



AGENDA
NEWTON TOWN COUNCIL
DECEMBER 29, 2010
7:00 P.M.

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. OPEN PUBLIC MEETINGS ACT STATEMENT**

IV. APPROVAL OF MINUTES

DECEMBER 13, 2010 REGULAR MEETING
DECEMBER 13, 2010 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. PRESENTATIONS

- a. PROCLAMATION – PETER J. KAYS
- b. HOUSE DECORATING CONTEST WINNER

VII. COUNCIL & MANAGER REPORTS

VIII. ORDINANCES

- a. 2ND READING AND PUBLIC HEARING

ORDINANCE 2010-28

AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF AN ENCROACHMENT EASEMENT OVER PART OF BLOCK 1302, LOT 9 ON THE OFFICIAL TAX MAP OF THE TOWN OF NEWTON, OWNED BY THE TOWN OF NEWTON, TO PERMIT THE ENCROACHMENT OF THE DWELLING AND THE CONCRETE STAIRS AND WALLS ADJACENT TO THE DWELLING, ALL LOCATED ON BLOCK 1108, LOT 19.05 AND LOT 23 AS SHOWN ON THE OFFICAL TAX MAP OF THE TOWN OF NEWTON, PURSUANT TO N.J.S.A. 40A:12-13, et. seq.

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

ORDINANCE 2010-29

AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2011

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

ORDINANCE 2010-30

AN ORDINANCE FOR PROFESSIONAL SERVICES FOR CALENDAR YEAR 2011.

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

IX. OLD BUSINESS

- a. BILLS AND VOUCHERS
- b. MAIN STREET NEWTON BID

CHECK #27972

X. 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 #248-2010* RATIFY AND AFFIRM THE ISSUANCE OF A BOND ANTICIPATION NOTE
- b. RESOLUTION #249-2010* APPOINTMENT OF VARIOUS ATTORNEYS FOR CALENDAR YEAR 2011
- c. RESOLUTION #250-2010* APPOINTMENT OF MEGAN KRAL, ESQ., AS THE TOWN OF NEWTON'S ALTERNATE MUNICIPAL PROSECUTOR FOR CALENDAR YEAR 2011
- d. RESOLUTION #251-2010* RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF NEWTON AUTHORIZING AN AGREEMENT FOR CERTAIN LEGAL SERVICES
- e. RESOLUTION #252-2010* APPROVE REFUND OF ERRONEOUS WATER AND SEWER PAYMENTS
- f. RESOLUTION #253-2010* AMEND TAX SALE CERTIFICATE #1292 FOR ERRONEOUS WATER AND SEWER PAYMENTS MADE

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|-----------|-----------------------|--|
| g. | RESOLUTION #254-2010* | AUTHORIZE REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER |
| h. | RESOLUTION #255-2010* | RESOLUTION TO REMIT (CANCEL) ADDED ASSESSMENT TAXES |
| i. | RESOLUTION #256-2010* | RESOLUTION TO BILL ADDED ASSESSMENT TAXES AS THE RESULT OF A SUSSEX COUNTY BOARD OF TAXATION JUDGMENT |
| j. | RESOLUTION #257-2010* | AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS |
| k. | RESOLUTION #258-2010* | RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO EXEMPT THE RESERVE FOR UNCOLLECTED TAXES FROM THE 2% CAP |
| l. | RESOLUTION #259-2010* | APPROVE BILLS AND VOUCHERS FOR PAYMENT |
| m. | RESOLUTION #260-2010* | APPROVE 2010 APPROPRIATION TRANSFERS |
| n. | RESOLUTION #261-2010* | ADOPTION OF THE TEMPORARY OPERATING BUDGET AND TEMPORARY WATER AND SEWER BUDGET FOR 2011 |

XI. INTERMISSION

XII. DISCUSSION

XIII. OPEN TO THE PUBLIC

XIV. COUNCIL & MANAGER COMMENTS

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

Peter J. Kays

WHEREAS, Peter J. Kays was first employed by the Town of Newton on May 1, 1989 as a Laborer with the Department of Public Works; and

WHEREAS, he was promoted to the position of Truck Driver on January 1, 1992; and

WHEREAS, during his tenure with the Town he was recognized for his assistance with the repair of a watermain break on the Barn Hill Care Center property in July, 2006, for his work in assisting the Public Works Department in the acquisition and restoration of tractors for snow removal in 1999, and for his fine job in helping with the snow removal during the Blizzards of 1993, 1996 and 2003; and

WHEREAS, most notably Pete was recognized for his assistance with the Police apprehending a burglar that robbed a fellow employee's home in September 1994; and

WHEREAS, Pete officially retires on December 31, 2010 after 21 years of service to the Town of Newton;

NOW, THEREFORE, We the Mayor and Town Council of the Town of Newton hereby proclaim our appreciation and gratitude to Peter J. Kays for his dedicated service and offer our best wishes to him for health and happiness during his retirement.

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

Attest: _____

Date: _____

TOWN OF NEWTON

ORDINANCE NO. 2010-28

AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF AN ENCROACHMENT EASEMENT OVER PART OF BLOCK 1302, LOT 9 ON THE OFFICIAL TAX MAP OF THE TOWN OF NEWTON, OWNED BY THE TOWN OF NEWTON, TO PERMIT THE ENCROACHMENT OF THE DWELLING AND THE CONCRETE STAIRS AND WALLS ADJACENT TO THE DWELLING, ALL LOCATED ON BLOCK 1108, LOT 19.05 AND LOT 23 AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWN OF NEWTON, PURSUANT TO N.J.S.A. 40A:12-13, et seq.

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes a municipality, by ordinance, to sell an interest in real property as therein defined via private sale to contiguous property owners; and

WHEREAS, title to Block 1302, Lot 9 ("Town Property") on the Official Tax Map of the Town of Newton ("Town") is held by the Town as public property; and

WHEREAS, a portion of the dwelling and the concrete stairs and walls adjacent to the dwelling, located on adjacent premises more particularly described as Block 1108, Lot 19.05 and Lot 23 ("Private Property") on the Official Tax Map of the Town of Newton and commonly known as 19-21 Kelsey Avenue, currently encroaches onto the Town Property; and

WHEREAS, the Town desires to convey to the owner of the Private Property an encroachment easement, more particularly described on Schedule A attached hereto and made a part hereof, in order to permit the continued encroachment onto the Town Property; and

WHEREAS, the Town desires to offer the easement interest in the property to contiguous property owner to purchase for not less than the fair market value which has been established at \$1,500.00.

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 Town of Newton ("Town") hereby authorizes the private sale of an encroachment easement over Block 1302, Lot 9 ("Town Property") on the Official Tax Map of the Town of Newton, owned by the Town, to and for the benefit of the owner of Block 1108, Lot 19.05 and Lot 23 ("Private Property") on the Official Tax Map of the Town of Newton (commonly known as 19-21 Kelsey Avenue), for the purposes of permitting the encroachment of the dwelling and the concrete stairs and wall adjacent to the dwelling onto the Town Property, for consideration of ONE THOUSAND, FIVE HUNDRED DOLLARS (\$1,500.00), which is determined to be the fair market value thereof.

SECTION 2. The metes and bounds description of said encroachment easement, together with a map designating the same, are hereby attached hereto and made a part hereof as Schedules A and B, and are incorporated herein.

SECTION 3. The Mayor, Municipal Clerk, and all other officers, employees and professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purpose of this Ordinance in accordance with the applicable statutory requirements set forth in N.J.S.A. 40A:12-13 et seq.

SECTION 4. An advertisement shall be published in a newspaper circulating within the Town of the adoption of this Ordinance and of the opportunity for any person to offer to purchase said easement for not less than the \$1,500.00 fair market value established herein by making said offer in writing to the Town Manager and providing a certified or cashier's check payable to the Town in the amount of not less than 10% of the offer.

SECTION 5. Not later than 30 days from the enactment of this ordinance, the Town reserves the right to reconsider said ordinance and offer the subject property interest for sale by public bid/auction pursuant to the applicable law.

SECTION 6. All Ordinances of the Town of Newton which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 7. If any section, subsection, clause, or phrase of this Ordinance is for any

reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 8. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

ATTEST

TOWN OF NEWTON

Lorraine A. Read, RMC,
Municipal Clerk

Kristen S. Becker, Mayor

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of an Ordinance introduced by the Town Council of the Town of Newton at a duly convened meeting held on December 13, 2010 and was adopted after public hearing at a meeting held on December 29, 2010.

Lorraine A. Read, RMC, Municipal Clerk

ERIC R. SMART ASSOCIATES

Land Surveying
78 Coykendall Road
Wantage, New Jersey 07461
Phone & Fax (973) 875-9449

October 27, 2010

5095R.doc

Easement description for dwelling encroachments over Tax Map Lot 9 in Block 1302, lands of the Town of Newton, to benefit Tax Map Lots 19.05 and 23 in Block 1108.

BEGINNING at a concrete monument found on the northwesterly sideline of Lot 9, Block 1302, lands of the Town of Newton, formerly the Sussex Railroad, said monument is at the beginning corner of the third tract of land described in a deed of conveyance from Hart and Iliff Co., to the Hart and Iliff Co., bearing date of May 1, 1924 and recorded in the Sussex County Clerk's Office in Book 0-12 of Deeds, page 391 and running the following 2 courses along the northwesterly sideline of Lot 9 Block 1302

1. N40°-16'-32"W 20.17' along the division line between Lots 9 and 23 to a point, thence
2. N66°-45'-00"E 53.00' still along the division line between Lots 9 and 23 and also partly along the southerly line of 10' wide driveway tract to a point, thence
3. S23°-15'-00"E 15.37' thru the said Lot 9, the lands of the Town of Newton to a point, thence
4. S61°-59'-37"W 47.26' still thru Lot 9 to the point of beginning.

Containing 873 square feet of land.

The above description is based on a survey entitled "Map of Survey of Lot 19.05 & Lot 23, Block 1108, Town of Newton, Sussex County, NJ", dated March 10, 2010 and prepared by William F. Stoehr, LS 27890



Prepared by Eric R. Smart, NJLS 18606

**TOWN OF NEWTON
ORDINANCE #2010-29**

**AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM
SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF
THE TOWN OF NEWTON FOR CALENDAR YEAR 2011**

WHEREAS, N.J.S.A. 40A:9-165 permits a municipality to establish 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;

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 2011 as shown in Schedules "A" and "B" attached hereto in accordance with Section 4-4.1 of the Town of Newton Revised General Ordinances.

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 4 serving in the position of Deputy Court Administrator, may be compensated a stipend of \$50.00 in lieu of 2 hours compensatory time for each court related call-out requiring 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 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, 2011.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, December 13, 2010. It was adopted, after final reading and public hearing thereon, at a meeting of the Town Council of the Town of Newton conducted at 7:00pm on Monday, December 29, 2010 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
#2010-29
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	\$7.25	\$15.50	\$13,195	\$28,210	\$15,080	\$32,240	
2	\$7.50	\$17.00	\$13,650	\$30,940	\$15,600	\$35,360	
3	\$7.75	\$19.25	\$14,105	\$35,035	\$16,120	\$40,040	
4	\$8.00	\$24.75	\$14,560	\$45,045	\$16,640	\$51,480	
5	\$9.00	\$30.25	\$16,380	\$55,055	\$18,720	\$62,920	
6	\$9.50	\$33.00	\$17,290	\$60,060	\$19,760	\$68,640	
7	\$10.50	\$35.75	\$19,110	\$65,065	\$21,840	\$74,360	
8	\$11.00	\$38.50	\$20,020	\$70,070	\$22,880	\$80,080	
9			\$25,000	\$80,000	\$28,571	\$85,000	
10			\$30,000	\$85,000	\$34,286	\$95,000	
11			\$32,000	\$90,000	\$36,571	\$110,000	
12			\$45,000	\$95,000	\$51,429	\$115,000	
13			\$50,000	\$100,000	\$57,143	\$125,000	
14			\$65,000	\$125,000	\$74,286	\$145,000	
15			\$70,000	\$150,000	\$80,000	\$160,000	
16							\$500 - \$5,000
17							\$2,500 - \$7,500
18							\$3,000 - \$25,000
19							\$12,000 - \$55,000
20	Min. Wage	\$7.25/hr					

**TOWN OF NEWTON
ORDINANCE #2010-29
SCHEDULE "B"**

LEVEL 1

Recreation Assistant

LEVEL 2

Assistant Pool Manager

LEVEL 3

Clerk Typist

Custodian

Grounds Maintenance Worker

Lifeguard

School Traffic Guard

Secretary

LEVEL 4

Deputy Court Administrator

Deputy Municipal Clerk/Deputy Registrar

Laborer

Public Safety Telecommunicator Trainee

Recreation Leader

Senior Clerk Typist

Technical Assistant to Construction Official

LEVEL 5

Account Supervisor/Treasurer

Assessing Clerk

Deputy Code Enforcement Officer

Fire Prevention Inspector

Human Resource Coordinator

Planning/Zoning Administrator

Police Clerk

Pool Manager

Recreation Enforcement Officer

Sewer Laborer

Water Laborer

Water Meter Reader

Water/Sewer Collector

LEVEL 6

Equipment Operator

Omnibus Operator

Public Safety Telecommunicator

Recycling Foreman

Sewer Repairer

Truck Driver

Water Repairer

LEVEL 7

Certified Tax Collector/Tax Search Officer

Park Caretaker

Parking Meter Enforcer

Payroll Clerk

Senior Public Safety Telecommunicator

Senior Sewer Repairer

Senior Water Repairer

Special Police Officer

LEVEL 8

Administrative Assistant

Street Foreman

Supervising Public Safety Telecommunicator

Water Foreman

LEVEL 9

Sewer Plant Operator

Water Plant Operator

LEVEL 10

Community Development Director

Const. Official/Code Enforcement Officer/Bldg. Inspector

Director of Public Works

Finance Director

Municipal Clerk/Registrar of Vital Statistics

Municipal Court Administrator

Water/Sewer Supervisor

LEVEL 11

Police Patrolman

LEVEL 12

Police Sergeant

LEVEL 13

Police Lieutenant

Water/Sewer Superintendent

LEVEL 14

Police Chief

LEVEL 15

Town Manager

LEVEL 16

Assistant Right-to-Know Coordinator

Deputy Emergency Management Coordinator

Emergency Management Coordinator

Right-to-Know Coordinator

LEVEL 17

Council Member

Mayor

LEVEL 18

Assistant Director of Public Works

Building Subcode Official/Inspector

Chief Combustible Inspector

Chief Financial Officer

Electrical Subcode Official/Inspector

Fire Subcode Official

Plumbing Subcode Official/Inspector

Zoning Officer

LEVEL 19

Deputy Town Manager

Municipal Judge

Recreation Supervisor

Tax Assessor

**TOWN OF NEWTON
ORDINANCE NO. 2010-30**

**AN ORDINANCE FOR PROFESSIONAL SERVICES
FOR CALENDAR YEAR 2011**

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

WHEREAS, there exists a need for special counsel to be appointed to represent the Town of Newton with respect to municipal matters for calendar year 2011; and

WHEREAS, the Town of Newton has provided funds in the Municipal Budget for expenditures pertaining to said municipal matters, and the funds have been certified as being available by the Chief Financial Officer; and

WHEREAS, Sanford L. Hollander, Esq., of Hollander, Strelzik, Pasculli, Pasculli, Hinkes, Gacquin, Vandenberg & Hontz, L.L.C., has indicated that all such services will be rendered to the Town of Newton on the basis of a \$180.00 per hour charge, which the Newton Town Council deems fair and equitable for said professional services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) requires that the Resolution authorizing the award of contracts for “professional services” without competitive bids, and the contracts themselves, must be available for public inspection.

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

- 1) The Mayor and Clerk of the Town of Newton are hereby authorized and directed to execute a duplicate of this Ordinance, which shall act as the authorization and agreement between the Town of Newton and Sanford L. Hollander, Esq., of Hollander, Strelzik, Pasculli, Pasculli, Hinkes, Gacquin, Vandenberg & Hontz, L.L.C., providing their retention as Town Attorney in and on behalf of the Town of Newton for calendar year 2011.
- 2) The services to be rendered by Sanford L. Hollander, Esq., of Hollander, Strelzik, Pasculli, Pasculli, Hinkes, Gacquin, Vandenberg & Hontz, L.L.C., shall be on an hourly basis, on an “as needed” requirement, as sought by the Town of Newton at a rate of \$180.00 per hour.
- 3) This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because Sanford L. Hollander, Esq., of Hollander, Strelzik, Pasculli, Pasculli, Hinkes, Gacquin, Vandenberg & Hontz, L.L.C., is a licensed attorney of the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services which are expressly exempt from the Local Public Contracts bidding requirements and the candidate complies

with all requirements for appointment without public bidding under N.J.S. 19:44a-1, *et seq.*

- 4) Notice of this action shall be published once in the *New Jersey Herald*.

PUBLIC NOTICE is hereby given that the above Ordinance was passed on the first reading by the Town Council of the Town of Newton, Sussex County, New Jersey, at a regular meeting of said Council, held on December 13, 2010, and that a public hearing regarding the above will be held on December 29, 2010 at the Municipal Building, 39 Trinity Street, Newton, New Jersey at 7:00p.m. at which time, all persons interested both for and against said Ordinance shall be given an opportunity to be heard concerning same.

Lorraine A. Read
Municipal Clerk/Registrar

IT IS hereby certified that this is a true and accurate copy of an Ordinance adopted by the Town Council of the Town of Newton at a regular meeting held on December 29, 2010.

Lorraine A. Read
Municipal Clerk/Registrar

Date Approved: _____

Sanford L. Hollander, Esq.



TOWN OF NEWTON

RESOLUTION #248-2010

December 29, 2010

"Ratify and Affirm the Issuance of a Bond Anticipation Note"

WHEREAS, Ordinance No. 2010-23 previously adopted by the Town Council of the Town of Newton authorized a special emergency appropriation for the *preparation and implementation of a reassessment of all real property within the Town of Newton* and Resolution #203-2010 authorized the issuance of a special emergency note to provide temporary financing for the Current Fund; and

WHEREAS, the Chief Financial Officer obtained a quote for a \$60,000 Special Emergency Note from Lakeland Bank at a variable interest rate based on the *Wall Street Journal* Prime Rate which is currently 3.25% per annum; and

WHEREAS, the appropriate Town Officials executed said Note in the amount of \$60,000.00 dated December 15, 2010 for a term of sixty days (60) due February 15, 2011; and

WHEREAS, to comply with N.J.S.A. 40A:2-28 of the Local Bond Law, which requires that the Chief Financial Officer report certain information in writing to the Mayor and Council at the next Council meeting, herewith attached is a copy of the Note evidencing the principal amount, interest rate, the maturity date, the price obtained and the name of the purchaser;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it does hereby ratify and affirm the issuance of said Special Emergency Note by the Chief Financial Officer and the execution of said note by the appropriate Town Officials.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #249-2010

December 29, 2010 "Appointment of Various Attorneys for
Calendar Year 2011"

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

WHEREAS, said professional services will be needed by the Town of Newton during calendar year 2011, and appropriate agreements for the appointment of each attorney will be prepared and executed by said attorneys; and

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

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

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

Victor R. Jusino, Esq., of Laddey, Clark & Ryan, LLC	Municipal Prosecutor
William Baker, Esq., of Scarinci & Hollenbeck, LLC	Environmental Attorney
Fredric M. Knapp, Esq., of Knapp, Trimboli & Prusinowski, LLC	Labor Relations Attorney
James P. Sloan, Esq. Attorney at Law	Municipal Public Defender

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #250-2010

December 29, 2010

**"Appointment of Megan Kral, Esq.,
as the Town of Newton's Alternate
Municipal Prosecutor for Calendar
Year 2011"**

WHEREAS, Victor R. Jusino, Esq., currently serving as the Town of Newton's Municipal Prosecutor, has indicated that an Alternate Municipal Prosecutor may be needed by the Town of Newton during calendar year 2011; and

WHEREAS, Megan Kral, Esq., an associate in Mr. Jusino's office, has expressed an interest in serving as Newton's Alternate Municipal Prosecutor; and

WHEREAS, compensation for said services will be the sole responsibility of Victor R. Jusino, 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 Megan Kral, Esq. as the Town of Newton's Alternate Municipal Prosecutor for the calendar year 2011; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Megan Kral, Esq., Victor R. Jusino, Esq., David J. Weaver, Sussex County Prosecutor and Municipal Judge 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 Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #252-2010

December 29, 2010

"Approve Refund of Erroneous Water and Sewer Payments"

WHEREAS, tax sale certificate #1292 was issued on June 24, 2010 for unpaid 2008 taxes and water and sewer charges on Block 402, Lot 10, 75 High Street to Park Finance LLC; and

WHEREAS, the Town Council adopted Resolution #242-2010 at their meeting on December 13, 2010 approving a credit for 2008 and 2009 charges to the account in the amount of \$770.00 which was being billed incorrectly during this time period; and

WHEREAS, the Water and Sewer Collector processed the credit to said accounts on December 14, 2010 resulting in an overpayment in the amount of \$472.50 which was previously paid by Park Finance LLC the lien holder; and

WHEREAS, the Tax Collector requests a refund be issued to Park Finance LLC who paid the charges erroneously in the amount of \$472.50 along with legal interest in the amount of \$28.45;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Park Finance LLC is entitled to a refund in the total amount of \$500.95.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #251-2010

December 29, 2010

"Resolution by the Town Council of the Town of Newton Authorizing an Agreement for Certain Legal Services"

WHEREAS, there exists a need for specialized legal services in connection with the redevelopment program and the authorization and the issuance of bonds, notes or other obligations of the Town of Newton (the "Town") in the County of Sussex, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided only by an experienced law firm and recognized Bond Counsel firm, and the law firm of McManimon & Scotland, L.L.C., Newark, New Jersey has the experience and is so recognized by the financial and legal community; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

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

1. The law firm of McManimon & Scotland, L.L.C., Newark, New Jersey is hereby retained to provide the specialized legal services necessary in connection with the redevelopment program and the authorization and the issuance of bonds, notes or other obligations by the Town in accordance with an Agreement dated December 29, 2010 and submitted to the Town (the "Contract").
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Town.
4. A notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the *New Jersey Herald*.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #252-2010

December 29, 2010

"Approve Refund of Erroneous Water and Sewer Payments"

WHEREAS, tax sale certificate #1292 was issued on June 24, 2010 for unpaid 2008 taxes and water and sewer charges on Block 402, Lot 10, 75 High Street to Park Finance LLC; and

WHEREAS, the Town Council adopted Resolution #242-2010 at their meeting on December 13, 2010 approving a credit for 2008 and 2009 charges to the account in the amount of \$770.00 which was being billed incorrectly during this time period; and

WHEREAS, the Water and Sewer Collector processed the credit to said accounts on December 14, 2010 resulting in an overpayment in the amount of \$472.50 which was previously paid by Park Finance LLC the lien holder; and

WHEREAS, the Tax Collector requests a refund be issued to Park Finance LLC who paid the charges erroneously in the amount of \$472.50 along with legal interest in the amount of \$28.45;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Park Finance LLC is entitled to a refund in the total amount of \$500.95.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #253-2010

December 29, 2010

**"Amend Tax Sale Certificate #1292 for
Erroneous Water and Sewer Payments
Made"**

WHEREAS, Tax Sale Certificate #1292 was issued on June 24, 2010 for unpaid 2008 taxes and water and sewer charges on Block 402, Lot 10, 75 High Street to Park Finance LLC; and

WHEREAS, the Town Council approved Resolution #242-2010 at their meeting on December 13, 2010 authorizing a credit for 2008 and 2009 charges to the account which was being billed incorrectly during this time period resulting in an overpayment by the lien holder, Park Finance LLC; and

WHEREAS, Tax Sale Certificate #1292 must be amended to reflect this change/deletion of said water and sewer charges. The water and sewer charges are to be removed and the total amount of said certificate shall now be \$6,048.03. All other aspects of said certificate will remain unchanged;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that this Governing Body acknowledges that Tax Sale Certificate #1292 be amended to reflect this change/deletion of the erroneous water and sewer charges.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #254-2010

December 29, 2010

**"Authorize Refund of Redemption Monies to
Outside Lienholder"**

WHEREAS, at the Municipal Tax Sale held on October 4, 2007, a lien was sold on Block 402, Lot 8, also known as 79 High Street, for 2006 delinquent water and sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1236, was sold to Jesse Wolosky for a 5% redemption fee; and

WHEREAS, Mr. Arthur J. Brown, current owner of the property, has effected redemption of Certificate #1236 in the amount of \$ 4,664.98;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that Jesse Wolosky is entitled to a refund in the amount of \$ 4,664.98; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check in the amount of \$4,664.98 for the redemption of Certificate #1236, payable to Jesse Wolosky, 1 Vista Drive, Sparta, NJ 07871.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #255-2010

December 29, 2010

**"Resolution to Remit (Cancel) Added
Assessment Taxes"**

WHEREAS, Block 303, Lot 26.03 also known as 126 Water Street and owned by 206 & North Park Drive LLC, c/o Dunkin' Donuts received an added assessment for improvements to the property on November 1, 2010; and

WHEREAS, on December 20, 2010 the Tax Collector of the Town of Newton received a Judgment from the County of Sussex Board of Taxation instructing her that the added assessment was to be remitted (cancelled), in the dollar amount of \$45,592.47 for tax year 2010 and \$30,394.98 for the preliminary first half of 2011; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that the added taxes for the tax year 2010 and the preliminary first half of 2011 in the total amount of \$75,987.45 be remitted (cancelled); and

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to remit (cancel) taxes for said parcel.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #256-2010

December 29, 2010

**"Resolution to Bill Added Assessment Taxes
as the Result of a Sussex County Board of
Taxation Judgment"**

WHEREAS, Block 303, Lot 26.02 also known as 128 Water Street and owned by 206 & North Park Drive LLC, c/o Walgreens received an added assessment for improvements to the property on November 1, 2010; and

WHEREAS, on December 20, 2010 the Tax Collector of the Town of Newton received a Judgment from the County of Sussex Board of Taxation instructing her that the added assessment was to be billed, in the dollar amount of \$36,748.26 for tax year 2010; and

WHEREAS, the due date for the 4th quarter 2010 Added Assessment shall be due on or before Monday, January 17, 2011 and if not paid by said date the interest will be charged back to the original due date of November 1, 2010, as per N.J.S.A. 54:4-64;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that the added taxes for the tax year 2010 in the amount of \$36,748.26 be billed; and

BE IT FURTHER RESOLVED, That the Tax Collector is hereby authorized to bill taxes for said parcel.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #257-2010

December 29, 2010

"Authorize Credits Due Water and Sewer Utility Accounts"

WHEREAS, the Water and Sewer Collector has determined that 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 following accounts for amounts billed incorrectly due to the reason(s) stated:

Water was shut off and meter was estimated - account should have been inactive and not charged:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
8465	35 Condit Street	\$405.79

Account overestimated 3rd & 4th Quarter:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
18061	17 Hicks Avenue	\$10,843.02

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #258-2010

December 29, 2010

"Resolution Calling on the State Legislature and the Governor to Exempt the Reserve for Uncollected Taxes From the 2% Cap"

WHEREAS, on July 13, 2010, Governor Christie signed into law P.L. 2010, c. 44, which reduced the cap on the property tax levy from 4% to 2% and limited the number of exemptions; and

WHEREAS, when the property tax levy was reduced, the exemption for the Reserve for Uncollected Taxes was removed; and

WHEREAS, in addition to collecting property taxes for its own operations, the municipality also serves as the collection agent for the county, school districts, fire districts and other special local entities; and

WHEREAS, the municipality must provide those entities with the full amount they deem necessary for their operations, regardless of the actual collection rate; and

WHEREAS, due to a myriad factors beyond local control, the actual collection rate never equals the total local levy, especially during an economic downturn, when unemployment soars and property values plummet, causing an increase in tax appeals, which the municipality must defend and which subject the municipal budget to further losses, when successful; and

WHEREAS, to account for the shortfall and potential losses, State law requires the municipality to budget an appropriation in a line item known as the Reserve for Uncollected Taxes, which is generally determined through a formula-driven calculation in which the variables change year-to-year; and

WHEREAS, without a levy cap exemption, municipalities will be forced to further cut their own operations, in order to meet the 2% tax levy cap to provide the county, school districts, fire districts and other special local entities the full amount they deem necessary for their operations; and

WHEREAS, those other local entities, which do not have to budget for collection rate short-falls or the impact of declining property values, have been granted levy cap exceptions to address factors beyond their control; and

WHEREAS, Assemblymen McKeon and Burzichelli has recently introduced A-3603, which excludes increases in appropriations to the Reserve for Uncollected Taxes in excess of two percent, from calculations of the municipal adjusted tax levy;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton hereby urge the swift passage and signing of A-3603;

BE IT FURTHER RESOLVED, that consideration also be given to providing a levy cap exception to account for the impact of tax appeals on local operations; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #259-2010

December 29, 2010

"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 2009 and 2010 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON
RESOLUTION #260-2010

December 29, 2010

“Approve 2010 Appropriation Transfers”

BE IT RESOLVED by the Town Council of the Town of Newton that the following 2010 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
<u>CURRENT</u>		
Clerk SW 1051100	Cencom SW 1094730	\$1,400.00
Community Devel. 1064100	SW Cencom SW 1094730	\$1,000.00
Police OE 1074200	Cencom SW 1094730	\$9,000.00
Swimming Pool SW 1090100	Cencom SW 1094730	\$7,000.00
Assessor SW 1055100	Zoning Board OE 1062300	\$600.00
Tax Collection SW 1056101	Aid to Volunteer Fire OE 1072200	\$45.00
Workmen's Comp. Ins. OE 1067200	Group Health Insurance 1066200	\$600.00
Road SW 1080100	Interlocal Construction 1094796	\$3,920.00
Building & Grounds OE 1061200	Group Health Insurance 1066200	\$640.00
Finance SW 1054100	Group Health Insurance 1066200	\$1,300.00
TOTAL CURRENT TRANSFERS		<u>\$25,505.00</u>

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, December 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #261-2010

December 29, 2010

"Adoption of the Temporary Operating Budget and Temporary Water and Sewer Budget for 2011"

WHEREAS, funds are needed to operate the Municipal Government and the Water and Sewer Utility for the first ninety (90) days of calendar year 2011; and

WHEREAS, N.J.S.A. 40A:4-19 provides for adoption of a Temporary Budget, not to exceed twenty-six and one-quarter percent (26.25%) of the preceding year's Budget;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the 2011 Temporary Operating Budget and the 2011 Temporary Water and Sewer Utility Budget be and are hereby approved, pending adoption of the 2011 Annual Municipal Budget and the 2011 Water and Sewer Utility Budget.

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 29, 2010.

Lorraine A. Read, RMC
Municipal Clerk

2011 TOWN OF NEWTON TEMPORARY OPERATING BUDGET

<u>BUDGETARY ACCOUNT</u>		<u>ACCOUNT NO.</u>	<u>2011 TEMPORARY BUDGET</u>
Town Manager's Office	S&W	1050101	\$ 30,000
	OE	1050226	20,000
Town Clerk's Office	S&W	1051101	30,000
	OE	1051201	3,000
Town Council	S&W	1052103	4,000
	OE	1052244	1,800
Human Resources	S&W	1053103	4,000
	OE	1053247	1,000
Elections	OE	1053244	2,500
Financial Administration	S&W	1054101	16,000
	OE	1054226	3,500
	AUDIT	1054300	1,000
Assessment of Taxes	S&W	1055103	10,000
	OE	1055216	3,000
Collection of Taxes	S&W	1056101	13,000
	OE	1056226	3,000
Legal Services and Costs	S&W	1058100	1
	OE	1058200	30,000
Municipal Court	S&W	1059101	36,000
	OE	1059226	3,000
Engineering Services	OE	1060216	5,000
Buildings and Grounds	S&W	1061101	1,000
	OE	1061255	30,000
Planning	S&W	1062100	10,000
	OE	1062216	6,000
Historic Commission	OE	1063201	300
Community Development	S&W	1064101	15,000
	OE	1064216	3,000

<u>BUDGETARY ACCOUNT</u>		<u>ACCOUNT NO.</u>	<u>2011 TEMPORARY BUDGET</u>
Industrial Commission	OE	1065200	0
Shade Tree Commission	OE	1065300	500
Economic Dev. Commission	OE	1065400	1,000
Employee Group Insurance	OE	1066200	315,000
Workers' Compensation Ins.	OE	1067200	35,000
Surety Bond Premiums	OE	1068200	0
Liability and Other Insurance	OE	1069200	110,418
Fire	OE	1070212	5,000
Fire Prevention	S&W	1071100	8,000
	OE	1071244	1,000
Aid to Volunteer Fire Cos.	OE	1072200	0
Police	S&W	1074111	750,000
	OE	1074223	30,000
Communications Center	OE	1074326	0
Parking Meter Maintenance	S&W	1075100	1,000
	OE	1075271	0
First Aid Organization	OE	1076200	8,000
Inspection of Buildings	S&W	1077101	10,000
	OE	1077247	2,500
Emergency Management	S&W	1078100	1,300
	OE	1078246	2,000
Road Repair & Maintenance	S&W	1080101	190,000
	OE	1080259	20,000
Road Machinery Repair & Maintenance	OE	1080326	10,000
Snow Removal	S&W	1081101	40,000
	OE	1081239	50,000

<u>BUDGETARY ACCOUNT</u>		<u>ACCOUNT NO.</u>	2011 TEMPORARY BUDGET
Stormwater/Flood	OE	1082216	4,000
Recycling/Sanitation	S&W	1083101	500
	OE	1083269	12,000
Vehicle Maintenance	OE	1083380	30,000
Board of Health	OE	1084252	500
Occupational Health(PEOSHA)	S&W	1085100	1,000
	OE	1085200	1,000
Dog Regulations	OE	1087200	0
Utilities/Bulk Purchases	OE	1089225	130,000
Swimming Pool	S&W	1090100	0
	OE	1090207	2,000
Parks and Playgrounds	S&W	1091101	26,000
	OE	1091218	10,000
Celebration of Public Events	OE	1092200	2,000
Senior Citizen Programs	S&W	1093100	9,000
	OE	1093272	500
Main Street Contribution	OE	1094300	5,000
Length of Service Awards	OE	1094500	0
Aid to Dennis Mem. Library	OE	1094200	0
Recycling Tax O/S Cap	OE	1094550	200
Interlocal Parking Authority	S&W	1094710	18,000
Interlocal 911 – Cencom	S&W	1094721	150,000
	OE	1094746	32,000
Public Employee Retire. Sys.	OE	1098296	0
Police & Fire Retirement Sys.	OE	1098297	0
Def. Contrib. Retire System	OE	1098294	500
Social Security System	OE	1098298	62,300
Unemployment	OE	1098299	1,000

TOTAL 2011 TEMPORARY OPERATING BUDGET \$ 2,373,319
 (Subject to 26.25% increase)

APPROPRIATIONS NOT SUBJECT TO 26.25% INCREASE

Public & Private Programs Offset by Revenues:			
NJ Safe & Secure-Police	S&W	1094811	20,000
Capital Improvements	OE	1095200	100,000
Debt Service	OE	1096200	500,000

2011 TEMPORARY BUDGET CALCULATION

\$ 10,764,250.	Total 2010 Budget
1,270,090.	Less: Debt (principal & interest)
291,000.	Less: Capital Improvements
<u>161,943.</u>	Less: Public & Private Programs
\$9,041,217.	Amount on which % is applied
x <u>.2625</u>	Percentage increase allowed by state
\$ 2,373,319.	Allowable 2011 Temporary Budget

2011 TEMPORARY WATER AND SEWER BUDGET

	<u>2010 BUDGET</u>	2011 TEMPORARY BUDGET
Salaries and Wages	\$ 789,250	\$ 250,000
Other Expenses	1,721,835	403,560
Public Employee Retirement System	11,760	
Unemployment	3,060	0
Social Security System	<u>61,000</u>	<u>25,500</u>
	\$ 2,586,905	\$ 679,060
	x <u>.2625</u>	
	\$ 679,063	
TOTAL 2011 TEMPORARY WATER & SEWER BUDGET		\$ 679,060
TOTAL 2011 TEMPORARY W&S CAPITAL IMPR BUDGET		\$ 150,000
TOTAL 2011 TEMPORARY W&S DEBT SERVICE BUDGET		\$ 300,000



Interoffice Memorandum

TO: Derek Wechtler, Fire Department Chief

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

DATE: December 23, 2010

SUBJECT: 2010 Payment to Fire Department

CC: Town Council
M. Hontz, Esq., Town Attorney
D. Babcock, CFO
✓ File

I am in receipt of your email request dated Wednesday, December 22, 2010 in reference to the modified 2010 payment from the Town of Newton to the Newton Fire Department from account 1072200 – Aid to Volunteer Fire Depts. – Other Exp. As you know, \$13,000 was budgeted in same for 2010.

It is my understanding that the \$12,400 you have now requested will be allocated to the firefighters as a clothing allowance based on a tiered structure, whereby the greater the participation, the higher the payment for same. I also note that the officer allocation is part of this tiered structure, and that any payments for custodian or administrative support will be provided by the Newton Fire Department from alternative methods of funding and not from this Town of Newton payment.

I will discuss this with the Town Council on Wednesday, December 29, 2010 at 7:00pm. It is my intention to ask them to authorize me to cancel the previous check (#27972) and proceed with this new payment as delineated above.

Many thanks for your time and cooperation and for your service to the Town of Newton.