them "Team of the Year" with the New Jersey Herald naming Coach Whitney Dugan "Coach of the Year" and Junior Tara Lynch as "Player of the Year" with Kayla Delnero being named to the "1st Team All Herald"; and

WHEREAS, several of the girls received recognition from the NJAC Freedom Division, giving "Honorable Mention All NJAC" to Morgan Euston and Addi Hillard, naming Hannah Buckley to the "2nd Team All NJAC" and naming Kayla Delnero and Tara Lynch to the "1st Team All NJAC";

NOW THEREFORE, We, the Mayor and Town Council of the Town of Newton hereby proclaim our congratulations to the 2013-2014 Newton Varsity Girls' Basketball Team for their outstanding talent and accomplishments as teammates and as individuals, and wish them continued success in the future.

Morgan Euston	Hannah Buckley	Kayla Delnero	Kelsi Hosler	Tara Lynch
Addi Hillard	Anna Keimel	Kayla Chambliss	Ella Wermuth	July Schomp
Amanda Lawrence	Amanda Nitting	Jasmine Luciani		

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

Attest: _____

Date: _____

Office of the Mayor

Newton, New Jersey

Proclamation

Newton Fire Department

WHEREAS, the Newton Fire Department was established in December 1835, and is currently comprised of a dedicated group of volunteers who sacrifice their time to help those in need; and

WHEREAS, in 2013 under the direction of Chief Brian Fox, the Newton Fire Department responded to 266 calls and performed over 40 training drills, expending over 2,400 man hours while operating 3 Engines, 1 Ladder Truck, 1 Rescue, and 1 Brush Truck; and

WHEREAS, the loyalty of these dedicated volunteers has been evident throughout the years and continues to serve as a sense of comfort and security to the Town's residents and businesses. The Newton Fire Department also works closely with the Newton First Aid & Rescue Squad, Newton Police Department, Newton Office of Emergency Management, Newton Water and Sewer Utility, and Newton Department of Public Works, as well as provides mutual aid to neighboring municipalities; and

WHEREAS, in 2013 through the efforts of the Newton Fire Museum, the Newton Fire Department welcomed back the 1948 Mack Fire Engine, after being retired and sold 59 years ago. The Museum continues to raise funds for the truck as well as for the renovations to the Fire Museum Building on Spring Street;

*NOW, THEREFORE, WE, the Mayor and Town Council of the Town of Newton, hereby proclaim our gratitude and appreciation to the **Newton Fire Department** for their endless hours of support, service and fundraising efforts for the Town of Newton and its residents and businesses and thank each and every one of their members for their dedication and service.*

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

Attest: _____

Date: _____ April 12, 2014 _____

TOWN OF NEWTON

Ordinance 2014-5

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$300,000 FOR THE CONSTRUCTION OF A 20" HDPE WATER TRANSMISSION MAIN ACROSS FOX HOLLOW LAKE IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE TOWN TO FINANCE 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 improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$300,000, such sum being in addition to the \$900,000 appropriated therefor by bond ordinance #2013-19 of the Town, finally adopted June 10, 2013 (the "Original Bond Ordinance"). No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$300,000 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. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the construction of a 20" HDPE water transmission main across Fox Hollow Lake, as described in the Original Bond Ordinance, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$1,200,000, including the \$900,000 authorized by the Original Bond Ordinance and the \$300,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,200,000, including the \$900,000 appropriated by the Original Bond Ordinance and the \$300,000 appropriated herein.

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation 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 bond 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 improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 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 \$300,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$120,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$80,000 is estimated therefor herein.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

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. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond 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 Town 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.

TAKE NOTICE that the above entitled Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton held on March 24, 2014. It was adopted, after public hearing and final reading thereon, at a regular meeting of said Governing Body conducted on April 14, 2014, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

TOWN OF NEWTON

Ordinance 2014-6

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$1,912,000 THEREFOR, INCLUDING A \$165,000 NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT EXPECTED TO BE RECEIVED, AND AUTHORIZING THE ISSUANCE OF \$1,473,275 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 \$1,912,000, including a \$165,000 New Jersey Department of Transportation grant expected to be received and further including the aggregate sum of \$95,600 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, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,473,275 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 & Estimated Cost</u>	Estimated Maximum Amount of <u>Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Improvement of Diller Avenue, Stuart Street and Townsend Street including reconstruction and/or resurfacing, curbing and sidewalk work	\$155,000	\$147,250	20 years
b) Improvement of Madison Street including reconstruction and/or resurfacing, curbing and sidewalk work (supplements Section 3(f) of bond ordinance #2013-11 finally adopted 4/22/13)	\$50,000 (in addition to the \$165,000 appropriated by Section 3(f) of bond ordinance #2013-11 finally adopted 4/22/13)	\$47,500 (in addition to the \$16,750 bonds and notes authorized by Section 3(f) of bond ordinance #2013-11 finally adopted 4/22/13)	20 years
c) Improvement of Spring Street and adjacent areas including reconstruction and/or resurfacing, curbing and sidewalk work	\$285,000 (including a \$165,000 Department of Transportation grant expected to be received)	\$105,750	20 years
d) Acquisition and installation of lighting and crosswalk upgrades	\$25,000	\$23,750	15 years
e) Renovation of fire museum including roofing and other improvements (supplements Section 3(d) of bond ordinance #2013-11 finally adopted 4/22/13 and Section 3(f) of bond ordinance #2012-13 finally adopted 4/9/12)	\$35,000 (in addition to the \$70,000 appropriated by Section 3(d) of bond ordinance #2013-11 finally adopted 4/22/13 and the \$207,000 appropriated by Section 3(f) of bond ordinance #2012-13 finally adopted 4/9/12)	\$33,250 (in addition to the \$66,500 bonds and notes authorized by Section 3(d) of bond ordinance #2013-11 finally adopted 4/22/13 and the \$196,650 bonds and notes authorized by Section 3(f) of bond ordinance #2012-13 finally adopted 4/9/12)	20 years
f) Acquisition of drainage easements in Fairview, Liberty and Thompson areas	\$50,000	\$47,500	40 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
g) Acquisition of front end loader	\$160,000	\$152,000	5 years
h) Replacement of control panel at Sussex Street retention basin for Sussex Pump Station	\$10,000	\$9,500	7 years
i) Acquisition of replacement dump truck bodies	\$30,000	\$28,500	15 years
j) Acquisition of firefighting equipment including turnout gear and personal air masks and packs	\$166,000 (including \$12,525 reserved in prior years)	\$145,175	5 years
k) Acquisition of a new fire engine with equipment	\$500,000 (including \$45,600 reserved in prior years)	\$429,400	10 years
l) Improvement of municipal buildings including renovations, upgrades, flooring, furniture and equipment	\$75,000	\$71,250	20 years
m) Recreation park improvements consisting of acquisition and installation of fencing at Pine Street playground, a shed and lighting at Memory Park and field improvements, a backstop, foul poles and warning track at the Babe Ruth Field	\$80,000	\$76,000	15 years
n) Acquisition of four-wheel drive vehicle for detective bureau	\$30,000	\$28,500	5 years
o) CENCOM (central communication) upgrades (supplements Section 3(l) of bond ordinance 2013-11 finally adopted 4/22/13)	\$18,000 (in addition to the \$200,000 appropriated by Section 3(l) of bond ordinance #2013-11 finally adopted 4/22/13)	\$17,100 (in addition to the \$190,000 bonds and notes authorized by Section 3(l) of bond ordinance #2013-11 finally adopted 4/22/13)	7 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
p) Acquisition of E-ticket scanner equipment and software for police and parking enforcement and court	\$20,000	\$19,000	5 years
q) Acquisition and installation of user activated lighted pedestrian crosswalk signals	\$40,000	\$38,000	15 years
r) Acquisition and installation of radio antenna including receiver/transmitter at police headquarters	\$10,000	\$9,500	7 years
s) Acquisition of logger recording device for Police Department	\$23,000	\$21,850	7 years
t) Acquisition of ambulance with equipment	<u>\$150,000</u> (including \$120,000 reserved in prior years)	<u>\$22,500</u>	5 years
TOTALS:	<u>\$1,912,000</u>	<u>\$1,473,275</u>	

The excess of the appropriation 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. All improvements or purposes include all work and materials necessary therefor or incidental thereto.

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation 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 bond 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 improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Town may lawfully undertake as general improvements, and no part of the cost 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 12.91 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 \$1,473,275, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$382,400 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost 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. Any grant moneys received for the purposes or improvements 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 bond 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 Town 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.

TAKE NOTICE that the above entitled Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton held on March 24, 2014. It was adopted, after public hearing and final reading thereon, at a regular meeting of said Governing Body conducted on April 14, 2014, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

**TOWN OF NEWTON
ORDINANCE 2014-7**

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 2008-26
OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY
FINALLY ADOPTED NOVEMBER 10, 2008 IN ORDER TO INCREASE THE
COSTS FOR ITEMS OF EXPENSE LISTED IN AND PERMITTED UNDER
N.J.S.A. 40A:2-20**

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 One. Section 6(d) of bond ordinance numbered 2008-26 of the Town of Newton, in the County of Sussex, New Jersey (the "Town") finally adopted November 10, 2008 is hereby amended to read as follows:

(d) An aggregate amount not exceeding \$160,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section Two. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 14, 2014. 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 April 28, 2014, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

TOWN OF NEWTON
Ordinance 2014-8

ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, ESTABLISHING A SPECIAL IMPROVEMENT DISTRICT AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Mayor and Town Council of the Town of Newton (the “**Town**”) regard the existence of a thriving business community as a vital economic and social force for the Town; and

WHEREAS, the Town commissioned a feasibility study to determine whether the creation of a special improvement district pursuant to *N.J.S.A. 40:56-65 et seq.* may aid in the development and support of the business community; and

WHEREAS, North Branch Associates, LLC delivered a report entitled “Town of Newton SID Feasibility Study” dated January 27, 2014 (the “**Report**”), which recommended the creation of a special improvement district and the designation of a non-profit corporation to administer said district; and

WHEREAS, the Town wishes to implement the recommendations of the Report,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Newton, as follows:

Section 1. Definitions.

- a. “**District Management Corporation**” means “Special Improvement District for the Town of Newton, New Jersey, Inc.” (also referred to as “**District Management Organization**”), an entity to be incorporated pursuant to Title 15A of the New Jersey Statutes, and designated by municipal ordinance to receive funds collected by a special assessment within the Special Improvement District, as authorized by this Ordinance and any amendatory or supplementary ordinances.
- b. “**SID Law**” means *N.J.S.A. 40:56-65 et seq.*, as the same may be amended and supplemented.
- c. “**Special Improvement District**” (sometimes also referred to as “**District**”) means an area within the Town of Newton, designated by this Ordinance, as an area in which special assessments on property within the District shall be imposed for the purposes of promoting the economic and general welfare of the District.

Section 2. Findings. The Mayor and Town Council hereby find and declare:

- a. That the areas within the Town of Newton, as described by lot and block number, and by street addresses as set forth in Schedule A (with respect to Tier One properties) and Schedule B (with respect to Tier Two properties) of this Ordinance, will benefit from being designated as a Special Improvement District.

- b. That a District Management Corporation would provide administrative and other services to benefit the businesses, employees, residents and consumers in the Special Improvement District. These services shall be over and above the services already provided to the District by the Town.
- c. That a special assessment shall be imposed and collected by the Town with the regular property tax payment or payment in lieu of taxes or otherwise, and that all of these payments received by the Town shall be transferred to the District Management Corporation to effectuate the purposes of this ordinance and to exercise the powers given to it by this ordinance.
- d. That it is in the best interests of the municipality and the public to create a Special Improvement District and to designate a District Management Corporation.
- e. That the business community should be encouraged to provide self-help and self financing programs to meet local business needs, goals and objectives.
- f. That Tier One consists of the downtown core area and Tier Two consists of the expanded business area. Revitalization of the downtown core area and the expanded business area are each of vital importance to the Town.
- g. That including both the downtown core area and the expanded business area in the Special Improvement District reflects the interconnection of these areas and business types in the local economy, and allows for a comprehensive approach to local economic needs, goals and objectives.

Section 3. Creation of District.

- a. There is hereby created and designated within the Town of Newton a Special Improvement District to be known as the Town of Newton Special Improvement District consisting of the properties designated and listed on Schedule A for Tier One and Schedule B for Tier Two by tax lot and block number and street addresses. The Special Improvement District shall be subject to special assessments on all affected property within the District which assessment shall be imposed by the Town of Newton for the purposes of promoting the economic and general welfare of the District.
- b. All business properties within the Special Improvement District which are nonresidential assessed properties, as well as residential rental properties with five (5) or more units are deemed included in the assessing provisions of this ordinance and are expressly subject to a potential assessment made for Special Improvement District purposes.
- c. All properties within the Special Improvement District that are tax-exempt and do not otherwise make payments in lieu of taxes to the Town, or which are used exclusively for residential purposes not described in subsection (b) above, are deemed excluded from the assessing provisions of this Ordinance and are expressly exempt from any assessment made for Special Improvement District purposes.

Section 4. Appeal of Property Owner from Inclusion in the District. Any owner of property included within the Special Improvement District and subject to the assessing provisions of this ordinance may appeal to the Tax Assessor of the Town requesting to be excluded from the District and from any assessment provisions of this Ordinance. This appeal is only as to whether or not a property should be included within the District under the standards

set forth in Section 3 of this Ordinance. It is not an appeal with regard to any taxes. Appeals with regard to taxes should be taken in the usual manner to the Sussex County Board of Taxation or to the Tax Court. This appeal seeking exclusion from the District and any assessing provisions of this Ordinance shall be in writing and specifically detail the factual basis for the appeal. The Assessor shall investigate the matter and conduct an informal hearing or conference within thirty (30) days of receipt of the appeal. Within ten (10) days after the conclusion of the informal hearing or conference, the Assessor shall file a report and recommendation with the Governing Body. The Governing Body shall review the matter and act within thirty (30) days upon receipt of the report and recommendation from the Assessor.

Section 5. Assessments.

- a. Operation and Maintenance of District. Annual operation and maintenance costs relating to services peculiar to the District, as distinguished from services normally provided by the Town, which will provide benefits primarily to the properties included within the District rather than to the Town as an entirety. These annual costs shall be assessed and billed to the benefited properties pursuant to the provisions of this Ordinance and the SID Law.
- b. Development, Construction or Acquisition Costs. All costs of development, construction and acquisition relating to improvements to the District shall be financed and assessed to properties especially benefited thereby. The municipality may, by separate ordinance, or by amendment to this ordinance, provide that improvements and facilities hereinafter acquired or developed shall be operated and maintained and the costs assessed to the benefited properties.

Section 6. The Designated District Management Corporation. The non-profit corporation, Special Improvement District for the Town of Newton, New Jersey, Inc., is hereby designated as the district management corporation for the District, such designation to take effect immediately upon the incorporation of such body under Title 15A of the New Jersey Statutes. This management corporation shall conduct its business in accordance with the Open Public Meetings Act and the Open Public Records Act. This corporation shall have no power of condemnation or eminent domain. It shall regularly file copies of the minutes of its meetings with the Town Clerk so the minutes shall be conveniently available to the public for inspection. The District Management Corporation shall also file its bylaws or any amendments thereto, upon the adoption thereof, with the Town Clerk.

Section 7. Powers of the Designated District Management Corporation. The District Management Corporation, in addition to acting as an advisory board to the Mayor and Council, shall have all powers and responsibilities necessary and requisite to effectuate the purposes of this Ordinance and the District, including, but not limited to the adoption of bylaws for the regulation of its affairs and the conduct of its business, and to prescribe rules, regulations and policies in connection with the performance of its functions and duties. The bylaws and other corporate documents shall provide that the corporation shall conduct its business in accordance with the Open Public Meetings Act and the Open Public Records Act, shall conduct regular meetings no less than quarterly and that the Board of Directors shall consist of nine (9) members. As to the membership of the Board of Directors it shall provide that one member shall be the Mayor or the Mayor's designee, one member shall be the Town Manager or the Town Manager's

designee, and one member shall be a member of the Governing Body selected by the Governing Body, or that member's designee.

The term of the Mayor or the Mayor's designee shall be concurrent with the Mayor's term of office, provided that, the Mayor may designate a new designee to the District Management Corporation in writing at any time.

The term of the Town Manager or the Town Manager's designee shall be concurrent with the Town Manager's employment, provided that, the Town Manager may designate a new designee to the District Management Corporation in writing at any time.

The member of the Governing Body shall be selected by a majority vote of the Governing Body at its annual reorganization meeting for a one year term commencing on the date of the Governing Body reorganization. The member of the Governing Body so selected, or his or her designee, shall serve for such one year term, provided that, the member of the Governing Body may designate a new designee to the District Management Corporation in writing at any time.

The remaining six (6) members of the Board of Directors shall consist of owners or occupants of properties subject to the special assessment in accordance herewith located within the District, with three (3) members from properties located in Tier One and three (3) members from properties located in Tier Two. The bylaws shall provide for an election to create the Board of Directors by owners and/or occupants of such properties included within the District, which election shall be held on or before the third month anniversary from the date of the adoption of the ordinance. Said elections will be for a term of three (3) years, except, however, at the first election one member from each Tier shall be elected for one (1) year; one member from each Tier shall be elected for two (2) years and one member from each Tier shall be elected for three (3) years. Any vacancies with regard to these elected members shall be filled by a majority vote of the Board members for the balance of the term.

In accordance with the SID Law, the corporation shall also have the following powers:

- a. Employ such persons as may be required, and fix and pay their compensation from funds available to the corporation.
- b. Apply for, accept, administer and comply with the requirements respecting an appropriation of funds or a gift, grant or donation of property or money.
- c. Make and execute agreements which may be necessary or convenient to the exercise of the powers and functions of the corporation, including contracts with any person, firm, corporation, governmental agency or other entity.
- d. Administer and manage its own funds and accounts and pay its own obligations.
- e. Borrow money from private lenders for periods not to exceed 180 days and from governmental entities for that or longer periods.
- f. Fund the improvement for the exterior appearance of properties in the District through grants or loans. Standards for eligibility and standards for terms of such grants and loans shall be established by the Board of Directors.

- g. Fund the rehabilitation of properties in the District through grants or loans. Standards for eligibility and standards for terms of such grants and loans shall be established by the Board of Directors.
- h. Accept, purchase, rehabilitate, sell, lease or manage property in the District.
- i. Enforce the conditions of any loan, grant sale or lease made by the Corporation.
- j. Provide security, sanitation and other services to the District, supplemental to those provided normally by the municipality.
- k. Undertake improvements designated to increase the safety or attractiveness of the District to businesses, which may wish to locate there or to visitors to the District including, but not limited to, litter cleanup, security and control, landscaping, parking areas and facilities, recreational and rest areas and facilities, pursuant to pertinent regulations of the Town of Newton.
- l. Publicize the District and the businesses included within the District boundaries.
- m. Recruit new businesses to fill vacancies in, and to balance the business mix of the District.
- n. Organize special events in the District.
- o. Provide special parking arrangements for the District.
- p. Provide temporary decorative lighting in the District.

Section 8. Annual Budget, Hearing and Assessments.

- a. The fiscal year of the District and of the District Management Corporation shall be the calendar year. The first budget of the Corporation, on file in the office of the Town Clerk, is hereby approved and shall be prorated for the term August 1, 2014 to December 31, 2014. Hereafter, beginning December 1, 2014, the District Management Corporation shall submit no later than December 1 of each year a detailed annual budget for the following year for approval by the Mayor and Council. The budget shall be processed and adopted by the Town on or before April 1st of each year in accordance with the procedures set forth in the SID Law.
- b. The budget shall be submitted with a report, which explains how the budget contributes to goals and objectives for the Special Improvement District together with the following:
 - 1. The amount of such costs to be charged against the general funds of the municipality, if any.
 - 2. The amount of costs to be charged and assessed against properties benefited in the District in proportion to benefits which shall be the aggregate of costs of annual improvements to be made in the District during the year.
 - 3. The amount of costs, if any, to be specially assessed against properties in the District.
- c. Each year, when the Mayor and Council shall have acted on the estimated costs and/or on the budget, the Assessor shall prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited and assessable properties in the District. Descriptions of such properties, and the names of the then current owners of such properties, so far as names are available, shall be included in each annual assessment roll. The assessment roll, when so prepared, shall be filed in the office of the municipal clerk and be available for inspection. The Mayor and Council shall annually meet to consider objections to the amounts of such special

assessments at least 10 days after a notice of hearing has been published once in the official newspaper and mailed to the named owners of all tracts, parcels and lots of property proposed to be assessed. The notice shall set forth the purpose of such meeting, but may refer to the assessment roll for further particulars. When the Governing Body shall have approved the amounts of the special assessments set forth therein, or as may be changed by it, the municipal clerk shall forthwith certify a copy of the assessment roll, with such changes, if any to the Sussex County Tax Board.

- d. For the purpose of this section, “annual improvements” shall mean and include any reconstruction, replacement or repair of trees and plantings and other facilities of the Special Improvement District and the furnishing of any other local improvement which benefits properties within the District. For the purpose of this act, “costs” shall, with respect to annual improvements to and operation and maintenance of the Special Improvement District, mean costs of annual improvements; and all other costs, including planning costs, incurred or to be incurred in connection with annual improvements to and operation and maintenance of the District.
- e. Moneys appropriated and collected on account of annual improvement costs, and costs of operating and maintaining a Special Improvement District, shall be credited to a special account. The Mayor and Council may incur the annual costs of improving, operating and maintaining a Special Improvement District, during any fiscal year, though not specifically provided for by line item or other category in an approved estimate for such fiscal year, if in its discretion it shall be deemed necessary to provide for such annual improvements or operation or maintenance prior to the succeeding fiscal year and so long as the total amount of the account as approved for that year is not exceeded by that expenditure. Any balances to the credit of the account and remaining unexpended at the end of the fiscal year shall be conserved and applied towards the financial requirements of the succeeding year.
- f. The Mayor and Council shall pay over funds to the District Management Corporation quarterly on the first day of March, June, September and December of each year.

Section 9. Annual Audit of District Management Corporation. The District Management Corporation shall cause an annual independent audit of its books, accounts and financial transactions to be made and filed with the Mayor and Council and for that purpose the corporation shall employ an independent auditor who shall be a certified public accountant of New Jersey. The annual audit shall be completed and filed with the governing body within four months after the close of the fiscal year of the corporation, and a certified duplicate copy of the audit shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs within five days of filing the audit with the Mayor and Council.

Section 10. Annual Report to Municipality. The District Management Corporation shall, within 30 days after the close of each fiscal year, make an annual report of its activities for the preceding fiscal year to the Mayor and Clerk for their approval. The District Management Corporation shall also present its annual audit and performance data to the municipality on an annual basis in accordance with the SID Law.

Section 11. Municipal Powers Retained. Notwithstanding the creation of a Special Improvement District, the Town of Newton expressly retains all its powers and authority over the area designed as within the Special Improvement District. No improvements or modifications shall be made to any public property without the prior approval of the Governing Body.

Section 12. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such holding shall not affect other provisions of the Ordinance and to this end the provisions of this Ordinance are severable.

Section 13. Effective Date. This Ordinance shall take effect in accordance with law. This Ordinance shall expire five (5) years from the effective date hereof unless re-enacted by the Mayor and Council.

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 14, 2014. 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 28, 2014, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

Schedule A

Tier One Properties

Schedule B

Tier Two Properties

Town of Newton
Proposed Property Lists for SID - Tier 1 121 properties

	Block	Lot	Property Address	Zone District
1	5.01	11	20 Water St.	T-6
2	5.01	12	1 Mill St.	T-5
3	5.01	13	7 High St.	T-6
4	5.01	14	9 High St.	T-6
5	5.01	15	15 High St.	T-6
6	5.01	16	11 High St.	T-6
7	5.01	17	17 High St.	T-6
8	5.01	18	35 High St.	T-6
9	5.01	19	39 High St.	T-6
10	5.01	20	49 High St.	T-6
11	5.01	21	51 High St.	T-6
12	5.01	22	53 High St.	T-6
13	5.01	23	55-57 High St.	T-6
14	5.01	24	59 High St.	T-6
15	5.01	25	63 High St.	T-6
16	5.01	26	67 High St.	T-6
17	7.05	9	18 Church St.	T-6
18	7.05	10	22 Church St.	T-6
19	7.05	11	24-24 1/2 Church St.	T-6
20	7.05	12	26 Church St.	T-6
21	7.05	13	28 Church St.	T-6
22	7.05	14	64 High St.	T-6
23	7.05	15	66 High St.	T-6
24	7.05	16	68 High St.	T-6
25	7.06	4	86 Main St.	T-6
26	7.06	5	82 Main St.	T-6
27	7.06	6	4-6 Church St.	T-6
28	7.06	7	8-10 Church St.	T-6
29	7.06	8	12 Church Street	T-6
30	7.06	9	14-16 Church St.	T-6
31	8.01	1	54 High St.	T-6
32	8.01	4	4 Park Pl.	T-6
33	8.01	5	30 Park Pl.	T-6
34	8.01	6	40 Park Pl.	T-6
35	8.01	7	Main St.	T-6
36	8.01	8	62 Main St.	T-6
37	8.01	9	66 Main St.	T-6
38	8.01	10	19 Church St.	T-6
39	8.02	1	4 High Street	T-6
40	8.03	1	1 Spring St.	T-6
41	8.03	2	1 Legal Lane	T-6
42	8.03	3	Spring St. (Common Area)	T-6
43	8.03	3	83 Spring St. (C-101)	T-6

Town of Newton
Proposed Property Lists for SID - Tier 1 121 properties

44	8.03	3	83 Spring St. (C-102)	T-6
45	8.03	3	83 Spring St. (C-103)	T-6
46	8.03	3	83 Spring St. (C-104)	T-6
47	8.03	3	83 Spring St. (C-201)	T-6
48	8.03	3	83 Spring St. (C-204)	T-6
49	8.03	3	83 Spring St. (C-301)	T-6
50	8.03	3	83 Spring St. (C-302)	T-6
51	8.03	3	83 Spring St. (C-303)	T-6
52	8.03	4	22 Trinity Street	T-6
53	8.03	5	1 Moran st.	T-6
54	8.03	6	9 Moran st.	T-6
55	8.03	7	111 Spring St.	T-6
56	8.03	8	115 Spring St.	T-6
57	8.03	9	103 Spring St.	T-6
58	8.03	10	93-95 Spring St.	T-6
59	8.03	11	71-75 Spring St.	T-6
60	8.03	12	65-67 Spring St.	T-6
61	8.03	13	57-61 Spring St.	T-6
62	8.04	6	185 Spring St.	T-6
63	8.04	7	181-183 Spring St.	T-6
64	8.04	8	179 Spring St.	T-6
65	8.04	9	173 Spring St.	T-6
66	8.04	10	169 Spring St.	T-6
67	8.04	11	163-165 Spring St.	T-6
68	8.04	12	155-157 Spring St.	T-6
69	8.04	13	149-153 Spring St.	T-6
70	8.04	14	141-143 Spring St.	T-6
71	8.04	15	137 Spring Street	T-6
72	8.04	16	131 Spring St.	T-6
73	8.04	17	127-129 Spring St.	T-6
74	8.04	18	123 Spring St.	T-6
75	8.05	1	189-191 Spring St.	T-6
76	8.05	9	Spring St.	T-6
77	8.05	10	223 Spring St.	T-6
78	8.05	11	221 Spring St.	T-6
79	8.05	12	219 Spring St.	T-6
80	8.05	13	211-213 Spring St.	T-6
81	8.05	14	201 Spring St.	T-6
82	8.06	4	1 Jefferson St.	T-6
83	8.06	5	214 Spring St.	T-6
84	8.06	6	216 Spring St.	T-6
85	8.06	7	218 Spring St.	T-6
86	8.06	8	220 Spring St.	T-6
87	8.06	10	234 Spring St.	T-6
88	8.08	3	85-87 Main Street	T-5
89	8.08	4	83 Main Street	T-5
90	8.08	5	81 Main Street	T-6

Town of Newton
Proposed Property Lists for SID - Tier 1 121 properties

91	8.08	6	79 Main St.		T-6
92	8.08	7	75 Main St.		T-6
93	8.08	8	63 Main St.		T-6
94	8.08	9	59 Main St.		T-6
95	8.08	10	41-47 Main St.		T-5 & T-6
96	8.08	11	39 Main St.		T-6
97	8.08	12	21 Main St.		T-6
98	8.08	13	17 Main St.		T-6
99	8.08	14	9-11 Main St.		T-6
100	8.08	15	7 Main St.		T-6
101	8.08	16	3 Main St.		T-6
102	8.08	17	1 Main St.		T-6
103	8.08	18	108-110 Spring St.		T-6
104	8.08	19	112 Spring St.		T-6
105	8.08	20	116 Spring St.		T-6
106	8.08	21	112-120 Spring St.		T-6
107	8.08	22	124 Spring St.		T-6
108	8.08	23	132 Spring St.		T-6
109	8.08	24	144 Spring St.		T-6
110	8.08	25	150 Spring St.		T-6
111	8.08	26	156-160 Spring St.		T-6
112	8.08	27	166-168 Spring St.		T-6
113	8.08	28	170 Spring St.		T-6
114	8.08	29	1 Adams St.		T-6
115	8.08	30	3 Adams St.		T-6
116	8.08	31	11 Adams St.		T-6
117	8.09	4	4 Adams St.		T-6
118	8.09	5	180 Spring St.		T-6
119	8.09	6	188 Spring St.		T-6
120	8.09	7	196 Spring St.		T-6
121	8.09	8	200 Spring St.		T-6

Schedule B
Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

		Block	Lot	Property Address	Zone
1		3.03	1	136 Water Street	SD-3
2		3.03	2	134 Water Street	SD-3
3		3.03	3	2 North Park Drive	SD-3
4		3.03	4	4 North Park Drive	SD-3
5		3.03	5	6-10 North Park Drive	SD-3
6		3.03	5	6 North Park Drive	SD-3
7		3.03	5	8 North Park Drive	SD-3
8		3.03	6	12 North Park Drive	SD-3
9		3.04	1	127 Mill Street	SD-3
10		3.04	2	127 Mill Street	SD-4
11		3.04	3	137 Mill Street	SD-4
12		3.04	4	141 Mill Street	SD-4
13		3.04	5	147 Mill Street	SD-4
14		3.04	6	145 Mill Street	SD-4
15		3.04	7	149 Mill Street	SD-4
16		3.04	8	155 Mill Street	SD-4
17		3.04	9	161 Mill Street	SD-4
18		3.04	10	163 Mill Street	SD-4
19		3.04	11	165 Mill Street	SD-4
20		3.04	12	167 Mill Street	SD-4
21		3.04	13	171 Mill Street	SD-4
22		3.04	14	11 North Park Drive	SD-3
23		3.04	15	7 North Park Drive	SD-3
24		3.04	16	126 Water Street	SD-3
25		3.04	16	128 Water Street	SD-3
26		3.04	18	124 Water Street	SD-3
27		3.04	19	122 Water Street	SD-3
28		3.04	20	110-112 Water Street	T-1
29		4.03	7	81 High Street	T-5
30		4.03	8	79 High Street	T-5
31		4.03	9	77 High Street	T-5
32		4.03	10	75 High Street	T-5
33		4.03	11	73 High Street	T-5
34		4.03	12	71 High Street	T-5
35		4.03	13	69 High Street	T-5
36		4.03	14	2 Academy Street	T-5
37		4.03	15	4 Academy Street	T-5
38		4.03	16	6 Academy Street	T-5
39		4.03	17	10 Academy Street	T-5

Schedule B
Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

40	4.03	18	14 Academy Street	T-5
41	5.01	1	1 Center Street	T-5
42	5.01	9	22 Mill Street	T-5
43	5.01	10	16-18 Mill Street	T-5
44	5.01	27	Academy Street	T-5
45	5.05	1	75 Mill Street	T-4
46	5.05	2	40 Clinton Street	T-3
47	5.05	3	38 Clinton Street	T-3
48	5.05	4	36 Clinton Street	T-3
49	5.05	5	34 Clinton Street	T-3
50	5.05	6	32 Clinton Street	T-3
51	5.05	7	30 Clinton Street	T-3
52	5.05	8	28 Clinton Street	T-3
53	5.05	9	26 Clinton Street	T-3
54	5.05	10	24 Clinton Street	T-3
55	5.05	11	20-22 Clinton Street	T-3
56	5.05	12	18 Clinton Street	T-3
57	5.05	13	16 Clinton Street	T-5
58	5.05	14	14 Clinton Street	T-5
59	5.05	15	8-10 Clinton Street	T-5
60	5.05	16	6 Clinton Street	T-5
61	5.05	17	2 Clinton Street	T-5
62	5.05	18	64 Water Street	T-5
63	5.05	19	62 Water Street	T-5
64	5.05	20	50 Water Street	T-5
65	5.05	21	46-48 Water Street	T-5
66	5.05	22	22-38 Water Street	T-5
67	5.05	23	33 Mill Street	T-5
68	5.5	24	55 Mill Street	T-4
69	5.06	1	85 Mill Street	T-5
70	5.06	2	45 Clinton Street	T-4
71	5.06	3	43 Clinton Street	T-3
72	5.06	4	41 Clinton Street	T-3
73	5.06	5	39 Clinton Street	T-3
74	5.06	6	37 Clinton Street	T-3
75	5.06	7	35 Clinton Street	T-3
76	5.06	8	33 Clinton Street	T-3
77	5.06	9	31 Clinton Street	T-3
78	5.06	10	29 Clinton Street	T-3
79	5.06	11	25 Clinton Street	T-3
80	5.06	12	23 Clinton Street	T-3
81	5.06	13	21 Clinton Street	T-3

Schedule B
Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

82	5.06	14	19 Clinton Street	T-3
83	5.06	15	4 Emmons Avenue	T-3
84	5.06	16	6 Emmons Avenue	T-3
85	5.06	17	8 Emmons Avenue	T-3
86	5.06	18	10 Emmons Avenue	T-3
87	5.06	19	14 Emmons Avenue	T-3
88	5.06	20	12 Emmons Avenue	T-3
89	5.07	1	15 Clinton Street	T-3
90	5.07	2	11 Emmons Avenue	T-3
91	5.07	3	15 Emmons Avenue	T-3
92	5.07	4	19 Emmons Avenue	T-3
93	5.07	5	Emmons Avenue	T-3
94	5.07	6	Emmons Avenue	T-3
95	5.07	7	94 Water Street	T-4
96	5.07	8	Water Street	T-4
97	5.07	9	78 Water Street	T-4
98	5.07	10	72 Water Street	T-4
99	5.07	11	66 Water Street	T-4
100	7.03	6	38 Liberty Street	T-5
101	7.03	7	36 Liberty Street	T-5
102	7.03	8	32 Liberty Street	T-5
103	7.03	9	26 Liberty Street	T-5
104	7.03	10	22 Liberty Street	T-5
105	7.03	11	9 Linwood Avenue	T-5
106	7.04	1	35 Liberty Street	T-5
107	7.04	2	38 High Street	T-5
108	7.04	3	80 High Street	T-5
109	7.04	5	76-78 High Street	T-5
110	7.04	6	74 High Street	T-5
111	7.04	7	20 Division Street	T-5
112	7.04	8	18 Division Street	T-5
113	7.04	9	12 Division Street	T-5
114	7.04	10	8 Division Street	T-5
115	7.04	11	3 Linwood Annex	T-5
116	7.04	12	17-19 Linwood Annex	T-5
117	7.04	13	21-23 Liberty Street	T-5
118	7.04	14	25 Liberty Street	T-5
119	7.04	15	29 Liberty Street	T-5
120	7.04	16	31 Liberty Street	T-5
121	7.04	17	33 Liberty Street	T-5
122	7.05	1	72 High Street	T-5
123	7.05	2	19 Division Street	T-5

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

124	7.05	3	17 Division Street	T-5
125	7.05	4	15 Division Street	T-5
126	7.05	5	11 Division Street	T-5
127	7.05	6	9 Division Street	T-5
128	7.05	7	7 Division Street	T-5
129	7.05	17	70 High Street	T-5
130	7.06	1	5 Division Street	T-5
131	7.06	2	96 Main Street	T-5
132	7.06	3	90 Main Street	T-5
133	7.07	1	15 Liberty Street	T-5
134	7.07	2	4 Linwood Annex	T-5
135	7.07	3	6 Division Street	T-5
136	7.07	4	94 Main Street	T-5
137	7.07	5	96 Main Street	T-5
138	7.07	6	100 Main Street- Ft.	T-5
139	7.07	7	100 B Main Street	T-5
140	7.07	8	7 Liberty Street	T-5
141	7.07	9	9 Liberty Street	T-5
142	7.08	8	8 Linwood Avenue	T-5
143	7.08	9	4 Linwood Avenue	T-5
144	7.08	10	14 Liberty Street	T-5
145	7.08	11	8 Liberty Street	T-5
146	7.08	12	6 Liberty Street	T-5
147	7.08	13	110 Main Street	T-5
148	8.04	1	28 Trinity Street	T-5
149	8.04	2	32 Trinity Street	T-5
150	8.04	3	30 Trinity Street	T-5
151	8.04	4	40 Trinity Street	T-5
152	8.04	5	42-44 Trinity Street	T-5
153	8.05	2	46 Trinity Street	T-5
154	8.05	3	48 Trinity Street	T-5
155	8.05	4	50 Trinity Street	T-5
156	8.05	5	52 Trinity Street	T-5
157	8.05	6	54 Trinity Street	T-5
158	8.05	7	58 Trinity Street	T-5
159	8.05	8	5 Union Place	T-5
160	8.06	1	7-7 1/2 Washington	T-5
161	8.06	2	5 Jefferson Street	T-5
162	8.06	3	3 Jefferson Street	T-5
163	8.06	11	2 Madison Street	T-5
165	8.06	12	6 Madison Street	T-5

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

166	8.06	13	8 Madison Street	T-5
167	8.06	14	1-3 Washington St	T-5
168	8.06	15	5 Washington St	T-5
169	8.07	1	29 Halsted Street	T-5
170	8.07	2	19 Jefferson Street	T-5
171	8.07	3	17A Jefferson Street	T-5
172	8.07	4	17 Jefferson Street	T-5
173	8.07	5	15A Jefferson Street	T-5
174	8.07	6	15 Jefferson Street	T-5
175	8.07	7	6 Washington Street	T-5
176	8.07	8	4 Washington Street	T-5
177	8.07	9	10 Madison Street	T-5
178	8.07	10	12 Madison Street	T-5
179	8.07	11	14 Madison Street	T-5
180	8.07	12	16 Madison Street	T-5
181	8.07	13	18 Madison Street	T-5
182	8.07	14	20 Madison Street	T-5
183	8.07	15	22 Madison Street	T-5
184	8.07	16	24 Madison Street	T-5
185	8.07	17	35 Halsted Street	T-5
186	8.07	18	33 Halsted Street	T-5
187	8.07	19	31 Halsted Street	T-5
188	8.08	1	91 Main Street	T-5
189	8.08	2	89 Main Street	T-5
190	8.08	32	13 Adams Street	T-5
191	8.08	33	18 Washington Street	T-5
192	8.08	34	16 Washington Street	T-5
193	8.08	35	14 Washington Street	T-5
194	8.08	36	12 Washington Street	T-5
195	8.08	37	10 Washington Street	T-5
196	8.08	38	Jefferson Street	T-5
197	8.08	39	20 Jefferson Street	T-5
198	8.08	40	15 Halsted Street	T-5
199	8.08	41	11 Halsted Street	T-5
200	8.08	42	9 Halsted Street	T-5
201	8.08	43	7 Halsted Street	T-5
202	8.08	44	Main Street Rear	T-5
203	8.08	45	Main Street Rear	T-5
204	8.09	1	17 Washington Street	T-5
205	8.09	2	8 Adams Street	T-5
206	8.09	3	6 Adams Street	T-5
207	8.09	9	4 Jefferson Street	T-5

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

208	8.09	10	9 Washington Street	T-5
209	8.09	11	13 Washington Street	T-5
210	8.09	12	15 Washington Street	T-5
211	9.01	1	45-47 Water Street	T-5
212	9.01	2	8 Hamilton Street	T-5
213	9.01	3	10 Hamilton Street	T-5
214	9.01	4	12-14 Hamilton St	T-5
215	9.01	5	16 Hamilton Street	T-5
216	9.01	6	18 Hamilton Street	T-5
217	9.01	7	22 Hamilton Street	T-5
218	9.01	8	30 Hamilton Street	T-5
219	9.01	9	32-34 Hamilton St	T-5
220	9.01	10	23-25 Moran Street	T-5
221	9.01	11	27 Trinity Street	T-5
222	9.01	12	25 Trinity Street	T-5
223	9.01	13	23 Trinity Street	T-5
224	9.01	14	15 Trinity Street	T-5
225	9.01	15	1 Trinity Street	T-5
226	9.02	1	63 Water Street	T-5
227	9.02	2	7 E. Clinton Street	T-5
228	9.02	3	15 E. Clinton Street	T-5
229	9.02	4	21 E. Clinton Street	T-5
223	9.02	5	31 Moran Street	T-5
231	9.02	6	29 Moran Street	T-5
232	9.02	7	27 Moran Street	T-5
233	9.02	8	33 Hamilton Street	T-5
234	9.02	9	31 Hamilton Street	T-5
235	9.02	10	29 Hamilton Street	T-5
236	9.02	11	27 Hamilton Street	T-5
237	9.02	12	25 Hamilton Street	T-5
239	9.02	13	23 Hamilton Street	T-5
239	9.02	14	19-21 Hamilton St	T-5
240	9.02	15	15 Hamilton Street	T-5
241	9.02	16	13 Hamilton Street	T-5
242	9.02	17	9 Hamilton Street	T-5
243	9.02	18	7 - 7 1/2 Hamilton St	T-5
244	9.02	19	5 Hamilton Street	T-5
245	9.02	20	3 Water Street	T-5
246	9.03	1	61 Water Street	T-5
247	9.03	2	67 Water Street	T-4 & T-5
248	9.03	3	67-71 Water Street	T-4
249	9.03	4	Water Street	T-4

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

250	9.03	5	Water Street	T-4
251	9.03	6	83 Water Street	T-4
252	9.03	7	85 Water Street	T-4
253	9.03	8	87-1/2 Water Street	T-4
254	9.03	9	89 Water Street	T-4
255	9.03	10	99 Water Street	T-4
256	9.03	11	101 Water Street	SD-4
257	9.03	13	105 Water Street	SD-4
258	9.03	14	115 Water Street	SD-4
259	9.03	15	117 Water Street	SD-4
260	9.03	16	199 Water Street	SD-4
261	9.03	17	South Park Dr. Rear	SD-4
262	9.03	18	119 Water St. Rear	SD-4
263	9.03	19	119 Water St. Rear	SD-4
264	9.03	20	119 Water St. Rear	SD-4
265	9.03	21	119 Water St. Rear	SD-4
266	9.03	25	Moran Street	T-5
267	9.03	26	20 E. Clinton Street	T-5
268	9.03	27	2-10 E Clinton Street	T-5
269	9.04	1	36 E Clinton Street	T-5
270	9.04	2	30 E Clinton Street	T-5
271	9.04	3	28 E Clinton Street	T-5
272	9.04	4	22-24 E Clinton St	T-5
273	9.04	5	40 Moran	T-5
274	9.05	1	25 Townsend Street	T-5
275	9.05	2	27 Townsend Street	T-5
276	9.05	3	29 Townsend Street	T-5
277	9.06	1	29 Trinity Street	T-5
278	9.06	2	26-30 Moran Street	T-5
279	9.06	3	34 Moran Street	T-5
280	9.06	4	37 E Clinton Street	T-5
281	9.06	5	21 Townsend Street	T-5
282	9.06	6	19 Townsend Street	T-5
283	9.06	7	15-17 Townsend St	T-5
284	9.06	8	11 Townsend Street	T-5
285	9.06	9	9 Townsend Street	T-5
286	9.06	10	3 Townsend Street	T-5
287	9.06	11	45 Trinity Street	T-5
288	9.06	12	43 Trinity Street	T-5
289	9.06	13	39 Trinity Street	T-5
290	9.06	14	3 Trinity Street	T-5
291	10.01	3	10 South Park Drive	SD-4

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

292	10.01	4	121 Water Street	SD-4
293	10.01	5	125 Water Street	SD-4
294	10.01	6	5 South Park Drive	SD-4
295	10.01	7	11 South Park Drive	SD-4
296	14.01	5	113 Main Street	T-5
297	14.01	6	105 Main Street	T-5
298	14.01	7	4 Elm Street	T-5
299	14.01	8	6 Elm Street	T-5
300	14.01	9	8 Elm Street	T-5
301	14.01	10	10 Elm Street	T-5
302	14.01	11	12 Elm Street	T-5
303	14.02	17	18 Elm Steet	T-5
304	14.02	18	22 Elm Street	T-5
305	14.02	19	26 Elm Street	T-5
306	14.02	20	48 Madison Avenue	T-5
307	14.03	1	101 Main Street	T-5
308	14.03	2	97 Main St. to Elm	T-5
309	14.03	3	93 Main Street	T-5
310	14.03	4	12 Halsted Street	T-5
311	14.03	5	14 Halsted Street	T-5
312	14.03	6	16 Halsted Street	T-5
313	14.03	7	20 Halsted Street	T-5
314	14.03	8	22 Halsted Street	T-5
315	14.03	9	28 Halsted Street	T-5
316	14.03	10	32 Halsted Street	T-5
317	14.03	11	36 Halsted Street	T-5
318	14.03	12	36 Halsted Street	T-5
319	14.03	13	23 Halsted Street	T-5
320	14.03	14	21 Elm Street	T-5
321	14.03	15	36 Halsted Street	T-5
322	14.03	16	11 Elm Street	T-5
323	14.03	17	9 Elm Street	T-5
324	14.03	18	3 Elm Street	T-5
325	14.03	19	Elm Street	T-5
326	14.04	39	35 Madison Avenue	T-5
327	14.04	40	43 Madison Street	T-5
328	14.04	41	41 Madison Avenue	T-5
329	14.04	42	39 Madison Street	T-5
330	14.04	43	37 Madison Avenue	T-5
331	14.04	44	6 1/2 Walker Street	T-5

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

332	14.04	45	6 Walker Street	T-5
333	14.05	47	35 Madison Street	T-5
334	14.05	48	33 Madison Street	T-5
335	14.05	49	38 Halsted Street	T-5
336	14.05	50	1 Walker Street	T-5
337	14.05	51	40 Halsted Street	T-5
338	14.05	52	42 Halsted Street	T-5
339	14.05	53	3 Walker Street	T-5
340	14.05	54	5 Walker Street	T-5
341	14.05	55	48 Halsted Street	T-5
342	14.05	56	7 Walker Street	T-5
343	14.05	57	50 Halsted Street	T-5
344	14.05	58	9 Walker Street	T-5
345	14.05	59	52 Halsted Street	T-5
346	14.05	60	54 Halsted Street	T-5
347	14.05	61	56 Halsted Street	T-5
348	14.05	62	58 Halsted Street	T-5
349	14.05	1	39 Madison Street	T-5
350	14.05	2	23 Madison Street	T-5
351	14.05	3	21 Madison Street	T-5
352	14.05	4	19 Madison Street	T-5
353	14.05	5	17-17 1/2 Madison	T-5
354	14.05	6	15 Madison Street	T-5
355	14.05	7	4 Cedar Street	T-5
356	14.05	11	262 Spring Street	T-5
357	14.05	14	45 Halsted Street	T-5
358	14.05	15	41 Halsted Street	T-5
359	14.06	1	11 Madison Street	T-5
340	14.06	2	9 Madison Street	T-5
341	14.06	3	7 Madison Street	T-5
342	14.06	4	236 Spring Street	T-5
343	14.06	5	238 Spring Street	T-5
344	14.06	6	244 Spring Street	T-5
345	14.06	7	246 Spring Street	T-5
346	14.06	8	248 Spring Street	T-5
347	14.06	9	250 Spring Street	T-5
348	14.06	10	252 Spring Street	T-5
349	14.06	11	256 Spring Street	T-5
350	14.06	12	9 Cedar Street	T-5
351	14.06	13	7 Cedar Street	T-5
352	14.06	14	5 Cedar Street	T-5
353	14.06	15	1-3 Cedar Street	T-5

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

354	15.01	1	51 Trinity Street	T-5
355	15.01	2	49 Trinity Street	T-5
356	15.01	3	4 Townsend Street	T-5
357	15.01	4	2 Townsend Street	T-5
358	15.01	5	8 Townsend Street	T-5
359	15.01	6	10 Townsend Street	T-5
360	15.01	7	16 Townsend Street	T-5
361	15.01	8	20 Townsend Street	T-5
362	15.01	9	22 Townsend Street	T-5
363	15.01	10	24 Townsend Street	T-5
364	15.01	11	26 Townsend Street	T-5
365	15.01	12	28 Townsend Street	T-5
366	15.01	13	32 Townsend Street	T-5
367	15.01	14	36 Townsend Street	T-5
368	15.01	15	Townsend Street	T-5
369	15.01	16	Union Place	T-5
370	15.01	17	71 Trinity Street-Rea	T-5
371	15.01	19	95 Trinity Street	T-5
372	15.01	20	93 Trinity Street	T-5
373	15.01	21	89 Trinity Street	T-5
374	15.01	22	91 Trinity Street	T-5
375	15.01	23	87 Trinity Street	T-5
376	15.01	24	81 Trinity Street	T-5
377	15.01	25	79 Trinity Street	T-5
378	15.01	26	75 Trinity Street	T-5
379	15.01	27	71 Trinity Street	T-5
380	15.01	28	69 Trinity Street	T-5
381	15.01	29	67 Trinity Street	T-5
382	15.01	30	65 Trinity Street	T-5
383	15.01	31	63 Trinity Street	T-5
384	15.01	32	59 Trinity Street	T-5
385	15.01	33	16 Union Place	T-5
386	15.01	34	18 Union Place	T-5
387	15.01	35	20 Union Place	T-5
388	15.01	36	22 Union Place	T-5
389	15.01	37	24 Union Place	T-5
390	15.01	38	26 Union Place	T-5
391	15.01	39	28 Union Place	T-5
392	15.01	40	32 Union Place	T-5
393	15.01	41	37 Union Place	T-5
394	15.01	42	35 Union Place	T-5
395	15.01	43	31 Union Place	T-5

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Town of Newton
Proposed Property Lists for SID - Tier 2 511 properties

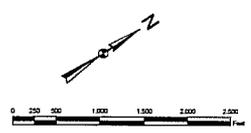
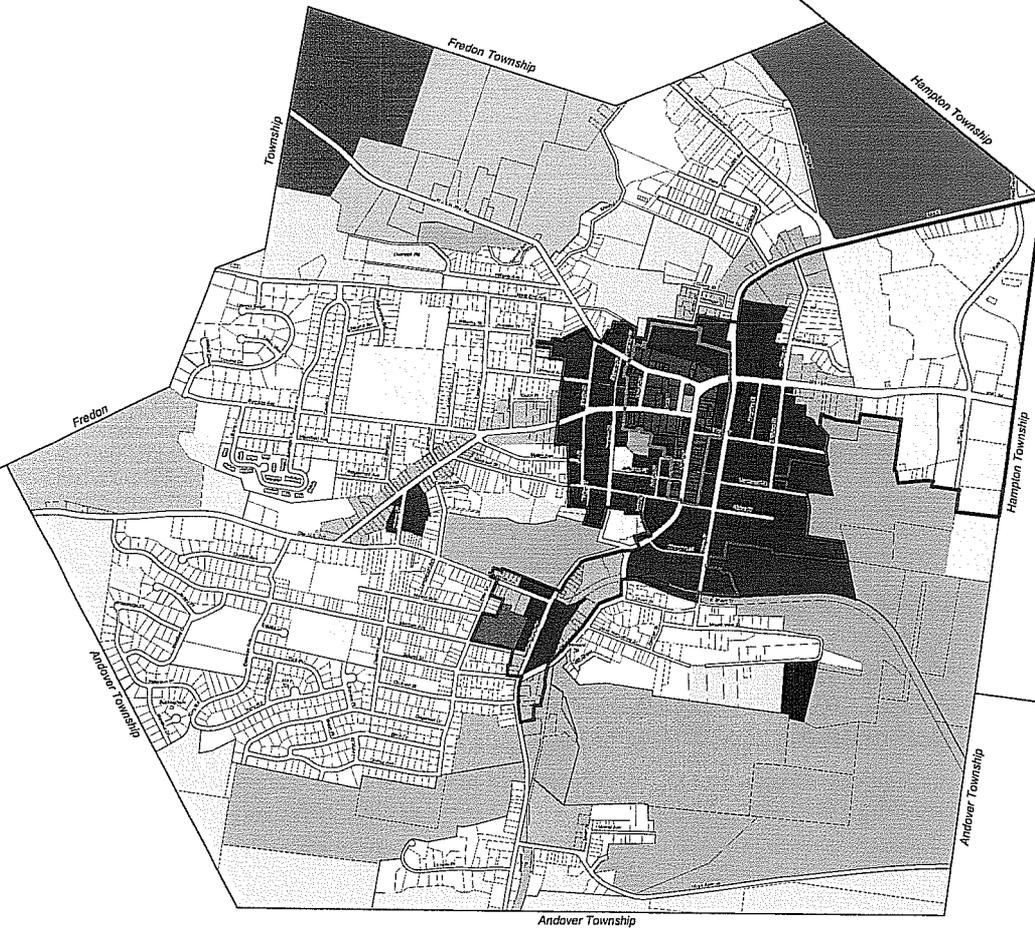
396	15.01	44	29 Union Place	T-5
397	15.01	45	25 Union Place	T-5
398	15.01	46	23 Union Place	T-5
399	15.01	47	21 Union Place	T-5
400	15.01	48	19 Union Place	T-5
401	15.01	49	17 Union Place	T-5
402	15.01	50	15 Union Place	T-5
403	15.01	51	57 Trinity Street	T-5
404	15.01	52	57 Trinity Street	T-5
405	15.01	53	55 Trinity Street	T-5
406	15.02	1	9 Kelsey Avenue	T-5
407	15.02	2	7 Kelsey Avenue	T-5
408	15.02	3	5 Kelsey Avenue	T-5
409	15.02	4	3 Kelsey Avenue	T-5
410	15.02	5	1 Kelsey Avenue	T-5
411	15.02	6	98 Trinity Street	T-5
412	15.02	7	96 Trinity Street	T-5
413	15.02	8	94 Trinity Street	T-5
414	15.02	9	92 Trinity Street	T-5
415	15.02	10	90 Trinity Street	T-5
416	15.02	11	88 Trinity Street	T-5
417	15.02	12	84 Trinity Street	T-5
418	15.02	13	20 Hampton Street	T-5
419	15.02	14	18 Hampton Street	T-5
420	15.02	15	16 Hampton Street	T-5
421	15.02	16	14 Hampton Street	T-5
422	15.02	17	12 Hampton Street	T-5
423	15.02	18	8 Hampton Street	T-5
424	15.02	19	4 Hampton Street	T-5
425	15.02	20	2 Hampton Street	T-5
426	15.02	21	267 Spring Street	T-5
427	15.02	23	271 Spring Street	T-5
428	15.02	24	275 Spring Street	T-5
429	15.02	25	277 Spring Street	T-5
430	15.02	26	21 Kelsey Avenue	T-5
431	15.03	1	237 Spring Street	T-5
432	15.03	2	4 Union Pl	T-5
433	15.03	3	8 Union Pl	T-5
434	15.03	4	10 Union Pl	T-5
435	15.03	5	64 Trinity Street	T-5
436	15.03	6	70 Trinity Street	T-5
437	15.03	7	74 Trinity St - Rear	T-5

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Proposed Property Lists for SID - Tier 2 511 properties

438	15.03	8	74-A Trinity Street	T-5
439	15.03	9	76 Trinity Street	T-5
440	15.03	10	80 Trinity Street	T-5
441	15.03	11	19 Hampton Street	T-5
442	15.03	12	17 Hampton Street	T-5
443	15.03	13	15 Hampton Streete	T-5
444	15.03	14	257 Spring Street	T-5
445	15.03	15	255 Spring Street	T-5
446	15.03	16	249 Spring Street	T-5
447	15.03	17	245 Spring Street	T-5
448	15.03	18	241 Spring Street	T-5
449	18.01	2	40 Sparta Avenue	T-5
450	18.01	3	18-18 1/2 Woodside	T-5
451	18.01	4	10 Woodside Ave.	T-5
452	18.01	5	14 Woodside Ave.	T-4
453	18.01	6	16 Woodside Ave.	T-4
454	18.01	7	18 Woodside Ave.	T-4
455	18.01	8	20 Woodside Ave.	T-4
456	18.01	9	22 Woodside Ave.	T-4
457	18.01	10	24 Woodside Ave.	T-4
458	18.02	1	274 Spring Street	T-4
459	18.02	1	274 Spring Street	T-4
460	18.02	2	278 Spring Street	T-4
461	18.02	3	4 Diller Avenue	T-4
462	18.02	4	20-26 Diller Avenue	T-4
463	18.02	5	28 Diller Avenue	T-4
464	18.02	6	34 Diller Avenue	T-4
465	18.02	7	36 Diller Avenue	T-4
466	18.02	8	38 Diller Avenue	T-4
467	18.02	9	44 Diller Avenue	T-4
468	18.02	10	46 Diller Avenue	T-4
469	18.02	11	48 Diller Avenue	T-4
470	18.02	12	50 Diller Avenue	T-4
471	18.02	14	75 Sparta Avenue	T-4
472	18.02	15	69 Sparta Avenue	T-4
473	18.02	16	65 Sparta Avenue	T-4
474	18.02	17	53 Sparta Avenue	T-4
475	18.02	18	51 Sparta Avenue	T-4
476	18.02	19	47 Sparta Avenue	T-4
477	18.02	20	43 Sparta Avenue	T-4
478	18.02	21	41 Sparta Avenue	T-4
479	18.02	22	37 Sparta Avenue	T-4

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480	18.02	23	33 Sparta Avenue	T-4
481	18.02	24	31 Sparta Avenue	T-4
482	18.02	25	29 Sparta Avenue	T-4
483	18.02	26	27 Sparta Avenue	T-4
484	18.02	27	25 Sparta Avenue	T-4
485	18.02	28	23 Sparta Avenue	T-4
486	18.02	29	21 Sparta Avenue	T-4
487	18.02	30	19 Sparta Avenue	T-4
488	18.02	31	280 Spring Street	T-4
489	18.02	32	39 Sparta Avenue	T-4
490	18.03	1	23 Woodside Ave	T-4
491	18.03	2	21 Woodside Ave	T-4
492	18.03	3	19 Woodside Ave	T-4
493	18.03	6	7 Woodside Avenue	T-4
494	18.03	7	5 Woodside Avenue	T-4
495	18.03	8	46 Sparta Avenue	T-5
496	18.03	9	54 Sparta Avenue	T-5
497	18.03	10	65 Sparta Avenue	T-5
498	18.03	11	56 Sparta Avenue	SD-5
499	18.03	11	56 Sparta Avenue	SD-5
500	19.01	1	281 Spring Street	T-5
501	22.02	8	72-74 Sparta Ave.	T-4
502	22.02	9	78 Sparta Ave.	T-4
503	22.02	10	80 Sparta Ave.	T-4
504	22.04	1	81 Sparta Ave.	T-4
505	22.04	2	59 Diller Ave.	T-4
506	22.04	3	55 Diller Ave.	T-4
507	22.04	4	55 Diller Ave.	T-4
508	22.04	12	95 Sparta Ave.	T-4
509	22.04	13	91 Sparta Ave.	T-4
510	22.04	14	87-89 Sparta Ave.	T-4
511	22.04	15	83 Sparta Ave.	T-4



- Tier 1
 - Tier 2
- Transect Zones**
- T-1 - Natural Areas
 - T-2 - Rural Reserved Areas
 - T-3 - Neighborhood Residential
 - T-4 - Neighborhood Services
 - T-5 - Town Core Support Area / Neighborhood Cores
 - T-6 - Town Core
 - SD-1 - Hospital District
 - SD-2 - College District
 - SD-3 - Retail - Manufacturing District
 - SD-4 - Industrial - Manufacturing District
 - SD-5 - Office - Manufacturing District
 - SD-6 - Schools District
 - SD-7 - Senior Community District
 - SD-8 - Power Substation District
 - SD-9 - Planned Neighborhood Development

Town of Newton
 Special Improvement
 District Map with Zoning



TOWN OF NEWTON

RESOLUTION #62-2014

April 14, 2014

"Amendment to the 2014 Budget"

WHEREAS, the Local Municipal Budget for the Year 2014 was introduced on the 10th day of March, 2014; and

WHEREAS, the public hearing on said Budget is to be held on April 14, 2014 as advertised; and

WHEREAS, it is desired to amend said introduced Budget.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, that the following amendments to the introduced Budget of 2014 be authorized:

2014 CURRENT FUND APPROPRIATIONS	FCOA	FROM	TO
(A) Operations - Within "Caps"			
Spring Street Merchants Group	36-610-2	\$0.00	\$3,000.00
Total Operations Within "CAPS"	34-199	\$7,194,862.50	\$7,197,861.50
Detail: Salaries and Wages	34-201-1	\$4,179,307.50	\$4,179,307.50
Detail: Other Expenses	34-201-2	\$3,015,555.00	\$3,018,555.00
(H-1) Total General Approp. for Munic. Purposes within "CAPS"	34-299	\$8,232,586.50	\$8,235,586.50
(A) Operations - Excluded From "Caps"			
Spring Street Merchants Group	36-610-2	\$3,000.00	\$0.00
Total Other Operations - Excluded from Caps	34-300	\$120,200.00	\$117,200.00
Total Operations - Excluded from "Caps"	34-305	\$1,382,361.33	\$1,379,361.33
Detail:			
Salaries and Wages	34-305-1	\$911,876.00	\$911,876.00
Other Expenses	34-305-2	\$470,485.33	\$467,485.33
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	34-309	\$3,412,533.50	\$3,409,533.50
(L) Subtotal General Appropriations - Items (H-1) and (O)	34-400	\$11,645,120.00	\$11,645,120.00
9. Total General Appropriations	34-499	\$12,075,900.00	\$12,075,900.00

BE IT FURTHER RESOLVED that two certified copies of this Resolution be filed forthwith in the office of the Director of Local Government Services for certification of the Local Municipal Budget so amended; and

IT IS HEREBY CERTIFIED that this is a true copy of a Resolution amending the 2014 Budget adopted by the Governing Body of the Town of Newton on the 14th day of April, 2014.

Certified by me this 14TH day of April, 2014.

Lorraine Read, Municipal Clerk

IT IS HEREBY CERTIFIED that the amended 2014 Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body of the Town of Newton, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me this day of , 2014.

Thomas M. Ferry
CPA Registered Municipal Accountant
Ferraioli, Wielkocz, Cerullo & Cuva
100B Main Street
Newton, New Jersey 07860 (973) 579-3212



TOWN OF NEWTON

RESOLUTION #63-2014

April 14, 2014

“Concur with the Recommendation of the Utility Advisory Board in Allocating Water and Sewer Gallonage for Martorana Enterprises for Grande Villagio”

WHEREAS, at a special meeting of the Newton Utility Advisory Board conducted on March 25, 2014, Mr. Greg Martorana, a principal of Martorana Enterprises, LLC., and Anthony Fiorello, Esq., appeared before the Board to request an allocation of water and sewer gallonage for Grande Villagio, 104 Sparta Avenue, Block 1201, Lots 5 & 5.03, for the purpose of 60 residential units and clubhouse usage for a total of .01161 MGD at a total hookup fee of \$588,990.00; and

WHEREAS, the Utility Advisory Board reviewed the estimates and recommend to the Governing Body an additional .01161 MGD of water and sewer gallonage be approved contingent upon the following:

- 1) Watermain looping to be completed prior to the commencement of Phase II; and
- 2) Payment of \$588,990.00 for water and sewer hook-up fees for the 60 residential units and club house; and
- 3) If watering of any common areas is required by the applicant, then a meter pit will need to be installed along with the applicable hook-up fees to be paid; and
- 4) Compliance with all recommendations and conditions arising from the Fire Official's review and comments; and
- 5) Satisfaction of all Planning Board conditions and approvals.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body hereby concurs with the recommendation of the Utility Advisory Board and conditionally approves the allocation of .01161 MGD for the Grande Villagio project shown as Block 1201, Lots 5 & 5.03 on the Tax Map of the Town of Newton, provided the applicant satisfies all of the above-stated conditions of the Utility Advisory Board, Fire Official, and Planning Board, including, but not limited to, the payment of all necessary fees and the execution of a developer's agreement with the Town of Newton.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #64-2014

April 14, 2014

“Support the Use of a “No Passing Zone” on Route 94 in the Town of Newton”

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 94 in the Town of Newton; and

WHEREAS, NJDOT's investigation revealed the current centerline pavement marking on Route 94 meets and conforms to current design standards; and

WHEREAS NJDOT will update existing records to reflect current No Passing Zone conditions along (US) (NJ) Route 94;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, of the County of Sussex, in the State of New Jersey, that we hereby support the use of a “No Passing Zone” on Route 94 in the Town of Newton as recommended by the NJDOT; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE
Governor

JAMES S. SIMPSON
Commissioner

KIM GUADAGNO
Lt. Governor

March 25, 2014

Lorraine A. Read, Clerk
39 Trinity Street
Newton, New Jersey 07860-1800

**No Passing Zone
Route NJ 94
Town of Newton
Sussex County**

Dear Ms. Read:

This is in reference to an investigation conducted by the New Jersey Department of Transportation to inventory the existing centerline markings along Route NJ 94, in the Town of Newton, County of Sussex.

Staff of the Bureau of Traffic Engineering (BTE) has completed an investigation. Based on this investigation, the existing centerline markings are in compliance with current design standards. Therefore, Route NJ 94 will remain a "No Passing Zone" throughout the entire length of the Town of Newton.

Although the centerline markings will not change, NJDOT will still need to update our records. In order to do so, these updates must be legally established as "No Passing Zones" requiring a Traffic Regulation Order (TRO). An initial step in the TRO process is to receive a Resolution of Support (Concurrence) from the municipal governing body. The New Jersey Department of Transportation now requests that the Resolution of Concurrence be submitted within 90 days. Enclosed is a sample for your use.

Once this office is in receipt of the certified adopted Resolution of Concurrence from the Town of Newton governing body, a Traffic Regulation Order will be promulgated.

Should you have any questions, please feel free to contact Robert Smetanka, Principal Traffic Investigator, at 609-530-2657.

Sincerely,

Michael Mihalic
Supervisor, Traffic Investigations

enc.

TOWN OF NEWTON
RESOLUTION #65-2014

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40A:4-87 I hereby certify that the following resolution has been duly adopted by the governing body of: TOWN OF NEWTON

Name of Municipality

Clerk's Signature

I hereby certify the TOWN OF NEWTON has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2014 municipal budget.

Name of Municipality

Year

Signature, Chief Financial Officer

Resolution Number: 65-2014

Date of Adoption: APRIL 14, 2014

Revenue Title: Pub & Priv Revenue Offset w/Approp.-Distracted Driving Grant Amount: \$ 5000.00

Appropriation Title: Pub & Priv Program Offset by Revenue-Distracted Driving Amount: \$ 5000.00

Local Match - Source: None Amount: \$ -0-

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by: _____
Duly Appointed Designee Date Certified

THIS CERTIFICATION FORM MAY BE REPRODUCED
TO BE USED FOR STATE AND FEDERAL GRANTS ONLY

FOR DCA USE ONLY

Municode: _____

Doc. No. : _____



TOWN OF NEWTON

RESOLUTION #66-2014

April 14, 2014

“Approve Participation with the State of New Jersey in a Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department of Law and Public Safety”

WHEREAS, the Town of Newton wishes to apply for funding for a project under the New Jersey Safe and Secure Communities Program (Grant # P-6102-14); and

WHEREAS, the Town Council of the Town of Newton has reviewed the application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Town of Newton for the purpose described in said application;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that:

- 1) As a matter of public policy, the Town of Newton wishes to participate to the fullest extent possible with the Department of Law and Public Safety; and
- 2) The Attorney General will receive funds on behalf of the applicant; and
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the application for said funds; and
- 4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

BE IT FURTHER RESOLVED, that the Town Manager is hereby authorized to execute any and all documents necessary to effectuate the funding for the Safe and Secure Communities Program Grant No. P-6102-14.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #67-2014

April 14, 2014

“Resolution to Support the Submission of a Tonnage Grant Application for Recycling to the State of New Jersey Department of Environmental Protection”

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Newton Town Council of the Town of Newton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, a resolution should designate the individual authorized to ensure the application is properly completed and timely filed; and

WHEREAS, the Newton Town Council adopted Resolution #52-2014, authorizing entering into a Shared Services Agreement with the Sussex County Municipal Utilities Authority to provide a Certified Recycling Professional for the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Newton Town Council of the Town of Newton that the Town of Newton hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Reenee Casapulla, Recycling Coordinator for SCMUA, to ensure the application is properly filed; and

BE IT FURTHER RESOLVED, the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #68-2014

April 14, 2014

“Resolution Appointing a Hearing Officer and Alternate Pursuant to Chapter 213, Article III of the Code of the Town of Newton Related to Holding Certain Landlords Responsible for Disorderly Tenant Behavior”

WHEREAS, Chapter 213, Article III of the Code of the Town of Newton, “Holding Certain Landlords Responsible for Disorderly Tenant Behavior”, provides that a Hearing Officer, who is a New Jersey licensed attorney who does not own or lease any property within the Town of Newton or hold any interest in the assets or profits arising from the ownership or lease of such property within the Town of Newton, shall be appointed by the Town Council; and

WHEREAS, said legal services are needed for calendar year 2014, which professional services are awarded under non-fair and open contracts pursuant to N.J.S.A. 40A:11-5;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the Town Council authorizes the Mayor and Municipal Clerk to execute an agreement appointing Kellen F. Murphy, Esq. of Riker, Danzig, Scherer, Hyland, Perretti, as the Hearing Officer pursuant to Section 213-11, et seq. of the Newton Town Code; and Glenn T. Gavan, Esq. of the Law Office of Glenn T. Gavan, Esq., LLC as the alternate Hearing Officer pursuant to Section 213-11, et seq. of the Newton Town Code; and

BE IT FURTHER RESOLVED, that this Resolution and a copy of each agreement is to be provided to each attorney and shall be advertised and is on file and available for public inspection 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, April 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk

**EMPLOYMENT AGREEMENT FOR PROFESSIONAL
SERVICES OF HEARING OFFICER**

THIS AGREEMENT, effective the _____ day of _____, 2014, is between the **Town of Newton**, hereinafter referred to as the "Town" and **Glenn T. Gavan, Esq.**, of the Law Offices of Glenn T. Gavan, located at 35 Sparta Avenue, Sparta, New Jersey 07871, hereinafter referred to as the "Hearing Officer".

The Town agrees as follows:

1. The Hearing Officer is being retained to give full hearing to both the complaint of the Town and to any evidence in contradiction or mitigation that the Landlord, if present or represented and offering such evidence, may present, in accordance with Newton Town Code 213-11 et seq. The Hearing Officer may consider, to the extent deemed relevant by the Hearing Officer, prior complaints about the residents of the property, even if those complaints did not result in a conviction. At the conclusion of the hearing, the Hearing Officer shall determine whether the Landlord shall be required to post a bond in accordance with the terms of Newton Town Code 213-13 and 213-14.

2. To pay as compensation for said representation \$160 per hour.

3. The term of appointment is from **January 1, 2014** through **December 31, 2014**.

The Hearing Officer agrees as follows:

1. To perform the legal services referenced herein at the rate provided.

2. To represent or advise no other client on any matter in which the Town may have a present or future interest.

3. To obtain the prior approval of the Newton Town Council or the Newton Town Manager for any billing that may exceed a total of \$2,500 for the calendar year 2014.

The Hearing Officer is in compliance with Mandatory Affirmative Action requirements set forth in N.J.A.C. 17:27 and has attached hereto a Certificate issued in accordance with the provisions of N.J.A.C. 17:27-4, if applicable, providing evidence of compliance therewith. Further, Hearing Officer agrees that all mandatory contract language set forth in N.J.A.C. 17:27-3.4 concerning affirmative action shall be included herein and made a part hereof as if the same were set forth at length herein.

The Town Council has adopted the appropriate resolution and has or will publish notice of the award according to the New Jersey Local Public Contracts Law.

Political Contribution Disclosure:

This Agreement has been awarded to Glenn T. Gavan, Esq., based on the merits and abilities of Glenn T. Gavan, Esq. to provide the goods or services as described herein. This Agreement was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. The undersigned does hereby attest that Glenn T. Gavan, Esq, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the agreement that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this agreement, nor will it make a reportable contribution during the term of the agreement to any political party committee in the Town of Newton if a member of that political party is serving in an elective public office of the Town when

the agreement is awarded, or to any candidate committee of any person serving in an elective public office of the Town when the agreement is awarded.

Changes and Amendments:

The Town Council may from time to time request changes or amendments in the scope of the services of the Hearing Officer to be performed. Changes or amendments, including any increase or decrease in the amount of the Hearing Officer's compensation, which are mutually agreed upon by and between the Town Council and the Hearing Officer shall be incorporated into written amendments to this Agreement and submitted to the Town Council for approval. No change or amendment which alters the scope of services or increases or decreases the amount of the Attorney's compensation shall be valid or binding unless authorized as set forth above.

Glenn T. Gavan, Esq.

By: _____
Joseph A. Ricciardo, Mayor
TOWN OF NEWTON

ATTEST:

Lorraine Read,
Municipal Clerk

**EMPLOYMENT AGREEMENT FOR PROFESSIONAL
SERVICES OF HEARING OFFICER**

THIS AGREEMENT, effective the _____ day of _____, 2014, is between the **Town of Newton**, hereinafter referred to as the "Town" and **Kellen F. Murphy, Esq.**, of Riker, Danzig, Scherer, Hyland, Peretti, located at One Speedwell Avenue, Headquarters Plaza, Morristown, New Jersey 07962-1981, hereinafter referred to as the "Hearing Officer".

The Town agrees as follows:

1. The Hearing Officer is being retained to give full hearing to both the complaint of the Town and to any evidence in contradiction or mitigation that the Landlord, if present or represented and offering such evidence, may present, in accordance with Newton Town Code 213-11 et seq. The Hearing Officer may consider, to the extent deemed relevant by the Hearing Officer, prior complaints about the residents of the property, even if those complaints did not result in a conviction. At the conclusion of the hearing, the Hearing Officer shall determine whether the Landlord shall be required to post a bond in accordance with the terms of Newton Town Code 213-13 and 213-14.

2. To pay as compensation for said representation \$160 per hour.

3. The term of appointment is from **January 1, 2014** through **December 31, 2014**.

The Hearing Officer agrees as follows:

1. To perform the legal services referenced herein at the rate provided.

2. To represent or advise no other client on any matter in which the Town may have a present or future interest.

3. To obtain the prior approval of the Newton Town Council or the Newton Town Manager for any billing that may exceed a total of \$2,500 for the calendar year.

The Hearing Officer is in compliance with Mandatory Affirmative Action requirements set forth in N.J.A.C. 17:27 and has attached hereto a Certificate issued in accordance with the provisions of N.J.A.C. 17:27-4, if applicable, providing evidence of compliance therewith. Further, Hearing Officer agrees that all mandatory contract language set forth in N.J.A.C. 17:27-3.4 concerning affirmative action shall be included herein and made a part hereof as if the same were set forth at length herein.

The Town Council has adopted the appropriate resolution and has or will publish notice of the award according to the New Jersey Public Contracts Law.

Political Contribution Disclosure:

This Agreement has been awarded to Kellen F. Murphy, Esq., based on the merits and abilities of Riker, Danzig, Scherer, Hyland, Peretti to provide the goods or services as described herein. This agreement was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. The undersigned does hereby attest that Riker, Danzig, Scherer, Hyland, Peretti, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the agreement that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this agreement, nor will it make a reportable contribution during the term of the agreement to any political party committee in the Town of Newton if a member of that political party is serving in an elective public office of the Town when the agreement is awarded, or to any candidate committee of any person serving in an elective public office of the Town when the agreement is awarded.

Changes and Amendments:

The Town Council may from time to time request changes or amendments in the scope of the services of the Hearing Officer to be performed. Changes or amendments, including any increase or decrease in the amount of the Hearing Officer's compensation, which are mutually agreed upon by and between the Town Council and the Hearing Officer shall be incorporated into written amendments to this Agreement and submitted to the Town Council for approval. No change or amendment which alters the scope of services or increases or decreases the amount of the Attorney's compensation shall be valid or binding unless authorized as set forth above.

Kellen F. Murphy, Esq.

By: _____
Joseph A. Ricciardo, Mayor
TOWN OF NEWTON

ATTEST:

Lorraine Read,
Municipal Clerk

vrk
N:\USERS\Clients\7562-8 Newton-Personnel-Employee\hearing officer - PROF SERV AGRMNT - murphy.doc
04/10/14



TOWN OF NEWTON

RESOLUTION #69-2014

April 14, 2014

“Lifting of the Water Restrictions for Town of Newton”

WHEREAS, in October 2013 the Town of Newton's reservoir at Morris Lake, Sparta, New Jersey was 22 inches below the top of the spillway; and

WHEREAS, due to the continued drop in water at Morris Lake, the Town of Newton imposed Water Restrictions on October 30, 2013 by the adoption of Resolution #188-2013; and

WHEREAS, Morris Lake is currently 2 inches above the top of the spillway; and

WHEREAS, the Governing Body feels there is no longer a need to impose water restrictions for the Town Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby rescind Resolution #188-2013 and lift the water restrictions for the Town of Newton.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #70-2014

April 14, 2014

“Refund of Monies for Taxes, Due to a State Tax Court Judgment for Block 8.03, Lot 13”

WHEREAS, Peter J. Zipp, Esq., of the firm Zipp & Tannenbaum, LLC the attorney representing Court Square Realty Associated, owner of Block 8.03, Lot 13, also known as 57-61 Spring Street, filed a State Tax Court Appeal to lower the 2013 assessment on said block and lot; and

WHEREAS, the Newton Tax Office received, on March 31, 2014, a Judgment which has been issued by the State Tax Court ordering a reduction in assessment for the tax year 2013. This order has resulted in a refund of monies in the total amount of \$7,269.58;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Peter J. Zipp, Esq., of the firm Zipp & Tannenbaum, LLC attorney representing Court Square Realty Associates is entitled to a refund in the amount of \$7,269.58; and

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$7,269.58 to Peter J. Zipp, Esq., of the firm Zipp & Tannenbaum, LLC attorney representing Court Square Realty Associates, 166 Gatzmer Avenue, Jamesburg, NJ 08831.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #71-2014

April 14, 2014

"Authorize Refund of Redemption Monies to Outside Lien Holder for Block 14.03, Lot 10"

WHEREAS, at the Municipal Tax Sale held on October 9, 2013 a lien was sold on Block 14.03, Lot 10, also known as 32 Halsted Street, for 2012 delinquent real estate taxes; and

WHEREAS, this lien, which is known as Tax Sale Certificate #1382, was sold to Tower Fund Svcs/Cust Ebury Fund 1NJ LLC for a 0% redemption fee and a premium of \$23,000.00; and

WHEREAS, Kenneth Ellman, owner of the property has effected redemption of Certificate #1382 in the amount of \$22,168.99;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Newton that this Governing Body acknowledges that Tower Fund Svcs/Cust Ebury Fund 1NJ LLC is entitled to the redemption in the amount of \$22,168.99 as well as the return of the premium in the amount of \$23,000.00; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$22,168.99 for the redemption of Certificate #1382 as well as a check in the amount of \$23,000.00 for return of the premium to Tower Fund Svcs/Cust Ebury Fund 1NJ LLC, PO Box 37695, Baltimore, MD 21297-3695.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #72-2014

April 14, 2014

"Refund of Monies for Taxes, Due to a State Tax Court Judgment for Block 13.05, Lot 25"

WHEREAS, Bruce J. Stavitsky, Esq. of Stavitsky & Associates, LLC the attorney representing Fundamental Company, Inc. owner of Block 13.05, Lot 25, also known as 11-15 Nelson Street filed a State Tax Court Appeal to lower the 2012 and 2013 assessments on said block and lot; and

WHEREAS, the Tax Office received, on March 31, 2014, a Judgment which has been issued by the State Tax Court ordering a reduction in assessment for the tax years 2012 and 2013. This order has resulted in a refund of monies in the total amount of \$29,020.55; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Bruce J. Stavitsky, Esq. of Stavitsky & Associates, LLC attorney representing Fundamental Company, Inc. is entitled to a refund in the amount of \$29,020.55; and

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$29,020.55 to, Bruce J. Stavitsky, Esq. of Stavitsky & Associates, LLC attorney representing Fundamental Company, Inc., 350 Passaic Avenue, Fairfield, NJ 07004.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #73-2014

April 14, 2014

“Resolution Supporting the *Distracted Driving 2014 Crackdown* of April 1 – 21, 2014”

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) estimates at any given moment during daylight hours, 660,000 drivers are using hand-held cell phones while driving; and

WHEREAS, NHTSA further estimates thousands of people are killed each year in distracted driving crashes and nearly a half million people are injured; and

WHEREAS, the State of New Jersey will participate in the nationwide Distracted Driving 2014 Crackdown from April 1 - 21, 2014 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is **UDrive. UText. UPay**; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby declare our support for the *Distracted Driving 2014 Crackdown* both locally and nationally from April 1 – 21, 2014 and pledge to increase awareness of the dangers of distracted driving.

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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #74-2014

April 14, 2014

"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 2013 and 2014 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 14, 2014.

Lorraine A. Read, RMC
Municipal Clerk