



AGENDA
NEWTON TOWN COUNCIL
JUNE 27, 2016
7:00 P.M.

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

- JUNE 13, 2016 REGULAR MEETING

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

- VI. COUNCIL & MANAGER REPORTS**
- VII. ORDINANCES**
- 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 #95-2016* | RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE |
| b. | RESOLUTION #96-2016* | AUTHORIZING ADVERTISING ON THE TOWN SHUTTLE BUS |
| c. | RESOLUTION #97-2016* | APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB OWNER'S LICENSE FOR DORAGAIL SPICER T/A DADS TAXI & LIMO |
| d. | RESOLUTION #98-2016* | APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR DORAGAIL SPICER |
| e. | RESOLUTION #99-2016* | APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR GLENN T. SPICER |
| f. | RESOLUTION #100-2016* | APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR RALPH E. DRAKE |
| g. | RESOLUTION #101-2016* | APPROVAL OF AN INITIAL APPLICATION FOR TAXICAB OWNER'S LICENSE FOR SUSSEX TAXI & LIMO SERVICE |
| h. | RESOLUTION #102-2016* | APPROVAL OF AN INITIAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR ADDA V. DELGADO PACHECO |

- i. RESOLUTION #103-2016* APPROVAL OF AN INITIAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR OSCAR E. CESPEDES
- j. RESOLUTION #104-2016* TO CANCEL GRANT RECEIVABLE AND APPROPRIATED RESERVE FOR UNREALIZED PEDESTRIAN SAFETY GRANT IN THE AMOUNT OF \$2,888.80
- k. RESOLUTION #105-2016* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- l. RESOLUTION #106-2016* AUTHORIZING A LEASE/PURCHASE AGREEMENT WITH FIRST HOPE BANK FOR THE ACQUISITION OF TWO 2016 POLICE INTERCEPTOR SUV VEHICLES WITH OPTIONS
- m. RESOLUTION #107-2016* AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 22.04, LOT 1

X. RESOLUTIONS

- a. RESOLUTION #108-2016 AUTHORIZING REDUCTION OF A PERFORMANCE SURETY POSTED BY GRANDE VILLAGGIO AT NEWTON, LLC

XI. INTERMISSION

XII. DISCUSSION

XIII. OPEN TO THE PUBLIC

XIV. COUNCIL & MANAGER COMMENTS

XV. ADJOURNMENT



TOWN OF NEWTON

RESOLUTION #95-2016

June 27, 2016

"Renewal of Plenary Retail Consumption License"

BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Plenary Retail Consumption License is renewed for licensing year 2016-2017, effective July 1, 2016:

No. 1915-33-009-005 be issued to The Spring Street Pub & Grill LLC., t/a The Spring Street Pub & Grill, 144 Spring Street, Newton, New Jersey.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, June 27, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #96-2016

June 27, 2016

“Authorizing Advertising on the Town Shuttle Bus”

WHEREAS, the Town of Newton operates a bus owned by the municipality, and desires to advertise on the municipal bus in exchange for fees; and

WHEREAS, N.J.A.C. 5:34-9.4 permits “concessions” to be approved via Town resolution authorizing the procurement of a concession, and §(b)3 specifically includes use of public facilities for advertising as concessions; and

WHEREAS, concessions may be awarded through informal quotations where the total estimated value of the concession is less than the bid threshold, which is currently \$40,000.00 under the Town's qualified purchasing agent (“QPA”), per the Local Public Contracts Law, N.J.S.A. 11-1 et seq.;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Newton authorizes the procurement of a concession in the form of advertising on the Town bus for fees, via informal quotation, up to the maximum bid threshold of \$40,000.00.

Pursuant to N.J.A.C. 5:34-9.4(d), the Town authorizes the procurement of the concession and provides the following information:

1. The considerations of the Town included the benefits and risks of allowing for public advertisement on the Town bus, and the Governing Body determined there is a financial benefit to such advertising and negligible risk for providing advertising on a municipally owned bus;
2. The estimated total value and anticipated revenue of the concession is \$24,000 for a two year contract;
3. The award of the concession shall be based upon the most advantageous price from a registered business in good standing with the State of New Jersey, and the award shall be to such highest responsible bidder;
4. The costs to be incurred by the Town as part of the concession are estimated to be approximately \$320 for legal costs in preparing for and approving of the procurement of the concession and approximately \$4,000 for the actual printing of said advertising on the bus;
5. The procurement of the concession in the form of advertising on the Town bus shall be awarded through informal quotations received by the QPA, and the Town reserves the right to reject all quotations.

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Lorraine A. Read, RMC
Municipal Clerk



The Original Wrap Company Since 1993

800.511.4445

QUOTE

Quoted By:
Brent x 200
Quote Date:
4/26/16

Billing Address:	
Company:	Town of Newton
Address:	
City/State/Zip	
Name:	Debra J. Millikin

NOTE: All installation prices are based on the client driving their vehicle to the nearest graphic installation facility. Travel charges for onsite installation may apply. (Vehicle Graphics & Wraps)

Qty	Product Description	Unit	Amount
1	Standard full wrap graphics for box only of approx. 24' Shuttle bus. No cab or cab over coverage. No window coverage.	\$1,850.00	\$1,850.00
1	Perforated window film for sides and rear.	\$500.00	\$500.00
1	Professional Installation - Box only, no perforated window film at Kenilworth NJ indoor facility.	\$1,020.00	\$1,020.00
1	Professional Installation - perforated window film.	\$200.00	\$200.00
1	Estimated removal of existing striping and text.	\$350.00	\$350.00
QUOTE IS GOOD FOR 30 DAYS			
			
		Subtotal:	\$3,920.00
		Shipping	TBD

Why We Should Work Together

Our Mission	Our Clients	Our Locations
Since 1993 through the use of vehicle wraps, fleet graphics, and architectural graphic our goal has always been to increase brand awareness of our client's business. We believe successful execution of any project comes with an understanding of your industry, timely execution, and the delivery of quality goods and services.	For over 20 years we have proudly served some of the worlds most well-known brands and companies; large and small alike. We are honored to showcase some of our clients projects and the quality brands we have had the pleasure to work with. Take a look at our gallery to see how we have helped other clients.	Our services are available throughout the United States and Canada. With over 200 installation teams we can be anywhere, at any time. No project is to small or large. We can come to you to if you have your own facility to provide our installation services, on-site. Simply contact us to see which of our install teams is closest to your location.

Price Match Promise - We promise to provide the most competitive pricing possible. If you get a lower formal written quote using the same quality materials, print quality and warranty we will do everything we can to match it. No guarantee but a promise to try.



TOWN OF NEWTON

RESOLUTION #97-2016

June 27, 2016

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

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**, “No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter.” “All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to the expiration to the Chief of Police”; and

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

WHEREAS, in accordance with **§283.6, Inspection of Vehicles**, “Before a vehicle is used as a taxicab within the Town it shall be inspected...to ascertain that it is in a safe, clean and sanitary condition and contains all safety devices required by law”;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the renewal Taxicab Owner’s License application submitted by Doragail Spicer, 51 Route 206, Suite 105, Augusta, NJ 07822, t/a D.A.D.S. Taxi & Limo, which shall expire June 12, 2017; and

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, June 27, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #98-2016

June 27, 2016

“Approval of a Renewal Application for Taxicab Driver’s License for Doragail Spicer”

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver’s License submitted by Doragail Spicer, 8 Smith Hill Road, Newton, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2017.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #99-2016

June 27, 2016

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

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**. “No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter.” “All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police”; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver’s License submitted by Glenn T. Spicer, 8 Smith Hill Road, Newton, New Jersey and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2017.

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Municipal Clerk



TOWN OF NEWTON

RESOLUTION #100-2016

June 27, 2016

"Approval of a Renewal Application for Taxicab Driver's License for Ralph E. Drake"

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**, "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Ralph E. Drake, 2205B Rt. 57W, Washington, New Jersey 07882 and represents D.A.D.S. Taxi & Limo, which expires on June 12, 2017.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #101-2016

June 27, 2016

"Approval of an Initial Application for Taxicab Owner's License for Sussex Taxi & Limo Service"

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**, "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to the expiration to the Chief of Police"; and

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

WHEREAS, in accordance with **§283.6, Inspection of Vehicles**, "Before a vehicle is used as a taxicab within the Town it shall be inspected to ascertain that it is in a safe, clean and sanitary condition and contains all safety devices required by law";

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the initial Taxicab Owner's License application submitted by Oscar E. Cespedes, 55 Sparta Avenue, Sparta, NJ 07871, t/a Sussex Taxi & Limo Service, LLC, which shall expire June 27, 2017; and

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

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #102-2016

June 27, 2016

“Approval of an Initial Application for Taxicab Driver’s License for Adda V. Delgado Pacheco”

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the initial Taxicab Driver’s License submitted by Adda V. Delgado Pacheco, 17 New Hampshire Street, Newton, New Jersey and represents Sussex Taxi & Limo LLC, which expires on June 27, 2017.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #103-2016

June 27, 2016

"Approval of an Initial Application for Taxicab Driver's License for Oscar E. Cespedes"

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the initial Taxicab Driver's License submitted by Oscar E. Cespedes, 160 Route 23 S., Hamburg, New Jersey 07419 and represents Sussex Taxi & Limo LLC, which expires on June 27, 2017.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #104-2016

June 27, 2016

“To Cancel Grant Receivable and Appropriated Reserve for Unrealized Pedestrian Safety Grant in the Amount of \$2,888.80”

WHEREAS, the Town of Newton received an award in the amount of \$14,146.00 from the New Jersey Division of Highway Traffic Safety which was appropriated in the 2015 Municipal Budget for a FY 2016 Pedestrian State Highway Traffic Safety Grant; and

WHEREAS, the costs expended and approved total \$11,257.20; and

WHEREAS, there is a grant receivable balance of \$2,888.80 *Due from the State of New Jersey for Pedestrian Safety Grant* on the Federal and State Grant balance sheet and an appropriated reserve of the same amount; and

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

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

Federal & State Grant Fund

Grant Receivable – Pedestrian Safety a/c#110144	\$2,888.80
Appropriated Reserves – Pedestrian Safety Grant a/c#111244	\$2,888.80

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Municipal Clerk



TOWN OF NEWTON

RESOLUTION #105-2016

June 27, 2016

“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 2015 and 2016 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.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #106-2016

June 27, 2016

**“Authorizing a Lease/Purchase Agreement with
First Hope Bank for the Acquisition of Two 2016
Police Interceptor SUV Vehicles with Options”**

WHEREAS, a need exists for the acquisition of two 2016 police interceptor SUV vehicles with options as described in the Municipal Lease/Purchase and Option Agreement to be on file in the Office of the Municipal Clerk; and

WHEREAS, the Town of Newton (“Lessee”) may, without advertising for bids, purchase such vehicles under contract through the Morris County Coop, pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the two 2016 police pursuit vehicles are being purchased through the Morris County Coop Contract #15-A, Item#5 in the amount of \$38,681.43 each for a total of \$77,362.86; and

WHEREAS, the Town of Newton intends to finance the Lease/Purchase with First Hope Bank at an annual rate of 2.57%, for a term of four years, with the first principal payment of \$20,082.99 being paid at time of closing; and

WHEREAS, this lease is subject to the Mayor and Council appropriating \$20,082.99 principal and interest in budget years 2017, 2018, and 2019 as per attached amortization schedule;

NOW, THEREFORE BE IT RESOLVED, by the Newton Town Council that it designates and authorizes the Town Manager and Chief Financial Officer to execute, attest, and deliver the Municipal Lease/Purchase and Option Agreement and place on file in the Office of the Municipal Clerk, and any related documents necessary to the consummation of transactions contemplated by the Lease/Purchase and Option Agreement; and

BE IT FURTHER RESOLVED, that the Newton Town Council hereby represents that the reasonably anticipated amount of qualified tax-exempt obligations which have been and will be issued by the Lessee does not exceed \$10,000,000 for the calendar year within which this Municipal Lease/Purchase and Option Agreement is to be a “qualified tax-exempt obligation” pursuant to Section 265(b) of the Internal Revenue Code; and

BE IT FURTHER RESOLVED, that a copy of said Municipal Lease/Purchase and Option Agreement will be on file in the Office of the Municipal Clerk.

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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 #: 106 -2016

APPROVING: FIRST HOPE BANK

FOR THE PURPOSE OF: LEASE/PURCHASE TWO 2016 FORD POLICE INTERCEPTOR SUV'S (PURCHASED FROM BEYER FORD)

IN THE AMOUNT OF: \$77,362.86 PRINCIPAL (2)
\$ 2,969.10 INTEREST
\$80,331.96 TOTAL COST

APPROPRIATED BY: CURRENT - POLICE, OTHER EXPENSE
#1074206 \$20,082.99 FOR 2016

VEHICLE TO BE FINANCED OVER 4 YEARS @\$20,082.99 ANNUAL PAYMENTS AT BEGINNING OF LEASE TERM.

FUNDS BEING CERTIFIED ARE CONTINGENT UPON THE GOVERNING BODY APPROPRIATING SUFFICIENT FUNDS IN THE 2017, 2018, AND 2019 BUDGETS.

DATED THIS 27TH DAY OF MAY 2016

BY _____

**DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER**

Exhibit B - Schedule of Rental Payments

Newton - 2016 Ford Police Interceptors (s)

Compound Period : Annual

Nominal Annual Rate : 2.570 %

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	06/15/2016	77,362.86	1		
2 Payment	06/15/2016	20,082.99	4	Annual	06/15/2019

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

Date	Payment	Interest	Principal	Balance
Loan 06/15/2016				77,362.86
1 06/15/2016	20,082.99	0.00	20,082.99	57,279.87
2016 Totals	20,082.99	0.00	20,082.99	
2 06/15/2017	20,082.99	1,472.09	18,610.90	38,668.97
2017 Totals	20,082.99	1,472.09	18,610.90	
3 06/15/2018	20,082.99	993.79	19,089.20	19,579.77
2018 Totals	20,082.99	993.79	19,089.20	
4 06/15/2019	20,082.99	503.22	19,579.77	0.00
2019 Totals	20,082.99	503.22	19,579.77	
Grand Totals	80,331.96	2,969.10	77,362.86	

Last interest amount increased by 0.02 due to rounding.

The purchase option price is 101% of the principal balance outstanding, plus all accrued interest due and owing as of the payoff date.

First Hope Bank, A National Banking Association

By: _____
Sharon J. H. Nothstein, Vice President



TOWN OF NEWTON

RESOLUTION #107-2016

June 27, 2016

**“Authorize Refund of Redemption Monies to
Outside Lien Holder for Block 22.04, Lot 1”**

WHEREAS, at the Municipal Tax Sale held on October 19, 2011, a lien was sold on Block 22.04, Lot 1, (formerly Block 1308, Lot 13), also known as 81 Sparta Avenue, for 2010 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #1371 was sold to Lawrence & Helen Earl Family LLC for an 18% redemption fee; and

WHEREAS, Kenworth Title LLC, the title company representing owner, Aromando, Cono R., has effected the redemption of Certificate #1371 in the amount of \$82,661.67 as well as the legal foreclosure fees in the amount of \$1,104.20;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges Lawrence & Helen Earl Family LLC is entitled to a redemption in the amount of \$82,661.67 along with the legal foreclosure fees in the amount of \$1,104.20; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check, in the amount of \$82,661.67, for the redemption of Certificate #3171 and a check in the amount of \$1,104.20 for the legal foreclosure fees to Lawrence & Helen Earl Family LLC., PO Box 42, 933 Millbrook Road, Stillwater, NJ 07875.

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #108-2016

June 27, 2016

"Authorizing Reduction of Performance Surety Posted by Grande Villaggio at Newton, LLC"

WHEREAS, Grande Villaggio at Newton, LLC posted a \$683,359.20 performance surety bond and \$75,928.80 cash deposit as a performance guarantee with the Town of Newton in connection with Phase I of its development at Block 22.05, Lot 13, in the Town of Newton; and

WHEREAS, in a letter dated May 7, 2016, Grande Villaggio at Newton, LLC requested a reduction in its performance guarantee; and

WHEREAS, in a letter dated June 22, 2016, the Town Engineer, Paul W. Ferriero, PE, PP, CME ("Town Engineer") of the engineering firm, Ferriero Engineering, Inc., confirmed that he conducted an inspection of the project and recommended the performance surety bond be reduced to \$235,051.20 and the cash bond be reduced to \$26,116.80;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby authorizes the reduction of the performance guarantee, as recommended by the Town Engineer, to \$26,116.80 for the cash bond, and \$235,051.20 for the letter of credit/performance surety bond for Grande Villaggio at Newton, LLC.

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Lorraine A. Read, RMC
Municipal Clerk



Paul W. Ferriero, PE, PP, CME, LEED AP, CFM
Robert C. Brightly, PE, PP, CME
John E. Hansen, PE, PP, CME, LEED

Steven B. Bolio, PE, CME
Mark S. Denisiuk, PE, LEED AP
Joseph S. Kosinski, PG, CFM, LEED AP
Dennis W. O'Neal, PE, PP, CME
C. Richard Quamme, PE, CME

June 22, 2016

Mr. Thomas Russo, Manager
Town of Newton
39 Trinity Street
Newton, New Jersey 07860

Re: Request for Performance Bond Reduction – Phase 1
Martorano Enterprises – Grande Villagio at Newton
Block 201, Lot 5
Our Project No. 11NS601

Dear Mr. Russo:

An inspection of the site improvements at the Grande Villagio site plan development has been completed to determine their status relative to the reduction of the performance bond. The attached estimate itemizes the improvements that remain to be completed. It is recommended that the performance bond be reduced to the amounts on the updated estimate as follows:

Total Guarantee	\$261,168.00
Minimum Cash Deposit	\$26,116.80
Bond/Letter of Credit	\$235,051.20

Please feel free to contact me if you have any questions or require further information.

Very truly yours,

Paul W. Ferriero, PE, PP, CME
Ferriero Engineering, Inc.

• • •

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

Check#	Vendor	Description	Payment	Check Total
36863	1846 - ADVANCE AUTO PARTS	PO 47552 BLANKET: AUTO PARTS Rd/W-S/Snow/Fir	14.97	14.97
36864	921 - AIRGAS EAST	PO 47577 BLANKET: CARBON DIOXIDE- POOL \$180	178.37	
		PO 47578 BLANKET: ACETYLENE/ARGON/OXYGEN \$20	7.34	185.71
36865	89 - AIRMARK POOLS, INC.	PO 48457 Pool Supplies	406.70	406.70
36866	3079 - AMERICAN SOCIETY OF COMPOSERS,	PO 48471 2016 MUSIC LICENSE ACCT #500716275	168.21	168.21
36867	3615 - ANN ROSELLEN	PO 48347 MEDICARE PART B REIMB	629.40	629.40
36868	191 - BEAVER RUN FARMS LP	PO 48441 PAVIL/LANDSCAPING	140.99	140.99
36869	2124 - BUCKMAN'S INC.	PO 48232 BLANKET: CHLORINE POOL \$1.35 PER G	1,833.28	1,833.28
36870	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 47539 BLANKET: LONG DISTANCE @\$200 CUS	213.28	213.28
36871	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 47540 BLANKET: ALARM CIRCUITS HIGH ST TO	125.85	125.85
36872	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 48389 BLANKET: LOCAL PHONE SVC (MAY-DEC)	3,444.45	3,444.45
36873	2048 - DANIELSON, DEBORAH	PO 47949 2016 MILEAGE REIMB (200 miles @ \$11	115.00	115.00
36874	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 47485 BLANKET: UNIFORM/MAT RENTALS & PAPE	1,141.48	1,141.48
36875	512 - DIAMOND SAND & GRAVEL, INC	PO 48445 STONE (POOL)	986.50	986.50
36876	2290 - DOUGLAS CUMMINS	PO 48335 MEDICARE PART B REIMB	629.40	629.40
36877	3023 - ELECTRONIC FEES - TAX	PO 48535 Set up fee to switch to Elavon's pr	299.00	299.00
36878	2394 - FEDERAL & STATE GRANT	PO 48513 CURR BODY CAMERA	11,000.00	11,000.00
36879	225 - FEDERAL EXPRESS	PO 47560 BLANKET: EXPRESS MAIL Acct #1344-05	51.03	51.03
36880	172 - FRISBIE, ARTHUR & RITA	PO 48345 MEDICARE PART B REIMB	1,258.80	1,258.80
36881	109 - FURGIUELE, CAMILLE	PO 48344 MEDICARE PART B REIMB	629.40	629.40
36882	373 - GALLS INCORPORATED	PO 48243 TRAINING GUNS acct #4794479	303.88	303.88
36883	448 - GARRIS, JEAN	PO 48339 MEDICARE PART B REIMB	629.40	629.40
36884	1608 - GOLD TYPE BUSINESS MACHINES	PO 48467 INFO-COP MOBILE LICENSE RENEWAL	2,100.00	2,100.00
36885	230 - HAYEK'S MARKET INC.	PO 48295 Election Lunch	18.04	18.04
36886	272 - HOLZHAUER, SCOTT	PO 47948 2016 MILEAGE REIMB (200 MILES @ \$11	115.00	115.00
36887	1866 - HOME DEPOT, INC.	ADAMS ST LOT STORM DRAIN REPAIR	147.76	
		PO 47739 BLANKET: B&G/VEH MAINT/RD SUPP'S	156.91	
		PO 48448 BLANKET: POOL SUPP'S	298.71	
		PO 48495 BLANKET: LANDSCAPING	122.64	726.02
36888	173 - ILIFF, JOHN AND TERRY	PO 48341 MEDICARE PART B REIMB	1,258.80	1,258.80
36889	2767 - JAMES J KILDUFF	PO 48342 MEDICARE PART B REIMB	629.40	629.40
36890	113 - JCP&L	PO 48388 BLANKET: ELECTRIC (APR-OCT?) T \$12	11,429.95	11,429.95
36891	3715 - JOHN MULHERN	PO 47475 2016 JUDGE (\$35,000/12=\$2,916.67 G	3,791.67	3,791.67
36892	276 - KAYS, PETER J.	PO 48351 MEDICARE PART B REIMB	1,258.80	1,258.80
36893	2569 - KIEFFER ELECTRIC, INC.	PO 48462 Court Room Monitor Receptacles	852.00	
		PO 48463 Pool Pavilion Electrical Receptacle	1,572.00	
		PO 48465 FIREHOUSE RECEPTACLE INSTALL	797.00	3,221.00
36894	365 - KITHCART, BROCK	PO 47951 2016 PHONE STIPEND (\$37.50 PER QTR)	37.50	37.50
36895	2532 - LADDEY, CLARK & RYAN, LLP	PO 47478 2016 PROSECUTOR (\$27,000/12=\$2250)	2,458.33	2,458.33
36896	2532 - LADDEY, CLARK & RYAN, LLP	PO 48524 BANKRUPTCY/IN REM/TAX APPEALS -MAY	1,499.00	1,499.00
36897	2532 - LADDEY, CLARK & RYAN, LLP	PO 48525 MAY LEGAL	4,114.00	4,114.00
36898	62 - MGL FORMS - SYSTEMS, LLC.	PO 47935 TAX BILLS AND STICKERS	873.50	873.50
36899	3047 - MICHAEL A PANDISCIA	PO 48346 MEDICARE PART B REIMB	629.40	629.40
36900	874 - MILLIKIN, DEBRA	PO 47947 2016 MILEAGE REIMB (250 MILES @ \$14	143.75	143.75
36901	409 - MINISINK PRESS INC	PO 48422 #10 ENVELOPES 2 BOXES CODE	108.00	108.00
36902	3240 - MORPHOTRAK, INC.	PO 47913 LIVESCAN FINGERPRINT SYSTEM MAINTEN	2,633.69	2,633.69
36903	1884 - MORRIS, THOMAS & BULAH	PO 48349 MEDICARE PART B REIMB	1,258.80	1,258.80
36904	1528 - MR. JOHN, INC.	PO 47554 BLANKET: RECYCLE CTR PORT A JOHN (J	83.00	83.00
36905	3054 - MULCH CONCEPTS, LLC.	PO 48412 10 YRDS MULCH Townhall	220.00	220.00
36906	116 - NEW JERSEY HERALD, INC.	PO 48197 POOL/NJHERALD/FAMILY AD	470.00	470.00
36907	240 - NEWTON FIRST AID SQUAD	PO 48515 2016 CONTRIBUTION \$6,125 per qtr	6,125.00	6,125.00
36908	2607 - NORTHERN RAIN	PO 48423 SPRAY HEAD/NOZZLE/HEAD	86.50	86.50
36909	106 - ELIZABETH TOWN GAS	PO 47537 BLANKET: NAT GAS (Jan-Mar) Curr \$35	701.95	701.95
36910	64 - PELLOW, HAROLD & ASSO, INC.	PO 48542 APR ENGINEERING	90.00	90.00
36911	2788 - PENTELEDATA	PO 47484 BLANKET: INTERNET ACCT #1871584 (J	729.70	729.70
36912	39 - QUILL CORPORATION	PO 47700 BLANKET: OFFICE SUPP'S	199.94	
		PO 48452 Office Supplies/Paper for 2nd Floor	415.36	615.30
36913	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 47535 BLANKET: GAS (JAN-MAR \$5000) A/c#	3,451.00	3,451.00
36914	1274 - RANSNORTH, NANCY	PO 48337 MEDICARE PART B REIMB	629.40	629.40
36915	3731 - READY REFRESH BY NESTLE	PO 47547 BLANKET: 2016 WATER	55.71	55.71
36916	1112 - RICHARDS, JEAN	PO 48338 MEDICARE PART B REIMB	629.40	629.40
36917	1883 - ROMYNS, LARRY E.	PO 48336 MEDICARE PART B REIMB	629.40	629.40

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

Check#	Vendor	Description	Payment	Check Total
36918	2551 - RONALD CLOUSE	PO 48348 MEDICARE PART B REIMB	1,258.80	1,258.80
36919	951 - SERVICE ELECTRIC CABLE TV	PO 47543 BLANKET: CONVERTER BOXES 3 DPW/1 PO	38.80	38.80
36920	285 - SLOAN, JAMES PPC.	PO 47479 2016 PUBLIC DEFENDER (\$13,500/12=\$1	104.17	104.17
36921	338 - SMITH, WILLIAM F	PO 48340 MEDICARE PART B REIMB	1,258.80	1,258.80
36922	3117 - SOME'S WORLD WIDE UNIFORMS, INC.	PO 48459 HOLSTERS ACCT #10706	159.50	159.50
36923	2257 - STAPLES BUSINESS ADVANTAGE, INC.	SHIPPING TO DREAGER	25.80	25.80
36924	1212 - STATEWIDE INSURANCE FUND	PO 48532 3RD OF 4 INSTALLMENTS WC & ALL LINE	46,759.36	46,759.36
36925	2865 - STEVE MILLS	PO 48343 MEDICARE PART B REIMB	629.40	629.40
36926	102 - SUSSEX CAR WASH INC	PO 47557 BLANKET: POLICE CAR WASHES	154.00	154.00
36927	2479 - TAYLOR OIL CO., INC.	PO 47536 BLANKET: DIESEL (JAN-MAR \$5000) A/C	1,334.27	1,334.27
36928	133 - TEETS, MICHAEL D	PO 47952 2016 MILEAGE REIMB (200 miles @ \$11	115.00	115.00
36929	1751 - TERESA ANN OSWIN	PO 47950 2016 PHONE STIPEND (\$37.50 PER QTR)	37.50	37.50
36930	2675 - TIRE KING, INC.	PO 48439 TIRE REPAIR TRK #14	413.00	413.00
36931	3429 - TOYOTA MOTOR CREDIT CORP.	PO 47522 BLANKET: 2013 TOYOTA CAMRY @ \$472	472.08	472.08
36932	3444 - USA HOISTCO., INC.	PO 47551 BLANKET: ELEVATOR MAINT (Police si	215.00	215.00
36933	1280 - VERIZON WIRELESS, INC.	PO 47528 BLANKET: CELL PHONES ACCT #88257107	1,482.10	1,482.10
36934	136 - ZENES, NANCY	PO 48350 MEDICARE PART B REIMB	629.40	629.40

TOTAL 132,114.72

Total to be paid from Fund 10 CURRENT FUND 132,114.72

132,114.72

Checks Previously Disbursed

161036	PAYROLL ACCOUNT	CURRENT PAY 6/16/16	210,074.74	6/16/2016
161035	NEWTON BOARD OF EDUCATION	School Tax JUNE 2016	1,031,649.85	6/15/2016
161034	ELAVON	JUNE COURT MERCHANT FEE	471.73	6/13/2016

			1,242,196.32	

Total paid from Fund 10 CURRENT FUND 1,242,196.32

1,242,196.32

Total for this Bills List: 1,374,311.04

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

Check#	Vendor	Description	Payment	Check Total
15698	39 - QUILL CORPORATION	PO 48452 Office Supplies/Paper for 2nd Floor	162.00	162.00
15699	106 - ELIZABETHTOWN GAS	PO 47537 BLANKET: NAT GAS (Jan-Mar) Curr \$35	514.27	514.27
15700	113 - JCP&L	PO 48528 MAY W/S ELECTRIC	13,714.84	13,714.84
15701	155 - COYNE CHEMICAL CORP., INC.	PO 48398 BID: SODA ASH -Liq sodium carbonate	3,189.31	
		PO 48533 CITRIC ACID/SODIUM BISULFITE	1,968.97	5,158.28
15702	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 47541 BLANKET: WOODSIDE AVE PS \$37 97338	38.50	38.50
15703	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 48389 BLANKET: LOCAL PHONE SVC (MAY-DEC)	1,182.21	1,182.21
15704	192 - CAMPBELL'S SMALL ENGINE INC.	PO 48474 WEEDWACKER HEAD	27.99	27.99
15705	200 - GARDEN STATE LABORATORIES INC	PO 47515 BLANKET: DRINKING WTR/SEWER LAB ANA	895.00	895.00
15706	366 - WAGNER, WILLIAM	PO 48352 MEDICARE PART B REIMB	1,258.80	1,258.80
15707	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 47485 BLANKET: UNIFORM/MAT RENTALS & PAPE	297.65	297.65
15708	853 - R&D TRUCKING INC	PO 48390 BID: SLUDGE REMOVAL @ \$.0339 (\$48	9,492.00	9,492.00
15709	921 - AIRGAS EAST	PO 47576 BLANKET: CARBON DIOXIDE W/S \$30 x	22.02	22.02
15710	1212 - STATEWIDE INSURANCE FUND	PO 48532 3RD OF 4 INSTALLMENTS WC & ALL LINE	52,743.64	52,743.64
15711	1280 - VERIZON WIRELESS, INC.	PO 47528 BLANKET: CELL PHONES ACCT #88257107	275.85	275.85
15712	1489 - SMALLEY, JOHN H	PO 47521 BLANKET: 2016 SVC'S MORRIS LAKE 12	1,250.00	
		PO 48353 MEDICARE PART B REIMB	1,258.80	
		PO 48507 REIMB OFFICE SUPPLIES WTP	24.72	2,533.52
15713	1566 - MAIN POOL & CHEMICAL COMPANY, INC.	PO 48400 BID: LIQ HYDROFLUSILLIC ACID @ \$4.3	589.95	
		PO 48399 BID: SODIUM HYDROXIDE @ \$1.44 (\$7,9	777.60	1,367.55
15714	1866 - HOME DEPOT, INC.	PO 48450 BLANKET: W/S SUPPLES	25.43	25.43
15715	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 48476 Monitor, speakers, webcam for HR	311.76	
		PO 48498 Monitors and Sound Bars for Finance	586.02	897.78
15716	2532 - LADDEY, CLARK & RYAN, LLP	PO 48525 MAY LEGAL	264.00	264.00
15717	2685 - B & H INC.	PO 48437 Camcorder and memory card	341.49	341.49
15718	2788 - PENTELEDATA	PO 47484 BLANKET: INTERNET ACCT #1871584 (J	219.90	219.90
15719	2882 - ONE CALL CONCEPTS, INC.	PO 47516 BLANKET: ONE CALL MESSAGES (Jan-Dec	166.25	166.25
15720	3079 - AMERICAN SOCIETY OF COMPOSERS,	PO 48471 2016 MUSIC LICENSE ACCT #500716275	168.21	168.21
15721	3355 - BRAEN STONE SPARTA	PO 48272 3/4" STONE	560.46	560.46
15722	3528 - Miracle Chemical Co	PO 48401 BID: SODIUM HYPOCHLORITE @ \$1.265 (1,524.33	1,524.33
15723	3769 - LYONS ENVIRONMENTAL SERVICES, LLC.	PO 47605 T-3 OPERATOR MORRIS LAKE WTP Jan-Ju	10,500.00	10,500.00
TOTAL				104,351.97

Total to be paid from Fund 60 WATER/SEWER UTILITY

104,351.97

104,351.97

Checks Previously Disbursed

166018	PAYROLL ACCOUNT	Water Sewer Cash PAY 6/16	35,161.90	6/16/2016

			35,161.90	

Total paid from Fund 60 WATER/SEWER UTILITY

35,161.90

35,161.90

Total for this Bills List: 139,513.87

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

Check#	Vendor	Description	Payment	Check Total
3490	285 - SLOAN, JAMES PPC.	PO 47479 2016 PUBLIC DEFENDER (\$13,500/12=\$1	1,125.00	1,125.00
3491	2532 - LADDEY, CLARK & RYAN, LLP	PO 48525 MAY LEGAL	64.00	64.00
3492	2532 - LADDEY, CLARK & RYAN, LLP	PO 48530 J & R DEVL -MAY	32.00	32.00
3493	2532 - LADDEY, CLARK & RYAN, LLP	PO 48529 KOHL'S -MAY	80.00	80.00
TOTAL				----- 1,301.00

Total to be paid from Fund 71 TRUST

1,301.00

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1,301.00

Checks Previously Disbursed

167111	PAYROLL ACCOUNT	Trust Cash PAY 6/16/16	316.00	6/16/2016

			316.00	
Total paid from Fund 71 TRUST			316.00	

			316.00	

Total for this Bills List: 1,617.00

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

Check#	Vendor	Description	Payment	Check Total
150	2532 - LADDEY, CLARK & RYAN, LLP	PO 48525 MAY LEGAL	1,800.00	1,800.00
	TOTAL			1,800.00

Total to be paid from Fund 75 HOUSING TRUST FUND (COAH) (Fund 75) 1,800.00

1,800.00