



**AMENDED AGENDA
NEWTON TOWN COUNCIL**

MAY 30, 2012

7:00 P.M.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETINGS ACT STATEMENT

IV. APPROVAL OF MINUTES

- MAY 14, 2012 - REGULAR MEETING
- MAY 14, 2012 - SPECIAL MEETING

V. OPEN TO THE PUBLIC

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

VI. COUNCIL & MANAGER REPORTS

- a. TREE CITY USA PRESENTATION

VII. ORDINANCES

VIII. OLD BUSINESS

IX. CONSENT AGENDA

ALL ITEMS LISTED WITH AN ASTERISK (*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE TOWN COUNCIL AND WILL BE APPROVED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH CASE THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

- a. RESOLUTION #96-2012* AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF NEWTON AND KATIE'S HOUSE INC., FOR THE DISBURSEMENT OF FUNDS FROM THE TOWN OF NEWTON'S HOUSING TRUST FUND
- b. RESOLUTION #97-2012* AUTHORIZE USE OF SPRING STREET SIDEWALKS AND ALLEYS FOR THE FOODSHED ALLIANCE'S FARMERS' MARKET
- c. RESOLUTION #98-2012* APPOINTMENT OF KENNETH TEETS TO THE ADVISORY RECREATION COMMISSION
- d. RESOLUTION #99-2012* RESOLUTION TO AWARD WATERMAIN PIPES & FITTINGS FOR THE MAPLE AVENUE WATERMAIN PROJECT
- e. RESOLUTION#100-2012* RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

- f. RESOLUTION #101-2012* ACCEPTANCE OF THE PROPOSED PURCHASE OF PIPES AND FITTINGS FOR THE MORAN STREET WATERMAIN PROJECT
- g. RESOLUTION #102-2012* AWARD CONTRACT TO TONY'S CONCRETE CONSTRUCTION CO., INC., FOR THE INSTALLATION OF SIDEWALKS AND CURBS ON VARIOUS INTERSECTIONS
- h. RESOLUTION #103-2012* PAYMENT OF BILLS AND VOUCHERS

X. INTERMISSION

XI. DISCUSSION

- a. SCARC FUNDING
- b. NUISANCE ORDINANCE DRAFT

XII. OPEN TO THE PUBLIC

XIII. COUNCIL & MANAGER COMMENT

XIV. ADJOURNMENT



TOWN OF NEWTON

RESOLUTION #96-2012

May 30, 2012

“Authorize the Execution of an Agreement between the Town of Newton and Katie’s House Inc., for the Disbursement of Funds from the Town of Newton’s Housing Trust Fund”

WHEREAS, Katie’s House, Inc. (hereinafter referred to as “Katie’s House”) is a New Jersey 501(c)(3) non-profit corporation that provides supportive housing for people with special needs; and

WHEREAS, Katie’s House is in the process of purchasing and rehabilitating a residential home in the Town of Newton for use as a home for men with autism; and

WHEREAS, Katie’s House has requested TWENTY THOUSAND DOLLARS (\$20,000.00) from the Town of Newton’s Housing Trust Fund for the rehabilitation of its planned home for men, with said home being located at 26 Mason Avenue, Newton, New Jersey 07860, and the Town of Newton (“Town”) has reviewed said request; and

WHEREAS, the Town has agreed to disburse TWENTY THOUSAND DOLLARS (\$20,000.00) to Katie’s House, subject to the terms of a written agreement for the appropriate use of said funds;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that we hereby authorize the Mayor, Town Manager, and/or Municipal Clerk to act as follows:

1. Execute a written agreement with Katie’s House in substantially the same form as the draft agreement attached hereto.
2. Disburse TWENTY THOUSAND DOLLARS (\$20,000.00) from the Town of Newton’s Housing Trust Fund in accordance with the terms and conditions of the aforementioned written agreement.

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 Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk

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AGREEMENT
BETWEEN
KATIE’S HOUSE, INC.,
and
TOWN OF NEWTON

Dated: _____, 2012

Table of Contents

- 1. Parties and Pertinent History**
- 2. General Understanding of the Parties**
- 3. Obligations of Applicant**
- 4. Obligations of Town of Newton**

Record and Return:
Mark J. Hontz, Esq.
Hollander, Strelzik, Pasculli, Pasculli,
Hinkes, Gacquin, Vandenberg & Hontz, LLC
P.O. Box 99 / 40 Park Place
Newton, NJ 07860

27 **1. Parties and Pertinent History**

28
29 **1.01 The Parties.** The parties to this agreement (hereinafter known as the “**Agreement**”) are
30 as follows:

- 31 a. Katie’s House, Inc., a New Jersey non-profit corporation, with a business address
32 of 29 Moran Street, Newton, New Jersey 07860 (hereinafter referred to as “**Applicant**”); and
33 b. The Town of Newton, a municipal corporation of the State of New Jersey, with an
34 address of 39 Trinity Street, Newton, New Jersey 07860 (hereinafter referred to as the “**Town**”).
35

36 **1.02 Request for Financial Assistance.** The Applicant is a 501(c)(3) non-profit corporation
37 that provides supportive housing for people with autism. At the time of this Agreement, the
38 Applicant operates one home for women in the Town of Newton and is in the process of
39 purchasing and rehabilitating a residential home in the Town of Newton for use as a home for
40 men. The Applicant has requested TWENTY THOUSAND DOLLARS (\$20,000.00)
41 (hereinafter referred to as the “**Housing Funds**”) from the Town’s Housing Trust Fund for the
42 rehabilitation of its planned home for men in the Town of Newton. The property for which these
43 funds are requested is located at 26 Mason Avenue, Newton, New Jersey 07860. It is and
44 described more specifically as Block No. 18.04, Lot No. 23 [Old Block No. 1102; Old Lot No. 1]
45 on the official Tax Map of the Town of Newton (hereinafter referred to as the “**Property**”). This
46 Agreement is contingent upon the Applicant acquiring good title and ownership of the Property.
47

48 **2. General Understanding of the Parties**

49
50 **2.01** The Town of Newton shall provide Housing Funds to the Applicant for the purpose of
51 rehabilitating the Property for occupancy by autistic men.
52

53 **2.02** Provision and use of the Housing Funds is conditioned upon satisfaction of all conditions
54 of this Agreement, completion of all required documentation and execution and recordation of a
55 deed restriction on the Property, more fully described below.
56

57 **2.03** The Property is not intended to be a group home and is not licensed by the State of New
58 Jersey in that capacity. The Property will be owned and operated by the Applicant. The
59 Applicant’s staff for the Property will be paid by the State of New Jersey. The Property shall be
60 operated as supportive housing and the Applicant possesses all necessary licensing for such
61 operation from all authorities properly vested with jurisdiction for such operation.
62

63 **2.04** As a result of providing the Housing Funds to the Applicant under the terms of this
64 Agreement, the Town shall be entitled to get credit for one rehabilitation unit from the State of
65 New Jersey.
66

67 **2.05** All of the stated provisions in this Agreement are material to the intentions and actions of
68 the parties and are relied upon by the parties. A material change in any of the terms of this
69 Article 2 and/or a failure of the Applicant to satisfy any of its obligations as set forth in Article 3
70 shall constitute a breach of the terms of this Agreement.
71

72 **2.06** The term of this Agreement shall be TEN (10) years, beginning on the date of the
73 recordation of the easement required under this Agreement.
74

75 **2.07** The parties shall accomplish the purchase of the Property and disbursement of the
76 Housing Funds prior to July 17, 2012, or prior to any extended deadline before which the Town
77 is able to utilize the Housing Funds for the purposes set forth in this Agreement, whichever date
78 is later.
79

80 **2.08** Nothing in this Agreement empowers or authorizes the Town to be involved in the
81 management of the Property or the adherence to licensing provisions and standards for the
82 operation of supportive housing at the Property or elsewhere. The Applicant is solely
83 responsible for the operation and management, condition and maintenance of the Property and its
84 residents.
85

86

87 **3. Obligations of the Applicant.**
88

89 **3.01** The Applicant shall purchase the Property.
90

91 **3.02** The Applicant shall rehabilitate the Property to render it suitable for housing autistic men.
92 Said rehabilitation may include, but not be limited to: updating the electric service in the home;
93 removal of oil tank(s) in the basement; installing electric heat and hot water; replacing all
94 sheetrock on the second floor; and updating the kitchen and bathroom. The Applicant shall
95 obtain all necessary permits and approvals for said rehabilitation and the rehabilitation shall
96 conform with the Uniform Construction Code.
97

98 **3.03** The Applicant shall maintain its license to operate supporting housing throughout the
99 term of this Agreement. The Applicant shall provide its current license to operate supportive

100 housing to the Town from time to time and as requested by the Town throughout the term of this
101 Agreement.

102

103 **3.04** The Applicant shall utilize the Housing Funds for the rehabilitation of the Property, as set
104 forth above.

105

106 **3.05** The Applicant shall execute and record, at Applicant's expense, a deed restriction on the
107 Property recognizing the Property as a rehabilitated rental property and said deed restriction shall
108 contain covenants restricting rentals, conveyance and improvements and shall require notice of
109 foreclosure and bankruptcy (hereinafter referred to as the "**Deed Restriction**"). A form of the
110 Deed Restriction is attached hereto.

111

112 **3.06** The Applicant shall execute such documents and agreements related to the use of the
113 Housing Funds as shall be required by the Town and any other entity properly vested with
114 jurisdiction over the Housing Funds.

115

116 **3.07** The Applicant covenants and agrees to indemnify and save harmless the Town and/or the
117 its officers, agents or servants, professionals and/or employees and each and every one of them,
118 against and from any and all liabilities, suits and costs of every name and description and from
119 all damage to which the Town, its officers, agents or servants, professionals and/or employees
120 and each and every one of them, may be put with respect to any personal or other injury, loss or
121 property damage which the Town, its officers, agents or servants, professionals and/or
122 employees and each and every one of them, may suffer as a result of the Applicant's actions
123 regarding the maintenance, operation, management and/or condition of the Property or regarding
124 the Applicant's performance of any work or through any act or omission or commission on the
125 part of the Applicant, its agent or agents.

126

127 **3.08** The Applicant shall provide to the Town a documented accounting of the use of the
128 Housing Funds promptly upon utilization of the Housing Funds and upon request by the Town.

129

130

131 **4. Rights and Obligations of the Town of Newton**

132

133 **4.01** The Town shall disburse the Housing Funds to Applicant upon Applicant's satisfaction of
134 its obligations pursuant to paragraph 3.01 of this Agreement and simultaneously with
135 Applicant's satisfaction of its obligations pursuant to paragraph 3.05 of this Agreement.

136

137 **4.02** The ability of the Town to fulfill its obligations under this Agreement is conditioned upon
138 approval of entities properly vested with jurisdiction over the use of the Housing Funds.

139

140

141 IN WITNESS WHEREOF, the parties have caused these presents to be duly executed as
142 a sealed instrument the day and year first above written.

143 **KATIE’S HOUSE, INC.**

WITNESS:

144
145
146

147

148 STATE OF NEW JERSEY :

149 :SS

150 COUNTY OF _____:

151

152 I certify that on _____, 2012, _____ came before me and
153 acknowledged under oath that this is the person who signed, sealed and delivered the attached
154 document as a duly-authorized agent of Katie’s House, Inc., and who has proper authority to
155 execute this Agreement as its voluntary act and deed.

156

157 _____

158

159 -----

160 TOW OF NEWTON

WITNESS:

161

162

163 By: _____

By: _____

164 Helen Le Frois, Mayor

Lorraine A. Read, Clerk

165

166

167 STATE OF NEW JERSEY :

168 :SS:

169 COUNTY OF SUSSEX :

170

171 I certify that on _____, 2012, Helen Le Frois came before me and
172 acknowledged under oath that she is the person authorized to and did personally sign the
173 attached document on behalf of the Town of Newton and signed, sealed and delivered this
174 document as its act and deed.

175

Lorraine A. Read

176



TOWN OF NEWTON

RESOLUTION #97-2012

May 30, 2012

“Authorize Use of Spring Street Sidewalks and Alleyways for the Foodshed Alliance’s Farmers’ Market”

WHEREAS, the Town of Newton manages the public properties and rights-of-way, including alleyways, public streets and sidewalks within the Town of Newton; and

WHEREAS, the Foodshed Alliance, a not-for-profit organization, was granted permission by the Planning Board at their meeting on December 21, 2011 to host a farmers' market at the SpringBoard Shoppes at 145 Spring Street; and

WHEREAS, the Town Zoning Officer, Katherine Citterbart, has issued a Temporary Use Permit to the Foodshed Alliance granting permission to hold the farmers' market on Spring Street during the summer months;

WHEREAS, the Town Engineer, Harold E. Pellow has prepared a map outlining the layout of the farmers' market on Spring Street for the Foodshed Alliance to follow; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that we authorize the Foodshed Alliance to operate a farmers' market in the alleyways and on the sidewalks of Spring Street with the following conditions:

1. The farmers' market will be hosted by the Foodshed Alliance.
2. The approval is granted to use the alleyways and sidewalks for the farmers' market on Tuesday's beginning June 5, 2012 and ending October 30, 2012
3. The hours of operation for the farmers' market shall be, Tuesdays from 11:00am to 2:00pm; vendors may set up and cleanup one hour prior and one hour after same.
4. The maximum number of vendors permitted is eighteen (18).
5. The layout of the farmers' market must adhere to the layout as outlined in Harold E. Pellow & Associates, Inc. map titled MARKET LAYOUT PLAN, which is attached to and made part of this resolution.
6. The proper certificate of insurance naming the Town of Newton as an additional insured must be provided to the Town Zoning Officer and Town Insurance Agent for review and approval.

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 Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #98-2012

May 30, 2012

“Appointment of Kenneth Teets to the Advisory Recreation Commission”

WHEREAS, there is currently a vacancy for a Regular Member of the Advisory Recreation Commission; and

WHEREAS, Mr. Kenneth Teets has expressed interest in serving on the Commission;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that Mr. Kenneth Teets is hereby appointed to an unexpired five-year term on the Advisory Recreation Commission, effective immediately with said term continuing to December 31, 2016.

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 Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

RESOLUTION #99-2012

May 30, 2012

“Resolution to Award Watermain Pipes & Fittings for the Maple Avenue Watermain Project”

WHEREAS, the Town of Newton publicly accepted bids for the purchase of watermain pipes and fittings for the Maple Avenue Watermain Project on Tuesday, May 8, 2012 at 11:00 a.m.; and

WHEREAS, the bid opening results are as follows:

Name and Address of Bidder

Bid Price

Brent Material Company
741 Northfield Avenue
Suite 203
West Orange, NJ 07052

\$72,583.65

Kennedy Culvert & Supply Co.
8000 Midlantic Drive, Suite 200N
Mr. Laurel, NJ 08054

\$70,534.40

**HD Supply Waterworks, Ltd. 61
61 Gross Avenue
Edison, NJ 08837**

\$67,801.45

Hamburg Plumbing Supply Co., Inc.
180 Rte. 23 S. P.O. Box 212
Hamburg, NJ 07419

\$75,099.63

Capitol Supply Construction Products, Inc.
55 Hembek Road
Denville, NJ 07834

\$204,904.03

WHEREAS, the Town Engineer and Town Qualified Purchasing Agent recommend award of the watermain pipes and fittings contract to HD Supply Waterworks, Ltd., in the amount of \$67,801.45; and

WHEREAS, the Treasurer has certified funds are available based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that they hereby award the bid for the purchase of watermain pipes and fittings for the Maple Avenue Watermain Project to HD Supply Waterworks, Ltd., 61 Gross Avenue, Edison, NJ in the amount of \$67,801.45.

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 Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #: 99-2012

APPROVING: HD SUPPLY WATERWORKS, LTD. 61

FOR THE PURPOSE OF: PIPE MATERIALS AND FITTINGS MAPLE AVENUE
WATERMAIN PROJECT

IN THE AMOUNT OF: \$67,801.45

APPROPRIATED BY:

WATER/SEWER UTILITY - CAPITAL FUND -

MAPLE AVENUE PROJECT #6191210 \$67,801.45

DATED THIS 30TH DAY OF MAY, 2012

BY Virginia Raftery
VIRGINIA RAFTERY
TREASURER



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

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

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(5/26/84 - 7/27/89)

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

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

THOMAS G. KNUTELSKY
NJ - P.E.

May 21, 2012

FAX: (973) 383-8961

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

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

SUBJECT: RECOMMENDATION OF AWARD

Proposed Purchase of the Watermain Pipes & Fittings for the Maple Avenue Watermain
HPA No. 12-062

Dear Tom:

I have reviewed the three (5) bids received on May 8, 2012 at 11:00 AM for the above referenced project and recommend the contract be awarded to HD Supply Waterworks, Ltd., 61 Gross Avenue, Edison, New Jersey 08837, whose low bid was \$67,801.45.

Enclosed herewith please find the *Summary of Bids* for your review.

Very truly yours,

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

HEP:mac
K:\PROJECTS\MUNICIPAL\NEWTON\COUNCIL\12-062 - MAPLE AVENUE WATERMAINRUSSO2.DOC

Enclosure

cc: Via Fax Only

Debra Millikin, Newton Deputy Town Manager/Qualified Purchasing Agent (973) 383-8961
Paul Baldwin, Newton Water & Sewer Superintendent (973) 383-8961

RECEIVED
MAY 24 2012
BY:

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

SUMMARY OF BIDS

Project:		Proposed Purchase of the Watermain Pipes & Fittings for the Maple Avenue Watermain													
Municipality:		Town of Newton													
County:		Sussex													
Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE				Contractor Name				Brent Material Co.			
				Unit Price	Amount	Unit Price	Amount	City	State/Zip	Amount	City	State/Zip	Amount	City	State/Zip
1	6" Ductile Iron Watermain, Class 54, Double Cement Lined	60	LF	\$29.00	\$1,740.00	\$25.00	\$1,500.00	\$26.98	\$1,618.80	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$1,644.00	
2	8" Ductile Iron Watermain, Class 54, Double Cement Lined	1,300	LF	\$38.00	\$49,400.00	\$33.60	\$43,680.00	\$36.59	\$47,567.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$48,230.00	
3	6" M.J. Gate Valve, Valve Box & Cover	4	Unit	\$765.00	\$3,060.00	\$645.00	\$2,580.00	\$713.00	\$2,852.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$2,836.00	
4	8" M.J. Gate Valve, Valve Box & Cover	1	Unit	\$1,100.00	\$1,100.00	\$970.00	\$970.00	\$1,090.00	\$1,090.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$1,053.00	
5	8" x 8" Wet Tap Valve, Sleeve & Tap	1	Unit	\$4,500.00	\$4,500.00	\$2,220.00	\$2,220.00	\$1,180.00	\$1,180.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$2,400.00	
6	8" x 8" x 6" M.J. Tee, Including Mega Lug Retainer Glands	4	Unit	\$400.00	\$1,600.00	\$311.00	\$1,244.00	\$271.00	\$1,084.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$1,000.00	
7	6" x 6" x 6" M.J. Tee, Including Mega Lug Retainer Glands	4	Unit	\$350.00	\$1,400.00	\$257.00	\$1,028.00	\$218.00	\$872.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$764.00	
8	8" 45 Degree M.J. Bend, Including Mega Lug Retainer Glands	1	Unit	\$300.00	\$300.00	\$190.00	\$190.00	\$191.00	\$191.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$185.00	
9	8" 22-1/2 Degree M.J. Bend, Including Mega Lug Retainer Glands	1	Unit	\$300.00	\$300.00	\$188.00	\$188.00	\$189.00	\$189.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$184.00	
10	8" 11-1/4 Degree M.J. Bend, Including Mega Lug Retainer Glands	2	Unit	\$300.00	\$600.00	\$164.00	\$328.00	\$175.00	\$350.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$348.00	
11	8" M.J. Solid Sleeve, Including Mega Lug Retainer Glands	2	Unit	\$200.00	\$400.00	\$188.00	\$376.00	\$183.00	\$366.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$364.00	
12	6" M.J. Solid Sleeve, Including Mega Lug Retainer Glands	4	Unit	\$175.00	\$700.00	\$142.00	\$568.00	\$138.00	\$552.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$540.00	
13	6" Dresser Coupling	4	Unit	\$200.00	\$800.00	\$175.00	\$700.00	\$110.00	\$440.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$528.00	
14	8" x 6" M.J. Reducer, Including Mega Lug Retainer Glands	1	Unit	\$300.00	\$300.00	\$160.00	\$160.00	\$161.00	\$161.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$154.00	
15	3/4" Corporation Stop	25	Unit	\$40.00	\$1,000.00	\$30.25	\$756.25	\$28.62	\$715.50	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$775.00	
16	3/4" Curb Stop	25	Unit	\$50.00	\$1,250.00	\$43.00	\$1,075.00	\$41.25	\$1,031.25	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$1,061.25	
17	3/4" Type "K" Copper Water Service Tubing	400	LF	\$4.00	\$1,600.00	\$3.35	\$1,340.00	\$3.45	\$1,380.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$1,540.00	
18	3/4" Compression Coupling	25	Unit	\$15.00	\$375.00	\$12.00	\$300.00	\$11.41	\$285.25	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$315.00	
19	3/4" Curb Box, 5' High	25	Unit	\$75.00	\$1,875.00	\$38.00	\$950.00	\$42.00	\$1,050.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$1,025.00	
20	Fire Hydrant	3	Unit	\$2,200.00	\$6,600.00	\$2,225.00	\$6,675.00	\$2,120.00	\$6,360.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$6,210.00	
21	8" Socket Clamp, Including Bolts, Nuts, & Washers	17	Unit	\$25.00	\$425.00	\$14.00	\$238.00	\$18.00	\$306.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$323.00	
22	6" Socket Clamp, Including Bolts, Nuts, & Washers	8	Unit	\$20.00	\$160.00	\$12.50	\$100.00	\$15.50	\$124.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$128.00	
23	3/4" Threaded Rod, Black 6' Lengths	32	Unit	\$10.00	\$320.00	\$7.50	\$240.00	\$6.00	\$192.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$224.00	
24	3/4" Heavy Hex Nut	152	Unit	\$1.00	\$152.00	\$0.35	\$53.20	\$0.50	\$76.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$68.40	
25	3/4" Socket Clamp Washer	152	Unit	\$2.00	\$304.00	\$0.25	\$38.00	\$1.50	\$228.00	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$304.00	
26	3/4" Eye Bolt	152	Unit	\$3.00	\$456.00	\$2.00	\$304.00	\$1.80	\$273.60	Edison, NJ 08837	Edison, NJ 08837	West Orange, NJ 07052	West Orange, NJ 07052	\$380.00	
TOTAL ESTIMATED COST OF CONSTRUCTION					\$80,717.00		\$67,801.45		\$70,534.40					\$72,583.65	

I hereby certify that this is a true copy of the bids received on May 8, 2012 at 11:00 A.M.

[Signature]
 5/21/12
 (Engineer)

SUMMARY OF BIDS

Project:		Proposed Purchase of the Watermain Pipes & Fittings for the Maple Avenue Watermain		Hamburg Plumbing Supply Co., Inc.		Capitol Supply Construction Products, Inc.				
Municipality:		Town of Newton		Contractor Name 180 Rte. 23 S., P.O. Box 217 Hamburg, NJ 07419		Contractor Name 55 Hornbeck Road Denver, NJ 07834				
County:		Sussex		Street Address Hamburg, NJ 07419		Street Address Denver, NJ 07834				
Item #	Description	Quantity	Unit	ENGINEER'S ESTIMATE		City	State/Zip	City	State/Zip	Amount
				Unit Price	Amount					
1	6" Ductile Iron Watermain, Class 54, Double Cement Lined	60	LF	\$29.00	\$1,740.00	\$28.60	\$1,716.00	\$27.15	\$1,629.00	\$1,629.00
2	8" Ductile Iron Watermain, Class 54, Double Cement Lined	1,300	LF	\$38.00	\$49,400.00	\$37.90	\$49,270.00	\$36.85	\$47,905.00	\$47,905.00
3	6" M.J. Gate Valve, Valve Box & Cover	4	Unit	\$765.00	\$3,060.00	\$620.00	\$2,480.00	\$699.16	\$2,796.64	\$2,796.64
4	8" M.J. Gate Valve, Valve Box & Cover	1	Unit	\$1,100.00	\$1,100.00	\$930.00	\$930.00	\$1,043.31	\$1,043.31	\$1,043.31
5	8" x 8" Wet Tap Valve, Sleeve & Tap	1	Unit	\$4,500.00	\$4,500.00	\$2,190.00	\$2,190.00	\$2,239.43	\$2,239.43	\$2,239.43
6	8" x 8" x 6" M.J. Tee, Including Mega Lug Retainer Glands	4	Unit	\$400.00	\$1,600.00	\$248.00	\$992.00	\$264.66	\$1,058.64	\$1,058.64
7	6" x 6" x 6" M.J. Tee, Including Mega Lug Retainer Glands	4	Unit	\$350.00	\$1,400.00	\$199.00	\$796.00	\$210.88	\$843.52	\$843.52
8	8" 45 Degree M.J. Bend, Including Mega Lug Retainer Glands	1	Unit	\$300.00	\$300.00	\$168.00	\$168.00	\$180.61	\$180.61	\$180.61
9	8" 22-1/2 Degree M.J. Bend, Including Mega Lug Retainer Glands	1	Unit	\$300.00	\$300.00	\$168.00	\$168.00	\$178.52	\$178.52	\$178.52
10	8" 11-1/4 Degree M.J. Bend, Including Mega Lug Retainer Glands	2	Unit	\$300.00	\$600.00	\$169.00	\$338.00	\$170.13	\$340.26	\$340.26
11	8" M.J. Solid Sleeve, Including Mega Lug Retainer Glands	2	Unit	\$200.00	\$400.00	\$183.00	\$366.00	\$178.52	\$357.04	\$357.04
12	6" M.J. Solid Sleeve, Including Mega Lug Retainer Glands	4	Unit	\$175.00	\$700.00	\$123.00	\$492.00	\$133.13	\$532.52	\$532.52
13	6" Dresser Coupling	4	Unit	\$200.00	\$800.00	\$216.00	\$864.00	\$142.08	\$568.32	\$568.32
14	8" x 6" M.J. Reducer, Including Mega Lug Retainer Glands	1	Unit	\$300.00	\$300.00	\$142.00	\$142.00	\$151.28	\$151.28	\$151.28
15	3/4" Corporation Stop	25	Unit	\$40.00	\$1,000.00	\$39.90	\$997.50	\$29.53	\$738.25	\$738.25
16	3/4" Curb Stop	25	Unit	\$50.00	\$1,250.00	\$58.60	\$1,465.00	\$41.80	\$1,045.00	\$1,045.00
17	3/4" Type "K" Copper Water Service Tubing	400	LF	\$4.00	\$1,600.00	\$3.90	\$1,560.00	\$340.21	\$136,084.00	\$136,084.00
18	3/4" Compression Coupling	25	Unit	\$15.00	\$375.00	\$15.60	\$390.00	\$11.40	\$285.00	\$285.00
19	3/4" Curb Box, 5' High	25	Unit	\$75.00	\$1,875.00	\$38.30	\$957.50	\$36.68	\$917.00	\$917.00
20	Fire Hydrant	3	Unit	\$2,200.00	\$6,600.00	\$2,480.00	\$7,440.00	\$1,665.63	\$4,996.89	\$4,996.89
21	8" Socket Clamp, Including Bolts, Nuts, & Washers	17	Unit	\$25.00	\$425.00	\$19.95	\$339.15	\$19.00	\$323.00	\$323.00
22	6" Socket Clamp, Including Bolts, Nuts, & Washers	8	Unit	\$20.00	\$160.00	\$17.85	\$142.80	\$16.45	\$131.60	\$131.60
23	3/4" Threaded Rod, Black 6' Lengths	32	Unit	\$10.00	\$320.00	\$6.90	\$220.80	\$5.60	\$179.20	\$179.20
24	3/4" Heavy Hex Nut	152	Unit	\$1.00	\$152.00	\$0.34	\$51.68	\$0.41	\$62.32	\$62.32
25	3/4" Socket Clamp Washer	152	Unit	\$2.00	\$304.00	\$1.90	\$288.80	\$0.21	\$31.92	\$31.92
26	3/4" Eye Bolt	152	Unit	\$3.00	\$456.00	\$2.20	\$334.40	\$1.88	\$285.76	\$285.76
TOTAL ESTIMATED COST OF CONSTRUCTION					\$80,717.00		\$75,099.63		\$204,904.03	

[Signature]
 5/21/12
 (Engineer)



TOWN OF NEWTON

RESOLUTION #100-2012

May 30, 2012

"Resolution Authorizing Disposal of Surplus Property"

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

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

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

- 1) The sale of surplus property shall be conducted through GovDeals pursuant to NJ State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available in the Clerk's Office of the Town of Newton.
- 2) The sale will be conducted online and the address of the auction site is govdeals.com.
- 3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4) A list of the surplus property to be sold is as follows:
 1. 2000 Chevrolet C1500 Pickup
Vin#: 1GCGC24R3YR122143
Odometer Reading: 89,405 MILES
Condition: Poor
 2. Clothing Bins
Quantity: 2
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 Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk

GovDeals Vehicle Inspection Form

Inventory ID	Asset Number	Fair Market Value:
Short Description: Year <u>2000</u> Make <u>Chevrolet</u> Model <u>C1500 Pickup</u>		

<u>Please fill in or check</u>	Long Description:
This vehicle: <input type="checkbox"/> Starts <input type="checkbox"/> Starts with a boost and <input type="checkbox"/> Runs <input checked="" type="checkbox"/> Does not run <input checked="" type="checkbox"/> For Parts Only	
Engine <u>5.7 L, V 8</u> <input checked="" type="checkbox"/> Gas <input type="checkbox"/> Diesel engine	
This vehicle was maintained every _____ <input type="checkbox"/> Days <input type="checkbox"/> Hours <input type="checkbox"/> Miles	
Condition: <input type="checkbox"/> Runs <input type="checkbox"/> Needs repair <input type="checkbox"/> is in unknown condition	
Repairs needed: <u>Blown Engine</u>	
Date Removed From Service: <u>5/11/12</u> Maintenance Records: <input type="checkbox"/> Available <input checked="" type="checkbox"/> Not Available	
<u>Transmission</u>	
Transmission: <input checked="" type="checkbox"/> Automatic <input type="checkbox"/> Manual _____ Speed	
Condition is: <input checked="" type="checkbox"/> Operable <input type="checkbox"/> Needs repair <input type="checkbox"/> Is Unknown	
Repairs Needed: _____	

<u>Interior:</u>	Color <u>Grey</u> <input type="checkbox"/> Cloth <input checked="" type="checkbox"/> Vinyl <input type="checkbox"/> Leather
Minor damage to: <u>Bench Seat</u>	
Major damage to: _____	
Radio: Brand <u>Delco Electronics</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> AM/FM <input type="checkbox"/> AM/FM Cassette <input type="checkbox"/> AM/FM CD	
<input checked="" type="checkbox"/> AC <input type="checkbox"/> No AC Condition: <input type="checkbox"/> Cold <input checked="" type="checkbox"/> Unknown Air Bags <input type="checkbox"/> drivers side <input type="checkbox"/> dual	
<input type="checkbox"/> Cruise Control <input type="checkbox"/> Tilt Steering <input type="checkbox"/> Remote Mirrors <input type="checkbox"/> Climate Control	
Power: <input type="checkbox"/> Windows <input type="checkbox"/> Door Locks <input checked="" type="checkbox"/> Steering <input type="checkbox"/> Seats	

<u>Exterior:</u>	Color <u>White</u> Windows: <input checked="" type="checkbox"/> No cracked glass <input type="checkbox"/> cracked _____
Minor: <input type="checkbox"/> Dents <input type="checkbox"/> Scratches <input checked="" type="checkbox"/> Dings Tire Condition: <input type="checkbox"/> Low _____ <input type="checkbox"/> Flat _____ Hubcaps <input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input checked="" type="checkbox"/> 4	
Minor dents to: _____	
Major damage to: <u>Minor Rust</u>	
Decals: <input type="checkbox"/> None <input type="checkbox"/> Have been sprayed <input checked="" type="checkbox"/> Have been removed <input type="checkbox"/> Impressions remain <input type="checkbox"/> No impressions	
Emergency equip: <input type="checkbox"/> None <input type="checkbox"/> Has been removed <input type="checkbox"/> There are holes in the exterior <input type="checkbox"/> There are no holes	
Additional Equipment: Description _____	
Manufacturer _____	Model _____
Serial # _____	

Vehicle Info:	VIN # <u>1GCGC24R3YB122143</u> Mileage <u>89,405</u> Title Restriction <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Location of Asset: <u>39 Trinity St. Newton, NJ 07860</u>	
For more information contact: <u>Ken Jaekel, 973-383-4160</u>	

Reminder: Do not close items on or surrounding a Holiday, on Friday nights, or Weekends. Stagger closing times by 15 minutes.



TOWN OF NEWTON

RESOLUTION #101-2012

May 30, 2012

“Acceptance of the Proposed Purchase of Pipes and Fittings for the Moran Street Watermain Project”

WHEREAS, the Town Council of the Town of Newton awarded a contract for the Proposed Purchase of Pipes and Fittings for the Moran Street Watermain Project to Capitol Supply Construction Products, Inc., "CAPITOL" in the amount of \$30,575.68 by Resolution #71-2012, which was adopted on April 9, 2012; and

WHEREAS, the Town Council approved Change Order No. 1 for "CAPITOL's" portion of the project by the adoption of Resolution #90-2012 at their meeting on May 14, 2012, increasing their portion of the project by \$99.84 to a new contract total of \$30,675.52; and

WHEREAS, David Simmons, Jr., of Harold E. Pellow & Associates, Inc., the Project Engineer, has recommended in his letter dated May 17, 2012 that the project be accepted as complete by the Town Council so the final paperwork can be started;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby accepts the Proposed Purchase of Watermain Pipes and Fittings for the Moran Street Watermain Project as complete based on the recommendation of the Town Engineer, so that the final paperwork can be started.

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 Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

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

ANN PELLOW WAGNER
NJ - C.L.A., VA - C.L.A., PA - C.L.A.
(5/26/84 - 7/27/89)

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

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

THOMAS G. KNUTELSKY
NJ - P.E.

May 17, 2012

FAX: (973) 383-8961

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

FROM: David B. Simmons, Jr., P.E., L.S., C.M.E.

SUBJECT: Proposed Purchase of Watermain Pipes and Fittings for the Moran Street Watermain
HPA No. 12-061

Dear Mr. Russo:

The above referenced project has been completed by the contractor, Capitol Supply Construction Products, Inc., and I recommend the project be accepted by the Town Council.

Once this project has been accepted by the Council, please notify this office so that final paperwork can be started and a one (1) year Maintenance Bond secured by the contractor.

Very truly yours,

David B. Simmons, Jr., P.E., L.S., C.M.E. for
HAROLD E. PELLOW & ASSOCIATES, INC.
Town of Newton Engineers

DBS:mac
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TOWN OF NEWTON

RESOLUTION #102-2012

May 30, 2012

“Award Contract to Tony’s Concrete Construction Co., Inc., for the Installation of Sidewalks and Curb on Various Intersections”

WHEREAS, the Town of Newton, in accordance with State statute, received quotes from qualified vendors for curb and sidewalk work for various intersections at 11:00 a.m. on Tuesday, May 22, 2012; and

WHEREAS, Tony’s Concrete Construction Co. Inc., was the only quote received for the sidewalk and curb work; and

WHEREAS, it is recommended by the Qualified Purchasing Agent, Debra J. Millikin and Town Engineer, Harold E. Pellow, that a contract for the construction of sidewalks and curbs for various intersections be awarded to Tony’s Concrete Construction Co., Inc., in the amount of \$21,246.00; and

WHEREAS, the Treasurer has certified funds are available based on the attached certification;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that it hereby awards the contract for the sidewalk and curb work for various streets to Tony’s Concrete Construction Co. Inc., Newark, NJ, in the amount of \$21,246.00.

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 Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk



TOWN OF NEWTON

CERTIFICATION OF THE AVAILABILITY OF FUNDS
(AS REQUIRED BY N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq)

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

RESOLUTION #:102-2012

APPROVING: TONY'S CONCRETE CONSTRUCTION CO., INC.

FOR THE PURPOSE OF: SIDEWALK AND CURB WORK FOR VARIOUS
STREETS

IN THE AMOUNT OF: \$21,246.00

APPROPRIATED BY:

CAPITAL FUND - ORD #2012-13 -
ROAD IMPROVEMENTS VARIOUS ROADS #309121301 \$21,246.45

DATED THIS 30TH DAY OF MAY, 2012

BY Virginia Raftery
VIRGINIA RAFTERY
TREASURER



HAROLD E. PELLOW & ASSOCIATES, INC.

CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

Established 1969

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(5/26/84 - 7/27/89)

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NY - P.E. & L.S., PA - P.E. & L.S.

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

THOMAS G. KNUTELSKY
NJ - P.E.

May 22, 2012

FAX: (973) 383-8961

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

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

SUBJECT: **RECOMMENDATION OF AWARD**
Proposed Curb, Sidewalk, and Detectable Warning Surface
Construction at Various Intersections
HPA No. 12-069

Dear Tom:

I have reviewed the one (1) quote we received today at 11:00 AM for the above referenced project and recommend the contract be awarded to Tony's Concrete Construction Co., Inc., 316 E. Kinney Street, Newark, New Jersey 07105, whose low quote was \$21,246.00.

Enclosed herewith please find the *Summary of Quote* for your review.

Very truly yours,

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

HEP:mac
K:\PROJECTS\MUNICIPAL\NEWTON\COUNCIL\12-069 - MERRIAM AVENUE RESURFACING\RUSSO2.DOC

Enclosure

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

-----BY:-----
RECEIVED
MAY 24 2012



TOWN OF NEWTON

RESOLUTION #103-2012

May 30, 2012

"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 2011 and 2012 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Wednesday, May 30, 2012.

Lorraine A. Read, RMC
Municipal Clerk