



AGENDA
NEWTON TOWN COUNCIL

JUNE 8, 2015
7:00 P.M.

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

- MAY 27, 2015 REGULAR MEETING

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

- VI. COUNCIL & MANAGER REPORTS**
- VII. ORDINANCES**

a. 2ND READING AND PUBLIC HEARING

ORDINANCE 2015-17

AN ORDINANCE TO REVISE THE LENGTH OF SERVICE AWARD PROGRAM (LOSAP) SCHEDULE FOR MEMBERS OF THE NEWTON VOLUNTEER FIRST AID SQUAD

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

b. INTRODUCTION

ORDINANCE 2015-18

A FULLY FUNDED GENERAL CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$45,000 FOR IMPROVEMENTS TO THE NEWTON FIRE MUSEUM IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

ORDINANCE 2015-19

AN ORDINANCE REVISING SECTION 307-55 OF THE CODE OF THE TOWN OF NEWTON TO DESIGNATE A PORTION OF SPRING STREET AS ONE-WAY VEHICULAR TRAFFIC

ORDINANCE 2015-20

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$56,000 FOR IMPROVEMENTS TO TRINITY STREET IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$53,200 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

VIII. OLD BUSINESS

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 #84-2015* TRANSFER OF SCHOOL MONIES FOR THE PERIOD JULY 1, 2015 TO DECEMBER 31, 2015
- b. RESOLUTION #85-2015* TOWN OF NEWTON CAPITAL BUDGET AMENDMENT
- c. RESOLUTION #86-2015* RESOLUTION TO SUPPORT THE SUBMISSION OF A TONNAGE GRANT APPLICATION FOR RECYCLING TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
- d. RESOLUTION #87-2015* AWARD BID FOR RESURFACING AND IMPROVEMENTS TO SPRING STREET PROJECT
- e. RESOLUTION #88-2015* AWARD BID FOR TRAFFIC SIGNAL IMPROVEMENTS FOR TRINITY STREET PROJECT
- f. RESOLUTION #89-2015* AWARD THE CONTRACT FOR MILLING AND PAVING OF SPRING STREET TO TILCON NEW YORK
- g. RESOLUTION #90-2015* APPROVE BILLS AND VOUCHERS FOR PAYMENT

X. INTERMISSION

XI. DISCUSSION

- a. SIGN ORDINANCE DRAFT – JESSICA CALDWELL, TOWN PLANNER

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENTS

XIV. ADJOURNMENT

TOWN OF NEWTON

ORDINANCE #2015-17

AN ORDINANCE TO REVISE THE LENGTH OF SERVICE AWARD PROGRAM (LOSAP) SCHEDULE FOR MEMBERS OF THE NEWTON VOLUNTEER FIRST AID SQUAD

WHEREAS, the Town Council of the Town of Newton, via Ordinance 2013-3, established a Length of Service Award Program (“LOSAP”) for members of the Newton Volunteer First Aid Squad, in accordance with the “Emergency Services Volunteer Length of Service Award Program Act”, N.J.S.A. 40A:14-183 to -194, to reward members of the Newton Volunteer First Aid Squad for their loyal, diligent, and devoted service to the residents of the Town of Newton; and

WHEREAS, the voters of the Town of Newton voted in favor of the LOSAP via a public question referendum; and

WHEREAS, the adopting Ordinance requires Volunteer First Aid Squad members to accumulate at least 50 points for activities, as set forth in Schedule “A”, annexed to the adopted Ordinance 2013-3; and

WHEREAS, Schedule “A” of Ordinance 2013-3 detailed how points could be earned in determining contributions towards members’ LOSAP account; and

WHEREAS, the Town Council has determined that the formula used to award points for member participation needs to be revised in order to more accurately reflect the eligibility for contributions for Volunteer First Aid Squad members; and

WHEREAS, pursuant to N.J.A.C. 4:30-14.8, minor amendments to LOSAP may be made by approval of the majority of the governing body, so long as minor amendments do not materially affect the elements of the LOSAP originally approved by the voters;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton that Schedule “A”, which sets forth how points are earned for LOSAP contributions for Newton Volunteer First Aid Squad members is revised, in part, as follows:

Section 1. Paragraph A.2, “Points earned for first aid calls”, is deleted in its entirety and replaced as follows:

A.2. Points earned for duty.

Members shall be credited one (1) point for each 12-hour duty period completed, for a maximum of 60 points earned in a calendar year.

Section 2. Paragraph A.3, “Elected Officers”, shall be deleted in its entirety and revised to read as follows:

A.3. Administrative Officers.

- | | |
|-------------------|-----------|
| a. President | 20 Points |
| b. Vice President | 20 Points |
| c. Secretary | 20 Points |
| d. Treasurer | 20 Points |

Administrative officers shall earn five (5) points for every three months served, for a maximum of 20 points for each calendar year.

Section 3. Paragraph A., “Miscellaneous”, shall be revised by the addition of the following sentence:

The points earned for participation shall be earned on a pro-rata basis.

Section 4. Paragraph A.6, “Longevity Point System”, shall be deleted in its entirety and revised as follows:

A.6. Longevity Point System.

Each member shall receive one (1) point for each year completed as a member of the Town of Newton Volunteer First Aid Squad. Members shall receive one (1) point for each previous year completed, to a maximum of up to 25 points.

Section 5. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 6. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 7. Effective Date. This Ordinance will take effect after publication and passage according to law.

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Wednesday, May 27, 2015. It adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00 p.m. on Monday, June 8, 2015 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 #2015-18

A FULLY FUNDED GENERAL CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$45,000.00 FOR IMPROVEMENTS TO THE NEWTON FIRE MUSEUM IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

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

Section 1 a. \$45,000.00 is hereby appropriated for Improvements to Newton Fire Museum and all costs necessary therefore or incidental thereto from the following sources:

General Capital – Reserve for Fire Museum Improvements	\$45,000.00
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The Town of Newton sold the Fire Patrol Building on Stuart Street for \$55,000. \$10,000 of the sale proceeds was deposited into the Current Fund to reimburse the costs of removal of an underground storage tank and associated legal, advertising and permitting costs.

The \$45,000 being appropriated is in addition to the \$207,000 appropriated by Section 3(f) of bond ordinance #2012-13 finally adopted 4/9/12, the \$70,000 appropriated by Section 3(d) of bond ordinance #2013-11 finally adopted 4/22/13, the \$35,000 appropriated by Section 3(e) of bond ordinance #2014-6 finally adopted 4/14/14.

When this fully funded ordinance is adopted and effective, a resolution to cancel the \$37,000 appropriated in Section 3(l) of bond ordinance #2015-16 will be acted on.

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

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

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, June 8, 2015. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body to be conducted at 7:00 p.m. on Monday, June 22, 2015 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 #2015-19

AN ORDINANCE REVISING SECTION 307-55 OF THE CODE OF THE TOWN OF NEWTON TO DESIGNATE A PORTION OF SPRING STREET AS ONE-WAY VEHICULAR TRAFFIC

WHEREAS, the Town Council has determined a portion of Spring Street should be designated as one-way to allow for additional parking along Spring Street for the benefit to the downtown business community; and

WHEREAS, N.J.S.A. 39:4-85.1 permits governing bodies of municipalities to designate local roadways for one-way traffic; and

WHEREAS, the Town engineer has recommended that Spring Street be one-way from Madison Street running northwesterly approximately 982 feet to Route US 206; and two-way vehicular traffic from Sparta Avenue to Madison Street;

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

Section 1. Spring Street is hereby designated as a One-Way Street to vehicular traffic in a northwesterly direction from Madison Street-Union Place to Route US 206.

Section 2. Section 307-55, of the Code of the Town of Newton, entitled "Schedule VI: One-Way Streets" shall be revised to include the following:

Name of Street	Direction	Location
Spring Street	Northwesterly	From Madison Street-Union Place to Route US 206

Section 3. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 4. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 5. Effective Date. This Ordinance will take effect after publication and passage according to law.

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, June 8, 2015. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body, to be conducted at 7:00pm on Monday, June 22, 2015 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 2015-20

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$56,000 FOR IMPROVEMENTS TO TRINITY STREET IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$53,200 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 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") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$56,000, such sum being in addition to the \$385,000 appropriated therefor by Bond Ordinance #2015-16 of the Town, finally adopted April 27, 2015 (the "Original Bond Ordinance"), and including the sum of \$2,800 as the additional down payment required by the Local Bond Law. The additional down payment is now 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 additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$53,200 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 improvements to Trinity Street including signal costs, milling and

paving, 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 \$293,950, including the \$240,750 authorized by Section 3(b) the Original Bond Ordinance and the \$53,200 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$441,000, including the \$385,000 appropriated by Section 3(b) the Original Bond Ordinance and the \$56,000 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 general improvement, and 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 10 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 \$53,200, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$105,381 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, \$79,381 was estimated for these items of expense in Section 3(b) of the Original Bond Ordinance and an additional \$26,000 is estimated therefor herein.

Section 7. 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(a) of this bond

ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

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.

NOTICE

TAKE NOTICE that the above entitled Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton held on Monday, June 8, 2015. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body to be conducted at 7:00 p.m. on Monday, June 22, 2015 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

RESOLUTION #84-2015

June 8, 2015

"Transfer of School Monies for the Period July 1, 2015 to December 31, 2015"

BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Treasurer be authorized to turn over to the Treasurer of School Monies, as monies become available, \$6,189,899.00 to meet the obligations of the Newton Board of Education, exclusive of Debt Service, in accordance with the Statutes and the request of the Board of Education of Newton;

Amount of Tax Voted (Exclusive of Debt Service)	\$12,379,798.00
Amount Received to Date	0.00
Amount of This Request	<u>6,189,899.00</u>
Balance Due Board of Education	6,189,899.00

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, June 8, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #86-2015

June 8, 2015

“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 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 **2014 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 #39-2015, 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 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 that the application is properly filed; and

BE IT FURTHER RESOLVED that 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, June 8, 2015.

Lorraine A. Read, RMC
Municipal Clerk



June 8, 2015

**TOWN OF NEWTON
RESOLUTION #87-2015**

"Award Bid for Resurfacing and Improvements to Spring Street Project"

WHEREAS, the Town of Newton publicly accepted and opened bids for the Resurfacing and Improvements to Spring Street Project on Wednesday, June 3, 2015 at 11:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Base Bid</u>	<u>Alternate A</u>	<u>Alternate B</u>	<u>Alternate C</u>
Tony's Concrete Co., Inc. 316 E. Kinney Street Newark, NJ 07105	\$369,321.15	\$232,615.00	\$40,898.00	\$443,499.40
Your Way Construction, Inc. 404 Coit Street Irvington, NJ 07111	\$661,882.55	\$487,104.30	\$111,283.25	\$819,870.40

WHEREAS, based on review of the bid documents, the Town Engineer, Harold E. Pellow from Harold E. Pellow & Associates, Inc., recommends awarding the Resurfacing and Improvements to Spring Street Project, based on his letter of recommendation dated June 3, 2015, to Tony's Concrete Co., Inc., Alternate A in the amount of \$232,615.00; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the contract for the Resurfacing and Improvements to Spring Street Project is hereby awarded to Tony's Concrete Co., Inc., Newark, NJ in the amount of \$232,615.00. A copy of this resolution and the proposed Contract is to be forwarded to Tony's Concrete Co., Inc., for execution.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, June 8, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 87 -2015

APPROVING: TONY'S CONCRETE CO., INC.

FOR THE PURPOSE OF: SPRING STREET IMPROVEMENTS

IN THE AMOUNT OF: \$232,615.00

APPROPRIATED BY:

CAPITAL

ORD#2014-6 IMPROVE SPRING STREET #30914063 \$232,615.00

DATED THIS 8TH DAY OF JUNE 2015

BY *Dawn L. Babcock*

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

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THOMAS G. KNUTELSKY, *ASSOCIATE*
NJ - P.E.

June 3, 2015

FAX: (973) 383-8961

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

FROM: Harold E. Pellow, P.E., L.S., Town Engineer

SUBJECT: RECOMMENDATION OF AWARD
Proposed Resurfacing and Improvements to Spring Street
HPA No. 14-089

Dear Debi:

I have reviewed the two (2) bids received on June 3, 2015 at 11:00 AM for the above referenced project and recommend the contract be awarded to Tony's Concrete Construction Co., Inc., 316 East Kinney Street, Newark, New Jersey 07105, whose low bid was for Alternate Bid "A" in the amount of \$232,615.00. The Alternate Bid was for the project without paving, milling, and striping. Using the Morris County Cooperative Pricing Council items, the cost will be \$104,136.78 (copy of Engineer's Cost Estimate enclosed), for a total contract of \$336,751.78, plus 100 hours of traffic control at \$65.00 = \$6,500.00 = \$343,251.78.

Alternate Bid "B" was for the crosswalks at Halsted and is not being awarded. Tony's Concrete was the low bidder for Alternate Bid "B" in the amount of \$40,898.00.

Enclosed herewith please find the following paperwork:

1. Form SA-41 - *Summary of Bids*. Retain in your file.
2. Form SA-22 - *Recommendation of Award - State Aid Project*. Kindly have the Mayor and Municipal Clerk sign this form, and then *return it to this office*. We will forward it to the New Jersey Department of Transportation.

Very truly yours,

Harold E. Pellow, P.E., L.S.
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineer

HEP:mac
K:\PROJECTS\MUNICIPAL\NEWTOM\COUNCIL\14-089 - SPRING STREET RESURFACING\MILLIKINI.DOC

Enclosures

contract # 10
Tilcon, New York, Inc.

Harold E. Pellow & Associates, Inc.

Proposed Resurfacing and Improvements to Spring Street

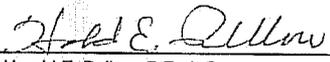
Town of Newton, Sussex County, NJ

HPA No. 14-089

Engineer's Cost Estimate

USING MCCPC CONTRACT PRICING

STD. ITEM NO.	TO BE CONSTRUCTED	QUANTITY	UNIT	UNIT PRICE	AMOUNT
4	TRAFFIC FLAGGERS (FROM 6/3/2015 ALTERNATE BID "A")	100	MN. HR.	\$65.00	\$6,500.00
5	MILLING, 2" THICK	7,409	SQ. YD.	\$3.05	\$22,597.45
6	HOT MIX ASPHALT 9.5M64, 2" THICK	937	TON	\$76.25	\$71,446.25
7	TRAFFIC STRIPES, LONG LIFE, EPOXY RESIN	1,310	LIN. FT.	\$0.30	\$393.00
8	PARKING STALLS, STRIPING, 6" WIDE, LONG LIFE THERMOPLASTIC	2,740	LIN. FT.	\$1.26	\$3,452.40
9	STOP BAR, 24" WIDE, LONG LIFE THERMOPLASTIC	109	LIN. FT.	\$5.04	\$549.36
10	CROSSWALK STRIPING, 12" WIDE, LONG LIFE THERMOPLASTIC	1,666	LIN. FT.	\$2.52	\$4,198.32
36	ASPHALT PRICE ADJUSTMENT	100%	L.S.	\$1,500.00	\$1,500.00
TOTAL ESTIMATED COST OF CONSTRUCTION:					\$110,636.78

SIGNED: 

Harold E. Pellow, P.E., L.S.
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineer

New Jersey Department of Transportation
Division of Local Aid and Economic Development
Summary of Bids

Project: Proposed Resurfacing & Improvements to Spring Street
Municipality: Town of Newton
County: Sussex

Tony's Concrete Construction Co., Inc.
316 E. Kinney Street
Newark, NJ 07105

Your Way Construction, Inc.
404 Coit Street
Irvington, NJ 07111

Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE		City		State/Zip		City		State/Zip	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount		
1	BASE BID - All Daytime Work	100%	LS	\$10,000.00	\$10,000.00	\$30,000.00	\$30,000.00	\$33,750.00	\$33,750.00				
2	Mobilization	346	SF	\$30.00	\$10,380.00	\$10.00	\$3,460.00	\$6.75	\$2,335.50				
3	Construction Signs	60	Unit	\$50.00	\$3,000.00	\$10.00	\$600.00	\$13.50	\$810.00				
4	Drums, If & Where	400	MH	\$78.00	\$31,200.00	\$65.00	\$26,000.00	\$78.00	\$31,200.00				
5	Traffic Flaggers	7,409	SY	\$4.00	\$29,636.00	\$4.20	\$31,117.80	\$6.75	\$50,010.75				
6	Milling, 2" Thick	937	Ton	\$83.00	\$79,645.00	\$85.00	\$79,645.00	\$118.75	\$111,268.75				
7	Hot Mix Asphalt 9.5M54, 2" Thick	1,310	LF	\$0.50	\$655.00	\$2.00	\$2,620.00	\$2.00	\$2,620.00				
8	Traffic Stripes, Long Life, Epoxy Resin	2,740	LF	\$2.00	\$5,480.00	\$1.10	\$3,014.00	\$1.35	\$3,699.00				
9	Parking Stalls, Striping, 6" Wide, Long Life, Thermoplastic	109	LF	\$10.00	\$1,090.00	\$5.00	\$545.00	\$4.00	\$436.00				
10	Stop Bar, 24" Wide, Long Life, Thermoplastic	1,666	LF	\$5.00	\$8,330.00	\$2.50	\$4,165.00	\$2.70	\$4,498.20				
11	Crosswalk Striping, 12" Wide, Long Life, Thermoplastic	300	SY	\$80.00	\$24,000.00	\$68.00	\$20,400.00	\$83.85	\$25,155.00				
12	Concrete Sidewalk, 4" Thick, Reinforced	14	Unit	\$400.00	\$5,600.00	\$300.00	\$4,200.00	\$270.00	\$3,780.00				
13	Delectable Warning Surface	5	Unit	\$201.00	\$1,005.00	\$500.00	\$2,500.00	\$317.25	\$1,586.25				
14	Bicycle Safe Gates	5	Unit	\$135.00	\$675.00	\$250.00	\$1,250.00	\$533.25	\$2,666.25				
15	Type "N" Inlet Heads	162	LF	\$30.00	\$4,860.00	\$30.00	\$4,860.00	\$121.40	\$19,666.80				
16	9" x 18" Concrete Curb & Gutter	4	Unit	\$2,750.00	\$11,000.00	\$2,800.00	\$11,200.00	\$7,137.90	\$28,551.60				
17	Inlet, Type "B"	2	Unit	\$2,750.00	\$5,500.00	\$1,500.00	\$3,000.00	\$1,250.00	\$2,500.00				
18	Convert "B" Inlet to Manhole	23	SY	\$100.00	\$2,300.00	\$90.00	\$2,070.00	\$402.00	\$9,246.00				
19	Brick Pavers in Sidewalk Areas	148	LF	\$10.00	\$1,480.00	\$5.00	\$740.00	\$10.10	\$1,494.80				
20	Remove Concrete Curb & Gutter	148	LF	\$5.00	\$740.00	\$4.00	\$592.00	\$7.85	\$1,161.80				
21	Remove Concrete Curb	252	LF	\$30.00	\$7,560.00	\$4.00	\$1,008.00	\$11.90	\$2,998.80				
22	Remove Concrete Sidewalk	673	LF	\$5.00	\$3,365.00	\$12.00	\$8,076.00	\$0.30	\$201.90				
23	Sawcutting	506	LF	\$30.00	\$15,180.00	\$30.00	\$15,180.00	\$79.70	\$40,328.20				
24	9" x 20" Concrete Header, Class "B" Concrete	277	SY	\$120.00	\$33,240.00	\$90.00	\$24,930.00	\$216.30	\$59,915.10				
25	Concrete Pavement, 9" Thick, Reinforced, Class "B" Concrete	329	SY	\$25.00	\$8,225.00	\$60.00	\$19,740.00	\$58.00	\$19,082.00				
26	Remove Concrete Pavement	277	SY	\$150.00	\$41,550.00	\$90.00	\$24,930.00	\$409.65	\$113,473.05				
27	Reset Concrete Pavers	7	SF	\$50.00	\$350.00	\$10.00	\$70.00	\$6.75	\$47.25				
28	9" x 18" Concrete Curb	148	LF	\$25.00	\$3,700.00	\$30.00	\$4,440.00	\$48.30	\$7,148.40				
29	Traffic Markings, Long Life, Thermoplastic	64	SF	\$6.00	\$384.00	\$6.50	\$416.00	\$8.10	\$518.40				
30	Remove Traffic Stripes	100	LF	\$1.60	\$160.00	\$2.00	\$200.00	\$4.05	\$405.00				
31	Traffic Striping, Long Life, 8" Wide, Thermoplastic	165	LF	\$1.60	\$264.00	\$2.20	\$363.00	\$2.00	\$330.00				

I hereby certify that this is a true copy of the bids received on June 3, 2015 at 11:00 AM.

Harold E. Pellow (Engineer)

New Jersey Department of Transportation
Division of Local Aid and Economic Development
Summary of Bids

Project: Proposed Resurfacing & Improvements to Spring Street	Tony's Concrete Construction Co., Inc.		Your Way Construction, Inc.	
Municipality: Town of Newton	Contractor Name 316 E. Kinney Street Newark, NJ 07105		Contractor Name 404 Colt Street Irvington, NJ 07111	
County: Sussex	Street Address		Street Address	

Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE				City	State/Zip	City	State/Zip
				Unit Price	Amount	Unit Price	Amount				
32	Permanent Signs	52	SF	\$100.00	\$5,200.00	\$46.00	\$2,392.00	Irvington, NJ	07111	\$67.50	\$3,510.00
33	Town Logo	100%	LS	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	Irvington, NJ	07111	\$38,367.00	\$38,367.00
34	Type III Barricades	4	Unit	\$1,000.00	\$4,000.00	\$100.00	\$400.00	Irvington, NJ	07111	\$54.00	\$216.00
35	Dense Graded Aggregate Base Course, Variable Thickness If & Where	50	Ton	\$30.00	\$1,500.00	\$20.00	\$1,000.00	Irvington, NJ	07111	\$20.25	\$1,012.50
36	Asphalt Price Adjustment	100%	LS	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	Irvington, NJ	07111	\$1,500.00	\$1,500.00
37	Sawing and Sealing Joints, If & Where	4,000	LF	\$2.00	\$8,000.00	\$3.00	\$12,000.00	Irvington, NJ	07111	\$2.70	\$10,800.00
38	18" R.C.C.P. Class III, If & Where	55	LF	\$30.00	\$2,750.00	\$90.00	\$4,950.00	Irvington, NJ	07111	\$241.35	\$13,307.25
39	Inlet, Type "A"	2	Unit	\$2,000.00	\$4,000.00	\$2,800.00	\$5,600.00	Irvington, NJ	07111	\$6,142.50	\$12,285.00
Total Estimated Cost of Construction (Base Bid):					\$378,904.00		\$369,321.80			\$661,882.55	

ALTERNATE BID "A" - All Daytime Work											
Item #	Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	100%	LS	\$10,000.00	\$10,000.00	\$28,000.00	\$28,000.00	\$36,450.00	\$36,450.00		
2	Construction Signs	346	SF	\$30.00	\$10,380.00	\$10.00	\$3,460.00	\$6.75	\$2,335.50		
3	Drums, If & Where	60	Unit	\$50.00	\$3,000.00	\$10.00	\$600.00	\$13.50	\$810.00		
4	Traffic Flaggers	300	MH	\$78.00	\$23,400.00	\$65.00	\$19,500.00	\$78.00	\$23,400.00		
5	No Item	***	***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
6	No Item	***	***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
7	No Item	***	***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
8	No Item	***	***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
9	No Item	***	***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
10	No Item	***	***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
11	Concrete Sidewalk, 4" Thick, Reinforced	300	SY	\$80.00	\$24,000.00	\$68.00	\$20,400.00	\$83.85	\$25,155.00		
12	Detectable Warning Surface	14	Unit	\$400.00	\$5,600.00	\$300.00	\$4,200.00	\$270.00	\$3,780.00		
13	Bicycle Safe Grates	5	Unit	\$201.00	\$1,005.00	\$500.00	\$2,500.00	\$317.25	\$1,586.25		
14	Type "N" Inlet Heads	5	Unit	\$135.00	\$675.00	\$50.00	\$250.00	\$53.35	\$2,666.25		
15	9" x 18" Concrete Curb & Gutter	162	LF	\$30.00	\$4,860.00	\$30.00	\$4,860.00	\$136.60	\$22,129.20		
16	Inlet, Type "B"	2	Unit	\$2,750.00	\$5,500.00	\$2,800.00	\$5,600.00	\$11,869.85	\$23,739.70		
17	Convert "B" Inlet to Manhole	2	Unit	\$2,750.00	\$5,500.00	\$1,500.00	\$3,000.00	\$1,350.00	\$2,700.00		
18	Brick Pavers in Sidewalk Areas	23	SY	\$100.00	\$2,300.00	\$90.00	\$2,070.00	\$434.20	\$9,986.60		
19	Remove Concrete Curb & Gutter	148	LF	\$10.00	\$1,480.00	\$5.00	\$740.00	\$10.10	\$1,494.80		
20	Remove Concrete Curb	148	LF	\$5.00	\$740.00	\$5.00	\$740.00	\$8.45	\$1,250.60		
21	Remove Concrete Sidewalk	232	LF	\$30.00	\$7,560.00	\$4.00	\$1,008.00	\$12.85	\$3,238.20		
22	Sawcutting Concrete	673	LF	\$5.00	\$3,365.00	\$12.00	\$8,076.00	\$0.35	\$235.55		
23	9" x 20" Concrete Header, Class "B" Concrete	506	LF	\$30.00	\$15,180.00	\$30.00	\$15,180.00	\$79.70	\$40,328.20		
24	Concrete Pavement, 9" Thick, Reinforced, Class "B" Concrete	277	SY	\$120.00	\$33,240.00	\$90.00	\$24,930.00	\$216.30	\$59,915.10		

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Harold E. Pellow
(Engineer)

New Jersey Department of Transportation
Division of Local Aid and Economic Development
Summary of Bids

Project: Proposed Resurfacing & Improvements to Spring Street

Municipality: Town of Newton

County: Sussex

Tony's Concrete Construction Co., Inc.		Your Way Construction, Inc.	
Contractor Name		Contractor Name	
316 E. Kinney Street		404 Coit Street	
Street Address		Street Address	
Newark, NJ 07105		Irvington, NJ 07111	
City		City	
State/Zip		State/Zip	

Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE		City		State/Zip		City		State/Zip	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount		
25	Remove Concrete Pavement	329	SY	\$25.00	\$8,225.00	\$60.00	\$19,740.00	\$58.00	\$19,082.00				
26	Concrete Pavers	277	SY	\$160.00	\$44,320.00	\$90.00	\$24,930.00	\$429.15	\$118,874.55				
27	Reset Concrete Pavers	7	SY	\$50.00	\$350.00	\$10.00	\$70.00	\$6.75	\$47.25				
28	9" x 18" Concrete Curb	148	LF	\$25.00	\$3,700.00	\$30.00	\$4,440.00	\$48.30	\$7,148.40				
29	Traffic Markings, Long Life, Thermoplastic	64	SF	\$6.00	\$384.00	\$6.50	\$416.00	\$8.10	\$518.40				
30	Remove Traffic Stripes	100	LF	\$1.60	\$1,600.00	\$2.00	\$200.00	\$4.05	\$405.00				
31	Traffic Striping, Long Life, 8" Wide, Thermoplastic	165	LF	\$1.60	\$2,640.00	\$2.20	\$363.00	\$2.00	\$330.00				
32	Permanent Signs	52	SF	\$100.00	\$5,200.00	\$46.00	\$2,392.00	\$67.50	\$3,510.00				
33	Town Logo	100%	LS	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$38,567.00	\$38,567.00				
34	Type III Barricades	4	Unit	\$100.00	\$400.00	\$100.00	\$400.00	\$54.00	\$216.00				
35	Dense Graded Aggregate Base Course, Variable Thickness, If & Where	50	Ton	\$30.00	\$1,500.00	\$20.00	\$1,000.00	\$20.25	\$1,012.50				
36	No Item	***	***	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00				
37	Sawing and Sealing Joints, If & Where	4,000	LF	\$2.00	\$8,000.00	\$3.00	\$12,000.00	\$2.70	\$10,800.00				
38	18" R.C.C.P. Class III, If & Where	55	LF	\$30.00	\$1,650.00	\$90.00	\$4,950.00	\$241.95	\$13,307.25				
39	Inlet, Type "A"	2	Unit	\$2,000.00	\$4,000.00	\$2,800.00	\$5,600.00	\$6,142.50	\$12,285.00				
Total Estimated Cost of Construction (Alternate Bid "A"):					\$242,038.00		\$232,615.00		\$487,104.30				
ALTERNATE BID "B" - All Daytime Work													
4	Traffic Flaggers	90	MH	\$78.00	\$7,020.00	\$65.00	\$5,850.00	\$78.00	\$7,020.00				
22	Sawcutting	244	LF	\$5.00	\$1,220.00	\$12.00	\$2,928.00	\$0.90	\$219.60				
23	9" x 20" Concrete Header, Class "B" Concrete	244	LF	\$30.00	\$7,320.00	\$30.00	\$7,320.00	\$106.85	\$26,071.40				
24	Concrete Pavement, 9" Thick, Reinforced, Class "B" Concrete	83	SY	\$120.00	\$9,960.00	\$90.00	\$7,470.00	\$99.75	\$8,279.25				
25	Remove Concrete Pavement	111	SY	\$25.00	\$2,775.00	\$60.00	\$6,660.00	\$130.00	\$14,430.00				
26	Concrete Pavers	83	SY	\$160.00	\$13,280.00	\$90.00	\$7,470.00	\$645.00	\$53,550.00				
34	Type III Barricades	32	Unit	\$100.00	\$3,200.00	\$100.00	\$3,200.00	\$54.00	\$1,728.00				
Total Estimated Cost of Construction (Alternate Bid "B"):					\$44,775.00		\$40,898.00		\$111,283.25				

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Harold E. Pelrow
(Engineer)

New Jersey Department of Transportation
Division of Local Aid and Economic Development
Summary of Bids

Project: Proposed Resurfacing & Improvements to Spring Street	Tony's Concrete Construction Co., Inc.		Your Way Construction, Inc.	
Municipality: Town of Newton	Contractor Name 316 E. Kinney Street Street Address Newton, NJ 07105		Contractor Name 404 Coit Street Street Address Irvington, NJ 07111	
County: Sussex	City Newton, NJ 07105		City Irvington, NJ 07111	

Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE				City	State/Zip	City	State/Zip
				Unit Price	Amount	Unit Price	Amount				
1	ALTERNATE BID "C" - All Nighttime Work										
2	Mobilization	100%	LS	\$10,000.00	\$10,000.00	\$32,000.00	\$32,000.00	\$42,187.50	\$42,187.50	\$29,250.00	\$29,250.00
3	Construction Signs	346	SF	\$30.00	\$10,380.00	\$10.00	\$3,460.00	\$8.44	\$2,920.24	\$16.85	\$5,824.00
4	Drums, If & Where	60	Unit	\$30.00	\$3,000.00	\$10.00	\$600.00	\$16.85	\$1,011.00	\$16.85	\$1,011.00
5	Traffic Flaggers	400	MH	\$78.00	\$31,200.00	\$65.00	\$26,000.00	\$78.00	\$31,200.00	\$78.00	\$31,200.00
6	Milling, 2" Thick	7,409	SY	\$4.00	\$29,636.00	\$5.50	\$40,749.50	\$8.40	\$62,235.60	\$8.40	\$62,235.60
7	Hot Mix Asphalt 9.5M54, 2" Thick	997	Ton	\$95.00	\$94,715.00	\$96.00	\$95,712.00	\$148.40	\$139,050.80	\$148.40	\$148,400.00
8	Traffic Stripes, Long Life, Epoxy Resin	1,310	LF	\$0.50	\$655.00	\$2.20	\$2,882.00	\$2.50	\$3,275.00	\$2.50	\$3,275.00
9	Parking Stalls, Striping, 6" Wide, Long Life, Thermoplastic	2,740	LF	\$2.00	\$5,480.00	\$1.30	\$3,562.00	\$1.68	\$4,603.20	\$1.68	\$4,603.20
10	Stop Bar, 24" Wide, Long Life, Thermoplastic	109	LF	\$10.00	\$1,090.00	\$7.00	\$763.00	\$5.00	\$545.00	\$5.00	\$545.00
11	Crosswalk Striping, 12" Wide, Long Life, Thermoplastic	1,666	LF	\$5.00	\$8,330.00	\$3.15	\$5,247.90	\$3.35	\$5,581.10	\$3.35	\$5,581.10
12	Concrete Sidewalk, 4" Thick, Reinforced	300	SY	\$80.00	\$24,000.00	\$85.00	\$25,500.00	\$104.80	\$31,440.00	\$104.80	\$31,440.00
13	Detectable Warning Surface	14	Unit	\$400.00	\$5,600.00	\$320.00	\$4,480.00	\$337.50	\$4,725.00	\$337.50	\$4,725.00
14	Bicycle Safe Gates	5	Unit	\$201.00	\$1,005.00	\$550.00	\$2,750.00	\$396.56	\$1,982.80	\$396.56	\$1,982.80
15	Type "N" Inlet Heads	5	Unit	\$135.00	\$675.00	\$300.00	\$1,500.00	\$666.56	\$3,332.80	\$666.56	\$3,332.80
16	9" x 18" Concrete Curb & Gutter	162	LF	\$30.00	\$4,860.00	\$48.00	\$7,776.00	\$151.75	\$24,583.50	\$151.75	\$24,583.50
17	Inlet, Type "B"	4	Unit	\$2,750.00	\$11,000.00	\$3,400.00	\$13,600.00	\$8,922.37	\$35,689.48	\$8,922.37	\$35,689.48
18	Convert "B" Inlet to Manhole	2	Unit	\$2,750.00	\$5,500.00	\$2,000.00	\$4,000.00	\$1,562.50	\$3,125.00	\$1,562.50	\$3,125.00
19	Brick Pavers in Sidewalk Areas	23	SY	\$100.00	\$2,300.00	\$98.00	\$2,254.00	\$502.50	\$11,557.50	\$502.50	\$11,557.50
20	Remove Concrete Curb & Gutter	148	LF	\$10.00	\$1,480.00	\$7.00	\$1,036.00	\$12.62	\$1,867.76	\$12.62	\$1,867.76
21	Remove Concrete Curb	148	LF	\$5.00	\$740.00	\$7.00	\$1,036.00	\$9.80	\$1,450.40	\$9.80	\$1,450.40
22	Remove Concrete Sidewalk	252	LF	\$30.00	\$7,560.00	\$8.00	\$2,016.00	\$14.87	\$3,747.24	\$14.87	\$3,747.24
23	Sawcutting	673	LF	\$5.00	\$3,365.00	\$16.00	\$10,768.00	\$0.37	\$249.01	\$0.37	\$249.01
24	9" x 20" Concrete Header, Class "B" Concrete	506	LF	\$30.00	\$15,180.00	\$48.00	\$24,288.00	\$99.62	\$50,407.72	\$99.62	\$50,407.72
25	Concrete Pavement, 9" Thick, Reinforced, Class "B" Concrete	277	SY	\$120.00	\$33,240.00	\$110.00	\$30,470.00	\$270.37	\$74,892.49	\$270.37	\$74,892.49
26	Remove Concrete Pavement	329	SY	\$25.00	\$8,225.00	\$80.00	\$26,320.00	\$72.50	\$23,852.50	\$72.50	\$23,852.50
27	Reset Concrete Pavers	277	SY	\$150.00	\$41,550.00	\$110.00	\$30,470.00	\$516.06	\$142,948.62	\$516.06	\$142,948.62
28	9" x 18" Concrete Curb	7	SF	\$30.00	\$350.00	\$10.00	\$70.00	\$8.43	\$59.01	\$8.43	\$59.01
29	Traffic Markings, Long Life, Thermoplastic	148	LF	\$25.00	\$3,700.00	\$48.00	\$7,104.00	\$60.37	\$8,934.76	\$60.37	\$8,934.76
30	Remove Traffic Stripes	64	SF	\$6.00	\$384.00	\$7.50	\$480.00	\$10.12	\$647.68	\$10.12	\$647.68
31	Traffic Striping, Long Life, 8" Wide, Thermoplastic	100	LF	\$1.60	\$160.00	\$3.00	\$300.00	\$3.06	\$506.00	\$3.06	\$506.00
		165	LF	\$1.60	\$264.00	\$3.40	\$561.00	\$2.50	\$412.50	\$2.50	\$412.50

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[Signature]
(Engineer)

New Jersey Department of Transportation
Division of Local Aid and Economic Development
Summary of Bids

Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE				Tony's Concrete Construction Co., Inc.		Your Way Construction, Inc.	
				Unit Price	Amount	City	State/Zip	City	State/Zip		
32	Permanent Signs	52	SF	\$100.00	\$5,200.00	\$52.00	\$2,704.00	\$84.37	\$4,387.24		
33	Town Logo	100%	LS	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$47,958.75	\$47,958.75		
34	Type III Barriercides	4	Unit	\$100.00	\$400.00	\$100.00	\$400.00	\$67.50	\$270.00		
35	Dense Graded Aggregate Base Course, Variable Thickness, If & Where	50	Ton	\$30.00	\$1,500.00	\$30.00	\$1,500.00	\$25.30	\$1,265.00		
36	Asphalt Price Adjustment	100%	LS	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00		
37	Sawing and Sealing Joints, If & Where	4,000	LF	\$2.00	\$8,000.00	\$3.00	\$12,000.00	\$3.37	\$13,480.00		
38	18" R.C.C.P. Class III, If & Where	55	LF	\$30.00	\$2,750.00	\$120.00	\$6,600.00	\$302.40	\$16,632.00		
39	Inlet, Type "A"	2	Unit	\$2,000.00	\$4,000.00	\$3,400.00	\$6,800.00	\$7,678.10	\$15,356.20		
Total Estimated Cost of Construction (Alternate Bid "C"):					\$388,274.00		\$443,499.40		\$819,870.40		

Project: Proposed Resurfacing & Improvements to Spring Street
Municipality: Town of Newton
County: Sussex

Contractor Name: Tony's Concrete Construction Co., Inc.
Street Address: 316 E. Kinney Street
City: Newark, NJ 07105

Contractor Name: Your Way Construction, Inc.
Street Address: 404 Coit Street
City: Irvington, NJ 07111

I hereby certify that this is a true copy of the bids received on June 3, 2015 at 11:00 AM.

(Engineer)



TOWN OF NEWTON

RESOLUTION #88-2015

June 8, 2015

"Award Bid for Traffic Signal Improvements for Trinity Street Project"

WHEREAS, the Town of Newton publicly accepted and opened bids for the Traffic Signal Improvements for Trinity Street Project on Wednesday, June 3, 2015 at 11:00 a.m. as follows:

<u>Name and Address of Bidder</u>	<u>Base Bid</u>
FAI-GON Electric, Inc. 140 11 th Street Piscataway, NJ 08854	\$294,875.00
J.C. Contracting, Inc. 25 Orange Street Bloomfield, NJ 07003	\$295,685.00
Tiffany Electric, Inc. 3 Edison Place Fairfield, NJ 07004	\$298,096.00
Zuccaro, Inc. 248 Alberta Drive Saddle Brook, NJ 07663	\$349,190.00

WHEREAS, based on review of the bid documents, the Town Engineer, Harold E. Pellow of Harold E. Pellow & Associates, Inc., recommends awarding the Traffic Signal Improvements for Trinity Street Project based on his letter of recommendation dated June 3, 2015, to FAI-GON Electric, Inc., in the amount of \$294,875.00; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the contract for the Traffic Signal Improvements for Trinity Street Project here is awarded to FAI-GON Electric, Inc., Piscataway, NJ in the amount of \$294,875.00. A copy of this resolution and the proposed Contract is to be forwarded to FAI-GON Electric, Inc., for execution.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, June 8, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 88 -2015

APPROVING: FAI-GON ELECTRIC, INC.

FOR THE PURPOSE OF: TRINITY STREET TRAFFIC SIGNAL

IN THE AMOUNT OF: \$294,875.00

APPROPRIATED BY:

CAPITAL

ORD#2015-16 TRINITY STREET #30915162 \$260,000.00

CURRENT

UTILITIES, STREET LIGHTING #1089267 \$ 34,875.00

DATED THIS 8TH DAY OF JUNE 2015

BY *Dawn L. Babcock*

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #89-2015

June 8, 2015

"Award the Contract for the Milling and Paving of Spring Street Project to Tilcon, New York"

WHEREAS, the Governing Body of the Town of Newton adopted Resolution #189-2011 on September 14, 2011 in an effort to save budgeted monies and improve services for itself by participating in the Morris County Cooperative Pricing Council; and

WHEREAS, Tilcon New York, 625 Mt. Hope Road, Wharton, New Jersey was awarded Contract #6, Road Surfacing for District #2 in the Morris County Co-Op's portion for municipalities with regard to Resurfacing of Roads; and

WHEREAS, the Town Engineer, Harold E. Pellow, of Harold E. Pellow & Associates, Inc., has recommended Tilcon, New York be retained for the Milling and Paving of Spring Street Project in the Town of Newton, based on the Morris County Cooperative Pricing Council as outlined in the memo dated June 3, 2015, which is attached to and made part of this resolution; and

WHEREAS, traffic control will be required for the completion of said project, which staff and costs will be supplied by the Town of Newton:

To be awarded to Tilcon, New York through the Morris County Co-op: \$95,543.70

WHEREAS, the Chief Financial Officer has certified that funds are available to support this project as per attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the contract for the Milling and Paving of Spring Street Project in the Town of Newton is hereby awarded to Tilcon New York in the amount of \$95,543.70, based on the Morris County Cooperative Pricing Council bid results.

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, June 8, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

**CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)**

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 89-2015

APPROVING: TILCON NEW YORK

FOR THE PURPOSE OF: SPRING STREET MILL & PAVE

(Using MORRIS COUNTY COOPERATIVE PRICING, Contract #6
Road Surfacing)

IN THE AMOUNT OF: \$95,543.70

APPROPRIATED BY:

CAPITAL

ORD#2014-6 IMPROVE SPRING STREET #30914063	\$37,677.95
ORD#2014-20 reapprop. SPRING STREET #3091420	\$57,865.75

DATED THIS 8TH DAY OF JUNE 2015

BY

DAWN L. BABCOCK

CHIEF FINANCIAL OFFICER



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

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

CORY L. STONER, *EXEC. VICE PRESIDENT*
NJ - P.E., NJ - C.M.E.,
PA - P.E.

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

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

THOMAS G. KNUTELSKY, *ASSOCIATE*
NJ - P.E.

June 3, 2015

FAX: (973) 383-8961

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

FROM: Harold E. Pellow, P.E., L.S., Town Engineer

SUBJECT: **RECOMMENDATION OF AWARD**
Proposed Traffic Signal Improvements for Trinity Street
HPA No. 15-047

Dear Debi:

I have reviewed the four (4) bids received on June 3, 2015 at 11:00 AM for the Proposed Traffic Signal Improvements at Trinity Street and Moran Street; and Trinity Street and Union Place; and recommend the contract be awarded to FAI-GON Electric, Inc., 140 11th Street, Piscataway, New Jersey 08854, whose low bid was \$294,875.00.

I also recommend the milling and paving of Trinity Street be completed next year to stay within the funds budgeted.

Enclosed herewith please find the *Summary of Bids* for your review.

Very truly yours,

Harold E. Pellow, P.E., L.S.
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineer

HEP:mac
K:\PROJECTS\MUNICIPAL\NEWTON\COUNCIL\15-047 - TRAFFIC SIGNAL IMPROVEMENTS FOR TRINITY STREET\MILLIKIN1.DOC

Enclosure



TOWN OF NEWTON

RESOLUTION #90-2015

June 8, 2015

“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 2014 and 2015 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, May 27, 2015.

Lorraine A. Read, RMC
Municipal Clerk

List of Bills - (10001) CASH - CURRENT - LAKELAND #434 CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
35211	53 - MONTAGUE TOOL & SUPPLY, INC.	PO 46089 BLANKET: REPAIR EQUIP RD/MACH/SNOW	64.55	
		PO 46378 SWARTSWOOD DAM REPAIR	165.29	229.84
35212	64 - PELLOW, HAROLD & ASSO, INC.	PO 46392 APR ENGINEERING	1,528.50	1,528.50
35213	84 - ABCODE SECURITY INC.	PO 46329 ANNUAL FIRE INSPECTION FIRE #1	80.00	80.00
35214	110 - G & G DIESEL SERVICE INC	PO 46139 BLANKET VEH MAINT RD	960.05	960.05
35215	113 - JCP&L	PO 46205 BLANKET: ELECTRIC TOWN @\$5000/ST @\$	5,520.30	5,520.30
35216	126 - SCMUA	PO 46195 BLANKET: TRASH/BRUSH/STREET SWEEPIN	1,969.53	1,969.53
35217	179 - READ, LORRAINE	PO 46349 REIMB CLERKS CONF & MILEAGE 345 MIL	258.87	258.87
35218	192 - CAMPBELL'S SMALL ENGINE INC.	PO 45635 BLANKET: Roads/Equipment Maintenanc	327.58	327.58
35219	199 - NEOPOST LEASING, INC.	PO 46324 INK CARTRIDGES & LABLES CUST #3056	149.00	149.00
35220	206 - LOCK & KEY WORLD	PO 46191 BLANKET: LOCK & KEYS B&G	71.00	71.00
35221	225 - FEDERAL EXPRESS	PO 46150 BLANKET: EXPRESS MAIL ACCT- -#1344	56.43	56.43
35222	230 - HAYEK'S MARKET INC.	PO 46368 Lunch for Interviews acct #123	41.33	41.33
35223	282 - WILLCO, INC.	PO 46149 BLANKET: REPAIRS HEATING & A/C	1,271.25	1,271.25
35224	303 - NJ POLICE TRAFFIC OFFICERS	PO 46307 ANNUAL MEMBERSHIP FOR POLICE	50.00	50.00
35225	373 - GALLS INCORPORATED	PO 46298 BREATHER MASKS ACCT #4794479	157.50	157.50
35226	611 - SEBRING AUTO PARTS, INC.	PO 46100 BLANKET: AUTO PARTS & SUPP'S ACCT	38.02	38.02
35227	1132 - BOONTON TIRE SUPPLY INC.	PO 45405 POLICE VEH MAINT -BLANKET	370.74	370.74
35228	1141 - MCGUIRE, INC.	PO 46099 BLANKET: DPW TRK REPAIRS	289.33	289.33
35229	1158 - VISION SERVICE PLAN	PO 46212 BLANKET VISION PLAN (APR-DEC)	694.91	694.91
35230	1212 - STATEWIDE INSURANCE FUND	PO 46373 3rd OF 4 INS ALL LINES W/C	44,540.39	44,540.39
35231	1280 - VERIZON WIRELESS, INC.	PO 46202 BLANKET: 1X AIRCARD ACCT #201 M15-2	193.71	193.71
35232	1500 - WALMART	PO 46049 BLANKET: POOL CONCESSION & SUPPLIES	143.95	
		PO 46371 HOW TO FIGHT FAT FLAMMATION (15)	288.75	
		PO 46393 POOL -PRINTERS (2)	727.94	1,160.64
35233	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 46333 PB CONSULT-APRIL	840.00	840.00
35234	1866 - HOME DEPOT, INC.	PO 45892 BLANKET: DPW/B&G/ PARK SUPPLIES	321.81	
		PO 46372 SURVEILLANCE SYSTEM	854.93	
		PO 46388 FIREHOUSE A/C & BASIN REPAIRS	1,248.66	2,425.40
35235	2113 - SUSSEX COUNTY MAILING SERVICE	PO 46224 SPRING NEWSLETTER MAILING	684.17	684.17
35236	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 46259 Office Supplies for the 2nd Floor	50.78	
		PO 46338 POOL SUPPLIES	45.75	96.53
35237	2268 - FIRST HOPE BANK INC.	PO 46180 PMT #2 OF 4 LEASE 2014 POLICE INTRC	9,747.32	9,747.32
35238	2278 - LANGUAGE LINE SERVICES, INC.	PO 46233 INTERPRETER/TRANSLATION ACCT #90209	117.30	117.30
35239	2387 - NESTLE WATERS, INC.	PO 46114 BLANKET: 2015 WATER	74.95	74.95
35240	2409 - THE EMBLEM AUTHORITY	PO 46040 PD BADGES	275.00	275.00
35241	2435 - HAMPTON BODY WORKS, INC.	PO 45623 REPAIR OF PD VEHICLE 3606	5,625.15	5,625.15
35242	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 46160 BLANKET: GAS (APR-SEPT \$4000)ACCT #	2,480.84	2,480.84
35243	2479 - TAYLOR OIL CO., INC.	PO 46159 BLANKET: DIESEL (APR -SEPT\$5000) AC	2,649.81	2,649.81
35244	2607 - NORTHERN RAIN	PO 46286 SPRAY HEAD NOZZLE	69.30	69.30
35245	2635 - W.B. MASON, INC.	PO 46268 Binders and dividers for Human Reso	84.05	84.05
35246	2639 - COUNTY OF SUSSEX	PO 46345 CNTY SHARE THORLABS 2ND QTR	7,918.35	7,918.35
35247	2835 - NJMEBF	PO 46386 JUNE MEDICAL & DENTAL	132,061.00	132,061.00
35248	2843 - CHELBUS CLEANING CO., INC.	PO 46256 PROFESSIONAL CARPET CLEANING FOR PD	490.80	490.80
35249	2860 - RUTGERS, CENTER FOR GOVERNMENT SERV	PO 46337 PB-Ed/Train-May 2015	235.00	235.00
35250	3032 - HARTER EQUIPMENT INC.	PO 46288 BACKHOE REPAIR ACCT #6298	9,135.77	9,135.77
35251	3105 - THYSSENKRUPP ELEVATOR CORP.	PO 45476 BLANKET: ELEVATOR MAINT TH SIDE CUS	205.11	205.11
35252	3117 - SOME'S WORLD WIDE UNIFORMS, INC.	PO 46308 PD CITATION BARS ACCT #10706	84.50	84.50
35253	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 46330 PB CONSULT-APRIL	118.00	118.00
35254	3435 - PRIME LUBE, INC.	PO 46145 BLANKET: ROAD VEHICLE MAINT CUST	150.00	150.00
35255	3473 - LEDA C GONZALEZ	PO 46189 SPANISH INTERPRETER/ TRANSLATOR	427.50	427.50
35256	3510 - STRAND BOOK STORE	PO 46361 (24) HOW TO FIGHT FAT FLAMMATION A	144.90	144.90
35257	3587 - PHOENIX ADVISORS, LLC.	PO 46296 CONTINUING SECONDARY MARKET 2015	650.00	650.00
35258	3619 - SPRING STREET PUB & GRILL	PO 46366 DINNER RUSSO/OSWIN	24.50	24.50
35259	3670 - NJ LEGISLATIVE MANUAL	PO 45880 2015 NJ LEGISLATIVE MANUAL ACCT #50	82.00	82.00
35260	3693 - AZUL CORE	PO 46275 WEBSITE DESIGN/MAINTENANCE	600.00	
		PO 46276 SOCIAL TECHNOLOGY SERVICES -TIER 2	350.00	950.00
35261	3694 - ATLANTIC TRAINING CENTER	PO 46279 CPR TRAINING	380.00	
		PO 46309 TRAINING	250.00	630.00

TOTAL

238,436.17

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

Check#	Vendor	Description	Payment	Check Total
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Total to be paid from Fund 10 CURRENT FUND		238,436.17		
		=====		
		238,436.17		

Checks Previously Disbursed

151033	PAYROLL ACCOUNT	6/04 CURRENT PAYROLL	196,077.36	6/04/2015

			196,077.36	

Total paid from Fund 10 CURRENT FUND		196,077.36		

		196,077.36		

Total for this Bills List: 434,513.53

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

Check#	Vendor	Description	Payment	Check Total
1267	3245 - MOVIES IN MOTION	PO 46277 Andover Township Family event- Alli	300.00	300.00
1268	3248 - SWANK MOTION PICTURES	PO 46311 Action Alliance: Family Series Ando	401.00	401.00
TOTAL				701.00

Total to be paid from Fund 11 FEDERAL/STATE GRANTS 701.00

701.00

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

Check#	Vendor	Description	Payment	Check Total
8418	64 - PELLOW, HAROLD & ASSO, INC.	PO 46392 APR ENGINEERING	5,746.13	5,746.13
8419	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC	PO 46382 GEN REDEVL -MAR	2,349.97	
		PO 46384 PREP. BOND ORD #2015-16 VARIOUS \$97	600.00	2,949.97
	TOTAL			----- 8,696.10
Total to be paid from Fund 30 CAPITAL			8,696.10	
			=====	
			8,696.10	

Checks Previously Disbursed

8417	PIERCE MANUFACTURING INC.	PO# 46303 PIERCE FIRE APPARATUS R #70-2015 (269,987.50	5/26/2015

			269,987.50	
Total paid from Fund 30 CAPITAL			269,987.50	

			269,987.50	

Total for this Bills List: 278,683.60

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

Check#	Vendor	Description	Payment	Check Total
14986	64 - PELLOW, HAROLD & ASSO, INC.	PO 45372 A/P - 12/31/14 Water allocation \$70	406.25	
		PO 46392 APR ENGINEERING	4,804.50	5,210.75
14987	113 - JCP&L	PO 46381 MAY W/S ELECTRIC	5,118.76	5,118.76
14988	126 - SCMUA	PO 46195 BLANKET: TRASH/BRUSH/STREET SWEEPIN	255.30	255.30
14989	130 - SUSSEX COUNTY P & H, INC.	PO 46086 BLANKET: W/S PLUMBING SUPPLIES APR	133.70	133.70
14990	200 - GARDEN STATE LABORATORIES INC	PO 46289 BLANKET: SEWER LAB & DRINKING WATER	1,100.00	1,100.00
14991	232 - HAMBURG PLUMBING SUPPLY CO INC	PO 46251 BLANKET: WATER MAIN SUPPLIES (APR-D	476.99	
		PO 46327 MANHOLD FRAME & COVER CUST #14037	697.78	1,174.77
14992	611 - SEBRING AUTO PARTS, INC.	PO 46100 BLANKET: AUTO PARTS & SUPP'S ACCT	82.89	82.89
14993	807 - FRANK SEMERARO CONSTRUCTION, INC.,	PO 46283 LEAK DETECTION RT 94 4/13	750.00	750.00
14994	1011 - LASSO, ERVIN	PO 45748 MEAL ALLOWANCE	24.00	24.00
14995	1062 - INSTRUMENTATION TECH SYSTEMS, INC.	PO 46025 YEAR CONTRACT FOR COMPUTERS MORRIS	1,300.00	1,300.00
14996	1158 - VISION SERVICE PLAN	PO 46212 BLANKET VISION PLAN (APR-DEC)	176.00	176.00
14997	1212 - STATEWIDE INSURANCE FUND	PO 46373 3rd OF 4 INS ALL LINES W/C	50,355.36	50,355.36
14998	1264 - WESTRA, ALBERT L.	PO 46335 REPLACEMENT OF Merriam Avenue SIDEW	1,125.00	1,125.00
14999	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 46236 BLANKET: SLUDGE REMOVAL (APR-DEC)	11,160.00	11,160.00
15000	1474 - DELL MARKETING L.P.	PO 46239 NEW COMPUTER SEWER DEPARTMENT ACCT	843.05	843.05
15001	1866 - HOME DEPOT, INC.	PO 46101 BLANKET: W/S SUPPLIES	68.04	68.04
15002	2113 - SUSSEX COUNTY MAILING SERVICE	PO 46224 SPRING NEWSLETTER MAILING	684.17	684.17
15003	2141 - AIRMATIC COMPRESSOR SYSTEMS, INC.	PO 46243 AIR COMPRESSOR PARTS & SVC WTP	2,534.54	2,534.54
15004	2216 - PALL CORPORATION	PO 45944 ANNUAL SERVICE CONTRACT FOR PALL FI	4,458.18	4,458.18
15005	2514 - ERIC TOMPKINS	PO 45681 SNOW/MEAL ALLOWANCE	8.00	8.00
15006	2713 - WILLIAM GRENNILLE, LLC.	PO 46037 2015 LICENSED WATER OPERATOR 2ND 3R	4,000.00	4,000.00
15007	2835 - NJMEBF	PO 46386 JUNE MEDICAL & DENTAL	28,861.00	28,861.00
15008	2854 - DUSTIN MCGARRY	PO 45750 MEAL ALLOWANCE	17.00	17.00
15009	3693 - AZUL CORE	PO 46275 WEBSITE DESIGN/MAINTENANCE	600.00	
		PO 46276 SOCIAL TECHNOLOGY SERVICES -TIER 2	90.00	690.00

TOTAL 120,130.51

Total to be paid from Fund 60 WATER/SEWER UTILITY 120,130.51

120,130.51

Checks Previously Disbursed

156016	PAYROLL ACCOUNT	6/04 W/S PAYROLL	35,138.75	6/04/2015
14985	SPARTA POSTMASTER	2ND QTR W/S BILLS POSTAGE	931.26	5/28/2015

			36,070.01	

Total paid from Fund 60 WATER/SEWER UTILITY 36,070.01

36,070.01

Total for this Bills List: 156,200.52

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

Check#	Vendor	Description	Payment	Check Total
2389	64 - PELLOW, HAROLD & ASSO, INC.	PO 42159 FOX HOLLOW WATERMAIN REPLACE	\$92, 3,553.88	3,553.88
	TOTAL			3,553.88
Total to be paid from Fund 61 WATER/SEWER CAPITAL			<u>3,553.88</u>	
			<u>3,553.88</u>	

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

Check#	Vendor	Description	Payment	Check Total
3365	64 - PELLOW, HAROLD & ASSO, INC.	PO 46392 APR ENGINEERING	3,211.00	3,211.00
3366	1309 - SIMMONS TRANSPORT, INC.	PO 46300 POTABLE WATER SVC MOHAWK HOUSE DURI	1,060.00	1,060.00
3367	1500 - WALMART	PO 46049 BLANKET: POOL CONCESSION & SUPPLIES	209.76	209.76
3368	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 46332 RICHARD LANCE-APRIL ESCROW	315.00	
		PO 46334 PUNCTUATED EQUILIBRIUM-APRIL ESCROW	45.00	360.00
3369	2532 - LADDEY, CLARK & RYAN, LLP	PO 46387 TOWNSQUARE GARDENS -APR	192.00	192.00
TOTAL				5,032.76

Total to be paid from Fund 71 TRUST

5,032.76

 5,032.76

Checks Previously Disbursed

157112	PAYROLL ACCOUNT	6/4 TRUST PAYROLL	843.00	6/04/2015
157111	TOWN OF NEWTON	START-UP MONEY ELECT FEE OTHR	200.00	5/29/2015
			1,043.00	

Total paid from Fund 71 TRUST

1,043.00

 1,043.00

Total for this Bills List: 6,075.76

**List of Bills - (720001) CASH - DEV ESCROW - LAKELAND #515
DEVELOPERS ESCROW (Fund 72)**

Check#	Vendor	Description	Payment	Check Total
1230	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 46331 MARTORANA-APRIL ESCROW	60.00	60.00
1231	2852 - FERRIERO ENGINEERING INC.	PO 46260 MARTORANA-APRIL ESCROW	1,058.98	1,058.98
1232	2963 - EDWARD J BUZAK	PO 46281 MARTORANA -APR	250.00	250.00
	TOTAL			----- 1,368.98

Total to be paid from Fund 72 DEVELOPERS ESCROW (Fund 72)

1,368.981,368.98

TOWN OF NEWTON

ORDINANCE 2015-

AN ORDINANCE REPEALING SECTION 240-9, SIGNS, AND CHAPTER 266, ARTICLE III, SIGNS AND BANNERS OVER STREETS, IN THEIR ENTIRETY, ADDING DEFINITIONS TO SECTION 320-3 AND REPEALING AND REPLACING SECTION 320-25 SIGN STANDARDS

WHEREAS, the Town Council of the Town of Newton requested a review of all sign standards within the Ordinance of the Town of Newton as a result of concerns raised by business owners; and

WHEREAS, the provisions for sign standards were located in three different sections in the Ordinance of the Town of Newton; and

WHEREAS, based on a review of the sign standards, the Town Council found that the sign standards should be revised to promote the health, safety and general welfare of the community; and

WHEREAS, the Town Council found that combining the three sign sections makes it clearer and easier to use, which promotes the general welfare of the community;

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

SECTION 1:

Section 240-9; Signs, is repealed in its entirety.

SECTION 2:

Chapter 266, Article III, Signs and Banners Over Streets, is repealed in its entirety.

SECTION 3:

Section 320-3 Definitions, is amended and supplemented as follows:

Sign. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

Sign, Animated or Moving. Any sign or part of a sign that changes physical position, or light intensity, by any movement or rotation or that gives the visual impression of such movement or rotation.

Sign, Awning. A sign that is mounted, painted, or attached to an awning or other window, door canopy that is otherwise permitted by ordinance. Also referred to as a canopy sign.

Sign, Banner. A temporary sign of cloth, vinyl or similar material that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by means, including words, letters, figures, design, symbols, colors and/or images. A banner sign may be used for private business advertising purposes or may be used to celebrate an event, season, community, neighborhood or district when sponsored by a recognized community agency, organization or not-for-profit.

Sign, Blade. A sign that is wholly or partly dependent upon a building for support and that projects more than twelve (12) inches from such building. Also known as a projecting sign, hanging sign or shingle sign.

Sign, Community Event. A temporary sign announcing a community event such as tricky trays, yard sales and fundraisers for public entities and not-for-profit organizations such as charities, schools, etc.

Sign, Directional. Signs limited to directional messages such as "one way," "entrance," and "exit."

Sign, Feather Flag. See Feather Flag.

Sign, Flag. A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as the symbol or emblem of a country or institution, as decoration, or for advertising.

Sign, Flashing. Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Freestanding. Any non-movable sign not affixed to a building. Freestanding signs may include pole mounted signs, pylon signs and ground signs.

Sign, Ground Mounted. Any freestanding sign, other than a pole mounted sign, in which the entire bottom of the sign is in contact or close contact with the ground. Also known as pedestal or monument signs.

Sign, Halo Effect. An externally illuminated sign that is lit by a hidden light source which illuminates the wall or other background to the sign message, but not the face of the sign message. Halo signs may utilize neon to provide the halo effect, in which case the resulting sign is considered externally illuminated.

Sign, Home/Professional Occupation. A sign containing only the name and occupation of an permitted home or professional occupation.

Sign, Internally Illuminated. A sign lit from the inside by artificial lighting including fluorescent bulbs, neon, LED technology or some other light source that emits light from within the sign.

Sign, Externally Illuminated. A sign lit from the outside by lights shining on the face of the sign or that emit light from behind the sign (see halo effect signs).

Sign, Menu Board. A sign that contains the menu of a restaurant.

Sign, Neon. An internally illuminated sign consisting of glass tubing, bent to form letters, symbols, or other shapes and illuminated by neon or a similar gas through which an electric voltage is discharged.

Sign, Official. Any sign installed by a governmental agency and intended to direct or control traffic; identify streets, parks, public places or public or historic events; or to provide other information deemed necessary by that official agency.

Sign, Open. A window sign that displays the word "open" and may include hours of operation. The open sign may be illuminated but not flashing or moving.

Sign, Political. A temporary sign announcing support or supporting political candidates or issues in connection with any national, state or local election.

Sign, Portable. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to, signs to be transported on wheels and sandwich board signs. Portable signs must be stored inside the building when the business is closed.

Sign, Professional/Tenant Identification. A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

Sign, Quick Response (QR) Code/TAG Code. A sign containing a QR Code/TAG Code or similar technology-based bar code that consumers may scan with a smart phone, camera or other device in order to access advertising information, coupons, a website and/or other information about the business.

Sign, Real Estate. A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

Sign, Residence Designation. A sign or nameplate indicating the name and/or address of the occupants of a residential property.

Sign, Roof. A sign that is mounted on the roof of a building or that is wholly dependent on a building for support and that project above the top edge or roof line of a building with a flat roof, eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

Sign, Sandwich Board. See portable sign.

Sign, Temporary. A sign or advertising display constructed of cloth, canvas, fabric, plastic, cardboard, plywood or other light material and designed or intended to be displayed for a short period of time.

Sign, Temporary Window. A temporary sign hung inside of a window of a commercial establishment.

Sign, Temporary Banner. See Sign, Banner.

Sign, Temporary Ground. A temporary sign that is staked or otherwise affixed to the ground.

Sign, Wall. A sign fastened to, or painted on, the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve (12) inches from such building or structure.

Sign, Window. A permanent sign that is painted or mounted onto a window pane, or that is hung inside the window solely for the purpose or effect of identifying any premises from the sidewalk or street. Also referred to as a permanent window sign.

SECTION 4:

Section 320-25 Sign Standards, is repealed in its entirety and replaced by the following:

SECTION 320-25 SIGN STANDARDS

The sign standards section is intended to encourage signage which is compatible with the character of the building's architectural design and other signs and buildings within the vicinity of the business. These standards encourage efficient use of signage and minimization of visual clutter. Creativity and unique designs are encouraged that develop distinctive images using high quality craftsmanship and materials.

SECTION 320-25.A GENERAL SIGN PROVISIONS

- 320-25.A(1) No sign shall be constructed or displayed unless a permit shall have first been obtained from the Zoning Officer, unless specifically permitted without a Zoning Permit pursuant to this Section.
- 320-25.A(2) No sign shall be placed so as to interfere with or be mistaken for a traffic light or similar safety device or interfere with traffic visibility.
- 320-25.A(3) Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement of stopping or caution or the existence of danger or which is likely to be confused with any sign displayed by public authority is prohibited.
- 320-25.A(4) No advertising sign shall be erected or located on, within or over any public right-of-way; excepting district identification signs for a business district, municipal or traffic signs, or parking directional signs over access roads to parking, and except temporary signs as permitted by this Section.
- 320-25.A(5) No permanent sign or advertising structure shall be erected which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises, unless the business, commodity, service or entertainment is owned or operated by the same business entity as the location of the permanent sign. Any such sign shall meet the requirements of this Section. Temporary signs that cross-market businesses or events located off-premises are permitted subject to the requirements of this Section.
- 320-25.A(6) Wall or ground traffic directional and traffic safety signs containing such wording as "one-way," "do not enter," "stop," "enter" and "exit" may be located on a property in any zone, subject to the requirements of this Section.

320-25.A(7) The graphic content of a sign may be modified without obtaining a Zoning Permit, provided that the proposed graphic content complies with all applicable provisions of this Section.

320-25.A(8) Any Official Sign or sign required by a provision of law is permitted in any Zone.

320-25.B SIGN SIZE AND LOCATION

320-25.B(1) Number of Signs Permitted by Type

Sign Type	# of Signs if Permitted	Zones Permitted
Free Standing/ Ground Mounted	1 per building	T-4, T-5, SD 1-9
Awning/Canopy/Façade/ Wall/ Projecting/ Blade	Choose any 2 per road frontage and 1 additional per non-frontage side per business	T-4, T-5, T-6, SD 1-9
Directional	1 per ingress/egress and as needed internally to the site	All Districts
Menu Board (Window or Façade)	1 per business	T-4, T-5, T-6, SD 1-9
Portable Sign/Sandwich Board	1 per business	T-4, T-5, T-6, SD 1-9
Professional /Tenant Identification	1 per building	T-4, T-5, T-6, SD 1-9
Real Estate	1 per building	All Districts
Window (Permanent)	1 per window	T-4, T-5, T-6, SD 1-9
Window (Permanent, Internally Illuminated)	1 per window	T-4, T-5, T-6, SD 1-9
Home/Professional Occupation Sign	1 per building	All Districts
Temporary Ground Sign/Banner (T-6)	1 per business for max. 90 days	T-6
Temporary Ground Sign/Banner (T-4, T-5, SD 1-9)	5 per business for max. 90 days	T-4, T-5, SD 1-9
Temporary Window Signs (T-4, T-5, T-6)	Any number up to max. % coverage permitted	T-4, T-5, T-6
Temporary Window Signs (SD 1-9)	Any number up to max. % coverage permitted	SD 1-9
Quick Response (QR)/TAG Code	1 per business	T-4, T-5, T-6, SD 1-9
Decorative or Open Flags	1 per business	All Districts
"Open" Signs (May be Internally Illuminated, Not Flashing)	1 per business	T-4, T-5, T-6, SD 1-9

320-25.B(2) Size of Signs by Type

Sign Type	Max. Size
Free Standing/ Ground Mounted	40 square feet
Awning/Canopy	8 square feet
Façade/ Wall	1 sq. ft. per lineal foot of façade
Façade/ Wall (Internally Illuminated)	8 square feet
Projecting/Blade	8 square feet
Directional	4 square feet
Menu Board	4 square feet
Portable Sign/Sandwich Board	8 square feet
Professional /Tenant Identification	36 square feet total 3 square feet per tenant
Real Estate	24 square feet
Window (Permanent)	8 square feet per window
Window (Permanent, Internally Illuminated)	8 square feet per window
Home/Professional Occupation Sign	4 square feet
Temporary Ground Sign/Banner	24 square feet
Temporary Window Signs (T-4, T-5, T-6)	Maximum Window Coverage 50% (including permanent window signs)
Temporary Window Signs (SD 1-9)	Maximum Window Coverage 75% (including permanent window signs)
Quick Response (QR)/TAG Code	1 square foot
Decorative or Open Flags	6 square feet
"Open" Signs (May be Internally Illuminated, Not Flashing)	8 square feet (in addition to above permitted signs)

320-25.C SIGN AREA MEASUREMENT

- 320-25.C(1) The areas of any sign face shall be measured as the product of the horizontal width and the largest vertical width of the lettering, illustration, display or background. Where there is no geometric frame to the sign, the sign size shall be determined by creating a four-sided box around the largest illustration or lettering in the sign.
- 320-25.C(2) The sign area measurement shall not include framing, trim, molding or supporting/hanging structure used to secure sign to the building.
- 320-25.C(3) For double-faced signs, only one side is considered into the measurement.
- 320-25.C(4) For sign faces that are not parallel (i.e. v-shaped signs) both faces shall be considered into the computing of sign area. Sandwich boards shall be exempt and only one side measured in sign size calculation.

320-25.D SIGN LIGHTING

- 320-25.D(1) Externally illuminated sign sources shall be shielded or directed so as to not produce glare. Externally illuminated signs, including Halo Effect Signs, may be permitted with a Zoning Permit provided that they meet the standards of this Section.
- 320-25.D(2) Internally illuminated signs that are larger than eight (8) square feet may be permitted following Planning Board approval via a Minor Site Plan application, if not included in a Major Site Plan application. The Planning Board must find that the sign is in keeping with the surrounding area and the architectural features of the building, is not in conflict with the goals of the Master Plan for that zone and is not a nuisance to adjacent properties.
- 320-25.D(3) Freestanding, ground-mounted or wall/blade signs utilizing digital/LED lettering, also known as electronic message boards (EMB), may be permitted following Planning Board approval via a Minor Site Plan application, if not included in a Major Site Plan application. The EMB shall be measured around the edges of the display board. The EMB may be a portion of or all of the sign area. The EMB must be fitted with a dimmer to adjust the lighting intensity so that it doesn't cause a nuisance or glare. The maximum luminance of the EMB shall be 80 nits. Lettering on the sign may change at a maximum of one message per 15 seconds. The Planning Board must find that the sign will not cause any traffic safety concerns and is not a nuisance to adjacent properties.

320-25.E CONSTRUCTION SIGNAGE

- 320-25.E(1) During construction, one (1) sign for each project or development phase may be displayed indicating the name of the project, developer, design professionals, general contractor, sub-contractors, financing institution, and/or public agency officials (as applicable and appropriate). Construction signage must not exceed 25 square feet. Construction signage must be removed within 48 hours of obtaining a Certificate of Occupancy.

320-25.F TEMPORARY SIGNAGE AND BANNERS

- 320-25.F(1) Temporary ground signs or banners that do not exceed the number and size as noted above may be displayed with a Zoning Permit provided that the temporary sign does not interfere with pedestrian or traffic safety and the sign remains in good condition.
- 320-25.F(2) Temporary window signs placed inside the window may be utilized by businesses provided they do not cover more than the percentage of window as noted above and remain in good condition. Said window signs may be displayed without a Zoning Permit so long as they remain in good condition and do not represent a hazard or nuisance. Windows of businesses that are vacant may have the windows covered 100 percent, temporarily until occupied, unless said covering is determined to represent a hazard, nuisance or security issue by the Zoning Officer or Chief of Police.
- 320-25.F(3) Temporary signs for elections and community events, such as tricky trays, yard sales, etc. are permitted subject to the following requirements:
- (a) Size: Maximum size in the T-1, T-2 and T-3 Zones is four (4) square feet. Maximum size in all other zones is sixteen (16) square feet.
 - (b) The property owner must consent to the sign on their property.
 - (c) The sign may be placed on the property up to 30 days prior to the event and must be removed within 72 hours following the event. A Zoning Permit is not required for temporary election or community event signs.
- 320-25.F(4) Real estate signs may be placed in front of a building for sale or lease in all zones, as noted above, until such time as the building is sold, leased or taken off of the market. The sign shall be removed within 72 hours of the closing of the sale of the property, signing of the lease on the property, or removal of the listing for the property. A Zoning Permit is not required.

320-25.G LOCATION OF SIGNAGE

- 320-25.G(1) No sign shall be placed in any location so as to block the safe movement of cars, bikes, pedestrians or other traffic at any driveway or street intersection.
- 320-24.G(2) No sign shall be located in an area along a sidewalk, walkway, driveway or access so as to block the safe access of the property or impact handicap accessibility standards.
- 320-24.G(3) Wall mounted signage may be placed above the first floor façade to identify a business on the upper floors of a building, or to identify the building, provided that the sign size and number meet the standards of this Section.

320-25.H PROHIBITED SIGNAGE

320-25.H(1) Moving, animated, flashing, blinking or rotating signs or lights, as well as streamers, pennants and similar displays, are prohibited in all zones, except EMBs as noted above. This prohibition includes balloons, other inflatable objects, searchlights, and flexible signs where movement is produced through operation of a fan or similar device, except that up to four (4) standard-sized balloons may be attached to portable signs.

320-25.H(2) Roof signs, feather flags.

320-25.I EXEMPT SIGNAGE

320-25.I(1) The following exemptions shall apply only to the requirement for a Zoning Permit and shall not be construed as relieving the owner of the sign from the responsibility for its erection and maintenance in good and safe condition:

- (a) Memorial tablets or signs, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials. Maximum size is four (4) square feet.
- (b) Official Signs.
- (c) Residence Designation Signs, including names on mail boxes and residences and address signs on mail boxes and buildings including 9-1-1 address signs provided that the sign does not exceed two (2) square feet.
- (d) Signs used on properties warning the public against hunting or trespassing thereon provided that the sign does not exceed two (2) square feet.
- (e) The flag of a government or noncommercial institution such as a school.
- (f) Religious symbols and seasonal decorations within the appropriate recognized season or holiday.
- (g) Temporary community event and political signs provided they meet the standards of this Section.
- (h) Portable signs, decorative or open flags and open signs provided they meet the standards of this Section.
- (i) Real estate signs provided they meet the standards of this Section.
- (j) Temporary windows signs provided they meet the standards of this Section.
- (k) Re-lettering of a previously approved sign provided that the size or location of the sign does not change.

SIGNS AND BANNERS OVER PUBLIC STREETS

No person shall be permitted or allowed to place, erect or maintain, or cause to be placed, erected or maintained any sign, banner or other device over any public street in the Town of Newton, except for approved utilization of the existing decorative poles located on Spring Street, which shall be granted only for advertisement on behalf of a bona fide religious, charitable, educational, or municipal organization, in connection with the organization or a related campaign, or for an event in the interest or welfare of the public as determined by the Town Manager or his/her designee.

A fee of \$50.00 shall be charged in connection with the application for signs or banners over Spring Street under this section and the erection and removal of the sign or banner by the Town.

Applications shall be submitted to the Municipal Clerk's office; reviewed by the Director of Public Works, Supervisor of Public Works or his/her designee, to confirm sign safety; approved by the Town Manager or his/her designee and issued by the Municipal Clerk or Deputy Municipal Clerk. Any application that does not meet the satisfaction of the Director of Public Works, Supervisor of Public Works or his/her designee as to safety shall be denied.

Only one sign or banner may be present at a time. Licenses shall be issued on a first-come, first-served basis, based upon time of submission of application.

After being granted, such approval pursuant to this section shall be valid for a maximum of four (4) weeks.

An application for a sign or banner over Spring Street shall contain:

- i. a statement of eligibility to apply for a sign or banner under the terms of this section; and
- ii. the weight and dimensions of the sign or banner, and the type of fastenings proposed to be used; and
- iii. any such other information as may be required by the Director of Public Works, Town Manager, Municipal Clerk or Deputy Municipal Clerk.

Upon application, and prior to approval of the sign or banner, the following must be obtained:

- i. Approval from the Director of Public Works, Supervisor of Public Works or his/her designee; and
- ii. Approval by the Town Manager or his/her designee; and
- iii. Executed hold harmless agreement with the Town; and
- iv. A guarantee of a bond indemnifying the Town of Newton, its agents and servants, from any and all liability it related to the erection or maintenance of any sign or banner.

SECTION 5: SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 6: NOTICE

The Municipal Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Municipal Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law. **TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, _____, 2015. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body to be conducted at 7:00pm on Monday, _____, 2015 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

ATTEST:

Lorraine A. Read, RMC
Municipal Clerk