



AGENDA
NEWTON TOWN COUNCIL
DECEMBER 14, 2015
7:00 P.M.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

- NOVEMBER 23, 2015 SPECIAL MEETING
- NOVEMBER 23, 2015 REGULAR MEETING
- NOVEMBER 23, 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 – RYAN HOLZHAUER, EAGLE SCOUT
- b. FINANCE TRAINING POWERPOINT – DAWN BABCOCK

VII. ORDINANCES

- a. 2ND READING AND PUBLIC HEARING

ORDINANCE 2015-35

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2016

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

ORDINANCE 2015-36

AN ORDINANCE AMENDING CHAPTER 307 "VEHICLE AND TRAFFIC" OF THE CODE OF THE TOWN OF NEWTON TO REVISE PARKING VIOLATIONS

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

b. INTRODUCTION

ORDNANCE 2015-37

AN ORDINANCE AMENDING SECTION 30-7A.(1) OF THE NEWTON TOWN CODE REGARDING POLICE DEPARTMENT APPOINTMENTS

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 #204-2015* | ESTABLISH SCHEDULE OF PUBLIC TOWN COUNCIL MEETINGS FOR 2016 |
| b. | RESOLUTION #205-2015* | CONCUR WITH THE TOWN MANAGER'S APPOINTMENT OF SPECIAL POLICE OFFICERS |
| c. | RESOLUTION #206-2015* | APPOINTMENT OF JOSEPH CARR AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY WATER QUALITY POLICY ADVISORY COMMITTEE |
| d. | RESOLUTION #207-2015* | DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR CALENDAR YEAR 2016 |
| e. | RESOLUTION #208-2015* | APPOINTMENT OF ADAM VOUGH AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE FOR 2016 |
| f. | RESOLUTION #209-2015* | DESIGNATION OF LINDA A. ROTH AS TAX SEARCH OFFICER FOR THE TOWN OF NEWTON FOR 2016 |
| g. | RESOLUTION #210-2015* | APPOINT THE TOWN MANAGER AS HEARING OFFICER IN ALL MATTERS OF DISPUTE REGARDING THE TOWN OF NEWTON FOR CALENDAR YEAR 2016 |
| h. | RESOLUTION #211-2015* | APPOINTMENT OF THE MUNICIPAL AUDITOR FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2016 |
| i. | RESOLUTION #212-2015* | AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR AUDITING SERVICES FOR REVIEW OF STATEMENT OF ASSETS AVAILABLE FOR BENEFITS FOR (LOSAP) WITH FERRAIOLI, WIELKOTZ, CERULLO & CUVA |
| j. | RESOLUTION #213-2015* | AUTHORIZE EXECUTION OF AGREEMENT BETWEEN THE TOWN OF NEWTON AND THE NEWTON PARKING AUTHORITY |
| k. | RESOLUTION #214-2015* | DESIGNATE NEWSPAPERS THAT WILL RECEIVE NOTICES REQUIRED BY THE NJ OPEN PUBLIC MEETINGS ACT FOR 2016 |
| l. | RESOLUTION #215-2015* | DESIGNATE LEGAL NEWSPAPERS FOR CALENDAR YEAR 2016 |

- m.** RESOLUTION #216-2015* DESIGNATE THE TOWN MANAGER AS NATIONAL ORGANIZATION ON DISABILITY REPRESENTATIVE
- n.** RESOLUTION #217-2015* ESTABLISH THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DUE DATE
- o.** RESOLUTION #218-2015* CANCELLATION OF SMALL BALANCES
- p.** RESOLUTION #219-2015* APPOINT LOCAL EMERGENCY PLANNING COMMITTEE
- q.** RESOLUTION #220-2015* DESIGNATE OFFICIALS TO SIGN CHECKS
- r.** RESOLUTION #221-2015* TO CANCEL CAPITAL APPROPRIATION BALANCES IN THE GENERAL CAPITAL FUND
- s.** RESOLUTION #222-2015* RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY
- t.** RESOLUTION #223-2015* APPOINTMENT OF RALPH CARCHIA TO THE UTILITY ADVISORY BOARD
- u.** RESOLUTION #224-2015* AUTHORIZE AN AGREEMENT WITH HOLZHAUER & HOLENSTEIN, LLC FOR APPRAISAL SERVICES FOR DEFENSE OF STATE LEVEL TAX APPEALS IN CALENDAR YEAR 2016
- v.** RESOLUTION #225-2015* FINAL ACCEPTANCE OF TRAFFIC SIGNAL IMPROVEMENTS FOR TRINITY STREET
- w.** RESOLUTION #226-2015* AUTHORIZING THE TAX ASSESSOR, THE TOWN ATTORNEY, SPECIAL TAX COUNSEL AND THE TOWN MANAGER TO ACT ON THE BEHALF OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2016 WITH REGARD TO TAX APPEALS
- x.** RESOLUTION #227-2015* DESIGNATE CHIEF FINANCIAL OFFICER/FINANCE DIRECTOR AS THE INDIVIDUAL AUTHORIZED TO SELL BOND ANTICIPATION NOTES
- y.** RESOLUTION #228-2015* APPOINTMENT OF DEBORAH DANIELSON AS ACTION ALLIANCE COORDINATOR FOR THE TOWN OF NEWTON FOR 2016
- z.** RESOLUTION #229-2016* AUTHORIZE EXECUTION OF A SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL AND POUND SERVICES WITH THE TOWNSHIP OF WANTAGE COVERING CALENDAR YEAR 2016
- aa.** RESOLUTION #230-2015* DESIGNATE BANKS AS DEPOSITORIES FOR CALENDAR YEAR 2016
- bb.** RESOLUTION #231-2015* APPOINTMENT OF KEITH MITCHELL OF THE MITCHELL INSURANCE AGENCY AS INSURANCE AGENT
- cc.** RESOLUTION #232-2015* REIMBURSE TOWN EMPLOYEES FOR VEHICLE EXPENSES
- dd.** RESOLUTION #233-2015* AUTHORIZING THE SALE OF BRINE SOLUTION TO MUNICIPALITIES

- ee.** RESOLUTION #234-2015* TRANSFER OF SCHOOL MONIES FOR THE PERIOD FROM JANUARY 1, 2016 TO JUNE 30, 2016
- ff.** RESOLUTION #235-2015* AUTHORIZE THE RELEASE OF EXECUTIVE SESSION MINUTES TO THE PUBLIC
- gg.** RESOLUTION #236-2015* APPROVAL OF A RENEWAL APPLICATION FOR A JUNK DEALERS LICENSE FOR NEWTON AUTO EXCHANGE
- hh.** RESOLUTION #237-2015* APPOINTMENT OF JESSICA C. CALDWELL, P.P., A.I.C.P., AS TOWN PLANNER FOR CALENDAR YEAR 2016
- ii.** RESOLUTION #238-2015* TO TRANSFER THE CURRENT APPROPRIATION BALANCE RESERVE FOR TAX APPEALS AND SET UP A RESERVE FOR TAX APPEALS ON THE CURRENT TRIAL BALANCE
- jj.** RESOLUTION #239-2015* APPROVING REVISED PERSONNEL POLICIES AND PROCEDURE MANUAL AND EMPLOYEE HANDBOOK
- kk.** RESOLUTION #240-2015* CONCUR WITH THE TOWN MANAGER'S APPOINTMENT OF POLICE OFFICERS FOR CERTIFICATION NO. OL151178
- ll.** RESOLUTION #241-2015* APPOINTMENT OF HATCH MOTT MACDONALD AS SEWER ENGINEER FOR CALENDAR YEAR 2016
- mm.** RESOLUTION #242-2015* APPROVE CHANGE ORDER NO. 1 FOR THE PROPOSED IMPROVEMENTS TO SPRING STREET PROJECT
- nn.** RESOLUTION #243-2015* APPOINTMENT OF MARGE CAFFREY AS SENIOR CITIZEN COORDINATOR FOR THE TOWN OF NEWTON FOR 2016
- oo.** RESOLUTION #244-2015* APPROVE PURCHASE OF TURN OUT GEAR FOR THE NEWTON FIRE DEPARTMENT
- pp.** RESOLUTION #245-2015* APPROVE PURCHASE OF 2016 FORD EXPEDITION SSV 4X4 FOR THE NEWTON FIRE DEPARTMENT
- qq.** RESOLUTION #246-2015* APPOINTMENT OF MUNICIPAL ATTORNEY, CONFLICT MUNICIPAL ATTORNEY, ENVIRONMENT COUNSEL, LABOR COUNSEL AND PROSECUTOR FOR CALENDAR YEAR 2016
- rr.** RESOLUTION #247-2015* AUTHORIZE AND DIRECT THE TAX COLLECTOR TO SELL MUNICIPAL LIENS IN ACCORDANCE WITH NEW JERSEY LAW IN 2016
- ss.** RESOLUTION #248-2015* REAPPOINTMENT OF REV. RICHARD L. CARLSON TO THE ADVISORY BOARD OF HEALTH
- tt.** RESOLUTION #249-2015* REAPPOINTMENT OF RALPH PORTER AS A CLASS A MEMBER OF THE HISTORIC PRESERVATION ADVISORY COMMISSION

- uu.** RESOLUTION #250-2015* REAPPOINTMENT OF JOSEPH RICCIARDO TO THE NEWTON PLANNING BOARD
- vv.** RESOLUTION #251-2015* REAPPOINTMENT OF MICHAEL TEETS, WALLACE (HANK) SMITH AND FRANK SEBASTIANO TO THE ADVISORY RECREATION COMMISSION
- ww.** RESOLUTION #252-2015* REAPPOINTMENT OF KENT HARDMEYER TO THE ADVISORY SHADE TREE COMMISSION
- xx.** RESOLUTION #253-2015* REAPPOINTMENT OF REV. FRANK LEONE TO THE NEWTON PARKING AUTHORITY
- yy.** RESOLUTION #254-2015* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- zz.** RESOLUTION #255-2015* APPROVE 2015 APPROPRIATION TRANSFERS
- aaa.** RESOLUTION #256-2015* APPOINTMENT OF JARROD C. COFRANCESCO, ESQ., AS THE TOWN OF NEWTON'S ALTERNATE MUNICIPAL PROSECUTOR FOR CALENDAR YEAR 2016
- bbb.** APPLICATIONS* AN APPLICATION FOR AN ON-PREMISE RAFFLE (50-50) FROM ST. JOSEPHS RC CHURCH TO BE HELD ON JANUARY 9, 2016 AT 7:00PM AT 20 JEFFERSON STREET

X. RESOLUTIONS

- a.** RESOLUTION #257-2015 RESOLUTION TO ACCEPT THE CERTIFIED LIST OF QUALIFYING 2014 NEWTON FIRST AID SQUAD LOSAP PARTICIPANTS
- b.** RESOLUTION #258-2015 AUTHORIZING WAIVING OF WATER AND SEWER UTILITY CHARGES FOR THE NEWTON VOLUNTEER FIRST AID SQUAD FOR CALENDAR YEAR 2016

XI. INTERMISSION

XII. DISCUSSION

- a.** DOG CENSUS – ORDINANCE DRAFT

XIII. OPEN TO THE PUBLIC

XIV. COUNCIL & MANAGER COMMENTS

XV. EXECUTIVE SESSION

- a.** RESOLUTION #259-2015 A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

- 1. PERSONNEL – TOWN MANAGER'S PERFORMANCE REVIEW

XVI. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

Ryan Holzauer

Eagle Scout

WHEREAS, Ryan Holzauer, a member of Boy Scout Troop 184, has earned the status of Eagle Scout; and

WHEREAS, We, the Town Council of the Town of Newton, recognize the many hours Ryan devoted to attaining the status of Eagle Scout, working with diligence and making sacrifices in order to achieve this highly coveted position; and

WHEREAS, Ryan Holzauer has served the Boy Scouts in an exemplary manner and is deserving of the honor bestowed upon him; and

WHEREAS, for Ryan's Eagle Scout Leadership Project he organized and completed the restoration of the Huntsville Cemetery in Green Township, New Jersey; and

WHEREAS, as part of his project, Ryan cleared a half-acre of woods and brush and installed 480 linear feet of post and rail fencing to delineate the rear half of the historic cemetery involving over 200 hours of volunteer service; and

WHEREAS, Ryan Holzauer serves as an example to youth through his high level of personal achievement, leadership and community service, and we are very proud that Ryan is a member of our community.

NOW, THEREFORE, BE IT PROCLAIMED that We, the Mayor and Town Council of the Town of Newton do hereby recognize and extend our sincere congratulations to Ryan Holzauer for having achieved the status of Eagle Scout, an honor for both him and for those who have guided him, with best wishes for a bright future.

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

Attest: _____

Date: _____ December 13, 2015 _____

**TOWN OF NEWTON
ORDINANCE 2015-35**

**AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM
SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF
THE TOWN OF NEWTON FOR CALENDAR YEAR 2016**

WHEREAS, N.J.S.A. 40A:9-165 permits a municipality to determine salaries, wages or compensation to be paid to the officers and employees of the municipality; and

WHEREAS, the Town Council and Town Manager have made a careful examination of the salaries, wages, and compensation appropriate to compensate said Town employees and officers;

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. The minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton are hereby fixed for calendar year 2016 as shown in Schedules "A" and "B" attached hereto in accordance with §25-12 of the Code of the Town of Newton.

Section 2. Any officer or employee of the Town of Newton who is at any time receiving less than the maximum compensation or salary as hereinabove provided may be given a single increment of salary increase during the calendar year by the Town Manager.

Section 3. The Town Manager of the Town of Newton may hire any new employee at any hourly or annual rate between the minimum and maximum salary provided for such office or position.

Section 4. Those employees at wage level 9 serving in the position of Deputy Municipal Court Administrator may be compensated with a stipend of \$50.00 in lieu of 2 hours compensatory time for each court related call-out with written certification.

Section 5. Those officers and employees at wage level 17 shall be paid their annual salary in equal quarterly payments during the last pay period of each quarter.

Section 6. All ordinances or parts of ordinances which may be inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Section 7. If any chapter, article, division, section, subsection, paragraph, sentence, clause, or provision of the Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect all remaining portions of the Ordinance.

Section 8. This Ordinance shall take effect twenty (20) days after final passage, approval and publication after adoption by the Town Council and shall be effective retroactive to January 1, 2016.

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, November 23, 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 Monday, December 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
2015-35
SCHEDULE "A"**

<u>LEVEL</u>	<u>HOURLY</u>		<u>35 HRS / WK</u>		<u>40 HRS / WK</u>		<u>IRREGULAR HOURS ANNUALIZED</u>
	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	
1	\$8.75	\$17.00	\$15,925	\$30,940	\$18,200	\$35,360	
2	\$9.00	\$18.50	\$16,380	\$33,670	\$18,720	\$38,480	
3	\$9.25	\$20.75	\$16,835	\$37,765	\$19,240	\$43,160	
4	\$9.50	\$26.25	\$17,290	\$47,775	\$19,760	\$54,600	
5	\$10.50	\$31.75	\$19,110	\$57,785	\$21,840	\$66,040	
6	\$11.00	\$34.50	\$20,020	\$62,790	\$22,880	\$71,760	
7	\$12.00	\$37.25	\$21,840	\$67,795	\$24,960	\$77,480	
8	\$12.50	\$40.00	\$22,750	\$72,800	\$26,000	\$83,200	
9	\$13.75	\$44.00	\$25,000	\$80,080	\$30,000	\$91,520	
10	\$16.50	\$50.00	\$30,000	\$91,000	\$35,000	\$104,000	
11			\$32,500	\$95,000	\$37,500	\$115,000	
12			\$45,000	\$97,500	\$52,500	\$130,000	
13			\$50,000	\$115,000	\$57,500	\$140,000	
14			\$65,000	\$135,000	\$75,000	\$160,000	
15			\$70,000	\$165,000	\$80,000	\$175,000	
16							\$500 - \$7,500
17							\$2,500 - \$10,000
18							\$3,000 - \$25,000
19							\$12,000 - \$60,000

**TOWN OF NEWTON
ORDINANCE 2015-35
SCHEDULE "B"**

LEVEL 1

Recreation Assistant

LEVEL 2

Lifeguard
Swim Instructor

LEVEL 3

Clerk Typist
Custodian
Keyboarding Clerk I
School Traffic Guard
Secretary

LEVEL 4

Assistant Pool Manager
Code Enforcement Officer Trainee
Keyboarding Clerk II
Laborer
Public Safety Telecommunicator Trainee
Recreation Leader
Senior Clerk Typist

LEVEL 5

Account Supervisor/Treasurer
Assessing Clerk
Building Grounds Maintenance Worker
Fire Prevention Inspector
Planning/Zoning Administrator
Police Clerk
Pool Manager
Records Support Technician
Recreation Enforcement Officer
Sewer Laborer
Water Laborer
Water Meter Reader
Water/Sewer Collector

LEVEL 6

Equipment Operator
Omnibus Operator
Public Safety Telecommunicator
Public Works Repairer
Recycling Foreman
Road Repairer
Sewer Repairer
Truck Driver
Water Repairer

LEVEL 7

Certified Tax Collector/Tax Search Officer
Code Enforcement Officer
Park Caretaker
Parking Meter Enforcer
Payroll Clerk
Senior Public Safety Telecommunicator
Senior Sewer Repairer
Senior Water Repairer
Sewer Repairer 2
Special Police Officer
Water Repairer 2

LEVEL 8

Administrative Assistant
Court Attendant
Road Foreman
Sewer Foreman
Street Foreman
Supervising Public Safety Telecommunicator
Water Foreman

LEVEL 9

Assistant Director of Public Works
Assistant Public Works Supervisor
Assistant Water/Sewer Supervisor
Deputy Municipal Court Administrator
Sewer Plant Operator
Water Plant Operator

LEVEL 10

Code Enforcement Director
Community Development Director
Director of Public Works
Finance Director
Municipal Clerk/Registrar of Vital Statistics
Municipal Court Administrator
Municipal Department Head
Public Works Supervisor
Water/Sewer Supervisor

LEVEL 11

Police Patrolman

LEVEL 12

Police Sergeant

LEVEL 13

Chief Financial Officer
Police Lieutenant
Water/Sewer Superintendent

LEVEL 14

Police Chief

LEVEL 15

Town Manager

LEVEL 16

Assistant Right-to-Know Coordinator
Deputy Municipal Clerk
Deputy Registrar
Deputy Right-to-Know Coordinator
Right-to-Know Coordinator

LEVEL 17

Council Member
Mayor

LEVEL 18

Building Subcode Official/Inspector
Deputy Code Enforcement Officer
Deputy Emergency Management Coordinator
Electrical Subcode Official/Inspector
Emergency Management Coordinator
Fire Subcode Official
Plumbing Subcode Official/Inspector
Zoning Officer

LEVEL 19

Deputy Town Manager
Human Resources Director
Recreation Supervisor
Tax Assessor

**TOWN OF NEWTON
ORDINANCE #2015-36**

**AN ORDINANCE AMENDING CHAPTER 307 “VEHICLES AND TRAFFIC” OF
THE CODE OF THE TOWN OF NEWTON TO REVISE PARKING
VIOLATIONS**

WHEREAS, the Town Council has recently become aware of excessive parking violations in the Town; and

WHEREAS, it has been recommended that additional penalties be assessed to repeated lengthy violators of the parking restrictions;

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

Section 1. §307-6 “Parking prohibited during certain hours” shall be and is hereby amended to add the following sentence:

Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment.

Section 2. §307-7 “Parking time limited on certain streets” shall be and is hereby amended to add the following sentence:

Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment.

Section 3. §307-10.C “Parking time limited in municipal parking lots” shall be and is hereby amended to add the following sentence:

Additionally, whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment and subparagraph D, below.

Section 4. §307-25 “Occupying a space beyond legal time” shall be and is hereby amended to add the following sentence:

Additionally, whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in Section 307-69) and may be subject to impoundment.

Section 5. §307-43 “Penalty” shall be and is hereby deleted in its entirety and revised to read as follow:

Unless another penalty is expressly provided within this Code, including Section 307-69, or by New Jersey statute, a person convicted of a violation of this chapter or any supplement hereto shall be liable for a penalty of not more than \$100 or imprisonment for a term not exceeding 15 days, or both.

Section 6. §307-69 “Schedule XIX: Local Supplemental Violations Bureau Schedule” shall be and is hereby revised to add the following paragraph:

C. Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, and receives additional summonses, the penalty for each summons shall total the same amount set forth above. (For example, a vehicle which parks on north Trinity Street between the hours of 8:00 a.m. and 5:00 p.m. on a weekday (referring to Sections 307-7 and 307-50) shall be subject to a summons and penalty for \$30 for parking beyond the limited time of 15 minutes, and an additional summons and penalty of \$30 if still parked 15 minutes after the issuance of the first summons. Additional summonses may thereafter be issued for each additional 15 minute violation.)

Additionally, such vehicles which exceed the time permitted by twice the ordinance limit may be subject to impoundment.

Section 7. 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 8. 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 9. 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, November 23, 2015. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body to be conducted at 7:00pm on Monday, December 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 2015-37

**AN ORDINANCE AMENDING SECTION 30-7A.(1) OF THE NEWTON TOWN
CODE REGARDING POLICE DEPARTMENT APPOINTMENTS**

WHEREAS, the Town Council of the Town of Newton has determined that §30-7A.(1) of the Code of the Town of Newton, regarding Police Department appointments, requires amendment to revise residency classes of appointment, to be consistent with the underlying statute, N.J.S.A. 40A:14-123.1a.;

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 30-7.A.(1) “Classification of Applicants” shall be and is hereby deleted in its entirety and shall read as follows:

- (1) The following classes are hereby established for appointment of all members of the Police Department of the Town of Newton:
 - (a) Class 1: residents of the Town of Newton.
 - (b) Class 2: residents of other municipalities in the County of Sussex.
 - (c) Class 3: residents of any other county than Sussex in the State of New Jersey.
 - (d) Class 3: all other qualified persons.

Section 2. 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 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 shall take effect after 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, December 14, 2015. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body to be conducted at 7:00 p.m. on Monday, December 28, 2015 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #204-2015

December 14, 2015 "Establish Schedule of Public Town Council Meetings for 2016"

WHEREAS, Section 13 of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to post and maintain posted throughout the year a schedule of the meetings of said public body;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, Sussex County, New Jersey that the following schedule for 2016 indicates all public meetings of the Newton Town Council will be held on the second and fourth Mondays of each month, except July and August, at 7:00pm, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey; and

Council Meetings

7:00pm

January	11	and	25	July	18		
February	8	and	22	August	22		
March	14	and	28	September	14*	and	26
April	11	and	25	October	12*	and	24
May	11*	and	23	November	14	and	28
June	13	and	27	December	12	and	28*

*Held Wednesday

Reorganizational Meeting

6:00pm

Friday, July 1, 2016

BE IT FURTHER RESOLVED, that, for the purposes of the Act, the official bulletin board for posting notices shall be the bulletin board in the first floor lobby of the Municipal Building at 39 Trinity Street, Newton, New Jersey, with said board being just outside the door of the Municipal Clerk's Office; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey Herald and the NJ Sunday Herald, and a copy be filed with the Municipal Clerk; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be mailed to any person requesting notices of meetings of the Town Council pursuant to N.J.S.A. 10:4-19 and whoever has paid the required fee for such notice.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #205-2015

December 14, 2015 “Concur with the Town Manager’s Appointment
of Special Police Officers”

WHEREAS, within Chapter Thirty, Police Department, of the Revised General Ordinances of the Town of Newton, it indicates the Town Manager may appoint Special Police Officers for a term not to exceed one year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager’s appointment of the following individuals as Special Police Officers for calendar year 2016:

Class II

Raul Couce

Donald Donofrio

Stephen Moran

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #206-2015

December 14, 2015 "Appointment of Joseph Carr as Municipal Representative to the Sussex County Water Quality Policy Advisory Committee"

BE IT RESOLVED, by the Town Council of the Town of Newton that the Assistant Supervisor Water and Sewer, Joseph Carr, is hereby appointed as the municipality's representative to the Sussex County Water Quality Policy Advisory Committee for 2016 and will attend regular meetings of said Committee conducted on the second Thursday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED, that, if required, the Newton Assistant Supervisor Water and Sewer or his designee may also attend workshop meetings of the Sussex County Water Quality Policy Advisory Committee; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chairman of the Sussex Water Quality PAC.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #207-2015

December 14, 2015 “Designation of Public Agency Compliance Officer for Calendar Year 2016”

BE IT RESOLVED, by the Town Council of the Town of Newton that Debra J. Millikin is hereby designated as the Public Agency Compliance Officer for the Town of Newton for 2016; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the NJ Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity, as requested by said agency.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #208-2015

December 14, 2015 “Appointment of Adam Vough as Municipal Representative to the Sussex County Solid Waste Advisory Committee for 2016”

BE IT RESOLVED by the Town Council of the Town of Newton that the Assistant Public Works Supervisor, Adam Vough, is hereby appointed as the municipality's representative to the Sussex County Solid Waste Advisory Committee to attend regular meetings of said Committee conducted on the second Tuesday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED that, if required, the Assistant Public Works Supervisor or his designee may also attend workshop meetings of the Sussex County Solid Waste Advisory Committee; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chairman of the Sussex County SWAC.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #209-2015

December 14, 2015 **“Designation of Linda A. Roth as Tax Search Officer for the Town of Newton for 2016”**

WHEREAS, N.J.S.A. 54:5-11 provides that each municipality within the State of New Jersey shall designate a person to act as the Tax Search Officer for the municipality; and

WHEREAS, Linda A. Roth, as Certified Tax Collector for the Town of Newton, is qualified to make examinations of the municipalities records as to unpaid municipal liens and to certify the results of that examination;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby designates Linda A. Roth as the Tax Search Officer for the Town of Newton.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #210-2015

December 14, 2015 **“Appoint the Town Manager as Hearing Officer in all Matters of Dispute Regarding the Town of Newton for Calendar Year 2016”**

WHEREAS, certain matters may arise over the course of the year which require a hearing to be conducted for the purpose of resolving issues; and

WHEREAS, Thomas S. Russo, Jr., Town Manager of the Town of Newton, is the representative of the Governing Body, as well as the Chief Executive and Administrative Officer of the municipality;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the calendar year 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #211-2015

December 14, 2015 "Appointment of the Municipal Auditor for the Town of Newton for Calendar Year 2016"

WHEREAS, the Town of Newton has a need to acquire auditing services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the anticipated term of this contract is for calendar year 2016; and

WHEREAS, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. has submitted a proposal dated November 3, 2015 indicating they will provide the 2016 auditing services for \$26,000.00; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. has completed and submitted a Business Entity Disclosure Certification which certifies that Ferraioli, Wielkotz, Cerullo & Cuva, P.A. has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit the Ferraioli, Wielkotz, Cerullo & Cuva, P.A. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that funds are available to support an agreement with Ferraioli, Wielkotz, Cerullo & Cuva, P.A. in an amount of \$26,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Mayor to enter into a contract with Ferraioli, Wielkotz, Cerullo & Cuva, P.A. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be filed in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #212-2015

December 14, 2015 "Authorize the Execution of an Agreement for Auditing Services for Review of Statement of Assets Available for Benefits for (LOSAP) with Ferraioli, Wielkotz, Cerullo & Cuva"

WHEREAS, the Town of Newton will require the services of a qualified Auditor to examine the Statement of Net Assets Available for Benefits for the Town of Newton's Emergency Services Volunteer Length of Service Award Program (LOSAP) as of December 31, 2015; and

WHEREAS, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Mr. Thomas M. Ferry, RMA of the accounting firm Ferraioli, Wielkotz, Cerullo & Cuva, PA has furnished an appropriate contract for said services for a maximum contract amount of \$1,500.00; and

WHEREAS, Ferraioli, Wielkotz, Cerullo & Cuva, PA has completed and submitted a Business Entity Disclosure Certification with certifies that said firm has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit the firm from making any reportable contributions through the term on the contract; and

WHEREAS, the anticipated term of this contract is for calendar year 2016;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor, the Town Manager and the Treasurer are hereby authorized to execute a contract on behalf of the municipality for review of their LOSAP Statement of Net Assets Available for Benefit and said contract will remain on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED, that a copy of the fully executed contract be forwarded to Mr. Thomas Ferry, and that a notice of this award be published in accordance with the Local Public Contracts Law.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #213-2015

December 14, 2015 "Authorize Execution of Agreement Between the Town of Newton and the Newton Parking Authority"

WHEREAS, on January 15, 1982, the Town Council of the Town of Newton adopted an Ordinance authorizing the execution of an agreement with the Newton Parking Authority for the purpose of dedicating revenue from certain parking meters to said Parking Authority; and

WHEREAS, such agreements between governmental agencies and authorities may be extended each year by adoption of a Resolution of the Governing Body; and

WHEREAS, at a regular meeting of the Newton Parking Authority conducted on November 5, 2015, the members of the Authority approved an appropriate agreement for calendar year 2016 and authorized the Chairman and the Secretary to execute said agreement;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute said agreement with the Newton Parking Authority, dedicating revenue from certain parking meters to said Authority and describing certain services to be performed on behalf of the Authority by the Town of Newton during calendar year 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

AGREEMENT

THIS AGREEMENT is made this 1st day of January, 2016, between the **TOWN OF NEWTON**, a public body corporate of the State of New Jersey (hereinafter called the "Town"), having its office at 39 Trinity Street in the Town of Newton, County of Sussex, and State of New Jersey; and the **PARKING AUTHORITY OF THE TOWN OF NEWTON**, a public body corporate of the State of New Jersey (hereinafter called the "Authority"), having its office at 39 Trinity Street in the Town of Newton, County of Sussex, and State of New Jersey.

WHEREAS, the Authority has been in existence since August 10, 1953 and has the management and control of various parking lots within the Town of Newton under its jurisdiction, in and upon which the Authority has caused to be made certain substantial improvements; and

WHEREAS, the Authority wishes to receive the income presently received by the Town from, or with respect to, the parking of motor vehicles in the streets or otherwise; including funds collected in parking meters located in and along streets or otherwise; and

WHEREAS, the Town presently performs certain administrative, maintenance, and police services on behalf of the Authority in the operation and management of its offices and functions;

NOW, THEREFORE, each of the parties hereto, for and in consideration of the premises and the mutual obligations herein, do hereby covenant and agree with the other as follows:

- 1) Commencing January 1, 2016 the Town pledges to the Authority and covenants and agrees with the Authority to pay to the Authority, all of any funds thereafter received by the Town for or with respect to the parking or storage of motor vehicles in the streets or otherwise; including funds collected from parking meters located in and along streets or otherwise.
- 2) The Town shall perform all administrative, maintenance and police services required to be performed by the Authority, for the Authority; including, but not limited to, bookkeeping, secretarial work, investment counseling, snow removal, cleaning, striping, and enforcement of Ordinances, rules and regulations related to the operation of the parking lots owned and operated by the Authority; and employment of one full-time and one part-time individual for Spring Street foot patrol and meter enforcement duties.

3) The Authority shall pay to the Town the sum of forty thousand dollars (\$40,000.00) per year for rendering of said services. Said forty thousand dollars (\$40,000.00) shall be due and payable quarterly as follows:

Ten thousand dollars (\$10,000.00) commencing on the first day of March, 2016; and a like sum on the first day of June, 2016; the first day of September, 2016; and the first day of December, 2016. This Agreement may be terminated by either party upon ninety (90) days written notice to the other.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed on their behalf, and their respective seals to be hereunto affixed and attested to on the day and year first above written.

TOWN OF NEWTON

Daniel G. Flynn
Newton Mayor

ATTEST:

Lorraine A. Read, RMC
Municipal Clerk

**PARKING AUTHORITY OF
THE TOWN OF NEWTON**

Kenneth Edwards
Chairman

ATTEST:

Thomas S. Russo, Jr.
Parking Authority Secy.



TOWN OF NEWTON

RESOLUTION #214-2015

December 14, 2015 **“Designate Newspapers that will Receive Notices Required by the NJ Open Public Meetings Act for 2016”**

WHEREAS, Section 3D(2) of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to designate two (2) newspapers to receive notices required to be mailed, telephoned, telegraphed or hand delivered;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby designates the newspapers listed below as newspapers to receive notices required by the Open Public Meetings Act:

New Jersey Herald

New Jersey Sunday Herald

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #215-2015

December 14, 2015 "Designate Legal Newspapers for Calendar Year 2016"

BE IT RESOLVED by the Town Council of the Town of Newton that the newspapers listed below be designated as the official newspapers for the Town of Newton for legal advertising during the 2016 calendar year:

New Jersey Herald

New Jersey Sunday Herald

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #216-2015

December 14, 2015 "Designate the Town Manager as the National Organization on Disability Representative"

WHEREAS, the Town Manager has historically been appointed as the National Organization of Disability representative for the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Manager, Thomas S. Russo, Jr., is hereby appointed as the National Organization on Disability representative for the Town of Newton; and

BE IT FURTHER RESOLVED that the Mayor and the Town Manager are authorized to sign any documents that may be required by the National Organization on Disability to confirm this appointment.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #217-2015

December 14, 2015 **“Establish the Rate of Interest to be Charged for Non-Payment of Taxes on or Before the Due Date”**

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:6-67 has been amended to permit the fixing of said rate at eight percent (8%) per annum for the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum for amounts in excess of \$1,500.00, and an additional penalty of six percent (6%) may be collected for delinquencies in excess of \$10,000.00 from property owners who fail to pay the delinquency prior to the end of the calendar year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to charge an eight percent (8%) per annum rate of interest on the first \$1,500.00 of taxes which become delinquent after the tax due date, and a rate of eighteen percent (18%) per annum interest on any amount of taxes due in excess of \$1,500.00 which becomes delinquent after the tax due date; and

BE IT FURTHER RESOLVED, that the Tax Collector is also authorized and directed to charge an additional penalty of six percent (6%) if a delinquency is in an amount in excess of \$10,000.00 and remains in arrears beyond December 31st of each calendar year; and

BE IT FURTHER RESOLVED, that the ten (10) day grace period for quarterly tax payments shall remain in effect, that any payment of taxes not made on or before the due date in accordance with this Resolution shall be charged interest from the due date as set forth by law, and that this Resolution shall take effect immediately.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #218-2015

December 14, 2015 "Cancellation of Small Balances"

WHEREAS, N.J.S.A. 40A: 5-17.1 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than ten (\$10.00) dollars; and

WHEREAS, the Town Council of the Town of Newton may authorize the Tax Collector to process, without any further action on the part of the Governing Body, any cancellation of property tax refunds or delinquencies of less than ten (\$10.00) dollars;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton in the County of Sussex, State of New Jersey, that the Tax Collector is hereby authorized to process the cancellation of any property tax refunds or delinquencies of less than ten (\$10.00) dollars.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #219-2015

December 14, 2015 "Appoint Local Emergency Planning Committee"

WHEREAS, Appendix A:9-41 of the NJ Statutes Annotated, and N.J.A.C. 13:64-2.3 pertaining to Emergency Management, require that every New Jersey municipality create a Local Emergency Planning Committee; and

WHEREAS, the individual appointed as the local Emergency Management Coordinator shall also be a member of, and shall serve as Chairman of, said Local Emergency Planning Committee;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the appointment of the individuals recommended by Emergency Management Coordinator Kenneth A. Teets for membership on the Newton Local Emergency Planning Committee for calendar year 2016 as listed below:

Kenneth A. Teets	Emergency Management Coordinator
Dan Finkle	Deputy Emergency Management Coordinator
Deborah Danielson	Deputy Emergency Management Coordinator
Chief Michael S. Richards	Newton Police Department
Thomas S. Russo, Jr.	Newton Town Manager
Chief Jason Miller	Newton Fire Chief
Captain, To be determined	Newton Vol. First Aid and Rescue Squad
Ken Jaekel	Newton Public Works Supervisor
Joseph Carr	Assistant Supervisor Water and Sewer
Lorraine Read	Newton Municipal Clerk
Debra Millikin	Deputy Town Manager
Terri Oswin	Deputy Municipal Clerk/Assistant to Town Manager
Joseph Butto	Newton/Hardyston Construction Official
Dr. Kennedy Greene	Newton School Superintendent
Robert Moorehead	Radio Station WNNJ

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #220-2015

December 14, 2015 "Designate Officials to Sign Checks"

BE IT RESOLVED by the Town Council of the Town of Newton that the Town Manager, the Town Treasurer and/or the Chief Financial Officer are hereby designated as officials authorized to sign all municipal checks, Water and Sewer Utility checks, and payroll checks during calendar year 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #221-2015

December 14, 2015 "To Cancel Capital Appropriation Balances in the General Capital Fund

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, Bond Ordinance #2013-7 was adopted February 25, 2013 reappropriating \$29,000 of proceeds of obligations not needed for their original purpose from Bond Ordinance #2012-13 Section 3c, adopted April 9, 2012 for the Acquisition of Equipment for the Department of Public Works; and

WHEREAS, the Town Manager and other Town Officials have reviewed and determined that there are no additional costs for these projects; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances totaling \$807.01 may be returned to each respective Capital Improvement Fund or credited to Fund Balance, and unused debt authorizations may be cancelled;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton that the following unexpended and dedicated balances of the General Capital appropriations totaling \$807.01 be cancelled:

<u>Ordinance Number</u>	<u>Date Auth.</u>	<u>Project Description</u>	<u>Amount Cancelled</u>	
			<u>Funded</u>	<u>Unfunded</u>
2013-7	2/25/13	Reappropriate \$29,000 proceeds for Acquisition of Equipment for the Department of Public Works	\$807.01	

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #222-2015

December 14, 2015 "Resolution Authorizing Disposal of Surplus Property"

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

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

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 - a) 32 Safariland Basket Weave PX4 Holsters Ser #6258-108 BER PK4 3307
 - b) 22 Safariland Smooth finished PX4 Holsters Ser#6280-180-BER PK4 2409
 - c) 35 Safariland Smooth finished PX4 Light bearing Holsters
6280-1804 –BER PX4 M-3M-6 light 4912
 - d) 1 Safariland Basket Weave Holster PX4 6285-180 BER-PX 2308
 - e) 9 Safariland Basket Weave Holster PX4 6285-180 BER 3407
 - f) 1 Safariland Smooth finished PXR Holster 6280-180-BER PX4 2709
 - g) 1 Safariland Basket Weave PX4 Holster 6285-180-BER-PX4 208
 - h) 1 Sarariland Smooth Finished Light bearing PX4 Holsters
 - i) 6280-1821-BERm3m6 3318
 - j) 2 Gould & Goodrich Plain Holsters B73380FLH
 - k) 1 Safariland Smooth Finished PX4 Holsters 6280-180-BER-PR4 189
 - l) 2 Fobus Beretta Holster GL2*EMZ
 - m) 4 Uncle Mikes Nylon Divided Pistol Mag Case #8836-7
 - n) 7 Side Kick Nylon Divided Pistol Mag Case
 - o) 3 Safariland Nylon Divided Pistol Mag Case
 - p) 20 Safariland Clock 3307 Basket Weave Divided Mag Case
 - q) 23 Safariland S&W Ber 92 Basket Weave Divided Mag Case

- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #223-2015

December 14, 2015 "Appointment of Ralph Carchia to the Utility Advisory Board"

WHEREAS, there currently is a vacancy on the Utility Advisory Board; and

WHEREAS, Ralph Carchia has expressed interest in serving as a member of the Utility Advisory Board;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Ralph Carchia is hereby appointed to a unexpired five (5) year term on the Utility Advisory Board, effective immediately with said term continuing to December 31, 2018.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #224-2015

December 14, 2015 **“Authorize an Agreement with Holzhauer & Holenstein, LLC for Appraisal Services for Defense of State Level Tax Appeals in Calendar Year 2016”**

WHEREAS, the Town of Newton anticipates the need for a professional appraiser and consultant in connection with emerging and ongoing tax appeals litigation within the Town of Newton; and

WHEREAS, Michael Holenstein of Holzhauer & Holenstein, LLC has submitted a proposal for his continued appraisal services to defend such tax appeals, which is acceptable to the Newton Governing Body; and

WHEREAS, appraisal service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, the anticipated term of this contract is one (1) year, January 1, 2016 through December 31, 2016; and

WHEREAS, the Chief Financial Officer has certified that funds are available to support an agreement with Holzhauer & Holenstein, LLC, for appraisal services in an amount not to exceed \$17,500;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the execution of an agreement with Holzhauer & Holenstein, LLC, for appraisal services as outlined in Mr. Holenstein's proposal dated November 23, 2015; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Holzhauer & Holenstein, LLC and that a notice of this agreement be in the newspaper of record published in accordance with the Local Public Contracts Law.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

HOLZHAUER & HOLENSTEIN, LLC

REAL ESTATE ADVISORY SERVICES

MICHAEL E. HOLENSTEIN, MAI, CTA, SCGREA

ROBERT L. HOLENSTEIN, MAI, RM, SCGREA*

DAVID G. GLASER, MAI, SCGREA*

**Consultants to the Firm*

KNOLL PLACE
70 SPARTA AVENUE
SUITE 205
SPARTA, NJ, 07871
PHONE (973) 300-0121
FAX (973) 300-0171

November 23, 2015

Town of Newton
Municipal Building
39 Trinity Street
Newton, NJ 07860

Attn: Thomas Russo, Newton Town Manager

Re: Services Proposal, Appraisal & Consulting Services, Town of Newton, Sussex Co, NJ

Dear Mr. Russo:

I understand that the Town of Newton, hereinafter the "Client" and "Intended User", continues to anticipate the need for professional appraisal and consulting services in 2016, primarily in connection with emerging and ongoing tax appeal litigation. The scope of services includes:

1. Evaluating property tax appeals and assisting in litigation related thereto before the County Tax Board and the State Tax Court. Work includes evaluation of discovery, preparation of expert reports, settlement negotiations, expert testimony, and litigation support services.

In conducting this work, my office will customarily:

2. Inspect property under appeal, set up files, review correspondence and pleadings and interrogatories, assist Municipal Tax Counsel with discovery, conduct preliminary evaluations to demonstrate exposure of assessments, and
3. prepare preliminary "draft" reports for use in settlement conferences. These documents are limited or restricted reports prepared in accordance with the Uniform Standards for Professional Appraisal Practice (USPAP 2-2b) and pursuant to the jurisdictional exception mandated by the NJ Tax Court relative to its required documentation and presentations.

Newton requests professional assistance in these matters based upon an hourly rate of pay. The hourly fee for Michael E. Holenstein, MAI to provide general consulting, conduct pre-trial, trial preparation, and Court testimony is \$125/hour. Otherwise, the H&H, LLC Staff rate is \$100/hour and Administrative is \$50/hour with any hard costs at cost. H&H, LLC will only conduct work under this agreement at the direction of the Assessor. Total billing from H&H, LLC in connection with this work is not to exceed \$17,500 without prior, express written consent of the Client.

I will forward by separate document my current Non-Collusion Affidavit, Stockholder Disclosure Certification, Affirmative Action Certification, Proof of Insurance, Employee Information Report certification, Business Registration Certificate, NJ Appraisal License, and a copy of my Tax Certificate; please advise of any other requirement. My *CV* with references is attached.

I have provided litigation support services to the Town of Newton for the last nine years. To the best of my knowledge and abilities, all tax work conducted on behalf of Newton has been provided in a timely and cost effective manner.

Please confer with your Tax Assessor or Tax Counsel to evaluate my performance.

I will attend a Council meeting at your request to discuss this service appointment.

Kindly indicate the Client's acceptance of this services proposal by appropriate resolution.

Thank you for this opportunity to continue our service to the Town of Newton.

Respectfully submitted,
HOLZHAUER & HOLENSTEIN, LLC
By:

MEH via electronic 11/23/2015
MICHAEL E. HOLENSTEIN, MAI, CTA
SCGRE: NY, NJ-RG01234, PA-GA1733R

PROFESSIONAL QUALIFICATIONS OF
MICHAEL E. HOLENSTEIN, MAI, CTA, SCGREA

Business & Education:

- Current ♦ HOLZHAUER&HOLENSTEIN, LLC ; Principal Member (1998-)
- Prior ♦ LIN-HOLZ ADVISORY GROUP, LLC ; Principal Member (1997&1998)
Employed by R.L.Holenstein, MAI as an Appraiser and Licensed R.E. Agent (1987-1996)
- 2001 ♦ State of New York Certified General Real Estate Appraiser (SCGREA #46000039750)
- 1999 ♦ Commonwealth of Pennsylvania Certified General Real Estate Appraiser (SCGREA #GA1733R)
- 1995 ♦ Designated as a Member of the Appraisal Institute (MAI), Member #10824.
- 1993 ♦ New Jersey State Certified General Real Estate Appraiser (SCGREA #RG01234)
♦ Certified by the State of New Jersey as a Tax Assessor (CTA)
- 1989 ♦ Graduated Upsala College Cum Laude with BA and BS degrees in Business & Management
- 1987 ♦ Licensed by the State of New Jersey as a Real Estate Salesperson
- 1983-87 ♦ United States Marine Corps, Active Duty Status. Stationed in the Continental U.S. and Asia. Occupational specialties included Air Frames Structural Mechanic (MOS-6143), CDI (Collateral Duty Inspector), and NDI (Non-Destructive Inspector). Promoted meritoriously four times to E5. Awarded Navy Achievement Medal in December, 1986 in recognition for outstanding service while stationed in South Korea, ten Meritorious Masts, three Letters of Commendation, Certificate of Commendation and selected as Outstanding Marine NCO, 1st Marine Aircraft Wing.

Seminars/Conferences:

- ♦ NJAC, Tax Bd. Commissioners & Administrators; Annual Education Seminar/Conference, (1995 -)
 - ♦ Metro NJ Chapter, Appraisal Institute, Annual Princeton Conference, (1987 -)
 - ♦ Dynamics of Office Building Valuation - Appraisal Institute
 - ♦ Condemnation Appraisal Practices Seminar - Appraisal Institute
 - ♦ ACOE Wetlands Delineator Courses - Rutgers Extension
 - ♦ Attacking/Defending Appraisals in Litigation - Appraisal Institute
 - ♦ Appraiser as an Expert Witness - Appraisal Institute

 - ♦ Handling Eminent Domain & Regulatory Taking Cases
 - ♦ Land Use Law Conference
 - ♦ Advanced Expert Witness Deposition Tactics NJ
 - ♦ Appraisal Consulting: A Solutions Approach for Professionals
 - ♦ NJ Real Estate Title law, Problems & Solutions
 - ♦ Keys to Effective Witness Examination, NJ
 - ♦ Appraisal Standards for Federal Land Acquisitions ("Yellow Book")
 - ♦ Eminent Domain & Regulatory Takings, Update 2005
-
-

Michael E. Holenstein has practiced Real Estate Appraisal and performed Consulting Services as his sole occupation beginning in 1987. Since completing his primary appraisal education, his essential focus has been the valuation of partial interests, real property rights, condemnation appraisal, subdivision analysis, tax appeals, general fee appraisal, and a variety of consulting services including acquisition and development, feasibility, financing, estate management, partnership interests, partial interests, evaluation for trusts, and discounting of partial interests. His work has satisfied a variety of functions including matrimonial, probate, tax appeal (State & Federal, income & property), condemnation, pollution contamination, various other legal proceedings, financing requirements, and general asset valuation. A summary of appraisal assignments include:

Residences	Tax Appeals	Impact Damages
Farms and Acreage	Condemnation Takings	Court-appointed Mediation
Commercial Premises	Mining & Extraction	Highlands Impact
Industrial Premises	Feasibility Studies	Islands
Institutional Premises	Subdivision Analysis	Revaluation/Reassessment
Multi-Family	Easement Valuation	Special Assessments
Highest and Best Use Analysis	Easement Impact Valuation	Contamination Impact
Review Appraisals	Rights-of-Way	Stigma & Associated Damages
Partial & Minority Interests	Discounting of Partial Interests	Wetlands & Littoral

Expert Testimony:

- ◆ Federal Tax Court, Federal Administrative Law Court, State of NJ Tax, Superior, & Administrative Law Courts; Morris, Sussex, Essex, and Warren County Tax Boards; Various Condemning Authority Commissioner Boards; Various Municipal Planning & Zoning Boards

Professional Affiliations & Community Service:

- ◆ Member – Foundation Board, Newton Memorial Hospital (2005 -)
- ◆ Member - Board of Directors, Metro-NJ Chapter, Appraisal Institute (1997-99)
- ◆ Member - Newton Rotary Club (1987-99)
- ◆ Member - Executive Board of Directors, Morris/Sussex Boy Scout Council (1992 - 1995, 1997)
- ◆ Member - Executive Board of Directors, Greater Newton Chamber of Commerce (1992 - 1997: President 1996 - 1997)
- ◆ Committeeman - Newton Economic Development Committee (1993 - 1996)
- ◆ Associate Member – Garden State & Bergen Multiple Listing Services (1987 -)

References:

Municipal Services:

- ◆ Tom Russo, Newton Town Manager, 973-383-3521 * 224
- ◆ Victor Marotta, Vernon Mayor, 973-764-2241

Federal & NJ State Acquisitions:

- ◆ Pamela McLay, National Park Service, 732-872-5945
- ◆ Susan P. Russo, ARA, DOI-OVS, 413-587-3713
- ◆ Mary Ellen Bryant, Office of Valuation Services, 413-587-5074
- ◆ NJDEP, Green Acres Chief Appraiser, 609-984-0542

Litigation Support Services:

- ◆ Robert McBriar, Esq, 973-726-3011 (Tax/Condemnation/General)
- ◆ Martin F. Murphy, Esq., Johnson, Murphy, Hubner..., 973-835-0100 (Condemnation, General)
- ◆ Blake S. Davis, Esq., Waters, McPherson, McNeill, 201-319-3885 (Condemnation)
- ◆ Jeffery D. Gordon, Esq., Archer & Greiner, PC, 609-580-3713 (NJ & Pa Tax, General, Stigma)
- ◆ William E. Hinkes, Esq., 973-383-3233 (NJ Tax, General)
- ◆ Frank Agostino, Esq., 201-488-5400 (Federal Tax Court)

**RFP COST FORM
TOWN OF NEWTON
Municipal Appraiser**

Hourly Rate of Pay:	\$125/hour	Principal
	\$100/hour	Staff
	\$ 50/hour	Administration
	Expenses	At Cost
	Budget	\$17,500 (not to exceed w/o approval)

Signature

Michael E. Holenstein, MAI, CTA, SCGREA, NY, NJ, Pa
Name

Principal , Holzhauer & Holenstein, LLC
Title

Holzhauer & Holenstein, LLC
Company

Knoll Place, 70 Sparta Av, Suite 205, Sparta, NJ 07871
Address

973-300-0121*14
Telephone



TOWN OF NEWTON

RESOLUTION #225-2015

December 14, 2015 **“Final Acceptance of the Traffic Signal Improvements for Trinity Street”**

WHEREAS, on June 8, 2015 by way of adoption of Resolution #88-2015, the Newton Town Council awarded a contract to FAI-GON Electric, Inc., for the Traffic Signal Improvements for Trinity Street in the amount of \$297,875.00; and

WHEREAS, on November 23, 2015 by way of adoption of Resolution #201-2015, the Newton Town Council approved Change Order No. 1 for the Traffic Signal Improvements for Trinity Street bringing the new contract total to \$297,210.50; and

WHEREAS, in a memo to the Town Manager dated November 23, 2015, Town Engineer, Harold E. Pellow, P.E., L.S., of Harold E. Pellow & Associates, Inc., states that said project has been completed and recommends the project be accepted as final and complete;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby concurs with the Town Engineer's recommendation and accepts the Traffic Signal Improvements for Trinity Street Project as final and complete so that final paperwork can be started and a one (1) year Maintenance Bond secured by the contractor; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to FAI-GON Electric, Inc., and the Town Engineer.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

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

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

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

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

MATTHEW J. MORRIS
NJ - L.L.A., NJ - P.P.

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

November 23, 2015

MEMORANDUM TO: Mr. Thomas S. Russo, Jr., Newton Town Manager

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

SUBJECT: Proposed Traffic Signal Improvements for Trinity Street
HPA No. 15-047

Dear Tom:

The above referenced project has been completed by the contractor, FAI-GON Electric, Inc., and I recommend the project be accepted by the Town Council.

Once this project has been accepted by the Council, please notify this office so that the final paperwork can be started and a one (1) year Maintenance Bond secured by the contractor.

Very truly yours,

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

HEP:mac

K:\PROJECTS\MUNICIPAL\NEWTON\COUNCIL\15-047 - TRAFFIC SIGNAL IMPROVEMENTS FOR TRINITY STREET\RUSSO6.DOCX

RECEIVED

NOV 30 2015

Town Manager



TOWN OF NEWTON

RESOLUTION #226-2015

December 14, 2015 **“Authorize the Tax Assessor, the Town Attorney, Special Tax Counsel and the Town Manager to Act on the Behalf of the Town of Newton for Calendar Year 2016 with Regard to Tax Appeals”**

BE IT RESOLVED, by the Town Council of the Town of Newton that the Municipal Tax Assessor, Special Tax Counsel and the Town Attorney are hereby authorized to defend all contest appeals before the Sussex County Board of Taxation and the Tax Court of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Tax Assessor, Special Tax Counsel and the Town Attorney are also hereby authorized to initiate municipal appeals to correct the Town of Newton tax listing including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as may be necessary to correct the assessments for the Town of Newton; and

BE IT FURTHER RESOLVED, that the Municipal Assessor, the Municipal Attorney, Special Tax Counsel and the Town Manager are hereby designated as the agents of the Town of Newton for the purpose of signing settlements of the foregoing matters by stipulation for the 2016 Calendar Year.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #227-2015

December 14, 2015 "Designate Chief Financial Officer/Finance Director as the Individual Authorized to Sell Bond Anticipation Notes"

WHEREAS, it is necessary from time to time for the Town of Newton to sell Bond Anticipation Notes or other Notes for the benefit of the municipality; and

WHEREAS, the Chief Financial Officer/Finance Director is the individual responsible for maintaining the financial records of the Town of Newton;

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

- 1) The Chief Financial Officer/Finance Director is hereby authorized to sell Bond Anticipation Notes and directed to determine all matters in connection with said Notes not determined by this or subsequent Resolutions.
- 2) The Chief Financial Officer/Finance Director is directed to report in writing to the Governing Body at the meeting next succeeding the date when the sale or delivery of Notes pursuant to this Resolution is made. Such report is to include the amount, description, interest rate, maturity of the Notes sold, the price obtained, and the name of the purchaser.
- 3) This Resolution shall take effect immediately upon its adoption.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #228-2015

December 14, 2015 “Appointment of Deborah Danielson as Action Alliance Coordinator for the Town of Newton for 2016”

BE IT RESOLVED, by the Town Council of the Town of Newton that Deborah Danielson be and is hereby appointed as the Action Alliance Coordinator for the Town of Newton during calendar year 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #229-2015

December 14, 2015 "Authorize Execution of a Shared Services Agreement for Animal Control and Pound Services with the Township of Wantage Covering Calendar Year 2016"

WHEREAS, the Town of Newton desires to enter into a shared service agreement with the Township of Wantage for animal control and pound services; and

WHEREAS, the annual fee for the calendar year 2016 is \$16,687; and

WHEREAS, sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2016 for said services;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement for animal control and pound services, in duplicate, with the Township of Wantage for calendar year 2016; and

BE IT FURTHER RESOLVED that a copy of said agreement shall be placed on file in the Municipal Clerk's office and available for public viewing.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

SHARED SERVICES AGREEMENT

THIS AGREEMENT, effective upon the 1st day of January 2016, By and Between

THE TOWNSHIP OF WANTAGE, a municipal corporation of the State of New Jersey, hereinafter referred to as "Provider", and

THE TOWN OF NEWTON, a municipal corporation of the State of New Jersey, Hereinafter referred to as "Recipient"

WITNESSETH, that Wantage and Newton, for the consideration hereinafter named and pursuant to the Uniform Shared Services and Consolidation Act, NJSA 40A:65-1 et seq. agrees as follows:"

ARTICLE II: ACTIVITIES

A. Services To Be Provided

The Provider shall provide the services of its **Animal Control Officer** to enforce the Recipient's Animal Control Ordinance and relevant state statutes during the course of the term of this agreement, pursuant to Attachment "A".

The Provider agrees to accept, hold and dispose of all dogs and cats from the municipality of the Recipient, which shall be delivered to the **Wantage Township Municipal Dog Pound Facility** in accordance with the statutes applicable thereto, and the rules and regulations of the New Jersey State Department of Health. Food, shelter and care for such dogs and cats during the holding period will be provided and the Provider will, when necessary, dispose of such dogs and cats at the end of the holding period. After delivery of dog(s) and/or cat(s) by Recipient to Provider, the Provider shall have exclusive control and full responsibility for the holding and disposal of such dog(s) and/or cat(s).

B. Hours of Operation; Routes

The Animal Control Officer of the Provider shall be available during regular business hours and after hours, as needed. In the event that the Animal Control Officer is unavailable for a response, the Provider shall locate another certified Animal Control Officer to provide the service required. The Provider shall furnish the Recipient with the phone and/or beeper numbers for the Animal Control Officer. Normal response time shall be within 40 minutes of having received a Request For Service.

The Dog Pound Facility shall be maintained open to the general public for the benefit of the Recipient's citizens in accordance with state law, a minimum of two hours per day, seven days a week. Additional access to the facility shall be provided to authorized personnel of the recipient upon request, during regular business hours.

ARTICLE III: COMPENSATION

- A. The Recipient shall pay the Provider the annual sum of \$16,687, payable in quarterly installments, in compensation for the services provided herein.
- B. Upon providing an animal control response in the jurisdiction of the Recipient's boundaries, if the ACO or his/her duly designated representative finds that an animal is injured to the point of requiring immediate veterinary care, the animal shall be transported to a veterinarian prior to being brought to the Wantage Dog Pound for the purpose of securing the required veterinary care. Any costs incurred to the Veterinarian by such veterinary care are not covered under the terms of this animal control contract, and the Recipient shall be responsible for paying the cost incurred directly to the veterinarian.

ARTICLE IV: DURATION OF CONTRACT; TERMS OF AMENDMENT

A. Duration

The Provider agrees to provide the services named in Article II for calendar year 2016.

B. Amendment

This agreement may be amended or extended at any time by mutual agreement of the parties provided that such amendment is reduced to writing, executed by the chief administrative official of each party or his/her designated representative, and specifies the date the provisions of such amendment shall be effective.

C. Termination

This agreement may be terminated in writing by either party on any of the following dates: March 31, June 30, or September 30, with at least two weeks advance written notification. No further quarterly payments shall be owed after the termination date.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the day and year first above written.

TOWNSHIP OF WANTAGE

Signed: _____
Mayor, Township Of Wantage

Attest: _____
Municipal Clerk

TOWN OF NEWTON

Signed: _____
Mayor, Town of Newton

Attest: _____
Municipal Clerk

Attachment "A"

Wantage Township maintains staggered hours for our certified animal control officers during the work day, providing clients with "on duty" service from 8:00 a.m. through 6:00 p.m., Monday through Friday. Experience shows that animal control calls are prevalent during late afternoon-early evening, when pet owners come home from work and situations unfold.

Wantage Township makes an estimate of the number of off-duty call outs (evenings and weekends) that can be expected from a community during a given calendar year, and charges a flat rate accordingly for that year's ACO and pound service. **Newton's estimated off-duty calls for the year 2016 is 12 callouts.** If, by the end of a calendar year, it becomes evident that the community being served expects a greater amount of off-duty service than that which was anticipated, Wantage Township would need to adjust the amount being charged as a service fee in the next year beyond the normal COLA adjustment.

As a cost saving measure, Wantage Township identifies "emergency" vs. "non-emergency" situations for animal control. When Wantage Township has an ACO on duty, Wantage will respond to any request for animal control in a client community. During off-duty hours (evenings, holidays and weekends), Wantage Township will request that the client's Police Department and/or other designated representative make a value judgment regarding whether or not the request for animal control service warrants an "emergency" situation.

Situations involving a dog barking complaint do not require a physical response from an ACO during off-hours. Neither does a complaint about a dog running at large, if the dog is not causing damage, danger or harm to any person or other animal. Both of these situations could be deemed to be "non-emergency", and dealt with as follow up activity during the next regular work day. Similarly, concerns that people may have regarding seeing a skunk or raccoon during an evening would not warrant an immediate response, as both of these animals are nocturnal by nature.

If a person calls to report a habitual "dog running loose" situation during off hours, it is likely that by the time a response is offered that same night, the dog would already be gone and the expense of the call out would be wasted. Instead, Wantage Township would offer to work with the person complaining, to identify likely days and hours that a special patrol would take place in the coming several weeks, so that if the dog is seen, an immediate response can be made when the person telephones with a request for service.

"Emergency" situations are clear cut in most situations: any situation involving an animal bite or scratch that affects a person or another animal; any time a person is confronted with a situation in which they believe that their personal safety is being threatened; any situation in which a member of the public has reason to suspect that an animal may have rabies; ... all of these situations warrant an immediate response, regardless of time of day or day of week.

There will, of course, be some situations in which it is difficult to decide whether or not the request involves an emergency or non-emergency situation. Wantage requests the police officer or other designated client representative to make a value judgment based on the situation. If the police officer or other designated client representative is not sure, then treat it as an emergency situation and Wantage will respond.



TOWN OF NEWTON

RESOLUTION #230-2015

December 14, 2015 "Designate Banks as Depositories for Calendar Year 2016"

BE IT RESOLVED, by the Town Council of the Town of Newton that the following policy is hereby adopted pertaining to Town funds for calendar year 2016:

1) The cash management and investment objectives for the Town of Newton include preservation of capital, adequate safekeeping of assets, maintenance of liquidity to meet operating needs, diversification of the Town's portfolio to minimize risks associated with individual investments, and investment of assets in accordance with State and Federal laws and regulations.

2) The following banks are hereby authorized to be used as depositories for Town funds:

PNC Bank
Bank of New York Mellon (Chase)
New Jersey Cash Management Fund
Sussex Bank
Lakeland Bank
First Hope Bank
Santander Bank (Sovereign Bank)
TD Bank
Highland State Bank
Valley National Bank
Wells Fargo Bank, N.A.

Beginning with the filing of September 30, 2010 a list of banks that participate in the Governmental Unit Deposit Protection Act (GUDPA) and the type of certificate of eligibility is available quarterly from the State of New Jersey, Department of Banking and Insurance website: http://www.state.nj.us/dobi/division_banking/depositories/gudpa.htm. The Chief Financial Officer/Finance Director will review this site and provide the Town Auditor with a copy of this list.

The above designated official depositories are required to submit to the Chief Financial Officer/Finance Director a copy of the institution's "Annual Report" each year. This may also be satisfied electronically.

3) All funds shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer/Finance Director shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer/Finance Director.

4) Permissible investments for the Town of Newton shall include a) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America; b) government money market mutual funds; c) any Federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors; d) Bonds or other obligations of the local unit or school districts of which the local unit is a part; e) any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments; f) local government investment pools; g) New Jersey State Cash Management Fund; and h) repurchase agreements of fully collateralized securities.

5) The Chief Financial Officer/Finance Director is authorized and directed to make investments on behalf of the Town of Newton. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6) Securities purchased on behalf of the Town of Newton shall be delivered electronically or physically to the Town's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Town.

7) The Chief Financial Officer/Finance Director shall report to the Town Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

8) The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

9) The Chief Financial Officer/Finance Director shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #231-2015

December 14, 2015 "Appointment of Keith Mitchell of the Mitchell Insurance Agency as Insurance Agent"

WHEREAS, the Town Council of the Town of Newton previously appointed local insurance agents to provide insurance coverage on behalf of the municipality; and

WHEREAS, said insurance services will be needed during calendar year 2016;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Mr. Keith Mitchell, of the Mitchell Agency, 29 Trinity Street, Newton, NJ 07860 be named as agent of record effective January 1, 2016 for the following insurance policies:

- | | |
|-----------------------------|------------------|
| a) Package | SIF2016-07860NEW |
| b) Workers' Compensation | WC1407860NEW |
| c) Umbrella Policy | S1730038 |
| d) Fire Accident Insurance | VFP-4231-8172D-0 |
| e) Fire Life AD&D Insurance | G600592-0001 |

BE IT FURTHER RESOLVED, that the above named insurance agent is appointed to provide insurance services without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because the services to be provided are of a nature requiring specific professional skills and knowledge; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #232-2015

December 14, 2015 "Reimburse Town Employees for Vehicle Expenses"

WHEREAS, certain Town of Newton employees use their private vehicles in connection with Town business; and

WHEREAS, such employees routinely use their vehicles for travel within Sussex County; and

WHEREAS, it is appropriate to reimburse said Town employees for use of their personal vehicles;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the employees listed below receive the following quarterly allowances for all vehicular trips within Sussex County effective January 1, 2016:

<u>Employee</u>	<u>Position</u>	<u>Estimated Miles/Qtr.</u>	<u>Quarterly Amount</u>
Debra Millikin	Deputy Town Manager	250 miles	\$143.75
Scott Holzhauer	Tax Assessor	200 miles	\$115.00
Michael Teets	Deputy Fire Chief	200 miles	\$115.00
Deborah Danielson	Recreation Supervisor	200 miles	\$115.00

BE IT FURTHER RESOLVED that for out-of-town business trips, employees and officers of the Town of Newton who use their personal means of transportation shall be reimbursed, in accordance with the IRS standard allowance for business miles driven, in effect at the time of travel, from Newton to the point of destination and return during calendar year 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #233-2015

December 14, 2015 "Authorizing the Sale of Brine Solution to Municipalities"

WHEREAS, the Town of Newton has the equipment necessary to make a brine solution which is used on roadways in preparation for inclement weather; and

WHEREAS, in the past, other municipalities have purchased the brine solution from the Town of Newton; and

WHEREAS, the Newton Town Council desires to authorize the sale of brine solution to other municipalities to the extent it is available, subject to the terms and conditions of this Resolution; and

WHEREAS, the New Jersey Local Public Contracts Law authorizes the sale of items such as the brine solution to a local government agency in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-36(2), without the need for bids or public auctions;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that:

1. The Town of Newton may sell to other municipalities brine solution to the extent that the Town of Newton has the solution available.
2. The DPW Supervisor or his designee shall be responsible for monitoring the quantities of brine solution sold and provide the information to the Town of Newton CFO or his/her designee for invoicing purposes.
3. The sale price of the brine solution at the time of this Resolution is \$0.50 per gallon; however, the Town of Newton reserves the right to adjust the sale price in the event the costs to the Town of Newton increase during the term of this Resolution. Upon receipt of the invoice, the purchasing municipality shall submit a purchase order or voucher to the Town of Newton. Payment of the invoice is expected within 30 days of the invoice date.
4. A copy of this Resolution shall be placed on file with the Clerk of the Town of Newton.
5. This Resolution shall take effect immediately and shall remain in effect through December 31, 2016, or as such time as the Town Council modifies or repeals this Resolution.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #234-2015

December 14, 2015 "Transfer of School Monies for the Period from January 1, 2016 to June 30, 2016"

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

Amount of Tax Voted (Exclusive of Debt Service)	\$12,379,798.00
Amount Received to Date	6,189,899.00
Amount of This Request	<u>6,189,899.00</u>
Balance Due Board of Education	.00

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #235-2015

December 14, 2015 "Authorize the Release of Executive Session Minutes to the Public"

WHEREAS, the Newton Mayor and Council met in Executive Session on certain occasions; and

WHEREAS, as a result of these Executive Sessions, minutes were prepared and approved by the Mayor and Council although the minutes were not released to the public; and

WHEREAS, the Town Attorney, Town Clerk, and Town Manager have reviewed such approved minutes and recommend the release of certain meeting minutes to the public;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex, and State of New Jersey, that the minutes of the following Executive Sessions be released to the public:

7/20/15

8/24/15

10/26/15

BE IT FURTHER RESOLVED, that these specified minutes may be released to the public upon request.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #236-2015

December 14, 2015 “Approval of a Renewal Application for a Junk Dealers License for Newton Auto Exchange”

WHEREAS, the Newton Code under Chapter 156 “Junkyards and Junk Dealers” require that no person shall engage in the business of a retail or wholesale junk dealer except pursuant to and within the terms of a license granted by the Council; and

WHEREAS, said renewal application for the Junk Dealer's License lists the business as Newton Auto Exchange at 79 Mt. View Street, Newton, New Jersey; and

WHEREAS, Section 156.8 requires the Health Officer, Construction Official, Fire Official, Public Works Supervisor, and Zoning Officer are authorized and directed to make periodic inspections of all licensed junkyards in the Town for the purpose of ascertaining the business is being conducted on the licensed premises in accordance with the provision of Chapter 156; and

WHEREAS, Newton Auto Exchange has obtained the necessary approvals as required in Section 156-8; and

WHEREAS, Newton Auto Exchange has provided a two hundred dollar (\$200.00) bond conditioned for the due observance of all ordinances of the Town relating to the business of retail junk dealer;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for a renewal Junk Dealer License submitted by Michael F. Sesera, Jr., t/a Newton Auto Exchange, 79 Mt. View Street, Newton, N.J., which shall expire on December 31, 2015.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #237-2015

December 14, 2015 “Appointment of Jessica C. Caldwell, P.P.,
A.I.C.P., as Town Planner for Calendar Year 2016”

WHEREAS, the Town of Newton requires the services of a qualified Planning Consultant for the Town of Newton on an annual basis; and

WHEREAS, planning services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Jessica C. Caldwell, P.P., A.I.C.P., of J. Caldwell & Associates has submitted a *Scope of Services* proposal outlining the services to be provided; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2016;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby reappoints Ms. Jessica Caldwell of J. Caldwell & Associates, LLC as Town Planner for calendar year 2016 based on her *Scope of Services* proposal attached hereto dated December 2, 2015; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Ms. Caldwell, at J. Caldwell & Associates, LLC; and

BE IT FURTHER RESOLVED, that notice of this action shall be published once in the New Jersey Herald.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

December 2, 2015

Town of Newton
39 Trinity Street
Newton, NJ 07860

ATTN: Thomas S. Russo, Jr., Town Manager

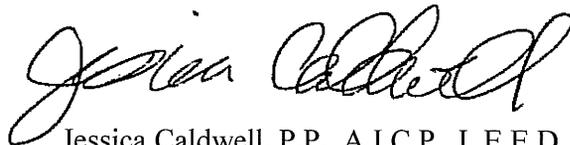
RE: 2016 Town Planner Proposal for Town of Newton

Dear Mr. Russo:

Attached please find a scope of services and hourly rates proposal for the position of Town Planner for the Town of Newton from J. Caldwell & Associates, LLC for 2016.

Please do not hesitate to contact me if you have any questions or require further information.

Very truly yours,



Jessica Caldwell, P.P., A.I.C.P., L.E.E.D. –G.A.
Principal Planner
J. Caldwell & Associates, LLC

Enclosures

2016 Town Planner Proposal Town of Newton, Sussex County

Scope of Services

1. Ms. Jessica Caldwell, P.P.,A.I.C.P., of J. Caldwell & Associates, LLC will provide planning services to the Town of Newton at the hourly rates listed below on an as needed basis as requested by the Town Manager, Deputy Manager, Mayor and Council.
2. Ms. Caldwell will furnish planning services to the Newton Planning Board when requested. Ms. Caldwell is available to attend meetings on the third Wednesday of the month.
3. Ms. Caldwell will appear before administrative agencies and boards to represent the interests of the Town.
4. Ms. Caldwell will provide planning services for the update of the Town's Master Plan.
5. Ms. Caldwell will perform other planning services and tasks as assigned by the Town Council, Town Manager, Planning Board and Office of Community Development.

2016 Hourly Rates

Professional Planner \$118
Jessica C. Caldwell, P.P., A.I.C.P., L.E.E.D. – G.A.

Support Staff:

Associate Planner/GIS Mapping..... \$110

TOWN OF NEWTON, NEW JERSEY
PROFESSIONAL SERVICES CONTRACT
TOWN PLANNER

THIS AGREEMENT (the "Agreement") is made this ____ day of January 2016 , by and between the TOWN OF NEWTON, NEW JERSEY (the "Town"), with principal offices at 39 Trinity Street, Newton, New Jersey, 07860, and J. CALDWELL & ASSOCIATES, LLC., (the "Consultant"), with principal offices at 122 Main Street, Suite 104, Newton, New Jersey, 07860 (collectively, the "Parties").

WHEREAS, the Town has the need for a professional consultant to provide professional planning services to the Town of Newton, Sussex County, New Jersey; and

WHEREAS, N.J.S.A.11-1 et. seq. requires that all contracts be in writing;

NOW THEREFORE, IN CONSIDERATION OF mutual promises and covenants contained in this Agreement, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. Term. This Agreement shall commence on January 1, 2016 and terminate December 31, 2016.
2. Scope of Services. The scope of services shall be general planning consulting services as outlined in the Scope of Services attached to Resolution #_____. Jessica C. Caldwell of J. Caldwell & Associates shall serve as the appointed Town Planner for the Town of Newton.
3. Fees. The total fees payable to the Consultant for the services provided pursuant to Paragraph 2 of this Agreement shall be as per the Town Planner Proposal attached to Resolution #_____. The Consultant shall submit payment vouchers to the Town in a form approved by the Town Chief Financial Officer.
4. The Consultant agrees to comply with the provisions of N.J.A.C. 17:27-5.4.
5. The Consultant has registered with the State of New Jersey pursuant to N.J.S.A. 52:32-44, and the Consultant Certification number is 1704507.
6. The Consultant is licensed as a Professional Planner in the State of New Jersey and the license number is 5944.
7. The Consultant expressly acknowledges and agrees that it is an independent Consultant of the Mayor and Town Council and that no employment relation is created or intended to be created between the parties to this agreement. The Consultant further acknowledges agrees that it is not entitled to any benefits of any type afforded to Town Employees. The Consultant further acknowledges and represents that that the Consultant is responsible for the payment of all federal and state taxes due and owing on any monies received pursuant to its performance under this agreement.
8. This contract has been awarded to the Consultant based upon the merits and abilities of the Consultant to provide the services described herein. This contract was awarded through the process described in N.J.S.A. 19:44-20.8 et. seq. The undersigned does attest that the Consultant, its subsidiaries, assigns, principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44.A-8 or N.J.S.A. 19:44A-1 in the one year period preceding the award of the

contract that would affect its eligibility to perform this contract nor will it make a reportable contribution during the term of this contract to any political party committee in the Town of Newton if a member of the political party is serving in elective public office of Newton when the contract is awarded or to any candidate committee of any person serving in an elective office of Newton when the contract is awarded. The Consultant has executed and filed with the Town a Business Entity Disclosure Certification, as required by law.

9. The Consultant expressly acknowledges and agrees that the failure of the Consultant to perform any duties and/or meet any of the requirements contained in this Agreement shall be deemed a material breach of the same and the Town shall be entitled to immediately terminate this Agreement, in the Town's sole discretion.
10. This Agreement, and any dispute arising here from, shall be governed by the laws of the State of New Jersey.
11. The Parties agree that they have read the entire contents of this Agreement, that they have had the opportunity to consult with counsel at their option, and that they execute this Agreement of their own free will.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals as of the date first written above:

ATTEST:

TOWN OF NEWTON

Lorraine A. Read, RMC, Municipal Clerk

Thomas S. Russo, Jr., Town Manager

J. CALDWELL & ASSOCIATES, LLC

Jessica C. Caldwell, P.P., A.I.C.P.
Principal Planner



TOWN OF NEWTON

RESOLUTION #238-2015

December 14, 2015 "To Transfer the Current Appropriation Balance Reserve for Tax Appeals and set up a Reserve for Tax Appeals on the Current Trial Balance"

WHEREAS, the following Current Fund 2015 budget appropriation balance remains unexpended;

Reserve for Tax Appeals A/C#1094570	\$ 50,000.00
-------------------------------------	--------------

WHEREAS, the Governing Body wishes to reserve this balance in the Current Fund as a reserve so if tax appeals are resolved in a future year this funding may be used;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton, that the above listed unexpended balances of the 2015 Current Budget be canceled and reserved in Current as a Reserve for Tax Appeals.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #239-2015

December 14, 2015 “Approving Revised Personnel Policies and Procedure 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, amendments and supplements to the Handbook become effective via resolution of the Town Council, per Ordinance 2013-34; and

WHEREAS, the Town of Newton has determined that certain portions of the Handbook regarding workers' compensation pay (Section 4.6(i) and (j)), sick leave pay upon retirement (Section 5.3(e)) and vacation pay upon termination of employment (Section 5.4(d)) are in need of revision;

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 new policies, 4.6(i) and (j)- Workers' Compensation, 5.3(e)- Sick Leave, and Section 5.4(d) – Vacation Leave, attached hereto, to become effective January 1, 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

ARTICLE IV
GROUP HEALTH INSURANCE/PENSION/WORKERS COMPENSATION

4.6- Workers' Compensation

...

(i) The Town will only pay, either directly or through its Workers' Compensation insurer, those benefits that are specifically provided for under the Workers' Compensation Act for non-union employees, and the Town will not supplement these benefits with additional benefits or compensation. Employees covered by a collective bargaining agreement shall be subject to the provisions of such agreement.

(j) DELETED.

5.3- Sick Leave

(e) Upon retirement, unless separately provided for in a collective bargaining agreement or individual employment contract, full-time employees in good standing as determined by the Town Manager, hired before January 1, 2011, shall be entitled to monetary compensation representing a percentage of unused sick time, based on years of service with the Town of Newton as follows:

<u>Years of Service w/ Town of Newton:</u>	<u>Percentage of Sick Time:</u>
10 years	5% of accrued sick time
15 years	10% of accrued sick time
20 years	15% of accrued sick time
25 years	25% of accrued sick time

Non-union employees, hired before January 1, 2011, who have more than 25 years of service with the Town of Newton, in good standing at the time of retirement as determined by the Town Manager, will receive an additional one percent (1%) for each year of service over 25, up to a maximum payout of 35% of accrued sick time.

Non-union employees hired on or after January 1, 2011 will continue to use the formula in Section 5.3 (e) above to determine the sick leave payout, with said payout at the time of retirement not to exceed \$5,000. The terms and conditions of sick leave payouts at the time of retirement may be subject to legislative modification by the State of New Jersey.

5.4 Vacation Leave

- (d) Any full-time employee who terminates his or her employment while having unused vacation days, and who is in good standing as per the Town Manager, will be paid for all unused and accrued vacation leave time. The vacation pay will be calculated using the **employee's base hourly rate** (which does not include longevity payments, education payments or stipends, etc.). If the employee has taken more vacation time than has been accrued they will be required to have the amount deducted from their last paycheck or send the Town of Newton a check for reimbursement of same. Part-time employees and employees who are not in good standing as per the Town Manager at the time their employment with the Town ceases do not receive payout of any unused and accrued vacation or sick leave time.



TOWN OF NEWTON

RESOLUTION #240-2015

December 14, 2015 "Concur with the Town Manager's Appointment of Police Officers for Certification No. OL151178"

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager's appointment of the following individuals as Police Officers from the New Jersey Civil Service Commission "*Certification of Eligibles For Appointment*" list No. OL151178 effective December 28, 2015:

Edward R. Sperling

Russell Post

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #241-2015

**December 14, 2015 "Appointment of Hatch Mott MacDonald, as
Sewer Engineer for Calendar Year 2016"**

WHEREAS, the Town of Newton requires the services of a qualified Engineering Consultant for the Newton Sewer Utility on an annual basis; and

WHEREAS, Sewer engineering services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

WHEREAS, Hatch Mott MacDonald has submitted a proposal outlining the services to be provided; and

WHEREAS, the anticipated term of this contract is one (1) year ending December 31, 2016;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby reappoints Hatch Mott MacDonald, as Sewer Engineer for calendar year 2016 based on the *Proposal for Professional Engineering Services* dated December 2, 2015 attached hereto; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Hatch Mott MacDonald; and

BE IT FURTHER RESOLVED, that a notice of this action shall be published once in the New Jersey Herald.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



December 2, 2015

Ms. Debra Millikin, QPA
Deputy Town Manager
Town of Newton
39 Trinity Street
Newton, New Jersey 07860

**Re: Proposal for Profession Engineering Services
Town Sewer Engineer - 2016**

Dear Ms. Millikin:

Hatch Mott MacDonald (HMM) appreciated the opportunity to serve as the Town's Sewer Engineer for 2015 and looks forward to continuing our services during the upcoming year. HMM will provide all municipal sewer engineering services needed by the Town of Newton, including but not limited to the following work assignments:

1. Provide services and perform duties of the Municipal Sewer Engineer, advising the Licensed Operator, Water & Sewer Superintendent and Town Administration on engineering related to the sanitary sewer system and infrastructure, which may include recommendations of capital repairs and improvements.
2. Provide on-call assistance in the event of an emergency, natural disaster, or significant weather events.
3. Prepare documentation needed in connection with the renewal every five years for the NJDEP discharge permit for both the Wastewater Treatment Plant and Water Filtration Plant.
4. Provide assistance in resolving citizen complaints, as requested.
5. Perform infrastructure planning and prepare engineering and design of sewer system improvements.
6. Perform construction inspection of public sewerage system improvements in approved developments.
7. Review available funding from county, state and federal programs and recommend and file applications for appropriate programs with the Deputy Town Manager.



8. Prepare and file applications for permits for NJDEP, Army Corps of Engineers, NJDOT, and others related to sewer system projects.
9. Perform utility map maintenance.
10. Maintain or assist in maintaining official Town Maps and plan specifications and as built plans of the Town sewer infrastructure projects.
11. Attend regular meetings of the Town of Newton Council and Land Use Board, on an as-needed basis.

We estimate the approximate hours for providing the above services to the Town to be approximately 15 to 20 hours per month.

Hatch Mott MacDonald proposes to continue to be represented by John J. Scheri, PE, BCEE, who is a Vice President with the firm. Mr. Scheri is a resident of Sussex County in nearby Sparta Township, and is able to respond quickly to the Town of Newton, if needed.

Mr. Scheri will attend the requested meetings and deal with the day-to-day issues that need to be addressed with the Town. Engineering services within the 15 to 20 hours, as well as any additional engineering services to be provided in the capacity of Sewer Engineer by John Scheri, would be billed at an hourly rate of \$140.00.

The annual budget based upon the estimated hours indicated above, and in concert with the services provided by the appointed sewer engineer, would be approximately \$25,000. This budget does not provide for any special services and/or any additional services not outlined above which may include studies, designs, inspections and any fieldwork including surveys or sewer system investigations. Additional budgets for assistance during litigation may also be necessary.

With regard to any specialty services or any specific projects, we will provide the Town with a scope of work and proposed budget for undertaking the services and offer either a not to exceed or a lump sum cost for undertaking the specific scope of work. Work would not proceed under any additional services without specific authorization from the Town. These services may include the review of wastewater operations and recommendations for modifications or improvements, preparation of reports or studies on the wastewater facilities, preparation of plans and specifications for new facilities or rehabilitation of existing facilities, cost estimates, assistance in systems operations, sampling and analysis of wastewater, laboratory services, preparation of applications to the regulatory agencies, meetings with the regulatory agencies, and any other consultation services relating to the Town's wastewater facilities.

After the Town has had the opportunity to review this Scope of Services, we would be glad to discuss any questions you may have. A copy of our 2016 Billing Rate Schedule is attached.



Hatch Mott
MacDonald

We appreciate this opportunity to work with the Town over the upcoming year. Should you have any questions or require any further information at this time, please contact us.

Respectfully submitted,

Hatch Mott MacDonald

A handwritten signature in black ink, appearing to read 'John J. Scheri'.

John J. Scheri, PE, BCCE
Vice President

T 973.912.2571 F 973.912.2455
john.scheri@hatchmott.com

Attachment

cc: C. Wilkinson, PE

Town of Newton
Municipal Sewer Engineering Services

Municipal Sewer Engineer	\$140.00
Principals	\$140.00 to \$208.00
Sr. Project Engineer / Sr. Project Architect / Sr. Project Manager / Principal Project Manager	\$129.00 to \$169.00
Sr. Project Geologist / Sr. Project Scientist	\$ 89.00 to \$151.00
Sr. Specialist V / Sr. Designer V	\$ 89.00 to \$153.00
Sr. Inspector IV/V / Sr. Surveyor IV/V	\$ 83.00 to \$141.00
Project Engineer / Engineer IV / Project Architect / Architect IV / Project Manager	\$115.00 to \$159.00
Project Geologist / Geologist IV / Project Scientist / Scientist IV	\$ 89.00 to \$146.00
Engineer II/III / Architect II/III	\$ 80.00 to \$143.00
Specialist III/IV / Designer III/IV	\$ 70.00 to \$120.00
Scientist III/IV / Geologist III/IV	\$ 68.00 to \$125.00
Engineer I / Architect I	\$ 72.00 to \$110.00
Scientist I / Geologist I	\$ 52.00 to \$85.00
Inspector III / Surveyor III / Specialist I/II / Designer I/II	\$ 68.00 to \$110.00
Assistant Surveyor I/II / Assistant Inspector I/II	\$ 57.00 to \$100.00
Technicians	\$ 45.00 to \$ 90.00
Administration / Project Support	\$ 50.00 to \$ 115.00

* Hourly rates for special consultations and services in conjunction with litigation are available on request.

EXPENSES

Personal Auto / Company Auto	\$0.575 ¹ / mile
Company Vans / Company Pick-Up	\$0.65 / mile
Photocopies & Offset Reproduction	Variable
UPS / Federal Express /Postage /Messenger Service	Variable
Subcontractors (including Contract Laboratory).....	Direct + 15%
Mobile Devices	Variable
Field Equipment.....	Variable
Travel / Lodging Per Diem	As Incurred

¹per IRS standard mileage rate (rate as of January 1, 2015 is shown – subject to change)

Invoices are payable within 30 days of invoice date.

Delinquent bills are subject to finance charges of 1.5% per month.

The client shall pay attorney fees, court costs, and related expenses incurred in the collection of delinquent accounts.



TOWN OF NEWTON

RESOLUTION #242-2015

December 14, 2015 “Approve Change Order No. 1 for the Proposed Improvements to Spring Street Project”

WHEREAS, the Town Council of the Town of Newton awarded a contract for the Proposed Improvements for Spring Street to Tony's Concrete Construction Co., in the amount of \$232,615.00 by Resolution #87-2015, which was adopted on June 8, 2015; and

WHEREAS, the Town Engineer, Harold E. Pellow & Associates, Inc., recommends the approval of Change Order No. 1 for the Proposed Improvements to Spring Street Project. This change order will result in a \$9,378.20 decrease in the contract amount to a new contract total of \$223,236.80; and

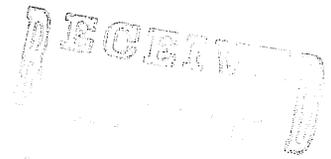
NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves Change Order No. 1 for the Proposed Improvements to Spring Street Project based on the recommendation of Harold E. Pellow and Associates, and that the Mayor or Deputy Mayor is authorized to execute said Change Order No. 1 resulting in a new contract total of \$223,236.80.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

NEW JERSEY DEPARTMENT OF TRANSPORTATION
STATE AID PROJECTS
CHANGE ORDER NUMBER - 1
Division of Local Aid and Economic Development



Project	PROPOSED IMPROVEMENTS TO SPRING STREET
Municipality	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
County	SUSSEX
Contractor	TONY'S CONCRETE CONSTRUCTION CO., INC., 316 E. KINNEY STREET, NEWARK, NJ 07105

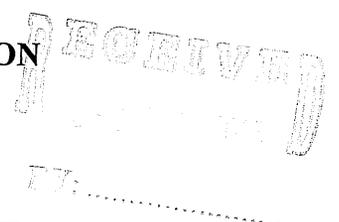
In accordance with the project Supplementary Specification, the following are changes in the contract.

Location and Reason for Change (Attach additional sheets if required) -

Location Spring Street
Reason See reasons below.

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
	<u>EXTRA</u>			
4	TRAFFIC FLAGGERS <i>As-built quantity.</i>	7.5 MN. HR.	\$ 65.00	\$ 487.50
12	DETECTABLE WARNING SURFACE <i>As-built quantity.</i>	2 UNIT	\$ 300.00	\$ 600.00
15	9" x 18" CONCRETE CURB & GUTTER <i>As-built quantity.</i>	19.6 LIN. FT.	\$ 30.00	\$ 588.00
16	INLET, TYPE "B" <i>Another inlet was needed at the theatre.</i>	1 UNIT	\$ 2,800.00	\$ 2,800.00
27	RESET CONCRETE PAVERS <i>As-built quantity.</i>	6 SQ. FT.	\$ 10.00	\$ 60.00
			Total EXTRA:	\$ 4,535.50
	<u>SUPPLEMENTAL</u>			
40S	COLORED CONCRETE <i>As-built quantity.</i>	280.5 SQ. YD.	\$ 10.00	\$ 2,805.00
41S	ADA MANHOLE GRATE AT NEWTON THEATRE <i>As-built quantity.</i>	1 UNIT	\$ 350.00	\$ 350.00
42S	SMALL GRATE FITTED TO AN EXISTING DRAIN ON THE SIDEWALK - SPRING & JEFFERSON STREETS <i>As-built quantity.</i>	1 UNIT	\$ 300.00	\$ 300.00
			Total SUPPLEMENTAL:	\$ 3,455.00
	<u>REDUCTION</u>			
3	DRUMS, IF & WHERE <i>As-built quantity.</i>	20 UNIT	\$ 10.00	\$ 200.00
11	CONCRETE SIDEWALK, 4" THICK, REINFORCED <i>As-built quantity.</i>	19.5 SQ. YD.	\$ 68.00	\$ 1,326.00
18	BRICK PAVERS IN SIDEWALK AREAS <i>As-built quantity.</i>	2.7 SQ. YD.	\$ 90.00	\$ 243.00
19	REMOVE CONCRETE CURB & GUTTER <i>As-built quantity.</i>	9.5 LIN. FT.	\$ 5.00	\$ 47.50
21	REMOVE CONCRETE SIDEWALK <i>As-built quantity.</i>	45.3 LIN. FT.	\$ 4.00	\$ 181.20
29	TRAFFIC MARKINGS, LONG LIFE, THERMOPLASTIC <i>The DOT did this work.</i>	64 SQ. FT.	\$ 6.50	\$ 416.00

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
STATE AID PROJECTS
CHANGE ORDER NUMBER - 1
Division of Local Aid and Economic Development**



Project	PROPOSED IMPROVEMENTS TO SPRING STREET
Municipality	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
County	SUSSEX
Contractor	TONY'S CONCRETE CONSTRUCTION CO., INC., 316 E. KINNEY STREET, NEWARK, NJ 07105

In accordance with the project Supplementary Specification, the following are changes in the contract.

Location and Reason for Change (Attach additional sheets if required) -

Location	Spring Street
Reason	See reasons below.

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
30	REMOVE TRAFFIC STRIPES <i>The DOT did this work.</i>	100 LIN. FT.	\$ 2.00	\$ 200.00
31	TRAFFIC STRIPING, LONG LIFE, 8" WIDE, THERMOPLASTIC <i>The DOT did this work.</i>	165 LIN. FT.	\$ 2.20	\$ 363.00
32	PERMANENT SIGNS <i>Not needed as per the DOT.</i>	52 SQ. FT.	\$ 46.00	\$ 2,392.00
37	SAWING & SEALING JOINTS, IF & WHERE <i>Not needed.</i>	4,000 LIN. FT.	\$ 3.00	\$ 12,000.00
Total REDUCTION:				\$ 17,368.70

AMOUNT OF ORIGINAL CONTRACT: \$232,615.00

ADJUSTED AMOUNT BASED ON CHANGE ORDER NO. 1: \$223,236.80

% CHANGE IN CONTRACT: - 4.03%
[(+) Increase or (-) Decrease]

EXTRA: \$4,535.50

SUPPLEMENTAL: \$3,455.00

REDUCTION: \$ 17,368.70

TOTAL CHANGE: (\$9,378.20)

Harold E. Stella
(Engineer)

11/20/15
(Date)

(Presiding Officer)

(Date)

[Signature]
(Contractor)

11/30/15
(Date)

(District Manager) (Date)
(Division of Local Aid and Economic Development)



TOWN OF NEWTON

RESOLUTION #243-2015

December 14, 2015 "Appointment of Marge Caffrey as Senior Citizen Coordinator for the Town of Newton for 2016"

BE IT RESOLVED, by the Town Council of the Town of Newton that Marge Caffrey be and is hereby appointed as the Senior Citizen Coordinator for the Town of Newton during calendar year 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #244-2015

December 14, 2015 “Approve Purchase of Turn Out Gear for the
Newton Fire Department”

WHEREAS, Skylands Area Fire Equipment & Training, LLC has supplied a quote dated September 11, 2015, under NJ State Contract #80948 to the Newton Fire Department for the purchase of turn out gear in the amount of \$47,368.73; and

WHEREAS, the Purchasing Agent and the Chief of the Fire Department recommend the purchase of the turn out gear in the amount of \$47,368.73; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the turn out gear be purchased from Skylands Area Fire Equipment & Training LLC, Riverdale, NJ through NJ State Contract #80948, in the amount of \$47,368.73.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

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

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 244-2015

APPROVING: SKYLANDS AREA FIRE EQUIPMENT & TRAINING LLC
NJ STATE CONTRACT #A80948

FOR THE PURPOSE OF: FIRE TURN OUT GEAR

IN THE AMOUNT OF: \$47,368.73

APPROPRIATED BY:

GENERAL CAPITAL

ORD#2015-16 ACQUISITION FIRE TURN OUT GEAR

#30915168

\$47,368.73

DATED THIS 14TH DAY OF DECEMBER 2015

BY

DAWN L. BABCOCK

CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #245-2015

December 14, 2015 “Approve Purchase of 2016 Ford Expedition SSV
4X4 for the Newton Fire Department”

WHEREAS, Beyer Ford has supplied a quote under Morris County Cooperative Pricing Council Contract #15C Item 5 to the Newton Fire Department for the purchase of a 2016 Ford Expedition SSV in the amount of \$43,282.75; and

WHEREAS, the Qualified Purchasing Agent and the Chief of the Newton Fire Department have recommended the purchase of the 2016 Ford Expedition SSV in the amount of \$43,282.75; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the 2016 Ford Expedition SSV be purchased from Beyer Ford, Morristown, NJ through the Morris County Cooperative Pricing Council Contract #15C Item 5 in the amount of \$43,282.75.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

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

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 245-2015

APPROVING: BEYER FORD

(through MCCP #15C Item 5)

FOR THE PURPOSE OF: 2016 FORD EXPEDITION SSV VEHICLE

IN THE AMOUNT OF: \$43,282.75

APPROPRIATED BY:

CAPITAL

ORD#2015-16 FIRE INCIDENT COMMAND VEHICLE #30915167 \$41,000.00

CURRENT

FIRE, OTHER EXPENSES - MISCELLANEOUS #1070299 \$2,282.75

DATED THIS 14th DAY OF DECEMBER 2015

BY Virginia K. Raftery

VIRGINIA K. RAFTERY,
TREASURER



TOWN OF NEWTON

RESOLUTION #246-2015

December 14, 2015 **“Appointment of Municipal Attorney, Conflict Municipal Attorney, Environmental Counsel, Labor Counsel and Prosecutor for Calendar Year 2016”**

WHEREAS, the Town of Newton has a need to acquire legal counsel for certain specific matters under non-fair and open contracts pursuant to provisions of N.J.S. 19:44A-20; and

WHEREAS, said professional services will be needed by the Town of Newton during calendar year 2016, and appropriate agreements for the appointment of each attorney have been prepared and executed by said attorneys; and

WHEREAS, the below named professionals have completed and submitted a Business Entity Disclosure Certification which certifies that each professional has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and that the contract will prohibit the professional from making any reportable contributions through the term of the contract; and

WHEREAS, the anticipated term of each individual contract is one (1) year;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to execute an agreement in duplicate with each professional listed below:

Ursula H. Leo, Esq. of Laddey, Clark & Ryan, LLP	Municipal Attorney
Jonathan E. McMeen, Esq., of Laddey, Clark & Ryan, LLP	Municipal Prosecutor
James T. Prusinowski Trimboli & Prusinowski, LLC	Labor Counsel
Edward J. Buzak, Esq. of The Buzak Law Group	Conflict Municipal Attorney & Environment Counsel

BE IT FURTHER RESOLVED that a fully executed copy of each agreement be provided to each of the respective attorneys with a certified copy of this Resolution and advertised according to State Statute.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #247-2015

December 14, 2015 "Authorize and Direct the Tax Collector to Sell Municipal Liens in Accordance with New Jersey Law in 2016"

WHEREAS, the Governing Body of the Town of Newton in the County of Sussex, New Jersey, desires to collect all taxes, assessments and other municipal charges that are now delinquent; and

WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2015 in a manner prescribed by NJSA 54:5-19 and amended by Chapter 99, Public Laws of 1998;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with the New Jersey Statutes, as described above, and that said sale shall take place in 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #248-2015

December 14, 2015 "Reappointment of Rev. Richard L. Carlson to the
Advisory Board of Health"

BE IT RESOLVED, by the Town Council of the Town of Newton that Rev. Richard L. Carlson is hereby reappointed to a full five-year term on the Advisory Board of Health, effective January 1, 2016 and continuing through December 31, 2020.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #249-2015

December 14, 2015 "Reappointment of Ralph Porter as a Class A Member of the Historic Preservation Advisory Commission"

BE IT RESOLVED, by the Town Council of the Town of Newton that Ralph Porter is hereby reappointed to a four (4) year term on the Historic Preservation Advisory Commission as a Class A member effective January 1, 2016 with said term continuing to December 31, 2019.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #250-2015

December 14, 2015 "Reappointment of Joseph Ricciardo to the
Newton Planning Board"

BE IT RESOLVED, by the Town Council of the Town of Newton that Joseph Ricciardo is hereby reappointed to the Newton Planning Board, effective January 1, 2016 expiring on December 31, 2019.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #251-2015

December 14, 2015 **“Reappointment of Michael Teets, Wallace (Hank) Smith and Frank Sebastiano to the Advisory Recreation Commission”**

BE IT RESOLVED, by the Town Council of the Town of Newton that Michael Teets, Wallance (Hank) Smith and Frank Sebastiano are each hereby reappointed to a full five-year term on the Advisory Recreation Commission, effective January 1, 2016 and continuing through December 31, 2020.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #252-2015

December 14, 2015 "Reappointment of Kent Hardmeyer to the
Advisory Shade Tree Commission"

BE IT RESOLVED by the Town Council of the Town of Newton that Kent Hardmeyer is hereby reappointed to a full five-year term on the Advisory Shade Tree Commission effective immediately and continuing through May 31, 2020.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #253-2015

December 14, 2015 "Reappointment of Rev. Frank Leone to the
Newton Parking Authority"

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Rev. Frank Leone is hereby reappointed to a five (5) year term on the Newton Parking Authority, effective immediately with said term continuing to December 31, 2020.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #254-2015

December 14, 2015

“Approve Bills and Vouchers for Payment”

BE IT RESOLVED by the Town Council of the Town of Newton that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in the 2014 and 2015 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #255-2015

December 14, 2015 "Approve 2015 Appropriation Transfers"

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2015 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
CURRENT		
Recycling OE 1083200	Senior Citizen Bus SW 1093100	700.00
Finance SW 1054101	Manager SW 1050101	50.00
Election OE 1051500	Clerk OE 1051200	2,000.00
Misc. Operating OE 1079200	Code Enforcement OE 10775226	500.00
TOTAL CURRENT TRANSFERS		<u>\$3,250.00</u>

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #256-2015

December 14, 2015 "Appointment of Jarrod C. Cofrancesco, Esq., as the Town of Newton's Alternate Municipal Prosecutor for Calendar Year 2016"

WHEREAS, Jonathan E. McMeen, Esq., currently serving as the Town of Newton's Municipal Prosecutor, has indicated that an Alternate Municipal Prosecutor may be needed by the Town of Newton during calendar year 2016; and

WHEREAS, Jarrod C. Cofrancesco, Esq., has expressed an interest in serving as Newton's Alternate Municipal Prosecutor; and

WHEREAS, compensation for said services will be the sole responsibility of Jonathan E. McMeen, Esq.; and

WHEREAS, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i);

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby appoint Jarrod C. Cofrancesco, Esq. as the Town of Newton's Alternate Municipal Prosecutor for the calendar year 2016; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Jarrod C. Cofrancesco, Esq., Jonathan E. McMeen, Esq., Frances Koch, Sussex County Prosecutor and the Town of Newton Municipal Judge, the Hon. John E. Mulhern.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #257-2015

December 14, 2015 "Resolution to Accept the Certified List of Qualifying 2014 Newton First Aid Squad LOSAP Participants"

WHEREAS, the Length of Service Awards Program (LOSAP) for the Newton Volunteer First Aid Squad was approved by the Mayor and Council through the passage of Ordinance #2013-3 on February 11, 2013, and approved by Newton voters as a public question at the General Election on November 5, 2013; and

WHEREAS, Resolution #196-2014 and Resolution #198-2014 were adopted October 27, 2014 establishing the LOSAP for the Newton First Aid Squad and awarding the contract to Lincoln Financial Advisors ; and

WHEREAS, the Newton Volunteer First Aid Squad has certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 2013-3, to receive an amount between \$115.00 and \$1,150.00 based on points credited for volunteer services rendered in 2014 as per the 2014 LOSAP LIST attached; and

WHEREAS, the total number of qualifying volunteers for the First Aid Squad is 7, for a total contribution of \$4,830.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2014 to cover the cost of this contract;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council do hereby accept the certified list from the Newton Volunteer First Aid squad dated December 3, 2015.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

Name	Contribution
Sandra Diglio	\$1150.00
Marcel Fergus	\$862.50
Meghan Fergus	\$575.00
Rebecca Fergus	\$862.50
Frederick Garcia	\$115.00
Wayne Tennis	\$115.00
Rick Wahlers	\$1150.00
December 3, 2015	
Total Newton First Aid 2014 LOSAP Contribution	\$4,830.00
Prepared by: Sandra Diglio, Newton First Aid Squad	
Certified by: Dawn L. Babcock, Chief Financial Officer	



TOWN OF NEWTON

RESOLUTION #258-2015

December 14, 2015 "Authorizing Waiving of Water and Sewer Utility Charges for the Newton Volunteer First Aid Squad for Calendar Year 2016"

WHEREAS, the Newton First Aid Squad, "NFAS", is a not-for-profit entity, comprised solely of volunteers that provide emergency assistance to the Newton community; and

WHEREAS, the "NFAS" owns Block 22.01, Lot 24, also known as 66 Sussex Street, which houses their vehicles, equipment, and provides for a meeting place; and

WHEREAS, the "NFAS" operating expenses are funded through donations and fundraising efforts; and

WHEREAS, the Newton Town Council supports the efforts of the "NFAS" and would like to assist, so they may continue to provide this valuable emergency service to the people of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby waives the water and sewer utility charges incurred at Block 22.01, Lot 24 by the Newton First Aid Squad for calendar year 2016.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #259-2015

December 14, 2015 "A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12"

WHEREAS, the Town Council of the Town of Newton is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Town Council of the Town of Newton to discuss in a session not open to the public certain matters relating to the items authorized by N.J.S.A. 10:4-12b and designated below:

(1) Personnel – Town Manager's Performance Review

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on December 14, 2015, that an Executive Session closed to the public shall be held on December 14, 2015, at PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Town Council that the public interest will no longer be served by such confidentiality.

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 public meeting of said Governing Body conducted on Monday, December 14, 2015.

Lorraine A. Read, RMC
Municipal Clerk

AGENDA ITEMS

For December 14, 2015 Council Meeting

Minutes: - November 23, 2015 – Special Meeting
November 23, 2015 – Regular Meeting
November 23, 2015 – Executive Meeting

An application for an on-premise raffle (50-50) from the St. Josephs RC Church to be held on January 9, 2016 from 7:00 pm at 20 Jefferson Street, Newton.

TOWN OF NEWTON

AN ORDINANCE TO REVISE THE CODE OF THE TOWN OF NEWTON TO DELETE THE PROVISION REQUIRING AN ANNUAL OR BIENNIAL DOG CANVASS

ORDINANCE #2016-_____

WHEREAS, pursuant to the New Jersey Division of Local Government Services Modernization and Local Mandate Relief Act of 2015, the statutory provision requiring a municipality to canvass all dogs within the municipality (N.J.S.A. 4:19-15.15) was repealed; and

WHEREAS, Section 57-17 of the Newton Code requires an annual or biennial dog canvass, as was required by N.J.S.A. 4:19-15.15; and

WHEREAS, the Town Council of the Town of Newton desires to eliminate the dog canvass requirement from its Code, in accordance with State law;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, County of Sussex, and State of New Jersey, that Chapter 57, "Animals", of the Code of the Town of Newton is hereby amended as follows:

Section 1. Existing §57-17 "Dog Canvass" is hereby deleted in its entirety, and the following is inserted in its place:

57-17. Dog Canvass. To be conducted if and as required by applicable State law.

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 January 11, 2016. 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 January 25, 2016 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

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

Check#	Vendor	Description	Payment	Check Total
35944	39 - QUILL CORPORATION	PO 47181 COURT OFFICE SUPPLIES & DRY ERASE B	893.24	
		PO 47228 SHREDDER CUST #C152130	484.22	1,377.46
35945	62 - MGL FORMS - SYSTEMS, LLC.	PO 47244 TOWN CLERK OFFICE acct #N023	83.50	83.50
35946	64 - PELLOW, HAROLD & ASSO, INC.	PO 47296 PB CONSULT-OCT 2015	62.50	
		PO 47327 OCT ENGINEERING	2,119.00	2,181.50
35947	69 - INST FOR FORENSIC PSYCHOLOGY, INC.	PO 47246 PSYCHOLOGICAL EVALUATION	450.00	450.00
35948	109 - FURGIUELE, CAMILLE	PO 46134 MEDICARE PART B REIMB	629.40	629.40
35949	113 - JCP&L	PO 46205 BLANKET: ELECTRIC TOWN @\$5000/ST @\$	15,265.79	15,265.79
35950	133 - TEETS, MICHAEL D	PO 46079 2015 MILEAGE REIMB (200 miles \$112	112.00	112.00
35951	136 - ZENES, NANCY	PO 46257 MEDICARE PART B REIMB	629.40	629.40
35952	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 47275 LOCAL PHONE SVC NOV	2,948.42	2,948.42
35953	172 - FRISBIE, ARTHUR & RITA	PO 46135 MEDICARE PART B REIMB	1,258.80	1,258.80
35954	173 - ILIFF, JOHN AND TERRY	PO 46124 MEDICARE PART B REIMB	1,258.80	1,258.80
35955	199 - NEOPOST LEASING, INC.	PO 47290 LABELS POSTAGE MACHINEACCT #6176646	54.00	54.00
35956	225 - FEDERAL EXPRESS	PO 46150 BLANKET: EXPRESS MAIL ACCT- -#1344	36.21	36.21
35957	240 - NEWTON FIRST AID SQUAD	PO 46121 2015 CONTRIBUTION \$6043.50 Qtr	6,043.50	6,043.50
35958	255 - NEW JERSEY PLANNING OFFICIALS	PO 47302 2015 conference lefrois & citterbar	120.00	120.00
35959	272 - HOLZHAUER, SCOTT	PO 46080 2015 MILEAGE REIMB (200 miles \$112	112.00	112.00
35960	276 - KAYS, PETER J.	PO 46238 MEDICARE PART B REIMB	1,258.80	1,258.80
35961	282 - WILLCO, INC.	PO 46149 BLANKET: REPAIRS HEATING & A/C	1,769.50	1,769.50
35962	285 - SLOAN, JAMES PPC.	PO 47333 DEC PUBLIC DEFENDER	1,125.00	1,125.00
35963	293 - TREASURER, PETTY CASH FUND	PO 47332 REPLENISH 2015 PETTY CASH	135.76	135.76
35964	336 - NEWTON TROPHY	PO 47159 COURT ATTENDANT CLOTHING	168.00	168.00
35965	365 - KITHCART, BROCK	PO 45475 2015 QTRLY PHONE STIPEND	37.50	37.50
35966	373 - GALLS INCORPORATED	PO 47227 GLOVES ACCT #4794479	175.00	175.00
35967	447 - DONOFRIO, DONALD	PO 46229 MEDICARE PART B REIMB	419.60	419.60
35968	448 - GARRIS, JEAN	PO 46125 MEDICARE PART B REIMB	629.40	629.40
35969	611 - SEBRING AUTO PARTS, INC.	PO 46100 BLANKET: AUTO PARTS & SUPP'S ACCT	88.84	88.84
35970	789 - GREATER NEWTON CHMBR OF COMM.	PO 47109 Annual Awards Dinner	105.00	105.00
35971	874 - MILLIKIN, DEBRA	PO 46077 2015 MILEAGE REIMB (250 MILES \$140	140.00	140.00
35972	1029 - SUSSEX COUNTY CLERK'S ASSN	PO 47294 Seminar September 24, 2015	30.00	30.00
35973	1112 - RICHARDS, JEAN	PO 46126 MEDICARE PART B REIMB	629.40	629.40
35974	1132 - BOONTON TIRE SUPPLY INC.	PO 46161 BLANKET: POLICE VEHICLE REPAIR	1,565.27	1,565.27
35975	1141 - MCGUIRE, INC.	PO 47251 NEW BRAKE SENIOR BUS CUST #2252	741.69	741.69
35976	1158 - VISION SERVICE PLAN	PO 46212 BLANKET VISION PLAN (APR-DEC)	708.36	708.36
35977	1274 - RANSNORTH, NANCY	PO 46127 MEDICARE PART B REIMB	629.40	629.40
35978	1280 - VERIZON WIRELESS, INC.	PO 46202 BLANKET: 1X AIRCARD ACCT #201 M15-2	192.63	192.63
35979	1280 - VERIZON WIRELESS, INC.	PO 46108 BLANKET: CELL PHONES (Apr-Dec @\$150	1,556.10	1,556.10
35980	1305 - ACCURATE DOOR, INC.	PO 47232 GARAGE DOOR REPAIRS PARKS	115.00	115.00
35981	1462 - INSTITUTE PROFESSIONAL DEVELOP	PO 47146 TAX TITLE LIEN WORKSHOP D BABCOCK	99.00	99.00
35982	1632 - COOPER ELECTRIC SUPPLY CO.	PO 46142 BLANKET: B&G ELECTRIC REPAIR/SUPPL	161.78	161.78
35983	1751 - TERESA ANN OSWIN	PO 45473 2015 QTRLY PHONE STIPEND	37.50	37.50
35984	1883 - ROMYNS, LARRY E.	PO 46128 MEDICARE PART B REIMB	629.40	629.40
35985	1884 - MORRIS, THOMAS & BULAH	PO 46130 MEDICARE PART B REIMB	1,258.80	1,258.80
35986	2048 - DANIELSON, DEBORAH	PO 46882 2015 MILEAGE REIMB (150 miles \$84 p	84.00	84.00
35987	2201 - NEWTON FIRE DEPARTMENT	PO 47254 2015 AID TO FIREMEN	12,650.00	12,650.00
35988	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 46151 BLANKET: PD/CENCOM OFFICE SUPPLIES	733.01	
		PO 47131 CLERK'S OFFICE	72.65	
		PO 47165 OFFICE SUPPLIES HR & CODE	122.23	927.89
35989	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 47268 FIRE DEPT OFFICE SUPPLIES	488.17	
		PO 47270 ST SIGNS PARTS	64.95	553.12
35990	2290 - DOUGLAS CUMMINS	PO 46129 MEDICARE PART B REIMB	629.40	629.40
35991	2386 - DOMINICK'S PIZZA LLC	PO 47205 G. Raftery/meal/postsurg	86.00	
		PO 47261 Dinner with Red Cross	60.53	
		PO 47317 HALLOWEEN CONTEST PIZZA	39.73	186.26
35992	2429 - BLACK LAGOON	PO 46360 2015 POND MAINT	1,675.00	1,675.00
35993	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 46160 BLANKET: GAS (APR-SEPT \$4000)ACCT #	1,735.80	1,735.80
35994	2479 - TAYLOR OIL CO., INC.	PO 46159 BLANKET: DIESEL (APR -SEPT\$5000) AC	3,194.43	3,194.43
35995	2532 - LADDEY, CLARK & RYAN, LLP	PO 46038 2015 PROSECUTOR (ann \$27,000/\$2,250	2,458.36	2,458.36
35996	2532 - LADDEY, CLARK & RYAN, LLP	PO 47323 LEGAL NOV	2,520.00	2,520.00
35997	2532 - LADDEY, CLARK & RYAN, LLP	PO 47324 TAX APPEALS NOV	583.60	583.60
35998	2551 - RONALD CLOUSE	PO 46138 MEDICARE PART B REIMB	1,258.80	1,258.80

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

Check#	Vendor	Description	Payment	Check Total
35999	2553 - BARCO PRODUCTS INC.	PO 47229 Townhall Lobby Trash Can CUST #993	237.88	237.88
36000	2567 - MUNICIPAL RECORD SERVICE	PO 46788 COURT COMPLAINT FORMS	1,155.00	1,155.00
36001	2626 - GENERAL CODE, LLC	PO 47197 ANNUAL MAINT FEET #ne2921	1,195.00	1,195.00
36002	2627 - THOMAS S RUSSO JR	PO 47310 REIMB SIRIUS XM ACCT #304408257433	226.66	226.66
36003	2635 - W.B. MASON, INC.	PO 47062 FINANCE YEAR END OFFICE SUPPLIES CU	218.78	218.78
36004	2657 - WEATHER WORKS, INC.	PO 47201 WEATHER ALERT CONTRACT (12/1-11/30/	1,632.00	1,632.00
36005	2684 - GARDEN STATE HIGHWAY PRODUCTS, INC.	PO 47103 CUSTOM SIGNS & U-CHANNEL POSTS	927.72	927.72
36006	2685 - B & H INC.	PO 47162 Color Laserjet Printer for Human Re	319.99	319.99
36007	2765 - CODE 96 LLC	PO 47172 DOMAIN SERVER	2,600.00	2,600.00
36008	2767 - JAMES J KILDUFF	PO 46131 MEDICARE PART B REIMB	629.40	629.40
36009	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 45491 BLANKET: 2015 LABOR ATTORNEY	1,710.08	1,710.08
36010	2788 - PENTELEDATA	PO 46123 BLANKET: INTERNET ACCT #1871584 (AP	689.70	689.70
36011	2843 - CHELBUS CLEANING CO., INC.	PO 46081 BLANKET: 2015 CLEAN TOWNHALL & FIRE	1,770.00	1,770.00
36012	2865 - STEVE MILLS	PO 46132 MEDICARE PART B REIMB	629.40	629.40
36013	3047 - MICHAEL A PANDISCIA	PO 46136 MEDICARE PART B REIMB	629.40	629.40
36014	3105 - THYSSENKRUPP ELEVATOR CORP.	PO 45476 BLANKET: ELEVATOR MAINT TH SIDE CUS	205.11	205.11
36015	3216 - KOZDEBA & SON LLC.	PO 47236 QUARRY PROCESS 75 YRDS	468.75	468.75
36016	3354 - DANIEL FLYNN	PO 47192 Reim Mileage Speak @ School Bd Ass	167.95	167.95
36017	3369 - UNITED TELEPHONE/CENTURY LINK	PO 46203 BLANKET: DIGITAL DATA CIRCUIT (39 T	125.93	125.93
36018	3398 - TOYOTA/SUBARU/SCION OF MORRISTOWN I	PO 45625 BLANKET: 2013 CAMRY ROUTINE MAINT	43.43	43.43
36019	3444 - USA HOISTCO., INC.	PO 46082 BLANKET: ELEVATOR MAINT POLICE SIDE	210.00	210.00
36020	3473 - LEDA C GONZALEZ	PO 47138 SPANISH TRANSLATOR	1,317.50	1,317.50
36021	3515 - RESOLUTIONS	PO 46833 COACH FINANCE	1,080.00	1,080.00
36022	3615 - ANN ROSELLEN	PO 46137 MEDICARE PART B REIMB	629.40	629.40
36023	3624 - NORTHERN BORDER TREE FARMS	PO 47226 CHRISTMAS LARGE TREE	250.00	250.00
36024	3644 - JOHNNY ON THE SPOT, LLC.	PO 46162 BLANKET: PORT A JOHNS (APR-NOV) Par	967.40	967.40
36025	3693 - AZUL CORE	PO 46276 SOCIAL TECHNOLOGY SERVICES -TIER 2	260.00	260.00
36026	3715 - JOHN MULHERN	PO 46558 JUDGE 7/15-12/15 \$35,000/12=\$2916.6	3,791.67	3,791.67
36027	3728 - MUNICIPAL SAFETY SUPPLY	PO 46798 Crossing Guard Vests	93.40	93.40
36028	3743 - WARREN COUNTY SERVICE CENTER INC.	PO 47132 LEAF VACUUM PARKS CUST #23151	10,153.14	10,153.14
36029	3747 - KYLE BUCENEC	PO 47258 REIMBURSE MILEAGE: COURT ADM 1 & 2	398.92	398.92
TOTAL				110,157.78

Total to be paid from Fund 10 CURRENT FUND

110,157.78

110,157.78

Checks Previously Disbursed

151076	ELAVON	DEC COURT MERCHANT FEE	139.56	12/04/2015
151075	PAYROLL ACCOUNT	12/03 CURRENT PAYROLL	179,705.11	12/03/2015
151074	PAYROLL ACCOUNT	12/02 police retro 7/1-11/30 curr	28,462.79	12/02/2015
151073	FEDERAL & STATE GRANT	Interfund to Grant for SW /bills	5,000.00	12/03/2015
151072	PAYROLL ACCOUNT	11/19 CURRENT PAYROLL	182,640.21	11/19/2015
151067	PAYROLL ACCOUNT	11/05 CURR PAY ADJ COUCH MORAN & F	286.00	11/05/2015
35943	FRANK SEBASTIANO - FRANKY'S CAFE LL	PO# 47166 FOOD SENIOR DINNER	1,000.00	12/02/2015
35942	THOMAS S RUSSO JR	PO# 47253 Reimbursement for Transportation C	54.00	12/02/2015
151071	NEWTON BOARD OF EDUCATION	School Tax NOV 2015	1,031,649.83	11/25/2015

				1,428,937.50

Total paid from Fund 10 CURRENT FUND

1,428,937.50

1,428,937.50

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

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

Total for this Bills List: **1,539,095.28**

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

Check#	Vendor	Description	Payment	Check Total
1296	2301 - SCREEN CREATION PLUS	PO 47239 FRESHMAN VOLLEYBALL- NHS	696.00	696.00
	TOTAL			----- 696.00

Total to be paid from Fund 11 FEDERAL/STATE GRANTS 696.00

696.00

Checks Previously Disbursed

151113	PAYROLL ACCOUNT	12/03 GRANT PAYROLL	938.71	12/03/2015
151112	PAYROLL ACCOUNT	11/19 GRANT PAYROLL	966.70	11/19/2015
151111	PAYROLL ACCOUNT	11/19 GRANT PAYROLL	966.70	12/03/2015
151110	PAYROLL ACCOUNT	11/05 GRANT PEDESTRIAN SAFETY	1,400.00	12/02/2015

			4,272.11	

Total paid from Fund 11 FEDERAL/STATE GRANTS 4,272.11

4,272.11

Total for this Bills List: 4,968.11

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

Check#	Vendor	Description	Payment	Check Total
8551	62 - MGL FORMS - SYSTEMS, LLC.	PO 47108 DOG/CAT TAGS CUST #N023	249.00	249.00
	TOTAL			----- 249.00
Total to be paid from Fund 21 DOG RESERVE			249.00	
			<u>249.00</u>	
			249.00	

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

Check#	Vendor	Description	Payment	Check Total
8488	64 - PELLOW, HAROLD & ASSO, INC.	PO 47327 OCT ENGINEERING	12,069.50	12,069.50
8489	286 - CURRENT ACCOUNT	PO 47133 TREE TRIM/REMOVAL TRINITY ST LIGHTS	4,500.00	4,500.00
8490	966 - L-3 COMM. MOBILE-VISION	PO 46996 BODY VISION CAMERAS CUST #NJNEWTO	16,228.50	16,228.50
8491	1034 - TONY'S CONCRETE CONSTR CO, INC	PO 46429 SPRING ST IMPROVEMENTS	30,400.38	30,400.38
8492	1278 - GRINNELL RECYCLE, INC.	PO 47123 TRINITY STREET SIDEWALK CONCRETE AC	4,141.20	4,141.20
8493	1461 - SPARTA READY MIX, INC.	PO 47124 TRINITY ST SIDEWALK CONCRETE	1,820.50	1,820.50
8494	2313 - GRAVITY DESIGN WORKS, INC.	PO 46919 Town Hall Lobby Directory Board	597.50	597.50
8495	2532 - LADDEY, CLARK & RYAN, LLP	PO 47323 LEGAL NOV	32.00	32.00
8496	2744 - FKA ARCHITECTS INC.	PO 46538 Feasibility study of modifying Fire	3,750.00	3,750.00
8497	3706 - BEYER FORD	PO 46506 DPW 4WD TRUCK F-250 R #95-2015	34,251.50	34,251.50
8498	3739 - PM POOL SERVICE	PO 46973 REPLASTER KIDDIE POOL	6,810.36	6,810.36
TOTAL				114,601.44

Total to be paid from Fund 30 CAPITAL 114,601.44
114,601.44

Checks Previously Disbursed

8487	NJ MOTOR VEHICLE SERVICES	REG DPW 4WD F-250	60.00 12/04/2015
8486	FAI-GON ELECTRIC, INC.	PO# 46436 TRINITY STREET TRAFFIC SIGNALS	167,836.27 11/25/2015

			167,896.27

Total paid from Fund 30 CAPITAL 167,896.27
167,896.27

Total for this Bills List: 282,497.71

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

Check#	Vendor	Description	Payment	Check Total
15328	64 - FELLOW, HAROLD & ASSO, INC.	PO 47327 OCT ENGINEERING	1,994.75	1,994.75
15329	113 - JCP&L	PO 47276 W/S ELECTRIC SEPT/OCT	18,291.30	18,291.30
15330	121 - PUMPING SERVICES, INC.	PO 47015 REPAIR SUB TRASH PUMP CUST #685	3,631.10	3,631.10
15331	130 - SUSSEX COUNTY P & H, INC.	PO 46086 BLANKET: W/S PLUMBING SUPPLIES OCT	109.15	109.15
15332	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 47275 LOCAL PHONE SVC NOV	1,156.89	1,156.89
15333	200 - GARDEN STATE LABORATORIES INC	PO 46289 BLANKET: SEWER LAB & DRINKING WATER	850.00	850.00
15334	232 - HAMBURG PLUMBING SUPPLY CO INC	PO 46251 BLANKET: WATER MAIN SUPPLIES (APR-D	286.77	286.77
15335	282 - WILLCO, INC.	PO 47315 CHEMICAL RM HEATER REPAIR CUST #15	198.00	198.00
15336	292 - WATER & SEWER PETTY CASH FUND	PO 47329 REPLENISH W/S PETTY CASH	10.95	10.95
15337	366 - WAGNER, WILLIAM	PO 46197 MEDICARE PART B REIMB	1,258.80	1,258.80
15338	447 - DONOFRIO, DONALD	REFUND OVERPAYMENT ACCT #6740 RESO	75.00	75.00
15339	853 - R&D TRUCKING INC	PO 46170 BID: SLUDGE REMOVAL @ \$.034 (\$74,0	3,808.00	3,808.00
15340	921 - AIRGAS EAST	PO 45495 BLANKET: CARBON DIOXIDE	437.50	437.50
15341	1062 - INSTUMENTATION TECHNOLOGY SYSTEMS,	PO 46025 YEAR CONTRACT FOR COMPUTERS MORRIS	1,300.00	1,300.00
15342	1158 - VISION SERVICE PLAN	PO 46212 BLANKET VISION PLAN (APR-DEC)	176.00	176.00
15343	1280 - VERIZON WIRELESS, INC.	PO 46108 BLANKET: CELL PHONES (Apr-Dec @\$150	147.05	147.05
15344	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 46236 BLANKET: SLUDGE REMOVAL (APR-DEC)	4,480.00	4,480.00
15345	1489 - SMALLEY, JOHN	PO 46039 2015 SVC'S MORRIS LAKE 9 mnths @ \$1	1,250.00	
		PO 46133 MEDICARE PART B REIMB	1,258.80	2,508.80
15346	1566 - MAIN POOL & CHEMICAL COMPANY, INC.	PO 46167 BID: SODIUM HYDROXIDE @ \$1.27 (\$698	398.78	
		PO 46169 BID: SODIUM HYPOCHLORITE @ \$1.17 (\$	681.80	1,080.58
15347	1632 - COOPER ELECTRIC SUPPLY CO.	PO 47312 SWITCH WTP EMG	2,082.43	2,082.43
15348	1846 - ADVANCE AUTO PARTS	PO 45654 BLANKET: PARTS & SUPP'S ACCT #6271	27.95	27.95
15349	2216 - PALL CORPORATION	PO 45944 ANNUAL SERVICE CONTRACT FOR PALL FI	4,465.59	4,465.59
15350	2532 - LADDEY, CLARK & RYAN, LLP	PO 47323 LEGAL NOV	704.00	704.00
15351	2709 - ACCURATE WASTE REMOVAL INC.	PO 46177 BID: CHEMICAL WASTE REMOVAL @ \$.03	264.00	264.00
15352	2713 - WILLIAM GRENNILLE, LLC.	PO 46037 2015 LICENSED WATER OPERATOR 2ND 3R	10,000.00	
		PO 47284 NOV WWTP COVERAGE J CARR 4 WKS	2,285.60	12,285.60
15353	2788 - PENTELEDATA	PO 46123 BLANKET: INTERNET ACCT #1871584 (AP	219.90	219.90
15354	3166 - HATCH MOTT MACDONALD	PO 47328 WWW ESCROW PROJECTS	205.75	205.75
15355	3216 - KOZDEBA & SON LLC.	PO 47236 QUARRY PROCESS 75 YRDS	468.75	468.75
15356	3429 - TOYOTA MOTOR CREDIT CORP.	PO 46155 BLANKET: 2013 TOYOTA CAMRY 60 PMT @	472.08	472.08
15357	3515 - RESOLUTIONS	PO 46833 COACH FINANCE	250.00	250.00
15358	3693 - AZUL CORE	PO 46275 WEBSITE DESIGN/MAINTENANCE	109.99	109.99
15359	3746 - Jo-Med Contracting Corp	PO 47216 EMERGENCY WORK ON STUART STREET	105,105.00	105,105.00
TOTAL				168,461.68

Total to be paid from Fund 60 WATER/SEWER UTILITY 168,461.68

168,461.68

Checks Previously Disbursed

156036	PAYROLL ACCOUNT	12/03 W/S PAYROLL	39,422.26	12/03/2015
15327	SPARTA POSTMASTER	4th Qtr Wtr/Swr bills postage	971.10	11/25/2015
156035	PAYROLL ACCOUNT	11/19/15 W/S PAY	33,315.88	11/19/2015

			73,709.24	

Total paid from Fund 60 WATER/SEWER UTILITY 73,709.24

73,709.24

Total for this Bills List: 242,170.92

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

Check#	Vendor	Description	Payment	Check Total
2408	64 - FELLOW, HAROLD & ASSO, INC.	PO 42159 FOX HOLLOW WATERMAIN REPLACE	\$92, 3,135.88	3,135.88
	TOTAL			----- 3,135.88
Total to be paid from Fund 61 WATER/SEWER CAPITAL			3,135.88	
			<u>3,135.88</u>	
			3,135.88	

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

Check#	Vendor	Description	Payment	Check Total
3436	64 - PELLOW, HAROLD & ASSO, INC.	PO 47286 NEWTON DUNKIN DONUTS-OCT ESCROW	156.25	
		PO 47292 PUNC. EQUILIBRIUM-SEPT./OCT. ESCROW	218.75	
		PO 47293 SUSSEX ENT/U-SAVE-OCT ESCROW	187.50	
		PO 47297 J&R DEV/J PUTRINO/TSG-SEPT/OCT ESCR	718.75	
		PO 47298 NVE OCCHINFINTO-OCT ESCROW	31.25	
		PO 47299 NATURAL SELECTION-OCT ESCROW	718.50	
		PO 47300 PNC BANK/OCT ESCROW	577.75	
		PO 47327 OCT ENGINEERING	359.25	2,968.00
3437	285 - SLOAN, JAMES PPC.	PO 47333 DEC PUBLIC DEFENDER	104.13	104.13
3438	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 47252 QUANTUM-OCT ESCROW	225.00	225.00
3439	2532 - LADDEY, CLARK & RYAN, LLP	PO 47324 TAX APPEALS NOV	32.00	32.00
TOTAL				3,329.13

Total to be paid from Fund 71 TRUST 3,329.13
3,329.13

Checks Previously Disbursed

157124	PAYROLL ACCOUNT	11/19 TRUST PAYROLL	3,208.57	11/19/2015
157123	PAYROLL ACCOUNT	11/05 TRUST PAYROLL ADJ COUCH & MO	-1,686.00	11/05/2015
157123	PAYROLL ACCOUNT	11/05 TRUST PAYROLL	7,446.52	11/05/2015

			10,655.09	
			-1,686.00	*VOIDED

Total paid from Fund 71 TRUST 8,969.09
8,969.09

Total for this Bills List: 13,984.22

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

Check#	Vendor	Description	Payment	Check Total
139	2532 - LADDEY, CLARK & RYAN, LLP	PO 46553 COAH FOR STATE MATTER	578.50	578.50
	TOTAL			----- 578.50

Total to be paid from Fund 75 HOUSING TRUST FUND (COAH) (Fund 75) 578.50

578.50