



**AGENDA  
NEWTON TOWN COUNCIL**

**APRIL 8, 2013**

**7:00 P.M.**

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

- MARCH 25, 2013 REGULAR MEETING  
MARCH 25, 2013 EXECUTIVE SESSION

**V. OPEN TO THE PUBLIC**

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

**VI. COUNCIL & MANAGER REPORTS**

- a. GOOD ENERGY
- b. NORTH HUDSON – FIRE TRUCK

**VII. ORDINANCES**

- a. INTRODUCTION

ORDINANCE 2013-10

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$400,000 FOR VARIOUS UTILITY CAPITAL IMPROVEMENTS IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

ORDINANCE 2013-11

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,079,000 THEREFOR, INCLUDING A \$140,000 SAFE ROUTES TO SCHOOL PROGRAM GRANT RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$860,050 IN BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

**VIII. OLD BUSINESS**

- a. HISTORIC PRESERVATION COMMISSION

## 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 #53-2013\* CERTIFY SELF-EXAMINATION OF 2013 BUDGET
- b. RESOLUTION #54-2013\* RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY
- c. RESOLUTION #55-2013\* INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2013 TOWN OF NEWTON BUDGET PURSUANT TO NJSA 40A:4-87 (C. 159, PL 1948)
- d. RESOLUTION #56-2013\* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- e. APPLICATIONS\* AN APPLICATION FOR SOCIAL AFFAIR PERMIT FROM THE GREATER NEWTON CHAMBER OF COMMERCE, TO BE HELD ON SATURDAY, JUNE 8, 2013 FROM 4:30PM TO 10:00PM AT MEMORY PARK, MORAN STREET, NEWTON

## X. HEARING ON THE 2013 BUDGET

- a. 2013 MUNICIPAL AND WATER & SEWER UTILITY BUDGET
  - 1. OPEN HEARING
  - 2. PUBLIC COMMENT
  - 3. CLOSE HEARING
  - 4. ACT ON BUDGET

## XI. INTERMISSION

## XII. OPEN TO THE PUBLIC

## XIII. COUNCIL & MANAGER COMMENTS

## XIV. EXECUTIVE SESSION

- a. RESOLUTION #57-2013 A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12
  - 1. CONTRACT NEGOTIATIONS

## XV. RESOLUTION

- a. RESOLUTION #58-2013 AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH THE UNITED PUBLIC SERVICE EMPLOYEES UNION
- b. RESOLUTION #59-2013 RESOLUTION CONFIRMING THE SALE OF A CERTAIN PARCEL OF LAND AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE LEGAL INSTRUMENTS NECESSARY TO EFFECTUATE SAID SALE

## XVI. ADJOURNMENT

**TOWN OF NEWTON**

**ORDINANCE #2013-10**

**A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$400,000.00 FOR VARIOUS UTILITY CAPITAL IMPROVEMENTS IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY.**

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

**Section 1 a.** \$360,000.00 is hereby appropriated for Inlet Building Upgrades including climbing screen, garage door, other items during construction and all costs necessary therefore or incidental thereto from the following sources:

Water Sewer Capital – Capital Improvement Fund	\$147,429.65
Water Sewer Capital – Reserve for Capital Outlay	\$ 6,940.35
Water Sewer Utility – Reserve for Hook Up Fees	\$205,630.00

**Section 1 b.** \$40,000.00 is hereby appropriated for improvements to Gardner Avenue Well, including all costs necessary therefore or incidental thereto from the following sources: (This amount is in addition to the \$60,000 appropriated in the 2012 Water Sewer Utility Budget, Capital Improvements – Gardner Ave Well Study.)

Water Sewer Capital – Fund Balance	\$ 40,000.00
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**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 and is filed and available for public inspection in the office of the Clerk.

**Section 3.** This ordinance shall take effect as provided by the law.

**TAKE NOTICE** that the above entitled Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton held on April 8, 2013. It will be considered for adoption, after public hearing and final reading thereon, at a regular meeting of said Governing Body conducted on April 22, 2013, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

TOWN OF NEWTON  
Ordinance 2013-11

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,079,000 THEREFOR, INCLUDING A \$140,000 SAFE ROUTES TO SCHOOL PROGRAM GRANT RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$860,050 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

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. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,079,000, including a \$140,000 Safe Routes to School Program Grant received from the New Jersey Department of Transportation and also including the aggregate sum of \$53,950 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, reserves or grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$860,050 pursuant to the Local Bond

Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of fire proof filing cabinets	\$13,000	\$12,350	15 years
b) Refurbishing of truck 2 tandem	\$65,000	\$61,750	5 years
c) Replacement of exterior doors at Firehouse 2	\$10,000	\$9,500	20 years
d) Renovation of fire museum	\$70,000	\$66,500	20 years
e) Improvement of roads along entire length of Hillside Terrace, Kelsey Avenue and Cedar Street, consisting of reconstruction, renovations, resurfacing, drainage work, stop bars, crosswalks, inlet heads, bicycle grates, and sidewalk installation or reconstruction	\$125,000	\$118,750	20 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
f) Improvement of sidewalks on Madison Street	\$165,000  (including a \$140,000 Safe Routes to School Program Grant received from the New Jersey Department of Transportation)	\$16,750	10 years
g) Acquisition of high band portable radios and pagers and mobile data terminals for Fire Department	\$20,000	\$19,000	5 years
h) Acquisition of firefighter bailout kits	\$10,000	\$9,500	5 years
i) Acquisition of a senior shuttle bus	\$200,000  (including \$25,000 reserved in prior years)	\$165,000	5 years
j) Improvements to municipal buildings, including upgrades, renovations and acquisition and installation of furniture and equipment	\$20,000	\$19,000	20 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
k) Acquisition and installation of mobile data terminals for Police Department	\$35,000	\$33,250	5 years
l) CENCOM (Central Communications) upgrades	\$200,000	\$190,000	7 years
m) Acquisition and installation of park and playground equipment and site work for Pine Street Park	\$15,000	\$14,250	15 years
n) Acquisition of loader attachment	\$6,000	\$5,700	15 years
o) Business Improvement District Planning Study	\$25,000	\$23,750	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
p) Supplemental appropriation for redevelopment planning	\$100,000  (in addition to the \$55,000 appropriated by bond ordinance #2012-06 finally adopted 3/12/12, the \$75,000 appropriated by bond ordinance #2011-5 finally adopted 4/25/11, the \$250,000 appropriated by bond ordinance #2009-5 finally adopted 2/23/09, the \$50,000 appropriated by bond ordinance #2005-8 finally adopted 5/9/05, the \$75,000 appropriated by bond ordinance #2007-8 finally adopted 6/11/07, the \$250,000 appropriated by bond ordinance #2007-21 finally adopted 8/27/07 and \$50,000 available from an Office of Smart Growth grant)	\$95,000  (in addition to the \$52,250 bonds or notes authorized by bond ordinance #2012-06 finally adopted 3/12/12, \$71,250 bonds or notes authorized by bond ordinance #2011-5 finally adopted 4/25/11, the \$238,000 bonds or notes authorized by bond ordinance #2009-5 finally adopted 2/23/09, the \$47,500 bonds or notes authorized by bond ordinance #2005-8 finally adopted 5/9/05, the \$71,400 bonds or notes authorized by bond ordinance #2007-8 finally adopted 6/11/07, the \$238,000 bonds or notes authorized by bond ordinance #2007-21 finally adopted 8/27/07 and the \$25,000 grant received under the 2005 ordinance, reducing the debt authorization)	15 years
TOTALS	<u>\$1,079,000</u>	<u>\$860,050</u>	

The excess of the appropriation minus the reserves and grant made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Town may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.023 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$860,050, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$215,800 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief

Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. The Safe School Program Grant will be applied directly to the Madison Street Sidewalk project cost. Any other grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the

Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

### **NOTICE**

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on April 8, 2013. It will be considered for adoption, after final reading and public hearing thereon, at a meeting of the Newton Governing Body conducted at 7:00 pm on April 22, 2013 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #53-2013

April 8, 2013

### “Certify Self-Examination of 2013 Budget”

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Newton has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Town of Newton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality

5. The budget and associated amendments (if any) have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved:

Vote recorded as follows:

**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, April 8, 2013.

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Lorraine A. Read, R.M.C.  
Municipal Clerk

TOWN OF NEWTON  
SUSSEX COUNTY, NEW JERSEY

**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C.5:30-7.4 AND 7.5, and that I, as Chief financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e)).



## TOWN OF NEWTON

### RESOLUTION #54-2013

April 8, 2013

### “Resolution Authorizing Disposal of Surplus Property”

**WHEREAS**, the Town of Newton is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Town Council is desirous of selling said surplus property in an “as is” condition without express or implied warranties;

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
  1. 1993 Cannondale Bicycles  
Condition: Fair  
Quantity: two (2)
- 5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

### 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, April 8, 2013.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**

**RESOLUTION #55-2013**

April 8, 2013

**“Insertion of Special Items of Revenue in the 2013  
Town of Newton Budget Pursuant to NJSA 40A:4-  
87 (C. 159, PL 1948)”**

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

**WHEREAS**, the Town of Newton is the lead agency, (also including Green Township, Andover Township and Andover Borough) for a grant in the amount of \$18,772.00 from the State of New Jersey Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex for a Municipal Alliance Grant; and

**WHEREAS**, the Town of Newton authorized the submission of the 2013 Action Alliance Grant per Resolution #165-2012 adopted August 13, 2012;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2013 Budget of the Town of Newton:

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

NJ Municipal Alliance Grant .....\$18,772.00

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

NJ Municipal Alliance Grant ..... \$18,772.00

Local Match – Source:

Current: Police Salaries and Wages .....\$2,693.00

Current: Pub.&Priv. Prog.-Match Funds, Munic. Alliance .....\$ 500.00

Current: Match Funds, Munic. Alliance –Andover Borough .....\$ 500.00

Trust: Reserve for Recreation Trust ..... \$1,000.00

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, April 8, 2013.

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk



CLERK OF THE BOARD OF CHOSEN FREEHOLDERS  
Sussex County Administrative Center  
One Spring Street  
Newton, New Jersey 07860  
(973) 579-0240  
FAX (973) 383-1124  
E-mail: emorgan@sussex.nj.us

Elaine A. Morgan  
Clerk of the Board

## County of Sussex

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March 14, 2013

Ms. Dawn Babcock  
Action Municipal Alliance Coalition  
Town of Newton Municipal Building  
39 Trinity Street  
Newton, NJ 07860

RESOLUTION RE: ALLOCATION OF \$18,772.00 TO THE ACTION MUNICIPAL ALLIANCE  
FOR THE PROVISION OF SUBSTANCE ABUSE PREVENTION  
PROGRAMS AND AUTHORIZATION FOR THE FREEHOLDER  
DIRECTOR AND CLERK TO EXECUTE AGREEMENT

Dear Ms. Babcock:

The above-captioned Resolution was adopted by the Sussex County Board of Chosen Freeholders at its meeting held on March 13, 2013.

The Resolution authorizes this Agreement, as detailed in the Resolution.

Enclosed you will find a certified copy of the Resolution and Agreement, along with the original signature page. Please obtain all necessary signatures and return it to me, keeping a copy for your files. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Elaine A. Morgan".

Elaine A. Morgan  
Clerk of the Board

/eam

Enclosure

cc: George Myers, Governor's Council on Alcoholism and Drug Abuse

FORM 6

Municipal Alliance Budget Summary  
 Summary of all expenditures proposed by the Alliance

Alliance Name: ACTION

County: Sussex

Grant Year: 2013

ACTIVITY NAME	DEDR REQUEST	DEDR FUNDING							CASH MATCH	IN-KIND	PROGRAM TOTAL
		PERSONNEL	CONSULTANT	TRAVEL/ TRAINING	SUPPLIES	PRINTING/ POSTAGE	EQUIPMENT	RENT			
PAG	2,000.00				2,000.00				1,000.00	1,200.00	4200.00
Freshman Or/VB	3,943.00		1,800.00		2,143.00				500.00	2,957.00	7400.00
Youth Matters	1,400.00		900.00		500.00				0.00	1,050.00	2450.00
D.A.R.E.	1,500.00				1,500.00				2,693.00	1,000.00	5193.00
Family Series	4,000.00	300.00	150.00		1,450.00			2,100.00	500.00	2,330.00	6830.00
Guard Start Camp	2,000.00	1,000.00	500.00		500.00				0.00	1,000.00	3000.00
Building Bridges	1,500.00		1,000.00		500.00				0.00	1,792.00	3292.00
Alliance Training	1,429.00			979.00	450.00					750.00	2179.00
Alliance Coordinator	1,000.00	1,000.00							0.00	2,000.00	3000.00
	0.00										0.00
	0.00										0.00
	0.00										0.00
<b>TOTAL</b>	<b>18,772.00</b>	<b>2,300.00</b>	<b>4,350.00</b>	<b>979.00</b>	<b>9,043.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,100.00</b>	<b>4,693.00</b>	<b>14,079.00</b>	<b>37544.00</b>



## TOWN OF NEWTON

### RESOLUTION #56-2013

April 8, 2013

**“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 2012 and 2013 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, April 8, 2013.

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Lorraine A. Read, RMC  
Municipal Clerk



# TOWN OF NEWTON

## RESOLUTION #57-2013

April 8, 2013

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

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

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

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

(1) Contract Negotiations

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Newton, assembled in public session on April 8, 2013, that an Executive Session closed to the public shall be held on April 8, 2013, at \_\_\_\_\_ PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific items designated above.

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

### CERTIFICATION

**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 public meeting of said Governing Body conducted on Monday, April 8, 2013.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #58-2013

April 8, 2013

### "Authorize Execution of an Agreement with the United Public Service Employees Union"

**WHEREAS**, the terms of a contract covering the three-year period from January 1, 2013 to December 31, 2015 have been negotiated by representatives of the United Public Service Employees Union "UPSEU" and representatives of the Town of Newton; and

**WHEREAS**, an appropriate contract reflecting the changes from the previous agreement has been prepared and executed by UPSEU representatives;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby authorizes the Mayor and the Municipal Clerk to execute said three-year contract covering calendar years 2013, 2014, and 2015 with the United Public Service Employees Union.

### 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, April 8, 2013.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #59-2013

April 8, 2013

**“A RESOLUTION CONFIRMING THE SALE OF A CERTAIN PARCEL OF LAND AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE LEGAL INSTRUMENTS NECESSARY TO EFFECTUATE SAID SALE”**

**WHEREAS**, on the 11th day of February, 2013, the Town Council of the Town of Newton adopted Ordinance #2013-4, entitled “*An Ordinance Authorizing the Sale of Certain Lands in the Town of Newton by Public Auction*”; and

**WHEREAS**, the Town of Newton, after public sale at auction to the highest bidder on March 27, 2013, has received an acceptable bid by Richard Doren on behalf of Julie Richard, LLC, for Block 18.02, Lot 2 (formerly Block 1301, Lot 1.02); and

**WHEREAS**, adequate notice of the public sale was properly advertised, pursuant to N.J.S.A. 40A:12-13(a); and

**WHEREAS**, Richard Doren on behalf of Julie Richard, LLC deposited \$15,000.00 and executed an Acceptance of Offer to Sell Property by the Town of Newton on March 27, 2013; and

**WHEREAS**, Richard Doren on behalf of Julie Richard, LLC has agreed to pay the balance of the purchase price plus the costs of recording deeds, costs of notice of publication, and \$450 for Town attorney fees related to the property transfer, by May 27, 2013;

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

1. That said parcel more particularly described as Block 18.02, Lot 2 on the Town of Newton Tax Map be sold for a price of \$120,000.00 to Richard Doren on behalf of Julie Richard, LLC.
2. That the Mayor and Clerk are hereby authorized to execute any and all Deeds 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, April 8, 2013.

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Lorraine A. Read, RMC  
Municipal Clerk

**AGENDA ITEMS**

**For April 8, 2013 Council Meeting**

**Minutes:**

March 25, 2013 (Regular)

March 25, 2013 (Executive Session)

An application for Social Affair Permit from Greater Newton Chamber of Commerce, P.O. Box 386, Newton, New Jersey to be held on Saturday, June 8, 2013 from 4:30 pm to 10:00 pm at Memory Park, Moran Street, Newton.