



AGENDA
NEWTON TOWN COUNCIL
DECEMBER 12, 2016
7:00 P.M.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

- NOVEMBER 28, 2016 REGULAR MEETING
- NOVEMBER 28, 2016 EXECUTIVE MEETING

V. OPEN TO THE PUBLIC

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

VI. COUNCIL & MANAGER REPORTS

- a. HUMAN RESOURCES UPDATE – JENNIFER A. DODD
- b. PROCLAMATION

VII. ORDINANCES

- a. 2ND READING AND PUBLIC HEARING

ORDINANCE 2016-15

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2017

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

ORDINANCE 2016-16

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$240,000 FOR ROTATING BIOLOGICAL CONTACTORS (RBC'S) AT THE WASTEWATER TREATMENT PLANT IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

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

AN ORDINANCE AMENDING NEWTON TOWN CODE SECTION 100-19 REGARDING WATER AND SEWER CONNECTION FEES AND RATES AND NEWTON TOWN CODE SECTION 228-19 REGARDING WATER AND SEWER BILLING

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

VIII. OLD BUSINESS

IX. CONSENT AGENDA

ALL ITEMS LISTED WITH AN ASTERISK (*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE TOWN COUNCIL AND WILL BE APPROVED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH CASE THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

- a. RESOLUTION #203-2016* AUTHORIZE AN AGREEMENT WITH HOLZHAUER & HOLENSTEIN, LLC FOR APPRAISAL SERVICES FOR DEFENSE OF STATE LEVEL TAX APPEALS IN CALENDAR YEAR 2017
- b. RESOLUTION #204-2016* APPROVAL OF THE SUSSEX COUNTY HAZARDOUS MITIGATION PLAN
- c. RESOLUTION #205-2016* AWARD BID FOR THE REPLACEMENT OF ROTATING BIOLOGICAL CONTACTORS PROJECT AT THE WASTEWATER TREATMENT PLANT FOR THE TOWN OF NEWTON
- d. RESOLUTION #206-2016* INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2016 TOWN OF NEWTON BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (C. 159, PL 1948)
- e. RESOLUTION #207-2016* CONCUR WITH THE TOWN MANAGER'S APPOINTMENT OF SPECIAL POLICE OFFICERS
- f. RESOLUTION #208-2016* APPOINTMENT OF JOSEPH CARR AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY WATER QUALITY POLICY ADVISORY COMMITTEE
- g. RESOLUTION #209-2016* DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR CALENDAR YEAR 2017
- h. RESOLUTION #210-2016* APPOINTMENT OF ADAM VOUGH AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE FOR 2017
- i. RESOLUTION #211-2016* DESIGNATION OF LINDA A. ROTH AS TAX SEARCH OFFICER FOR THE TOWN OF NEWTON FOR 2017
- j. RESOLUTION #212-2016* APPOINT THE TOWN MANAGER AS HEARING OFFICER IN ALL MATTERS OF DISPUTE REGARDING THE TOWN OF NEWTON FOR CALENDAR YEAR 2017

- k. RESOLUTION #213-2016* DESIGNATE NEWSPAPERS THAT WILL RECEIVE NOTICES REQUIRED BY THE NJ OPEN PUBLIC MEETINGS ACT FOR 2017
- l. RESOLUTION #214-2016* DESIGNATE LEGAL NEWSPAPERS FOR CALENDAR YEAR 2017
- m. RESOLUTION #215-2016* DESIGNATE THE TOWN MANAGER AS THE NATIONAL ORGANIZATION ON DISABILITY REPRESENTATIVE
- n. RESOLUTION #216-2016* ESTABLISH THE RATE OF INTEREST TO BE CHARGED FOR NON-PAYMENT OF TAXES ON OR BEFORE THE DUE DATE
- o. RESOLUTION #217-2016* CANCELLATION OF SMALL BALANCES
- p. RESOLUTION #218-2016* APPOINT LOCAL EMERGENCY PLANNING COMMITTEE
- q. RESOLUTION #219-2016* DESIGNATE OFFICIALS TO SIGN CHECKS
- r. RESOLUTION #220-2016 AUTHORIZE THE TAX ASSESSOR, THE TOWN ATTORNEY AND THE TOWN MANAGER TO ACT ON THE BEHALF OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2017 WITH REGARD TO TAX APPEALS
- s. RESOLUTION #221-2016* DESIGNATE CHIEF FINANCIAL OFFICER/FINANCE DIRECTOR AS THE INDIVIDUAL AUTHORIZED TO SELL BOND ANTICIPATION NOTES
- t. RESOLUTION #222-2016* APPOINTMENT OF DEBORAH DANIELSON AS ACTION ALLIANCE COORDINATOR FOR THE TOWN OF NEWTON FOR 2017
- u. RESOLUTION #223-2016* APPOINTMENT OF PAT POWERS AS SENIOR CITIZEN COORDINATOR FOR THE TOWN OF NEWTON FOR 2017
- v. RESOLUTION #224-2016* AUTHORIZE THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR KIEFFER ELECTRIC, INC.
- w. RESOLUTION #225-2016* AUTHORIZE EXECUTION OF A SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL AND POUND SERVICES WITH THE TOWNSHIP OF WANTAGE COVERING CALENDAR YEAR 2017
- x. RESOLUTION #226-2016* REFUND A ZONING PERMIT FEE FOR BLOCK 6.01, LOT 3
- y. RESOLUTION #227-2016* ESTABLISH SCHEDULE OF PUBLIC TOWN COUNCIL MEETINGS FOR 2017
- z. RESOLUTION #228-2016* AUTHORIZING THE TOWN OF NEWTON TO AMEND THE SHARED SERVICES AGREEMENT WITH THE COUNTY OF SUSSEX, NEW JERSEY FOR THE COUNTY FIRE MARSHAL TO ENFORCE THE UNIFORM FIRE SAFETY ACT, THE STATE FIRE SAFETY CODE AND RELEVANT REGULATIONS

- aa.** RESOLUTION #229-2016* ACCEPTING A BID FOR THE LEASE OF SPACE ON THE HIGH STREET WATER TANK, 150 HIGH STREET/STATE HIGHWAY 94, FOR CELLULAR COMMUNICATION EQUIPMENT BY SPRINT SPECTRUM REALTY COMPANY, LLC.
- bb.** RESOLUTION #230-2016* AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS
- cc.** RESOLUTION #231-2016* AUTHORIZE THE RELEASE OF EXECUTIVE SESSION MINUTES TO THE PUBLIC JULY 1, 2016 THROUGH NOVEMBER 30, 2016
- dd.** RESOLUTION #232-2016* REIMBURSE TOWN EMPLOYEES FOR VEHICLE EXPENSES
- ee.** RESOLUTION #233-2016* REAPPOINTMENT OF JACQUALINE BUTTERFIELD TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION
- ff.** RESOLUTION #234-2016* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- gg.** RESOLUTION #235-2016* RESOLUTION APPROVING VACATION & SICK LEAVE AND ACCUMULATED COMPENSATORY TIME PAYOUT FOR FRANK E. PHILHOWER, JR.
- hh.** RESOLUTION #236-2016* APPROVE PURCHASE FROM WITMER PUBLIC SAFETY GROUP, INC., THROUGH STATE CONTRACT A80953, FOR EQUIPMENT FOR NEWTON FIRE DEPARTMENT
- ii.** RESOLUTION #237-2016* DESIGNATE BANKS AS DEPOSITORIES FOR CALENDAR YEAR 2017
- jj.** RESOLUTION #238-2016* TRANSFER OF SCHOOL MONIES FOR THE PERIOD FROM JANUARY 1, 2017 TO JUNE 30, 2017
- kk.** RESOLUTION #239-2016* APPROVE 2016 APPROPRIATION TRANSFERS
- ll.** RESOLUTION #240-2016* PREMIUM PAYMENT TURNED OVER TO THE TREASURER FOR TAX SALE CERTIFICATE #1355
- mm.** RESOLUTION #241-2016* PREMIUM PAYMENT TURNED OVER TO TREASURER FOR TAX SALE CERTIFICATE #1369
- nn.** RESOLUTION #242-2016* CONFIRM THE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 13.05, LOT 20
- oo.** RESOLUTION #243-2016* RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY REQUESTING THE COUNTY INSTALL A TRAFFIC SIGNAL AT THE INTERSECTION OF HICKS AVENUE AND SPARTA AVENUE
- pp.** RESOLUTION #244-2016* REAPPOINTMENT OF JARROD C. COFRANCESCO, ESQ., AS THE TOWN OF NEWTON'S ALTERNATE MUNICIPAL PROSECUTOR FOR CALENDAR YEAR 2017

X. RESOLUTIONS

a. RESOLUTION #245-2016

AUTHORIZE THE RELEASE OF EXECUTIVE SESSION MINUTES TO THE PUBLIC JULY 1, 2015 THROUGH JUNE 30, 2016

b. RESOLUTION #246-2016

AUTHORIZING WAIVING OF WATER AND SEWER UTILITY CHARGES FOR THE NEWTON VOLUNTEER FIRST AID SQUAD FOR CALENDAR YEAR 2017

XI. INTERMISSION

XII. DISCUSSION

XIII. OPEN TO THE PUBLIC

XIV. COUNCIL & MANAGER COMMENTS

XV. EXECUTIVE SESSION

a. RESOLUTION #247-2016

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

1. EMPLOYEE PERFORMANCE REVIEW – TOWN MANAGER

XVI. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

CHRIST COMMUNITY CHURCH

Senior Pastor Frank Leone

WHEREAS, since 1990, Christ Community Church first started meeting in the gymnasium at Pope John XXIII High School in Sparta, New Jersey; and

WHEREAS, the congregation grew and wanted to establish a permanent residence, so in 2008 the church acquired their current home at 274 Spring Street here in the Town of Newton; and

WHEREAS, through the years and under the guidance of Senior Pastor Frank Leone, the dedicated members have continually given back to the community; and

WHEREAS, some of the wonderful activities Christ Community Church has been involved in include the Community Garden, which gives harvest to those in need such as Manna House and the Sussex County Food Pantry; and

WHEREAS, they have also hosted Blood Drives, supplied refreshments to those involved in Newton's parades, participated in Neighbors Helping Neighbors and have monthly Open Jam's which provide a place for people to come together and play music; and

WHEREAS, along with these wonderful activities, the church also provides mentoring for women, teen and elementary ministries and supports recovery meetings every week as part of Celebrate Recovery;

NOW THEREFORE, we the Town Council of the Town of Newton pause in our deliberations to proclaim our appreciation and gratitude to Christ Community Church and Senior Pastor Frank Leone for the dedication and support to the greater Newton community.

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

Attest: _____

Date: December 12, 2016

**TOWN OF NEWTON
ORDINANCE 2016-15**

**AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM
SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF
THE TOWN OF NEWTON FOR CALENDAR YEAR 2017**

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

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

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

Section 1. The minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton are hereby fixed for calendar year 2017 as shown in Schedules "A" and "B" attached hereto in accordance with §25-12 of the Code of the Town of Newton.

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

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

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

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

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

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

Section 8. This Ordinance shall take effect twenty (20) days after final passage, approval and publication after adoption by the Town Council and shall be effective retroactive to January 1, 2017.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, November 28, 2016. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, December 12, 2016 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

**TOWN OF
NEWTON
ORDINANCE
2016-15
SCHEDULE "A"**

<u>LEVEL</u>	<u>HOURLY</u>		<u>35 HRS / WK</u>		<u>40 HRS / WK</u>		<u>IRREGULAR HOURS ANNUALIZED</u>
	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	
1	\$8.75	\$17.00	\$15,925	\$30,940	\$18,200	\$35,360	
2	\$9.00	\$18.50	\$16,380	\$33,670	\$18,720	\$38,480	
3	\$9.25	\$20.75	\$16,835	\$37,765	\$19,240	\$43,160	
4	\$9.50	\$26.25	\$17,290	\$47,775	\$19,760	\$54,600	
5	\$10.50	\$31.75	\$19,110	\$57,785	\$21,840	\$66,040	
6	\$11.00	\$34.50	\$20,020	\$62,790	\$22,880	\$71,760	
7	\$12.00	\$37.25	\$21,840	\$67,795	\$24,960	\$77,480	
8	\$12.50	\$40.00	\$22,750	\$72,800	\$26,000	\$83,200	
9	\$13.75	\$44.00	\$25,000	\$80,080	\$30,000	\$91,520	
10	\$16.50	\$50.00	\$30,000	\$91,000	\$35,000	\$104,000	
11			\$32,500	\$95,000	\$37,500	\$120,000	
12			\$45,000	\$97,500	\$52,500	\$135,000	
13			\$50,000	\$115,000	\$57,500	\$145,000	
14			\$65,000	\$135,000	\$75,000	\$160,000	
15			\$70,000	\$165,000	\$80,000	\$175,000	
16							\$500 - \$7,500
17							\$2,500 - \$10,000
18							\$3,000 - \$25,000
19							\$10,000 - \$60,000

**TOWN OF NEWTON
ORDINANCE 2016-15
SCHEDULE "B"**

LEVEL 1

Recreation Assistant

LEVEL 2

Lifeguard
Swim Instructor

LEVEL 3

Clerk Typist
Custodian
Keyboarding Clerk I
School Traffic Guard
Secretary

LEVEL 4

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

LEVEL 5

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

LEVEL 6

Equipment Operator
Omnibus Operator
Public Safety Telecommunicator
Public Works Repairer
Recycling Foreman
Road Repairer
Sewer Repairer
Sewer Repairer 1/Water Repairer 1
Truck Driver
Water Repairer

LEVEL 7

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

LEVEL 8

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

LEVEL 9

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

LEVEL 10

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

LEVEL 11

Police Patrolman

LEVEL 12

Police Sergeant

LEVEL 13

Chief Financial Officer
Police Lieutenant
Water/Sewer Superintendent

LEVEL 14

Police Chief

LEVEL 15

Town Manager

LEVEL 16

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

LEVEL 17

Council Member
Mayor

LEVEL 18

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

LEVEL 19

Community Development Director
Deputy Town Manager
Human Resources Director
Municipal Department Head
Recreation Supervisor
Tax Assessor

TOWN OF NEWTON

ORDINANCE #2016-16

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$240,000.00 FOR ROTATING BIOLOGICAL CONTACTORS (RBC'S) AT THE WASTEWATER TREATMENT PLANT IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED by the Town Council of the Town of Newton, in the County of Sussex, as follows:

Section 1. \$240,000.00 is hereby appropriated for Rotating Biological Contactors (RBC's) at the Wastewater Treatment Plant and all costs necessary therefore or incidental thereto from the following sources:

Water Sewer Capital – Capital Improvement Fund	\$240,000.00
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Section 2. This funding is in addition to the \$340,000 that was previously budgeted in the 2015 Water Sewer Utility Budget under “STP – 1 RBC Mechanism”.

Section 3. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of local Government Services and is filed and available for public inspection in the office of the Clerk.

Section 4. This ordinance shall take effect as provided by the law.

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, November 28, 2016. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, December 12, 2016 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

TOWN OF NEWTON

ORDINANCE 2016-17

**AN ORDINANCE AMENDING NEWTON TOWN CODE SECTION 100-19
REGARDING WATER AND SEWER CONNECTION FEES AND RATES AND NEWTON
TOWN CODE SECTION 228-19 REGARDING WATER AND SEWER BILLING**

WHEREAS, Newton Town Code Section 100-19 sets forth the Town water and sewer rates and connection fees; and

WHEREAS, the County and Municipal Water Supply Act, N.J.S.A 40A-31-1, et seq. and the Municipal and County Sewerage Act, N.J.S.A 40A:26A-10, et seq. set forth the requirements that connection fees for water and sewer shall be uniform within each class of users and requires a computation in accordance with statutory law; and

WHEREAS, Newton Town auditor, Thomas M Ferry, CPA, RMA, at the October 12, 2016 Council public meeting, reviewed the connection fees and water/sewer rates and potential revised connection fees and rates with the Town Council following the statutory formula; and

WHEREAS, the Town Council reviewed the capital base of the sewerage and water system and the number of service units to compute the connection fee calculation and desires to revise the Town Code with updated water and sewer rates and connection fees; and

WHEREAS the Town Council desires to revise Newton Town Code Section 228-19 regarding water and sewer billing and payment agreements.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that Newton Town Code Section 100-19.A, Water connection fees, 100-19.J, Sewer connection fees, 100-19.K Water and sewer rates, and 228-19, Billing and collecting shall be revised as follows:

Section 1. Section 100-19.A of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

A. Water connection fees (§228-3C):

(1) Residential, per dwelling unit: \$3,402.

(2) Commercial: Charge will be \$23.30 per gallon per day based on estimated usage, with a minimum of \$3,402, plus labor and materials.

Section 2. Section 100-19.J of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

- J. Sewer connection (§228-16):
 - (1) Residential, per dwelling unit: \$5,933.
 - (2) Commercial and/or industrial:

Charges Per Gallon Per Day	Minimum
\$40.91	\$5,933

Section 3. Section 100-19.K of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

- K. Water and Sewer rates (§228-17):

Gallons Per Quarter	Water Rate	Sewer Rate	Combined Water/Sewer Rate
0 to 4,000	\$30 minimum	\$45 minimum	\$75 minimum
Over 4,000	\$14.50/M	\$7.50/M	\$22/M

Those individuals who apply and qualify pursuant to N.J.S.A. 54:4-8.40, et seq. for a senior citizen, disability or surviving spouse tax deduction shall be charged the following utility rates:

Gallons Per Quarter	Water Rate	Sewer Rate	Combined Water/Sewer Rate
0 to 4,000	\$30 minimum	\$30 minimum	\$60 minimum
Over 4,000	\$14.50/M	\$7.50/M	\$22/M

Section 4. Section 228-19.A of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

- A. All accounts will be billed quarterly on the 25th day of February, May, August and November. All bills not paid within 30 days after the billed date, March 25th, June 25th, September 25th and December 25th, are subject to a 10% penalty which shall be added to the amount of the bill and collected as other charges. Should the due date fall on a weekend or legal holiday observed by the Town of Newton, the due date will be extended to the next business day.

Section 5. Section 228-19.E of the Code of the Town of Newton shall be and is hereby deleted in its entirety and replaced as follows:

- E. A customer must contact the Town Water/Sewer Utility Clerk, by phone, in person or in writing, to arrange for a payment agreement to avoid the scheduled discontinuation of service. If the payment agreement is violated, service may be discontinued.

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 will take effect after publication and passage according to law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, November 28, 2016. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, December 12, 2016 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #203-2016

December 12, 2016 **“Authorize an Agreement with Holzhauer & Holenstein, LLC for Appraisal Services for Defense of State Level Tax Appeals in Calendar Year 2017”**

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

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

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

WHEREAS, the anticipated term of this contract is one (1) year, January 1, 2017 through December 31, 2017; and

WHEREAS, sufficient funds have been appropriated in the Town of Newton Operating Budget for appraisal services by Holzhauer & Holenstein, LLC, in an amount not to exceed \$17,500;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby authorizes the execution of an agreement with Holzhauer & Holenstein, LLC, for appraisal services as outlined in Mr. Holenstein's proposal dated November 23, 2016; and

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk

HOLZHAUER & HOLENSTEIN, LLC

REAL ESTATE ADVISORY SERVICES

MICHAEL E. HOLENSTEIN, MAI, CTA, SCGREA

ROBERT L. HOLENSTEIN, MAI, RM, SCGREA*

DAVID G. GLASER, MAI, SCGREA*

**Consultants to the Firm*

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

November 23, 2016

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

Attn: Thomas Russo, Newton Town Manager

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

Dear Mr. Russo:

I understand that the Town of Newton, hereinafter the "Client" and "Intended User", continues to anticipate the need for professional appraisal and consulting services in 2017, primarily in connection with emerging and ongoing tax appeal litigation. The scope of services includes:

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

In conducting this work, my office will customarily:

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

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

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

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

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

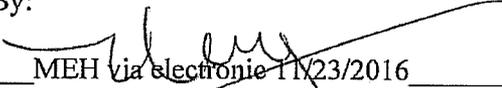
I will attend a Council meeting at your request to discuss this service appointment.

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

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

Respectfully submitted,
HOLZHAUER & HOLENSTEIN, LLC

By:


MEH via electronic 11/23/2016
MICHAEL E. HOLENSTEIN, MAI, CTA
SCGREA: NY, NJ-RG01234, PA-GA1733R

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

Business & Education:

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

Seminars/Conferences:

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

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

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

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

Expert Testimony:

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

Professional Affiliations & Community Service:

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

References:

Municipal Services:

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

Federal & NJ State Acquisitions:

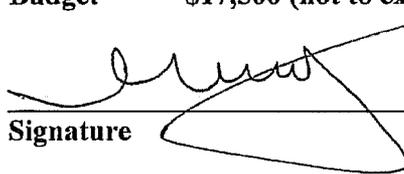
- ◆ Pamela McLay, National Park Service, 732-872-5945
- ◆ Susan P. Russo, ARA, DOI-OVS, 413-587-3713
- ◆ Mary Ellen Bryant, Office of Valuation Services, 413-587-5074
- ◆ NJDEP, Green Acres Chief Appraiser, 609-984-0542

Litigation Support Services:

- ◆ Robert McBriar, Esq, 973-295-3670 (Tax/Condemnation/General)
- ◆ Martin F. Murphy, Esq., Johnson, Murphy, Hubner..., 973-835-0100 (Condemnation, General)
- ◆ Jeffery D. Gordon, Esq., Archer & Greiner, PC, 609-580-3713 (NJ & Pa Tax, General, Stigma)
- ◆ William E. Hinkes, Esq., 973-383-3233 (NJ Tax, General)

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

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



Signature

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

Principal , Holzhauser & Holenstein, LLC
Title

Holzhauser & Holenstein, LLC
Company

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

973-300-0121*14
Telephone

HOLZHAUER & HOLENSTEIN, LLC

REAL ESTATE ADVISORY SERVICES

MICHAEL E. HOLENSTEIN, MAI, CTA, SCGREA

ROBERT L. HOLENSTEIN, MAI, RM, SCGREA*

DAVID G. GLASER, MAI, SCGREA*

**Consultants to the Firm*

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

November 23, 2016

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

Attn: Thomas Russo, Newton Town Manager

Re: Professional Appraiser Services, R#224-2015, Town of Newton, Sussex Co, NJ

Dear Mr. Russo:

For the period January 1, 2017 through December 31, 2017 Holzhauer & Hostenstein, LLC, Michael E. Hostenstein, MAI (principal) will, upon direction by the Tax Assessor or Special Tax Counsel, provide appraisal and consulting services including litigation support for a fee to accrue based upon the attached rate schedule or for a fixed fee as may be subsequently agreed to for a specific assignment.

Total billing from H&H, LLC in connection with this work is not to exceed \$17,500 without prior, express written consent of the Client.

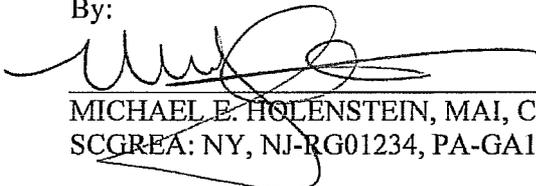
Hourly work is invoiced monthly; fixed fee at time of product completion.

Work performed by Holzhauer & Hostenstein, LLC will be prepared in accordance with the Uniform Standards for Professional Appraisal Practice promulgated by the Appraisal Foundation and the Code of Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute and will otherwise follow the jurisdictional exception mandated by the NJ Tax Court relative to its required documentation and presentations.

The requested documents per Resolution #224-2015 are attached for your file.

Respectfully submitted,
HOLZHAUER & HOLENSTEIN, LLC

By:



MICHAEL E. HOLENSTEIN, MAI, CTA
SCGREA: NY, NJ-RG01234, PA-GA1733R

Accepted Per Resolution # _____ :
For the Town of Newton:

Name

SAMS/DUNNS #041066668
Federal EIN #33-1062458

**APPRAISER SERVICES
RATE SCHEDULE
TOWN OF NEWTON**

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



Signature

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

Principal , Holzauer & Holenstein, LLC
Title

Holzauer & Holenstein, LLC
Company

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

973-300-0121*14
Telephone



TOWN OF NEWTON
RESOLUTION #204-2016

December 12, 2016 "Approval of the Sussex County Hazardous Mitigation Plan"

WHEREAS, the Town of Newton, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk; and

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; and

WHEREAS, a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees; and

WHEREAS, the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS, the draft plan was provided to each participating jurisdiction and was posted on the Sussex County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law;

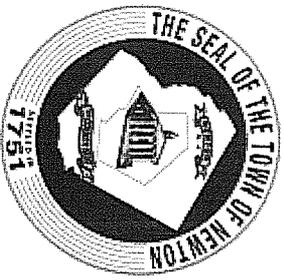
NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton:

1. The *Sussex County Multi-Jurisdictional Hazard Mitigation Plan*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **May 31, 2016** by the Sussex County Sheriff's Office, Division of Emergency Management, is hereby adopted as an official plan of the Town of Newton; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Town of Newton departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Town of Newton, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Sussex County Deputy OEM Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Sussex County Sheriff's Office, Division of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #205-2016

December 12, 2016 "Award Bid for the Replacement of Rotating Biological Contactors Project at the Wastewater Treatment Plant for the Town of Newton"

WHEREAS, the Town of Newton publicly accepted and opened bids for the Replacement of Rotating Biological Contactors Project at the Wastewater Treatment for the Town of Newton on Thursday, November 17, 2016 at 10:00 a.m. as follows:

Item No.	Description	Fred Devens Construction Ringwood, NJ	Allied Construction Group Parlin, NJ	JEV Construction LLC Clinton, NJ	Ferraro Construction Corp. Franklin, NJ
1	Replacement of RCB 1A	\$269,000	\$262,000	\$265,000	\$375,184
2	Cleaning, Removal and Offsite Disposal Residuals	\$3,750	\$21,750	\$7,500	\$32,250
3	Allowance for Miscellaneous Repairs	\$10,000	\$10,000	\$10,000	\$10,000
Base Bid Subtotal		\$282,750	\$293,750	\$282,500	\$417,434
SB-1	Supplemental Bid Item, Replacement of RBC 1B	\$222,000	\$217,000	\$232,000	\$331,000
Total		\$504,750	\$510,750	\$514,500	\$748,434

WHEREAS, based on review of the bid documents, the Town Sewer Engineer, John J. Scheri, of Mott MacDonald, recommends awarding Replacement of Rotating Biological Contactors Project at the Wastewater Treatment to Fred Devens Construction, with a base bid in the amount of \$282,750, and a supplemental bid in the amount of \$222,000 for a total project cost of \$504,750; and

WHEREAS, the Chief Financial Officer has certified funds are available based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the contract for the Replacement of Rotating Biological Contactors Project at the Wastewater Treatment for the Town of Newton is hereby awarded to Fred Devens Construction of Ringwood, NJ in the amount of \$504,750. A copy of this resolution and the proposed Contract is to be forwarded to Fred Devens Construction for execution.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

 Lorraine A. Read, RMC
 Municipal Clerk



TOWN OF NEWTON

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

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 205-2016

APPROVING: FRED DEVONS CONSTRUCTION

FOR THE PURPOSE OF: ROTATING BIOLOGICAL CONTACTORS

IN THE AMOUNT OF: \$504,750.00

APPROPRIATED BY:

WATER SEWER UTILITY - 2015 APPROPRIATION RESERVE

Capital Improvement Fund - 1 RBC Mechanism #6089329A \$283,284.20

WATER SEWER CAPITAL

Ordinance #2016-16 Rotating Biological Contactors (RBC's) at the
Wastewater Treatment Plant #6191616 \$221,465.80

NOTE: Subject to Water Sewer Capital Ordinance becoming effective.

DATED THIS 12TH DAY OF DECEMBER 2016,

BY

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



Via Email and Regular Mail

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

Bid Report for the Town of Newton Wastewater Treatment Plant, Replacement of Rotating Biological Contactors

Our Reference
354567BD01

November 23, 2016

Dear Mr. Russo:

111 Wood Avenue South
Iselin NJ 08830-4112
United States of America

T +1 (800) 832 3272
F +1 (973) 376 1072
mottmac.com/americas

This report has been prepared to summarize the results of the bidding process for the Town of Newton Wastewater Treatment Plant, Replacement of Rotating Biological Contactors (RBC) Project. A summary of all bids received, along with a comparison to the Engineer's Estimate, a description of the scope and need for the project, and a recommendation for award are included within this report. The decision on acceptance or rejection of the apparent low bid received must be made by the Town following consideration of this report and the review of advice from the Town's legal counsel. Copies of the three (3) lowest bid submissions have been provided to the Town's attorney for review.

1 SCOPE AND NEED FOR PROJECT

The purpose of the Town of Newton's RBC Project is to replace two existing RBC units, designated as No. 1A and 1B. The RBCs have been in service since 1990 and have reached the end of their useful life. The RBCs provide nitrification following secondary treatment in the Trickling Filter, and are an important part of the treatment system. The project includes demolition, cleaning of Tank No. 1, sludge removal and disposal, mechanical process work, miscellaneous electrical work, manufacturer's services, testing and operational start-up of the new equipment, and final cleanup.

2 BID RESULTS

A total of four (4) bids for the RBC Project were submitted to the Town of Newton on November 17, 2016. The base bid included replacement of one RBC unit. The supplemental bid item contained the replacement of the second unit. The Town has indicated it wishes to replace two units. A low bid of \$504,750 was submitted by Fred Devens Construction of Ringwood, New Jersey. The Engineer's pre-bid estimate for this project was \$550,000. The names of all bidders and their respective bid proposals are tabulated below, along with the Engineer's pre-bid construction cost estimate for the project. In addition, an itemized Canvass of Bids is attached to this letter.



Name	Total Bid Amount
Fred Devens Construction	\$504,750
Allied Construction Group	\$510,750
JEV Construction LLC	\$514,500
Ferraro Construction Corp.	\$748,894
Engineer's Pre-Bid Construction Cost Estimate	\$550,000

The three (3) lowest bidders were within 2% of one another, which is representative of a competitive bid. The low bid, submitted by Fred Devens Construction, was about 8.2% below the Engineer's Estimate. The second bidder, Allied Construction Group, was approximately 7.1% below the Engineer's Estimate. The third bidder, JEV Construction LLC, was approximately 6.5% below the Engineer's Estimate. The fourth bidder, Ferraro Construction Corp., was approximately 36.2% above the Engineer's Estimate.

3 LOW BIDDER

The apparent low bidder for the project, Fred Devens Construction, submitted the requisite Bid Bond, Consent of Surety, NJ Business Registration Certificate and NJ Public Contractor Registration Certificate with his bid proposal.

We have performed a general review of the bid submitted by the apparent low bidder, Fred Devens Construction, for completeness of submission and have found the bid to be complete and mathematically correct.

The apparent low bidder, Fred Devens Construction, has successfully constructed wastewater projects for Mott MacDonald and for other engineering firms. Based on our experience working with this contractor, we believe that Fred Devens Construction has the required experience, resources and capabilities to satisfactorily perform the work required on this project.

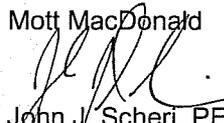
4 RECOMMENDATION

It is our opinion that the Town of Newton has received competitive bids for this project, and the apparent low bidder, Fred Devens Construction, has the necessary resources to complete this project. Accordingly, we recommend that, if funds are available, the Replacement of Rotating Biological Contactors project be awarded to Fred Devens Construction for the amount of \$504,750, conditioned on the review and approval of the bid submittal documents by the Town Attorney.

Should you have any questions concerning the above, please do not hesitate to call me.

Very truly yours,

Mott MacDonald


John J. Scheri, PE, BCEE, ENV SP

Vice President

T 978-912-2571

john.scheri@mottmac.com

CC: Terri Oswin, Town of Newton
Jeff Rantzer, PE, Mott MacDonald
Ursula Leo, Esq.

CANVASS OF BIDS
TOWN OF NEWTON
WASTEWATER TREATMENT PLANT
REPLACEMENT OF ROTATING BIOLOGICAL CONTACTORS PROJECT
Bids Opened November 17, 2016 - 10:00 AM
Newton Town Hall, 39 Trinity Street, Newton New Jersey

Item No.	DESCRIPTION	Unit	QTY	ENGINEER'S ESTIMATE		Fred Devens Construction Ringwood, NJ		Allied Construction Group Parlin, NJ		JEV Construction LLC Clinton, NJ		Ferraro Construction Corp. Franklin, NJ	
				Unit Price	TOTAL Price	Unit Price	TOTAL Price	Unit Price	TOTAL Price	Unit Price	TOTAL Price	Unit Price	TOTAL Price
1	Replacement of RBC 1A	LS	1	\$307,500	\$307,500	\$269,000	\$269,000	\$262,000	\$262,000	\$265,000	\$265,000	\$375,184	\$375,184
2	Cleaning, Removal and Offsite Disposal of Residuals	Per Gallon	15,000	\$0.50	\$7,500	\$0.25	\$3,750	\$1.45	\$21,750	\$0.50	\$7,500	\$2.15	\$32,250
3	Allowance for Miscellaneous Repairs	LS	1	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
	Base Bid Subtotal				\$325,000		\$282,750		\$293,750		\$282,500		\$417,434
SB-1	Supplemental Bid Item, Replacement of RBC 1B	LS	1	\$225,000	\$225,000	\$222,000	\$222,000	\$217,000	\$217,000	\$232,000	\$232,000	\$331,460	\$331,460
	TOTAL CONSTRUCTION COST				\$550,000		\$504,750		\$510,750		\$514,500		\$748,894



TOWN OF NEWTON
RESOLUTION #206-2016

**December 12, 2016 "Insertion of Special Items of Revenue in the 2016
Town of Newton Budget Pursuant to N.J.S.A.
40A:4-87 (C. 159, PL 1948)"**

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

WHEREAS, the Town of Newton received a grant award in the amount of \$1,719.55 from Statewide Insurance Fund for a 2016 Body Armor Vests Grant;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2016 Budget of the Town of Newton which is now available as revenue from:

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

Body Armor Vests Grant \$1,719.55

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

Body Armor Vests Grant \$1,719.55

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #207-2016

December 12, 2016 "Concur with the Town Manager's Appointment of Special Police Officers"

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager's appointment of the following individuals as Special Police Officers for calendar year 2017:

Class II

Raul Couce

Donald Donofrio

Stephen Moran

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #208-2016

December 12, 2016 “Appointment of Joseph Carr as Municipal Representative to the Sussex County Water Quality Policy Advisory Committee”

BE IT RESOLVED, by the Town Council of the Town of Newton the Assistant Supervisor Water and Sewer, Joseph Carr, is hereby appointed as the municipality’s representative to the Sussex County Water Quality Policy Advisory Committee for 2017 and will attend regular meetings of said Committee conducted on the second Thursday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

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

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #209-2016

December 12, 2016 "Designation of Public Agency Compliance Officer for Calendar Year 2017"

BE IT RESOLVED, by the Town Council of the Town of Newton that Thomas S. Russo, Jr., Town Manager, is hereby designated as the Public Agency Compliance Officer for the Town of Newton for 2017; and

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #210-2016

December 12, 2016 **“Appointment of Adam Vough as Municipal Representative to the Sussex County Solid Waste Advisory Committee for 2017”**

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

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

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #211-2016

December 12, 2016 “Designation of Linda A. Roth as Tax Search Officer for the Town of Newton for 2017”

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

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

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby designates Linda A. Roth as the Tax Search Officer for the Town of Newton for calendar year 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #212-2016

December 12, 2016 **“Appoint the Town Manager as Hearing Officer in all Matters of Dispute Regarding the Town of Newton for Calendar Year 2017”**

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the calendar year 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #213-2016

December 12, 2016 “Designate Newspapers that will Receive Notices Required by the NJ Open Public Meetings Act for 2017”

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

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

New Jersey Herald

New Jersey Sunday Herald

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #214-2016

December 12, 2016 “Designate Legal Newspapers for Calendar Year 2017”

BE IT RESOLVED by the Town Council of the Town of Newton that the newspapers listed below be designated as the official newspapers for the Town of Newton for legal advertising during the 2017 calendar year:

New Jersey Herald

New Jersey Sunday Herald

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #215-2016

December 12, 2016 "Designate the Town Manager as the National Organization on Disability Representative"

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

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

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

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #216-2016

December 12, 2016 **“Establish the Rate of Interest to be Charged for Non-Payment of Taxes on or Before the Due Date”**

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

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

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

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

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #217-2016

December 12, 2016 "Cancellation of Small Balances"

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

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

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

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #218-2016

December 12, 2016 "Appoint Local Emergency Planning Committee"

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the appointment of the individuals recommended by Emergency Management Coordinator Kenneth A. Teets for membership on the Newton Local Emergency Planning Committee for calendar year 2017 as listed below:

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

BE IT FURTHER RESOLVED, if any positions become held by different individuals in the 2017 calendar year then said individuals will assume the aforementioned titled responsibilities on Newton Local Emergency Planning Committee.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #219-2016

December 12, 2016 "Designate Officials to Sign Checks"

BE IT RESOLVED by the Town Council of the Town of Newton that the Town Manager, the Town Treasurer and/or the Chief Financial Officer are hereby designated as officials authorized to sign all municipal checks, Water and Sewer Utility checks, and payroll checks during calendar year 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #220-2016

December 12, 2016 **“Authorize the Tax Assessor, the Town Attorney and the Town Manager to Act on the Behalf of the Town of Newton for Calendar Year 2017 with Regard to Tax Appeals”**

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

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

BE IT FURTHER RESOLVED, that the Municipal Assessor, the Municipal Attorney, and the Town Manager are hereby designated as the agents of the Town of Newton for the purpose of signing settlements of the foregoing matters by stipulation for the 2017 Calendar Year.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #221-2016

December 12, 2016 "Designate Chief Financial Officer/Finance Director as the Individual Authorized to Sell Bond Anticipation Notes"

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

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

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

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

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #222-2016

December 12, 2016 "Appointment of Deborah Danielson as Action Alliance Coordinator for the Town of Newton for 2017"

BE IT RESOLVED, by the Town Council of the Town of Newton that Deborah Danielson be and is hereby appointed as the Action Alliance Coordinator for the Town of Newton during calendar year 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #223-2016

December 12, 2016 "Appointment of Pat Powers as Senior Citizen Coordinator for the Town of Newton for 2017"

BE IT RESOLVED, by the Town Council of the Town of Newton that Pat Powers be and is hereby appointed as the Senior Citizen Coordinator for the Town of Newton during calendar year 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #224-2016

December 12, 2016 "Authorize the Award of a Non-Fair and Open Contract for Kieffer Electric, Inc."

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

WHEREAS, Sean Canning, Q.P.A., for the Town of Newton of the Canning Group, LLC has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is *remainder of the 2016 year (s)*; and

WHEREAS, *Kieffer Electric Inc.*, has submitted a proposal November 23, 2016 indicating they will provide the electrical services for the \$2,167.09, exceeding in aggregate the pay to play threshold of \$17,500.00; and

WHEREAS, *Kieffer Electric Inc.*, has completed and submitted a Business Entity Disclosure Certification which certifies that *Kieffer Electric Inc.*, has not made any reportable contributions to a political or candidate committee in the *Town of Newton* in the previous one year, and that the contract will prohibit *Kieffer Electric Inc.* from making any reportable contributions through the term of the contract, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with *Kieffer Electric Inc.* not to exceed \$21,000.00 for the 2016 calendar year; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

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

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 224-2016

APPROVING: KIEFFER ELECTRIC, INC.

FOR THE PURPOSE OF: NON-FAIR AND OPEN CONTRACT
ELECTRICAL SERVICES

Not to Exceed \$21,000.00

IN THE AMOUNT OF: \$3,500.00

APPROPRIATED BY:

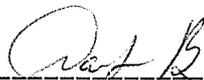
CURRENT

BUILDING & GROUNDS-OE-REPAIRS	#1061255	\$1,000.00
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WATER SEWER UTILITY

SEWER COLLECTION-OE-EQUIP MAINT	#6078226	\$2,500.00
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DATED THIS 12TH DAY OF DECEMBER 2016,

BY  _____

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #225-2016

December 12, 2016 “Authorize Execution of a Shared Services Agreement for Animal Control and Pound Services with the Township of Wantage Covering Calendar Year 2017”

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

WHEREAS, the annual fee for the calendar year 2017 is \$17,021; and

WHEREAS, sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2017 for said services;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement for animal control and pound services, in duplicate, with the Township of Wantage for calendar year 2017; and

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk

SHARED SERVICES AGREEMENT

THIS AGREEMENT, effective upon the 1st day of January 2017, By and Between

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

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

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

ARTICLE II: ACTIVITIES

A. Services To Be Provided

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

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

B. Hours of Operation; Routes

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

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

ARTICLE III: COMPENSATION

- A. The Recipient shall pay the Provider the annual sum of \$17,021, payable in monthly or quarterly installments, in compensation for the services provided herein.
- B. Upon providing an animal control response in the jurisdiction of the Recipient’s boundaries, if the ACO or his/her duly designated representative finds that an animal is injured to the point of requiring immediate veterinary care, the animal shall be transported to a veterinarian prior to being brought to the Wantage Dog Pound for the purpose of securing the required veterinary care. Any costs incurred to the Veterinarian by such veterinary care are not covered under the terms of this animal control contract, and the Recipient shall be responsible for paying the cost incurred directly to the veterinarian.

ARTICLE IV: DURATION OF CONTRACT; TERMS OF AMENDMENT

A. Duration

The Provider agrees to provide the services named in Article II for calendar year 2017.

B. Amendment

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

C. Termination

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

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

TOWNSHIP OF WANTAGE

Signed:

Mayor, Township Of Wantage

Attest: _____

Debra J. Millikin, Acting Clerk

TOWN OF NEWTON

Signed: _____

Mayor, Town of Newton

Attest: _____

Municipal Clerk

Attachment “A”

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

Wantage Township makes an estimate of the number of off-duty call outs (evenings and weekends) that can be expected from a community during a given calendar year, and charges a flat rate accordingly for that year’s ACO and pound service. **Newton’s estimated off-duty calls for the year 2017 is 12 callouts.** If, by the end of a calendar year, it becomes evident that the community being served expects a greater amount of off-duty service than that which was anticipated, Wantage Township would need to adjust the amount being charged as a service fee in the next year beyond the normal COLA adjustment.

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

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

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

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

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



**TOWN OF NEWTON
RESOLUTION #226-2016**

December 12, 2016 "Refund a Zoning Permit Fee for Block 6.01, Lot 3"

WHEREAS, Eric Martino, of EM Electrical Contractors, LLC paid an application fee in the amount of \$100.00 for Zoning Permit #2016-117 related to the installation of a standby generator located at Block 6.01, Lot 3, also known as 116 West End Avenue, in the Town of Newton; and

WHEREAS, Angela Koustelas, the owner of Block 6.01, Lot 3, has cancelled the job with EM Electrical Contractors, LLC; and

WHEREAS, Eric Martino has requested the Zoning Permit #2016-117 be voided and a refund be issued; and

WHEREAS, no costs were incurred by Town professionals related to Zoning Permit #2016-117;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Governing Body authorizes a refund be made to EM Electrical Contractors, LLC in the amount of \$100.00; and

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to issue a check to EM Electrical Contractors, LLC in the amount of \$100.00.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



NOV 04 2016
Date Received _____

TOWN OF NEWTON
ZONING PERMIT APPLICATION
EMERGENCY STANDBY GENERATORS

1. Work Site Street Address: 116 West End Ave. Newton T3
Block: 60.1 Lot: 3 Zone: _____
Owner: Angelika Koutsela Applicant: EM Electrical Contractors
Address: 116 W. End Ave Address: 80 Meriam Ave.
Newton, NJ 07860 Newton NJ 07860
Phone: 201 317-4808 Phone: 973 300-9706

2. Dimensions of principal building: _____

3. Dimensions of all accessory buildings or signs: _____

4. Describe in detail the activity to be conducted in the principal building or any accessory building for which this permit is being applied: 21 KW Stand by Generator on a 3x8' slab AT 24 sq Ft. sound level of 54db. located in Rear of house

5. Has the above premises been the subject of any prior application to the Zoning Board of Adjustment or Planning Board? _____ Yes _____ No
If yes, please explain: _____

Did the application receive?

Preliminary Approval _____ Date: _____

Final Approval _____ Date: _____

Name of Corporation Association, if applicable

Yvonne P. Ventrella
Signature of authorized officer

PLEASE SUPPLY A COPY OF SURVEY

[Signature]
Applicant's Signature

Certificate of Occupancy/Approval required? _____ Yes _____ No

Construction Official _____

**You will be required to apply for building permits as deemed necessary by the Construction official.

Application Approved Denied _____ Date: 11/10/2016
Reason for Denial: _____

[Signature]
Zoning Officer
\$100.00 Fee
Receipt # 4636

PERMIT# 2016-117
Pd CK-8084 11/10/2016

EM
ELECTRICAL
Contractors LLC

info@emelectricnj.com
NJ master electrical License # **13766**
NJ home improvement Contractor #**13VH06829600**
80 Merriam Ave.-Newton, NJ 07860
Ph: 973-300-9706 Fax: 973-300-9704

December 2, 2016

Town of Newton
39 Trinity St.
Newton, NJ 07860

RE: Koutselas Residence
116 W. End Ave
Newton, NJ 07860
Permit reimbursement due to cancellation of Project

To Whom it May Concern:

EM Electrical applied for a zoning permit for the above listed address which has been cancelled by the homeowner as she felt the permit process took too long. EM Electrical is asking for reimbursement for the zoning permit amount of \$100.00 payable to EM Electrical.

Thank you for your attention in this matter.

Eric Martino
EM Electrical Contractors LLC



TOWN OF NEWTON

RESOLUTION #227-2016

December 12, 2016 "Establish Schedule of Public Town Council Meetings for 2017"

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, Sussex County, New Jersey that the following schedule for 2017 indicates all public meetings of the Newton Town Council will be held on the second and fourth Mondays of each month, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey; and

Council Meetings

7:00pm

January	9	and	23	July	17
February	13	and	27	August	14 and 28
March	13	and	27	September	13* and 25
April	10	and	24	October	11* and 23
May	8	and	22	November	13 and 27
June	12	and	26	December	11 and 27*

*Held Wednesday

Reorganizational Meeting

Noon

Saturday, July 1, 2017

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

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

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #228-2016

December 12, 2016 "Authorizing the Town of Newton to Amend the Shared Services Agreement with the County of Sussex, New Jersey for the County Fire Marshal to Enforce the Uniform Fire Safety Act, the State Fire Safety Code and Relevant Regulations"

WHEREAS, the Town of Newton authorized entering into a Shared Services Agreement with the County of Sussex for Fire Marshal Services by the adoption of Resolution #63-2015 on April 27, 2015; and

WHEREAS, the Sussex County Fire Marshal has been notified by the Department of Community Affairs, New Jersey Division of Fire Safety, of minor changes to the Fee Schedule annexed to said Shared Service Agreement; and

WHEREAS, the attached amended Shared Services Agreement incorporates the changes to it necessitated by the revisions to the Fee Schedule; and

WHEREAS, all other aspects of the Town's April 27, 2015 Resolution and annexed agreement remain in full force and effect, and the agreement does not replace but supplements the prior one;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, hereby agrees to enter into an amended Shared Services Agreement with the County of Sussex for the purpose of receiving enforcement agency services related to the Uniform Fire Safety Act, the State Fire Safety Code and Relevant Regulations.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



CLERK OF THE BOARD OF CHOSEN FREEHOLDERS
Sussex County Administrative Center
One Spring Street
Newton, New Jersey 07860
Tel. 973-579-0240
FAX 973-383-1124
EMAIL cwilliams@sussex.nj.us

Catherine M. Williams
Clerk of the Board

County of Sussex

September 29, 2016

Lorraine A. Read
Municipal Clerk
Town of Newton
39 Trinity Street
Newton, NJ 07960

RESOLUTION RE: AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH THE TOWN OF NEWTON FOR ENFORCEMENT AGENCY SERVICES AS SET FORTH IN THE NJ STATE UNIFORM FIRE CODE REGULATIONS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

Dear Ms. Read:

The County Fire Marshal has been advised of minor changes to the Non-Life Hazards Use Fee Schedule mandated by the Division of Fire Safety, Department of Community Affairs of the State of New Jersey. Consequently, adoption of these state mandated changes has been authorized by Resolution by the Board of Chosen Freeholders on September 28, 2016, and incorporated into the Fee Schedule in the attached amended Shared Services Agreement so as to conform to these changes. Moreover, the amended Shared Services Agreement will incorporate any future state mandated modifications at such time as the Fire Marshal is made aware of same by the Division of Fire Safety.

Accordingly, the County requests adoption of a Resolution and subsequent execution of the attached amended Shared Services Agreement. Kindly return both a copy of the municipal Resolution authorizing same and one fully executed amended Shared Services Agreement between The Town of Newton and the County of Sussex.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Catherine M. Williams SC".

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, New Jersey

Enclosures

Cc: Virgil Rome, SC Fire Marshal
Timothy Cunningham, Director NJDLG

RESOLUTION RE: AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH THE TOWN OF NEWTON FOR ENFORCEMENT AGENCY SERVICES AS SET FORTH IN THE NJ STATE UNIFORM FIRE CODE REGULATIONS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

WHEREAS, by Resolution dated May 27, 2015, the Board of Chosen Freeholders entered into an Agreement with the Town of Newton for Enforcement Agency services through the Sussex County Fire Marshal pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, the Sussex County Fire Marshal has been notified by the Department of Community Affairs, New Jersey Division of Fire Safety, of minor changes to the Fee Schedule annexed to the said Shared Services Agreement;

WHEREAS, the attached amended Shared Services Agreement incorporates the changes to it necessitated by the revisions to the Fee Schedule; and

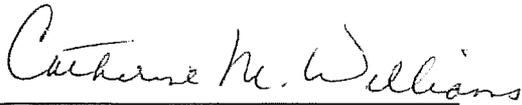
WHEREAS, all other aspects of the County's May 27, 2015, Resolution and annexed Agreement remain in full force and effect, and the within Resolution and annexed Agreement does not replace but supplements the prior one.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, hereby agrees to enter into an amended Shared Services Agreement with the Town of Newton for the purpose of providing the enforcement agency services provided herein; and

BE IT FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Sussex, that the Clerk of the Board and the Freeholder Director are hereby authorized to execute the attached amended Shared Services Agreement between the Town of Newton and the County of Sussex; and

BE IT FURTHER RESOLVED that certified copies of this Resolution and Agreement shall be forwarded to Lorraine A. Read, Municipal Clerk, Town of Newton, 39 Trinity Street, Newton, NJ 07860; Virgil Rome, Sussex County Fire Marshal; Timothy Cunningham, Director, NJ Division of Local Government Services, P.O. Box 803, Trenton, NJ 08625; and is available in On-Base.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 28th day of September, 2016.



Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, New Jersey

RECORD OF VOTE						
FREEHOLDER	AYE	NAY	ABST	ABS	MOVE	SEC
Crabb	✓					
Graham	✓					
Lazzaro	✓					✓
Rose	✓				✓	
Vohden	✓					

ABST - Abstain
MOVE - Resolution Moved

ABS - Absent
SEC - Resolution Seconded

SHARED SERVICES AGREEMENT

This Shared Services Agreement entered into this 28th day of September, 2016, by and between the **County of Sussex**, a political subdivision of the State of New Jersey, having its principle offices at One Spring Street, Newton, New Jersey 07860, (hereinafter referred to as "County"); and

The **Town of Newton**, a municipal corporation of the State of New Jersey, having its offices located at 39 Trinity Street, Newton, NJ 07860, (hereinafter referred to as "Town").

RECITALS

WHEREAS, the County of Sussex presently has a Certified Fire Marshal who performs certain services for the County under the LEA, (Local Enforcement Agency), as set forth in NJ State Uniform Fire Code and Regulations for Fire Code Enforcement; and

WHEREAS, N.J.S.A. 40A:65-4 et seq. authorizes a County and a municipality to enter into contracts for the joint provision of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Town of Newton is in need of an individual to work for the Town to enforce the Uniform Fire Safety Act, N.J.S.A. 52:27D-192, et seq., the State Fire Safety Code, N.J.A.C. 5:70-4.1 et seq. and relevant regulations; and

WHEREAS, the County of Sussex and the Town of Newton have determined that it would be mutually beneficial to enter into a Shared Services Agreement whereby the County's Fire Marshal would perform the similar services to the Town; and

WHEREAS, the parties to this Shared Services Agreement desire to enter into an agreement effective July 1, 2015 through June 30, 2019 which will allow the County's Fire Marshal to share office hours with the Town of Newton Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.; and

WHEREAS, the County of Sussex is prepared to provide the services contemplated by this Shared Services Agreement to the Town of Newton for a period of four (4) years, with any renewal of this Shared Services Agreement to be the subject of evaluation, review, and approval by the County of Sussex and the Town of Newton; and

WHEREAS, the County of Sussex is prepared to provide the services contemplated by this Shared Services Agreement to the Town of Newton with the understanding and agreement that the County Fire Marshal is currently employed by the County of Sussex and can perform services for the Town of Newton without delaying his work performance within the County Fire Marshal's Office in response to requirements of the County of Sussex; and

WHEREAS, the County Fire Marshal will not be involved in reviewing any action that would come before the County Fire marshal for approval concerning the Town of Newton, and in those instances the Town of Newton will engage an autonomous Fire Marshal that is independent of this Agreement to perform all actions requiring review that would come before the County Fire Marshal for approval, including, but not limited to municipal or private projects that may require approval from the County Fire Marshal.

NOW, THEREFORE, in consideration of the promises, mutual covenants, understanding and agreements contained in this Shared Services Agreement and other good and valuable considerations, the receipt and sufficiency of which are acknowledged by all parties, it is agreed by and between the parties as follows:

Effective July 1, 2015, County of Sussex LEA, Fire Marshal will perform services for the Town of Newton in accordance with NJ State Uniform Fire Safety Act, State Fire Safety Code and Regulations for Fire Code Enforcement including, but not limited to the following:

- Municipal Life Hazard and Non-Life Hazard Buildings;
 - Buildings within the Municipality that fall under the policies of the New Jersey Division of Fire Safety Bureau of Fire Department Services;
 - Specifically excluded from here are certified smoke and carbon monoxide inspections of residential buildings or units classified R-2,3,4, or 5, in the International Building Code as adopted by the State of New Jersey;
 - County Fire Marshal shall utilize the Enforsys System for record keeping; and
 - County Fire Marshal shall supply quarterly reports to the Municipality and shall be responsible for invoicing of all fees, costs and penalties.
1. Appropriate Fees, Penalties and Violations monies collected from the Municipality for life-hazard code work would go to the State of New Jersey, Division of Fire Safety (SNJDFS) and the SNJDFS would pay the appropriate percentage to Sussex County LEA, Fire Marshal on behalf of the Municipality,

pursuant to the fee schedule attached hereto and made a part hereof. Payments shall be made in timely manner as required by N.J.S.A. 40A:65-7, if applicable.

2. All buildings owned/leased that are occupied by the municipality, including firehouses, the Board of Education building and EMS stations shall be exempt from any inspection/permit fees.

3. The fee schedule attached hereto and made a part hereof shall be the inspection fees for all Non-Life Hazard Use businesses. All other fees (Life Hazard Use and Permits) are governed in Sub-Chapter 2 of the Uniform Fire Code of the State of New Jersey. Any modifications to the fee schedule as mandated by the Division of Fire Safety, Department of Community Affairs, State of New Jersey during the term of this Agreement are incorporated herein and made a part hereof as of the time that the Sussex County Fire Marshal is made aware of same and forwards the revised fee schedule to the Town of Newton. All penalties and fees collected shall be deposited into a dedicated account for the Sussex County Fire Marshal's Office and be used for the purpose of enforcing the Fire Safety Act as outlined in 52:27D-203 of the Uniform Fire Code of the State of New Jersey.

4. The Sussex County LEA, Fire Marshal has acquired New Jersey State certification for fire inspection and training to enforce the Uniform Fire Code and Regulations for Fire Code Enforcement.

5. Hourly rate based upon official's fringe benefit percentage of salary base paid to the County LEA, Fire Marshal from the County of Sussex, with appropriate adjustments for increased costs of benefits during the term of this Agreement, will be paid for code work not covered by the State of New Jersey, Division of Fire Safety. The Sussex County LEA, Fire Marshal and the Municipality will discuss and agree upon the degree of work and number of hours prior to start of such work.

6. The Sussex County LEA, Fire Marshal is an employee of the County of Sussex and therefore, the County of Sussex shall at all times be responsible for its employee. The County of Sussex shall maintain all required Workers Compensation Insurance and Liability coverage for County employees. The Fire Marshal shall not be considered an employee of the Town of Newton.

7. The County of Sussex shall hold the Town of Newton harmless for any and all acts of the Fire Marshal. The Town of Newton shall hold the County of Sussex harmless for any and all acts of the Fire Marshal.

8. In no event shall this Agreement be interpreted to include an expiration date which violates any present or future New Jersey law or regulation.

9. Maintenance of Records:

a. All active files, records and support documentation shall be maintained on file in the offices of the LEA, Fire Marshal of the County of Sussex.

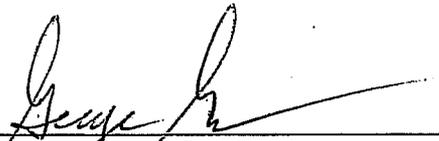
b. When files, records and support documentation are closed from active status, the materials shall be maintained at the County of Sussex LEA Fire Marshal location.

c. The Municipality and the County of Sussex LEA will arrange for duplicate records to be delivered to either party when requested.

10. Either the County of Sussex or Municipality may terminate this Agreement upon ninety (90) days written notice to the other party, as well as, notification to the Department of Community Affairs, Division of Fire Safety.

IN WITNESS THEREOF, the County of Sussex and Town of Newton, by and through its duly authorized representatives, have hereunder executed this Shared Services Agreement.

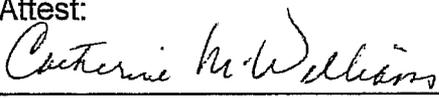
COUNTY OF SUSSEX



George F. Graham
Freeholder Director

Date: September 28, 2016

Attest:



Catherine M. Williams
Clerk of the Board

TOWN OF NEWTON

Thomas S. Russo, Jr.
Town Manager

Date: _____, _____, 2016

Attest:

Lorraine A. Read, RMC
Municipal Clerk

Fee Schedule

Non-Life Hazards Use:

In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and pay an annual fee. The following is the fee schedule for non-life hazard uses:

A. Assembly

A-1	Eating establishment, under 50	30.00
A-2	Take-out food service (no eating)	30.00
A-3	Church or synagogue	30.00
A-4	Recreation centers, multipurpose Rooms, etc; fewer than 100	55.00
A-5	Court rooms, libraries, fraternal organizations, condominium centers, 49 or fewer	55.00
A-6	Senior citizen centers; 49 or fewer	55.00

B. Business/Professional

B-1	Professional use; 1 and 2 story; less than 5,000 square feet, per floor	30.00
B-2	1 and 2 story; more than 5,000 square feet, per floor	55.00
B-3	1 and 2 story; more than 10,000 square feet, per floor	80.00
B-4	3 to 5 story; less than 5,000 square feet, per floor	105.00
B-5	3 to 5 story; more than 5,000 square feet, per floor	155.00
B-6	3 to 5 story; over 10,000 square feet, per floor	225.00

C. Retail (mercantile)

M-1	1 and 2 story; less than 5,000 square feet, per floor	65.00
M-2	1 and 2 story; more than 5,000 square feet, less than 10,000 square feet, per floor	95.00
M-3	1 and 2 story; less than 5,000 square feet, per floor	120.00

M-4	3 to 5 story; less than 5,000 square feet, per floor	155.00
M-5	3 to 5 story; more than 5,000 square feet, less than 10,000 square feet, per floor	180.00
M-6	3 to 5 story; over 10,000 square feet, per floor	205.00

With the exception of hardware stores, 3,000 square feet, retail stores over 12,000 square feet are life hazard uses.

D. Manufacturing (factory)

F-1	1 and 2 story; less than 5,000 square feet, per floor	80.00
F-2	1 and 2 story; more than 5,000 square feet, less than 10,000 square feet, per floor	105.00
F-3	1 and 2 story; more than 10,000 square feet, per floor	155.00
F-4	3 to 5 story; less than 5,000 square feet, per floor	180.00
F-5	3 to 5 story; more than 5,000 square feet, less than 10,000 square feet, per floor	205.00
F-6	3 to 5 story; over 10,000 square feet, per floor	255.00

E. Storage (Moderate hazard, S-1;

S-1	1 and 2 story; less than 5,000 square feet, per floor	55.00
S-2	1 and 2 story; more than 5,000 square feet, less than 10,000 square feet, per floor	105.00
S-3	1 and 2 story; more than 10,000 square feet, per floor	155.00
S-4	3 to 5 story; less than 5,000 square feet, per floor	180.00
S-5	3 to 5 story; more than 5,000 square feet, per floor	205.00
S-6	3 to 5 story; over 10,000 square feet, per floor	255.00

Exceptions, life hazard uses.

F. Residential (LEA listed with multi-family BHI). Fee is for each building.

R-1	3 to 6 units	25.00
R-2	7 to 12 units	50.00
R-3	13 to 20 units	75.00
R-4	21 to 50 units	100.00
R-5	for each additional unit	2.00



TOWN OF NEWTON
RESOLUTION #229-2016

December 12, 2016 "Accepting a Bid for the Lease of Space on the High Street Water Tank, 150 High Street/State Highway 94, for Cellular Communication Equipment by Sprint Spectrum Realty Company, LLC."

WHEREAS, the Town of Newton sought Bids for a Lease with cellular communication service providers in order to install cellular communication equipment on the Town's water tank located at 150 High Street/State Highway 94 (Block 4.05, lot 3); and

WHEREAS, the sole Bidder was Sprint Spectrum Realty Company, LLC ("Sprint") with a Bid in the amount of \$4,500 per month for the first year of the Lease (\$54,000.00 per year) with an annual increase equal to the greater of 3% or the change in the consumer price index. Sprint currently leases space on the water tank; and

WHEREAS, the Newton Town Council desires to accept the Bid in accordance with the New Jersey Local Lands and Building Law, N.J.S.A. 40A:12-14, et seq.;

NOW, THEREFORE BE IT RESOLVED, by the Newton Town Council that the Bid submitted by Sprint for leasing space on the Town's water tank located at 150 High Street/State Highway 94 is hereby approved, subject to Sprint executing a lease to be prepared by the Town Attorney with the approval of the Town Manager and Qualified Purchasing Agent; and

BE IT FURTHER RESOLVED the Mayor and Town Clerk are authorized to sign the final Lease on behalf of the Town of Newton; and

BE IT FURTHER RESOLVED this resolution shall take effect immediately and shall be void and of no effect if the Town and Sprint are unable to resolve any remaining issues concerning the terms of the Lease, or if Sprint fails or refuse to execute the final Lease, provide proof of insurance and meet the other requirements of the Lease in a timely manner.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



**TOWN OF NEWTON
RESOLUTION #230-2016**

**December 12, 2016 "Authorize Credits Due Water and Sewer Utility
Accounts"**

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

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

Credit for Excess Usage Due to a Meter Malfunction:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
7006	7 Liberty Street	\$341.38

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #231-2016

December 12, 2016 “Authorize the Release of Executive Session Minutes to the Public July 1, 2016 through November 30, 2016”

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

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

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

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

08/10/16 08/22/16 09/14/16 10/12/16 11/28/16

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #232-2016

December 12, 2016 "Reimburse Town Employees for Vehicle Expenses"

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

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the employees listed below receive the following quarterly allowances for all vehicular trips within Sussex County effective January 1, 2017:

<u>Employee</u>	<u>Position</u>	<u>Estimated Miles/Qtr.</u>	<u>Quarterly Amount</u>
Scott Holzauer	Tax Assessor	200 miles	\$115.00
Deborah Danielson	Recreation Supervisor	200 miles	\$115.00

BE IT FURTHER RESOLVED that for out-of-town business trips, employees and officers of the Town of Newton who use their personal means of transportation shall be reimbursed, in accordance with the IRS standard allowance for business miles driven, in effect at the time of travel, from Newton to the point of destination and return during calendar year 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #233-2016

December 12, 2016 “Reappointment of Jacqueline Butterfield to the Economic Development Advisory Commission”

BE IT RESOLVED, by the Town Council of the Town of Newton that Jacqueline Butterfield is hereby reappointed to a full three-year term on the Newton Economic Development Advisory Commission, effective January 1, 2017 and continuing through December 31, 2019.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #234-2016

December 12, 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.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #235-2016

December 12, 2016 "Resolution Approving Vacation & Sick Leave and Accumulated Compensatory Time Payout for Frank E. Philhower, Jr."

WHEREAS, Frank E. Philhower, Jr., Police Sergeant with the Town of Newton, retires effective December 31, 2016 and is entitled to payout for unused and accrued vacation & sick leave, and compensatory time pursuant to applicable law, Town ordinances, PBA Local No. 138 – Superior Officers Association Agreement and the Town of Newton Personnel Policy and Procedures Manual and Employee Handbook;

NOW, THEREFORE BE IT RESOLVED, the Town Council authorizes the following payout for unused and accrued vacation & sick leave and accumulated compensatory time to Frank E. Philhower, Jr. as follows:

<u>EMPLOYEE</u>	<u>RETIREMENT DATE</u>	<u>PAYOUT TOTAL</u>
Frank E. Philhower, Jr.	December 31, 2016	\$12,443.55

BE IT FURTHER RESOLVED, that appropriate Town employees are hereby authorized to make the payments set forth above, with any required revisions to the payout amounts.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #236-2016

December 12, 2016 **“Approve Purchase From Witmer Public Safety Group, Inc., Through State Contract A80953, for Equipment for Newton Fire Department”**

WHEREAS, there is a need to purchase SCBA equipment for the Town of Newton Fire Department, in the County of Sussex, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #A80953; and

WHEREAS, the maximum amount of the purchase is \$38,536.80 and funds are available as evidenced by the Chief Financial Officer/Finance Director's Certification; and

WHEREAS, the purchasing agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S. 40A:11-1 et. Seq.; and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law;

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

The Chief Financial Officer/Finance Director is hereby authorized and directed to approve and forward a Purchase Requisition to Witmer Public Safety Group for the purchase of SCBA Equipment.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

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

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 236-2016

APPROVING: WITMER PUBLIC SAFETY GROUP

FOR THE PURPOSE OF: SCBA EQUIPMENT - FIRE

IN THE AMOUNT OF: \$38,536.80

APPROPRIATED BY:

CAPITAL

ORD#2016-5 FIRE SCBA AIR PACKS #30916054 \$38,536.80

DATED THIS 12TH DAY OF DECEMBER 2016,

BY 

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



45 S. Park Pl 183
Morristown, N.J. 07960
973-706-7813

December 7, 2016

Thomas J. Russo Jr. Town Manager
Town of Newton
39 Trinity St.
Newton, N.J. 07860

Re: Witmer Public Safety Group

Dear Mr. Russo,

I have had the opportunity to review the proposal from Witmer Public Safety Group Inc. for the Fire Department of the Town of Newton, dated October 4, 2016. In particular, the quote was for SCBA equipment for the Fire Department as per New Jersey State Contract #A80953.

In researching the state contract, the equipment itself is covered by the state contract and I would provide approval of this purchase subject to the following provisions:

1. The providing of proof by Witmer Public Safety Group Inc. of approval by the State of New Jersey of their status as an additional approved distributor. In researching the initial approved vendor list, it did not include Witmer Public Safety Group Inc. as an approved vendor. The State of New Jersey Purchasing website possessed difficulties which made download of additional approved vendors impossible.
2. An updated quotation from Witmer Public Safety Group Inc. of commitment to the quoted price beyond the upcoming council meeting of December 12, 2016.

Thank you.

Respectfully

Sean P. Canning

Sean P. Canning, MPA, QPA
Purchasing agent

Cc: \ Lorraine Read, RMC
Dawn L. Babcock, CFO



PUBLIC SAFETY GROUP, INC.

Witmer Public Safety Group

104 Independence Way
Coatesville, PA 19320

Phone: (800) 852-6088
Fax: (888) 335-9800

Quote ID: 272647
Date: 12/7/2016
Sales Person: CHARLES D

Proposal To:

Town of Newton
39 Trinity Street
Newton, NJ 07860

Proposal ID 272647
Date 12/7/2016
Sales Person CHARLES D

Phone: (973) 383-4160
Fax: (973) 383-2233

Quantity	Item ID	Description	Unit	Amount
MSA G1 SCBA - 2016				
4.00	G1FS-441MA2C0LAA	MSA "G1" SCBA to Include the Following: 4500 PSI Operating System Harness Assembly with Alkaline Battery Double Pull Waist Strap NO Chest Strap Adjustable Swiveling Lumbar Pad Metal Cylinder Band CGA Quick Connect - Remote Connection G1 2nd Stage Regulator with Solid Cover Left Voice Amp Speaker Left Chest Internal Heads-Up Display Integrated Pass Device Right Shoulder Meets or Exceeds NFPA 1981-2013 Edition 15 Year Product Warranty Included LIST PRICE - \$6550	5,240.00	20,960.00
5.00	G1FP-FS1M4C1	MSA G1 Facepiece Assembly for Fire Service Small Hycar w/Medium Nosecup 4 Point Adjustable Speed On Harness Cloth Neckstrap LIST PRICE - \$404	323.20	1,616.00
19.00	G1FP-FL1M4C1	MSA G1 Facepiece Assembly for Fire Service Large Hycar w/Medium Nosecup 4 Point Adjustable Speed On Harness Cloth Neckstrap LIST PRICE - \$404	323.20	6,140.80
8.00	MSA-10175708	MSA G1 SCBA Cylinder H45LP Low Profile Super Lite Carbon Fiber Cylinder Remote Connection 4500 PSI, 45 Minute Rating With Quick Connect Cylinder Adapter Installed LIST PRICE - \$1448	1,158.40	9,267.20
1.00	MSA-10162403	MSA G1 Fill Station Adapter for Quick Connect	492.80	492.80
1.00	A-661-SS	SCBAS 347 CGA Male x 1/4 MPT, Stainless Steel	60.00	60.00





Witmer Public Safety Group

104 Independence Way
Coatesville, PA 19320

Phone: (800) 852-6088
Fax: (888) 335-9800

Quote ID: 272647
Date: 12/7/2016
Sales Person: CHARLES D

Proposal To:

Town of Newton
39 Trinity Street
Newton, NJ 07860

Phone: (973) 383-4160
Fax: (973) 383-2233

Proposal ID 272647
Date 12/7/2016
Sales Person CHARLES D

Quantity	Item ID	Description	Unit	Amount
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MSA G1 SCBA - 2016

Above pricing represents MSA NJ Contract #A80953 line 46,
SCBA.
2016 list price less 20% discount

ACCEPTANCE OF PROPOSAL

The above prices, specifications, and conditions
are satisfactory and are hereby accepted.

Proposal is valid until January 06, 2017

Signature _____

Date _____

Subtotal 38,536.80

Tax 0.00

Total 38,536.80





TOWN OF NEWTON

RESOLUTION #237-2016

December 12, 2016 “Designate Banks as Depositories for Calendar Year 2017”

BE IT RESOLVED, by the Town Council of the Town of Newton that the following policy is hereby adopted pertaining to Town funds for calendar year 2017:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #238-2016

December 12, 2016 "Transfer of School Monies for the Period from
January 1, 2017 to June 30, 2017"

BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Treasurer be authorized to turn over to the Treasurer of School Monies, as monies become available, \$6,313,697.00 to meet the obligations of the Newton Board of Education, exclusive of Debt Service, in accordance with the Statutes and the request of the Board of Education of Newton.

Amount of Tax Voted (Exclusive of Debt Service)	\$12,627,394.00
Amount Received to Date	\$6,313,697.00
Amount of This Request	<u>\$6,313,697.00</u>
Balance Due Board of Education	\$0.00

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #239-2016

December 12, 2016 "Approve 2016 Appropriation Transfers"

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2016 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
CURRENT		
Court SW 1059100	Court OE 1059200	4,000.00
Tax Collector SW 1056101	Tax Collector OE 1056246	4,300.00
Community Devel OE 1064200	Engineering 1060200	1,000.00
Code Enforcement SW 1077400	Code Enforcement OE 1077500	1,100.00
Cencom SW 1073102	Police SW 1074103	19,000.00
Cencom OE 1074300	Police SW	2,000.00
Police OE 1074200	Police SW	1,000.00
Senior Citizen SW 1093100	Police SW	8,000.00
Health Insurance Waiver OE 1066300	Police SW	5,400.00
Community Devel SW 1064100	Police SW	6,200.00
Clerk SW 1051100	Police SW	3,600.00
Court SW 1059100	Police SW	1,000.00
Manager SW 1050100	Police SW	1,100.00
TOTAL CURRENT TRANSFERS		<u>\$57,700.00</u>

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #240-2016

December 12, 2016 "Premium Payment Turned Over to Treasurer for Tax Sale Certificate #1355"

WHEREAS, Tax Sale Certificate #1355 was issued at the Tax Sale held on October 19, 2011 with zero percent redemption and a premium of \$3,000.00; and

WHEREAS, N.J.S.A. 54:5-33 states if redemption is not made within five years from the date of the Sale, the premium payment shall be turned over to the Treasurer of the Municipality; and

WHEREAS, Tax Sale Certificate #1355 was five years from the date of Tax Sale on October 19, 2016, therefore the premium in the amount of \$3,000.00 is to be turned over to the Treasurer;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Newton that this Governing Body acknowledges that the premium for Tax Sale Certificate #1355 be turned over to the Treasurer; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$3,000.00 for said premium to the Treasurer of the Town of Newton.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #241-2016

December 12, 2016 “Premium Payment Turned Over to Treasurer for Tax Sale Certificate #1369”

WHEREAS, Tax Sale Certificate #1369 was issued at the Tax Sale held on October 19, 2011 with zero percent redemption and a premium of \$2,000.00; and

WHEREAS, N.J.S.A. 54:5-33 states if redemption is not made within five years from the date of the Sale, the premium payment shall be turned over to the Treasurer of the Municipality; and

WHEREAS, Tax Sale Certificate #1369 was five years from the date of Tax Sale on October 19, 2016, therefore the premium in the amount of \$2,000.00 is to be turned over to the Treasurer;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Newton that this Governing Body acknowledges that the premium for Tax Sale Certificate #1369 be turned over to the Treasurer; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$2,000.00 for said premium to the Treasurer of the Town of Newton.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #242-2016

December 12, 2016 “Confirm the Refund of Redemption Monies to Outside Lien Holder for Block 13.05, Lot 20”

WHEREAS, at the Municipal Tax Sale held on November 17, 2016 a lien was sold on Block 13.05, Lot 20, also known as 68 Woodside Avenue for 2015 delinquent Utility charges; and

WHEREAS, this lien, known as Tax Sale Certificate #2016-006, and was sold to US Bank cust for PC6, LLC Sterling National for 7% redemption fee; and

WHEREAS, Lereta Tax & Flood, the mortgage servicer, representing the owner, Van Etten, John H. has effected the redemption of Certificate #2016-006 in the amount of \$158.56;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges, US Bank cust for PC6, LLC Sterling National is entitled to a redemption in the amount of \$158.56; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector has issued a check, in the amount of \$158.56 for the redemption of Certificate #2016-006 to US Bank cust for PC6, LLC Sterling National, 50 South Street – Suite 2050, Philadelphia, PA 19102.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #243-2016

December 12, 2016 “Resolution of the Town of Newton, in the County of Sussex, New Jersey Requesting the County of Sussex Install a Traffic Signal and Perform Requisite Road Improvements at the Intersection of Hicks Avenue and Sparta Avenue”

WHEREAS, on December 10, 2007, the Newton Town Council designated Block 1309, Lots 1, 1.01, 2, 6, 8, 9, 41 and 42 on the official Tax Map of the Town of Newton (currently designated as Block 24.02, Lots 1, 2, 3, 4, 5, 6, 7 and 8), along with the adjacent public rights-of-way along Sparta Avenue, Hicks Avenue and Smith Street as an Area in Need of Redevelopment (the “**Hicks Avenue Redevelopment Area**”); and

WHEREAS, on December 22, 2008, the Town Council adopted a redevelopment plan establishing superseding zoning governing the development of the Hicks Avenue Redevelopment Area, which was then amended in July 2014 (the “**Hicks Avenue Redevelopment Plan**”); and

WHEREAS, in accordance with a certain study titled “Alternatives Analysis Report”, prepared for the scoping project known as Operations & Safety Improvements to Newton – Sparta Road (CR 616 and CR 517) prepared by Harold E. Pellow & Associates, Inc., and dated April 2010 and revised July 2011, and given the existing traffic conditions (without redevelopment within the Hicks Avenue Redevelopment Area) a traffic signal and road improvements are needed at the intersection of Hicks Avenue and Sparta Avenue in order to provide for the safety of motorists and pedestrians (the “Traffic Signal”); and

WHEREAS, County Land Use ordinances prohibit the development of the Hicks Avenue Redevelopment Area without the installation of the Traffic Signal; and

WHEREAS, there is currently a developer interested in developing within the Hicks Avenue Redevelopment Area creating an immediate need for the installation of the Traffic Signal; and

WHEREAS, a detailed cost analysis performed by the Town of Newton Municipal Engineer, Cory L. Stoner, P.E., C.M.E. of Harold E. Pellow & Associates, Inc., dated December 9, 2016, estimated the total cost of this project to be \$784,430.00; and

WHEREAS, redevelopment of the Hicks Avenue Redevelopment Area will not occur without the County of Sussex’s commitment to installing the requisite traffic signal and road improvements, thus adversely impacting economic revitalization in the Town of Newton;

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Town hereby respectfully requests the County of Sussex install a traffic signal and associated road improvements at the intersection of Hicks Avenue and Sparta Avenue at the sole cost and expense of the County in order to protect the safety of motorists and pedestrians and facilitate the revitalization and redevelopment of the Hicks Avenue Redevelopment Area for the benefit of the Town and the County.

Section 3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. A copy of this resolution shall be available for public inspection at the offices of the Town Clerk.

Section 5. This Resolution shall take effect immediately.

CERTIFICATION

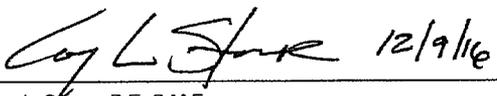
THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk

Proposed Improvements To Intersection of Newton-Sparta Road & Hicks Avenue Town of Newton

PRELIMINARY ENGINEER'S COST ESTIMATE

ITEM NO.	TO BE CONSTRUCTED	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	CONSTRUCTION LAYOUT	100%	LS	\$20,000.00	\$20,000.00
2	MOBILIZATION	100%	LS	\$20,000.00	\$20,000.00
3	CLEARING SITE	100%	LS	\$20,000.00	\$20,000.00
4	ROADWAY EXCAVATION, UNCLASSIFIED	300	CY	\$25.00	\$7,500.00
5	SAWCUTTING	300	LF	\$5.00	\$1,500.00
6	MILLING, 2" AVERAGE DEPTH	3,200	SY	\$4.00	\$12,800.00
7	DENSE GRADED AGGREGATE BASE COURSE, 6" THICK	300	TON	\$25.00	\$7,500.00
8	HOT MIX ASPHALT 9.5H64 SURFACE COURSE, 2" THICK	510	TON	\$100.00	\$51,000.00
9	HOT MIX ASPHALT 19M64 BASE COURSE, 4" THICK	220	TON	\$100.00	\$22,000.00
10	EXTENSION RINGS FOR EXISTING MANHOLES	5	UNIT	\$500.00	\$2,500.00
11	15" REINFORCED CONCRETE CULVERT PIPE	100	LF	\$50.00	\$5,000.00
12	INLETS, TYPE B	4	UNIT	\$2,500.00	\$10,000.00
13	MANHOLES	1	UNIT	\$2,500.00	\$2,500.00
14	9" x 18" CONCRETE VERTICAL CURB	1,800	LF	\$25.00	\$45,000.00
15	CONCRETE SIDEWALK, 4" THICK	800	SY	\$50.00	\$40,000.00
16	HOT MIX ASPHALT DRIVEWAY, 6" THICK	200	SY	\$35.00	\$7,000.00
17	TRAFFIC SIGNALS (POLES, SIGNAL HEADS, ASSEMBLIES, CABINETS, ETC)	100%	LS	\$175,000.00	\$175,000.00
18	DRUMS	50	UNIT	\$50.00	\$2,500.00
19	TRAFFIC CONES	50	UNIT	\$30.00	\$1,500.00
20	CONSTRUCTION SIGNS	200	SF	\$30.00	\$6,000.00
21	TRAFFIC DIRECTORS, FLAGGERS	320	HRS	\$85.00	\$27,200.00
22	TRAFFIC STRIPES - TEMPORARY	2,000	LF	\$1.00	\$2,000.00
23	TRAFFIC STRIPES, LONG LIFE, EPOXY RESIN, 4" WIDE	4,500	LF	\$2.00	\$9,000.00
24	TRAFFIC MARKINGS, LINES, LONG LIFE, THERMOPLASTIC, 4" WIDE	900	LF	\$6.00	\$5,400.00
25	TRAFFIC MARKINGS, SYMBOLS, LONG LIFE, THERMOPLASTIC	10	SY	\$40.00	\$400.00
26	SIGNS	64	SY	\$25.00	\$1,600.00
27	SILT FENCE & EROSION CONTROL MEASURES	100%	LS	\$10,000.00	\$10,000.00
28	LANDSCAPING	100%	LS	\$10,000.00	\$10,000.00
29	TOPSOILING, 4" THICK	800	SY	\$5.00	\$4,000.00
30	FERTILIZING & SEEDING, STRAW MULCHING	800	SY	\$3.00	\$2,400.00
	SUBTOTAL - ESTIMATED COST OF CONSTRUCTION				\$531,300.00
	10% CONTINGENCIES				\$53,130.00
	TOTAL - ESTIMATED COST OF CONSTRUCTION				\$584,430.00
	ENGINEERING DESIGN, SURVEYING & PERMITS				\$100,000.00
	RIGHT-OF-WAY ACQUISITION				\$50,000.00
	CONSTRUCTION MANAGEMENT & INSPECTION				\$50,000.00
	TOTAL ESTIMATED COST OF PROJECT				\$784,430.00

SIGNED:  12/9/16
Cory L. Stoner, P.E., C.M.E.

HAROLD E. PELLOW & ASSOCIATES, INC.
Consulting Engineers, Planners & Land Surveyors



TOWN OF NEWTON

RESOLUTION #244-2016

December 12, 2016 “Appointment of Jarrod C. Cofrancesco, Esq., as the Town of Newton's Alternate Municipal Prosecutor for Calendar Year 2017”

WHEREAS, Jonathan E. McMeen, Esq., currently serving as the Town of Newton's Municipal Prosecutor, has indicated an Alternate Municipal Prosecutor may be needed by the Town of Newton during calendar year 2017; and

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

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby appoint Jarrod C. Cofrancesco, Esq. as the Town of Newton's Alternate Municipal Prosecutor for the calendar year 2017; and

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #245-2016

December 12, 2016 "Authorize the Release of Executive Session Minutes to the Public July 1, 2015 through June 30, 2016"

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

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

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

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

11/23/15	12/14/15	12/28/15	02/08/16
02/22/16	03/28/16	04/25/16	

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

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #246-2016

December 12, 2016 "Authorizing Waiving of Water and Sewer Utility Charges for the Newton Volunteer First Aid Squad for Calendar Year 2017"

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

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

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

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby waives the water and sewer utility charges incurred at Block 22.01, Lot 24 by the Newton First Aid Squad for calendar year 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, December 12, 2016.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #247-2016

December 12, 2016 **“A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12”**

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

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

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

(1) Personnel – Town Manager's Performance Review

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on December 12, 2016, that an Executive Session closed to the public shall be held on December 12, 2016, at PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific items designated above.

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

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk

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

Check#	Vendor	Description	Payment	Check Total
37535	1651 - AMANJ	PO 49223 ASSESSORS MEETING/LUNCH 11/16/16	60.00	60.00
37536	3615 - ANN ROSELLEN	PO 48347 MEDICARE PART B REIMB	629.40	629.40
37537	1132 - BOONTON TIRE SUPPLY INC.	PO 49045 BLANKET PO/VEH MAINT	45.95	45.95
37538	3313 - CARGILL DEICING TECHNOLOGY, INC.	PO 49346 700 TONS SALT	40,937.81	40,937.81
37539	3143 - CARTRIDGE WORLD	PO 49189 INK CART'S CODE ENFORCEMENT	568.91	
		PO 49317 2 BLACK CARTRIDGE CODE ENF.	109.98	678.89
37540	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 47540 BLANKET: ALARM CIRCUITS HIGH ST TO	125.85	125.85
37541	2843 - CHELBUS CLEANING CO., INC.	PO 47491 BLANKET: 2016 CLEAN TOWNHALL/FIREHO	1,770.00	1,770.00
37542	2048 - DANIELSON, DEBORAH	PO 47949 2016 MILEAGE REIMB (200 miles @ \$11	115.00	115.00
37543	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 47485 BLANKET: UNIFORM/MAT RENTALS & PAPE	0.40	
		PO 47485 BLANKET: UNIFORM/MAT RENTALS & PAPE	982.68	983.08
37544	2290 - DOUGLAS CUMMINS	PO 48335 MEDICARE PART B REIMB	629.40	629.40
37545	225 - FEDERAL EXPRESS	PO 47560 BLANKET: EXPRESS MAIL Acct #1344-05	50.89	50.89
37546	1880 - FIRE & SAFETY SERVICES, LTD., INC.	PO 49340 ENG #804 REPAIRS	2,462.82	2,462.82
37547	2525 - FIREFIGHTER ONE, LLC.	PO 49216 HOSE REPLACEMENT	974.40	974.40
37548	172 - FRISBIE, ARTHUR & RITA	PO 48345 MEDICARE PART B REIMB	1,258.80	1,258.80
37549	109 - FURGIUELE, CAMILLE	PO 48344 MEDICARE PART B REIMB	629.40	629.40
37550	478 - GANN LAW BOOKS	PO 48925 TITLE 40 & 40A: POLICE, FINANCE Cu	337.50	337.50
37551	2684 - GARDEN STATE HIGHWAY PRODUCTS, INC.	PO 49212 PEDESTRIAN SIGNS	295.00	295.00
37552	448 - GARRIS, JEAN	PO 48339 MEDICARE PART B REIMB	629.40	629.40
37553	2626 - GENERAL CODE, LLC	PO 49356 ANNUAL MAINTENANCE 11/1/16-10/31/17	1,195.00	1,195.00
37554	1608 - GOLD TYPE BUSINESS MACHINES	PO 49089 BATTERY	129.94	129.94
37555	3804 - HAYDEE BALLESTER	PO 48392 BLANKET: TRANSLATION	165.00	165.00
37556	230 - HAYEK'S MARKET INC.	PO 49280 Election Expense	27.52	27.52
37557	272 - HOLZHAUER, SCOTT	PO 47948 2016 MILEAGE REIMB (200 MILES @ \$11	115.00	115.00
37558	1866 - HOME DEPOT, INC.	PO 47716 BLANKET: PARKS SUPP'S	19.94	
		PO 47739 BLANKET: B&G/VEH MAINT/RD SUPP'S	438.92	
		PO 47695 BLANKET: POLICE SUPP'S	40.74	499.60
37559	3668 - IHEARTMEDIA + ENTERTAINMENT INC.	PO 49170 2016 DNA ADVERTISING	705.15	705.15
37560	173 - ILIFF, JOHN AND TERRY	PO 48341 MEDICARE PART B REIMB	1,258.80	1,258.80
37561	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 49311 OCT COUNCIL BUSINESS	265.50	265.50
37562	2767 - JAMES J KILDUFF	PO 48342 MEDICARE PART B REIMB	629.40	629.40
37563	3715 - JOHN MULHERN	PO 47475 2016 JUDGE (\$35,000/12=\$2,916.67 G	3,791.63	3,791.63
37564	276 - KAYS, PETER J.	PO 48351 MEDICARE PART B REIMB	1,258.80	1,258.80
37565	365 - KITHCART, BROCK	PO 47951 2016 PHONE STIPEND (\$37.50 PER QTR)	37.50	37.50
37566	2532 - LADDEY, CLARK & RYAN, LLP	PO 47478 2016 PROSECUTOR (\$27,000/12=\$2250)	2,458.36	2,458.36
37567	266 - LAFAYETTE AUTO PARTS	PO 49335 HYDRAULIC HOSES	558.26	558.26
37568	3839 - LANDY, ROXANNE	PO 49365 ASSIST COURT COVERAGE 11/29	237.50	237.50
37569	3842 - LEAL, ALVARO	PO 49378 ASSIST COURT ADMIN 11/22	125.00	125.00
37570	1141 - MCGUIRE, INC.	PO 47505 BLANKET: DPW TRUCK REPAIRS CUST #	690.00	690.00
37571	3047 - MICHAEL A PANDISCIA	PO 48346 MEDICARE PART B REIMB	629.40	629.40
37572	1884 - MORRIS, THOMAS & BULAH	PO 48349 MEDICARE PART B REIMB	1,258.80	1,258.80
37573	3848 - MUGS MEDIA	PO 49316 Sponsored 2 local sporting events	200.00	200.00
37574	65 - MUNICIPAL SOFTWARE, INC.	PO 49348 SERVER BACK-UP TAPES	287.50	287.50
37575	2201 - NEWTON FIRE DEPARTMENT	PO 49351 2016 AID TO FIREMEN	12,200.00	12,200.00
37576	240 - NEWTON FIRST AID SQUAD	PO 48515 2016 CONTRIBUTION \$6,125 per qtr	6,125.00	6,125.00
37577	3850 - NEWTON TOWN CENTRE URBAN RENEWAL AS	PO 49392 LOAN TO NEWTON TOWN CENTER R#102-20	45,000.00	45,000.00
37578	3781 - PENCO PRODUCTS, INC.	PO 48006 HANDLE	20.95	20.95
37579	39 - QUILL CORPORATION	PO 49326 Copy Paper for Second Floor #C1521	125.97	125.97
37580	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 47535 BLANKET: GAS (JAN-MAR \$5000) A/C#	4,087.20	4,087.20
37581	1274 - RANSNORTH, NANCY	PO 48337 MEDICARE PART B REIMB	629.40	629.40
37582	3679 - REISINGER OXYGEN SERVICE, INC.	PO 47480 BLANKET: OXYGEN POLICE CUST #0558	134.72	134.72
37583	1112 - RICHARDS, JEAN	PO 48338 MEDICARE PART B REIMB	629.40	629.40
37584	3849 - ROK INDUSTRIES, INC	PO 49330 ELECTRONIC TAX SALE FEES	390.00	390.00
37585	1883 - ROMYNS, LARRY E.	PO 48336 MEDICARE PART B REIMB	629.40	629.40
37586	2551 - RONALD CLOUSE	PO 48348 MEDICARE PART B REIMB	1,258.80	1,258.80
37587	3660 - SCHENCK, PRICE, SMITH, & KING, LLP	PO 49305 OCT TAX APPEALS	157.50	157.50
37588	126 - SCMUA	PO 47580 BLANKET: TRASH/BRUSH/STREETSWEeping	596.72	596.72
37589	611 - SEBRING AUTO PARTS, INC.	PO 47518 BLANKET: AUTO PARTS/SUPPS ACCT #46	118.53	118.53
37590	285 - SLOAN, JAMES PPC.	PO 47479 2016 PUBLIC DEFENDER (\$13,500/12=\$1	1,229.14	1,229.14
37591	338 - SMITH, WILLIAM F	PO 48340 MEDICARE PART B REIMB	629.40	629.40
37592	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 48714 BLANKET: OFFICE SUPPLIES POLICE/CEN	317.46	
		PO 49325 Second Floor Office Supplies	156.15	
		PO 49381 OEM OFFICE SUPPLIES	164.15	637.76

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

Check#	Vendor	Description	Payment	Check Total
37593	2865 - STEVE MILLS	PO 48343 MEDICARE PART B REIMB	629.40	629.40
37594	2561 - SUSSEX COUNTY CHAMBER OF COMMERCE	PO 49320 Membership 10/01/2016 - 09/30/2017	311.00	311.00
37595	2479 - TAYLOR OIL CO., INC.	PO 47536 BLANKET: DIESEL (JAN-MAR \$5000) A/C	1,414.67	1,414.67
37596	133 - TEETS, MICHAEL D	PO 47952 2016 MILEAGE REIMB (200 miles @ \$11	115.00	115.00
37597	1751 - TERESA ANN OSWIN	PO 47950 2016 PHONE STIPEND (\$37.50 PER QTR)	37.50	37.50
37598	3105 - THYSSENKRUPP ELEVATOR CORP.	PO 47471 BLANKET: ELEVATOR MAINT TH SIDE CU	212.18	212.18
37599	3429 - TOYOTA MOTOR CREDIT CORP.	PO 47522 BLANKET: 2013 TOYOTA CAMRY @ \$472	472.08	472.08
37600	3398 - TOYOTA/SUBARU/SCION OF MORRISTOWN I	PO 49318 Service on 2013 Camry - Manager	202.62	202.62
37601	293 - TREASURER, PETTY CASH FUND	PO 49382 REPLENISH 2016 PETTY CASH	121.67	121.67
37602	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 47575 BLANKET: 2016 LABOR ATTORNEY (Jan-	775.00	775.00
37603	3369 - UNITED TELEPHONE/CENTURY LINK	PO 47538 BLANKET: DIGITAL DATA CIRCUIT 39 T	126.68	126.68
37604	3444 - USA HOISTCO., INC.	PO 47551 BLANKET: ELEVATOR MAINT (Police si	215.00	215.00
37605	1280 - VERIZON WIRELESS, INC.	PO 47483 BLANKET: 1X AIRCARDS ACCT #201 M15	193.71	193.71
37606	1158 - VISION SERVICE PLAN	PO 47549 BLANKET: VISION PLAN (Jan-Mar) June	2,515.49	2,515.49
37607	2657 - WEATHER WORKS, INC.	PO 49289 WEATHER ALERT CONTRACT (12/1-11/30/	1,650.00	1,650.00
37608	136 - ZENES, NANCY	PO 48350 MEDICARE PART B REIMB	629.40	629.40
TOTAL				153,358.54

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
100001	CASH - CURRENT - LAKELAND #434			0.00	153,358.54
101296	ACCOUNTS PAYABLE			45,000.00	
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	3,023.40			
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES	50.89			
1051500	ELECTIONS - OTHER EXPENSES	27.52			
1052200	TOWN COUNCIL - OTHER EXPENSES	321.00			
1053200	HUMAN RESOURCE - OTHER EXPENSES	13.01			
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES	164.00			
1055200	ASSESSMENT OF TAXES - OTHER EXPENSES	175.00			
1056200	COLLECTION OF TAXES - OTHER EXPENSES	411.99			
1058200	LEGAL SERVICES - OTHER EXPENSES	4,307.43			
1059200	MUNICIPAL COURT - OTHER EXPENSES	527.50			
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	3,039.24			
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	409.94			
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	16,362.29			
1070200	FIRE DEPARTMENT - OTHER EXPENSES	1,089.40			
1072200	AID TO VOLUNTEER FIRE DEPTS - OTHER EXP	12,200.00			
1074200	POLICE DEPARTMENT - OTHER EXPENSES	742.25			
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	410.45			
1076200	AID TO FIRST AID ORGANIZATION - OTHER EX	6,125.00			
1077500	CODE ENFORCEMENT - OTHER EXPENSES	678.89			
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES	164.15			
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	2,212.06			
1081200	SNOW REMOVAL - OTHER EXPENSES	40,937.81			
1083200	RECYCLING/SANITATION - OTHER EXPENSES	582.11			
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	4,096.06			
1087200	RECREATION - OTHER EXPENSES	125.29			
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	6,023.11			
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES	19.94			
1094550	RECYCLING TAX (PL2007 c.311)O/S CAP	14.61			
1094798	INTERLOCAL - GREEN TWP COURT	4,104.20			
TOTALS FOR		108,358.54	0.00	45,000.00	153,358.54

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT

Total to be paid from Fund 10 CURRENT FUND		153,358.54			

		153,358.54			

Checks Previously Disbursed

161074	NEWTON BOARD OF EDUCATION	School Tax & Debt svc DEC 2016	1,200,782.00	12/06/2016
161073	CAPITAL ACCOUNT	pay 2016 Note Prin to Capital Def.	210,000.00	12/05/2016
161072	PAYROLL ACCOUNT	12/01 Current Pay	204,838.61	12/01/2016

			1,615,620.61	

Total paid from Fund 10 CURRENT FUND		1,615,620.61

		1,615,620.61

Total for this Bills List: **1,768,979.15**

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

Check#	Vendor	Description	Payment	Check Total
1351	3134 - SHOP RITE, INC.	PO 49321 ACTION ALLIANCE: FROSH VBALL	228.65	228.65
	TOTAL			----- 228.65

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
110001	CASH			0.00	228.65
111200	APPROPRIATED RESERVES FOR GRANTS			228.65	

TOTALS FOR	FEDERAL/STATE GRANTS	0.00	0.00	228.65	228.65
		=====	=====	=====	=====

Total to be paid from Fund 11 FEDERAL/STATE GRANTS

228.65

228.65

Checks Previously Disbursed

161124	PAYROLL ACCOUNT	12/01 Grant Pay	356.86	12/01/2016

			356.86	

Total paid from Fund 11 FEDERAL/STATE GRANTS

356.86

356.86

Total for this Bills List: 585.51

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

Check#	Vendor	Description	Payment	Check Total
8590	2744 - FKA ARCHITECTS INC.	PO 48892 ARCHITECT -FIREHOUSE #2 RENOVATION	16,046.25	16,046.25
8591	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 49311 OCT COUNCIL BUSINESS	401.00	401.00
8592	2665 - SIGN-A-RAMA, INC.	PO 49352 SIGNAGE	1,444.00	1,444.00
8593	3822 - STRYKER EMS EQUIPMENT, CORP	PO 48710 POWER LOAD COT FASTENING SYSTEM	25,000.00	25,000.00
TOTAL				42,891.25

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
300001	CASH - CAPITAL - LAKELAND #450			0.00	42,891.25
3091516	ORD 2015-16 VARIOUS \$970T	401.00			
3091605	ORD 2016-5 VARIOUS \$1,190T	42,490.25			
TOTALS FOR		42,891.25	0.00	0.00	42,891.25

Total to be paid from Fund 30 CAPITAL

42,891.25
=====

42,891.25

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

Check#	Vendor	Description	Payment	Check Total
16023	2709 - ACCURATE WASTE REMOVAL INC.	PO 48402 CHEMICAL WASTE REMOVAL WTP @ \$.03	280.00	280.00
16024	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 47485 BLANKET: UNIFORM/MAT RENTALS & PAPE	362.70	362.70
16025	2756 - EM SIGNS, LLC	PO 49339 DECALS W/S TRUCK	54.00	54.00
16026	3124 - EXTRA TECH DATA SERVICES, LLC.	PO 49332 AUG/SEPT SETTING UP KENNY'S COMPUTE	377.50	377.50
16027	70 - HACH COMPANY	PO 49187 LAB SUPPLIES FOR WTP & WWTP	556.72	556.72
16028	232 - HAMBURG PLUMBING SUPPLY CO INC	PO 47564 BLANKET: PLUMBING SUPP'S CUST #140	107.10	107.10
16029	1866 - HOME DEPOT, INC.	PO 48450 BLANKET: W/S SUPPLES	160.37	
		PO 49213 MOBILE WORK BENCH & MECHANIC'S TOOL	697.00	857.37
16030	3668 - IHEARTMEDIA + ENTERTAINMENT INC.	PO 49074 Radio Marketing Nov-Dec 2016	1,806.00	1,806.00
16031	3668 - IHEARTMEDIA + ENTERTAINMENT INC.	PO 49170 2016 DNA ADVERTISING	1,294.85	1,294.85
16032	1271 - JCI JONES CHEMICALS, INC	PO 48395 BID: LIQ SULFUR DIOXIDE @ \$.65 (\$7,	682.50	
		PO 48396 BID: CHLORINE \$.65 gal (\$7,117.50 x	682.50	1,365.00
16033	1566 - MAIN POOL & CHEMICAL COMPANY, INC.	PO 48399 BID: SODIUM HYDROXIDE @ \$1.44 (\$7,9	475.20	475.20
16034	1022 - MCCULLOUGH TREE EXPERTS LLC	PO 49361 REMOVE TREE FROM STP BLDG & FENCE	1,100.00	1,100.00
16035	3166 - MOTT MACDONALD GROUP, INC.	PO 46566 ENGINEERING RBC REPLACEMENT QUOTE	6,124.16	
		PO 49355 2016 SEWER CONSULTING THRU 10/28	2,826.95	8,951.11
16036	3848 - MUGS MEDIA	PO 49316 Sponsored 2 local sporting events	200.00	200.00
16037	65 - MUNICIPAL SOFTWARE, INC.	PO 49348 SERVER BACK-UP TAPES	287.50	287.50
16038	3606 - NJ FENCE LLC	PO 48890 FENCE WTR RESERVOIR 150 HIGH ST	28,000.00	28,000.00
16039	2882 - ONE CALL CONCEPTS, INC.	PO 47516 BLANKET: ONE CALL MESSAGES (Jan-Dec	143.75	143.75
16040	2216 - PALL CORPORATION	PO 48103 ANNUAL SVC CONTRACT FILTERS WTP Ac	4,649.24	4,649.24
16041	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 47555 BLANKET: SLUDGE DISPOSAL (Jan-Mar)	6,480.00	6,480.00
16042	853 - R&D TRUCKING INC	PO 48390 BID: SLUDGE REMOVAL @ \$.0339 (\$48	4,847.70	4,847.70
16043	55 - SCHMIDT'S WHOLESALE, INC	PO 49345 Water Meters	8,987.24	8,987.24
16044	126 - SCMUA	PO 47580 BLANKET: TRASH/BRUSH/STREETSWEEPING	612.95	612.95
16045	1489 - SMALLEY, JOHN H	PO 47521 BLANKET: 2016 SVC'S MORRIS LAKE 12	1,250.00	
		PO 48353 MEDICARE PART B REIMB	1,258.80	2,508.80
16046	2056 - SUBURBAN PROPANE, LP.	PO 47558 BLANKET: PROPANE WTP ACCT #2232	603.33	603.33
16047	130 - SUSSEX COUNTY P & H, INC.	PO 47545 BLANKET: PLUMBING SUPPLIES	20.00	20.00
16048	2393 - SUSSEX COUNTY RENTAL CENTER, LLC.	PO 49333 SKIDSTEER ATTACH RENTAL CUST #146	168.00	168.00
16049	371 - T.A. MOUNTFORD COMPANY, INC.	PO 49336 STP COPIER CONTRACT (10/15/16-10/15	250.00	250.00
16050	1601 - TILCON NEW JERSEY, INC.	PO 49344 ASPHALT (17.45 TONS) CUST #85847	3,577.25	3,577.25
16051	292 - TREASURER, WATER & SEWER PETTY CASH	PO 49383 REPLENISH 2016 W/S PETTY CASH	39.16	39.16
16052	1158 - VISION SERVICE PLAN	PO 47549 BLANKET: VISION PLAN (Jan-Mar) June	518.00	518.00
16053	366 - WAGNER, WILLIAM	PO 48352 MEDICARE PART B REIMB	1,258.80	1,258.80

	TOTAL			80,739.27

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
600001	CASH - W/S OPERATING-LAKELAND #426			0.00	80,739.27
6051200	W&S OPERATING - TOTAL OTHER EXPENSES	37,573.87			
6089294	W&S CAP IMPROVE - ACQ 4 WHEEL DRIVE (S)	54.00			
6089296	W&S CAP IMPROVE - ACQ OF METERS/HYDRANTS	8,987.24			
6089329A	(2015) W&S CAP IMPROVE - 1 RBC MECHANISM		6,124.16		
6089334	W&S CAP IMPROVE - RESEVOIR FENCE (W)NJDE	28,000.00			

TOTALS FOR	WATER/SEWER UTILITY	74,615.11	6,124.16	0.00	80,739.27
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Total to be paid from Fund 60 WATER/SEWER UTILITY

80,739.27

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80,739.27

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
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Checks Previously Disbursed

166035	PAYROLL ACCOUNT	12/01 W/S Pay			36,597.39 12/01/2016
16022	SPARTA POSTMASTER	4th QTR W/S BILLS POSTAGE			907.17 11/28/2016
16021	TOYOTA MOTOR CREDIT CORP.	PO# 47522 BLANKET: 2013 TOYOTA CAMRY @ \$472			472.08 11/28/2016

 37,976.64

Total paid from Fund 60 WATER/SEWER UTILITY 37,976.64

 37,976.64

Total for this Bills List: **118,715.91**

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

Check#	Vendor	Description	Payment	Check Total
3565	2532 - LADDEY, CLARK & RYAN, LLP	PO 49354 RPM OCT	720.00	720.00
	TOTAL			720.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
710001	CASH - TRUST - LAKELAND #469			0.00	720.00
711440	ENGINEER REVIEW FEES			720.00	
TOTALS FOR	TRUST	0.00	0.00	720.00	720.00

Total to be paid from Fund 71 TRUST 720.00
=====
720.00

Checks Previously Disbursed

167124	PAYROLL ACCOUNT	12/01 Trust Pay	4,305.50 11/29/2016

			4,305.50

Total paid from Fund 71 TRUST 4,305.50

4,305.50

Total for this Bills List: 5,025.50

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

Check#	Vendor	Description	Payment	Check Total
158	3850 - NEWTON TOWN CENTRE URBAN RENEWAL AS PO 49393	AFFORD HSNQ TRST LOAN NEWTONTOWN CT	50,000.00	50,000.00
	TOTAL			50,000.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
750001	CASH - HOUSING TRUST FUND (COAH) #0301			0.00	50,000.00
751220	RESERVES FOR COMMERCIAL DEVELOPMENT			50,000.00	
TOTALS FOR	HOUSING TRUST FUND (COAH) (Fund 75)	0.00	0.00	50,000.00	50,000.00

Total to be paid from Fund 75 HOUSING TRUST FUND (COAH) (Fund 75) 50,000.00
 =====
 50,000.00