

July 13, 2020  
(VIA ZOOM)

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:06 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. It was noted Councilwoman Le Frois would be running the meeting due to Mayor Diglio having minor surgery on her mouth.

Lorraine Read, Municipal Clerk read 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."

Councilwoman Le Frois led the Pledge of Allegiance to the flag and the Municipal Clerk called the roll. Upon motion of Mr. Dickson, seconded by Mr. Schlaffer and unanimously carried, the minutes for the June 22, 2020 Regular meeting were approved.

#### **OPEN TO THE PUBLIC**

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

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

Alan Abramson, Giancarlo Lane, Newton, congratulated the Newton Police Department, as well as all the law enforcement departments who assisted, with the recent drug bust in the Town of Newton. Mr. Abramson also asked if the Town has a neighborhood watch program or a DARE Program?

Maureen Snellen, Plainfield Ave., Newton, wrote her comments: "I have to type, I want to thank the Town and Thorlabs for a great time Saturday night at music "Under the Stars" event. I was looking forward to Aug 8th's concert but see it was cancelled today. Which makes me sad and many others in the community. I hope we can get another or band to play that night. Due to the weather we didn't have the 500 that signed up but had a great group Saturday. Many couldn't get tickets because it was sold out."

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Felica Carlson, Elm Street, Newton, wrote her comments: "As with any renovation, a time frame is set re: project completion with some leeway included for hiccups along the way. What is the tentative date for the completion date of the repairs and the re-opening of the Newton Pool? Since the last Town Council meeting 2 weeks ago. What Town Council members have gone to the Pool to check on renovations? What is the renovation schedule re: the Pool? Are contractors there daily, weather permitting to work on renovations? If so, for how many hours each day? Since the last Town Council meeting, what repairs were performed on the Pool? How often is the Town advised of repairs completed? Who is responsible for the monitoring of the renovations to the Pool? Since the last Town Council meeting, weather has been favorable for construction. Why have there been little to no repairs completed on the Pool in the last 2 weeks? Town residents were promised a Pool this summer. It is July 13th and this is the last Town Council Meeting until August 10th? What does this mean for Town residents? No Pool until August or no Pool at all this summer?"

Mr. Russo addressed Mrs. Carlson's comments and updated on the progress of the pool renovations.

Jim Baldini, resident of Sandyston, NJ, thanked the Newton Police Department for their assistance with the recent event, 7/3/2020, held on the Newton Green. Mr. Baldini also asked the Governing Body if they had an opinion on the potential elimination of the Newton Braves logo for Newton High School. He noted a petition to eliminate the logo is being disseminated currently.

There being no one else from the public to be heard, Councilwoman Le Frois closed this portion of the meeting to the public.

### **COUNCIL & MANAGER REPORTS**

**Mayor Diglio** – Councilwoman Le Frois read the following statement for Mayor Diglio: "Since the last Council meeting, I attended the COVID 19 phone conference calls by the County, and the Governor. As of July 10th, there are 1265 cases of COVID and 194 deaths in Sussex County with over 60% of the deaths being in nursing homes. The number of people who have recovered is now 1067. As I stated at the last meeting individuals maybe experiencing feelings of helplessness and depression due to the COVID limitations. If you know of anyone, please give them the Hotline # 973 579 9488. This past week Governor Murphy issued Executive Order 163 which requires masks to be worn outdoors when the 6 feet distance cannot be maintained. Please be aware that individuals with certain medical issues do not have to wear a mask. On the other hand, places of business do not have to let you in if you are not wearing a mask.

Have you filled out your census yet. Based on the numbers there are 34.6% of people living in Newton who have yet to complete the census. If you are one of the 34.6% I encourage to please, please, please fill it out. So far New Jersey is at 64% and

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Sussex County is at 66.5%. As I have stated at previous meetings, 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 on the local level, the municipal building is open to the public from 9:30 am to 3:30 pm. For the safety of the staff and public several accommodations have been made and masks are required. During the last two weeks we have had several meetings at the pool to determine the course of action. I am happy to report that the contractor will be repairing the cracks and moving forward with completing the work on the pool. We also meet with the engineers concerning the Babe Ruth field and discussed several options. A meeting is being setup with the DEP to see what permits are needed.

Thorlabs is moving along with their project. They received a TCO for the renovated Iliff building and they have gotten the permit for the new building.

I will say that it is nice to see businesses open and I am enjoying eating out and shopping. I urge the public to please support the local businesses."

**Deputy Mayor Flynn** – Excused.

**Councilman Dickson** – "I virtually attended the Newton BOE meeting on June 23rd. The finance committee report was given in regards to the short fall from the reduction in aid. No change in the budget right now. To make up the loss of \$461,571, it was looked at 1 teaching position at each school being eliminated. 2 of these positions were through retirement and 1 through non-renewal of contract. In addition, there was an additional retirement that will be replaced, but savings will be seen since the teacher will be on the lower side of the salary guide. 4 lunch aide positions have also been eliminated. \$126,000 of CARES money will be inserted into the budget as well. Dr. Greene thanked Chief Osborn and his staff for being so gracious in helping with all of the end of the year events. The next BOE meeting will be virtual on Tuesday July 28th at 7pm.

Congressman Gottheimer honored Coronavirus Hometown Hero's, who worked to help their community throughout the COVID-19 pandemic. Congratulations to Jim Hofmann, Mark Maruska, Dennis Becker, Father Robert Griner, Pastor Frank Leone, and Robert Boyle. We thank you for all you have done for the community.

On Friday July 10th I attended the Coalition for Healthy and Safe Communities meeting where they had a very informative zoom presentation on Cannabis Laws and Policies by Scott Gagnon. Gave some good insight to areas that have already legalized as far as some best practices and what they have learned."

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

**Councilwoman Le Frois** – Thanked Kimberly Williams, Comm. Devel. Director, DPW, Newton Police, Newton Fire, Newton FAS, for the terrific event concert with "The Nerds" held at Memory Park. She also congratulated Samantha Wechtler who applied, this evening, as a Newton Junior Firefighter.

**Town Manager Russo** – Mr. Russo addressed Mrs. Carlson's questions regarding the Newton pool and updated on the status of the repair of the pool. Unfortunately, "no date certain" on the opening of the Newton pool. He noted and congratulated Terri Oswin on her recent promotion to Deputy Town Manager. He noted the new Municipal Building hours due to the COVID-19. Great feedback on "The Nerds" concert. He noted the upcoming summer events for the Newton residents. Mr. Russo indicated all the municipal meetings will be held via ZOOM, through August. He will reevaluate after August. He gave kudos to the Newton Police for their recent drug bust. Mr. Russo then addressed Mr. Abramson's questions regarding 'neighborhood watch' and 'Dare Program'. Mr. Russo noted the 'Dare Program' is now the LEAD Program and is run through the Middle School.

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Mr. Russo noted the various issues on-going with the County of Sussex regarding the recent protests at the County Green. There have been discussions with County Administration and was advised to send a letter to County Counsel. Ursula Leo, Esq. submitted a letter to the County of Sussex and read it into the minutes:

"Re: **Newton Green**

Dear Mr. Kelly:

Following up on our July 7, 2020 conference call regarding the Newton Green (the "Green"), the Town of Newton is requesting that Sussex County assume primary law enforcement responsibilities for public events at the Newton Green - a County-owned park property.

As described in my June 2, 2020 letter to you, the Town of Newton requests that County personnel (instead of Newton Police) enforce all laws and regulations as they relate to actions taken by members of the public at the Green. Unfortunate incidents as of late require prior proper planning regarding enforcement of laws, rules, regulations, restraints, and orders. The Town remains willing to assist at the Green, but in a secondary instead of primary law enforcement role. Constraints on the Town's limited resources prohibit the Town from taking the lead on enforcement at this County Park. The Town of Newton has already spent approximately \$7,400.00 in Town Police Department overtime alone for the three (3) events held at the Green this year.

As we discussed, the County regulates public requests for Green use. The Town will be re-visiting its 2002 resolution which only authorizes (and does not mandate) the Town Police Department to enforce certain rules and regulations relating to County buildings, property, and facilities within the Town of Newton. It is requested the County assign County personnel to provide policing for events at the County-owned Green.

It is understood this correspondence and the Town's request is to be discussed by the Freeholders. Please let me know if you need any additional information. Thank you."

Mrs. Leo noted this item will be discussed at the Freeholders meeting on July 22<sup>nd</sup>.

Mr. Russo also noted he plans on addressing this issue at the Statewide Insurance Fund in Parsippany next week.

At this time, Councilwoman Le Frois also congratulated the Newton Police for their continued great work and recent activities with getting drugs off the street. We look forward to addressing this issue and working with the County amicably. She looks forward to their response. And further thanked Mr. Russo for the pool update.

Councilman Dickson concurred with Mrs. Le Frois regarding working with the County and the potential of further financial strain on the taxpayers. He feels the Town is protecting the taxpayers, which is the job of the Governing Body.

## **RESOLUTIONS**

Upon motion of Mr. Dickson, seconded by Mr. Schlaffer, **to approve Resolution #161-2020** and roll call resulted as follows:

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(VIA ZOOM)

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

**RESOLUTION #161-2020**

Town of Newton Resolution #161-2020 Amendment to the Capital Budget										
<b>WHEREAS</b> , the local capital budget for the year 2020 was adopted on the 27th day of April, 2020; and										
<b>WHEREAS</b> , it is desired to amend said capital budget section;										
<b>NOW, THEREFORE BE IT RESOLVED</b> , by the Town Council of the Town of Newton, County of Sussex, New Jersey the following adopted capital budget section of Capital Fund be made.										
Recorded Vote (Insert Names)										
(										
Abstain (										
( Dickson (										
( Schlaffer (										
Ayes ( Le Frois Nays ( ( Flynn										
( Diglio Absent (										
(										
CAPITAL BUDGET (Current Year Action)										
2020										
Planned Funding Services for Current Year 2020										
1	2	3	4	5a	5b	5c	5d	5f	Total Funded	
Project	Project Num.	Est. Total Cost	Amt. Res. In Prior Years	2020 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid/Other Fund	Debt Authorized	In Future Year	
Two Ford Police Interceptors	2020-14	\$ 93,000.00			\$ 4,500.00			\$ 88,500.00		
Total All Projects		\$ 93,000.00			\$ 4,500.00			\$ 88,500.00		
SIX YEAR CAPITAL PROGRAM 2020 TO 2025										
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS										
Funding Amounts Per Year										
1	2	3	4	5						
Project	Project Num.	Est. Total Cost	Estimated Completion Time	Capital Improvement Fund 2020 Budget	2020	2021	2022	2023	2024	2025
Two Ford Police Interceptors	2020-14	\$ 93,000.00	2020	\$ 4,500.00	\$ 88,500.00					
Total All Projects		\$ 93,000.00		\$ 4,500.00	\$ 88,500.00					

RESOLUTION #161-2020										
SIX YEAR CAPITAL PROGRAM 2020 - 2025										
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS										
Project	2 Estimated Total Cost	3 Budget Appropriation		4 Capital Improv. Fund	5 Capital Surplus	6 Grants In Aid-Other Funds	7 Bonds and Notes			
		Current Year	Future Years				General	Self-Liquid.	Assessment	School
Two Ford Police Interceptors	\$ 93,000.00			\$ 4,500.00		\$ 88,500.00				
Total All Projects	\$ 93,000.00			\$ 4,500.00		\$ 88,500.00				
<b>BE IT FURTHER RESOLVED</b> , that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.										
<b>IT IS HEREBY CERTIFIED</b> this is a true copy of a resolution amending the capital budget section adopted by the Town Council on the 13th day of July, 2020.										
Approved _____, 2020						Lorraine A. Read, RMC Municipal Clerk				
DIRECTOR OF LOCAL GOVERNMENT SERVICES										

Upon motion of Mr. Schlaffer, seconded by Mr. Dickson, to approve Resolution #170-2020 and roll call resulted as follows:

July 13, 2020  
(VIA ZOOM)

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

**RESOLUTION #170-2020**

Town of Newton Resolution #170-2020 Amendment to the Water/Sewer Capital Budget									
<b>WHEREAS</b> , the local capital budget for the year 2020 was adopted on the 27th day of April, 2020; and									
<b>WHEREAS</b> , it is desired to amend said capital budget section;									
<b>NOW, THEREFORE BE IT RESOLVED</b> , by the Town Council of the Town of Newton, County of Sussex, New Jersey, the following amendment(s) to the adopted capital budget section of Water/Sewer Capital Fund be made.									
Recorded Vote (Insert Names)									
									(
									Abstain (
			( Dickson						(
			( Schlaffer						(
		Ayes (	Le Frois		Nays (				( Flynn
			( Diglio						( Absent (
			(						(

WATER/SEWER CAPITAL BUDGET (Current Year Action) 2020									
Planned Funding Services for Current Year 2020									
1	2	3	4	5a	5b	5c	5d	5f	Total Funded
Project	Project Num.	Est. Total Cost	Amt. Res. In Prior Years	2020 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid/Other Fund	Debt Authorized	In Future Year
Morris Lake - Water Utility									
Fire Alarm Replacement and Upgrade	2020-U12	\$ 43,900.00	\$ 43,900.00						
Total All Projects		\$ 43,900.00	\$ 43,900.00						

SIX YEAR CAPITAL PROGRAM 2020 TO 2025 ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS										
Funding Amounts Per Year										
1	2	3	4	5						
Project	Project Num.	Est. Total Cost	Estimated Completion Time	Capital Improvement Fund 2020 Budget	2020	2021	2022	2023	2024	2025
Morris Lake - Water Utility										
Fire Alarm Replacement & Upgrade	2020-U12	\$ 43,900.00	2020		\$ 43,900.00					
Total All Projects		\$ 43,900.00			\$ 43,900.00					

SIX YEAR CAPITAL PROGRAM 2020 - 2025 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS										
Project	2 Estimated Total Cost	3 Budget Appropriation		4 Capital Improv. Fund	5 Capital Surplus	6 Grants In Aid-Other Funds	7 Bonds and Notes			
		Current Year	Future Years				General	Self-Liquid.	Assessment	School
Morris Lake - Water Utility										
Fire Alarm Replacement & Upgrade	\$ 43,900.00					\$ 43,900.00				
Total All Projects	\$ 43,900.00					\$ 43,900.00				

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

IT IS HEREBY CERTIFIED this is a true copy of a resolution amending the capital budget section adopted by the Town Council on the 13th day of July, 2020.

Approved \_\_\_\_\_, 2020

Lorraine A. Read, RMC  
Municipal Clerk

DIRECTOR OF LOCAL GOVERNMENT SERVICES

Upon motion of Mr. Dickson, seconded by Mr. Schlaffer, to approve Resolution #171-2020 and roll call resulted as follows:

July 13, 2020  
(VIA ZOOM)

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

**RESOLUTION #171-2020**

Town of Newton Resolution #171-2020 Amendment to the Water/Sewer Capital Budget										
<b>WHEREAS</b> , the local capital budget for the year 2020 was adopted on the 27th day of April, 2020; and										
<b>WHEREAS</b> , it is desired to amend said capital budget section;										
<b>NOW, THEREFORE BE IT RESOLVED</b> , by the Town Council of the Town of Newton, County of Sussex, New Jersey, the following amendment(s) to the adopted capital budget section of Water/Sewer Capital Fund be made.										
Recorded Vote (Insert Names)										
(										
Abstain (										
( Dickson (										
( Schlaffer (										
Ayes ( Le Frois Nays ( ( Flynn										
( Diglio ( Absent (										
( (										
WATER/SEWER CAPITAL BUDGET (Current Year Action)										
2020										
Planned Funding Services for Current Year 2020										
1	2	3	4	5a	5b	5c	5d	5f	Total Funded	
Project	Project Num.	Est. Total Cost	Amt. Res. In Prior Years	2020 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants in Aid/Other Fund	Debt Authorized	In Future Year	
Waste Water Treatment Plant Repairs & Improvements	2020-U13	\$ 110,000.00	\$ 110,000.00							
Total All Projects		\$ 110,000.00	\$ 110,000.00							
SIX YEAR CAPITAL PROGRAM 2020 TO 2025										
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS										
Funding Amounts Per Year										
1	2	3	4	5						
Project	Project Num.	Est. Total Cost	Estimated Completion Time	Capital Improvement Fund 2020 Budget	2020	2021	2022	2023	2024	2025
WWTP Repairs & Improvements	2020-U13	\$ 110,000.00	2020	\$ 110,000.00						
Total All Projects		\$ 110,000.00		\$ 110,000.00						

Upon motion of Mr. Schlaffer, seconded by Mr. Dickson, to approve Resolution #172-2020 and roll call resulted as follows:

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

July 13, 2020  
(VIA ZOOM)

**RESOLUTION #172-2020**

**Town of Newton  
Resolution #172-2020  
Amendment to the Capital Budget**

**WHEREAS**, the local capital budget for the year 2020 was adopted on the 27th day of April, 2020; and  
**WHEREAS**, it is desired to amend said capital budget section;  
**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, New Jersey the following amendment(s) to the adopted capital budget section of Capital Fund be made.

CAPITAL BUDGET (Current Year Action) 2020										
Planned Funding Services for Current Year 2020										
1 Project	2 Project Num.	3 Est. Total Cost	4 Amt. Res. In Prior Years	5a 2020 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid/Other Fund	5f Debt Authorized	Total Funded In Future Year	
Various Improvements - Pool	2020-17	\$ 20,000.00	\$ 20,000.00							
<b>Total All Projects</b>		<b>\$ 20,000.00</b>	<b>\$ 20,000.00</b>							

**SIX YEAR CAPITAL PROGRAM 2020 TO 2025  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS**  
Funding Amounts Per Year

1 Project	2 Project Num.	3 Est. Total Cost	4 Estimated Completion Time	5 Capital Improvement Fund 2020 Budget	2020	2021	2022	2023	2024	2025
Various Improvements - Pool	2020-17	\$ 20,000.00	2020	\$ 20,000.00						
<b>Total All Projects</b>		<b>\$ 20,000.00</b>		<b>\$ 20,000.00</b>						

**SIX YEAR CAPITAL PROGRAM 2020 - 2025  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

1 Project	2 Estimated Total Cost	3 Budget Appropriation		4 Capital Improv. Fund	5 Capital Surplus	6 Grants In Aid-Other Funds	7 Bonds and Notes			
		Current Year	Future Years				General	Self-Liquid.	Assessment	School
Various Improvements - Pool	\$ 20,000.00					\$ 20,000.00				
<b>Total All Projects</b>	<b>\$ 20,000.00</b>					<b>\$ 20,000.00</b>				

**BE IT FURTHER RESOLVED**, two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

IT IS HEREBY CERTIFIED this is a true copy of a resolution amending the capital budget section adopted by the Town Council on the 13th day of July, 2020.

Approved \_\_\_\_\_, 2020

Lorraine A. Read, RMC  
Municipal Clerk

DIRECTOR OF LOCAL GOVERNMENT SERVICES

Mr. Russo outlined the four previous Resolutions for the public.

**OLD BUSINESS** – None.

**ORDINANCES** –

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

**ORDINANCE 2020-11**

**BOND ORDINANCE APPROPRIATING \$360,000 CONSISTING OF \$81,500 FROM THE RESERVE FOR SECOND CLARIFIER AND \$278,500 FROM THE CAPITAL IMPROVEMENT FUND TO PROVIDE FOR MAJOR REPAIRS AND PARTS REPLACEMENTS FOR THE CLARIFIER AT THE SECOND STAGE PUMP STATION IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AS FOLLOWS:

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(VIA ZOOM)

Section 1. \$360,000 consisting of \$81,500 from the Reserve for Second Clarifier and \$278,500 from the Capital Improvement Fund is hereby appropriated to provide for major repairs and parts replacements for the clarifier at the Second Stage Pump Station in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town").

Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. This project was included in the capital budget described as "Previously Final Settling Tank Drive".

Section 3. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

Councilwoman Le Frois opened the meeting to the public.

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

The aforementioned **ORDINANCE**, was offered by Mr. Schlaffer, who moved its adoption, 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	

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

The Clerk will advertise the above Ordinance according to law.

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

**ORDINANCE 2020-12**

**BOND ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR ACQUISITION OF SUVs FOR THE POLICE DEPARTMENT, APPROPRIATING \$93,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$88,500 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") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$93,000, including the sum of \$4,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

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 \$88,500 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.

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(VIA ZOOM)

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of SUVs for the Police Department, including any equipment and costs related 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 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 general improvement, and 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 5 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 \$88,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

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(VIA ZOOM)

- (d) An aggregate amount not exceeding \$10,000 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.

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(a) 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.

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.

Councilwoman Le Frois opened the meeting to the public.

There being no one from the public to be heard, upon motion of Mr. Dickson seconded by Mr. Schlaffer 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:

July 13, 2020  
(VIA ZOOM)

Mr. Dickson	Yes	Deputy Mayor Flynn	Excused
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.

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

#### **ORDINANCE 2020-13**

#### **ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY CANCELLING \$15,000 FROM RESERVE FOR SENIOR/TEEN CENTER TO GENERAL CAPITAL FUND BALANCE AND REAPPROPRIATING IT FOR MISCELLANEOUS MAJOR REPAIRS FOR THE TOWN POOL**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY as follows:

Section 1. It is hereby determined that \$15,000 available in the Reserve for Senior/Teen Center of the Town of Newton, in the County of Sussex, New Jersey (the "Town") is no longer needed for that purpose and is hereby cancelled to the General Capital Fund Balance.

Section 2. The \$15,000 made available pursuant to Section 1 hereof is hereby appropriated from the General Capital Fund Balance to provide for miscellaneous major repairs for the Town pool.

Section 3. 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 purpose authorized herein is inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by law.

Councilwoman Le Frois opened the meeting to the public.

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

The aforementioned **ORDINANCE**, was offered by Mr. Schlaffer who moved its adoption, 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	

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

July 13, 2020  
(VIA ZOOM)

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

**ORDINANCE 2020-14**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 10.01, LOT 4, COMMONLY KNOWN AS 121 WATER STREET**

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

**WHEREAS**, in accordance with the Act, the Town prepared a proposed redevelopment plan for the Redevelopment Area (the "Plan"); and

**WHEREAS**, the Town Council by Resolution #139-2020 adopted on June 8, 2020, referred the Plan to the Planning Board for its review and comment in accordance with N.J.S.A. 40A:12A-7(e) of the Act; and

**WHEREAS**, at a duly noticed and constituted public meeting of the Planning Board held on June 17, 2020, Annie Hindenlang, P.P., A.I.C.P. (the "Planning Consultant") presented the Plan and further addressed any questions and comments presented by the Planning Board; and

**WHEREAS**, after due consideration of the Plan, testimony regarding the Plan, and discussion of the foregoing, the Planning Board determined the Plan is consistent with the Town's Master Plan and recommended the Town adopt the Plan as set forth in written correspondence from the Board to the Town Council; and

**WHEREAS**, the Town wishes to adopt the Plan attached hereto as Exhibit A (the "Redevelopment Plan");

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, AS FOLLOWS:**

**Section 1.** The Town hereby adopt the Redevelopment Plan attached hereto as Exhibit A.

**Section 2.** The zoning map of the Town of Newton is hereby amended to incorporate the provisions of the Redevelopment Plan, and to delineate the boundaries of the Redevelopment Area, as set forth in the Redevelopment Plan.

**Section 3.** This Ordinance shall take effect as provided in law.

At this time, Redevelopment Counsel, Tiena M. Cofoni, Esq. was present for the presentation of the Redevelopment Plan of 121 Water Street, Newton.

Annie Hindenlang, AICP/PP and Teun Deuling, Redevelopment Planner, from Topology, made a brief presentation which outlined the Redevelopment Plan for 121 Water Street.

Mr. Duelling noted the redevelopment plan met with the Master Plan of the Town of Newton.

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Ms. Hindenlang further outlined the details of the redevelopment plan.

Councilwoman Le Frois thanked all the parties involved for the presentation and is excited for the proposed project.

Councilwoman Le Frois opened the meeting to the public.

There being no one from the public to be heard, upon motion of Mr. Schlaffer, 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	Excused
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.

Councilwoman Le Frois directed the Clerk to read aloud the following Ordinance relative to introduction.

#### **ORDINANCE 2020-15**

**ORDINANCE APPROPRIATING \$43,900 FROM THE WATER SEWER CAPITAL OUTLAY ACCOUNT IN ORDER TO PROVIDE FOR THE MORRIS LAKE WATER UTILITY FIRE ALARM REPLACEMENT AND UPGRADE IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY**

The aforementioned **ORDINANCE**, was offered by Mr. Dickson, who moved its introduction, seconded by Mr. Schlaffer 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 was introduced for the first reading, with hearing on the same to be held on Monday, August 10, 2020.

Councilwoman Le Frois directed the Clerk to read aloud the following Ordinance relative to introduction of same.

#### **ORDINANCE 2020-16**

**ORDINANCE TRANSFERRING THE REMAINING \$171,722.02 FUNDS FROM THE GRIT COLLECTOR RESERVE NO LONGER NEEDED FOR THAT PURPOSE TO THE WATER SEWER CAPITAL FUND BALANCE AND APPROPRIATING \$110,000 FROM THE WATER SEWER CAPITAL FUND BALANCE TO PROVIDE FOR MAJOR REPAIRS AT THE WASTEWATER TREATMENT PLANT IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY**

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(VIA ZOOM)

The aforementioned **ORDINANCE** was offered by Mr. Dickson, who moved its introduction, seconded by Mr. Schlaffer 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 was introduced for the first reading, with hearing on the same to be held on Monday, August 10, 2020.

Councilwoman Le Frois directed the Clerk to read aloud the following Ordinance relative to introduction of same.

#### **ORDINANCE 2020-17**

#### **ORDINANCE REAPPROPRIATING \$20,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR MAJOR REPAIRS TO THE TOWN POOL IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY**

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 was introduced for the first reading, with hearing on the same to be held on Monday, August 10, 2020.

#### **CONSENT AGENDA**

Councilwoman Le Frois read the following statement:

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

Mr. Russo reviewed the consent agenda items.

#### **RESOLUTION 159-2020\***

#### **INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2020 TOWN OF NEWTON BUDGET PURSUANT TO N.J.S.A. 40A:4-87 (C. 159, PL 1948)**

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

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**WHEREAS**, the Town of Newton received a payment in the amount of \$15,370.54 from the State of New Jersey Solid Waste Administration for a FY2020 Clean Communities Grant;

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

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

State of New Jersey Clean Communities Grant ..... \$15,370.54

General Appropriations:

A. Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

State of New Jersey Clean Communities Grant ..... \$15,370.54

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

**RESOLUTION #160-2020\***

**AUTHORIZING THE PURCHASE OF KUBOTA KX040-4R3TP EXCAVATOR BASE MACHINE AND ACCESSORIES THROUGH BERGEN COUNTY COOPERATIVE PRICING SYSTEMS (11BCCPS)**

**WHEREAS**, a need exists for the acquisition of an excavator for the Department of Public Works; and

**WHEREAS**, the Town of Newton may, without advertising for bids, purchase such vehicle under contract through the Bergen County Cooperative Pricing System (#11BCCPS) contract #20-03, pursuant to N.J.S.A. 40A:11-11; and

**WHEREAS**, the price proposed by Highway Equipment of New Jersey 615 NJ-33, Millstone, NJ 08535, is in the amount of \$78,475.00 for a KUBOTA KX040-4R3TP Excavator Base Machine and accessories; and

**WHEREAS**, the Chief Financial Officer certifies as required by N.J.S.A. 40A:4-5, N.J.A.C. 5:34-5.1 et seq., certifies funding is available in the amount of \$78,475.00 from:

2020 Water Sewer Budget

Account #6089347

**NOW, THEREFORE BE IT RESOLVED**, by the Newton Town Council that it designates and authorizes the Town Manager and Chief Financial Officer to execute and deliver the Municipal Purchase through Bergen County Cooperative Purchasing System #11BCCPS in the amount of \$78,475.00 for a KUBOTA KX040-4R3TP Excavator Base Machine and accessories through Highway Equipment of New Jersey 615 NJ-33, Millstone, NJ 08535.

**RESOLUTION #162-2020\***

**AWARD BID 8-2020 FOR THE ROTATING BIOLOGICAL CONTACTOR REPAIR TO RAPID PUMP AND METER, INC.**

**WHEREAS**, there is a need for Rotating Biological Contactor Repair at the Town of Wastewater Treatment Plant; and

**WHEREAS**, the Town of Newton received bids for said services on June 23, 2020 at 10:00 A.M.; and

**WHEREAS**, Rapid Pump & Meter Service Company, 285 Straight Street, Paterson, N.J. 07509, has provided for the lowest bid deemed responsive and responsible to the

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specifications and legal requirements as provided for within the bid document; and

**WHEREAS**, Sean P. Canning, of The Canning Group, LLC, The Town of Newton's Qualified Purchasing Agent, and Frederick Margron, P.E., of Professional Consulting, Inc., the Town's Sewer Engineer, have concurred with the legality of the purchase in accordance with the New Jersey Local Publics Contract Law (N.J.S..40A:11-1 et. seq);

**WHEREAS**, Rapid Pump and Meter Service Company has responded with a bid of \$29,980.00: 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., certifies funds are available in the amount of \$29,980.00 from:

Water Sewer Budget Account #6089293 Capital Outlay

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

The Town Manager is authorized to enter into a contract with Rapid Pump & Meter Service Company, 285 Straight Street, Paterson, N.J. 07509 in accordance with the auspices as contractually set forth within Bid 8-2020, for \$29,980.00.

**RESOLUTION #163-2020\***

**A RESOLUTION OF THE TOWN OF NEWTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING RESOLUTION #135-2020, AUTHORIZING EMERGENCY CLEANING SERVICES CHELBUS CLEANING**

**WHEREAS**, due to the Covid-19 virus the Town required enhanced cleaning services from its contractor, Chelbus Cleaning under bids received on February 27, 2019 for Bid# 04-2019 to wit, Cleaning Services Bid; and

**WHEREAS**, Chelbus Cleaning has provided for an enhanced cleaning quote of \$2,899.00 per month, for an extra \$1,245.25 per month for enhanced cleaning; and

**WHEREAS**, the Town has acted in accordance with the Covid-19 Emergency for the public safety health and welfare; and

**WHEREAS**, the enhanced cleaning contract will not exceed one year in accord with N.J.S.A.40A:11-6; and

**WHEREAS**, the initial requirement of amending the contract was conducted through Resolution #135-2020 as a change order when the procurement mechanism more appropriately would be under the emergency procurement authorized under N.J.S.A.40A:11-6;

**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 amending Resolution #135-2020 to an emergency procurement.

**RESOLUTION #164-2020\***

**TOWN OF NEWTON CERTIFICATION OF ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the Governing Body; and

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**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

**WHEREAS**, the members of the Governing Body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the section of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, the Chief Financial Officer has prepared, distributed, and filed the Corrective Action Plan in accordance with Federal and State Guidelines; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that it hereby states it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#### **RESOLUTION #165-2020\***

#### **RESOLUTION DESIGNATING JUNE AS "LGBTQ PRIDE MONTH" IN THE TOWN OF NEWTON**

**WHEREAS**, persons who are lesbian, gay, bisexual, transgender, or queer (LGBTQ) have been subject to violence, harassment, and other forms of discrimination based solely on their sexual orientation, gender expression, and gender identity; and

**WHEREAS**, the Stonewall Uprising occurred on June 28, 1969 and was a form of unjust discrimination against LGBTQ citizens of New York City and representative of such historical Injustice across America and the world; and

**WHEREAS**, the massacre at the Pulse Nightclub, an LGBTQ bar in Orlando, FL, on June 12, 2016, claimed the lives of 50 people and was the deadliest shooting in American history at that time; and

**WHEREAS**, according to the U.S. Centers for Disease Control, LGBTQ youth have an increased risk for suicide, depression, and substance abuse due to higher rates of bullying, harassment, and violence; and

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**WHEREAS**, the American Psychological Association has declared that LGBTQ relationships are part of the normal forms of human experience and advocates for civil rights protections for the same; and

**WHEREAS**, the Supreme Court of the United States has ruled, in the matter of OBERGEFELL v. HODGES, that the Fourteenth Amendment to the Constitution of the United States requires states to recognize the marriage of individuals of the same sex due to its guarantee of "equal protection of the laws" for all citizens born or naturalized; and

**WHEREAS**, the "New Jersey Law Against Discrimination" (N.J.S.A. 10:5-12), which prohibits discrimination or harassment in employment, housing, places of public accommodation, credit and business contracts, was amended by the New Jersey Legislature in the administration of former Governor Jon Corzine to extend these protections to the categories of sexual orientation, gender identity, or expression; and

**WHEREAS**, New Jersey P.L. 2013, Ch. 150, passed by the New Jersey Legislature in the administration of former Governor Chris Christie, prohibits licensed professionals from "seeking to change a person's sexual orientation, including, but not limited to, efforts to change behaviors, gender identity, or gender expressions" for residents who are 18 years of age or younger; and

**WHEREAS**, the Town of Newton is a diverse community that is committed to supporting visibility, dignity, and equality for all citizens in our community; and

**WHEREAS**, many of the residents, students, and visitors within the Town of Newton who contribute to the enrichment of our community are a part of the LGBTQ community, including parents who adopt children, who would otherwise remain orphans, into loving and nurturing homes; and

**WHEREAS**, June has been declared "LGBT Pride Month" by Presidents William J. Clinton, Barack H. Obama, and Donald J. Trump in the United States of America; and

**WHEREAS**, events are held annually in the month of June across America to recognize and celebrate the lives and contributions of LGBTQ citizens;

**NOW, BE IT THEREFORE RESOLVED**, that the Mayor and the Council of the Town of Newton proclaim June 2020 as "LGBTQ Pride Month" in the Town of Newton and encourage residents to join in celebrating the inherent human dignity and equality of all persons, regardless of sexual orientation, gender identity, or expression, under the law.

**RESOLUTION #166-2020\***

**RESCINDING OF RESOLUTION #153-2020 REGARDING THE CANCELATION OF GRANT APPROPRIATED RESERVE BALANCE IN THE FEDERAL AND STATE GRANT FUND - WELL TOBACCO FREE GRANT**

**WHEREAS**, the Town Council of the Town of Newton, County of Sussex, State of New Jersey, adopted Resolution #153-2020 at its regular meeting on June 22, 2020, canceling the New Jersey Department of Health, Wellness Tobacco Free Grant (#111249) in the amount of \$6,000.00, and cancelling the grant appropriated reserve balance to refund monies to the proper authority; and

**WHEREAS**, it was thereafter determined Town personnel will instead utilize the Tobacco Free grant funds to purchase cigarette receptacles and other items as appropriate and the grant monies should not have been canceled; and

**WHEREAS**, the Town desires to rescind Resolution #153-2020 which cancelled the Wellness Tobacco Free Grant;

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**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey, that Resolution #153-2020 relating to the grant appropriated reserve balance in the Federal and State Grant Fund – Wellness Tobacco Free Grant, is hereby rescinded.

**RESOLUITON #167-2020\***

**AUTHORIZE THE AWARD OF A REQUIRED DISCLOSURE CONTRACT FOR FREDERICK J. MARGRON, P.E., REM, CEA, OF THE FIRM PROFESSIONAL CONSULTING, INC., AS SEWER ENGINEER FOR THE TOWN OF NEWTON FOR CALENDAR YEAR 2020**

**WHEREAS**, the Town of Newton requires the services of a qualified Sewer Engineer for the Town of Newton on an annual basis; through a 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, Newton’s Qualified Purchasing Agent, has determined and certified in writing the value of the services will exceed \$17,500; and

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

**WHEREAS**, Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

**WHEREAS**, Frederick J. Margron, has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer hereby certifies funds are available NOT TO EXCEED \$45,000.00 will be encumbered as follows:

**2020 Water Sewer Utility Budget – Engineer Contractual #6051218**

*“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**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., not to exceed \$45,000 for the 2020 calendar year; and

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

**RESOLUTION #168-2020\***

**AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH ELAVON, INC., TO PROVIDE MERCHANT SERVICES FOR THE TOWN OF NEWTON**

**WHEREAS**, the Town of Newton uses Civic Rec for membership and Point-of-Sale (POS) software (services) for the Pool and Recreation programs (Internet-based Application Service Provider); and

**WHEREAS**, in order to provide users (residents and non-residents) expanded ability to pay for pool and recreation memberships and services online or with credit cards, the Town needs to establish a designated authorized merchant service processor

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in order to process online credit card payments; and

**WHEREAS**, Elavon, Inc. currently provides this service to the Town of Newton, and Elavon has had an established partnership with Lakeland Bank in providing merchant services throughout northern New Jersey; the Governing Body has determined this is the best company to provide this service; and

**WHEREAS**, the Town of Newton's fee ordinance permits the collection of fees from those individuals choosing to use the service for the payment of taxes, interest, penalties, and municipal charges or other fees;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with Elavon, Inc., to provide merchant services for the Town of Newton as proposed; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to both Civic Rec and Elavon, Inc.

**RESOLUTION #169-2020\***

**RESOLUTION OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY,  
DIRECTING THE TOWN PLANNING BOARD TO REVIEW AND COMMENT ON THE PROPOSED  
MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT 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; and

**WHEREAS**, a redevelopment plan was adopted for a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"), including parcels, public streets and rights-of-way adjacent to and including Sparta Avenue and Diller Avenue (the "Plan Area"); and

**WHEREAS**, a redevelopment plan known as the Merriam Gateway Redevelopment Plan, was adopted by the Town Council in November 2010 and amended in September 2012, March 2015, and July 2017 for a portion of the Rehabilitation Area identified on the official tax map of the Town as: Block 18.03, Lot 10 (former Block 1104, Lot 22); Block 22.02, Lots 8, 9, and 10 (former Block 1209, Lots 10, 11, 12.01); Block 18.02, Lots 9, 10, 11, 12, 14, 15, 16, and 17 (former Block 1301, Lots 1, 1.04, 10, 11, 12, 13, 14, 15, 16); and Block 22.04, Lots 1, 2, 3, 4, 5 (portion), 13, 14, and 15 (former Block 1308, Lots 1 (portion), 1.01, 1.02, 10, 11, 12, 13, and 14); and

**WHEREAS**, in accordance with the Act, the Town has prepared a proposed Amendment to the Redevelopment Plan for the Redevelopment Area, which is attached hereto as Exhibit A; and

**WHEREAS**, the Town Council desires to utilize the Planning Board's expertise and experience in crafting a redevelopment plan for the Plan Area;

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

1. The Town Council hereby authorizes and directs the Newton Planning Board to review the draft Redevelopment Plan Amendment 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).

2. This Resolution shall take effect immediately.

July 13, 2020  
(VIA ZOOM)

**RESOLUTION #173-2020\***

**RESOLUTION AUTHORIZING CHANGE ORDER #2 FOR THE NEWTON TOWN POOL RENOVATIONS PROJECT**

**WHEREAS**, a contract was entered into for Newton Town Pool Renovations Project between the Town of Newton and All State Technologies, Inc. ("All State") for an original contract price of \$365,000.00, by the adoption of Resolution #63-2000 on February 10, 2020; and

**WHEREAS** on June 8, 2020 by the adoption of Resolution 142-2020, the Town Council authorized Change Order No. 1 in the total amount of \$7,000.00 for the Town Pool renovations project, \$2,000.00 of which is due to installation of wall returns in the beach entry and \$5,000.00 of which is due to additional work cause by unexpected concrete thickness in the deep end of the pool increasing the overall contract cost to \$372,000.00; and

**WHEREAS**, Suburban Consulting Engineers, Inc., the Town Engineer's for this project, as an act of good faith has taken responsibility for the \$2,000.00 for installation of wall returns in the beach entry; and

**WHEREAS**, All State has submitted information in support of a \$30,000.00 increase in the project, for additional crack repair work discovered after the removal of the plaster; and

**WHEREAS**, David C. Battaglia, PE, CME, CFM, of Suburban Consulting Engineers, Inc., has submitted a memo approving the \$30,000.00 increase due to the change of work, for Change Order No. 2, a copy of which is attached hereto; and

**WHEREAS**, the Chief Financial Officer, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., has certified funds are available to support the increase as follows:

\$10,000.00 Capital Fund Ordinance 2020-13  
\$20,000.00 Capital Fund Ordinance 2020-17

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes Change Order No. 2 in the total amount of \$30,000.00 for the Town Pool renovations, pursuant to N.J.A.C. 5:30-11.3 et seq., and increasing the overall contract cost to \$402,000.00. This award shall be subject to Ordinance 2020-13 and Ordinance 2020-17 taking effect.

**RESOLUITON #174-2020\***

**REQUESTING THE COUNTY OF SUSSEX TO PROVIDE A SEPARATE TAXATION TO MUNICIPALITIES THAT UTILIZE THE SUSSEX COUNTY DISPATCH SERVICES**

**WHEREAS**, the Town of Newton (the "Town") has maintained its own emergency dispatch center through the Town of Newton Police Department for decades; and

**WHEREAS**, the Town receives exceptional service and value from the local Town dispatch, which contributes to the safety of residents and others within the Town of Newton; and

**WHEREAS**, it costs the Town of Newton approximately \$520,608.00 to provide the Town dispatch services, which cost is paid for solely by the taxpayers of the Town of Newton only; and

**WHEREAS**, Sussex County (the "County") has established an emergency dispatch system, which has been providing dispatch services to additional municipalities; and

**WHEREAS**, the County appropriations for the 911 Emergency Communications was approximately \$1,393,295.00 in 2019 and \$1,314,388.00 in 2018, per the County budget information; and

**WHEREAS**, all County taxpayers contribute to the County dispatch costs; and

**WHEREAS**, Sussex County provides dispatching services to the County Prosecutor, Sheriff, and County OEM, as well as individual municipalities with whom it has entered into shared services agreements; and

**WHEREAS**, Sussex County now provides dispatching services to the following thirteen (13) municipalities: Branchville, Byram, Frankford, Fredon, Green, Hampton, Lafayette, Montague, Sandyston, Stillwater, Sussex, Walpack, and Wantage; and

**WHEREAS**, there remains six (6) municipalities that provide local police dispatching services: Andover, Hardyston, Hopatcong, Sparta, Newton, and Vernon; and

**WHEREAS**, a total of eleven (11) municipalities utilize local dispatch services, and not Sussex County, due in large part to the recognized great service and safety provisions provided by municipal dispatch services; and

**WHEREAS**, taxpayers in the eleven (11) municipalities utilize local dispatch services and do not receive any benefit from the Sussex County dispatch; and

**WHEREAS**, residents of the eleven (11) municipalities utilizing local dispatch services pay the same County tax as the thirteen (13) municipalities that use the County dispatch; and

**WHEREAS**, taxpayers of the Town of Newton and the other ten (10) municipalities that utilize local municipal dispatch services, are being double-taxed for dispatch services, yet being provided dispatch services only through the local municipal level, and not the County level; and

**WHEREAS**, the Town of Newton seeks to have the County of Sussex discontinue the taxation of all County residents for dispatch services, wherein some County residents do not receive any benefits from the County dispatch;

**NOW, THEREFORE BE IT RESOLVED**, that the Newton Town Council hereby requests the County of Sussex provide a separate tax to municipalities which utilize the Sussex County dispatch services, and cease billing other certain municipal taxpayers for County dispatch services for which they do not receive benefit from; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is directed to send a copy of this Resolution to the Sussex County Freeholders, County Administrator, and the Governing Bodies and Clerks of the other ten (10) municipalities utilizing local municipal dispatch services.

**RESOLUITON 175-2020\***

**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**

1949	84 - ABCODE SECURITY INC.	270.00	270.00
1950	3866 - ALLIED 100 LLC	869.25	869.25
1951	3251 - BADGER METER, INC.	161.28	161.28
1952	3251 - BADGER METER, INC.	1,388.04	1,388.04
1953	1079 - BENNETT SAND & GRAVEL LLC	71.20	71.20
1954	2429 - BLACK LAGOON	1,675.00	1,675.00

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1955	192 - CAMPBELL'S SMALL ENGINE INC.		108.56	108.56
1956	175 - CAPITAL ACCOUNT		210,000.00	210,000.00
1957	77 - CCP INDUSTRIES, INC.		233.88	233.88
1958	163 - CENTURYLINK COMMUNICATIONS, INC.		125.85	125.85
1959	2843 - CHELBUS CLEANING CO., INC.		1,653.75	1,653.75
1960	2765 - CODE 96 LLC		1,200.00	1,200.00
1961	155 - COYNE CHEMICAL CORP., INC.			1,097.89
			430.11	1,528.00
1962	2361 - CSS LLC.		240.00	240.00
1963	286 - CURRENT ACCOUNT		4,802.20	4,802.20
1964	768 - DEMPSEY UNIFORM & SUPPLY INC	2,512.72	378.23	2,890.95
1965	4180 - DIFRANCESCO BATEMAN,PC		360.00	360.00
1966	50 - E.A. MORSE & COMPANY, INC.		1,497.21	1,497.21
1967	3784 - ESTREMER, MICHELLE		182.50	182.50
1968	3124 - EXTRA TECH DATA SERVICES, LLC.		1,555.00	1,555.00
1969	4164 - FAIL SAFE TESTING, LLC		4,804.75	4,804.75
1970	225 - FEDERAL EXPRESS		118.83	118.83
1971	200 - GARDEN STATE LABORATORIES INC		3,142.00	3,142.00
1972	3407 - GARY W. CRIFT		146.00	146.00
1973	2660 - GRASS ROOTS, INC.		6,084.05	6,084.05
1974	2435 - HAMPTON BODY WORKS, INC.		2,533.17	2,533.17
1975	3804 - HAYDEE BALLESTER		175.00	175.00
1976	3876 - HOLLAND COMPANY, INC.		6,639.60	6,639.60
1977	1866 - HOME DEPOT, INC.	111.52	154.85	266.37
1978	332 - J & D SALES & SERVICE,LLC.		190.00	190.00
1979	3235 - J. CALDWELL & ASSOCIATES, LLC.		4,592.50	4,592.50
1980	113 - JCP&L	13,277.96	152.52	13,430.48
1981	3772 - JK HVAC SERVICE, LLC.	165.00	1,632.50	1,797.50
1982	3969 - KAYLANI, SHERRI		55.25	55.25
1983	3711 - KKPR MARKETING & PUBLIC RELATIONS,		698.88	698.88
1984	2532 - LADDEY, CLARK & RYAN, LLP		2,875.00	2,875.00
1985	2532 - LADDEY, CLARK & RYAN, LLP	2,869.00	493.00	3,362.00
1986	4227 - LAW OFFICE OF DANIEL P. AGATINO, LLC.		1,333.33	1,333.33
1987	391 - LOU'S GLASS		825.00	825.00
1988	2300 - LOWE'S , INC.		438.62	438.62
1989	1566 - MAIN POOL & CHEMICAL COMPANY, INC.			994.74
			2,680.00	3,674.74
1990	263 - MCMANIMON, SCOTLAND & BAUMANN, LLC			600.00
			731.00	1,331.00
1991	4274 - METROSOLAR		488.00	488.00
1992	62 - MGL FORMS - SYSTEMS, LLC.		607.00	607.00
1993	409 - MINISINK PRESS INC	68.00	487.00	555.00
1994	53 - MONTAGUE TOOL & SUPPLY, INC.		52.02	52.02
1995	3339 - MUNICIPAL CLERKS ASSOCIATION OF NJ		75.00	75.00
1996	170 - NEWTON BOARD OF EDUCATION		1,641,844.50	1,641,844.50
1997	2835 - NJMEBF	133,291.00	31,100.00	164,391.00
1998	2882 - ONE CALL CONCEPTS, INC.		87.94	87.94
1999	2216 - PALL CORPORATION	4,610.00	2,240.00	6,850.00
2000	64 - PELLOW, HAROLD & ASSO, INC.			
			202.40	
			276.79	
			2,694.13	3,173.32
2001	4204 - PLANET NETWORKS INC.	15.00	319.90	334.90
2002	520 - POLICE &FIRE RETIREMENT SYSTEM		15,570.57	15,570.57
2003	695 - PUBLIC EMPLOYEE RETIRE SYSTEM		203.98	203.98
2004	695 - PUBLIC EMPLOYEE RETIRE SYSTEM		4,717.94	4,717.94
2005	39 - QUILL CORPORATION		182.26	182.26
2006	2478 - RACHLES/MICHELE'S OIL COMPANY, INC.		2,572.41	2,572.41
2007	4203 - RAPID PUMP		3,949.43	3,949.43
2008	3731 - READY REFRESH BY NESTLE		97.05	97.05
2009	2932 - RULLO & JUILET ASSOCIATES, INC.	1,423.50	1,423.50	2,847.00
2010	126 - SCMUA	3,075.12	1,278.80	4,353.92

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2011	4165 - SF MOBILE-VISION, INC.	120.00	3,890.00	4,010.00
2012	3993 - SLOAN, JAMES P.		3,451.17	3,451.17
2013	1489 - SMALLEY, JOHN H		1,416.66	1,416.66
2014	316 - SPARTA TOWNSHIP TAX COLLECTOR		17,409.10	17,409.10
2015	4024 - SPECTROTEL		610.14	610.14
2016	2312 - SPECTRUM COMMUNICATIONS, INC.		9,168.00	9,168.00
2017	2257 - STAPLES	478.48	41.59	7.96
2018	4144 - SUBURBAN CONSULTING ENGINEERS, INC.		7,952.13	
	PO 56160 POOL RENOVATIONS		9,734.03	17,686.16
2019	3442 - SUNLIGHT GENERAL			1,111.49
	PO 57360 DPW/STP ELECTRIC		645.84	1,757.33
2020	102 - SUSSEX CAR WASH INC		112.00	112.00
2021	2310 - SUSSEX COUNTY ENGINEERING DIVISION		382.53	382.53
2022	1453 - SUSSEX COUNTY LOCK & SAFE,		156.00	156.00
2023	130 - SUSSEX COUNTY P & H, INC.		80.15	80.15
2024	371 - T.A. MOUNTFORD COMPANY, INC.		950.00	950.00
2025	2479 - TAYLOR OIL CO., INC.		640.16	640.16
2026	3851 - THE CANNING GROUP, LLC.		625.00	625.00
2027	2025 - THOMSON REUTERS -WEST	298.00		
	PO 57362 2020 NJ Criminal & Motor Vehicle Law		252.00	550.00
2028	4013 - TRANSUNION ALTERNATIVE RISK & DATA,		600.00	600.00
2029	293 - TREASURER, PETTY CASH FUND		150.00	150.00
2030	1151 - TREASURER, STATE OF NEW JERSEY		2,000.00	2,000.00
2031	1151 - TREASURER, STATE OF NEW JERSEY		13,914.57	13,914.57
2032	1151 - TREASURER, STATE OF NEW JERSEY		2,300.00	2,300.00
2033	367 - TREASURER, STATE OF NEW JERSEY		50.00	50.00
2034	1982 - TREASURER, STATE OF NJ		334.00	334.00
2035	3369 - UNITED TELEPHONE/CENTURY LINK		276.01	276.01
2036	4018 - USA HOIST CO., INC.		470.00	470.00
2037	1158 - VISION SERVICE PLAN		1,172.71	1,172.71
2038	2635 - W.B. MASON, INC.		87.21	87.21
2039	633 - WEIS MARKETS, INC.		111.38	111.38
2040	4261 - WIELKOTZ & COMPANY, LLC.		8,500.00	8,500.00
2041	2713 - WILLIAM GRENNILLE, LLC.		4,085.00	4,085.00

**TOTAL \$ 2,235,863.29**

ACCOUNT NON-BUDGETARY	DESCRIPTION CREDIT	CURRENT YR	APPROP. YEAR
100130	INTERFUND RECEIVABLE - PAYROLL ACCT		20,878.76
101254	DUE S/NJ - MARRIAGE LICENSE FEES		50.00
101265	DUE NEWTON BOE - SCHOOL TAX PAYABLE		1,641,844.50
101299	Due to Clearing	0.00	2,088,033.67
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES		68.00
1050200A	(2019) TOWN MANAGER'S OFFICE - OTHER EXP		488.00
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES		201.79
1054300A	(2019) FINANCE ADMINISTRATION - AUDIT SE		8,500.00
1056200	COLLECTION OF TAXES - OTHER EXPENSES		822.00
1058200	LEGAL SERVICES - OTHER EXPENSES		6,937.33
1059200	MUNICIPAL COURT - OTHER EXPENSES		3,218.00
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES		6,034.05
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES		693.00
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE		113,584.95
1070200	FIRE DEPARTMENT - OTHER EXPENSES		4,916.27
1074200	POLICE DEPARTMENT - OTHER EXPENSES		4,692.17
1074200A	(2019) POLICE DEPARTMENT - OTHER EXPENSE		559.35
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES		1,841.96
1074300A	(2019) COMMUNICATIONS CENTER - OTHER EXP		15.00
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES		1,380.25
1082200	STORMWATER/FLOOD CONTROL - OTHER EXPENSE		2,202.40
1083200	RECYCLING/SANITATION - OTHER EXPENSES		3,018.54

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1083300	VEHICLE MAINTENANCE - OTHER EXPENSES				112.00
1083300A	(2019) VEHICLE MAINTENANCE - OTHER EXPEN				2,533.17
1085200	OCCUPATIONAL HEALTH - OTHER EXPENSES				1,663.50
1087200	RECREATION - OTHER EXPENSES				191.25
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES				5,725.36
1090200	SWIMMING POOL - OTHER EXPENSES				1,920.90
1090200A	(2019) SWIMMING POOL - OTHER EXPENSES				1,555.00
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES				1,783.56
1094550	RECYCLING TAX (PL2007 c.311)O/S CAP				56.58
1094575	STATE OF EMERGENCY - CORONAVIRUS				1,852.09
1094798	INTERLOCAL - GREEN TWP COURT				1,640.67
1095200A	(2019) CAPITAL IMPROVEMENTS - OTHER EXPE				17,120.13
1096200	DEBT SERVICE - OTHER EXPENSES				210,000.00
1098200A	(2019) STATUTORY EXPENDITURES - OTHER EX				19,933.14

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**TOTALS FOR                    CURRENT FUND    374,556.62    50,703.79    1,662,773.26    2,088,033.67**  
 =====

301299	Due to Clearing		0.00		17,882.22
3091105	ORD 2011-5 VAR CAPITAL \$1,360T				6,084.05
3091806	ORD 2018-6 supp FIREHOUSE #2				154.85
3091903	ORD 2019-3 Var-B&G roof/SkidSteer/Plainfl				1,827.66
3091909	ORD 2019-9 POOL				9,734.03
3091913	ORD 2019-13 Rec Tr.Gt 2011 Funded				81.63

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**TOTALS FOR                    CAPITAL                    17,882.22                    0.00                    0.00                    17,882.22**  
 =====

601299	DUE TO CLEARING		0.00		124,754.90
6051200	W&S OPERATING - TOTAL OTHER EXPENSES				117,904.90
6051200A	(2019) W&S OPERATING - TOTAL OTHER EXPE				6,850.00

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**TOTALS FOR                    WATER/SEWER UTILITY    117,904.90                    6,850.00                    0.00                    124,754.90**  
 =====

611299	DUE TO CLEARING		0.00		600.00
6192007	ORD 2020-7 DIGESTER & PRI SLUDGE PUMP				600.00

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**TOTALS FOR                    WATER/SEWER CAPITAL    600.00                    0.00                    0.00                    600.00**  
 =====

751220	RESERVES FOR COMMERCIAL DEVELOPMENT				4,592.50
751299	DUE TO CLEARING		0.00		4,592.50

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**TOTALS FOR                    HOUSING TRUST FUND (COAH)    0.00                    0.00                    4,592.50                    4,592.50**  
 =====

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**ACCOUNT                    DESCRIPTION                    CURRENT YR    APPROP. YEAR**  
**NON-BUDGETARY                    CREDIT**  
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Total to be paid from Fund 10 CURRENT FUND	2,088,033.67
Total to be paid from Fund 30 CAPITAL	17,882.22
Total to be paid from Fund 60 WATER/SEWER UTILITY	124,754.90
Total to be paid from Fund 61 WATER/SEWER CAPITAL	600.00
Total to be paid from Fund 75 HOUSING TRUST FUND (COAH) (Fund 75)	4,592.50
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<b>TOTAL</b>	<b>\$2,235,863.29</b>

**Checks Previously Disbursed**

201053	Wells Fargo Bank	9,745.45
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201052	US BANK OPER.CTR/TRUST MGMT	528,316.40
207123	PAYROLL ACCOUNT	3,011.00
206042	PAYROLL ACCOUNT	37,408.11
201120	PAYROLL ACCOUNT	996.03
201051	PAYROLL ACCOUNT	172,907.69
208158	POLICE &FIRE RETIREMENT SYSTEM	28,361.65
208157	PUBLIC EMPLOYEE RETIRE SYSTEM	25,253.04
42699	GOLD TYPE BUSINESS MACHINES	2,100.00

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**808,099.37**

<b>Totals by fund</b>	<b>Previous Checks/Voids</b>	<b>Current Payments</b>	<b>Total</b>	
10 CURRENT FUND		713,069.54	2,088,033.67	2,801,103.21
Fund 11 FEDERAL/STATE GRANTS		996.03		996.03
Fund 30 CAPITAL			17,882.22	17,882.22
Fund 60 WATER/SEWER UTILITY		37,408.11	124,754.90	162,163.01
Fund 61 WATER/SEWER CAPITAL			600.00	600.00
Fund 71 TRUST		3,011.00		3,011.00
Fund 75 HOUSING TRUST FUND (COAH) (Fund 75)			4,592.50	4,592.50
Fund 81 PAYROLL		53,614.69		53,614.69
<b>BILLS LIST TOTALS</b>		<b>808,099.37</b>	<b>2,235,863.29</b>	<b>3,043,962.66</b>

A Junior Membership Application from Samantha Wechtler, 21 Hillside Terrace, Newton, NJ 07860 into the Newton Fire Department.

Mrs. Le Frois welcomed Samantha Wechtler to the Fire Department and thanked her for volunteering.

A motion was made by Mr. Schlaffer to approve the **COMBINED ACTION RESOLUTIONS**, 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	

**DISCUSSION**

**a. Property Maintenance Ordinance – Draft**

Bernie Hattersley, Code Enforcement Director and John Ursin, Esq of Schenck, Price, Smith & King, LLP, outlined the draft ordinance amending Chapter 213, Article II of the Code of the Town of Newton entitled “Property Maintenance Code”.

Mr. Russo outlined the details of the draft ordinance amending Chapter 213.

After a brief discussion, Council made some suggestions which will be reviewed by legal counsel.

**b. Parking and Driveway Standards - Draft**

Mr. Ursin outlined the draft ordinance amending Chapter 320-3 and Chapter 320-23.

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Mr. Russo further outlined the details of the proposed amendments to this ordinance.

Mr. Hattersley noted his office has a time-limit built into the violation notice and feels additional time would be problematic. Mr. Hattersley outlined the office procedure for violation notices.

After a brief discussion, Council agreed with the two proposed ordinances, with a few minor tweaks, and agreed to move forward and present same at the next Council meeting.

### **OPEN TO THE PUBLIC**

Councilwoman Le Frois opened the meeting to the public.

Peg Baldini, 10 Barry Lane, Newton, questioned the two draft ordinances and asked what the number of vehicles allowed. She asked if the Council had an opinion on the petition being circulated which would eliminate the "brave" in the Newton "Braves" logo.

Mr. Russo addressed the question of Ms. Baldini regarding the numbers of vehicles in the draft ordinance. He noted there is no number of vehicles in the draft ordinance because it is based on the size of the driveway.

Councilman Dickson noted the Newton Board of Education has not addressed the "petition" but would keep the Council updated.

Maureen Snellen, Plainfield Avenue, thanked the Newton Police for a job well done on their recent drug bust.

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

### **COUNCIL & MANAGER COMMENTS**

Mayor Diglio thanked Councilwoman Le Frois for running the meeting on her behalf. She also thanked Councilman Schlaffer and Councilman Dickson for their understanding.

Councilwoman Le Frois congratulated Terri Oswin on her recent position as Deputy Town Manager. She also thanked Newton Police as well as the residents for their patience with the Div. of Motor Vehicle office recent re-opening. She also wished everyone a continued safe journey during this pandemic.

**EXECUTIVE SESSION** – None.

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There being no further business to be conducted, upon motion of Mr. Schlaffer, seconded by Mr. Dickson and unanimously carried, the regular meeting was adjourned at 8:53 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine A. Read".

Lorraine A. Read, RMC  
Municipal Clerk