



AGENDA
NEWTON TOWN COUNCIL
JULY 22, 2013
7:00 P.M.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

- JULY 1, 2013 REORGANIZATION MEETING

V. OPEN TO THE PUBLIC

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

VI. COUNCIL & MANAGER REPORTS

VII. ORDINANCES

a. INTRODUCTION

ORDINANCE 2013-22

AN ORDINANCE AMENDING SECTION 320-23 "PARKING AND DRIVEWAY STANDARDS" OF THE NEWTON TOWN CODE TO PROHIBIT CERTAIN FRONT YARD PARKING AND PARKING OF CERTAIN VEHICLES ON RESIDENTIAL PROPERTY AND AMENDING SECTION 320-3 TO ADD DEFINITIONS FOR AGE RESTRICTED HOUSING AND COMMERCIAL VEHICLES AND AMENDING SECTION 320-27 REGARDING GRANDFATHER CLAUSE

VIII. OLD BUSINESS

a. RESOLUTION #128-2013

RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY RATIFYING AND RECONFIRMING RESOLUTION #101-2013 AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-48

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 #130-2013* AUTHORIZING ENTRY INTO AN AGREEMENT WITH THE COUNTY OF SUSSEX FOR MODIFICATION AND MAINTENANCE OF A STORMWATER CONVEYANCE SYSTEM ALONG COUNTY ROUTE 663, A.K.A. HICKS AVENUE, AT APPROXIMATELY MILE POST 0.02 NEAR THE INTERSECTION OF COUNTY ROUTE 663 AND THE SUSSEX BRANCH TRAIL
- b. RESOLUTION #131-2013* APPROVE PURCHASE OF 2013 TOYOTA CAMRY HYBRID XLE 4 DOOR SEDAN
- c. RESOLUTION #132-2013* AWARD CONTRACT TO M. SKY CONSTRUCTION FOR THE PROPOSED SIDEWALK IMPROVEMENTS ON VARIOUS STREETS PROJECT
- d. RESOLUTION #133-2013* AUTHORIZE CHANGE ORDER NO. 1 FOR THE PROPOSED STREETScape IMPROVEMENTS TO LOWER SPRING STREET
- e. RESOLUTION #134-2013* AUTHORIZE CHANGE ORDER NO. 1 FOR THE PROPOSED CURB, SIDEWALK AND APRON REPLACEMENT ON MAPLE AVENUE
- f. RESOLUTION #135-2013* AUTHORIZE ENTERING INTO AN EQUITABLE SHARING AGREEMENT WITH THE FEDERAL GOVERNMENT FOR FORFEITED CASH, PROPERTY AND PROCEEDS
- g. RESOLUTION #136-2013* APPROVE BILLS AND VOUCHERS FOR PAYMENT
- h. RESOLUTION #137-2013* RENEWAL APPLICATION FOR A JUNK DEALERS LICENSE
- i. APPLICATIONS*
AN APPLICATION FOR AN OFF-PREMISE RAFFLE (50/50) FROM ST. JOSEPH ROMAN CATHOLIC CHURCH, 17 ELM STREET, NEWTON TO BE HELD ON OCTOBER 25, 2013 AT 7:00PM AT ST. JOSEPH COMMUNITY CENTER, HALSTED STREET, NEWTON

AN APPLICATION FOR AN ON-PREMISE RAFFLE (50/50) FROM PRIDE FOUNDATION INC., 44 RYERSON AVENUE, NEWTON TO BE HELD ON SEPTEMBER 12, 2013 AT 7:00PM; SEPTEMBER 27, 2013 AT 7:00PM; NOVEMBER 1, 2013 AT 7:00PM; NOVEMBER 8, 2013 AT 7:00PM; NOVEMBER 15, 2013 AT 7:00PM; AND DECEMBER 10, 2013 AT 6:00PM AT NEWTON HIGH SCHOOL, 44 RYERSON AVENUE, NEWTON

X. INTERMISSION

XI. DISCUSSION

- a. HIGHLANDS COUNCIL – TDR
- b. FIRE MUSEUM PROJECT UPDATE
- c. OCTOBER 16, 2013 MEETING CONFLICT

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENTS

XIV. ADJOURNMENT

TOWN OF NEWTON

ORDINANCE 2013-22

AN ORDINANCE AMENDING SECTION 320-23 “PARKING AND DRIVEWAY STANDARDS” OF THE NEWTON TOWN CODE TO PROHIBIT CERTAIN FRONT YARD PARKING AND PARKING OF CERTAIN VEHICLES ON RESIDENTIAL PROPERTY AND AMENDING SECTION 320-3 TO ADD DEFINITIONS FOR AGE RESTRICTED HOUSING AND COMMERCIAL VEHICLES AND AMENDING SECTION 320-27 REGARDING GRANDFATHER CLAUSE

WHEREAS, the Mayor and Town Council of the Town of Newton find that outdoor parking of commercial vehicles exceeding 15,000 pounds in gross vehicle weight rating (GVWR), including trailers and any items connected to and/or towed by the vehicle, on residential property negatively impacts residential neighborhoods; and

WHEREAS, there is sufficient commercial property and locations throughout the Town for property owners to park commercial vehicles with a GVWR of 15,000 pounds or more, including trailers and any items connected to and/or towed by the vehicle; and

WHEREAS, the Town Council of the Town of Newton finds that more specificity in the Form-Based Code with respect to the prohibition of parking in the front yard of single family detached and duplex dwellings and a grandfathering clause for existing driveways are needed for enforcement of the Ordinance; and

WHEREAS, the Town Council of the Town of Newton finds that more specificity in the Form-Based Code with respect to definitions for “commercial vehicle” and “age-restricted residential” is needed for interpretation of the Ordinance; and

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

SECTION I: Section 320-3 “Definitions” shall be revised by the additions of the definitions of “commercial vehicle” and “age restricted residential” as follows:

AGE RESTRICTED RESIDENTIAL – means a residential development that complies with the “housing for older persons” exception from the federal “Fair Housing Amendments Act of 1988,” 42 U.S.C.A..3601 et seq., as may be amended, and 24 C.F.R. 100.301 et seq., as may be amended.

COMMERCIAL VEHICLE – means any motor driven vehicle, including cars, trucks, buses, sedan delivery vehicles, station wagons, minivans, sport utility vehicles, or any other commercially used vehicles with advertising matter or subject to such licensing designation under N.J.S.A. 39:1-1 et seq.

SECTION 2: Section 320-23.E, "**Residential driveways**", shall be and is hereby revised to read as follows:

E. Residential driveways.

(1) Driveways on residential lots shall be no closer than three feet to any side or rear property line, except that, on lots that are 50 feet or less in width, the Zoning Officer may permit driveways to be located no closer than one foot to a side or rear property line. In those instances where a common driveway is proposed by adjoining property owners, then no driveway offset from the common property line is required.

(2) Front yard parking. Off-street parking is prohibited in the front yards of single family detached and duplex residential dwellings.

SECTION 3: A new subsection F of section 320-23, "**Parking and driveway standards**" shall be and is hereby adopted as follows:

F. The parking, or maintenance of any commercial vehicles exceeding gross vehicle weight rating (GVWR) of 15,000 pounds, including trailers and any items connected to and/or towed by the vehicle, located in any driveway of a residential structure is prohibited. Garaging of all commercial vehicles exceeding 15,000 pounds in GVWR, including trailers and any items connected to and/or towed by the vehicle, is permitted on residential properties provided the structure was lawfully constructed and is an enclosed solid structure with a full closed door.

SECTION 4: Section 320-27 Pre-existing Non-Conforming Lots, Uses and Structures shall be amended to read as follows:

The following provisions shall apply to all lawfully existing nonconforming uses, structures, driveways or lots as well as all uses, structures or lots that become nonconforming by reason of any subsequent amendment to this chapter.

- A. Existing uses, expansion of nonconforming uses. Any nonconforming use existing at the time, or created as a result, of the passage of this chapter may be continued upon the lot or in the structure so occupied. No nonconforming use may be extended or expanded over a larger area than it occupies at the time of enactment of this chapter.
- B. Existing structures, enlargement or nonconforming structures. Any nonconforming structure existing at the time, or created as a result, of the passage of this chapter may be occupied, restored or repaired in the event of partial destruction thereof. Any such structure, which is substantially destroyed as deemed by the Construction Official, shall not be reconstructed or used except in conformance with this chapter. No nonconforming structure may be enlarged or expanded to cover a larger area than it occupied at the time of the adoption of this chapter without an appeal for variance relief.
- C. Any nonconforming driveway existing at the time, or created as a result, of the passage of Ordinance 2013-22 (August 12, 2013) may be restored or repaired in the event of destruction thereof, provided such driveway has not been abandoned (pursuant to subsection F below). No nonconforming driveway may be enlarged or expanded to cover a larger area than it occupied at the time of the adoption of Ordinance 2013-22 (August 12, 2013) without an appeal for variance relief.

D. Existing lots, nonconforming area, width and setback.

(1) Any lot nonconforming in area or width which was under one ownership or under contract of sale as of May 1969 when the owner thereof owns no adjoining land may be used as a lot for any purpose permitted in the zone, provided that the lot complies with all other regulations for the zone.

(2) Where a lot is situated between two lots, each of which is developed with a main building which projects beyond the established front building line and has been so maintained since May 1969, the minimum front yard depth required for such lot may be the average of the front yard of the existing buildings. Where a lot is situated between one lot developed as described above and a vacant lot, the minimum front depth required for such lot may be the average of the front yard of the existing buildings and the established front setback.

E. Conversion to permitted use. After a nonconforming building or use has been converted to a permitted use, it shall not be changed back again to a nonconforming use.

F. Abandonment. If a nonconforming use has been abandoned, such use shall not be reinstated. Cessation of a nonconforming use for a continuous period of one year may be taken as prima facie evidence of an intent to abandon such use.

SECTION 5: SEVERABILITY AND REPEALER

Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

SECTION 6: NOTICE

The Town Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law. **TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, July 22, 2013. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body to be conducted at 7:00pm on Monday, August 12, 2013 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



July 1, 2013

TOWN OF NEWTON

RESOLUTION #128-2013

"RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY RATIFYING AND RECONFIRMING RESOLUTION 101-2013 AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-48"

WHEREAS, Newton Town Centre Urban Renewal Associates, LP (the "Entity") has proposed to develop an age-restricted, low and moderate income rental housing project consisting of approximately 65 units, approximately 1,600 square feet of commercial space, and a community room of approximately 2,200 square feet to be utilized by the residents of the development and available for use by the Town, together with approximately 82 parking spaces, upon property located at the intersection of Spring Street and Union Place and identified upon the official tax map of the Town as Block 8.05, Lots 4, 7, 8 and 9 (collectively, the "Land") and commonly known as 5 Union Place, 50 Trinity Street and 58 Trinity Street (collectively, the "Project"); and

WHEREAS, the Entity has represented to the Town that it would not be feasible to undertake the Project without financial assistance from the Town, and has requested that the Town fund a loan to the Project in the amount of \$45,000 (the "Loan"); and

WHEREAS, the Entity has further represented that approval of the Loan is a critical component of its application for Low Income Housing Tax Credits to finance the Project, which application was required to be submitted to the New Jersey Housing and Mortgage Finance Agency in June 2013; and

WHEREAS, the Mayor and Town Council have determined that the development of the Project and the financing of the Project through the use of Low Income Housing Tax Credits is a desirable improvement for the community and in the best interests of the Town and its residents; and

WHEREAS, the calendar year 2013 budget did not include an appropriation to fund the Loan; and

WHEREAS, the total amount of emergency appropriations created, including the appropriation to be created hereby, is \$88,000, and 3% of the total current operating appropriations in the budget for calendar year 2013 is \$277,644.89; and

WHEREAS, the foregoing emergency appropriation, together with prior emergency appropriations, does not exceed 3% of the total operating appropriations in the budget for calendar year 2013; and

WHEREAS, on June 10, 2013 the Town approved Resolution #101-2013 authorizing the emergency appropriation; and

WHEREAS, the requisite certificate of the Chief Financial Officer has been filed in the office of the Town Clerk,

NOW THEREFORE BE IT RESOLVED by the Mayor and Town Council of the Town of Newton (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

Section 1. The recitals hereto are hereby incorporated herein as if set forth at length.

Section 2. Resolution 101-2013, a copy of which is attached hereto, is hereby ratified and reconfirmed.

Section 3. The Town Clerk is hereby authorized and directed to transmit two certified copies of this resolution to the Director of the Division of Local Government Services.

Section 4. This resolution shall take effect immediately.

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, July 1, 2013.

Lorraine A. Read, RMC
Municipal Clerk

STATEMENT RE:
EMERGENCY RESOLUTION

This statement must be prepared in duplicate by the Chief Financial Officer or other responsible official, and must be filed with the Municipal Clerk prior to the adoption of the emergency resolution. The duplicate thereof must be filed with the Director of Local Government Services at the time of filing the emergency resolution.

Need of Emergency Appropriation:

In order to submit an application for an age-restricted, low and moderate income rental housing project to the New Jersey Housing and Mortgage Finance Agency by June 21, 2013; and to make the project economically feasible the entity (Newton Town Centre Urban Renewal Associates, LP) has requested a loan from the Town. Since this loan amount was not included in the 2013 Current Municipal Budget, an emergent condition exists which requires a supplemental appropriation.

Date of Occurrence: **June 10, 2013**

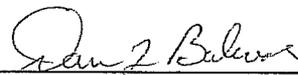
Have any contracts been awarded or purchase orders place in connection with this emergency appropriation? **NO**

Have any payments been made in connection with this emergency appropriation? **NO**

If costs are in excess of \$17,500 for either labor or materials, or both, will bids be advertised for? **N/A.**

If not, have resolutions been adopted declaring an exigency to exist which will not permit the advertisement for public bids? **N/A**

Will work be performed by contract, force account or otherwise? **N/A**

Signed: 
Title: Chief Financial Officer

Dated: 6-28-13



TOWN OF NEWTON

RESOLUTION #130-2013

July 22, 2013

"Authorizing Entry into an Agreement with the County of Sussex for Modification and Maintenance of a Stormwater Conveyance System along County Route 663, A.K.A. Hicks Avenue, at Approximately Mile Post 0.02 Near the Intersection of County Route 663 and the Sussex Branch Trail"

WHEREAS, the Town of Newton will be advancing a Trail Improvement Project on a portion of the Sussex Branch Trail; and

WHEREAS, the project includes the intersection of County Route 663 and the Sussex Branch Trail; and

WHEREAS, included within the project are modifications to an existing stormwater conveyance system including a crossdrain carrying stormwater flowing in the northerly direction (toward Newton) under County Route 663; and

WHEREAS, the existing crossdrain consists of two different pipe materials, the upstream being a 12-inch corrugated metal pipe having its inlet day-lighted on the southerly roadside (toward Andover Township) and extending under County Route 663 to some unknown point at which the pipe changes to a 15-inch reinforced concrete pipe, also under County Route 663, being the same pipe day-lighted at the northerly roadside (toward Newton) into an open channel drainage swale; and

WHEREAS, the crossdrain pipe has a total length of approximately 40-feet; and

WHEREAS, water flows downstream through the open channel swale extending into and traversing Block 24.02, Lot 2 of the Town of Newton; and

WHEREAS, Sussex County has prescriptive rights to operate the crossdrain; and

WHEREAS, the Town of Newton has proposed modifications to the stormwater conveyance system to enhance trail and roadway user safety; and

WHEREAS, the proposed system modifications include construction of a new Type A inlet located at the system inlet whereby the existing crossdrain inlet sump adjacent to the trail is eliminated; and

WHEREAS, the proposed modifications also include construction of a new manhole located at the existing crossdrain outfall sump; and

WHEREAS, downstream modifications also propose installation of a new 15-inch reinforced concrete pipe whereby approximately 80-linear of the existing open channel swale is to be carried by the proposed pipe moving the northerly system open discharge point to the opposite side of the trail, said discharge point residing farther from the road and trail within the existing open channel swale; and

WHEREAS, the proposed modifications are being recommended as an improvement and safety enhancement for both roadway and trail users; and

WHEREAS, Sussex County and the Town of Newton have identified the need to establish responsibilities for operation and maintenance of the modified system; and

WHEREAS, both parties have expressed a willingness to cooperate with the common goal of improving overall safe and efficient use of the facilities; and

WHEREAS, both parties recognize that modifications of the stormwater conveyance system are driven by the proposed local trail improvement project; and

WHEREAS, the parties have entered into a Stormwater Conveyance System Operations and Maintenance Agreement ("Agreement") for design, construction, operation, and maintenance of said stormwater conveyance system modifications, a copy of which is attached hereto;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Town Council of the Town of Newton be and are hereby authorized to execute the attached Agreement with the Sussex County Board of Chosen Freeholders for the design, construction, operation, and maintenance of said stormwater conveyance system modifications, a copy of said Agreement is attached hereto and made a part hereof.

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, July 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk

**STORMWATER CONVEYANCE SYSTEM OPERATIONS AND MAINTENANCE
AGREEMENT**

This Agreement, made this day of , 2013, between the County of Sussex, with its administrative offices located at One Spring Street, Newton, New Jersey 07860, hereinafter referred to as the **COUNTY**; the Town of Newton, located at 39 Trinity Street, Newton New Jersey 07860, hereinafter referred to as the **TOWN**, witnesses that:

WHEREAS, project plans have been prepared by Harold E. Pellow & Associates, TOWN engineer, entitled "Proposed Bike Path for The Town of Newton - Town of Newton – Sussex County – New Jersey" dated _____ and last revised _____,; and

WHEREAS, the aforementioned plans include recommended modifications to an existing stormwater conveyance system located near the intersection of County Route 663, a.k.a. Hicks Avenue, and the Sussex Branch Trail, said stormwater conveyance system conveys stormwater in the northerly direction (toward the Town Newton) under County Route 663; and

WHEREAS, The Sussex County Engineer and Sussex County Division of Engineering Staff have reviewed the aforementioned plans containing proposed stormwater conveyance system modifications, and it is their professional opinion, based on the information contained within the plans, the recommended modifications are warranted and will serve to enhance operational safety of the facilities; and

WHEREAS, it is the purpose of this Agreement to define participation by the **TOWN** and **COUNTY** for the design, installation, maintenance and operation of the modified stormwater conveyance system; and

WHEREAS, the County Engineer has determined that it is in the County's best interest to enter into this Agreement.

NOW, THEREFORE, in consideration of the covenants contained herein, and pursuant to all applicable Federal, State and Local laws and ordinances, the **COUNTY**, the **TOWN** agree as follows:

1. The **COUNTY** in collaboration with the **TOWN** and the **TOWN'S** professional(s) will determine the character, type, location, and operation of those portions of the stormwater conveyance system located within the county right-of-way.
2. The **TOWN** will provide or ensure the provision of design and installation (providing all, workmanship, traffic control, and other incidentals required to provide a full functional system in accordance with the plans as accepted by the **COUNTY**), in accordance with the following provision:
 - a. The **TOWN** shall obtain all necessary Road Opening and Access Permits issued through the Sussex County Division of Engineering.
3. The **TOWN** will provide for all materials except as herein identified:
 - a. The **COUNTY** will provide or, at the option of the **COUNTY**, reimburse the **TOWN** for, those materials needed to construct the new upstream Type A inlet as depicted within the **COUNTY** approved plans.
4. Construction within the County Right-of-Way shall be pursuant to the **COUNTY** Approved construction plans, and in accordance with the Manual on Uniform Traffic Control Devices, and in accordance with the Sussex County Standard Details or NJDOT Standard Details.

5. The **TOWN** shall provide the **COUNTY** with a Right to Discharge Easement for the modified stormwater conveyance system and memorialize the County's right to stormwater sheet flow from County Route 663 into the subject property.
6. The **COUNTY** shall, at its own expense, provide for the future operations and maintenance for the new upstream Type A inlet as well as the existing pipe traversing under County Route 663. This responsibility shall end at the pipe terminus in the new manhole, and
7. The **TOWN** shall, at its own expense, provide for all future operations and maintenance for the new manhole and the entire downstream stormwater conveyance system, and
8. The **TOWN** shall defend, indemnify, protect and hold harmless the **COUNTY** and its agents, servants and employees from any and all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of the performance of any services, actions or operations in connection with this Agreement or any breach or default of this Agreement by the **TOWN**.
9. The **TOWN** shall enact the necessary consenting Resolution authorizing its entry into this Agreement.
10. This Agreement shall not become binding on any party until it is fully executed by the parties.

"END OF TEXT"

IN WITNESS WHEREOF, all parties have caused this instrument to be signed, attested to and sealed.

ATTEST FIX SEAL: COUNTY OF SUSSEX

 Elaine A. Morgan, Clerk
 Board of Chosen Freeholders
 County of Sussex

 Freeholder Director

 Dated

ATTEST FIX SEAL: TOWN OF NEWTON

 Township Manager

 Mayor

 Dated



TOWN OF NEWTON

RESOLUTION #131-2013

July 22, 2013

"Approve Purchase of 2013 Toyota Camry Hybrid XLE 4 Door Sedan"

WHEREAS, three quotes were obtained for the purchase of a 2013 Toyota Camry Hybrid XLE 4 Door Sedan which total cost is under the bid threshold of \$36,000 and were received on July 1, 2013; and

WHEREAS, the following are the three quotes received:

Name of Dealer

Price

**Toyota of Morristown, Inc.
169 Ridgedale Avenue
Morristown, NJ 07960**

\$28,773.00

Towne Toyota
1499 Route 46
Ledgewood, NJ 07852

\$28,995.00

Crestmont Toyota
730 Route 23 North
Pompton Plains, NJ 07444

\$29,269.00

WHEREAS, Toyota of Morristown, Inc. has supplied the lowest quote to the Town of Newton for the purchase of a 2013 Toyota Camry Hybrid XLE 4 Door Sedan in the amount of \$28,773.00; and

WHEREAS, the Purchasing Agent has recommended the purchase of the 2013 Toyota Camry Hybrid XLE 4 Door Sedan with financing through Toyota Financial Services at 0.0% financing for 60 months in the amount of \$28,773.00; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that a 2013 Toyota Camry Hybrid XLE 4 Door Sedan be purchased through Toyota of Morristown, Inc., Morristown, NJ in the amount of \$28,773.00; and

BE IT FURTHER RESOLVED, that the Mayor and Town Council of the Town of Newton designates and authorizes the Town Manager and Chief Financial Officer to execute, attest, and deliver any related documents necessary for the consummation of the transactions contemplated by the Toyota Financial Services Agreement for the acquisition of said vehicle.

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, July 22, 2013.

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 #: 131-2013

APPROVING: TOYOTA OF MORRISTOWN, INC.

FOR THE PURPOSE OF: 2013 CAMRY HYBRID SEDAN

IN THE AMOUNT OF: \$28,773.00 TOTAL COST

APPROPRIATED BY: CURRENT - TOWN MANAGER, OTHER EXPENSE
#1050206 \$2,400.00 FOR 2013

VEHICLE TO BE FINANCED OVER 60 MONTHS @\$480 with rounding.
FUNDS BEING CERTIFIED ARE CONTINGENT UPON THE GOVERNING
BODY APPROPRIATING SUFFICIENT FUNDS IN THE 2014, 2015,
2016, 2017 AND 2018 BUDGETS.

DATED THIS 22ND DAY OF JULY 2013

BY *Dawn L. Babcock*

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



TOWN OF NEWTON

RESOLUTION #132-2013

July 22, 2013

"Award Contract to M. Sky Construction for the Proposed Sidewalk Improvements on Various Streets Project"

WHEREAS, the Town of Newton solicited bids for the Proposed Sidewalk Improvements on Various Street Project; and

WHEREAS, the bids for the Proposed Sidewalk Improvements on Various Streets Project were publicly opened and read on Tuesday, July 16, 2013 at 11:00 a.m. as follows:

<u>Bidder</u>	<u>Bid Amount</u>
M. Sky Construction Corp. 830 Route 15 South Lake Hopatcong, NJ 07849	\$90,291.00
Tony & Son, Inc. 80 Harrow Drive Colonia, NJ 07067	\$95,363.10
Tony's Concrete Construction Co., Inc. 316 E. Kinney Street Newark, NJ 07105	\$105,096.00
JAK Construction Corp. T/A Diamond Construction 35 Beaverson Blvd. Suite 12C Brick, NJ 08723	\$180,366.00

WHEREAS, after review of all submitted bids, Harold E. Pellow of Harold E. Pellow and Associates, Inc., the Town Engineer, recommends award of the Proposed Sidewalk Improvements on Various Streets Project to M. Sky Construction Corp., in the amount of \$90,291.00; and

WHEREAS, the Chief Financial Officer, Dawn L. Babcock has certified that funds are available based on the attached certification; and

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby awards the contract for the Proposed Sidewalk Improvements on Various Streets Project and authorizes the Mayor and Clerk to execute an agreement with M. Sky Construction Corp., Lake Hopatcong, New Jersey in the amount of \$90,291.00.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 22, 2013.

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 #: 132-2013

APPROVING: M. SKY CONSTRUCTION CORP.

FOR THE PURPOSE OF: SIDEWALK IMPROVEMENTS

IN THE AMOUNT OF: \$90,291.00

APPROPRIATED BY: GENERAL CAPITAL -

ORD.#2013-18 #30913181 \$90,291.00

DATED THIS 22ND DAY OF JUNE 2013

BY

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

HAROLD E. PELLOW, PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.,
PA - P.E. & L.S.

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(5/28/84 - 7/27/88)

DAVID B. SIMMONS, JR., VICE PRESIDENT
NJ - P.E. & L.S., NJ - P.P., NJ - C.M.E.,
NY - P.E. & L.S., PA - P.E. & L.S.

CORY L. STONER, ASSOCIATE
NJ - P.E., NJ - C.M.E.,
PA - P.E.

THOMAS G. KNUTELSKY
NJ - P.E.

July 16, 2013

FAX: (973) 383-8961

MEMORANDUM TO: Mr. Thomas S. Russo, Jr., Newton Town Manager

FROM: Harold E. Pellow, P.E., L.S., Town Engineer

SUBJECT: RECOMMENDATION OF AWARD
Proposed Sidewalk Improvements on Various Streets
(Spring Street, Lower Spring Street & Main Street)
HPA No. 13-124

Dear Tom:

I have reviewed the four (4) bids received on July 16, 2013 at 11:00 AM for the above referenced project and recommend the contract be awarded to M. Sky Construction Corporation, 830 Route 15 South, Lake Hopatcong, New Jersey 07849, whose low bid was \$90,291.00.

Enclosed herewith please find the *Summary of Bids*. Retain in your file.

Very truly yours,

Harold E. Pellow, P.E., L.S.
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineer

HEP:mec

K:\PROJECTS\MUNICIPAL\NEWTON\COUNCIL\13-124 - SPRING, LOWER SPRING AND MAIN STREET SIDEWALK IMPROVEMENTS\RUR0502.DOC

Enclosure

cc: Debra Millikin, Newton Deputy Town Manager (Via Fax 973-383-8961)

Harold E. Pelrow and Associates, Inc.
 Consulting Engineers, Planners and Land Surveyors
 17 Plains Road
 Augusta, NJ 07822-2009
 Ph: (973) 948-6463; Fax: (973) 948-2916

SUMMARY OF BIDS

Project: Proposed Sidewalk Improvements on Various Streets
 (Spring Street, Lower Spring Street, and Main Street)
Municipality: Town of Newton
County: Sussex

Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE		M. Sky Construction Corp.		Tony & Son, Inc.		Tony's Concrete Construction Co., Inc.		JAK Construction Corp.	
				Unit Price	Amount	City	State/Zip	City	State/Zip	City	State/Zip	City	State/Zip
1	Mobilization	100%	TS	\$2,000.00	\$2,000.00								
2	Construction Signs	128	SF	\$20.00	\$2,560.00								
3	Traffic Flaggers	300	HR	\$75.00	\$22,500.00								
4	Concrete Sidewalk, 4" Thick, Reinforced	583	SY	\$90.00	\$52,470.00								
5	Concrete Sidewalk, 6" Thick, Reinforced	39	SY	\$1,000.00	\$39,000.00								
6	Sewerding	40	LF	\$3.00	\$120.00								
7	Joint Repairs	1,251	LF	\$8.00	\$10,008.00								
8	Reset Concrete Pavers	102	SF	\$10.00	\$1,020.00								
9	Detachable Warning Surfaces	7	Unit	\$400.00	\$2,800.00								
10	Removal of Concrete Sidewalk	624	SY	\$5.00	\$3,120.00								
TOTAL ESTIMATED COST OF CONSTRUCTION:					\$101,188.00		\$90,291.00		\$95,363.10		\$105,096.00		\$180,366.00

I hereby certify that this is a true copy of the bids received on July 16, 2013 at 11:00 AM.

Harold E. Pelrow
 (Engineer)



TOWN OF NEWTON

RESOLUTION #133-2013

July 22, 2013

“Authorize Change Order No. 2 for the Proposed Streetscape Improvements to Lower Spring Street”

WHEREAS, on October 10, 2012 the Newton Town Council adopted Resolution #214-2012, awarding a contract V&K Construction, Inc., for the Proposed Streetscape Improvements to Lower Spring Street; and

WHEREAS, on June 10, 2013 the Newton Town Council adopted Resolution #92-2013 approving Change Order No. 1, for the Proposed Streetscape Improvements to Lower Spring Street which increased the total contract amount by \$1,947.00 for a new contract total of \$294,884.00; and

WHEREAS, Harold Pellow & Associates, Inc., the Engineer for the project, has prepared and recommends approval of Change Order No. 2 for said project, which will decrease the overall project by \$9,682.00 to a new contract total of \$285,202.00;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the Town Engineer's recommendation and accepts Change Order No. 2 for the Proposed Streetscape Improvements to Lower Spring Street; and

BE IT FURTHER RESOLVED, that a copy of Change Order No. 2 be attached to and made part of this resolution; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to V&K Construction, Inc., and the Town Engineer.

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, July 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk

NEW JERSEY DEPARTMENT OF TRANSPORTATION
STATE AID PROJECTS
CHANGE ORDER NUMBER - 2
Division of Local Aid and Economic Development

Project	PROPOSED STREETScape IMPROVEMENTS TO LOWER SPRING STREET
Municipality	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
County	SUSSEX
Contractor	V & K CONSTRUCTION, INC., 37 BARTHA AVENUE, EDISON, NJ 08817

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	Lower Spring Street
Reason	See reasons below.

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>	
<u>EXTRA</u>					
10	HOT MIX ASPHALT IN DRIVES 9.5M64, 2" THICK & VARIABLE <i>As-built quantity.</i>	2.5	TON	\$ 130.00	\$ 325.00
20	STOP BAR, 24" WIDE, LONG LIFE, THERMOPLASTIC <i>As-built quantity.</i>	33	LIN. FT.	\$ 8.00	\$ 264.00
23	TRAFFIC STRIPES, 4" WIDE, LONG LIFE, EPOXY RESIN <i>As-built quantity.</i>	24	LIN. FT.	\$ 3.00	\$ 72.00
39	12" RCCP, CLASS III <i>As-built quantity.</i>	2	LIN. FT.	\$ 58.00	\$ 116.00
Total EXTRA:					\$ 777.00
<u>SUPPLEMENTAL</u>					
46S	EROSION CONTROL MATTING <i>Stabilized slopes until grass grows up.</i>	100%	L.S.	\$ 300.00	\$ 300.00
47S	"B" INLET REPAIR, CASTING & HEAD, TYPE "N" <i>Inlet deteriorated and was in danger of collapsing. New head to conform to stormwater regulations.</i>	1	UNIT	\$ 2,800.00	\$ 2,800.00
Total SUPPLEMENTAL:					\$ 3,100.00
<u>REDUCTION</u>					
3	TRAFFIC DIRECTORS, FLAGGERS <i>As-billed hours.</i>	59	MN. HR.	\$ 65.00	\$ 3,835.00
4	SILT FENCE, IF & WHERE <i>As-built quantity.</i>	100	LIN. FT.	\$ 3.00	\$ 300.00
8	HOT MIX ASPHALT 9.5M64, 2" THICK <i>As-built quantity.</i>	14	TON	\$ 119.00	\$ 1,666.00
16	CONCRETE SIDEWALK, 4" THICK, REINFORCED <i>As-built quantity.</i>	33	SQ. YD.	\$ 65.00	\$ 2,145.00
21	CROSSWALK STRIPING, 12" WIDE, LONG LIFE, THERMOPLASTIC <i>As-built quantity.</i>	337	LIN. FT.	\$ 4.00	\$ 1,348.00
22	PARKING SPACE STRIPING, 6" WIDE, LONG LIFE, THERMOPLASTIC <i>As-built quantity.</i>	41	LIN. FT.	\$ 3.00	\$ 123.00
26	EXCAVATION & BACKFILL CONDUIT TRENCH <i>As-built quantity.</i>	16	LIN. FT.	\$ 23.00	\$ 368.00
27	1" SCHEDULE 80 PVC CONDUIT <i>As-built quantity.</i>	29	LIN. FT.	\$ 6.00	\$ 174.00
40	INLET, TYPE "E" <i>As-built quantity.</i>	1	UNIT	\$ 3,600.00	\$ 3,600.00
Total REDUCTION:					\$ 13,559.00

(Continued on Page 2 of 2)



TOWN OF NEWTON

RESOLUTION #134-2013

July 22, 2013

“Authorize Change Order No. 1 for the Proposed Curb, Sidewalk and Apron Replacement on Maple Avenue”

WHEREAS, on June 10, 2013 the Newton Town Council adopted Resolution #98-2013, awarding a contract to Tony's Concrete Construction Co., Inc., for the Proposed Curb, Sidewalk and Apron Replacement on Maple Avenue; and

WHEREAS, the Town Engineer, Harold E. Pellow recommends in his memo dated July 15, 2013, approving Change Order No. 1, for the Proposed Curb, Sidewalk and Apron Replacement on Maple Avenue which will increase the total contract amount by \$5,891.00 for a new contract total of \$38,214.00;

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the Town Engineer's recommendation and accepts Change Order No. 1 for the Proposed Curb, Sidewalk and Apron Replacement on Maple Avenue; and

BE IT FURTHER RESOLVED, that a copy of Change Order No. 1 be attached to and made part of this resolution; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Tony's Concrete Construction Co., Inc., and the Town Engineer.

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, July 22, 2013.

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 #: 134-2013

APPROVING: TONY'S CONCRETE CONSTRUCTION, CO.

FOR THE PURPOSE OF: C.O.#1 CURB/SIDEWALK/APRON-MAPLE AVE.

IN THE AMOUNT OF: \$5,891.00

ORIGINAL CONTRACT AMOUNT	\$32,323.00
CHANGE ORDER #1	<u>\$5,891.00</u>
FINAL REVISED CONTRACT	\$38,214.00

APPROPRIATED BY: WATER SEWER CAPITAL -
ORD.#2012-10 #6191210

DATED THIS 22ND DAY OF JUNE 2013

BY

DAWN L. BABCOCK
CHIEF FINANCIAL OFFICER

HAROLD E. PELLOW and ASSOCIATES, INC.

Consulting Engineers, Planners and Land Surveyors

17 Plains Road

Augusta, NJ 07822-2009

CHANGE ORDER NO. 1

7/10/2013

Project	MAPLE AVENUE CURB, DRIVEWAY AND SIDEWALK REPAIR
Owner	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
County	SUSSEX COUNTY
Contractor	TONY'S CONCRETE CONSTRUCTION CO., INC., 316 E. KINNEY STREET, NEWARK, NJ 07105

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: At two intersections.
Reason: Extra work added to Tony's Concrete Construction Company's contract to make sidewalk ramps ADA compliant.

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT</u>	<u>PRICE</u>	<u>AMOUNT</u>
<u>EXTRA</u>					
1	9" x 18" CONCRETE CURB, INCLUDING SAWCUTTING PAVEMENT	75	LIN. FT.	\$ 24.50	\$ 1,837.50
2	CONCRETE SIDEWALK, 4" THICK	25	SQ. YD.	\$ 60.00	\$ 1,500.00
3	REMOVAL OF CONCRETE CURB AND GUTTER	75	LIN. FT.	\$ 4.50	\$ 337.50
4	REMOVAL OF CONCRETE SIDEWALK AND APRONS	25	SQ. YD.	\$ 28.00	\$ 700.00
Total EXTRA:					\$ 4,375.00
<u>SUPPLEMENTAL</u>					
11S	DETECTABLE WARNING SURFACE	3	UNIT	\$ 300.00	\$ 900.00
12S	TRAFFIC DIRECTORS	8	HR.	\$ 77.00	\$ 616.00
Total SUPPLEMENTAL:					\$ 1,516.00

AMOUNT OF ORIGINAL CONTRACT: \$32,323.00

ADJUSTED AMOUNT BASED ON CHANGE ORDER NO. 1: \$38,214.00

% CHANGE IN CONTRACT: + 18.23%
 [(+) Increase or (-) Decrease]

EXTRA: \$ 4,375.00

SUPPLEMENTAL: \$ 1,516.00

REDUCTION: \$ -

TOTAL CHANGE: \$ 5,891.00

Harold E. Pellow
 (Engineer)

7/13/13
 (Date)

 (Presiding Officer)

 (Date)

HAROLD E. PELLOW and ASSOCIATES, INC.

Consulting Engineers, Planners and Land Surveyors

17 Plains Road

Augusta, NJ 07822-2009

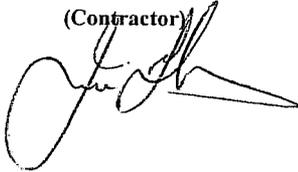
CHANGE ORDER NO. 1

7/10/2013

Project	MAPLE AVENUE CURB, DRIVEWAY AND SIDEWALK REPAIR
Owner	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
County	SUSSEX COUNTY
Contractor	TONY'S CONCRETE CONSTRUCTION CO., INC., 316 E. KINNEY STREET, NEWARK, NJ 07105

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:	At two intersections.
Reason:	Extra work added to Tony's Concrete Construction Company's contract to make sidewalk ramps ADA compliant.

(Contractor)



(Date)

7/11/13



TOWN OF NEWTON

RESOLUTION #135-2013

July 22, 2013

“Authorize Entering Into an Equitable Sharing Agreement with the Federal Government for Forfeited Cash, Property and Proceeds”

WHEREAS, the Newton Police Department and the detective bureau work with the Federal Government to enforce laws, and this activity sometimes results in the seizure of property; and

WHEREAS, the Federal Government requires the Governing Body to enter into an Equitable Sharing Agreement which must be signed by the Police Chief and the Newton Town Manager in order to receive proceeds from any sale of forfeited property; and

WHEREAS, the State of New Jersey permits the accounting of these funds through a budgetary function called a Dedication by Rider (PL 1986, C135) and the Town of Newton received approval from the Division of Local Government Services for a Dedication by Rider for Disposal of Forfeited Property on November 30, 2006;

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

1. The Newton Town Council does hereby authorize the Police Chief and Town Manager to enter into an *“Equitable Sharing Agreement”* with the Federal Government for the purpose of receiving proceeds from forfeited cash, property, and proceeds.
2. The Town of Newton and the Newton Police Department agree to be bound by the statutes and guidelines that regulate shared assets and the requirements for participation in the Federal Equitable Sharing Program.
3. The Town of Newton and the Newton Police Department agree to account separately for federal equitable sharing funds received from the Department of Justice and the Department of Treasury, and comply with any audit requirements.
4. The Town of Newton further authorizes the Chief Financial Officer to set up the Automated Clearing House (ACH) payment authorization with Lakeland Bank for credits to the Town of Newton Trust Account to receive payments from the federal government for any forfeiture proceeds.

Approved: _____

Joseph A. Ricciardo, Mayor

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, July 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #136-2013

July 22, 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, July 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #137-2013

July 22, 2013

"Approval of a Renewal Application for a Junk Dealers License"

WHEREAS, the Code of the Town of Newton under Chapter 156 "Junkyards and Junk Dealers" require that no person shall engage in the business of a retail or wholesale junk dealer except pursuant to and within the terms of a license granted by the Council; and

WHEREAS, said renewal application for the Junk Dealer's License lists the business as Newton Auto Salvage, LLC at 79 Mt. View Street, Newton, New Jersey; and

WHEREAS, Section 156-8 requires that the Health Officer, Construction Official, Fire Official, Public Works Supervisor, and Zoning Officer are authorized and directed to make periodic inspections of all licensed junk yards in the Town for the purpose of ascertaining that the business is being conducted on the licensed premises in accordance with the provision of Chapter 156; and

WHEREAS, Newton Auto Salvage has been re-inspected due to the ongoing tire storage issue and the Sussex County Health Department advised that the tire issue has been rectified as of July 12, 2013; and

WHEREAS, Newton Auto Salvage has provided a two hundred dollar (\$200.00) bond conditioned for the due observance of all ordinances of the Town relating to the business of junk dealer;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for a renewal Junk Dealer License submitted by Mike Sesera, Jr., t/a Newton Auto Salvage, LLC, 79 Mt. View Street, Newton, N.J which shall expire on December 31, 2013.

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, July 22, 2013.

Lorraine A. Read, RMC
Municipal Clerk

AGENDA ITEMS

For July 22, 2013 Council Meeting

Minutes: - July 1, 2013 Regular

An application for an Off-Premise raffle (50-50) from Saint Joseph Roman Catholic Church, 17 Elm Street, Newton to be held on October 25, 2013 at 7 p.m. at Saint Joseph Community Center, Halsted Street, Newton.

An application for an On-Premise raffle (50-50) from Pride Foundation Inc., 44 Ryerson Avenue, Newton to be held on September 12, 2013 at 7 p.m.; September 27, 2013 at 7 p.m.; November 1, 2013 at 7 p.m.; November 8, 2013 at 7 p.m.; November 15, 2013 at 7 p.m. and December 10, 2013 at 6 p.m at Newton High School, 44 Ryerson Avenue.