

May 27, 2020  
(VIA ZOOM)

The regular meeting of the Town Council of the Town of Newton was held on the above date at 7:03 pm. Present via Zoom were Mr. Dickson, Deputy Mayor Flynn, Mr. Schlaffer, Mrs. Le Frois, Mayor Diglio, and Thomas S. Russo, Jr, Town Manager. Ursula Leo, Esq., Town Attorney and Monica Miebach, CFO, were also present.

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

Mayor Diglio led the Pledge of Allegiance to the flag and the Municipal Clerk called the roll. Upon motion of Mrs. Le Frois, seconded by Mr. Dickson and unanimously carried, the minutes for the May 11, 2020 Regular meeting were approved.

### **OPEN TO THE PUBLIC**

At this time, Mayor Diglio read the following statement:

*"At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to take one turn at the microphone and please limit their comments to 3 minutes. The Clerk will keep time. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes. Council may choose to comment after the entire public portion has concluded."*

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

### **COUNCIL & MANAGER REPORTS**

**Mayor Diglio** – "Good evening and I thank those of you in attendance for taking your time to be here.

As I have stated in the past, I continue to attend the COVID 19 phone conference calls by the County, the Governor, and Josh Gottheimer. As of May 27th, there are 1103 cases of COVID and 1465 deaths in Sussex County. Again I offer my sincere condolences to the families who have lost a loved one. The good news is 895 people have recovered. I am happy to report that modified graduations ceremonies may now take place on or after July 6th. I am thankful that seniors will be able to enjoy this milestone in their lives.

I would again like to remind those that have not done so as of yet to please fill out the census. Counting everyone in the 2020 census helps communities receive funding for health care, education, and emergency services. State and local officials also use census counts to draw boundaries for congressional, state legislative and school districts. As of today, Newton has had a 63.8% response, Sussex County has a 64.4% response and NJ has a total of 62.1% response.

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

Also please continue to support the local businesses that are open. Many of these businesses have supported this community and now it is our turn to help them. Memorial Day was May 25. It is a day that has always held a special place in my heart

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and I would like to thank Tom, Kimberly, and Steve Ackerman, the VFW Commander, for helping me organize the service which was held at the VFW. I would also like to thank the Hontz family for again being there to provide the music and readings as well as Chaplain Charlie Kampka and the Firing Squad. Finally I want to thank those that showed up and those who watched the live tribute. This year we had the honor of having Walter (Wally) S. Atchison as the Grand Marshall. Wally is a WW II veteran and will be 104 this year. For his service to the country he was awarded the Good Conduct Medal, The Honorable Service Lapel Button, The Europe African Middle Eastern Campaign Medal, a Bronze Star, a Silver Star, the World War Victory Medal and the Presidential Unit Citation. Thank you Wally. I know that I will never forget the men and women who have given all so I may be free.

Finally, I would like to acknowledge the Proclamation for 2nd Lt. Andrew Cooney which Councilwoman Le Frois will read during her report."

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

**Councilman Dickson** – "As I have the last several meetings, I will start with some recognition of generosity by businesses or individuals:

- Teyma General Contracting for delivering meals to Newton Medical Center and the Newton First Aid Squad.
- The Newton High School baseball team and head coach Scott Zymet for their generous donation of a Dominick's gift card to the Newton First Aid Squad.

There have been two BOE meetings since our last meeting and I will give a brief update:

- At the May 12th meeting, the board heard during an executive session the other possibilities for personnel cuts. After the administration went over these with the board they came out of executive session and went with the original suggested cuts which included both a business and history teacher.
- Dr. Greene reported that a virtual graduation was in the plans, and that the district will be offering a virtual summer program to students in July. The district is in the process of forming a district reopening committee. Dr. Greene thanked Planet Networks for the assistance they provided in ensuring students had internet access, and announced that the NHS Marching Band was nominated by Congressman Gottheimer and will be performing at the 2021 Memorial Day parade in Washington DC.
- The preschool facility was discussed and the board is moving forward with plans to enter into a 5 year lease purchase agreement on two modular units that will be placed at Merriam. These are for the preschool program and the money that will be used towards this is the state grant money given specifically for preschool programs and cannot be used for any other purpose.
- Last night the BOE met. Dr. Greene reported that with loss of revenue the state has had due to COVID 19, original state aid increases that we initially reported won't happen and it will stay flat with last year's aid amount. The district is applying and waiting to see what money they may receive from the CARES act prior to making any changes to the budget.
- With Gov. Murphy allowing in-person graduations after July 6th, the district has decided to continue with plans to hold a virtual graduation on June 17th. The district, once given direction from the state, will plan an in person event that conforms to social distancing guidelines sometime in July."

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

**Councilwoman Le Frois** – Thanked the First Responders, Healthcare Workers, OEM as well as the essential workers for their continued work in the community. She continues to

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attend the Sussex County Chamber of Commerce meetings and updated on upcoming "new normal" procedures in the near future. She recognized the virtual Memorial Day Parade ceremony held on Monday, May 25<sup>th</sup> at 11:00am and thanked Mayor Diglio and Mr. Russo for organizing the event. She thanked the Planning Board for their continued meetings, via Zoom, for the necessity of progress. She noted, Executive Order 148, updates outside gatherings with restrictions. She reminded SCCC has a testing site, for COVID-19, with a required prescription and appointment. She reminded of the upcoming event, Little Miss, Little Mister, and Miss Newton, will be held on Friday, June 12, 2020 and applications are due now. She thanked all the participants who provided generous donations to all the essential workers in the community. She updated on a State grant available for small businesses which have been impacted by COVID-19. Finally, she was pleased to read the following Proclamation into the minutes:

### **Proclamation**

#### **2<sup>nd</sup> Lt. Andrew Cooney**

**WHEREAS**, Andrew Cooney, a Newton resident and 2016 graduate of Newton High School currently serves in the United States Army as 2nd Lieutenant; and

**WHEREAS**, 2nd Lt. Cooney served in the Greyhound battalion of Loyola University ROTC and graduated in 2020 with a Bachelor's Degree in Political Science with a double minor in Spanish and Latin American Studies; and

**WHEREAS**, while in ROTC, 2nd Lt. Cooney was a member of the battalion color guard team, participated in a number of volunteering and recruiting events, and served as captain of the Ranger Challenge Team for his junior and senior years; and

**WHEREAS**, 2nd Lt. Cooney graduated with high honors and distinguished himself with numerous military and academic awards; and

**WHEREAS**, he attended a CULP mission to Paraguay and also graduated the Sabalauski Air Assault School at Fort Campbell, Kentucky as the Distinguished Honor graduate of his class;

**NOW THEREFORE, WE**, the Mayor and Town Council of the Town of Newton, hereby acknowledge 2nd Lt. Andrew Cooney's outstanding accomplishments and proclaim our appreciation for his dedicated service to our country. We wish him success in his career as he moves on to his assignment as an active duty Infantry Officer in the United States Army at Fort Benning, Georgia.

In witness whereof I have hereunto set my  
Hand and caused this seal to be affixed.

s/Sandra Lee Diglio

Attest: s/Lorraine A. Read

Date: May 15, 2020

**Town Manager Russo** – Thanked all those who participated in the virtual Memorial Day ceremony. Thanked the Town staff for their hard work at home and at the office during the COVID-19 pandemic. Thanked OEM staff for their daily briefing and diligent work. Miss Newton can also be viewed virtually on Friday, June 12<sup>th</sup> at 6pm via Zoom or Facebook Live. He noted the renovations/modifications are ongoing at municipal building in order to re-open the Municipal Building to the general public. Morris Lake will begin to open on June 1<sup>st</sup>. Permits will only be issued for Monday, Wednesday, Friday fishing. A new boat has been ordered. He noted his condolences to John Ragsdale, current PB member, on the passing of his wife, Janet Ragsdale. He participated in the re-accreditation of the NJ State Police, this week. He noted the additional Resolution #131-2020 added to the agenda this evening.

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**OLD BUSINESS** – None.

**ORDINANCES** – None.

**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 #126-2020\***

**RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES FOR 2020 IN AN AMOUNT NOT EXCEEDING \$8,500,000 FOR THE TOWN OF NEWTON, COUNTY OF SUSSEX, NEW JERSEY**

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

**Section 1.** In anticipation of the collection of taxes or other revenues during the current fiscal year, there are hereby authorized to be issued tax anticipation notes of the Town of Newton, County of Sussex, New Jersey (the "Town"), each to be known as a "Tax Anticipation Notes of 2020," in amounts not exceeding \$8,500,000. The proceeds of such tax anticipation notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

**Section 2.** The following certificate has been prepared by the Town and is filed in the office of the Town Clerk:

**CERTIFICATE WITH RESPECT TO TAX ANTICIPATION NOTES**

I, Monica B. Miebach, Chief Financial Officer of the Town of Newton, County of Sussex, New Jersey (the "Town") HEREBY CERTIFY as follows:

1. The gross borrowing power in respect to tax anticipation notes for the fiscal year of 2020, being 30 percent of the tax levy for all purposes of the fiscal year of 2019 plus 30 percent of the amount of miscellaneous revenues realized in cash during the fiscal year of 2019, is \$8,568,869.
2. The amount of tax anticipation notes outstanding in anticipation of the collection of taxes of the fiscal year of 2020, except such tax anticipation notes as will be renewed by or paid from the proceeds of the tax anticipation notes to be issued, is \$0.
3. The net borrowing power, being the excess of the first over the second of the two above amounts, is \$8,568,869.
4. This certificate is made with respect to \$8,500,000 Tax Anticipation Notes of 2020 about to be authorized by the "finance officer" of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand this 27<sup>th</sup> day of May, 2020.

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Monica B. Miebach  
Chief Financial Officer

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**Section 3.** The following matters in connection with the tax anticipation notes are hereby determined:

- (a) All tax anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no tax anticipation note shall mature later than 120 days following the end of the fiscal year.
- (b) All tax anticipation notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer.
- (c) All tax anticipation notes shall be in the form prescribed by the Local Budget Law and otherwise as determined by the Chief Financial Officer and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination;
- (d) Tax anticipation notes issued hereunder may be issued in such amounts and renewed from time to time, provided, however, that no renewal tax anticipation note shall be issued later than the last day of the fiscal year.
- (e) All tax anticipation notes shall be executed by the Mayor and the Chief Financial Officer and attested by the Town Clerk.

**Section 4.** The Chief Financial Officer is authorized and directed to determine all matters in connection with the tax anticipation notes not determined by this or by a subsequent resolution and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination.

**Section 5.** The Chief Financial Officer is hereby authorized to sell the tax anticipation notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

**Section 6.** Any instrument issued pursuant to this resolution shall be a general obligation of the Town, and the full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations.

**Section 7.** The Chief Financial Officer is authorized and is directed to report in writing to the Town Council at the meeting next succeeding the date when any sale or delivery of the tax anticipation notes pursuant to this resolution is made, such report to include the amount, the description, the interest rate and the maturity of the tax anticipation notes sold, the price obtained and the name of the purchaser.

**Section 8.** The Chief Financial Officer, in connection with other professionals of the Town acting under her direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the Town, as it may be so updated from time to time, to be distributed in connection with the sale of obligations of the Town. The Chief Financial Officer is hereby authorized to execute such disclosure document on behalf of the Town.

**Section 9.** (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of tax anticipation notes authorized by this resolution is not exempt from the Rule, for so long as an issue of tax anticipation notes of the Town remains outstanding (other than an issue of tax anticipation notes which has been wholly defeased), the Town shall provide, in a timely manner not in excess of ten business days after the occurrence of the event, to the Municipal Securities Rulemaking Board, notice of any of the following events with respect to the tax anticipation notes:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;

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- (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 security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, 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 Township, 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;
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

For the purposes of the event identified in subparagraph (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 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.

(b) The covenants and undertakings contained in this Section 9 are made for the benefit of the holders or beneficial owners of the tax anticipation notes issued under this resolution.

(c) 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 tax anticipation notes prior to their offering. Such officer is hereby authorized to enter into written contracts or undertaking to implement this resolution and is further

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authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advice of Bond Counsel.

(d) In the event the Town fails to comply with this resolution or the written contract or undertaking, the Town shall not be liable for monetary damages, remedy of the holders or beneficial owners of the tax anticipation notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

**Section 10.** The Town hereby covenants that, if applicable, 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 tax anticipation notes, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the tax anticipation notes, and that it will refrain from taking any action that would adversely affect the tax exemption of the tax anticipation notes under the Code. The Town hereby authorizes the Chief Financial Officer to act on behalf of the Town to designate the notes as "bank-qualified" for purposes of Section 265 of the Code when applicable and appropriate based on the advice of counsel.

**Section 11.** The officers of the Town designated herein include any acting, assistant, or interim officer authorized to serve in that position.

**Section 12.** This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

**AYES:** Dickson, Flynn, Schlaffer, Le Frois, Diglio

**NAYES:**

#### **RESOLUTION #127-2020\***

#### **TO CANCEL TRUST ESCROW BALANCES**

**WHEREAS**, there are balances showing on the Trust trial balance as of May 4, 2020 in the following accounts:

#71148	Engineer Review Fee: Landworx (12/04)	\$24.72
#711503	Engineer Review Fee: Mark Yurkiw deck (2/07)	\$62.46
#711572	Engineer Review Fee: Anwar Qarmout	\$ .25
#711491	Engineer Review Fee: Hillside Asso/Aspero(9/05)	\$ 2.89

**WHEREAS**, a minimum of three letters have been sent to the above escrow applicants advising applicants of a remaining balance and the opportunity to request a refund of the balance if the purpose had been completed; and

**WHEREAS**, it is desirous to clear these balances and the Town is using the evidence of non-responsiveness as a basis for authorizing the cancellation of these small trust escrow amounts per the Land Use Secretary;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that the above listed balances totaling \$90.32 in the Trust Fund be canceled to Current Operations.

#### **RESOLUTION #128-2020\***

#### **APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE ELM STREET, HAMPTON STREET, & UPPER UNION PLACE PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Newton Town Council of the Town of Newton, County of Sussex, State of New Jersey, formally approves the grant application for the above stated project; and

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**BE IT FURTHER RESOLVED** that the Town Manager and/or Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Elm St, Hampton St, & Upper Union PI-00086 to the New Jersey Department of Transportation on behalf of the Town of Newton; and

**BE IT FURTHER RESOLVED** that the Town Manager and/or Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Newton and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Town Council on this 27<sup>TH</sup> day of May, 2020.

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

My signature and Municipal Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**ATTEST AND AFFIX SEAL**

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

s/Sandra Lee Diglio  
Sandra Lee Diglio  
Mayor

**RESOLUTION #129-2020\***

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

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

**WHEREAS**, the Town of Newton has received a payment in the amount of \$2,576.00 from the Federal Assistance Grant for a Fiscal Year 2019 regular fund Bullet Proof Vest Partnership;

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

- Miscellaneous Revenues:
  - Section F: Special Items of Revenue
    - Public and Private Revenues Off-set with Appropriations:
      - State Body Armor Grant ..... \$2,576.00
- General Appropriations:
  - (A) Operations - Excluded from CAPS
    - Public and Private Programs Off-Set by Revenues:
      - State Body Armor Grant..... \$2,576.00

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

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**RESOLUTION #130-2020\***

**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**

1716	2540 - ADAM VOUGH	BOOT ALLOWANCE 2020		275.00
1717	1846 - ADVANCE AUTO	Vehicle Maintenance/Cleaner	21.33	21.33
1718	921 - AIRGAS EAST	B: CARON DIOXIDE	9.90	9.90
1719	2141 - AIRMATIC COMPRESSOR SYSTEMS, INC.	Svc Contract Morris Lk	464.20	
		Compressor Repair WTP	683.46	5,147.66
1720	3683 - ALEX ARMSTRONG	BOOT ALLOWANCE 2020	275.00	275.00
1721	4062 - ALL STATE	POOL RENOVATIONS	143,080.00	143,080.00
1722	3866 - ALLIED 100 LLC	AED PADS CUST #437624	96.79	96.79
1723	3505 - AMERICAN	2007 Ford Bus - Transmission	5,652.34	5,652.34
1724	3861 - ARF RENTAL SERVICES,	B: Porta John Rentals Jan -	444.69	444.69
1725	3891 - ARMSTRONG, ADAM	BOOT ALLOWANCE 2020	275.00	275.00
1726	4026 - AUTOZONE	HEADLIGHT FIRE	36.98	36.98
1727	2685 - B & H INC.	FIRE #2 TV STAND	119.99	119.99
1728	3905 - BLUE DIAMOND	Bulk Pickup 5/2/2020 CUST	6,754.00	6,754.00
1729	1132 - BOONTON TIRE SUPPLY	B: PD VEHICLE REPAIR	944.41	944.41
1730	192 - CAMPBELL'S SMALL	Machine Rpr/Landscaping	77.77	
		Machine Rpr/Landscaping	547.70	625.47
1731	506 - CARR, JOSEPH	BOOT ALLOWANCE 2020	275.00	275.00
1732	163 - CENTURYLINK	B: LONG DISTANCE	76.32	76.32
1733	163 - CENTURYLINK	B: WOODSIDE AVE PS	40.46	40.46
1734	163 - CENTURYLINK	LOCAL PHONE SVC	1,235.90	
		LOCAL PHONE SVC	2,907.40	4,143.30
1735	4235 - CHAMPIGNON,	BOOT ALLOWANCE 2020	275.00	275.00
1736	2765 - CODE 96 LLC	MAINT AGMT 5/1-5/31/20	1,200.00	1,200.00
1737	4298 - CORNERSTONE TITLE &	REFUND TAX OVERPAYMENT	1,846.20	1,846.20
1738	4069 - DELL MARKETING LP	LAPTOP FOR TAX COLLECTOR	625.00	625.00
1739	2854 - DUSTIN MCGARRY	BOOT ALLOWANCE 2020	275.00	275.00
1740	106 - ELIZABETHTOWN GAS	B: NATURAL GAS DELIVERY	679.32	
		B: NATURAL GAS DELIVERY	1,666.61	2,345.93
1741	3124 - EXTRA TECH DATA	IT COVID-19 SERVICES	947.76	947.76
1742	3233 - FASTENAL COMPANY,	SCREWS/BOLTS MORRIS LAKE	46.78	46.78
1743	1707 - FINKLE, DANIEL	Reimburse Adobe Creative	239.88	239.88
1744	1880 - FIRE & SAFETY	TOWER #804 REPAIRS	5,786.99	5,786.99
1745	2268 - FIRST HOPE BANK INC.	#4 of 4 (1) 2018 POLICE	9,951.62	9,951.62
1746	2744 - FKA ARCHITECTS INC.	FIRE #2 MAILING FED-X	24.38	24.38
1747	200 - GARDEN STATE	CAF: WATER TANK TESTING	430.00	
		WASTE & DRINKING WATER	3,366.00	3,796.00
1748	332 - J & D SALES &	RECYLC MAINT RENEW	570.00	570.00
1749	3235 - J. CALDWELL &	THORLABS-APR ESCROW	65.00	
		PB PLANNER CONSULT-APR	65.00	
		WEIS-APR ESCROW	1,150.00	1,280.00
1750	1714 - JAEKEL, KKENNETH	BOOT ALLOWANCE 2020	275.00	275.00
1751	3682 - JASON	BOOT ALLOWANCE 2020	275.00	275.00
1752	113 - JCP&L	ST LIGHTING -APR	6,312.10	6,312.10
1753	3772 - JK HVAC SERVICE,	Heater Rpr./WWTP	454.32	454.32
1754	2576 - JOSEPH WHITE	BOOT ALLOWANCE 2020	275.00	275.00
1755	365 - KITHCART, BROCK	BOOT ALLOWANCE 2020	275.00	275.00
1756	2532 - LADDEY, CLARK &	B: PROSECUTOR McMeen	2,875.00	2,875.00
1757	2532 - LADDEY, CLARK &	THORLABS-MAR ESCROW	272.00	272.00
1758	4227 - LAW OFFICE OF	B: PUBLIC DEFENDER	1,333.33	1,333.33
1759	3985 - LEYMAN, JUSTIN	BOOT ALLOWANCE 2020	275.00	275.00
1760	1566 - MAIN POOL &	B: LIQUID SODIUM	973.50	973.50
1761	4303 - METRO PRINTING &	CLOTH MASKS W/TOWN SEAL	425.00	425.00
1762	3450 - MORRIS ASPHALT	TRAIL GRANT ORD	1,132.55	1,132.55
	3166 - MOTT MACDONALD	STP WATER EFFECT RATIO	330.00	330.00
1764	116 - NEW JERSEY HERALD, INC.	PO 57143 NJ Herald Bulk AD Publication 4/26		315.00
		PO 57143 NJ Herald Bulk AD	184.80	
		PO 57143 NJ Herald Bulk AD	560.10	1,059.90
		Publication 4/26		
1765	4284 - NFWTON	PO 56899 Repairs - MVA - Car #3606	2,090.96	2,090.96

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1766	170 - NEWTON	PO 56417	SCHOOL TAX (JAN-JUNE)	1,029,765.00	1,029,765.00
1767	1742 - NJ	PO 57124	RENEW SUBSCRIPTION	175.00	175.00
1768	2835 - NJMEBF	PO 57107	MEDICAL/DENTAL -MAY		31,100.00
			P MEDICAL/DENTAL -MAY		140,171.00
1769	499 - OFFICE BUSINESS SYSTEMS INC.		MAINTENANCE CONTRACT	acc	2,613.00
1770	2882 - ONE CALL CONCEPTS, INC.		B: ONE CALL MESSAGES		44.88
1771	4280 - OSBORN, ROBERT		REIMBURSEMENT FOR FILTERS		92.08
1772	1407 - PASSAIC VALLEY SEWERAGE		B: JUDGE DISPOSAL acct #12701		15,346.80
1773	64 - FELLOW, HAROLD & ASSO.		AHS - FEB/MAR/ ESCROW		260.00
			NEWTON COMMONS-FEB/MAR		260.75
			PATERSON/BUILDPRO-FEB/MAR		65.00
			SAMARITAN INN-FEB/MAR ESCROW		391.50
			Water Street Holdings-Feb/Mar		32.50
			PB CONSULT-FEB/MAR 2020		65.00
			WEIS-FEB/MAR ESCROW		1,171.50
			THORLABS-FEB/MAR ESCROW		2,861.50
1774	64 - FELLOW, HAROLD & ASSO.		THORLABS-JAN/FEB ESCROW 2020		4,283.11
1775	2788 - PENTELEDATA		B: INTERNET		669.75
			B: INTERNFT		399.85
1776	4126 - PROFESSIONAL CONSULTING		B: 2020 SEWER ENGINEER		1,760.00
			GRIT COLLECTOR REPLACEMENT -		945.00
1777	4236 - ROWETT, ERIK		BOOT ALLOWANCE 2020		275.00
1778	2848 - ROY FRYMAN		BOOT ALLOWANCE 2020		275.00
1779	4152 - RUSSFELDF WASTE &		B: JUDGE REMOVAL CUST		18,069.66
1780	1261 - S/NJ EMPLOYER ACCOUNTS		1ST QTR UNEMPLOYMENT - 2020		1,450.84
1781	3660 - SCHENCK, PRICE, SMITH, &		B: TAX APPEAL ATTORNEY	(N	451.50
1782	126 - SCMUJA		W/S Trash Removal ending		511.87
			Spring 2020 Brush Removal		930.00
1783	611 - SPRING AUTO PARTS, INC.		Maintenance/Rpr		41.64
1784	951 - SERVICE ELECTRIC CABLE TV.		B: DIGITAL CONVERTERS & DTA'S		121.35
1785	3993 - SLOAN, JAMES P.		B: 2020 JUDGE		3,451.17
1786	1489 - SMALLEY, JOHN H		B: 2020 SVC'S WTP		1,416.66
1787	4140 - SMITH, ANTHONY		BOOT ALLOWANCE 2020		275.00
1788	316 - SPARTA TOWNSHIP TAX		2nd qtr 2020 Prop tax Morris		16,819.99
1789	2257 - STAPLES		B: OFFICE SUPPLIES		134.46
1790	2400 - STEVE ESTLER		BOOT ALLOWANCE 2020		275.00
1791	279 - STRAWAY, RICHARD A. JR.		BOOT ALLOWANCE 2020		275.00
1792	280 - STRAWAY, THOMAS		BOOT ALLOWANCE 2020		275.00
	3897 - SYNCHRONY BANK		Wireless headphones - 3 sets		134.89
1794	371 - T.A. MOUNTFORD		COPIER CONTRACT #2233		125.00
1795	2479 - TAYLOR OIL CO., INC.		B: DIESEL (JAN-MAR)		572.82
1796	3851 - THE CANNING GROUP, LLC.		B: OPA PURCHASING 2020		625.00
1797	3369 - UNITED TELEPHONE/CENTURY		B: DIGITAL DATA CIRCUIT		276.01
1798	1280 - VERIZON WIRELESS, INC.		CELL PHONES -APR		1,341.38
			CELL PHONES -APR		248.27
1799	1158 - VISION SERVICE PLAN		VISION - MAY 2020		1,158.10
1800	1819 -		WEIS-APR ESCROW		345.00
			SAMARITAN INN-APR ESCROW		75.00
			NEWTON COMMONS-APR		45.00
			PB CONSULT-APR 2020		1,680.00
1801	2635 - W.B. MASON, INC.		Office Supplies		8.82
1802	1500 - WALMART		6PC TRAY SET		5.57
1803	4261 - WIELKOTZ & COMPANY.		PREPARE SUPPLEMENTAL DEBT		1,250.00
1804	2718 - WILLIAM OSWIN III		BOOT ALLOWANCE 2020		275.00
1805	3892 - WISTUBA, TRAVIS		BOOT ALLOWANCE 2020		275.00
	TOTAL				
100130	INTERFUND RECEIVABLE - PAYROLL ACCT				21,967.18

UNT	DESCRIPTION	CURRENT YR	APPROP. YEAR
NON-BUDGETARY	CREDIT		
5	DUE NEWTON BOE - SCHOOL TAX PAYABLE		1,029,765.00
101299	Due to Clearing	0.00	1,236,084.23
1050200	TOWN MANAGER'S OFFICE - OTHER EXPENSES		8.82
1051200	TOWN CLERK'S OFFICE - OTHER EXPENSES		560.10
1052200	TOWN COUNCIL - OTHER EXPENSES		175.00
1054300	FINANCE ADMINISTRATION - AUDIT SERVICES		1,250.00
1058200	LEGAL SERVICES - OTHER EXPENSES		4,159.83
1061200	BUILDINGS & GROUNDS - OTHER EXPENSES		130.57
1062200	PLANNING BOARD - OTHER EXPENSES		1,810.00
1064200	COMMUNITY DEVELOPMENT - OTHER EXPENSES		625.00
1066200	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE		119,361.92
1083300	VEHICLE MAINTENANCE - OTHER EXPENSES		8,880.67

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1083300A	(2019) VEHICLE MAINTENANCE - OTHER EXPEN			5,652.34
1089200	UTILITY EXP/BULK PURCH - OTHER EXPENSES			13,370.92
1091200	PARKS & PLAYGROUNDS - OTHER EXPENSES			82.30
1094570	RES TAX APPEALS			1,846.20
1094575	STATE OF EMERGENCY - CORONAVIRUS			1,839.61
1094798	INTERLOCAL - GREEN TWP COURT			3,951.17
1095200	CAPITAL IMPROVEMENTS - OTHER EXPENSES			625.00
-----				
TOTALS FOR	CURRENT FUND		178,699.71	5,652.34
1,051,732.18	1,236,084.23			
=====				
111200	APPROPRIATED RESERVES FOR GRANTS			
7,069.00				
111299	Due to Clearing			
0.00	7,069.00			
-----				
TOTALS FOR	FEDERAL/STATE GRANTS		0.00	0.00
7,069.00	7,069.00			
=====				
301299	Due to Clearing		0.00	144,356.92
3091806	ORD 2018-6 supp FIREHOUSE #2			144.37
3091909	ORD 2019-9 POOL			143,080.00
3091913	ORD 2019-13 Rec Tr.Gt 2011 Funded			1,132.55
-----				
TOTALS FOR	CAPITAL		144,356.92	0.00
0.00	144,356.92			
=====				
601110	ACCOUNTS PAYABLE			430.00
601299	DUE TO CLEARING		0.00	100,917.21
6051200	W&S OPERATING - TOTAL OTHER EXPENSES			95,693.01
6051200A	(2019) W&S OPERATING - TOTAL OTHER EXPE			4,794.20
-----				
TOTALS FOR	WATER/SEWER UTILITY		95,693.01	4,794.20
430.00	100,917.21			
=====				
611299	DUE TO CLEARING		0.00	945.00
611303	RES FOR WWTP GRIT COLL.ORD 1-2020			945.00
-----				
TOTALS FOR	WATER/SEWER CAPITAL		0.00	0.00
945.00	945.00			
=====				
711299	DUE TO CLEARING			772.25
	ENGINEER REVIEW FEES			772.25
-----				
TOTALS FOR	TRUST		0.00	0.00
772.25	772.25			
=====				
721299	DUE TO CLEARING		0.00	10,505.61
721311	THORLABS - PL BD ESCROW (5/10)			4,348.11
721344	RESERVE AHS Invest Onsite Inspect(10/18)			260.00
721347	RES FOR NAT'L SELECTION -new constr(1/19)			3,133.50
721353	PATERSON/BUILD PRO (9/19)			65.00
721359	WATER ST HOLDING (10/19)			32.50
721362	WEISS #143			2,666.50
-----				
TOTALS FOR	DEVELOPERS ESCROW (Fund 72)		0.00	0.00
10,505.61	10,505.61			
=====				

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ACCOUNT NON-BUDGETARY	DESCRIPTION CREDIT	CURRENT YR	APPROP. YEAR
731255	RESERVE FOR EXPENDITURES - UNEMPLOYMENT		1,450.84
731299	DUE TO CLEARING	0.00	1,450.84
TOTALS FOR	SUI (Fund 73)	0.00	0.00
		1,450.84	1,450.84

Total to be paid from Fund 10 CURRENT FUND	1,236,084.23
Total to be paid from Fund 11 FEDERAL/STATE GRANTS	7,069.00
Total to be paid from Fund 30 CAPITAL	144,356.92
Total to be paid from Fund 60 WATER/SEWER UTILITY	100,917.21
Total to be paid from Fund 61 WATER/SEWER CAPITAL	945.00
Total to be paid from Fund 71 TRUST	772.25
Total to be paid from Fund 72 DEVELOPERS ESCROW (Fund 72)	10,505.61
Total to be paid from Fund 73 SUI (Fund 73)	1,450.84
-----	
1,502,101.06	

201042	BNY MELLON	Series 2010 RAB Bond int \$350T (Th	7,875.00	5/15/2020
201041	BNY MELLON	Series 2010 RAB Bonds Int \$4M (Tho	224,947.50	5/15/2020
42696	TOWN AND COUNTRY	PO# 57103 5/14 LUNCH	61.60	5/14/2020
207115	PAYROLL ACCOUNT	5/14 Trust Pay	2,175.00	5/14/2020
206034	PAYROLL ACCOUNT	5/14 W/S Payroll	37,168.20	5/14/2020
201114	PAYROLL ACCOUNT	5/14 Grant Pay	1,174.29	5/14/2020
201040	PAYROLL ACCOUNT	5/14 Current Pay	169,976.36	5/14/2020
-----				
443,377.95				

Totals by fund	Previous Checks/Voids	Current Payments	Total Fund
10 CURRENT FUND	402,860.46	1,236,084.23	1,638,944.69
Fund 11 FEDERAL/STATE GRANTS	1,174.29	7,069.00	8,243.29
Fund 30 CAPITAL		144,356.92	144,356.92
Fund 60 WATER/SEWER UTILITY	37,168.20	100,917.21	138,085.41
Fund 61 WATER/SEWER CAPITAL		945.00	945.00
Fund 71 TRUST	2,175.00	772.25	2,947.25
Fund 72 DEVELOPERS ESCROW (Fund 72)		10,505.61	10,505.61
Fund 73 SUI (Fund 73)		1,450.84	1,450.84
<b>BILLS LIST TOTALS</b>	<b>443,377.95</b>	<b>1,502,101.06</b>	<b>1,945,479.01</b>

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

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

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

Upon motion of Mr. Schlaffer, seconded by Deputy Mayor Flynn, moved to **add**

**Resolution #131-2020 to the agenda** 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 #131-2020**

**A RESOLUTION OF THE TOWN OF NEWTON AUTHORIZING THE PURCHASE OF NATURAL GAS SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Town of Newton has determined to move forward with the EMEX Reverse Auction in order to procure natural gas for the Local Unit; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

**WHEREAS**, the Town of Newton utilized the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

**WHEREAS**, EMEX, LLC is compensated for all services rendered through the participating supplier a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Manager of the Town of Newton is hereby authorized to execute on behalf of the Town of Newton any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

A motion was made by Mr. Dickson, **to approve RESOLUTION #131-2020**, seconded by Mr. Schlaffer and roll call resulted as follows:

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

**DISCUSSION** - None.

**OPEN TO THE PUBLIC**

Mayor Diglio opened the meeting to the public.

James Baldini, former Newton resident, questioned when the Town plans on opening the businesses. He also asked if a rally could be held at the Newton Green?

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 noted he is in favor of opening businesses sooner and noted the County is the jurisdiction for a rally on the Newton Green.

Mr. Russo noted the businesses (ie. Retail & Restaurants) are regulated by the State under Executive Orders, not by the municipality. He also noted the use of the Newton Green park is regulated by the County and permits would be obtained through County Administration.

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Councilwoman Le Frois reiterated the County office is where a permit is obtained for use of the County Park. She commended the Town OEM Team for their diligent work over the past 11 weeks as well as their coordination with various offices in and around the Town of Newton.

**EXECUTIVE SESSION** – None.

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Mr. Dickson and unanimously carried, the regular meeting was adjourned at 7:39 pm.

Respectfully submitted,

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

Lorraine A. Read, RMC  
Municipal Clerk