



**AGENDA**  
**NEWTON TOWN COUNCIL**  
**July 17, 2017**  
**7:00 p.m.**

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL**

**III. OPEN PUBLIC MEETINGS ACT STATEMENT**

**IV. APPROVAL OF MINUTES**

June 26, 2017 Regular Meeting  
July 1, 2017 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. SWEARING-IN CEREMONY**

- a. Jared Zappa – Police Officer

**VII. COUNCIL & MANAGER REPORTS**

**VIII. ORDINANCES**

- a. Introduction

Ordinance 2017-13

An Ordinance of the Town of Newton, Sussex County, New Jersey, Amending Chapter 125 of the Code of the Town of Newton Entitled "Games of Chance" to Add Section 125-4 Designating the Town Clerk as the "Issuing Authority"

Ordinance 2017-14

Bond Ordinance Providing a Supplemental Appropriation of \$250,000 for Construction of a 20" HDPE Water Transmission Main Across Fox Hollow Lake in the Township of Sparta, by the Town of Newton, in the County of Sussex, New Jersey, and Authorizing the Issuance of \$250,000 Bonds or Notes of the Town to Finance the Cost Thereof

**IX. OLD BUSINESS**

## **X. RESOLUTION**

- a. Resolution #125-2017 Authorize the Award of a Non-Fair and Open Contract for Stryker Medical

## **XI. 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 #126-2017\* Resolution Authorizing Disposal of Surplus Property
- b. Resolution #127-2017\* Amend Agreement with James T. Prusinowski, Esq., as Labor Relations Counsel for 2017
- c. Resolution #128-2017\* Approve Change Order No. 4 for Fox Hollow Lake Transmission Main Replacement Project in the Township of Sparta for the Town of Newton
- d. Resolution #129-2017\* Approval of the Purchase of Motorola Pagers, Portable Radios and Communications Equipment through State Contract #83927 and Morris County Cooperative Purchasing Contract #41 for the Newton Fire Department
- e. Resolution #130-2017\* Authorize Tax Collector to Hold an Electronic Tax Sale for the Year 2017
- f. Resolution #131-2017\* Authorize Electronic Tax Sale Notice Fees to be Charged
- g. Resolution #132-2017\* Authorize Credits Due Water and Sewer Utility Accounts
- h. Resolution #133-2017\* Approve Bills and Vouchers for Payment
- i. Resolution #134-2017\* Authorize the Award of a Non-Fair and Open Contract for Gold Type Business Machines
- j. Resolution #135-2017\* Change of Text and Title to the Town of Newton 2017 Water and Sewer Utility Budget, Pursuant to N.J.S.A. 40A:4-85
- k. Resolution #136-2017\* Water Sewer Capital Budget Amendment

**I. Resolution #137-2017\***

Resolution of the Town of Newton, in the County of Sussex, New Jersey, Directing the Town Planning Board to Review and Comment on the Proposed Merriam Gateway Redevelopment Plan Amendment Pursuant to the Local Redevelopment and Housing Law

**m. Application(s)\***

An Application for Special Permit for Social Affair from the Greater Newton Chamber of Commerce to be held on September 11, 2017 from 6:30 pm to 9:30 pm with a rain date of September 12, 2017 from 6:30 pm to 9:30 pm on Spring Street, Newton, NJ

**XII. INTERMISSION**

**XIII. DISCUSSION**

**XIV. OPEN TO THE PUBLIC**

**XV. COUNCIL & MANAGER COMMENTS**

**XVI. EXECUTIVE SESSION**

**XVII. ADJOURNMENT**

# TOWN OF NEWTON

## ORDINANCE 2017-13

### AN ORDINANCE OF THE TOWN OF NEWTON, SUSSEX COUNTY, NEW JERSEY, AMENDING CHAPTER 125 OF THE CODE OF THE TOWN OF NEWTON ENTITLED "GAMES OF CHANCE" TO ADD SECTION 125-4 DESIGNATING THE TOWN CLERK AS THE "ISSUING AUTHORITY"

**WHEREAS**, the Town Council of the Town of Newton may delegate, by ordinance, the authority to approve the granting of raffle and bingo licenses to the Town Clerk; and

**WHEREAS**, the Town Council wishes to delegate said authority to the Town Clerk in order to streamline the process for applicants; and

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

**Section 1.** Chapter 125 "Games of Chance" is hereby amended by the inclusion of a new Section 125-4 which shall be entitled "Issuing Authority" and which shall read in its entirety as follows:

**§125-4 Issuing Authority.**

The issuing authority responsible for approving bingo and raffle licenses, as the same is defined in N.J.S.A. 5:8-24 et seq. and N.J.S.A. 5:8-50 et seq. shall be the Town Clerk.

**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 shall take effect immediately upon adoption and publication in accordance with 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, July 17, 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, August 14, 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

# TOWN OF NEWTON

## ORDINANCE 2017-14

### **BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$250,000 FOR CONSTRUCTION OF A 20" HDPE WATER TRANSMISSION MAIN ACROSS FOX HOLLOW LAKE IN THE TOWNSHIP OF SPARTA BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OR NOTES OF THE TOWN TO FINANCE 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 improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$250,000, such sum being in addition to the \$900,000 appropriated therefor by bond ordinance 2013-19 of the Town, finally adopted June 10, 2013 (the "Original Bond Ordinance") and the \$300,000 appropriated therefor by bond ordinance #2014-5 of the Town finally adopted April 14, 2014 (the "2014 Supplemental Bond Ordinance"). No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this bond ordinance.

**Section 2.** In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$250,000 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.** (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the construction of a 20" HDPE water transmission main across Fox Hollow Lake, in the Township of Sparta, including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance, as supplemented by the 2014 Supplemental Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$1,450,000, including the \$900,000 authorized by the Original Bond Ordinance, the \$300,000 authorized by the 2014 Supplemental Bond Ordinance and the \$250,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$1,450,000, including the \$900,000 appropriated by the Original Bond Ordinance, the \$300,000 appropriated by the 2014 Supplemental Bond Ordinance and the \$250,000 appropriated herein.

**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 improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 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 \$250,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$210,000 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 purpose or improvement. Of this amount, \$120,000 was estimated for these items of expense in the Original Bond Ordinance, \$80,000 was estimated for these items of expense in the 2014 Supplemental Bond Ordinance and an additional \$10,000 is estimated therefor herein.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

**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 purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to the bond ordinances described herein. The amount of obligations authorized but not issued under the bond ordinances shall be reduced to the extent that such funds are so used.

**Section 9.** The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 10.** The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the 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.

**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, July 17, 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, August 14, 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



## TOWN OF NEWTON

### RESOLUTION #125-2017

July 17, 2017

### "Authorize the Award of a Non-Fair and Open Contract for Stryker Medical"

**WHEREAS**, the Newton First Aid Squad has a need for equipment to perform its mission of emergency medical response services to the public; and

**WHEREAS**, the Newton First Aid Squad has required use of equipment to perform such functions, among them being the use of patient cots; and

**WHEREAS**, the need has arisen to procure a cot pursuant to a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, quotes were solicited for the procurement of a Stryker Medical Model 6506 Medical Cot or equivalent from medical supply companies and Sean Canning, Q.P.A. has determined and certified in writing the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the lowest quoted price from Stryker Medical Inc., was \$21,310.00 for a model 6506 Stryker Medical Cot; and

**WHEREAS**, Stryker Medical in the aggregate is expected to sell in excess of the Pay-to-Play threshold of \$17,500.00; and

**WHEREAS**, Stryker Medical Inc., has completed and submitted a Business Entity Disclosure Certification which certifies Stryker Medical Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit Stryker Medical Inc., from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer hereby certifies funds NOT TO EXCEED \$21,310.00 are available in the 2017 Current Budget – Capital Improvement Fund, First Aid Power Lift A/C#1095335.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Stryker Medical Inc., not to exceed \$21,310.00 for the 2017 calendar year; and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with 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, July 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #126-2017

July 17, 2017

### "Resolution Authorizing Disposal of Surplus Property"

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

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

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is **govdeals.com**.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
  - a) 2007 Dodge Durango  
VIN: 1D8HB38P37F548549  
Condition: Fair
  - b) 1999 Spartan Rescue Fire Truck  
VIN: 457AT3896XC31213  
Condition: Fair
- 5) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 6) The Town of Newton reserves the right to accept or reject any bids submitted.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #127-2017

July 17, 2017

**“Amend Agreement with James T. Prusinowski, Esq., as Labor Relations Legal Counsel for 2017”**

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

**WHEREAS**, the Town Council appointed James T. Prusinowski, Esq., of Trimboli & Prusinowski, LLC as Labor Relations Attorney for calendar year 2017 by the adoption of Resolution #262-2017 at their meeting on December 28, 2016; and

**WHEREAS**, said contract stipulated that the amount expended during the term of the contract is not to exceed \$30,000.00; and

**WHEREAS**, due to circumstances beyond the Town's control the costs for labor relations legal counsel will exceed the \$30,000.00 allocated; and

**WHEREAS**, both parties have agreed to increase the amount of the original contract to be increased by \$15,000.00 to a new amount not to exceed \$45,000.00; and

**WHEREAS**, the Chief Financial Officer has certified funds are available in the 2017 Current Budget – Legal OE A/C #1058204 \$32,000; #1058201 \$6,000; #1058296 \$7,000.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to amend the agreement with James T. Prusinowski, Esq., of, Trimboli & Prusinowski, LLC as the Town of Newton's Labor Relations Attorney for the remainder of calendar year 2017 for an amount not to exceed \$45,000.00; and

**BE IT FURTHER RESOLVED**, that a fully executed copy of said amended agreement be provided to James T. Prusinowski, Esq. and filed in the Office of the Municipal Clerk.

### 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 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk

TOWN OF NEWTON

RESOLUTION AND AGREEMENT  
FOR PROFESSIONAL SERVICES

SPECIAL COUNSEL FOR LABOR RELATIONS

WHEREAS, there exists a need for special counsel to be appointed to represent the Town of Newton with respect to municipal matters, specifically labor relations for calendar year 2017; and

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

WHEREAS, James T. Prusinowski, Esq. has indicated that all such services will be rendered to the Town of Newton on the basis of a \$150.00 per hour charge, which the Newton Town Council deems fair and equitable for said professional services; and

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

WHEREAS, Mr. Prusinowski agrees to incorporate into this contract the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time and agrees to comply with the terms, provisions, and obligations of said subsection 3.4(a) provided that said subsection shall be applied subject to the terms of subsection 3.4(a) of said Regulations; and

WHEREAS, the Town and Mr. Prusinowski agree to incorporate into this contract the mandatory language of section 5.3 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127 as amended and supplemented from time to time and agree to comply with the terms, provisions and obligations of said section 5.3;

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

1) The Mayor and Clerk of the Town of Newton are hereby authorized and directed to execute a duplicate of this Resolution which shall act as the authorization and agreement between the Town of Newton and James T. Prusinowski, Esq., providing for his retention as Special Counsel for Labor Relations for the Town of Newton for calendar year 2017.

2) The services to be rendered by Mr. Prusinowski shall be on an hourly basis, on an "as needed" requirement, as sought by the Town of Newton at a rate of \$150.00 per hour not to exceed \$45,000.00.

3) This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-1(1) (a) of the Local Public Contracts Law, because Mr. Prusinowski is a licensed attorney of the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services which are expressly exempt from the Local Public Contracts bidding requirements.

4) Political Contribution Disclosure. This contract has been awarded to James T. Prusinowski, Esq. based on the merits and abilities of Mr. Prusinowski to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44-20.4 et seq. As such, the undersigned does hereby attest that he and all those who control in excess of 10% of the law firm in which he is a member has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44a-8 or 19:44a-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Town of Newton, County of Sussex if a member of that political party is serving an elective public office of that Town when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Town when the contract is awarded.

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

ATTEST:

TOWN OF NEWTON

\_\_\_\_\_  
Teresa A. Oswin, RMC, Deputy Municipal Clerk

\_\_\_\_\_  
Wayne F. Levante, Mayor

I hereby acknowledge executing this duplicate Resolution and agree to be bound by its terms, covenants and conditions for the year 2017.

Date: \_\_\_\_\_

\_\_\_\_\_  
James T. Prusinowski, Esq.  
Trimboli & Prusinowski, LLC



July 17, 2017

## TOWN OF NEWTON

### RESOLUTION #128-2017

**“Approve Change Order No. 4 for Fox Hollow Lake Transmission Main Replacement Project in the Township of Sparta for the Town of Newton”**

**WHEREAS**, the Town of Newton awarded the contract for the Fox Hollow Lake Transmission Main Replacement Project in the Township of Sparta for the Town of Newton to Montana Contracting Corp, Inc., on Monday, August 22, 2016 by the adoption of Resolution #142-2016 for a total contract amount \$878,311.00; and

**WHEREAS**, Harold E. Pellow & Associates, Inc., the Town Engineer has prepared Change Order No. 4 to increase the total contract amount by \$155,147.24 for costs for the underwater diving services needed to excavate and move underwater boulders and rocks for the 20" HDPE trench, grout mat installation, remobilization, and final quantities; and

**WHEREAS**, the Chief Financial Officer has certified funds are available to support the increase in the Water Sewer Capital Fund, Ordinance #2014-5 Supplement Fox Hollow Water Main, account number 6191405 in the amount of \$155,147.24;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that we hereby approve Change Order No. 4 to increase the total contract amount by \$155,147.24 to a new contract total of \$1,033,458.24 for costs for the underwater Diving Services needed to excavate and move underwater boulders and rocks for the 20" HDPE.

### 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 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk

Date of Issuance: June 28, 2017	Effective Date: June 28, 2017
Owner: Town of Newton	Owner's Contract No.:
Contractor: Montana Construction Corp., Inc.	Contractor's Project No.:
Engineer: Harold E. Pellow & Associates, Inc.	Engineer's Project No.: 13-132
Project: Proposed Fox Hollow Lake Transmission Main Replacement in the Township of Sparta for the Town of Newton	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description: *Remobilization; Underwater Diving Services to excavate and move underwater boulders and rock for 20" HDPE trench; grout mat installation; final quantities.*

Attachments: *See Change Order No. 4 Detail Sheet.*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES – <i>NOT APPLICABLE</i> <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>878,311.00</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase from previously approved Change Order Nos. <u>1</u> & <u>2</u> : \$ <u>0.00</u>	Increase from previously approved Change Orders No. _____ to No. _____: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>878,311.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order: \$ <u>155,147.24</u>	Increase of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ <u>1,033,458.24</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: <u>Town of Newton Engineer</u>	Title: <u>Town Manager</u>	Title: _____
Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

**HAROLD E. PELLOW and ASSOCIATES, INC.**

Consulting Engineers, Planners Land Surveyors  
17 Plains Road  
Augusta, NJ 07822-2009

**CHANGE ORDER NO. 4**  
**7/10/2017**

<b>Project</b>	PROPOSED FOX HOLLOW LAKE TRANSMISSION MAIN REPLACEMENT IN THE TOWNSHIP OF SPARTA FOR THE TOWN OF NEWTON
<b>Owner</b>	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
<b>County</b>	SUSSEX COUNTY
<b>Contractor</b>	MONTANA CONSTRUCTION CORP., INC.

<b>In accordance with the project Supplementary Specification, the following are changes in the contract.</b>	
<b>Location and Reason for Change</b> (Attach additional sheets if required) -	
<b>Location:</b>	Entire Project
<b>Reason:</b>	See Below

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
9	<b>EXTRA</b> CONCRETE THRUST RESTRAINTS <i>As-built quantity</i>	2	CU. YD. \$ 700.00	\$ 1,400.00
<b>Total EXTRA:</b>				<u>\$ 1,400.00</u>
37S	<b>SUPPLEMENTAL</b> REMOBILIZATION - SPRING 2017 <i>Construction equipment had to be removed from the homeowners' association property, in December 2016, and due to winter setting in. Equipment had to be remobilized in Spring 2017.</i>	100%	L.S. \$ 4,039.05	\$ 4,039.05
38S	2-MAN CREW & EQUIPMENT TO ASSIST IN POSITIONING PIPELINE/ASSIST UNDERWATER DIVERS <i>Two-man crew with construction equipment was needed to assist underwater divers with raising pipeline, repositioning as needed to fit excavated trench, and tie in areas.</i>	100%	L.S. \$ 28,032.53	\$ 28,032.53
39S	3-MAN CREW, PUMPING EQUIPMENT & GROUT TO INSTALL GROUT MATS IN SHALLOW ROCK AREA IN WEST SHORE AREA <i>Grout mats were furnished and installed by the contractor and underwater diving crew in the West Shore tie-in area due to problems excavating for the pipeline due to rock and obstructions. Pumping equipment and grout were brought in to fill the grout mats to avoid having concrete trucks run over the existing 16" pccp watermain in soft lawn areas.</i>	100%	L.S. \$ 24,458.61	\$ 24,458.61
40S	UNDERWATER DIVING SERVICES TO EXCAVATE & MOVE UNDERWATER BOULDERS, TREE PARTS, & ROCK FOR 20" HDPE TRENCH - 3-MAN CREW - SPRING 2017, INCLUDING REMOBILIZATION <i>Additional work for diving contractor to move underwater boulders, tree parts, and materials in order to excavate trench for installation of pipeline.</i>	100%	L.S. \$ 153,434.05	\$ 153,434.05
<b>Total SUPPLEMENTAL:</b>				<u>\$ 209,964.24</u>
3	<b>REDUCTION</b> SILT FENCE <i>Not needed during construction.</i>	100	LIN. FT. \$ 15.00	\$ 1,500.00
5	HAY BALES, IF & WHERE <i>As-built quantity.</i>	16	UNIT \$ 12.00	\$ 192.00
6	20" HDPE SDR 9 <i>As-built quantity.</i>	62	LIN. FT. \$ 425.00	\$ 26,350.00
8	CONCRETE ANCHOR BALLAST WITH STAINLESS STEEL NUTS & BOLTS <i>As-built quantity.</i>	11	UNIT \$ 100.00	\$ 1,100.00
10	3/4" FOUNDATION STONE, IF & WHERE <i>As-built quantity.</i>	6	TON \$ 45.00	\$ 270.00
11	BANKRUN GRAVEL, IF & WHERE <i>Not needed during construction.</i>	20	CU. YD. \$ 35.00	\$ 700.00
12	TEST HOLES, UNCLASSIFIED EXCAVATION, IF & WHERE <i>Not needed during construction.</i>	10	UNIT \$ 350.00	\$ 3,500.00

**HAROLD E. PELLOW and ASSOCIATES, INC.**

*Consulting Engineers, Planners Land Surveyors  
17 Plains Road  
Augusta, NJ 07822-2009*

**CHANGE ORDER NO. 4  
7/10/2017**

<b>Project</b>	PROPOSED FOX HOLLOW LAKE TRANSMISSION MAIN REPLACEMENT IN THE TOWNSHIP OF SPARTA FOR THE TOWN OF NEWTON
<b>Owner</b>	TOWN OF NEWTON, MUNICIPAL BUILDING, 39 TRINITY STREET, NEWTON, NJ 07860
<b>County</b>	SUSSEX COUNTY
<b>Contractor</b>	MONTANA CONSTRUCTION CORP., INC.

<b>In accordance with the project Supplementary Specification, the following are changes in the contract.</b>	
<b>Location and Reason for Change</b> (Attach additional sheets if required) -	
<b>Location:</b>	Entire Project
<b>Reason:</b>	See Below

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>QUANTITY (+/-)</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
13	TRENCH REPAIR <i>Not needed during construction.</i>	75	LIN. FT. \$ 30.00	\$ 2,250.00
17	10" DUCTILE IRON WATERMAIN, CLASS 56, DOUBLE CEMENT LINED <i>As-built quantity.</i>	39	LIN. FT. \$ 200.00	\$ 7,800.00
18	20" DUCTILE IRON WATERMAIN, CLASS 56, DOUBLE CEMENT LINED <i>Not needed during construction.</i>	4	LIN. FT. \$ 240.00	\$ 960.00
23	20" DRESSER COUPLING <i>Not needed during construction.</i>	2	UNIT \$ 1,350.00	\$ 2,700.00
26	2" TYPE "K" COPPER WATER SERVICE TUBING <i>As-built quantity.</i>	4	LIN. FT. \$ 125.00	\$ 500.00
29	CONCRETE SAND BEDDING <i>Not needed during construction.</i>	20	CU. YD. \$ 45.00	\$ 900.00
30	TRENCH EXCAVATION & BACKFILL <i>As-built quantity.</i>	39	LIN. FT. \$ 80.00	\$ 3,120.00
31	ROCK EXCAVATION IN WATERLINE TRENCH, IF & WHERE <i>No rock excavation.</i>	20	CU. YD. \$ 100.00	\$ 2,000.00
32	CLASS "C" CONCRETE ENCASEMENT, IF & WHERE <i>As-built quantity.</i>	9.5	CU. YD. \$ 250.00	\$ 2,375.00
<b>Total REDUCTION:</b>				<b>\$ 56,217.00</b>

<b>AMOUNT OF ORIGINAL CONTRACT:</b>	<u>\$878,311.00</u>	<b>EXTRA:</b>	<u>\$ 1,400.00</u>
<b>ADJUSTED AMOUNT BASED ON CHANGE ORDER NO. 4:</b>	<u>\$1,033,458.24</u>	<b>SUPPLEMENTAL:</b>	<u>\$ 209,964.24</u>
		<b>REDUCTION:</b>	<u>\$ 56,217.00</u>
		<b>TOTAL CHANGE:</b>	<u>\$ 155,147.24</u>

**% CHANGE IN CONTRACT:** + 17.66%  
[(+) Increase or (-) Decrease]

_____	_____
(Engineer)	(Date)
_____	_____
(Presiding Officer)	(Date)
_____	_____
(Contractor)	(Date)





July 17, 2017

**TOWN OF NEWTON**  
**RESOLUTION #129-2017**

**“Approval of the Purchase of Motorola Pagers, Portable Radios and Communications Equipment through State Contract #83927 and Morris County Cooperative Purchasing Contract #41 for the Newton Fire Department”**

**WHEREAS**, there is a need to purchase portable radios, pager alert and communications equipment for the Newton Fire Department in accordance with the 2017 Budget of the Town of Newton and the Capital Improvement Fund, Town of Newton Fire Department, in the County of Sussex, State of New Jersey; and

**WHEREAS**, this can be purchased through State Contract #83927 and Morris County Cooperative Purchasing System Contract #41, and;

**WHEREAS**, the holder of the State of New Jersey Contract #83927 and Morris County Co-op #41 is:

Spectrum Communications  
47 N. Dell Ave.  
Kenvil, N.J. 07847; and,

**WHEREAS**, the maximum amount of the purchase is \$41,603.55 and funds are available as evidenced by the Finance Director's Certification against General Capital Fund, Ordinance #2017-9 Acquisition of Fire Radio Pagers #309170981; and

**WHEREAS**, the Town of Newton's Qualified Purchasing Agent has concurred with the legality of the purchase in accord with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. Seq); and

**WHEREAS**, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law;

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

The Finance Director is hereby authorized and directed to approve and forward a Purchase Requisition to Spectrum Communications for the purchase of the pagers, radios, and communications equipment.

**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 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #130-2017

July 17, 2017

### “Authorize Tax Collector to Hold an Electronic Tax Sale for the Year 2017”

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors and RealAuction.com to conduct pilot programs; and

**WHEREAS**, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

**WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, the Town of Newton wishes to participate in the pilot program for an electronic tax sale;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of Local Government Services.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #131-2017

July 17, 2017

### “Authorize Electronic Tax Sale Notice Fees to be Charged”

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

**WHEREAS**, the rules and regulations require a municipality to send three (3) notices of tax sale to all properties included in said sale; and

**WHEREAS**, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

**WHEREAS**, the Town of Newton wishes to balance the effect of fees upon the property owner, which may be experiencing financial hardship, with the other residents which should not have to bear any additional costs. The Town hereby sets a one-time fee of \$25.00 for the three (3) required notices;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that a one-time fee of \$25.00 is hereby authorized and is to be charged to each property owner appearing on the 2017 Electronic Tax Sale list.

### 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 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #132-2017**

July 17, 2017

**"Authorize Credits Due Water and Sewer Utility  
Accounts"**

**WHEREAS**, the Water and Sewer Collector has determined the following Water and Sewer Utility Account is due credit for the reason stated:

**CREDIT FOR PENALTY ERRONEOUSLY CHARGED:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
6210	136 High Street	\$63.70
5249	34 Hillside Terrace	\$10.58

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the aforementioned account for the amount billed incorrectly due to the reason stated.

**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 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #133-2017

July 17, 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 the regular meeting of said Governing Body conducted on Monday, July 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #134-2017

July 17, 2017

### **“Authorize the Award of a Non-Fair and Open Contract for Gold Type Business Machines”**

**WHEREAS**, the Town of Newton Police Department has a need to maintain, inquire and ascertain criminal and motor vehicle warrants and other law enforcement sensitive information through applicable software provided by Gold Type Business Machines as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for the 2017 year (s); and

**WHEREAS**, Gold Type Business Machines in the aggregate is expected to sell in excess of the pay to play threshold of \$17,500.00; and

**WHEREAS**, Gold Type Business Machines has completed and submitted a Business Entity Disclosure Certification which certifies Gold Type Business Machines has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit Gold Type Business Machines, from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$22,500.00 are available as follows:

#### **2017 Current Budget**

#1095333	CIF- Police InfoCop/ETicket/Printer	\$8,650.00
#1095338	CIF- Police Vehicle Locator/Trunk Modem	\$8,250.00
#1074326	Communications OE	\$5,100.00
#1074226	Police OE	\$ 500.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Gold Type Business Machine not to exceed \$22,500.00 for the 2017 calendar year; and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with 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, July 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #135-2017

July 17, 2017

### “Change of Text and Title to the Town of Newton 2017 Water Sewer Utility Budget, Pursuant to N.J.S.A. 40A:4-85”

**WHEREAS**, N.J.S.A. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the Governing Body, make such correction of the title, text, or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such municipality;

**NOW, THEREFORE BE IT RESOLVED**, in accordance with the provisions of N.J.S.A. 40A:4-85 the Town of Newton requests the Director of the Division of Local Government Services to make the following corrections in the Current Budget of the year 2017:

<b>From:</b> Capital Improvement – Pole Barn	\$70,000.00
Capital Improvement – Back Hoe	\$20,000.00
<b>To:</b> Capital Improvement – Capital Outlay	\$90,000.00

**BE IT FURTHER RESOLVED**, the foregoing correction is, in the opinion of the Governing Body, warranted and authorized by statute referred to above, and is necessary for the orderly operation of the Town of Newton for the reasons hereinafter set forth:

- a) The Back Hoe was purchased through a Co-op with a \$21,000 savings.
- b) Vendors are unwilling to submit quotes for a Pole Barn due to the State requirement for payment of prevailing wage rates. The \$70,000 is needed to upgrade pump stations, via the Capital Outlay line item.

**BE IT FURTHER RESOLVED**, that the electronic Budget Amendment Certification Form and this resolution be emailed to the Director of the Division of Local Government Services.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, July 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk



**WATER SEWER CAPITAL BUDGET AMENDMENT**

**3 YEAR CAPITAL PROGRAM 2017 - 2019  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

PROJECT	ESTIMATED COST	BUDGET APPROPRIATIONS				BONDS AND NOTES				
		CURRENT YEAR 2017	FUTURE YEARS	W/S CAPITAL - IMPROVEMENT FUND	CAPITAL SURPLUS	GRANTS IN AID AND OTHER FUNDS	GENERAL	SELF LIQUIDATING	ASSESSMENT	SCHOOL
Supp. Fox Hollow Watermain	250,000							250,000		
<b>TOTAL ALL PROJECTS</b>	<b>250,000</b>							<b>250,000</b>		

Be It Further Resolved, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services, and one copy be forwarded to the Town Auditor and Chief Financial Officer.

It is hereby certified that this is a true copy of a resolution creating the Water Sewer Capital Budget section adopted by the Governing Body on the 17th day of July, 2017.

Certified by:

\_\_\_\_\_ Date  
Teresa A. Oswin, RMC  
Deputy Municipal Clerk



July 17, 2017

**TOWN OF NEWTON**  
**RESOLUTION #137-2017**

**“Resolution of the Town of Newton, in the County of Sussex, New Jersey Directing the Town Planning Board to Review and Comment on the Proposed Merriam Gateway Redevelopment Plan Amendment Pursuant to the Local Redevelopment and Housing Law”**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, a redevelopment plan was adopted for a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), including parcels, public streets and rights-of-way adjacent to and including Sparta Avenue and Diller Avenue (the “Plan Area”); and

**WHEREAS**, a redevelopment plan known as the Merriam Gateway Redevelopment Plan, was adopted by the Town Council in November 2010 and amended in September 2012 and March 2015, for a portion of the Rehabilitation Area identified on the official tax map of the Town as: Block 18.03, Lot 10 (former Block 1104, Lot 22); Block 22.02, Lots 8, 9 and 10 (former Block 1209, Lots 10, 11, 12.01); Block 18.02, Lots 9, 10, 11, 12, 14, 15, 16 and 17 (former Block 1301, Lots 1, 1.04, 10, 11, 12, 13, 14, 15, 16); and Block 22.04, Lots 1, 2, 3, 4, 5 (portion), 13, 14 and 15 (former Block 1308, Lots 1 (portion), 1.01, 1.02, 10, 11, 12, 13 and 14); and

**WHEREAS**, in accordance with the Act, the Town has prepared a proposed Amendment to the Redevelopment Plan for the Redevelopment Area, which is attached hereto as Exhibit A; and

**WHEREAS**, the Town Council desires to utilize the Planning Board's expertise and experience in crafting a redevelopment plan for the Plan Area;

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

1. The Town Council hereby authorizes and directs the Newton Planning Board to review the draft Redevelopment Plan Amendment attached hereto as Exhibit A, and to transmit its comments to the Town Council within 45 days, as required by N.J.S.A. 40A:12A-7(e).
2. This Resolution shall take effect immediately.

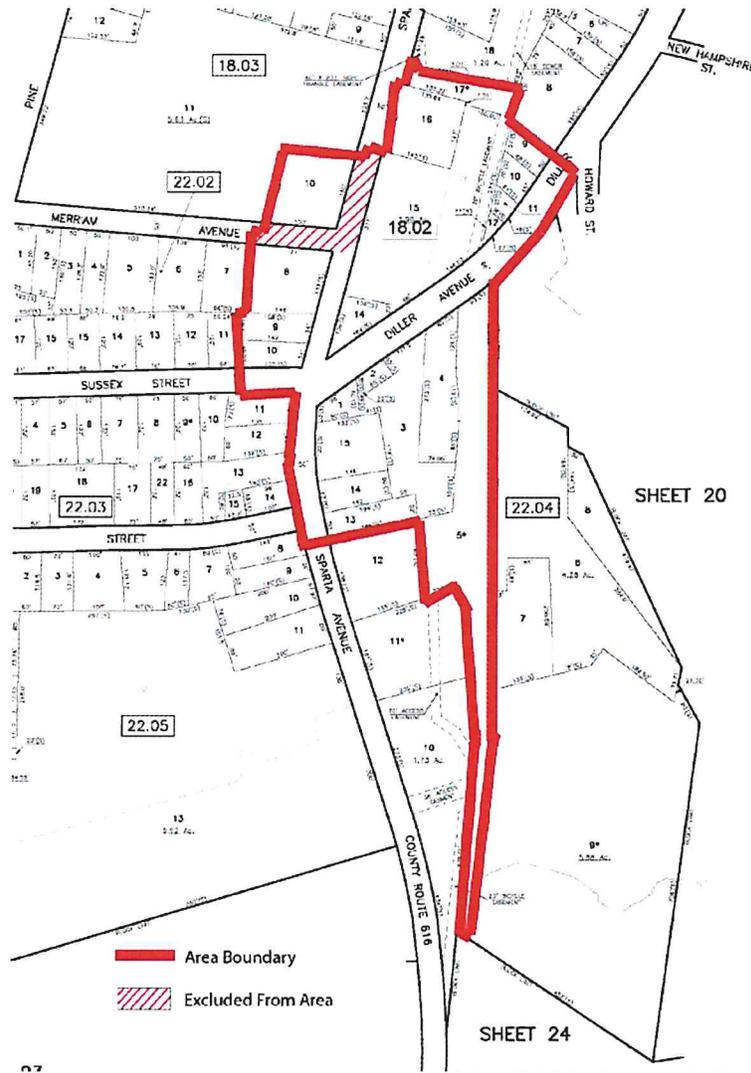
**CERTIFICATION**

**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 17, 2017.

---

Teresa A. Oswin, RMC  
Deputy Municipal Clerk

# MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT TOWN OF NEWTON



July 13, 2017

**J Caldwell**  
& ASSOCIATES LLC  
PLANNING CONSULTING SERVICES

**MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT  
TOWN OF NEWTON, SUSSEX COUNTY**

**Table of Contents**

PLAN CONSISTENCY REVIEW..... 3  
    BACKGROUND..... 3  
    AMENDMENTS TO THE REDEVELOPMENT PLAN..... 4  
MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT..... 5



---

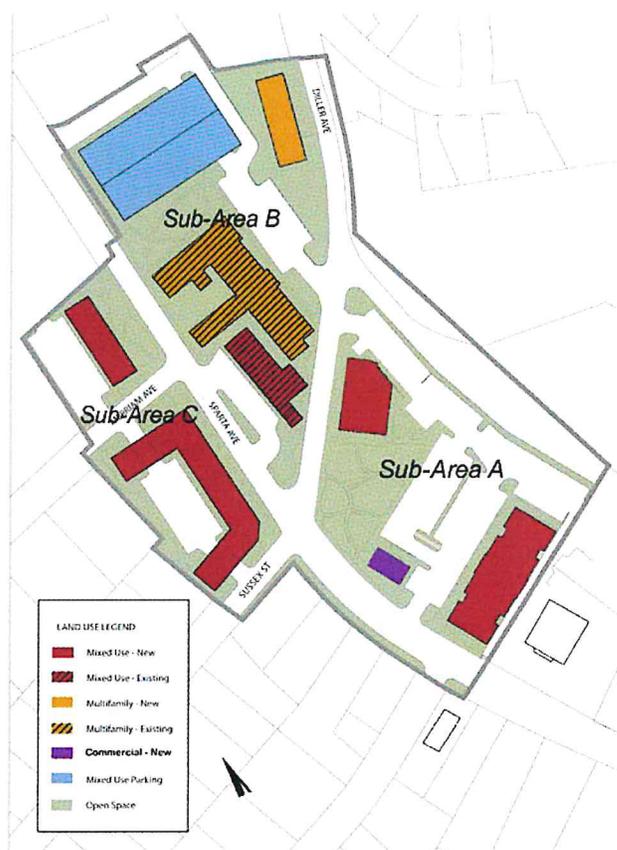
**Jessica Caldwell, P.P., A.I.C.P., Town Planner, P.P. # 5944**

## PLAN CONSISTENCY REVIEW

### BACKGROUND

The Merriam Gateway Redevelopment Plan (the “Plan”) governs a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), including parcels, public streets and rights-of-way adjacent to and including Sparta Avenue and Diller Avenue (the “Plan Area”). The Plan was adopted by the Town Council in November 2010 and amended in September 2012 and March 2015.

The Plan Area includes 20 tax lots on portions of four tax blocks, as well as the adjacent street rights-of-way of portions of Sparta Avenue, Diller Avenue, Sussex Street, and Railroad Place. The Town of Newton has updated tax lot numbers since the adoption of the original Merriam Gateway Redevelopment Plan. The new lot and block numbers for the parcels located in the Plan Area are: Block 18.03, Lot 10 (former Block 1104, Lot 22); Block 22.02, Lots 8, 9, and 10 (former Block 1209, Lots 10, 11, 12.01); Block 18.02, Lots 9, 10, 11, 12, 14, 15, 16 and 17 (former Block 1301, Lots 1, 1.04, 10, 11, 12, 13, 14, 15, 16); and Block 22.04, Lots 1, 2, 3, 4, 5, 13, 14 and 15 (former Block 1308, Lots 1, 1.01, 1.02, 10, 11, 12, 13 and 14). The Plan Area covers 10.18 acres. The Plan divides the Plan Area into three (3) sub-areas: A, B and C. The parcels within Block 22.04 (former Block 1308) comprise Sub-Area A, the parcels within Block 18.02 (former Block 1301) comprise Sub-Area B, and the parcels within Blocks 18.03 and 22.02 (former Blocks 1104 and 1209 respectively) comprise Sub-Area C. The figure to the right shows the Sub-Areas along with the originally proposed conceptual layout for the area.



The purpose of this Plan Amendment is to provide for location of a wireless communication facility within the above-referenced area as an additional permitted use on the same lot or on a permitted structure in the area. Currently, the only zones within the Town where wireless communication facilities are permitted are the T-1 and the T-2 zones. The Plan Amendment seeks to provide for the location of concealed wireless communication facilities either building-mounted, roof-mounted or within ground-mounted features, such as a flag pole, subject to the specific criteria outlined in the Plan.

## **AMENDMENTS TO THE REDEVELOPMENT PLAN**

The Redevelopment Plan contemplates the potential for amendments to the Plan. At Section 8.0 of the Redevelopment Plan, it states, “as development occurs within the Area, development priorities and market demands may change. This Plan should have the ability to meet the changing needs of market demand, the Town of Newton and its citizens. Amendments may be required in order to accommodate these changes.” As noted previously, the amendments proposed are being developed to provide for increased access to utilities in the Plan Area, primarily access for wireless communications.

The Redevelopment Goals stated in the Plan focus on creating positive development, rehabilitation and redevelopment within the Plan Area. The focus of these goals is met by creating greater opportunities to redevelop and rehabilitate uses within the Area. Some specific Redevelopment Goals furthered by this Plan Amendment are as follows:

1. To allow more efficient use of land and to expand the Town’s tax base.
2. To create well-planned development that provides for expanded opportunities for a mix of uses within the Town and region and also promotes financially sustainable development.
3. To provide flexibility of design, while incorporating modern technologies and reflecting the architectural design vocabulary (design characteristics) of the surrounding neighborhood and the Town of Newton, and respecting the historic character of Newton.

The proposal is consistent with the Town of Newton’s Master Plan because the proposed amendment furthers Newton’s Master Plan Goals of promoting new development and redevelopment while maintaining the historic character of the area. The proposal is also consistent with the State Development and Redevelopment Plan, which designates the Town of Newton as a Regional Center. As a Regional Center, the Town provides a variety of commercial and residential uses in a compact development pattern. For these reasons, the proposed Plan Amendments continue to further the stated goals of the Plan, the goals of the Town of Newton Master Plan and the State Development and Redevelopment Plan.

The proposed Plan Amendments do not impact the zoning plans of any adjacent municipalities as it does not vary in a significant way from the proposed uses for this area in the Town’s Master Plan, which was reviewed and determined to not have any impacts to the zone plans of adjacent municipalities.

Based upon the foregoing, it is recommended that the following amendments be made to the Merriam Gateway Redevelopment Plan.

---

## MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT

---

At Section 4.0 Land Use, add the following subsection

### 4.3 Wireless Communication Facility (WCF)

A. **Purpose:** The purpose is to create a mixed-use commercial opportunity to locate state of the art wireless telecommunication facilities within the redevelopment area with minimal or no adverse impact on the character of the Town. The intent of this section is to allow additional economic opportunities for commercial buildings within this area while protecting the historical, scenic and visual character of the Town.

B. **Definitions:** Definitions shall include the following:

*Accessory Equipment:* Any equipment serving or being used in conjunction with a wireless telecommunications facility, including, without limitation, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings or enclosures, cabinets, storage sheds, shelters, or similar structures, but excluding any antennas, antenna arrays, wireless towers or other antenna support structures.

*Building-Concealed Wireless Communication Facility:* A WCF designed and constructed as an existing architectural feature of an existing building in a manner such that the WCF is not discernible from the remainder of the building and is completely enclosed within the architectural feature. Building-Concealed WCF's function as replacements of existing architectural features of a building that extend vertically above the roof of the building in order to position antennas at a greater height. Building-Concealed WCF's can be constructed within, but not limited to, the following architectural features: steeples, church spires, clock towers, bell towers, cupolas and water tanks/towers.

*Concealed Roof-Mounted Communication Facility:* A concealed WCF that is located on top of the roof of an existing or proposed building but is not located within an architectural feature of the building.

C. **Conditionally Permitted Uses:** The following uses are conditionally permitted in the Area:

- (1) Building-Concealed Wireless Communication Facilities;
- (2) Concealed Roof-Mounted Wireless Communication Facilities; and

D. **Regulations and Standards:** Applicable to Building-Concealed Wireless Communication Facilities and Concealed Roof-Mounted Wireless Communication Facilities:

- (1) **Collocation:** A new WCF and related equipment may be designed and constructed to accommodate collocation of additional WCFs when technically feasible and when not in conflict with the height limitations as set forth in this Ordinance.
- (2) **Existing Building - Minimum Height Requirement:** Concealed Roof-Mounted and Building-Concealed WCFs may only be attached on existing or proposed buildings that are at least three (3) stories or forty (40) feet in height.
- (3) **Concealment Elements:** Concealed Roof-Mounted or Building-Concealed WCFs, including any antennas or antenna arrays, shall be camouflaged, screened, and/or obscured within or behind existing architectural features so as to not be readily apparent or plainly visible from public rights-of way and adjacent properties.

Accessory equipment to WCFs must also be concealed. If existing architectural features are not sufficient to screen accessory equipment of a WCF, a parapet wall, cupola, roof screen, or other similar architectural feature must be constructed, as approved by the Planning Board.

All features of a permitted WCF, including the antenna attachment device(s) and antenna(s), shall be finished to match the existing architectural features, texture, materials and color of the building.

- (4) **Accessory Equipment:** Accessory equipment located on the roof of a building shall be designed or located within an enclosure and designed to architecturally match the facade, roof, wall or other architectural features of the building on which they are mounted and blend in with the existing structural design, color and texture of the building in order to provide the least visually obtrusive profile.
- (5) Accessory equipment may be located on the ground within an equipment compound subject to the requirements set forth in this Plan.
- (6) Accessory equipment that is located on the ground must be fenced in for safety and security purposes. A fence of not less than five (5) feet in height from the finished grade shall be constructed around accessory equipment. The fence shall be compatible in design, color and texture to that of the existing building. Access to the equipment shall be through a locked gate. The fence shall be screened from view through use of appropriate landscaping and planting.

E. **Design Standards:** Applicable to Wireless Communications Facilities:

- (1) **Building-Concealed or Concealed Roof-Mounted WCF Maximum Height:** The height of a Concealed Roof-Mounted WCF or Building-Concealed WCF shall not exceed **20 feet** in height. The height of a roof-mounted WCF shall be measured from the existing roof surface of the building (at the location where the antenna attachment device is mounted) to the highest point of the roof-mounted wireless

telecommunications facility, including any antenna or any new created architectural feature designed to enclose the same.

- (2) Concealed Roof-Mounted WCF's including antennas and accessory equipment, shall be stepped back a minimum of five (5) feet from the façade of the building.
- (3) Concealed Roof-Mounted WCF's, including newly created architectural structures designed to enclose or screen same, shall be compatible with the architectural style, color and texture of the façade. Façade design and materials shall be proportional to the scale and size of the building and shall not protrude more than 12 inches beyond the exterior walls of the building.
- (4) Cables for a WCF that are located on the side of the building shall be enclosed in conduit finished to match the materials and color of the building. Cables and conduit shall not be located on the front façade of the building.
- (5) Where a back-up generator is required for a WCF, the generator must meet the standards of Section 320-24 Emergency Standby Generators.

F **Application Contents:** An applicant for a WCF shall provide applicable documentation and items of information required for major site plans within the Town Land Use Ordinance and Section 320-30G. The following additional documentation and items of information shall be required as part of any WCF site plan application for any site within this redevelopment area.

- (1) **Photo Simulations and Visual Impact Analysis:** Photo simulations of the WCFs, which show the proposed facility from at least four (4) directions within the surrounding area,
- (2) **Detailed Drawings or Renderings of the Proposed WCF:** Detailed drawings or renderings of the proposed WCF which provide the manner in which the proposed facility will be enclosed, camouflaged, screened, and/or obscured to meet the visibility requirements set forth herein. The photo simulations shall include "before" and "after" renderings of the site, its surroundings, the proposed WCF and antennas at maximum height, and any other structures, vegetation, or topography that will conceal or screen the proposed WCF from visibility. Other visual information shall be provided, as necessary, to determine the visual impact of the proposed wireless telecommunications facility on the existing setting or to determine compliance with design standards established herein.

F **Review Standards:** When evaluating whether the proposed WCF complies with concealment criteria, the Planning Board shall consider the following:

- (1) **Visual and Aesthetic Compatibility:** The extent to which the proposed WCF is visually and aesthetically integrated and compatible to the existing structure and surrounding area on which it is located.

- (2) **Blending:** The extent to which the proposed WCF blends into the surrounding environment, is architecturally compatible with existing buildings and structures and is integrated into the building façade and elevation.
- (3) **Screening:** The extent to which the proposed WCF is concealed or screened by existing or proposed architectural features, topography, vegetation and other site features.
- (4) **Size and Height:** The extent to which the size and height of the proposed WCF is compatible and in proportion with the existing buildings and structures.
- (5) **Location:** The extent to which the proposed WCF is located so as to utilize location, the existing building or other structures to provide the greatest amount of visual screening and blending with the predominant visual backdrop.

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

Check#	Vendor	Description	Payment	Check Total
38473	1846 - ADVANCE AUTO PARTS	PO 49761 BLANKET: AUTO PARTS Roads	129.67	129.67
38474	89 - AIRMARK POOLS, INC.	PO 50579 Pool Supplies/Filter Baskets	37.63	37.63
38475	3866 - ALLIED 100 LLC	PO 50570 Battery for AED in lobby	398.00	398.00
38476	3861 - ARF RENTAL SERVICES, INC.	PO 49840 BLANKET: PORT A JOHN @ \$48 CUST #N	430.92	430.92
38477	3694 - ATLANTIC TRAINING CENTER	PO 50577 HEALTHCARE PROVIDERS CLASS	210.00	210.00
38478	32 - B & R UNIFORM, INC.	PO 50598 S/O COUCE BOOTS	139.95	139.95
38479	1132 - BOONTON TIRE SUPPLY INC.	PO 49552 BLANKET PO FOR PD VEHICLES	326.15	326.15
38480	192 - CAMPBELL'S SMALL ENGINE INC.	PO 50362 BLANKET:ARKS EQUIP/MAINT	62.63	62.63
38481	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 49613 BLANKET: LONG DISTANCE (JAN-DEC \$20	204.45	204.45
38482	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 49614 BLANKET: ALARM CIRCUITS HIGH ST TO	125.85	125.85
38483	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 50646 4/25 POLICE PHONE REPAIR CUST #2B1	457.11	457.11
38484	3770 - CINTAS CORPORATION NO. 2	PO 49961 BLANKET:1ST AID SUPP'S	265.93	265.93
38485	2375 - COUNTY OF SUSSEX	PO 50571 Primary Election Costs	954.60	954.60
38486	1939 - CRANE SEWER & DRAIN CLEANING	PO 50549 SNAKE/2nd FLOOR LADIES ROOM	150.00	150.00
38487	2268 - FIRST HOPE BANK INC.	PO 50185 2ND OF 4 2016 TWO POLICE SUV'S	20,082.99	20,082.99
38488	1625 - GENSERVE INC.	PO 49717 BLANKET: 2017 GENERATOR MAINT (DPW	812.50	
		REPAIR AT #1 cust #20-newtont	695.00	1,507.50
38489	230 - HAYEK'S MARKET INC.	PO 50480 LUNCH WELLNESS PROG ACCT #123	29.62	29.62
38490	3700 - JENNIFER DODD	REIMB MILEAGE 1ST 1/2 2017 171 MILE	91.49	91.49
38491	113 - JCP&L	PO 50320 BLANKET: ELECTRIC (apr-dec)	7,122.29	7,122.29
38492	3772 - JK HVAC SERVICE, LLC.	PO 50627 A/C REPAIRS	627.94	627.94
38493	3715 - JOHN MULHERN	PO 50186 BLANKET: 2017 JUDGE (35,000/12=\$2,9	2,916.67	2,916.67
38494	3711 - KKPR MARKETING & PUBLIC RELATIONS	PO 50618 Newton Town Center Logo Development	142.50	142.50
38495	2532 - LADDEY, CLARK & RYAN, LLP	PO 50164 2017 PROSECUTOR (27,000/12=\$2,250)	2,462.50	2,462.50
38496	3922 - MAGDELANO, VICTOR	PO 50644 REFUND CCO #06-094 NOT NEEDED	75.00	75.00
38497	409 - MINISINK PRESS INC	PO 50596 Leterhead and Business Cards	330.00	330.00
38498	336 - NEWTON TROPHY	PO 50601 Name Plate	13.50	13.50
38499	706 - NJMVC	PO 50663 2017 REGISTRATION 2013 CAMRY	46.50	46.50
38500	3920 - NJASRO	PO 50592 EMERGENCY PLANNING COURSE 7/6/17	200.00	200.00
38501	2835 - NJMEBF	PO 50664 JULY MEDICAL/DENTAL	175,822.00	175,822.00
38502	106 - ELIZABETHTOWN GAS	PO 50326 BLANKET: NAT GAS USAGE (APR-DEC)	707.11	707.11
38503	64 - PELLOW, HAROLD & ASSO, INC.	PO 50652 MAY ENGINEERING	269.90	269.90
38504	57 - PRINTING CENTER, INC	PO 50624 Primary Election Cost	250.56	250.56
38505	39 - QUILL CORPORATION	PO 49625 BLANKET PO FOR OFFICE SUPPLIES	65.97	65.97
38506	3679 - REISINGER OXYGEN SERVICE, INC.	PO 49753 BLANKET: OXYGEN POLICE CUST #05587	58.92	58.92
38507	356 - RICHARDS, MICHAEL	PO 50064 CONFERENCE HOTEL REIMBURSEMENT	438.60	
		PO 50597 MEMBERSHIP FEE REIMBURSEMENT	300.00	738.60
38508	2932 - RULLO & JUILLET ASSOCIATES, INC.	PO 49881 RIGHT TO KNOW SURVEYS 2017	1,261.50	1,261.50
38509	611 - SEBRING AUTO PARTS, INC.	PO 49760 BLANKET: AUTO PART/SUPPLIES ACCT #4	259.86	259.86
38510	951 - SERVICE ELECTRIC CABLE TV	PO 49540 BLANKET: DIGITAL/HIGH DEF CONVERTE	57.35	57.35
38511	285 - SLOAN, JAMES PPC.	PO 50165 BLANKET: 2017 PUBLIC DEFENDER (\$13,	106.25	106.25
38512	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 50625 ONE TOUCH	15.99	
		PO 50631 Fans and Business Card Holder	51.47	67.46
38513	3442 - SUNLIGHT GENERAL	PO 50319 BLANKET: DPW/STP ELECTRIC	547.22	547.22
38514	102 - SUSSEX CAR WASH INC	PO 49864 BLANKET: POLICE CAR WASHES	105.00	105.00
38515	3851 - THE CANNING GROUP, LLC.	PO 49644 PURCHASING QPA (\$535.71 X 12 =\$6,42	535.71	535.71
38516	2025 - THOMSON WEST, INC.	PO 50484 Title 19 Updates	102.60	102.60
38517	3105 - THYSSENKRUPP ELEVATOR CORP.	PO 49543 BLANKET: ELEVATOR MAINT TH SIDE \$2	219.50	219.50
38518	2675 - TIRE KING, INC.	PO 50578 TIRE REPAIR Truck #14	452.00	452.00
38519	3398 - TOYOTA/SUBARU/SCION OF MORRISTOWN I	PO 50505 BLANKET: Repairs/Maintenance for 20	273.07	273.07
38520	3249 - TRI-STATE RENTALS/PARTY WORLD INC	PO 50580 Newton Day Supplies cust #206	27.95	27.95
38521	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 50650 JUNE LEGAL -Labor	10,654.69	10,654.69
38522	3444 - USA HOISTCO., INC.	PO 49731 BLANKET: ELEVATOR MAINT (POLICE SID	220.00	220.00
38523	1280 - VERIZON WIRELESS, INC.	PO 49672 BLANKET: 1X AIRCARDS ACCT #201 M15-	193.55	193.55
38524	1280 - VERIZON WIRELESS, INC.	PO 50325 BLANKET: CELL PHONES (APR-DEC)	1,461.11	1,461.11

TOTAL

233,999.27



Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
---------	-------------	------------	--------------	---------------	--------

---

Total for this Bills List: **429,623.46**

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

Check#	Vendor	Description	Payment	Check Total
8625	2744 - FKA ARCHITECTS INC.	PO 48892 ARCHITECT -FIREHOUSE #2 RENOVATION	1,975.00	1,975.00
8626	391 - LOU'S GLASS	PO 50565 WINDOW TINT ON NEW PD VEHICLE	100.00	100.00
8627	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC	PO 50558 REDEVELOPMENT THRU 4/19	107.50	107.50
8628	3166 - MOTT MACDONALD	PO 50217 MADISON ST SAFE ROUTES TO SCHOOLS	385.00	385.00
8629	64 - PELLOW, HAROLD & ASSO, INC.	PO 50652 MAY ENGINEERING	569.63	569.63
TOTAL				3,137.13

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
300001	CASH - CAPITAL - LAKELAND #450			0.00	3,137.13
3091406	ORD 2014-6 VARIOUS \$1,912T	32.50			
3091516	ORD 2015-16 VARIOUS \$970T	107.50			
3091605	ORD 2016-5 VARIOUS \$1,190T	2,512.13			
3091612	ORD 2016-12 MADISON ST SIDEWALK \$50T	385.00			
3091702	ORD 2017-2 reapp POLICE CAR \$38T	100.00			
TOTALS FOR	CAPITAL	3,137.13	0.00	0.00	3,137.13

Total to be paid from Fund 30 CAPITAL

3,137.13  
 =====  
 3,137.13



Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
---------	-------------	------------	--------------	---------------	--------

---

-----  
36,314.59

Total for this Bills List: **77,146.30**

**List of Bills - (610001) CASH - W/S CAPITAL - LAKELAND #442  
WATER/SEWER CAPITAL**

Check#	Vendor	Description	Payment	Check Total
2450	3830 - MONTANA CONTRACTING CORP., INC.	PO 48912 FOX HOLLOW LK. TRANSMISSION MAIN RE	294,637.98	294,637.98
2451	64 - PELLOW, HAROLD & ASSO, INC.	PO 42159 FOX HOLLOW WATERMAIN REPLACE \$92,	6,043.95	6,043.95
TOTAL				300,681.93

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
610001	CASH - W/S CAPITAL - LAKELAND #442			0.00	300,681.93
6191319	ORD 2013-19 FOX HOLLOW LK WTRMAIN \$900	104,290.44			
6191405	ORD 2014-5 SUPP. FOX HOLLOW WTRMAIN \$300	196,391.49			
TOTALS FOR	WATER/SEWER CAPITAL	300,681.93	0.00	0.00	300,681.93

Total to be paid from Fund 61 WATER/SEWER CAPITAL

300,681.93  
 =====  
 300,681.93

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

Check#	Vendor	Description	Payment	Check Total
3628	3112 - COUNTRY CLUB ICE CREAM, LLC.	PO 50587 BLANKET: ICE CREAM POOL	347.87	347.87
3629	3704 - FAI-GON ELECTRIC, INC.	PO 50393 REFUND POLICE ESCROW BAL	1,160.45	1,160.45
3630	2532 - LADDEY, CLARK & RYAN, LLP	PO 50629 MARTIN/WALGRN/DDONUTS-MAY ESCROW	704.00	704.00
3631	409 - MINISINK PRESS INC	PO 50553 RECYCLING NEWSLETTERS (2,065)	350.00	350.00
3632	64 - PELLOW, HAROLD & ASSO, INC.	PO 50630 MARTIN/WALGRN/DDONUTSMAY ESCROW	1,365.00	
		PO 50652 MAY ENGINEERING	65.00	1,430.00
3633	285 - SLOAN, JAMES PPC.	PO 50165 BLANKET: 2017 PUBLIC DEFENDER (\$13,	1,125.00	1,125.00
TOTAL				5,117.32

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
710001	CASH - TRUST - LAKELAND #469			0.00	5,117.32
711208	RES RECREATION (ALL)			347.87	
711210	RESERVE FOR RECYCLING			350.00	
711218	RESERVE FOR MUNIC PUBLIC DEFENDER			1,125.00	
711220	RESERVE O/S EMPLOYMENT OFF-DUTY POLICE *			1,160.45	
711440	ENGINEER REVIEW FEES			2,134.00	
TOTALS FOR	TRUST	0.00	0.00	5,117.32	5,117.32

Total to be paid from Fund 71 TRUST

5,117.32  
 =====  
 5,117.32

Checks Previously Disbursed

177114	PAYROLL ACCOUNT	7/13 TRUST PAY	14,094.00	7/13/2017
			-----	
			14,094.00	

Total paid from Fund 71 TRUST

14,094.00  
 -----  
 14,094.00

**Total for this Bills List: 19,211.32**

**AGENDA ITEMS**

**For July 17, 2017 Council Meeting**

**Minutes:** - June 26, 2017 – Regular Meeting  
July 1, 2017 – Reorganization Meeting

An application for Special Permit for Social Affair from the Greater Newton Chamber of Commerce to be held on September 11, 2017 from 6:30 pm to 9:30 pm with a rain date of September 12, 2017 from 6:30 pm to 9:30 pm on Spring Street, Newton.