



AGENDA
NEWTON TOWN COUNCIL
OCTOBER 15, 2014
7:00 P.M.

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

- SEPTEMBER 22, 2014 REGULAR MEETING
SEPTEMBER 22, 2014 EXECUTIVE SESSION

V. OPEN TO THE PUBLIC

AT THIS POINT IN THE MEETING, THE TOWN COUNCIL WELCOMES COMMENTS FROM ANY MEMBER OF THE PUBLIC ON ANY TOPIC. TO HELP FACILITATE AN ORDERLY MEETING AND TO PERMIT THE OPPORTUNITY FOR ANYONE WHO WISHES TO BE HEARD, SPEAKERS ARE ASKED TO LIMIT THEIR COMMENTS TO 5 MINUTES. IF READING FROM A PREPARED STATEMENT, PLEASE PROVIDE A COPY AND EMAIL A COPY TO THE CLERK'S OFFICE AFTER MAKING YOUR COMMENTS SO IT MAY BE PROPERLY REFLECTED IN THE MINUTES.

VI. COUNCIL & MANAGER REPORTS

- a. PROCLAMATION – ARBOR DAY

VII. ORDINANCES

- a. INTRODUCTION

ORDINANCE 2014-21

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$7,000.00 FOR ENGINEERING/SURVEY AT WATER SEWER RESERVOIR LOT 3, BLOCK 4.05 IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

- b. 2ND READING AND PUBLIC HEARING

ORDINANCE 2014-20

ORDINANCE REAPPROPRIATING \$131,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE IMPROVEMENT OF SPRING STREET IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

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

VIII. OLD BUSINESS

- a. SPECIAL IMPROVEMENT DISTRICT (SID) – NO UPDATE

IX. CONSENT AGENDA

ALL ITEMS LISTED WITH AN ASTERISK (*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE TOWN COUNCIL AND WILL BE APPROVED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH CASE THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

- a. RESOLUTION #179-2014* ELIMINATION OF POST-RETIREMENT MEDICAL BENEFITS FOR ALL NON-UNION EMPLOYEES HIRED ON OR AFTER JANUARY 1, 2015
- b. RESOLUTION #180-2014* APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB OWNER'S LICENSE FOR DORAGAIL SPICER T/A DADS TAX & LIMO
- c. RESOLUTION #181-2014* APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB DRIVER'S LICENSE FOR DORAGAIL SPICER
- d. RESOLUTION #182-2014* APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB DRIVER'S LICENSE SUBMITTED BY GLENN T. SPICER
- e. RESOLUTION #183-2014* APPROVAL OF A RENEWAL APPLICATION FOR A TAXICAB DRIVER'S LICENSE SUBMITTED BY RALPH E. DRAKE
- f. RESOLUTION #184-2014* INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2014 TOWN OF NEWTON BUDGET PURSUANT TO NJSA 40A:4-87 (C. 159, PL 1948)
- g. RESOLUTION #185-2014* TO CANCEL GRANT RECEIVABLE AND APPROPRIATED RESERVE FOR UNREALIZED MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$28.71
- h. RESOLUTION #186-2014* WATER RESTRICTIONS FOR THE TOWN OF NEWTON EFFECTIVE OCTOBER 20, 2014
- i. RESOLUTION #187-2014* RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY
- j. RESOLUTION #188-2014* AUTHORIZE CHANGE ORDER NO. 1 TO WATERWARE CORPORATION FOR THE PROPOSED IMPROVEMENTS TO THE MORRIS LAKE DAM – PHASE I
- k. RESOLUTION #189-2014* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- l. RESOLUTION #190-2014* RESOLUTION SEEKING ASSISTANCE FOR MUNICIPALITIES WITH SIGNIFICANT TAX-EXEMPT LAND PROPERTIES
- m. RESOLUTION #191-2014* CAPITAL BUDGET AMENDMENT
- n. APPLICATIONS* AN APPLICATION FOR AN OFF-PREMISE RAFFLE (RAFFLE) FROM ST. JOSEPH'S ROMAN CATHOLIC CHURCH, 17 ELM STREET, NEWTON TO BE HELD ON DECEMBER 5, 2014 AT 3:00 P.M. AT 17 ELM STREET, NEWTON

AN APPLICATIONS FOR AN OFF-PREMISE RAFFLE (RAFFLE) FROM BIRTH HAVEN, 4 ACADEMY STREET, NEWTON TO BE HELD ON DECEMBER 15, 2014 AT 7:00 P.M. AT BIRTH HAVEN, 4 ACADEMY STREET, NEWTON

AN APPLICATION FOR AN OFF-PREMISE RAFFLE (50/50) FROM NEWTON MEDICAL CENTER FOUNDATION, 175 HIGH STREET, NEWTON TO BE HELD ON MAY 4, 2015 AT 10:00 A.M. AT NEWTON MEDICAL CENTER, 175 HIGH STREET, NEWTON

- X. DISCUSSION**
- XI. OPEN TO THE PUBLIC**
- XII. COUNCIL & MANAGER COMMENTS**
- XIII. ADJOURNMENT**

Office of the Mayor

Newton, New Jersey

Proclamation

Arbor Day Celebration

October 15, 2014

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and is now observed throughout the nation and the world; and

WHEREAS, living trees can reduce erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, the Newton Advisory Shade Tree Commission had a public celebration to mark this important occasion, which involved the planting of a tree at Sussex County Community College on Wednesday, October 15, 2014 at 6:00pm;

NOW, THEREFORE, We, the Town Council of the Town of Newton, do hereby proclaim **Wednesday, October 15, 2014** as an "**ARBOR DAY CELEBRATION**" in the Town of Newton, and urge all citizens to plant trees to promote the well-being of this and future generations.

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

Attest: _____

Date: _____ October 15, 2014

TOWN OF NEWTON

ORDINANCE 2014-20

ORDINANCE REAPPROPRIATING \$131,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE IMPROVEMENT OF SPRING STREET IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$131,000 of the proceeds of obligations originally made available for various public purposes and improvements of the Town of Newton, in the County of Sussex, New Jersey (the "Town") described in the chart below are no longer necessary for the purposes for which the amounts previously were authorized.

Ordinance Number	Description of Improvement and Date of Adoption of Bond Ordinance	Amount to be Reappropriated
2012-13 (Section 3(i))	Construction of a wall at the upper portion of Memory Park near South Park Drive and the Recycling Center, including, design work, stone, topsoil, gravel, trees and other natural barriers and plantings, finally adopted 4/9/2012	\$11,000
2013-11 (Section 3(c))	Replacement of exterior doors at Firehouse 2, finally adopted 4/22/2013	\$5,000
2013-11 (Section 3(i))	Acquisition of a senior shuttle bus, finally adopted 4/22/2013	\$115,000

Section 2. The \$131,000 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide a supplemental appropriation for the improvement of Spring Street and adjacent areas including reconstruction and/or resurfacing, curbing and sidewalk work, as more fully described in Section 3(c) of bond ordinance #2014-6 of the Town finally adopted April 4, 2014.

Section 3. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, September 22, 2014. It was adopted, after final reading and public hearing thereon, at a meeting of the Newton Governing Body conducted at 7:00 pm on Monday, October 15, 2014 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

TOWN OF NEWTON

ORDINANCE #2014-21

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$7,000.00 FOR ENGINEERING/SURVEY AT WATER SEWER RESERVOIR LOT 3, BLOCK 4.05 IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

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

Section 1. \$7,000.00 is hereby appropriated from the Water Sewer Capital Fund Reserve For Water Tower/Property Improvements for engineering and survey costs at the Water Reservoir Lot 3, Block 4.05, also known as 150 High Street, including all costs necessary therefore or incidental thereto:

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

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

TAKE NOTICE that the above entitled Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton held on Wednesday, October 15, 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 Monday, October 27, 2014, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #179-2014

October 15, 2014

Elimination of Post-retirement Medical Benefits for All Non-Union Employees Hired on or After January 1, 2015

WHEREAS, the Town of Newton desires to eliminate its policy regarding the payment of certain health care retirement benefits for all non-union employees hired on or after January 1, 2015; and

WHEREAS, in 2010, the Town of Newton terminated its membership in the State Health Benefits Plan ("SHBP") and instead joined the North Jersey Municipal Employee Benefits Fund ("NJMEBF"); and

WHEREAS, Resolution #39-2011, adopted on March 14, 2011, clarified the Town of Newton's obligations to pay for certain retirement health benefits, including for full-time, non-union retired employees not retired on a disability pension, based on a minimum age of 50 for those employed by the Town of Newton on or before December 31, 2010 and a minimum age of 62 for those employed by the Town on or after January 1, 2011, with 25 years or more of service credit in the retirement system, and 15 years or more of service with the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, that the Town of Newton hereby revises its obligations for all non-union employees hired after January 1, 2015, in conformance with applicable statutory standards, as follows:

1. All non-union employees hired by the Town of Newton on or after January 1, 2015, regardless of full-time or part-time status, shall not be eligible for, or have access to, the following: 1) any post-retirement medical benefits (including but not limited to: hospitalization, major medical, medical/surgical, prescription, dental, vision) provided by the Town of Newton; and 2) any payment or reimbursement for Medicare or Medigap coverage by the Town of Newton.
2. Nothing in this Resolution exempts the Town of Newton from any continuing obligation to pay for post-retirement benefits of eligible retired employees who retired prior to the adoption of this Resolution and pursuant to the terms of prior, applicable Resolutions adopted by the Town of Newton. At this time, the Town of Newton restates its intention to honor its said continuing payment obligations to already-retired eligible employees, subject to any future change in the applicable laws of the State of New Jersey.
3. Nothing in this Resolution applies to the Town of Newton's Chief of Police, whose employment and retirement benefits are governed by a separate employment 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 Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #180-2014

October 15, 2014

“Approval of a Renewal Application for a Taxicab Owner’s License for Doragail Spicer t/a DADS Taxi & Limo”

WHEREAS, the Code of the Town of Newton requires under **§283-2, License Required**, “No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter.” “All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to the expiration to the Chief of Police”; and

WHEREAS, the Police Department has completed the necessary investigation and submitted a letter advising the renewal Taxicab Owner’s License application is complete and accurate; and

WHEREAS, in accordance with **§283-6, Inspection of Vehicles**, “Before a vehicle is used as a taxicab within the Town it shall be inspected...to ascertain that it is in a safe, clean and sanitary condition and contains all safety devices required by law”;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the renewal Taxicab Owner’s License application submitted by Doragail Spicer, 51 Route 206, Augusta, NJ 07822, t/a DADS Taxi & Limo, which shall expire June 12, 2015; and

BE IT FURTHER RESOLVED, that the applicant must be in compliance with all aspects of **Chapter 283**, of the Code of the Town of Newton, as well as, the provisions of N.J.R.S. 46:16.

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 meeting of said Governing Body conducted on Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #181-2014

October 15, 2014

"Approval of a Renewal Application for a Taxicab Driver's License for Doragail Spicer"

WHEREAS, the Code of the Town of Newton requires under **§283-2, License Required**. "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising the renewal Taxicab Driver's license application is complete and accurate;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Doragail Spicer, 8 Smith Hill, Newton, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2015.

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 meeting of said Governing Body conducted on Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #182-2014

October 15, 2014

“Approval of a Renewal Application for a Taxicab Driver’s License Submitted by Glenn T. Spicer”

WHEREAS, the Code of the Town of Newton requires under **§283-2, License Required**. “No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter.” “All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police”; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising the renewal Taxicab Driver’s license application is complete and accurate; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver’s License submitted by Glenn T. Spicer, 8 Smith Hill Road, Newton, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2015.

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 meeting of said Governing Body conducted on Wednesday, October 15, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #183-2014

October 15, 2014

“Approval of a Renewal Application for a Taxicab Driver’s License Submitted by Ralph E. Drake”

WHEREAS, the Newton General Revised Ordinances require under **§283-2, License Required**. “No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter.” “All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police”; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising the renewal Taxicab Driver’s license application is complete and accurate;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver’s License submitted by Ralph E. Drake, 22038 Rt. 57W, Washington, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2015.

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 meeting of said Governing Body conducted on Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #184-2014

October 15, 2014

**“Insertion of Special Items of Revenue in the 2014
Town of Newton Budget Pursuant to NJSA 40A:4-
87 (C. 159, PL 1948)”**

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

WHEREAS, the Town of Newton is the lead agency, (also including Green Township, Andover Township and Andover Borough) for a grant in the amount of \$18,772.00 from the State of New Jersey Governor's Council on Alcoholism and Drug Abuse through the County of Sussex for the Municipal Alliance Grant; and

WHEREAS, the State of New Jersey has changed the grant period to run from July 1, 2014 through June 30, 2015; and

WHEREAS, the Town of Newton authorized the submission of the 2014 Action Alliance Grant per Resolution #17-2014 adopted January 27, 2014;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2014 Budget of the Town of Newton:

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

NJ Municipal Alliance Grant\$18,772.00

Other Special Item of Revenue

Family Partners Contribution to Munic. Alliance\$1,272.00

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

NJ Municipal Alliance Grant\$18,772.00

Local Match – Source:

Current: Celebration of Public Events\$3,000.00

Munic. Alliance Match from Family Partners\$1,272.00

Current: Recreation, Special Events\$421.00

BE IT FURTHER RESOLVED that an electronic version of this Resolution be forwarded to the Director of the Division of Local Government Services.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #185-2014

October 15, 2014

“To Cancel Grant Receivable and Appropriated Reserve for Unrealized Municipal Alliance Grant in the amount of \$28.71”

WHEREAS, the Town of Newton received an award in the amount of \$18,772.00 from the State of New Jersey Governor's Council on Alcoholism and Drug Abuse through the County of Sussex which was appropriated in the 2013 Municipal Budget for a Municipal Alliance Grant; and

WHEREAS, the Town of Newton received an additional amount of \$9,386 extending the grant period from January 1, 2014 through June 30, 2014 to make the total award amount \$28,158; and

WHEREAS, the total costs expended and approved total \$28,129.29; and

WHEREAS, there is a grant receivable balance of \$28.71 *Due from the County of Sussex, State of New Jersey for Municipal Alliance* on the Federal and State Grant balance sheet and an appropriated reserve of the same amount; and

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

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

Federal & State Grant Fund

Grant Receivable – Municipal Alliance	\$28.71
Appropriated Reserves – Municipal Alliance Grant	\$28.71

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 Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #186-2014

October 15, 2014

**“Water Restrictions for Town of Newton Effective
October 20, 2014”**

WHEREAS, the Town of Newton’s reservoir at Morris Lake, Sparta, New Jersey is currently more than 25 inches below the spillway; and

WHEREAS, due to the continued drop in water at Morris Lake, water restrictions will be implemented and take effect on October 20, 2014;

WHEREAS, §228-22. Prohibited water use. of the Code of the Town of Newton prohibits the following:

1. Water customers are prohibited from watering their lawns or gardens; and
2. Washing cars, trucks, boats, or any recreational vehicles; and
3. Washing public or private driveways, walkways, or sidewalks; and
4. Filling swimming pools and ornamental reflecting pools or fountains.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby impose water restrictions for the Town of Newton and authorize the Town Manager, through the Chief of Police and the Police Department, to enforce the provisions of Chapter 228, Article VI, Water Restrictions; Water Bans, of the Code of 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 Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #187-2014

October 15, 2014

"Resolution Authorizing Disposal of Surplus Property"

WHEREAS, the Town of Newton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties;

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 1. 2009 Ford Crown Victoria
Vin#: 2FAHP71V79X101333
Odometer Reading: 84,000 MILES
Condition: Fair
 2. Tufbox Gun Locker
Qty: One (1)
Condition: Excellent
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #188-2014

October 15, 2014

“Authorize Change Order No. 1 to Waterware Corporation for the Proposed Improvements to the Morris Lake Dam – Phase I”

WHEREAS, on April 28, 2014 the Newton Town Council adopted Resolution #77-2014, awarding a contract to Waterware Corporation for the Proposed Improvements to Morris Lake Dam – Phase I in the amount of \$64,160.00; and

WHEREAS, the Town of Newton's Water Engineer, David B. Simmons, Jr., recommends in his memo dated September 29, 2014 approving Change Order No. 1, for the Proposed Improvements to the Morris Lake Dam – Phase I, which will decrease the total contract amount by \$5,180.00 for a new contract total of \$58,980.00;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby concur with the Town Water Engineer's recommendation and accepts Change Order No. 1 for the Proposed Improvements to the Morris Lake Dam – Phase I; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Waterware Corporation and the Town's Water Engineer.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk

CHANGE ORDER NO. 1
9/24/2014

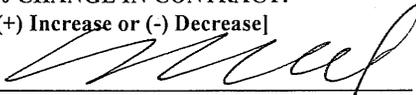
Project	PROPOSED IMPROVEMENTS TO MORRIS LAKE DAM - PHASE I
Owner	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
County	SUSSEX COUNTY
Contractor	WATERWARE CORPORATION, P.O. BOX 3609, PHILADELPHIA, PA 19125

In accordance with the project Supplementary Specification, the following are changes in the contract.
Location and Reason for Change (Attach additional sheets if required) -

Location: Morris Lake Dam
Reason: See reasons below.

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
<u>SUPPLEMENTAL</u>				
6S	12" END CAP & 12" COUPLING/CAP WITH ACCESSORIES <i>The end cap is proposed for the downstream end of the 12" main to seal the section of pipe that runs towards Glen Lake Dam.</i> <i>The 12" coupling/cap is proposed for the upstream end of the 12" main to temporarily seal the section of pipe that runs back towards Morris Lake Dam gatehouse. The coupling includes a 15" long D.I. nipple and M.J. end cap that can be removed later on to allow for the installation of the offset blowoff in Phase II of the blowoff project. Under-water excavation and associated work are included.</i>	100%	L.S.	\$ 15,650.00 \$ 15,650.00
Total SUPPLEMENTAL:				\$ 15,650.00
<u>REDUCTION</u>				
4	PIPE PLUG WITH AIR FILL KIT <i>Item not needed for project since Glen Lake Dam contractor grouted the lower portion of the 12" water main.</i>	2	Units	\$ 5,280.00 \$ 10,560.00
5	2" HDPE PIPE <i>Item not needed for project since Glen Lake Dam contractor grouted the lower portion of the 12" water main.</i>	100%	L.S.	\$ 7,150.00 \$ 7,150.00
1A	ADDITIONAL DEPTH - UNDERWATER WATERMAIN EXCAVATION <i>Quantity based on as-built measurement.</i>	0.5	Lin. Ft.	\$ 6,240.00 \$ 3,120.00
Total REDUCTION:				\$ 20,830.00

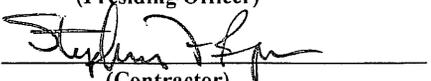
AMOUNT OF ORIGINAL CONTRACT:	<u>\$64,160.00</u>	EXTRA:	<u>\$ -</u>
ADJUSTED AMOUNT BASED ON CHANGE ORDER NO. 1:	<u>\$58,980.00</u>	SUPPLEMENTAL:	<u>\$ 15,650.00</u>
% CHANGE IN CONTRACT:	<u>- 8.07%</u>	REDUCTION:	<u>\$ 20,830.00</u>
[(+) Increase or (-) Decrease]		TOTAL CHANGE:	<u>\$ (5,180.00)</u>



 (Engineer)

 9/29/14
 (Date)

 (Presiding Officer)



 (Contractor)

 9/24/14
 (Date)



TOWN OF NEWTON

RESOLUTION #189-2014

October 15, 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 Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #190-2014

October 15, 2014 “Resolution Seeking Assistance for Municipalities
With Significant Property Tax-Exempt Land”

WHEREAS, N.J.S.A. 54:4-3.6 provides for property tax exemptions for nonprofit organizations; and

WHEREAS, in 2013, the Town of Newton had \$687,090,410 in commercial ratables, and \$284,691,400, or 29.3% of the tax base, occupied by commercial (Class 15) tax-exempt properties; and

WHEREAS, in 2014, the commercial tax-exempt properties in the Town of Newton are anticipated to increase to above 32% of the municipal tax base; and

WHEREAS, the Town of Newton recognizes the many benefits provided by non-profit organizations, typically at no cost or at a reduced cost, to Newton residents; and

WHEREAS, the Town of Newton also recognizes that many of the service providers located in the Town of Newton provide services not only to Newton residents, but to the larger community, including to residents of other municipalities in Sussex County and those outside of Sussex County; and

WHEREAS, tax-exempt properties utilize many basic municipal services, including roads, police, fire and EMT services, without contributing any funds towards the cost of such services through property tax payments; and

WHEREAS, the Town of Newton has identified 79 municipalities in New Jersey which have more than 20% of their municipal tax base occupied by commercial Class 15 tax-exempt land, not inclusive of farmland assessed properties; and

WHEREAS, the Newton Town Manager, at the direction of the Newton Town Council, sent letters to 28 tax-exempt properties in Town, including a hospital, county college and numerous houses of worship, and have requested a voluntary payment in lieu of taxes (“PILOT”), with no voluntary payments agreed to; and

WHEREAS, the Town Council of the Town of Newton wishes to work with other municipalities with more than 20% of their tax base taken up by Class 15 tax-exempt properties, the New Jersey League of Municipalities (the “League”), and elected officials to craft legislation to provide tax-exempt property relief to municipalities; and

WHEREAS, the Town Council supports A1635, sponsored by Assemblywoman Caroline Casagrande, which permits municipalities in which 12% or more land is exempt from property taxes to issue up to two additional plenary retail consumption licenses; and

WHEREAS, the Town supports any legislation seeking an increase in State aid to municipalities which have significant tax-exempt land, including an offset or a credit for municipalities that serve as the County Seat;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it seeks the League's assistance in advancing legislation regarding the issue of significant property tax-exempt land, by submitting this Resolution for consideration by the League at its 2014 annual conference; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the New Jersey State League of Municipalities, the 79 municipalities identified as having more than 20% of their municipal tax base occupied by tax-exempt land, and the State legislators 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 Wednesday, October 15, 2014.

Lorraine A. Read, RMC
Municipal Clerk

