



AGENDA
NEWTON TOWN COUNCIL
MAY 14, 2012
7:00 P.M.

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

- APRIL 23, 2012 - REGULAR MEETING

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

VI. COUNCIL & MANAGER REPORTS

- a. PROCLAMATION
 - i. ARBOR DAY

VII. ORDINANCES

- a. 2ND READING AND PUBLIC HEARING
 - ORDINANCE 2012-16

ORDINANCE APPROPRIATING \$285,000 INCLUDING A \$200,000 GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND \$85,000 AVAILABLE FROM THE CAPITAL FUND BALANCE FOR THE LOWER SPRING STREET BEAUTIFICATION PROJECT IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

- 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 #86-2012*
 - RESOLUTION SUPPORTING THE EMPLOYMENT INITIATIVE PROGRAM OF THE NEW JERSEY EMPLOYER SUPPORT GUARD AND RESERVES

- b. RESOLUTION #87-2012* AUTHORIZED REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 24.01, LOT 14 (FORMERLY 1201, LOT 18)
- c. RESOLUTION #88-2012* AUTHORIZED CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS
- d. RESOLUTION#89-2012* AUTHORIZED A CREDIT DUE THE WATER AND SEWER UTILITY ACCOUNTS FOR 117 MAIN STREET
- e. RESOLUTION #90-2012* AUTHORIZED CHANGE ORDER NO. 1 FOR THE PURCHASE OF PIPE MATERIALS AND FITTINGS FOR THE MORAN STREET WATERMAIN PROJECT
- f. RESOLUTION #91-2012* SETTLEMENT OF LAWSUIT - ORICCHIO
- g. RESOLUTION #92-2012* PAYMENT OF BILLS AND VOUCHERS
- h. RESOLUTION #93-2012* CONFIRMING THE SALE OF A CERTAIN PARCEL OF LAND AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE LEGAL INSTRUMENTS NECESSARY TO EFFECTUATE SAID SALE OF BLOCK 18.02, LOT 32
- i. RESOLUTION #94-2012* AUTHORIZED THE SUBMISSION OF AN APPLICATION FOR THE ACTION ALLIANCE GRANT
- j. RESOLUTION #95-2012* AUTHORIZED THE RELEASE OF EXECUTIVE SESSION MINUTES TO THE PUBLIC
- k. APPLICATIONS*
 - AN APPLICATION FOR AN OFF-PREMISE RAFFLE FROM NEWTON MEMORIAL HOSPITAL FOUNDATION, 175 HIGH STREET, NEWTON TO BE HELD SATURDAY, NOVEMBER 17, 2012 AT 6:30 PM AT 175 HIGH STREET, NEWTON
 - AN APPLICATION FOR A SPECIAL PERMIT FOR A SOCIAL AFFAIR FROM KAREN ANN QUINLAN MEMORIAL FOUNDATION, 99 SPARTA AVENUE, NEWTON TO BE HELD ON SUNDAY, AUGUST 12, 2012 AT 6:00 PM AT KRAVE CAFÉ & CATERERS, 102 SPARTA AVENUE, NEWTON

X. INTERMISSION

XI. DISCUSSION

- a. LAND USE ORDINANCE – J. CALDWELL, TOWN PLANNER
- b. FIRE MUSEUM – FKA ARCHITECTS

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENT

XIV. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

Arbor Day

April 27, 2012

WHEREAS, the New Jersey Legislature has adopted an Act designating Arbor Day and by that Act has designated the last Friday in April as Arbor Day; and

WHEREAS, it is the purpose of the designation of this day throughout the Nation to encourage the planting of shade and forest trees, to encourage the harvesting of our forest crops by approved conservation methods, and to encourage the protection of our forests from the scourge of devastating fires, insects, and diseases that destroy the beauty and usefulness of our woodlands as well as their wildlife; and

WHEREAS, through the cooperation of the Advisory Shade Tree Commission, the beneficial effects of forest tree plantings, proper conservation practices in harvesting, timber, and the protection from the natural enemies of the forest can be materially increased, and we can pass on an enduring heritage of a vital natural resource to succeeding generations;

*NOW, THEREFORE, We, the Town Council of the Town of Newton, do hereby proclaim **Friday, April 27, 2012** as "ARBOR DAY" in the Town of Newton, and urge everyone able to do so to observe this day by the planting of one or more trees and by participating in one or more programs that the sponsors of Arbor Day provide.*

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

Attest: _____

Date: April 27, 2012

TOWN OF NEWTON
ORDINANCE 2012-16

ORDINANCE APPROPRIATING \$285,000, INCLUDING A \$200,000 GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND \$85,000 AVAILABLE FROM THE CAPITAL FUND BALANCE, FOR THE LOWER SPRING STREET BEAUTIFICATION PROJECT IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$285,000 is hereby appropriated, including a \$200,000 grant from the New Jersey Department of Transportation and \$85,000 available from the Capital Fund Balance, for the Lower Spring Street Beautification Project in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town"), including construction of sidewalks, curbs, pavers, rain gardens, light poles, and similar beautification improvements.

Section 2. 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.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

TOWN OF NEWTON
ORDINANCE 2012-16

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on April 23, 2012. It was adopted, after final reading and public hearing thereon, at a meeting of the Newton Governing Body conducted at 7:00 pm on May 14, 2012 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 #86-2012

May 14, 2012

“Resolution Supporting the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves”

WHEREAS, on Tuesday, January 24, 2012 the Commander-in-Chief of our Armed Forces reminded all Americans that, “Above all, our freedom endures because of the men and women in uniform who defend it,” and that “ ... this generation of heroes has made the United States safer and more respected around the world.”; and

WHEREAS, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

WHEREAS, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families, and jobs; and

WHEREAS, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserves, as up to 22 percent of Guard and Reserve members face unemployment; and

WHEREAS, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

WHEREAS, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration, and the Office of Personnel Management; and

WHEREAS, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

WHEREAS, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its *Hiring Our Heroes* program; and

WHEREAS, the *Hiring Our Heroes* program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

WHEREAS, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the overall rate; and

WHEREAS, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

WHEREAS, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

WHEREAS, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

WHEREAS, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders, can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that it hereby recognize that we will never be able to repay the debt we owe to all members of our armed forces; and

BE IT FURTHER RESOLVED, that in gratitude, the Town of Newton pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

ALSO, BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring 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 Monday, May 14, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #87-2012

May 14, 2012

“Authorize Refund of Redemption Monies to Outside Lien Holder for Block 24.01, Lot 14 (Formerly Block 1201, Lot 18)”

WHEREAS, at the Municipal Tax Sale held on June 2, 2010 a lien was sold on Block 24.01, Lot 14 (Formerly Block 1201, Lot 18), also known as 162 Sparta Avenue, for 2009 delinquent Water and Sewer Charges; and

WHEREAS, this lien, known as Tax Sale Certificate #1344, and was sold to US Bank cust for Pro Capital I LLC for 0% redemption fee with a premium in the amount of \$200.00; and

WHEREAS, Dawn Blavis, the property owner, has effected the redemption of Certificate #1344 in the amount of \$2,956.59;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that US Bank cust Pro Capital I LLC is entitled to a redemption in the amount of \$2,956.59; and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to issue a check, in the amount of \$2,956.59, for the redemption of Certificate #1344 to US Bank cust for Pro Capital I LLC, 50 S. 16th Street, Suite 1950, Philadelphia, PA 19102.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #88-2012

May 14, 2012

“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:

Payment Charged to Incorrect Account:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
15092	28 Linmor Avenue	(\$160.00)
1075	19 Jefferson Street	\$160.00
24192	16 Douma Court	(\$80.00)
6718	1 Overlook Road	\$80.00

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #89-2012

May 14, 2012

“Authorize a Credit Due for the Water and Sewer Utility Account for 117 Main Street”

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:

Delinquent Penalty Waived Due to Address Error:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
10746	117 Main Street	\$59.88

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, May 14, 2012

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #90-2012

May 14, 2012

“Authorize Change Order No. 1 for the Purchase of Pipe Materials and Fittings for the Moran Street Watermain Project”

WHEREAS, the Town Council of the Town of Newton, awarded the contract for the Purchase of Pipe Materials and Fittings for the Moran Street Watermain Project to Capital Supply Construction Products, Inc., for a contract amount of \$30,575.68 by the adoption of Resolution #71-2012 at their meeting on April 9, 2012; and

WHEREAS, David Simmons, of Harold E. Pellow & Associates, Inc, the Water Engineer on the project, has recommended Change Order No. 1 for said project resulting in an overall increase of \$99.84 in the project contract amount;

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 it hereby authorizes Change Order No. 1 for the Purchase of Pipe Materials and Fittings for the Moran Street Watermain Project based on the recommendation of the Project Engineer, with said Change Order resulting in a \$99.84 increase to a new contract total of \$30,675.52:

BE IT FURTHER RESOLVED, that a copy of Change Order No. 1 be attached to and made part 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 Monday, May 14, 2012.

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 #: 90-2012

APPROVING: CAPITOL SUPPLY CONSTRUCTION PRODUCTS, INC.

FOR THE PURPOSE OF: CHANGE ORDER #1 - PIPE MATERIALS AND
FITTINGS MORAN STREET WATERMAIN PROJECT

IN THE AMOUNT OF: \$99.84

APPROPRIATED BY:

WATER/SEWER UTILITY - CAPITAL IMPROVEMENT FUND -
MORAN STREET PROJECT #6089319 \$99.84

DATED THIS 14TH DAY OF MAY, 2012

BY 

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER

HAROLD E. PELLOW and ASSOCIATES, INC.

Consulting Engineers, Planners Land Surveyors

17 Plains Road

Augusta, NJ 07822-2009

CHANGE ORDER NO. 1

5/7/2012

Project	PROPOSED PURCHASE OF WATERMAIN PIPES AND FITTINGS FOR THE MORAN STREET WATERMAIN
Owner	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
County	SUSSEX COUNTY
Contractor	CAPITOL SUPPLY CONSTRUCTION PRODUCTS, INC., 55 HORNBECK ROAD, DENVILLE, NJ 07834

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

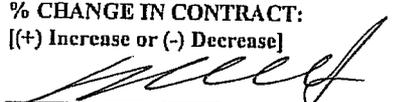
Location and Reason for Change (Attach additional sheets if required) -

Location: Moran Street

Reason: See reasons below.

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
REDUCTION				
3	8" POLYWRAP, 20" DIAMETER <i>Additional quantity not needed for project.</i>	400	LN. FT. 0.408	\$ 163.20
Total REDUCTION:				<u>\$ 163.20</u>
SUPPLEMENTAL				
23S	8" 45 DEGREE MJ BEND <i>Additional bends needed to adjust alignment for field conditions.</i>	2	UNITS \$ 131.52	\$ 263.04
Total SUPPLEMENTAL:				<u>\$ 263.04</u>

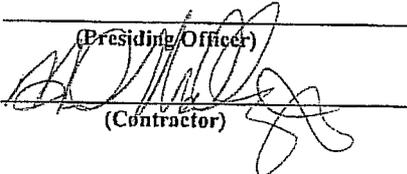
AMOUNT OF ORIGINAL CONTRACT:	<u>\$30,575.68</u>	EXTRA:	<u>\$ -</u>
ADJUSTED AMOUNT BASED ON CHANGE ORDER NO. 1:	<u>\$30,675.52</u>	SUPPLEMENTAL:	<u>\$ 263.04</u>
% CHANGE IN CONTRACT: [(+) Increase or (-) Decrease]	<u>+ 0.33%</u>	REDUCTION:	<u>\$ 163.20</u>
		TOTAL CHANGE:	<u>\$ 99.84</u>



 (Engineer)

5/7/12

 (Date)



 (Contractor)

5/7/12

 (Date)



TOWN OF NEWTON

RESOLUTION #91-2012

May 14, 2012

"Settlement of Lawsuit - Oricchio"

WHEREAS, the Town of Newton and the Newton Water and Sewer Utility were named defendants in a lawsuit brought in the Superior Court of New Jersey, Law Division – Sussex County, Special Civil Part by Alexander Oricchio, which lawsuit bore docket number DC-003361-11 (the "Oricchio Lawsuit"); and

WHEREAS the Town of Newton and the Newton Water and Sewer Utility settled the Oricchio Lawsuit with payment to the Town of Newton and the Newton Water and Sewer Utility in the amount of \$4,116.00, which has been tendered by check for application to Account #18061 of the Newton Water and Sewer Utility; and

WHEREAS, the Town of Newton and the Newton Water and Sewer Utility have received a Settlement Agreement and Release from plaintiff Oricchio and a Stipulation of Dismissal with Prejudice was approved and filed on March 15, 2012, copies of which are attached hereto;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON as follows:

1. The Town of Newton approves the lawsuit settlement as set forth in the attached Stipulation of Dismissal with Prejudice and Settlement Agreement and Release.
2. The Town of Newton directs that the settlement check in the amount of \$4,116.00 be applied to Account number 18061 of the Newton Water and Sewer Utility in the manner set forth in the attached Stipulation of Dismissal with Prejudice; and the amount of \$4,116.20 shall be written off of said account as a part of said settlement.

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, May 14, 2012.

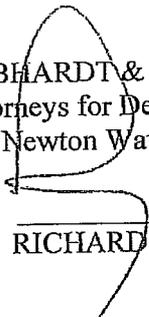
Lorraine A. Read, RMC
Municipal Clerk

3. Plaintiff, Alexander Oricchio, will not seek further relief from Defendants pursuant to the allegations contained in the Verified Complaint filed under Docket No. DC-003361-11.

It is hereby stipulated and agreed that the this matter is hereby dismissed with prejudice and without costs against Defendants Town of Newton and Newton Water & Sewer Utility.

Dated:

GEBHARDT & KIEFER, P.C.,
Attorneys for Defendants, Town of Newton
and Newton Water & Sewer Utility

By: 
RICHARD P. CUSHING

Attorney for Plaintiff,
Alexander Oricchio

By: 
ALFREDO RAMOS, JR.

11/13/12

SETTLEMENT AGREEMENT AND RELEASE

This Release, dated _____ is given

BY: the Releasor, **ALEXANDER ORICCHIO**,

referred to as "I",

TO : THE TOWN OF NEWTON AND THE NEWTON WATER & SEWER UTILITY

referred to as "You".

If more than one person signs this Release, "I" shall mean each person who signs this Release.

1. Release. I release and give up any and all claims and rights which I may have against you. This releases all claims, including those of which I am not aware and those not mentioned in this Release. This Release applies to claims resulting from anything which has happened up to now, including, but not limited to:

- Any and all claims asserted or which could have been asserted in the Verified Complaint filed in the Law Division of the Superior Court of New Jersey, Law Division, Sussex County, Special Civil Part, bearing docket number DC-003361-11

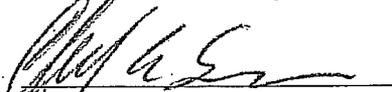
2. Payment. I have paid a total of **\$4,116.00** to the Town of Newton which represents payment for the Billing No 246 under Account No. 18061, as to the outstanding water bill for 17 Hicks Avenue, Newton, New Jersey. I agree that I will not seek any payment from you pursuant to the allegations contained in the Verified Complaint.

3. No Admission of Liability. It is further understood and agreed that this settlement is the compromise of a doubtful and disputed claim, and that the payment is not to be construed as an admission of liability on the part of the Plaintiff or Defendants. This agreement is being entered into for business reasons and for the purpose of amicably resolving the differences between the parties.

4. Who is Bound. I am bound by this Release. Anyone who succeeds to my rights and responsibilities, such as my heirs or the executor of my estate, is also bound. This Release is made for your benefit and all who succeed to your rights and responsibilities, such as your heirs or the executor of your estate.

5. Signatures. I understand and agree to the terms of this Release. If this Release is made by a corporation its proper corporate officers sign and its corporate seal is affixed.

Witnessed or Attested by:


Charles C. Tempio
Attorney State of NJ

 (Seal)

STATE OF NEW JERSEY, COUNTY OF Bergen

SS.:

I CERTIFY that on Jan 13 , 2012

Alexanderoricchio , personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached instrument; and
- (b) executed this instrument as his or her own act.


(Print name and title below signature)

Alfredo Ramos Jr.
Attorney At Law, State of NJ



TOWN OF NEWTON

RESOLUTION #92-2012

May 14, 2012

“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 2011 and 2012 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, May 14, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #93-2012

May 14, 2012

"Confirming the Sale of a Certain Parcel of Land and Authorizing the Mayor and Clerk to Execute Legal Instruments Necessary to Effectuate Said Sale of Block 18.02, Lot 32"

WHEREAS, on the 23rd day of April, 2012, the Town Council of the Town of Newton passed a certain Ordinance 32012-12 entitled "An Ordinance Authorizing Sale of Municipal Lands Not Needed for Public Use Block 18.02, Lot 32, Formerly Known as Block 1307, Lot 18"; and

WHEREAS, as a result of said Ordinance, the Town of Newton mailed via certify mail to all four adjoining property owners notice of the sale and offer to purchase; and

WHEREAS, as a result of said Ordinance, the Town of Newton has received one written offer to purchase property known as Block **18.02**, Lot **32**, which property is less than the minimum size required for development under the municipal zoning ordinance and which is without any capital improvements thereon (the "Property"); and

WHEREAS, the offer for the Property was in the amount of THIRTY THOUSAND DOLLARS (\$30,000.00) and was made by Natural Selections, LLC, a contiguous property owner of Block 18.02, Lot 20 (formerly Block 1301, Lot 18);

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

1. That the Property, known as Lot 32 in Block 18.02 on the Town of Newton Tax Map and which is more particularly described in Schedule A, attached hereto, be sold for a price of Thirty Thousand Dollars (\$30,000.00) to Natural Selections, LLC.

2. That the Mayor and Clerk are hereby authorized to execute a Deed and any and all other instruments necessary to effectuate said sale.

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, May 14, 2012.

Lorraine A. Read, RMC
Municipal Clerk

Debra Millikin, Q.P.A.
Deputy Town Manager
Town of Newton
39 Trinity Street
Newton, New Jersey 07860

RECEIVED
MAY 04 2012
BY: *DM*

May 1, 2012

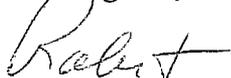
Re: Block 18.02, Lot 32
Tax Map of Newton

Debbie,

In response to the Town's Notice of Offer to Sell the referenced parcel (the "Notice"), I am pleased to enclose the executed original of the Offer to Purchase by Natural Selections, LLC. As required by the Notice, I am also enclosing a bank check in the amount of \$3,000, representing Natural Selections' 10% deposit. Further to the Notice, it is the intention of Natural Selections to have the referenced property merged with and into 43 Sparta Avenue (lot 20, Block 80.02).

We look forward to receiving the Town's confirmation that this offer will be submitted to the Town Council for its acceptance.

Best regards,



Robert P. Regimbal

Phone: 973-300-2559

Fax: 973-300-3060

Email: rregimbal@thorlabs.com

**OFFER TO PURCHASE
BLOCK 18.02, Lot 32
FORMERLY KNOWN AS BLOCK 1301, LOT 1.07**

1. The Undersigned hereby irrevocably offers to purchase from the Town of Newton, Lot 32 in Block 18.02 (formerly known as Block 1301, Lot 1.07) as shown on the Town of Newton Tax Map and as further described on **Schedule A** attached hereto and made a part hereof, which lot is contiguous with Lot 20 in Block 80.02, owned by the Buyer, for the sum of Thirty Thousand Dollars (\$ 30,000.00).
2. A bank check, certified check, attorney trust account check or cash for ten percent (10%) of the purchase price, payable to the "Town of Newton", is attached hereto, and shall be held in escrow in the trust account of the law firm of Hollander Strelzik, et al., and disbursed in accord with this Offer.
3. The balance of the purchase price shall be paid at the closing and upon delivery of the Deed, in cash, certified check, or bank check.
4. The closing will take place on May 29, 2012, at the offices of the municipal attorney, Hollander Strelzik, et al., 40 Park Place, Newton, New Jersey, or at such other location as is mutually agreed upon.
5. The conveyance of the lot shall be by Bargain and Sale Deed, and shall be sold subject to covenants, restrictions, conditions, reservations of record, easements established of record, or by prescription, including but not limited to, Deed Book 1091, Page 682&c., Deed Book 1033, Page 989&c., and Deed Book 989, Page 470&c., laws, municipal ordinances, water and sewer connection fees, if any, and such state of facts as an accurate survey or inspection of the premises may disclose.
6. The Town of Newton will use in the deed of conveyance the premises described on **Schedule A** attached hereto. The Buyer shall have the right, at its sole cost and expense, to obtain a new survey of the property. Provided such survey depicts the property and is certified to be correct to the Town of Newton, the Town of Newton shall utilize the legal description drawn in accordance with such survey in the Deed of conveyance, provided the undersigned bidder provides such legal description and a copy of the certified survey to the Town of Newton not less than one week prior to the date set for closing of title.
7. In the event the Town of Newton receives more than one offer to buy this lot, at the same price, from other contiguous property owners, said property shall be sold to the highest bidder at an auction, from amongst all contiguous property owners after written notice of time and place of said auction having been given to all contiguous property owners.
8. This Offer shall not be deemed accepted or rejected until the adoption of a Resolution by the Newton Town Council, which shall take place no later than its second

regular meeting following any auction sale or on March 16, 2012. This offer may not be withdrawn prior to such Resolution.

9. The Buyer has executed this Offer to Purchase with full knowledge as to the value of the land, buildings and improvements thereon, which buildings and improvements thereon, if any, are sold in an "as is" condition. The Buyer, by the execution of this Offer to Purchase, acknowledges that they have had the opportunity and have inspected the premises, examined its title, reviewed municipal ordinances and laws affecting the premises, and that no representations regarding the value, character, quality, habitability or condition thereof (including environmental conditions) have been made by or on behalf of the Town of Newton. The premises shall be sold subject to (a) the rights of any utilities or easements of record, should any exist; (b) the rights of the public in Sparta Avenue, also known as Sussex County Route 616; (c) a ground lease agreement between the Town of Newton and Thor Labs, Inc. dated April 2003 as outlined in Town of Newton Ordinance No. 2003-2 and modified March 26, 2007. A copy of said lease and modification are on file in the Newton Town Clerk's Office; and (d) existing storm drainage infrastructure on Block **18.02**, Lot **23** (formerly known as Block 1301, Lot 1.05), discharging through Block **18.02** Lot **32** (formerly known as Block 1301, Lot 1.07), to storm drainage in Sparta Avenue (Sussex County Route 616). The Buyer further acknowledges that the municipality has expressly and does expressly disclaim any and all implied warranties of habitability or usability with respect to this property. The Buyer agrees that by the execution of this Offer to Purchase to be responsible, after closing, for all present and future defects of any kind in any part of the property and to indemnify and hold harmless the Town of Newton regarding such present and future defects. This agreement shall survive the closing of title.

10. In the event that time shall be made of the essence in regard to this Offer, such Notice shall be sufficient and reasonable if mailed by ordinary mail to the address of the Undersigned as set forth herein, if such Notice making time of the essence shall direct the closing to be held at the time and place provided therein on a date not less than ten (10) days from the date of mailing of such Notice.

11. The Buyer represents that this is a non-contingent offer and that the Buyer has sufficient cash which will enable the Buyer to fully consummate this transaction without the requirement of approval by any lending institution.

12. In the event the Undersigned does not close title on or before May 31, 2012, or any extended closing date agreed upon in writing by the municipality, or if the Undersigned defaults hereunder, the Undersigned agrees that it would be impossible to accurately ascertain the actual damages the municipality would suffer, this Agreement may be deemed terminated by the Town of Newton and the Town of Newton shall be entitled to retain all sums paid by the Undersigned hereunder, as liquidated damages, and not in the nature of a penalty, and thereupon neither the Undersigned nor the municipality shall have any further rights against or obligations to the other hereunder.

13. THE THREE DAY ATTORNEY REVIEW PERIOD DOES NOT APPLY TO THIS TRANSACTION. By the execution of this Offer, the Undersigned acknowledges that they

have had the opportunity to consult and have consulted with separate and independent counsel of their own choice in regard to the rights and obligations hereunder.

14. Said property is being acquired subject to the express condition, and for the sole purpose of merging it to other contiguous property of the Buyer, Block 80.02, Lot 20, and shall thereafter be considered one lot for all purposes.

DATED: May 1, 2012

SIGNED: _____

Natural Selections, LLC

Signature

Alex Cable, Member

Natural Selections, LLC

Print Full Name(s) Above

56 Sparta Avenue

Address

Newton, NJ 07860

Town, State, Zip

973-579-7227

Telephone Number

Buyer's Legal Representation:

Robert P. Regimbal, General Counsel

Name of Attorney

Thorlabs, Inc.

Name of Firm

56 Sparta Avenue

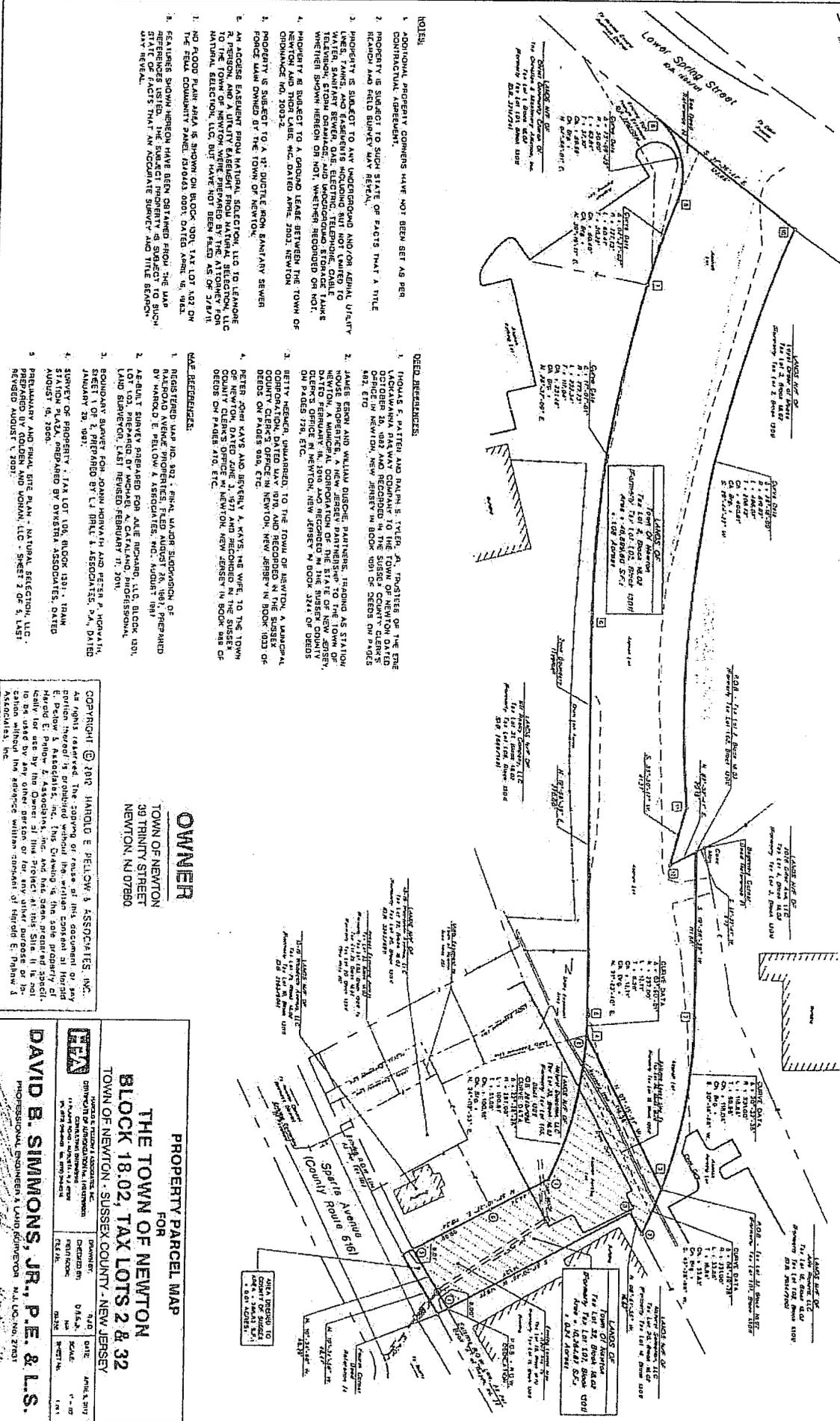
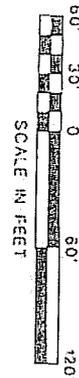
Street Address

Newton, NJ 07860

Town, State, Zip

973-300-2559

Telephone Number



- NOTES:**
1. ADDITIONAL PROPERTY COMMENTS HAVE NOT BEEN SET AS PER CONTRACTUAL AGREEMENT.
 2. PROPERTY IS SUBJECT TO SUCH STATE OF FACTS THAT A TITLE SEARCH AND FIELD SURVEY MAY REVEAL.
 3. PROPERTY IS SUBJECT TO ANY UNDERGROUND AND/OR ABOVE GROUND WATER, SANITARY SEWER, GAS, ELECTRIC, TELEPHONE, CABLE AND/OR OTHER SERVICES WHICH ARE NOT SHOWN ON THIS MAP.
 4. PROPERTY IS SUBJECT TO A GRANTOR'S LEASE BETWEEN THE TOWN OF NEWTON AND THE TOWN OF NEWTON, DATED APRIL 2001, RECORDED IN THE COUNTY CLERK'S OFFICE IN NEWTON, NEW JERSEY IN BOOK 3244 OF DEEDS ON PAGES 794, ETC.
 5. PROPERTY IS SUBJECT TO A ST. DUCHÉ RION SANITARY SEWER EASEMENT DATED APRIL 2001, RECORDED IN THE COUNTY CLERK'S OFFICE IN NEWTON, NEW JERSEY IN BOOK 3244 OF DEEDS ON PAGES 794, ETC.
 6. AN ACCESS EASEMENT FROM NATURAL SELECTION, LLC TO LEANORE R. PETERSON AND A UTILITY EASEMENT FROM NATURAL SELECTION, LLC TO LEANORE R. PETERSON AND A UTILITY EASEMENT FROM NATURAL SELECTION, LLC TO LEANORE R. PETERSON, LLC, MAY HAVE NOT BEEN RECORDED AS OF 2/19/17.
 7. NO FLOOD HAZARD AREA IS SHOWN ON BLOCK 18.02, TAX LOT 102 BY THE NEW JERSEY FLOOD DAMAGE CONTROL ACT OF 1954.
 8. FEATURES SHOWN HEREON HAVE BEEN OBTAINED FROM THE MAP SURVEYOR'S OFFICE. THE EXACT PROPERTY IS SUBJECT TO SUCH STATE OF FACTS THAT A TITLE SEARCH AND FIELD SURVEY MAY REVEAL.

- DEED REFERENCES:**
1. THOMAS E. MATTHEW AND RAINIE S. TAYLOR, JR., TRUSTEES OF THE ENO VOKRIANAWA PARKWAY COMPANY, TO THE TOWN OF NEWTON, NEW JERSEY, DATED OCTOBER 16, 1982 AND RECORDED IN THE SUSSEX COUNTY CLERK'S OFFICE IN NEWTON, NEW JERSEY IN BOOK 1091 OF DEEDS ON PAGES 541, 570.
 2. JAMES ERICK AND WILLIAM DISCONE PARTNERS, TRADING AS STATION HOUSE PROPERTIES, A NEW JERSEY PARTNERSHIP, TO THE TOWN OF NEWTON, NEW JERSEY, DATED FEBRUARY 14, 2008 AND RECORDED IN THE SUSSEX COUNTY CLERK'S OFFICE IN NEWTON, NEW JERSEY IN BOOK 3244 OF DEEDS ON PAGES 794, ETC.
 3. BETTY NEUBER, UNWARRANTED, TO THE TOWN OF NEWTON, A MUNICIPAL CORPORATION, DATED MAY 1978, AND RECORDED IN THE SUSSEX COUNTY CLERK'S OFFICE IN NEWTON, NEW JERSEY IN BOOK 1001 OF DEEDS ON PAGES 690, 670.
 4. PETER JOHN KAYS AND BEVERLY L. KAYS, HIS WIFE, TO THE TOWN OF NEWTON, NEW JERSEY, DATED FEBRUARY 1982, RECORDED IN THE SUSSEX COUNTY CLERK'S OFFICE IN NEWTON, NEW JERSEY IN BOOK 1009 OF DEEDS ON PAGES 410, ETC.

- MAP REFERENCES:**
1. RECORDED MAP NO. 982, SHOWS VARIOUS SUBDIVISIONS OF RAILROAD AVENUE PROPERTIES, FILED AUGUST 1987, PREPARED BY HAROLD E. FELLOW & ASSOCIATES, INC., AUGUST 1987.
 2. AS-BUILT SURVEY PREPARED FOR SALE THROUGH U.S. BLOCK 18.02, PREPARED BY MICHAEL A. CATALANO, PROFESSIONAL LAND SURVEYOR, LAST REVISED FEBRUARY 11, 2011.
 3. BOUNDARY SURVEY FOR JOAN HORNATH AND STEVE A. VONDA, JANUARY 28, 1987.
 4. SURVEY OF PROPERTY, TAX LOT 106, BLOCK 18.02, TOWN OF NEWTON, NEW JERSEY, PREPARED BY DIANEITA ASSOCIATES, P.A., DATED AUGUST 16, 2006.
 5. PRELIMINARY AND FINAL SITE PLAN - NATURAL SELECTION, LLC, PREPARED BY GOLDEN AND KORN, LLC - SHEET 2 OF 4, DATED REVISED AUGUST 1, 2007.

OWNER
TOWN OF NEWTON
39 TRINITY STREET
NEWTON, NJ 07860

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PROPERTY PARCEL MAP
FOR
THE TOWN OF NEWTON
BLOCK 18.02, TAX LOTS 2 & 32
TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY

DATE	DATE	DATE	DATE
04/05/17	04/05/17	04/05/17	04/05/17
04/05/17	04/05/17	04/05/17	04/05/17
04/05/17	04/05/17	04/05/17	04/05/17

DAVID B. SIMMONS, JR., P.E. & L.S.
PROFESSIONAL ENGINEER, LAND SURVEYOR, N.J. REG. NO. 72801

SCHEDULE A - PARCEL ONE

Description of
Proposed Tax Lot 1.07, Block 1301
Town of Newton, Sussex County
New Jersey

All that certain tract or parcel of land and premises situate, lying and being in the Town of Newton, County of Sussex, and the State of New Jersey.

BUTTED, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING at a point in the thirteenth course of a 1.199 acre tract of land as described in a Deed of Conveyance from Joseph Sucameli to Julie Richard, LLC, dated July 26, 2005, and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 2954 of Deeds on pages 200, etc. Said point being the following three tie courses from a concrete monument found at the beginning corner of a 6.873 acre tract of land as described in a Deed of Conveyance from Thomas F. Patten and Ralph S. Tyler, Jr., Trustees of the Erie Lackawanna Railway Company to the Town of Newton, dated October 25, 1982, and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 1091 of Deeds on pages 682, etc.:

- a) along the twenty-fifth course of said 6.873 acre tract of land, but in a reverse direction, South 82 degrees 32 minutes 41 seconds West 6.73 feet to a point at the fifteenth corner of said 1.199 acre tract of land; thence
- b) leaving the twenty-fifth course of said 6.873 acre tract of land and running along the fourteenth course of said 1.199 acre tract of land, but in a reverse direction, South 19 degrees 58 minutes 39 seconds West 111.58 feet to a point at the fourteenth corner of said 1.199 acre tract of land. Said point being the point of curvature of a curve having a radius of 331.00 feet and a tangent length of 59.98 feet; thence
- c) running along the thirteenth course of said 1.199 acre tract of land, but in a reverse direction, and curving to the right on said curve with a radius of 331.00 feet; with a central angle of 20 degrees 32 minutes 35 seconds; the chord bearing and distance being South 30 degrees 14 minutes 56 seconds West 118.04 feet, an arc distance of 118.68 feet to a point at the point of beginning of Block 1301, Tax Lot 1.07; thence running from said point of beginning:

- 1) along the thirteenth course of said 1.199 acre tract of land, but in a reverse direction, and curving to the right on said curve with a radius of 331.00 feet; with a central angle of 05 degrees 49 minutes 28 seconds; the chord bearing and distance being South 43 degrees 25 minutes 58 seconds West 33.63 feet, an arc distance of 33.65 feet to a point at the thirteenth corner of said 1.199 acre tract of land. Said point also being in the fourth course of a 0.377 acre parcel of land as described in a Deed of Conveyance from Robert W. Lee and Agnes H. Lee, Husband and Wife, to Natural Selection, LLC, dated February 12, 2003, and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 2708 of Deeds on pages 269 etc.; thence
- 2) along the fourth course of said 0.377 acre parcel of land, but in a reverse direction, North 08 degrees 51 minutes 35 seconds West 16.62 feet to a point at the fourth corner of said 0.377 acre parcel of land; thence
- 3) along the third course of said 0.377 acre parcel of land, but in a reverse direction, South 81 degrees 20 minutes 40 seconds West 141.21 feet to a point in the new easterly right-of-way line of Sparta Avenue (Sussex County Route 616), 33 feet from the centerline; thence
- 4) leaving the third course of said 0.377 acre parcel of land and running along the new easterly right-of-way line of said Sparta Avenue (Sussex County Route 616) North 10 degrees 34 minutes 59 seconds West 48.29 feet to a point in the fourth course of a parcel of land as described in a Deed of Conveyance from Eve L. Villani, Unmarried, to 13-19 Woodside Avenue, LLC, dated December 4, 2010 and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 3263 of Deeds on pages 606, etc.; thence
- 5) leaving the new easterly right-of-way line of said Sparta Avenue (Sussex County Route 616) and running along the fourth course of said 13-19 Woodside Avenue, LLC parcel of land North 82 degrees 10 minutes 27 seconds East 59.99 feet to a point at the beginning corner of said 13-19 Woodside Avenue, LLC parcel of land. Said point also being the sixth corner of a parcel of land as described in a Deed of Conveyance from Charles Schaffer and Doreen Schaffer, Husband and Wife, to Natural Selection, LLC dated July

15, 2004 and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 2840 of Deeds on pages 126, etc.; thence

- 6) along the fifth course of said Natural Selection, LLC parcel of land, but in a reverse direction, North 82 degrees 10 minutes 27 seconds East 44.34 feet to a point at the fifth corner of said Natural Selection, LLC parcel. Said point being on a curve having a radius of 257.00 feet and a tangent length of 51.06 feet; thence
- 7) along the fourth course of said Natural Selection, LLC parcel of land, but in a reverse direction, and curving to the left on said curve with a radius of 257.00 feet; with a central angle of 22 degrees 28 minutes 26 seconds; the chord bearing and distance being North 34 degrees 02 minutes 53 seconds East 100.16 feet; an arc distance of 100.81 feet to a point; thence
- 8) leaving the fourth course of said Natural Selection, LLC parcel of land and by a new line through said 6.873 acre tract of land, South 07 degrees 15 minutes 51 seconds East 116.35 feet to the point and place of BEGINNING.

Containing 0.24 acres of land be the same more or less.

Subject to the rights of any utilities or easements of record, should any exist.

Subject to the rights of the public in Sparta Avenue, also known as Sussex County Route 616.

Subject to a ground lease agreement between the Town of Newton and Thor Labs, Inc. dated April 2003 as outlined in Town of Newton Ordinance No. 2003-2.

Subject to existing storm drainage infrastructure on Block 1301, Tax Lot 1.05 discharging through Block 1301, Tax Lot 1.07 to storm drainage in Sparta Avenue (Sussex County Route 616).

Being part of the following parcels or tracts of land:

- 1) A 6.873 acre tract of land as described in a Deed of Conveyance from Thomas F. Patten and Ralph S. Tyler, Jr., Trustees of the Erie Lackawanna Railway Company to the Town

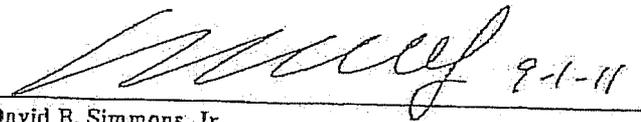
of Newton dated October 25, 1982 and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 1091 of Deeds on pages 682, etc.;

- 2) A 4,352 square foot parcel of land as described in a Deed of Conveyance from Betty Heemer, Unmarried, to the Town of Newton, a Municipal Corporation, dated May 1979, and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 1033 of Deeds on pages 989, etc.;
- 3) A parcel of land as described in a Deed of Conveyance from Peter John Kays and Beverly A. Kays, His Wife, to the Town of Newton, dated June 3, 1977 and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 989 of Deeds on pages 470, etc.;

Being part of Block 1301, Lot 1.02 as shown on a map entitled "Final Major Subdivision of Railroad Avenue Properties, Town of Newton, Sussex County, New Jersey, dated August 1987, Scale 1" = 50'", prepared by Harold E. Pellow & Associates, Inc. and filed in the Sussex County Clerk's Office in Newton, New Jersey as Filed Map No. 902, together with a 0.006 acre parcel of land as described in a Deed of Conveyance from James Eskin and William Dusche, Partners, trading as Station House Properties, a New Jersey Partnership, to the Town of Newton, a Municipal Corporation of the State of New Jersey, dated February 16, 2010, and recorded in the Sussex County Clerk's Office in Newton, New Jersey in Book 3244 of Deeds on pages 729, etc.

Being part of Tax Lot 1.02, Block 1301 on the current Town of Newton Tax Maps.

This description written September 1, 2011 by Harold E. Pellow & Associates, Inc., Consulting Engineers, 17 Plains Road, Augusta, New Jersey 07822-2009, COA #24GA27959300.


David B. Simmons, Jr.
New Jersey Professional Engineer and Land Surveyor #27831

SEAL



TOWN OF NEWTON

RESOLUTION #94-2012

May 14, 2012

“Authorize the Submission of an Application for the Action Alliance Grant”

WHEREAS, the Town Council of the Town of Newton, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of Newton, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Town Council does hereby authorize submission of an application for the Sussex County Municipal Alliance grant for calendar year 2012 in the amount of \$18,772) and will provide a municipal cash match in the amount of \$4,693.00.
2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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, May 14, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #95-2012

May 14, 2012

“Authorize the Release of Executive Session Minutes to the Public”

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

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

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

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

11/14/11, 11/28/11, 12/12/11, 1/9/12, 1/23/12, 2/13/12, 3/26/12

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, May 14, 2012.

Lorraine A. Read, RMC
Municipal Clerk