



**AGENDA  
NEWTON TOWN COUNCIL  
AUGUST 10, 2020  
7:00pm  
(Via ZOOM)**

Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join.  
<https://us02web.zoom.us/j/86996732602?pwd=eDirS0dFcjNpQmc5cE5VbDBoVFhXQT09>  
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Or members of the public can call in at:  
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+1 301 715 8592 or +1 346 248 7799  
+1 669 900 6833 or +1 253 215 8782

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL**

**III. OPEN PUBLIC MEETINGS ACT STATEMENT**

**IV. APPROVAL OF MINUTES**

- a. July 13, 2020 Special Meeting (Interview)
- b. July 13, 2020 Regular Meeting
- c. July 27, 2020 Special Meeting

**V. OPEN TO THE PUBLIC (3 minutes each)**

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

**VI. COUNCIL & MANAGER REPORTS**

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

**VII. OLD BUSINESS**

## VIII. ORDINANCES

### a. 2<sup>nd</sup> Reading and Public Hearing

Ordinance 2020-15

Ordinance Appropriating \$43,900 from the Water Sewer Capital Outlay Account in Order to Provide for the Morris Lake Water Utility Fire Alarm Replacement and Upgrade in and by the Town of Newton, in the County of Sussex, New Jersey

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

Ordinance 2020-16

Ordinance Transferring the Remaining \$171,722.02 Funds From the Grit Collector Reserve No Longer Needed for That Purpose to the Water Sewer Capital Fund Balance and Appropriating \$110,000 From the Water Sewer Capital Fund Balance to Provide for Major Repairs at the Wastewater Treatment Plant in and by the Town of Newton, in the County of Sussex, New Jersey

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

Ordinance 2020-17

Ordinance Reappropriating \$20,000 Proceeds of Obligations Not Needed for Their Original Purpose in Order to Provide For Major Repairs to the Town Pool in and by the Town of Newton, in the County of Sussex, New Jersey

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

Ordinance 2020-18

Ordinance Appropriating \$20,000 from the Water Sewer Capital Fund Balance in Order to Provide for the Replacement of a Sewer Main Section on Lower Spring Street in and by the Town of Newton, in the County of Sussex, New Jersey

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

**b.** Introduction

Ordinance 2020-19

An Ordinance Amending Chapter 320-3 and 320-23 of the Code of the Town of Newton Entitled "Definitions" and "Parking and Driveway Standards"

Ordinance 2020-20

An Ordinance Amending Chapter 231, Article II of the Code of the Town of Newton Entitled "Property Maintenance Code"

Ordinance 2020-21

Ordinance of the Town of Newton, in the County of Sussex, New Jersey, Adopting an Amendment to the Redevelopment Plan, for the Merriam Gateway Redevelopment Plan, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

**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 #181-2020\*

Affirm the Issuance of a \$2,490,000 Bond Anticipation Note

**b.** Resolution #182-2020\*

Appointment of Alan Abramson to the Advisory Recreation Commission

**c.** Resolution #183-2020\*

Insertion of Special Items of Revenue in the 2020 Town of Newton Budget Pursuant to N.J.S.A. 40A:4-87 (C. 159, PL 1948)

**d.** Resolution #184-2020\*

Concur with the Recommendation of the Utility Advisory Board in Charging Minimum Water and Sewer Connection Fees for Gas-N-Go at Weis Markets, located at 119 Water Street

**e.** Resolution #185-2020\*

Authorize Credit Due Water and Sewer Utility Account

**f.** Resolution #186-2020\*

Authorize Renewing Membership in the Statewide Insurance Fund for Calendar Years 2021, 2022, and 2023

**g.** Resolution #187-2020\*

Approval to Submit Application for Small Cities Grant for a Public Facilities Fund Project to Construct a Sidewalk Along US Route 206 / Water Street to Benefit Town Residents of Low and Moderate Incomes

- h. Resolution #188-2020\* Approval of Grant Management Plan for Small Cities Grant for a Public Facilities Fund Project to Construct Sidewalks on US Route 206 / Water Street to Provide Pedestrian Facilities for Low and Moderate Income Residents of the Town of Newton, Sussex County, New Jersey
- i. Resolution #189-2020\* Resolution Re: Small Cities Citizen Participation Plan
- j. Resolution #190-2020\* Resolution Re: Fair Housing Statement of Actions
- k. Resolution #191-2020\* Renewal of Plenary Retail Distribution Licenses
- l. Resolution #192-2020\* Authorize the Award of a Required Disclosure Contract for Suburban Consulting Engineers, Inc., for the Drainage Improvements & Environmental Permitting for the Memory Park – Babe Ruth League Baseball Field Project – Engineering Services
- m. Resolution #193-2020\* Approve Bills and Vouchers for Payment

**X. DISCUSSION**

**XI. OPEN TO THE PUBLIC (3 minutes each)**

**XII. COUNCIL & MANAGER COMMENTS**

**XIII. EXECUTIVE SESSION**

- a. Resolution #194-2020 A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the NJ Open Public Meetings Act, N.J.S.A. 10:4-12
- i. Contract Negotiations – Bridge Q-06

**XIV. ADJOURNMENT**

# TOWN OF NEWTON

## Ordinance 2020-15

**ORDINANCE APPROPRIATING \$43,900 FROM THE WATER SEWER CAPITAL OUTLAY ACCOUNT IN ORDER TO PROVIDE FOR THE MORRIS LAKE WATER UTILITY FIRE ALARM REPLACEMENT AND UPGRADE 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 AS FOLLOWS:**

**Section 1.** \$43,900 from the Water Sewer Capital Outlay Account is hereby appropriated to provide for the Morris Lake Water Utility fire alarm replacement and upgrade in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town").

**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 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 bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

### NOTICE

**TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, July 13, 2020. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, August 10, 2020 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

# TOWN OF NEWTON

## Ordinance 2020-16

**ORDINANCE TRANSFERRING THE REMAINING \$171,722.02 FUNDS FROM THE GRIT COLLECTOR RESERVE NO LONGER NEEDED FOR THAT PURPOSE TO THE WATER SEWER CAPITAL FUND BALANCE AND APPROPRIATING \$110,000 FROM THE WATER SEWER CAPITAL FUND BALANCE TO PROVIDE FOR MAJOR REPAIRS AT THE WASTEWATER TREATMENT PLANT 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 AS FOLLOWS:**

**Section 1.** \$171,722.02 of funds remaining in the Grit Collector Reserve are no longer needed for the purpose for which the funds previously were authorized and are hereby transferred to the Water Sewer Capital Fund Balance.

**Section 2.** \$110,000 is hereby appropriated from the Water Sewer Capital Fund Balance to provide for wastewater treatment plant major repairs or replacement of pumps and other equipment, sand filter improvements and other wastewater treatment plant major repairs, replacements and improvements, including related or incidental work and costs.

**Section 3.** 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 the purpose authorized herein is 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 4.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

### NOTICE

**TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, July 13, 2020. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, August 10, 2020 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

# TOWN OF NEWTON

## Ordinance 2020-17

### ORDINANCE REAPPROPRIATING \$20,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR MAJOR REPAIRS TO THE TOWN POOL 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.** Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$20,000 of the proceeds of obligations originally made available for engineering for improvements at Dams #1, #2, #3 and #4 and major repairs to Dam Site #4 as set forth in Section 3(c) of bond ordinance #2011-5 of the Town of Newton, in the County of Sussex, New Jersey (the "Town") finally adopted April 25, 2011 are no longer necessary for the purpose for which the amount previously was authorized.

**Section 2.** The \$20,000 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for miscellaneous major repairs to the Town pool.

**Section 3.** 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 the purpose authorized herein is 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 4.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

#### NOTICE

**TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, July 13, 2020. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, August 10, 2020 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON**

**Ordinance 2020-18**

**ORDINANCE APPROPRIATING \$20,000 FROM THE WATER SEWER CAPITAL FUND BALANCE IN ORDER TO PROVIDE FOR THE REPLACEMENT OF A SEWER MAIN SECTION ON LOWER SPRING STREET 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 AS FOLLOWS:**

**Section 1.** \$20,000 from the Water Sewer Capital Fund Balance is hereby appropriated to provide for the replacement of a sewer main section on Lower Spring Street in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town").

**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 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 20 days after the first publication thereof after final adoption, as provided by law.

**NOTICE**

**TAKE NOTICE** that the above Ordinance was introduced at a special meeting of the Town Council of the Town of Newton conducted on Monday, July 27, 2020. It was adopted, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Monday, August 10, 2020 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON**

**ORDINANCE NO. 2020-19**

**AN ORDINANCE AMENDING CHAPTER 320-3 AND 320-23 OF THE CODE OF THE TOWN OF NEWTON ENTITLED “DEFINITIONS” AND “PARKING AND DRIVEWAY STANDARDS”**

**WHEREAS**, it is the express purpose of this Ordinance to protect the public health, as well as the safety and welfare of the public; and

**WHEREAS**, in furtherance thereof, the Town seeks to diminish the environmental contamination resulting from the discharge of motor vehicles fluids such as air conditioning refrigerant, motor oil, and radiator fluid, into the soil and groundwater by prohibiting off-street parking on areas not designated or zoned as driveways;

**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 320-3 of the Code of the Town of Newton entitled “Definitions” shall be amended by replacing the definition for “Driveway” as follows:

**Driveway**

Vehicular accessway provided for the purpose of allowing passage over, and parking upon, private or public property.

**SECTION 2.** Chapter 320-23 of the Code of the Town of Newton entitled “Parking and driveway standards” shall be amended by replacing Subsection 320(E)(2) and adding new Subsections 320(E)(3) and (4) as follows:

320-23 Parking and driveway standards

E. Residential driveways.

(2) Off-street parking on areas other than driveways is prohibited.

(3) All driveways shall be hard surfaced with asphalt, concrete, gravel, crushed stone, pavers or other material that provides a durable, dust free surface, which meets or exceeds the minimum specifications prescribed by any zoning, construction, and/or land use requirements. All driveways shall be durable and maintained in good condition.

- (4) The total residential driveway area shall not exceed fifty percent (50%) of the principal dwelling footprint, plus a twelve foot (12') wide driveway sufficient to connect to the municipal right of way, or the minimum parking area which is required in order to meet the parking requirements of Section 320-23, whichever is larger.

**SECTION 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall become effective after second reading and publication as required by law.

### **NOTICE**

**TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, August 10, 2020. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Wednesday, September 16, 2020 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

ATTEST:

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON**

**ORDINANCE NO. 2020-20**

**AN ORDINANCE AMENDING CHAPTER 213, ARTICLE II OF THE CODE OF THE TOWN OF NEWTON ENTITLED “PROPERTY MAINTENANCE CODE”**

**WHEREAS**, the International Property Maintenance Code (“IPMC”), published by the International Code Council, establishes minimum requirements for the maintenance of existing buildings and exterior premises through model code regulations that contain property maintenance and property improvement provisions; and

**WHEREAS**, the Town of Newton (“Town”) formally adopted the IPMC and its amendments, by reference, as its Property Maintenance Code together with additions, insertions, deletions, and changes it may make from time to time as set forth in Chapter 213, Article II, Section 213-9 entitled “Amendments to standards”; and

**WHEREAS**, the Town seeks to update and amend its Property Maintenance Code for the purposes of protecting the public health, safety, and welfare of the Town and its residents; avoiding, preventing, and eliminating the maintenance of or creation of hazards to the public health and safety; avoiding, preventing, and eliminating conditions which, if permitted to exist or continue, will depreciate or tend to depreciate the value of adjacent or surrounding properties; and preventing the creation, continuation, extension, or aggravation of blight.

**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.** Article II, Section 213-9 entitled “Amendments to standards” shall be amended to revise and/or supplement the following sections of the IPMC as described below:

**Section 202** of the IPMC entitled “General Definitions” shall be revised to include the following definition:

**PUBLIC VIEW.** Any premises, or any part thereof, or any building or any part thereof, which may be lawfully viewed by the public, or any member thereof, from a sidewalk, street, alleyway, parking lot, or from any adjoining or neighboring premises.

**Section 202** of the IPMC entitled “General Definitions” shall be revised by deleting the definition of “Inoperable Motor Vehicle” in its entirety.

**Section 302.1** of the IPMC entitled “Sanitation” shall be revised by deleting and replacing same as follows:

**302.1 Sanitation.** Exterior property and premises shall be maintained in a clean, safe, and sanitary condition. It shall be the duty of the owner and occupant to keep all parts of the exterior property and premises in a clean and sanitary condition.

**Section 302.8** of the IPMC entitled “Motor vehicles” shall be revised by deleting and replacing same as follows:

**302.8 Motor Vehicles.**

- (A) The term “motor vehicle” shall include all automobiles, motor vehicles and other vehicles subject to Title 39 of the New Jersey Statutes Annotated.
- (B) Except as otherwise provided in Section 302.8(D), unregistered and inoperable motor vehicles, and any motor vehicle in a state of major disassembly and disrepair, shall not be parked, kept, or stored outside on any residential premises including any part or parts thereof for more than ten (10) calendar days.
  - (1) “Unregistered” means any motor vehicle that is not currently registered with a state motor vehicle division or department.
  - (2) “Inoperable motor vehicle” means any motor vehicle that is damaged or missing critical components, such as the engine, wheels, or tires thus rendering the vehicle mechanically inoperative for lawful use on a public roadway or incapable of being moved under its own power; and any motor vehicle without a currently valid license plate.
  - (3) “Major disassembly and disrepair” shall include, without limitation, the following common conditions: missing tire(s); vehicle on blocks, jacks, or similar supports; missing windshield; missing engine, transmission, axle, chassis or brakes; missing door(s); missing steering wheel; and broken driveshaft.
- (C) At no time shall any vehicle of any type undergo major overhauling, including bodywork, substantial repair and restoration on any residential premises unless such work is performed inside a structure or similarly enclosed area designated and approved for such purposes.

- (D) Motor vehicles described in Section 302.8(B) may be parked, kept, or stored in garages or similarly enclosed structures. Covering a motor vehicle described in Section 302.8(B) that is parked, kept or stored outdoors with a tarpaulin, cloth, canvas, or similar covering does not satisfy the requirements of this section.
- (E) Painting of motor vehicles is prohibited unless conducted inside an approved spray booth.

**SECTION 2.** Article II, Section 213-9 entitled “Amendments to standards” shall be amended to supplement the IPMC by adding Section 302.10 as follows:

**302.10 Blighted Condition.** The exterior property and premises shall be maintained so that it does not create, contribute to, or promote a blighted condition. “Blighted condition” is any condition or combination of conditions exposed to public view existing upon any premises which tends to devalue surrounding property values, is unsightly, dilapidated, causes a negative visual impact upon the neighborhood, or negatively affects any neighbor’s use and enjoyment of his or her own property, due to neglect, decay, deterioration, disrepair, rotting, dilapidation, or failure to maintain.

**SECTION 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall become effective after second reading and publication as required by law.

**NOTICE**

**TAKE NOTICE** that the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on Monday, August 10, 2020. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Newton Governing Body conducted at 7:00pm on Wednesday, September 16, 2020 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect according to law.

ATTEST:

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Lorraine A. Read, RMC  
Municipal Clerk

# TOWN OF NEWTON

## Ordinance 2020-21

### ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MERRIAM GATEWAY REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.

**WHEREAS**, the Merriam Gateway Redevelopment Plan governs a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and adopted by the Town Council in November 2010, amended in September 2012, March 2015, and July 2017; and

**WHEREAS**, in accordance with the Redevelopment Law and upon Planning Board recommendation, the Town Council designated property identified as Block 18.03, Lot 10 (former Block 1104, Lot 22); Block 22.02, Lots 8, 9 and 10 (former Block 1209, Lots 10, 11, 12.01); Block 18.02, Lots 9, 10, 11, 12, 14, 15, 16 and 17 (former Block 1301, Lots 1, 1.04, 10, 11, 12, 13, 14, 15, 16); and Block 22.04, Lots 1, 2, 3, 4, 5 (portion), 13, 14 and 15 (former Block 1308, Lots 1 (portion), 1.01, 1.02, 10, 11, 12, 13 and 14) (the "Property") as a non-condemnation area in need of redevelopment under the Redevelopment Law (the "**Redevelopment Area**"), which designation authorized the Town Council to use all those powers permitted by the Redevelopment Law for use in a redevelopment area except the power of eminent domain; and

**WHEREAS**, in accordance with the Redevelopment Law and by resolution duly adopted (Resolution 169-2020), the Municipal Council (the "**Town Council**") of the Town of Newton (the "**Town**") authorized and directed the Town Planning Board (the "**Planning Board**") to review the draft Redevelopment Plan Amendment, pursuant to *N.J.S.A. 40A:12A-7(e)*; and

**WHEREAS**, following such review the Planning Board has rendered its report and recommendations to the Town Council and noted the Redevelopment Plan is not inconsistent with the Town's Master Plan, and with comments and recommendations, pursuant to *N.J.S.A. 40A:12A-7(e)*; and

**WHEREAS**, the Town Council hereby finds it appropriate for an Amendment to the Redevelopment Plan to be adopted for the Redevelopment Area, the Redevelopment Plan being, among other things, substantially consistent with the Master Plan for the Town; and

**WHEREAS**, the Planning Board recommended certain amendments to the Redevelopment Plan, which the Town wishes to incorporate therein, as described in Exhibit A hereto; and

**WHEREAS**, the Town Council now desires to adopt the Amendment to the Redevelopment Plan and to direct the applicable provisions of the Town's Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Amended Redevelopment Plan, as and to the extent set forth therein;

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

1. **Generally.** The aforementioned recitals are incorporated herein as though fully set forth at length.
2. **Adoption.** The Amendment to the Redevelopment Plan, as filed in the Office of the Town Clerk and attached hereto as Exhibit A, is hereby approved and adopted.
3. **Amendment of Zoning Ordinance and Map.** The sections of the Town's Zoning Ordinance and Map are hereby amended to incorporate and reflect the Redevelopment Plan, and, to the extent provided in the Redevelopment Plan, are superseded thereby.
4. **Severability.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.
5. **Public Review.** A copy of this Ordinance shall be available for public inspection at the offices of the Town Clerk.
6. **Effective Date.** This Ordinance shall take effect as provided by law.

**NOTICE**

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ATTEST:

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Lorraine A. Read, RMC  
Municipal Clerk

**AMENDMENT TO THE REDEVELOPMENT PLAN**

# MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT



TOWN OF NEWTON  
Sussex County, New Jersey

July 31, 2020



**J Caldwell  
& Associates, LLC**  
Community Planning Consultants

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

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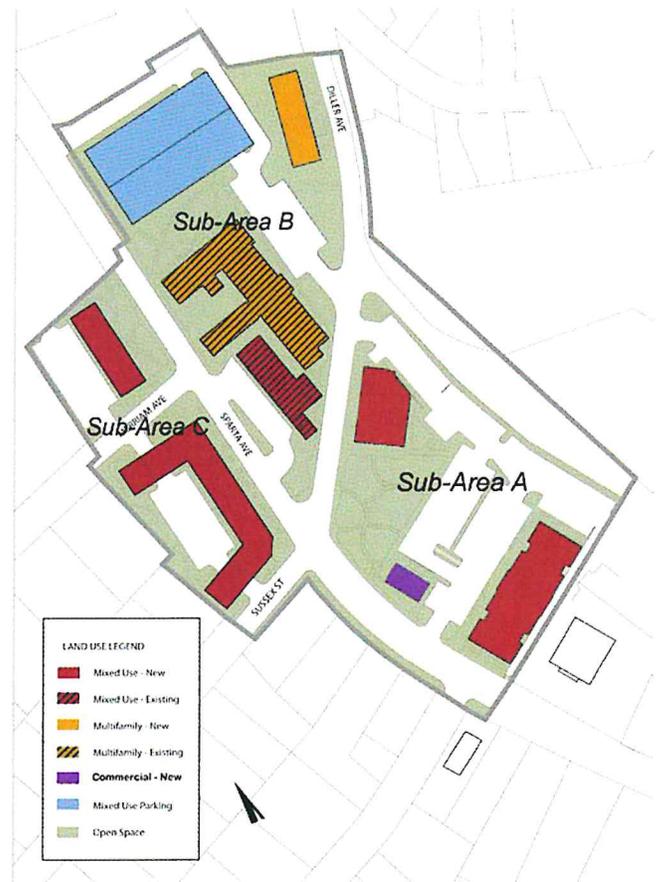
Jessica Caldwell, P.P., A.I.C.P, Town Planner, P.P. # 5944

## PLAN CONSISTENCY REVIEW

### BACKGROUND

The Merriam Gateway Redevelopment Plan (the "Plan") governs a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), including parcels, public streets and rights-of-way adjacent to and including Sparta Avenue and Diller Avenue (the "Plan Area"). The Plan was adopted by the Town Council in November 2010 and amended in September 2012, March 2015 and July 2017.

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



The purpose of this Plan Amendment is to allow for Parking as a principal permitted use in Sub-Area A and to allow for Treatment Centers as a conditional use in Sub-Area B of the Plan Area. Sub-Area A has an existing parking area for Thorlabs and given County right-of-way requirements for Sparta Avenue parking and numerous utility easements on the property, it is reasonable to keep the area as parking. The option of building a structure on the property in the future is still available in the Plan.

<sup>1</sup> The parcels in Sub-Area A have been merged; however, it is not yet reflected on the Tax Maps.

## AMENDMENTS TO THE REDEVELOPMENT PLAN

The Redevelopment Plan contemplates the potential for amendments to the Plan. At Section 8.0 of the Redevelopment Plan, it states, “as development occurs within the Area, development priorities and market demands may change. This Plan should have the ability to meet the changing needs of market demand, the Town of Newton and its citizens. Amendments may be required in order to accommodate these changes.” As noted previously, the amendments proposed are being developed to provide for Parking as a principal permitted use in Sub-Area A and Treatment Centers as a conditional use in Sub-Area B of the Plan Area.

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

1. To allow more efficient use of land and to expand the Town’s tax base.
2. To create well-planned development that provides for expanded opportunities for a mix of uses within the Town and region and also promotes financially sustainable development.

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

Further, the Plan Amendment proposes to allow parking as a principal use within Sub-Area A for Thorlabs and for a location for a use that is not permitted in other locations in the Town, specifically Treatment Centers for drug and alcohol rehabilitation. This is a use that is important for society but is also difficult to locate. The proposal to locate the use within the Merriam Gateway Building in Sub-Area B of the Plan Area is a location that is found to have little to no impact on adjacent properties with certain conditions as outlined in the Plan Amendment. Maintaining parking as a permitted principal use in the Plan in Sub-Area A would allow for Thorlabs to maintain the central parking area for their employees while allowing for redevelopment in other locations within and around the Plan Area.

The proposed Plan Amendments do not impact the zoning plans of any adjacent municipalities as the area is not in close enough proximity to adjacent municipalities to have any direct impact.

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

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## **MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT**

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At Section 3.0 Definitions, add the following:

Definitions shall include the following:

“Treatment Center: A treatment center is a medical use that provides drug and alcohol rehabilitation in a state licensed medical setting. The treatment center may include a residential component whereby patients remain in the facility for approximately 30 days. Treatment includes detoxification treatments, medication for depression or other disorders, counseling and therapy.”

At Section 4.0 Land Use Regulations, add the following subsection:

4.1 Following Permitted Uses, on page 22, the following shall be added:

At the end Paragraph 1, Add, “A Treatment Center shall be a conditional use in Sub-Area B of the Land Use Plan subject to the following conditions:

1. A site plan or minor site plan application is required.
2. A Treatment Center shall be accredited by the Joint Commission on Accreditation of Health Care Organizations (“JCAHO”).
3. The maximum number of clients staying overnight at any one time at the facility shall be 24.
4. Twenty-four-hour (24) security shall be provided on the premises to include alarm systems, security cameras and security staff. A security plan should be submitted to the Newton Planning Board for approval.
5. If clients will be outside of the facility for any reason other than coming into or leaving the facility, they shall be provided a secure, designated outdoor location that is either on the side or rear of the facility and fenced and screened from view from adjacent properties and roadways. Clients shall not be permitted to congregate in front of the building or any location outside the building except in such designated area(s) as noted above. Any outdoor area(s) used by the clients must be approved by the Newton Planning Board as part of a site plan application.
6. A vehicle and pedestrian safety plan including modes of pick-up and drop-off of clients shall be submitted to the Newton Planning Board for approval.”

Add, “5. Off-Street/Surface Parking facilities shall be a permitted principal use in Sub-Area A of the Plan provided that the rail trail planned for this section of the Plan Area is constructed and maintained across the site. All other uses remain permitted and additional buildings may be constructed in the future.”

Under Interim Uses, Item 1., Surface Parking Facilities, add the following,” except for Sub-Area A where Off-Street/Surface Parking Facilities is a principal permitted use.”

4.2 Land Use Plan, on page 24, following first paragraph, the following shall be added:

“Off-Street/Surface Parking facilities shall be a permitted principal use in Sub-Area A of the Land Use Plan provided that the rail trail planned through this section of the Plan Area is constructed. A Treatment Center shall be a conditional use in Sub-Area B of the Land Use Plan where mixed-use commercial, commercial and residential uses are permitted.”

At Section 5.7 Parking Plan add the following subsection:

“5. Treatment Center: 2 spaces per 1,000 square feet. Parking shall be for employees and visitors to the Treatment Center. Patients or Clients will be transported to the facility by employees or visitors to the site. No overnight parking for patients or clients will be provided on site. All parking for the use shall be accommodated in Sub-Area B.”



## *Memorandum*

**To:** Town Council

**Cc:** Planning Board

**FROM:** Katherine Citterbart, Planning Board Secretary

**DATE:** July 17, 2020

**RE:** **Merriam Gateway Redevelopment Plan Amendment  
Resolution #169-2020**

In accordance with the direction set forth by the Town Council in Resolution #169-2020, the Planning Board reviewed the draft Merriam Gateway Redevelopment Plan Amendment (the "Amendment") at its meeting of July 15, 2020. This letter is intended to serve as the report of the Planning Board that is required pursuant to N.J.S.A. 40A:12A-7e.

The Board finds that the proposed Amendment in its entirety is not inconsistent with the Town's Master Plan. The Board has no substantive comments or recommendations regarding that portion of the proposed Amendment intended to allow parking as a principal permitted use on the lands designated in the Amendment as Sub-Area A.

The Board does have comments and recommendations relating to that portion of the proposed Amendment intended to allow Treatment Centers as a permitted use in Sub-Area B of the Plan Area. In general, given the sensitive nature of the use and the characteristics of the surrounding area, the Board is concerned about the lack of definition and the need for more specificity in terms of standards and requirements that should be met by any applicant proposing a Treatment Center. The Board accordingly recommends that consideration be given to adding provisions to the proposed Plan Amendment to address the following:

1. A Treatment Center should be accredited by the Joint Commission on Accreditation of Health Care Organizations ("JCAHO").
2. Consideration should be given to placing a limit on the number of clients residing at the facility (i.e. staying overnight) at any one time.
3. Standards and/or requirements should be added to assure that there is adequate security at the facility. These could include requiring security cameras and/or a security officer. The Board is

particularly concerned that a security officer or other trained individual be available at times when school children pass by the facility on their way to and from school.

4. The Board is concerned about whether any consideration has been given to provisions for situations when clients of the facility will be outside.
5. If clients of the facility will frequently leave or depart the premises by motor vehicle, consideration should be given to providing the Board during site plan review with discretion to impose requirements it deems appropriate to assure safe and adequate vehicle and pedestrian circulation during that process.

In general, the Board urges the Council to consider and include such provisions in the Plan Amendment as it may deem appropriate to try to assure the high quality of any treatment facility that may locate in the Plan Area.

Very truly yours,

Katherine Citterbart  
Zoning Officer



## TOWN OF NEWTON

### RESOLUTION #181-2020

August 10, 2020

### “Affirm the Issuance of a \$2,490,000 Bond Anticipation Note”

**WHEREAS**, when Bond Ordinances are adopted by the Town Council of the Town of Newton, the Chief Financial Officer is authorized to issue Bond Anticipation Notes (BAN's) to provide temporary financing for the Town; and

**WHEREAS**, the Town of Newton needed to finance debt authorized by Ordinances #2017-9 adopted May 8, 2017 and #2018-6 adopted March 12, 2018 and #2019-3 adopted May 13, 2019 and #2008-26 adopted November 2, 2008 and #2019-9 adopted October 16, 2019 and #2020-8 and #2020-9 adopted June 22, 2020; and

**WHEREAS**, the Town received five quotations ranging from .64% to .8528% Net Interest Cost (NIC) as listed on the attached Note Sale Bid Results; and

**WHEREAS**, the Chief Financial Officer, with advice of Phoenix Advisors, financial advisors and McManimon, Scotland and Baumann, Bond Counsel for the Town of Newton, accepted the quotation from TD Bank,NA for a Bond Anticipation Note totaling \$2,490,000 at an interest rate of .64% which will require a 2021 interest payment of \$15,936.00; and

**WHEREAS**, the appropriate Town Officials have executed said Note in the amount of \$2,490,000 with an interest rate of .64% (NIC .64%) dated July 22, 2020 and maturing July 22, 2021; and

**WHEREAS**, to comply with N.J.S.A. 40A:2-28 of the Local Bond Law, which requires the Chief Financial Officer report certain information in writing to the Mayor and Council at the next Town Council meeting, herewith attached is the Certificate of Determination and Award;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it does hereby affirm the issuance of a \$2,490,000.00 Bond Anticipation Note issued July 22, 2020 and maturing July 22, 2021 bearing an interest rate of .64% by the Chief Financial Officer and the execution of said note by the appropriate Town Officials.

### 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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #182-2020

August 10, 2020

### **“Appointment of Alan Abramson to the Advisory Recreation Commission”**

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

**WHEREAS**, Alan Abramson has expressed interest in serving on the Commission;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the following five-year appointment to fill an unexpired term is made, effective immediately to the Advisory Recreation Commission:

**Alan Abramson – expires December 31, 2020**

### **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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON  
RESOLUTION #183-2020**

**August 10, 2020**

**“Insertion of Special Items of Revenue in the 2020 Town of Newton Budget Pursuant to N.J.S.A. 40A:4-87 (C. 159, PL 1948)”**

**WHEREAS**, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue and also approve the insertion of an item of appropriation of equal amount in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

**WHEREAS**, the Town of Newton is the lead agency, (also including Green Township, Andover Township, and Andover Borough) for a grant in the amount of \$4,578.00 from the State of New Jersey Governor's Council on Alcoholism and Drug Abuse through the County of Sussex for Municipal Alliance Grant; and

**WHEREAS**, the grant period to runs from July 1, 2020 through June 30, 2021; and

**WHEREAS**, the Town of Newton authorized the submission of the 2021 Action Alliance Grant per Resolution #177-2020 adopted July 27, 2020;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2020 Budget of the Town of Newton:

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

NJ Municipal Alliance Grant ..... \$4,578.00

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

NJ Municipal Alliance Grant ..... \$4,578.00

Local Match – Source:

Match Funds-Muni. Alliance: Andover Twp. & Boro., Green, Newton..... \$1,145.00

**BE IT FURTHER RESOLVED** that an electronic version of this Resolution be forwarded to the Director of the Division of Local Government Services.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, August 10, 2020.

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #184-2020

August 10, 2020

**“Concur with the Recommendation of the Utility Advisory Board in Charging Minimum Water and Sewer Connection Fees for Gas-N-Go at Weis Markets, located at 119 Water Street”**

**WHEREAS**, at a regular meeting of the Newton Utility Advisory Board conducted on July 21, 2020 via teleconference, Mr. Alex Ororbia, requested minimum water and sewer connections fees for the kiosk associated with the Gas-N-Go at Weis Markets, 119 Water Street; and

**WHEREAS**, the minimum connection fees amount to \$10,370.00, which have been previously submitted by the Gas-N-Go at Weis Markets; and

**WHEREAS**, the Utility Advisory Board has no objection to and recommends the Town Council approve Mr. Ororbia's request on behalf of the Gas-N-Go at Weis Markets;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that this Governing Body hereby concurs with the recommendation of the Utility Advisory Board and approves the fees set forth above.

### 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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #185-2020

August 10, 2020

**“Authorize Credit Due 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:

**CREDIT FOR AN ACCOUNT THAT WAS READ INCORRECTLY:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
2128	98 Trinity Street	\$350.01

### **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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #186-2020**

**August 10, 2020**

**“Authorize Renewing Membership in the  
Statewide Insurance Fund for Calendar  
Years 2021, 2022, and 2023”**

**WHEREAS**, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

**WHEREAS**, the Town of Newton (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

**WHEREAS**, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

**WHEREAS**, the LOCAL UNIT has determined membership in the FUND is in the best interest of the LOCAL UNIT; and

**WHEREAS**, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2021** terminating on **January 1, 2024** at 12:01 a.m. standard time; and

**WHEREAS**, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

**BE IT FURTHER RESOLVED** that to the extent required by law, the LOCAL UNIT shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

**BE IT FURTHER RESOLVED** that the LOCAL UNIT will be afforded the following coverage(s) as marked “Yes”:

	<u>YES</u>	<u>NO</u>
▪ Workers' Compensation & Employer's Liability	X	
▪ Comprehensive General Liability	X	
▪ Automobile Liability and Physical Damage	X	
▪ Public Officials and Employment Practices Liability	X	
▪ Property	X	
▪ Inland Marine Boiler Machinery	X	
▪ Crime-Faithful Performance and Fidelity	X	
▪ Pollution Liability	X	
▪ Cyber Liability	X	
▪ Non Owned Aircraft	X	

**BE IT FURTHER RESOLVED** that Thomas S. Russo, Jr. is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and Jennifer A. Dodd is hereby appointed as the LOCAL UNIT'S Alternate Fund Commissioner; and

**BE IT FURTHER RESOLVED** that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

**Member name:** TOWN OF NEWTON

By: \_\_\_\_\_

Title: Town Manager

ATTEST:

\_\_\_\_\_  
Lorraine A. Read, RMC, Municipal Clerk

Dated: \_\_\_\_\_

This Resolution agreed to the 10<sup>th</sup> day of August, 2020, by a vote of:

Affirmative       Abstain       Negative       Absent

**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, August 10, 2020.

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk

# STATEWIDE INSURANCE FUND

## INDEMNITY AND TRUST AGREEMENT

THIS AGREEMENT made this 10<sup>th</sup> day of August 2020, in the County of Morris, State of New Jersey, by and between the Statewide Insurance Fund (hereinafter "FUND"), and the Town of Newton in the County of Sussex, a duly constituted local unit of government (hereinafter "LOCAL UNIT");

WHEREAS, two or more local units have collectively formed a joint insurance fund as such an entity is authorized and described in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the LOCAL UNIT has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND; and

WHEREAS, the LOCAL UNIT has complied with relevant law with regard to the acquisition of insurance;

NOW, THEREFORE, it is agreed as follows:

1. The LOCAL UNIT, upon entering the FUND, agrees to be bound by and to accept and comply with each and every provision of the FUND's Bylaws, Risk Management Program, as it applies to the LOCAL UNIT and the applicable statutes and administrative regulations pertaining to joint insurance funds.
2. The LOCAL UNIT agrees to participate in the FUND with respect to the coverage listed in the LOCAL UNIT's "Resolution to Join" in accordance with the FUND's Bylaws and Risk Management Program.
3. The LOCAL UNIT agrees to become a member of the FUND until **January 1, 2024**, at 12:01 a. m. eastern standard time. The commencement date shall be the effective date as established by the FUND's Bylaws and policies.

4. The LOCAL UNIT certifies that it has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof, or, if self-insured, that it has never defaulted on any claims.
5. In consideration of membership in the FUND, the LOCAL UNIT agrees that it shall jointly and severally assume and discharge the liability of each and every member of the FUND in accordance with statute and regulation, and by execution hereof the full faith and credit of the LOCAL UNIT is pledged to the punctual payment of any sums which shall become due to the FUND in accordance with the Bylaws thereof, this Agreement or any applicable statute or regulation.
6. If the FUND, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the LOCAL UNIT agrees to reimburse the FUND for all such reasonable expenses, fees and costs on demand.
7. The LOCAL UNIT and the FUND agree that the FUND shall hold in trust all monies paid by the LOCAL UNIT to the FUND and those monies will be used in accordance with all applicable statutes, the FUND's Bylaws and the Risk Management Program.
8. If required by the Commissioner of Insurance or applicable statutes or regulations, the FUND shall establish separate trust fund accounts in accordance with N.J.S.A. 40A:10-36, et seq. and any other statutes or regulations that may be applicable. Said trust accounts shall be used solely for the payment of claims made against members of the FUND, excess insurance premiums and/or the administration of the FUND, or for such other purposes as now or hereunder permitted by statute or regulation.

9. Each LOCAL UNIT which shall become a member of the FUND shall be obligated to execute an agreement similar in form to this Agreement.

10. To the extent required by law, the LOCAL UNIT shall provide notice of this Agreement to the Office of the State Comptroller.

TOWN OF NEWTON

**Member's Name**

ATTEST:

By: \_\_\_\_\_

Title: Sandra Lee Diglio, Mayor

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk

STATEWIDE INSURANCE FUND

By: \_\_\_\_\_

Chairman

ATTEST:

\_\_\_\_\_  
Secretary

Dated: \_\_\_\_\_



## STATEWIDE INSURANCE FUND

A JOINT INSURANCE FUND SERVING NEW JERSEY'S COMMUNITIES SINCE 1994

ONE SYLVAN WAY

PARSIPPANY, NJ 07054

862-260-2050

FAX 862-260-2058

Attached is the Resolution to Join the Fund and the Indemnity and Trust Agreement.

1) Resolution to Join (membership period is 1/1/21 to 1/1/24). Please note that the Fund Commissioner and Alternate Fun Commissioner should be officials or employees of the entity. They cannot be the Risk Management Consultant (Broker).

2) Indemnity and Trust Agreement

The documents are also available electronically on our website at [www.swfund.com](http://www.swfund.com).

Select Member Services/Applications and Forms/Resolutions

Upon execution, please forward all documents to:

Moira Kenah  
Statewide Insurance Fund  
One Sylvan Way Suite 100  
Parsippany, NJ 07054

The Fund's chairman will execute the agreements and then we will return a fully executed copy of the agreements to you.

Thank you very much for your past support of the Statewide Insurance Fund and we look forward to your continued participation.

If you have any questions, please do not hesitate to contact your risk management consultant or our office at 862-260-2060.



**TOWN OF NEWTON**  
**RESOLUTION #187-2020**

**August 10, 2020**

**“Approval to Submit Application for Small Cities Grant for a Public Facilities Fund Project to Construct a Sidewalk Along US Route 206 / Water Street to Benefit Town Residents of Low and Moderate Incomes”**

**WHEREAS**, the Town Council of the Town Newton (Council) has been notified of the State Fiscal Year 2021 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$4,526,639 of funding toward a Public Facilities Fund category and the Town of Newton's desire to apply for \$400,000 in funding to construct a sidewalk along Route 206 / Water Street to benefit residents with low and moderate incomes in Newton Town; and

**WHEREAS**, the Council has successfully applied for Small Cities CDBG funding in the past; and

**WHEREAS**, the Council desires to apply for a grant for \$400,000; and

**WHEREAS**, the Council recognizes and accepts the Small Cities Program may offer a lesser amount of grant funding and therefore, upon receipt of the Grant Agreement from the State Department of Community Affairs, and any amendments thereto, does further authorize the execution of any such Grant Agreement; and also, upon receipt of the fully executed Agreement from the Small Cities Program, does further authorize the expenditure of funds pursuant to the terms of the Agreement; and

**WHEREAS**, in order to make application and undertake all other required elements of submission, a Resolution must be adopted by the Council authorizing the application and any amendments thereto and the authority to construct the sidewalk as previously described and all other aspects of the grant administration; and

**WHEREAS**, the construction of sidewalk along US Route 206 / Water Street will benefit low and moderate income persons in Census Block Group 1, Census Tract 3737, Newton Town, which is comprised of 62% low and moderate income persons, and Census Block Group 2, Census Tract 3737, which is comprised of 50% low and moderate income persons, all of whom will benefit from sidewalk construction linking those communities with goods and services further north on Route 206, and therefore this project is deemed in the best interest of the Town and the low and moderate income residents of this area;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor, Town Manager, and Town Clerk are authorized to sign all required elements of the proposed application to construct a sidewalk along US Route 206 / Water Street and apply for a grant in the amount \$400,000 to execute the same; and

**BE IT FURTHER RESOLVED**, that the attached application is submitted to the New Jersey Department of Community Affairs' Small Cities Program in accordance with the regulations promulgated by the US Department of Housing and Urban Development; and

**BE IT FURTHER RESOLVED** that copies of this Resolution and the attached application shall be provided to the Town of Newton, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; and Bruce Benton, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Town of Newton Manager's Office.

**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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON  
RESOLUTION #188-2020**

**August 10, 2020**

**“Approval of Grant Management Plan for Small Cities Grant for a Public Facilities Fund Project to Construct Sidewalks on US Route 206 / Water Street to Provide Pedestrian Facilities for Low and Moderate Income Residents of the Town of Newton, Sussex County, New Jersey”**

**WHEREAS**, the Town Council of the Town of Newton (Council) has been notified of the State Fiscal Year 2021 Community Development Block Grant (CDBG) Small Cities Program Request for Proposals which includes \$4,526,639 of funding toward a Public Facilities Fund category and the Town of Newton's desire to apply for \$400,000 in funding to construct a sidewalk along US Route 206 / Water Street to benefit residents of low and moderate incomes; and

**WHEREAS**, the Council has successfully applied for Small Cities CDBG funding in the past; and

**WHEREAS**, the Council desires to apply for a grant for \$400,000; and

**WHEREAS**, the Council recognizes that a Grant Management Plan must be adopted in order to properly identify the responsible parties for overseeing and implementing the grant; and

**WHEREAS**, the Council has reviewed the Grant Management Plan submitted for the US Route 206 / Water Street Sidewalk Construction Project;

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Newton Mayor and Council approve of the above-referenced Grant Management Plan; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution and the attached application shall be provided to the Town of Newton, c/o J. Caldwell & Associates, LLC, 145 Spring Street Suite E, Newton, NJ 07860; Terence Schrider, Administrator, Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ, 08625-0811; and the Sussex County Division of Planning.

**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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk

## **2021 Grant Management Plan: Town of Newton US Route 206 / Water Street Sidewalk Construction Project**

### **Public Facilities Fund Project**

Project Director: Thomas S. Russo, Jr., Town Manager

Town of Newton, 39 Trinity Street, Newton, NJ, 07860

Phone: 973-383-3521 ext. 228; Fax: 973-383-8961; e-mail: [trusso@newtontownhall.com](mailto:trusso@newtontownhall.com)

- Supervise all grant activities and certify accuracy of quarterly fiscal and program progress reports.
- Create and maintain an environmental review record file and manage the environmental review process.
- Coordinate the Citizen Participation Plan, including issuing public notice for public hearings, conducting a progress hearing, attending all meetings, keeping minutes and hand-outs of meetings, and managing correspondence and information requests.
- Act as fair housing coordinator, issue public notice for fair housing counseling, draft letter to HUD and NJ Dept. of Law and Public Safety and manage information requests concerning fair housing.
- Manage equal employment opportunity requirements, fair labor standards, and civil rights issues.
- Maintain program and grant agreement records, contracts, reports, and files, as required by law.

Project Coordinator: Jessica Caldwell, Professional Planner

J. Caldwell & Associates, LLC, 145 Spring Street, Suite E, Newton, NJ 07860

Phone: 973-300-5060; Fax: 973-440-2179; e-mail: [jcaldwell@jcaldwellassociates.com](mailto:jcaldwell@jcaldwellassociates.com)

- Manage compliance files for citizen participation, fair housing, construction progress, correspondence and records for contractor, including monthly reporting, payment requests, and correspondence. Ensure compliance with labor standards.
- Administer day-to-day operation of the project, including serving as liaison with Small Cities Program, monitoring rehabilitation and contractor progress, reviewing and processing work change orders, and preparing monthly reports and payment requests to NJDCA.
- Prepare public notice for public performance hearing in conjunction with project director, ensure compliance with mid and final monitoring visits, prepare and submit the final monthly report and payment requests, and the final program performance report to NJDCA for review and approval. Verify all work is complete to the satisfaction of the grantee.

Fiscal Administrator: Monica Meibach, Chief Financial Officer

Town of Newton, 39 Trinity Street, Newton, NJ, 07860

Phone: 973-383-3521 ext. 241; Fax: 973-383-8961; e-mail: [mmiebach@newtontownhall.com](mailto:mmiebach@newtontownhall.com)

- Responsible for fiscal administration of the grant and will maintain records of such at Town of Newton.

Staff Assistant: Teresa A. Oswin, Deputy Town Manager

Town of Newton, 39 Trinity Street, Newton, NJ, 07860

Phone: 973-383-3521 ext. 224; Fax: 973-383-8961; e-mail: [toswin@newtontownhall.com](mailto:toswin@newtontownhall.com)

Provide information and coordination on the project as needed; provide staff as needed for access and coordination with construction; oversee development and review of bids; conduct bidding process for professionals; assist in construction monitoring and coordination with contractors.

Engineer/Inspector: Cory Stoner, P.E., C.M.E., Town Engineer's Office

Harold E. Pellow & Associates, Inc., 17 Plains Road, Augusta NJ 07822

Phone: 973-948-6463 ext. 213; Fax: 973-948-2916; e-mail: [cstoner@hpellow.com](mailto:cstoner@hpellow.com)

- Oversee bidding process for contractors.
- Complete engineering plans, bid documents, and other engineering related information, as needed.
- Manage construction progress, correspondence and records for contractors, including monthly reporting to grant administrator, submit payments requests and correspondence on behalf of the project.
- Assist in compliance with labor standards.
- Assist construction time management schedule.
- Monitor and inspect work by contractors.

**Estimated time:**

Thomas S. Russo, Jr.: Project Director: 2 hours per month

Jessica Caldwell: Project Coordinator: 10 hours per month

Monica Miebach: Project Finance Officer: 2 hours per month

Cory Stoner: Town Engineer/Inspector: 10 hours per month (average)

Teresa A. Oswin: Staff Assistant: 2 hours per month



**TOWN OF NEWTON  
RESOLUTION #189-2020**

**August 10, 2020**

**“Resolution Re: Small Cities Citizen  
Participation Plan”**

**WHEREAS**, the Town of Newton is applying for a grant with the New Jersey Department of Community Affairs; and

**WHEREAS**, that Grant Agreement requires the Town of Newton to comply with all federal regulations with respect to citizen participation; and

**WHEREAS**, the Town of Newton has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Newton, Sussex County, State of New Jersey, that the Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Newton; and

**BE IT FURTHER RESOLVED** that the Town of Newton will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above; and

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be provided to New Jersey Small Cities CDBG Program, Division of Housing and Community Resources, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 811, Trenton, NJ 08625-0811.

**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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk

**SMALL CITIES PROGRAM**  
**CITIZEN PARTICIPATION PLAN**

**I. Purpose**

The Federal Housing and Community Development Act of 1974, as amended, requires that all recipients of Small Cities funds certify that they are following a detailed Citizen Participation Plan (CPP). By choosing to participate in this program, the State of New Jersey has certified that it will comply with the law by preparing a CPP that identifies those tasks that units of local government receiving Small Cities funds must perform.

It is the State's responsibility to assist participating units of local government in complying with the law and in documenting such compliance. It is the responsibility of all grantees to certify to the State that they will manage their Small Cities program in accordance with the State's CPP. Grantees will provide documentation demonstrating such compliance.

In the following sections, basic requirements of the law will be presented and methods of satisfying these requirements discussed. Please read this material carefully and thoroughly. If you have any questions, contact your Small Cities Program Representative. It is essential that each grantee complies with these requirements, since no Small Cities funds will be disbursed until compliance is certified by the grantee and approved by the Department.

**II. Statutory Requirements**

Each recipient of Small Cities Community Development Block Grant (CDBG) funds must certify that it is following a detailed Citizen Participation Plan that --

- (A) encourages citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of areas in which CDBG Funds are proposed to be used, and in the case of a grantee described in Section 106(a) of the Act, provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
- (B) provides citizens with reasonable and timely access to local meetings, information, and records relating the grantee's proposed and actual use of funds under this program;
- (C) provides for technical assistance to groups representative of persons of low and moderate income who request assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- (D) provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program including at least the development of needs, the review of proposed activities, and review of program performance. Hearings shall be held after adequate notice at times and locations convenient to potential or actual beneficiaries and with accommodation for the handicapped;
- (E) provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
- (F) identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

The provision and implementation of a CPP may not be construed to restrict the responsibility or authority of the grantee for the development and execution of its community development program.

All grantees must adopt the CPP and provide documentation of compliance throughout the term of the grant agreement. The components of the Plan and the kind of information necessary to document compliance are discussed in the following section.

## **RESOLUTION RE: SMALL CITIES CITIZEN PARTICIPATION PLAN**

**Summary:** This resolution declares that the Town of Newton has reviewed the Citizen Participation Plan prepared for its Small Cities CBDG grant application and will comply with all federal regulations with respect to citizen participation as required.



**TOWN OF NEWTON**  
**RESOLUTION #190-2020**

**August 10, 2020**

**“Resolution Re: Fair Housing Statement of  
Actions”**

**WHEREAS**, the Town of Newton has made an application for a Public Facilities Small Cities Grant to the New Jersey Department of Community Affairs (hereafter NJDCA) for the construction of sidewalks along US Route 206 / Water Street to provide pedestrian facilities for low and moderate income individuals within the Town; and

**WHEREAS**, the Town of Newton must make efforts to affirmatively further fair housing; and

**WHEREAS**, the Town of Newton has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD); and

**WHEREAS**, the Town of Newton has made assurances that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973;

**NOW, THEREFORE BE IT RESOLVED**, that, Thomas S. Russo, Jr., Town Manager, shall be designated as the Fair Housing Officer for the Town of Newton; and

**BE IT FURTHER RESOLVED**, that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Newton; and

**BE IT FURTHER RESOLVED** that the Town of Newton will publish in the local newspaper of record and post at the municipal hall a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk

*Mayor*  
Sandra Lee Diglio

*Deputy Mayor*  
Daniel G. Flynn

*Council Members*  
Matthew S. Dickson  
Jason J. Schlaffer  
Helen R. Le Frois



*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

August 10, 2020

U.S. Department of Housing & Urban Development  
Fair Housing and Equal Opportunity Division  
New Jersey State Office  
One Newark Center  
Newark, New Jersey 07102

RE: Small Cities Grant Application – Mill Street Sidewalk Construction Project

Dear Sir or Madam:

I have been appointed Fair Housing Officer by the Town of Newton, Sussex County, New Jersey. My responsibilities in this position include counseling individuals with fair housing questions and/or problems publicizing fair housing laws and remedies to the public.

I would appreciate any information you may have regarding fair housing including pamphlets, newsletters, conference and training workshop schedules to use in our program. I would also like to request information on referring complainants and how your complaint process operates. Thank you for your cooperation in helping us implement an effective fair housing program.

Sincerely,

Thomas S. Russo, Jr.  
Fair Housing Officer

*Mayor*  
Sandra Lee Diglio

*Deputy Mayor*  
Daniel G. Flynn

*Council Members*  
Matthew S. Dickson  
Jason J. Schlaffer  
Helen R. Le Frois



*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

August 10, 2020

New Jersey Department of Law and Public Safety  
Division on Civil Rights  
100 Hamilton Plaza, 8<sup>th</sup> Floor  
Paterson, NJ 07505-2109

RE: Small Cities Grant Application – Mill Street Sidewalk Construction Project

Dear Sir or Madam:

I have been appointed Fair Housing Officer by the Town of Newton, Sussex County, New Jersey. My responsibilities in this position include counseling individuals with fair housing questions and/or problems publicizing fair housing laws and remedies to the public.

I would appreciate any information you may have regarding fair housing including pamphlets, newsletters, conference and training workshop schedules to use in our program. I would also like to request information on referring complainants and how your complaint process operates. Thank you for your cooperation in helping us implement an effective fair housing program.

Sincerely,

Thomas S. Russo, Jr.  
Fair Housing Officer

**Notice to Residents of the Town of Newton  
Fair Housing Program**

This notice will serve to advise all Newton Town residents that the following actions, if based on race, color, creed, religion, ancestry, sex, national origin, handicap or disability, or familial status (families with children) are considered discriminatory:

Refusing to sell or rent to, deal or negotiate with any person.

Discriminating on terms or conditions for buying or renting housing.

Discriminating by advertising that housing is available only to persons of a certain race, color, religion, sex, national origin, familial status, or handicap.

Blockbusting for profit, persuading owners to sell or rent housing by telling them that minority groups are moving into neighborhood.

Denying that housing is available for inspection, sale or rent when it really is.

Denying or making different terms or conditions for home loans by financing institutions.

Denying anyone the use of or participation in any real estate services, multiple listing facilities or other facilities related to buying or renting of housing.

**Complaints**

All residents are hereby notified that Thomas S. Russo, Jr. is designated as Fair Housing Officer for the Town of Newton. Any resident that believes he or she has been discriminated against under any of the above conditions may file a complaint with the Fair Housing Officer at the appropriate address:

Town of Newton  
Town Hall  
39 Trinity Street  
Newton, NJ 07860

Thomas S. Russo, Jr., Fair Housing Officer  
973-383-3521 – Phone  
973-383-8961 – FAX

BY ORDER OF THE TOWN COUNCIL OF THE TOWN OF NEWTON

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Lorraine A. Read, RMC  
Municipal Clerk  
Town of Newton



## TOWN OF NEWTON

### RESOLUTION #191-2020

August 10, 2020

**“Renewal of Plenary Retail Distribution Licenses”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that the following Plenary Retail Distribution Licenses be renewed for the licensing year 2020-2021, effective July 1, 2020:

**No. 1915-44-010-003** be issued to Bia Krishna, Inc., t/a Seplow's Liquors, 5 Woodside Avenue, Newton, New Jersey; and

**No. 1915-44-004-012** be issued to HV Patel Corporation, t/a Spring Liquors, 110 Spring Street, Newton, New Jersey.

### 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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON**  
**RESOLUTION #192-2020**

August 10, 2020

**“Authorize the Award of a Required Disclosure Contract for Suburban Consulting Engineers, Inc., for the Drainage Improvements & Environmental Permitting for the Memory Park – Babe Ruth League Baseball Field Project – Engineering Services”**

**WHEREAS**, the Town of Newton requires the services of a professional engineer for the Drainage Improvements & Environmental Permitting for the Memory Park – Babe Ruth League Baseball Field Project 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 completion of project; 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 funds NOT TO EXCEED \$89,550.00 will be encumbered as follows:

Ordinance 2020-10 Memory Park Account # 30919782

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Newton Town Manager to enter into a contract for the Drainage Improvements & Environmental Permitting for the Memory Park – Babe Ruth League Baseball Field Project – Engineering Services with Suburban Consulting Engineers, Inc., not to exceed \$89,550.00 for the project term; and

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

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, August 10, 2020.

---

Lorraine A. Read, RMC  
Municipal Clerk



August 6, 2020  
*Revised Proposal*

**Via Electronic Mail (trusso@newtontownhall.com) and Regular Mail**

Town of Newton  
39 Trinity Street  
Newton, New Jersey 07860

Attn.: Thomas S. Russo, Jr., Town Manager

Re.: Town of Newton, County of Sussex, State of New Jersey  
Drainage Improvements & Environmental Permitting  
Memory Park – Babe Ruth League Baseball Field  
**NJDEP / NJIB - Planning & Design Professional Engineering  
Land Surveying & Environmental Services**  
Block 10.01, Lot 1  
Our File No.: Proposal SCE-P10683.021 Revision D

Dear Mr. Russo:

SUBURBAN CONSULTING ENGINEERS, INC. (SCE) is pleased to provide the following revised proposal to the Town of Newton (Town) for Professional Engineering, Land Surveying & Environmental Services regarding Drainage Improvements and Environmental Permitting of Babe Ruth League Baseball Field located at Memory Park in the Town of Newton, County of Sussex, State of New Jersey. This proposal is directly related to our June 24, 2019 Drainage Assessment Report, where SCE's Senior Project Manager, John M. Chayko, PE, CFM, assessed the existing drainage conditions of the Babe Ruth Field and identified several recommendations to the Town. In addition, this proposal also represents follow-up direction culminating from our January 27, 2020 meeting with the Town and April 2, 2020 meeting with the Town's Chief Financial Officer, Recreation Supervisor and Assistant Department of Public Works Supervisor discussing funding options. At this time, Ms. Eleni Giannikopoulos will serve as the Client Manager for the Town offering assistance on all Town related matters as necessary and Mr. David C. Battaglia, PE, CME, CFM, SCE's Municipal Department Manager will serve as SCE's Project Manager for this project.

SCE's drainage assessment concluded that the field and contributing Town infrastructure cannot effectively drain in its current condition due to a blocked outfall pipe system which previously drained to a channel of Moore's Brook. This channel conveyance, which is in the Flood Hazard Area, is now filled in by natural soil deposits and surrounded by a large environmentally sensitive wetland feature. The following scope of services include survey and engineering of proposed drainage improvements, securing all identified New Jersey Department of Environmental Protection (NJDEP) and Soil Conservation Districts (SCD) permitting applications and preparation of construction documents necessary for the Town's bidding purposes.



## Scope of Services

### **I. Survey, Mapping and Drainage Analysis**

SCE will perform a drainage analysis as identified from our June 24, 2019 Drainage Assessment Report, specific to recommendations #1 and #2. These recommendations identified eliminating drainage infrastructure that is currently piped into the Babe Ruth Field drainage system and reactivating the current storm drainage conveyance system.

Eliminating portions of the existing system contributing towards the parking lot and drainage system of the Babe Ruth Field will require a new redirected alignment of drainage infrastructure from Moran Street away from the ballfield. As a result of the proposed disconnection of this infrastructure, SCE will assess alternative alignment and discharge locations into Moore's Brook. Discharge locations will be evaluated based on surveyed sedimentation levels proposed to be removed (in support of NJDEP GP#1). Areas near the Moran Street bridge culvert will be surveyed and reviewed for nearby alternative discharge locations of the separated infrastructure.

In addition to the disconnection of the upper level infrastructure, we will also analyze the discharge necessary to reactivate the gravity pipe and outfall channel system beyond the outfield area, so that positive drainage towards Moore's Brook can be re-established. Additional topography and sedimentation survey will be performed to demonstrate the soil removal and alignment needed to activate the prior conveyance channel. Our proposal includes up to five (5) field days of survey to address the sedimentation survey, conveyance channel locations, Moran Street bridge and nearby topographic features and miscellaneous drainage structures located near the upper ball fields and Department of Public Works (DPW) location. Prior surveyed data from the ball field and nearby structures will be incorporated into our assessment.

The following tasks will be performed to support the drainage design recommendation #1 analysis, and as part of the NJDEP GP#1 Permit requirements and sediment removal efforts:

1. Perform field survey to measure sedimentation depth removal levels at 50' +/- intervals starting from the Moran Street bridge (approximately 1,800 Linear Feet (LF) of Brook length), topographic mapping within the previously established conveyance channel and beyond the ball field outfall location and to establish a drainage profile along Moran Street or selected disconnected infrastructure alignment path at outfall.
2. Investigate the 20" storm drainage infrastructure piping plans originating from DPW facility and ballfield that currently discharges into Moore's Brook, as a potential means to tie-in separated Moran Street drainage infrastructure. This was brought to SCE's attention in the January 27, 2020 meeting.
3. Investigate the existing conveyance capacity of the French Drain System adjacent to the park's playground area, which was not discovered during SCE's assessment survey. This was brought to SCE's attention in the January 27, 2020 meeting.



4. Prepare sediment volume estimate calculations and plan/profile construction documents to be used for sediment removal purposes in support of the NJDEP Permitting documents.
5. Develop hydrologic stormwater discharges and hydraulic pipe calculations for the 10-year and 25-year storm event including drainage areas, runoff land use weighted coefficients and time of concentration path, to support mapping for the new separated storm system alignment and conveyance channel from the ballfield.
6. Evaluate the Babe Ruth drainage area to identify areas where the use of Green Infrastructure (GI) for on-site stormwater control. GI could have a beneficial long-term impact upon the overall stormwater system relative to future maintenance. NJDEP offers Principal Forgiveness for portions of a project that are addressing stormwater controls on-site via Green Infrastructure (GI).
7. Prepare two (2) conceptual alignment plan layouts for Town review and approval. Recommended alternative will be used as the basis for permitting and construction plans.

## **II. Environmental Permitting**

Based on a review of existing online information prepared by the NJDEP Division of Land Use Regulation (DLUR) and our understanding of the project location, the subject site contains regulated freshwater wetlands, transition areas, flood hazard areas and riparian zones. Therefore, this proposal assumes that certain permits and approvals issued by NJDEP DLUR will be required for the proposed project. Preliminary research of NJDEP and US Fish and Wildlife (USFWS) databases has revealed that the subject site may be suitable habitat for the endangered bog turtle (*Glyptemys muhlenbergii*). Additionally, the site is located approximately three (3) miles upstream of mapped habitat for the endangered dwarf wedgemussel (*Alasmidonta heterodon*) within the Paulins Kill. It is therefore understood that the potential presence of these protected species may result in additional investigations and surveys required by NJDEP and/or USFWS. If required, associated efforts and costs are presented as contingency costs and will only be implemented upon direction by the regulatory agencies and explicit authorization from the Town. Therefore, due to the environmental complexity of this project, a pre-application meeting with NJDEP will be immediately initiated upon contract award.

The following environmental permitting base scope of services is proposed which will be verified upon NJDEP's pre-application meeting direction.

### **Wetland Delineation**

Due to the presence of freshwater wetlands on the subject site, SCE will complete a field delineation in accordance with the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands* (1989). This is the wetland delineation methodology accepted by the NJDEP DLUR. The delineation will involve an observation of onsite soils, vegetation and hydrology in order to formulate a wetland limit line. The wetland delineation will be limited to the proposed project area/limit of disturbance including dredging extent access



requirements plus an approximate distance of 150' and will not encompass the entire parcel. Wetland delineation flags placed onsite will be located by Global Positioning System (GPS) methodology and placed on a design plan to facilitate the permit approval process. A Letter of Interpretation (LOI) is not anticipated to be required.

*NJDEP Freshwater Wetlands General Permit #1 (GP#1 - Maintenance) & General Permit #11 (GP#11 - Stormwater Outfall) Application*

This proposal assumes that the proposed project will impact freshwater wetlands and State open waters in order to implement the project. Therefore, SCE will prepare an application for a GP #1 - Maintenance and GP #11 - Stormwater Outfall in accordance with the *Freshwater Wetlands Protection Act Rules* at NJAC 7:7A and make the submission to the NJDEP DLUR. The submission will include required forms, figures, maps, photographs, wetland delineation summary and documentation, proof of public notice, compliance statement and Natural Heritage Program Letter. NJDEP now offers an option of submitting the application online; therefore, SCE will explore this option with the Town during preparation of the permit application.

A GP#1 will be requested to authorize the removal of accumulated silt and sediment from existing ditches/channels located within the large wetland complex in order to help restore positive drainage. These ditches appear as mapped channels on the NJDEP Geo-Web online review database. GP#1 is only applicable to maintain legally existing features; therefore, this proposal assumes that the NJDEP will consider the ditches as legally existing. The GP#1 will not authorize the creation of any new ditches within wetlands or transition areas. A GP#11 will be requested to authorize the construction of a new stormwater outfall within the Moore's Brook. It is assumed that the project can remain under the allowable limits of the General Permits. If the scope of the project exceeds any of the regulatory requirements of the General Permits and an Individual Permit is required, associated efforts will be considered extra services.

As part of a complete submission, the Town must provide SCE with title search property documentation demonstrating ownership when freshwater wetlands rules went into effect (June 30, 1988) to present, in addition to any common ownership related to contiguous lots.

*NJDEP Flood Hazard Area Individual Permit and Verification Application*

The proposed project location is situated within the Federal Emergency Management Agency (FEMA) 100-year floodplain and floodway and the riparian zone, which are regulated by NJDEP under the *Flood Hazard Area Control Act Rules* at NJAC 7:13. SCE will prepare an application for an Individual Permit to construct a new stormwater outfall within a regulated water with a drainage area greater than 50 acres and for removal of accumulated sediment from a regulated water by a public entity and make the paper submission to the NJDEP DLUR. SCE anticipates that a FHA GP#1 for sediment removal is not applicable since the channel may be considered suitable habitat for an endangered species (bog turtle), therefore, an Individual Permit is anticipated. The submission will include required forms, figures, maps, photographs, environmental report, engineering



report, proof of public notice, compliance statement and Natural Heritage Program Letter. NJDEP now offers an option of submitting the application online; therefore, SCE will explore this option with the Town during preparation of the permit application. All permit review comments will be addressed by SCE to secure permit approvals.

This proposal assumes that the mapped FEMA floodway and flood hazard area can be utilized in the permit application and shown on NJDEP permit plans. As a result, this proposal includes floodplain mapping utilizing existing available resources/mappings and does not include detailed calculations to determine the geographic limits of these regulated areas.

Since the recommended drainage improvements will not increase impervious area or exceed one acre or more of disturbance, it is anticipated that the NJDEP stormwater management rules at N.J.A.C. 7:8 will not be required. This will be confirmed at our pre-application meeting with the NJDEP.

***NOTE: Permit fees are NOT included in our proposal estimate below. We anticipate the NJDEP application filing fee to be approximately \$4,000 which will be confirmed at the time of submission. If it is determined by NJDEP that additional permits are needed, SCE will notify the Town if additional scope of work is required prior to commencing the permitting process.***

*Phase I Bog Turtle Habitat Survey*

Based on our understanding of local Bog Turtle Habitat onsite in this area, it is anticipated that the NJDEP and USFWS will require the completion of a Phase I Bog Turtle Habitat Survey (Phase I). Therefore, as part of our due diligence, SCE will perform this effort for all wetlands located within 300 feet of the project area. The Phase I report will be prepared in accordance with current USFWS protocols.

***Upon completion of the Phase I report, the potential need for a Phase II Bog Turtle Visual Survey (Phase II) or implementation of certain conservation measures will be evaluated in consultation with USFWS. NOTE: SCE would prepare a separate fee proposal to the Town pertaining to this Phase II scope of service, which is not included in our Fee Proposal below.***

**III. Construction Plans, Specifications, Cost Estimates & SCD Permits**

In addition to support of the NJDEP Permit requirements regarding the drainage improvements, SCE will prepare Preliminary and Final construction documents for bidding purposes in accordance with New Jersey Department of Transportation (NJDOT) 2007 standard specification guidelines. The plans will be developed upon concurrence of Phase I & II tasks. Due to disturbance areas greater than 5,000', we will prepare and submit a Soil Erosion and Sediment Control Permit to the Sussex County Soil; Conservation District (SCSCD). We will prepare a 50% Preliminary Submission to the Town, address any review



comments and submit final signed and sealed plans and estimates for construction bidding purposes. The following documents are included as part of this phase:

- Signed & Sealed Construction Plans including: Title Sheet with Key Map, Existing Conditions Plan, Grading and Drainage Plan, Soil Erosion and Sediment Control Plan, General Notes and Details and Construction Details
- Moore's Brook Dredging Profile and Plan Layout (FWW GP#1 anticipated)
- Engineering Report with supporting drainage calculations as required as part of NJDEP FHA Individual Permit
- Construction specifications and implementation of Town's standard front-end special provision requirements (provided by client)
- Construction cost estimate
- SCSCD application

SCE's Final Submission Deliverables will include; one (1) original full size signed and sealed 24" x 36" hard copy set and six (6) 11" x 17" ½ size sets, electronic pdfs (plans, calculations, specifications and cost estimates), AutoCAD format files and SCSCD Permit Application copy. SCE will submit the SCSCD directly to the District and copy the Town. All Permit Fees will be the responsibility of the owner to be determined upon final disturbance area calculations.

#### **IV. Project Qualification & Document Submission for I-Bank Funding**

SCE will assist the Town to achieve each necessary milestone in conformance to NJDEP and New Jersey Infrastructure Bank (NJIB) requirements. Step 1 is to assist the Town's Chief Financial Officer (CFO) to obtain all necessary login information to create the project in H2Loans. The NJIB will assign a unique project interest identification (PID) number to the project and the CFO can assign Authorized Representatives and Collaborators to the project such as Engineer and Bond Counsel professionals. This will enable SCE to gain access to the project in H2Loans and input all necessary data for each consequent step.

Once the project has been created, SCE will proceed with Step 2 and upload preliminary project information in H2Loans at which point the project will receive ranking and inclusion in the Project Priority List (PPL) to receive financing from the CWSRF Program. Preliminary project information required at this stage of the application includes project location, project scope, anticipated construction costs, anticipated disbursement schedule for appropriation of funds during the course of the project, pre-planning meeting coordination and attendance with NJDEP/NJIB staff and provide preliminary project information to the Town's Bond Counsel to complete short-term-financial-addendum form documents.

Step 3 is the preparation and upload of the Letter of Intent (LOI) and Environmental Planning Document. An integral part of the NJDEP review process is the environmental review and receipt of the Environmental Decision Document (EDD); a mandatory



component to secure and Authorization to Advertise. It is anticipated the scope of this project will require a Level I Environmental Review per N.J.A.C. 7:22-10.5. In the event the NJDEP reports that this scope triggers a Level II Environmental Review, SCE will provide a scope under separate cover, however does not anticipate this will be required.

Under subsequent phases of the final design, SCE will also provide NJIB assistance. Upon completion of all design documents, SCE will proceed with Step 4 in the H2Loan application which is the loan application itself. SCE will complete the NJIB project application forms on H2Loans and upload all Engineering Design Plans and Specifications checklists and statements of compliance.

Four (4) hardcopies of the design plans and specifications will be submitted to NJDEP and Office of Equal Opportunity within the required timeline to obtain necessary approvals from each Agency.

Concurrently with the application documents listed in Step 4 above, SCE will prepare and upload the OEO- 001 Form and SED Plan for Planning and Design Phase services, a federal requirement for CWSRF funding is to meet compliance with Socially Economically Disadvantaged (SED) Participation.

Final step in the H2Loan application during the planning and design stage of the project is Step 5 – Submit Revised and Detailed Project Information. As design document and specifications preparation is completed, SCE will upload the revised, detailed project description, anticipated disbursement schedule form based on Engineers Cost Estimate and assist Bond Counsel by providing information necessary for the application of Short-Term-Financial Addendum Form in preparation of the Construction phase of the project.

**V. Allowance for NJDEP Technical Review Comments**

Upon submission of the H2Loan Application, it is anticipated the NJDEP will issue technical review comments to be addressed by SCE. A budgetary allowance is included in this proposal to facilitate a streamlined review process in efforts to secure an Authorization to Advertise as expeditiously as possible.

The above scope of services aligns with the NJAC 7:22 Municipal Finance Regulations for Planning and Design services, required for NJDEP/NJIB funded projects. Bid and Construction Phase Services will be provided to the Town under separate cover when Tasks I-V are completed above.



### Fee Proposal

SCE proposes to provide the following fees associated with each Scope of Service Phase:

I.	Survey, Mapping and Drainage Analysis	\$ 30,000
II.	Environmental Permitting	\$ 26,550
III.	Construction Plans, Specifications, Cost Estimates & SCD Permits	\$ 23,000
IV.	Project Qualification & Document Submission for I-Bank Funding	\$ 12,500
V.	<u>Allowance for NJDEP Technical Review Comments</u>	<u>\$ 2,500</u>
	<b>TOTAL ESTIMATED FEE</b>	<b>\$ 94,550 *</b>
	<b>Professional Courtesy Discount</b>	<b>\$ 5,000</b>
	<b>TOTAL FEE INCLUDING DISCOUNT</b>	<b>\$ 89,550</b>

*\*It should be noted that our fee is based on several assumptions for the scope of services provided in this proposal relative to project unknowns. If it is determined that there is a significant change of conditions that was not anticipated during the course of the project, SCE will notify the Town prior to exceeding the contract amount to address the changes associated with the project and to establish an acceptable course of action needed to complete the scope of services.*

### Project Schedule

SCE is prepared to commence services immediately upon authorization to proceed and receipt of signed proposal. The estimated timeline for each Phase is as follows based on an assumed start date of May 18, 2020:

1. Survey Mapping and Drainage Analysis: (May – June 2020)
2. Submission & Review Period of Environmental & SCD Permits: (June – October 2020)\*
3. Preparation of Design Documents for NJDEP/NJIB Review: (July 2020)
4. NJDEP Review Period for Approval of Contract Documents and Receipt of Authorization to Advertise: (July – August 2020)
5. Project Bid Period: Pending receipt of necessary NJDEP Environmental Permits: (October 2020)

*\*Timelines are based on a 90-day NJDEP permitting period and may be subject to change if additional threatened/endangered species studies are required.*

### Fee Structure

SCE will utilize the following fee structure for all tasks where fee is estimated and for any additional work authorized by client or for client-initiated revisions. It should be noted that our fee is based on the specific tasks as explained in the above sections of this proposal. Additional services and items may be determined to be required during the course of the project that have not been included in this cost proposal.



Revisions to address any review agency comments that develop during the review process are typically required to obtain approvals. SCE is not able to predict the course of action necessary to address such comments at this time. All costs associated with addressing the review agency comments will be invoiced in accordance with the fee structure on a time and material basis.

- Principal/Project Officer \$160/hour
- Senior Project Manager \$158/hour
- Project Manager \$155/hour
- Senior Project Licensed Professional \$150/hour
- Project Licensed Professional \$145/hour
- Licensed Professional \$135/hour
- Senior Project Coordinator \$150/hour
- Project Coordinator \$145/hour
- Senior Designer/Senior Survey Analyst \$125/hour
- Designer/Survey Analyst \$120/hour
- Senior Environmental Scientist \$125/hour
- Environmental Scientist \$120/hour
- Senior Project GIS Analyst \$140/hour
- Project GIS Analyst \$130/hour
- GIS Analyst \$125/hour
- Senior GIS Technician \$115/hour
- GIS Technician \$105/hour
- Senior GIS Project Coordinator \$130/hour
- GIS Project Coordinator \$125/hour
- Senior Inspector \$115/hour
- Inspector \$105/hour
- Senior Technician \$110/hour
- Technician \$100/hour
- Project Administrator \$115/hour
- Administrative Support \$60/hour
- Equipment Unit Cost
  - Unmanned Aerial Systems / Remotely Operated Vehicle \$150/hour
  - Robotic/LiDAR \$50/hour
  - GPS \$25/hour
- LSRP (Licensed Site Remediation Professional) Services Unit Cost
  - For any environmental services requiring LSRP oversight and certification, a \$25/hour unit cost will be included in addition to the hourly rate for roles above.
- Public Meeting Attendance – two (2) hour minimum charge
- Any actual disbursements and expenses which we incur on your behalf, such as subconsultant fees, application/permit fees, delivery charges, parking, printing and toll charges will be billed at actual cost-plus 15 percent.
- Mileage will be billed in accordance with federal prevailing wage.



### **Services Not Included Unless Authorized**

It should be noted that our fee is based on the specific tasks as explained in the above sections of this proposal. Additional services and items may be determined to be required during the course of the project that have not been included in this cost proposal. These services and items include but are not limited to:

- Any local, agency or county permitting services not identified.
- Permitting fees.
- Construction Observation services.
- Surveying services beyond five (5) field days, which are included above.
- Geotechnical investigations and soil bearing testing.
- Cultural resource investigations not itemized in the Scope of Services.
- Threatened or endangered species surveys not itemized in the Scope of Services.
- Riparian zone mitigation.
- Freshwater Wetlands Individual Permit application.
- Wetland mitigation.

### **Standard Contract Terms & Conditions**

In accordance with the above information, Client agrees to the following:

#### *Termination of Contract*

Client may terminate this Agreement with seven days prior written notice to Suburban Consulting Engineers, Inc. (SCE) for convenience or cause. SCE may terminate this Agreement for cause with seven days prior written notice to Client. Failure of Client to make payments when due shall be cause for suspension of services or, ultimately, termination, unless and until SCE has been paid in full all amounts due for services, expenses and other related charges.

#### *Hazardous Environmental Conditions*

It is acknowledged by both parties that SCE's Scope of Services does not include any services related to the remediation at the site of asbestos, PCBs, petroleum, hazardous waste or radioactive materials. Client acknowledges that SCE is performing professional services for Client and SCE is not and shall not be required to become an "arranger", "operator", "generator" or "transporter" of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA).

#### *Ownership of Documents*

All documents prepared or furnished by SCE pursuant to this Agreement are instruments of SCE's professional service, and SCE shall retain an ownership and property interest therein. SCE grants Client a license to use instruments of SCE's professional service for the purpose of constructing, occupying and maintaining the Project. Reuse or modification of any such documents by Client, without SCE's written permission, shall be at Client's sole risk, and Client agrees to indemnify and



hold SCE harmless from all claims, damages and expenses, including attorneys' fees, arising out of such reuse by Client or by others acting through Client.

*Indemnification*

To the fullest extent permitted by law, Client and SCE each agree to indemnify the other party and the other party's officers, directors, partners, employees and representatives, from and against losses, damages and judgments arising from claims by third parties, including reasonable attorneys' fees and expenses recoverable under applicable law, but only to the extent they are found to be caused by a negligent act, error or omission of the indemnifying party or any of the indemnifying party's officers, directors, members, partners, agents, employees or sub-consultants in the performance of services under this Agreement. If claims, losses, damages and judgments are found to be caused by the joint or concurrent negligence of Client and SCE, they shall be borne by each party in proportion to its negligence.

*Force Majeure*

Neither party shall be deemed in default of this agreement to the extent that any delay or failure in the performance of its obligations results from any cause beyond its reasonable control and without its negligence.

*Dispute Resolution*

Client and SCE agree that they shall first submit any and all unsettled claims, counterclaims, disputes and other matters in question between them arising out of or relating to the agreement to mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association, effective as of the date of this agreement.

*Use of Electronic Media*

Documents that may be relied upon by Client are limited to those that are signed or sealed by SCE. Unsigned files in electronic media format or text, data, graphic or other types that are furnished by SCE to Client are only for convenience of Client. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. When transferring documents in electronic media format, SCE makes no representations as to long-term compatibility, usability or readability of documents resulting from the use of software application packages, operating systems or computer hardware differing from those in use by SCE at the beginning of this assignment.

*Construction Phase Services*

If this Agreement provides for any construction phase services by SCE, it is understood that the Contractor, not SCE, is responsible for the construction of the project, and that SCE is not responsible for the acts or omissions of any contractor, subcontractor or material supplier; for safety precautions, programs or enforcement; or for construction means, methods, techniques, sequences and procedures employed by the Contractor. It is the Owner's responsibility to advise their contractor of these terms.



Opinions of Cost

When included in SCE's Scope of Services, opinions or estimates of probable construction cost are prepared on the basis of SCE's experience and qualifications and represent SCE's judgment as a professional generally familiar with the industry. However, since SCE has no control over the cost of labor, materials, equipment or services furnished by others, over contractor's methods of determining prices, or over competitive bidding or market conditions, SCE cannot and does not guarantee that proposals, bids or actual construction cost will not vary from SCE's opinions or estimates of probable construction cost.

Professional Responsibility

SCE represents that the services shall be performed, within the limits prescribed by Client, in a manner consistent with the level of care and skill ordinarily exercised by other professional consultants under similar circumstances. No other representation to Client, expressed or implied, and no warranty or guarantee is included or intended in this Agreement, or in any report, opinion, document or otherwise. For any damage caused by professional negligence including errors, omissions or other professional acts, including unintentional breach of contract by SCE, its employees, agents or subcontractors, SCE's liability and that of its employees, agents and subcontractors is limited to SCE's total compensation paid under the contract. In no event shall either Client or SCE be liable for consequential damages, including, without limitation, loss of use or loss of profits, incurred by one another or their subsidiaries or successors, regardless of whether such damages are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.

Right of Entry

Client grants to SCE, and, if a project site is not owned by Client, warrants that permission has been granted for a right of entry from time to time by SCE, its employees, agents and subcontractors upon the project site for the purpose of providing the Services. Client recognizes that the use of investigative equipment and practices may unavoidably alter existing site conditions and affect the environment in the area being studied.

Statute of Limitations

The parties agree that any action relating to an alleged breach of the Agreement shall be commenced within one year of the date of the breach, without regard to the date the breach is discovered. Any action not brought within that one-year time period shall be barred, without regard to any other limitations period set forth by law or statute.

**Billing Schedule**

Time spent will be invoiced on an hourly basis up to the contract fee. In the event that we need to exceed the estimated fee, we will contact you for authorization to proceed. If you elect not to proceed, we will invoice you for services completed to date.

Payment for professional services shall be invoiced at the end of each month as a proportion of the total work completed or upon completion of the work product. Payment is due upon receipt of invoice. A 1-1/2 percent per month late charge will be applied for all outstanding invoices not paid



within fifteen (15) days. Amounts not paid when due may be referred for collection and mechanic's lien rights may be exercised, with all costs, including reasonable attorney fees, charged to client. Both parties understand that work will be stopped if account is not current; signed drawings will not be furnished if account is past due.

If this proposal meets with your approval, please sign below and return one (1) copy to my office. Alternatively, if a purchase order is to be issued, please reference the SCE proposal number (SCE-P10683.021) and date in order to properly document authorization. We shall consider an appropriately executed copy of this letter or purchase order as our formal authorization to proceed. Please note that the fees stated in this proposal are valid for thirty (30) days from the date of this correspondence. Please also note that by signing this proposal, you are agreeing to SCE's Standard Contract Terms and Conditions referenced above. If you have any questions regarding this proposal, please do not hesitate to contact me.

Very truly yours,  
SUBURBAN CONSULTING ENGINEERS, INC.

By:   
Daren J. Phil, PE, PP, CME, President

Accepted this \_\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_ (Printed Name and Title)



## TOWN OF NEWTON

### RESOLUTION #193-2020

August 10, 2020

“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 2019 and 2020 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, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #194-2020

August 10, 2020

**“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 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. Contract Negotiations – Bridge Q-06

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Newton, assembled in public session electronically on August 10, 2020, that an Executive Session closed to the public shall be held on August 10, 2020 at approximately 7:30pm also held electronically 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 regular meeting of said Governing Body conducted on Monday, August 10, 2020.

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Lorraine A. Read, RMC  
Municipal Clerk

## List of Bills - CLEARING/CLAIMS

Meeting Date: 08/10/2020 For bills from 07/28/2020 to 08/06/2020

Check#	Vendor	Description	Payment	Check Total
2100	3861 - A ROYAL FLUSH, INC.	PO 56491 B: Porta John Rentals Jan - Dec 2020	390.47	390.47
2101	3577 - AAA	PO 57491 2020 MEMBERSHIP RENEWAL T RUSSO #438212	148.00	148.00
2102	2141 - AIRMATIC COMPRESSOR SYSTEMS, INC.	PO 57465 Compressor Repair WTP	1,648.29	1,648.29
2103	4330 - ANGELO & MARY DEPALMA	PO 57485 EASEMENT 18 HILLSIDE AVE	2,400.00	2,400.00
2104	4026 - AUTOZONE	PO 56612 B: FIRE AUTO SUPP'S #1110816010570	54.97	54.97
2105	3251 - BADGER METER, INC.	PO 56496 Serv Agreement Beacon Mobile Hosting/ Wa	161.28	161.28
2106	4313 - BARRY CONSTRUCTION CO INC.	PO 57310 REFUND ESCROW BAL	500.00	500.00
2107	1132 - BOONTON TIRE SUPPLY INC.	PO 56388 B: PD VEHICLE REPAIR	2,691.22	2,691.22
2108	4314 - BRANCH ASSOCIATES	PO 57321 REFUND ESCROW BAL	1,504.50	1,504.50
2109	2794 - C&V Paving Contractors, In	PO 57325 REFUND ESCROW BAL	1,156.25	1,156.25
2110	192 - CAMPBELL'S SMALL ENGINE INC.	PO 57457 Chainsaw/Chain Loop	216.63	216.63
2111	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 56309 B: ALARM CIRCUITS	125.85	125.85
2112	2843 - CHELBUS CLEANING CO., INC.	PO 57341 CLEANING TOWN BLDG'S (JULY-DEC)	2,899.00	
		PO 57486 POOL BATHROOMS CLEANING 7/28	150.00	3,049.00
2113	3770 - CINTAS CORPORATION NO. 2	PO 56461 DPW/WS: Water Filtration/Cooler/Cleaning	45.00	
		PO 56461 DPW/WS: Water Filtration/Cooler/Cleaning	45.00	
		PO 56461 DPW/WS: Water Filtration/Cooler/Cleaning	225.00	
		PO 56461 DPW/WS: Water Filtration/Cooler/Cleaning	225.00	
		PO 56573 B: FIRST AID SUPPLIES	173.10	713.10
2114	3770 - CINTAS CORPORATION NO. 2	PO 56573 B: FIRST AID SUPPLIES	326.93	
		PO 57476 First Aid Supplies, hand sanitizer galon	1,707.87	2,034.80
2115	4177 - CLIFFHANGER PRODUCTIONS, INC.	PO 57473 CONCERT 7/24/2020 - NERDS	5,800.00	5,800.00
2116	3609 - CLIFFSIDE BODY CORP.	PO 57406 Chevy 3500 Truck Body replmt	4,225.00	4,225.00
2117	4138 - CONSTELLATION NEWENERGY -GAS DIV	PO 56306 B: NATURAL GAS SUPPLIER	132.35	
		PO 56306 B: NATURAL GAS SUPPLIER	156.22	288.57
2118	1632 - COOPER ELECTRIC SUPPLY CO.	PO 57517 TH LIGHTS ACCT #25723	79.20	79.20
2119	176 - COUNTY OF SUSSEX	PO 57507 3rd QTR CNTY PURPOSE TAX	971,833.67	971,833.67
2120	178 - COUNTY OF SUSSEX	PO 57508 3RD QTR LIBRARY TAX	72,413.33	72,413.33
2121	1425 - COUNTY OF SUSSEX	PO 57509 3RD QTR OPEN SPACE TAX	3,916.24	3,916.24
2122	155 - COYNE CHEMICAL CORP., INC.	PO 56404 B: CP-837 ZINC	1,085.00	
		PO 56405 B: SODIUM BISULFITE	426.05	
		PO 56407 B: CITRIC ACID	523.20	2,034.25
2123	2361 - CSS LLC.	PO 56279 B: PRE-EMPLOYMENT/POST ACCIDENT DRUG SCR	144.00	144.00
2124	286 - CURRENT ACCOUNT	PO 57487 CANCEL BAL POLICE ESCROW ACCT	1,040.49	1,040.49
2125	4316 - DAN YOUNGS	PO 57314 REFUND ECROW BAL	94.50	94.50
2126	512 - DIAMOND SAND & GRAVEL, INC	PO 57527 Townhall Apron	794.00	794.00
2127	106 - ELIZABETHTOWN GAS	PO 56308 B: NATURAL GAS DELIVERY (JAN-APR)	2,293.14	2,293.14
2128	3817 - ESI EQUIPMENT INC.	PO 57505 JAWS OF LIFE ANNUAL MAINT (9/1/20-8/31/2	1,114.00	1,114.00
2129	3124 - EXTRA TECH DATA SERVICES, LLC.	PO 56358 B: IT SERRVICES -1st qtr	1,105.00	
		PO 56364 ONLINE BACK-UPS	130.00	
		PO 56364 ONLINE BACK-UPS	130.00	
		PO 56365 G-SUITE ACCT	88.00	
		PO 56365 G-SUITE ACCT	88.00	
		PO 57110 OEM Computers - Tuneup and memory upgrad	471.00	2,012.00
2130	3124 - EXTRA TECH DATA SERVICES, LLC.	PO 57333 POOL- BROTHER PRINTER, CASES FOR TABS, K	398.00	398.00
2131	225 - FEDERAL EXPRESS	PO 56312 B: EXPRESS MAIL A/C #1344-0	88.00	88.00
2132	1880 - FIRE & SAFETY SERVICES, LTD., INC.	PO 57463 ENG #801 HANDLE REPAIR	379.87	379.87
2133	4323 - FIREWORKS EXTRAVAGANZA	PO 57431 FIREWORKS FOR AFTER CONCERT/ AUGUST 8TH	4,500.00	4,500.00
2134	172 - FRISBIE, ARTHUR & RITA	PO 57405 MEDICARE PART B REIMB	1,735.20	1,735.20
2135	373 - GALLS, LLC	PO 57424 MEDICAL SUPPLIES ACCT #4794479	208.99	
		PO 57425 MEDICAL SUPPLIES ACCT #4794479	103.90	312.89
2136	448 - GARRIS, JEAN	PO 57358 MEDICARE PART B REIMB	867.60	867.60
2137	232 - HAMBURG PLUMBING SUPPLY CO INC	PO 57521 Valves/ WTP cust #14037	302.24	302.24
2138	230 - HAYEK'S MARKET INC.	PO 57513 EMPLOYEE BBQ 7/30 FOOD	94.52	94.52
2139	1866 - HOME DEPOT, INC.	PO 57484 DPW/ WS Mat/ Spl/ Repairs to July25	4,634.99	
		PO 57484 DPW/ WS Mat/ Spl/ Repairs to July25	1,088.30	5,723.29
2140	4094 - HOPATCONG BOROUGH	PO 57503 3rd qtr 2019 ANIMAL AGREEMENT	5,514.42	5,514.42
2141	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 57490 REDEVELOPMENT COUNCIL BUSINESS -JUNE	1,300.00	1,300.00
2142	113 - JCP&L	PO 57501 MORAN ST LIGHTING	18.58	
		PO 57515 FIRE #2 ELECTRIC -JULY	496.89	515.47
2143	3772 - JK HVAC SERVICE, LLC.	PO 57516 TH/ Panel Rpr	1,763.22	1,763.22
2144	2417 - JP MORGAN CHASE BANK	PO 57526 2016 GO BONDS \$4,979,000. P & I	246,523.75	246,523.75
2145	2569 - KIEFFER ELECTRIC, INC.	PO 55465 ELECTRICAL UPGRADE SUSSEX ST DPW/W&S	4,859.00	
		PO 55465 ELECTRICAL UPGRADE SUSSEX ST DPW/W&S	4,859.00	
		PO 57151 UPS BATTERY BACKUP SYSTEM ELECTRIC	34,498.00	44,216.00
2146	3711 - KKPR MARKETING & PUBLIC RELATIONS,	PO 56409 B: MARKETING/PUBLIC RELATIONS	1,300.00	1,300.00
2147	2532 - LADDEY, CLARK & RYAN, LLP	PO 56285 B: PROSECUTOR McMeen (\$31,000/12=\$2,58	2,875.00	2,875.00
2148	266 - LAFAYETTE AUTO PARTS	PO 57479 Fittings/ Bushings cust #14037	7.08	
		PO 57519 HOSE/O-RING	31.64	38.72

## List of Bills - CLEARING/CLAIMS

Meeting Date: 08/10/2020 For bills from 07/28/2020 to 08/06/2020

Check#	Vendor	Description	Payment	Check Total
2149	4227 - LAW OFFICE OF DANIEL P. AGATINO, LLC.	PO 56341 B: PUBLIC DEFENDER (13,500/12=\$1,125	1,333.33	1,333.33
2150	4335 - LIVE TO BE WELL LLC	PO 57523 Masks for employees	199.90	199.90
2151	2300 - LOWE'S , INC.	PO 57456 TRAFFIC PAINT	97.72	97.72
2152	1566 - MAIN POOL & CHEMICAL COMPANY, INC.	PO 56399 B: LIQUID SODIUM HYPOCHLORITE/CHLORINE	1,483.80	1,483.80
2153	1613 - MITCHELL HUMPHREY INC.	PO 57510 MAINT FEE - MH SOFTWARE SOLUTIONS 9/1/20	2,590.00	2,590.00
2154	116 - NEW JERSEY HERALD, INC.	PO 57413 ADVERTISING -JUNE	133.20	
		PO 57413 ADVERTISING -JUNE	234.00	
		PO 57413 ADVERTISING -JUNE	25.20	392.40
2155	255 - NEW JERSEY PLANNING OFFICIALS	PO 57251 2020 MLUL - publication	23.00	23.00
2156	170 - NEWTON BOARD OF EDUCATION	PO 57228 SCHOOL TAX (JULY-DEC)	1,110,506.50	1,110,506.50
2157	2667 - NJAPZA	PO 57481 NJAPZA MEMBERSHIP- 2020 - K. Citterbart	100.00	100.00
2158	2835 - NJMEBF	PO 57531 MEDICAL/DENTAL -AUG	137,308.00	
		PO 57531 MEDICAL/DENTAL -AUG	27,960.00	165,268.00
2159	706 - NJMVC	PO 57489 2020 REGISTRATION 2013 CAMRY -OEM	46.50	46.50
2160	4324 - O'REILLY'S PUB	PO 57400 JULY EDC MEETING	121.98	121.98
2161	64 - PELLOW, HAROLD & ASSO, INC.	PO 57528 ENGINEERING -JUNE	1,787.99	
		PO 57528 ENGINEERING -JUNE	3,145.49	
		PO 57528 ENGINEERING -JUNE	2,799.39	7,732.87
2162	2788 - PENTELEDATA	PO 56346 B: INTERNET	669.75	
		PO 56346 B: INTERNET	399.85	1,069.60
2163	4204 - PLANET NETWORKS INC.	PO 55970 WEB HOSTING -	15.00	
		PO 56354 FIBER INTERNET TH/POLICE	319.90	334.90
2164	1532 - PRIME TIME NEWTON SENIORS	PO 57404 2020 CONTRIBUTION	3,200.00	3,200.00
2165	4126 - PROFESSIONAL CONSULTING INC.	PO 54538 ENGINEERING -SPARTA AVE PUMP STATION -	22,841.50	
		PO 56448 B: 2020 SEWER ENGINEER not to exceed \$4	1,392.50	
		PO 57530 FINAL CLARIFIERS	5,518.00	29,752.00
2166	4273 - QUADIANT INC.	PO 57504 3RD QTR POSTAGE MACH RENTAL	529.41	529.41
2167	39 - QUILL CORPORATION	PO 56389 B: OFFICE SUPPLIES CUST #6182634	77.66	77.66
2168	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	PO 56304 B: GAS (JAN-MAR)	1,643.66	1,643.66
2169	4203 - RAPID PUMP	PO 57494 PUMP REPAIR CUST #103800	6,160.00	
		PO 57495 Mechanical Repairs REPAIR CUST #103800	3,048.03	
		PO 57497 Mechanical Repairs REPAIR CUST #103800	5,890.00	
		PO 57502 Mechanical Repairs REPAIR CUST #103800	638.67	15,736.70
2170	3731 - READY REFRESH BY NESTLE	PO 56390 B: WATER DELV	97.05	97.05
2171	643 - SHERWIN-WILLIAMS, INC.	PO 57478 TRAFFIC PAINT	1,743.00	1,743.00
2172	2665 - SIGN-A-RAMA, INC.	PO 57277 BALLFIELD Signage	168.00	168.00
2173	2402 - SKYLANDS AREA FIRE EQUIP & TRAINING	PO 57514 PATCHES	167.94	167.94
2174	3993 - SLOAN, JAMES P.	PO 56273 B: 2020 JUDGE (\$36,414.00/12=\$3,034.50	3,451.17	3,451.17
2175	1489 - SMALLEY, JOHN H	PO 56303 B: 2020 SVC'S WTP (\$17,000/12=\$1,416.67	1,416.66	1,416.66
2176	4024 - SPECTROTTEL	PO 56310 B: LOCAL/LONG DISTANCE PHONE (ACCT #37	625.62	625.62
2177	2257 - STAPLES	PO 56391 B: OFFICE SUPPLIES	393.10	
		PO 57322 FINANCE YEAR END FILES	451.32	
		PO 57322 FINANCE YEAR END FILES	451.32	
		PO 57331 BLANKET- POOL SUPPLIES- INFRARED THERMOM	48.28	
		PO 57464 CONCERT SUPP'S	55.97	1,399.99
2178	130 - SUSSEX COUNTY P & H, INC.	PO 56356 B: PLUMBING SUPPLIES	63.57	63.57
2179	3248 - SWANK MOTION PICTURES	PO 57077 Outdoor Movie License for July/Aug	465.00	465.00
2180	3897 - SYNCHRONY BANK	PO 57480 Phone case - Deputy Town Manager	23.98	23.98
2181	2479 - TAYLOR OIL CO., INC.	PO 56305 B: DIESEL (JAN-MAR)	978.21	978.21
2182	3851 - THE CANNING GROUP, LLC.	PO 56343 B: QPA PURCHASING 2020 (\$7,500/12=\$625/m	625.00	625.00
2183	217 - TIMMERMAN COMPANY, INC.	PO 57398 SWEEPER BROOMS -Clean Comm	1,745.76	1,745.76
2184	2675 - TIRE KING, INC.	PO 57472 Truck Tire for Recycling Truck	2,300.00	
		PO 57472 Truck Tire for Recycling Truck	1,622.00	
		PO 57477 Truck Tire/Tube Rpr #9	75.00	3,997.00
2185	293 - TREASURER, PETTY CASH FUND	PO 57500 REPLENISH 2020 PETTY CASH	161.82	161.82
2186	219 - TRI-STATE RENTALS, INC.	PO 57367 TENT FOR CONCERT / JULY 11TH	175.00	
		PO 57367 TENT FOR CONCERT / JULY 11TH	175.00	350.00
2187	2781 - TRIMBOLI & PRUSINOWSKI, LLC.	PO 56374 B: LABOR ATTORNEY	1,215.00	1,215.00
2188	3369 - UNITED TELEPHONE/CENTURY LINK	PO 56345 B: DIGITAL DATA CIRCUIT A	291.94	291.94
2189	4018 - USA HOIST CO., INC.	PO 56347 B: ELEVATOR MAINT	235.00	235.00
2190	2635 - W.B. MASON, INC.	PO 57335 OFFICE SUPPLIES CUST #C1329496	64.90	
		PO 57335 OFFICE SUPPLIES CUST #C1329496	100.80	
		PO 57359 Toner for Walker printer; paper for 2nd	503.29	
		PO 57466 Toner and Hand Sanitizer ACCT #C1329496	809.43	1,478.42
2191	3893 - W.CAMPBELL SUPPLY OF SUSSEX CTY LLC	PO 57520 Trk #11 Rpr/ cust #27674	809.37	809.37
2192	1500 - WALMART	PO 57499 EMPLOYEE PARTY/POOL SUPPS	44.67	44.67
2193	1656 - WILDFLOWERS WITH TAMI	PO 57206 Condolences to PB member John Ragsdale o	75.00	
		PO 57231 Dish Garden for Leyman Family	75.00	150.00

## List of Bills - CLEARING/CLAIMS

Meeting Date: 08/10/2020 For bills from 07/28/2020 to 08/06/2020

Check#	Vendor	Description	Payment	Check Total
2194	1641 - ZITONE CONSTRUCTION	PO 57313 REFUND ESCROW BAL	328.50	328.50
				-----
TOTAL				2,767,597.54

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
100130	INTERFUND RECEIVABLE - PAYROLL ACCT			20,642.06	
101262	DUE COUNTY - LIBRARY TAX			72,413.33	
101263	DUE COUNTY - PURPOSE TAX			971,833.67	
101265	DUE NEWTON BOE - SCHOOL TAX PAYABLE			1,110,506.50	
101266	DUE COUNTY - OPEN SPACE TAX			3,916.24	
101299	Due to Clearing			0.00	2,608,738.46
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	1,755.71			
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES	298.16			
1052200	TOWN COUNCIL - OTHER EXPENSES	150.00			
1053200	HUMAN RESOURCE - OTHER EXPENSES	146.71			
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES	451.32			
1055200	ASSESSMENT OF TAXES - OTHER EXPENSES	28.77			
1056200	COLLECTION OF TAXES - OTHER EXPENSES	36.13			
1058200	LEGAL SERVICES - OTHER EXPENSES	4,787.33			
1060200	ENGINEERING - OTHER EXPENSES	452.23			
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	6,738.03			
1062200	PLANNING BOARD - OTHER EXPENSES	1,482.44			
1063200	HISTORIC COMMISSION - OTHER EXPENSES	6.60			
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	178.95			
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	119,268.74			
1070200	FIRE DEPARTMENT - OTHER EXPENSES	1,281.94			
1074200	POLICE DEPARTMENT - OTHER EXPENSES	594.05			
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	77.66			
1074300A	(2019) COMMUNICATIONS CENTER - OTHER EXP		15.00		
1077500	CODE ENFORCEMENT - OTHER EXPENSES	1,590.00			
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES	471.00			
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	4,376.45			
1082200	STORMWATER/FLOOD CONTROL - OTHER EXPENSE	1,335.76			
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	5,865.65			
1085200	OCCUPATIONAL HEALTH - OTHER EXPENSES	144.00			
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	7,595.89			
1090200	SWIMMING POOL - OTHER EXPENSES	1,211.75			
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES	2,042.94			
1092200	CELEBRATION OF PUBLIC EVENTS - OE	4,500.00			
1093200	SENIOR CITIZEN PROGRAM - OTHER EXPENSE	3,200.00			
1094575	STATE OF EMERGENCY - CORONAVIRUS	2,709.53			
1094798	INTERLOCAL - GREEN TWP COURT	3,951.17			
1095200	CAPITAL IMPROVEMENTS - OTHER EXPENSES	1,300.00			
1095200A	(2019) CAPITAL IMPROVEMENTS - OTHER EXPE		4,859.00		
1096200	DEBT SERVICE - OTHER EXPENSES	246,523.75			
<b>TOTALS FOR CURRENT FUND</b>		<b>424,552.66</b>	<b>4,874.00</b>	<b>2,179,311.80</b>	<b>2,608,738.46</b>
111200				1,745.76	
111299				0.00	1,745.76
<b>TOTALS FOR FEDERAL/STATE GRANTS</b>		<b>0.00</b>	<b>0.00</b>	<b>1,745.76</b>	<b>1,745.76</b>
211200				5,514.42	
211299				0.00	5,514.42
<b>TOTALS FOR DOG RESERVE</b>		<b>0.00</b>	<b>0.00</b>	<b>5,514.42</b>	<b>5,514.42</b>

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
301299	Due to Clearing			0.00	3,446.69
3091807	ORD 2018-7 VAR-2Veh/StSign/Rd-Chrch \$220	168.00			
3091817	ORD 2018-17 Prelim Plan/Redev \$50T fully	16.50			
3091913	ORD 2019-13 Rec Tr.Gt 2011 Funded	1,727.00			
3091914	ORD 2020 - 8 HALSTED & MADISON STS	1,479.09			
3091915	ORD 2020 - 9 CR 519 SIDEWALKS	56.10			
<b>TOTALS FOR</b>	<b>CAPITAL</b>	<b>3,446.69</b>	<b>0.00</b>	<b>0.00</b>	<b>3,446.69</b>
601299	DUE TO CLEARING			0.00	74,845.27
6051200	W&S OPERATING - TOTAL OTHER EXPENSES	63,298.02			
6051200A	(2019) W&S OPERATING - TOTAL OTHER EXPE		4,859.00		
6089347	W&S CAP IMPROVE - EXCAVATOR	6,525.00			
6089349	W&S CAP IMPROVE - WATER TOWER/PROP.	163.25			
<b>TOTALS FOR</b>	<b>WATER/SEWER UTILITY</b>	<b>69,986.27</b>	<b>4,859.00</b>	<b>0.00</b>	<b>74,845.27</b>
611299	DUE TO CLEARING			0.00	62,882.70
6191708	ORD 2017-8 SPARTA AVE PUMP STATION (SWR)	22,866.70			
6192006	ORD 2020-6 BATTERY BACKUP(UPS) M.LAKE W	34,498.00			
6192008	ORD 2020-11 WWTP - CLARIFIER, FUNDED	5,518.00			
<b>TOTALS FOR</b>	<b>WATER/SEWER CAPITAL</b>	<b>62,882.70</b>	<b>0.00</b>	<b>0.00</b>	<b>62,882.70</b>
711208	RES RECREATION (ALL)			5,800.00	
711220	RESERVE O/S EMPLOYMENT OFF-DUTY POLICE *			4,624.24	
711299	DUE TO CLEARING			0.00	10,424.24
<b>TOTALS FOR</b>	<b>TRUST</b>	<b>0.00</b>	<b>0.00</b>	<b>10,424.24</b>	<b>10,424.24</b>

Total to be paid from Fund 10 CURRENT FUND	2,608,738.46
Total to be paid from Fund 11 FEDERAL/STATE GRANTS	1,745.76
Total to be paid from Fund 21 DOG RESERVE	5,514.42
Total to be paid from Fund 30 CAPITAL	3,446.69
Total to be paid from Fund 60 WATER/SEWER UTILITY	74,845.27
Total to be paid from Fund 61 WATER/SEWER CAPITAL	62,882.70
Total to be paid from Fund 71 TRUST	10,424.24
	=====
	2,767,597.54

Checks Previously Disbursed

201063	ELAVON, INC.		AUG COURT MERCHANT FEE	56.83	8/06/2020
42703	ELVIDGE TENTS, LLC.	PO# 57492	TENT FOR EVENTS	2,500.00	8/06/2020
207126	PAYROLL ACCOUNT		8/6 TRUST PAY	6,960.00	8/05/2020
206046	PAYROLL ACCOUNT		8/6 W/S PAY	39,331.19	8/05/2020
201122	PAYROLL ACCOUNT		8/6 GRANT PAY	564.99	8/05/2020
201062	PAYROLL ACCOUNT		8/6 CURRENT PAY	179,856.41	8/05/2020
42702	NAME BADGES, INC.	PO# 57511	16 Name badges	174.88	8/05/2020
42701	NAME BADGES, INC.	PO# 57511	16 Name badges	154.90	8/05/2020
42701	NAME BADGES, INC.			-154.90	8/05/2020 *VOID*
208164	PUBLIC EMPLOYEE RETIRE SYSTEM		PERS -JULY	15,000.00	8/05/2020
208165	POLICE &FIRE RETIREMENT SYSTEM		PFRS -JULY	18,000.00	8/05/2020
201061	FEDERAL & STATE GRANT		S N/J 2 QTR SAFE & SECURE MOVE TO	6,949.12	7/31/2020
201060	FEDERAL & STATE GRANT		S N/J 1 QTR SAFE & SECURE MOVE TO	992.73	7/31/2020
201058	CAPITAL ACCOUNT		Plainfiled Ave DOT grant to capita	9,425.70	7/22/2020
				-----	
				279,966.75	

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
				-154.90	*VOIDED
				279,811.85	
Totals by fund		Previous Checks/Voids	Current Payments		Total
Fund 10	CURRENT FUND	199,955.67	2,608,738.46		<b>2,808,694.13</b>
Fund 11	FEDERAL/STATE GRANTS	564.99	1,745.76		<b>2,310.75</b>
Fund 21	DOG RESERVE		5,514.42		<b>5,514.42</b>
Fund 30	CAPITAL		3,446.69		<b>3,446.69</b>
Fund 60	WATER/SEWER UTILITY	39,331.19	74,845.27		<b>114,176.46</b>
Fund 61	WATER/SEWER CAPITAL		62,882.70		<b>62,882.70</b>
Fund 71	TRUST	6,960.00	10,424.24		<b>17,384.24</b>
Fund 81	PAYROLL	33,000.00			<b>33,000.00</b>
BILLS LIST TOTALS		279,811.85	2,767,597.54		<b>3,047,409.39</b>