

July 18, 2016

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Deputy Mayor Levante, Mr. Elvidge, Mr. Flynn, Mayor Diglio, and Thomas S. Russo, Jr., Town Manager and Angelo J. Bolcato, Esq. Mrs. Le Frois was excused.

Mayor Diglio made the following declaration “in accordance with the Open Public Meetings Act, notice of this public meeting was given to the two newspapers of record and posted on the official bulletin board on December 31, 2015.”

Mayor Diglio led the Pledge of Allegiance to the flag and the Clerk called the roll. Upon motion of Mr. Elvidge, seconded by Mr. Flynn and carried, the minutes of June 27, 2016 Regular and Special and July 1, 2016 Reorganization meetings were approved.

OPEN TO THE PUBLIC

Mayor Diglio read the following statement:

“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.”

There being no one from the public to be heard, Mayor Diglio closed the meeting to the public.

COUNCIL & MANAGER REPORTS

Deputy Mayor Levante, as representative of the Town Council, updated the Council on the recent Board of Education meeting he attended. He also updated Council on the Economic Development Commission meeting.

Mr. Flynn advised that earlier today, members of the Town Council held the unveiling of a sign: “Home of Henry Boresch, Father of NJ Wrestling”, which appears on the “Welcome to Newton” signs as you enter the Town of Newton. Mr. Flynn noted Henry Boresch was a former head coach of Newton High School’s wrestling team and coached 38 seasons in Newton from 1927-1964. The Newton Braves were led to 11 State Championships and 13 undefeated seasons. Henry Boresch helped spread the sport throughout the State, which now includes 311 high schools who compete. Mr. Flynn noted there will be a ceremony and dinner on September 18th to induct Henry Boresch into the National Wrestling Hall of Fame.

Mayor Diglio thanked Dan, Kevin and Tom for their assistance with the Henry Boresch signs and recognition.

ORDINANCES

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE 2016-7

AN ORDINANCE TO AMEND SECTION 307-48, SCHEDULE I, NO PARKING AND ADOPT NEW SECTION 307-17.3, STRAWAY BOULEVARD, OF THE CODE OF THE TOWN OF

NEWTON, TO PROHIBIT GENERAL THROUGH TRAFFIC AND PARKING ON CERTAIN PORTIONS OF A PARK ACCESS WAY, STRAWAY BOULEVARD

WHEREAS, it has been determined that Straway Boulevard is and should continue to be used for park access only, and not be open to general through traffic, as recommended by the Town Engineer, and in the best interests of Town residents and visitors; and

WHEREAS, although Straway Boulevard is not a through road for general traffic and is to be used for park access only, municipal and emergency vehicles shall have access to Straway Boulevard as through traffic and for parking at all times;

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

Section 1. Chapter 307-48, Schedule I: No Parking, of the Code of the Town of Newton, shall be revised as follows:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Straway Boulevard	East	Entire length
Straway Boulevard	Northwest	The beginning of parking being located 413 feet southwesterly along the northwesterly edge of pavement of Straway Boulevard from where it intersects the south edge of pavement of South Park Drive; thence, running southwesterly along the northwesterly pavement of Straway Boulevard 293 feet to a point where parking ends.

Section 2. A new section 307-17.3 shall be adopted as part of the Code of the Town of Newton, as follows:

307-17.3 Straway Boulevard.

Straway Boulevard shall be used for park access only, and shall not be open to general through traffic, as recommended by the Town Engineer, and in the best interests of Town residents and visitors. Additionally, parking of vehicles is restricted on Straway Boulevard, in accordance with the provisions of Town Code §§307-5 and 307-48. Municipal and emergency vehicles shall have access to Straway Boulevard as through traffic and for parking at all times.

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

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

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

Mayor Diglio opened the hearing to the public.

There being no one from the public to be heard, upon motion of Mr. Elvidge, seconded by Mr. Flynn and unanimously carried, the hearing was closed.

Prior to roll call, Mr. Flynn requested a grace and warning period prior to issuing summons.

The aforementioned **ORDINANCE** was offered by Mr. Elvidge, who moved its adoption, seconded by Mr. Flynn and roll call resulted as follows:

Deputy Mayor Levante	No	Mr. Elvidge	Yes
Mr. Flynn	No	Mrs. Le Frois	Absent
Mayor Diglio		Yes	

Noting the Ordinance is defeated, Mr. Russo will discuss with Mrs. Le Frois and reintroduce if appropriate.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE 2016-8

AN ORDINANCE AMENDING NEWTON TOWN CODE §213-7.A REGARDING CERTIFICATE OF COMPLIANCE REQUIREMENTS; §213-9.E, F AND G, REGARDING PROPERTY MAINTENANCE STANDARDS; AND ADOPTING §266-11 REGARDING SIDEWALK AND CURB MAINTENANCE AND REPAIR

WHEREAS, the Newton Town Council and Town employees and professionals have reviewed current certificate of compliance requirements and have determined that revisions need to be made to the current Town Code regarding certificates of compliance for smoke detector and carbon monoxide compliance, §213-7.A; and

WHEREAS, Newton Town Code, §§213-9.E, F and G are in need of revision to clarify and provide for renumbering consistent with the current International Property Maintenance Code; and

WHEREAS, a new provision in the Town Code is required in order to hold owners of property responsible for maintenance and/or repair of sidewalks and curbs that front private property, as permitted by N.J.S.A. 40:65-1;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton, County of Sussex, and State of New Jersey that Sections 213-7.A and 213-9.E, F, and G of Chapter 213 of the Code of the Town of Newton entitled "Property Maintenance" are hereby amended; and Section 266-11 of Chapter 266 of the Code of the Town of Newton entitled "Streets and Sidewalks" is hereby adopted as follows:

Section 1. §213-7.A of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

§213-7.A. Certificate of compliance is required. Every property owner in the Town of Newton of a building or structure of Use Group R-3 and R-4, as defined by the Uniform Fire Code (which includes attached and detached townhouses, one and two-family dwellings, and mixed-use buildings with two or less residential units) must obtain a certificate of smoke detector and carbon monoxide compliance ("certificate of compliance") prior to a change in occupancy or ownership due to sale, resale, rental or re-rental. In each situation in which a property owner is required to obtain a certificate of occupancy, as required by the Uniform Construction Code, a certificate of compliance shall not be required in addition to the certificate of occupancy.

Section 2. §213-9.E of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

E. Section 308. Insert:

308.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers to be provided by the owner of the structure. No trash or rubbish shall overflow from containers or dumpsters.

308.3.1 Garbage facilities. Every owner of every dwelling unit shall supply at least one of the following: an approved dumpster unit of adequate size outside of the structure available to the occupants in each dwelling unit or at least one approved leak-proof, covered outside garbage container for every two occupants of each dwelling unit.

308.4 Method of disposal. Every owner of every dwelling unit shall provide at least weekly private or contracted disposal service for owner-provided containers or dumpsters.

Section 3. §213-9.F of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

F. Section 602.3. Insert: October 1 through May 1 of each year.

Section 4. §213-9.G of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

G. Section 602.4. Insert: October 1 through May 1 of each year.

Section 5. §266-11 of the Code of the Town of Newton shall be and is hereby adopted as follows:

§266-11. Maintenance and Repair.

It shall be the duty and responsibility of each owner of property to maintain and/or repair all sidewalks and curbs on and fronting said property. Such responsibility includes keeping such sidewalks and curbs in a proper condition of maintenance and good repair, including, but not limited to, sidewalks and curbs free from obstruction, debris, cracks and crevices or other unsafe conditions.

Section 6. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 7. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 8. This Ordinance shall take effect after publication and passage according to law.

Mayor Diglio opened the hearing to the public.

Susan Murray, 154 Sparta Ave., addressed several concerns and scenarios regarding the sidewalk portion of this Ordinance. After a brief discussion, Ms. Murray noted her displeasure with this Section 266-11 due to the cost to the homeowner.

Neil Flaherty, 154 Sparta Ave., also expressed his displeasure with Section 266-11 of Ordinance 2016-8. He feels it is not fair to place the burden of maintaining and/or repair of the sidewalks on the residents of the Town.

It was noted by Mr. Russo the residents were always responsible for the sidewalks. This Ordinance just provides clarification.

There being no one else from the public to be heard, upon motion of Mr. Elvidge, seconded by Mr. Flynn and unanimously carried, the hearing was closed.

Deputy Mayor Levante stated he has similar concerns related to the cost to the homeowners.

Councilman Flynn also noted concerns with the sidewalks throughout the Town, but feels it could be a large expense to homeowners. He feels the sidewalk aspect of this Ordinance needs further review.

Councilman Elvidge feels the sidewalk repairs are typically only necessary years after the installation of same.

After a brief discussion, Deputy Mayor Levante moved to table Ordinance 2016-8. The motion was seconded by Mr. Flynn and roll call resulted as follows:

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Absent

Mayor Diglio Yes

After advice from the Town Attorney, Deputy Mayor Levante moved to rescind the vote to table Ordinance 2016-8. The motion was seconded by Mr. Flynn and roll call resulted as follows:

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Absent

Mayor Diglio Yes

The aforementioned **ORDINANCE , to amend**, was offered by Mr. Flynn, who moved its adoption, seconded by Deputy Mayor Levante and roll call resulted as follows:

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Absent

Mayor Diglio Yes

It was noted Section 266-11 of Ordinance 2016-8 will be eliminated and Ordinance will be re-advertised.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE 2016-9

AN ORDINANCE TO AMEND ORDINANCE 2015-35 ESTABLISHING MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2016

WHEREAS, there is a need to amend Schedule “B” of Ordinance 2015-35;

THEREFORE BE IT ORDAINED by the Town Council of the Town of Newton, that Ordinance 2015-35 be amended as follows:

Schedule “B” the following shall be added:

Level 6

Sewer Repairer 1/Water Repairer 1

Level 7

Sewer Repairer 2/Water Repairer 2

Level 8

Sewer Repairer Supervisor/Water Repairer Supervisor

Level 9

Sewer Plant Operator/Water Plant Operator

Mayor Diglio opened the hearing to the public.

There being no one from the public to be heard, upon motion of Mr. Flynn, seconded by Deputy Mayor Levante and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE** was offered by Mr. Elvidge, who moved its adoption, seconded by Mr. Flynn and roll call resulted as follows:

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Absent

Mayor Diglio Yes

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE 2016- 10

AN ORDINANCE AUTHORIZING THE TOWN OF NEWTON TO IMPLEMENT THE FIVE-YEAR EXEMPTION AND ABATEMENT LAW, GRANTING TAX EXEMPTIONS FOR CERTAIN IMPROVEMENTS TO, AND CONSTRUCTION OF, RESIDENTIAL DWELLINGS, CERTAIN IMPROVEMENTS TO MULTIPLE DWELLINGS, CERTAIN IMPROVEMENTS TO INDUSTRIAL STRUCTURES AND CERTAIN IMPROVEMENTS TO COMMERCIAL STRUCTURES, ALL WITHIN THE DOWNTOWN HISTORIC DISTRICT, AND SUPERSEDING ANY OTHER ORDINANCE GRANTING SUCH EXEMPTIONS

The aforementioned **ORDINANCE** was offered by Mr. Flynn, who moved its introduction, seconded by Mr. Elvidge and roll call resulted as follows:

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Absent
Mayor Diglio		Yes	

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on same to be held on August 22, 2016.

OLD BUSINESS

There was no Old Business to be discussed.

CONSENT AGENDA

Mayor Diglio read the following statement:

“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.”

Mr. Russo outlined the Resolutions on the Consent Agenda.

RESOLUTION # 124-2016*

PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1915-33-003-007

WHEREAS, an application has been filed for a Person-to-Person and Place-to-Place Transfer of Plenary Retail Consumption License Number 1915-33-003-007, heretofore issued to Big Tadew, LLC, t/a Dre’s for premises located at 188 Spring Street, Newton, New Jersey; and

WHEREAS, Big Tadew, LLC has agreed to transfer Plenary Retail Consumption Liquor License #1915-33-003-007 to L & P Concessions, LLC, the owner of the premises located at 234 Spring Street, Newton, New Jersey; and

WHEREAS, L & P Concessions, LLC has submitted a complete application form for Person-to-Person and Place-to-Place Transfer of a Class C, Plenary Retail Consumption Liquor License bearing the State-assigned license number of 1915-33-003-007; and

WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes and regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton does hereby approve the Person-to-Person and Place-to-Place transfer of the aforesaid Plenary Retail Consumption License as follows:

- (a) Person-to-Person to L & P Concessions, LLC from Big Tadew, LLC;

(b) Place-to-Place to 234 Spring Street, Newton from 188 Spring Street, Newton; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 234 Spring Street, Newton, New Jersey," NUNC PRO TUNC, effective Ju1y 1, 2016."

RESOLUTION # 125-2016*

APPROVE PURCHASE OF JAWS OF LIFE FOR ENGINE #3

WHEREAS, ESI Equipment Inc., has supplied a quote under State Contract #A80967 to the Newton Fire Department for the purchase of the Jaws of Life for Engine #3 in the amount of \$57,764.00; and

WHEREAS, the Purchasing Agent of the Town of Newton and the Chief of the Newton Fire Department have recommended the purchase of the Jaws of Life for Engine #3 in the amount of \$57,764.00 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 Jaws of Life be purchased from ESI Equipment, Inc. Montgomeryville, P.A. through State Contract #A80967 in the amount of \$57,764.00.

RESOLUTION # 126-2016*

AUTHORIZE TAX CO LLECTOR TO HOLD AN ELECTRONIC TAX SALE FOR THE YEAR 2016

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors and RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the Town of Newton wishes to participate in the pilot program for an electronic tax sale;

NOW, THEREFORE BE IT RESOLVED, by the of the Town of Newton, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

RESOLUTION # 127-2016*

AUTHORIZE ELECTRONIC TAX SALE NOTICE FEES TO BE CHARGED

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations require a municipality to send three (3) notices of tax sale to each property included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, the Town of Newton wishes to balance the effect of fees upon the property owner, which may be experiencing financial hardship, with the other residents which should not have to bear any additional costs. The Town hereby sets a one-time fee of \$25.00 for the three (3) required notices;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that a one-time fee of \$25.00 is hereby authorized and is to be charged to each property owner appearing on the 2016 electronic tax sale list.

RESOLUTION # 128-2016*

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$4,979,000 GENERAL IMPROVEMENT BONDS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND PROVIDING FOR THEIR SALE

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (with not less than two-thirds of the full membership thereof affirmatively concurring) AS FOLLOWS:

Section 1. The \$4,979,000 General Improvement Bonds of the Town of Newton, in the County of Sussex, New Jersey (the "Town") are authorized pursuant to the Local Bond Law of the State of New Jersey and resolution adopted by the Town pursuant to the Local Bond Law of the State of New Jersey on July 18, 2016 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Newton, in the County of Sussex, New Jersey into a Single Issue of Bonds Aggregating \$4,979,000 in Principal Amount," shall be issued as "General Improvement Bonds" (the "Bonds"). The Bonds shall mature in the principal amounts on August 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2017	\$200,000	2025	\$400,000
2018	200,000	2026	350,000
2019	230,000	2027	400,000
2020	200,000	2028	400,000
2021	200,000	2029	375,000
2022	200,000	2030	340,000
2023	400,000	2031	340,000
2024	400,000	2032	344,000

The Bonds shall be subject to redemption prior to maturity as set forth in the attached Notice of Sale. The Bonds shall be sixteen in number, with one certificate being issued for each year of maturity, and shall be numbered R-1 to R-16, inclusive.

Section 2. The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The

participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of any multiple of \$1,000 (with a minimum purchase of \$5,000 required) through book-entries made on the books and records of The Depository Trust Company and its participants.

The Bonds will bear interest payable semiannually on the fifteenth day of February and August in each year until maturity or earlier redemption, commencing on February 15, 2017, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

The principal of and the interest on the Bonds will be paid to the Securities Depository by the Town on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of each next preceding February 1 and August 1 (the "Record Dates") for the Bonds. The Bonds shall be executed by the manual or facsimile signature of the Mayor of the Town under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Town.

The following matters are hereby determined with respect to the Bonds:

Date of Bonds:	Date of Delivery
Interest Payment Dates:	Each February 15 and August 15 until maturity or earlier redemption, commencing on February 15, 2017

Section 3. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Town to deliver and to market the Bonds in accordance with the requirements of The Depository Trust Company and the final terms of sale:

SAMPLE BOND FORM FOR INFORMATION

ONLY - DO NOT COMPLETE

REGISTERED	REGISTERED
NUMBER R-___	\$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
TOWN OF NEWTON, IN THE
COUNTY OF SUSSEX

GENERAL IMPROVEMENT BOND

RATE OF INTEREST

DATED DATE:	MATURITY DATE:	PER ANNUM:	CUSIP:
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___/___/2016 08/15/20___ _____% _____

The TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (the "Town") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of _____ DOLLARS (\$_____), and to pay interest on such sum from the Dated Date of this bond at the Rate of Interest Per Annum specified above semiannually on the fifteenth day of February and August in each year until maturity or earlier redemption, commencing on February 15, 2017. Interest on this bond will be paid to the Securities Depository by the Town or a duly appointed paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the February 1 and August 1 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Town, will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to August 15, 2025 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after August 15, 2025 are redeemable at the option of the Town in whole or in part on any date on or after August 15, 2024 upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Town or a duly appointed Bond Registrar. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Town determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Town. The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Town adopted July 18, 2016 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Newton, in the County of Sussex, New Jersey into a Single Issue of Bonds Aggregating \$4,979,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the Town are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY has caused this bond to be executed in its name by the manual or facsimile signature of its Mayor, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Clerk, and this bond to be dated the Dated Date as specified above.

TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

[SEAL]

ATTEST:

By: _____

Mayor

By: _____ By: _____

Clerk

Chief Financial Officer

[END OF SAMPLE BOND FORM]

Section 4. The Bonds shall be sold on August 11, 2016 via the “PARITY Electronic Bid System” (PARITY) upon the terms and the conditions set forth in and described in the Full Notice of Sale authorized below and set forth in Exhibit A attached hereto (the “Full Notice of Sale”). The Full Notice of Sale shall be posted in full on MuniHub and in the Bond Buyer Online. The Town Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized below and set forth in Exhibit B attached hereto (the “Short Notice of Sale”) and the Summary Notice of Sale authorized below and set forth in Exhibit C (the “Summary Notice of Sale”). The Notices of Sale shall be posted and published as required by law not less than seven days prior to the date of sale. The full Notice of Sale shall be substantially in the form attached hereto as Exhibit A, the Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B and the Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C, each with such additions, deletions and omissions as may be necessary for the Town to market the Bonds in accordance with the requirements of The Depository Trust Company and PARITY. The Short Notice of Sale shall be published in the New Jersey Herald and the Summary Notice of Sale shall be published in the Bond Buyer, a financial newspaper published and circulating in the City of New York, New York and in the Bond Buyer Online.

Section 5. The Town hereby designates the Chief Financial Officer as the officer to sell and to award the Bonds and to act on behalf of the Town in accordance with the Notices of Sale authorized herein, and the Chief Financial Officer shall report in writing the results of the sale to this Town as required by law.

Section 6. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC (“Bond Counsel”) complete except for omission of its date.

Section 7. Bond Counsel is authorized to arrange for the printing of the Bonds, and Phoenix Advisors, LLC (the "Financial Advisor") or Bond Counsel are authorized to arrange for the printing of the Official Statement to be prepared in connection with the sale of the Bonds and to arrange for the distribution of the preliminary Official Statements on behalf of the Town to those financial institutions that customarily submit bids for such Bonds. The Financial Advisor, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. (the "Auditor") and Bond Counsel are authorized to prepare the Official Statement necessary in connection with the issuance of the Bonds, and the Mayor of the Town is authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Town by the Chief Financial Officer or by the Mayor of the Town. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds. Bond Counsel, the Financial Advisor and the Auditor are further authorized to arrange on behalf of the Town for a rating for the Bonds from Standard & Poor's and/or Moody's Investors Service.

Section 8. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 9. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Town and if no successor Securities Depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Town shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 10. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds

remain outstanding (unless the Bonds have been wholly defeased), the Town shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to September 30 of each fiscal year, beginning September 30, 2017 for the fiscal year ending December 31, 2016, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Town consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Town and certain financial information and operating data consisting of (1) Town indebtedness; (2) property valuation information; and (3) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with modified cash accounting as mandated by the State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law in effect from time to time;

(b) if any of the following material events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Town;

- (13) The consummation of a merger, consolidation, or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Town in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Town, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Town.

Notice of failure of the Town to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

If all or any part of the Rule ceases to be in effect or is not in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule not or no longer in effect required the provision of such information, shall not or no longer be required to be provided.

The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Town prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

In the event that the Town fails to comply with the Rule requirements or the written contracts or undertakings specified in its undertaking, the Town shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 11. The Chief Financial Officer is authorized to invest the proceeds of the Bonds in investment obligations or deposits as permitted in accordance with New Jersey law and Section 14 below.

Section 12. The Chief Financial Officer is authorized to pay the costs of issuance at or after

the time of closing to the various participants regarding the sale and issuance of the Bonds, including costs for the open electronic auction, publications, preparation and printing of the official statement, credit rating, financial advisory services, legal services and other miscellaneous costs of issuing the Bonds.

Section 13. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds. The Town hereby designates the Bonds as “bank-qualified” for purposes of Section 265 of the Code.

Section 14. The Chief Financial Officer and other appropriate representatives of the Town are authorized to take all other actions on behalf of the Town necessary for the sale and the delivery of the Bonds in accordance with this resolution and the investment of the proceeds thereof in accordance with the requirements of law.

Section 15. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYS:

CERTIFICATE

I, Lorraine A. Read, Clerk of the Town of Newton, in the County of Sussex, New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town duly called and held on July 18, 2016 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this _____ day of _____, 2016.

Lorraine A. Read, RMC, Municipal Clerk

[SEAL]

EXHIBIT A

FULL NOTICE OF SALE

**(For Publication on MuniHub 's website and in
The Bond Buyer Online 's website :**

July 18, 2016

www.bondbuyer.com/legalnotices/?type=bondsales)

TOWN OF NEWTON, IN THE
COUNTY OF SUSSEX, NEW JERSEY

NOTICE OF \$4,979,000 GENERAL IMPROVEMENT BOND SALE

(BOOK-ENTRY-ONLY)

(CALLABLE)

(BANK QUALIFIED)

SUMMARY

ISSUER: Town of Newton, in the County of Sussex, New Jersey

PAR AMOUNT: \$4,979,000

SECURITY: General Obligations of the Town

TAX EXEMPT: Yes

RATINGS AND INSURANCE: Rating to be Determined

TYPE OF SALE: Electronic proposals via the Parity Electronic Bid System ("PARITY") of i-Deal LLC ("i-Deal") (See Bidding Details Item herein)

BOND SALE AGENT: PARITY

BID/AWARD DATE: August 11, 2016 electronic proposals until 11:00 a.m., local time, at which time they will be publicly opened, received and announced. Award by 3:30 p.m.

DATED DATE: Date of Delivery

DELIVERY DATE: On or about August 25, 2016

INTEREST PAYMENT DATES: February 15 and August 15, commencing February 15, 2017

FORM: Book-entry-only

FIRST CALL DATE: August 15, 2024

MINIMUM BID: \$4,979,000 (Par)

BID SECURITY: **Good Faith Check or wire transfer in the amount of \$99,580 received by the Town prior to bidding**

BASIS OF AWARD: True Interest Cost

OFFERING STATEMENT: Preliminary Official Statement available at www.prospectushub.com and the Bond Buyer Online

NOTICE

NOTICE IS HEREBY GIVEN that electronic proposals will be received by The Town of Newton, in the County of Sussex, New Jersey (the “Town”) for the purchase of \$4,979,000 original principal amount of the Town’s General Improvement Bonds (the “Bonds”). **All Bids (as defined below) must be submitted in their entirety via “PARITY Electronic Bid System” (PARITY) prior to 11:00 a.m., New Jersey time on August 11, 2016. To bid, Bidders (as defined below) must have submitted a wire or a good faith check payable to the Town in the amount of \$99,580 by no later than 10:30 a.m. on the Bid Date (see Bidding Details below).**

Preliminary and Final Official Statement

The Town’s Preliminary Official Statement (the “POS”) is available for viewing in electronic format on www.prospectushub.com and in [The Bond Buyer Online](#). [The Bond Buyer Online](#) address is www.bondbuyer.com/legalnotices/?type=bondsales. In addition, broker dealers registered with the National Association of Securities Dealers (the “NASD”) and dealer banks with The Depository Trust Company (“DTC”) clearing arrangements may either: (a) print out a copy of the POS on their own printer, or (b) at any time prior to August 11, 2016, elect to receive a photocopy of the POS in the mail by calling the Town’s bond counsel, McManimon, Scotland & Baumann, LLC (“Bond Counsel”), 75 Livingston Avenue, Roseland, New Jersey 07068 to the attention of Charles Anthony Solimine, Esq. (telephone no. 973-622-4893) or Terry Anderson (telephone no. 973-622-5161). All Bidders must review the POS and certify that they have done so prior to participating in the bidding.

The POS is deemed by the Town to be final as of its date, for purposes of SEC Rule 15c2-12(b)(1) under the Securities and Exchange Act of 1934, except for the omission of information concerning the offering price(s), interest rate(s), selling compensation, aggregate principal amount of the Bonds and any other terms or provisions to be determined from the successful Bid(s) or depending on such matters, and the identity of the underwriter(s). The POS is, however, subject to such further revisions, amendments and completion in a Final Official Statement (the “Final Official Statement”) as may be necessary.

The Town, at its expense, will make available to the winning Bidder a reasonable number of Final Official Statements within seven (7) business days following the date of acceptance of the Bid.

Types of Bids Allowed

Subject to the Bid requirements described below, Bids for the Bonds must be submitted on an “All-or-None” (“AON”) basis for the entire amount of \$4,979,000. First, a Bidder must submit a conforming Bid for the entire issue, and if such Bid is accepted by the Town, the Bidder will be required to purchase the entire issue in accordance with such Bid.

Insurance

All or any part of the Bonds can be insured at the option of the Bidder. The insurance premium, if any, will be paid by the Bidder.

Interest Payment Dates; Description of the Bonds

The Bonds will be dated the date of delivery and will bear interest from such date payable semiannually on each February 15 and August 15, commencing on February 15, 2017.

Principal Amortization

The Bonds will consist of serial bonds maturing on August 15 in the years 2017 through 2032, inclusive, as set forth in the following table:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2017	\$200,000	2025	\$400,000
2018	200,000	2026	350,000

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2019	230,000	2027	400,000
2020	200,000	2028	400,000
2021	200,000	2029	375,000
2022	200,000	2030	340,000
2023	400,000	2031	340,000
2024	400,000	2032	344,000

Book-Entry-Only

The Bonds will be issued in book-entry form only, initially in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of any multiple of \$1,000 (with a minimum purchase of \$5,000 required). Payments of principal and interest will be made by the paying agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

Section 265 Qualification

The Bonds will be designated as qualified under Section 265 of the Internal Revenue Code of 1986, as amended, by the Town for an exemption from the denial of deduction for interest paid by financial institutions to purchase or to carry tax-exempt obligations.

Redemption Provisions

The bonds of this issue maturing prior to August 15, 2025 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after August 15, 2025 are redeemable at the option of the Town in whole or in part on any date on or after August 15, 2024 upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Town or a duly appointed Bond Registrar. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Town determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Town. The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.

Term Bond Option - Not Available

Terms of PARITY

Each electronic proposal must be submitted via PARITY. No bidder will see any other bidder’s bid, nor will any bidder see the status of its bid relative to other bids (e.g., whether its bid is a leading bid). To the extent any instructions or directions set forth on PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at I-Deal at (212) 404-8102. The Town may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted

electronically via PARITY. In the event that a bid for the Bonds is submitted via PARITY, the bidder further agrees that: The Town may regard the electronic transmission of the bid via PARITY (including information about the purchase price of the Bonds, the interest rate or rates to be borne by the various maturities of the Bonds, the initial public offering price of each maturity of the Bonds and any other information included in such transmission) as though the same information were submitted on the official "Proposal for Bonds" provided by the Town and executed by a duly authorized signatory of the bidder. If a bid submitted electronically via PARITY is accepted by the Town, the terms of the official "Proposal for Bonds" and this Notice of Sale and the information that is electronically transmitted via PARITY shall form a contract, and the successful bidder shall be bound by the terms of such contract.

PARITY is not an agent of the Town, and the Town shall have no liability whatsoever based on any bidder's use of PARITY, including but not limited to any failure by PARITY to correctly or timely transmit information provided by the Town or information provided by the bidder.

The Town may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., Eastern Time, on the last business date prior to the bid date.

Once the bids are communicated electronically via PARITY to the Town, each bid will constitute an official "Proposal for Bonds" and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all "Proposals for Bonds," whether electronically or sealed, the time as maintained on PARITY shall constitute the official time.

Each bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Town nor i-Deal shall have any duty or obligation to provide or assure to any bidder, and neither the Town nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY. The Town is using PARITY as a communication mechanism, and not as the Town's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the Town harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Bonds.

Bidding Details

Bidders should be aware of the following bidding details associated with the sale of the Bonds:

- (1) **BIDDERS MUST SUBMIT A WIRE TRANSFER OR A GOOD FAITH CHECK IN THE AMOUNT OF \$99,580 PAYABLE TO THE TOWN NO LATER THAN 10:30 A.M. ON THE DAY OF SALE. HOWEVER, BIDDERS ARE ENCOURAGED TO SUBMIT CHECKS ON THE DAY PRIOR TO THE SALE TO ASSURE RECEIPT OF PAYMENT BY THE TOWN AT THE FOLLOWING ADDRESS:**

**Dawn L. Babcock, Chief Financial Officer
Town of Newton
39 Trinity Street
Newton, NJ 07860**

BIDDERS SUBMITTING GOOD FAITH CHECKS SHOULD ALSO ENCLOSE A RETURN ENVELOPE FOR USE BY THE TOWN.

UNSUCCESSFUL BIDDERS SUBMITTING THE GOOD FAITH DEPOSIT BY WIRE TRANSFER SHALL, NO LATER THAN THE CLOSE OF BUSINESS ON THE DATE OF SALE OF THE BONDS, PROVIDE THE TOWN CHIEF FINANCIAL OFFICER IN WRITING WITH WIRING INSTRUCTIONS FOR THE RETURN OF SUCH UNSUCCESSFUL BIDDER'S GOOD FAITH DEPOSIT. IN THE EVENT THAT THE TOWN FAILS TO RETURN ANY GOOD FAITH WIRES IN A TIMELY FASHION, THE TOWN SHALL NOT BE

LIABLE FOR MONETARY DAMAGES, REMEDY BEING HEREBY SPECIFICALLY LIMITED TO SPECIFIC PERFORMANCE.

- (2) All Bids must be submitted via PARITY. **No telephone, telefax, telegraph or personal delivery Bids will be accepted.**
- (3) All Bids for the Bonds must be submitted on an AON basis.
- (4) Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds and the rate or rates named must be multiples of 1/8 or 1/20 of 1%. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. The difference between the highest and lowest rates of interest named in the Proposal shall not exceed three percent (3%). Each proposal submitted must state the purchase price, which must be not less than the par amount of the Bonds to be delivered or more than 103% of the par amount of the Bonds. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed, as to each bid, by adding to the total principal amount of Bonds offered for sale (\$4,979,000) the total interest cost to maturity in accordance with such bid and by deduction therefrom of the amount of premium, if any, bid. No proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest true interest cost to the Town under any legally acceptable proposal. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price. The calculation of the low bid will not be affected by any adjustments to any maturity made after the award to meet the escrow requirements.
- (5) Bidders are only permitted to submit Bids for the Bonds during the bidding period.
- (6) Bidders may bid to purchase Bonds from the Town with an original issue premium. **To the extent that any bid submitted includes an original issue premium, the bid shall not exceed 103% of the principal amount thereof.** No Bid will be considered if the Bid is to purchase Bonds at a price less than 100% of the principal amount thereof.

Definitions

- “Bid” any confirmed purchase offer received by PARITY on or before the proposal submission deadline.
- “Bidder” any firm registered and approved for participation in sale.
- “Winning Bid” any purchase offer made by a Bidder and received by PARITY that, at the end of the bidding time period, results in the lowest TIC that is acceptable to the Town.
- “True Interest Cost” true interest cost shall be computed in each instance by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the bonds and to the price bid, excluding interest accrued to the delivery date. The True Interest Cost serves as the basis for awarding bonds to winning Bidders.

Bid Procedure and Basis of Award

Subject to the right reserved by the Town to reject any or all Bids, the Bonds will be sold to the Bidder whose Bid complies with the Notice of Sale and produces the lowest TIC for the Town based upon the maturity schedule set forth in the Notice of Sale prior to any adjustments needed to size the escrow to meet the requirements of the refunding.

Bids must remain valid until at least 3:30 p.m., prevailing time, on the date of the sale, and if accepted by the Town, prior to such time, shall be irrevocable except as otherwise provided in the Notice of Sale. Upon selection of the winning Bidder, the Town will execute an

award certificate to award the Bonds and will promptly communicate with the winning Bidder by telephone, e-mail or fax.

Bid Security and Method of Payment for Bonds

A Good Faith Deposit ("Deposit") in the form of a wire transfer or a certified, treasurer's or cashier's check in the amount of \$99,580 payable to the order of the Town is required for each Bid to be considered. Wire instructions can be obtained by contacting Anthony P. Inverso or Bryan Morris of Phoenix Advisors, LLC, Financial Advisor to the Town, at (609) 291-0130, and such wire must be received and confirmed by the Town prior to the time for bids to be submitted. If a check is used, it must be a certified, treasurer's or cashier's check and must be provided to the Town no later than by 10:30 a.m. on the Bid Date. Each bidder accepts responsibility for delivering such check on time, and the Town is not responsible for any check that is not received on time. If the Bonds are awarded to a bidder by wire transfer, then that purchaser (the "Purchaser") is required to submit its Deposit to the Town by wire transfer as instructed by the Town not later than 3:30 p.m. on the next business day following the award. No interest on the Deposit will accrue to the Purchaser. The Deposit will be applied to the purchase price of the Bonds. In the event the Purchaser fails to honor its accepted bid, the Deposit will be retained by the Town. Award of the Bonds to the successful Bidder or rejection of all Bids is expected to be made within two hours after opening of the bids, but such successful Bidder may not withdraw its proposal until after 3:30 p.m. of the day of receipt of such Bids and then only if such award has not been made prior to the withdrawal. The balance of the purchase price shall be paid in Federal Funds by wire transfer to the Town at closing.

Right to Reject Bids; Waive Irregularities

The Town reserves the right to reject any and all Bids and to the extent permitted by law to waive any irregularity or informality in any Bid.

Adjustment of Principal Amounts

The winning bidder will be notified of any adjustments in principal amounts of the Bonds made in accordance with this Notice of Sale not later than 12:00 noon (New Jersey Time) on the business day next succeeding the day proposals are received. The winning bidder may not withdraw the bid as a result of any adjustments made within the terms described herein.

Information Required from the Winning Bidder

By making a bid for the Bonds, the winning bidder(s) agrees: (a) to provide to the Town, in writing, immediately upon being unofficially awarded the Bonds, a written confirmation of the bid, as appropriate, which shall include the purchase price, reoffering yield(s), and other related information necessary for completion of the final Official Statement or by Bond Counsel; (b) to disseminate to all members of the underwriting syndicate copies of the Official Statement; (c) to promptly file a copy of the final Official Statement with each nationally recognized Municipal Securities Information Repository; and (d) to take any and all other actions necessary to comply with applicable Securities and Exchange Commission and Municipal Securities Rulemaking Board rules governing the offering, sale and delivery of the Bonds to alternate purchasers.

Delivery of the Bonds

The Bonds will be delivered on or about August 25, 2016 (UNLESS A NOTICE OF A CHANGE IN THE DELIVERY DATE IS PUBLISHED NOT LATER THAN 2 HOURS PRIOR TO ANY ANNOUNCED DATE FOR RECEIPT OF BIDS) in New York City at DTC against payment of the purchase price therefor (less the amount of the good faith deposit) in Federal funds.

There will also be furnished the usual closing papers, including (1) a certificate signed by the officials who signed the Bonds stating that no litigation of any kind is now pending or, to their knowledge, threatened to restrain or enjoin the issuance or delivery of the Bonds, or in any manner questioning the proceedings and authorization under which the Bonds are issued or affecting the validity of the Bonds and (2) a certificate signed by the Mayor or Chief Financial Officer relating to the Official Statement.

CUSIP Numbers

CUSIP numbers will be applied for with respect to the Bonds by the winning bidder, but the Town will assume no obligation for the assignment or printing of such numbers on the Bonds or for the correctness of such numbers, and neither the failure to print such numbers on any bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchasers thereof to accept delivery of and make payment for the Bonds.

Legal Opinions

The approving opinions of Bond Counsel will be furnished without cost to the winning Bidder.

Postponement

The Town reserves the right to postpone, upon not less than 24 hours' notice, the date and time established for receipt of Bids. **ANY SUCH POSTPONEMENT WILL BE PUBLISHED OR POSTED BEFORE 11:00 A.M. ON THE DAY BEFORE THE SALE.** If any date fixed for the receipt of Bids and the sale of the Bonds is postponed, an alternative sale date will be announced via PARITY at least forty-eight (48) hours prior to such alternative sale date. On any such alternative sale date, any Bidder may submit a Bid for the purchase of the Bonds in conformity in all respects with the provisions of the Notice of Sale, except for the date of sale and except for the changes announced on www.-prospectushub.com at the time the sale date and time are announced.

Additional Information

For further information relating to the Bonds, reference is made to the POS prepared for and authorized by the Town. The Notice of Sale and the POS may be viewed on MuniHub. However, the Town makes no assurance or representation with respect to the form of the Notice of Sale and the POS on MuniHub, and no investment decision should be made in reliance thereon. Printed copies of the POS and the Notice of Sale may be obtained from the Bond Counsel at the address and the phone number stated above. For additional information relating to the sale please contact PARITY at I-Deal at (212) 404-8102. Additional information relating to the financing of the Town can be obtained by contacting the undersigned Chief Financial Officer at (973) 383-3521.

Town of Newton, in the County of Sussex, New Jersey

By: Dawn L. Babcock
Chief Financial Officer

Dated: July 18, 2016

EXHIBIT B

SHORT FORM OF NOTICE OF SALE

(For Publication in Town 's Local Newspaper)

**TOWN OF NEWTON, IN THE
COUNTY OF SUSSEX, NEW JERSEY**

NOTICE OF SALE

\$4,979,000 GENERAL IMPROVEMENT BONDS

(BOOK-ENTRY-ONLY)

(BANK QUALIFIED)

(CALLABLE)

NOTICE IS HEREBY GIVEN that electronic proposals will be received by Town of Newton, in the County of Sussex, New Jersey (the “Town”) for the purchase of \$4,979,000 original principal amount of the Town’s General Improvement Bonds (the “Bonds”). **All Bids (as defined below) must be submitted in their entirety via “PARITY Electronic Bid System” (PARITY) prior to 11:00 a.m., New Jersey time on August 11, 2016. To bid, Bidders (as defined below) must have submitted a wire or a good faith check payable to the Town in the amount of \$99,580 by no later than 10:30 a.m. on the Bid Date.**

Preliminary and Final Official Statement

The Town’s Preliminary Official Statement (the “POS”) is available for viewing in electronic format on www.prospectushub.com. In addition, broker-dealers registered with the National Association of Securities Dealers (the “NASD”) and dealer banks with The Depository Trust Company (“DTC”) clearing arrangements may either: (a) print out a copy of the POS on their own printer, or (b) at any time prior to August 11, 2016, elect to receive a photocopy of the POS in the mail by requesting it on PARITY or by calling the Town’s bond counsel, McManimon, Scotland & Baumann, LLC (“Bond Counsel”), 75 Livingston Avenue, Roseland, New Jersey 07068 to the attention of Charles Anthony Solimine, Esq. (telephone no. 973-622-4893) or Terry Anderson (telephone no. 973-622-5161). All Bidders must review the POS and certify that they have done so prior to participating in the bidding.

The POS is deemed by the Town to be final as of its date, for purposes of SEC Rule 15c2-12(b)(1) under the Securities and Exchange Act of 1934, except for the omission of information concerning the offering price(s), interest rate(s), selling compensation, aggregate principal amount of the Bonds and any other terms or provisions to be determined from the successful Bid(s) or depending on such matters, and the identity of the underwriter(s). The POS is, however, subject to such further revisions, amendments and completion in a Final Official Statement (the “Final Official Statement”) as may be necessary.

The Town, at its expense, will make available to the winning Bidder a reasonable number of Final Official Statements within seven (7) business days following the date of acceptance of the Bid.

Types of Bids Allowed

Subject to the Bid requirements described below, Bids for the Bonds must be submitted on an “All-or-None” (“AON”) basis for the entire amount of \$4,979,000. First, a Bidder must submit a conforming Bid for the entire issue, and if such Bid is accepted by the Town, the Bidder will be required to purchase the entire issue in accordance with such Bid.

Insurance

All or any part of the Bonds can be insured at the option of the Bidder. The insurance premium, if any, will be paid by the Bidder.

Interest Payment Dates; Description of the Bonds

The Bonds will be dated the date of delivery and will bear interest from such date payable semiannually on each February 15 and August 15, commencing on February 15, 2017.

Principal Amortization

The Bonds will consist of serial bonds maturing on August 15 in the years 2017 through 2032, inclusive, as set forth in the following table:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2017	\$200,000	2025	\$400,000
2018	200,000	2026	350,000
2019	230,000	2027	400,000
2020	200,000	2028	400,000

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2021	200,000	2029	375,000
2022	200,000	2030	340,000
2023	400,000	2031	340,000
2024	400,000	2032	344,000

Book-Entry-Only

The Bonds will be issued in book-entry form only, initially in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of any multiple of \$1,000 (with a minimum purchase of \$5,000 required). Payments of principal, interest and redemption premium, if any, will be made by the paying agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

Section 265 Qualification

The Bonds will be designated as qualified under Section 265 of the Internal Revenue Code of 1986, as amended, by the Town for an exemption from the denial of deduction for interest paid by financial institutions to purchase or to carry tax-exempt obligations.

Redemption Provisions

The Bonds of this issue maturing prior to August 15, 2025 are not subject to redemption prior to their stated maturities. The Bonds of this issue maturing on or after August 15, 2025 are redeemable at the option of the Town in whole or in part on any date on or after August 15, 2024 upon notice as required herein at par (the "Redemption Price"), plus in each case unpaid accrued interest to the date fixed for redemption, if any.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the Owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Town or a duly appointed Bond Registrar. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Town determines, upon the exercise of its right of optional redemption, to redeem a portion of the Bonds prior to maturity, the Bonds to be redeemed shall be selected by the Town. The Bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the Bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the Bonds redeemed.

Term Bond Option - Not Available

Bid Procedure and Basis of Award

Subject to the right reserved by the Town to reject any or all Bids, the Bonds will be sold to the Bidder whose Bid produces the lowest TIC for the Town and otherwise complies with the Notice of Sale.

Bids must remain valid until at least 3:00 p.m., prevailing time, on the date of the sale, and if accepted by the Town, prior to such time, shall be irrevocable except as otherwise provided in the Notice of Sale. Upon selection of the winning Bidder, the Town will execute an

award certificate to award the Bonds and will promptly communicate with the winning Bidder by telephone, e-mail or fax.

Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds, and the rate or rates named must be multiples of 1/8 or 1/20 of 1%. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. The difference between the highest and lowest rates of interest named in the Proposal shall not exceed three percent (3%). Each proposal submitted must state the purchase price, which must be not less than \$4,979,000 or more than 103% of the par amount of the Bonds. Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed as to each bid by adding to the total principal amount of Bonds bid for the total interest cost to maturity in accordance with such bid and by deduction therefrom of the amount of premium, if any, bid. No proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest true interest cost to the Town under any legally acceptable proposal. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price.

Bidders may bid to purchase Bonds from the Town with an original issue premium. **To the extent that any bid submitted includes an original issue premium, the bid shall not exceed 103% of the principal amount thereof.** No Bid will be considered if the Bid is to purchase Bonds at a price less than 100% of the principal amount thereof.

If two (2) bids are submitted in the auction by the same or two or more different bidders and result in the same TIC, the first confirmed bid received by Parity prevails. Any change to a submitted bid constitutes a new bid, regardless of whether there is a corresponding change in TIC.

Bid Security and Method of Payment for Bonds

A Good Faith Deposit ("Deposit") in the form of a wire or a certified, treasurer's or cashier's check in the amount of \$99,580 payable to the order of the Town is required for each Bid to be considered. Wire instructions can be obtained by contacting Anthony P. Inverso or Bryan Morris of Phoenix Advisors, LLC, Financial Advisor to the Town, at (609) 291-0130, and such wire must be received and confirmed by the Town prior to the time for bids to be submitted. If a check is used, it must be a certified, treasurer's or cashier's check and must be provided to the Town no later than by 10:30 a.m. on the Bid Date. Each bidder accepts responsibility for delivering such check on time, and the Town is not responsible for any check that is not received on time. No interest on the Deposit will accrue to the Purchaser. The Deposit will be applied to the purchase price of the Bonds. In the event the Purchaser fails to honor its accepted bid, the Deposit will be retained by the Town. Award of the Bonds to the successful Bidder or rejection of all Bids is expected to be made within two hours after opening of the bids, but such successful Bidder may not withdraw its proposal until after 1:00 p.m. of the day of receipt of such Bids and then only if such award has not been made prior to the withdrawal. The balance of the purchase price shall be paid in Federal Funds by wire transfer to the Town at closing.

Right to Reject Bids; Waive Irregularities

The Town reserves the right to reject any and all Bids and to the extent permitted by law to waive any irregularity or informality in any Bid.

Information Required from the Winning Bidder

By making a bid for the Bonds, the winning bidder(s) agrees: (a) to provide to the Town, in writing, immediately upon being unofficially awarded the Bonds, a written confirmation of the bid, which shall include the purchase price, reoffering yield(s), and other related information necessary for completion of the final Official Statement or by Bond Counsel; (b) to disseminate to all members of the underwriting syndicate copies of the Official Statement; (c) to promptly file a copy of the final Official Statement with each nationally recognized Municipal Securities Information Repository; and (d) to take any and all other actions necessary to comply with applicable Securities and Exchange Commission and Municipal Securities Rulemaking Board rules governing the offering, sale and delivery of the Bonds to alternate purchasers.

Delivery of the Bonds

The Bonds will be delivered on or about August 25, 2016 in New York City at DTC against payment of the purchase price therefor (less the amount of the good faith deposit) in Federal funds.

There will also be furnished the usual closing papers, including (1) a certificate signed by the officials who signed the Bonds stating that no litigation of any kind is now pending or, to their knowledge, threatened to restrain or enjoin the issuance or delivery of the Bonds, or in any manner questioning the proceedings and authorization under which the Bonds are issued or affecting the validity of the Bonds and (2) a certificate signed by the Mayor and the Chief Financial Officer relating to the official statement.

CUSIP Numbers

CUSIP numbers will be applied for with respect to the Bonds by the Winning Bidder, but the Town will assume no obligation for the assignment or printing of such numbers on the Bonds or for the correctness of such numbers, and neither the failure to print such numbers on any bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchasers thereof to accept delivery of and make payment for the Bonds. The CUSIP Service Bureau charge for the assignment of the numbers shall be the responsibility of and shall be paid for by the winning Bidder.

Legal Opinions

The approving opinions of Bond Counsel will be furnished without cost to the winning Bidder.

Postponement

The Town reserves the right to postpone, upon 24 hours' notice, the date and time established for receipt of Bids. **ANY SUCH POSTPONEMENT WILL BE PUBLISHED OR POSTED, BEFORE 11:00 A.M. ON THE DAY BEFORE THE SALE.** If any date fixed for the receipt of Bids and the sale of the Bonds is postponed, an alternative sale date will be announced via PARITY at least forty-eight (48) hours prior to such alternative sale date. On any such alternative sale date, any Bidder may submit a Bid for the purchase of the Bonds in conformity in all respects with the provisions of the Notice of Sale, except for the date of sale and except for the changes announced on PARITY at the time the sale date and time are announced.

July 18, 2016

Additional Information

For further information relating to the Bonds, reference is made to the POS prepared for and authorized by the Town. The Notice of Sale and the POS may be viewed on PARITY. However, the Town makes no assurance or representation with respect to the form of the Notice of Sale and the POS on PARITY, and no investment decision should be made in reliance thereon. Printed copies of the POS and the Notice of Sale may be obtained from the Bond Counsel at the addresses and phone numbers stated above. For additional information relating to the sale please contact PARITY at (212) 404-8102. Additional information relating to the financing of the Town can be obtained by contacting the undersigned Chief Financial Officer at (973) 383-3521.

Town of Newton, in the County of Sussex, New Jersey

By: Dawn L. Babcock
Chief Financial Officer

Dated: July 18, 2016

EXHIBIT C

SUMMARY FORM OF NOTICE OF SALE

**(For publication in the Bond Buyer and
in The Bond Buyer Online)**

SUMMARY NOTICE OF SALE

\$4,979,000 GENERAL IMPROVEMENT BONDS

**TOWN OF NEWTON, IN THE
COUNTY OF SUSSEX, NEW JERSEY**

(Book-Entry-Only)

(Callable)

(Bank Qualified)

SUMMARY

Dated Date: Date of Delivery
Closing Date: Expected to be August 25, 2016
Bid Date: Electronic proposals will be received via the Parity Electronic Bid System ("PARITY") of i-Deal LLC ("i-Deal") on **August 11, 2016** until 11:00 a.m. Award by 3:30 p.m.
Type of Sale: PARITY
Interest: Multiple Interest Rates- in multiples of 1/8 or 1/20 of 1%
Maturity Schedule: The Bonds will consist of serial bonds maturing on August 15 in the years 2017 through 2032, inclusive, as set forth in the following table:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2017	\$200,000	2025	\$400,000
2018	200,000	2026	350,000
2019	230,000	2027	400,000

July 18, 2016

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	200,000	2028	400,000
2021	200,000	2029	375,000
2022	200,000	2030	340,000
2023	400,000	2031	340,000
2024	400,000	2032	344,000

Legal Opinion: McManimon, Scotland & Baumann, LLC, Roseland, NJ

Bid Security: **Good Faith Check or wire must be received by Town by 10:30 a.m. prior to bidding in the amount of \$99,580**

Preliminary Official Statement, a Notice of Sale and other details available at www.prospectushub.com

RESOLUTION #129 -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.

TOWN BILLS

120.00	ABCCode Security Inc.	36960
10.99	Advance Auto Parts	36961
7.34	Airgas East	36962
23.32	Airmark Pools, Inc.	36963
192.61	Boonton Tire Supply Inc.	36964
933.37	Buckman's Inc.	36965
453.84	Campbell's Small Engine Inc.	36966
263.96	Cartridge World	36967
251.70	Centurylink Communications, Inc.	36968
1,770.00	Chelbus Cleaning Co., Inc.	36969
4,026.13	Cooper Electric Supply Co.	36970
6,127.88	County Of Sussex	36971
96.00	CSS Test Inc.	36972
781.10	Dempsey Uniform & Supply Inc.	36973
70.01	Federal Express	36974
20,082.99	First Hope Bank Inc.	36975
165.00	Haydee Ballester	36976
1,322.38	Home Depot, Inc.	36977
1,476.50	J. Caldwell & Associates, LLC.	36978
6,749.44	JCP&L	36979
2,916.67	John Mulhern	36980
2,458.33	Laddey, Clark & Ryan, LLP	36981
1,050.00	Liberty Sod Farms, Inc.	36982
18.30	Lowe's, Inc.	36983
1,189.88	McGuire, Inc.	36984
24.90	Microsystems-NJ Com, LLC.	36985
592.44	Minisink Press Inc.	36986
83.20	Mr. John, Inc.	36987
12,000.00	Neopost Leasing, Inc.	36988
940.10	New Jersey Herald, Inc.	36989
76.50	Newton Trophy	36990
177,682.00	NJMETF	36991
854.81	Elizabethtown Gas	36992
1,022.85	Pellow, Harold & Assoc., Inc.	36993
3,109.33	Printing Center, Inc.	36994

July 18, 2016

106.74	Quill Corporation	36995
2,615.03	Rachles/Michele's Oil Company, Inc.	36996
700.00	Resolutions	36997
1,022.05	SCMUA	36998
488.40	Seely Brothers, Inc.	36999
63.78	Service Electric Cable TV	37000
708.00	Sign-A-Rama, Inc.	37001
1,229.17	Sloan, James PPC.	37002
447.59	Staples Business Advantage, Inc.	37003
1,547.16	Sunlight General	37004
35.00	Sussex & Warren Tax Collector	37005
70.00	Sussex Car Wash Inc.	37006
28.81	Sussex County Clerk	37007
369.27	Sussex County Engineering Division	37008
906.74	Sussex County Engineering Division	37009
125.00	T.A. Mountford Company, Inc.	37010
786.68	Taylor Oil Co., Inc.	37011
840.00	The Buzak Law Group, LLC.	37012
4.62	The Star Ledger	37013
212.18	Thyssenkrupp Elevator Corp.	37014
472.08	Toyota Motor Credit Corp.	37015
240.93	Toyota/Subaru/Scion of Morristown I	37016
2,134.00	Treasurer, State of New Jersey	37017
485.00	Treasurer, State of NJ	37018
7,525.00	Trimboli & Prusinowski, LLC.	37019
847.35	Universal Mailing Service	37020
215.00	USA Hoistco., Inc.	37021
1,484.10	Verizon Wireless, Inc.	37022
1,544.94	Vision Service Plan	37023
2,880.00	Vogel, Chait, Collins, Schneider, PC,	37024
201,719.86	Payroll Account	161042
1,339.00	Everbridge, Inc.	36959
492,843.13	US Bank Oper.CTR/Trust Mgmt	161041
9,745.45	Treasurer, State NJ/727 Fund	161040
800,000.00	Newton Board of Education	161039

CAPITAL

3,221.00	Current Account	8555
19,350.00	High Point Electric Inc.	8556
1,475.00	J. Caldwell & Associates, LLC.	8557
106.80	New Jersey Herald, Inc.	8558
8,513.75	Pellow, Harold & Assoc., Inc.	8559
150,000.00	VCI Emergency Vehicle Specialists	8560
1,291.97	Payroll Account	153008

Total TOWN BILLS \$ 1,968,684.45

WATER AND SEWER ACCOUNT

551.20	Accurate Waste Removal Inc.	15736
22.02	Airgas East	15737
404.00	Atlantic Plumbing Supply Inc.	15738
369.99	Azul Core	15739
705.96	CCP Industries, Inc.	15740
520.77	Current Account	15741
234.27	Dempsey Uniform & Supply Inc.	15742
42.85	Dominick's Pizza LLC	15743
266.00	E & I Corp Div. of McNish Corp	15744
985.95	Envirosight	15745
84.44	Hamburg Plumbing Supply Co. Inc.	15746
3,994.59	Hatch Mott MacDonald	15747
78.93	Hayek's Market Inc.	15748
267.95	Home Depot, Inc.	15749
1,072.50	JCI Jones Chemicals	15750
1,060.00	MGL Forms - Systems, LLC.	15751
15.78	Minisink Press Inc.	15752
801.84	Morris Asphalt Supply, LLC	15753
5,000.00	Neopost Leasing, Inc.	15754

July 18, 2016

298.13	Elizabethtown Gas	15755
1,445.00	Pall Corporation	15756
5,487.50	Pellow, Harold & Assoc., Inc.	15757
5,656.75	Pumping Services, Inc.	15758
8,983.50	R&D Trucking Inc.	15759
299.28	Schmidt's Wholesale, Inc.	15760
404.80	SCMUA	15761
26.75	Sebring Auto Parts, Inc.	15762
1,250.00	Smalley, John H	15763
16,526.96	Sparta Township Tax Collector	15764
23.99	Staples Business Advantage, Inc.	15765
2,786.45	Sunlight General	15766
78.32	Sussex County P & H, Inc.	15767
223.46	Verizon Wireless, Inc.	15768
518.00	Vision Service Plan	15769
85,000.00	Water & Sewer Capital Account	15770
31,072.23	Payroll Account	166021
439.84	State of New Jersey - PWT	166020

CAPITAL

286.80	Pellow, Harold & Assoc., Inc.	2423
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Total WATER & SEWER Bills \$ 177,286.60

TRUST ACCOUNT

684.10	Country Club Ice Cream, LLC.	3496
200.00	Gruber, Colabella & Liuzza	3497
798.00	J. Caldwell & Associates, LLC.	3498
49,812.00	Martorana Enterprises	3499
1,722.50	Pellow, Harold & Assoc., Inc.	3500
1,753.00	Pellow, Harold & Assoc., Inc.	3501
3,255.00	Vogel, Chait, Collins, Schneider, PC,	3502
1,740.00	Vogel, Chait, Collins, Schneider, PC,	3503
3,357.50	Payroll Account	167114
100.00	Town of Newton	3495

Total TRUST ACCOUNT Bills \$ 63,422.10

FEDERAL/STATE GRANTS

5,303.50	L-3 Comm. Mobile-Vision	1324
300.00	Movies In Motion	1325
371.13	Payroll Account	161114
371.13	Payroll Account	161113

Total FEDERAL/STATE GRANTS \$ 6,345.76

DEVELOPERS ESCROW (Fund 72) ACCOUNT

358.00	Ferriero Engineering Inc.	1262
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Total DEVELOPERS ESCROW(FUND 72) ACCOUNT Bills \$ 358.00

HOUSING TRUST FUND COAH (FUND 75)

1,652.00	J. Caldwell & Associates, LLC.	151
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Total HOUSING TRUST FUND COAH (FUND 75) Bills \$ 1,652.00

RESOLUTION # 131-2016*

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$4,979,000 IN PRINCIPAL AMOUNT

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Town of Newton, in the County of Sussex, New Jersey (the "Town") authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$4,979,000.

Section 2. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$810,000	2012-13	Various capital improvements, finally adopted 4/9/2012	16.96 years
\$720,050	2013-11	Various capital improvements, finally adopted 4/22/2013	11.023 years
\$128,250	2014-3	Pool improvements, finally adopted 3/10/2014	15 years
\$1,473,250	2014-6	Various capital improvements, finally adopted 4/14/2014	12.91 years
\$744,250	2015-16	Various capital improvements, finally adopted 4/27/2015	10.61 years
\$53,200	2015-20	Improvements to Trinity Street, finally adopted 6/22/2015	10 years
\$1,050,000	2016-5	Various capital improvements, finally adopted 6/13/2016	36.32 years

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 17.91 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately.

The Clerk presented an application for a permit for a social affair from the Greater Newton Chamber of Commerce to be held on Monday, September 12, 2016 from 6:00 p.m. to 10:00 p.m. on Spring Street, Newton (Rain Date: September 13, 2016). It was noted the application was in order.

The Clerk presented an application for an off-premise raffle (50-50) from St. Joseph RC Church, 22 Halsted Street, to be held on October 28, 2016 at St. Joseph Community Center, Halsted Street, Newton. It was noted the application was in order and accompanied by the prescribed fees.

A motion was made by Deputy Mayor Levante to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Mr. Flynn and roll call resulted as follows:

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Absent
Mayor Diglio		Yes	

RESOLUTIONS

At this time, Mayor Diglio recused herself from the following resolution.

RESOLUTION # 130-2016

APPROVE PURCHASE OF POWER LOAD COT FASTENING SYSTEM FOR THE NEWTON FIRST AID SQUAD

WHEREAS, Stryker EMS Equipment has supplied a quote to the Newton First Aid Squad and provided a letter indicating that are the sole manufacturer of the Power-Load Cot

Fastener requested by the Newton First Aid Squad in the amount of \$27,066.00; and

WHEREAS, the Town of Newton budgeted \$25,000 for this purchase, and per the attached e-mail from the Newton First Aid Squad the difference of \$2,066 will be paid by the Newton First Aid Squad; and

WHEREAS, the Purchasing Agent recommends the purchase of the Power Load Cot Fastening System for the Newton First Aid Squad in the amount of \$25,000 with the Newton First Aid Squad providing the difference in the amount of \$2,066.00; 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 Power Load Cot Fastening System for the Newton First Aid Squad be purchased from Stryker EMS Equipment, Macungie, PA in the amount of \$25,000 from the Town of Newton and \$2,066 from the Newton First Aid Squad for a total purchase price of \$27,066.00.

A motion was made by Mr. Elvidge to approve the **Resolution #130-2016**, seconded by Mr. Flynn and roll call resulted as follows:

Deputy Mayor Levante	Yes	Mr. Elvidge	Yes
Mr. Flynn	Yes	Mrs. Le Frois	Absent
Mayor Diglio		Recused	

INTERMISSION - None

DISCUSSION - None

OPEN TO THE PUBLIC

There being no one from the public to be heard, Mayor Diglio closed the meeting to the public.

COUNCIL & MANAGER COMMENTS

Council requested a Special Meeting be scheduled early in August. After a brief discussion, Mr. Russo will provide dates of availability for said meeting and advise Council. It was noted a 48-hour notice is required to be sent to the newspaper of record.

There being no further business to be conducted, upon motion of Mr. Levante, seconded by Mr. Elvidge and unanimously carried, the meeting was adjourned at 7:35 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk