



AGENDA

NEWTON TOWN COUNCIL

January 28, 2019

7:00 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

January 14, 2019 Special Meeting
January 14, 2019 Regular 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 take one turn at the microphone and please limit their comments to 5 minutes. The Clerk will keep time. 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. PRESENTATION

- a. Winners of the 2018 Holiday Decorating Contest

VII. COUNCIL & MANAGER REPORTS

- a. Mayor Le Frois
- b. Deputy Mayor Flynn
- c. Councilwoman Diglio
- d. Councilman Schlaffer
- e. Councilman Dickson
- f. Town Manager Russo

VIII. ORDINANCES

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 #42-2019* Approval of Contracts for Chemical Supplies Bid per Bid 16-2018
- b. Resolution #43-2019* Approval Accurate Waste Systems Sludge Hauling Contract per Bid 1-2019
- c. Resolution #44-2019* Refund of Redemption Monies to Outside Lien Holder for Block 8.08, Lot 21, Also Known as 120 Spring Street
- d. Resolution #45-2019* Authorize a Credit Due a Water and Sewer Utility Account
- e. Resolution #46-2019* 2018 Tonnage Grant Application
- f. Resolution #47-2019* Resolution to Accept the Certified List of Qualifying 2018 Newton Fire Department LOSAP Participants
- g. Resolution #48-2019* Resolution Authorizing the Award of Payroll Processing Services to ADP Atlantic, LLC, Through the Competitive Contracting Process for CC 13-2018
- h. Resolution #49-2019* Resolution Amending the Water Sewer Utility Fund Balance Policy
- i. Resolution #50-2019* Resolution Amending the Current Fund Balance Policy
- j. Resolution #51-2019* Approval of a Renewal Application for a Junk Dealers License for George's Salvage Company
- k. Resolution #52-2019* Approval of a Renewal Application for a Junk Dealers License for Newton Auto Exchange
- l. Resolution #53-2019* Resolution to Approve a Proposal to Provide Engineering Design and Construction Administration Services for the Replacement of the Grit Collector System
- m. Resolution #54-2019* Approve Bills and Vouchers for Payment

XI. INTERMISSION

XII. DISCUSSION

- a. Generator Ordinance Draft 2019-1

XIII. OPEN TO THE PUBLIC

XIV. COUNCIL & MANAGER COMMENTS

XV. EXECUTIVE SESSION

- a. Resolution #55-2019

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

- i. Attorney Client Privilege – Tax Appeal Settlement

XVI. RESOLUTION

- a. Resolution #56-2019

Resolution Authorizing Global Settlement with Newton West Ltd., Regarding Tax

XVII. ADJOURNMENT



TOWN OF NEWTON

RESOLUTION #42-2019

January 28, 2019 "Approval of Contracts for Chemical Supplies Bid per Bid 16-2018"

WHEREAS, there is a need for Chemical Supplies for use at the Town of Newton Water and Sewer Treatment Plants; and

WHEREAS, the Town of Newton received bids for two (2) year Chemical Supplies under Bid 16-2018 duly advertised and received in a public manner on November 28, 2018 at 11:00am; and

WHEREAS, Holland Company, Inc., 153 Howland Ave, Adams, Massachusetts and Main Pool and Chemical, 110 Commerce Road, Dupont, Pa 18641, have provided for the lowest bids deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; to wit:

<p>ITEM 1: LIQUID SODIUM CARBONATE 90,000 GALLONS AT 15% PER GALLON PRICE TOTAL OTHER:</p>	<p>Main Pool and Chemical 0.6700000 \$60,300.00</p>
<p>ITEM 2: WWW 2400, 24,000 - 26,000 GALLONS YEARLY PER GALLON PRICE TOTAL OTHER:</p>	<p>Holland Company, Inc. \$3.30 \$79,200-\$85,800 1-3 days</p>
<p>ITEM 3: LIQUID SULFUR DIOXIDE 10,950 POUNDS PER POUND PRICE TOTAL OTHER:</p>	<p>Main Pool and Chemical \$1.42 \$15,549.00</p>
<p>ITEM 4: LIQUID CHLORINE/GAS 10,950 POUNDS PER POUND PRICE TOTAL OTHER:</p>	<p>Main Pool and Chemical \$0.88 \$9,636.00</p>
<p>ITEM 6: LIQUID SODIUM HYDROXIDE 5,500 GALLONS 25% PER GALLON PRICE TOTAL OTHER:</p>	<p>Main Pool and Chemical 1.88000 \$10,340.00</p>
<p>ITEM 7: LIQUID HYDROFLUSILIC ACID 1,250 GALLONS PER GALLON PRICE TOTAL OTHER:</p>	<p>Main Pool and Chemical 3.89000 \$4,862.50</p>

**ITEM 8: LIQUID SODIUM HYPOCHLORITE 7,500
GALLONS**
PER GALLON PRICE
TOTAL
OTHER:

Main Pool and Chemical

1.770000
\$13,275.00

WHEREAS, the 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, subject to the Governing Body appropriating sufficient funds in the 2019 - 2021 Water Sewer Utility Budgets, the Chief Financial Officer hereby certifies funds pursuant to N.J.A.C. 5:30-5.5(b2) open-end contract: through the budgetary accounting encumbrance process set forth in NJAC 5:30-5.3(c) and 5:30-5.4(b), for estimated amounts provided for in the bids as follows:

Sewer Plant –OE- Chlorination/Chemical for Items 1, 2, 3, and 4		
	#6077208	\$172,000.00
Water Treatment –OE- Chlorination/Chemical for Items 6, 7, and 8		
	#6064208	\$30,000.00

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

- 1. Main Pool and Chemical** is awarded a two (2) year contract for items: 1, 3, 4, 6, 7, 8 at the corresponding prices and terms as reflected in Bid 16-2018; and
- 2. Holland Company, Inc.**, is awarded a two (2) year contract for item 2 at the corresponding prices and terms as reflected in Bid 16-2018.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk

THE CANNING GROUP LLC



45 S. Park Pl 183
Morristown, N.J. 07960
973-706-7813

November 28, 2018

Thomas J. Russo Jr. Town Manager
Town of Newton
39 Trinity St.
Newton, N.J. 07860

Re: 16-2018 Purchase of Chemicals Bid

Dear Mr. Russo,

The bids for Chemicals Supply for the Treatment Plant were opened at 11:00 am on November 28, 2018. The attached bid results sheet indicates the rates of the respondents for rates as indicated by the item, amount and material as indicated attached to this memo.

The Town received five (5) vendor responses and recommends the below for the award of chemical supplies.

ITEM 1: LIQUID SODIUM CARBONATE 90,000 GALLONS AT 15% PER GALLON PRICE	Main Pool and Chemical
TOTAL	0.6700000
OTHER:	\$60,300.00
ITEM 2 WWW 2400, 24,000 - 26,000 GALLONS YEARLY PER GALLON PRICE	Holland Chemical Co.
TOTAL	\$3.30
OTHER:	\$79,200-\$85,800 1-3 days
ITEM 3 LIQUID SULFUR DIOXIDE 10,950 POUNDS PER POUND PRICE	Main Pool and Chemical
TOTAL	\$1.42
OTHER:	\$15,549.00
ITEM 4 LIQUID CHLORINE/GAS 10,950 POUNDS PER POUND PRICE	Main Pool and Chemical
TOTAL	\$0.88
OTHER:	\$9,636.00
ITEM 6 LIQUID SODIUM HYDROXIDE 5,500	Main Pool and Chemical

THE CANNING GROUP LLC



**45 S. Park Pl 183
Morristown, N.J. 07960
973-706-7813**

GALLONS 25%	
PER GALLON PRICE	1.88000
TOTAL	\$10,340.00
OTHER:	
ITEM 7 LIQUID HYDROFLUSILIC ACID 1,250	Main Pool and Chemical
GALLONS	
PER GALLON PRICE	3.89000
TOTAL	\$4,862.50
OTHER:	
ITEM 8 LIQUID SODIUM HYPOCHLORITE 7,500	Main Pool and Chemical
GALLONS	
PER GALLON PRICE	1.770000
TOTAL	\$13,275.00
OTHER:	

It is hereby recommended in accord with the resolution of approval the companies be awarded in accord with the aforementioned table indicating acceptable prices. Thank you.

Respectfully

Sean P. Canning, MPA, QPA
Purchasing agent



TOWN OF NEWTON

RESOLUTION #43-2019

**January 28, 2019 "Approval Accurate Waste Systems
Sludge Hauling Contract per Bid 1-2019"**

WHEREAS, there is a need for a Sludge Hauling services contractor in the Town of Newton; and

WHEREAS, the Town of Newton received bids for Sludge Hauling services under Bid 1-2019 duly advertised and received in a public manner on January 8, 2019 at 10:30am; and

WHEREAS, Accurate Waste Systems Inc of 160 Gold Mine Road, Flanders, N.J. has provided for the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; and

WHEREAS, Sean Canning, Newton Qualified Purchasing Agent, has concurred with the legality of the purchase in accordance with the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-1 et. Seq.; and

WHEREAS, subject to the Governing Body appropriating sufficient funds in the 2019 and 2020 Water Sewer Utility Budgets, the Chief Financial Officer hereby certifies funds pursuant to N.J.A.C. 5:30-5.5 (b2) open-end contract: through the budgetary accounting encumbrance process set forth in N.J.A.C. 5:30-5.3(c) and 5:30-5.4(b), for an estimated amount of \$95,000.00 as follows:

Sewer Plant –OE – Digester Operation A/C#6077221

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

Accurate Waste Systems is authorized to enter a two (2) year contract from the date of this authorization to provide for sludge hauling services at the following rates:

Item 1A	
Unit Price per gallon PVSC	0.0479
Item 1B	
Unit Price Per Gallon Parsippany	0.045
Item 2A	
Unit Price per gallon Sparta to Newton	0.045

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Lorraine A. Read, RMC
Municipal Clerk

THE CANNING GROUP LLC



**45 S. Park Pl 183
Morristown, N.J. 07960
973-706-7813**

January 8, 2019

Thomas J. Russo Jr. Town Manager
Town of Newton
39 Trinity St.
Newton, N.J. 07860

Re: Sludge Hauling Services Bid 1-2019

Dear Mr. Russo,

The bids for Sludge Hauling contractors were opened at 10:30 am on January 8, 2019. The attached bid results sheet indicates the rates of the respondents for rates of:

1. Item 1A hauling to Passaic Valley Sewerage Commission.
2. Item 1B for hauling to the incinerator location in Parsippany, Morris County.
3. Item 2 for transfer of waste from Morris Lake Reservoir to the Newton Waste Water Treatment Plant.

The apparent low bidder Accurate Waste Systems of Flanders, New Jersey, complies with all required legal and technical specifications and is hereby recommended to be awarded a two (2) year contract with an option third year extension in 2019.

Thank you.

Respectfully

Sean P. Canning, MPA, QPA
Purchasing agent



TOWN OF NEWTON

RESOLUTION #44-2019

January 28, 2019

“Refund of Redemption Monies to Outside Lien Holder for Block 8.08, Lot 21, Also Known as 120 Spring Street”

WHEREAS, at the Municipal Tax Sale held on October 20, 2017 a lien was sold on Block 8.08, Lot 21, also known as 120 Spring Street, for 2016 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2017-003 was sold to US BANK cust for PC7 FIRSTRUST BANK for a 16% redemption fee; and

WHEREAS, Property Debt Services on behalf of Wells Fargo, has effected the redemption of Certificate #2017-003 in the amount of \$595.60;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges US BANK cust for PC7 FIRSTRUST BANK is entitled to a redemption in the amount of \$595.60; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$595.60, for the redemption for Certificate #2017-003 to US BANK cust for PC7 FIRSTRUST BANK Philadelphia, PA.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #45-2019

January 28, 2019

“Authorize a Credit Due a Water and Sewer Utility Account”

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the following account for amount billed incorrectly due to the reason(s) stated:

UTILITY BOARD RECOMMENDS CREDIT FOR SEWER CHARGES FROM A BROKEN PIPE:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
2343	15 Union Place	\$454.13

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Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #46-2019

January 28, 2019 "2018 Tonnage Grant Application"

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2018 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Town of Newton's Mayor and Town Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulation; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Newton that the Town of Newton hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates the Sussex County Municipal Utility Authority for the services of Certified Recycling Professional, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of the recycling.

CERTIFICATION

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Lorraine A. Read, RMC
Municipal Clerk

**AGREEMENT BETWEEN TOWN OF NEWTON
AND SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY
FOR CERTIFIED RECYCLING PROFESSIONAL (CRP)
TO CERTIFY THE 2018 ANNUAL RECYCLING TONNAGE REPORT**

Beginning 2013, each New Jersey municipality is required by the Recycling Enhancement Act (REA) to have mandatory Annual Recycling Tonnage Reports approved and “executed” by a Certified Recycling Professional (hereinafter “CRP”). Recycling Tonnage Reports will be submitted by the SCMUA via email to the New Jersey Department of Environmental Protection (NJDEP) utilizing a spreadsheet compatible with the Microsoft Excel structure provided by the Department.

THIS AGREEMENT by and between the Town of Newton, a municipal body politic having its offices at 39 Trinity Street, Newton, New Jersey, 07860, and the Sussex County Municipal Utilities Authority (SCMUA), Sussex County, New Jersey, a body corporate and body politic organized and operating pursuant to NJSA 40:14B-1 et seq. having its offices located at 34 South Route 94, New Jersey, 07848 (hereinafter SCMUA), is dated January 28, 2019.

WHEREAS, the Town of Newton, by ordinance, has duly enacted a recycling plan for all recyclable materials as designated by the Sussex County District Solid Waste Management Plan and amendments thereto; and

WHEREAS, the Town of Newton is desirous of retaining CRP services of the SCMUA for certification of said Annual Recycling Tonnage Report; and

WHEREAS, the award of this contract between the SCMUA and the Town of Newton pursuant to N.J.S.A. Section 13:1E-99.14 and pursuant to N.J.S.A. Section 40A:11-5(2). is an exception to the bidding requirements as set forth in the “Local Public Contracts Law”;

NOW, THEREFORE, in consideration of the terms, conditions, mutual benefits and covenants hereinafter set forth, the Town of Newton and the SCMUA make this agreement:

1. The Town of Newton shall retain the services of the SCMUA for a CRP that will be responsible for executing the mandatory annual municipal recycling tonnage report, as provided in the Sussex County District Solid Waste Management Plan, and with the State NJDEP.
2. It is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the municipal representative as the designated preparer of the Recycling Tonnage Report. The Town of Newton designates: Kenneth Jaekel as the preparer of the report. The Municipal report preparer is responsible for report verification should the NJDEP audit the report submittal.
3. The Town of Newton shall be responsible to retain the appropriate documentation for five years in the event of a NJDEP field review/audit.

4. The Town of Newton reserves the right to reasonably amend the terms of this Agreement by giving thirty (30) day written notification to the SCMUA of any changes thereto. The SCMUA reserves the right to terminate this Agreement if the amendment is unacceptable to the SCMUA.
5. The Town of Newton shall pay an annual fee of \$250.00 to the SCMUA for the CRP's services. The Town of Newton agrees to pay all invoices within thirty (30) days upon finalization of the report and submittal of voucher. Notwithstanding any other provision herein. The SCMUA's liability arising out of this agreement for any reason whatsoever, whether known or unknown shall never be greater than the annual fee.
6. This agreement is effective for calendar year 2019 (2018 Recycling Tonnage Report), and may be extended for future years, in yearly increments, upon the mutual consent of both parties.
7. This agreement is the entire agreement between the Town of Newton and the SCMUA and supersedes all previous agreements and discussions. Any amendments hereto must be in writing and must be duly executed by both the Town of Newton and the SCMUA to become effective.
8. This Agreement will be entirely performed within the State of New Jersey and it shall be construed in accordance with the laws thereof.

9. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, void, ultravires, or unconstitutional, the remainder of this Agreement shall continue in full force and effect.

IN WITNESS HERETO the parties hereto have set their hands of the proper public official as of the date and year first above written.

Town of Newton
MUNICIPALITY

Helen R. Le Frois, Mayor

SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY

(Name & Title)

By: _____
(Name & Title)



TOWN OF NEWTON

RESOLUTION #47-2019

January 28, 2019

“Resolution to Accept the Certified List of Qualifying 2018 Newton Fire Department LOSAP Participants”

WHEREAS, the Length of Service Awards Program (LOSAP) for the Newton Volunteer Fire Department was approved by the Mayor and Council through the passage of Ordinance #2003-12 on August 11, 2003, confirmed by Resolution #104-2003, and approved by Newton voters as a public question at the General Election on November 4, 2003; and

WHEREAS, the Newton Volunteer Fire Department has certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 2003-12, to receive an amount between \$115.00 and \$1,150.00 based on points credited for volunteer services rendered in 2018 as per the 2018 LOSAP LIST attached; and

WHEREAS, the total number of qualifying volunteers for the Fire Department is 30, for a total contribution of \$30,302.50; and

WHEREAS, the Chief Financial Officer has certified sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2018 to cover the cost of this contribution;

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council do hereby accept the certified list from the Newton Fire Department dated January 21, 2019.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk

Newton Fire Department 2018 LOSAP

Name	Contribution %	Contribution \$
Bill Bailey - Lieutenant	100%	\$1,150.00
Michael Bencivenga	25%	\$287.50
Chris Blakely - Lieutenant	100%	\$1,150.00
Douglas Bowne	100%	\$1,150.00
Jean Card - Secretary	100%	\$1,150.00
Robert Caton	100%	\$1,150.00
Joe Chavarria	100%	\$1,150.00
Gary Cooper	100%	\$1,150.00
Richard Dayermanjian	100%	\$1,150.00
Jeff Diener - President	75%	\$862.50
Steven Estler - Lieutenant	100%	\$1,150.00
Tim Fitzpatrick	100%	\$1,150.00
Mike Hayes	10%	\$115.00
Eric Humbert	100%	\$1,150.00
Josh LeMasson	100%	\$1,150.00
Nick Mandara	100%	\$1,150.00
Eugene McCarty - Treasurer	100%	\$1,150.00
Jason Miller - Deputy Chief	100%	\$1,150.00
Peter Naumowiz	100%	\$1,150.00
Anthony Perigo	100%	\$1,150.00
Chris Perigo	75%	\$862.50
Jay Phlegar - Engineer	100%	\$1,150.00
Anthony Razzano	100%	\$1,150.00
Michael Razzano - Captain	100%	\$1,150.00
Justin Rossano	50%	\$575.00
Jeff Schiffner - Captain	25%	\$287.50
Mike Streeter	100%	\$1,150.00
Michael Teets - Vice President	75%	\$862.50
Scott Verkon - Chief	100%	\$1,150.00
Derek Wechtler - Lieutenant	100%	\$1,150.00

Total **\$30,302.50**

Submitted By: Douglas R. Bowne

1/21/19

Mayor
Helen R. Le Frois

Deputy Mayor
Daniel G. Flynn

Council Members
Sandra Lee Diglio
Jason J. Schlaffer
Matthew S. Dickson



Town Manager
Thomas S. Russo, Jr.

Town Clerk
Lorraine A. Read

Telephone: (973) 383-3521
Facsimile: (973) 383-8961
39 Trinity Street
Newton, NJ 07860

To: Thomas S. Russo, Jr., Town Manager
Cc: Lorraine Read, Plan Administrator
Douglas Bowne, Fire Department - LOSAP
Jason Miller, Fire Department Deputy Chief 2018
Scott Verkon, Fire Department Chief 2019
Mike Razzano, Fire Department Deputy Chief 2019
From: Dawn L. Babcock, CFO
Date: January 21, 2019
Subject: Receipt of REVISED LOSAP list for 2018

I have received a LOSAP certified list of eligible volunteers from the Newton Fire Department for the year 2018 totaling \$30,302.50. As per Local Finance Notice 2006-2 the Town has 30 days to review this list and request any records deemed necessary to ensure that the list is accurate. **Please review the attached list and advise if you require any additional records or if you would like to proceed to approve by resolution.**

Once the list is approved by resolution, it should be returned to the Fire Department. **The Fire Department should then post this list for 30 days.** This allows any emergency service volunteers to raise any concerns or questions they might have. Douglas Bowne has advised that this list is to be posted at the Firehouse on January 21, 2019.

After the 30 days, **the Fire Department should advise the Finance Department that it is acceptable to process the LOSAP payment.**

The finance department then has 60 days to make payment to Lincoln Financial.

Attachments: Sample Resolution to approve certified list



TOWN OF NEWTON

RESOLUTION #48-2019

January 28, 2019

“Resolution Authorizing the Award of Payroll Processing Services to ADP Atlantic, LLC, Through the Competitive Contracting Process for CC 13-2018”

WHEREAS, the Town has a desire to provide for Payroll Processing Services; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-1 et. Seq., for a period of seven (7) years; and

WHEREAS, the Town received Competitive Contract proposals, CC 13-2018, on November 28, 2018; and

WHEREAS, the Town authorized the competitive contract process though Council approved resolution, in accord with the prescripts of N.J.S.A.40A:11-4.1; and

WHEREAS, the Town established a rating committee, rating the proposals upon the standards of price and other factors, those factors being Technical, Managerial and Cost factors in accord with N.J.A.C.5:34-4; and

WHEREAS, ADP Atlantic, LLC, 800 Delaware Ave, Wilmington, DE, has provided a proposal deemed responsive and responsible under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-1 et. Seq.); and

WHEREAS, the report produced by the committee, recommending ADP Atlantic LLC, was made available to the public and Governing Body at least 48 hours prior to the meeting of the Governing Body in accord with N.J.S.A. 40A:11-4.1 and N.J.A.C. 5:34-4

WHEREAS, subject to the Governing Body appropriating sufficient funds in the 2019-2025 Current Budgets, the Chief Financial Officer will certify funds pursuant to N.J.A.C. 5:30-5.5(b2) open-end contract: through the budgetary accounting encumbrance process set forth in NJAC 5:30-5.3(c) and 5:30-5.4(b), in an amount NOT TO EXCEED \$71,134.07 as follows:

Account Name	Amount
2019 Current Fund	\$9,917.06
2020 Current Fund	\$9,917.06
2021 Current Fund	\$9,917.06
2022 Current Fund	\$10,016.23
2023 Current Fund	\$10,016.23
2024 Current Fund	\$10,416.88
2025 Current Fund	\$10,833.55

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

The Town Manager is hereby authorized to enter into a contract with ADP Atlantic, LLC, 800 Delaware Ave, Wilmington, DE for a period of seven (7) years encompassing the scope of work and cost proposal as outlined within CC 13-2018.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk

THE CANNING GROUP LLC



45 S. Park Pl 183
Morristown, N.J. 07960
973-706-7813

January 25, 2019

Thomas J. Russo Jr. Town Manager
Town of Newton
39 Trinity St.
Newton, N.J. 07860

Re: Competitive Contract Process 13-2018 Payroll Processing Services

Dear Mr. Russo,

On November 28, 2018 the Town received a total of three (3) responses to the public Competitive Contract # 13-2018 Payroll Processing Services Project.

The proposals were reviewed for responsiveness and responsible in accord with the New Jersey Local Publics Contract Law (N.J.S.A 40A:11-1 et. Seq.). The rating team reviewed the proposals for technical, managerial and cost factors and ability of the firm to conduct the business of the Town. In accord with the ratings as required under the competitive contract process the highest rated firm was ADP Atlantic LLC 800 Delaware Ave, Wilmington, DE.

The summary report from the team is attached. Under the competitive contract process, the term of contract is allowable up to seven (7) years asper N.J.S.A.40A:11-15. It is recommended that the Town award a seven (7) year contract to ADP Atlantic LLC for the payment processing services in accord with the requirements as found within the competitive contract procurement specifications. Thank you.

Respectfully
Sean P. Canning
Sean P. Canning, MPA, QPA
Purchasing agent

Town of Newton
 Combined Scoring Sheet
 13-2018 Payroll Data Services

Vendor	Technical (Max Points 50)	Managerial (Max Points 40)	Cost (Max Points 10)	Final
ADP	24.50	17.00	4.50	46.00
Prime Point	15.44	11.88	3.35	30.67
Unicorn	11.25	10.36	1.70	23.31
vendor4	0.00	0.00	0.00	0.00
vendor4	0.00	0.00	0.00	0.00



TOWN OF NEWTON

RESOLUTION #49-2019

January 28, 2019

“Resolution Amending the Water Sewer Utility Fund Balance Policy”

WHEREAS, The Town of Newton adopted Resolution 107-2014, establishing a Water/Sewer Utility Fund Balance Policy on June 9, 2014 and renewed by the adoption of Resolution #223-2018 on November 28, 2018; and

WHEREAS, the Fund Balance Policy has been reviewed by the Town Manager and Town Auditor of the Town of Newton and it has been recommended appropriate to amend the Policy;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby resolves and agrees to amend the Water/Sewer Utility Fund Balance Policy with the following guidelines:

1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 12%.
2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.
5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.
6. This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #50-2019

January 28, 2019

“Resolution Amending the Current Fund Balance Policy”

WHEREAS, The Town of Newton adopted Resolution 101-2014 establishing a Fund Balance Policy on June 9, 2014 and renewed it by the adoption of Resolution 222-2018 on November 26, 2018; and

WHEREAS, the Fund Balance Policy has been reviewed by the Town Manager and Town Auditor of the Town of Newton and it is recommended appropriate to amend the Policy;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby resolves and agrees to amend the current Fund Balance Policy with the following guidelines:

1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 12%.
2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.
5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.
6. This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #51-2019

January 28, 2019

“Approval of a Renewal Application for a Junk Dealers License for George’s Salvage Company”

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

WHEREAS, said renewal application for the Junk Dealer's License lists the business as George's Salvage Company Inc., at 10 South Park Drive, Newton, New Jersey; and

WHEREAS, Section 156.8 requires the Health Officer, Construction Official, Fire Official, Public Works Supervisor, and Zoning Officer are authorized and directed to make periodic inspections of all licensed junkyards in the Town for the purpose of ascertaining that the business is being conducted on the licensed premises in accordance with the provision of Chapter 156; and

WHEREAS, George's Salvage Company Inc., has been inspected and approved as required in Section 156-8; and

WHEREAS, George's Salvage Company, Inc., has provided a two hundred dollar (\$200.00) bond conditioned for the due observance of all ordinances of the Town relating to the business of retail junk dealer;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that we hereby approve the application for a renewal Junk Dealer License submitted by Michael Miller, t/a George's Salvage, Inc., 10 South Park Drive, Newton, N.J. which shall expire on December 31, 2019.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #52-2019

January 28, 2019

"Approval of a Renewal Application for a Junk Dealers License for Newton Auto Exchange"

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

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

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

WHEREAS, Newton Auto Exchange has obtained the necessary approvals as required in Section 156-8; and

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

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, we hereby approve the application for a renewal Junk Dealer License submitted by Michael F. Sesera, Jr., t/a Newton Auto Exchange, 79 Mt. View Street, Newton, N.J., which shall expire on December 31, 2019.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #53-2019

January 28, 2019

“Resolution to Approve a Proposal to Provide Engineering Design and Construction Administration Services for the Replacement of the Grit Collector System”

WHEREAS, the Town of Newton is in need of replacing the existing Grit Collector System at the Town's Wastewater Treatment Plant (“WWTP”) due to age and deteriorating operational performance; and

WHEREAS, engineering is a professional service and Professional Consulting, Inc., (“PCI”) was procured through a fair and open process by the adoption of Resolution 26-2018 on December 26, 2018; and

WHEREAS, PCI has submitted a proposal for two phases related to the replacement of the Grit Collector System: (1) Engineering Design Services for the lump sum of \$31,000.00; and (2) Construction Administration Services for the estimated cost of \$21,000.00; and

WHEREAS, the attached Proposal for Engineering Services has been reviewed by the Town Manager and is acceptable to the Town; and

WHEREAS, the Chief Financial Officer hereby certifies that funds are available NOT TO EXCEED \$52,000.00 as follows:

2018 Water Sewer Utility Appropriation Reserve Budget – Capital
Improvement Fund – WWTP Grit Collector #6089341A

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Town Manager is hereby authorized to accept the proposal from Professional Consulting, Inc., for the replacement of the Grit Collector System for the two phases, Engineering Design Services and Construction Administration Services, for the total estimated cost of \$52,000.00.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk



Octagon 10 Office Center
1719 Route 10, Suite 225
Parsippany, New Jersey 07054

Professional Consulting, Inc.

Phone: 973.683.0044
Fax: 973.683.0077

January 20, 2019

Mr. Thomas Russo, Town Manager
Town of Newton
39 Trinity Street
Newton NJ 07860

RE: Proposal for Professional Engineering Services -
Design and Construction Administration for the Grit Collector
Replacement at the WWTP
Town of Newton, NJ
PCI No. P-966

Dear Mr. Russo:

Based on our recent site visit to the WWTP, our discussions with Operator Joe Carr and our review of the available documents, we are pleased to offer our engineering design and construction administration services proposal for the replacement of the grit collector system.

As a result of age and deteriorating operational performance, the existing grit collector equipment located in the Inlet Building of the Wastewater Treatment Plant (WWTP) is reaching the end of its useful life. Replacement of the grit collector with a new, more efficient unit is needed to protect downstream equipment and avoid excessive maintenance and repair costs. The existing unit is an E&I Corporation V-Bucket Assembly aerated grit collector which was installed in 1990. Typically, grit is characterized as material such as sand, gravel and heavy calcium based materials such as eggshells and bone chips which are heavier than organics. Removal of these inorganics is particularly critical for the protection of downstream equipment and its associated nuisances such as grit accumulation in the downstream tanks and channels and excessive internal abrasion within downstream pumps and equipment. The existing aerated V-Bucket Grit Collector Assembly is installed in a below grade concrete tank. The grit tank has an internal baffle system and an aeration system to create a circular current perpendicular to the direction of wastewater flow and enhance settling. The system currently does not contain a grit washer or classifier. It is recommended that a new grit collector system be furnished and installed to replace the existing unit. Due to the space constraints within the Inlet Building, it is not likely that an alternate system could be installed without considerable reconfiguration and cost. As such, in kind replacement including the drive unit, chain, sprocket and V-Bucket collector mechanisms, chutes, mechanism housing and internal baffles is the best approach.

I Engineering Design Services:

1. Schedule and attend a project kickoff meeting with the Town staff.
2. Review of all available information from the Town related to this project.
3. Prepare Contract Documents (plans and specifications) for above described scope of work.
4. Schedule and attend meeting with the Town to review preliminary contract documents.
5. Finalize documents and prepare probable cost estimate.
6. Assist the Town in obtaining all necessary approvals for regulatory compliance.
7. Assist the Town during the bidding process, review construction bids, and prepare a Recommendation of Award.

II Construction Administration Services:

Based on the project scope and anticipated duration of the work, and our construction administration experience for similar projects, we have prepared the following scope of work for the construction administration services to assist the Town with required onsite inspection services, technical, and administrative support during active construction period:

1. Prepare Contract Documents for execution by the Contractor (Notice of Award, Contract signing documentation).
2. Attend pre-construction meeting and review meeting minutes before distribution.
3. Review and process contractor submittals and shop drawings.
4. Provide construction inspection services during active construction period.
5. Review and process change orders and additional work requests.
6. Provide the part time services of a resident representative to observe the contractors work and verify compliance with the plans and specifications. Up to fifteen days of resident representation is anticipated.
7. Assist the Town in final inspection and prepare a punch list noting incomplete or defective work.

8. Review and process progress payment and the final payment.

III Provisions:

1. Provide all available information to PCI relating to this project, including but not limited to, existing plans and/or record as-built drawings.
2. Provide a knowledgeable member of the Town to coordinate with PCI personnel when required by the engineer during the design and construction phase.
3. The Town shall submit all required applications to governmental agencies and pay any associated fees.

IV Project Fees:

The fee for providing the Design Services noted in tasks I-1 through I-7 shall be a lump sum of \$31,000. The fee for providing the Construction Administration Services noted in tasks II-1 through II-8 during the construction period, and contract modifications, changes, and work not specifically described above shall be billed based on our General Services agreement. Based on the anticipated level of effort, we recommend that a budget of \$21,000 be allotted for these tasks.

All terms and conditions of our general services contract will apply.

Any additional work not specifically included above, such as additional meetings and site visits, shall be billed based on the time spent and our standard schedule of rates.

The project cost for this work has been previously estimated at approximately \$340,000. The system does not currently have a grit washer/classifier. This was previously estimated at approximately \$70,000, for a total project cost of \$410,000. If desired by the Town, we can make this an optional item in the bid documents so that the Town can eliminate this equipment from the project, if the bid prices come in above the available amount..

We look forward to the opportunity of working with the Town on this project in its continuing efforts to improve the Town infrastructure. Should you have any questions, please do not hesitate to contact us.

Your authorized signature below will constitute a satisfactory agreement between us for performance of our services.

Very truly yours,
PROFESSIONAL CONSULTING, INC.



Frederick Margron P.E.
President

ACCEPTED BY: _____

TITLE: _____

DATE: _____



TOWN OF NEWTON

RESOLUTION #54-2019

January 28, 2019 "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 2018 and 2019 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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #55-2019

January 28, 2019

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

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

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

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

- i. Attorney Client Privilege – Tax Appeal Settlement

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton, assembled in public session on January 28, 2019, that an Executive Session closed to the public shall be held on January 28, 2019 at _____ pm in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific item designated above.

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

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a public meeting of said Governing Body conducted on Monday, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #56-2019

January 28, 2019

“Resolution Authorizing Global Settlement with Newton West Ltd., Regarding Tax”

WHEREAS, in and around 2010-16, Newton West, Ltd. had filed separate tax appeals and substantive motions against the Town of Newton before the N.J. Tax Court for its commercial real estate property consisting of residential rental properties located 100 Swartswood Rd., Newton (more specifically identified on the official Tax Map of the Town of Newton Block 2.01, Lot 1 (previously Lot 1.20), under N.J. Tax Court Docket Nos. 9612-2010, 8730-2011, 6469-2012, 1887-2013, 3009-2014, 05112-2015, 5520-2016, 2893-2017 & 6398-2018; and

WHEREAS, at the start of trial before the Honorable Vito Bianco, J.S.C. on January 14, 2019, to address several of the matters in difference between the parties, the parties met and discussed an amicable resolution of all existing and/or potential justiciable claims under the said dockets by way of a global settlement off all issues and claims arising thereunder that have been raised and/or could have been raised; and

WHEREAS, upon the recommendation of the Town Tax Assessor, Scott Holzhauer, CTA outside expert Darren Raymond of Appraisal Systems, Inc., and legal counsels Thomas H. Prol, Esq. (Laddey, Clark & Ryan, LLP Law Firm) and Robert McBriar, Esq. (Schenck Price Law Firm), the Town of Newton desires to enter into a settlement agreement with Newton West, Ltd. regarding the said appeals and matters in difference as specifically stated below and being found to be fair and reasonable; and

WHEREAS, Newton West, Ltd. will withdraw its 2011-2016 Tax Court appeals for the above property, will withdraw its Motion for Judgment (under the N.J. Freeze Act) in connection with Docket Nos. 009612-2010, 008730-2011 and 006459-2012 and waives any and all rights and claims and requests for a Chapter 91 reasonableness hearing on Docket No. 008730-2011; and

WHEREAS, in turn, the Town shall reduce the total assessment on the property to \$8,500,000.00 for the 2017 and 2018 tax years, and a further reduction to \$8,150,000.00 for the 2019 tax year and two tax years thereafter by way of an administrative book change, provided there are no substantive changes at the property or a municipal-wide revaluation or reassessment; and

WHEREAS, the attached proposed letter agreement has been reviewed and approved by Robert B McBriar, Esq., Thomas H. Prol, Esq., and Scott Holzhauer, CTA;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that all Town staff and professionals are hereby authorized to execute the Stipulation of Settlement, the letter agreement and any other documents consistent with the this Resolution and thereby settling the tax appeal matter with Newton West, Ltd.

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, January 28, 2019.

Lorraine A. Read, RMC
Municipal Clerk

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

Meeting Date: 01/28/2019 For bills from 01/15/2019 to 01/24/2019

Check#	Vendor	Description	Payment	Check Total
41081	2757 - ATLANTIC TACTICAL INC.	PO 53906 HOLSTERS	64.35	64.35
41082	1132 - BOONTON TIRE SUPPLY INC.	PO 53217 B: PD VEHICLE REPAIR	39.76	39.76
41083	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 51990 BLANKET: LONG DISTANCE (Jan-Dec) \$2	89.37	89.37
41084	4138 - CONSTELLATION NEWENERGY -GAS DIV	PO 54035 SEPT/OCT NATURAL GAS	1,390.63	
		PO 54057 NOV NAT GAS	2,426.98	3,817.61
41085	2854 - DUSTIN MCGARRY	PO 54088 MEAL ALLOWANCE - Snow	55.00	55.00
41086	4023 - ESS INC.	PO 53802 ANTENNA	46.60	46.60
41087	3124 - EXTRA TECH DATA SERVICES, LLC.	PO 53811 COURT PC IT SVC	60.00	
		PO 53825 CFO IT SVCS	60.00	
		PO 53866 IT SVCS DEC	260.00	380.00
41088	1608 - GOLD TYPE BUSINESS MACHINES	PO 53830 ETICKET RENEWAL	3,411.00	3,411.00
41089	3703 - GRUBER, COLABELLA & LIUZZA, & THOMPSON	PO 53956 B: 2019 PUBLIC DEFENDER -Jan -AGATI	1,125.00	1,125.00
41090	230 - HAYEK'S MARKET INC.	PO 53753 BUDGET REQUESTS LUNCH	36.03	
		PO 53774 REFRESHMENTS FOR TREE LIGHTING	147.50	
		PO 53785 12/5 LUNCH (2 PEOPLE)	29.91	213.44
41091	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 53989 PB CONSULT-DEC 2018	570.00	570.00
41092	113 - JCP&L	PO 53933 FIRE #2 DEC ELECTRIC -DEC	9.02	
		PO 53934 DEC STREET LIGHTING MORAN ST	15.79	
		PO 54000 DEC ELECTRIC BLDG'S	7,150.89	7,175.70
41093	2532 - LADDEY, CLARK & RYAN, LLP	PO 53955 B: 2019 PROSECUTOR -Jan McMeen (\$31	2,583.33	
		PO 54031 DEC LEGAL	2,000.00	
		PO 54032 BANKRUPTCY/TAX APPEALS NEWTONWEST D	1,936.00	6,519.33
41094	2278 - LANGUAGE LINE SERVICES, INC.	PO 51717 BLANKET - TRANSLATION SVC FOR PD AC	37.40	37.40
41095	2567 - MUNICIPAL RECORD SERVICE	PO 53915 notices	380.00	380.00
41096	116 - NEW JERSEY HERALD, INC.	PO 53333 Advertising in NJ Herald publicatio	305.00	
		PO 54048 NJH Ads	74.70	379.70
41097	106 - ELIZABETHTOWN GAS	PO 54028 DEC NATURAL GAS	2,364.84	2,364.84
41098	1204 - OFFICE OF WEIGHTS & MEASURES	PO 54039 TUNING FORK CERTIFICATION	100.00	100.00
41099	61 - S K PAPER SHRED	PO 52458 BLANKET: 2018 PAPER SHREDDING	90.00	90.00
41100	3993 - SLOAN, JAMES P.	PO 53957 B: 2019 JUDGE -Jan (\$35,700/12=\$2,9	3,278.50	3,278.50
41101	4140 - SMITH, ANTHONY	PO 54094 Reimb Tolls/Mileage/Tolls	8.70	8.70
41102	718 - STAMP FULFILLMENT	PO 53916 POSTAGE PAID ENVELOPES (1 CASE)	1,494.00	1,494.00
41103	2257 - STAPLES BUSINESS ADVANTAGE, INC.	PO 53824 POLICE OFFICE SUPPLIES	608.41	
		PO 54017 B: Police/Cencom OFFICE SUPPLES	85.50	693.91
41104	3442 - SUNLIGHT GENERAL	PO 51736 BLANKET: DPW/STP ELECTRIC	191.74	191.74
41105	1215 - SUSSEX & WARREN TAX COLL	PO 53942 T SCHLOSSER/D BABCOCK/G RAFTERY/J S	90.00	90.00
41106	2310 - SUSSEX COUNTY ENGINEERING DIVISION	PO 53889 TRAFFIC LIGHT'S SPRING/MAINT	264.13	264.13
41107	2479 - TAYLOR OIL CO., INC.	PO 51735 BLANKET: DIESEL JAN-APR @\$3,000/MO	1,737.24	1,737.24
41108	1218 - TCTANJ	PO 53951 T SCHLOSSER MEMBERSHIP	100.00	100.00
41109	293 - TREASURER, PETTY CASH FUND	PO 54054 ESTABLISH 2019 PETTY CASH	250.00	250.00
41110	367 - TREASURER, STATE OF NEW JERSEY	PO 54049 4TH QTR MARRIAGE LICENSE (6)	150.00	150.00
41111	1280 - VERIZON WIRELESS, INC.	PO 53995 DEC CELL PHONES	1,464.05	1,464.05
41112	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 53991 PB CONSULT-DEC 2018	1,800.00	1,800.00
41113	1500 - WALMART	PO 53982 PB OFF.SUP. - DEC	8.97	8.97
41114	3549 - WAYNE T. MCCABE	PO 54005 HISTORIC ED/TRAIN-NOV 2018	300.00	300.00
TOTAL				38,690.34

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
100001	CASH - CURRENT - LAKELAND #434			0.00	38,690.34
100005	CASH - PETTY CASH FUND			250.00	
101254	DUE S/NJ - MARRIAGE LICENSE FEES			150.00	
1050200A	(2018) TOWN MANAGER'S OFFICE - OTHER EXP		765.34		
1051200A	(2018) TOWN CLERK'S OFFICE - OTHER EXPEN		60.30		
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES	60.00			
1054200A	(2018) FINANCE ADMINISTRATION - OTHER EX		1,494.00		
1056200	COLLECTION OF TAXES - OTHER EXPENSES	130.00			
1058200	LEGAL SERVICES - OTHER EXPENSES	3,708.33			
1058200A	(2018) LEGAL SERVICES - OTHER EXPENSES		3,936.00		

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

Meeting Date: 01/28/2019 For bills from 01/15/2019 to 01/24/2019

Check#	Vendor	Description	Payment	Check Total
1443	2206 - CENTER FOR PREVENTION & COUNSELING, PO 53983	FY18/19- Alliance, C.E.-Holiday Par	1,000.00	1,000.00
TOTAL				1,000.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
110001	CASH			0.00	1,000.00
111200	APPROPRIATED RESERVES FOR GRANTS			1,000.00	
TOTALS FOR	FEDERAL/STATE GRANTS	0.00	0.00	1,000.00	1,000.00

Total to be paid from Fund 11 FEDERAL/STATE GRANTS 1,000.00
 =====
 1,000.00

Checks Previously Disbursed

191102	PAYROLL ACCOUNT	1/24 Grant Pay	1,350.05	1/24/2019
191101	PAYROLL ACCOUNT	1/10 Grant Pay	1,350.05	1/10/2019

			2,700.10	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 11 FEDERAL/STATE GRANTS	2,700.10	1,000.00	3,700.10
BILLS LIST TOTALS	2,700.10	1,000.00	3,700.10

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

Meeting Date: 01/28/2019 For bills from 01/15/2019 to 01/24/2019

Check#	Vendor	Description	Payment	Check Total
8765	2744 - FKA ARCHITECTS INC.	PO 48892 ARCHITECT -FIREHOUSE #2 RENOVATION	1,206.86	1,206.86
8766	2684 - GARDEN STATE HIGHWAY PRODUCTS, INC.	PO 53687 STREET CAPS/STREET SIGNS	1,850.00	1,850.00
8767	116 - NEW JERSEY HERALD, INC.	PO 54048 NJH Ads	20.40	20.40
8768	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 53991 PB CONSULT-DEC 2018	240.00	240.00
8769	1641 - ZITONE CONSTRUCTION	PO 52326 FIREHOUSE #2 CONSTRUCTION BID#	136,285.45	136,285.45
TOTAL				139,602.71

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
300001	CASH - CAPITAL - LAKELAND #450			0.00	139,602.71
3091605	ORD 2016-5 VARIOUS \$1,190T	1,206.86			
3091709	ORD 2017-9 VARIOUS \$1,405	136,285.45			
3091807	ORD 2018-7 VAR-2Veh/StSign/Rd-Chrch \$220	1,850.00			
3091817	ORD 2018-17 Prelim Plan/Redev \$50T fully	260.40			
TOTALS FOR	CAPITAL	139,602.71	0.00	0.00	139,602.71

Total to be paid from Fund 30 CAPITAL

139,602.71
=====

139,602.71

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

Meeting Date: 01/28/2019 For bills from 01/15/2019 to 01/24/2019

Check#	Vendor	Description	Payment	Check Total
17326	2709 - ACCURATE WASTE REMOVAL INC.	PO 52707 B: SLUDGE TRUCKING STP (APR-DEC)	3,603.50	3,603.50
17327	506 - CARR, JOSEPH	PO 53981 REIMB PHYSICAL CONN PERMIT	204.80	204.80
17328	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 53972 B: WOODSIDE AVE PS est/\$41.67x12=\$5	40.30	40.30
17329	4138 - CONSTELLATION NEWENERGY -GAS DIV	PO 54035 SEPT/OCT NATURAL GAS	675.29	
		PO 54057 NOV NAT GAS	1,098.92	1,774.21
17330	4100 - CSI EQUIPMENT & CONTROLS, INC.	PO 53319 METER Repair/Digital Flow Totalize	2,083.94	2,083.94
17331	286 - CURRENT ACCOUNT	PO 54041 W/S GAS/DIESL (11/16/18-1/16/19)	899.88	899.88
17332	419 - DUKE'S ROOT SERVICE, INC.	PO 53888 ROOT CONTROL	5,766.93	5,766.93
17333	3124 - EXTRA TECH DATA SERVICES, LLC.	PO 53825 CFO IT SVCS	60.00	60.00
17334	2532 - LADDEY, CLARK & RYAN, LLP	PO 54031 DEC LEGAL	304.00	304.00
17335	3166 - MOTT MACDONALD	PO 53938 2018 GEN CONSULTING -DEC	2,037.60	
		PO 53939 2018 WATER REGULATORY -DEC	1,479.00	3,516.60
17336	116 - NEW JERSEY HERALD, INC.	PO 53333 Advertising in NJ Herald publicatio	310.00	
		PO 54048 NJH Ads	14.40	324.40
17337	106 - ELIZABETHTOWN GAS	PO 54028 DEC NATURAL GAS	891.85	891.85
17338	64 - PELLOW, HAROLD & ASSO, INC.	PO 53937 MORRIS LK DAM -NOV	873.20	
		PO 53996 WATER ENGINEERING -OCT	3,695.55	4,568.75
17339	1489 - SMALLEY, JOHN H	PO 53978 2019 SVCS @ MORRIS LAKE \$18,000/12=	1,416.66	1,416.66
17340	316 - SPARTA TOWNSHIP TAX COLLECTOR	PO 53940 1st qtr PROP TAX MORRIS LAKE	16,464.51	16,464.51
17341	718 - STAMP FULFILLMENT	PO 54042 POSTAGE-PAID ENVELOPES	1,510.05	1,510.05
17342	3442 - SUNLIGHT GENERAL	PO 51736 BLANKET: DPW/STP ELECTRIC	380.23	380.23
17343	1215 - SUSSEX & WARREN TAX COLL	PO 53942 T SCHLOSSER/D BABCOCK/G RAFTERY/J S	30.00	30.00
17344	1218 - TCTANJ	PO 53951 T SCHLOSSER MEMBERSHIP	100.00	100.00
17345	292 - TREASURER, WATER & SEWER PETTY CASH	PO 54053 ESTABLISH 2019 W/S PETTY CASH	50.00	50.00
17346	1280 - VERIZON WIRELESS, INC.	PO 53995 DEC CELL PHONES	224.12	224.12
TOTAL				44,214.73

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
600001	CASH - W/S OPERATING-LAKELAND #426			0.00	44,214.73
600005	CASH - PETTY CASH FUND			50.00	
6051200	W&S OPERATING - TOTAL OTHER EXPENSES	20,666.20			
6051200A	(2018) W&S OPERATING - TOTAL OTHER EXPE		22,019.53		
6089305A	(2018) W&S CAP IMPROVE - WATER TANK IMPR		1,479.00		
TOTALS FOR WATER/SEWER UTILITY		20,666.20	23,498.53	50.00	44,214.73

Total to be paid from Fund 60 WATER/SEWER UTILITY 44,214.73
=====
44,214.73

Checks Previously Disbursed

196004	PAYROLL ACCOUNT	1/24 W/S Pay	34,953.35	1/24/2019
196003	PAYROLL ACCOUNT	1/10 W/S Pay	37,147.52	1/10/2019
196002	ELAVON - ON LINE FEES	ELAVON FEES -DEC	174.45	1/10/2019

			72,275.32	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 60 WATER/SEWER UTILITY	72,275.32	44,214.73	116,490.05

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
<hr/>					
	BILLS LIST TOTALS	72,275.32	44,214.73	116,490.05	
				<u>116,490.05</u>	

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

Meeting Date: 01/28/2019 For bills from 01/15/2019 to 01/24/2019

Check#	Vendor	Description	Payment	Check Total
3822	4139 - CUNNEELY, JAMES	PO 54036 REFUND POLICE ESCROW BAL	1,080.00	1,080.00
3823	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 53985 PUNCT. EQUILIBRIUM-DEC 2018	840.00	
		PO 53987 N COVENANT REF CHURCH-DEC 2018	540.00	
		PO 53988 DASI-DEC 2018	532.50	1,912.50
3824	2532 - LADDEY, CLARK & RYAN, LLP	PO 54081 PUNCT EQUILIBRIUM-DEC 2018	64.00	64.00
3825	64 - PELLOW, HAROLD & ASSO, INC.	PO 53932 RPM-NOV ESCROW	74.03	
		PO 53990 QUANTUM/KWESELAIT-AUG 2018	260.00	334.03
3826	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 53945 PUNC. EQUILIBRIUM-DEC 2018	285.00	
		PO 53946 DASI-DEC 2018	240.00	
		PO 53947 N. COVENANT REF CHURCH-DEC 2018	270.00	
		PO 53948 ROCKYWOOD-DEC 2018	15.00	810.00
TOTAL				4,200.53

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
710001	CASH - TRUST - LAKELAND #469			0.00	4,200.53
711220	RESERVE O/S EMPLOYMENT OFF-DUTY POLICE *			1,080.00	
711440	ENGINEER REVIEW FEES			3,120.53	
TOTALS FOR	TRUST	0.00	0.00	4,200.53	4,200.53

Total to be paid from Fund 71 TRUST

4,200.53

4,200.53

Checks Previously Disbursed

197102	PAYROLL ACCOUNT	1/24 Trust Pay (1/7-1/20/19)	2,025.00	1/24/2019
197101	PAYROLL ACCOUNT	1/10 Trust Pay	3,402.00	1/10/2019

			5,427.00	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 71 TRUST	5,427.00	4,200.53	9,627.53
BILLS LIST TOTALS	5,427.00	4,200.53	9,627.53

**List of Bills - (720001) CASH - DEV ESCROW - LAKELAND #515
DEVELOPERS ESCROW (Fund 72)**

Meeting Date: 01/28/2019 For bills from 01/15/2019 to 01/24/2019

Check#	Vendor	Description	Payment	Check Total
1328	2852 - FERRIERO ENGINEERING INC.	PO 53944 MARTORANA-DEC 2018	225.00	225.00
1329	3166 - MOTT MACDONALD	PO 53986 AHS-DEC 2018	1,459.31	1,459.31
	TOTAL			1,684.31

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
720001	CASH - DEV ESCROW - LAKELAND #515			0.00	1,684.31
721314	RESERVE FOR MARTORANA (4/12)GrandeVillag			225.00	
721344	RESERVE AHS Invest Onsite Inspect (10/18)			1,459.31	
TOTALS FOR	DEVELOPERS ESCROW (Fund 72)	0.00	0.00	1,684.31	1,684.31

Total to be paid from Fund 72 DEVELOPERS ESCROW (Fund 72) 1,684.31
=====
1,684.31

**TOWN OF NEWTON
ORDINANCE 2019-1**

**AN ORDINANCE AMENDING SECTION 240-3.C REGARDING SITE PLAN
APPROVAL AND SECTION 320-34 REVISING GENERATOR REGULATIONS IN THE
TOWN OF NEWTON**

WHEREAS, The Town of Newton has reviewed its requirements for generators and has determined that revisions are necessary in order to alleviate some of the permit process for generators with energy output of not more than 25kW;

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: Section 240-3.C(1) shall amended by the addition of the following:

- (1) Further, emergency standby generators with maximum energy output of not more than 25kW shall also be exempt from site plan approval.

SECTION 2: Section 320-34.D shall be deleted in its entirety and replaced as follows:

D. Siting and placement requirements for all generators (commercial and residential).

- (1) Emergency generators may be located in a secondary front yard, side yard or rear yard and may not be more than 20 feet from the structure they are serving.
- (2) Minimum setbacks: 10 feet to secondary front yard, five feet to side or rear yard.

SECTION 3: Section 320-34.E shall be deleted in its entirety and replaced as follows:

E. Permits

1. Commercial or Residential applicants for an emergency standby generator must submit an application for a zoning permit from the Zoning Officer. The application must include a site drawing showing the proposed location of the standby generator and associated setbacks to all adjacent property lines. Noise in decibels based on distance from the unit must also be provided.

2. Commercial or Residential applicants for an emergency standby generator with a maximum energy output of more than 25 kW shall submit an application for a minor site plan with the Planning Board, unless the generator is proposed in conjunction with a major site plan application.

3. Zoning permits for generators are revocable if the owner does not continue to meet emergency standby generator use requirements.

SECTION 4: SEVERABILITY AND REPEALER

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

SECTION 5: NOTICE

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

SECTION 6: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, February 11, 2019. 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, February 25, 2019 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

ATTEST:

Lorraine A. Read, RMC
Municipal Clerk