



AGENDA
NEWTON TOWN COUNCIL
May 8, 2017
7:00 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

April 24, 2017 Regular Meeting
April 24, 2017 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. PROCLAMATIONS

- a. Newton Boys Varsity Basketball
- b. Coach Dirk Kelly

VII. COUNCIL & MANAGER REPORTS

VIII. ORDINANCES

- a. 2nd Reading and Public Hearing

Ordinance 2017-8

A Fully Funded Water Sewer Capital Improvement Ordinance in the Amount of \$990,000.00 for Sparta Avenue Pump Station Improvements in the Town of Newton, County of Sussex, New Jersey

- i. Open Hearing to Public
- ii. Close Hearing to Public
- iii. Act on Ordinance

Ordinance 2017-9

Bond Ordinance Providing for Various Capital Improvements in and by the Town of Newton, in the County of Sussex, New Jersey, Appropriating \$1,405,000 Thereof, and Authorizing the Issuance of \$1,334,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof

- i. Open Hearing to Public
- ii. Close Hearing to Public
- iii. Act on Ordinance

b. Introduction

Ordinance 2017-10

An Ordinance Adopting a New Chapter 42
– Registration of Vacant and Abandoned
Properties

IX. OLD BUSINESS

X. CONSENT AGENDA

All items listed with an asterisk (*) are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- a.** Resolution #77-2017* Designate Officials to Sign Checks for the Town of Newton – Township of Green Consolidated Municipal Court
- b.** Resolution #78-2017* Resolution Authorizing Reimbursement of Ticket & Towing Fees to Seely Brothers Flag
- c.** Resolution #79-2017* Town of Newton Certification of Annual Audit
- d.** Resolution #80-2017* Resolution Authorizing an Escrow Agreement with Newton 121, LLC
- e.** Resolution #81-2017* To Cancel Appropriation Balances in the Water Sewer Capital Fund
- f.** Resolution #82-2017* Approve Fireworks Display at Memory Park for Newton Day 2017
- g.** Resolution #83-2017* Approve Bills and Vouchers for Payment
- h.** Application(s)* An Application for a Social Affair Permit from the VFW Auxiliary Post #5360, to be held on Saturday, June 17, 2017 from 4:00pm to 8:00pm at the VFW, 85 Mill Street, Newton

XI. INTERMISSION

XII. DISCUSSION

- a.** Keith Utter
- b.** Draft Ordinances
 - i.** Disabled Veterans Tax Refunds
 - ii.** Dumpsters

XIII. OPEN TO THE PUBLIC

XIV. COUNCIL & MANAGER COMMENTS

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

Office of the Mayor

Newton, New Jersey

Proclamation

Newton Boys Varsity Basketball Team

WHEREAS, the hard work and team effort exhibited by all of the members of the Newton High School Boys Varsity Basketball Team resulted in them earning the 2016-2017 New Jersey State Interscholastic Athletic Association, North 1, Section 2 Boys Basketball Sectional State Championship, and

WHEREAS, under the direction of Head Coach Dirk Kelly and Assistant Coaches Paul Filan, Joe Bolen and Ken Teets, the team with its 11 members takes pride in their 2016-2017 season with a record of 20 wins and 7 losses, securing the Northwest Jersey Athletic Conference Freedom Division Boys Basketball Championship; and

WHEREAS, the team's Captains Jason Heter and Charlie Maker, who were named to the First Team All - Area by Mugs Media, led their team to the State Championship, a first in the program's history and for a public school in Sussex County; and

WHEREAS, each of the team members and coaches should take pride in the part they played individually to create a winning overall team;

NOW, THEREFORE, We, the Mayor and Town Council of the Town of Newton do hereby proclaim our congratulations to the Newton Boys Varsity Basketball Team and their coaches for their outstanding season and wish them continued success in the future.

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

Attest: _____

Date: May 8, 2017

Office of the Mayor

Newton, New Jersey

Proclamation

Dirk Kelly

WHEREAS, Dirk Kelly has had a long and successful career as a boys high school basketball coach; and

WHEREAS, during the 2016-2017 Dirk Kelly won his 300th career High School game as coach of the Newton Braves along with achieving the New Jersey State Interscholastic Athletic Association North 1, Section 2 and Boys Basketball Section State Championships; and

WHEREAS, Dirk has spent 16 of his 22 seasons of coaching with Newton beginning with a nine-year tenure in 1991 and returning for the last six; and

WHEREAS, during his tenure with Newton, Dirk has successfully led the team to several conference championships including Sussex County Interscholastic League crowns in 1996, 1998, and 1999 and the NJAC Colonial Division Championship in 2015 and 2016; and

WHEREAS, one of Dirk's proudest accomplishments was coaching his son Steven, while he scored over 1,000 points in 2014 season; and

WHEREAS, Dirk has been recognized for his outstanding coaching accomplishments by being named Mugs Media Coach of the Year for 2012-2013, 2015-2016 and 2016-2017 along with being named the New Jersey Herald's Boys Basketball Coach of the Year for 2016-2017; and

WHEREAS, Dirk is not only an outstanding coach, but Newton is proud to have him as a resident, where he along with his wife Jacqueline have raised their three sons, Thomas, Steven and Danny, and where Dirk has volunteered over the years coaching's Newton's Recreational Basketball Team;

NOW, THEREFORE, WE, the Mayor and Town Council of the Town of Newton, hereby congratulate Dirk Kelly on his outstanding coaching accomplishments and wish him good luck in all his future endeavors.

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

Attest: _____

Date: _____ May 8, 2017

TOWN OF NEWTON

ORDINANCE #2017-8

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$990,000.00 FOR SPARTA AVENUE PUMP STATION 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. \$990,000.00 is hereby appropriated for Sparta Avenue Pump Station Improvements and all costs necessary therefore or incidental thereto from the following sources:

Water Sewer Utility – Reserve for Hook-Up Fees	\$871,900.00
Water Sewer Capital – Reserve for Pump Station Improvements	\$68,100.00
Water Sewer Capital – Capital Improvement Fund	\$50,000.00

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 24, 2017. It was adopted, after public hearing and final reading thereon, at a regular meeting of said Governing Body conducted on May 8, 2017, and shall take effect according to law.

Teresa A. Oswin, RMC
Deputy Municipal Clerk

ORDINANCE 2017-9

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$1,405,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,334,000 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 \$1,405,000 including the aggregate sum of \$71,000 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, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,334,000 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 & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Excavation and construction of a concrete structural sill and improvements to sections of existing Dam Site #2 embankment including work and materials necessary therefor and incidental thereto	\$125,000 (Supplementing an appropriation of \$250,000 appropriated by Section 3(c) of Bond Ordinance 2011-5)	\$118,000 (Supplementing an authorization of \$237,500 appropriated by Section 3(c) of Bond Ordinance 2011-5)	15 years
b) Drilling of two wells by DPW garage to monitor underground storage tank including work and materials necessary therefor and incidental thereto	\$35,000	\$33,250	40 years
c) Construction and improvement to boardwalk to connect trail in Andover Township to Hicks Avenue and Lower Spring Street including work and materials necessary therefor and incidental thereto	\$50,000 (Supplementing an appropriation of \$50,000 appropriated by Section 3(o) of Bond Ordinance 2010-7)	\$47,500 (Supplementing an authorization of \$22,500 appropriated by Section 3(o) of Bond Ordinance 2010-7)	15 years
d) Acquisition of backhoe with appurtenances including related costs and expenditures incidental thereto	\$100,000 (An additional \$100,000 will be appropriated from the Water Sewer Capital Account)	\$95,000	15 years
e) Acquisition of pickup truck for DPW with appurtenances including related costs and expenditures incidental thereto	\$40,000	\$38,000	5 years
f) Acquisition and installation of garage bay doors at DPW garages including work and materials necessary therefor and incidental thereto	\$40,000	\$38,000	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
g) Acquisition of crash trailers with LED arrow boards including related costs and expenditures incidental thereto	\$65,000	\$61,750	5 years
h) Demolition and construction of new firehouse #2 including work and materials necessary therefor and incidental thereto	\$855,000 (Supplementing an appropriation of \$950,000 appropriated by Section 3(b) of Bond Ordinance 2016-5)	\$812,250 (Supplementing an authorization of \$902,500 appropriated by Section 3(b) of Bond Ordinance 2016-5)	40 years
i) Acquisition of radios and pagers for the Fire Department including related costs and expenditures incidental thereto	\$45,000	\$42,750	10 years
j) Repair and resurface of roller hockey rink flooring and walls including work and materials necessary therefor and incidental thereto	\$50,000	\$47,500	10 years
TOTALS:	<u>\$1,405,000</u>	<u>\$1,334,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the grant and estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose. All improvements or purposes include all work and materials necessary therefor or incidental thereto.

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation 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 bond 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 improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Town may lawfully undertake as general improvements, and no part of the cost 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 29.75 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 \$1,334,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$304,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost 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. Any grant moneys received for the purposes or improvements 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 bond ordinance.

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 Town 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.

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 24, 2017. It was adopted, after public hearing and final reading thereon, at a regular meeting of said Governing Body conducted on May 8, 2017, and shall take effect according to law.

Teresa A. Oswin, RMC
Deputy Municipal Clerk

TOWN OF NEWTON

ORDINANCE 2017-10

AN ORDINANCE ADOPTING A NEW CHAPTER 42 – REGISTRATION OF VACANT AND ABANDONED PROPERTIES

WHEREAS, the Town Council of the Town of Newton finds it shall be in the public’s interest to establish a mechanism to identify and track vacant and abandoned residential and commercial properties in the Town, including those in foreclosure, to establish a system of registration of vacant and abandoned properties.

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 1: A new Chapter 42 “Registration of Vacant and Abandoned Properties” shall be and is hereby established as follows:

Chapter 42: Registration of Vacant and Abandoned Properties

§ 42-1 Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

ABANDONED PROPERTY

As defined by Newton Town Code §41-3, in accordance with the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-81 and -82.

ACTIVELY MARKETED VACANT PROPERTIES

Owners of properties meeting the definition of "vacant property" that are being actively marketed for sale in a bona fide manner shall file a registration statement with the Town in accordance with the terms and conditions of this Chapter, but shall be exempt from the payment of a registration fee. The owner of any such property in order to be exempt from the payment of a registration fee shall provide adequate proof to the Town of the bona fide active marketing of the property for sale by providing such evidence of such bona fide active marketing activities as shall be reasonably required by the Town, including but not limited to, copies of listing agreements and/or pending contracts of sale or other advertising or marketing efforts being made by the property owner directly to promote the sale of the property. Retention of a realtor is not required to actively market a property under this Chapter. Although exempt from the payment of any registration fee, in all other respects, the property owner of any vacant property that is being actively marketed for sale in a bona fide manner shall be required to maintain the property while it is being actively marketed in a bona fide manner in accordance with this Chapter and all other ordinances of the Town of Newton.

EVIDENCE OF VACANCY

- A. Any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for three or more months. Such evidence would include, but is not limited to, evidence of the existence of two or more of the following conditions at a property: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past-due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned; infestation by insects, vermin, rats or other pests; windows or entrances that are boarded up or closed off; multiple window panes that are damaged, broken or unrepaired; doors that are smashed, broken, unhinged or continuously unlocked; or any uncorrected violation of a municipal building, housing or similar code during the preceding year.
- B. Property determined to be "abandoned property" in accordance with Newton Town Code §41-3, and the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for the purposes of this Chapter.

OWNER

Shall include the titleholder, any agent of the titleholder having authority to act with respect to a vacant or abandoned property, any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51, or any other entity determined by the Town of Newton to act with respect to the property. The term "owner" shall not include any duly licensed real estate agent engaged solely in the sale of the property on behalf of the owner.

PROPERTIES UNDER REPAIR OR RENOVATION

Owners of properties meeting the definition of "vacant property" that are in the process of being repaired or renovated shall file a registration statement with the Town in accordance with the terms and conditions of this Chapter, but shall be exempt from the payment of a registration fee. The owner of any such property in order to be exempt from the payment of a registration fee shall have obtained all necessary permits and approvals from the Town to repair or renovate the property and shall demonstrate proof to the Town of diligent continuous efforts by the owner to promptly complete the repair or renovation of any such property.

SEASONALLY OCCUPIED PROPERTIES

Seasonally occupied properties shall be those properties in the Town which are occupied on a limited, part-time or seasonal basis and not on a year-round basis by the owner. Owners of seasonally occupied residences shall be required to file a registration statement with the Town, but shall be exempt from payment of any registration fee and the posting of a placard on the property as otherwise required this Chapter.

VACANT PROPERTY

Any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased for a period of at least three months, and any commercial property that has not been legally occupied or at which substantially all lawful construction operations have ceased for a period of at least three months, and which exhibits evidence of vacancy such that a reasonable person would believe that the property is vacant. Any property that contains all building systems in working order, is being maintained on a regular basis, has not been cited by the Town for any violation of municipal ordinance within such time and is being actively marketed by its owner for sale or rental shall not be deemed vacant.

§ 42.2 General Requirements.

- A. The owner of any vacant or abandoned property as defined herein shall, within 30 days after the building becomes vacant property or within 30 days after assuming ownership of the vacant property, whichever is later, file a registration statement for each such vacant property with the Town of Newton on forms provided by the Town of Newton for such purposes. The registration shall remain valid until the end of the calendar year. The owner shall be required to renew the registration annually, no later than January 31, as long as the building remains vacant property and shall pay a registration or renewal fee in the amount prescribed in § 42-4 for each vacant property registered. The initial and renewal fees shall be prorated and/or credited accordingly upon legal occupancy.
- B. Any owner of any building that meets the definition of "vacant property" or "abandoned property" prior to [adoption date], shall file a registration statement for that property on or before [adoption date plus 60 days]. The registration statement shall include the information required under § 42-3, as well as any additional information that the Construction Official may reasonably require. Each vacant or abandoned property having a separate block and lot number by the Town shall be registered separately.
- C. The owner shall notify the Town of Newton within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Town of Newton for such purpose.
- D. The registration statement shall be deemed prima facie proof of the statement therein contained in any administrative enforcement proceeding or court proceeding instituted by the Town of Newton against the owner or owners of the building.
- E. "Actively Marketed Vacant Properties", "Properties Under Repair or Renovation" and "Seasonally Occupied Properties" as defined in this Chapter shall be required to file a registration statement, but shall be exempt from payment of a registration fee.

§ 42.3 Registration statement requirements; property inspection.

- A. After filing a registration statement or a renewal of a registration statement, the owner of any vacant or abandoned property shall provide access to the Town of Newton Construction Official if requested, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. If an inspection is required of the interior of the property due to complaints or other cause, the fee for such inspection shall be the same as that for a certificate of compliance as provided in Newton Town Code §100-21.A, as may be amended.
- B. The registration statement shall include the name, street address, email address, and telephone number of a natural person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. The designated agent must have a contact number that will be available 24 hours per day on an emergency basis. The statement shall also include the name of the person responsible for maintaining and securing the property, if different from the designated agent.
- C. An owner who is a natural person and who meets the requirements of this Chapter as to availability of a contact number on a 24 emergency basis may designate himself or herself as agent.
- D. By designating an authorized agent under the provisions of this Chapter, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this Chapter shall be deemed to consent to the continuation of the agent's designation for the purpose of this Chapter until the owner notifies the Town of Newton of a change of the authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this Chapter.

§ 42.4 Fee Schedule.

The vacant and abandoned property registration fee schedule shall be as follows:

- (1) Initial registration: \$500.
- (2) First renewal: \$1,500.
- (3) Any subsequent renewal up to five years: \$3,000.
- (4) After five years: \$5,000.

§ 42-5 Requirements for owners of vacant and abandoned property.

The owner of any building that has become vacant or abandoned property, and any person maintaining, operating or collecting rent for any such building that has become vacant or abandoned, shall, immediately:

- A. Post a sign affixed to the inside of the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to § 42-3), and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 12 inches by 12 inches; and
- B. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Code of the Town of Newton and maintain the sign required in Subsection A above until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and
- C. Make provision for the maintenance of the lawn and yard, including regular grass cutting as required by the applicable provisions of the Code of the Town of Newton; and
- D. Make provision for the cessation of the delivery of mail, newspapers and circulars to the property, including having the property listed on the exclusion list maintained by the Town of Newton for the delivery of circulars and advertisements to the property; and
- E. Make provision for the winterizing of the property by the cessation of water service to the property and the draining of water lines; other than buildings with a fire sprinkler system; and
- F. Make provision for the cessation of electric or gas utility services to the property; other than buildings with a fire sprinkler system; and
- G. Make provision for the regular maintenance of the exterior of the property.

§ 42-6 Violations and penalties.

- A. Any owner who is not in full compliance with this Chapter or who otherwise violates any provision of this Chapter or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500 and not more than \$1,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this Chapter shall be recoverable from the owner and shall be a lien on the property.
- B. For purposes of this Chapter, failure to file a registration statement in time, failure to provide correct information on the registration statement, and failure to comply with the provisions of § 42-5, shall be deemed to be a violation of this Chapter.

§ 42-7 Compliance with other provisions.

Nothing in this Chapter is intended to nor shall be read to conflict or prevent the Town of Newton from taking action permitted by law of Newton Town Code, including buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Code of the Town of Newton and/or the Uniform Construction Code. Further, any action taken under any such code provision other than the demolition of a structure shall not relieve an owner from its obligations under this Chapter.

§ 42-8 Request for exemption.

Any owner having received notice from the Town that their property has been determined to be either vacant or abandoned may make a request in writing to the Town for an exemption from any of the provisions of this Chapter by demonstrating to the Town such special circumstances peculiar to the property that warrants either a temporary or permanent exemption from any of the provisions of this Chapter. In the event of a denial of any such exemption request, the owner shall have the right to file an appeal in accordance with §42-9, below.

§ 42-9 Appeals.

Any owner having received notice from the Town that their property has been determined to be either vacant or abandoned shall have the right to appeal any such determination by any Town official directly to the governing body of the Town of Newton. Any such appeal shall be taken within 45 days of the date of the receipt of notice from the Town of such vacant or abandoned property determination. The appeal shall be in writing and served on the Town Clerk with a copy to the Town Zoning Officer. Upon the filing of the appeal, all proceedings against the property shall be stayed pending the appeal process. The governing body shall schedule a hearing on the appeal as soon as practical at a regularly scheduled meeting of the Mayor and Council, at which time the property owner shall have the right to present relevant evidence to the Town Council that the property is neither vacant or abandoned. Any such property owner shall have the right to be represented at any such hearing and shall have the right to call witnesses and present other relevant proof. The Mayor shall preside all such hearings, which shall to the extent applicable, be in accordance with the provisions of N.J.S.A. 40:55D-10.

SECTION 2. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

SECTION 3. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

SECTION 4. Effective Date. This Ordinance will take effect after publication and passage according to law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, May 8, 2017. 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, May 22, 2017 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Teresa A. Oswin, RMC
Deputy Municipal Clerk



May 8, 2017

TOWN OF NEWTON

RESOLUTION #77-2017

“Designate Officials to Sign Checks for the Town of Newton – Township of Green Consolidated Municipal Court”

BE IT RESOLVED by the Town Council of the Town of Newton, that the Municipal Court Administrator, Lucy M. DeLoreto, Municipal Court Deputy Court Administrator Aida Cahill, and the Municipal Court Hon. Judge, John E. Mulhern are hereby authorized to sign General Account checks and Bail Account checks for the Town of Newton and Green Township Consolidated Municipal Court.

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 8, 2017.

Teresa A. Oswin, RMC
Deputy Municipal Clerk



TOWN OF NEWTON

RESOLUTION #78-2017

May 8, 2017

“Resolution Authorizing Reimbursement of Ticket & Towing Fees to Seely Brothers Flag”

WHEREAS, Seely Brothers Flag had their vehicle ticketed and towed in the Town of Newton on March 7, 2017; and

WHEREAS, the amount paid to the Town of Newton for the parking violation was \$54.00 and the amount paid to D&E Service Center for towing of the vehicle was \$242.50; and

WHEREAS, the Town of Newton wishes to refund the fees paid by Seely Brothers Flag due to confusion and undue hardship caused by the inaccurate line striping on the Town road at that time;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes Seely Brothers Flag to be paid \$296.50 for reimbursement from the Town of Newton for the costs of the parking violation and towing charges that occurred on March 7, 2017.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, May 8, 2017.

Teresa A. Oswin, RMC
Deputy Municipal Clerk



TOWN OF NEWTON

RESOLUTION #79-2017

May 8, 2017

"Town of Newton Certification of Annual Audit"

WHEREAS, N.J.S.A. 40A: 5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the section of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, the Chief Financial Officer has prepared, distributed and filed the Corrective Action Plan in accordance with Federal and State Guidelines; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey a order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more that one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton hereby states it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 8, 2017.

Teresa A. Oswin, RMC
Deputy Municipal Clerk

CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF SUSSEX
TOWN OF NEWTON

We, members of the Governing Body of the *Town of Newton* of, in the County of *Sussex*, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the *Town Council* of the *Town of Newton* in the County of *Sussex*;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2016;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

Sandra Lee Diglio, Mayor

Wayne G. Levante, Deputy Mayor

E. Kevin Elvidge, Councilmember

Daniel G. Flynn, Councilmember

Helen R. Le Frois, Councilmember

Sworn to and subscribed before me this

_____ day of _____
Notary Public of New Jersey

Teresa A. Oswin, RMC, Deputy Municipal Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the Governing Body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

TOWN OF NEWTON
COUNTY OF SUSSEX
CORRECTIVE ACTION PLAN
FOR THE DECEMBER 31, 2016 REPORT OF AUDIT

THIS CORRECTIVE ACTION PLAN HAS BEEN PREPARED IN ACCORDANCE WITH FEDERAL AND STATE GUIDELINES. A COPY WILL BE ON FILE AND AVAILABLE FOR PUBLIC INSPECTION IN THE TOWN OF NEWTON MUNICIPAL CLERK'S OFFICE NO LATER THAN 60 DAYS FROM WHEN THE AUDIT WAS RECEIVED. THIS PLAN SHALL ALSO BE FILED WITH THE STATE OF NEW JERSEY – DIVISION OF LOCAL GOVERNMENT SERVICES.

Finding #1

Description: That the unfunded ordinance in the General Capital fund, over 5 years old, be funded or cancelled if not needed.

Analysis: Ordinance 2008-26 was adopted November 13, 2008 for the *Acquisition of the Newton Armory*. Appropriation \$500,000. Debt authorized \$476,000. The Town of Newton expected to purchase the property from the State of New Jersey, and then resell the property. The Town did not fund the ordinance since the sale proceeds would provide the funding. A survey of the property disclosed environmental issues. The Town has been negotiating with the State to resolve the issues. It is not known when a resolution will occur. Therefore, this ordinance is still needed and should not be cancelled. The Town funded \$12,000 as a deferred charge in both the 2016 and 2017 budgets. To date the Town has paid \$127,997.35 from the ordinance for Section 20A costs.

Corrective Action: The Town of Newton will keep the General Capital ordinance #2008-26 *Acquisition of the Newton Armory* on the balance sheet since it is still a viable appropriation.

Implementation Date: June 2017.

AUDIT REPORT RECEIVED: April 27, 2017
DATE OF REPORT: April 28, 2017
REPORTED BY: DAWN L. BABCOCK, CMFO #0-0105



TOWN OF NEWTON

RESOLUTION #80-2017

May 8, 2017

“Resolution Authorizing An Escrow Agreement With Newton 121, LLC”

WHEREAS, Newton 121, LLC (the “Entity”) is the contract purchaser of real property located at 121 Water Street, Newton, New Jersey; and

WHEREAS, the Entity and the Town desire to explore the potential for the redevelopment of the property, and the Entity recognizes that the Town will incur costs and expenses in connection therewith, and is willing to defray those costs, with no assurance of a particular result from the Town; and

WHEREAS, the Entity has agreed to deposit funds with the Town to be administered in accordance with the terms of the form of Escrow Agreement set forth in Exhibit A, attached here;

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Mayor is hereby authorized to execute the Escrow Agreement attached hereto and is hereby incorporated into 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 8, 2017.

Teresa A. Oswin, RMC
Municipal Clerk

ESCROW AGREEMENT

THIS ESCROW AGREEMENT ("Agreement") is made as of the ___ day of _____, 2017, by and between **NEWTON 121, LLC**. (the "Entity"), a corporation formed under the laws of the State of New Jersey, with an address of c/o Ronetco Supermakets Inc., 1070 U.S. Highway 46, Ledgewood, New Jersey 07852; and the **TOWN OF NEWTON**, a municipal corporation of the State of New Jersey (the "Town") and together with the Entity (the "Parties"), with an address at 39 Trinity Street, Newton, NJ 07860.

WITNESSETH:

WHEREAS, the Entity is the contract purchaser of real property located at 121 Water Street, Newton, New Jersey and have requested that the Town consider a redevelopment designation and plan for the property; and

WHEREAS, the Entity has agreed to cover the costs and expenses incurred by the Town in the Town's review, designation and planning processes, with no assurance of a particular result from the Town; and

WHEREAS, the Entity has agreed to deposit with the Town the amount of \$3,000.00 (the "Escrow Deposit"), to be deposited in an escrow account and disbursed in accordance with the provisions of this Agreement to defray certain costs and expenses incurred by or on behalf of the Town arising out of or in connection with, among other things, consideration of a redevelopment designation and plan at the Property.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, and intending to be legally bound hereby, the Parties hereto agree as follows:

- 1. Escrow Deposit.** The Escrow Deposit is separate from and in addition to all other application fees and escrow deposits that may be required by the Town, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., as and to the extent applicable.
- 2. Scope of Reimbursable Services.** (a) The Town shall be entitled to be reimbursed for all professional charges incurred in connection with the review process defined above, the preparation and review of all related documents and materials, including but not limited to

correspondence, meetings and all communications (including by telephone and email) with the Entity, the Entity's professionals, Town staff or retained professional(s) with respect to the Town's review process (collectively, the "Reimbursable Activities"). **Reimbursement may include charges incurred in connection with Reimbursable Activities prior to the date of this Agreement, and is not contingent upon the outcome of any negotiations between the Parties.**

(b) Properly reimbursable professional charges shall be reasonable and necessary and shall relate to Reimbursable Activities performed by outside consultants and professionals. Annexed hereto as **Schedule 1** is a schedule of rates to be charged by outside professionals and consultants retained by the Town as of the date of this Agreement.

3. Deposit and Administration of Escrow Funds. The Escrow Deposit and all additions thereto shall be held by the Town in a banking institution or savings and loan association in the State of New Jersey insured by an agency of the federal government, or in any other fund or deposit approved for such deposits by the State of New Jersey, in a segregated, non-interest bearing account (the "Escrow Account") referenced to in this Agreement.

4. Payments from the Escrow Funds.

(a) The Town shall use such funds to pay reimbursable professional charges.

(b) Professional charges paid out of the Escrow Account shall include professional charges in connection with the Reimbursable Activities. The only costs that shall be added shall be actual out-of-pocket expenses of such professionals or outside consultants, including normal and typical expenses incurred in connection with such Reimbursable Activities.

(c) Each payment for professional services charged to the Escrow Account shall be pursuant to a voucher from the professional, identifying the personnel performing the Reimbursable Activities, each date the services were performed, the hours spent in not greater than one-tenth hour increments, the hourly rate, and specifically properly reimbursable expenses. All professionals shall submit the required vouchers or statements to the Town on a monthly basis in accordance with the schedule and procedures established by the Town.

5. Accounting and Additional Deposits. As reasonably requested by the Entity, the Town shall prepare and send to the Entity a statement which shall include an accounting of funds listing all deposits, disbursements and the cumulative balance of the Escrow Account.

6. Close Out Procedures. Upon termination of the Town's review, the Entity may send written notice to the Town, Town Manager and Town's Chief Financial Officer, requesting that the remaining escrow balance of the Escrow Deposit be returned, or otherwise transferred to another

escrow account if appropriate. After receipt of such notice, the professional(s) shall render a final bill to the Town within 30 days; and within 30 days of receipt, the Town shall pay all outstanding bills and render a written final accounting to the Entity detailing the uses to which escrow funds were spent. The Entity will not be responsible for any additional professional(s) charges once the final accounting has been rendered by the Town.

- 7. Disputed Charges.** (a) The Entity may dispute the propriety or reasonableness of professional charges paid out of the Escrow Deposit by written notice to the Town. A copy of such notice shall be sent simultaneously to the professional(s) whose charges or estimated costs are the subject of the dispute. Such written notice of a disputed charge shall be given within 45 days from the Entity's receipt of the informational copy of the professional's voucher, except that if the professional has not supplied the Entity with an informational copy of the voucher, then the Entity shall send notice within 60 days from receipt of the first statement of activity against the escrow account containing the disputed charge. Failure to dispute a charge in writing within the prescribed time shall constitute the Entity's acceptance of the charge and a waiver by the Entity of all objections to the charge and to payment thereof out of the escrow account.

(b) During the pendency of a dispute, the Town may continue to pay undisputed charges out of the Escrow Account. If a dispute over a charge is resolved in the Entity's favor after having been paid, the Town shall reimburse the Escrow Account in the amount determined to be properly disputed.
- 8. Governing Law.** This Escrow Agreement shall be governed, construed and enforced according to the laws of the State of New Jersey, without regard to its conflicts of laws principles. Any action hereunder shall be brought exclusively in a court of the State of New Jersey sitting in Sussex County, New Jersey, and the Entity hereby waives all objections to such venue.
- 9. Successors and Assigns.** This Escrow Agreement shall be binding upon, and inure to the benefit of, the parties hereto and upon each party's successors and assigns.
- 10. Entire Agreement; No Modification Unless in Writing.** This Escrow Agreement contains the entire agreement of the parties relative to the subject matter hereof. Any amendment hereto or modification or variation hereof shall be ineffective unless in writing signed by each of the parties hereto.
- 11. Effective Date.** This Agreement shall not become effective unless and until the Escrow Deposit is made.

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

Witness or Attest:

NEWTON 121, LLC

By: _____

Witness or Attest:

TOWN OF NEWTON

Teresa A. Oswin, RMC
Deputy Municipal Clerk

By: _____
Sandra L. Diglio, Mayor

SCHEDULE 1

1. Ursula H. Leo, Esq., Laddey Clark & Ryan, LLP, Town Attorney: \$160.00/hour
2. Harold E. Pellow & Associates, Inc., Town Engineer: \$130.00/hour
3. J. Caldwell & Associates, LLC; Town Planner: \$118.00/hour
4. Jennifer Credidio, Esq., McManimon, Scotland & Baumann, Town Redevelopment Counsel:
\$325.00/hour



TOWN OF NEWTON

RESOLUTION #81-2017

May 8, 2017

**"To Cancel Appropriation Balances in the Water
Sewer Capital Fund**

WHEREAS, certain Water Sewer Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, the Town Manager and other Town Officials have reviewed and determined there are no additional costs for these projects; and

WHEREAS, it is necessary to formally cancel said balances so the unexpended balances may be returned to each respective Capital Improvement Fund (CIF), or credited to Fund Balance, and any unused debt authorizations may be cancelled;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton the following unexpended and dedicated balances of the Water Sewer Capital appropriations totaling \$6,939.00 be cancelled:

<u>Ordinance Number</u>	<u>Date Auth.</u>	<u>Project Description</u>	<u>Amount Cancelled</u>	
			<u>Funded</u>	<u>Unfunded</u>
2014-28	1/12/15	Waste Water Treatment Plant Building Roofs (to CIF)	\$6,939.00	

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, May 8, 2017.

Teresa A. Oswin, RMC
Deputy Municipal Clerk



TOWN OF NEWTON

RESOLUTION #82-2017

May 8, 2017

"Approve Fireworks Display at Memory Park for Newton Day 2017"

WHEREAS, a Resolution of the Newton Governing Body is required by the New Jersey Department of Labor, Division of Workplace Standards, to grant permission for the public display of fireworks; and

WHEREAS, Garden State Fireworks of Millington, NJ has submitted a proposal for a fireworks display with a copy of the permit application, certificate of insurance, a site diagram and other pertinent information, in conjunction with a fireworks display that will take place at Memory Park on Saturday, June 10, 2017 as part of the annual "Newton Day" celebration with a raindate of June 17, 2017; and

WHEREAS, Sussex County Fire Marshal Virgil Rome, has advised the application for said fireworks display is complete and in order;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Greater Newton Chamber of Commerce is granted permission for a fireworks display during the "Newton Day" celebration to take place on Saturday, June 10, 2017, with a raindate of June 17, 2017 and that said fireworks display will be provided by Garden State Fireworks of Millington, NJ; and

BE IT FURTHER RESOLVED, that a certified original of this Resolution be forwarded to the New Jersey Department of Labor and Sussex County Fire Marshal Virgil Rome.

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 special meeting of said Governing Body conducted on Monday, May 8, 2017.

Teresa A. Oswin, RMC
Deputy Municipal Clerk



Sussex County Sheriff's Office

EMERGENCY PREPAREDNESS BUREAU/FIRE MARSHAL DIVISION

MICHAEL F. STRADA, SHERIFF

Virgil Rome | *Fire Marshal / Fire Coordinator*

James Raperto | *Assistant Fire Marshal / Fire Coordinator*
John Luba | *Assistant Fire Marshal / Fire Coordinator*
Daniel Stoll | *Fire Prevention Specialist*

135 Morris Turnpike
Newton, N.J. 07860
973-579-0380
973-948-0960 Fax
973-940-5500 24 hr Dispatch
E-Mail: vrome@sussexcountysheriff.com

FIRE SAFETY PERMIT

Permit Number: 17-0061
Permit Fee: \$ 0.00

Issued: June 10, 2017
Expires: June 11, 2017

Permission is hereby granted to: Greater Newton Chamber of Commerce
PO Box 386
Newton, New Jersey 07860
----- Garden State Fireworks -----

The following activities are covered by this permit:

Fireworks Display

FILE COPY

Approval is contingent upon adherence to the following conditions:

Observe and adhere to all rules and regulations pertaining to the NJ Uniform Fire Safety Code and fireworks displays, including but not limited to clearances and setbacks. Local fire department must be present during shoot.

NOTE: This is a Fire Safety Permit ONLY.

It is the Applicant's responsibility to comply with other applicable health, police, building or construction requirements.

6/10/2017

Date

Virgil Rome
Fire Marshal/Fire Coordinator

**THIS PERMIT MUST BE CONSPICUOUSLY POSTED
AT THE SITE FOR THE DURATION OF THE ACTIVITY.**

**FAILURE TO COMPLY WITH THE FIRE CODE
REQUIREMENTS OR ANY CONDITION SET FORTH
ABOVE IS CAUSE FOR REVOCATION OF THIS PERMIT**



TOWN OF NEWTON

RESOLUTION #83-2017

May 8, 2017

"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 2016 and 2017 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 8, 2017.

Teresa A. Oswin, RMC
Deputy Municipal Clerk

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

Check#	Vendor	Description	Payment	Check Total
38147	84 - ABCODE SECURITY INC.	PO 49660 BLANKET: ALARM MONITORING (MEM PARK	117.00	117.00
38148	2540 - ADAM VOUGH	PO 50283 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38149	3683 - ALEX ARMSTRONG	PO 50282 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38150	3505 - AMERICAN COACHWORKS LLC	PO 50147 LIFT & BRAKES NEW BUS	2,603.49	2,603.49
38151	3887 - APSA	PO 50094 Membership - Russo	95.00	95.00
38152	3891 - ARMSTRONG, ADAM	PO 50292 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38153	2757 - ATLANTIC TACTICAL INC.	PO 49529 AMMO/RANGE KITS acct #203375	1,518.21	1,518.21
38154	1132 - BOONTON TIRE SUPPLY INC.	PO 49552 BLANKET PO FOR PD VEHICLES	194.86	194.86
38155	192 - CAMPBELL'S SMALL ENGINE INC.	PO 50137 SNOW BLOWER	1,444.00	
		PO 50193 BACKPACK BLOWER	589.99	2,033.99
38156	2206 - CENTER FOR PREVENTION & COUNSELING,	PO 50168 Marijuana: Potency, Policy and Publ	60.00	60.00
38157	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 49614 BLANKET: ALARM CIRCUITS HIGH ST TO	125.85	125.85
38158	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 50253 LOCAL PHONE SVC	3,594.17	3,594.17
38159	2843 - CHELBUS CLEANING CO., INC.	PO 49539 BLANKET: CLEANING TWN BLDG'S (JAN-	1,770.00	1,770.00
38160	3492 - CINTAS FIRE PROTECTION	PO 50100 FIRE EXTINGUISHER INSPECTION DPW- A	548.86	548.86
38161	3768 - COMPASS ENERGY GAS SERVICES, INC.	PO 49616 BLANKET: NATURAL GAS SUPPLIERS (JAN	2,613.94	2,613.94
38162	2048 - DANIELSON, DEBORAH	PO 50107 REIMB EASTER EGG HUNT	278.00	278.00
38163	225 - FEDERAL EXPRESS	PO 49661 BLANKET: EXPRESS MAILACCT #1344-052	27.75	27.75
38164	1608 - GOLD TYPE BUSINESS MACHINES	PO 50254 04/17 INSTALL ANTENNA CAR #9	192.00	192.00
38165	387 - HAGAMAN, WILLIAM	PO 50314 REPAY HEALTH INS 7/1/16 - 4/30/17	1,201.58	1,201.58
38166	3804 - HAYDEE BALLESTER	PO 49659 BLANKET: 2017 TRANSLATION	165.00	165.00
38167	230 - HAYEK'S MARKET INC.	PO 50148 FOOD 4/7 MEETING MARKETING	36.71	36.71
38168	1866 - HOME DEPOT, INC.	PO 49657 BLANKET: PARK SUPP'S	391.10	
		PO 49658 BLANKET: B&G/VEH MAINT/RD SUPP'S	672.19	
		PO 49839 BLANKET: CENCOM SUPP'S	5.97	1,069.26
38169	1866 - HOME DEPOT, INC.	PO 50272 DPW TO LOCK BOARD UP 120 SPRING STR	354.00	354.00
38170	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 50163 TOWN COUNCIL BUSINESS MAR	856.00	
		PO 50200 PB CONSULT-MARCH 2017	177.00	1,033.00
38171	365 - KITHCART, BROCK	PO 50284 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38172	2365 - KRAVE CAFE	PO 50305 4/25 MARKETING MEETING	20.00	20.00
38173	2532 - LADDEY, CLARK & RYAN, LLP	PO 50209 MARCH LEGAL	3,792.00	3,792.00
38174	3842 - LEAL, ALVARO	PO 50301 4/25 ASSIST DEPUTY COURT ADMIN (5 H	125.00	125.00
38175	2300 - LOWE'S , INC.	PO 49716 BLANKET: B&G REPAIR SUPP'S/ROAD TO	14.24	14.24
38176	2456 - MAGARINO FORD, LLC.	PO 50155 PD EXPLORER REPAIR ACCT #303594	1,309.42	1,309.42
38177	1141 - MCGUIRE, INC.	PO 50145 HANDLE TRK #7	54.24	54.24
38178	62 - MGL FORMS - SYSTEMS, LLC.	PO 49891 6 YEAR DATE XSTAMPER	92.00	
		PO 50070 Tax Coll Homestead Bills	139.00	231.00
38179	496 - MICROSYSTEMS-NJ COM, LLC.	PO 50159 2017 SOFTWARE MAINTENANCE	1,500.00	1,500.00
38180	409 - MINISINK PRESS INC	PO 50087 Spring Public Newsletter	632.50	
		PO 50141 POOL BROCHURE	148.00	780.50
38181	966 - L-3 COMM. MOBILE-VISION	PO 50135 EXTENDED MAINT AGREEMENT 4/8/17-4/7	3,890.00	3,890.00
38182	2452 - MUNICIPAL GRAPHICS INC	PO 50131 REPAIR GRAPHICS	295.00	295.00
38183	2567 - MUNICIPAL RECORD SERVICE	PO 50140 PRINT FORMS FOR INDIVIDUALS POSTING	329.00	329.00
38184	199 - NEOPOST LEASING, INC.	PO 49662 BLANKET: POSTAGE MACH RENTAL \$504	529.41	529.41
38185	116 - NEW JERSEY HERALD, INC.	PO 50045 NJH Ads ACCT #2421	87.30	87.30
38186	116 - NEW JERSEY HERALD, INC.	PO 50190 NJH Ads acct #2421	128.22	128.22
38187	170 - NEWTON BOARD OF EDUCATION	PO 50081 TICKETS TO HS MUSICAL -SENIORS	1,690.00	1,690.00
38188	3874 - NEWTON SCREEN PRINTING	PO 50142 BLOCK/LOT MAGNETIC FILE LABELS	61.32	61.32
38189	3040 - NJ DIV PENSION & BENEFIT	PO 50257 DCRP EMPLOYER COST OCT-DEC 2016	1,058.92	1,058.92
38190	2835 - NJMEBF	PO 50214 APRIL MEDICAL & DENTAL	172,049.00	
		PO 50277 MAY MEDICAL & DENTAL	176,548.00	348,597.00
38191	64 - PELLOW, HAROLD & ASSO, INC.	PO 50204 LIBERTY TOWERS & ENG FEB	276.25	
		PO 50311 MAR ENGINEERING	2,017.74	2,293.99
38192	2788 - PENTELEDATA	PO 49611 BLANKET: INTERNET ACCT #1871584 (JA	729.70	729.70
38193	1532 - PRIME TIME NEWTON SENIORS	PO 50167 2017 CONTRIBUTION	3,000.00	3,000.00
38194	3880 - PROFESSIONAL TIRE & AUTO	PO 50146 TIRE TUBES ACCT #6624	160.00	160.00
38195	39 - QUILL CORPORATION	PO 50169 Clerk's Supplies	248.17	248.17
38196	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 49547 BLANKET: GAS (JAN-MAR@ \$5,000 PER	2,088.11	2,088.11
38197	3731 - READY REFRESH BY NESTLE	PO 49653 BLANKET: 2017 WATER DELV	101.55	101.55
38198	3679 - REISINGER OXYGEN SERVICE, INC.	PO 49753 BLANKET: OXYGEN POLICE CUST #05587	68.96	68.96
38199	2644 - RICCIARDI BROTHERS, INC.	PO 50143 ATHLETIC FIELD PAINT CUST #9456	590.00	590.00
38200	3391 - ROUTE 23 PATIO, LLC.	PO 50222 CATCH BASIN REPAIR CUST #644	258.40	258.40
38201	3391 - ROUTE 23 PATIO, LLC.	PO 50224 BELGUIM BLOCK CURB CUST #644	325.00	325.00

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

Check#	Vendor	Description	Payment	Check Total
38202	2848 - ROY LEYMAN	PO 50280 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38203	3660 - SCHENCK, PRICE, SMITH, & KING, LLP	PO 50203 TAX APPEALS MAR	4,142.10	4,142.10
38204	126 - SCMUA	PO 49767 BLANKET: TRASH/BRUSH/STREET SWEEPI	931.90	931.90
38205	611 - SEBRING AUTO PARTS, INC.	PO 49760 BLANKET: AUTO PART/SUPPLIES ACCT #4	431.95	431.95
38206	2665 - SIGN-A-RAMA, INC.	PO 49508 Banners for Parking Lots	175.00	175.00
38207	2665 - SIGN-A-RAMA, INC.	PO 50061 Interior ADA Sign Panels/ Window Fr	1,445.20	1,445.20
38208	2257 - STAPLES BUSINESS ADVANTAGE, INC.	OPRA copies reimb rj #494	3.23	
		PO 49551 BLANKET PO FOR OFFICE SUPPLIES	263.19	
		PO 49932 Blanket; Office supplies	82.99	349.41
38209	2400 - STEVE ESTLER	PO 50285 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38210	279 - STRAWAY, RICHARD A. JR.	PO 50279 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38211	280 - STRAWAY, THOMAS	PO 50286 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38212	102 - SUSSEX CAR WASH INC	PO 49864 BLANKET: POLICE CAR WASHES	140.00	140.00
38213	3863 - SUSSEX COUNTY COMM COLLEGE FOUNDATI	PO 50053 Music Sponsorship for Country Cool	600.00	600.00
38214	2310 - SUSSEX COUNTY ENGINEERING DIVISION	PO 50138 RPM WORK @ N-2 SIGNAL	3,044.82	3,044.82
38215	2479 - TAYLOR OIL CO., INC.	PO 49548 BLANKET: DIESEL (JAN-MAR) @ \$5,000	1,684.61	1,684.61
38216	3851 - THE CANNING GROUP, LLC.	PO 49644 PURCHASING QPA (\$535.71 X 12 =\$6,42	535.71	535.71
38217	3105 - THYSSENKRUPP ELEVATOR CORP.	PO 49543 BLANKET: ELEVATOR MAINT TH SIDE \$2	219.50	219.50
38218	217 - TIMMERMAN COMPANY, INC.	PO 50130 SWEEPER BRAKE PARTS	393.94	393.94
38219	3398 - TOYOTA/SUBARU/SCION OF MORRISTOWN I	PO 49728 BLANKET: ROUTINE MAINT 2013 CAMRY	158.64	158.64
38220	1982 - TREASURER, STATE OF NJ	PO 50225 ELEVATOR INSPECT POLICE SIDE #1915-	409.00	409.00
38221	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 50123 LABOR ATTY MAR	120.00	120.00
38222	3369 - UNITED TELEPHONE/CENTURY LINK	PO 49615 BLANKET: DIGITAL DATA CIRCUIT TH TO	126.68	126.68
38223	3444 - USA HOISTCO., INC.	PO 49731 BLANKET: ELEVATOR MAINT (POLICE SID	220.00	220.00
38224	1280 - VERIZON WIRELESS, INC.	PO 49672 BLANKET: 1X AIRCARDS ACCT #201 M15-	193.55	193.55
38225	1158 - VISION SERVICE PLAN	PO 49620 BLANKET: VISION PLAN (JAN-JUNE C \$1	1,014.40	1,014.40
38226	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 50198 PB CONSULT-MARCH 2017	975.00	975.00
38227	2718 - WILLIAM OSWIN III	PO 50288 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
38228	3892 - WISTUBA, TRAVIS	PO 50291 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
TOTAL				413,300.53

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
100001	CASH - CURRENT - LAKELAND #434			0.00	413,300.53
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	1,384.21			
1050200A	(2016) TOWN MANAGER'S OFFICE - OTHER EXP		175.00		
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES	487.77			
1052200	TOWN COUNCIL - OTHER EXPENSES	60.00			
1055200	ASSESSMENT OF TAXES - OTHER EXPENSES	1,592.00			
1056200	COLLECTION OF TAXES - OTHER EXPENSES	139.00			
1058200	LEGAL SERVICES - OTHER EXPENSES	8,054.10			
1059200	MUNICIPAL COURT - OTHER EXPENSES	619.00			
1060200	ENGINEERING - OTHER EXPENSES	1,304.73			
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	4,499.59			
1062200	PLANNING BOARD - OTHER EXPENSES	1,152.00			
1063200	HISTORIC COMMISSION - OTHER EXPENSES	6.90			
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	1,453.03			
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	350,111.40			
1066200A	(2016) EMPLOYEE GROUP INSURANCE - OTHER		701.58		
1074200	POLICE DEPARTMENT - OTHER EXPENSES	5,980.19			
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	5.97			
1077500	CODE ENFORCEMENT - OTHER EXPENSES	82.99			
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	3,385.67			
1081200	SNOW REMOVAL - OTHER EXPENSES	1,444.00			
1082200	STORMWATER/FLOOD CONTROL - OTHER EXPENSE	989.26			
1083200	RECYCLING/SANITATION - OTHER EXPENSES	913.78			
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	5,347.60			
1087200	RECREATION - OTHER EXPENSES	1,968.00			

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	11,156.61			
1089200A	(2016) UTILITY EXP/BULK PURCH - OTHER EX		3,044.82		
1090200	SWIMMING POOL - OTHER EXPENSES	148.00			
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES	1,571.09			
1093200	SENIOR CITIZEN PROGRAM - OTHER EXPENSE	3,000.00			
1094550	RECYCLING TAX (PL2007 c.311)O/S CAP	18.12			
1095200	CAPITAL IMPROVEMENTS - OTHER EXPENSES	1,445.20			
1098200	STATUTORY EXPENDITURES - OTHER EXPENSES	417.01			
1098200A	(2016) STATUTORY EXPENDITURES - OTHER EX		641.91		
TOTALS FOR	CURRENT FUND	408,737.22	4,563.31	0.00	413,300.53

Total to be paid from Fund 10 CURRENT FUND
 413,300.53
 =====
 413,300.53

Checks Previously Disbursed

171033	PAYROLL ACCOUNT	5/4 Current Pay	193,083.69	5/04/2017
171032	JP MORGAN CHASE BANK	2012 Refund USDA debt p&i \$1685T @	142,762.50	4/28/2017

			335,846.19	

Total paid from Fund 10 CURRENT FUND
 335,846.19

 335,846.19

Total for this Bills List: **749,146.72**

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

Check#	Vendor	Description	Payment	Check Total
1362	2048 - DANIELSON, DEBORAH	PO 50297 FOOD/SUPPL for clean communities	279.84	279.84
1363	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 50150 POSTAGE DDEF SHIPPING	25.48	25.48

TOTAL				305.32

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
110001	CASH			0.00	305.32
111200	APPROPRIATED RESERVES FOR GRANTS			305.32	

TOTALS FOR	FEDERAL/STATE GRANTS	0.00	0.00	305.32	305.32
		=====	=====	=====	=====

Total to be paid from Fund 11 FEDERAL/STATE GRANTS

305.32
=====
305.32

Checks Previously Disbursed

171109	PAYROLL ACCOUNT	5/4 Grant Pay	544.87	5/04/2017
171108	PAYROLL ACCOUNT	4/20 Grant pay	428.23	4/20/2017
171107	PAYROLL ACCOUNT	4/6 GRANT PAY	428.23	4/06/2017

			1,401.33	

Total paid from Fund 11 FEDERAL/STATE GRANTS

1,401.33

1,401.33

Total for this Bills List: **1,706.65**

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

Check#	Vendor	Description	Payment	Check Total
8615	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 50163 TOWN COUNCIL BUSINESS MAR	236.00	236.00
8616	64 - PELLOW, HAROLD & ASSO, INC.	PO 50311 MAR ENGINEERING	633.75	633.75
TOTAL				869.75

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
300001	CASH - CAPITAL - LAKELAND #450			0.00	869.75
3091406	ORD 2014-6 VARIOUS \$1,912T	178.75			
3091516	ORD 2015-16 VARIOUS \$970T	236.00			
3091605	ORD 2016-5 VARIOUS \$1,190T	455.00			
TOTALS FOR	CAPITAL	869.75	0.00	0.00	869.75

Total to be paid from Fund 30 CAPITAL

869.75
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869.75

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

Check#	Vendor	Description	Payment	Check Total
16285	192 - CAMPBELL'S SMALL ENGINE INC.	PO 50252 MOWER REPAIR	77.77	77.77
16286	506 - CARR, JOSEPH	PO 50294 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
16287	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 49602 BLANKET: WOODSIDE AVE PS (JAN-DEC \$	39.07	39.07
16288	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 50253 LOCAL PHONE SVC	1,198.17	1,198.17
16289	3768 - COMPASS ENERGY GAS SERVICES, INC.	PO 49616 BLANKET: NATURAL GAS SUPPLIERS (JAN	2,026.52	2,026.52
16290	155 - COYNE CHEMICAL CORP., INC.	PO 50178 BLANKET: LIQUID/GAS SULFUR DIOXIDE	1,297.35	
		PO 50182 BLANKET: SODIUM HYPOCHLORITE @ \$1.9	1,942.08	
		PO 50267 CITRIC ACID & SODIUM BISULFITE	1,092.24	
		PO 50268 AKMMONIUM SULFATE	496.25	4,827.92
16291	3685 - DELAWARE RIVER BASIN COMMISSION	PO 50110 PERMIT RENEWAL CUST #5282	450.00	450.00
16292	2854 - DUSTIN MCGARRY	PO 50295 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
16293	3888 - ENVIRONMENTAL PRODUCTS & SERVICES O	PO 50136 Sewer Plant Chemical Storage Tanks	8,864.44	8,864.44
16294	200 - GARDEN STATE LABORATORIES INC	PO 50269 DRINKING & SEWER LAB ANANLYSIS MARC	3,609.00	3,609.00
16295	2435 - HAMPTON BODY WORKS, INC.	PO 50206 TOWING - W5 6/7 ACCIDENT (ERV)	465.00	465.00
16296	1866 - HOME DEPOT, INC.	PO 49642 BLANKET: WATER/SEWER	64.18	64.18
16297	2573 - INDUSTRIAL CHEM LABS & SER	PO 50174 LIFT STATION DEGREASER	366.42	366.42
16298	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 50163 TOWN COUNCIL BUSINESS MAR	855.00	855.00
16299	1714 - JAEKEL, KENNETH	PO 50287 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
16300	3682 - JASON VANDERGROEF	PO 50290 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
16301	113 - JCP&L	PO 50220 W/S ELECT -MAR	18,107.97	18,107.97
16302	2576 - JOSEPH WHITE	PO 50281 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
16303	2365 - KRAVE CAFE	PO 50305 4/25 MARKETING MEETING	20.00	20.00
16304	2532 - LADDEY, CLARK & RYAN, LLP	PO 50209 MARCH LEGAL	585.10	585.10
16305	409 - MINISINK PRESS INC	PO 50087 Spring Public Newsletter	632.50	632.50
16306	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 49682 BLANKET: SLUDGE DISPSOAL (JAN-APR)	6,080.00	6,080.00
16307	64 - PELLOW, HAROLD & ASSO, INC.	PO 50311 MAR ENGINEERING	3,146.15	3,146.15
16308	2788 - PENTELEDATA	PO 49611 BLANKET: INTERNET ACCT #1871584 (JA	219.90	219.90
16309	121 - PUMPING SERVICES, INC.	PO 50092 STP QUARTERLY MAINTENANCE 2017	3,895.00	3,895.00
16310	3660 - SCHENCK, PRICE, SMITH, & KING, LLP	PO 50202 LEGAL -FORESTRY MGMT PLAN MAR	78.75	78.75
16311	126 - SCMUA	PO 49767 BLANKET: TRASH/BRUSH/STREET SWEEPI	526.70	526.70
16312	2665 - SIGN-A-RAMA, INC.	PO 49508 Banners for Parking Lots	175.00	175.00
16313	277 - SISCO, JAMES	PO 50289 BOOT ALLOWANCE 2017 Contractual	200.00	200.00
16314	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 50303 FINANCE OFFICE SUPPLIES	325.61	325.61
16315	3863 - SUSSEX COUNTY COMM COLLEGE FOUNDATI	PO 50053 Music Sponsorship for Country Cool	600.00	600.00
16316	130 - SUSSEX COUNTY P & H, INC.	PO 49665 BLANKET PLUMBING SUPPLIES	159.89	159.89
TOTAL				58,596.06

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
600001	CASH - W/S OPERATING-LAKELAND #426			0.00	58,596.06
6051200	W&S OPERATING - TOTAL OTHER EXPENSES	57,956.06			
6051200A	(2016) W&S OPERATING - TOTAL OTHER EXPE		640.00		
TOTALS FOR	WATER/SEWER UTILITY	57,956.06	640.00	0.00	58,596.06

Total to be paid from Fund 60 WATER/SEWER UTILITY

58,596.06
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Checks Previously Disbursed

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
176017	WATER & SEWER CAPITAL ACCOUNT	online W Res Hookup Fees to w/s ca		871,900.00	5/03/2017
176016	PAYROLL ACCOUNT	5/4 W/S Pay		37,345.03	5/04/2017
176015	JP MORGAN CHASE BANK	2012 Refund W/S USDA p&i \$8525T @3		359,944.62	4/28/2017

				1,269,189.65	
Total paid from Fund 60 WATER/SEWER UTILITY				1,269,189.65	

				1,269,189.65	

Total for this Bills List: **1,327,785.71**

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

Check#	Vendor	Description	Payment	Check Total
3603	2377 - FOREMOST PROMOTIONS, INC.	PO 50126 COLOR POP PORTFOLIO CUST #NE2525	330.79	330.79
3604	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 50199 KWESELAIT-MARCH ESCROW	833.00	833.00
3605	3886 - MUSKY TROUT HATCHERY	PO 50091 FISH MORRIS LAKE	2,000.00	2,000.00
3606	64 - PELLOW, HAROLD & ASSO, INC.	PO 50133 RPM-FEB ESCROW	1,014.75	
		PO 50230 J&R DEV/J PUTRINO/TSG-MAR ESCROW	32.50	
		PO 50229 Martin Realty/Walgreens/DD-Mar Escr	65.00	
		PO 50228 NJ ENDOSCOPY-MAR ESCROW	162.50	
		PO 50227 NVE-MAR ESCROW	65.00	
		PO 50226 HAYEK'S-MAR ESCROW	65.00	1,404.75
3607	356 - RICHARDS, MICHAEL	PO 50086 TELECOMMUNICATORS DAY MUGS	216.09	216.09
3608	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 50194 NEWTON DONUTS-MARCH ESCROW	15.00	
		PO 50195 OCCHINFINTO-MARCH ESCROW	30.00	
		PO 50196 CHARNOGURSKY-MARCH ESCROW	525.00	
		PO 50197 KWESELAIT-MARCH ESCROW	255.00	825.00
TOTAL				5,609.63

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
710001	CASH - TRUST - LAKELAND #469			0.00	5,609.63
711208	RES RECREATION (ALL)			2,000.00	
711219	RESERVE FOR POLICE DONATIONS *			546.88	
711440	ENGINEER REVIEW FEES			3,062.75	
TOTALS FOR	TRUST	0.00	0.00	5,609.63	5,609.63

Total to be paid from Fund 71 TRUST
 5,609.63
 =====
 5,609.63

Checks Previously Disbursed

177107	PAYROLL ACCOUNT	4/20 Trust pay	202.50	4/20/2017

			202.50	

Total paid from Fund 71 TRUST
 202.50

 202.50

Total for this Bills List: **5,812.13**

TOWN OF NEWTON

ORDINANCE 2017-xx

AN ORDINANCE AMENDING CHAPTER 279 OF THE CODE OF THE TOWN OF NEWTON, ADOPTING A NEW ARTICLE III, REGARDING DISABLED VETERANS TAX REFUNDS

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling house and lot whereon same is erected of any veteran who has been honorably discharged or honorably released from military service due to a 100% permanent disability as declared by the United States Department of Veterans Administration shall be exempt from taxation on their property when a proper claim is made; and

WHEREAS, pursuant to the New Jersey Superior Court decision in Del Priore v. Edison Township 25 N.J. Tax 502 (2012), a municipality has discretion to grant or deny a taxpayer a retroactive refund of property taxes that have been paid from the effective date of the disability as determined by the United States Department of Veterans Administration as set forth in N.J.S.A. 54:4-3.32; and

WHEREAS, retroactive refunds may have a significantly adverse financial impact on the Town and its taxpayers and are not reimbursed to the Town by the State; and

WHEREAS, the Town Council of the Town of Newton desires to establish a formal policy providing a retroactive refund of property taxes, if timely filed, for a period of no greater than a twenty-four month period;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Newton that a new Article III of Chapter 279 of the Code of the Town of Newton is hereby adopted, as follows:

Section 1. A new Article III "100% Disabled Veterans Tax Refund" of Chapter 279 shall be adopted, as follows:

Article III. 100% Disabled Veterans Tax Refund

§279-19. Timely Filing with the Tax Assessor.

For a veteran, or his or her surviving spouse or domestic partner, entitled to exemption under N.J.S.A. 54:4-3.30, after a formal written request for retroactive refund of property taxes, submitted to the Town Tax Assessor with all required documentation, and which shall have been timely filed within 120 calendar days after the date on the Total Disability Termination Letter issued by the United States Department of Veterans Affairs, the Town Council, by appropriate resolution, shall refund taxes previously paid only for the calendar year in which the claim of the veteran, or his or her surviving spouse or domestic partner was submitted to the Town Tax Assessor, and for such portion of the prior calendar year during which the total disability was in effect, but in no event greater than a twenty-four month period in the aggregate.

No further or additional refund of taxes shall be permitted, regardless of the date of the disability of the veteran as determined by the United States Department of Veterans Affairs.

§279-20. Late Filing with the Tax Assessor

In the event that a veteran, or his or her surviving spouse or domestic partner, entitled to exemption under N.J.S.A. 54:4-3.30, shall submit a request to the Town Tax Assessor for refund of taxes at any time later than 120 calendar days after the date on the Total Disability Termination Letter issued by the United States Department of Veterans Affairs, the Town Council, by appropriate resolution, shall refund taxes previously paid only for the calendar year in which the claim of the veteran, or his or her surviving spouse or domestic partner was submitted to the Town Tax Assessor.

No further or additional refund of taxes shall be permitted, regardless of the date of the disability of the veteran as determined by the United States Department of Veterans Affairs.

Section 2. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Date. This Ordinance will take effect after publication and passage according to law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, May 22, 2017. 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, June 12, 2017 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

Lorraine A. Read, RMC
Municipal Clerk

TOWN OF NEWTON

ORDINANCE 2017-

AN ORDINANCE REVISING SECTIONS 250-17, 250-18 and 250-19 OF THE CODE OF THE TOWN OF NEWTON, REGARDING DUMPSTERS

WHEREAS, the Town Council of the Town of Newton has determined the regulation of trash dumpsters and roll-off containers is necessary within the Town only as it pertains to placement within public right-of-ways;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton that Newton Town Code Section 250-17 is hereby revised and Code Sections 250-18 and 250-19 are hereby repealed.

Section 1. Section 250-17 of the Code of the Town of Newton is hereby deleted in its entirety and replaced as follows:

§250-17. Trash dumpsters and roll-off containers.

No dumpster or roll-off containers shall be placed on a public right-of-way, including a public street or public sidewalk, if such placement shall inhibit the flow of either vehicular or pedestrian traffic on the public right-of-way.

Section 2. The following Sections of the Code of the Town of Newton are hereby deleted as follows:

§250-18 Deleted.

§250-19 Deleted.

Section 3. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 4. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 5. Effective Date. This Ordinance will take effect after publication and passage according to law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, May 22, 2017. 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, June 12, 2017 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

AGENDA ITEMS

For May 8, 2017 Council Meeting

Minutes: - April 24, 2017 – Regular Meeting
April 24, 2017 – Executive Session

An application for Social Affair permit from VFW Auxiliary Post #5360, to be held on Saturday, June 17, 2017 from 4:00 pm – 8:00 pm at VFW, 85 Mill Street, Newton.