

December 14, 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, 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 December 14, 2020 and posted at Town Hall and on the Town website on December 4, 2020. The agenda for this meeting and relevant documents, if any, were made available on the Town's website, 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 Mr. Schlaffer, seconded by Mrs. Le Frois and carried, the minutes for the November 23, 2020 Regular meeting 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."

Grace Dickson, 50 Dogwood Drive, thanked Mr. Russo and his team for allowing her organization to borrow the Santa house for their Santa breakfast event. In such trying times, she was so appreciative of the great gesture which allowed the families and children of CFPC to enjoy their event. She also thanked Newton Police for their assistance. She also thanked Helen Le Frois and Dan Flynn for their years of service and wished them well in their new endeavors.

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 December 14th, there are 3997 cases of COVID and the number of people who have recovered is now 3101. Unfortunately there have been 6 deaths since my last report. My sincere condolences to the families. With the increased stresses due to the various lockdowns, school closings, etc. if you know of an individual who may be experiencing feelings of helplessness and depression due to these COVID limitations, please give them the Hotline # 973 579 9488.

On December 4th, the Town welcomed Santa and we had a tree lighting ceremony. I was not there personally, but I did watch the live coverage. Many thanks to our Town Manager, Tom Russo, Our Community Service Director, Kimberly Williams, our DPW workers for decorating the building and our Recreation Director, Sherri Kaylani and her committee as well as the firemen, NFAS members, police and all municipal workers who helped to make this event such a success. And a special thank you to Santa.

On December 7th I attended a Parking Authority meeting where we discussed the report provided by Harold Pellow concerning overnight parking. More to follow on that after the holidays.

I received a letter dated November 16th, 2020 from the NJ Dept. of Transportation advising me that the Town will be receiving \$177,000.00 for the resurfacing of Elm St., Hampton St. and upper Union Place.

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.

The Town does have decorating contests going on for the Holidays so please check out the Town website for details.

I would like to congratulate Michele Teets and John-Paul Couche on being elected to the Town Council. They will be sworn in on January 5th. It is with a sad heart that I say goodbye to Councilman Dan Flynn and Councilwoman Helen Le Frois. During our time together on Council we have learned a great deal from each other and I will miss you both and the knowledge you brought to the meetings... This is also my last meeting as Mayor of our great Town. This past year has been a challenge due to COVID and the many Executive orders from the governor. Despite the many closings the Town was able to offer so stability by having concerts, fireworks and movies in the park, the Fall Festival and Classic Car Show and the Halloween Parade. And we followed COVID rules. Thanks to the Fire Dept. members, Santa arrived in Town on November 26th and was driven around Town in the Fire Truck.

As many of you know Firehouse 2 was and the pool renovations were completed. Due to the delay with the pool renovations, the Council voted to eliminate pool fees for all Newton residents for the 2021 season. For a complete list of projects please see the Fall Newsletter.

I want to thank Tom for all his hard work this past year. We had some rough moments but we got thru it. My thanks to all the people who work for this Town. As the Mayor I have enjoyed working with many of you. Thanks to all the volunteers on our various committees. It is the cooperation of everyone that makes this Town a good place to be. Thank you for allowing me to serve as your Mayor. Merry Christmas and Happy Holidays to all.”

Deputy Mayor Flynn – No comment at this time.

Councilman Dickson – “The BOE meeting was held on Nov 24th via Zoom. Updates were given on the Halsted vestibule project as well as the completion of the Halsted

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porous pavement project that was done in a partnership with Sussex County MUA and grant funding from the NJDEP. After an executive session the board voted on and passed an agreement with the manufacturer to minimize the loss for the modular trailers. The last BOE meeting of the year will be via Zoom on Dec. 22nd.

I attended the annual tree lighting on December 4th. Always a great event, it was a great chance to get into the holiday spirit despite all that has occurred this year. I want to thank Tom and his staff, Kimberly Williams, the recreation committee, the DPW, FD, PD, EMS and of course Santa for taking the time to visit Newton. Both the tree and Town hall looked great and all had a good time.

Dan, you served the Town of Newton and its residents with dedication and honor. Our time together on the council ended up being shorter than I may have liked, but I have looked to you as a mentor since I was elected. You may be leaving us as a council member, but your impact on the town will continue to move Newton forward. Thank you for everything and I wish you all the best.

Helen, you have served our residents with poise and grace. Your passion and excitement for the Town of Newton and this position was exuded in all that you did. Thank you for being an example of how a council member should conduct themselves. Thank you for your dedication to continue to move Newton forward. I know you will continue to serve the community in different roles."

Councilman Schlaffer – He praised the decision of Dan Flynn, who decided not to re-run another term on the Town Council and wished him and his family all the very best. He thanked Mr. Flynn for his guidance while serving as his fellow colleague on the Council. He noted he feels there was a "huge error" in not re-electing Helen Le Frois to the Town Council. And will miss her leadership and poise.

Councilwoman Le Frois – She thanked Sandi, Jason, and Matt for their positive comments. She updated on several events happening in the Town of Newton. She too attended the tree lighting ceremony which was a delight. She congratulated the Newton High School Football team on their incredible season. She wished everyone a Happy, and Healthy New Year!

Town Manager Russo – Congratulated the Newton HS Football team for their undefeated season. He commented on the fantastic tree lighting ceremony and thanked all who attended and to Kimberly Williams who planned the event. He noted he was pleased to assist Center for Prevention on their holiday festivities. Mr. Russo noted several important dates: Dec. 18th closing at Noon for a social distance holiday gathering for employees. On Dec. 24th and Dec. 25th Town Hall will be closed in observation of Christmas Eve and Christmas Day. Also Town Hall will be closing at 1:00pm on December 31st and closed on January 1st. He reminded of the Reorganization meeting on Tuesday, Jan. 5th at Noon, which will be held outside. He has been working with Kat Walker on mental health services information which will be uploaded to our Town website. He also congratulated Michelle Teets and John-Paul Couce on their election to the Newton Town Council.

PRESENTATIONS –

At this time, Mayor Diglio presented a plaque to Dan Flynn which read:

IN GRATEFUL APPRECIATION OF YOUR 8 YEARS OF DEDICATED AND DEVOTED SERVICE
TO THE TOWN COUNCIL AND THE RESIDENTS OF THE TOWN OF NEWTON

IN FURTHER APPRECIATION OF YOUR LEADERSHIP AND COMMITMENT TO EXCELLENCE IN
PUBLIC SERVICE

**NEWTON TOWN COUNCIL
2012 – 2020**

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Mrs. Diglio further noted that it was a pleasure to work with Dan for these past eight years and he will truly be missed.

Mr. Flynn thanked Sandy Diglio for her dedication and friendship during his eight years of service.

Mrs. Le Frois also thanked Mr. Flynn for his years of dedicated service on the Newton Town Council.

At this time, Mayor Diglio presented a plaque to Helen Le Frois which read:

IN GRATEFUL APPRECIATION OF YOUR 4 YEARS OF DEDICATED AND DEVOTED SERVICE
TO THE TOWN COUNCIL AND THE RESIDENTS OF THE TOWN OF NEWTON

IN FURTHER APPRECIATION OF YOUR LEADERSHIP AND COMMITMENT TO EXCELLENCE
IN PUBLIC SERVICE

**NEWTON TOWN COUNCIL
2016 - 2020**

Mr. Russo read from a prepared statement: "I wanted to say thank you to Dan and Helen for their many years of dedicated service to the people of the Town of Newton.

Additionally, on behalf of the staff, volunteers, and professionals, thank you for being a pleasure to work with and for.

Whether by serving collaboratively on the Governing Body as a member of Council, or by leading the team as Deputy Mayor or Mayor, you have exemplified service to others by your tireless preparation, willingness to listen and learn, fair treatment of those with differing opinions, and a sincere desire to move the Town you love forward into a brighter future.

On a personal note, thank you for being friends and mentors. Thank you for treating me with respect and kindness even when times were challenging. I have been honored to serve under your direction and guidance.

To Dan, I wish continued success with his thriving engineering duties, and his wonderful young family.

To Helen, I am sad to see you leave the board but know your influence on the Town will continue with volunteer endeavors for the Parking Authority and Planning Board, where you will lend critical expertise to our exciting redevelopment projects like G&H, Paterson Avenue, Hicks Avenue, and McGuire's. Thank you for the work you will continue on behalf of the Town and I wish you continued success at JBWS and with Greg and the family.

May God continue to bless each of you and your families with much good health, love, peace, hope, and joy this season and always."

OLD BUSINESS – None.

ORDINANCES –

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

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ORDINANCE 2020-26

AN ORDINANCE TO AMEND CHAPTER 307, VEHICLES AND TRAFFIC, ARTICLE IV, "PARK AND RIDE PARKING LOT", SECTION 307-27, "GENERAL PARKING" OF THE CODE OF THE TOWN OF NEWTON

BE IT ORDAINED, by the Town Council of the Town of Newton, that Chapter 307-27(B)(3), be amended to read as follows:

Section 1: Section 307-27(B)(3) shall be deleted and replaced in its entirety:

§ 307-27. General Parking be amended as follows:

No person shall park a truck in the designated area of the park and ride lot without first obtaining a permit for which application shall be made to the Town Clerk annually on or before January 1 of each year on forms provided by the Town Clerk, and paying the required fee per §100-15. Such permit shall be displayed prominently inside of the parked truck's driver's side of the windshield.

Section 2. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Date. This Ordinance will take effect after publication and passage according to law.

Mayor Diglio opened the meeting to the public.

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

The aforementioned **ORDINANCE**, was offered by Deputy Mayor Flynn who moved its adoption, 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	

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 2020-27

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING GENERAL OBLIGATION REDEVELOPMENT AREA BONDS, SERIES 2010A (FEDERALLY TAXABLE), GENERAL OBLIGATION REDEVELOPMENT AREA BONDS, SERIES 2010B (TAX-EXEMPT) AND REFUNDING BONDS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$11,225,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,225,000 GENERAL OBLIGATION REFUNDING BONDS OF THE TOWN FOR FINANCING THE COST THEREOF

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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 following bonds of the Town:

(i) \$3,070,000 outstanding principal amount of its General Obligation Redevelopment Area Bonds, Series 2010A (Federally Taxable), dated October 28, 2010, originally issued in the aggregate principal amount of \$4,000,000, maturing on May 15 in each of the years 2023 through 2032, inclusive (the "Refunded Taxable GO RAB Bonds"), which Refunded Taxable GO RAB Bonds are subject to redemption on any date on or after May 15, 2021, at the option of the Town at a redemption price of 100% of the principal amount of the Refunded Taxable GO RAB Bonds to be redeemed; and

(ii) \$350,000 outstanding principal amount of its General Obligation Redevelopment Area Bonds, Series 2010B (Tax-Exempt), dated October 28, 2010, originally issued in the aggregate principal amount of \$350,000, maturing on May 15 in the year 2032 (the "Refunded Tax-Exempt GO RAB Bonds"), which Refunded Tax-Exempt GO RAB Bonds are subject to redemption on any date on or after May 15, 2021, at the option of the Town at a redemption price of 100% of the principal amount of the Refunded Tax-Exempt GO RAB Bonds to be redeemed; and

(iii) \$6,700,000 outstanding principal amount of its Refunding Bonds, dated July 25, 2012, originally issued in the aggregate principal amount of \$10,210,000, maturing on May 1 in each of the years 2023 through 2038, inclusive (the "Refunded 2012 Bonds and, together with the Refunded Taxable GO RAB Bonds and the Refunded Tax-Exempt GO RAB Bonds, the "Refunded Bonds"), which Refunded 2012 Bonds are subject to redemption on any date on or after May 1, 2022, at the option of the Town at a redemption price of 100% of the principal amount of the Refunded 2012 Bonds to be redeemed.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in various series as necessary in the aggregate principal amount not to exceed \$11,225,000 pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$235,000 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 \$11,225,000 amount of the Refunding Bonds authorized by this refunding bond ordinance and that an amount representing the \$10,120,000 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 effect 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.

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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.

There being no one from the public to be heard, upon motion of Deputy Mayor Flynn 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. Schlaffer and roll call resulted as follows:

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

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

The Clerk will advertise the above Ordinance according to law.

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 #266-2020*

RESOLUTION AUTHORIZING THE EXECUTION OF A TEMPORARY DEED OF EASEMENT FOR THE PROPERTY LOCATED AT 26 MASON STREET, NEWTON, NJ (KATIE'S HOUSE, INC.)

WHEREAS, Katie's House, Inc., is a non-profit 501(c)(3) organization that provides supportive housing to people with intellectual and developmental disabilities; and

WHEREAS, Katie's House, Inc., is the owner of the property located at 26 Mason Street, Newton, NJ Block 18.04, Lot 23, in the Town of Newton, and has requested a 3' x 10' temporary easement within Lawnwood Avenue for the construction and maintenance of a handicap ramp within the easement area, as shown on the attached survey prepared by Alan A. Lamoureux, P.L.S., dated April 18, 2012; and

WHEREAS, the Town desires to enter into a Deed of Easement with Katie's House, Inc., to allow the temporary easement, without any Town obligation or liability regarding the encroachment on the property, and only for so long as Katie's House owns the property and utilizes the easement for a handicap ramp;

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NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Mayor and Clerk are authorized to execute and record the enclosed Temporary Deed of Easement for the property known as Block 18.04, Lot 23 with the Sussex County Clerk's Office.

RESOLUTION #267-2020*

AUTHORIZE THE RELEASE OF EXECUTIVE SESSION MINUTES TO THE PUBLIC"

WHEREAS, the Newton Mayor and Council met in Executive Session on certain occasions; and

WHEREAS, as a result of these Executive Sessions, minutes were prepared and approved by the Mayor and Council although the minutes were not released to the public; and

WHEREAS, the Town Attorney, Town Clerk, and Town Manager have reviewed such approved minutes and recommend the release of certain meeting minutes to the public;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex, and State of New Jersey, that the minutes of the following Executive Sessions be released to the public:

8/10/2020
11/4/2020
11/9/2020

BE IT FURTHER RESOLVED, that these specified minutes may be released to the public upon request.

RESOLUTION #268-2020*

REIMBURSE TOWN EMPLOYEES FOR VEHICLE EXPENSES FOR CALENDAR YEAR 2021

WHEREAS, certain Town of Newton employees use their private vehicles in connection with Town business; and

WHEREAS, such employees routinely use their vehicles for travel within Sussex County; and

WHEREAS, it is appropriate to reimburse said Town employees for use of their personal vehicles;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the employees listed below receive the following quarterly allowances for all vehicular trips within Sussex County effective January 1, 2021:

<u>Employee</u>	<u>Position</u>	<u>Estimated Miles/Qtr.</u>	<u>Quarterly Amount</u>
Scott Holzhauser	Tax Assessor	200 miles	\$115.00
Sherri Kaylani	Recreation Supervisor	200 miles	\$115.00
Jason Miller	Deputy OEM Coordinator & Deputy Fire Chief	350 miles	\$200.00

BE IT FURTHER RESOLVED, the following employees are to receive an annual stipend for vehicular trips for Town banking purposes:

<u>Employee</u>	<u>Position</u>	<u>Amount</u>
Theresa Schlosser	Tax Collector	\$150.00

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Jacki Shackleton

Utility Collector

\$150.00

BE IT FURTHER RESOLVED that for out-of-town business trips, employees, and officers of the Town of Newton who use their personal means of transportation shall be reimbursed, in accordance with the IRS standard allowance for business miles driven, in effect at the time of travel, from Newton to the point of destination and return during calendar year 2021.

RESOLUTION #269-2020*

APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB OWNER'S LICENSE FOR DORAGAIL SPICER T/A DADS TAXI & LIMO

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**, "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to the expiration to the Chief of Police"; and

WHEREAS, the Police Department has completed the necessary investigation and submitted a letter advising the renewal Taxicab Owner's License application is complete and accurate; and

WHEREAS, in accordance with **§283.6, Inspection of Vehicles**, "Before a vehicle is used as a taxicab within the Town it shall be inspected...to ascertain that it is in a safe, clean and sanitary condition and contains all safety devices required by law";

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the renewal Taxicab Owner's License application submitted by Doragail Spicer, 81 Skytop Road, Newton, NJ 07860, t/a D.A.D.S. Taxi & Limo, which shall expire November 26, 2021; and

BE IT FURTHER RESOLVED that the applicant must remain in compliance with all aspects of **Chapter 283**, of the Code of the Town of Newton, as well as, the provisions of N.J.R.S. 46:16.

RESOLUTION #270-2020*

APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR GLENN T. SPICER

WHEREAS, the Code of the Town of Newton requires under **§283.2, License Required**. "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising the renewal Taxicab Driver's license application is complete and accurate; and

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Glenn T. Spicer, 81 Skytop Road, Newton, NJ 07860 and represents D.A.D.S. Taxi & Limo, which will expire on November 26, 2021.

RESOLUTION #271-2020*

APPROVAL OF A RENEWAL APPLICATION FOR TAXICAB DRIVER'S LICENSE FOR DORAGAIL SPICER

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WHEREAS, the Code of the Town of Newton requires under **283-2, License Required**. "No person shall operate a taxicab within the town unless both the owner and the driver of the taxicab are licensed under this chapter." "All licenses issued under this chapter are deemed valid for one (1) year and requests for renewal must be submitted at least thirty (30) days prior to expiration to the Chief of Police"; and

WHEREAS, the Newton Police Department has completed the necessary investigation and submitted a letter advising the renewal Taxicab Driver's license application is complete and accurate; and

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Newton that it hereby approves the application for the renewal Taxicab Driver's License submitted by Doragail Spicer, 81 Skytop Road, Newton, NJ 07860 and represents D.A.D.S. Taxi & Limo, which will expire on November 26, 2021.

RESOLUTION #272-2020*

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>CURRENT</u>	<u>To</u>	<u>Amount</u>
Municipal Court S&W 1059100	Planning Board OE 1062200	8,000.00
Elections OE 1051500	Vehicle Maintenance Rd OE 1083380	4,600.00
Human Resources OE 1053200	Vehicle Maintenance Rd OE 1083380	2,000.00
Group Health Insurance OE 1066201	Town Manager S&W 1050100	4,370.00
Group Health Insurance OE 1066201	Town Clerk S&W 1051100	155.00
TOTAL CURRENT TRANSFERS		\$19,125.00

RESOLUTION #273-2020*

AUTHORIZE CHANGE ORDER NO. 1 FOR THE REPAIRS TO THE FINAL CLARIFIER AT THE WASTEWATER TREATMENT PLANT PROJECT

WHEREAS, on June 22, 2020, the Newton Town Council adopted Resolution #149-2020, awarding the Repairs to the Final Clarifier at the Wastewater Treatment Plant Project to BR Welding, Inc., in the amount of \$348,500.00; and

WHEREAS, the Town Sewer Engineer, Frederick J. Margron, P.E., REM, CEA of Professional Consulting, Inc., recommends in his letter dated November 17, 2020, approving Change Order No. 1, for the Repairs to the Final Clarifier at the Wastewater Treatment Plant Project for a sixty-four (64) day extension for completion;

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NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby concurs with the Town Engineer's recommendation and accepts Change Order No. 1 for the Repairs to the Final Clarifier at the Wastewater Treatment Plant Project to extend the project completion date by sixty-four (64) days, for an overall contract time of one hundred and eighty-four (184) days; and

BE IT FURTHER RESOLVED, that a copy of Change Order No. 1, and Mr. Margron's recommendation letter of November 17, 2020 be attached to and made part of this Resolution.

RESOLUTION #274-2020*

APPOINTMENT OF JOSEPH CARR AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY WATER QUALITY POLICY ADVISORY COMMITTEE

BE IT RESOLVED, by the Town Council of the Town of Newton that Licensed Operator, Joseph Carr, is hereby appointed as the municipality's representative to the Sussex County Water Quality Policy Advisory Committee for 2021 and will attend regular meetings of said Committee conducted on the second Thursday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED, that, if required, Newton's Licensed Operator or his designee may also attend workshop meetings of the Sussex County Water Quality Policy Advisory Committee; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Chairman of the Sussex Water Quality PAC.

RESOLUTION #275-2020*

DESIGNATE THE TOWN MANAGER AS THE NATIONAL ORGANIZATION ON DISABILITY REPRESENTATIVE FOR CALENDAR YEAR 2021

WHEREAS, the Town Manager has historically been appointed as the National Organization of Disability representative for the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Manager, Thomas S. Russo, Jr., is hereby appointed as the National Organization on Disability representative for the Town of Newton; and

BE IT FURTHER RESOLVED that the Mayor and the Town Manager are authorized to sign any documents that may be required by the National Organization on Disability to confirm this appointment.

RESOLUTION #276-2020*

APPOINTMENT OF ADAM VOUGH AS MUNICIPAL REPRESENTATIVE TO THE SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE FOR 2021

BE IT RESOLVED by the Town Council of the Town of Newton the Assistant Public Works Supervisor, Adam Vough, is hereby appointed as the municipality's representative to the Sussex County Solid Waste Advisory Committee (SWAC) to attend regular meetings of said Committee conducted on the second Tuesday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center at One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED that, if required, the Assistant Public Works Supervisor or his designee, may also attend workshop meetings of the Sussex County Solid Waste Advisory Committee; and

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BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chairman of the Sussex County SWAC.

RESOLUTION #277-2020*

DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER FOR CALENDAR YEAR 2021

BE IT RESOLVED, by the Town Council of the Town of Newton that Monica B. Miebach, Chief Financial Officer for the Town of Newton, is hereby designated as the Public Agency Compliance Officer for the Town of Newton for 2021; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the NJ Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity, as requested by said agency.

RESOLUTION #278-2020*

RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Town of Newton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties;

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

- 1) The sale of surplus property shall be conducted through Municibid pursuant to NJ State Contract 19-GNSV1-00696 in accordance with the terms and conditions of the State Contract.
- 2) The sale will be conducted online and the address of the auction site is <https://municibid.com>.
- 3) A list of the surplus property to be sold is as follows:
 - a. 2006 Ford Explorer
Vin: 1FMEU72E46UB70046
Condition: Fair
- 4) The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- 5) The Town of Newton reserves the right to accept or reject any bids submitted.

RESOLUTION #279-2020*

AUTHORIZING THE AWARD OF A PROPRIETARY CONTRACT TO PALL WATER

WHEREAS, it has been determined the software and technology systems in place for the existing system installed by Pall Water, 839 NYS Rte. 13 Cortland, NY 13045 at the Morris Lake Water Treatment Facility needs upgrades and repair; and

WHEREAS, the majority of the filtration software and components operate on a proprietary platform that was installed by Pall Water, 839 NYS Rte. 13 Cortland, NY 13045, and any upgrades must be compatible with this system; and

WHEREAS, the "Local Public Contracts Law" provides except for contracts which require the performance of professional services, all contracts or agreements that are less than the bid threshold but are fifteen percent (15%) or more of that amount, two

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competitive quotations, whenever practicable, shall be solicited by the contracting agent; and

WHEREAS, N.J.S.A. 40A:11--5(dd) provides goods or services may be purchased by an authorizing resolution of the Governing Body without public bidding if such goods or services are for the purchase, support, or maintenance of proprietary software; and

WHEREAS, Pall Water, 839 NYS Rte. 13 Cortland, NY 13045 has provided a proposal to the Morris Lake Water Treatment Facility to furnish, install, maintain, upgrade, and support the same in the amount of \$23,664.68; and

WHEREAS, the Water and Sewer Utility has reviewed the proposal and hereby recommends authorizing a contract with Pall Water, 839 NYS Rte. 13 Cortland, NY 13045 for purchase, installation, maintenance, and upgrades to the security system; and

WHEREAS, the Chief Financial Officer hereby certifies sufficient funds in the 2020 budget, will be encumbered of \$23,664.68 as follows:

Account name and number:		
WS Capital Outlay	6089293	\$17,355.39
W Equipment	6064226	\$ 6,309.29

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Newton does hereby authorize an agreement with Pall Water, 839 NYS Rte. 13 Cortland, NY 13045 for the maintenance and software upgrade contract of existing system components at the Morris Lake Water Treatment Facility in the amount of \$23,664.68.

RESOLUTION #280-2020*

AUTHORIZE REFUND OF TAXES; BLOCK 21.07, LOT 8, FOR A VETERAN DEDUCTION

WHEREAS, Block 21.07, Lot 8, also known as 18 Gardner Avenue, Newton, NJ is owned by Diane and Vincent J. Koert Sr.; and

WHEREAS, based on an application received by the Tax Collector, for a Veterans Property Tax Deduction, Mr. Koert's deduction of \$250.00 has been approved; and

WHEREAS, the taxes are paid in full thus resulting in a refund due for Tax Year 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 Vincent J. Koert Sr., in the total amount of \$250.00.

RESOLUTION #281-2020*

REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 5.05, LOT 11, ALSO KNOWN AS 20-22 CLINTON STREET

WHEREAS, at the Municipal Tax Sale held on October 7, 2020, a lien was sold on Block 5.05, Lot 11, also known as 20-22 Clinton Street, for 2019 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2020-002 was sold to CC1 NJ II, LLC for a 0% redemption fee and a premium of \$1,200.00; and

WHEREAS, Charles Anderson, the owner, has effected the redemption of Certificate #2020-002 in the amount of \$409.33;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges CC1 NJ II, LLC is entitled to a redemption in the amount of \$409.33 as well as the return of the premium in the amount of \$1,200.00; and

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BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$409.33 for the redemption and a check in the amount of \$1,200.00 for the return of the premium for Certificate #2020-002 to CC1NJ II, LLC, PO Box 123800, Dallas, TX 75312.

RESOLUTION #282-2020*

**REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 13.06, LOT 13,
ALSO KNOWN AS 84 WOODSIDE AVENUE**

WHEREAS, at the Municipal Tax Sale held on October 7, 2020, a lien was sold on Block 13.06, Lot 13, also known as 84 Woodside Avenue, for 2019 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2020-005 was sold to US Bank cust/PRO CAP 8/Pro Capital Mgt II for a 0% redemption fee and a premium of \$1,800.00; and

WHEREAS, Corelogic, Inc., the Mortgage Company for the owner, has effected the redemption of Certificate #2020-005 in the amount of \$648.85;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges US Bank cust/PRO CAP 8/Pro Capital Mgt II is entitled to a redemption in the amount of \$648.85 as well as the return of the premium in the amount of \$1,800.00; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$648.85 for the redemption and a check in the amount of \$1,800.00 for the return of the premium for Certificate #2020-005 to US Bank cust/PRO CAP 8/Pro Capital Mgt II, 50 South 16th St., Suite 2050, Philadelphia, PA 19102.

RESOLUTION #283-2020*

**REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER FOR BLOCK 14.04, LOT 11,
ALSO KNOWN AS 3 LAWNWOOD AVENUE**

WHEREAS, at the Municipal Tax Sale held on October 7, 2020, a lien was sold on Block 14.04, Lot 11, also known as 3 Lawnwood Avenue, for 2019 delinquent utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2020-006 was sold to US Bank cust/PRO CAP 8/Pro Capital Mgt II for a 0% redemption fee and a premium of \$1,100.00; and

WHEREAS, Mark Lee, the owner, has effected the redemption of Certificate #2020-006 in the amount of \$1,094.62;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges US Bank cust/PRO CAP 8/Pro Capital Mgt II is entitled to a redemption in the amount of \$1,094.62 as well as the return of the premium in the amount of \$1,100.00; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$1,094.62 for the redemption and a check in the amount of \$1,100.00 for the return of the premium for Certificate #2020-006 to US Bank cust/PRO CAP 8/Pro Capital Mgt II, 50 South 16th St., Suite 2050, Philadelphia, PA 19102.

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RESOLUTION #284-2020*

AUTHORIZING THE TOWN OF NEWTON TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUSSEX FOR COUNTYWIDE MUTUAL AID AND ASSISTANCE BETWEEN PARTICIPATING UNITS

WHEREAS, the New Jersey Fire Service Resource Emergency Deployment Act, N.J.S.A. 52:14E-11, et seq. and Fire Service Resource Emergency Deployment Regulations, N.J.A.C. 5:75A-2.2, require municipalities to adopt local fire mutual aid plans; and

WHEREAS, the Town of Newton desires to enter into a Countywide Mutual Aid and Assistance Agreement ("Agreement") with Sussex County and other participating Sussex County municipalities to provide coordination of mutual aid and fire assistance; and

WHEREAS, the Town of Newton desires to enter into this Agreement, effective January 1, 2021 through December 31, 2023, regarding mutual aid and fire assistance;

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

1. The Mayor is hereby authorized to execute this Agreement between the County of Sussex and all Participating Units.
2. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Sussex County.

RESOLUTION #285-2020*

TRANSFER OF SCHOOL MONIES FOR THE PERIOD FROM JANUARY 1, 2021 TO JUNE 30, 2021

BE IT RESOLVED by the Town Council of the Town of Newton that the Town Treasurer be authorized to turn over to the Treasurer of School Monies, as monies become available, \$6,663,038.00 to meet the obligations of the Newton Board of Education, in accordance with the Statutes and the request of the Board of Education of Newton.

Amount of Tax Voted (Inclusive of Debt Service)	\$13,857,415.00
Amount Received to Date	7,194,377.00
Amount of This Request	<u>6,663,038.00</u>
Balance Due Board of Education	0.00

RESOLUTION #286-2020*

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$11,225,000 PRINCIPAL AMOUNT OF REFUNDING BONDS OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS

BE IT RESOLVED 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:

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Section 1. The Town of Newton, in the County of Sussex, New Jersey (referred herein as the "Town") hereby authorizes the sale, in various series, of an amount not to exceed \$11,225,000 Refunding Bonds (the "Bonds") by virtue of its final adoption by a two-thirds majority of its full membership on December 14, 2020 of a bond ordinance entitled, "Refunding Bond Ordinance Providing for the Refunding of All or a Portion of the Outstanding General Obligation Redevelopment Area Bonds, Series 2010A (Federally Taxable), General Obligation Redevelopment Area Bonds, Series 2010B (Tax-Exempt) and Refunding Bonds of the Town of Newton, in the County of Sussex, New Jersey, Appropriating \$11,225,000 Therefor and Authorizing the Issuance of \$11,225,000 General Obligation Refunding Bonds of the Town for Financing the Cost Thereof" (the "Bond Ordinance").

Section 2. The Bonds are hereby authorized to be sold to NW Capital Markets, Inc. (referred to herein as the "Underwriter") in accordance with the purchase contract to be entered into by and between the Underwriter and the Town (the "Purchase Contract") pursuant to this resolution. The purchase price for the Bonds shall be as set forth in the Purchase Contract, plus unpaid accrued interest, if any, from the dated date of the Bonds to, but not including, the delivery date of the Bonds. The Mayor and/or the Chief Financial Officer is hereby authorized to enter into a Purchase Contract on behalf of the Town with the Underwriter in a form satisfactory to McManimon, Scotland & Baumann, LLC, Bond Counsel for the Town ("Bond Counsel") for the sale of the Bonds to the Underwriter in accordance with the provisions of this resolution. **The signature of the Mayor or Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.**

Section 3. The Bonds are being issued to incur interest cost savings by redeeming all or a portion of the callable outstanding General Obligation Redevelopment Area Bonds, Series 2010A (Federally Taxable) of the Town originally issued in the principal amount of \$4,000,000, dated October 28, 2010, which bonds maturing on or after May 15, 2023 (the "2010 Refunded Taxable GO RAB Bonds") are redeemable at the option of the Town in whole or in part on any date on or after May 15, 2021 (the "2010 Refunded Taxable GO RAB Bonds Redemption Date") at par (the "2010 Refunded Taxable GO RAB Bonds Redemption Price"), plus in each case accrued interest, if any, to the date fixed for redemption, and/or by redeeming all or a portion of the callable outstanding General Obligation Redevelopment Area Bonds, Series 2010B (Tax-Exempt) of the Town originally issued in the principal amount of \$350,000, dated October 28, 2010, which bonds maturing on May 15, 2032 (the "2010 Refunded Tax-Exempt GO RAB Bonds") are redeemable at the option of the Town in whole or in part on any date on or after May 15, 2021 (the "2010 Refunded Tax-Exempt GO RAB Bonds Redemption Date") at par (the "2010 Refunded Tax-Exempt GO RAB Bonds Redemption Price"), plus in each case accrued interest, if any, to the date fixed for redemption, and/or by redeeming all or a portion of the callable outstanding Refunding Bonds of the Town originally issued in the principal amount of \$10,210,000, dated July 25, 2012, which bonds maturing on or after May 1, 2023 (the "2012 Refunded Bonds") are redeemable at the option of the Town in whole or in part on any date on or after May 1, 2022 (the "2012 Refunded Bonds Redemption Date") at par (the "2012 Refunded Bonds Redemption Price"), plus in each case accrued interest, if any, to the date fixed for redemption. The 2010 Refunded Taxable GO RAB Bonds, the 2010 Refunded Tax-Exempt GO RAB Bonds and the 2012 Refunded Bonds may be collectively referred to herein as the "Refunded Bonds." The 2010 Refunded Taxable GO RAB Bonds Redemption Date, the 2010 Refunded Tax-Exempt GO RAB Bonds Redemption Date and the 2012 Refunded Bonds Redemption Date may be collectively referred to herein as the "Redemption Date." The 2010 Refunded Taxable GO RAB Bonds Redemption Price, the 2010 Refunded Tax-Exempt GO RAB Bonds Redemption Price and the 2012 Refunded Bonds Redemption Price may be collectively referred to herein as the "Redemption Price."

Section 4. The Bonds shall be issued in accordance with the terms and the conditions set forth in the Purchase Contract with respect thereto within the parameters set forth herein:

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(A) The Bonds shall be issued in a paramount determined to be necessary to pay costs of issuance and to provide for payment of the Redemption Price of the Refunded Bonds on the Redemption Date, and the interest due on the Refunded Bonds through the Redemption Date;

(B) The Bonds shall be dated such date as established in the Purchase Contract;

(C) The Bonds shall mature in the principal amounts on or about May 15 of each year, commencing on or about May 15, 2021 and thereafter or as otherwise set forth in the Purchase Contract and shall bear interest at interest rates per annum on the unpaid principal balance on each May 15 and November 15 until maturity or earlier redemption, commencing on or about May 15, 2021 or as otherwise set forth in the Purchase Contract;

(D) The Bonds shall be issued in the form of one bond for each maturity for each issue except if all or any portion of the Bonds are issued as term bonds;

(E) The Bonds shall be numbered and shall mature in such principal amounts with such mandatory call features and with such mandatory sinking fund payments as determined in the Purchase Contract;

(F) The Bonds may be subject to optional redemption or not as set forth in the Purchase Contract;

(G) Depending on market conditions at the time of the sale, the Bonds may be issued in one or more series on a taxable or tax-exempt basis as determined by the Chief Financial Officer, in consultation with Bond Counsel and with the Municipal Advisor.

Section 5. The Bonds shall be substantially in the following form with such designation, additions, deletions and changes as may be necessary for the Town to conform the Bonds to the requirements of the Purchase Contract:

**SAMPLE BOND FORM FOR INFORMATION
ONLY – DO NOT COMPLETE**

REGISTERED
NUMBER R-___

REGISTERED
\$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY

TOWN OF NEWTON,
IN THE COUNTY OF SUSSEX

REFUNDING BOND

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
___/___/2021	05/15/___	_____%	_____

TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (the "Town") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of _____ DOLLARS (\$_____) and to pay interest on such sum from the Dated Date set forth above at the Rate of Interest Per Annum specified above semiannually on the fifteenth days of May and November in each year until maturity [or earlier redemption] commencing on May 15, 2021. Interest on this bond will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the May 1 and November 1 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Town, will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be

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responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

[The bonds of this issue maturing prior to May 15, 20__ are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after May 15, 20__ are redeemable at the option of the Town in whole or in part on any date on or after May 15, 20__ upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Town or a duly appointed Bond Registrar. However, as long as The Depository Trust Company (or any successor thereto) acts as Securities Depository for the bonds, notice of redemption may be sent to such Securities Depository by email or as otherwise permitted by the Securities Depository regulations. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Town determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Town. The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.]

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey and a refunding bond ordinance of the Town finally adopted December 14, 2020 and entitled, "Refunding Bond Ordinance Providing for the Refunding of All or a Portion of the Outstanding General Obligation Redevelopment Area Bonds, Series 2010A (Federally Taxable), General Obligation Redevelopment Area Bonds, Series 2010B (Tax-Exempt) and Refunding Bonds of the Town of Newton, in the County of Sussex, New Jersey, Appropriating \$11,225,000 Therefor and Authorizing the Issuance of \$11,225,000 General Obligation Refunding Bonds of the Town for Financing the Cost Thereof."

The full faith and credit of the Town are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY has caused this bond to be executed in its name by the manual or facsimile signature of its Mayor, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Clerk, and this bond to be dated the Dated Date as specified above.

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TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY
[SEAL]

ATTEST:

By: [to be executed upon issuance of bonds]
Mayor

By: [to be executed upon issuance of bonds]
Clerk

[END OF SAMPLE BOND FORM]

Section 6. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by Bond Counsel, complete except for omission of its date. The Chief Financial Officer is hereby authorized and directed to file a signed duplicate of such written opinion in the Town Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

Section 7. Bond Counsel is authorized to arrange for the printing of the Bonds. The proper officials of the Town are hereby authorized and directed to execute the Bonds and to deliver them to the Purchaser in exchange for payment, including accrued interest from their date to the date of delivery, if any.

Section 8. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 9. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Town and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of such Registered Bonds. The Town shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 10. For any Bonds issued as tax-exempt, the Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986 (the "Code") in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code. The Town authorizes the Chief Financial Officer to act and determine on behalf of the Town whether any of the Bonds will be designated as "bank qualified" within the meaning of Section 265 of the Code.

Section 11. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Town shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to September 30 of each fiscal year, beginning September 30, 2021 for the fiscal year ending December 31, 2020, electronically to the Municipal

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Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Town consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Town and certain financial information and operating data consisting of (1) Town indebtedness and overlapping indebtedness including a schedule of outstanding debt issued by the Town; (2) property valuation information; and (3) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) if any of the following material events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Town;
- (13) The consummation of a merger, consolidation or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the Town, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Bonds, if material; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Town, if any such event reflects financial difficulties.

For the purposes of the event identified in subparagraph (b) 12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a

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court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); provided, however, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the Town to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Town prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

In the event that the Town fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Town shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 12. The Town hereby approves the preparation and the distribution of the Preliminary Official Statement in the form to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Town by the Chief Financial Officer. The Preliminary Official Statement shall be prepared in final form in connection with the issuance of the Bonds, and the Chief Financial Officer is authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Purchaser within the earliest of seven business days following the sale of the Bonds or to accompany the Purchaser's confirmations that request payment for the Bonds. Bond Counsel and/or the Municipal Advisor are further authorized to arrange on behalf of the Town for a rating for the Bonds from S&P Global Ratings, acting through Standard & Poor's Financial Services LLC, and/or Moody's Investors Service, and all such actions taken to date are hereby ratified.

Section 13. The Chief Financial Officer, with the advice of the Municipal Advisor, is authorized to arrange for bond insurance if advantageous based on the advice of the Underwriter to be provided at a premium not to exceed 75 basis points of the amount of principal and interest payable in order to obtain the best possible rates and the most cost effective financing and is authorized to take all steps on behalf of the Town necessary to do so.

Section 14. The Chief Financial Officer, with the advice of Bond Counsel, shall arrange for paying agent services or redemption agent services with a banking institution if any portion of the Bonds are term bonds requiring a sinking fund.

Section 15. The Chief Financial Officer is also authorized and directed to pay the costs of issuance in connection with the sale of the Bonds pursuant to a certificate

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of the Chief Financial Officer to be executed upon delivery of the Bonds in an aggregate amount not to exceed the amount outlined in the Bond Ordinance.

Section 16. The Chief Financial Officer shall take all steps necessary to call the Refunded Bonds on the Redemption Date, at par, plus any unpaid accrued interest thereon and to take all steps necessary for the investment of the proceeds of the Refunded Bonds necessary to arrange for such redemption. The Municipal Advisor and/or the Underwriter, on behalf of the Town, are authorized to reserve and purchase open market treasury securities and/or United State Treasury—State and Local Government Series (SLGs) for deposit with the escrow agent, if required. All of the principal amount and interest earnings on the open market treasury securities and/or SLGs, as well as cash, if necessary, will be used to pay the interest due on the Refunded Bonds through the Redemption Date and pay the Redemption Price on the Refunded Bonds on the Redemption Date. The Town Council hereby authorizes M&T Bank to serve as escrow agent, if necessary, based upon the recommendation of the Municipal Advisor and authorizes the Chief Financial Officer and/or Mayor to enter into an Escrow Deposit Agreement with such escrow agent, if necessary, in order to provide instructions regarding the deposit of the open market treasury securities and/or SLGs and cash, if any.

Section 17. The Town Council hereby authorizes Wielkocz & Company, LLC to serve as verification agent, if necessary, to confirm the accuracy of the arithmetical and mathematical computations supporting (i) the accuracy of the interest cost savings and the sufficiency of the amount in the escrow account to pay the interest due on the Refunded Bonds through the Redemption Date and pay the Redemption Prices on the Redemption Date; and (ii) the calculations of yield supporting the conclusion of Bond Counsel that the tax-exempt Bonds are not "arbitrage bonds" as such meaning is set forth in the Code.

Section 18. The Mayor, Chief Financial Officer, and other appropriate representatives of the Town are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the redemption of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Town and taking all steps necessary or desirable to implement the requirements of this resolution, such agreements, and documents as may be necessary and appropriate and the transactions contemplated thereby.

Section 19. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES: Dickson; Flynn; Schlaffer; Le Frois; Diglio

NAYS:

RESOLUTION #287-2020*

TO CANCEL CAPITAL APPROPRIATION BALANCES IN THE GENERAL CAPITAL FUND

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, the Town Manager and other Town Officials have reviewed and determined there are no additional costs for these projects; and

WHEREAS, it is necessary to formally cancel said balances so the unexpended balances may be returned to Fund Balance;

December 14, 2020
(VIA ZOOM)

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton that the following unexpended and dedicated balances of the General Capital appropriations totaling \$31,249.90 be cancelled:

<u>Ordinance Number</u>	<u>Date Auth.</u>	<u>Project Description</u>	<u>Amount Cancelled</u>	
			<u>Funded</u>	<u>Unfunded</u>
2011-5	5/20/11	Dam Eng. & Repair	\$2,484.71	
204-6	5/8/14	Lighting/Crosswalk	\$ 495.40	
2014-6	5/8/14	Imp. Muni Bld. First Floor	\$1,047.02	
2014-6	5/8/14	Rec Park Fence Pine St, Shed	<u>\$27,222.77</u>	
Total			\$31,249.90	

RESOLUTION #288-2020*

AWARDING CONTRACT TO CONTECH ENGINEERED SOLUTIONS TO CONSTRUCT A BIKE AND WALKING TRAIL BRIDGE ALONG THE SUSSEX BRANCH RAIL TRAIL

WHEREAS, the Town of Newton Engineer solicited quotes from manufacturers to supply a bike and walking trail bridge structure along the Sussex Branch Rail Trail; and

WHEREAS, the Town Engineer received three (3) quotes for this project; and

WHEREAS, Contech Engineered Solutions submitted the lowest quote in the amount of \$39,750.00; and

WHEREAS, the Town Engineer and the Town Qualified Purchasing Agent have reviewed the quotes and have recommended an award to Contech Engineered Solutions; 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 as follows:

Capital Fund Ordinance #2019-13	3091913	\$23,000.00
Capital Fund Ordinance #2020-23	3092005	\$16,750.00

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Newton that the Town awards a contract to Contech Engineered Solutions for the bike and walking trail bridge structure in accordance with the quote submitted, in an amount not to exceed \$39,750.00; and

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk are authorized to sign an agreement with Contech Engineered Solutions on behalf of the Town of Newton.

RESOLUTION #289-2020*

PAYMENT DUE TO GOVERNOR MURPHY'S EXECUTIVE ORDER NO. 190 FOR 11 GIANCARLO LANE, NEWTON, NJ

WHEREAS, on November 6, 2020, New Jersey Governor Murphy issued Executive Order No. 190 which stated "third party lienholders cannot pay subsequent water payments during the period covered by this Executive Order"; and

WHEREAS, Executive Order No. 190 became retroactively effective October 15, 2020 and remains in effect through March 15, 2021; and

December 14, 2020
(VIA ZOOM)

WHEREAS, US Bank cust/PRO CAP 8/Pro Capital Mgt II, a third-party lien holder, paid a subsequent water payment for 11 Giancarlo Lane in the amount of \$271.61 on October 20, 2020; and

WHEREAS, the payment must be cancelled and a refund is due to US Bank cust/PRO CAP 8/Pro Capital Mgt II in the amount of \$271.61;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the Governing Body acknowledges a refund is due to US Bank cust/PRO CAP 8/Pro Capital Mgt II in the amount of \$271.61 for payments made; and

BE IT FURTHER RESOLVED, the Utility Collector be directed and authorized to cancel and refund the water overpayment in the amount of \$271.61 to US Bank cust/PRO CAP 8/Pro Capital Mgt II, 50 South 16th St., Suite 2050, Philadelphia, PA 19102.

RESOLUTION #290-2020*

AUTHORIZE REFUND OF A SUBSEQUENT WATER PAYMENT DUE TO GOVERNOR MURPHY'S EXECUTIVE ORDER NO. 190 FOR 3 LAWNWOOD AVENUE, NEWTON, NJ

WHEREAS, on November 6, 2020, New Jersey Governor Murphy issued Executive Order No. 190, which stated "third party lienholders cannot pay subsequent water payments during the period covered by this Executive Order"; and

WHEREAS, Executive Order No. 190 became retroactively effective October 15, 2020 and remains in effect through March 15, 2021;

WHEREAS, US Bank cust/PRO CAP 8/Pro Capital Mgt II, a third-party lien holder, paid a subsequent water payment for 3 Lawnwood Avenue in the amount of \$770.24 on October 20, 2020; and

WHEREAS, the payment must be cancelled and a refund is due to US Bank cust/PRO CAP 8/Pro Capital Mgt II in the amount of \$770.24;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the Governing Body acknowledges a refund is due to US Bank cust/PRO CAP 8/Pro Capital Mgt II in the amount of \$770.24 for payments made; and

BE IT FURTHER RESOLVED, that the Utility Collector be directed and authorized to cancel and refund the water overpayment in the amount of \$770.24 to US Bank cust/PRO CAP 8/Pro Capital Mgt II, 50 South 16th St., Suite 2050, Philadelphia, PA 19102.

RESOLUTION #291-2020*

AUTHORIZE REFUND OF A SUBSEQUENT WATER PAYMENT DUE TO GOVERNOR MURPHY'S EXECUTIVE ORDER NO. 190 FOR 18 LINWOOD AVENUE, NEWTON, NJ

WHEREAS, on November 6, 2020, New Jersey Governor Murphy issued Executive Order No. 190 which stated "third party lienholders cannot pay subsequent water payments during the period covered by this Executive Order"; and

WHEREAS, Executive Order No. 190 became retroactively effective October 15, 2020 and remains in effect through March 15, 2021;

WHEREAS, Bala Partners LLC, a third-party lien holder, paid a subsequent water payment for 18 Linwood Avenue in the amount of \$1,394.60 on October 23, 2020; and

WHEREAS, the payment must be cancelled and a refund is due to Bala Partners LLC in the amount of \$1,394.60;

December 14, 2020
(VIA ZOOM)

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that the Governing Body acknowledges a refund is due to Bala Partners LLC in the amount of \$1,394.60 for payments made; and

BE IT FURTHER RESOLVED, the Utility Collector be directed and authorized to cancel and refund the water overpayment in the amount of \$1,394.60 to Bala Partners LLC, PO Box 303, Pottersville, NJ 07979.

RESOLUTION #292-2020*

AUTHORIZE REMITTANCE (CANCELLATION) OF 2020 TAXES; BLOCK 4.02, LOT 20

WHEREAS, the Municipal Tax Assessor has indicated during the remapping of the Town Block 4.02, Lot 20 also known as High Street Rear and assessed to "Unknown Owner" represents a "void" in the tax map; and

WHEREAS, this property currently has unpaid taxes for the year 2020 for the total amount of \$44.23; and

WHEREAS, Tax Collector has determined the taxes in the amount of \$44.23 for the tax year 2020 are uncollectible and are unable to be sold in the annual tax sale and the amount must be remitted (cancelled);

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges that the taxes for the year 2020 are uncollectible and must be remitted (cancelled); and

BE IT FURTHER RESOLVED, that the Tax Collector be authorized to remit (cancel) taxes for the year 2020 in the total amount of \$44.23.

RESOLUTION #293-2020*

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

2719 2939 - AA FENCE CO., INC.	4,500.00	4,500.00
2720 1846 - ADVANCE AUTO PARTS	477.09	477.09
2721 921 - AIRGAS EAST	9.90	9.90
2722 3615 - ANN M ROSELLEN	867.60	867.60
2723 3251 - BADGER METER, INC.	162.54	162.54
2724 4214 - BESHADA, LEO	867.60	867.60
2725 3706 - BEYER FORD, LLC.	91,012.48	91,012.48
2726 190 - BOND, CHRISTOPHER		867.60
2727 1132 - BOONTON TIRE SUPPLY INC.	998.37	
PO 58175 SENIOR BUS REPAIRS	607.12	1,605.49
2728 3893 - CAMPBELL SUPPLY OF SUSSEX CTY LLC	1,237.66	1,237.66
2729 175 - CAPITAL ACCOUNT	25,000.00	25,000.00
2730 3015 - CAPITOL SUPPLY CONST PRODUCTS, INC.	447.53	447.53
2731 77 - CCP INDUSTRIES, INC.	562.20	562.20
2732 163 - CENTURYLINK COMMUNICATIONS, INC.	125.85	125.85
2733 4327 - CIFELLI & SON GENERAL CONTRACTING INC.	771.69	771.69
2734 3609 - CLIFFSIDE BODY CORP.	8,374.38	8,374.38
2735 1632 - COOPER ELECTRIC SUPPLY CO.	283.23	283.23

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2736 2361 - CSS LLC.	481.00	481.00
2737 286 - CURRENT ACCOUNT	25,811.00	25,811.00
2738 286 - CURRENT ACCOUNT	1,761.09	1,761.09
2739 194 - D & E SERVICE CENTER, INC.	556.48	556.48
2740 2386 - DOMINICK'S PIZZA LLC	62.85	62.85
2741 2290 - DOUGLAS CUMMINS	1,287.60	1,287.60
2742 106 - ELIZABETHTOWN GAS	1,978.86	
PO 56308 B: NATURAL GAS DELIVERY (JAN-APR)	792.27	2,771.13
2743 3996 - EMERGENCY MANAGER PROJECT, LLC.	350.00	350.00
2744 225 - FEDERAL EXPRESS	140.91	140.91
2745 4121 - FERNBRUCK LLC	979.70	979.70
2746 4362 - FIG NJ 19, LLC	949.47	
PO 58165 TAX AND UTILITY OVERPAYMENT	1,174.54	2,124.01
2747 1707 - FINKLE, DANIEL	113.98	113.98
2748 172 - FRISBIE, ARTHUR & RITA	1,735.20	1,735.20
2749 109 - FURGIUELE, CAMILLE	1,287.60	1,287.60
2750 373 - GALLS, LLC	43.70	43.70
2751 448 - GARRIS, JEAN	867.60	867.60
2752 490 - GRENILLE, WILLIAM	1,735.20	1,735.20
2753 3804 - HAYDEE BALLESTER	420.00	420.00
2754 230 - HAYEK'S MARKET INC. PO 58126 LUNCH - Oswin Birthday 10.12		
PO 58140 11/20 MEETING RFP'S	34.59	
PO 58225 12/8 BD OF ELECTIONS LUNCH RECOUNT	16.54	61.25
2755 3876 - HOLLAND COMPANY, INC.	6,600.00	6,600.00
2756 272 - HOLZHAUER, SCOTT	115.00	115.00
2757 1866 - HOME DEPOT, INC.	95.01	
PO 58171 CABLE HALLOWEEN	27.20	122.21
2758 173 - ILIFF, JOHN AND TERRY	1,735.20	1,735.20
2759 3235 - J. CALDWELL & ASSOCIATES, LLC.	695.00	
PO 58248 PB/PLANNER CONSULT-NOV 2020	357.50	
PO 58250 LOUIS/STEWART-NOV ESCROW	500.00	
PO 58252 RED KNIGHT PROP-NOV ESCROW	195.00	
PO 58253 NATURAL SELECTION-NOV ESCROW	65.00	1,812.50
2760 2767 - JAMES J KILDUFF	795.60	795.60
2761 113 - JCP&L	7,814.14	
PO 58169 FIRE #2 & MORAN ST ELECTRIC -NOV	393.98	8,208.12
2762 4173 - JORRITSMAN, BRUCE	1,711.20	1,711.20
2763 3969 - KAYLANI, SHERRI	115.00	115.00
2764 276 - KAYS, PETER J.	867.60	867.60
2765 2569 - KIEFFER ELECTRIC, INC.	1,566.38	1,566.38
2766 1442 - KITHCART, EILEEN	1,924.20	1,924.20
2767 3711 - KKPR MARKETING & PUBLIC RELATIONS,	700.00	
PO 56409 B: MARKETING/PUBLIC RELATIONS	1,537.50	2,237.50
2768 2532 - LADDEY, CLARK & RYAN, LLP		
PO 57811 B: LEGAL (AUG-DEC)	3,944.00	
PO 57811 B: LEGAL (AUG-DEC)	595.00	7,414.00
2769 1011 - LISSO, ERVIN	867.60	867.60
2770 4227 - LAW OFFICE OF DANIEL P. AGATINO, LLC.	1,333.37	1,333.37
2771 2300 - LOWE'S, INC.	68.62	
PO 58216 DRILL BITS STEEL LEAF BOX	71.18	139.80
2772 1566 - MAIN POOL & CHEMICAL COMPANY, INC.	1,593.00	1,593.00
2773 932 - MAJOR POLICE SUPPLY PO 58044 PD FORD GRAPHICS	1,053.25	1,053.25
2774 263 - MCMANIMON, SCOTLAND & BAUMANN, LLC	2,902.50	
PO 58147 GENERAL REDEVELOPMENT -SEPT	64.50	
PO 58148 AHS HOSPITAL -SEPT	21.50	
PO 58149 2020 RELOCATION WATER TRANS LINE SPARTA	602.00	
PO 58150 MCGUIRE REDEVELOPMENT/WOODMONT PROPS -SE	522.76	
PO 58150 MCGUIRE REDEVELOPMENT/WOODMONT PROPS -SE	192.24	
PO 58151 AFFORDABLE HOUSING -SEPT	585.00	
PO 58162 GENERAL REDEVELOPMENT WATER ST	731.00	5,621.50
2775 3948 - METZGAR, CLARENCE	867.60	867.60

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2776 3047 - MICHAEL A PANDISCIA	1,735.20	1,735.20
2777 1231 - MILLER, JASON	115.00	115.00
2778 1741 - MORRIS COUNTY POLICE ACADEMY	250.00	250.00
2779 1884 - MORRIS, THOMAS & BULAH	1,681.20	1,681.20
2780 116 - NEW JERSEY HERALD, INC. -NOV 615.27 PO 58208 ADVERTISING -NOV 359.38		974.65
2781 4284 - NEWTON AUTO BODY & RESTORATION,LLC	910.50	910.50
2782 170 - NEWTON BOARD OF EDUCATION	1,110,506.50	1,110,506.50
2783 240 - NEWTON FIRST AID SQUAD	6,250.00	6,250.00
2784 2835 - NJMEBF PO 58167 MEDICAL/DENTAL -DEC 132,945.00	27,960.00	160,905.00
2785 4369 - NOUVELLE, LLC.	1,022.00	1,022.00
2786 2882 - ONE CALL CONCEPTS, INC.	53.98	53.98
2787 3954 - PAR TROY SOUND OF NEWTON, INC.	550.00	550.00
2788 1407 - PASSAIC VALLEY SEWERAGE COMM.	4,813.20	4,813.20
2789 64 - PELLOW, HAROLD & ASSO, INC. PO 58130 PB CONSULT-JUL 2020 1,072.50 PO 58135 NATURAL SELECTION-SEPT/AUG ESCROW 3,883.20 PO 58136 NATURAL SELECTION JUN ESCROW 3,157.20 PO 58194 NATURAL SELECTION-DEC. 2019/JAN 2020 ESC 1,982.50 PO 58196 NATURAL SELECTION-JUL 2020 1,985.10 PO 58224 SPARTA AVE STREETSCAPE -SEPT 1,577.25 PO 58238 PATERSON/BUILD PRO-OCT ESCROW 325.00 PO 58240 RED KNIGHT PROP - OCT ESCROW 162.50		14,145.25
2790 64 - PELLOW, HAROLD & ASSO, INC. PO 58241 OCCHINFINTO-OCT ESCROW 65.00 PO 58242 WATER ST HOLDINGS-OCT ESCROW 386.50 PO 58243 FARM POINTE HOUSTON-OCT ESCROW 553.25 PO 58244 PB CONSULT-OCT 2020 65.00 PO 58254 AHS HOSPITAL CORP-OCT ESCROW 130.00 PO 58271 NATURAL SELECTION-OCT ESCROW 3,397.80 PO 58272 RPM -JAN 65.00		4,662.55
2791 3587 - PHOENIX ADVISORS, LLC.	1,650.00	1,650.00
2792 4358 - PIZZUTO GROUP, INC.	3,109.00	3,109.00
2793 4204 - PLANET NETWORKS INC. PO 58041 IT SERVICES 1,199.77	319.90	1,519.67
2794 4126 - PROFESSIONAL CONSULTING INC. 9,000.00 PO 56448 B: 2020 SEWER ENGINEER not to exceed \$4 4,700.00 PO 57292 STP DIGESTER CONVERSION/REHAB & PRIMARY 3,600.00 PO 58191 88 TRINITY ST SWR LINE FINAL INSPECTION 232.00 PO 58193 RBC REPAIRS -NOV 542.00		18,074.00
2795 39 - QUILL CORPORATION	582.56	582.56
2796 2478 - RACHLES/MICHELE'S OIL COMPANY, INC.	2,672.56	2,672.56
2797 1274 - RANSNORTH, NANCY PO 57169 MEDICARE PART B REIMB	867.60	867.60
2798 4137 - RAZZANO ANTHONY M	115.00	115.00
2799 3731 - READY REFRESH BY NESTLE PO 56390 B: WATER DELV	89.15	89.15
2800 1112 - RICHARDS, JEAN PO 57170 MEDICARE PART B REIMB	867.60	867.60
2801 1883 - ROMYNS, LARRY E. PO 57171 MEDICARE PART B REIMB	1,657.20	1,657.20
2802 2551 - RONALD CLOUSE PO 57156 MEDICARE PART B REIMB	1,615.20	1,615.20
2803 4152 - RUSSELL REID WASTE & DISPOSAL., INC.	5,772.84	5,772.84
2804 1261 - S/NJ EMPLOYER ACCOUNTS		24,951.64
2805 2453 - SALMON BROTHERS, INC.	14,200.00	14,200.00
2806 55 - SCHMIDT'S WHOLESALE, INC	1,733.36	1,733.36
2807 126 - SCMUA PO 58152 TRASH REMOVAL 763.49 PO 58152 TRASH REMOVAL 318.55		1,082.04
2808 611 - SEBRING AUTO PARTS, INC. PO 58213 BATTERY	119.99	119.99
2809 951 - SERVICE ELECTRIC CABLE TV, INC.	121.35	121.35
2810 3993 - SLOAN, JAMES P.	3,451.17	3,451.17
2811 1489 - SMALLEY, JOHN H 1,416.74 PO 57173 MEDICARE PART B REIMB 1,735.20		3,151.94
2812 338 - SMITH, WILLIAM F	1,735.20	1,735.20
2813 3674 - SPARTA TOWNSHIP	666.00	666.00
2814 4024 - SPECTROTEL	630.30	630.30

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2815 2257 - STAPLES PO 56391 B: OFFICE SUPPLIES 158.69		
PO 58070 FINANCE OFFICE SUPPLIES 70.27		
PO 58070 FINANCE OFFICE SUPPLIES 76.97		
PO 58172 Office supplies and 2021 calendars 158.08		464.01
2816 2257 - STAPLES PO 58181 CODE ENFORCEMENT OFFICE SUPP'S 132.97		
PO 58183 ELECTION OFFICE SUPP'S 102.75		235.72
2817 146 - STATE OF NEW JERSEY - PWT	445.15	445.15
2818 273 - STATE TREASURER PO 57943 T SCHLOSSER CTC RECERT 50.00		50.00
2819 2865 - STEVE MILLS PO 57166 MEDICARE PART B REIMB 825.60		825.60
2820 4364 - SUSAN FOGEL MORRIS	4,500.00	4,500.00
2821 102 - SUSSEX CAR WASH INC	88.00	88.00
2822 2310 - SUSSEX COUNTY ENGINEERING DIVISION	653.17	653.17
2823 2113 - SUSSEX COUNTY MAILING SERVICE	1,219.48	1,219.48
2824 130 - SUSSEX COUNTY P & H, INC. PO 56356 B: PLUMBING SUPPLIES 223.42		223.42
2825 3897 - SYNCHRONY BANK 26.99		
PO 58139 Earphones 36.50		63.49
2826 2479 - TAYLOR OIL CO., INC.	2,479.89	2,479.89
2827 1751 - TERESA ANN OSWIN	28.24	28.24
2828 3851 - THE CANNING GROUP, LLC.	625.00	625.00
2829 293 - TREASURER, PETTY CASH FUND	87.73	87.73
2830 1151 - TREASURER, STATE OF NEW JERSEY	132.04	132.04
2831 2781 - TRIMBOLI & PRUSINOWSKI, LLC.	1,275.00	1,275.00
2832 521 - TRUST ACCOUNT, TOWN OF NEWTON	1,000.00	1,000.00
2833 4305 - UGI ENERGY SERVICES LLC	695.12	
PO 58145 NATURAL GAS SUPPLIER -OCT 1,586.03		2,281.15
2834 3369 - UNITED TELEPHONE/CENTURY LINK	293.32	293.32
2835 1469 - UNIVERSAL SUPPLY GROUP INC.	257.13	257.13
2836 1280 - VERIZON WIRELESS, INC.	699.98	699.98
2837 4258 - VIRGA, ANTHONY	867.60	867.60
2838 1819 - VOGEL,CHAIT,COLLINS,SCHNEIDER, PC, 1,860.00		
PO 58184 AHS-OCT ESCROW 270.00		
PO 58245 KATIE'S HOUSE-NOV ESCROW 315.00		
PO 58247 PB CONSULT-NOV 2020 990.00		
PO 58251 RED KNIGHT PROP - NOV ESCROW 795.00		
PO 58270 M RODRIGUES -SEPT 210.00		4,440.00
2839 2635 - W.B. MASON, INC.	66.78	66.78
2840 366 - WAGNER, WILLIAM PO 57176 MEDICARE PART B REIMB 1,735.20		1,735.20
2841 1500 - WALMART PO 57954 REFRESHMENTS FOR HALLOWEEN EVENT 10/31/2 124.91		
PO 57954 REFRESHMENTS FOR HALLOWEEN EVENT 10/31/2 124.91		
PO 58203 32" TV Screen for Court 128.00		
PO 58228 COFFEE MACH & SUPP'S 195.72		573.54
2842 4345 - WEBSTAIRANT STORE, INC. PO 57767 Cigarette Receptacles - Smoke Free Grant 5,830.83 5,830.83		
2843 4261 - WIELKOTZ & COMPANY, LLC. PO 57498 2020 AUDIT SVCS 7,250.00		
PO 57498 2020 AUDIT SVCS 7,250.00		14,500.00
2844 136 - ZENES, NANCY PO 57177 MEDICARE PART B REIMB 867.60		867.60
TOTAL		1,672,283.24

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

100130 INTERFUND RECEIVABLE - PAYROLL ACCT 20,817.72
101235 TAX OVERPAYMENTS 1,174.54
101265 DUE NEWTON BOE - SCHOOL TAX PAYABLE 1,110,506.50
101299 Due to Clearing 0.00 1,372,021.87
1050200 TOWN MANAGER'S OFFICE - OTHER EXPENSES 1,450.38
1051200 TOWN CLERK'S OFFICE - OTHER EXPENSES 396.80
1051500 ELECTIONS - OTHER EXPENSES 119.29
1052200 TOWN COUNCIL - OTHER EXPENSES 4.88
1053200 HUMAN RESOURCE - OTHER EXPENSES 496.11
1054200 FINANCE ADMINISTRATION - OTHER EXPENSES 1,701.98

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1054300	FINANCE ADMINISTRATION - AUDIT SERVICES	7,250.00				
1055200	ASSESSMENT OF TAXES - OTHER EXPENSES	115.00				
1056200	COLLECTION OF TAXES - OTHER EXPENSES	190.26				
1058200	LEGAL SERVICES - OTHER EXPENSES	9,533.87				
1059200	MUNICIPAL COURT - OTHER EXPENSES	3,582.50				
1060200	ENGINEERING - OTHER EXPENSES	1,577.25				
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES	355.46				
1062200	PLANNING BOARD - OTHER EXPENSES	4,385.95				
1063200	HISTORIC COMMISSION - OTHER EXPENSES	27.99				
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	138,605.28				
1070200	FIRE DEPARTMENT - OTHER EXPENSES	115.00				
1074200	POLICE DEPARTMENT - OTHER EXPENSES	3,335.86				
1074200A	(2019) POLICE DEPARTMENT - OTHER EXPENSE	250.00				
1074300	COMMUNICATIONS CENTER - OTHER EXPENSES	836.26				
1076200	AID TO FIRST AID ORGANIZATION - OTHER EX	6,250.00				
1077500	CODE ENFORCEMENT - OTHER EXPENSES	62.98				
1078200	EMERGENCY MANAGEMENT - OTHER EXPENSES	642.47				
1080200	ROAD REPAIR & MAINT - OTHER EXPENSES	281.39				
1083200	RECYCLING/SANITATION - OTHER EXPENSES	749.06				
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES	5,545.21				
1087200	RECREATION - OTHER EXPENSES	134.99				
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	19,352.58				
1092200	CELEBRATION OF PUBLIC EVENTS - OE	34.11				
1094400	UNCLASSIFIED - S&W - ACCUMULATED ABSENCE	1,000.00				
1094550	RECYCLING TAX (PL2007 c.311)O/S CAP	14.43				
1094575	STATE OF EMERGENCY - CORONAVIRUS	3,808.98				
1094798	INTERLOCAL - GREEN TWP COURT	916.67				
1095200	CAPITAL IMPROVEMENTS - OTHER EXPENSES	26,400.12				

TOTALS FOR CURRENT FUND		239,273.11	250.00	1,132,498.76	1,372,021.87	

111200	APPROPRIATED RESERVES FOR GRANTS				31,641.83	
111299	Due to Clearing		0.00	31,641.83		

TOTALS FOR FEDERAL/STATE GRANTS			0.00	0.00	31,641.83	
=====						
301299	Due to Clearing	0.00			96,806.93	
3091406	ORD 2014-6 VARIOUS \$1,912T	4,500.00				
3091516	ORD 2015-16 VARIOUS \$970T	522.76				
3091914	ORD 2020 - 8 HALSTED & MADISON	771.69				
3091979	ORD 2020-12 POLICE SUV'S	91,012.48				

TOTALS FOR CAPITAL		96,806.93	0.00	0.00	96,806.93	
=====						
601235	OVERPAYMENTS - W&S			949.47		
601299	DUE TO CLEARING	0.00			84,304.42	
6051200	W&S OPERATING - TOTAL OTHER	82,812.95				
6089293	W&S CAP IMPROVE - CAPITAL OUTLAY	542.00				

TOTALS FOR WATER/SEWER UTILITY		83,354.95	.00	949.47	84,304.42	
=====						
611299	DUE TO CLEARING	0.00			12,600.00	
6191708	ORD 2017-8 SPARTA AVE PUMP STATION (SWR)	9,000.00				
6192007	ORD 2020-7 DIGESTER & PRI SLUDGE PUMP	3,600.00				

TOTALS FOR WATER/SEWER CAPITAL			12,600.00	0.00	0.00	12,600.00
=====						
711299	DUE TO CLEARING	0.00			9,709.75	
711410	PERFORMANCE BONDS			4,500.00		
711440	ENGINEER REVIEW FEES			5,144.75		

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711700 REDEVELOPMENT ESCROW FEES			65.00	

TOTALS FOR TRUST	0.00	0.00	9,709.75	9,709.75
=====				
721299 DUE TO CLEARING 0.00				40,246.80
721314 RESERVE FOR MARTORANA (4/12)GrandeVillag			64.50	
721347 RES FOR NAT'L SELECTION -new constr(1/19			14,470.80	
721353 PATERSON/BUILD PRO (9/19)			325.00	
721359 WATER ST HOLDING (10/19)			25,386.50	

TOTALS FOR DEVELOPERS ESCROW (Fund 72)	0.00	0.00	40,246.80	40,246.80
=====				
731255 RESERVE FOR EXPENDITURES - UNEMPLOYMENT			24,951.64	
731299 DUE TO CLEARING 0.00				24,951.64

TOTALS FOR SUI (Fund 73)	0.00	0.00	24,951.64	24,951.64
=====				
Total to be paid from Fund 10 CURRENT FUND				1,372,021.87
Total to be paid from Fund 11 FEDERAL/STATE GRANTS				31,641.83
Total to be paid from Fund 30 CAPITAL				96,806.93
Total to be paid from Fund 60 WATER/SEWER UTILITY				84,304.42
Total to be paid from Fund 61 WATER/SEWER CAPITAL				12,600.00
Total to be paid from Fund 71 TRUST				9,709.75
Total to be paid from Fund 72 DEVELOPERS ESCROW (Fund 72)				40,246.80
Total to be paid from Fund 73 SUI (Fund 73)				24,951.64
TOTAL				1,672,283.24
Checks Previously Disbursed				
201092 PAYROLL ACCOUNT 12/10 CURRENT PAYROLL				198,342.69
207140 PAYROLL ACCOUNT 12/10 Trust Pay				6,525.00
201134 PAYROLL ACCOUNT 12/10 Grant Pay				1,343.17
206066 PAYROLL ACCOUNT 12/10 W/S Payroll				46,187.19
201091 ELAVON, INC. NOV COURT MERCHANT FEE				46.38
42721 NEWTON PIZZA PO# 58200 Pizza lunch				98.50
208195 POLICE &FIRE RETIREMENT SYSTEM November PFRS payment				19,000.00
208194 PUBLIC EMPLOYEE RETIRE SYSTEM November PERS payment				16,000.00
42720 W.B. MASON, INC. PO# 58166 LAPTOPS CASES & Mouses #C1327758				220.43
42719 PLANET NETWORKS INC. PO# 58180 SETUP 7 LAPTOPS POLICE				375.00
17973 Peter Bond PO# 57895 SANTA FOR HOLIDAY TREE LIGHTING				1,275.00

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ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

42718 Peter Bond PO# 57895 SANTA FOR HOLIDAY TREE LIGHTING	1,275.00
17972 SEBASTIAN MONTE PO# 58161 DJ FOR TREE LIGHTING - DEC 4TH	200.00
42717 SEBASTIAN MONTE PO# 58161 DJ FOR TREE LIGHTING - DEC 4TH	200.00
42716 MITCHELL AGENCY, INC. PO# 58157 FIRE DEPT ACCIDENT INS (9/20-9/21)	2,681.00
42715 NJMVC PO# 58155 TITLE/REGISTRATION (2) 2020 POLIC	120.00
17971 SPARTA POSTMASTER PO# 58154 4th QTR POSTAGE W/S BILLS	950.82
201133 PAYROLL ACCOUNT 11/25 Grant Payroll	534.81
206065 PAYROLL ACCOUNT 11/25 W/S Payroll	39,119.25
201090 PAYROLL ACCOUNT 11/25 Current Pay	194,562.98
17970 JOHN EBERT PO# 58123 CHRISTMAS TREE 2020	600.00
42714 JOHN EBERT PO# 58123 CHRISTMAS TREE 2020	600.00
207139 PAYROLL ACCOUNT 11/25 TRUST PAY	13,659.00
TOTAL	541,516.22

Totals by fund Previous Checks/Voids Current Payments Total

Fund 10 CURRENT FUND 397,321.98 1,372,021.87	1,769,343.85
Fund 11 FEDERAL/STATE GRANTS 1,877.98 31,641.83	33,519.81
Fund 30 CAPITAL 96,806.93	96,806.93
Fund 60 WATER/SEWER UTILITY 87,132.26 84,304.42	171,436.68
Fund 61 WATER/SEWER CAPITAL 12,600.00	12,600.00
Fund 71 TRUST 20,184.00 9,709.75	29,893.75
Fund 72 DEVELOPERS ESCROW (Fund 72) 40,246.80	40,246.80
Fund 73 SUI (Fund 73) 24,951.64	24,951.64
Fund 81 PAYROLL 35,000.00	35,000.00
BILLS LIST TOTALS 541,516.22 1,672,283.24	2,213,799.46

A motion was made by Mrs. Le Frois to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Deputy Mayor Flynn and roll call resulted as follows:

Mr. Dickson	Yes	Deputy Mayor Flynn (recused on R#288)	Yes
Mr. Schlaffer	Yes	Mrs. Le Frois	Yes
Mayor Diglio		Yes	

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RESOLUTION #294-2020

AUTHORIZING WAIVING OF WATER AND SEWER UTILITY CHARGES FOR THE NEWTON VOLUNTEER FIRST AID SQUAD FOR CALENDAR YEAR 2021

WHEREAS, the Newton First Aid Squad, "NFAS", is a not-for-profit entity, comprised solely of volunteers that provide emergency assistance to the Newton community; and

WHEREAS, the "NFAS" owns Block 22.01, Lot 24 also known as 66 Sussex Street, which houses their vehicles, equipment, and provides for a meeting place; and

WHEREAS, the "NFAS" operating expenses are funded through donations and fundraising efforts; and

WHEREAS, the Newton Town Council supports the efforts of the "NFAS" and would like to assist, so they may continue to provide this valuable emergency service to the people of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby waives the water and sewer utility charges incurred at Block 22.01, Lot 24 by the Newton First Aid Squad for calendar year 2021.

A motion was made by Mrs. Le Frois to approve the **COMBINED ACTION RESOLUTIONS**, 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	Recused	

RESOLUTION #295-2020

APPOINTMENT OF DONALD KEITH KEOPPEL TO THE NEWTON HOUSING AUTHORITY

WHEREAS, there currently is a vacancy on the Newton Housing Authority for a Resident Commissioner; and

WHEREAS, Mr. Keoppel, a resident at the Housing Authority located at 33 Liberty Street, Newton, NJ has expressed interest in serving as a Resident Commissioner; and

WHEREAS, Rick Bitondo, Vice-Chairperson of the Newton Housing Authority, recommends appointing Mr. Keoppel;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, that Donald Keith Keoppel is hereby appointed to an unexpired five-year term on the Newton Housing Authority, as the Resident Commissioner effective immediately with said term continuing to April 30, 2024.

A motion was made by Mrs. Le Frois to approve the **COMBINED ACTION RESOLUTIONS**, 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	

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RESOLUTION #296-2020

AUTHORIZE EMERGENCY REPAIRS TO DRAINAGE PIPE BY SALMON BROS., INC. AT 33 MILL STREET NEWTON, NJ

WHEREAS, the Town of Newton became aware repair work was required for an existing drain pipe at 33 Mill Street, Newton, NJ; and

WHEREAS, Salmon Brothers, Inc., submitted a quote and was awarded a contract in the amount of \$9,200.00 for the drainage repair work at 33 Mill Street; and

WHEREAS, on December 2, 2020, while the work was being completed by Salmon Brothers, it was discovered the pipe had to be replaced, and due to a retaining wall built on top of the metal pipe, a concrete bottom had to be poured and a 42" new pipe was required to be installed; and

WHEREAS, on December 3, 2020, the required emergency work was completed by Salmon Brothers, under supervision of the Town Engineer's office, at an extra cost of \$5,000.00, which has been approved by the Town Engineer; and

WHEREAS, due to the emergency, the total cost of the project increased by \$5,000.00, to \$14,200.00; and

WHEREAS, the Town Manager and Town Engineer have certified the request for an emergency purchase; and

WHEREAS, a purchase order will be issued without public advertisement for bids, for this emergency, pursuant to N.J.S.A. 40A:11-6; and

WHEREAS, the Chief Financial Officer hereby certifies sufficient funds in the 2020 budget, will be encumbered of \$14,200.00 as follows:

Capital Improvements Stormwater – Pipe & Basin	1095316	\$14,200.00
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NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex and State of New Jersey, based upon these emergency circumstances, it hereby declares and approves the emergency work completed by Salmon Bros., Inc. to repair the pipe at 33 Mill Street, without public bidding, at the cost of \$14,200.00.

A motion was made by Mrs. Le Frois to approve the **COMBINED ACTION**

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

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

DISCUSSION - None

OPEN TO THE PUBLIC

Mayor Diglio opened the meeting to the public.

Ludmilla Mecaj, 9 Madison Street, thanked Deputy Mayor Flynn and Councilwoman Le Frois for their years of service on the Newton Town Council. She also noted her disappointment with Mr. Schlaffer's comments regarding the "residents

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making a mistake" by voting out Mrs. Le Frois. She further congratulated Mrs. Teets and Mr. Couche on their success of the Council Election and wish them well.

Terri Oswin, Deputy Town Manager, read from a prepared statement: "To Deputy Mayor Flynn and Councilwoman Le Frois... thank you for your dedication, expertise and professionalism through the years. You both always took the time to acknowledge the staff and made us all feel appreciated. It has been a pleasure working with the both of you. Please don't be strangers. I hope to see you both at events and meetings in the future."

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

COUNCIL & MANAGER COMMENTS

Deputy Mayor Flynn read from a prepared statement: "In 2012 at the age of 27 - I was elected and my duty to serve this Town began. I would like to thank the people of Newton for putting their faith in me for those two terms. So much has changed in this town in this time period and in my life as well. While I would have loved to have run again for another term, I know when my time is up, and that time is now.

Being an elected official has helped shape the person I am today. While I have never seen the position as a career, I would be remiss if I didn't say that serving this role has helped shape me into the person I am today. Being a member of a governing body, especially that of the county seat, opens your eyes to all the details and intricacies that go into running a town. You really become a jack of all trades by living this position; you become an expert on public policy, physiology, human behavior, accounting, real estate, finance, engineering, public works, policy making, policing, human resources, and the law just to name a few. It opens up your perspective greatly of the world though a different lens.

Some of my most notable achievements that I have been a part of during my career are as follows: passing of the good neighbor ordinance, development of a marketing strategy with the spring street businesses, development of a parking and circulation plan throughout town, Spring Street one way, RPM Development (Newton Town Center), development efforts at SCCC, shared service agreements with numerous towns, Re-financing of debt obligations, selling off of unusable town land/assets, DPW upgrades and improvements, the Newton POOL, Spring Street Beautification, Vacant/Abandon properties ordinance, Newton Fire House # 2, dam improvements at Morris Lake, Water and Sewer Capital Plans, New Sparta Ave. pump station allocation, body cams on all police officers, 3 successful PBA/SOA contact negotiations.

Recognition of Thomas Russo Jr. – Town Manager. Tom is a man of integrity and faith. While over the years working with Mr. Russo, we did butt heads several times, there is no person more suited to lead this town than Mr. Russo. Tom is a Rock Star in his field and he knows municipal business inside and out. What I appreciate about Mr. Russo the most is his self-recognition and the ability he has to better himself through his own power. Tom, you are a leader and you deserve a renewed contract with this Town that expands your tenure with us.

All of the experiences and reflections that I have noted have not compared with the challenges of 2020. The era of the global pandemic will go down in the history books and forever be remembered by those of us. We have lost loved ones and friends, we have had to make challenging decisions as a community, as a family, and as

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individuals that have never been compared to anything in our life time. My heart aches for those who have lost loved ones and for those who have lost everything because of the ramifications of this disease. 2020 will forever be the year of the pandemic, but let's hope that many of its challenges are things of the past.

To my fellow council, you have been a pleasure to work with over the past several years and are very confident in the direction of this council moving forward. Mayor Diglio - Sandy, you have done an excellent job as mayor for the past year, and your dedication and leadership through this council year has been extemporaneous. Matt, you are a dedicated council member and you will make an excellent mayor, I wish you the best next year. You will have your work cut out for you. Jason, your calm attitude and quick on the feet thinking will set you up for success in the position as you progress. Helen, my friend, my colleague, you and I were mayor/deputy mayor for 18 months together and I was happy to be by your side through the whole thing. Thanks for covering for me when I couldn't make it to events. You truly were one of the best mayors I have worked with.

To the new incoming council members, Michelle and John Paul, I know you both very well, and I know you will do an honorable job.

As we usher in a new year, let us reflect on the things that we have sacrificed the things that we have lost, and let us believe in hope and prosperity in the year to come. God Bless."

He also thanked his wife, Erin, for all of her love and support during his time on the Newton Town Council.

Councilwoman Le Frois read from a prepared statement: "Four and a half years ago, I took an oath and was sworn-in for my second term as a Town of Newton Councilperson. I've had the distinct honor of serving as a Councilperson and as your Mayor for 18 months. In so many ways, it seems like it was just yesterday. And yet, as I reflect back on the last 4+ years, there is so much to be proud of.

I would be remiss, and frankly, it just wouldn't be me if I didn't list a few of the accomplishments from the past four years.

Administration:

- Fiber Optics Project w/Dr. Greene and Rob Boyle, Planet Networks Town-wide high-speed Fiber Optics Approval – help families and businesses alike
- Debt Analysis to reduce or refinance – MCI Bond Refunding – Savings of \$388,000
- SCCC & Newton Medical Center Voluntary Community Services Contributions
- Budget – Almost Zero % Municipal Increase (2019)
- Council Meeting streaming
- Shared services with Hardyston, Hopatcong, Green, Andover, BOE
- Maintained services during COVID-19 global pandemic

Marketing & Recreation

- Business Promotional Videos
- Festivals, Events, Parades, Senior, Family-friendly Concerts and Movies (in spite of COVID-19)
- Pool Reconstruction
- Babe Ruth Field Analysis
- Flags of Honor event

Planning, Zoning & Development

- Redevelopment projects:
 - G&H Redevelopment Plan
 - Merriam Gateway Redevelopment Plan Changes
 - Thorlabs – Iliff Renovations and Thorlabs expansion
 - Paterson Ave & Hicks Ave in the works
- Teyma and Kwesela Spring Street properties

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- Farm Store on Route 206 Approval from PB
- New Dunkin on Newton-Sparta Ave
- NJDOT Transportation Alternatives Set-Aside Grant Application for Streetscape Improvements from Woodside Avenue to Diller Avenue to improve area around Thorlabs and extend Lower Spring Street streetscape (\$400,000)
- CDBG \$400,000 Sidewalk Grant Application - Brookside
- RPM Newton Town Centre Project – Opened
- Registration of Vacant Properties Ordinance
- Boarding House & Absentee Landlord legislation

Police, Fire, OEM, First Responders

- Succession Planning PD: New Chief; New Lieutenants; New Sergeants; New Patrolmen
- Newton Fire Department By-Laws updates
- OEM response to Code Blue mandates and COVID-19 monitoring and coordination
- Designed, built and opened new fire house 2

DPW, W&S, Engineering

- Mitigated the Route 94 Water Runoff Problem (NJDOT/Sen. Oroho)
- USDA Review of Funding for 10-year Projects
- 10-Year Sewer Capital Budget
- 10-Year Water Capital Budget
- Rail Trail Project

This is by far not a comprehensive list, rather just the tip of the iceberg of all that has been accomplished. As a matter of fact, the projects mentioned are really just the most visible. So much of the work done by the employees of the Town of Newton is often not visible or seen by the public. But it's that work that keeps this town operating, day after day so that we all may enjoy living, working, and playing in the great Town of Newton. The decisions made at the municipal level are the decisions that affect everyone's day to day lives – are my streets safe, do we have good schools, will the police and fire departments respond when I need them, do I get fair services for the taxes I pay – those are the issues we help to shape and influence.

Four+ years ago, I promised you that we had a lot of work to get done. And we've delivered on those promises. The awesome responsibility of being your elected official is one I've taken seriously and executed to the best of my ability. For me it hasn't been a resume enhancer, a notch on my belt, or an opportunity to simply march in a parade. This job, when done well, takes hard work, dedication, commitment, and tenacity. For me, it's been a true labor of love. I know I've said this over and over again. But I truly love this job, the work, the collaboration, the problem solving, and the community-building. Thank you for allowing me to serve you. Despite the tough decisions, the hard conversations, and the obstacles, we've accomplished so much, achieved our goals, and celebrated our wins together.

In so many ways, I have tried to dedicate my life to one of service – my family, school, church, and my community. In some small way I hope I've made our town a little better than it was when I started. I know my life is so much better for having served you as your elected official.

I really want to express my heartfelt thanks and appreciation to everyone that has reached out to me the past few weeks to offer your words of appreciation and encouragement. Your support and kind words really mean the world to me.

I truly wish the new Council the best of luck. I'm really happy for Michelle and I know she will work hard on behalf of the Town of Newton. Dan and I leave you with many great projects in the works and the best municipal team in the County. I guarantee that the hard work and effort you put into the job will be more than worth it. The blessing you will receive in return will be abundant.

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- Tom & the Staff – they are truly the unsung heroes that come to Town Hall everyday to work in service to our community. Tom – CEO – leader – visionary – no one better – respected in the county and the state – thank you
- Professionals – for your guidance
- Volunteers – for your shared love of our town
- Community and legislative partners – for your partnership
- Business owners – for entrusting your livelihood in our town
- Residents – for choosing Newton as the place to live and raise your families
- Fellow Council Members – for your dedication to making Newton great
- My family and friends for their unconditional love and support. Sometimes it's not easy constantly being in the public eye but you've done it for me with grace, maturity, and love.

I will miss you all from the dais but look forward to continuing the relationships and friendships that we've made. May God continue to bless you all and the great Town of Newton. Thank you."

Councilman Schlaffer – I will truly miss Dan and Helen. Dan with his expertise in engineering and Helen with her true leadership skills and passion. Thank you for being great mentors.

Councilman Dickson - Wanted to reiterate that Dan and Helen will truly be missed and wished you them the best of luck!

Mayor Diglio again thanked Dan and Helen for their dedication and wished them all the best. She also wished everyone a Merry Christmas, Happy Holidays, and a Happy & Healthy New Year to all!

EXECUTIVE SESSION – None.

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Deputy Mayor Flynn and unanimously carried, the regular meeting was adjourned at 8:12 pm.

Respectfully submitted,



Lorraine A. Read, RMC
Municipal Clerk