



AGENDA
NEWTON TOWN COUNCIL

JUNE 22, 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**

- JUNE 8, 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

- a. INTRODUCTION OF WINNERS OF MISS NEWTON, LITTLE MR. & MISS NEWTON
- b. PROCLAMATION – SENIOR CITIZEN OF THE YEAR – NANCY WOODS

VII. ORDINANCES

- a. 2ND READING AND PUBLIC HEARING

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

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

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

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

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

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

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 #91-2015* APPROVE PURCHASE OF SIX (6) SCBA PACKS FOR THE NEWTON FIRE DEPARTMENT
- b. RESOLUTION #92-2015* AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS
- c. RESOLUTION #93-2015* RENEWAL OF CLUB LICENSES
- d. RESOLUTION #94-2015* RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSES
- e. RESOLUTION #95-2015* APPROVE PURCHASE OF 2016 FORD F-250 4WD SUPER CAB 158" WB FOR THE DEPARTMENT OF PUBLIC WORKS
- f. RESOLUTION #96-2015* APPROVE PURCHASE OF 2015 FORD F-450 4WD REG CAB 141" WB 60" CA XL MASON DUMP CAB & CHASSIS FOR THE DEPARTMENT OF PUBLIC WORKS
- g. RESOLUTION #97-2015* APPROVE PURCHASE OF GALION MASON DUMP BODY AND RELATED EQUIPMENT FOR MASON DUMP TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS
- h. RESOLUTION #98-2015* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- i. RESOLUTION #99-2015* RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES

X. INTERMISSION

XI. DISCUSSION

- a. FENCE ORDINANCE DRAFT – JESSICA CALDWELL, TOWN PLANNER
- b. HOUSING ORDINANCE DRAFT - ANGELO BOLCATO, ESQ.
- c. PUBLIC STREET ORDINANCE - CHIEF RICHARDS, SLEO DONOFRIO

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENTS

XIV. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

Nancy Woods

WHEREAS, Nancy Woods was born in Sussex County and is the daughter of Ralph and Phoebe Shotwell. She grew up on a farm with her two brothers and one sister. After graduating high school she attended Trenton State College and upon graduation in May 1967, she accepted a teaching position at Fredon Elementary School; and

WHEREAS, On November 4, 1967 she married Robert Woods and they moved to Newton. When their children Gregory and daughter, Kimberly were born, Nancy decided to give up teaching and raise her children; and.

WHEREAS, while raising her children, Nancy was actively involved with the 4H Club and was a 4H Leader. To this day, she still judges the 4H Food Categories during the State Fair; and

WHEREAS, Nancy is an active member of Yellow Frame Church where she has served as a trustee. She has also served as a volunteer on the Newton Memorial Hospital Auxiliary for over 25 years; and

WHEREAS, in 1984 Nancy decided to open Abilgails with her sister-in-law, Peggy Woods. They had a small location on Spring Street. As the business grew they moved to a larger location and then they moved to 145 Spring Street. She became involved with the Greater Newton Chamber of Commerce and was on the Board of Directors as well as serving on many committees. After 25 years, Peg and Nancy decided to retire and close Abilgails; and

WHEREAS, today Nancy continues her exceptional community service as Executive Director of the Greater Newton Chamber of Commerce where she holds a part-time position but puts in the hours of a full-time employee, always making sure that everything is done and done correctly;

NOW THEREFORE, WE, the Mayor and Town Council of the Town of Newton, hereby proclaim our appreciation and gratitude to Nancy Woods for exemplifying the vital role senior citizens play within their community. In recognition of her personal and professional accomplishments and volunteer efforts, we commend Nancy for her spirit and dedication to our Town and hereby name Nancy Woods:

2015 “Newton Senior Citizen of the Year”

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

Attest: _____

Date: _____ June 22, 2015 _____

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
--	-------------

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 was 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 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 was 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 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 Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, June 8, 2015. It was 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 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 #91-2015

June 22, 2015

“Approve Purchase of Six (6) SCBA Packs for the Newton Fire Department”

WHEREAS, FF1 Professional Safety Services has supplied a quote dated May 19, 2015 under NJ State Contract #A80953 to the Newton Fire Department for the purchase of six (6) SCBA Packs in the amount of \$49,080.00; and

WHEREAS, the Purchasing Agent and the Chief of the Fire Department have recommended the purchase of six (6) SCBA Packs in the amount of \$49,080.00; and

WHEREAS, the Town Treasurer 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 six (6) SCBA packs be purchased from FF1 Professional Safety Services, Sparta, NJ through NJ State Contract #A80953, in the amount of \$49,080.00.

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 22, 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 #: 91-2015

APPROVING: FIREFIGHTER ONE, LLC.

FOR THE PURPOSE OF: (6) SCBA PACKS
(Using NJ State Contract #A80953)

IN THE AMOUNT OF: \$49,080.00

APPROPRIATED BY:

CAPITAL

ORD#2015-16 SCBA AIR PACKS #30915166 \$49,080.00

DATED THIS 22nd DAY OF JUNE 2015

BY Virginia Raftery
VIRGINIA K. RAFTERY,
TREASURER

FF1 Professional Safety Services

34 Wilson Drive Sparta, NJ 07871
Phone: 973-940-3061 Fax: 973-860-1388
www.FF1.com



ORDER ACKNOWLEDGEMENT

DATE: 5/19/2015

FF1 Order No. 472546

Customer P.O.: PO TBD

Requested By: Jason Miller

Ship Via: Truck Delivery

Payment Terms: Net 30

Bill To: Newton Fire Department
56 Woodside Ave
Newton, NJ 07860

Ship To: Newton Fire Department
56 Woodside Ave
Newton, NJ 07860
Attn: Chief Miller

Account Manager: Michael Dorlon/MDorlon@ff1.com

Description	QTY	Unit Price	Amount
MSA G1 SCBA Configured ATO: G1FS441MA2C0LAA 4500 psi, Quick Connect Remote Connection, Standard Harness without Chest Strap, Metal Band on Cradle, Adjustable Swiveling Lumbar Pad, Solid Cover Left Should Regulator, Continuous Regulator Hose, Speaker Module on Left Chest, Pass on Right Shoulder, Alkaline Battery Pack MSRP: \$6,400.00	6	5,120.00	30,720.00
MSA G1 Facepiece Configured ATO: G1FPPM1M4C1 Hycar, 4 Point Adjustable Head Harness, Cloth Neckstrap, Size Medium MSRP: \$375.00	6	300.00	1,800.00
MSA G1 SCBA Cylinder 4500 psi - 45 Min LOW PROFILE- Remote Connection -w/Air MSRP: \$1,330.00	15	1,064.00	15,960.00
T-0790 FIREFIGHTER PROTECTIVE CLOTHING & EQUIP. NJ State Contract # A80953 / Mine Safety Appliances Line # 00046 / COMM CODE: 340-34-029090 / SCBA January 1, 2013 Suggested Price List / 20% Discount			
Quick Connect Adapter for 4500/5500 psi Cylinders	15	40.00	600.00

Threads/Couplings are standard NH unless otherwise specified

Total \$49,080.00

We expect your order to ship complete on **11/19/2015** or **EARLIER** if possible.
(Customized Items require longer lead times)



**TOWN OF NEWTON
RESOLUTION #92-2015**

June 22, 2015

**"Authorize Credits Due Water and Sewer Utility
Accounts"**

WHEREAS, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated:

CREDIT FOR EXCESS USAGE FROM A READOUT MALFUNCTION:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
2946	40 Moran Street	\$46.07

CREDIT FOR ACCOUNT ERRONEOUSLY CHARGED:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
11073	177 Main Street	\$75.00

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the aforementioned accounts for amounts billed incorrectly due to the reason(s) stated.

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 22, 2015

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #93-2015

June 22, 2015

"Renewal of Club Licenses"

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Club Licenses be renewed for the licensing year 2015-2016, effective July 1, 2015:

No. 1915-31-014-001 be issued to Newton Memorial Post 5360, Veterans of Foreign Wars, t/a Newton Memorial Post 5360, V.F.W., 85 Mill Street, Newton, New Jersey; and

No. 1915-31-013-002 be issued to Loyal Order of Moose Newton Lodge #432, t/a Loyal Order of Moose Newton Lodge #432, 4 Diller Avenue, Newton, New Jersey.

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 22, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #94-2015

June 22, 2015

“Renewal of Plenary Retail Distribution Licenses”

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Plenary Retail Distribution Licenses be renewed for the licensing year 2015-2016, effective July 1, 2015:

No. 1915-44-010-003 be issued to Bia Krishna, Inc., t/a Seplow's Liquors, 5 Woodside Avenue, Newton, New Jersey; and

No. 1915-44-004-012 be issued to HV Patel Corporation, t/a Spring Liquors, 110 Spring Street, Newton, New Jersey.

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 22, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #95-2015

June 22, 2015

“Approve Purchase of 2016 Ford F-250 4WD Super Cab 158” WB for the Department of Public Works”

WHEREAS, Beyer Ford has supplied a quote under State Contract #A88727 to the Newton Department of Public Works for the purchase of a 2016 Ford F-250 4WD Super Cab 158” WB in the amount of \$34,251.50; and

WHEREAS, the Purchasing Agent and the Department of Public Works Supervisor have recommended the purchase of the 2016 Ford F-250 4WD Super Cab 158” WB in the amount of \$34,251.50; and

WHEREAS, the Town Treasurer has certified 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 2016 Ford F-250 4WD Super Cab 158” WB be purchased from Beyer Ford, East Hanover, NJ through State Contract #A88727 in the amount of \$34,251.50.

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 22, 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 #: 95-2015

APPROVING: BEYER FORD

FOR THE PURPOSE OF: DPW 4WD TRUCK
(Using NJ State Contract #A88727)

IN THE AMOUNT OF: \$34,251.50

APPROPRIATED BY:

CAPITAL

ORD#2015-16 DPW 4WD TRUCK #30915165 \$34,251.50

DATED THIS 22nd DAY OF JUNE 2015

BY Virginia K. Raftery
VIRGINIA K. RAFTERY,
TREASURER



TOWN OF NEWTON

RESOLUTION #96-2015

June 22, 2015

“Approve Purchase of 2015 Ford F-450 4WD Reg Cab 141” WB 60” CA XL Mason Dump Cab & Chassis for the Department of Public Works”

WHEREAS, Beyer Ford has supplied a quote under State Contract #A88214 to the Newton Department of Public Works for the purchase of a 2015 Ford F-450 4WD Reg Cab 141” WB 60” CA XL Mason Dump Cab & Chassis in the amount of \$31,027.00; and

WHEREAS, the Purchasing Agent and the Department of Public Works Supervisor have recommended the purchase of the Ford F-450 4WD Reg Cab 141” WB 60” CA XL Mason Dump Cab & Chassis in the amount of \$31,027.00; and

WHEREAS, the Town Treasurer has certified 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 Ford F-450 4WD Reg Cab 141” WB 60” CA XL Mason Dump Cab & Chassis be purchased from Beyer Ford, East Hanover, NJ through State Contract #A88214 in the amount of \$31,027.00.

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 22, 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 #: 96-2015

APPROVING: BEYER FORD

FOR THE PURPOSE OF: MASON DUMP CAB & CHASSIS
(Using NJ State Contract #A88214)

IN THE AMOUNT OF: \$31,027.00

APPROPRIATED BY:

CAPITAL

ORD#2015-16 MASON DUMP #30915164 \$31,027.00

DATED THIS 22nd DAY OF JUNE 2015

BY Virginia K. Raftery
VIRGINIA K. RAFTERY,
TREASURER



TOWN OF NEWTON

RESOLUTION #97-2015

June 22, 2015

“Approve Purchase of Galion Mason Dump Body and Related Equipment for Mason Dump Truck for the Department of Public Works”

WHEREAS, Cliffside Body Corporation has supplied a quote under State Contract #73499 Index #T-2108 to the Newton Department of Public Works for the purchase of a Galion Mason Dump Body and Related Equipment for the Mason Dump Truck awarded under Resolution #96-2015, in the amount of \$38,741.00; and

WHEREAS, the Purchasing Agent and the Department of Public Works Supervisor have recommended the purchase of the Galion Mason Dump Body and Related Equipment for the Mason Dump Truck in the amount of \$38,741.00; and

WHEREAS, the Town Treasurer has certified 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 Galion Mason Dump Body and Related Equipment for the Mason Dump Truck be purchased from Cliffside Body Corporation, Fairview, New Jersey through State Contract #73499 Index #T-2108 in the amount of \$38,741.00.

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 22, 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 #: 97-2015

APPROVING: CLIFFSIDE BODY CORPORATION

FOR THE PURPOSE OF: GALION MASON DUMP BODY
(Using NJ State Contract #73499 Index #T-2108)

IN THE AMOUNT OF: \$38,741.00

APPROPRIATED BY:

CAPITAL

ORD#2015-16 MASON DUMP BODY #30915164 \$38,741.00

DATED THIS 22nd DAY OF JUNE 2015

BY Virginia K. Raftery
VIRGINIA K. RAFTERY,
TREASURER



TOWN OF NEWTON

RESOLUTION #98-2015

June 22, 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 Monday, June 22, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #99-2015

June 22, 2015

"Renewal of Plenary Retail Consumption Licenses"

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Plenary Retail Consumption Licenses are renewed for licensing year 2015-2016, effective July 1, 2015:

No. 1915-33-001-006 be issued to Chenlin Chun Bo, Inc., t/a Chun Bo Chinese Restaurant, 66 Sparta Avenue, Newton, New Jersey; and

No. 1915-33-002-009 be issued to B&M LLC, t/a O'Reillys Pub & Grill, 271 Spring Street, Newton, New Jersey; and

No. 1915-33-003-007 be issued to Big Tadew, LLC, t/a Andre's Restaurant, 188-190 Spring Street, Newton, New Jersey; and

No. 1915-33-007-005 be issued to Apple Food Service of Newton, LLC., t/a Applebee's Neighborhood Grill & Bar, 6 North Park Drive, Newton, New Jersey; and

No. 1915-33-008-004 be issued to F. Roger Pierson Enterprises, Inc., t/a Trinity, 173 Spring Street, Newton, New Jersey; and

No. 1915-33-011-008 be issued to The County Seat Restaurant, LLC, t/a The County Seat Dining Cocktails & Caterers, 64 Water Street, Newton, New Jersey; and

No. 1915-33-006-011 be issued to Thordon Inc., t/a Tuscany Bistro, 216 Woodside Avenue, Newton, New Jersey; and

No. 1915-33-009-004 be issued to Sakel-Grapsas Inc., t/a Spring Pub and Grill, 144 Spring Street, Newton, New Jersey;

BE IT FURTHER RESOLVED by the Town Council of the Town of Newton, County of Sussex State of New Jersey, that the following Plenary Retail Consumption License w/Broad Package Privilege be renewed for licensing year 2015-2016, effective July 1, 2015:

No. 1915-32-005-011 be issued to Newton Bar & Liquors, Inc., t/a Shop Rite Liquors of Newton, 127 Water Street, (Route 206 N.) Newton, New Jersey.

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 22, 2015.

Lorraine A. Read, RMC
Municipal Clerk

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

Check#	Vendor	Description	Payment	Check Total
35264	62 - MGL FORMS - SYSTEMS, LLC.	PO 46280 BANK & RETURN ADDRESS STAMPS	68.00	
		PO 46409 TAX STICKERS W/ ADDRESS	193.00	261.00
35265	64 - PELLOW, HAROLD & ASSO, INC.	PO 46396 PB CONSULT-APR	250.00	250.00
35266	102 - SUSSEX CAR WASH INC	PO 46085 BLANKET: POLICE CAR WASHES (APR-DEC	238.00	238.00
35267	106 - ELIZABETHTOWN GAS	PO 45527 BLANKET: NAT GAS USAGE MAY (782.29	782.29
35268	109 - FURGIUELE, CAMILLE	PO 46134 MEDICARE PART B REIMB	629.40	629.40
35269	110 - G & G DIESEL SERVICE INC	PO 46139 BLANKET VEH MAINT RD	376.69	376.69
35270	113 - JCP&L	PO 46205 BLANKET: ELECTRIC TOWN @\$5000/ST @\$	9,085.10	9,085.10
35271	116 - NEW JERSEY HERALD, INC.	PO 45628 ADVERTISING TOWN OF NEWTON 2015 (2/	1,095.00	1,095.00
35272	116 - NEW JERSEY HERALD, INC.	PO 46470 LEGAL ADVERTISNG -MAR/APR/MAY	756.40	756.40
35273	133 - TEETS, MICHAEL D	PO 46079 2015 MILEAGE REIMB (200 miles \$112	112.00	112.00
35274	136 - ZENES, NANCY	PO 46257 MEDICARE PART B REIMB	1,573.50	1,573.50
35275	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 46109 BLANKET: ALARM CIRCUIT HIGH ST TWR/	125.85	125.85
35276	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 46110 BLANKET: LONG DISTANCE (APR-DEC @\$2	181.24	181.24
35277	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 46458 LOCAL PHONE SVC -MAY	3,373.41	3,373.41
35278	172 - FRISBIE, ARTHUR & RITA	PO 46135 MEDICARE PART B REIMB	1,258.80	1,258.80
35279	173 - ILIFF, JOHN AND TERRY	PO 46124 MEDICARE PART B REIMB	1,258.80	1,258.80
35280	192 - CAMPBELL'S SMALL ENGINE INC.	PO 45635 BLANKET: Roads/Equipment Maintenanc	3.54	3.54
35281	197 - FIRE FIGHTERS EQUIPMENT CO. INC.	PO 46328 DRY CHEMFIRE EXTINGUISHER	86.50	86.50
35282	225 - FEDERAL EXPRESS	PO 46150 BLANKET: EXPRESS MAIL ACCT- -#1344	30.23	30.23
35283	229 - SUSSEX COUNTY ECONOMIC	PO 46411 11th Annual Awards Dinner 6/26/15	100.00	100.00
35284	230 - HAYEK'S MARKET INC.	PO 46420 FOOD COUNCIL MEETING 6/8 ACCT #123	28.09	28.09
35285	240 - NEWTON FIRST AID SQUAD	PO 46121 2015 CONTRIBUTION \$6043.50 Qtr	6,043.50	6,043.50
35286	250 - FIRST UNITED METHODIST CHURCH	PO 46370 USE OF CHURCH 2015 PRIMARY ELECTION	100.00	100.00
35287	272 - HOLZHAUER, SCOTT	PO 46080 2015 MILEAGE REIMB (200 miles \$112	112.00	112.00
35288	276 - KAYS, PETER J.	PO 46238 MEDICARE PART B REIMB	1,678.40	1,678.40
35289	282 - WILLCO, INC.	PO 46149 BLANKET: REPAIRS HEATING & A/C	1,011.25	1,011.25
35290	285 - SLOAN, JAMES PPC.	PO 46414 JUNE PUBLIC DEFENDER	499.17	499.17
35291	336 - NEWTON TROPHY	PO 45943 TROPHIES FOR MISS NEWTON CONTEST	170.75	170.75
35292	365 - KITHCART, BROCK	PO 45475 2015 QTRLY PHONE STIPEND	37.50	37.50
35293	391 - LOU'S GLASS	PO 46304 WINDSHIELD REPLACEMENT	125.00	125.00
35294	447 - DONOFRIO, DONALD	PO 46229 MEDICARE PART B REIMB	629.40	629.40
35295	448 - GARRIS, JEAN	PO 46125 MEDICARE PART B REIMB	629.40	629.40
35296	611 - SEBRING AUTO PARTS, INC.	PO 46100 BLANKET: AUTO PARTS & SUPP'S ACCT	454.70	454.70
35297	628 - SUSSEX COUNTY COMMUNITY COLLEGE	PO 46278 FIRE FIGHTER 3 COURSE J ROSSANO	30.00	30.00
35298	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 46084 BLANKET: UNIFORM/MAT RENTALS	481.46	481.46
35299	874 - MILLIKIN,DEBRA	PO 46077 2015 MILEAGE REIMB (250 MILES \$140	140.00	
		PO 46444 MILEAGE & PARKING FOR RUTGERS COURS	41.23	181.23
35300	921 - AIRGAS EAST	PO 46163 BLANKET: ACETYLENE/ARGON/OXYGEN REN	7.34	7.34
35301	951 - SERVICE ELECTRIC CABLE TV	PO 46201 BLANKET: (3) CONVERTER BOX RENTAL 2	18.22	18.22
35302	1112 - RICHARDS, JEAN	PO 46126 MEDICARE PART B REIMB	629.40	629.40
35303	1132 - BOONTON TIRE SUPPLY INC.	PO 45405 POLICE VEH MAINT -BLANKET	29.10	
		PO 46312 VEHICLE REPAIRS	290.49	319.59
35304	1274 - RANSNORTH, NANCY	PO 46127 MEDICARE PART B REIMB	629.40	629.40
35305	1280 - VERIZON WIRELESS, INC.	PO 46108 BLANKET: CELL PHONES (Apr-Dec @\$150	1,337.90	1,337.90
35306	1500 - WALMART	PO 46443 ALCOHOL SWABS	1.98	
		PO 46481 FRAMES	46.85	48.83
35307	1528 - MR. JOHN, INC.	PO 46103 BLANKET: RECYCLING CNTR PORT A JOHN	73.85	73.85
35308	1625 - ALTERNATE POWER INC.	PO 45786 EMERGENCY GENERATOR'S QTRLY MAINT 2	812.50	812.50
35309	1742 - NJ MUNICIPALITIES	PO 46380 ID: 15M-9063 ANNUAL PUBLICATION	140.00	140.00
35310	1751 - TERESA ANN OSWIN	PO 45473 2015 QTRLY PHONE STIPEND	37.50	37.50
35311	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 46461 PB CONSULT - MAY 2015	930.00	930.00
35312	1866 - HOME DEPOT, INC.	PO 45622 BLANKET: PD SUPPLIES	11.28	
		PO 45892 BLANKET: DPW/B&G/ PARK SUPPLIES	270.86	282.14
35313	1883 - ROMYNS, LARRY E.	PO 46128 MEDICARE PART B REIMB	629.40	629.40
35314	1884 - MORRIS, THOMAS & BULAH	PO 46130 MEDICARE PART B REIMB	1,258.80	1,258.80
35315	2124 - BUCKMAN'S INC.	PO 46375 CALCIUM CHLORIDE POOL	80.78	80.78
35316	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 46151 BLANKET: PD/CENCOM OFFICE SUPPLIES	703.40	703.40
35317	2290 - DOUGLAS CUMMINS	PO 46129 MEDICARE PART B REIMB	629.40	629.40
35318	2310 - SUSSEX COUNTY ENGINEERING DIVISION	PO 46356 SEMI ANNUAL MAINT SPRING/MADISON &	226.36	226.36
35319	2429 - BLACK LAGOON	PO 46360 2015 POND MAINT	250.00	250.00
35320	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 46160 BLANKET: GAS (APR-SEPT \$4000)ACCT #	3,181.41	3,181.41

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

Check#	Vendor	Description	Payment	Check Total
35321	2479 - TAYLOR OIL CO., INC.	PO 46159 BLANKET: DIESEL (APR -SEPT\$5000) AC	1,796.94	1,796.94
35322	2532 - LADDEY, CLARK & RYAN, LLP	PO 46038 2015 PROSECUTOR (ann \$27,000/\$2,250	2,458.33	2,458.33
35323	2551 - RONALD CLOUSE	PO 46138 MEDICARE PART B REIMB	1,258.80	1,258.80
35324	2675 - TIRE KING, INC.	PO 45918 2 TIRES FIRE ENG #802	1,598.00	1,598.00
35325	2741 - JERSEY CENTRAL POWER & LIGHT, INC.	PO 46107 BLANKET: ELEC PARK N RIDE ACCT #100	847.15	847.15
35326	2757 - ATLANTIC TACTICAL INC.	PO 46012 PROTECH SHIELD ACCT #203375	864.35	864.35
35327	2767 - JAMES J KILDUFF	PO 46131 MEDICARE PART B REIMB	629.40	629.40
35328	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 45491 BLANKET: 2015 LABOR ATTORNEY (JAN-M	945.00	945.00
35329	2788 - PENTELEDATA	PO 46123 BLANKET: INTERNET ACCT #1871584 (AP	689.70	689.70
35330	2865 - STEVE MILLS	PO 46132 MEDICARE PART B REIMB	629.40	629.40
35331	2938 - WOODRUFF ENERGY US, INC.	PO 46115 BLANKET: NAT GAS USAGE (APR-DEC)	514.68	514.68
35332	3047 - MICHAEL A PANDISCIA	PO 46136 MEDICARE PART B REIMB	629.40	629.40
35333	3134 - SHOP RITE, INC.	PO 46426 FOOD MISS NEWTON	42.64	42.64
35334	3164 - KERRY DECKERT	PO 45474 2015 QTRLY PHONE STIPEND	37.50	
		PO 46078 2015 MILEAGE REIMB (150 miles \$84 p	84.00	121.50
35335	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 46403 PB CONSULT-MAY	295.00	295.00
35336	3240 - MORPHOTRAK, INC.	PO 45799 LIVESCAN FINGERPRINT SYSTEM MAINTEN	2,633.69	2,633.69
35337	3366 - SOMERSET COUNTY POLICE ACADEMY	PO 45781 2015 CRISIS NEGOTIATIONS SEMINAR	100.00	100.00
35338	3379 - CEUNION	PO 46390 RECORDS MANAGEMENT CLASS - 6/19/15	89.00	89.00
35339	3384 - EDGE PROPERTY MAINTENANCE, INC.	PO 41966 FIRE MUSEUM MASONARY RENOVATION	12,861.79	12,861.79
35340	3391 - ROUTE 23 PATIO, LLC.	PO 46249 CATCH BASIN CUBES (256) CUST #644	772.48	772.48
35341	3398 - TOYOTA/SUBARU/SCION OF MORRISTOWN I	PO 45625 BLANKET: 2013 CAMRY ROUTINE MAINT	82.25	82.25
35342	3435 - PRIME LUBE, INC.	PO 46344 FUEL ADDITIVE DRUM CUST #00-001227	150.00	150.00
35343	3442 - SUNLIGHT GENERAL	PO 46106 BLANKET: DPW/STP ELECTRIC (APR-DEC	533.65	533.65
35344	3444 - USA HOISTCO., INC.	PO 46082 BLANKET: ELEVATOR MAINT POLICE SIDE	420.00	420.00
35345	3515 - RESOLUTIONS	PO 46342 Follow-up coaching for T. Russo	225.00	225.00
35346	3548 - STS Tire & Auto, Inc.	PO 46310 TIRES ACCT #1014423	493.72	493.72
35347	3573 - LIFESAVERS, INC.	PO 46357 Lifesaving equipment AEDs	210.00	210.00
35348	3615 - ANN ROSELLEN	PO 46137 MEDICARE PART B REIMB	629.40	629.40
35349	3660 - SCHENCK, PRICE, SMITH, & KING, LLP	PO 46317 TAX APPEALS -APR/MAY	3,989.50	3,989.50
35350	3678 - RADISSON HOTEL HARTFORD	PO 45966 Clerk's Spring Conf. Hotel	445.05	445.05
35351	3693 - AZUL CORE	PO 46276 SOCIAL TECHNOLOGY SERVICES -TIER 2	90.00	90.00
35352	3700 - JENNIFER DODD	PO 46408 MILEAGE REIMB MCC HR LEADERSHIP CON	81.75	81.75
35353	3702 - NEWTON THEATRE	PO 46432 DIGITAL ADVERTISING (6 MNTHS)	750.00	750.00
35354	3705 - VJ TRUGLIO, CPO-I	PO 46430 POOL OPERATOR COURSE 2 DANIELSON &	610.00	610.00

				84,503.39

Total to be paid from Fund 10 CURRENT FUND

84,503.39

=====

84,503.39

Checks Previously Disbursed

151037	PAYROLL ACCOUNT	6/18	CURRENT PAYROLL	204,046.63	6/18/2015
151036	TRUST ACCOUNT, TOWN OF NEWTON	PO# 46406	RJ #470 CORR SCCC CK TO POLICE NOT	622.00	6/11/2015
35263	SUSSEX COUNTY CHAMBER OF COMMERCE	PO# 45926	30th ANNUAL AWARD DINNER POLICE CH	120.00	6/10/2015
151035	ELAVON		JUNE COURT MERCHANT FEE	132.80	6/08/2015
35262	NJ MOTOR VEHICLE SERVICES		TITLE DPW 10 TON TRAILER	60.00	6/08/2015
151034	NEWTON BOARD OF EDUCATION		School Tax JUNE 2015	1,011,421.34	6/09/2015

				1,216,402.77	

Total paid from Fund 10 CURRENT FUND

1,216,402.77

1,216,402.77

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

Check#	Vendor	Description	Payment	Check Total
--------	--------	-------------	---------	-------------

Total for this Bills List: **1,300,906.16**

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

Check#	Vendor	Description	Payment	Check Total
1269	409 - MINISINK PRESS INC	PO 46433 2,065 RECYCLING NEWSLETTERS PRINTED	340.00	340.00
1270	2301 - SCREEN CREATION PLUS	PO 46305 Parents Who Host, Lose the Most	609.50	
		PO 46347 Action Alliance - Freshman Orientat	1,000.00	1,609.50
1271	3134 - SHOP RITE, INC.	PO 46446 FOOD FRESHMAN ORIENTATION PEER LEAD	88.01	88.01
1272	3613 - CLARKE CATON HINTZ	PO 45025 HIGHLANDS COUNCIL TDR GRANT PROG	112.00	112.00
1273	3695 - CORNELL THOMAS	PO 46348 DARE	1,000.00	1,000.00
1274	3699 - MERRIAM AVE SCHOOL PTO	PO 46379 1/4 PAGE YEARBOOK AD	80.00	80.00
TOTAL				----- 3,229.51

Total to be paid from Fund 11 FEDERAL/STATE GRANTS

3,229.51

3,229.51

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

Check#	Vendor	Description	Payment	Check Total
8421	116 - NEW JERSEY HERALD, INC.	PO 46469 LEGAL CAPITAL ADVERTISING MAR/APR/M	543.90	543.90
8422	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC	PO 46350 JADE REDEVELOPMENT -MAR	1,787.50	1,787.50
8423	2744 - FKA ARCHITECTS INC.	PO 41252 ARCHITECTURAL FIRE MUSEUM	135.00	135.00
8424	3045 - EXCEL ENVIRONMENTAL RESOURCES, INC.	PO 46383 NEWTON ARMORY -3/31	6,504.88	6,504.88
8425	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 45225 SIGN. ORD. UPDATE & GENERATOR ORDINA	1,298.00	1,298.00
8426	3384 - EDGE PROPERTY MAINTENANCE, INC.	PO 41966 FIRE MUSEUM MASONARY RENOVATION	38,070.04	38,070.04
TOTAL				48,339.32

Total to be paid from Fund 30 CAPITAL

48,339.32

48,339.32

List of Bills - (60001) CASH - W/S OPERATING-LAKELAND #426 WATER/SEWER UTILITY

Check#	Vendor	Description	Payment	Check Total
15010	55 - SCHMIDT'S WHOLESALE, INC	PO 46476 STOCK SUPPLIES FOR MAIN REPAIR	611.11	611.11
15011	62 - MGL FORMS - SYSTEMS, LLC.	PO 46280 BANK & RETURN ADDRESS STAMPS	29.00	29.00
15012	106 - ELIZABETHTOWN GAS	PO 45527 BLANKET: NAT GAS USAGE MAY	973.97	973.97
15013	113 - JCP&L	PO 46442 W/S MAY ELECTRIC	7,142.55	7,142.55
15014	116 - NEW JERSEY HERALD, INC.	PO 46468 ADVERTISING CHEMICALS	60.00	60.00
15015	121 - PUMPING SERVICES, INC.	PO 46156 BLANKET: STP \$8000/WTP \$2000 REPAIR	975.00	975.00
15016	155 - COYNE CHEMICAL CORP., INC.	PO 46166 BID: SODA ASH -Liq sodium carbonate	4,518.85	
		PO 46457 CITRIC ACID CP-837 & SODIUM BISUFIT	1,840.97	6,359.82
15017	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 46176 BLANKET: WOODSIDE AVE PS 9733834159	36.51	36.51
15018	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 46458 LOCAL PHONE SVC -MAY	1,332.28	1,332.28
15019	200 - GARDEN STATE LABORATORIES INC	PO 46289 BLANKET: SEWER LAB & DRINKING WATER	885.00	885.00
15020	227 - ALLIED METER SERVICE INC.	PO 46419 METER TEST 125 SPARTA AVE	31.00	31.00
15021	366 - WAGNER, WILLIAM	PO 46197 MEDICARE PART B REIMB	1,258.80	1,258.80
15022	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 46084 BLANKET: UNIFORM/MAT RENTALS	213.54	213.54
15023	921 - AIRGAS EAST	PO 45495 BLANKET: CARBON DIOXIDE	66.85	66.85
15024	1132 - BOONTON TIRE SUPPLY INC.	PO 46312 VEHICLE REPAIRS	294.43	294.43
15025	1271 - JCI JONES CHEMICALS, INC	PO 46164 BID: CHLORINE \$.60 gal (Apr-Dec \$65	1,020.00	1,020.00
15026	1280 - VERIZON WIRELESS, INC.	PO 46108 BLANKET: CELL PHONES (Apr-Dec @\$150	220.21	220.21
15027	1489 - SMALLLEY, JOHN	PO 46039 2015 SVC'S MORRIS LAKE 9 mnths @ \$1	1,250.00	
		PO 46133 MEDICARE PART B REIMB	1,258.80	2,508.80
15028	1566 - MAIN POOL & CHEMICAL COMPANY, INC.	PO 46169 BID: SODIUM HYPOCHLORITE @ \$1.17 (\$	936.00	936.00
15029	1601 - TILCON NEW JERSEY, INC.	PO 46471 ASPHALT REPAIR WTR MAINS CUST #8584	2,155.13	2,155.13
15030	1625 - ALTERNATE POWER INC.	PO 44195 MAINT. W/S GENERATORS (8/1/14-7/31/	1,335.00	1,335.00
15031	1866 - HOME DEPOT, INC.	PO 46474 SUMP PUMP GORILLA TAPE	254.37	254.37
15032	2709 - ACCURATE WASTE REMOVAL INC.	PO 46177 BID: CHEMICAL WASTE REMOVAL @ \$.03	528.00	
		PO 46242 BLANKET: GREASE REMOVAL STP	1,008.00	1,536.00
15033	2713 - WILLIAM GRENNILLE, LLC.	PO 46037 2015 LICENSED WATER OPERATOR 2ND 3R	8,000.00	8,000.00
15034	2788 - PENTELEDATA	PO 46123 BLANKET: INTERNET ACCT #1871584 (AP	119.90	119.90
15035	2882 - ONE CALL CONCEPTS, INC.	PO 46083 BLANKET: ONE CALL MESSAGES (APR-DEC	223.30	223.30
15036	2938 - WOODRUFF ENERGY US, INC.	PO 46115 BLANKET: NAT GAS USAGE (APR-DEC)	233.46	233.46
15037	3166 - HATCH MOTT MACDONALD	PO 44372 ENGINEER -ROOF REPLACEMENT STP MAY	2,416.21	
		PO 46425 SEWER CONSULTING -MAY	678.58	3,094.79
15038	3391 - ROUTE 23 PATIO, LLC.	PO 46250 MASON SAND (8 YARDS) CUST #644	288.00	288.00
15039	3429 - TOYOTA MOTOR CREDIT CORP.	PO 45396 2013 TOYOTA CAMRY 60 PMT @ \$472.08	472.08	472.08
15040	3442 - SUNLIGHT GENERAL	PO 46106 BLANKET: DPW/STP ELECTRIC (APR-DEC	955.59	955.59
15041	3515 - RESOLUTIONS	PO 46342 Follow-up coaching for T. Russo	225.00	225.00
15042	3693 - AZUL CORE	PO 46276 SOCIAL TECHNOLOGY SERVICES -TIER 2	90.00	90.00
15043	3702 - NEWTON THEATRE	PO 46432 DIGITAL ADVERTISING (6 MNTHS)	750.00	750.00
TOTAL				44,687.49

Total to be paid from Fund 60 WATER/SEWER UTILITY

44,687.49

44,687.49

Checks Previously Disbursed

156018	PAYROLL ACCOUNT	6/18 W/S PAYROLL	28,492.17	6/18/2015
156017	STATE OF NEW JERSEY - PWT	2nd Qtr Water/Sewer Tax	441.40	6/10/2015

			28,933.57	

Total paid from Fund 60 WATER/SEWER UTILITY

28,933.57

28,933.57

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

Check#	Vendor	Description	Payment	Check Total
--------	--------	-------------	---------	-------------

Total for this Bills List: **73,621.06**

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

Check#	Vendor	Description	Payment	Check Total
2391	2709 - ACCURATE WASTE REMOVAL INC.	PO 46290 REMOVAL LIQUID PRIMARY TANKS	542.40	542.40
2392	3166 - HATCH MOTT MACDONALD	PO 44371 ENGINEER -REPLACE PRIMARY SETTLING	1,997.50	1,997.50
TOTAL				2,539.90

Total to be paid from Fund 61 WATER/SEWER CAPITAL 2,539.90

2,539.90

Checks Previously Disbursed

2390	TREASURER, STATE OF NEW JERSEY	PO# 46472 Wetlands Permit Hardship Waiver #1	4,000.00	6/18/2015
			4,000.00	

Total paid from Fund 61 WATER/SEWER CAPITAL 4,000.00

4,000.00

Total for this Bills List: 6,539.90

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

Check#	Vendor	Description	Payment	Check Total
3370	64 - PELLOW, HAROLD & ASSO, INC.	PO 46395 LUTZ-APR/MAY ESCROW	359.00	
		PO 46397 J & R DEV/J. PUTRINO/ TWN SQ GRDN-	515.50	
		PO 46398 R. LANCE-APR ESCROW	281.00	
		PO 46399 PUNC EQUILIBRIUM-APR ESCROW	375.00	1,530.50
3371	164 - HOLLANDER, STRELZIK, PASCULLI, HINKES	PO 46441 SPARTA 7-ELEVEN MAR/APR/MAY	468.00	468.00
3372	285 - SLOAN, JAMES PPC.	PO 46414 JUNE PUBLIC DEFENDER	730.00	730.00
3373	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 46463 PUNC. EQUILIBRIUM-MAY ESCROW	165.00	
		PO 46464 R. LANCE-MAY ESCROW	300.00	
		PO 46465 DUNKIN DONUTS NEWTON-MAY ESCROW	450.00	
		PO 46466 LUTZ-MAY ESCROW	165.00	
		PO 46467 J&R DEV/J PUTRINO/TWN SQ GRDNS-MAY	30.00	1,110.00
3374	2377 - FOREMOST PROMOTIONS, INC.	PO 46376 NEWTON DAY PD HAND OUTS ACCT #NE252	578.05	578.05
3375	2532 - LADDEY, CLARK & RYAN, LLP	PO 46475 J&R DEVEL/J PUTRINO/ TWN SQ GRDNS-M	64.00	64.00
3376	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 46401 NEWTON DONUTS-MAY ESCROW	295.00	
		PO 46402 PUNC EQUILIBRIUM-MAY ESCROW	236.00	531.00
TOTAL				5,011.55

Total to be paid from Fund 71 TRUST 5,011.55

5,011.55

Checks Previously Disbursed

157113	PAYROLL ACCOUNT	6/18 TRUST PAYROLL	1,475.25	6/18/2015
			1,475.25	

Total paid from Fund 71 TRUST 1,475.25

1,475.25

Total for this Bills List: 6,486.80

TOWN OF NEWTON
ORDINANCE 2015-__

**AN ORDINANCE AMENDING CHAPTER 144 "HOUSING STANDARDS"
OF THE TOWN OF NEWTON'S CODE IN ORDER TO ADOPT THE
NEW JERSEY STATE HOUSING CODE**

WHEREAS, the Mayor and Town Council of the Town of Newton desire to amend the existing Chapter 144 "Housing Standards" of the Town Code by adopting the New Jersey State Housing Code requirements in order to better protect the health, safety and welfare of Town residents;

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. Existing Codes §§144-3 through 10 are repealed in their entirety.

SECTION 2. New §144-3 is enacted as follows:

§144-3 Adoption of New Jersey State Housing Code.

Pursuant to the provisions of N.J.S.A. 40:49-5.1 et seq. the New Jersey State Housing Code, as approved by the New Jersey Department of Community Affairs and adopted as N.J.A.C. 5:28-1.1, et seq., is hereby accepted and adopted by reference as a standard to be used in determining whether dwellings in the Town of Newton are safe, sanitary, and fit for human habitation, occupancy and/or use.

SECTION 3. New §144-4 is enacted as follows:

§144-4 Public Record.

Three (3) copies of the New Jersey State Housing Code are on file at the office of the Town Clerk for use and examination by the public.

SECTION 4. New §144-5 is enacted as follows:

§144-5 Enforcing Authority and Public Officer.

The administrative authority for the provisions of this Chapter shall be the Town Manager or his/her designee. The Public Officer, responsible for enforcement depending on the nature of the enforcement item, shall be the Town's Construction Official, for construction related items; Code Enforcement Director, for property maintenance

items; or the Town's Health Officer, which is currently the Sussex County Department of Health and Environmental Services, for health related items, including the public health practice standards referenced in N.J.S.A. 8:52-3.2 and 8:52-14.1, including any statutes or codes referred therein, or any such other individual or entity designated by the Town Manager or his/her designee.

SECTION 5. New §144-6 is enacted as follows:

§144-6. Standards.

This chapter contains the standards to guide the Public Officer in determining the fitness of any dwelling, dwelling unit, rooming unit or premises (collectively referred to as "dwelling" in this Chapter) for human habitation, use or occupancy.

SECTION 6. New §144-7 is enacted as follows:

§144-7. Rules and regulations.

The Town Council may make written rules and regulations which interpret the provisions of this Chapter or for the enforcement of the provisions of this Chapter. However, such rules and regulations shall not be inconsistent with nor alter, amend or supersede any provision of this Chapter. Violations of such rules and regulations shall be subject to the same penalties as other violations of this Chapter.

SECTION 7. New §144-8 is enacted as follows:

§144-8. Occupancy Prohibited.

No person shall occupy as owner-occupant, or rent or otherwise allow anyone to occupy any building, dwelling or dwelling unit for the purpose of living therein which does not conform to the provisions of the New Jersey State Housing Code adopted hereby as the standard to be used in determining if a building, dwelling or dwelling unit is safe, sanitary and fit for human habitation.

SECTION 8. §144-11 is repealed in its entirety and replaced by new §144-9 as follows:

§ 144-9. Enforcement.

- A. The Public Officer, with the assistance, as necessary, of any other Department, including but not limited to, the Uniform Construction Code Department and Department of Code Enforcement, may offer technical assistance to the Public Officer with enforcing the provisions of this chapter.

- B. The Public Officer is authorized and directed to make inspections to determine the condition of buildings, dwellings, dwelling units, rooming units and premises (collectively defined as "dwelling" for purposes of this §144-8) located within the Town, in order that the Public Officer may perform their duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making inspections, the Public Officer is authorized to enter, examine and survey at all reasonable times all dwellings, and the person in charge shall give the Public Officer free access to the dwelling at all reasonable times for the purposes of inspection, examination and survey. Every occupant of a dwelling shall give the owner or their agent or employee access to any part of such dwelling at all reasonable times for the purpose of making repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.
- C. Whenever the Public Officer determines there are reasonable grounds to believe there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant thereto, the Public Officer shall give notice of the alleged violation to the person or persons responsible as hereinafter provided. The notice shall be in writing, include a statement of the reasons why it is being issued, allow a reasonable time for the performance of any act it requires, and be served upon the owner or their agent or the occupant, as the case may require, provided the notice shall be deemed to be properly served upon the owner or agent or upon the occupant if a copy thereof is served upon him personally; if a copy thereof is sent by registered mail to his last known address; if a copy is posted in a conspicuous place in or about the dwelling affected by the notice; or if he is served with such notice by any other method authorized or required under the laws of this state. The notice may contain an outline of the remedial action which, if taken, will effect compliance with the provisions of this chapter and with rules and regulations adopted.
- D. Every notice served by the Public Officer pursuant to Subsection C of this chapter shall contain a statement in bold type which states as follows: **"Any person aggrieved by any provision contained in the within notice may, within 10 days from the date of service, appeal to the Town Manager or his/her designee by filing a notice of appeal with the Town Clerk."**
- E. Any notice served pursuant to this chapter shall automatically become an order if written petition of appeal is not filed in the office of the Town Clerk within 10 days after the notice is served as hereinabove provided.

- F. The Public Officer is authorized, subject to approval of the Town Manager or his/her designee, to make and adopt written rules and regulations as they may deem necessary for the proper enforcement of the provisions of this Chapter, provided that rules and regulations shall not be in conflict with the provisions of this Chapter nor in any way alter, amend or supersede any of the provisions thereof. The Public Officer shall file a certified copy of all rules and regulations which they may adopt in their office and in the offices of the Town Clerk, Board of Health and Town Manager, and have the rules and regulations published once in the official newspaper of the Town.

SECTION 9. Existing §144-12 "Board of Appeals" is repealed in its entirety.

SECTION 10. Existing §144-13 "Appeals" is renumbered as §144-10 "Appeals" and is replaced in its entirety as follows:

§144-10 Appeals.

- A. Any person aggrieved by any notice or order which has been issued in connection with the enforcement of any provisions of this chapter or any rule or regulation may request and be granted a hearing on the matter before the Town Manager or his/her designee, provided that the person files in the office of the Town Clerk a written petition requesting the hearing, setting forth a brief statement of the grounds, within 10 days after the day the notice or order was served or within 10 days from the date that the action complained of occurred and pays a fee as set forth in §100-21 to help defray the costs of the appeal.
- B. Upon receipt of the petition and fee, the Town Manager or his/her designee shall set a time and place for the hearing and shall give the petitioner written notice thereof.
- C. At the hearing, the petitioner shall be given an opportunity to be heard and show why the notice, order or other action complained of should be modified or reversed. The hearing shall be scheduled not later than 30 days after the day on which the petition was filed, provided that, upon application of the petitioner or upon the Town Manager's (or designee) own motion, the hearing date may be postponed beyond the thirty-day period.
- D. At the time and place set for the hearing, the petitioner may present evidence or testimony in their behalf as may be deemed necessary and desirable. The proceedings at the hearing, including the findings and decision of the Town Manager or designee, shall be summarized, reduced

to writing and entered as a matter of public record. The records shall include a copy of every notice or order issued in connection with the matter.

- E. Upon completion of the hearing, the Town Manager or his/her designee, within 30 days, shall make his/her findings of fact and conclusions of law. Copies of the decision shall be filed with the Town Clerk and mailed to the appellant. The Town Council, at its next regular meeting following the date of receipt by the Town Clerk of the Town Manager or his/her designee's decision, shall either affirm the decision or remand the matter to the Town Manager or his/her designee for further consideration, stating its reasons. Should the Town Council fail to take any action with respect to a recommendation of the Town Manager or his/her designee at its next regular meeting or such meeting as may be postponed by the Town Council, the decision of the Town Manager or his/her designee shall be deemed to have been affirmed.

SECTION 11. §144-14 is repealed in its entirety.

SECTION 12. §144-15 is repealed in its entirety.

SECTION 13. Existing §144-16 "Issuance of inspection and status reports" is renumbered as §144-11 "Issuance of inspection and status reports".

SECTION 14. Existing §144-17 "Violations and penalties" is renumbered as §144-12 "Violations and penalties".

SECTION 15. **Severability.** If any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 16. **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 17. **Effective Date.** This Ordinance shall take effect immediately upon adoption and publication in accordance with 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, _____, 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.

Lorraine A. Read, RMC
Municipal Clerk

AJB:mdc
N:\USERS\Clients\7562-19 ZONING-CODE ENFORCEMENT\Chapter 144 - Housing Standards\Ordinance 2015- amending
Chapter 144 Housing - clean.docx
06/18/15

DRAFT FOR DISCUSSION

TOWN OF NEWTON

ORDINANCE 2015-

AN ORDINANCE AMENDING SECTION 320-24.A FENCES OR WALLS OF THE TOWN CODE OF THE TOWN OF NEWTON TO CREATE ADDITIONAL STANDARDS FOR FENCE INSTALLATION

WHEREAS, the Mayor and the Town Council of the Town of Newton find that it is not directly noted in Section 320-24.A that a fence permit is needed; and

WHEREAS, the Mayor and the Town Council of the Town of Newton find that an additional standard to require fences to be constructed one (1) foot off of the property line would limit conflicts between property owners;

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 320-24.A Fences and Walls shall be supplemented as follows:

- (11) No fence or wall shall be placed within one (1) foot of any property line unless a single fence is placed along a common property line as agreed to by adjoining property owners.
- (12) Fences and walls shall be erected in a manner so as to permit the flow of natural drainage and shall not cause surface water to be blocked or dammed to create ponding.
- (13) A fence permit is required to be issued by the Zoning Officer. An application for a fence permit shall contain such information as to ensure conformance with the above standards and, at a minimum, should include a plot plan indicating the location of fencing, fence material, the lot's front, side and rear yard setback requirements, and an indication of the proposed fence height in relation to the front yard setback and remainder of lot as applicable.

SECTION 2: 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 3: NOTICE

Upon the adoption of this Ordinance, after public hearing, the Town Clerk is 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 4: 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 Town Council 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

DRAFT

TOWN OF NEWTON

ORDINANCE #2015-_____

AN ORDINANCE AMENDING CHAPTER 213 ENTITLED “PROPERTY MAINTENANCE” AND AMENDING CHAPTER 266 ENTITLED “STREETS AND SIDEWALKS” OF THE CODE OF THE TOWN OF NEWTON TO REVISE AND ESTABLISH ADDITIONAL MEASURES TO ASSIST IN THE PUBLIC SAFETY OF TOWN RESIDENTS BUSINESS OWNERS AND VISITORS

WHEREAS, the Town of Newton has determined that additional measures may assist in the public safety of Town residents business owners and visitors; and

WHEREAS, the Town of Newton’s Police Department has determined that automatic shutting doors would assist in the public safety of all business occupants and in crime prevention and disruption; and

WHEREAS, preventing individuals from dropping items onto public streets and sidewalks will increase public safety; and

WHEREAS, establishing standards for public decency will aid in maintaining public safety and benefits all residents and visitors to the Town.

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

Section 1. A new Section 213-10.A shall be and is hereby enacted as part of the Town Code, as follows:

213-10.A For every residential building that has more than one unit, any and all exterior doors connected to a common hallway must be self-closing and self-securing, and have a chain lock and door viewer. No person shall tamper with, alter, disable or otherwise thwart the operation of the door closing and securing.

Section 2. A new Article VII to Chapter 266, “Streets and Sidewalks”, shall be and is hereby enacted as part of the Town Code, as follows:

Article VII Depositing Items on Public Streets and Sidewalks

266-46 No person shall throw, drop, propel, deposit or dump any item including keys, packages, litter, garbage or rubbish from any building onto any public street or sidewalk or to any person or thing on any public street or sidewalk below.

266-47 *Violations and Penalties.* Violations of the provisions of this Article shall be punishable as provided in Chapter 1, Article III, General Penalty.

Section 3. A new Article VIII to Chapter 266, “Streets and Sidewalks”, shall be and is hereby enacted as part of the Town Code, as follows:

Article VIII Decency Standards for Public Streets and Sidewalks.

266-48 Decency Standards for Public Streets and Sidewalks.

a) *Regulated Conduct.* All persons who are present upon the Town’s public streets and sidewalks shall comply with the following dress and decency standards:

1. At all times foot protection must be worn, which may include shoes, sneakers or flip-flops, which adequately protect one’s feet from objects protruding from the surface of the public street or sidewalk; and
2. A shirt which covers the breast and/or pectoral area must be worn; and
3. At all times the waist-band of shorts, pants and/or skirts shall not be worn more than three inches below the wearer’s waist, interpreted to mean at a level below the crest of the ilium, so as to expose either skin or garment underneath.

b) *Consequence of Violation.* Violation of a paragraph a. of the herein subsection shall be addressed by a law enforcement officer, by advising the offender of the herein requirements, requesting compliance by either altering his or her dress or immediately, peaceably, exiting the public street or sidewalk.

c) *Request Not Required.* If the offender has been previously advised of the requirements of the herein subsection by a law enforcement officer and has been found to be intentionally or knowingly in violation at a later time or subsequent date, the provisions of paragraph b. shall not apply as a prerequisite to action being taken under paragraph d. herein.

d) *Consequences of Failure to Comply with Request.* If a request as outlined in paragraph b. of the herein subsection does not result in immediate, peaceful compliance, or the offender has been previously advised of the requirements of this subsection by a law enforcement officer such that he or she is in knowing or intentional violation of the requirements herein, a citation for violation of the requirements herein shall issue. In addition to issuance of a citation, the offender shall be escorted or removed from the public streets or sidewalk unless the law enforcement officer has determined good cause to allow such offender to remain, conditioned upon full compliance with paragraph a. herein.

e) *Violation Shall Not Result in an Arrest.* An arrest may not be issued solely for violation of paragraph a. of this section.

f) *Circumstances where arrest prohibition does not apply.* The arrest prohibition within paragraph e. of this subsection shall not apply to any conduct which is independently disorderly, in abrogation of the direction of order of a law enforcement officer, or otherwise in violation of the New Jersey Criminal Code or the Town of Newton Code, so as to provide an independent basis for arrest.

g) *Fines and Penalties.* A citation issued for violation of this subsection shall subject the offender to a penalty of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars for the first offense, which may be payable at twenty-five (\$25.00) dollars to the court without appearance, and not more than two hundred (\$200.00) dollars for each subsequent offense, court appearance mandatory. In addition to the fine, the court may order such person to participate in up to forty (40) hours of court-approved community service activities.

h) *Defense.* It is a defense under this subsection if it is determined that the person was exercising rights protected by the Federal or State Constitution. Any defense under this subsection must be asserted prior to any hearing or trial in the matter.

Section 4. 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 5. 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 6. Effective Date. This Ordinance will take effect after publication and passage according to law.

NOTICE

TAKE NOTICE that the above entitled Ordinance was introduced at a regular meeting of the Mayor and Town Council of the Town of Newton, County of Sussex, New Jersey, held on _____, 2015, and will be considered for final passage after public hearing at a regular meeting of the Mayor and Town Council to be held on _____, 2015, at 7:00 p.m. in the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey. During the preceding week, copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

Lorraine A. Read, RMC
Municipal Clerk