

November 13, 2019

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present were Mr. Dickson, Mrs. Diglio, Deputy Mayor Flynn, Mr. Schlaffer, Mayor Le Frois, and Thomas S. Russo, Jr, Town Manager. Ursula Leo, Esq., Town Attorney was also present.

Mayor Le Frois then made the following declaration "in accordance with the Open Public Meetings Act, notice of this Regular meeting was given to the two newspapers of record and posted on the official bulletin board on January 4, 2019."

Mayor Le Frois led the Pledge of Allegiance to the flag and the Municipal Clerk called the roll. Upon motion of Mrs. Diglio, seconded by Mr. Schlaffer and unanimously carried, the minutes for the October 28, 2019 Regular and Executive Session meetings were approved.

OPEN TO THE PUBLIC

At this time, Mayor Le Frois read the following statement:

"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 Municipal 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. Council may choose to comment after the entire public portion has concluded."

Maureen Snellen, Plainfield Avenue, noted the flags on the front lawn of Town Hall look beautiful, due to the Flags of Honor event on Saturday, Nov. 9th. Ms. Snellen corrected a comment from the last Council Meeting eluding to: "the public does not seem to care about the salary of the Superintendent of Public Schools" and she stated the public does care.

There being no one else from the public to be heard, Mayor Le Frois closed the meeting to the public.

COUNCIL & MANAGER REPORTS

a. **Mayor Le Frois** – On 10/31, she attended and thanked the Newton Fire Department and Newton Moose Lodge for sponsoring the Newton Halloween parade. On 11/2, she attended the Boy Scout Court of Honor for Brendon T. Read, son of Lorraine A. Read, Municipal Clerk. Mayor Le Frois proudly presented Mr. Read with a Proclamation. On 11/7, she attended the Karen Ann Quinlan Holiday Elegance event at the SC Fairgrounds. On 11/8, she attended the Casino Night at Newton Theater. Mayor Le Frois noted members of the Children's Theater performed and stated they

were amazing. On 11/9, she attended the Flags of Honor event at Town Hall, which was fantastic. All proceeds of the flags were donated to the Community of Hope. On 11/14, the Town will host a Greater Newton Chamber of Commerce Meet and Greet at Town Hall. Also on 11/14, several Officials will be attending the SCCC Foundation's "Funding their Future" event at 6:00pm at Perona Farms. On 11/15, former Governor Codey will be present at Town Hall to present the Town will "Stigma Free" signs, an initiative the Town recently created. On 11/16, the 28th annual C. Edward McCracken "Festival of Lights" event will be held at Newton Medical Center beginning at 4:30pm. Mayor Le Frois also mentioned the Town of Newton recently received an Honorable Mention certificate for the 2019 Innovation in Governance Award for "Marketing Checklist" from the NJ Department of Community Affairs and NJ State League of Municipality.

b. Deputy Mayor Flynn – Noted he was unable to attend the Flags of Honor event this past weekend but was pleased with the success of the event.

c. Councilwoman Diglio – On 10/30, Councilwoman attended the reception for Dawn Babcock, who recently retired from Town Hall as CFO. She attended the Halloween parade and the Eagle Scout Court of Honor ceremony of Brendon T. Read. On 1/12, she attended the ribbon cutting for the re-dedication of 49 High Street. She noted the original ribbon cutting dedication of this building was done 24 years ago by her late husband, Phil. She noted she unfortunately could not attend the Flags of Honor due to the inclement weather in Vermont.

d. Councilman Schlaffer – On 11/12, he attended the Economic Development Commission (EDC) meeting and updated Council on the upcoming events in the Town of Newton.

e. Councilman Dickson – "On Oct 29th, myself and Councilwoman Diglio attended a meeting of municipal representatives with Senator Oroho, and Assemblymen Space and Wirths. Had a chance to be provided with updates as well as ask questions.

Thank you to all that participated in both the costume parade and trunk decorating for the trunk or treat. Saw some really creative costumes and trunks. Thank you to the NFD and the Moose Lodge for their support in this event and thank you to Kimberly Williams for all she does to make these events possible.

Flags of Honor was a great tribute to our veterans. Thank you to the Rec. Committee for organizing it and to Tom for bringing this idea to Newton.

Last night, I attended the Newton BOE Meeting. They swore in a new representative from Andover. Dr. Greene gave several updates including that the Wallkill Watershed program is receiving more grant money and will begin new projects at all schools in the spring. Security updates were given stating that now all doors will be locked in the morning until it is time for all students to enter MAS and HMS and NHS is looking to go from 9 points of entry to 4 with all 4 being monitored. The security glass at NHS is going to be installed over the winter break.

The Board had a discussion on consolidation/regionalization which was brought on by the Tri District Consortium. Several concerns were brought up. Each district has a different district factor group rating which represents an approximate measure of a community's socioeconomic status. That could directly affect our ability to qualify for programs like preschool expansion, breakfast after the bell and C2C. Other concerns that were discussed were highest salary guide and benefits prevail. Debt would be combined among all three districts, so a district with less would now increase their debt. The overall consensus was that there would be winners and losers. Byram, Stanhope, and Netcong were in the process of a study and when one realized they were going to end up losing, the process has not made any progress. The board concluded that the TDC is going to focus on how the 3 districts could continue to explore shared service options, professional development and curriculum. A public meeting of the TDC is being planned for May 2020.

I wanted to thank Chief Richards for his years of dedicated service to the department. All his work with the department and CLEAR made a profound impact on the community. His leadership and professionalism will be greatly missed. I wish him well in future endeavors."

f. **Town Manager Russo** - Commended the Halloween Parade held on 10/31 and thanked all who participated in the event, as well as, those who worked on making the parade a success. The Flags of Honor event, held on 11/9, was also successful and thanked Michelle Estremera and the Recreation team for their hard work. He disseminated various flyers with upcoming events in the Town of Newton. On a personnel note, Ms. Estremera will be moving from Recreation to the Municipal Court,

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as Deputy Court Administrator. Mr. Russo also mentioned the recent retirement notification of the Chief of Police, Michael S. Richards. Mr. Russo congratulated him on his decision and wished him well on his retirement plans. Mr. Russo also notified the Council of the retirement plans of Lt. Mark Zappa, effective February 1, 2020. Mr. Russo read a request from the Newton Fire Department requesting permission to sponsor the annual Newton St. Patrick's Day Parade on Saturday, March 21, 2020 at 11:00am in Newton. After a brief discussion, the Town Council unanimously agreed to permit the Newton Fire Department to run the Newton St. Patrick's Day Parade on an annual basis. It was noted the St. Patrick's Day Committee had resigned and was no longer running the parade. The Newton Chamber of Commerce "Meet and Greet" will take place on Thursday, November 14th. Mr. Russo was able to secure a generous donation of \$26,000 from Alex Cable of Thorlabs for the Rail Trail Phase III. He noted former Governor Codey will be at Town Hall on Friday, November 15, 2019 to present the Town Council with "Stigma Free" signs for the Town of Newton. The Codey Fund Foundation initiated a statewide campaign requesting towns throughout New Jersey to designate their municipality a Stigma Free Town. Newton supports the elimination of stigma associated with mental health illness and will promote public awareness.

ORDINANCES

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE #2019-11

AN ORDINANCE REVISING SECTIONS 20-3.B AND 3-50.C(2) OF THE CODE OF THE TOWN OF NEWTON REGARDING LOSAP CONTRIBUTIONS

WHEREAS, the Town Council of the Town of Newton, has established a Length of Service Award Program ("LOSAP") for members of the Newton Volunteer First Aid Squad and the Town of Newton Fire Department, in accordance with the "Emergency Services Volunteer Length of Service Award Program Act", N.J.S.A. 40A:14-183 to -194, to reward members of the Newton Volunteer First Aid Squad and the Town of Newton Fire Department for their loyal, diligent, and devoted service to the residents of the Town of Newton; and

WHEREAS, the voters of the Town of Newton voted in favor of the LOSAP via a public question referendum; and

WHEREAS, the Emergency Services Volunteer Length of Service Award Program Act permits increases the maximum annual contribution for volunteer members, without public hearing or public question, for increased contributions calculated by multiplying the original contribution as approved by the Consumer Price Index Factor, per N.J.S.A. 40A:14-185; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services, issues a Local Finance Notice annually regarding LOSAP award

increases and the annual cost of living adjustments, which annual increase shall be followed by the Town of Newton, beginning calendar year 2020;

NOW, THEREFORE BE IT ORDAINED, the Mayor and Newton Town Council have reviewed the Town Code regarding LOSAP and have determined that revisions to Sections 20-3.B and 3-50.C(2) are desired, as follows:

SECTION 1:

Section 20-3.B shall be amended by the addition of the following:

- B. plus automatic annual Consumer Price Index (CPI) adjustments, beginning calendar year 2020, as established by statutory law and the Director of the Division of Local Government Services.

SECTION 2:

Section 3-50.C(2) shall be amended by the addition of the following:

- (2) ... plus automatic annual Consumer Price Index (CPI) adjustments, beginning calendar year 2020, as established by statutory law and the Director of the Division of Local Government Services.

SECTION 3: 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 4: EFFECTIVE DATE

This Ordinance shall take effect on January 1, 2020, following adoption and publication in accordance with law.

Mayor Le Frois opened the meeting to the public.

There being no one from the public to be heard, upon motion of Deputy Mayor Flynn, seconded by Mr. Dickson and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE**, was offered by Mr. Dickson, who moved its adoption, seconded by Mr. Schlaffer and roll call resulted as follows:

Mr. Dickson	Yes	Mrs. Diglio	Recused
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
	Mayor Le Frois	Yes	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE #2019-12

A FULLY FUNDED WATER SEWER CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$40,000.00 FOR ACQUISITION OF WATER SEWER UTILITY TRUCK IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED by the Town Council of the Town of Newton, in the County of Sussex, as follows:

Section 1a. \$40,000.00 is hereby appropriated for acquisition of a Water Sewer Utility Truck and all costs necessary therefore or incidental thereto from the following sources:

Water Sewer Capital – Fund Balance \$ 40,000.00

Section 2. The Town hereby certifies it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of local Government Services and is filed and available for public inspection in the office of the Clerk.

Section 3. This ordinance shall take effect as provided by the law.

Mayor Le Frois opened the meeting to the public.

There being no one from the public to be heard, upon motion of Deputy Mayor Flynn, seconded by Mr. Dickson and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE**, was offered by Mrs. Diglio, who moved its adoption, seconded by Mr. Schlaffer and roll call resulted as follows:

Mr. Dickson	Yes	Mrs. Diglio	Yes
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
	Mayor Le Frois	Yes	

This Ordinance will take effect after publication and adoption according to law.

The Clerk will advertise the above Ordinance according to law.

Mayor Le Frois directed the Clerk to read aloud the following Ordinance relative to final adoption.

ORDINANCE #2019-13

ORDINANCE APPROPRIATING \$50,000 FROM CAPITAL FUND BALANCE FOR THE 2011 RECREATIONAL TRAIL GRANT PROGRAM PROJECT IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$50,000 is hereby appropriated from Capital Fund Balance for the 2011 Recreational Trail Grant Program Project (NJDEP Grant ID No. 11-1915-1) in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town") involving installation of a pedestrian bridge along the Sussex Branch Trail, including permitting, necessary trail improvements and other related work and costs. The Town has been approved for the grant by the New Jersey Department of Environmental Protection in the amount of \$24,000, and, upon receipt, the proceeds of the grant will be applied to reimburse the general capital fund balance.

Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein

are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Mayor Le Frois opened the meeting to the public.

There being no one from the public to be heard, upon motion of Mr. Dickson, seconded by Mrs. Diglio and unanimously carried, the hearing was closed.

The aforementioned **ORDINANCE**, was offered by Mr. Dickson, who moved its adoption, seconded by Deputy Mayor Flynn and roll call resulted as follows:

Mr. Dickson	Yes	Mrs. Diglio	Yes
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
	Mayor Le Frois	Yes	

This Ordinance will take effect after publication and adoption according to law. The Clerk will advertise the above Ordinance according to law.

OLD BUSINESS – Mayor Le Frois introduced and welcomed Monica B. Miebach, our new Chief Financial Officer for the Town of Newton.

CONSENT AGENDA

Mayor Le Frois read the following statement:

“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.”*

Mr. Russo reviewed the consent agenda items.

RESOLUTION #221-2019*

RESOLUTION OF THE TOWN OF NEWTON AUTHORIZING DISBURSEMENT OF \$60,000.00 FROM ITS AFFORDABLE HOUSING TRUST FUND TO CCI FOUNDATION, INC. FOR HMFA APPROVED DEVELOPMENT PROPOSAL TO CONSTRUCT A SUPPPORTIVE AND SPECIAL NEEDS HOUSING PROJECT

WHEREAS, on or about July 11, 2019, the New Jersey Housing and Mortgage Finance Agency (“HMFA”) approved a subsidy mortgage loan commitment in construction and permanent loan financing from the Special Needs Housing Trust Fund (“SNHTF”) Program to CCI Foundation, Inc. (“CCI”) for constructing a 4 bedroom, supportive and special needs group home on property located along Madison Avenue, identified on the Town’s Official Tax Maps as Block 14.03, Lot 11.01 (“Project”); and

WHEREAS, on December 10, 2018, the Town previously determined there is a need for the Project, and in furtherance of completing same, the Town Council approved a pledge in the amount of \$60,000.00 from its Affordable Housing Trust Fund towards the Project which will further the important mission of providing permanent supportive and special needs housing within the community; and

WHEREAS, the Town's pledge was made contingent upon certain terms and conditions set forth in Resolution #248-2018 including obtaining a certificate of occupancy and license from the State of New Jersey; and

WHEREAS, CCI and HMFA have advised the Town that the closing cannot occur unless the Town's pledge can be drawn upon during construction of the Project; and

WHEREAS, CCI has formally requested the Town release its total pledge in the amount of \$60,000.00 to avoid any gap in financing during construction; and

WHEREAS, the Town now desires to release its total pledge amount prior to completion of the Project, subject to CCI and the Town entering into a Memorandum of Understanding ("MOU"), a copy of which is attached hereto and incorporated herewith, which requires, among other things, that CCI execute a mandatory 30-year deed restriction on the property requiring that the residence be operated as a supportive and special needs group home solely for low income individuals;

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

1. The Town Council hereby approves and authorizes disbursement of \$60,000.00 from its Affordable Housing Trust Fund to CCI subject to the Town receiving fully executed copies of the MOU and Deed Restriction, and subject to the terms and conditions set forth therein.
2. The Town Council hereby approves the attached Memorandum of Understanding between CCI and the Town, and Deed Restriction attached thereto.
3. The Mayor and Clerk are hereby authorized to execute the MOU and Deed Restriction on behalf of the Town.

RESOLUTION #222-2019*

RESOLUTION OF THE TOWN OF NEWTON AUTHORIZING AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES BETWEEN THE TOWN OF NEWTON AND CCI FOUNDATION, INC.

WHEREAS, CCI Foundation, Inc. ("CCI"), 185 Route 183, Stanhope, New Jersey 07874 proposes to construct a four (4) bedroom, supportive and special needs group home solely for low income individuals, on property located along Madison Avenue, identified on the Official Tax Maps of the Town as Block 14.03, Lot 11.01 (hereinafter "the Project") in order to assist it in providing affordable housing in the Town; and

WHEREAS, CCI has agreed to deed restrict the units as affordable housing units, pursuant to the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. The deed restriction will be recorded and filed in the Sussex County Clerk's Office; and

WHEREAS, as part of CCI's housing project, it has requested that the Town enter into the attached Agreement for Payment in Lieu of Taxes ("Agreement") by which the Town agrees to accept payments in lieu of taxes (P.I.L.O.T.) in return for the tax exemption as reflected in the Agreement; and

WHEREAS, the project will be subject to the requirements of the New Jersey Housing and Mortgage Financing Agency ("HMFA") and the mortgage and other loan documents executed between CCI and HMFA pursuant to the New Jersey Housing and Mortgage Financing Agency Law, N.J.S.A. 55:14K-1 et seq.; and

WHEREAS, CCI has agreed, as a condition of the Town's tax exemption and the P.I.L.O.T. that the project shall remain as a COAH qualified inclusionary development for the thirty (30) year term of the Agreement; and

WHEREAS, CCI has presented to the Town Council a revenue projection for the project which sets forth the anticipated revenue to be received from the operation of

the project as estimated by CCI, a copy of which is attached to the Agreement as Exhibit "A";

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

1. The Council finds that the proposed project will meet or meets an existing housing need.

2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA requirements with the intent and purpose that the HMFA shall rely thereon in making a mortgage loan to CCI, which shall construct, own and operate the project.

3. The Agreement for Payment in Lieu of Taxes between the Town of Newton and CCI (Exhibit "A") is hereby approved subject to the terms and conditions contained in this Resolution, with the intent and purpose that from the date of execution of the HMFA mortgage, the proposed project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA requirements, provided that payments in lieu of taxes for municipal services supplied to the project are made to the Town in such amounts and manner set forth in the Agreement.

4. This Resolution is further conditioned upon CCI complying within all terms and conditions with the Agreement.

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are authorized to sign the Agreement on behalf of the Town.

RESOLUTION #223-2019*

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ROAD SALT AND SNOW GRIT FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE TOWN OF NEWTON

WHEREAS, the County of Sussex advertised for Ice Control Materials (Rock Salt and Snow Grit) on June 25, 2019 and publicly received the bids July 16, 2019; and

WHEREAS, the bid proposals included an option for the bidder to provide goods and/or services to other governmental contracting units within the County of Sussex and without substitution or deviation from the bid specification; and

WHEREAS, the following vendors were awarded contracts for road salt and snow grit and have extended their pricing to municipalities, thereby affording the Town of Newton the opportunity of direct purchase without competitive bidding:

<u>Rock Salt</u>	<u>Price Per Ton</u>
Morton Salt 444 West Lake Street, Suite 3000 Chicago, IL 60606	\$51.98
 <u>Snow Grit</u>	
284 Aggregates LLC 10 Route 284 Sussex, NJ 07461	\$9.99
Braen Stone PO Box 8310 Haledon, NJ 07538-8310	\$9.97
North Church Gravel 216 North Church Rd Franklin, NJ 07416	\$9.09

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Stavola Construction Materials \$11.00
175 Drift Road
Tinton Falls, NJ 07724

WHEREAS, the Chief Financial Officer has certified funds are available in the 2019 Town of Newton operating budget to award these contracts for the 2019 portion of the contracts up to \$34,000;

- 500 ton of salt, not to exceed \$30,000 from account number 1081239
- 400 ton of grit, not to exceed \$4,000 from account number 1081239

2019 Current Budget - Snow Removal O&E Materials and Supplies - #1081239

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Newton does hereby award a contract for the purchase of road salt from Morton Salt at the Sussex County price of \$51.98 per ton and Snow Grit from 284 North Church Gravel at \$9.09 per ton, 284 Aggregates LLC at \$9.99 per ton and Braen Stone at \$9.97 per ton.

RESOLUTION #224-2019*

AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR SUBURBAN CONSULTING ENGINEERS, INC., DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE COMMUNITY POOL RENOVATIONS AT MEMORY PARK

WHEREAS, the Town of Newton requires the services of a professional engineer for Design and Construction Administration Services for the Community Pool Renovations at Memory Park through a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, under the Local Publics Contract Law N.J.S.A.40A:11-5, professional services are exempt from public bidding; and

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

WHEREAS, the anticipated term of this contract is until project completion; and

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

WHEREAS, the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2019 budget, funds NOT TO EXCEED \$39,500.00 will be encumbered as follows:

Capital – ORD #2019-9 Pool Improvements #3091909

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract Design and Construction Administration Services for the Community Pool Renovations at Memory Park with Suburban Consulting Engineers, Inc., not to exceed \$39,500.00; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RESOLUTION #225-2019*

AUTHORIZING THE ADOPTION OF THE TOWN OF NEWTON DOMESTIC VIOLENCE POLICY AND DESIGNATING THE TOWN HUMAN RESOURCES DIRECTOR AS THE HRO AND TOWN MANAGER AS THE SECONDARY HRO

WHEREAS, N.J.S.A. 11A:2-6a requires all municipalities to adopt and distribute the State of New Jersey Domestic Violence Policy for Public Employees, developed by the Civil Service Commission; and

WHEREAS, the Town must now adopt a Domestic Violence Policy and, among another things, designate a Human Resources Officer (“HRO”) and secondary HRO to receive and address questions about domestic violence;

NOW, THEREFORE, BE IT RESOLVED by the Town of Newton that the attached Town of Newton Domestic Violence Policy is hereby adopted and shall be distributed to all current employees and provided to new hires; and

BE IT FURTHER RESOLVED that the Town hereby designates the Human Resources Director as the HRO and the Town Manager as the Secondary HRO, as required by law.

RESOLUTION #226-2019*

APPROVE 2019 APPROPRIATION TRANSFERS

BE IT RESOLVED, by the Town Council of the Town of Newton that the following 2019 appropriation transfers be approved effective this date:

<u>From</u> <u>CURRENT</u>	<u>To</u>	<u>Amount</u>
Employee Group Ins. OE 1066201	Health Benefit Waiver OE 1066300	5,050.00
Senior Citizen SW 1093100	Road SW 1080103	3,500.00
Court SW 1059101	Road SW 1080103	4,000.00
Pool OE 1090207	Pool SW 1090102	1,010.00
Recycling OE 1083269	Building & Grounds OE 1061239	3,000.00
TOTAL CURRENT TRANSFERS		\$16,560.00

RESOLUTION #227-2019*

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.

TOWN BILLS

42302 3773 - A&S HYDRAULICS PO 55782 Roads/ Mech Main cust #60353012031	390.00	390.00
42303 3897 - SYNCHRONY BANK PO 55796 SANTA SUIT	59.99	59.99
42304 3694 - ATLANTIC TRAINING CENTER PO 55478 CPR/ First Aid Training	405.00	405.00
42305 1132 - BOONTON TIRE SUPPLY INC. PO 55614 B: PD Vehicle Repair	1,023.96	1,023.96
42306 192 - CAMPBELL'S SMALL ENGINE INC. PO 54581 BLANKET:PARKS EQUIP MAINT	136.29	136.29
PO 54584 BLANKET:ROADS EQUIP MAINT	5.20	
PO 55772 Mower Maintenance/ Engine Rpr	3,291.58	3,433.07
42307 2843 - CHELBUS CLEANING CO., INC. PO 54552 B: CLEAN TOWN BLDGS	1,653.75	1,653.75
42308 178 - COUNTY OF SUSSEX PO 55864 4TH QTR LIBRARY TAX	69,029.29	69,029.29

42309 1425 - COUNTY OF SUSSEX PO 55865 4TH QTR CNTY OPEN SPACE TAX 3,971.82	3,971.82
42310 176 - COUNTY OF SUSSEX PO 55863 4TH QTR CNTY PURPOSE TAX 961,090.63	961,090.63
42311 2361 - CSS TEST INC. PO 55679 Set-Up Fee - Background (Credit) Ch 75.00	75.00
42312 2048 - DANIELSON, DEBORAH PO 55851 Shade Tree Conference Reimb 10/23 - 498.10	498.10
42313 768 - DEMPSEY UNIFORM & SUPPLY INC PO 55613 B: DPW/ WS Uniforms/ Mat Rentals 2,227.22	2,227.22
42314 225 - FEDERAL EXPRESS PO 53968 B: EXPRESS MAIL ACCT #1344-0525-2 26.17	26.17
42315 257 - FERRAIOLI, CERULLO & CUVA PO 55617 PILOT CONSULTATION 675.00	675.00
42316 1608 - GOLD TYPE BUSINESS MACHINES PO 55754 ETICKET RENEWAL 3,411.00 PO 55793 BRACKET 25.00	3,436.00
42317 2313 - GRAVITY DESIGN WORKS, INC. PO 55731 Flags of Honor Display Sign 490.00	490.00
42318 789 - GREATER NEWTON CHMBR OF COMM. PO 55112 84 WREATHS (STORE INSTALL & REMOVE 6,900.00	6,900.00
42319 1866 - HOME DEPOT, INC. PO 54311 BLANKET: B&G/VehMain/RdSupp's 616.80 PO 54342 B: CENCOM SUPP'S 25.85	642.65
42320 1866 - HOME DEPOT, INC. PO 55149 B: EVENTS SUPPLIES PO 55859 ELECTION TABLES/YARD SALE SIGNS 106.36 PO 55875 Materials/ Supplies 231.90	285.21
42321 1866 - HOME DEPOT, INC. PO 55872 PARKS SUPP'S 543.75 PO 55873 TOOLS/MISC SUPP'S 512.22	1,055.97
42322 1866 - HOME DEPOT, INC. PO 55874 CATCH BASIN SUPP'S 486.84	486.84
42323 4216 - JNC BBQ PO 55634 Family Fun Night - Popcorn & Cotton 510.00	510.00
42324 3711 - KKPR MARKETING & PUBLIC RELATIONS, PO 54002 B: MARKETING & PUBLIC RELATIONS 675.00	675.00
42325 4042 - LEAD INC. PO 55620 LEAD TRAINING 395.00	395.00
42326 4019 - MAILFINANCE INC. PO 54461 B: POSTAGE MACH RENTAL -2nd qtr #8 529.41	529.41
42327 53 - MONTAGUE TOOL & SUPPLY, INC. PO 55792 Tool: Asphalt Rake 97.90	97.90
42328 199 - NEOPOST LEASING, INC. PO 55852 2019 POSTAGE METER ACCT #61766468 12,000.00	12,000.00
42329 4154 - NEWTON HIGH SCHOOL PO 55727 Floral arrangements for Flags of Ho 230.25	230.25
42330 2701 - NJLM PO 55636 Job Posting - Deputy Municipal Cour 210.00	210.00
42331 3954 - PAR TROY SOUND OF NEWTON, INC. PO 55833 Wiring kit/Radio Rpr 130.00	130.00
42332 64 - PELLOW, HAROLD & ASSO, INC. PO 55828 TOWN COUNCIL -SEPT 211.50	211.50
42333 4204 - PLANET NETWORKS INC. PO 55378 B: FIBER INTERNET POLICE/TH 639.80	639.80
42334 2753 - PORTER LEE CORPORATION PO 55726 SOFTWARE SUPPORT (11/19-10/20) 882.00	882.00
42335 39 - QUILL CORPORATION PO 55549 B: OFFICE SUPPLIES cust #6182634 445.94	445.94
42336 4034 - R & J CONTROL INC. PO 54152 B: QTRLY MAINT STP/WTP/DPW GENERATO 743.25	743.25
42337 3849 - ROK INDUSTRIES, INC PO 55732 ELECTRONIC TAX SALE FEES 390.00	390.00
42338 3660 - SCHENCK, PRICE, SMITH, & KING, LLP PO 55751 TAX APPEAL ATTORNEY-SEPT 851.03 PO 55752 SPECIAL CONFLICT ATTORNEY -SEPT 1,165.50	2,016.53
42339 611 - SEBRING AUTO PARTS, INC. PO 54284 BLANKET: AUTO PARTS 942.17	942.17
42340 2145 - SEELY BROTHERS, INC. PO 55802 Flags of Honor Event 11/2019- POW/B 244.00	244.00
42341 4151 - SESI CONSULTING ENGINEERS PO 55590 9/5 MEETING 746.15	746.15
42342 643 - SHERWIN-WILLIAMS, INC. PO 55730 TRAFFIC Machine Rpr Kit acct #5122 76.74	76.74
42343 4024 - SPECTROTEL PO 53961 B: LOCAL/LONG DISTANCE PHONE SVC - 558.84	558.84
42344 718 - STAMP FULFILLMENT PO 55820 POSTAGE PAID ENVELOPES (3 cases) ac 1,639.20	1,639.20
42345 2257 - STAPLES BUSINESS ADVANTAGE, INC. PO 54357 B: OFFICE SUPPLIES -ASSESSORS 294.49 PO 55610 Prints for Flags of Honor Advertise 16.10 PO 55661 Recycling/ Office Supplies 241.28 PO 55675 OPRA COPIES 29.84 PO 55862 COURT COPY PAPER 95.97	677.68
42346 3822 - STRYKER EMS EQUIPMENT, CORP PO 54854 ADULT AED PADS ACCT #1285984 90.30	90.30
42347 229 - SUSSEX COUNTY ECONOMIC PO 55776 Economic Development Symposium ACC 35.00	35.00
42348 3965 - SYN-TECH SYSTEMS, INC. PO 55677 Fuel Sys Contract 10/30/2019-10/29/ 1,175.00	1,175.00
42349 2479 - TAYLOR OIL CO., INC. PO 54563 B: DIESEL 3,279.83	3,279.83
42350 3851 - THE CANNING GROUP, LLC. PO 53950 B: 2019 PURCHASING QPA - (625.00	625.00
42351 2880 - TRACTOR SUPPLY PO 55781 Roads/ Mech Main cust #60353012031 137.96	137.96
42352 2007 - TREASURER, STATE OF NEW JERSEY PO 55846 MARRIAGE LICENSES 3RD QTR (13) 325.00	325.00
42353 2476 - TREASURER, STATE OF NJ -BURIAL PO 55847 BURIAL PERMIT 3RD QTR (1) 5.00	5.00
42354 219 - TRI-STATE RENTALS, INC. PO 55254 Family Fun Night - Bounce house CU 295.00	295.00
42355 4174 - VELUMCORE, LLC. PO 55656 MEDICAL TRAINING 200.00	200.00

100001 CASH - CURRENT - LAKELAND #434 0.00 1,089,353.38
101254 DUE S/NJ - MARRIAGE LICENSE FEES 325.00
101257 DUE S/NJ - BURIAL FEE 5.00
101262 DUE COUNTY - LIBRARY TAX 69,029.29
101263 DUE COUNTY - PURPOSE TAX 961,090.63
101266 DUE COUNTY - OPEN SPACE TAX 3,971.82
1050200 TOWN MANAGER'S OFFICE - OTHER EXPENSES 675.00
1051200 TOWN CLERK'S OFFICE - OTHER EXPENSES 13,705.61
1051500 ELECTIONS - OTHER EXPENSES 95.96
1052200 TOWN COUNCIL - OTHER EXPENSES 35.00
1053200 HUMAN RESOURCE - OTHER EXPENSES 210.00
1054200 FINANCE ADMINISTRATION - OTHER EXPENSES 675.00
1055200 ASSESSMENT OF TAXES - OTHER EXPENSES 294.49
1056200 COLLECTION OF TAXES - OTHER EXPENSES 390.00
1058200 LEGAL SERVICES - OTHER EXPENSES 2,016.53
1059200 MUNICIPAL COURT - OTHER EXPENSES 95.97
1060200 ENGINEERING - OTHER EXPENSES 211.50
1061200 BUILDINGS & GROUNDS - OTHER EXPENSES 6,604.29
1064200 COMMUNITY DEVELOPMENT - OTHER EXPENSES 625.00
1074200 POLICE DEPARTMENT - OTHER EXPENSES 2,038.24
1074300 COMMUNICATIONS CENTER - OTHER EXPENSES 3,436.85
1080200 ROAD REPAIR & MAINT - OTHER EXPENSES 3,003.78
1083200 RECYCLING/SANITATION - OTHER EXPENSES 241.28
1083300 VEHICLE MAINTENANCE - OTHER EXPENSES 2,100.99
1085200 OCCUPATIONAL HEALTH - OTHER EXPENSES 75.00
1087200 RECREATION - OTHER EXPENSES 1,898.22
1089200 UTILITY EXP/BULK PURCH - OTHER EXPENSES 3,935.29
1090200 SWIMMING POOL - OTHER EXPENSES 746.15
1091200 PARKS & PLAYGROUNDS - OTHER EXPENSES 3,971.62
1092200 CELEBRATION OF PUBLIC EVENTS - OE 7,185.21
1095200 CAPITAL IMPROVEMENTS - OTHER EXPENSES 664.66

TOTAL TOWN BILLS \$1,089,353.38

WATER/SEWER BILLS

42301 DOMINICK'S PIZZA LLC PO# 55842 FOOD DAWN'S RETIREMENT PARTY 308.00 10/31/2019
188,030.42

BILLS LIST TOTALS 188,030.42 1,089,353.38 **1,277,383.80**

17806 4106 - **ALL GAS & WELDING SUPPLY CO., INC.** PO 54161 B: Propane/EquipFuel CUST #783862
78.12 **78.12**
 17807 3015 - **CAPITOL SUPPLY CONST PRODUCTS, INC.** PO 55536 Parts For Water Meters And
Service 7,522.92 **7,522.92**
 17808 155 - **COYNE CHEMICAL CORP., INC.** PO 55186 Chemicals for WTP CUST #214102 1,741.79
PO 55186 Chemicals for WTP CUST #214102 854.43 **2,596.22**
 17809 768 - **DEMPSEY UNIFORM & SUPPLY INC** PO 55613 B: DPW/ WS Uniforms/ Mat Rentals/ S
429.23 **429.23**
 17810 3124 - **EXTRA TECH DATA SERVICES, LLC.** PO 54549 B: IT SERVICES 2019 1,389.99 **1,389.99**
 17811 807 - **FRANK SEMERARO CONSTRUCTION, INC.,** PO 55671 LEAK DETECTION 127 Spring St
750.00 **750.00**
 17812 232 - **HAMBURG PLUMBING SUPPLY CO INC** PO 55689 Schedule 80 pipe WTP cust #14037
187.21
 PO 55766 Gaskets/ Flanges WTP cust #14037 123.14 **310.35**
 17813 1866 - **HOME DEPOT, INC.** PO 54285 BLANKET: WATER/SEWER Supplies 2,243.05
PO 55875 Materials/ Supplies 31.83 **2,274.88**
 17814 4211 - **JOSEPH D CALABRESE** PO 55490 B: IT SERVICES 4TH QTR 2019 1,200.00 **1,200.00**
 17815 1566 - **MAIN POOL & CHEMICAL COMPANY, INC.** PO 54557 B: LIQUID SODIUM
HYDROXIDE/SULFURIC 2,202.00
 PO 54559 B: LIQUID SODIUM HYPOCHLORITE/CHLOR 2,202.00
 PO 54559 B: LIQUID SODIUM HYPOCHLORITE/CHLOR 1,047.84 **5,451.84**
 17816 199 - **NEOPOST LEASING, INC.** PO 55852 2019 POSTAGE METER ACCT #61766468 2,000.00
2,000.00
 17817 64 - **PELLOW, HAROLD & ASSO, INC.** PO 55502 CAF(partial) Budget for Water Syste 65.00
PO 55841 WATER ENG -SEPT 1,314.00 **1,379.00**
 17818 2212 - **PROCESS TECH SALES AND SERVICE** PO 55771 Rosemount Chlorine Sensor 2,663.73
2,663.73
 17819 4034 - **R & J CONTROL INC.** PO 54152 B: QTRLY MAINT STP/WTP/DPW GENERATO 1,195.25

	1,195.25
17820 718 - STAMP FULFILLMENT PO 55820 POSTAGE PAID ENVELOPES (3 cases) ac 3,245.50	
	3,245.50
17821 2056 - SUBURBAN PROPANE, LP. PO 54564 B: PROPANE WTP acct #2232-139164 2,598.94	
2,598.94	
17822 130 - SUSSEX COUNTY P & H, INC. PO 54085 B: PLUMBING SUPP'S 44.85	44.85
17823 1500 - WALMART PO 55861 PAPER SUPPLIES BABCOCK RETIREMENT 127.25	127.25
600001 CASH - W/S OPERATING-LAKELAND #426 0.00 35,258.07	
6051200 W&S OPERATING - TOTAL OTHER EXPENSES 35,258.07	
17805 DOMINICK'S PIZZA LLC PO# 55842 FOOD DAWN'S RETIREMENT PARTY 308.00 10/31/2019	
196047 PAYROLL ACCOUNT 10/31 W/S Pay 38,362.36 10/31/2019	38,670.36

TOTAL WATER/SEWER UTILITY BILLS \$73,928.43

FEDERAL/STATE GRANTS BILLS

1477 2301 - SCREEN CREATION PLUS PO 55789 Alliance - S.P. Frosh VB. FY-19/20 420.00	420.00
1478 2257 - STAPLES BUSINESS ADVANTAGE, INC. PO 55725 Sign holders for Alliance promotion 50.97	50.97
1479 1500 - WALMART PO 55760 Supplies for Symposium 10/17/19 10.91	10.91
TOTAL 481.88	
111200 APPROPRIATED RESERVES FOR GRANTS 481.88	
191123 PAYROLL ACCOUNT 10/31 Grant Pay 1,176.09 10/31/2019	

TOTAL FEDERAL/STATE GRANTS \$1,657.97

TRUST ACCOUNT BILLS

3914 3878 - 4CHICKS CAFE, LLC. PO 55737 FALL FESTIVAL COSTUME CONTEST 10/13	25.00
3915 2386 - DOMINICK'S PIZZA LLC PO 55739 FALL FESTIVAL COSTUME PRIZE 10/13	25.00
3916 1866 - HOME DEPOT, INC. PO 55875 Materials/ Supplies 143.82	143.82
3917 2569 - KIEFFER ELECTRIC, INC. PO 55344 CAF: Emerg electric Sussex St Ret.	
	9,362.00
3918 170 - NEWTON BOARD OF EDUCATION PO 55596 POOL BUS DRIVER -AUG & FUEL CHARGES 919.70	919.70
	TOTAL 10,475.52
710001 CASH - TRUST - LAKELAND #469 0.00 10,475.52	
711202 RESERVE FOR SNOW REMOVAL/STORM RECOVERY 9,362.00	
711208 RES RECREATION (ALL) 1,113.52	

TOTAL TRUST ACCOUNT BILLS \$10,475.52

SUI BILLS (Fund 73)

1123 1261 - S/NJ EMPLOYER ACCOUNTS PO 55848 3RD QTR UNEMPLOYMENT 3,859.16	3,859.16
730001 CASH - SUI - LAKELAND #027 0.00 3,859.16	
731255 RESERVE FOR EXPENDITURES - UNEMPLOYMENT 3,859.16	

TOTAL SUI BILLS (Fund 73) \$3,859.16

A motion was made by Mrs. Diglio to approve the revised **COMBINED ACTION RESOLUTIONS**, seconded by Deputy Mayor Flynn and roll call resulted as follows:

Mr. Dickson (Recused Ck#42304)	Yes	Mrs. Diglio	Yes
Deputy Mayor Flynn	Yes	Mr. Schlaffer	Yes
Mayor Le Frois	Yes		

DISCUSSION - None.

OPEN TO THE PUBLIC

Mayor Le Frois opened the meeting to the public.

November 13, 2019

There being no one from the public to be heard, Mayor Le Frois closed the meeting to the public.

COUNCIL & MANAGER COMMENTS

Councilwoman Diglio reminded everyone of the Holiday Parade on Saturday, November 30, 2019 beginning at 10:00am on Spring Street, followed by Small Business Saturday. She thanked Kimberly Williams for her assistance with these events.

EXECUTIVE SESSION

Upon motion of Mrs. Diglio, seconded by Deputy Mayor Flynn and unanimously carried, Council entered Executive Session at 7:47 pm.

Upon motion of Deputy Mayor Flynn seconded by Mr. Dickson and unanimously carried, Council left Executive Session at 10:40 pm.

There being no further business to be conducted, upon motion of Deputy Mayor Flynn, seconded by Mr. Dickson and unanimously carried, the regular meeting was adjourned at 10:41 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk