

November 9, 2020  
(VIA ZOOM)

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:00 pm. Present via Zoom were Mr. Dickson, Deputy Mayor Flynn (@7:02pm), Mr. Schlaffer, Mrs. Le Frois, Mayor Diglio, and Thomas S. Russo, Jr, Town Manager. Ursula Leo, Esq., Town Attorney and Monica Miebach, CFO, were also present.

Mayor Diglio read the following declaration: "This meeting is being held in accordance with the Revised Annual Notice, which was published in the NJ Herald on October 19, 2020 and posted at Town Hall and on the Town website on October 16, 2020. The agenda for this meeting and relevant documents, if any, were made available on the Town's website, [www.newtontownhall.com](http://www.newtontownhall.com), prior to this meeting. The Town of Newton Remote Public Meeting Protocol, adopted by the Council via Resolution 222-2020, shall be followed, and this meeting is being recorded. Members of the public will be muted except during the open public session, when members of the public may make public comments, after first identifying themselves."

Mayor Diglio led the Pledge of Allegiance to the flag and the Municipal Clerk called the roll. Upon motion of Mrs. Le Frois, seconded by Mr. Dickson and unanimously carried, the minutes for the October 26, 2020 Regular Meeting and November 4, 2020 Executive Session was 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."*

Ludmilla Mecaj, 9 Madison Street, Newton, had several questions regarding Ordinance 2020-22 which was addressed by Monica Miebach, CFO.

Margaret Baldini, 10 Barry Lane, Newton, asked for clarification on Ordinances #2020-23 and #2020-24 which was addressed by Mr. Russo.

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

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## **COUNCIL & MANAGER REPORTS**

**Mayor Diglio** – “As of November 9th, there are 2,096 cases of COVID and the number of people who have recovered is now 1,709. Despite the increase very few people are going to the hospital; however, I am sad to report that we have had one death increasing the number to 198. My sincere condolences to the family. With the increasing numbers if you know of an individuals who may be experiencing feelings of helplessness and depression due to the COVID limitations, please give them the Hotline # 973-579-9488.

On October 31st the Town and the Fire Department hosted years, but the Halloween Parade and Trunk or Treat. I have judged this event for many this year the number of participants was amazing and the judges had a difficult time deciding on the winners.

November 1st the Town hosted its 2nd Flags of Honor. The ceremony was beautiful and I want to thank Tom Russo, the Town Manager, Kimberly Williams, the Community Coordinator, as well as all the Town municipal workers and the Recreation Committee for making this event such a success. There were approx. 100 flags purchased in memory of or to honor the men and women who have served this country so that we can have the freedoms that we cherish. Wednesday is Veterans Day. If you know or see a veteran, please take the time to thank them for their service.

### **A few announcements:**

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.

We seem to be experiencing an Indian summer so please feel free to visit a local Restaurant. Outdoor dining has been extended and indoor dining is available. Thanksgiving is around the corner with Christmas not far behind, please shop local to keep our businesses open during this COVID time.”

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

**Councilman Dickson** – “On Oct 27th, I attended via ZOOM the 3rd presentation of a 3 part series on marijuana legalization presented by The Coalition for Healthy and Safe Communities. The presentation dealt with the impact of legalization on a community level.

The Board of Education met on Oct 27th. The board approved the contract of James Sekelsly as school board administrator/board secretary for the 2020-2021 school year, with a salary of \$154,000 prorated to the start date of January 28th 2021 (which comes out to \$65,351). Approved the submission of a comprehensive maintenance plan as required by the NJ DOE, documenting a 3 year maintenance plan for “required” maintenance activities. At the prior meeting the board had voted to change the health insurance plan, creating savings to the district and employees alike. Although done on a routine basis, the board, after receiving feedback during the budget process in the spring, and the recent availability to join in the SHIF, the board directed the insurance broker to explore their options.

What a fantastic turn out we had on Halloween for our annual Halloween parade, costume contest and trunk or treat. Thank you to Kimberly Williams and everyone who make this event possible. Thank you to all the participants who came out and enjoyed some Halloween fun.

Our Flags of Honor event took place on Sunday, Nov 1st. This is such a great way to honor veterans while raising money that benefits them in the process. I want to thank Tom Russo, for bringing such a moving event to Newton. Thank you to everyone who made this event a fitting tribute to honor our veterans.”

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

**Councilwoman Le Frois** – Thanked Jenn Dodd and Tom Russo for the recent mandated Ethics Training held, via ZOOM, for Town staff. On Oct. 31<sup>st</sup>, she attended Katie's House fundraiser. She toured the new Katie's House facility on Moran Street. She attended the Halloween Parade on Oct. 31<sup>st</sup> and noted a record attendance of 324 participating kids. She attended the Flags of Honor event on Sunday, November 1<sup>st</sup>, which was once again a fantastic event. Mrs. Le Frois noted a letter of support from Alex Cable, President/Owner of Thorlabs, for a grant opportunity to NJDOT. She noted the additional restrictions to restaurants beginning November 12<sup>th</sup>, as per the Governor. She noted the Town of Newton has applied for various grants this year and thanked Mr. Russo and his team for their due diligence with same.

**Town Manager Russo** – Also noted the Halloween Parade and the Flags of Honor events were well attended and enjoyable. He thanked all who participated and organized these events. He thanked all those who served. The Newton Municipal Building will be closed on Wednesday, Nov. 11<sup>th</sup> in observation of Veterans Day. He advised several town employees will be attending the "virtual" League of Municipalities conference this year from Nov. 16-20, 2020.

Mrs. Oswin, Deputy Town Manager also provided a report:

- 2<sup>nd</sup> Annual Flags of Honor was held Sunday, November 1<sup>st</sup>
  - We received 104 donations
  - \$3,250 was raised. 100% of the proceeds were given to Community Hope and was passed on to "Hope to Veterans"
- The Community Development Department held a Fall Decorating Contest
  - The residential winner was the Sanchez family on Union Place
  - The commercial winner was CBD of Newton on Spring Street
- The Recreation Department hosted a Town-Wide Jack o' lantern carving contest.
  - Approximately 10 submissions were received via email
    - i. 3<sup>rd</sup> place – the Waters Family
    - ii. 2<sup>nd</sup> place – Sarah Woodrow
    - iii. 1<sup>st</sup> place – Ashley Gresik
- The Annual Halloween Parade on Saturday, October 31<sup>st</sup>
  - Over 300 participants
  - The Trunk or Treat had 14 stations

**Upcoming Events:**

- The Fire Department will be doing a hybrid Holiday Parade on Saturday, November 28<sup>th</sup>.
  - Santa will ride around Town on a fire truck with lights and sirens Residents can stand on their lawn and wave to Santa
- Holiday Lights Decoration Contest for residents and businesses is taking place Nov 1 – 30. Judging will take place after the tree lighting. Participants should email their location to [marketing@newtontownhall.com](mailto:marketing@newtontownhall.com)

**OLD BUSINESS** – None.

**ORDINANCES** –

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

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(VIA ZOOM)

**ORDINANCE 2020-22**

**REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2011, OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$2,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,800,000 GENERAL OBLIGATION REFUNDING BONDS OF THE TOWN FOR FINANCING 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 Town of Newton, in the County of Sussex, New Jersey (the "Town") is hereby authorized to refund all or a portion of the outstanding General Obligation Bonds, Series 2011, of the Town, dated August 30, 2011, issued in the original principal amount of \$6,610,000 (the "2011 Bonds"). The 2011 Bonds maturing on or after August 15, 2022 (the "Refunded Bonds") may be redeemed at the option of the Town in whole or in part on any date on or after August 15, 2021 (the "Redemption Date") at a redemption price equal to 100% of such Refunded Bonds, plus unpaid accrued interest, if any, to the Redemption Date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed \$2,800,000 pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. 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 \$2,800,000 amount of the Refunding Bonds authorized by this refunding bond ordinance and that an amount representing the \$2,555,000 principal amount of the bonds to be refunded will be deductible from gross debt. The

obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 5. The purpose of the refunding is to affect an interest cost savings for the Town.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 7. The Mayor, the Chief Financial Officer, the Town Clerk, and other appropriate representatives of the Town are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the Town to prepare for the sale and the issuance of the Refunding Bonds authorized herein and to provide for the redemption of the Refunded Bonds referred to in Section 1 hereof.

Section 8. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Diglio opened the meeting to the public.

Ludmilla Mecaj, 9 Madison Street, had questions regarding Bond Ordinance #2020-22, which was addressed by Monica Miebach, CFO.

There being no one else 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 Deputy Mayor Flynn and roll call resulted as follows:

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

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

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

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**ORDINANCE 2020-23**

**ORDINANCE APPROPRIATING \$30,000 FROM THE GENERAL CAPITAL FUND BALANCE TO BE REIMBURSED IN PART UPON RECEIPT OF A \$24,000 GRANT AVAILABLE FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE 2012 TRAIL GRANT PROJECT PHASE III PROVIDING FOR THE CONTINUED REHABILITATION OF THE SUSSEX BRANCH TRAIL IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY**

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

**Section 1.** \$30,000 is hereby appropriated from the General Capital Fund Balance in and by the Town of Newton, in the County of Sussex, New Jersey (the "Town") to be reimbursed in part upon receipt of a \$24,000 grant available from the New Jersey Department of Environmental Protection for the 2012 Trail Grant Project Phase III involving the continued rehabilitation of the Sussex Branch Trail, including engineering, work, materials, and related costs.

**Section 2.** The Town has been approved by the New Jersey Department of Environmental Protection for a \$24,000 grant for the project described in Section 1 above, available on a reimbursement basis, and upon receipt the proceeds of the grant will be applied to reimburse the General Fund Balance Account.

**Section 3.** The Town hereby certifies it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent the 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 4.** This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Mayor Diglio opened the meeting to the public.

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

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

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

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

The Clerk will advertise the above Ordinance according to law.

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

**ORDINANCE 2020-24**

**AN ORDINANCE ADOPTING A NEW SECTION 307-44.A, CROSSWALKS, TO CHAPTER 307, VEHICLES AND TRAFFIC, IN THE TOWN OF NEWTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY & APPROVE A MID-BLOCK CROSSWALK ON TRINITY STREET**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Governing Body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules, and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of a person and property, and for the preservation of the public health, safety, and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

**WHEREAS**, per N.J.S.A. 39:4-8, the Town of Newton may designate and install crosswalks provided the Town Engineer shall certify to the Town the crosswalk designation (1) has been approved by the Town Engineer after investigation of the circumstances; (2) appears to be in the best interest of safety; and (3) conforms to the current standards prescribed by the Manual of Uniform Traffic Control Devices for Streets and Highways; and

**WHEREAS**, the Town of Newton desires to create a new Section 307-44.A, Crosswalks, of Chapter 307, Vehicles and Traffic, of the Revised Ordinances of the Town of Newton, Sussex County, New Jersey to establish crosswalk locations in the Town; and

**WHEREAS**, the Town Engineer has determined it would be in the best interest of the Town of Newton to install a mid-block crosswalk along Trinity Street, 150 feet to the west of Stuart Street, to provide safe crossing for pedestrians, hikers, and bikers at the location where the Sussex Branch Rail Trail crosses Trinity Street;

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

**SECTION 1:** A new Section 307-44.A, Crosswalks shall be adopted as follows:

Section 307-44.A – Crosswalks

All crosswalk markings and signage shall be installed in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways. Crosswalks are established at the following locations:

Trinity Street, mid-block crosswalk, 150 feet west of the intersection of Stuart Street.

**SECTION 2: SEVERABILITY AND REPEALER**

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Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held invalid.

**SECTION 3: NOTICE**

The Municipal Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Sussex County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Municipal Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

**SECTION 4: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

Mayor Diglio opened the meeting to the public.

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

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

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

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

The Clerk will advertise the above Ordinance according to law.

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

**ORDINANCE 2020-25**

**AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2021**

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

Mr. Dickson	Yes	Deputy Mayor Flynn	Yes
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, November 23, 2020 via video conferencing.

**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 #237-2020\***

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

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

**WHEREAS**, the Town of Newton has been awarded a grant in the amount of \$3,446.00 from the Statewide Insurance Fund for grant funding toward the purchase of 7 Police level IV ballistic rifle plates plus 6 flexible durable In-Street pedestrian signs;

**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:

SIF Risk Control Grant –Rifle Plates, and Pedestrian Signs ..... \$3,446.00

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

SIF Risk Control Grant – Rifle Plates, and Pedestrian Signs ..... \$3,446.00

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

**RESOLUTION #238-2020\***

**AUTHORIZE CREDIT DUE WATER AND SEWER UTILITY ACCOUNT**

**WHEREAS**, in the fourth quarter of 2018, Sparta Real Estate purchased three additional meters for their property at 196 Spring Street; and

**WHEREAS**, the plumber incorrectly split the lines after the original meter instead of before the meter; and

**WHEREAS**, in the fourth quarter of 2018 and the first quarter of 2019, usage was recorded on both the original meter and the additional meters; and

**WHEREAS**, Sparta Real Estate was double charged for the gallons recorded on the additional meters; and

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**WHEREAS**, the plumber was delayed in fixing the problem and Sparta Real Estate was again double charged for the gallons recorded on the additional meters; and

**WHEREAS**, Town personnel have confirmed the meters are now installed correctly;

**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 aforementioned property owner for two additional quarters of duplicate water charges.

**REFUND FOR ERRONEOUS WATER CHARGES**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
466	196 Spring Street	\$2,207.26

**RESOLUTION #239-2020\***

**APPROVAL OF EXTENSION OF CONTRACT FOR CHEMICAL SUPPLIES BID PER BID  
16-2018**

**WHEREAS** there is a need for Chemical Supplies for use at the Town of Newton Water and Sewer Treatment Plants; and

**WHEREAS** the Town of Newton received bids for two (2) year Chemical Supplies under Bid 16-2018 duly advertised and received in a public manner on November 28, 2018 at 11:00am; and

**WHEREAS**, Holland Company, Inc., 153 Howland Ave, Adams, Massachusetts and Main Pool and Chemical, 11 0 Commerce Road, Dupont, Pa 18641, were awarded through Resolution #42-2019 a two-year contract; and

**WHEREAS** the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-15), allows for a two (2) year extension of contract by resolution of the Governing Body; and

**WHEREAS** the contract terms and conditions will be the same as awarded under authorizing Resolution #42-2019 for Bid 16-2018, ending January 28, 2021; and

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2021, and 2022 Water Sewer Utility Budget, the Chief Financial Officer will certify funds pursuant to N.J.A.C. 5:30-5.5(b2) open-end contract: through the budgetary accounting encumbrance process set forth in N.J.A.C. 5:30-5.3(c) and 5:30-5.4(b), in an amount NOT TO EXCEED as follows:

2021 Water Sewer Budget – Sewer Plant – OE – Chlorination/Chemical For Items 1, 2, 3, and 4 of Bid 16-2018	#6077208	\$172,000.00
2021 Water Sewer Budget – Water Treatment – OE – Chlorination/Chemical For Items 6, 7, and 8 of Bid 16-2018	#6064208	\$30,000.00
2022 Water Sewer Budget – Sewer Plant – OE – Chlorination/Chemical For Items 1, 2, 3, and 4 of Bid 16-2018	#6077208	\$172,000.00
2022 Water Sewer Budget – Water Treatment – OE – Chlorination/Chemical For Items 6, 7, and 8 of Bid 16-2018	#6064208	\$30,000.00

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

Holland Company, Inc., 153 Howland Ave, Adams, Massachusetts and Main Pool and Chemical, 11 0 Commerce Road, Dupont, Pa 18641, are hereby awarded an extension of contract for two (2) years in accord with N.J.S.A. 40A:11-15 with identical tenets and pricing as found within Bid 16-2018 and Resolution #42-2019.

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**RESOLUTION #240-2020\***

**AUTHORIZE REFUND OF TAXES FOR BLOCK 9999, LOT 3**

**WHEREAS**, New Jersey Tax Court in *Verizon New Jersey, Inc. v Hopewell Borough* has determined under §54:4-1, a local exchange telephone company providing dial tone and access to less than 51% of the local telephone exchange was not subject to personal property tax; and

**WHEREAS**, United Telephone Company of NJ, owner of Block 999, Lot 3 stated in a letter dated August 26, 2019 they no longer provide dial tone and access to at least 51% of the local telephone exchanges in the Town of Newton; and

**WHEREAS**, the Town of Newton Tax Assessor, Scott J. Holzhauer in his email of February 14, 2020 has informed the Governing Body all United Telephone Properties in Newton are now carried at a zero value for the Tax Year 2020 based on the 51% land line threshold and the *Verizon New Jersey, Inc. v Hopewell Borough* tax appeal decision; and

**WHEREAS**, a refund is due to United Telephone of NJ in the amount of \$79,470.57 for payments made for the 1<sup>st</sup> and 2<sup>nd</sup> quarter taxes, 2020;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Governing Body acknowledges a refund is due to United Telephone of NJ in the amount of \$79,470.57 for payments made; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be directed and authorized to refund the tax overpayment in the amount of \$79,470.57 to United Telephone of NJ, PO Box 2599, Olathe, KS 66063.

**RESOLUTION #241-2020\***

**AUTHORIZE REFUND OF TAXES; BLOCK 2.03, LOT 11, 28 HILLSIDE TERRACE, NEWTON, NJ**

**WHEREAS**, Christine L. Salerno recently purchased Block 2.03, Lot 11, also known as 28 Hillside Terrace, Newton, New Jersey; and

**WHEREAS**, Robert A. Mattia, Esq., attorney for Ms. Salerno, the buyer, paid the 4<sup>th</sup> quarter 2020 taxes as did the former owners mortgage company Wells Fargo resulting in overpayment in the amount of \$2,129.00 on October 20, 2020; and

**WHEREAS**, Robert A. Mattia, Esq. has requested the overpayment be refunded;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Governing Body acknowledges a refund is due to Robert A. Mattia, Esq. in the amount of \$2,129.00; and

**BE IT FURTHER RESOLVED**, the Tax Collector be authorized to refund the tax overpayment in the amount of \$2,129.00 to Robert A. Mattia Trust Account, 52 Trinity St., Newton, NJ 07860.

**RESOLUTION #242-2020\***

**ACCEPT THE PROPOSED IMPROVEMENTS TO HALSTED STREET & MADISON STREET – SECTION II PROJECT AS FINAL AND COMPLETE**

**WHEREAS**, the Town Council of the Town of Newton awarded contracts for the Proposed Improvements to Halsted Street & Madison Street – Section II Project through the Morris County Co-op by the adoption of Resolution #144-2020 on June 22, 2020:

To Tilcon New York through the Morris County Co-op

\$138,475.65

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To Denville Line Painting through the Morris County Co-op	\$7,347.74
To Campbell Foundry Co. through the Morris County Co-op	\$854.00
<b>Total Cost through Morris County Co-op for the Project</b>	<b>\$146,677.39</b>

**WHEREAS**, the Town Council duly advertised and received bids in a public manner on July 17, 2020 at 11:00am for the Construction of ADA Ramps on Halsted Street and Madison Street – Section II Project and awarded the contract to Cifelli & Son General Contracting, Inc., by the adoption of Resolution #154-2020 on June 22, 2020 for a contract amount of \$35,847.50; and

**WHEREAS**, the Town Council approved a Change Order for Tilcon New York for a final contact cost of \$119,527.30 for the paving portion by the adoption of Resolution #202-2020 on September 16, 2020; and

**WHEREAS**, the Town Council approve Change Order No. 1 for Cifelli & Son Contracting for a final contract cost of \$38,584.50 for the ADA Ramps portion by the adoption of Resolution #203-2020 on September 16, 2020; and

**WHEREAS**, the Town Council approved Change Order No. 1 for Denville Line Striping for a final contact cost of \$8,685.16 for the traffic striping portion, by the adoption of Resolution #214-2020 on September 28, 2020; and

**WHEREAS**, the Town Engineer, Harold E. Pellow & Associates, Inc., recommends the project be accepted as final and complete in a memo dated October 26, 2020;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby accepts the Proposed Improvements to Halsted Street & Madison Street – Section II Project as final and complete based on the recommendation of Harold E. Pellow and Associates and the final paperwork be processed.

**RESOLUTION #243-2020\***

**TO CANCEL CURRENT APPROPRIATION BALANCE**

**WHEREAS**, the following Current Fund 2020 budget appropriation balance remain unexpended;

State of Emergency – Coronavirus, S&W A/C#10945751	\$32,349.66
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**WHEREAS**, per N.J.S.A. 40A:4-60 any unexpended balances of appropriations may, by resolution of the Governing Body, be canceled prior to the end of the fiscal year to operations (which then gets closed to fund balance);

**NOW, THEREFORE BE IT RESOLVED**, by a majority of the full membership of the Town Council of the Town of Newton, that the above listed unexpended balances of the Current Fund be canceled to Current Operations.

**RESOLUTION #244-2020\***

**APPROVE 2020 APPROPRIATION TRANSFERS**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that the following 2020 appropriation transfers be approved effective this date:

<u>From</u>	<u>To</u>	<u>Amount</u>
<u>CURRENT</u>		
Employee Group Ins. OE 1066201	State of Emergency, Coronavirus OE 10945752	\$32,349.66

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Finance Administration –Printing OE 1054252	Debt Service Interest on Notes 1096240	\$1,312.52
Employee Group Ins. OE 1066201	Health Benefit Waiver 1066300	\$5,400.00
<b>TOTAL CURRENT TRANSFERS</b>		<b>\$39,062.18</b>

**RESOLUTION #245-2020\***

**EXTENSION OF BID 1-2019 SLUDGE HAULING CONTRACTOR FOR TWO (2) YEARS  
UNDER N.J.S.A. 40A:11-15**

**WHEREAS**, there is a need for Sludge Hauling services contractor in the Town of Newton; and

**WHEREAS**, the Town of Newton received bids for Sludge Hauling services under Bid 1-2019 duly advertised and received in a public manner on January 8, 2019 at 10:30am; and

**WHEREAS**, Accurate Waste Systems Inc., of 160 Gold Mine Road, Flanders, N.J., its successors and/or assigners has provided for the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document; and

**WHEREAS**, Accurate Waste Systems was purchased by Russell Reid Waste Management 200 Smith Street, Keasbey, NJ 08832; and

**WHEREAS**, the Town of Newton’s Qualified Purchasing Agent, Sean P. Canning, of The Canning Group, has concurred with the legality of the purchase in accordance with the New Jersey Local Publics Contract Law (N.J.S.A. 40A:11-1 et. seq); and

**WHEREAS** the New Jersey Local Publics Contract Law allows for a two (2) year contract extension under N.J.S.A. 40A:11-15; and

**WHEREAS** Russell Reid Waste Management has agreed to extend prices for an additional two (2) years under the same tenets and prices as bid submittal 1-2019; and

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2021 and 2022 Water & Sewer Utility Budgets, the Chief Financial Officer hereby certifies funds pursuant to N.J.A.C. 5:30-5.5. (b)(2), open end contract; through the budgetary accounting encumbrance process set forth in N.J.A.C. 5:30-5.3 (c) and 5:30-5.4 (b),for an estimated amount of \$122,000.00 as follows:

Sewer Plant OE – Digester Operation A/C#6077221

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

Russell Reid Waste Management the successor and/or assigner to Accurate Waste Systems is authorized to extend the current contract awarded under Bid 1-2019 for an additional two (2) years from February 1, 2021 to January 31, 2023 to provide for sludge hauling services at the following rates:

<b>Item 1A</b>		
	<b>Unit Price per gallon</b>	<b>0.0479</b>
<b>PVSC</b>		
<b>Item 1B</b>		

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Unit Price Per Gallon 0.045  
Parsippany

Item 2A  
Unit Price per gallon  
Sparta to Newton 0.045

**RESOLUTION #246-2020\***

**APPROVE NEW ESTIMATED COST FOR BID 1-2019 FOR SLUDGE HAULING SERVICES**

**WHEREAS**, the Town of Newton received bids for Sludge Hauling services under Bid 1-2019 duly advertised and received in a public manner on January 8, 2019 at 10:30am; and

**WHEREAS**, by the adoption of Resolution 43-2019, the Newton Town Council awarded the contract for Sludge Hauling Services to Accurate Waste Systems Inc., of 160 Gold Mine Road, Flanders, N.J., its successors and/ or assigners which provided for the lowest bid deemed responsive and responsible to the specifications and legal requirements as provided for within the bid document for an estimated amount of \$95,000.00; and

**WHEREAS**, Accurate Waste Systems was purchased by Russell Reid Waste Management, 200 Smith Street, Keasbey, NJ 08832; and

**WHEREAS**, the Town of Newton’s Qualified Purchasing Agent, Sean P. Canning of The Canning Group has 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**, the Chief Financial Officer hereby certifies funds in the 2020 Water & Sewer Utility Budget pursuant to N.J.A.C. 5:30-5.5. (b)(2), open end contract; through the budgetary accounting encumbrance process set forth in N.J.A.C. 5:30-5.3 (c) and 5:30-5.4 (b), for a new estimated amount of \$119,000.00 as follows:

Sewer Plant OE – Digester Operation A/C#6077221

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

Accurate Waste Systems entered into a two (2) year contract from February 1, 2019 to January 31, 2021 to provide for sludge hauling services at the following rates:

Item 1A  
Unit Price per gallon PVSC 0.0479

Item 1B  
Unit Price Per Gallon  
Parsippany 0.045

Item 2A  
Unit Price per gallon Sparta  
to Newton 0.045

**RESOLUTION #247-2020\***

**AUTHORIZE AGREEMENT WITH PASSAIC VALLEY SEWERAGE COMMISSION FOR DISPOSAL OF MUNICIPAL SLUDGE**

**WHEREAS** the Town of Newton is required to dispose of sludge from its Wastewater Treatment Plant; and

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(VIA ZOOM)

**WHEREAS**, the Town of Newton has utilized Passaic Valley Sewerage Commission (PVSC) for disposal of the Town of Newton's sludge pursuant to written 2001 contract; and

**WHEREAS** PVSC has proposed a new written agreement to the Town of Newton for the disposal of sludge, the terms of which agreement include, but are not limited to a term of five years and a basic cost of \$42.00 per 1,000 gallons; and

**WHEREAS**, the Town of Newton through its Qualified Purchasing Agent, Sean P. Canning of The Canning Group has investigated all available and economically feasible opportunities for the proper disposal of sludge from the Town of Newton and has concluded the PVSC is the most economical and comprehensive service available to the Town of Newton; and advised the Town accordingly; and

**WHEREAS** subject to the Governing Body appropriating sufficient funds in the 2018, 2019, 2020, 2021, and 2022 Water Sewer Utility Budgets, the Chief Financial Officer has certified funds are available as follows:

W/S Utility – Sewer Plant, OE – Digester Operation #6077221 @\$42.00 per thousand gallons with a new estimate of \$95,000.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, has hereby executed an agreement with Passaic Valley Sewerage Commission for a five-year contract for the disposal of sludge which is on file in the Municipal Clerk's Office.

**RESOLUTION #248-2020\***

**TO CANCEL A NJ DOT GRANT RECEIVABLE BALANCE AND IMPROVEMENT AUTHORITY BALANCE IN THE GENERAL CAPITAL FUND WITH THE BALANCE RETURNING TO GENERAL CAPITAL FUND BALANCE**

**WHEREAS**, the Town of Newton received an award in 2018 in the amount of \$90,000.00 from the State of New Jersey Department of Transportation for Church Street; and

**WHEREAS**, there is an unexpended balance of \$34,913.45 in General Capital Improvement Authorization - Ordinance 2018 - 7 for Improvements to Church Street; and

**WHEREAS**, the Town Engineer had stated in a Final Paperwork memorandum to the Town Manager in January 2020 there are no additional costs for this project; and

**WHEREAS**, there is a grant receivable balance of \$12,554.50 *Due from State of New Jersey Department of Transportation* for Liberty Street on the General Capital balance sheet; and

**WHEREAS**, it is necessary to formally cancel the receivable balance against the Unexpended Improvement Authorization, leaving a balance of \$22,358.95 to be cancelled back to General Capital Fund Balance;

**NOW, THEREFORE BE IT RESOLVED**, by a majority of the full membership of the Town Council of the Town of Newton, that we hereby cancel the following grant receivable and the balance of the General Capital appropriation:

**General Capital Fund**

NJ DOT Grant Receivable – Church Street (Ord #2018-7) #3001526	\$12,554.50
Improvement Authorization Ord #2018-7 Church Street #30918071	\$34,913.45

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(VIA ZOOM)

**RESOLUTION #249-2020\***

**TO CANCEL A NJ DOT GRANT RECEIVABLE BALANCE AND IMPROVEMENT AUTHORITY  
BALANCE IN THE GENERAL CAPITAL FUND**

**WHEREAS**, the Town of Newton received an award in 2019 in the amount of \$98,192.00 from the State of New Jersey Department of Transportation for Plainfield Avenue; and

**WHEREAS**, there is an unexpended balance of \$55,311.33 in General Capital Improvement Authorization - Ordinance 2019 - 3 for Improvements to Plainfield Avenue; and

**WHEREAS**, the Town Engineer had stated in a Final Paperwork memorandum to the Town Manager in April 2020 the project has been completed and accepted by the Town officials and the Town Engineer and there are no additional costs for this project; and

**WHEREAS**, there is a grant receivable balance of \$15,122.30 *Due from State of New Jersey Department of Transportation* for Plainfield Avenue on the General Capital balance sheet; and

**WHEREAS**, it is necessary to formally cancel the receivable balance against the Unexpended Improvement Authorization;

**NOW, THEREFORE BE IT RESOLVED**, by a majority of the full membership of the Town Council of the Town of Newton, that we hereby cancel the following grant receivable and the balance of the General Capital appropriation:

**General Capital Fund**

NJ DOT Grant Receivable (Ord #2019-3) #3001527 Plainfield Ave.	\$15,122.30
Improvement Authorization (Ord #2019-3) #30919031 Plainfield Ave.	\$55,311.33

**RESOLUTION #250-2020\***

**REFUND OF OVERPAYMENT TO OUTSIDE LIEN HOLDER FOR BLOCK 17.01, LOT 42, ALSO  
KNOWN AS 45 MASON AVENUE, NEWTON, NJ**

**WHEREAS**, at the Municipal Tax Sale held on October 23, 2019 a lien was sold on Block 17.01, Lot 42, also known as 45 Mason Avenue, Newton, NJ, for 2018 delinquent utility charges; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2019-008 was sold to Fig cust Fig NJ 19, LLC & Sec Pty for a 0% redemption fee; and

**WHEREAS**, the paramount lienholder, HTC REO, LLC has effected the redemption of Certificate #2019-008 on March 10, 2020; and

**WHEREAS**, the former lienholder, Fig cust Fig NJ 19, LLC & Sec Pty made a tax payment in error in the amount of \$1,174.54 and a utility payment in the amount of \$949.47 for a grand total of \$2,124.01;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body acknowledges Fig cust Fig NJ 19, LLC & Sec Pty is entitled to a refund of both the tax and utility payments made in error in the amount of \$2,124.01; and

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Newton confirms and acknowledges the Treasurer shall issue a check, in the amount of \$2,124.01, to Fig cust Fig NJ 19, LLC & Sec Pty, PO Box 54226, New Orleans, LA 70154.

November 9, 2020  
(VIA ZOOM)

**RESOLUTION #251-2020\***

**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**

2550 3861 - A ROYAL FLUSH, INC.	642.44	642.44
2551 921 - AIRGAS EAST	186.96	186.96
2552 89 - AIRMARK POOLS, INC.	2,250.74	2,250.74
2553 4106 - ALL GAS & WELDING SUPPLY CO., INC.	623.83	623.83
2554 98 - AURORA ELECTRICAL SUPPLY, LLC.	19.18	19.18
2555 32 - B & R UNIFORM, INC.	373.50	373.50
2556 1132 - BOONTON TIRE SUPPLY INC.	37.44	
PO 57919 Tires for Toyota Camry "OEM-2"	469.80	507.24
2557 3893 - CAMPBELL SUPPLY OF SUSSEX CTY LLC	68.10	68.10
2558 3015 - CAPITOL SUPPLY CONST PRODUCTS, INC.	1,573.36	1,573.36
2559 163 - CENTURYLINK COMMUNICATIONS, INC.	125.85	125.85
2560 2843 - CHELBUS CLEANING CO., INC.	2,899.00	2,899.00
2561 3770 - CINTAS PO 56461 Water Filtration/Cooler/Cleaning	45.00	
PO 56461 DPW/WS: Water Filtration/Cooler/Cleaning	45.00	90.00
2562 4299 - COPSPLUS INC.	781.66	781.66
2563 176 - COUNTY OF SUSSEX	971,833.66	971,833.66
2564 178 - COUNTY OF SUSSEX	72,413.33	72,413.33
2565 1425 - COUNTY OF SUSSEX	3,916.24	3,916.24
2566 2361 - CSS LLC.	48.00	48.00
2567 4353 - DANIEL FEDERICI	1,094.56	1,094.56
2568 768 - DEMPSEY UNIFORM & SUPPLY INC	436.02	
PO 56571 DPW/ WS Uniforms, Mats/ Supplies 1/2020	2,239.87	2,675.89
2569 2386 - DOMINICK'S PIZZA LLC	147.57	147.57
2570 50 - E.A. MORSE & COMPANY, INC.	1,951.34	1,951.34
2571 3124 - EXTRA TECH DATA SERVICES, LLC.	530.00	530.00
2572 2394 - FEDERAL & STATE GRANT	1,145.00	1,145.00
2573 2394 - FEDERAL & STATE GRANT	5,956.38	5,956.38
2574 225 - FEDERAL EXPRESS	31.86	31.86
2575 197 - FIRE FIGHTERS EQUIPMENT CO. INC.	81.00	81.00
2576 2626 - GENERAL CODE, LLC	1,195.00	1,195.00
2577 1608 - GOLD TYPE BUSINESS MACHINES	3,411.00	3,411.00
2578 232 - HAMBURG PLUMBING SUPPLY CO INC	7.71	7.71
2579 230 - HAYEK'S MARKET INC.	123.84	
PO 57976 Refreshments	36.00	
PO 57987 Refreshments - HR Training Seminar DPW	23.95	
PO 57994 FOOD ELECTION	21.54	205.33
2580 1866 - HOME DEPOT, INC.	3,482.89	
PO 57995 DPW/ WS Mat/ Spls/ Repairs to October 31	1,731.65	5,214.54
2581 3491 - IAMRESPONDING.COM	810.00	810.00
2582 4222 - INSTANTCARD	19.35	19.35
2583 3235 - J. CALDWELL & ASSOCIATES, LLC.	442.50	442.50
2584 3756 - JACKI SHACKLETON	150.00	150.00
2585 113 - JCP&L	12,278.80	
PO 57979 SEPT ELECTRIC	326.60	12,605.40
2586 4132 - JET VAC EQUIPMENT, LLC	4,330.90	4,330.90
2587 2427 - KEY-TECH, INC.	1,800.00	1,800.00
2588 1566 - MAIN POOL & CHEMICAL COMPANY, INC.	528.00	528.00
2589 409 - MINISINK PRESS INC	2,110.00	2,110.00

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2590 53 -	MONTAGUE TOOL & SUPPLY, INC.	809.73	809.73
2591 3450 -	MORRIS ASPHALT SUPPLY, LLC	760.54	
	PO 57941 Asphalt/Sewer Rpr	630.25	1,390.79
2592 3651 -	MORTON SALT, INC.	25,172.35	25,172.35
2593 2201 -	NEWTON FIRE DEPARTMENT	12,900.00	12,900.00
2594 3894 -	Newton Medical Center Foundation	5,250.00	5,250.00
2595 2835 -	NJMEBF PO 57926 MEDICAL/DENTAL -NOV	138,003.00	
	PO 57926 MEDICAL/DENTAL -NOV	27,960.00	165,963.00
2596 64 -	PELLOW, HAROLD & ASSO, INC.	162.50	
	PO 57952 PB CONSULT - AUG 2020	130.00	
	PO 57953 PUNCTUATED EQUIL-AUG ESCROW	32.50	
	PO 57955 WEISS-AUG ESCROW	130.00	
	PO 57963 RED KNIGHT PROP-AUG ESCROW	260.00	
	PO 57964 RED KNIGHT PROPERTIES - AUG ESCROW	390.00	1,105.00
2597 4220 -	Peter Bond FOR HOLIDAY TREE LIGHTING	75.00	
	PO 57895 SANTA FOR HOLIDAY TREE LIGHTING	75.00	150.00
2598 4204 -	PLANET NETWORKS INC.	319.90	
	PO 56917 B: INTERNET est.\$339.90 x 11=\$3738.90 ID	339.90	659.80
2599 39 -	QUILL CORPORATION	154.42	154.42
2600 2478 -	RACHLES/MICHELE'S OIL COMPANY, INC.	1,940.91	1,940.91
2601 3731 -	READY REFRESH BY NESTLE	96.76	96.76
2602 3973 -	Schlosser, Theresa	150.00	150.00
2603 126 -	SCMUA	1,466.26	
	PO 57980 TRASH REMOVAL SEPT/OCT	595.70	2,061.96
2604 4024 -	SPECTROTEL	627.64	627.64
2605 2257 -	STAPLES PO 56391 B: OFFICE SUPPLIES	39.18	
	PO 56704 OFFICE SUPPLIES REC/POOL cust #C1329496	118.80	
	PO 57911 FINANCE OFFICE SUPPLIES	56.15	
	PO 57911 FINANCE OFFICE SUPPLIES	29.79	
	PO 57969 mouse and laptop cases for	161.91	405.83
2606 2485 -	STEVE VAN NIEUWLAND	10.00	10.00
2607 2056 -	SUBURBAN PROPANE, LP.	2,230.41	2,230.41
2608 1453 -	SUSSEX COUNTY LOCK & SAFE,	40.00	40.00
2609 130 -	SUSSEX COUNTY P & H, INC. PO 56356 B: PLUMBING SUPPLIES	335.85	335.85
2610 3897 -	SYNCHRONY BANK PO 57970 WEB CAM	399.92	
	PO 57996 COVID - Masks/Thermometers for Buildings	632.84	1,032.76
2611 371 -	T.A. MOUNTFORD COMPANY, INC.	250.00	250.00
2612 2479 -	TAYLOR OIL CO., INC.	1,554.94	1,554.94
2613 4197 -	TOPOLOGY NJ, LLC. PLANNER REDEVEL BL#10.01	375.00	895.00
2614 154 -	TOWNSHIP OF SPARTA	153.33	153.33
2615 2781 -	TRIMBOLI & PRUSINOWSKI, LLC.	3,536.00	3,536.00
2616 4305 -	UGI ENERGY SERVICES LLC	285.23	
	PO 57925 NATURAL GAS SUPPLIER -SEPT	214.49	499.72
2617 1819 -	VOGEL,CHAIT,COLLINS,SCHNEIDER, PC,	210.00	
	PO 57959 BEYOND THE WALK - AUG ESCROW	15.00	
	PO 57960 BEYOND THE WALK - SEPT ESCROW	15.00	
	PO 57961 RED KNIGHT PROPERTIES-SEPT ESCROW	105.00	
	PO 57962 RED KNIGHT PROP-SEPT ESCROW	225.00	
	PO 57965 RED KNIGHT PROP-AUG ESCROW	330.00	
	PO 57966 NEWTON BOE-SEPT ESCROW	435.00	
	PO 57967 NEWTON BOE-AUG ESCROW	15.00	1,350.00
2618 1819 -	VOGEL,CHAIT,COLLINS,SCHNEIDER, PC,	150.00	150.00
2619 2635 -	W.B. MASON, INC.	82.83	
	PO 57690 Notary Stamp and Seal for K. Walker; tis	18.58	101.41
2620 1500 -	WALMART	611.64	
	PO 57951 FALL FEST SUPP'S	211.53	823.17
2621 382 -	WELDON ASPHALT COMPANY, INC.	6,754.47	6,754.47

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**TOTAL**

\$1,343,351.67

100130 INTERFUND RECEIVABLE - PAYROLL ACCT 20,687.63

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100135	INTERFUND RECEIVABLE - STATE/FED GRANTS			5,956.38
101235	TAX OVERPAYMENTS			1,094.56
101262	DUE COUNTY - LIBRARY TAX			72,413.33
101263	DUE COUNTY - PURPOSE TAX			971,833.66
101266	DUE COUNTY - OPEN SPACE TAX			3,916.24
101299	Due to Clearing 0.00			1,275,182.36
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES			1,371.41
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES			31.86
1051500	ELECTIONS - OTHER EXPENSES			21.54
1053200	HUMAN RESOURCE - OTHER EXPENSES			331.36
1054200	FINANCE ADMINISTRATION - OTHER EXPENSES			300.00
1056200	COLLECTION OF TAXES - OTHER EXPENSES			29.79
1058200	LEGAL SERVICES - OTHER EXPENSES			3,536.00
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES			6,966.12
1062200	PLANNING BOARD - OTHER EXPENSES			130.00
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE			117,315.37
1070200	FIRE DEPARTMENT - OTHER EXPENSES			891.00
1072200	AID TO VOLUNTEER FIRE DEPTS - OTHER EXP			12,900.00
1074200	POLICE DEPARTMENT - OTHER EXPENSES			5,704.24
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES			3,604.60
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES			1,311.66
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES			3,676.64
1081200	SNOW REMOVAL - OTHER EXPENSES			25,172.35
1083200	RECYCLING/SANITATION - OTHER EXPENSES			1,441.75
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES			554.62
1085200	OCCUPATIONAL HEALTH - OTHER EXPENSES			48.00
1087200	RECREATION - OTHER EXPENSES			276.10
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES			5,520.97
1090200	SWIMMING POOL - OTHER EXPENSES			2,250.74
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES			642.44
1092200	CELEBRATION OF PUBLIC EVENTS - OE			211.53
1094550	RECYCLING TAX (PL2007 c.311)O/S CAP			24.51
1094575	STATE OF EMERGENCY - CORONAVIRUS			3,350.96
1094800	PUBLIC & PRIVATE PROGRAMS O/S CAP			1,145.00
1095200	CAPITAL IMPROVEMENTS - OTHER EXPENSES			520.00
<hr/>				
<b>TOTALS FOR CURRENT FUND</b>		199,280.56	0.00 1,075,901.80	1,275,182.36
<hr/>				
211200	RESERVE FOR ANIMAL CONTROL			153.33
211299	DUE TO CLEARING 0.00		153.33	
<hr/>				
<b>TOTALS FOR DOG RESERVE</b>		0.00	0.00 153.33	153.33
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301299	Due to Clearing 0.00			2,175.00
3091817	ORD 2018-17 Prelim Plan/Redev \$50T fully			375.00
3091914	ORD 2020 - 8 HALSTED & MADISON STS			1,800.00
<hr/>				
<b>TOTALS FOR CAPITAL</b>		2,175.00	0.00 0.00	2,175.00
<hr/>				
601299	DUE TO CLEARING		0.00	62,162.94
6051200	W&S OPERATING - TOTAL OTHER EXPENSES		62,162.94	
<hr/>				
<b>TOTALS FOR WATER/SEWER UTILITY</b>		62,162.94	0.00 0.00	62,162.94
<hr/>				
611299	DUE TO CLEARING		0.00 760.54	
6192011	ORD 2020 - 18 REPL SEWR MAIN, LOW.SPR ST			760.54
<hr/>				
<b>TOTALS FOR WATER/SEWER CAPITAL</b>		760.54	0.00 0.00	760.54

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711299	DUE TO CLEARING		0.00	2,787.50
711440	ENGINEER REVIEW FEES		2,787.50	

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**TOTALS FOR TRUST** 0.00 0.00 2,787.50 2,787.50

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721299	DUE TO CLEARING		0.00	130.00
721362	WEISS #143		130.00	

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**TOTALS FOR DEVELOPERS ESCROW (Fund 72)** 0.00 0.00 130.00 130.00

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Total to be paid from Fund 21	DOG RESERVE			153.33
Total to be paid from Fund 30	CAPITAL			2,175.00
Total to be paid from Fund 60	WATER/SEWER UTILITY			62,162.94
Total to be paid from Fund 61	WATER/SEWER CAPITAL			760.54
Total to be paid from Fund 71	TRUST			2,787.50
Total to be paid from Fund 72	DEVELOPERS ESCROW (Fund 72)			130.00

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**TOTAL** 1,343,351.67

42712	MI RANCHO MEXICAN GRILL			50.00
206060	JP MORGAN CHASE BANK 2012			125,168.75
206059	JP MORGAN CHASE BANK refund USDA \$1685			15,587.50
1125	S/NJ EMPLOYER ACCOUNTS UNEMPLOYMENT – 2020			27,679.31
42711	NEWTON PIZZA PO# 57937 Pizza lunch			71.96
42710	JOSEPH D CALABRESE PO# 57930 LOGISTICS FLAGS OF HONOR			125.00
201084	PAYROLL ACCOUNT 10/28 Current Pay			188,736.06
207135	PAYROLL ACCOUNT 10/29 Trust Pay			10,135.50
206058	PAYROLL ACCOUNT 10/29 W/S Payroll			40,743.06
201131	PAYROLL ACCOUNT 10/29 Grant Payroll			534.81
201083	WATER & SEWER OPERATING \$1685T@ 3.12			15,587.50

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**TOTAL** \$424,419.45

Totals by fund Previous Checks/Voids Current Payments Total

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Fund 10	CURRENT FUND	204,570.52	1,275,182.36	<b>1,479,752.88</b>
Fund 11	FEDERAL/STATE GRANTS	534.81		<b>534.81</b>
Fund 21	DOG RESERVE		153.33	<b>153.33</b>
Fund 30	CAPITAL		2,175.00	<b>2,175.00</b>
Fund 60	WATER/SEWER UTILITY	181,499.31	62,162.94	<b>243,662.25</b>
Fund 61	WATER/SEWER CAPITAL		760.54	<b>760.54</b>
Fund 71	TRUST	10,135.50	2,787.50	<b>12,923.00</b>
Fund 72	DEVELOPERS ESCROW (Fund 72)		130.00	<b>130.00</b>
Fund 73	SUI (Fund 73)	27,679.31		<b>27,679.31</b>

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**BILLS LIST TOTALS** 424,419.45 1,343,351.67 1,767,771.12

A motion was made by Mr. Dickson to approve the **COMBINED ACTION**

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

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

**DISCUSSION**

November 9, 2020  
(VIA ZOOM)

**a. Best Practices/Parking Authority**

Mr. Russo and Mrs. Miebach outlined the 2020 Best Practice Inventory requirements. It was noted the Town did well with a score of 24, which exceeds the State mandate score of 16. Council was pleased with the Town's score and thanked Mr. Russo and Mrs. Miebach for their efforts. Also noted that the Town renewed the Parking Authority operations with no recommended changes for 2021.

**OPEN TO THE PUBLIC**

Mayor Diglio opened the meeting to the public.

Ludmilla Mecaj, 9 Madison Street, expressed her disappointment with Deputy Mayor Flynn comments after the public hearing on Ordinance #2020-22.

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

**COUNCIL & MANAGER COMMENTS**

There were no Council & Manager comments at this time.

**EXECUTIVE SESSION -**

Upon motion of Mrs. Le Frois, seconded by Deputy Mayor Flynn and unanimously carried, Council entered Executive Session at 7:41pm.

Upon motion of Deputy Mayor Flynn seconded by Mr. Schlaffer and unanimously carried, Council left Executive Session at 8:08 pm.

There being no further business to be conducted, upon motion of Mr. Le Frois, seconded by Deputy Mayor Flynn and unanimously carried, the regular meeting was adjourned at 8:09 pm.

Respectfully submitted,



Lorraine A. Read, RMC  
Municipal Clerk