

June 8, 2020
(VIA ZOOM)

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:02 pm. Present via Zoom were Mr. Dickson, 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. Deputy Mayor Flynn was excused.

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 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 May 27, 2020 Regular meeting 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."

James Baldini, former Newton resident, noted there will be a rally at the Newton Green tomorrow, June 9, 2020 at Noon and invited the Town Council to speak.

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

COUNCIL & MANAGER REPORTS

Mayor Diglio – "As many of you are aware we had protests take place on the County Green this past Friday and Saturday. I want to thank the protesters for the peaceful manner in which they handled themselves. I would like to thank Chief Osborn for reaching out to the organizers and working with them. Thank you to all the police and EMS for being there. I also want to thank Councilman Dickson and his daughter Olivia for their comments. It was a weekend that Newton can be very proud of.

As COVID continues, I continue to attend the COVID-19 phone conference calls by the County and the Governor. As of June 8th, there are 1172 cases of COVID and 178 deaths in Sussex County. Again I offer my sincere condolences to the families who have lost a loved one. The good news is 970 people have recovered.

I would again like to remind those that have not done so as of yet to please, please, please fill out the census. Counting everyone in the 2020 census helps communities receive funding for health care, education, and emergency services. State and local officials also use census counts to draw boundaries for congressional, state legislative and school districts. As of today, Newton has had a 64.5% response, Sussex County has a 64.9% response and NJ has a total of 62.7% response.

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While the municipal building is still closed to the public, staff is still working either in the building or remotely. Please call if you have a concern. Water bills were mailed out and payment is due by June 25th. You can drop your payment off at the box next to the front door of the Municipal building, mail it in or pay by remote.

Also please continue to support the local businesses that are open. Many of these businesses have supported this community and now it is our turn to help them. I am sad to report that I have learned that at least one business on Spring Street will be closing as a result of this shutdown.

Congratulations to the Newton High School graduates. The preparation of graduation ceremony took place on Friday, June 5. I am proud of this class because of the manner in which the students handled themselves despite the complications they faced due to the lockdown. I wish you the best of luck for your future endeavors."

Deputy Mayor Flynn – Excused.

Councilman Dickson – "The events on Friday night and Saturday afternoon were inspiring, peaceful and impactful. I have a great deal of respect for the organizers of these events. Saturday's event was organized by former NHS students who are shining examples that Newton can be proud of. I was unable to attend Saturday's event, but my wife told me that along the walk from Memory Park to the Green, there were people sitting on their porches with signs, cheering them on and people cheering out their apartment windows on Spring St. We should all be proud how Newton was able to peacefully come together. As I said in my closing at Friday night's vigil, "Newton is the County Seat and has a black population that doubles the counties. Let's come together as one and be an example for the entire county. I know that is something our council and town leadership can all agree on."

I want to thank Chief Osborn, and the Newton PD, for their courtesy, professionalism and compassion during these events. Not that there was ever a doubt, we are privileged to have a police department made up of such fine men and women. I want to thank the DPW for all their work throughout the events. Thank you to the NFAS for standing by at the events.

And I want to thank Tom for all the work he put into it. I want to make sure it's known that Tom was present at both events taking a hands on approach, and how grateful I am.

The next BOE meeting will be virtually tomorrow night at 7pm. For the link to join go to newtonnj.org and click on the board meeting under upcoming events."

Councilman Schlaffer – He noted he recently spoke at the previous rally on the Green and would be happy to speak at the rally tomorrow.

Councilwoman Le Frois – Noted she and Mr. Russo recently participated in Seton Hall University Virtual Civic Engagement Boot Camp. It was a great and inspiring event. She also participated in a panel with the healthcare business woman's association surrounding leadership. COVID-19 reports continue to be distributed by OEM and outlined some statistics surrounding the COVID-19 pandemic. She outlined some of the executive orders for the reopening of the businesses and looks forward to their success. Councilwoman Le Frois congratulated the Newton High School Class of 2020 and wished them all the best in their future endeavors. Thanked all who participated in the peaceful rallies at the Newton Green this past week. And finally, she wished all the Dad's a Happy Father's Day on June 21st.

Town Manager Russo – He thanked the Newton Police for their assistance with the recent rallies at the Newton Green. Noted the modified hours at Town Hall with a re-opening, to the public, on Monday, July 6th. The Town was recently designated as an "Opportunity Zone". Our Town Planner will address the designation and update the Council in a memo. He noted the recent updates from Governor Murphy. He read aloud the recently submitted thank you note from 2nd Lt. Andrew Cooney. He noted an upcoming Zoom meeting with Robert Boyle of Planet Networks as well as with Dr. Ken

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Greene regarding the internet availability for the residents of Newton. And sadly, he announced cancellation of the contest for Little Mister/Little Miss and Miss Newton due to the lack of interest. Mr. Russo then read his prepared speech regarding the recent rallies/protests at the Newton Green.

"The death of George Floyd recently was a travesty of justice. A modern-day lynching at the hands of those sworn to protect all of us. We send our thoughts and prayers to the Floyd family during this time of unspeakable grief. We are all feeling disappointment, devastation, anger, distress, and sadness at what happened in Minneapolis.

In the Town of Newton, we cherish our diversity, for we are one of the most ethnically diverse communities in the County and that is a source of pride and strength. Almost ½ of our Newton school population PK-8th grade is non-Caucasian and growing. Many of our new small business owners come from a variety of ethnic backgrounds. Growing up in Parsippany, NJ, I was blessed to have dear, close friends that were of all races, religions, orientations, and colors, and never thought twice about it. I didn't care back then, nor do I care now, what your background is or what your color is. I care whether you are a good human being, and treat people with decency, love, and respect.

As Dr. Tony Evans, a leading African-American voice and Senior Pastor of the over-9,500 member Oak Cliff Bible Fellowship Church in Dallas, Texas wrote in poetic words I could never match with authority:

"This is the time for a national reset to address our cultural pandemic. A reset not based on social patchwork which produces no long-term impact, but rather on a spiritual foundation influenced by a repentant, obedient, and unified church. We must rise up together to rectify the individual & systemic issues we face. Issues of injustice, inequity, lack of opportunity, educational disparity, the healthcare gap, and economic inequality rooted in disproportionate employment possibilities boil to the surface in times like these but it is their very constancy which prohibits the cure. All of these areas can be, and must be, responsibly addressed as we unite around a strategic and righteous long-term plan."

I echo Dr. Evans sentiments and express to you my support for change, growth, and opportunity for all people.

Rather than make blanket statements about law enforcement officers good or bad, let us praise and recognize the ones that follow a deep moral compass and do the right thing, and hold accountable the ones who abuse their responsibilities and authority.

And let us build bridges between under-served communities of color and law enforcement BEFORE tragic events occur when it is too late to talk about trust and reconciliation because emotions are running high, understandably so.

In Newton, NJ our police department believes in community relations and demonstrates it on a daily basis. In New Jersey, our forward-thinking Attorney General, Gurbir Grewal, the first Sikh-American Attorney General in United States history, leads by example and provides guidance, rules, regulations, training, on use of force, not because it is easy, because it is the right thing to do. He is also updating these decades-old policies as we speak, and we look forward to partnering with him and offer him the full support of my administration, staff, professionals, and volunteers, to effect real change.

Holding bad officers accountable while understanding the importance of law and order in a civil society, but doing so with respect, and dignity, and trust.

Until we learn how to build bridges of inclusion into our daily lives, we will face these inequities and challenges in many realms. I'm inspired by Dr. Martin Luther King, Jr.'s vision of a colorblind society where the focus is on the content of character rather than on the color of skin...when all of us here can turn to

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whoever is next to us, to the left and to the right, in front and behind, and say unequivocally "YOUR life matters."

I join those in support of meaningful dialogue and change. And yes, sometimes that means having conversations with people we may disagree with...but we can, and must, disagree without becoming disagreeable. I ask all Newton residents to stand up to hatred and oppression in all forms, in all areas, in all facets of our culture and society. May any protests and assemblies be peaceful and prosperous in the sharing of ideas, hopes, and dreams.

And may we all respect one another and live the ideals we espouse. Change happens from within. One person at a time.

1 Corinthians 12:26 states: If one member suffers, all suffer together; if one member is honored, all rejoice together.

May you all be blessed."

OLD BUSINESS – None.

ORDINANCES –

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE 2020-8

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF HALSTED STREET AND MADISON STREET, SECTION II, IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$245,000 THEREFOR, INCLUDING A \$175,000 NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, AND AUTHORIZING THE ISSUANCE OF \$70,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

The aforementioned **ORDINANCE** was offered by Mrs. Le Frois, who moved its introduction, seconded by Mr. Dickson and roll call resulted as follows:

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

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, June 22, 2020.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE 2020-9

BOND ORDINANCE PROVIDING FOR THE INSTALLATION AND RECONSTRUCTION OF SIDEWALKS ALONG MILL STREET IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR, INCLUDING A \$400,000 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT, AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

The aforementioned **ORDINANCE** was offered by Mr. Dickson, who moved its introduction, seconded by Mrs. Le Frois and roll call resulted as follows:

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

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, June 22, 2020.

Mayor Diglio directed the Clerk to read aloud the following Ordinance relative to introduction of same.

ORDINANCE 2020-10

BOND ORDINANCE PROVIDING FOR THE MEMORY PARK DRAINAGE IMPROVEMENT PROJECT IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$555,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$555,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

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

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

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, June 22, 2020.

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 #125-2020*

AMEND AGREEMENT WITH JAMES T. PRUSINOWSKI, ESQ., AS LABOR RELATIONS LEGAL COUNSEL FOR 2020

WHEREAS, the Town of Newton has a need to acquire legal counsel for certain specific matters under non-fair and open contracts pursuant to provisions of N.J.S. 19:44A-20; and

WHEREAS, the Town Council appointed James T. Prusinowski, Esq., of Trimboli & Prusinowski, LLC as Labor Relations Attorney for calendar year 2020 by the adoption of Resolution #34-2020 at their meeting on January 7, 2020; and

WHEREAS, said contract stipulated that the amount expended during the term of the contract is not to exceed \$35,000.00; and

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WHEREAS, due to circumstances beyond the Town's control the costs for labor relations legal counsel will exceed the \$35,000.00 allocated; and

WHEREAS, both parties have agreed to increase the amount of the original contract to be increased by \$15,000.00 to a new amount not to exceed \$50,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2020 Current Budget – Legal – Labor Relations account #1058204;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to amend the agreement with James T. Prusinowski, Esq., of, Trimboli & Prusinowski, LLC as the Town of Newton's Labor Relations Attorney for the remainder of calendar year 2020 for an amount not to exceed \$50,000.00; and

BE IT FURTHER RESOLVED, that this resolution serves as an amendment to the original agreement and will be provided to James T. Prusinowski, Esq. and filed in the Office of the Municipal Clerk.

RESOLUTION #132-2020*

RESOLUTION AUTHORIZING ENGINEERING SERVICES WITH PROFESSIONAL CONSULTING, INC., FOR THE DIGESTER CONVERSION/REHABILITATION AND PRIMARY SLUDGE PUMP AND FIRST STAGE PUMP REPLACEMENT AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the Town of Newton is in need of engineering design and construction administration services for the Digester Conversion/Rehabilitation and Primary Sludge Pump and First Stage Pump Replacement at the Wastewater Treatment Plant due to its age and deteriorating conditions; and

WHEREAS, Professional Consulting, Inc. ("PCI") has been appointed the Sewer Engineer for calendar year 2020 by the Town of Newton per Resolution 39-2020; and

WHEREAS, PCI has submitted a proposal for engineering design and construction administrative services for the Digester Conversion/Rehabilitation and Primary Sludge Pump and First Stage Pump Replacement at the Wastewater Treatment Plant; and

WHEREAS, the project fees shall be \$85,500.00 for engineering design services, plus an amount not to exceed \$7,500.00 for the work required to secure the regulatory approvals (under the General Engineering Services Agreement); and

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

WHEREAS, the Chief Financial Officer hereby certifies that funds NOT TO EXCEED \$93,000.00 are available as follows;

Water Sewer Capital Fund: Ord. #2020-7 Digester/Primary Sludge #61920071

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex and State of New Jersey, that the Town Manager is hereby authorized to accept the proposal from Professional Consulting, Inc. ("PCI") for the Digester Conversion/Rehabilitation and Primary Sludge Pump and First Stage Pump Replacement at the Wastewater Treatment Plant for the total cost not to exceed \$93,000.00.

RESOLUTION #133-2020*

RESOLUTION FOR INCREASING THE TOWN OF NEWTON'S BID THRESHOLD

WHEREAS, effective July 1, 2020 the Governor of the State of New Jersey has adjusted the bid threshold for awarding contracts under the Local Public Contracts

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Law. The change in the bid threshold allows municipalities with a Qualified Purchasing Agent to increase their bid threshold up to \$44,000; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Sean P. Canning of The Canning Group was appointed the Town of Newton's Qualified Purchasing Agent by the adoption of Resolution #199-2019 and possesses the qualifications and designation of Qualified Purchasing Agent as issued by the Director of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Town of Newton desires to take advantage of the increased bid threshold;

NOW, THEREFORE BE IT RESOLVED, that we the Mayor and Town Council of the Town of Newton, in the Town of Newton, County of Sussex, in the State of New Jersey hereby increase bid threshold from \$40,000 to \$44,000 effective July 1, 2020.

RESOLUTION #134-2020*

AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO AN AGREEMENT WITH THE BOROUGH OF HOPATCONG, NEW JERSEY FOR ANIMAL CONTROL AND POUND SERVICES

WHEREAS, the Town of Newton is in need of animal control and pound services; and

WHEREAS, the Town of Newton and the Borough of Hopatcong have determined it would be mutually beneficial to enter into an Agreement, whereby the Borough's Animal Control Official would also service the Town of Newton; and

WHEREAS, the Town of Newton and the Borough of Hopatcong desire to enter into an Agreement effective February 1, 2020 through January 31, 2021, which will allow the Town of Newton to call upon the Borough of Hopatcong's Animal Control Official and utilize Hopatcong's Animal Pound; and

WHEREAS, State Statute permits municipalities to enter into an Agreements pursuant to N.J.S.A. 40A:65-1 et seq., and authorizes municipalities to enter into an Agreement by adoption of a Resolution;

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

1. The Mayor is hereby authorized to execute this Agreement between the Town of Newton and the Borough of Hopatcong, New Jersey.
2. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Hopatcong Borough Clerk's office.

RESOLUTION #135-2020*

A RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER TO THE CONTRACT FOR CLEANING SERVICES, BID #7-2017

WHEREAS, the Town received bids on May 10, 2017 for Bid# 07-2017 to wit; Cleaning Services Re-Bid; and

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WHEREAS, the Town duly advertised for bids which were opened on May 10, 2017 at 10:30am; and

WHEREAS, Chelbus Cleaning Inc., 275 Newton Sparta Rd Newton N.J. was awarded the bid services in the amount of base bid plus options of \$21,765.00 per year ending on April 30, 2021; and

WHEREAS, due to the requirement for a cleaner environment due to current medical conditions, there is a need for enhanced and more constant cleaning services on expanded days than was not foreseen at the time the bid was written; and

WHEREAS, Chelbus Cleaning Inc., has proposed a cost to provide for the enhanced cleaning services at the rate of \$2,899.00 per month; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the change order has not caused the originally awarded contract value to be exceeded by more than 20 percent; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.8, the need for this change order is due to an unforeseeable problem which could not be foreseen at the time the specifications were written and the contract awarded; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.8, this change order constitutes a minor modification to resolve a minor problem;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Newton, Sussex County, New Jersey, that the recommendation of the Town Manager is hereby accepted, Chelbus Cleaning Inc., 275 Newton Sparta Rd Newton N.J is authorized to conduct the enhanced cleaning schedule in the amount of \$2,899.00 per month beginning July 1, 2020 for the duration of the contract under this change order.

RESOLUTION #136-2020*

WAIVING PARKING PASS FEES FOR JUNE 2020

WHEREAS, due to the COVID-19 pandemic and the fact the municipal building is closed, the Town Council of the Town of Newton desires to waive parking pass fees for the month of June 2020 for daytime and overnight parking; and

WHEREAS, no refunds or credits shall be issued for parking passes already paid for;

NOW, THEREFORE BE IT RESOLVED, that the Newton Town Council hereby directs fees shall be waived for daytime and overnight Town parking passes for June 2020 and no refunds or credits shall be issued for Town parking passes already purchased; and

THEREFORE BE IT FURTHER RESOLVED, that parking pass fee will resume as normally prescribed by Town Ordinance / Resolution on July 1, 2020.

RESOLUTION #137-2020*

**APPROVING REVISED TOWN OF NEWTON PERSONNEL POLICIES AND PROCEDURES
MANUAL AND EMPLOYEE HANDBOOK**

WHEREAS, the Town of Newton has adopted a Personnel Policies and Procedures Manual and Employee Handbook ("Handbook"), which applies to all Town officials, appointees, employees, volunteers, and independent contractors, providing guidelines covering public service by Town employees, and is not a contract; and

WHEREAS, the Town of Newton has completed a review of the Handbook and has determined that certain portions of the Handbook are in need of revision; and

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WHEREAS, amendments and supplements to the Handbook become effective via resolution of the Town Council, per Ordinance 2013-34;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that the Handbook is hereby amended, as set forth in the copy of the Handbook dated June 2020 which is on file in the Municipal Clerk's Office.

RESOLUTION #138-2020*

AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO AN AGREEMENT WITH CGP&H LLC FOR ADMINISTRATIVE AGENT SERVICES RELATED TO AFFORDABLE HOUSING

WHEREAS, the Town of Newton is in need for administrative agent services, which involves certain knowledge and experience in the field to administer the Town's affordable housing program; and

WHEREAS, the services provided by CGP&H, LLC are professional services which do not require public bidding; and

WHEREAS, the Town of Newton and CGP&H, LLC have determined it would be mutually beneficial to enter into an Agreement, whereby CGP&H will respond to general affordable housing inquiries, advising the Town on affordable housing requirements for new developments and also answering questions from developers about affordable housing requirements for proposed developments; and

WHEREAS, the Town of Newton and CGP&H, LLC desire to enter into an Agreement effective July 1, 2020 and through June 30, 2021, for an amount not to exceed \$3,000.00 per contract year; 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 funds are available from:

Reserve for Community Development (COAH) #751251 for an amount not to exceed \$3,000.00.

"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."

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

1. The Mayor is hereby authorized to execute this Agreement between the Town of Newton and CGP&H, LLC.
2. This Resolution shall take effect immediately.

AND BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to CGP&H, LLC's office and New Jersey Council on Affordable Housing.

RESOLUTION #139-2020*

RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, DIRECTING THE TOWN PLANNING BOARD TO REVIEW A PROPOSED REDEVELOPMENT PLAN FOR BLOCK 10.01, LOT 4, COMMONLY KNOWN AS 121 WATER STREET, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, the *Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the "Act"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment or areas in need of rehabilitation, as such terms are defined in the Act; and

WHEREAS, on February 26, 2018, the Town of Newton (the "Town") adopted Resolution 69-2018 designating Block 10.01, Lot 4, commonly known as 121 Water Street

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as an area in need of redevelopment in accordance with the Act (hereinafter, the "Redevelopment Area"); and

WHEREAS, in accordance with the Act, the Town has prepared a proposed redevelopment plan, which is attached hereto as Exhibit A (the "Redevelopment Plan"); and

WHEREAS, the Town Council desires to utilize the Planning Board's expertise and experience in considering the Redevelopment Plan,

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

I. **GENERAL**

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. **PLANNING BOARD DIRECTED TO REVIEW REDEVELOPMENT PLAN**

The Town Council hereby authorizes and directs the Planning Board to review the Redevelopment Plan attached hereto as Exhibit A, and to transmit its comments to the Town Council within 45 days, as required by N.J.S.A. 40A:12A-7(e).

III. **SEVERABILITY**

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

IV. **AVAILABILITY OF THE RESOLUTION**

A copy of this resolution shall be available for public inspection at the offices of the Town.

V. **EFFECTIVE DATE**

This Resolution shall take effect upon final passage.

RESOLUTION #140-2020*

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:

CREDIT FOR AN ACCOUNT THAT SHOULD HAVE BEEN IN FINAL STATUS:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
14331	30 DOGWOOD DRIVE	\$75.00

RESOLUTION #141-2020*

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

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any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

TOWN BILLS

1806	1132 - BOONTON TIRE SUPPLY INC.		554.47	554.47
1807	4212 - BR WELDING INC		73,900.00	73,900.00
1808	163 - CENTURYLINK COMMUNICATIONS, INC.		125.85	125.85
1809	4147 - CONVERGINT TECHNOLOGIES, LLC.		21,190.00	21,190.00
1810	2639 - COUNTY OF SUSSEX		7,800.00	7,800.00
1811	155 - COYNE CHEMICAL CORP., INC.			1,732.00
1812	286 - CURRENT ACCOUNT		90.32	90.32
1813	3804 - HAYDEE BALLESTER		175.00	175.00
1814	3876 - HOLLAND COMPANY, INC.		6,616.50	6,616.50
1815	113 - JCP&L			5,515.12
1816	3772 - JK HVAC SERVICE, LLC.		358.00	358.00
1817	3778 - JP MONZO MUNIC CONSULTING, LLC		50.00	50.00
1818	3969 - KAYLANI, SHERRI		200.00	200.00
1819	3711 - KKPR MARKETING & PUBLIC RELATIONS,		987.50	987.50
1820	2278 - LANGUAGE LINE SERVICES, INC.		13.60	13.60
1821	2110 - LINCOLN FINANCIAL GROUP		20,355.00	20,355.00
1822	2110 - LINCOLN FINANCIAL GROUP		23,115.00	23,115.00
1823	391 - LOU'S GLASS		620.00	620.00
1824	1566 - MAIN POOL & CHEMICAL COMPANY, INC.			2,202.00
1825	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC		600.00	600.00
1826	62 - MGL FORMS - SYSTEMS, LLC.		382.00	382.00
1827	255 - NEW JERSEY PLANNING OFFICIALS		370.00	370.00
1828	2835 - NJMEBF	31,100.00	138,425.00	169,525.00
1829	64 - PELLOW, HAROLD & ASSO, INC.	325.00		
	PO 57213 PLAINFIELD AVE -APR	66.51		
	PO 57214 2020 STORMWATER PERMIT -APR	50.60		
	PO 57215 WATER ENGINEERING -APR	1,952.25		
	PO 57216 HIGHRISE DRAIN INSPECTION	130.00		
				2,524.36
1830	4204 - PLANET NETWORKS INC.	15.00	319.90	334.90
1831	39 - QUILL CORPORATION		41.99	41.99
1832	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.		1,853.11	1,853.11
1833	4203 - RAPID PUMP		1,176.49	1,176.49
1834	3731 - READY REFRESH BY NESTLE		96.81	96.81
1835	3679 - REISINGER OXYGEN SERVICE, INC.		125.27	125.27
1836	1755 - S/NJ TOXICOLOGY LABORATORY		45.00	45.00
1837	126 - SCMUA		250.00	250.00
1838	611 - SEBRING AUTO PARTS, INC.		92.99	92.99
1839	4165 - SF MOBILE-VISION, INC.		339.04	
				339.04
1840	3108 - SPARTA POSTMASTER		240.00	240.00
				480.00
1841	4024 - SPECTROTEL		635.49	635.49
1842	2312 - SPECTRUM COMMUNICATIONS, INC.		1,711.45	1,711.45
1843	2257 - STAPLES	216.25		
	PO 57147 Office Supplies	91.53		
	PO 57190 FIRE OFFICE SUPP'S	115.98		423.76
1844	146 - STATE OF NEW JERSEY - PWT		459.59	459.59
1845	1212 - STATEWIDE INSURANCE FUND		1,231.93	1,231.93
1846	130 - SUSSEX COUNTY P & H, INC.		73.32	73.32
1847	3897 - SYNCHRONY BANK		172.02	172.02
1848	3392 - TAP INTO, LLC	975.00	975.00	1,950.00
1849	2479 - TAYLOR OIL CO., INC.		655.06	655.06
1850	2781 - TRIMBOLI & PRUSINOWSKI, LLC.		1,515.50	1,515.50
1851	2635 - W.B. MASON, INC.		112.85	112.85
1852	1500 - WALMART	31.20	59.55	90.75

List of Bills - CLEARING/CLAIMS

TOTAL TOWN BILLS

352,869.04

Summary By Account

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

June 8, 2020
(VIA ZOOM)

100130 INTERFUND RECEIVABLE - PAYROLL ACCT 21,700.90
101299 Due to Clearing 0.00 229,826.11
104490 TOTAL MISC REVENUE NOT ANTICIPATED 7,800.00
1050200 TOWN MANAGER'S OFFICE - OTHER EXPENSES 2,075.35
1051200 TOWN CLERK'S OFFICE - OTHER EXPENSES 240.00
1054200 FINANCE ADMINISTRATION - OTHER EXPENSES 50.00
1056200 COLLECTION OF TAXES - OTHER EXPENSES 382.00
1058200 LEGAL SERVICES - OTHER EXPENSES 1,515.50
1059200 MUNICIPAL COURT - OTHER EXPENSES 175.00
1061200 BUILDINGS & GROUNDS - OTHER EXPENSES 395.41
1062200 PLANNING BOARD - OTHER EXPENSES 370.00
1066200 EMPLOYEE GROUP INSURANCE - OTHER EXPENSE 116,724.10
1070200 FIRE DEPARTMENT - OTHER EXPENSES 115.98
1070200A (2019) FIRE DEPARTMENT - OTHER EXPENSES 1,711.45
1074200 POLICE DEPARTMENT - OTHER EXPENSES 582.31
1074300 COMMUNICATIONS CENTER - OTHER EXPENSES 21,448.24
1074300A (2019) COMMUNICATIONS CENTER - OTHER EXP 15.00
1080200 ROAD REPAIR & MAINT - OTHER EXPENSES 184.52
1082200 STORMWATER/FLOOD CONTROL - OTHER EXPENSE 50.60
1083200 RECYCLING/SANITATION - OTHER EXPENSES 250.00
1083300 VEHICLE MAINTENANCE - OTHER EXPENSES 554.47
1087200 RECREATION - OTHER EXPENSES 200.00
1089200 UTILITY EXP/BULK PURCH - OTHER EXPENSES 9,104.53
1094500A (2019) LENGTH OF SERVICE AWARDS - OE - C 43,470.00
1094575 STATE OF EMERGENCY - CORONAVIRUS 710.75

TOTALS FOR CURRENT FUND 155,128.76 45,196.45 29,500.90 229,826.11
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301299 Due to Clearing 0.00 391.51
3091903 ORD 2019-3 Var-B&Groof/skidSteer/Plainfl 66.51
3091913 ORD 2019-13 Rec Tr.Gt 2011 Funded 325.00

TOTALS FOR CAPITAL 391.51 0.00 0.00 391.51
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601299 DUE TO CLEARING 0.00 48,061.10
604490 W&S MISC REV NOT ANTICIPATED 1,231.93
6051200 W&S OPERATING - TOTAL OTHER EXPENSES 46,829.17

TOTALS FOR WATER/SEWER UTILITY 46,829.17 0.00 1,231.93 48,061.10
=====

611299 DUE TO CLEARING 0.00 74,500.00
611303 RES FOR WWTP GRIT COLL.ORD 1-2020 73,900.00
6192006 ORD 2020-6 BATTERY BACKUP(UPS) M.LAKE W 600.00

TOTALS FOR WATER/SEWER CAPITAL 600.00 0.00 73,900.00 74,500.00
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711237 INTERFUNDS PAYABLE - CURRENT FUND 90.32
711299 DUE TO CLEARING 0.00 90.32

TOTALS FOR TRUST 0.00 0.00 90.32 90.32

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

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Total to be paid from Fund 10 CURRENT FUND	229,826.11
Total to be paid from Fund 30 CAPITAL	391.51
Total to be paid from Fund 60 WATER/SEWER UTILITY	48,061.10
Total to be paid from Fund 61 WATER/SEWER CAPITAL	74,500.00
Total to be paid from Fund 71 TRUST	90.32

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352,869.04

208148 POLICE & FIRE RETIREMENT SYSTEM MAY PFRS-LOAN 24,000.00 6/03/2020
208147 PUBLIC EMPLOYEE RETIRE SYSTEM May PERS-loan 18,000.00 6/03/2020
201408 CURRENT ACCOUNT MAY CASHIER TO CURR DIT 3,913,268.54 5/31/2020
3941 MORRIS COUNTY MARINE INC. PO# 57189 BOAT MORRIS LAKE 2,352.97 5/30/2020
17965 MORRIS COUNTY MARINE INC. PO# 57189 BOAT MORRIS LAKE 1,122.03 5/30/2020
42697 TOWN AND COUNTRY PO# 57195 5/29 lunch 87.32 5/29/2020
207303 PAYROLL ACCOUNT ADP 1ST QTR ADJ TO SUI 43.48 4/15/2020
207117 PAYROLL ACCOUNT 5/28 trust Pay 870.00 5/27/2020

June 8, 2020
(VIA ZOOM)

Mayor Diglio opened the meeting to the public.

Peggy Baldini, 10 Barry Lane, Newton, questioned when the municipal pool will be open and was advised by Mr. Russo there is not a set date as of yet, due to the ongoing construction project/repair of the pool. It will be advertised when it opens. He updated Council on the plans for the Newton pool surrounding the rules and regulations due to the COVID-19.

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

COUNCIL & MANAGER COMMENTS

Councilman Dickson addressed concerns with the outdoor dining on Spring Street. He noted the Town waived the fee for sidewalk cafés and asked if Council had any additional suggestions in order to promote businesses.

Councilman Schlaffer suggested the use of Spring Street as a potential “walking district” for outdoor dining. Mr. Russo updated the Council on the staff meetings regarding the permits created necessary in order to address the outdoor dining.

After a brief discussion among the Council, Mr. Russo will continue to update the Council on the progress of the outdoor dining.

Mayor Diglio noted she will not be able to attend the rally on June 9th and asked Mr. Schlaffer to relay her comments during the rally.

Councilwoman Le Frois inquired about supplies needed for the businesses to re-open and was advised by Mr. Russo to have the businesses call and speak to him or Kimberly Williams for assistance.

EXECUTIVE SESSION – None.

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Mr. Dickson and unanimously carried, the regular meeting was adjourned at 7:52 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk