

April 27, 2020  
(VIA ZOOM)

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:18 pm. Present via Zoom were Mr. Dickson, Deputy Mayor Flynn, Mr. Schlaffer, Mrs. Le Frois, Mayor Diglio, and Thomas S. Russo, Jr, Town Manager. Ursula Leo, Esq., Town Attorney and Monica Miebach, CFO, were also present.

Mayor Diglio then made the following declaration "in accordance with the Open Public Meetings Act, notice of this Regular meeting was given to the two newspapers of record and posted on the official bulletin board on April 24, 2020."

Mayor Diglio asked for a moment of silence for the passing of Retired Police Chief John D. Tomasula.

Mr. Russo then read the following statement: "It is with great sadness and a heavy heart I announce the passing of former Newton Police Chief and Sussex County Undersheriff John D. Tomasula.

John was born and raised in the Town of Newton, and began his career as a police officer on April 22, 1985, serving three years as a foot patrol officer in the downtown business district. He was then assigned to the Detective Bureau in September, 1988 where he spent six years assigned to major crime investigations, crime scene, and evidence handling.

During his tenure with the Detective Bureau, John proposed and developed the Department's Bicycle Patrol Program which is still used in the downtown business district.

John was promoted to the position of Sergeant on March 14, 1994 and assigned as road supervisor. In August, 1995, John was promoted to the position of Captain, where he was assigned the day-to-day operations responsibilities.

During his tenure with the Town of Newton, John constantly strived to improve himself as well as the Department. He was a graduate of the New Jersey State Police Academy, the West Point Command Leadership Program, and the FBI National Academy, Session 223, as well as receiving certification in Major Crime Investigations and Police Leadership/Administration.

In June, 2000, John was appointed as Newton's Ninth Chief of Police. In his ten years as Chief, he provided police officers and support staff the most contemporary and comprehensive training available, promoted and advanced the highest ethical and professional standards in law enforcement, and enhanced as well as developed new strategies and commitments to community-police partnerships.

He retired from the Newton Police Department in 2010. He then served the Town as a Special Police Officer for several years.

He was appointed to the Sussex County Sheriff's Office as director of communications in December 2014 where he was tasked with overseeing implementation of the new countywide 9-1-1 system. He recently served the Sheriff's Office as Undersheriff in charge of the Bureau of Corrections.

John is survived by his wife Anna-Marie and children Alec, Josh, and Abbey.

Rest in Peace dear friend and thoughtful public servant Chief John D. Tomasula. Thank you for being a part of the fabric of the Town of Newton for so many years and for being a kind, dedicated, and committed leader for so many. You will be missed.

May God bless John's soul and the lives of his family, friends, and loved ones during their time of grief."

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Mayor Diglio led the Pledge of Allegiance to the flag and the Municipal Clerk called the roll. Upon motion of Mr. Schlaffer, seconded by Mr. Dickson and unanimously carried, the minutes for the April 13, 2020 meeting minutes were approved.

### **OPEN TO THE PUBLIC**

At this time, Mayor Diglio read the following statement:

*"At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to take one turn at the microphone and please limit their comments to 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."*

Jackie Espinoza, JCP&L Area Manager, updated Council on the on going project on Clinton Street and advised the project should be completed by the end of May. She also advised Council of another project going on by Thorlabs facility. Ms. Espinoza also updated Council on the COVID19 policies for JCP&L.

Council thanked Ms.Espinoza and her team for their hard work.

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

### **COUNCIL & MANAGER REPORTS**

**Mayor Diglio** – "Since the last Council meeting, I have continued to attend the COVID 19 phone conference calls by the County. As of April 25<sup>th</sup>, there are 876 cases of COVID and 93 deaths in Sussex County.

I have contacted several of our representatives concerning relief for the Towns' in relation to the payments that the towns are required to make to the schools and counties since collection of taxes is down. As of yet, there has been no direction from the governor's office. I do want to remind the residents that taxes are due on May 1<sup>st</sup>. They can be made by mail, online and by dropping payments in the mailbox located by the front entrance door of the municipal building.

I do want to remind everyone to please fill out the census as getting a complete and accurate census count is critically important. The results are used to determine how much funding local communities receive for key public services and how many seats each state gets in Congress. State and local officials also use census counts to draw boundaries for congressional, state legislative and school districts. As of April 24<sup>th</sup>, Newton has had a 53.2% response, Sussex County has a 56.1% response and NJ has a total of 53.2% response.

While the municipal building is closed to the public, staff is still working either in the building or remotely. Please call if you have a concern.

Please remember to support the local businesses that are open. During the past these businesses have supported this community and now it is our turn to help them."

**Deputy Mayor Flynn** – Nothing at this time.

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**Councilman Dickson** – “I just want to take a minute to give some recognition to the many businesses and residents who have risen to the occasion during this pandemic. I know Tom and various social media posts from the town have been trying to keep us up to date on the generosity as well.

- Mi Rancho for their donation of hot food to the police department
- Robert Boyle and Planet Networks for their donation of facemasks and PPE to the police department
- Mark Maruska of Gravity Designworks for the donation of facemasks to the police department
- Thor Labs for their donation of 100 face shields to the Newton police department
- Lou Casper Jr, Aniella Morgan and the Kittatinny high school lacrosse team for their donation of hot soup to our officers on a rainy day.
- CBD of Newton and Edible Art teaming up to donate fresh fruit bowls to Newton Medical Center.
- 4 Chicks has donated fried chicken dinners to Newton First Aid Squad, dinners to the staff at Newton ED, supplied residents in need with over 50 chicken and biscuit dinners, and raised over \$400 for the No Kid Goes Hungry fundraising campaign.
- The group of Newton residents who have been planning birthday driveby celebrations for children in town (while adhering to social distancing guidelines I might add)
- And Newton youths Kyler and Kailin Kane, who participated in the Skate It Forward Hockey for Hero’s challenge. They had to submit a video of each of them shooting 500 pucks for a chance to be selected to support a business and group of heroes. They were selected and provided the emergency room staff with breakfast from Bagel Bistro in Andover.

These are just a snapshot of examples of how the entire community has come together. If you know of anyone who has gone above and beyond to give back to our community during this trying time you can submit it by emailing [marketing@newtontownhall.com](mailto:marketing@newtontownhall.com).

The Newton Board of Education will be holding their next meeting tomorrow night virtually on Webex. If you go to [newtonnj.org](http://newtonnj.org) and click on the April 28th BOE meeting a link to join the meeting is there as well as the phone number and access code if you wish to join by phone.”

**Councilman Schlaffer** – Nothing at this time.

**Councilwoman Le Frois** – Acknowledged many members of the Police, Fire, EMS, OEM, family and friends who attended the car-caravan in honor of John D. Tomasula. She also recognized many of the members who stopped at Newton Medical Center to pay tribute to the healthcare workers @ the hospital. She also thanked all of the first responders – police, fire, ems, oem, our healthcare workers for all their work during this pandemic. She thanked Tom and his team for all of the COVID19 updates from the County and State.

**Town Manager Russo** – thanked the Council, Professionals, Staff, and Office of Emergency Management (OEM) for their daily efforts surrounding the Coronavirus.

**OLD BUSINESS** – None.

**ORDINANCES** –

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

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**ORDINANCE 2020-6**

**ORDINANCE APPROPRIATING \$35,500 FROM THE WATER/SEWER CAPITAL OUTLAY ACCOUNT IN THE WATER/SEWER CAPITAL FUND FOR THE REPLACEMENT OF THE BATTERY BACK-UP SYSTEM (UPS) AT THE MORRIS LAKE WATER FACILITY 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. \$35,500 is hereby appropriated from the Water/Sewer Capital Outlay Account in the Water/Sewer Capital Fund in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town") for the replacement of the battery back-up system (UPS) at the Morris Lake Water Facility, including work, equipment, and costs necessary therefor or incidental thereto.

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

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

Mayor Diglio opened the meeting to the public.

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

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

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

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

The Clerk will advertise the above Ordinance according to law.

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

**ORDINANCE #2020-7**

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$1,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,200,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF**

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

**Section 1.** The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,300,000, including the sum of \$100,000 as the down payment required by the Local Bond Law. The down payment is now available from the water sewer capital fund.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,200,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the improvement of the Wastewater Treatment Plant involving the digester conversion, rehabilitation or replacement and primary sludge pump replacement including design work, acquisition and installation of equipment and work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Governing Body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 5.** The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to

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the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 25 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,200,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$390,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.
- (e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Town pursuant to N.J.S.A. 40A:2-44(c).

**Section 7.** The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**Section 8.** Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

**Section 10.** The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Diglio opened the meeting to the public.

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

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

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

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

The Clerk will advertise the above Ordinance according to law.

**CONSENT AGENDA**

Mayor Diglio read the following statement:

*"All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda."*

Mr. Russo reviewed the consent agenda items.

**RESOLUTION #108-2020\***

**AUTHORIZE PARTICIPATION IN THE NEW JERSEY SURPLUS PROPERTY PROGRAM**

**WHEREAS**, the Federal Surplus Personal Property Donation Program enables certain nonfederal organizations to obtain personal property the federal government no longer needs; and

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**WHEREAS**, the General Services Administration (GSA) Order FSS P 4025.5 provides procedures for the donation of federal surplus personal property, consistent with the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377 as amended and other applicable laws; and

**WHEREAS**, eligibility may be granted to any State Department, Division, Bureau or Agency; any City or Town government; or any other governmental entity or public agency established by or pursuant to State Law; except that eligibility may not be granted to individual subordinate programs or divisions of a governmental entity where the parent entity has established eligibility; and

**WHEREAS**, an application for eligibility by a public agency shall be approved by a resolution adopted by a majority of the full membership of the Governing Body of a local unit prior to the transmittal of any such application of any such program;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton, County of Sussex, State of New Jersey, does hereby authorize and approve submittal of an application for the Federal Surplus Personal Property Donation Program established by the United States General Services Administration; and

**BE IT FURTHER RESOLVED**, that the Town Manager and the Town Clerk are hereby authorized to make application for the enrollment on behalf of the Town of Newton; and

**BE IT FURTHER RESOLVED**, that the Town Manager is hereby authorized to approve the acquisition of any property deemed appropriate under this agreement.

#### **RESOLUTION #109-2020\***

##### **ISSUANCE OF ESTIMATED 3RD QUARTER TAX BILLS**

**WHEREAS**, due to the late adoption of the Town of Newton 2020 Municipal Budget and the 2020 County of Sussex Budget, the Sussex County Board of Taxation is unable to certify tax rates for the year 2020; and

**WHEREAS**, without a 2020 certified tax rate the Tax Collector of the Town of Newton will be unable to issue 2020 tax bills on a timely basis; and

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Town Council requests the Director of the Division of Local Government Services to approve the 2020 estimated tax levy exceeding 105% of the previous years tax levy. Approval will enable the Town of Newton to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments, and save the necessary cost of interest expense on borrowing;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3. The entire estimated tax levy for 2020 is hereby set at \$26,369,467.00. The estimated tax rate for 2020 is hereby set at \$4.432; and

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector of the Town of Newton is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Newton for the 3rd installment of 2020.

#### **RESOLUTION #110-2020\***

##### **RESOLUTION ACCEPTING THE FIREHOUSE #2 RENOVATIONS PROJECT AS COMPLETE**

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**WHEREAS**, the Town of Newton awarded the contract for the Firehouse #2 Renovations Project to Zitone Construction & Supply Co., Inc., on February 26, 2018 through the adoption of Resolution #59-2018 for a total contract amount of \$1,988,600.00; and

**WHEREAS**, Resolution #112-2019, Resolution #127-2019, Resolution #147-2019, Resolution #58-2020, and Resolution #73-2020 authorized change orders for this project and results in total construction price of \$1,995,439.88; and

**WHEREAS**, Thomas Kosten, AIA, FMP, LEED AP of FKA Architects, the project architect, on April 14, 2020 issued a Certificate of Final Completion and recommends the project be accepted as final and complete;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that we hereby accept the Firehouse #2 Renovations Project and deem it as complete so the contractor Zitone Construction & Supply Co., Inc. may obtain the required Maintenance Bond.

**RESOLUTION #111-2020\***

**CONCUR WITH THE RECOMMENDATION OF THE UTILITY ADVISORY BOARD IN UPGRADING WATER SERVICE AND FEES FOR 23 UNION PLACE**

**WHEREAS**, at a regular meeting of the Newton Utility Advisory Board conducted on April 21, 2020, Ms. Dawn Metzgar of the Samaritan Inn proposed to upgrade the water service at 23 Union Place to a one-inch line and install a separate two-inch fire line to accommodate conversion of the first-floor unit into two apartments for a total of three units. Total connection fees of \$9,770 with an affordable housing credit of \$4,885; resulting in a total of \$4,885; and

**WHEREAS**, the Utility Advisory Board has no objection to and recommends the Town Council approve the request from Dawn Metzgar, representing the Samaritan Inn, to expand the existing two family dwelling to a total of three apartments at 23 Union Place, subject to approvals by the Newton Construction Official and the Newton Planning Board;

**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 conditionally approves the fees set forth above.

**RESOLUTION #112-2020\***

**AUTHORIZE CREDITS DUE WATER AND SEWER UTILITY ACCOUNTS**

**WHEREAS**, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons 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 accounts for amounts billed incorrectly due to the reason(s) stated:

**UTILITY BOARD RECOMMENDS CREDIT FOR CHARGES EXCEEDING THE MINIMUM:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
20230	30 Kory Road	\$22.29
12091	55 Trinity Street 3 <sup>rd</sup> Fl.	\$22.73
1854	55 Trinity Street 1 <sup>st</sup> Fl.	\$4.44
22734	10 Townsend Street Upstairs	\$73.63

**UTILITY BOARD RECOMMENDS CREDIT FOR EXCESS SEWER CHARGES DUE TO A LEAK:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
15712	53 Lawnwood Annex	\$216.00

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**RESOLUTION #113-2020\***

**CONCUR WITH THE RECOMMENDATION OF THE UTILITY ADVISORY BOARD IN  
CONNECTING TO THE NEWTON SEWER SYSTEM AND FEES AT 120 WOODSIDE AVENUE**

**WHEREAS**, at a regular meeting of the Newton Utility Advisory Board conducted on April 21, 2020, Mr. Andrew Meyer proposed to connect the dwelling at 120 Woodside Avenue to the Newton sewer system. Total connection fees of \$6,011 with a tapping fee of \$600 for a total of \$6,611; and

**WHEREAS**, the Utility Advisory Board has no objection to and recommends the Town Council approve Andrew Meyer to connect to the Newton sewer system, subject to approvals from the NJDOT, the Sussex County Health Department for the abandonment of existing septic, and the Newton Construction Official; and

**WHEREAS**, if the Town is required to obtain the NJDOT permit on behalf of Mr. Meyer, the Board suggests the contractor show proof of insurance to the Town, provide a performance bond and a letter of indemnification;

**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 conditionally approves the fees set forth above with the conditions outlined.

**RESOLUTION #114-2020\***

**AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR CONVERGINT  
TECHNOLOGIES INC.**

**WHEREAS**, the Town of Newton has a need to maintain and upgrade access and security systems through Convergent Technologies Inc., 429 Getty Avenue, Clifton, N.J. 07011, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

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

**WHEREAS**, the anticipated term of this contract is for the 2020 year (s); and

**WHEREAS**, Convergent Technologies Inc., 429 Getty Avenue, Clifton, N.J. 07011, has submitted a proposal indicating they will provide the services for \$21,190.00, in addition to support per hour rates outside of scope of proposal exceeding in aggregate the pay-to-pay threshold of \$17,500.00; and

**WHEREAS**, Convergent Technologies Inc., 429 Getty Avenue, Clifton, N.J. 07011, has completed and submitted a Business Entity Disclosure Certification and Political Disclosure Contribution form, which certifies Convergent Technologies Inc., 429 Getty Avenue, Clifton, N.J. 07011 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 Convergent Technologies Inc., 429 Getty Avenue, Clifton, N.J. 07011 from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer as require by N.J.S.A. 40A:4-5, N.J.A.C. 5:34-5.1 et seq., hereby certifies that subject to the Governing Body appropriating sufficient funds in the 2020 budget, funds NOT TO EXCEED \$22,500.00 will be encumbered as follows:

**2020 CURRENT BUDGET – Cencom OE – Contractual #1074317**

*"The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount."*

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**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Convergent Technologies Inc. 429 Getty Avenue, Clifton, N.J. 07011 not to exceed \$22,500.00 for the 2020 calendar year; and

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

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RESOLUTION #115-2020\*

ADOPTION OF THE TEMPORARY OPERATING BUDGET AND TEMPORARY WATER AND SEWER BUDGET FOR THE MONTH OF APRIL 2020

**WATER SEWER CAPITAL BUDGET AMENDMENT**

Resolution #115-2020

WHEREAS, the local Water Sewer Capital budget for the year 2020 will be approved on the 27th day of April 2020; and

WHEREAS, it is desired to amend said adopted water sewer capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Newton of Sussex, that the following amendment(s) to the adopted water sewer capital budget section of the 2020 Budget be made:

RECORDED VOTE	( Dickson	(	(
(Insert Last Names)	( Flynn	(	(
AYES	( Schlaffer	NAYS	ABSTAIN
	( Le Frois	(	(
	( Diglio		

FROM  
CAPITAL BUDGET (CURRENT YEAR ACTION)  
2020

1	2	3	4	5a	5b	5c	5d	5e	6
Project	Project Number	Estimated Total Cost	Amounts Reserved in Prior Years	2020 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid and other funds	Debt Authorized	To Be Funded in Future Years
Purchase of Battery Backup System (UPS) for Morris Lake Water Facility	10	35,500.00		35,500.00			35,500.00		

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3 YEAR CAPITAL PROGRAM 2020-2022 Anticipated Project Schedule and Funding Requirement										
1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	5 Funding Amounts Per Year						
				Budget Year 2020	Budget Year 2021	Budget Year 2022	Budget Year 2023	Budget Year 2024	Budget Year 2025	
Purchase of Battery Backup System (UPS) for Morris Lake Water Facility										
	10	35,500.00	1 Year	35,500.00						
Total All Projects		35,500.00		35,500.00						

35,500.00

3 YEAR WATER SEWER CAPITAL PROGRAM 2020-2022  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 Project	2 Estimated Total Cost	3 Current Year 2020	4 Future Years	4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	BONDS AND NOTES			
							General	Liquidating	Assessment	School
Purchase of Battery Backup System (UPS) for Morris Lake Water Facility										
		35,500.00				35,500.00				
Total All Projects		35,500.00				35,500.00				

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TO  
CAPITAL BUDGET (CURRENT YEAR ACTION)  
2020

1	2	3	4	5a	5b	5c	5d	5e	6
Project	Project Number	Estimated Total Cost	Amounts Reserved in Prior Years	2020 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid and other funds	Debt Authorized	To Be Funded in Future Years
Purchase of Battery Backup System (UPS) for Morris Lake Water Facility	10	35,500.00	35,500.00						
Total All Projects		35,500.00	35,500.00						

3 YEAR CAPITAL PROGRAM 2020-2022  
Anticipated Project Schedule  
and Funding Requirement

1	2	3	4	5					
				Funding Amounts Per Year					
Project	Project Number	Estimated Total Cost	Estimated Completion Time	Budget Year 2020	Budget Year 2021	Budget Year 2022	Budget Year 2023	Budget Year 2024	Budget Year 2025
Purchase of Battery Backup System (UPS) for Morris Lake Water Facility	10	35,500.00	1 Year	35,500.00					
Total All Projects		35,500.00		35,500.00					

April 27, 2020  
(VIA ZOOM)

3 YEAR WATER SEWER CAPITAL PROGRAM 2020-2022  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 Project	2 Estimated Total Cost	Current Year 2020	Future Years	4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	BONDS AND NOTES			
							General	Liquidating	Assessment	School
Purchase of Battery Backup System (UPS)for Morris Lake Water Facility	35,500.00	35,500.00				35,500.00				
Total All Projects	35,500.00	35,500.00				35,500.00	-			

Be It Further Resolved that this Resolution replaces Resolution #88-2020 previously adopted on April 13, 2020; and

Be It Further Resolved that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the Governing Body on the 27th day of April, 2020.

Certified by me  
April 27, 2020

[DATE]

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

TRENTON, NEW JERSEY

APPROVED \_\_\_\_\_, 2020

DIRECTOR OF LOCAL GOVERNMENT SERVICES  
\_\_\_\_\_

April 27, 2020  
(VIA ZOOM)

April 27, 2020  
(VIA ZOOM)

RESOLUTION #116-2020\*

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.

TOWN BILLS

1577	3079 - AMERICAN SOCIETY OF COMPOSERS,	PO 56553	2020 ASCAP LICENSE	363.00	363.00
1578	3251 - BADGER METER, INC.	PO 56496	Serv Agreement Beacon Mobile Hosting/ Wa	322.44	322.44
1579	192 - CAMPBELL'S SMALL ENGINE INC.	PO 56925	BackPackAttch/SpIs	38.28	
		PO 56995	Chainsaw/Park Main	643.53	681.81
1580	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 56311	B: LONG DISTANCE A/C	95.60	95.60
1581	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 56344	B: WOODSIDE AVE PS A/	40.46	40.46
1582	163 - CENTURYLINK COMMUNICATIONS, INC.	PO 56975	LOCAL PHONE SVC	1,235.48	
		PO 56975	LOCAL PHONE SVC	2,873.91	4,109.39
1583	2843 - CHELBUS CLEANING CO., INC.	PO 56314	B: CLEANING TOWN BLDG'S	1,653.75	
		PO 56951	DPW CLEANING/SANITIZING	375.00	2,028.75
1584	2639 - COUNTY OF SUSSEX	PO 56981	5% ThorLabs due to Cnty 1st qtr	7,800.00	7,800.00
1585	4287 - DASI	PO 56938	REFUND ESCROW BALANCE	32.00	32.00
1586	768 - DEMPSEY UNIFORM & SUPPLY INC	PO 56958	UNIFORM/MAT RENTALS -MAR	291.74	
		PO 56958	UNIFORM/MAT RENTALS -MAR	1,404.03	1,695.77
1587	106 - ELIZABETHTOWN GAS	PO 56308	B: NATURAL GAS DELIVERY (JAN-APR)	717.54	
		PO 56308	B: NATURAL GAS DELIVERY (JAN-APR)	1,929.87	2,647.41
1588	2780 - ENFORSYS POLICE SYSTEM, INC.	PO 56998	MAINT AGREEMENT POLICE RECORD SYS (3/1/2	12,000.00	12,000.00
1589	1303 - ENVIRONMENTAL RESOURCE ASSO.	PO 56996	LAB CHEMS/PH CHLORINE ACCT T605501	310.26	310.26
1590	4292 - ESTATE OF FREDERICK JUDGE	PO 57002	REFUND ESCROW BALANCE	205.00	205.00
1591	225 - FEDERAL EXPRESS	PO 56312	B: EXPRESS MAIL A/C #1344-0	49.94	49.94
1592	1880 - FIRE & SAFETY SERVICES, LTD., INC.	PO 56960	ENG #803 REPAIR	808.14	808.14
1593	197 - FIRE FIGHTERS EQUIPMENT CO. INC.	PO 56885	AIR CYLINDERS	125.00	125.00
1594	2744 - FKA ARCHITECTS INC.	PO 56952	FIRE #2 MAILING FED-X	25.16	25.16
1595	200 - GARDEN STATE LABORATORIES INC	PO 56929	WASTE & DRINKING WATER ANALYSIS February	1,684.00	1,684.00
1596	230 - HAYEK'S MARKET INC.	PO 56934	4/7 BREAKFAST	48.09	48.09
1597	4163 - HENDERSON PROMOS, LLC	PO 56863	NEWTON DAY - JUNE 13, 2020 - PROMO ITEMS	997.25	
		PO 56863	NEWTON DAY - JUNE 13, 2020 - PROMO ITEMS	997.25	1,994.50
1598	3876 - HOLLAND COMPANY, INC.	PO 56396	B: EPIC 2400 (\$85,800)	6,636.30	6,636.30
1599	1866 - HOME DEPOT, INC.	PO 56928	March Partial: Mat/COVID Spls/ Repairs	1,255.68	
		PO 56953	PUMP SPRAYER PAPER	42.88	1,298.56
1600	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 56932	NEWTON COMMONS-MAR ESCROW	635.00	
		PO 56933	PATERSON/BUILDING PRO-MAR ESCROW	130.00	
		PO 56937	THORLABS-MAR ESCROW	65.00	
		PO 56939	SAMARITAN INN-MAR ESCROW	510.00	
		PO 56942	MAR MNTHLY REPORT/GRANT APPLICATION	195.00	
		PO 56944	PB CONSULT-MAR 2020	65.00	
		PO 56946	PB CONSULT-FEB 2020	260.00	1,860.00
1601	3235 - J. CALDWELL & ASSOCIATES, LLC.	PO 56949	PLANNING BOARD -FEB	760.00	
		PO 56961	WEIS -MAR	1,082.50	1,842.50
1602	113 - JCP&L	PO 56963	TWN BLDGS -MAR	4,899.28	
		PO 56969	W/S ELCTRIC -MAR	15,437.22	20,336.50
1603	3778 - JP MONZO MUNIC CONSULTING, LLC	PO 56992	EST TAX BILLS TANS 4/30 MIEBACH/SCHLOSSE	100.00	100.00
1604	3711 - KKKR MARKETING & PUBLIC RELATIONS,	PO 56409	B: MARKETING/PUBLIC RELATIONS	812.56	812.56
1605	2532 - LADDEY, CLARK & RYAN, LLP	PO 56285	B: PROSECUTOR McMeen (\$31,000/12=\$2,58	2,875.00	2,875.00
1606	3847 - Lakeland Auto Parts	PO 56994	Truck Marker Lights	9.48	9.48
1607	2278 - LANGUAGE LINE SERVICES, INC.	PO 56280	B: TRANSLATION SERVICES acct #902091005	13.60	13.60
1608	4227 - LAW OFFICE OF DANIEL P. AGATINO, LLC.	PO 56341	B: PUBLIC DEFENDER (13,500/12=\$1,125	1,125.00	
		PO 56341	B: PUBLIC DEFENDER (13,500/12=\$1,125	208.33	1,333.33
1609	1566 - MAIN POOL & CHEMICAL COMPANY, INC.	PO 56397	B: LIQUID SODIUM HYDROXIDE (A \$10,3	590.32	
		PO 56399	B: LIQUID SODIUM HYPOCHLORITE/CHLORINE	904.47	
		PO 56402	B: SULFUR DIOXIDE	1,917.00	
		PO 56403	B: LIQUID CHLORINE/GAS (A	1,461.00	4,872.79
1610	4290 - MAIO, PERRY	PO 56976	REFUND ESCROW BALANCE	2,057.25	2,057.25
1611	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC	PO 56950	RESOLUTION TO CANCEL RESERVE	924.50	924.50
1612	2452 - MUNICIPAL GRAPHICS INC	PO 56901	Graphic Replacement --MVA - Car #3606 -	189.93	189.93
1613	3659 - NATIONWIDE EMPLOYEE BENEFITS	PO 56898	FIRE ACC/LIFE INS	2,475.00	2,475.00
1614	116 - NEW JERSEY HERALD, INC.	PO 56945	ADVERTISING -MAR	92.70	92.70
1615	170 - NEWTON BOARD OF EDUCATION	PO 56417	SCHOOL TAX (JAN-JUNE) 2020	772,323.75	772,323.75
1616	2835 - NJMEBF	PO 56947	MEDICAL DENTAL -MAR/APR	62,200.00	
		PO 56947	MEDICAL DENTAL -MAR/APR	274,212.00	336,412.00
1617	1407 - PASSAIC VALLEY SEWERAGE COMM.	PO 56368	B: SLUDGE DISPOSAL acct #12701	13,719.20	13,719.20
1618	64 - PELLOW, HAROLD & ASSO, INC.	PO 56978	THORLABS-JAN ESCROW	2,060.60	

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		PO 56979 THORLABS-FEB/MAR ESCROW	2,861.50	
		<b>4,922.10</b>		
1619	2788 - PENTELEDATA	PO 56346 B: INTERNET	399.85	
		PO 56346 B: INTERNET	569.80	
		<b>969.65</b>		
1620	4204 - PLANET NETWORKS INC.	PO 56917 B: INTERNET est.\$339.90 x 11=\$3738.90 ID	1,019.70	
<b>1,019.70</b>				
1621	4126 - PROFESSIONAL CONSULTING INC.	PO 54238 ENG DESIGN CONST ADMIN GRIT COLLECTOR -	10,719.05	
		PO 56859 THORLABS-FEB ESCROW	465.00	
		<b>11,184.05</b>		
1622	4273 - QUADIENT INC.	PO 56968 POSTAGE MACHINE RENTAL 2ND QTR	529.41	
<b>529.41</b>				
1623	39 - QUILL CORPORATION	PO 56389 B: OFFICE SUPPLIES CUST #6182634	390.94	
<b>390.94</b>				
1624	4034 - R & J CONTROL INC.	PO 56470 B: QTRLY MAIN STP/ WTP/ DPW/ FH GENERATO	991.25	
		PO 56470 B: QTRLY MAIN STP/ WTP/ DPW/ FH GENERATO	1,158.75	
		<b>2,150.00</b>		
1625	3731 - READY REFRESH BY NESTLE	PO 56390 B: WATER DELV	116.76	
<b>116.76</b>				
1626	4152 - RUSSELL REID WASTE & DISPOSAL., INC.	PO 56408 B: SLUDGE REMOVAL	18,030.04	
<b>18,030.04</b>				
1627	61 - S K PAPER SHRED	PO 56940 PAPER SHREDDING 3/31	150.00	
<b>150.00</b>				
1628	3660 - SCHENCK, PRICE, SMITH, & KING, LLP	PO 56445 B: TAX APPEAL ATTORNEY (NO	1,003.28	
		PO 56446 B: 2020 CONFLICT ATTORNEY (NO	126.00	
		<b>1,129.28</b>		
1629	951 - SERVICE ELECTRIC CABLE TV, INC.	PO 56283 B: DIGITAL CONVERTERS & DTA'S	121.35	
<b>121.35</b>				
1630	4285 - SERVICE PLUS	PO 56913 2/27 SVC CALL	220.00	
<b>220.00</b>				
1631	3993 - SLOAN, JAMES P.	PO 56273 B: 2020 JUDGE (\$36,414.00/12=\$3,034.50	3,451.17	
<b>3,451.17</b>				
1632	1489 - SMALLEY, JOHN H	PO 56303 B: 2020 SVC'S WTP (\$17,000/12=\$1,416.67	1,416.66	
<b>1,416.66</b>				
1633	2257 - STAPLES	PO 56391 B: OFFICE SUPPLIES	90.42	
		PO 56935 COVID-19 SUPPLIES	82.55	
		<b>172.97</b>		
1634	3442 - SUNLIGHT GENERAL	PO 56936 ELECTRIC DPW/STP -MAR	448.12	
		PO 56936 ELECTRIC DPW/STP -MAR	858.96	
		<b>1,307.08</b>		
1635	556 - SUSSEX COUNTY ASSESSORS ASSOC.	PO 56903 2020 ASSESSOR DUES	100.00	
<b>100.00</b>				
1636	3897 - SYNCHRONY BANK	PO 56962 THERMOMETER'S NO CONTACT (6)	603.93	
		PO 56966 USB/UPS BATTER REPLACEMENT	105.97	
		PO 56967 BOOK	14.94	
		PO 56974 Supplies for Town Manager	53.38	
		PO 56985 Supplies for Town Manager	57.50	
		<b>835.72</b>		
1637	3851 - THE CANNING GROUP, LLC.	PO 56343 B: QPA PURCHASING 2020 (\$7,500/12=\$625/m	625.00	
<b>625.00</b>				
1638	367 - TREASURER, STATE OF NEW JERSEY	PO 56993 MARRIAGE LICENSE 1ST QTR (5)	125.00	
<b>125.00</b>				
1639	1982 - TREASURER, STATE OF NJ	PO 56977 REG #1915-00118-002 STATE ELEVATOR INSPE	258.00	
<b>258.00</b>				
1640	3369 - UNITED TELEPHONE/CENTURY LINK	PO 56345 B: DIGITAL DATA CIRCUIT A	276.01	
<b>276.01</b>				
1641	1280 - VERIZON WIRELESS, INC.	PO 56948 CELL PHONES -MAR	224.69	
		PO 56948 CELL PHONES -MAR	1,438.50	
		<b>1,663.19</b>		
1642	1158 - VISION SERVICE PLAN	PO 57005 VISION - MARCH / APRIL 2020	2,300.57	
<b>2,300.57</b>				
1643	1819 - VOGEL, CHAIT, COLLINS, SCHNEIDER, PC,	PO 56943 PB CONSULT-FEB 2020	585.00	
<b>585.00</b>				
1644	2635 - W.B. MASON, INC.	PO 56900 Office supplies - filing supplies CUST	14.67	
<b>14.67</b>				
1645	297 - WATER & SEWER OPERATING ACCT	PO 56955 2012 REFUND USDA DEBT PRIN \$1685T @ 3.12	18,735.95	
<b>18,735.95</b>				
1646	297 - WATER & SEWER OPERATING ACCT	PO 56956 2012 REFUND USDA DEBT PRIN \$1685T @ 3.12	82,212.50	
<b>82,212.50</b>				
1647	297 - WATER & SEWER OPERATING ACCT	PO 56980 W/S ASSESSMENT INTEREST DUE TO W/S OPERA	12,138.00	
<b>12,138.00</b>				
1648	297 - WATER & SEWER OPERATING ACCT	PO 56982 REALLOCATE COVID-19 CHARGES TO ACCT #60	251.11	
<b>251.11</b>				
1649	4289 - WILLIAMS, WILLIAM F.	PO 56965 REFUND ESCROW BALANCE	657.50	
<b>657.50</b>				
1650	1641 - ZITONE CONSTRUCTION	PO 52326 FIREHOUSE #2 CONSTRUCTION BID#	39,908.80	
<b>39,908.80</b>				

----- TOTAL  
1,415,219.85

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

100130	INTERFUND RECEIVABLE - PAYROLL ACCT			44,365.43
101254	DUE S/NJ - MARRIAGE LICENSE FEES			125.00
101265	DUE NEWTON BOE - SCHOOL TAX PAYABLE			772,323.75
101299	Due to Clearing			0.00
104490	TOTAL MISC REVENUE NOT ANTICIPATED			7,800.00

1,189,815.35

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1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	1,486.07
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES	672.05
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES	50.00
1055200	ASSESSMENT OF TAXES - OTHER EXPENSES	100.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
1056200	COLLECTION OF TAXES - OTHER EXPENSES	50.00			
1058200	LEGAL SERVICES - OTHER EXPENSES	4,637.11			
1059200	MUNICIPAL COURT - OTHER EXPENSES	1,034.50			
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	3,621.08			
1062200	PLANNING BOARD - OTHER EXPENSES	1,184.67			
1063200	HISTORIC COMMISSION - OTHER EXPENSES	500.00			
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	195.00			
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	232,147.14			
1069200	OTHER INSURANCE PREMIUMS - OTHER EXPENSE	2,475.00			
1070200	FIRE DEPARTMENT - OTHER EXPENSES	345.00			
1074200	POLICE DEPARTMENT - OTHER EXPENSES	571.38			
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	12,105.97			
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	1,631.88			
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	1,007.55			
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	13,672.14			
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES	265.41			
1094575	STATE OF EMERGENCY - CORONAVIRUS	1,824.99			
1094798	INTERLOCAL - GREEN TWP COURT	2,916.67			
1095200	CAPITAL IMPROVEMENTS - OTHER EXPENSES	495.06			
1096200	DEBT SERVICE - OTHER EXPENSES	82,212.50			
-----					
<b>TOTALS FOR</b>	<b>CURRENT FUND</b>	<b>365,201.17</b>	<b>0.00</b>	<b>824,614.18</b>	<b>1,189,815.35</b>
=====					

301299	Due to Clearing	0.00	39,933.96		
3091709	ORD 2017-9 VARIOUS \$1,405	1,649.33			
3091806	ORD 2018-6 supp FIREHOUSE #2	38,284.63			

<b>TOTALS FOR</b>	<b>CAPITAL</b>	<b>39,933.96</b>	<b>0.00</b>	<b>0.00</b>	
<b>39,933.96</b>					
=====					

601299	DUE TO CLEARING			0.00	131,991.19
6051200	W&S OPERATING - TOTAL OTHER EXPENSES	131,991.19			

<b>TOTALS FOR</b>	<b>WATER/SEWER UTILITY</b>	<b>131,991.19</b>	<b>0.00</b>	<b>0.00</b>	
<b>131,991.19</b>					
=====					

611299	DUE TO CLEARING			0.00	10,719.05
611303	RES FOR WWTP GRIT COLL.ORD 1-2020			10,719.05	

<b>TOTALS FOR</b>	<b>WATER/SEWER CAPITAL</b>	<b>0.00</b>	<b>0.00</b>	<b>10,719.05</b>	
<b>10,719.05</b>					
=====					

641209	BONDS PAYABLE			18,735.95	
641232	INTERFUND - DUE WATER/SEWER			0.27	
641233	INT ON ASSESS -INTRFND DUE W/S			12,137.73	
641299	DUE TO CLEARING			0.00	30,873.95

<b>TOTALS FOR</b>	<b>W/S UTILITY TRUST ASSESSMENT</b>	<b>0.00</b>	<b>0.00</b>	<b>30,873.95</b>	
<b>30,873.95</b>					
=====					

711218	RESERVE FOR MUNIC PUBLIC DEFENDER			1,125.00	
711299	DUE TO CLEARING			0.00	5,221.75
711440	ENGINEER REVIEW FEES			4,096.75	

<b>TOTALS FOR</b>	<b>TRUST</b>	<b>0.00</b>	<b>0.00</b>	<b>5,221.75</b>	
<b>5,221.75</b>					
=====					

721299	DUE TO CLEARING			0.00	6,664.60
721311	THORLABS - PL BD ESCROW (5/10)			5,452.10	
721353	PATERSON/BUILD PRO (9/19)			130.00	
721362	WEISS #143			1,082.50	

<b>TOTALS FOR</b>	<b>DEVELOPERS ESCROW (Fund 72)</b>	<b>0.00</b>	<b>0.00</b>	<b>6,664.60</b>	
<b>6,664.60</b>					
=====					

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Total to be paid from Fund 10 CURRENT FUND 1,189,815.35  
 Total to be paid from Fund 30 CAPITAL 39,933.96  
 Total to be paid from Fund 60 WATER/SEWER UTILITY 131,991.19

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
-----					
Total to be paid from Fund 61 WATER/SEWER CAPITAL		10,719.05			
Total to be paid from Fund 64 W/S UTILITY TRUST ASSESSMENT		30,873.95			
Total to be paid from Fund 71 TRUST		5,221.75			
Total to be paid from Fund 72 DEVELOPERS ESCROW (Fund 72)		6,664.60			
		=====			
		1,415,219.85			

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**Checks Previously Disbursed**

FEDERAL & STATE GRANT	PO# 56997	MOVE S/NJ FINAL S&S TO GRANT	4,963.65	4/23/2020
NUTRITION STORE NEWTON	PO# 56991	4/24 LUNCH	64.68	4/23/2020
AUTHENTIC PIZZA	PO# 56970	Staff lunch - Authentic Pizza	60.00	4/17/2020
PAYROLL ACCOUNT		4/16 W/S Pay	38,175.26	4/14/2020
PAYROLL ACCOUNT		4/16 Grant Pay	996.03	4/14/2020
PAYROLL ACCOUNT		4/16 Curr Pay	170,857.79	4/14/2020
EDIBLE ART BE FRUITFUL	PO# 56954	Staff food - Fruit bowls	22.50	4/14/2020
EDIBLE ART BE FRUITFUL	PO# 56954	Staff food - Fruit bowls	22.50	4/14/2020
			-----	
			215,162.41	

Current Payments	Total
-----	
Fund 10 CURRENT FUND	175,968.62
1,189,815.35	<b>1,365,783.97</b>
Fund 11 FEDERAL/STATE GRANTS	996.03
<b>996.03</b>	
Fund 30 CAPITAL	
39,933.96	<b>39,933.96</b>
Fund 60 WATER/SEWER UTILITY	38,197.76
131,991.19	<b>170,188.95</b>
Fund 61 WATER/SEWER CAPITAL	
10,719.05	<b>10,719.05</b>
Fund 64 W/S UTILITY TRUST ASSESSMENT	
30,873.95	<b>30,873.95</b>
Fund 71 TRUST	
5,221.75	<b>5,221.75</b>
Fund 72 DEVELOPERS ESCROW (Fund 72)	
6,664.60	<b>6,664.60</b>
<b>BILLS LIST TOTALS</b>	
<b>215,162.41</b>	<b>1,415,219.85</b>
	<b>1,630,382.26</b>

A motion was made by Deputy Mayor Flynn to approve the **COMBINED ACTION**

**RESOLUTIONS**, seconded by Mr. Schlaffer and roll call resulted as follows:

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

**DISCUSSION**

There was no further discussion at this time.

**Hearing on the 2020 Budget AMENDMENT**

a. **2020 Municipal and Water & Sewer Utility Budget Amendment**

April 27, 2020  
(VIA ZOOM)

Ms. Miebach then reviewed the amended budget with the Governing Body and requested Resolution #107-2020, amending the budget, be adopted as required by law.

**RESOLUTION #107-2020**

**RESOLUTION TO AMEND BUDGET**

WHEREAS, the local municipal budget for the year 2020 was introduced and approved on the 9th of March, 2020; and  
WHEREAS, the public hearing on said budget has been held as advertised;  
and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Newton, County of Sussex, that the following amendments to the approved budget of 2020 be made:

<u>RECORDED VOTE</u> (INSERT LAST NAMES)	( Dickson <u>Ayes</u> ( Flynn ( Schlaffer ( Le Frois ( Diglio	( Nays (	( Abstained ( Absent (
---------------------------------------------	---------------------------------------------------------------------------	----------	------------------------

	<u>FROM</u>	<u>TO</u>
Anticipated Revenues:		
1. Surplus Anticipated	1,304,500.00	1,364,000.00
 Total Surplus Anticipated	 1,304,500.00	 1,364,000.00
 3. Miscellaneous Revenues-Section A Local Revenues:		
Licenses: Other	8,075.00	6,075.00
Fees and Permits	96,933.00	72,712.00
Municipal Court	157,229.00	133,952.00
Interest and Cost on Taxes	92,445.00	72,445.00
Interest on Investments and Deposits	133,002.00	78,500.00
Hotel Tax	92,916.03	69,716.03
Certificates of Compliance - Commercial	11,525.00	8,725.00

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Total Section A - Local Revenues	612,470.03	462,470.03
3. Miscellaneous Revenues-Section B:State Aid without Offsetting Appropriations		
Consolidated Municipal Property Tax Relief Aid		
Energy Receipts Tax		
Garden State Trust Fund	8,539.00	13,172.00
Total Section B State Aid without Offsetting Appropriations	1,025,916.00	1,030,549.00
3. Miscellaneous Revenue-Section C: Dedicated Uniform Construction Code Fees		
offset with Appropriations ( N.J.S. 40A:4-36 and N.J.A.C.5:23-4.17)		
Additional dedicated uniform construction code fees offset with appropriations (N.J.S. 40A:4-45.3H and N.J.A.C. 5:23-4.17)		
Uniform Construction Code Fees	20,000.00	10,000.00
Total Section C: Dedicated Uniform Construction Fees Offset with Appropriations	20,000.00	10,000.00
Summary of Revenues:		
1. Surplus Anticipated	1,304,500.00	1,364,000.00
3. Miscellaneous Revenues		
Total Section A: Local Revenues	612,470.03	462,470.03
Total Section B: State Aid without Offsetting Appropriations	1,025,916.00	1,030,549.00
Total Section C: Dedicated Uniform Construction Code Fees offset with Appropriations\	20,000.00	10,000.00
Total Section D: Interlocal Agreements		
Total Section F:Public and Private Revenues		
Total Section G: Special Items of General Revenue		
Total Miscellaneous Revenues	2,680,364.00	2,524,997.00
Subtotal General Revenues	4,404,864.00	4,308,997.00
7. Total General Revenues	13,298,264.00	13,202,397.00

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	<u>FROM</u>	<u>TO</u>
8. General Appropriations:		
a. Operations Within "CAPS":		
General Government - Salaries and Wages	130,000.00	133,000.00
Human Resource - Salaries and Wages	38,000.00	39,633.00
Community Development Salaries and Wages	68,508.00	50,208.00
Insurance: Group Insurance for Employees	1,538,530.00	1,500,281.00
Police: Salaries and Wages	2,942,877.00	2,911,333.50
Streets & Roads: Salaries and Wages	600,581.00	560,973.50
Snow Removal: Salaries and Wages	89,000.00	56,700.00
Tax Assessment - Other Expenses		
 Total Operations ( Items 8(A) Within "CAPS"	 8,590,901.38	 8,435,534.38
	 <u>FROM</u>	 <u>TO</u>
 Total Operations Including Contingent Within "CAPS"		
Salaries and Wages	5,118,610.00	5,001,492.00
Other Expenses	3,472,292.38	3,434,043.38
 Total General Appropriations For Municipal Purposes Within "CAPS"	 9,931,061.38	 9,775,694.38
 (A) Operations Excluded From "CAPS"		
Declared State of Emergency Costs for Coronavirus Response:		
Police: Salaries and Wages	0.00	35,105.00
OEM: Other Expenses	0.00	24,395.00
 Total Other Operations- Excluded From "CAPS"	 91,500.00	 151,000.00
 Total Operations - Excluded From "CAPS"	 228,199.97	 287,699.97
 Detail:      Declared State of Emergency Costs for Coronavirus Response		
Salaries and Wages	52,000.00	87,105.00

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Other Expenses	176,199.97	200,594.97
(H-2) Total General Appropriations for Municipal Purposes Excluded From "CAPS"	2,841,694.62	2,901,194.62
(O) Total General Appropriations-Excluded From "CAPS"	2,841,694.62	2,901,194.62
(L) Subtotal General Appropriations {Items (h-1) and (o)}	12,772,756.00	12,676,889.00
(M) Reserve for Uncollected Taxes	0.00	0.00
<b>9. TOTAL GENERAL APPROPRIATIONS</b>	<b>13,298,264.00</b>	<b>13,202,397.00</b>
Summary of Appropriations		
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	9,931,061.38	9,775,694.38
(A) Operations - Excluded From "CAPS"		
Other Operations	91,500.00	151,000.00
Total Operations - Excluded From "CAPS"	228,199.97	287,699.97
(M) Reserve for Uncollected Taxes	0.00	0.00
Total General Appropriations	13,298,264.00	13,202,397.00
<b>WATER/SEWER UTILITY</b>		
<b>11. Appropriations For Water/Sewer Utility</b>		
Debt Service:	0.00	0.00
Payment of Bond Principal	567,177.00	311,300.00
Interest on Bonds	58,813.00	291,227.00
USDA Loan	12,216.00	35,679.00
Total Water/Sewer Utility Appropriations	4,947,522.00	4,947,522.00

April 27, 2020  
(VIA ZOOM)

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended.

It is hereby certified that this resolution amending the budget was advertised April 22, 2020, in the *New Jersey Herald*.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Governing Body on the 27th day of April, 2020.

Certified by me  
April 22,  
2020

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s/Lorraine A. Read  
Lorraine A. Read, RMC  
Municipal Clerk

Mayor Diglio opened the hearing to the public on the 2020 Municipal Budget and W/S Budget Amendment.

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

Upon motion of Deputy Mayor Flynn, seconded by Mr. Schlaffer **to approve Resolution #107-2020** and roll call resulted as follows:

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

April 27, 2020  
(VIA ZOOM)

**SECTION 2 - UPON ADOPTION FOR YEAR 2020**  
RESOLUTION #117-2020

Be it Resolved by the                      **COUNCIL MEMBERS** of the                      **TOWN**  
of NEWTON County of SUSSEX that the budget hereinbefore set forth is hereby

adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:  
(a) \$ 8,893,400.00 (Item 2 below) for municipal purposes, and  
(b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,  
(c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in  
Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of  
the following summary of general revenues and appropriations.  
(d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy  
(e) \$ - (Item 5 Below) Minimum Library Tax

**RECORDED VOTE**  
(Insert last name)

Ayes [ Nays ]

Abstained [ Absent ]

SUMMARY OF REVENUES			
1. General Revenues			
Surplus Anticipated	08-100	\$	1,354,000.00
Miscellaneous Revenues Anticipated	13-099	\$	2,524,997.00
Receipts from Delinquent Taxes	15-499	\$	420,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	8,893,400.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-198	\$	-
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY		\$	-
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191		
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX	07-192	\$	-
<b>Total Revenues</b>	<b>13-299</b>	<b>\$</b>	<b>13,202,397.00</b>

Sheet 41

**SUMMARY OF APPROPRIATIONS**

<b>5. GENERAL APPROPRIATIONS:</b>		xxxxxx	XXXXXXXXXXXXXX
Within "CAPS"		xxxxxx	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent	34-201	\$	8,435,535.38
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$	1,340,159.00
(g) Cash Deficit	46-885	\$	-
Excluded from "CAPS"		xxxxxx	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$	287,699.97
(c) Capital Improvements	44-999	\$	291,000.00
(d) Municipal Debt Service	45-999	\$	2,322,494.65
(e) Deferred Charges - Municipal	46-099	\$	-
(f) Judgments	37-480	\$	-
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	\$	-
(g) Cash Deficit	46-885	\$	-
(k) For Local District School Purposes	29-410	\$	-
(m) Reserve for Uncollected Taxes	50-899	\$	525,508.00
<b>6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)</b>	07-195		
<b>Total Appropriations</b>	<b>34-499</b>	<b>\$</b>	<b>13,202,397.00</b>

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 27th day of April, 2020. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 27 day of April, 2020, \_\_\_\_\_, Clerk

Sheet 42

At this time, upon motion of Mrs. Le Frois, seconded by Mr. Dickson, **to approve Resolution #117-2020**, and roll call resulted as follows:

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

**OPEN TO THE PUBLIC**

Mayor Diglio opened the meeting to the public.

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

April 27, 2020  
(VIA ZOOM)

**COUNCIL & MANAGER COMMENTS**

Councilwoman Le Frois thanked all who attended the Zoom meeting this evening. Thank you to Tom Russo, Monica Miebach and the Department Heads for their hard work on the budget.

Mrs. Le Frois asked the public to continue to be safe and healthy. Please continue to adhere to social distancing guidelines and text or call your friends and neighbors to make sure they are ok. I look forward to a safe time, hopefully in the near future, when we can all be together again in-person. Thank you.

Deputy Mayor Flynn thanked staff for their due diligence during this unprecedented time in our community.

Mayor Diglio thanked Mr. Russo and CFO for all the work on the budget. She also thanked Office of Emergency Management, Police, and all personnel on the front lines of this pandemic and asked everyone to stay safe.

Mr. Russo also thanked all who attended. Next Council meeting is scheduled for Monday, May 11<sup>th</sup> via Zoom. He then wished all of the "Mom's" a Happy Mother's Day on Sunday, May 10<sup>th</sup>.

**EXECUTIVE SESSION** – None.

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Deputy Mayor Flynn and unanimously carried, the regular meeting was adjourned at 8:01 pm.

Respectfully submitted,



Lorraine A. Read, RMC  
Municipal Clerk