



**AGENDA**  
**NEWTON TOWN COUNCIL**  
**SEPTEMBER 16, 2015**  
**7:00 P.M.**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. OPEN PUBLIC MEETINGS ACT STATEMENT**
- IV. APPROVAL OF MINUTES** - AUGUST 24, 2015 REGULAR MEETING  
AUGUST 24, 2015 EXECUTIVE SESSION
- V. OPEN TO THE PUBLIC**

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

**VI. COUNCIL & MANAGER REPORTS**

- a. PROCLAMATION – CHILDHOOD CANCER AWARENESS MONTH - SEPTEMBER

**VII. ORDINANCES**

- a. 2<sup>ND</sup> READING AND PUBLIC HEARING

ORDINANCE 2015-21

AN ORDINANCE REPEALING SECTION 240-9, SIGNS, AND CHAPTER 286, 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

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

ORDINANCE 2015-22

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

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

ORDINANCE 2015-23

AN ORDINANCE AMENDING CHAPTER 213 ENTITLED "PROPERTY MAINTENANCE" AND 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

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

ORDINANCE 2015-24

AN ORDINANCE AMENDING SECTIONS 320-3, DEFINITIONS, AND 320-24.A, FENCES OR WALLS, OF THE TOWN CODE OF THE TOWN OF NEWTON TO CREATE ADDITIONAL STANDARDS FOR FENCE INSTALLATION

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

ORDINANCE 2015-25

AN ORDINANCE AMENDING CHAPTER 307 "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWN OF NEWTON TO REVISE PARKING REQUIREMENTS FOR PORTIONS OF SPRING STREET

- 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 #152-2015\* AFFIRM THE ISSUANCE OF A \$4,139,000 BOND ANTICIPATION NOTE
- b. RESOLUTION #153-2015\* WATER RESTRICTIONS FOR THE TOWN OF NEWTON EFFECTIVE SEPTEMBER 17, 2015
- c. RESOLUTION #154-2015\* APPROVING REVISED TOWN OF NEWTON PERSONNEL POLICIES AND PROCEDURES MANUAL AND EMPLOYEE HANDBOOK
- d. RESOLUTION#155-2015\* APPROVING USE OF MILLINGS FROM NEWTON'S TRINITY STREET PROJECT TO THE TOWNSHIP OF FREDON
- e. RESOLUTION #156-2015\* INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2015 TOWN OF NEWTON BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (C. 159, PL 1948)

- f. RESOLUTION #157-2015\* AUTHORIZED CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS
- g. RESOLUTION #158-2015\* AUTHORIZED CREDIT FOR WATER USAGE FOR 125 SPARTA AVENUE
- h. RESOLUTION #159-2015\* APPROVE BILLS AND VOUCHERS FOR PAYMENT

**X. INTERMISSION**

**XI. DISCUSSION**

- a. ORDINANCE DRAFT – PET LEASH REQUIREMENTS
- b. ORDINANCE DRAFT – WIRELESS COMMUNICATION
- c. ORDINANCE DRAFT – COURT VIOLATION SCHEDULE
- d. ORDINANCE DRAFT – JEFFERSON STREET NO PARKING
- e. NO RIGHT TURN ON MADISON STREET

**XII. OPEN TO THE PUBLIC**

**XIII. COUNCIL & MANAGER COMMENTS**

**XIV. ADJOURNMENT**

Office of the Mayor

Newton, New Jersey

# Proclamation

## Childhood Cancer Awareness Month

### September

**WHEREAS**, each year, pediatric cancer interrupts the childhood and limits the potential of thousands of young Americans, and it remains the leading cause of disease related deaths in children; and

**WHEREAS**, September has been declared as National Childhood Cancer Awareness Month and in an effort to raise awareness everyone is encouraged to go GOLD to show support and promote recognition of those your lives affected by cancer; and

**WHEREAS**, during Childhood Cancer Awareness Month, we come together to remember all those whose lives were cut short by pediatric cancer, to recognize the loved ones who know too well the pain it causes, and to support every child and every family battling cancer each day. We join with their loved ones and the researchers, health-care providers, and advocates who support them as we work toward a tomorrow where all children are able to pursue their full measure of happiness without the burden of cancer;

**NOW THEREFORE, WE**, the Mayor and Town Council of the Town of Newton, hereby proclaim September as Childhood Cancer Awareness Month in the Town of Newton.

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

Attest: \_\_\_\_\_

Date: \_\_\_\_\_ September 16, 2015 \_\_\_\_\_

**TOWN OF NEWTON**

**ORDINANCE 2015-21**

**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:

Roof. The outside top covering of a building.

Roof, Flat. A roof that is not pitched and the surface of which is generally parallel to the ground.

Roof, Gable. A ridged roof forming a gable at both ends of the building.

Roof, Gambrel. A gabled roof with two slopes on each of four sides, the low steeper than the upper.

Roof, Hip. A roof with sloping ends and sides.

Roof Mansard. A roof with two slopes on each of four sides, the lower steeper than the upper.

Roof, Shed. A roof with one slope.

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 in the T-6 Zone, all other zones portable signs may remain outside at the owner’s risk.

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. Lighted advertising signs (typically beer advertising signs) hung inside windows of an establishment are considered permanent signs.

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. One (1) permit is required per sign for each location, unless otherwise stated in 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, historic 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.
- 320-25A(9) All hanging signs, temporary or permanent must be hung so that the bottom edge of the sign is a minimum of eight (8) feet from grade.
- 320-25A(10) The Marquis Sign at the Newton Theatre (Lot 10, Block 8.06) is grandfathered and permitted to remain as is as of the date of adoption of this ordinance and can be replaced if partially or completely destroyed. Any new or additional signs at the Newton Theatre must comply with all applicable provisions of the Town Code.

**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-6                   |
| Portable Sign/Sandwich Board                               | 2 per business   | T-4, T-5, 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, SD1-9  |
| Home/Professional Occupation Sign                          | 1 per building   | All Districts         |
| Temporary Ground Sign/Banner (T-6)                         | 1 per business   | T-6                   |
| Temporary Ground Sign/Banner (T-4, T-5, SD 1-9)            | 5 per business   | 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 |
| Barber Shop Poles  | 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 Per Sign  |
|--|---|
| 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   | 12 square feet  |
| Directional  | 4 square feet   |
| Menu Board   | 4 square feet   |
| Portable Sign/Sandwich Board                               | 8 square feet   |
| Professional /Tenant Identification                        | 40 square feet total<br>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%<br>(including permanent window signs) |
| Temporary Window Signs (SD 1-9)                            | Maximum Window Coverage 75%<br>(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)              |
| Barber Shop Poles  | 4 foot maximum height   |

### **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 and Barber Shop Poles, 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.
  - (l) Business or historic district directory signs, wayfinding signs, signs setting forth rules of conduct and/or light pole banners.

- (m) Temporary grand opening signs and/or banners for the first 30 days the signs are displayed.

**320-25.J 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.

**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, August 24, 2015. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Wednesday, September 16, 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

**TOWN OF NEWTON**

**ORDINANCE 2015-22**

**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 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; and

**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 Code §§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 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 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, which is currently the Sussex County Department of Health and Environmental Services, or such other individual or entity designated by the Town Manager or his/her designee shall be responsible.

**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, upon providing at least 24 hours advanced written notice, except in the case of an emergency in which case, no advance notice is required, the Public Officer is authorized to enter, examine and survey all dwellings, and the person in charge shall give the Public Officer access to the dwelling for the purposes of inspection, examination and survey. Upon advance notice of at least 24 hours, except in the case of an emergency, in which case, advance notice is not required, the occupant of a dwelling shall give the owner or their agent or employee access to any part of such dwelling at 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 that there are reasonable grounds to believe that 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 that 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 or her personally; if a copy thereof is sent by registered mail to his or her last known address; if a copy is posted in a conspicuous place in or about the dwelling affected by the notice; or if he or she 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 within the notice may, within 10 calendar 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 Clerk within 10 calendar 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:

**§144-10.1 Appeals to the Town Manager.**

- 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 calendar days after the day the notice or order was served or within 10 calendar days from the date that the action complained of occurred and pays a fee as set forth in §100-21.F 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 calendar 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 30 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 calendar days, shall make their findings of fact and conclusions of law. Copies of the decision shall be filed with the Town Clerk and mailed to the appellant.

#### **§144-10.2 Appeals to the Town Council**

- A. In the event the petitioner desires to appeal the decision of the Town Manager, or his/her designee, the petitioner may request a hearing before the Town Council, provided that the petitioner files a written petition with the Town Clerk within 10 calendar days from the date that the Town Manager's decision was served on the petitioner. The petitioner must also pay the appeal fee, as set forth in §100-21(F), with his/her appeal petition.
- B. Upon receipt of the petition and fee, the Town Council designee shall set a time and place for the hearing and shall give the petitioner written notice thereof. Such hearing shall be open to the public, in accordance with the New Jersey Open Public Meetings Act.
- C. At the hearing, the petitioner shall be given an opportunity to be heard and show why the Town Manager's decision should be modified or reversed. The hearing shall be scheduled not later than 30 calendar days after the day on which the petition was filed, provided that, upon application of the petitioner or upon the Town Council's own motion, the hearing date may be postponed beyond the 30 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 Council 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 Council shall, within 30 calendar days, make their decision. Copies of the decision shall be filed with the Town Clerk and mailed to the petitioner. In the event the petitioner seeks to challenge the decision of the Town Council, the petitioner may file an appeal with a court of competent jurisdiction within the time provided for in the New Jersey Court Rules.

**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.** Chapter 100, Fees and Costs, §100-21 entitled "Property Maintenance Code", is hereby amended to add the following:

F. Fee to file an appeal to the Town Manager: \$100.

Fee to file an appeal to the Town Council: \$100.

**SECTION 16. 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 17. 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 18. 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, August 24, 2015, 2015. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Wednesday, September 16, 2015 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON**

**ORDINANCE #2015-23**

**AN ORDINANCE AMENDING CHAPTER 213 ENTITLED “PROPERTY MAINTENANCE” AND 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;

**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 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, fluids, including bodily fluids, 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. 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.

**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, August 24, 2015, 2015. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Wednesday, September 16, 2015 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

# TOWN OF NEWTON

## ORDINANCE 2015-24

### AN ORDINANCE AMENDING SECTIONS 320-3, DEFINITIONS, AND 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 Town Council of the Town of Newton find that it is not directly noted in Section 320-24.A of the Town Code that a fence permit is needed; and

**WHEREAS**, the Mayor and 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; and

**WHEREAS**, the Mayor and Town Council, with suggestions from the Town planner, desire to make additional revisions to fencing regulations and to definitions, Town Code Section 320-3, related to fencing;

**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 320-3 Definitions, of the Town Code is amended by the addition of the following:

Fence: an artificially constructed barrier of any material or combination of materials erected to enclose, screen or separate areas. Fences are generally erected as permanent or long-term structures utilizing fence posts set into the ground with concrete or other stabilizing material.

Temporary Fence: an artificially constructed barrier made of any material or combination of materials erected to temporarily enclose, screen or separate areas. Temporary fences may include deer fencing, garden enclosures, edging, and the like, which are not permanently affixed into the ground and can be easily removed without special equipment or machinery.

**SECTION 2:** Section 320-24.A Fences and Walls, of the Town Code shall be supplemented by the addition of the following:

- (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) Temporary fences must meet all setback and height requirements of permanent fencing.

- (14) A fence permit is required to be issued by the Zoning Officer prior to the erection or replacement of any fence, except that temporary fences do not require a permit, however they must meet all height and setback requirements of permanent fences. 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 3: 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 4: 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 5: EFFECTIVE DATE**

**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, August 24, 2015, 2015. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Wednesday, September 16, 2015 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON  
ORDINANCE #2015-25**

**AN ORDINANCE AMENDING CHAPTER 307 “VEHICLES AND TRAFFIC” OF  
THE CODE OF THE TOWN OF NEWTON TO REVISE PARKING  
REQUIREMENTS FOR PORTIONS OF SPRING STREET**

**WHEREAS**, the Town Council recently adopted Ordinance #2015-19 designating a portion of Spring Street as one-way to vehicular traffic in a northwesterly direction from Madison Street-Union Place to Route US 206; and

**WHEREAS**, the Town Engineer, Harold E. Pellow, has recommended revisions to the parking ordinance sections, based upon the changes to Spring Street; and

**WHEREAS**, the one-way designation of Spring Street will allow parking on both sides of the street from Madison Street-Union Place to Route US 206, including “handicapped parking” spaces, as further indicated on the map prepared by Harold E. Pellow & Associates, Inc., entitled “Proposed Resurfacing & Improvements to Spring Street”, last revised August 19, 2015; and

**WHEREAS**, certain sections of Chapter 307 must be revised to be consistent with vehicle parking as a result of this one-way vehicular traffic designation on Spring Street;

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

**Section 1. §307-48 “Schedule I: No Parking”** shall be and is hereby amended to delete the following:

*Spring Street; Southwest Side; Between Main Street (US #206) and Madison Street.*

**Section 2. §307-50 “Schedule III: Parking Time Limited on Certain Streets”** shall be and is hereby revised to the following:

*Spring Street; Southwest Side; One hour parking: 8:00 a.m. to 6:00 p.m. Monday to Saturday; Beginning at a point in the southwesterly curblineline of Spring Street, 131 feet north of where the same intersects with the northerly curblineline of Madison Street, thence, northerly along the southwesterly curblineline of Spring Street and all appropriately marked parking spaces, other than those reserved for handicapped persons, as listed in Schedule XVII to a point 45 feet south from the southerly curblineline extension of New Jersey Route 206.*

*Spring Street; Northeast Side; One hour parking: 8:00 a.m. to 6:00 p.m. Monday to Saturday; Beginning at a point in the northeasterly curblineline of Spring Street, 41 feet north of where the same intersects with the northerly curblineline of Union Place, thence northerly along the northeasterly curblineline of Spring Street in all appropriately marked parking spaces, other than those reserved for handicapped persons as listed in Schedule XVII, to a point 118 feet north of Moran Street's northerly curblineline intersection with Spring Street's northeasterly curblineline.*

**Section 3. §307-67 “Schedule XVII: Handicapped Parking”** shall be and is hereby amended as follows:

*Spring Street; Northeast Side; Beginning 41 feet north from the northerly curblin extension of Union Place and ending 71 feet north from said curblin extension of Union Place.*

*Spring Street; Northeast Side; Beginning 98 feet north from the northerly curblin extension of Moran Street and ending 118 feet north from said curblin extension of Moran Street.*

*Spring Street; Southwest Side; Beginning 182 feet north from the northeast curblin intersection of Madison Street and ending 206 feet northeast from said curblin extension of Madison Street.*

**Section 4.** Pursuant to N.J.S.A. 39:4-138.6, the Town of Newton, via this Ordinance, hereby mandates that a person may park a motor vehicle on either side of Spring Street in designated spaces no less than twenty (20’) feet from a crosswalk, curblin extension of an intersecting street or intersecting highway, as such is depicted on the map prepared by Harold E. Pellow & Associates, Inc., titled “Proposed Resurfacing & Improvements to Spring Street”, last revised August 19, 2015.

**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.

### **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, August 24, 2015, 2015. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Wednesday, September 16, 2015 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #152-2015

#### September 16, 2015 "Affirm the Issuance of a \$4,139,000 Bond Anticipation Note"

**WHEREAS**, when Bond Ordinances are adopted by the Town Council of the Town of Newton, the Chief Financial Officer is authorized to issue Bond Anticipation Notes (BAN's) to provide temporary financing for the Town; and

**WHEREAS**, the Town of Newton needs to finance the debt authorized by Ordinances #2012-13 adopted April 9, 2012, #2013-11 adopted April 22, 2013, #2014-3 adopted March 10, 2014, #2014-6 adopted April 14, 2014, #2015-16 adopted April 27, 2015 and #2015-20 adopted June 22, 2015; and

**WHEREAS**, the Town received three quotations ranging from .9995% to .64% Net Interest Cost (NIC) as listed on the attached Note Sale Bid Results; and

**WHEREAS**, the Chief Financial Officer, with advice of Phoenix Advisors, financial advisors and McManimon, Scotland & Baumann, LLC, bond counsel for the Town of Newton, accepted the quotation of TD Securities (USA) LLC for a Bond Anticipation Note totaling \$4,139,000 at an interest rate of 1.5% requiring a 2016 interest payment of \$61,912.54, together with a premium of \$35,471.23 bringing the net interest cost (NIC) to .64%; and

**WHEREAS**, the appropriate Town Officials have executed said Note in the amount of \$4,139,000 with an interest rate of 1.5% (NIC.64%) dated August 27, 2015 for a term of 359/360 days and maturing August 26, 2016; and

**WHEREAS**, to comply with N.J.S.A. 40A:2-28 of the Local Bond Law, which requires the Chief Financial Officer report certain information in writing to the Mayor and Council at the next Town Council meeting, herewith attached is the Certificate of Determination and Award.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it does hereby affirm the issuance of a \$4,139,000 Bond Anticipation Note issued August 27, 2015 and maturing August 26, 2016 bearing an interest rate of 1.5% (together with premium making the NIC .64%) by the Chief Financial Officer and the execution of said note by the appropriate Town Officials.

### 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, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk



## Town of Newton

### \$4,139,000 Bond Anticipation Notes, Series 2015

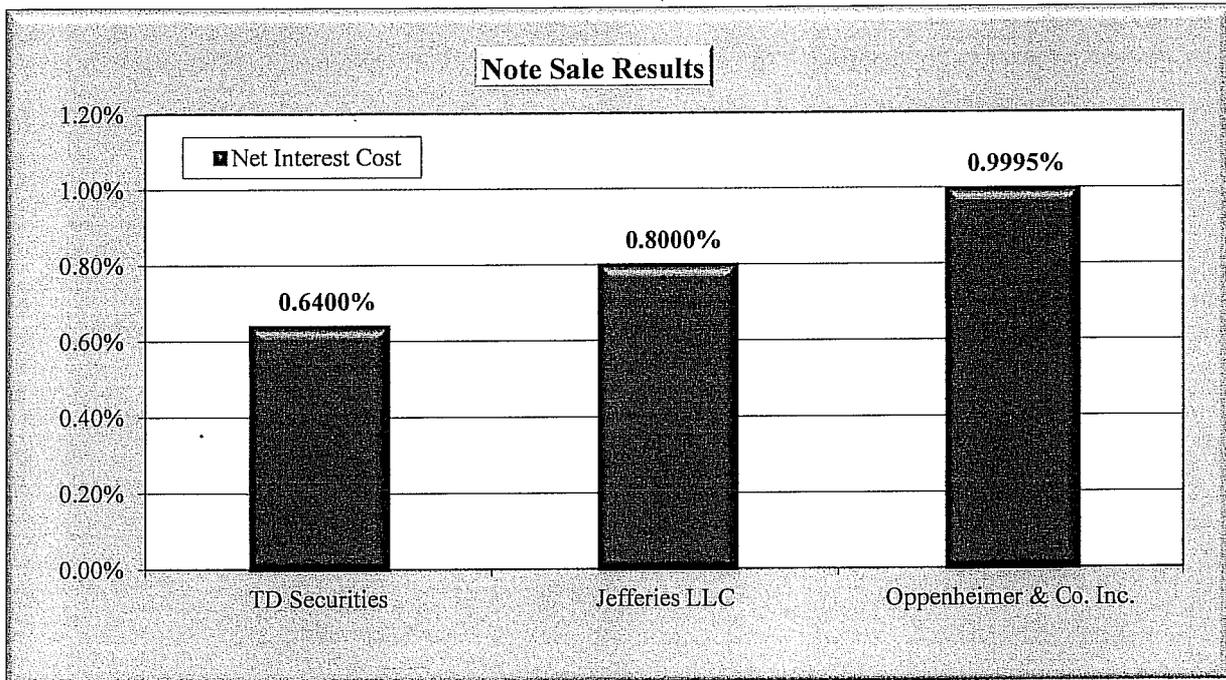
Bid Date: August 18, 2015

Dated: August 27, 2015

To Mature: August 26, 2016

#### Note Sale Bid Results

| Bidder                 | Coupon | Premium     | NIC     | NIC in Dollars | Rank |
|------------------------|--------|-------------|---------|----------------|------|
| TD Securities          | 1.50%  | \$35,471.23 | 0.6400% | \$26,441.31    | 1    |
| Jefferies LLC          | 1.75%  | \$39,198.00 | 0.8000% | \$33,033.30    | 2    |
| Oppenheimer & Co. Inc. | 1.75%  | \$30,977.00 | 0.9995% | \$41,254.30    | 3    |



CERTIFICATE OF DETERMINATION AND AWARD

I, Dawn L. Babcock, Chief Financial Officer of the Town of Newton, in the County of Sussex, New Jersey (hereinafter referred to as the "Town"), HEREBY CERTIFY as follows:

1. I hereby determine to issue the Bond Anticipation Note (the "Note") hereinafter described by virtue of the authority conferred upon me by the bond ordinances of the Town referred to in the attached chart by reference to number, date of adoption and amount of bonds or notes authorized, such Note to be issued in the amounts indicated in the chart.

| <u>TOTAL</u><br><u>PRINCIPAL</u><br><u>AMOUNT:</u>  |   | <u>NUMBERS</u> | <u>DENOMINATIONS</u> |
|---|---|----------------|----------------------|
|   | \$4,139,000   | 2015-1         | \$4,139,000          |
| <u>DATE:</u>  | 8/27/2015   |                |                      |
| <u>MATURITY:</u>                                    | 8/26/2016   |                |                      |
| <u>INTEREST</u><br><u>RATE PER</u><br><u>ANNUM:</u> | 1.50%   |                |                      |
| <u>PLACE OF</u><br><u>PAYMENT:</u>                  | Office of the Chief Financial Officer of the Town of Newton, in the<br>County of Sussex, New Jersey |                |                      |

2. Pursuant to the authority so conferred upon me, I have awarded and sold the Note to TD Securities (USA) LLC at the price of \$4,174,471.23, plus an amount equal to the interest on the Note accrued to the date of payment of the purchase price.

3. No bonds of the Town have heretofore been issued pursuant to the bond ordinances referred to in Section 1 hereof.

4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that the Note is issued in anticipation of, whether or not now outstanding, for each ordinance, is as stated in the attached chart.

5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the bond ordinances described in the attached chart.

6. No notes or other obligations in anticipation of the issuance of bonds have heretofore been issued pursuant to the bond ordinances referred to in the attached chart and now remain outstanding and unpaid.

IN WITNESS WHEREOF, I have hereunto set my hand as of August 27, 2015.



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Dawn L. Babcock  
Chief Financial Officer

**\$4,139,000 Bond Anticipation Note**  
of the  
**Town of Newton, in the**  
**County of Sussex, New Jersey**

**Dated: August 27, 2015**

**Maturity: August 26, 2016**

| Bond Ordinance Number | Description of Improvement, Date of Adoption and Period of Usefulness of Bond Ordinance | Original Bond Authorization | History of Notes to be Refunded/Date of First Issue  | Unspent Proceeds | 2015 Paydowns | New Money | Construction | Acquisition | Amount Reimbursed to General Fund/Date of First Expenditure | Amount to be Issued |
|-----------------------|---|-----------------------------|--|------------------|---------------|-----------|--------------|-------------|---|---------------------|
| 2012-13               | Various capital improvements, finally adopted 4/9/12 (16.96 years)                      | \$950,000                   | \$950,000 of \$3,411,575 Bond Anticipation Note dated 8/28/2014 and maturing 8/27/2015, with the date of first issue being 8/29/2012 as to the entire \$950,000 originally issued, with \$70,000 being paid down pursuant to a current budget appropriation. | \$40,195.00      | \$70,000      | \$0       | n/a          | n/a         | n/a   | \$880,000           |
| 2013-11               | Various capital improvements, finally adopted 4/22/13 (11.023 years)                    | \$860,050                   | \$860,050 of \$3,411,575 Bond Anticipation Note dated 8/28/2014 and maturing 8/27/2015, with the date of first issue being 8/29/2013 as to the entire \$860,050 originally issued.   | \$219,767.00     | \$0           | \$0       | n/a          | n/a         | n/a   | \$860,050           |
| 2014-3                | Pool improvements, finally adopted 3/10/2014 (15 years)                                 | \$128,250                   | \$128,250 of \$3,411,575 Bond Anticipation Note dated 8/28/2014 and maturing 8/27/2015, with the date of first issue being 8/28/2014 as to the entire \$128,250 originally issued.   | \$28,459.00      | \$0           | \$0       | n/a          | n/a         | n/a   | \$128,250           |
| 2014-6                | Various capital improvements, finally adopted 4/14/2014 (12.91 years)                   | \$1,473,275                 | \$1,473,275 of \$3,411,575 Bond Anticipation Note dated 8/28/2014 and maturing 8/27/2015, with the date of first issue being 8/28/2014 as to the entire \$1,473,275 originally issued, with \$25 being paid down pursuant to a current budget appropriation. | \$1,049,891      | \$25          | \$0       | n/a          | n/a         | n/a   | \$1,473,250         |

| Bond Ordinance Number | Description of Improvement; Date of Adoption; and Period of Usefulness of Bond Ordinance | Original Bond Authorization | History of Notes to be Refunded/Date of First Issue | Unspent Proceeds | 2015 Paydowns | New Money | Construction | Acquisition | Amount Reimbursed to General Fund/Date of First Expenditure | Amount to be Issued |
|-----------------------|--|-----------------------------|---|------------------|---------------|-----------|--------------|-------------|---|---------------------|
| 2015-16               | Various capital improvements, finally adopted 4/27/2015 (10.61 years)                    | \$779,400*                  | n/a   | n/a              | n/a           | \$744,250 | \$394,650    | \$349,600   | \$48,972.78 (6/8/2015)                                      | \$744,250           |
| 2015-20               | Supplemental for improvements to Trinity Street, finally adopted 6/22/2015 (10 years)    | \$53,200                    | n/a   | n/a              | n/a           | \$53,200  | \$53,200     | \$0         | \$5,816.75 (7/29/2015)                                      | \$53,200.00         |
| Totals:               |  |                             |   | \$1,338,312      | \$70,025      | \$797,450 | \$447,850    | \$349,600   | \$54,789.53   | \$4,139,000         |

\*The remaining unfunded amount of \$35,150 was cancelled by resolution adopted 8/24/2015



## TOWN OF NEWTON

### RESOLUTION #153-2015

September 16, 2015 "Water Restrictions for the Town of Newton  
Effective September 17, 2015"

**WHEREAS**, the Town of Newton's reservoir at Morris Lake, Sparta, New Jersey is currently more than 26 inches below the top of the spillway; and

**WHEREAS**, due to the continued drop in water at Morris Lake, water restrictions will be implemented and take effect on September 17, 2015;

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

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

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

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #154-2015

September 16, 2015 **“Approving Revised Town of Newton Personnel Policies and Procedures Manual and Employee Handbook”**

**WHEREAS**, the Town of Newton has adopted a Personnel Policies and Procedures Manual and Employee Handbook (“Handbook”), which applies to all Town officials, appointees, employees, volunteers and independent contractors, providing guidelines covering public service by Town employees, and is not a contract; and

**WHEREAS**, the Town of Newton has completed a review of the Handbook and has determined that certain portions of the Handbook are in need of revision; and

**WHEREAS**, amendments and supplements to the Handbook become effective via resolution of the Town Council, per Ordinance 2013-34;

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that the Handbook is hereby amended, as set forth in the copy of the Handbook dated October 2015 which is on file in the Municipal Clerk’s Office.

#### 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, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #155-2015

September 16, 2015 "Approving Use of Millings from Newton's Trinity Street Project to the Township of Fredon"

**WHEREAS**, the Town of Newton has scheduled street improvement projects on Trinity Street that will result in excess millings; and

**WHEREAS**, the Mayor of Fredon Township requested to take Newton's millings from the Trinity Street project; and

**WHEREAS**, the millings shall be removed and disposed of in accordance with New Jersey Department of Environmental Protection ("NJDEP") regulations; and

**WHEREAS**, Fredon Township shall be responsible for utilizing the millings in a manner consistent with NJDEP regulations;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that Fredon Township's request to utilize the millings from the Town of Newton's Trinity Street project is hereby granted.

### 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, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #156-2015**

September 16, 2015 **“Insertion of Special Items of Revenue in the 2015 Town of Newton Budget Pursuant to N.J.S.A. 40A:4-87 (C. 159, PL 1948)”**

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

**WHEREAS**, the Town of Newton has been awarded a grant in the amount of \$5,000.00 from the State of New Jersey Section 405 – National Priority Safety Program – CFDA 20.616 for 2015 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown grant;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2015 Budget of the Town of Newton which is now available as revenue from:

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

New Jersey Drive Sober or Get Pulled Over Grant ..... \$5,000.00

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

New Jersey Drive Sober or Get Pulled Over Grant ..... \$5,000.00

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

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #157-2015**

September 16, 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:

**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 reasons stated:

**Utility Board Recommends Credit of Excess Sewer Charges Due to Leaks from Frozen Pipes:**

| <u>Account</u> | <u>Address</u>    | <u>Amount</u> |
|----------------|-------------------|---------------|
| 3442           | 39 Clinton Street | \$500.00      |
| 11267          | 205 Main Street   | \$665.00      |
| 7172           | 33 Liberty Street | \$250.00      |
| 10390          | 7 Main Street     | \$950.00      |
| 10464          | 41-47 Main Street | \$1820.00     |

**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 Wednesday, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #158-2015**

**September 16, 2015 "Authorize Credits for Water Usage for 125 Sparta Avenue"**

**WHEREAS**, the Department of Public Works, Water Division has determined that since the 10" watermain has been shut down due to the break in Fox Hollow Lake, creating a dead-end line, there have been unexplained spikes in usage at 125 Sparta Avenue when the valve is open and the line is flushed; and

**WHEREAS**, the Department of Public Works, Water Division has determined that air is passing through the line during flushing, and that has caused the meter to register inaccurate water usage; and

**WHEREAS**, the Board has approved the Utility Collector to credit the quarters in question and charge the above property a minimum water bill until the Fox Hollow 20" watermain is placed back in service;

**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 account for amounts billed incorrectly due to the reason(s) stated:

**Utility Board Recommends Credit for Excess Usage Due to Air in Water Line:**

| <u>Account</u> | <u>Address</u>    | <u>Amount</u> |
|----------------|-------------------|---------------|
| 23015          | 125 Sparta Avenue | \$6,957.84    |

**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, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #159-2015

September 16, 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, September 16, 2015.

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Lorraine A. Read, RMC  
Municipal Clerk

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

| Check# | Vendor                                     | Description                                    | Payment    | Check Total |
|--------|--|--|------------|-------------|
| 35595  | 39 - QUILL CORPORATION                     | PO 46581 COPY PAPER CLERK ACCT #C152130        | 119.60     | 119.60      |
| 35596  | 64 - PELLOW, HAROLD & ASSO, INC.           | PO 46843 JULY ENGINEERING                      | 155.50     |             |
|        |  | PO 46856 PB BUSINESS JULY                      | 187.50     | 343.00      |
| 35597  | 72 - PARTAC PEAT CORPORATION               | PO 46776 Basefield Clay For Ballfields         | 3,701.81   | 3,701.81    |
| 35598  | 106 - ELIZABETHTOWN GAS                    | PO 46204 BLANKET: NAT GAS USAGE (APR-DEC)      | 404.42     | 404.42      |
| 35599  | 113 - JCP&L                                | PO 46205 BLANKET: ELECTRIC TOWN @\$5000/ST @\$ | 13,193.63  | 13,193.63   |
| 35600  | 163 - CENTURYLINK COMMUNICATIONS, INC.     | PO 46109 BLANKET: ALARM CIRCUIT HIGH ST TWR/   | 125.85     | 125.85      |
| 35601  | 192 - CAMPBELL'S SMALL ENGINE INC.         | PO 45481 BLANKET: PARKS EQUIP/MAINT            | 85.78      | 85.78       |
| 35602  | 197 - FIRE FIGHTERS EQUIPMENT CO. INC.     | PO 46665 FIRE EXT SVC CALL                     | 121.00     | 121.00      |
| 35603  | 225 - FEDERAL EXPRESS                      | PO 46150 BLANKET: EXPRESS MAIL ACCT- -#1344    | 90.98      | 90.98       |
| 35604  | 229 - SUSSEX COUNTY ECONOMIC               | PO 46536 11th Annual Awards Luncheon           | 100.00     | 100.00      |
| 35605  | 230 - HAYEK'S MARKET INC.                  | PO 46802 8/21 MNGR MEETING FOOD                | 24.13      | 24.13       |
| 35606  | 272 - HOLZHAUER, SCOTT                     | PO 46487 GSMLS - 2ND HALF OF 2015              | 62.50      | 62.50       |
| 35607  | 275 - DOG RESERVE ACCOUNT                  | PO 46830 PAY 2015 CURR APPROP TO DOG TRUST     | 5,000.00   | 5,000.00    |
| 35608  | 322 - KML TECHNOLOGY INC                   | PO 46326 SERVICE AGREEMENT 2015                | 5,900.00   | 5,900.00    |
| 35609  | 373 - GALLS INCORPORATED                   | PO 46681 PD MEDICAL SUPPLIES                   | 225.61     | 225.61      |
| 35610  | 409 - MINISINK PRESS INC                   | PO 46713 Tri-Fold Business Brochure            | 135.00     | 135.00      |
| 35611  | 611 - SEBRING AUTO PARTS, INC.             | PO 46100 BLANKET: AUTO PARTS & SUPP'S ACCT     | 41.89      | 41.89       |
| 35612  | 643 - SHERWIN-WILLIAMS, INC.               | PO 46784 TOWNHALL LOBBY RENOVATIONS ACCT #5    | 105.34     | 105.34      |
| 35613  | 789 - GREATER NEWTON CHMBR OF COMM.        | PO 46797 2 TICKETS TASTE OF NEWTON             | 100.00     | 100.00      |
| 35614  | 921 - AIRGAS EAST                          | PO 45975 BLANKET: CARBON DIOXIDE POOL          | 58.27      |             |
|        |  | PO 46163 BLANKET: ACETYLENE/ARGON/OXYGEN REN   | 7.34       | 65.61       |
| 35615  | 951 - SERVICE ELECTRIC CABLE TV            | PO 46201 BLANKET: (3) CONVERTER BOX RENTAL 2   | 14.65      | 14.65       |
| 35616  | 1022 - MCCULLOUGH TREE EXOERTS LLC         | PO 46794 REMOVAL OF DEAD TREE - MEMORY PARK    | 750.00     | 750.00      |
| 35617  | 1079 - BENNETT SAND & GRAVE, LLC           | PO 46733 SAND FOR BASINS                       | 75.83      | 75.83       |
| 35618  | 1132 - BOONTON TIRE SUPPLY INC.            | PO 45405 POLICE VEH MAINT -BLANKET             | 1,154.57   | 1,154.57    |
| 35619  | 1158 - VISION SERVICE PLAN                 | PO 46212 BLANKET VISION PLAN (APR-DEC)         | 686.19     | 686.19      |
| 35620  | 1280 - VERIZON WIRELESS, INC.              | PO 46202 BLANKET: 1X AIRCARD ACCT #201 M15-2   | 194.00     | 194.00      |
| 35621  | 1392 - MEDTRONIC PHYSIO-CONTRL CORP        | PO 46285 INFANT AED PAD acct #14489401         | 335.10     | 335.10      |
| 35622  | 1621 - NJ DIV ALCOHOL BEVERAGE CONTR       | PO 46829 LIQUOR LICENSE RENEWAL APPLICATION    | 39.00      | 39.00       |
| 35623  | 1625 - ALTERNATE POWER INC.                | PO 45786 EMERGENCY GENERATOR'S QTRLY MAINT 2   | 812.50     | 812.50      |
| 35624  | 1866 - HOME DEPOT, INC.                    | PO 45622 BLANKET: PD SUPPLIES                  | 2.97       |             |
|        |  | PO 45892 BLANKET: DPW/B&G/ PARK SUPPLIES       | 104.26     |             |
|        |  | PO 46811 CEMENT BASIN REPAIR                   | 71.44      | 178.67      |
| 35625  | 1880 - FIRE & SAFETY SERVICES, LTD., INC.  | PO 46758 ENG #802 REPAIRS                      | 579.07     | 579.07      |
| 35626  | 1982 - TREASURER, STATE OF NJ              | PO 46782 ELEVATOR INSPECTION #1915-00118-001   | 485.00     | 485.00      |
| 35627  | 2025 - THOMSON WEST, INC.                  | PO 46823 T26 BOARD OF HEALTH UPDATES 2015 (3   | 120.00     | 120.00      |
| 35628  | 2124 - BUCKMAN'S INC.                      | PO 46527 BLANKET: CHLORINE POOL \$1.35 PER G   | 533.97     | 533.97      |
| 35629  | 2257 - STAPLES BUSINESS ADVANTAGE, INC.    | PO 46151 BLANKET: PD/CENCOM OFFICE SUPPLIES    | 803.04     |             |
|        |  | PO 46692 FIRE DEPT OFFICE SUPPLIES             | 52.27      |             |
|        |  | PO 46719 2ND FLR OFFICE SUPP'S                 | 359.98     | 1,215.29    |
| 35630  | 2257 - STAPLES BUSINESS ADVANTAGE, INC.    | PO 46835 CRATE & RETURN TRIAL USE CAMERA       | 40.33      | 40.33       |
| 35631  | 2361 - CSS TEST INC.                       | PO 46783 BACKGROUND SET-UP FEE                 | 250.00     | 250.00      |
| 35632  | 2387 - NESTLE WATERS, INC.                 | PO 46114 BLANKET: 2015 WATER                   | 60.11      | 60.11       |
| 35633  | 2478 - RACHLES/MICHELE'S OIL COMPANY, INC. | PO 46160 BLANKET: GAS (APR-SEPT \$4000)ACCT #  | 4,012.64   | 4,012.64    |
| 35634  | 2479 - TAYLOR OIL CO., INC.                | PO 46159 BLANKET: DIESEL (APR -SEPT\$5000) AC  | 863.81     | 863.81      |
| 35635  | 2532 - LADDEY, CLARK & RYAN, LLP           | PO 46869 LEGAL AUG                             | 3,482.00   | 3,482.00    |
| 35636  | 2644 - RICCIARDI BROTHERS, INC.            | PO 46767 ATHLETIC FIELD PAINT CUST #9456       | 599.00     | 599.00      |
| 35637  | 2674 - GRAMCO BUSINESS COMMUNICATIONS INC. | PO 46556 Courtroom Audio Equipment Maintenanc  | 729.00     | 729.00      |
| 35638  | 2675 - TIRE KING, INC.                     | PO 46732 STEEL RIM DPW                         | 60.00      | 60.00       |
| 35639  | 2701 - NJLM                                | PO 46410 2015 NULM DELIGATE REGISTRATION       | 550.00     | 550.00      |
| 35640  | 2757 - ATLANTIC TACTICAL INC.              | PO 46555 BODY ARMOR VESTS ACCT #203375         | 2,165.12   |             |
|        |  | PO 46729 GUN HOLSTERS QUOTE ACCT #203375       | 9,870.04   | 12,035.16   |
| 35641  | 2781 - TRIMBOLI & PRUSINOWSKI, LLC.        | PO 45491 BLANKET: 2015 LABOR ATTORNEY          | 1,875.00   | 1,875.00    |
| 35642  | 2835 - NJMEBF                              | PO 46870 SEPT MEDICAL & DENTAL                 | 133,522.00 | 133,522.00  |
| 35643  | 2843 - CHELBUS CLEANING CO., INC.          | PO 46081 BLANKET: 2015 CLEAN TOWNHALL & FIRE   | 1,770.00   | 1,770.00    |
| 35644  | 3040 - NJ DIV PENSION & BENEFIT            | PO 46849 SUBPLAN #022060 EMPLOYER COST DCRP    | 1,065.64   | 1,065.64    |
| 35645  | 3105 - THYSSENKRUPP ELEVATOR CORP.         | PO 45476 BLANKET: ELEVATOR MAINT TH SIDE CUS   | 205.11     | 205.11      |
| 35646  | 3117 - SOME'S WORLD WIDE UNIFORMS, INC.    | PO 46709 UNIFORM SUPPLIES                      | 3,664.30   | 3,664.30    |
| 35647  | 3354 - DANIEL FLYNN                        | PO 46846 REIMB MAYOR DINNER MEETING ECONOMIC   | 48.00      | 48.00       |
| 35648  | 3369 - UNITED TELEPHONE/CENTURY LINK       | PO 46203 BLANKET: DIGITAL DATA CIRCUIT (39 T   | 126.36     | 126.36      |
| 35649  | 3442 - SUNLIGHT GENERAL                    | PO 46106 BLANKET: DPW/STP ELECTRIC (APR-DEC    | 540.59     | 540.59      |

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

| Check# | Vendor                                     | Description                                  | Payment  | Check Total |
|--------|--|--|----------|-------------|
| 35650  | 3444 - USA HOISTCO., INC.                  | PO 46082 BLANKET: ELEVATOR MAINT POLICE SIDE | 210.00   | 210.00      |
| 35651  | 3450 - MORRIS ASPHALT CO.                  | PO 46801 ASPHALT CONDIT & JERSEY PL          | 256.22   | 256.22      |
| 35652  | 3492 - CINTAS FIRE PROTECTION              | PO 46720 INSPECT KITCHEN FIRE #1 cust #3363  | 190.60   | 190.60      |
| 35653  | 3548 - STS Tire & Auto, Inc.               | PO 46787 PATROL VEHICLE TIRES WORK ORDER #64 | 1,209.98 | 1,209.98    |
| 35654  | 3577 - AAA                                 | PO 46734 1yr renewal membership #43821236016 | 142.00   | 142.00      |
| 35655  | 3600 - COMMERCE AND INDUSTRY ASSOCIATION O | PO 46795 ANNUAL MEMBERSHIP (9/1/15-9/1/16)   | 500.00   | 500.00      |
| 35656  | 3616 - V.E. RALPH & SON, INC.              | PO 46680 NARCAN SUPPLIES CUST #205774        | 141.30   | 141.30      |
| 35657  | 3662 - ANYTIME WORLD WIDE/ANYTIME PRODUCTS | PO 46613 PLANNING RACK CONSTRUCTION CUST #T  | 943.68   | 943.68      |
| 35658  | 3688 - TOTAL TRAFFIC NETWORK               | PO 46440 RADIO ADVERTISING #556251           | 900.00   | 900.00      |
| TOTAL  |  |  |          | 207,112.82  |

Total to be paid from Fund 10 CURRENT FUND 207,112.82  
-----  
207,112.82

**Checks Previously Disbursed**

|        |                           |                                     |              |           |
|--------|---------------------------|-------------------------------------|--------------|-----------|
| 151056 | PAYROLL ACCOUNT           | 9/10 CURRENT PAYROLL                | 188,052.88   | 9/10/2015 |
| 151055 | ELAVON                    | AUG COURT MERCHANT FEE              | 95.43        | 9/04/2015 |
| 35594  | NJMEBF                    | PO# 46822 AUG MEDICAL & DENTAL      | 133,618.00   | 9/02/2015 |
| 151054 | BANK OF NEW YORK          | MCIA 2009 Bond p i Adm Fee \$4,285T | 374,700.00   | 9/01/2015 |
| 151053 | CAPITAL ACCOUNT           | online pay Note prin for #2012-13   | 70,000.00    | 8/28/2015 |
| 151052 | JP MORGAN CHASE BANK      | BAN \$3,411,575 Jefferies 1.0% (.63 | 34,020.98    | 8/27/2015 |
| 151051 | PAYROLL ACCOUNT           | 8/27 CURRENT PAYROLL                | 185,087.52   | 8/27/2015 |
| 151050 | NEWTON BOARD OF EDUCATION | School Tax JULY 2015                | 1,031,649.83 | 8/24/2015 |
|        |                           |                                     | -----        |           |
|        |                           |                                     | 2,017,224.64 |           |

Total paid from Fund 10 CURRENT FUND 2,017,224.64  
-----  
2,017,224.64

**Total for this Bills List: 2,224,337.46**

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

| Check# | Vendor                        | Description                            | Payment  | Check Total |
|--------|-------------------------------|--|----------|-------------|
| 1282   | 2757 - ATLANTIC TACTICAL INC. | PO 46555 BODY ARMOR VESTS ACCT #203375 | 6,254.18 | 6,254.18    |
| 1283   | 3134 - SHOP RITE, INC.        | PO 46803 FRESHMAN ORIENTATION FOOD     | 799.89   | 799.89      |
| TOTAL  |                               |  |          | 7,054.07    |

Total to be paid from Fund 11 FEDERAL/STATE GRANTS 7,054.07

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7,054.07

**Checks Previously Disbursed**

|        |                       |                                 |          |           |
|--------|-----------------------|---------------------------------|----------|-----------|
| 151106 | PAYROLL ACCOUNT       | 9/10 GRANT PAYROLL CLEAN COMM'S | 966.70   | 9/09/2015 |
| 151105 | FEDERAL & STATE GRANT | 8/27 GRANT PAYROLL              | 1,472.65 | 8/27/2015 |
|        |                       |                                 | 2,439.35 |           |

Total paid from Fund 11 FEDERAL/STATE GRANTS 2,439.35

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2,439.35

**Total for this Bills List: 9,493.42**

**List of Bills - (210001) CASH - DOG RESERVE - LAKELAND #493  
DOG RESERVE**

| Check# | Vendor                     | Description                                  | Payment  | Check Total       |
|--------|----------------------------|--|----------|-------------------|
| 8550   | 2350 - TOWNSHIP OF WANTAGE | PO 45715 2015 ANIMAL CONTROL (\$16,360 / 4 = | 8,180.00 | 8,180.00          |
|        | TOTAL                      |  |          | -----<br>8,180.00 |

Total to be paid from Fund 21 DOG RESERVE

8,180.00

=====  
8,180.00

**List of Bills - (30001) CASH - CAPITAL - LAKELAND #450  
CAPITAL**

| Check# | Vendor                                     | Description                                  | Payment    | Check Total |
|--------|--|--|------------|-------------|
| 8453   | 64 - PELLOW, HAROLD & ASSO, INC.           | PO 46843 JULY ENGINEERING                    | 10,767.29  | 10,767.29   |
| 8454   | 382 - WELDON ASPHALT COMPANY, INC.         | PO 46723 SPRING ST FABC & BASE ACCT #479275  | 2,378.82   | 2,378.82    |
| 8455   | 1034 - TONY'S CONCRETE CONSTR CO, INC      | PO 46429 SPRING ST IMPROVEMENTS              | 93,917.32  | 93,917.32   |
| 8456   | 1866 - HOME DEPOT, INC.                    | PO 46816 SPRING ST REPAIRS                   | 204.47     | 204.47      |
| 8457   | 3045 - EXCEL ENVIRONMENTAL RESOURCES, INC. | PO 46768 ARMORY SVC'S (4/1-6/30/15)          | 1,753.75   | 1,753.75    |
| 8458   | 3216 - KOZDEBA & SON LLC.                  | PO 46716 QUARRY PROCESS (165 YRDS) SPRING ST | 2,500.00   | 2,500.00    |
| 8459   | 3384 - EDGE PROPERTY MAINTENANCE, INC.     | PO 41966 FIRE MUSEUM MASONARY RENOVATION     | 9,992.70   | 9,992.70    |
| 8460   | 3704 - FAL-GON ELECTRIC, INC.              | PO 46436 TRINITY STREET TRAFFIC SIGNALS      | 123,430.02 | 123,430.02  |
| TOTAL  |  |  |            | 244,944.37  |

Total to be paid from Fund 30 CAPITAL 244,944.37  
244,944.37  
244,944.37

**Checks Previously Disbursed**

|        |                      |                                    |              |           |
|--------|----------------------|------------------------------------|--------------|-----------|
| 153006 | PAYROLL ACCOUNT      | 9/10 CAPITAL PAYROLL               | 1,814.23     | 9/09/2015 |
| 153005 | JP MORGAN CHASE BANK | BAN prin Jefferies .636NIC 1.0%int | 3,411,575.00 | 8/27/2015 |
| 153004 | PAYROLL ACCOUNT      | 8/27 CAPITAL PAYROLL SPRING ST     | 9,154.13     | 8/27/2015 |
|        |                      |                                    | -----        |           |
|        |                      |                                    | 3,422,543.36 |           |

Total paid from Fund 30 CAPITAL 3,422,543.36  
3,422,543.36

**Total for this Bills List: 3,667,487.73**

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

| Check# | Vendor                                     | Description   | Payment                         | Check Total         |
|--------|--|---|---------------------------------|---------------------|
| 15160  | 55 - SCHMIDT'S WHOLESALE, INC              | PO 46741 BADGER METERS & BASES  | 4,635.08                        |                     |
|        |  | PO 46859 HYDRANTS & PARTS CUST #600   | 6,566.95                        | 11,202.03           |
| 15161  | 64 - PELLOW, HAROLD & ASSO, INC.           | PO 46806 ENGINEERING JUNE   | 1,819.00                        | 1,819.00            |
| 15162  | 70 - HACH COMPANY                          | PO 46209 BLANKET: SEWER LAB CHEMICALS (APR-   | 400.16                          | 400.16              |
| 15163  | 77 - CCP INDUSTRIES, INC.                  | PO 46796 CLEANING SUPPLIES  | 1,175.80                        | 1,175.80            |
| 15164  | 98 - AURORA ELECTRICAL SUPPLY, LLC.        | PO 46854 3 BLUBS WTP CUST #10804  | 31.85                           | 31.85               |
| 15165  | 106 - ELIZABETHTOWN GAS                    | PO 46204 BLANKET: NAT GAS USAGE (APR-DEC)   | 294.49                          | 294.49              |
| 15166  | 113 - JCP&L                                | WTP MORRIS LK ELECTRIC AUG  | 12,389.56                       | 12,389.56           |
| 15167  | 121 - PUMPING SERVICES, INC.               | PO 46153 BLANKET: 2 QTR INSPECT STP @ \$3500/<br>PO 46156 BLANKET: STP \$8000/WTP \$2000 REPAIR<br>PO 46652 4th 2014 QTR INSPECTION STP | 4,660.00<br>715.00<br>3,500.00  | 8,875.00            |
| 15168  | 130 - SUSSEX COUNTY P & H, INC.            | PO 46086 BLANKET: W/S PLUMBING SUPPLIES AUG   | 25.68                           | 25.68               |
| 15169  | 155 - COYNE CHEMICAL CORP., INC.           | PO 46165 BID: CES PACL @ \$4.597 (\$100,000 x   | 8,844.63                        | 8,844.63            |
| 15170  | 200 - GARDEN STATE LABORATORIES INC        | PO 46289 BLANKET: SEWER LAB & DRINKING WATER  | 1,035.00                        | 1,035.00            |
| 15171  | 232 - HAMBURG PLUMBING SUPPLY CO INC       | PO 46251 BLANKET: WATER MAIN SUPPLIES (APR-D  | 240.15                          | 240.15              |
| 15172  | 282 - WILLCO, INC.                         | PO 46743 STP BEARING REPAIR CONDENSER FAN MO  | 835.42                          | 835.42              |
| 15173  | 286 - CURRENT ACCOUNT                      | PO 46821 W/S GAS/DSL USAGE (3/15-8/14/15)   | 4,110.85                        | 4,110.85            |
| 15174  | 297 - WATER & SEWER OPERATING ACCT         | PO 46863 cor. RJ #1234 Energy Solve cks to W  | 2,891.71                        | 2,891.71            |
| 15175  | 371 - T.A. MOUNTFORD COMPANY, INC.         | PO 46694 KYOCERA ECOSYS M6525cdn COLOR COPIE  | 1,385.00                        | 1,385.00            |
| 15176  | 611 - SEBRING AUTO PARTS, INC.             | PO 46100 BLANKET: AUTO PARTS & SUPP'S ACCT  | 7.24                            | 7.24                |
| 15177  | 853 - R&D TRUCKING INC                     | PO 46170 BID: SLUDGE REMOVAL @ \$ .034 (\$74,0  | 2,720.00                        | 2,720.00            |
| 15178  | 921 - AIRGAS EAST                          | PO 45495 BLANKET: CARBON DIOXIDE  | 198.48                          | 198.48              |
| 15179  | 1158 - VISION SERVICE PLAN                 | PO 46212 BLANKET VISION PLAN (APR-DEC)  | 176.00                          | 176.00              |
| 15180  | 1407 - PASSAIC VALLEY SEWERAGE COMM.       | PO 46236 BLANKET: SLUDGE REMOVAL (APR-DEC)  | 4,800.00                        | 4,800.00            |
| 15181  | 1566 - MAIN POOL & CHEMICAL COMPANY, INC.  | PO 46169 BID: SODIUM HYPOCHLORITE @ \$1.17 (\$  | 649.35                          | 649.35              |
| 15182  | 1625 - ALTERNATE POWER INC.                | PO 46418 BLANKET: MAINT W/S GENERATORS (8/1/  | 1,335.00                        | 1,335.00            |
| 15183  | 1866 - HOME DEPOT, INC.                    | PO 46101 BLANKET: W/S SUPPLIES  | 171.70                          | 171.70              |
| 15184  | 2212 - PROCESS TECH SALES AND SERVICE      | PO 46744 8/6 SERVICE CALL   | 1,096.00                        | 1,096.00            |
| 15185  | 2216 - PALL CORPORATION                    | PO 45944 ANNUAL SERVICE CONTRACT FOR PALL FI  | 4,465.02                        | 4,465.02            |
| 15186  | 2232 - SERFILCO, LTD                       | PO 46364 50 GALLON DRUM PUMP  | 973.62                          | 973.62              |
| 15187  | 2257 - STAPLES BUSINESS ADVANTAGE, INC.    | PO 46769 NEW PHONES FOR WWTP<br>PO 46777 TONER STP  | 419.94<br>124.46                | 544.40              |
| 15188  | 2300 - LOWE'S , INC.                       | PO 46839 TUBING   | 35.28                           | 35.28               |
| 15189  | 2312 - SPECTRUM COMMUNICATIONS, INC.       | PO 46735 Replacement Batteries for Portable   | 136.00                          | 136.00              |
| 15190  | 2532 - LADDEY, CLARK & RYAN, LLP           | PO 46869 LEGAL AUG  | 704.00                          | 704.00              |
| 15191  | 2569 - KIEFFER ELECTRIC, INC.              | PO 46568 GFI RECEPTABLES FOR CHLORINE & CIP   | 6,955.00                        | 6,955.00            |
| 15192  | 2674 - GRAMCO BUSINESS COMMUNICATIONS INC. | PO 46556 Courtroom Audio Equipment Maintenan  | 729.00                          | 729.00              |
| 15193  | 2709 - ACCURATE WASTE REMOVAL INC.         | PO 46177 BID: CHEMICAL WASTE REMOVAL @ \$ .03<br>PO 46242 BLANKET: GREASE REMOVAL STP   | 264.00<br>1,008.00              | 1,272.00            |
| 15194  | 2713 - WILLIAM GRENNILLE, LLC.             | PO 46037 2015 LICENSED WATER OPERATOR 2ND 3R  | 4,000.00                        | 4,000.00            |
| 15195  | 2828 - Ryan Herco Flow Solutions, INC.     | PO 46708 3 CHEMICAL FEED PUMPS WTP  | 982.76                          | 982.76              |
| 15196  | 2835 - NJMEBF                              | PO 46870 SEPT MEDICAL & DENTAL  | 28,861.00                       | 28,861.00           |
| 15197  | 3166 - HATCH MOTT MACDONALD                | PO 44372 ENGINEER -ROOF REPLACEMENT STP<br>PO 46566 ENGINEERING RBC REPLACEMENT QUOTE<br>PO 46858 2015 SEWER CONSULTING JULY            | 944.52<br>10,091.09<br>3,216.40 | 14,252.01           |
| 15198  | 3442 - SUNLIGHT GENERAL                    | PO 46106 BLANKET: DPW/STP ELECTRIC (APR-DEC)  | 993.73                          | 993.73              |
| 15199  | 3450 - MORRIS ASPHALT CO.                  | PO 46714 ASPHALT 3.014 TONS   | 189.88                          | 189.88              |
| 15200  | 3584 - Hunterdon County Poly Tech          | PO 46712 REGIS J.WHITEADVANCED WASTEWATER TR  | 700.00                          | 700.00              |
| 15201  | 3688 - TOTAL TRAFFIC NETWORK               | PO 46440 RADIO ADVERTISING #556251  | 900.00                          | 900.00              |
| 15202  | 3693 - AZUL CORE                           | PO 46275 WEBSITE DESIGN/MAINTENANCE<br>PO 46276 SOCIAL TECHNOLOGY SERVICES -TIER 2  | 109.99<br>260.00                | 369.99              |
| TOTAL  |  |   |                                 | -----<br>133,773.79 |

Total to be paid from Fund 60 WATER/SEWER UTILITY

133,773.79

133,773.79

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

| Check#                             | Vendor                              | Description                     | Payment   | Check Total |
|------------------------------------|-------------------------------------|---------------------------------|-----------|-------------|
| <b>Checks Previously Disbursed</b> |                                     |                                 |           |             |
| 156028                             | PAYROLL ACCOUNT                     | 9/10 W/S PAYROLL                | 32,848.77 | 9/09/2015   |
| 156027                             | STATE OF NEW JERSEY - PWT           | 3rd Qtr Water/Sewer Tax         | 496.30    | 9/09/2015   |
| 15159                              | NJ DEPT OF ENVIRONMENTAL PROTECTION | WTP BACKFLOW PREVENTOR PERMIT   | 150.00    | 9/04/2015   |
| 15158                              | NJMEBF                              | PO# 46822 AUG MEDICAL & DENTAL  | 28,861.00 | 9/02/2015   |
| 15157                              | SPARTA POSTMASTER                   | ADD'L POSTAGE 3RD QTR WTR BILLS | 21.69     | 8/31/2015   |
| 15156                              | SPARTA POSTMASTER                   | 3rd QTR W/S BILL POSTAGE        | 949.34    | 8/31/2015   |
| 156026                             | PAYROLL ACCOUNT                     | 8/27 W/S PAYROLL                | 30,310.84 | 8/27/2015   |
|                                    |                                     |                                 | -----     |             |
|                                    |                                     |                                 | 93,637.94 |             |

Total paid from Fund 60 WATER/SEWER UTILITY 93,637.94  
-----  
93,637.94

**Total for this Bills List: 227,411.73**



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

| Check# | Vendor                                       | Description                                  | Payment | Check Total |
|--------|--|--|---------|-------------|
| 3402   | 64 - PELLOW, HAROLD & ASSO, INC.             | PO 46817 J&R DEV/J PUTRINO/TWN SQ GRDN-JUL E | 500.00  |             |
|        |  | PO 46818 CAMP ILIFF-JUL ESCROW               | 562.50  |             |
|        |  | PO 46826 NEWTON NURSING HOME-JULY ESCROW     | 218.75  |             |
|        |  | PO 46843 JULY ENGINEERING                    | 156.25  |             |
|        |  | PO 46857 PUNCTUATED EQUILIBRIUM JULY         | 702.75  | 2,140.25    |
| 3403   | 164 - HOLLANDER, STRELZIK, PASCULLI, HINKES  | PO 46838 SPARTA 7-ELEVEN THRU 6/30           | 216.00  | 216.00      |
| 3404   | 1500 - WALMART                               | PO 46049 BLANKET: POOL CONCESSION & SUPPLIES | 73.28   | 73.28       |
| 3405   | 1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC, | PO 46855 PUNCTUATED EQUILIBRIUM JULY         | 420.00  | 420.00      |
| 3406   | 3112 - COUNTRY CLUB ICE CREAM, LLC.          | PO 46052 BLANKET: ICE CREAM POOL CONCESSION  | 556.18  | 556.18      |
| 3407   | 3134 - SHOP RITE, INC.                       | PO 46688 BLANKET: POOL SNACK STAND FOOD      | 103.80  | 103.80      |
| TOTAL  |  |  |         | 3,509.51    |

Total to be paid from Fund 71 TRUST

3,509.51

3,509.51

**Checks Previously Disbursed**

|        |                 |                    |           |           |
|--------|-----------------|--------------------|-----------|-----------|
| 157119 | PAYROLL ACCOUNT | 9/10 TRUST PAYROLL | 7,165.52  | 9/09/2015 |
| 157118 | PAYROLL ACCOUNT | 8/27 TRUST PAYROLL | 11,029.27 | 8/27/2015 |
|        |                 |                    | -----     |           |
|        |                 |                    | 18,194.79 |           |

Total paid from Fund 71 TRUST

18,194.79

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18,194.79

Total for this Bills List: **21,704.30**

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

| Check# | Vendor                                       | Description                         | Payment  | Check Total |
|--------|--|-------------------------------------|----------|-------------|
| 1240   | 64 - PELLOW, HAROLD & ASSO, INC.             | PO 46819 MARTORANA-JULY ESCROW      | 312.50   |             |
|        |  | PO 46824 VERIZON/CELLCO-JULY ESCROW | 250.00   |             |
|        |  | PO 46825 TACO BELL-JULY ESCROW      | 1,624.25 |             |
|        |  | PO 46827 ILIFF REALTY-JULY ESCROW   | 718.75   | 2,905.50    |
| 1241   | 1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC, | PO 46030 MARTORANA-MARCH ESCROW     | 90.00    | 90.00       |
| 1242   | 2852 - FERRIERO ENGINEERING INC.             | PO 46852 MARTORANA-AUG. ESCROW      | 636.50   | 636.50      |
| 1243   | 3235 - J. CALDWELL & ASSOCIATES, LLC.        | PO 46865 ILIFF REALTY-AUGUST ESCROW | 1,239.00 |             |
|        |  | PO 46866 TACO BELL-AUG ESCROW       | 413.00   | 1,652.00    |
|        | TOTAL  |                                     |          | 5,284.00    |

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

5,284.00

5,284.00

**List of Bills - (730001) CASH - SUI - LAKELAND #027  
SUI (Fund 73)**

| Check# | Vendor                                   | Description                                 | Payment | Check Total |
|--------|--|---|---------|-------------|
| 1104   | 862 - S/NJ DEPT OF LABOR & WORKFORCE DEV | PO 46815 CASTASHOPHIC ILLNESS FUND ASSESMEN | 240.00  | 240.00      |
|        | TOTAL                                    |   |         | 240.00      |

Total to be paid from Fund 73 SUI (Fund 73)

240.00

240.00

**List of Bills - (750001) CASH - HOUSING TRUST FUND (COAH) #0301**  
**HOUSING TRUST FUND (COAH) (Fund 75)**

| Check# | Vendor                                | Description                         | Payment  | Check Total       |
|--------|---------------------------------------|-------------------------------------|----------|-------------------|
| 134    | 2532 - LADDEY, CLARK & RYAN, LLP      | PO 46553 COAH FOR STATE MATTER      | 1,178.00 | 1,178.00          |
| 135    | 3235 - J. CALDWELL & ASSOCIATES, LLC. | PO 46554 COAH THIRD ROUND JUDGEMENT | 177.00   | 177.00            |
|        | TOTAL                                 |                                     |          | -----<br>1,355.00 |

Total to be paid from Fund 75 HOUSING TRUST FUND (COAH) (Fund 75)      1,355.00

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1,355.00

**TOWN OF NEWTON**

**ORDINANCE #2015-26**

**AN ORDINANCE AMENDING CHAPTER 200 ENTITLED "PARKS AND RECREATION AREAS" OF THE CODE OF THE TOWN OF NEWTON TO REVISE PROHIBITED ACTIVITIES IN PARKS AND RECREATION AREAS IN THE TOWN OF NEWTON**

**WHEREAS**, the Town Council recently reviewed prohibited activities in Town public parks and recreational areas, and has determined that §200-2.B(4) is in need of a revision to permit animals under certain conditions.

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

**Section 1.** §200-2.B.(4) is hereby deleted in its entirety; and the following language shall be inserted in its place:

**4)** Have animal(s) in any public park or recreational area within the Town, unless animal waste is immediately picked up and properly disposed of and the animal is accompanied by a person over the age of 12 years and is securely confined and controlled by an adequate leash not more than six feet long.

**Section 2. 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 3. 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 4. Effective Date.** This Ordinance will take effect after publication and passage according to law.

**NOTICE**

**TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, September 28, 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 Wednesday, October 14, 2015, in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON  
ORDINANCE #2015-\_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 320-30 OF THE CODE OF THE  
TOWN OF NEWTON, ENTITLED “WIRELESS COMMUNICATION  
FACILITIES”, TO INCLUDE COLLOCATION REQUIREMENTS**

**WHEREAS**, the Town of Newton has reviewed Section 320-30 of the Town Code, entitled “Wireless Communication Facilities”, and has determined this section must be revised in order to comply with recent law and regulations; and

**WHEREAS**, the current Code provisions regarding cellular antennas is insufficient to protect the Town and its residents, particularly concerning wireless collocation applications; and

**WHEREAS**, on October 21, 2014, the Federal Communications Commission issued a Report and Order which sweepingly overrides and preempts State and local land use law with respect to wireless collocation applications.

**WHEREAS**, under §6409(a) of the *Spectrum Act*, federal law provides that governments may not deny, and shall approve, eligible facilities’ request for modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. §6409(a) of the *Middle Class Tax Relief and Job Creation Act of 2012*, Pub.L. 112-96, §6409 (2012).

**WHEREAS**, a local government may continue to enforce and condition approval on compliance with general applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety and allows municipalities to have discretion over a modification application if it: entails any excavation or deployment outside the current site of the tower or base station; would defeat the existing concealment elements of the structure; or does not comply with conditions associated with the prior approval of the structure, subject to certain exceptions such as non-substantial increase in height.

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D-46.2, holds that an application for development to collocate wireless communications equipment on a wireless communications support structure or an existing equipment compound shall not be subject to site plan review, subject to certain requirements: the wireless communications structures was previously granted all necessary approvals; the proposed collocation shall not increase the overall height of the wireless communications support structure by more than ten (10%) percent of the original height, the width of the wireless communications support structure, or the square footage of the existing equipment compound to an area greater than 2,500 square feet; and the proposed collocation complies with the final approval of the wireless communications support structure and all

conditions attached thereto and does not create a condition for which variance would be required.

**NOW, THEREFORE, BE IT ORDAINED** by the by the Town Council of the Town of Newton that Chapter 320 of the Town Code, known as “Zoning”, specifically Section 30, entitled “Wireless Communication Facilities” shall be and is hereby amended as follows:

**Section 1.** §320-30.A “**Purpose**” shall be and is hereby amended to add the following subsection (9):

- (9) Provide requirements for Eligible Facilities Requests for modifications to existing towers that do not constitute a substantial change.

**Section 2.** §320-30.B “**Definitions**” shall be and is hereby amended to add the following definitions:

### **ELIGIBLE FACILITIES REQUEST**

A request for modification of an existing wireless tower or base station that does not constitute a substantial change (as defined herein) and involves collocation of new transmission equipment; removal of transmission equipment; or replacement of transmission equipment.

### **SUBSTANTIAL CHANGE**

A modification that substantially changes the physical dimensions of an eligible support structure, as defined by 47 CFR 1.50001(c), as may be amended, but which currently provides the following criteria:

- i. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater<sup>1</sup>;
- ii. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the

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<sup>1</sup> Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings’ rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act. 47 CFR §1.40001(b)(7)(i)(A).

- structure that would protrude from the edge of the structure by more than six feet;
- iii. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
  - iv. It entails any excavation or deployment outside the current site;
  - v. It would defeat the concealment elements of the eligible support structure; or
  - vi. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs (i) – (iv) of this section.

**Section 3. §320-30.D** shall be deleted in its entirety and revised as follows:

D. Collocation on an Existing Structure; Eligible Facilities Request.

- (1) Application. The Town of Newton shall prepare and make publicly available an application form which shall be limited to the information necessary for the Town to consider whether an application is an Eligible Facilities Request. The application may not require the applicant to demonstrate a need or business case for the proposed modification.
- (2) Type of Review. Upon receipt of an application for an Eligible Facilities Request pursuant to this Chapter, the Planning Board Engineer shall review such application to determine whether the application so qualifies.
- (3) Timeframe for Review. Within 60 days of the date on which an applicant submits an application seeking approval under this Chapter, the Town of Newton shall approve the application unless it determines that the application is not covered by this Chapter.
- (4) Tolling of the Timeframe for Review. The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the Town of Newton and the applicant, or in cases where the Planning Board Engineer determines that the application is incomplete.
  - i. To toll the timeframe for incompleteness, the Planning Board Engineer must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.

- ii. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the Planning Board Engineer's notice of incompleteness.
  - iii. Following a supplemental submission, the Planning Board Engineer will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in paragraph (7) of this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.
- (5) Interaction with §332(c)(7). If the Planning Board Engineer determines that the applicant's request for collocation is a substantial change to collocation on an existing structure as defined in this Ordinance, the presumptively reasonable timeframe, as prescribed by the FCC's Shot Clock order, will begin to run from the issuance of the Planning Board Engineer's decision that the application is not a covered request. To the extent such information is necessary the Planning Board Engineer may request additional information from the applicant to evaluate the application. When the Planning Board Engineer determines that such an application constitutes a substantial change, §B below must be complied with.
- (6) Failure to Act. In the event the Planning Board Engineer fails to approve or deny a request seeking approval under this Chapter within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the Town of Newton in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.
- (7) Remedies. Applicants and the Planning Board Engineer may bring claims related to this section to any court of competent jurisdiction.

**Section 4. §320-30.G** shall be revised to amend only the following title to subsection G, as follows:

G. Site plan submission and approval requirements for new wireless facilities and substantial changes with collocation on an existing tower.

**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.

**Section 8. Notice.** The Town Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this ordinance to the Sussex County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Town Clerk is further directed to refer this Ordinance to the Town Land Use Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this ordinance, after public hearing, the Town 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.

**NOTICE**

**TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Wednesday, September 16, 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, September 28, 2015, in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON**  
**ORDINANCE #2015-xx**

**AN ORDINANCE TO AMEND CHAPTER 307 “VEHICLES AND TRAFFIC” OF THE CODE BOOK OF THE TOWN OF NEWTON**

**WHEREAS**, Newton’s Court Administrator, Lucy M. DeLoreto, has recommended amending certain parking fines in §307-69 Schedule XIX, *Local Supplemental Violations Bureau Schedule* of Code Book of the Town of Newton; and

**WHEREAS**, the State Administrative Office of the Court, Assignment Judge, the Hon. Andrew M. Wubbenhorst, AJSC of the Superior Court of Morristown, has reviewed the proposed changes to the *Local Supplemental Violations Bureau Schedule* and has granted approval for said changes to be made by the Newton Governing Body;

**NOW, THEREFORE BE IT ORDAINED**, by the Town Council of the Town of Newton, in the County of Sussex and State of New Jersey, that §307-69 Schedule XIX, *Local Supplemental Violations Bureau Schedule* of the Code Book of the Town of Newton be amended to include the following:

**§ 307-69. Schedule XIX: Local Supplemental violations Bureau Schedule.**

| <b>Code Section</b> | <b>Short Description</b>                              | <b>Proposed</b> |
|---------------------|---|-----------------|
| §307-27A            | Vehicles must park in designated areas between lines. | \$35            |

**NOTICE**

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, September 28, 2015. It will be considered for adoption, after final reading and public hearing thereon, at a meeting of the Newton Governing Body to be conducted at 7:00 pm on Wednesday, October 14, 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-xx

### AN ORDINANCE TO AMEND CHAPTER 307-48 SCHEDULE I “NO PARKING” OF THE CODE OF THE TOWN OF NEWTON

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Newton that Chapter 307-48, Schedule I entitled “No Parking” of the Code of the Town of Newton be hereby amended to include the following:

**Section 1. 307-48 Schedule I: No Parking**

|                         |      |  |
|-------------------------|------|--|
| <b>Jefferson Street</b> | East | Beginning at southeast corner of southeast corner of Jefferson Street and Halsted Street and extending 173 feet north on Jefferson Street. |
| <b>Jefferson Street</b> | West | Beginning 76 feet from southwest corner of Jefferson Street and Halsted Street and extending 158 feet north on Jefferson Street.           |

**Section 2. 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 3. 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 4. Effective Date.** This Ordinance will take effect after publication and passage according to 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 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.

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Lorraine A. Read, RMC  
Municipal Clerk

DISCUSSION 9/16/15



# Town of Newton

Council-Manager Plan Since 1956

POLICE DEPARTMENT  
MICHAEL S. RICHARDS, Chief  
TELEPHONE: 973-383-2525

39 TRINITY STREET  
NEWTON, NEW JERSEY  
07860

August 18, 2015

Dear Deputy Manager Millikin,

Presently there is a no right turn on red at the intersection of Madison Street and Spring Street due to the limited sight distance of East bound traffic caused by the Newton Theater. Since Spring Street has been changed to a one way with traffic only being able to travel west, there is no longer a need to have a no turn on red at this intersection. I suggest revising Ordinance 307-65 Schedule XV: Right Turn on Red and remove the intersection of Spring Street, Madison Street and Union Place. If you have any questions, please contact me.

Thank you,

Steven VanNieuwland #26

Detective