



**AGENDA  
NEWTON TOWN COUNCIL  
ANNUAL REORGANIZATION MEETING  
January 5, 2021  
12:00pm**

**I. INVOCATION**

- a. Pastor Aaron Verhoef, Newton Covenant Reformed Church, Newton, NJ

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. OPEN PUBLIC MEETINGS ACT STATEMENT**

**V. OATH OF OFFICE FOR NEWLY ELECTED OFFICIALS**

- a. Lorraine A. Read, RMC, Swearing-in:
  - i. John-Paul E. Couce, Four-Year Term, Newton Town Council
  - ii. Michelle J. Teets, Four-Year Term, Newton Town Council

**VI. DESIGNATION OF TEMPORARY MAYOR**

- a. \_\_\_\_\_

**VII. NOMINATION AND SELECTION OF MAYOR**

- a. \_\_\_\_\_

**VIII. SWEARING-IN OF MAYOR BY LORRAINE A. READ, RMC**

**IX. NOMINATION AND SELECTION OF DEPUTY MAYOR**

- a. \_\_\_\_\_

**X. SWEARING-IN OF DEPUTY MAYOR BY LORRAINE A. READ, RMC**

**XI. COMMENTS BY TOWN MANAGER, COUNCIL MEMBERS, DEPUTY MAYOR, AND MAYOR**

## **XII. CONSENT AGENDA**

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.

- |           |                      |  |
|-----------|----------------------|--|
| <b>a.</b> | Resolution #1-2021*  | Designate Banks as Depositories for Calendar Year 2021   |
| <b>b.</b> | Resolution #2-2021*  | Appoint the Town Manager as Hearing Officer in all Matters of Dispute Regarding the Town of Newton for Calendar Year 2021                                    |
| <b>c.</b> | Resolution #3-2021*  | Designate Legal Newspapers for Calendar Year 2021  |
| <b>d.</b> | Resolution #4-2021*  | Designate Newspapers that will Receive Notices Required by the NJ Open Public Meetings Act for 2021  |
| <b>e.</b> | Resolution #5-2021*  | Establish Schedule of Town Council Meetings for 2021   |
| <b>f.</b> | Resolution #6-2021*  | Establish the Rate of Interest to be Charged for Non-Payment of Taxes on or Before the Due Date  |
| <b>g.</b> | Resolution #7-2021*  | Designate Officials to Sign Checks   |
| <b>h.</b> | Resolution #8-2021*  | Designate the Chief Financial Officer and/or Finance Director as the Individual Authorized to Sell Bond Anticipation Notes                                   |
| <b>i.</b> | Resolution #9-2021*  | Authorize the Tax Assessor, the Town Attorney, and Town Manager to Act on the Behalf of the Town of Newton for Calendar Year 2021 with Regard to Tax Appeals |
| <b>j.</b> | Resolution #10-2021* | Appointment of Mayor as a Class I Member of the Newton Planning Board  |
| <b>k.</b> | Resolution #11-2021* | Appointment of Town Council Representative as a Class III Member of the Newton Planning Board  |
| <b>l.</b> | Resolution #12-2021* | Cancellation of Small Balances   |
| <b>m.</b> | Resolution #13-2021* | Granting Authority for Approval of Certain Purchases Through New Jersey State Contracts and/or Purchasing Cooperatives                                       |
| <b>n.</b> | Resolution #14-2021* | Resolution Recognizing Town Events and Town Endorsed Events  |

- o.** Resolution #15-2021\* Resolution Authorizing Compliance with the United States Equal Employment Opportunity Commission's Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964
- p.** Resolution #16-2021\* Appointment of Kathryn Walker as Action Alliance Coordinator for the Town of Newton for 2021
- q.** Resolution #17-2021\* Appointment of Adam Vough as Municipal Recycling Coordinator for Calendar Year 2021
- r.** Resolution #18-2021\* To Confirm/Establish Petty Cash and Change Funds
- s.** Resolution #19-2021\* Appointment of Members of the Town of Newton Ad Hoc Redevelopment Team
- t.** Resolution #20-2021\* Appoint Local Emergency Planning Committee for Calendar Year 2021
- u.** Resolution #21-2021\* Designation of Theresa Schlosser as Tax Search Officer for the Town of Newton for the Calendar Year 2021
- v.** Resolution #22-2021\* Appointment of John-Paul Couce as Town Council Liaison to the Newton Board of Education
- w.** Resolution #23-2021\* Appointment of Michelle Teets as Town Council Liaison to the Economic Development Advisory Commission
- x.** Resolution #24-2021\* Appointment Sandra Lee Diglio as Town Council Liaison to the Historic Preservation Advisory Commission
- y.** Resolution #25-2021\* Resolution Affirming the Current Fund Balance Policy
- z.** Resolution #26-2021\* Resolution Affirming the Water Sewer Utility Fund Balance Policy
- aa.** Resolution #27-2021\* Appointment of Virginia Raftery as Clean Communities Coordinator for the Town of Newton for 2021
- bb.** Resolution #29-2021\* Appointment of the Municipal Auditor for the Town of Newton for Calendar Year 2021
- cc.** Resolution #30-2021\* Authorize the Execution of an Agreement for Auditing Services for Review of Statement of Assets Available for Benefits for LOSAP with Wielkotz & Company, LLC

- dd.** Resolution #31-2021\* Authorize and Direct the Tax Collector to Sell Municipal Liens in Accordance with New Jersey Law in 2021
- ee.** Resolution #32-2021\* Authorize the Award of a Required Disclosure Contract for David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., as Water Engineer for the Town of Newton for Calendar Year 2021
- ff.** Resolution #33-2021\* Adoption of the Temporary Operating Budget and Temporary Water and Sewer Budget for 2021
- gg.** Resolution #34-2021\* Appointment of Various Attorneys for Calendar Year 2021
- hh.** Resolution #35-2021\* Authorize the Award of a Required Disclosure Contract for J. Caldwell & Associates, LLC as Planner for the Town of Newton for Calendar Year 2021
- ii.** Resolution #36-2021\* Appointment of Keith Mitchell of the Mitchell Insurance Agency as Insurance Agent for Calendar Year 2021
- jj.** Resolution #37-2021\* Appointment of Helen R. Le Frois as an Alternate Member of the Planning Board
- kk.** Resolution #38-2021\* Reappointment of Certain Board and Commission Members
- ll.** Resolution #39-2021\* Authorize the Award of a Required Disclosure Contract for Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., as Sewer Engineer for the Town of Newton for Calendar Year 2021
- mm.** Resolution #40-2021\* Authorize an Agreement with Holzhauer & Holenstein, LLC for Appraisal Services for Defense of State Level Tax Appeals in Calendar Year 2021
- nn.** Resolution #41-2021\* Appointment of Clara Walters as Volunteer Senior Citizen Coordinator for the Town of Newton for 2021
- oo.** Resolution #42-2021\* Authorizing the Town of Newton to Enter into an Agreement with EXCEL Environmental Resources, Inc., for Environmental Engineering Services for Calendar Year 2021
- pp.** Resolution #43-2021\* Appointment of Redevelopment Attorney for Calendar Year 2021
- qq.** Resolution #44-2021\* Appointment of Bond Attorney for Calendar Year 2021

- rr.** Resolution #45-2021\* Appointment of Helen R. Le Frois as a member of the Parking Authority
- ss.** Resolution #46-2021\* Approve Bills and Vouchers for Payment
- tt.** Resolution #47-2021\* Authorize Payment of Recurring Bills
- uu.** Resolution #48-2021\* Procedure for Claimant Certification
- vv.** Resolution #49-2021\* Award of an Insurance Broker of Record Contract for Employee Benefits
- ww.** Resolution #50-2021\* Appointment of Town Attorney for Calendar Year 2021
- xx.** Resolution #52-2021\* Reappointment of Municipal Court Judge James P. Sloan

**XIII. RESOLUTIONS**

- a.** Resolution #28-2021 Concur with the Town Manager's Appointment of Special Police Officers
- b.** Resolution #51-2021 Reappointment of the Emergency Management Coordinators

**XIV. APPOINTMENT**

- a.** Mayor's Appointment Class II Representative to the Newton Planning Board (*Appointment of Town Manager by the Mayor*)

**XV. SWEARING-IN CEREMONY**

- a.** Hon. James P. Sloan – Judge Municipal Court

**XVI. OPEN TO THE PUBLIC**

**XVII. ADJOURNMENT**



## TOWN OF NEWTON

### RESOLUTION #1-2021

January 5, 2021

### “Designate Banks as Depositories for Calendar Year 2021”

**BE IT RESOLVED**, by the Town Council of the Town of Newton that the following policy is hereby adopted pertaining to Town funds for calendar year 2021:

1) The cash management and investment objectives for the Town of Newton include preservation of capital, adequate safekeeping of assets, maintenance of liquidity to meet operating needs, diversification of the Town's portfolio to minimize risks associated with individual investments, and investment of assets in accordance with State and Federal laws and regulations.

2) The following banks are hereby authorized to be used as depositories for Town funds:

PNC Bank  
JP Morgan Chase Bank  
New Jersey Cash Management Fund  
Provident Bank  
Lakeland Bank  
First Hope Bank  
Santander Bank, N.A.  
TD Bank  
Valley National Bank  
Wells Fargo Bank, N.A.

Beginning with the filing of September 30, 2010 a list of banks that participate in the Governmental Unit Deposit Protection Act (GUDPA) and the type of certificate of eligibility is available quarterly from the State of New Jersey, Department of Banking and Insurance website:

[https://www.state.nj.us/dobi/division\\_banking/depositories/gudpa.htm](https://www.state.nj.us/dobi/division_banking/depositories/gudpa.htm)

The Chief Financial Officer/Finance Director will review this site and provide the Town Auditor with a copy of this list.

The above designated official depositories are required to submit to the Chief Financial Officer/Finance Director a copy of the institution's “Annual Report” each year. This may also be satisfied electronically.

3) All funds shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15.

The Chief Financial Officer/Finance Director shall minimize the possibility of idle cash accumulating in accounts by assuring that the amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banking fees and compensating balances shall be reviewed on a monthly basis.

Investment decisions shall be guided by the cash flow projections prepared by the Chief Financial Officer/Finance Director.

4) Permissible investments for the Town of Newton shall include a) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America; b) government money market mutual funds; c) any Federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors; d) Bonds or other obligations of the local unit or school districts of which the local unit is a part; e) any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments; f) local government investment pools; g) New Jersey State Cash Management Fund; and h) repurchase agreements of fully collateralized securities.

5) The Chief Financial Officer/Finance Director is authorized and directed to make investments on behalf of the Town of Newton. All investment decisions shall be consistent with this plan and all appropriate regulatory constraints.

6) Securities purchased on behalf of the Town of Newton shall be delivered electronically or physically to the Town's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the Town.

7) The Chief Financial Officer/Finance Director shall report to the Town Council all purchases of investments in accordance with N.J.S.A. 40A:5-15.2.

8) The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-14.

9) The Chief Financial Officer/Finance Director shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance.

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #2-2021

January 5, 2021

**“Appoint the Town Manager as Hearing Officer in all Matters of Dispute Regarding the Town of Newton for Calendar Year 2021”**

**WHEREAS**, certain matters may arise over the course of the year which require a hearing to be conducted for the purpose of resolving issues; and

**WHEREAS**, Thomas S. Russo, Jr., Town Manager of the Town of Newton, is the representative of the Governing Body, as well as the Chief Executive and Administrative Officer of the municipality;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Town Manager is hereby appointed as Hearing Officer in all matters of dispute regarding the Town of Newton for the calendar year 2021.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #3-2021

January 5, 2021

“Designate Legal Newspapers for Calendar Year 2021”

**BE IT RESOLVED** by the Town Council of the Town of Newton that the newspapers listed below be designated as the official newspapers for the Town of Newton for legal advertising during the 2021 calendar year:

New Jersey Herald

New Jersey Sunday Herald

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #4-2021

January 5, 2021

### “Designate Newspapers that will Receive Notices Required by the NJ Open Public Meetings Act for 2021”

**WHEREAS**, Section 3D(2) of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to designate two (2) newspapers to receive notices required to be mailed, telephoned, telegraphed, or hand delivered;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby designates the newspapers listed below as newspapers to receive notices required by the Open Public Meetings Act:

New Jersey Herald

New Jersey Sunday Herald

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



# TOWN OF NEWTON

## RESOLUTION #5-2021

January 5, 2021

### “Establish Schedule of Public Town Council Meetings for 2021”

**WHEREAS**, Section 13 of the Open Public Meetings Act, approved October 21, 1975 as Chapter 231, P.L. 1975, requires every public body to post and maintain posted throughout the year a schedule of the meetings of said public body;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, Sussex County, New Jersey that the following schedule for 2021 indicates all public meetings of the Newton Town Council will be held on the second and fourth Mondays of each month, unless otherwise indicated, in the Council Chambers, 39 Trinity Street, Newton, New Jersey, unless otherwise noticed; and

#### Council Meetings

7:00pm

January	11	and	25	July	12
February	8	and	22	August	9
March	8	and	22	September	15* and 27
April	12	and	26	October	13* and 25
May	10	and	24	November	8 and 22
June	14	and	28	December	13

\*Held Wednesday

#### Reorganizational Meeting

Thursday, January 6, 2022

Noon

**BE IT FURTHER RESOLVED**, that, for the purposes of the Act, the official bulletin board for posting notices shall be the bulletin board in the first floor lobby of the Municipal Building at 39 Trinity Street, Newton, New Jersey, with said board being just outside the door of the Municipal Clerk's Office; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to The Alternative Press (TAPintoNewton), New Jersey Herald, and the NJ Sunday Herald, and a copy be filed with the Municipal Clerk; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be mailed to any person requesting notices of meetings of the Town Council pursuant to N.J.S.A. 10:4-19 and whoever has paid the required fee for such notice.

#### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #6-2021

January 5, 2021

**“Establish the Rate of Interest to be Charged for Non-Payment of Taxes on or Before the Due Date”**

**WHEREAS**, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for late payment of taxes as provided by law; and

**WHEREAS**, N.J.S.A. 54:6-67 has been amended to permit the fixing of said rate at eight percent (8%) per annum for the first \$1,500.00 of the delinquency and eighteen percent (18%) per annum for amounts in excess of \$1,500.00, and an additional penalty of six percent (6%) may be collected for delinquencies in excess of \$10,000.00 from property owners who fail to pay the delinquency prior to the end of the calendar year;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to charge an eight percent (8%) per annum rate of interest on the first \$1,500.00 of taxes which become delinquent after the tax due date, and a rate of eighteen percent (18%) per annum interest on any amount of taxes due in excess of \$1,500.00 which becomes delinquent after the tax due date; and

**BE IT FURTHER RESOLVED**, that the Tax Collector is also authorized and directed to charge an additional penalty of six percent (6%) if a delinquency is in an amount in excess of \$10,000.00 and remains in arrears beyond December 31<sup>st</sup> of each calendar year; and

**BE IT FURTHER RESOLVED**, that the ten (10) day grace period for quarterly tax payments shall remain in effect, any payment of taxes not made on or before the due date in accordance with this Resolution shall be charged interest from the due date as set forth by law, and this Resolution shall take effect immediately.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #7-2021

January 5, 2021

**“Designate Officials to Sign Checks”**

**BE IT RESOLVED** by the Town Council of the Town of Newton that the Town Manager, the Town Treasurer, and/or the Chief Financial Officer are hereby designated as officials authorized to sign all municipal checks, Water and Sewer Utility checks, and payroll checks during calendar year 2021.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #8-2021

January 5, 2021

**“Designate Chief Financial Officer/Finance Director as the Individual Authorized to Sell Bond Anticipation Notes for Calendar Year 2021”**

**WHEREAS**, it is necessary from time to time for the Town of Newton to sell Bond Anticipation Notes or other Notes for the benefit of the municipality; and

**WHEREAS**, the Chief Financial Officer/Finance Director is the individual responsible for maintaining the financial records of the Town of Newton;

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

- 1) The Chief Financial Officer/Finance Director is hereby authorized to sell Bond Anticipation Notes and directed to determine all matters in connection with said Notes not determined by this or subsequent Resolutions.
- 2) The Chief Financial Officer/Finance Director is directed to report in writing to the Governing Body at the meeting next succeeding the date when the sale or delivery of Notes pursuant to this Resolution is made. Such report is to include the amount, description, interest rate, maturity of the Notes sold, the price obtained, and the name of the purchaser.
- 3) This Resolution shall take effect immediately upon its adoption.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #9-2021

January 5, 2021

**“Authorize the Tax Assessor, the Town Attorney, and the Town Manager to Act on the Behalf of the Town of Newton for Calendar Year 2021 with Regard to Tax Appeals”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that the Municipal Tax Assessor and the Town Attorney are hereby authorized to defend all contest appeals before the Sussex County Board of Taxation and the Tax Court of the State of New Jersey; and

**BE IT FURTHER RESOLVED**, that the Municipal Tax Assessor and the Town Attorney are also hereby authorized to initiate municipal appeals to correct the Town of Newton tax listing including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as may be necessary to correct the assessments for the Town of Newton; and

**BE IT FURTHER RESOLVED**, that the Municipal Assessor, the Municipal Attorney, and the Town Manager are hereby designated as the agents of the Town of Newton for the purpose of signing settlements of the foregoing matters by stipulation for the 2021 Calendar Year.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON  
RESOLUTION #10-2021**

**January 5, 2021**

**“Appointment of Mayor as a Class I  
Member of the Newton Planning Board”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Mayor Matthew S. Dickson be and is hereby appointed to the Newton Planning Board as a Class I member for the calendar year 2021.

**CERTIFICATION**

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #11-2021

January 5, 2021

**“Appointment of Town Council Representative as a Class III Member of the Newton Planning Board”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Deputy Mayor Jason J. Schlaffer, be and is hereby appointed to the Newton Planning Board as a Class III member for calendar year 2021.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #12-2021

January 5, 2021

**“Cancellation of Small Balances”**

**WHEREAS**, N.J.S.A. 40A: 5-17.1 allows for the cancellation of property tax refunds or delinquent amounts in the amounts of less than ten (\$10.00) dollars; and

**WHEREAS**, the Town Council of the Town of Newton may authorize the Tax Collector to process, without any further action on the part of the Governing Body, any cancellation of property tax refunds or delinquencies of less than ten (\$10.00) dollars;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton in the County of Sussex, State of New Jersey, that the Tax Collector is hereby authorized to process the cancellation of any property tax refunds or delinquencies of less than ten (\$10.00) dollars.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #13-2021

January 5, 2021

### “Granting Authority for Approval of Certain Purchases Through New Jersey State Contracts and/or Purchasing Cooperatives”

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L. 2011, c.139, the Governing Body may delegate the power to award purchases, contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Town of Newton is a member; and

**WHEREAS**, in the interest of streamlining Town operations and improving efficiency, it is the desire of the Mayor and Council to authorize the Purchasing Officer/Qualified Purchasing Agent (QPA) to approve purchases, contracts and agreements through New Jersey State Contracts and/or Purchasing Cooperatives, subject to provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and P.L.2011, c.139 below the \$44,000.00 threshold in individual purchases and the aggregate as defined by N.J.S.A. 40A:11-2(19);

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Town of Newton that the Purchasing Officer/Qualified Purchasing Agent (QPA) upon receipt of an identified need and direction from the Town is hereby authorized to approve purchases, contracts and/or agreements through New Jersey State Contracts and/or Purchasing Cooperatives to which the Town of Newton is a member without further action from Council, provided funds are available to cover the expenditure; and

**BE IT FURTHER RESOLVED**, purchase approvals made by the Purchasing Officer/Qualified Purchasing Agent (QPA) by virtue of the adoption of this Resolution shall be subject to the provisions and requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and that no amount of any contract shall be in excess of the bid threshold in a single purchase or the aggregate without express individual resolutions authorizing such cooperative purchases by contract number.

### CERTIFICATION

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #14-2021

January 5, 2021

### “Resolution Recognizing Town Events and Town Endorsed Events”

**WHEREAS**, the Town of Newton sponsors certain events throughout the year and endorses other privately held events for which it lends specified assistance; and

**WHEREAS**, the Town Council of the Town of Newton has adopted a policy whereby it will recognize Town and Town endorsed events by Resolution to be considered on an annual basis.

**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 there shall be two categories of events run or endorsed by the Town:

Town Events – Events that are run by the Town.

Town Endorsed Events – Privately held events the Town will provide specified assistance to (some of which will be free, other which will include escrow or other fee payment).

**BE IT FURTHER RESOLVED** that the list of possible Town events and Town endorsed events for the calendar year 2021 shall be as follows:

<b>Town Events</b>	<b>Town Endorsed Events</b>
Easter Egg Hunt	Memorial Day Parade
Events at Newton Town Pool/Pavilion	Newton Day/Fireworks
Halloween Parade	Taste of Newton
Ladies' Night Out	Holiday Parade/Post-Parade Events
Movie Nights @ Memory Park	
Fall Festival	
Miss Newton Contest	
Flags of Honor	
Town-wide Garage Sale	
Neighbors Helping Neighbors	
Annual Christmas Tree Lighting	
Summer Music Concert Series	
Newton Recreation Department Events	
Newton Recreation Commission Events	
Newton Community Development Events	
Saint Patrick's Day Parade	
Sidewalk Sales	

**BE IT FURTHER RESOLVED** that Town Endorsed Events must meet the following criteria:

1. The event must be sponsored by a nonprofit organization with a physical office location within the Town of Newton or County of Sussex.
2. The event must be open to all Town residents, whether free or by fee.

3. Each organization shall be limited to no more than two events per calendar year.
4. The Greater Newton Chamber of Commerce (GNCC), due to its historic importance and special working relationship with the Town of Newton for decades, shall be limited to no more than six (6) outdoor events per calendar year.
5. Organizations utilizing Town-owned facilities, parks or roadways must be in compliance with all applicable resolutions and ordinances of the Town of Newton, including, but not limited to, Chapter 307 regarding parking and traffic and Chapter 115 concerning fire prevention; and the event shall not interfere with or obstruct contiguous traffic, access to residences or businesses, or the movement of firefighting, first aid or other safety vehicles.
6. Each organization is required to inform the Newton Town Manager's Office in writing the date of an event at least sixty (60) calendar days prior to the event. The written notice must also include any formal request for paid services to be rendered by the Newton DPW and/or the Newton Police Department.
7. The Newton Town Manager shall review all DPW and/or Police requests and determine the amount of escrow funds necessary to be provided by the sponsoring organization to the Town of Newton. Escrow funds must be provided by the sponsoring nonprofit organization to the Town of Newton twenty-one (21) calendar days prior to the date of the scheduled event. Any funds not utilized for the event shall be returned after the event within thirty (30) days by the Town of Newton Finance Department to the sponsoring nonprofit organization.
8. Each organization shall be responsible for providing honest and thorough answers to the "Town of Newton Event Checklist Application" which will be available at the Community Development Office in the Town of Newton. The Community Development Director and Town Manager shall both be required to be signatories on a final event checklist application which must be completed no later than seven (7) calendar days prior to the event. The Town will not charge a fee for any staff or professional review of said Event Checklist Application.
9. Town Endorsed Events may include but not be limited to the following: shows, carnivals, circuses, festivals, fairs, flea markets, outdoor plays, dances, concerts, theatrical events, parades, or sporting events not sponsored by the Town of Newton or Town of Newton recognized league; any event requiring temporary or permanent closure of any Town streets, sidewalks, park areas, or impacting the public health, safety and welfare of the Town or its residents; excludes weddings, funerals, memorials, graduations, or Town-sponsored functions.

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #15-2021

January 5, 2021

#### **“Resolution Authorizing Compliance with the United States Equal Employment Opportunity Commission’s Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the Governing Body of each municipality and county to certify their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the Newton Town Council members have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Newton hereby states it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF  
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION'S**

**"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES  
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY  
COUNTY OF *Sussex*

We, members of the governing body of the *Town of Newton* being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the *Town Council* of the *Town of Newton* in the County of *Sussex*;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_  
Notary Public of New Jersey

\_\_\_\_\_  
Lorraine A. Read, RMC  
Municipal Clerk

-----  
IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.



## TOWN OF NEWTON

### RESOLUTION #16-2021

January 5, 2021

**“Appointment of Kathryn Walker as Action Alliance Coordinator for the Town of Newton for 2021”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Kathryn Walker be and is hereby appointed as the Action Alliance Coordinator for the Town of Newton during calendar year 2021.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #17-2021

January 5, 2021

**“Appointment of Adam Vough as  
Municipal Recycling Coordinator for  
Calendar Year 2021”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Adam Vough, be and is hereby appointed as the Town of Newton's Municipal Recycling Coordinator for calendar year 2021.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #18-2021

January 5, 2021

**“To Confirm/Establish Petty Cash and  
Change Funds for Calendar Year 2021”**

**WHEREAS**, the Town of Newton maintains the following petty cash funds, as approved and recorded with the Division of Local Government Services:

Finance	\$250.00	Treasurer (Max reimbursement \$25 Excludes tax)
Water & Sewer	\$50.00	Treasurer

**WHEREAS**, The Town of Newton maintains the following change funds:

Tax	\$200.00	Tax Collector
Water & Sewer	\$200.00	Water Sewer Utility Collector
Clerk	\$100.00	Municipal Clerk
Court	\$100.00	Court Administrator
Court	\$100.00	Deputy Court Administrator
Police	\$10.00	Records Clerk
Recreation	\$150.00	Recreation Supervisor

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that the aforementioned petty cash and change funds are established and confirmed.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON  
RESOLUTION #19-2021**

**January 5, 2021**

**“Appointment of Members of the Town of  
Newton Ad Hoc Redevelopment Team”**

**WHEREAS**, the Town of Newton acknowledges there are potential benefits to the Town of Newton to be gained through the process of redevelopment; and

**WHEREAS**, opportunities for beneficial redevelopment should be thoroughly, expeditiously and efficiently evaluated and pursued;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby appoints individuals in the positions listed below to an ad hoc Redevelopment Team to evaluate and pursue redevelopment opportunities in the Town of Newton for a one-year period from January 1, 2021 through December 31, 2021; and

**BE IT FURTHER RESOLVED** that individuals representing the following positions shall be members of the Redevelopment Team, with said meetings to be called by the Town Manager as needed:

Mayor; Deputy Mayor; Town Manager; Town Attorney; Town Planner; Town Engineer; Planning Board Chairperson; Redevelopment Counsel; and other professionals and/or staff as deemed necessary by the Town Manager; and

**BE IT FURTHER RESOLVED**, said Redevelopment Team is a purely advisory group working only in an analytical and advisory capacity and is: (a) not empowered to make any decisions; (b) has no effective authority; (c) is not empowered to act by vote; (d) is not governed by the Open Public Meetings Act; and (e) is not a “Redevelopment Agency” pursuant to N.J.S. 40A:12A-11.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #20-2021

January 5, 2021

### “Appoint Local Emergency Planning Committee for Calendar Year 2021”

**WHEREAS**, Appendix A:9-41 of the NJ Statutes Annotated, and N.J.A.C. 13:64-2.3 pertaining to Emergency Management, requires every New Jersey municipality create a Local Emergency Planning Committee; and

**WHEREAS**, the individual appointed as the local Emergency Management Coordinator shall also be a member of, and shall serve as Chairman of, said Local Emergency Planning Committee;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby concurs with the appointment of the individuals recommended by Emergency Management Coordinator Kenneth A. Teets for membership on the Newton Local Emergency Planning Committee for calendar year 2021 as listed below:

Kenneth A. Teets	Emergency Management Coordinator
Daniel Finkle	Deputy Emergency Management Coordinator
Jason Miller	Deputy Emergency Management Coordinator
Acting Chief Robert Osborn	Newton Police Department
Thomas S. Russo, Jr.	Newton Town Manager
Mike Razzano, Chief	Newton Fire Department
John-Paul Couce, Captain	Newton Vol. First Aid and Rescue Squad
Kenneth Jaekel	Newton Public Works Supervisor
Adam Vough	Assistant Newton Public Works Supervisor
Joseph Carr	Licensed Water and Sewer Operator
Lorraine Read	Newton Municipal Clerk
Teresa Oswin	Deputy Town Manager/Deputy Municipal Clerk
Kimberly Williams	Community Development Director
Joseph Butto	Newton/Hardyston Construction Official
Dr. Kennedy Greene	Newton School Superintendent

**BE IT FURTHER RESOLVED**, if any positions become held by different individuals in the 2021 calendar year then said individuals will assume the aforementioned titled responsibilities on Newton Local Emergency Planning Committee.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #21-2021

January 5, 2021

**“Designation of Theresa Schlosser as Tax Search Officer for the Town of Newton for 2021”**

**WHEREAS**, N.J.S.A. 54:5-11 provides that each municipality within the State of New Jersey shall designate a person to act as the Tax Search Officer for the municipality; and

**WHEREAS**, Theresa Schlosser, as Certified Tax Collector for the Town of Newton, is qualified to make examinations of the municipalities records as to unpaid municipal liens and to certify the results of that examination;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby designates Theresa Schlosser as the Tax Search Officer for the Town of Newton for calendar year 2021.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON  
RESOLUTION #22-2021**

**January 5, 2021**

**“Appointment of John-Paul Couce as Town  
Council Liaison to the Newton Board of  
Education”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Councilman John-Paul Couce be and is hereby appointed as the Town of Newton liaison to the Newton Board of Education for calendar year 2021.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON  
RESOLUTION #23-2021**

**January 5, 2021**

**“Appointment of Michelle Teets as Town  
Council Liaison to the Economic  
Development Advisory Commission”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Councilwoman Michelle Teets be and is hereby appointed to the Economic Development Advisory Commission as the Town Council liaison member for calendar year 2021.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



**TOWN OF NEWTON  
RESOLUTION #24-2021**

**January 5, 2021**

**“Appointment of Sandra Lee Diglio as Town Council Liaison to the Historic Preservation Advisory Commission”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Councilwoman Sandra Lee Diglio be and is hereby appointed to the Historic Preservation Advisory Commission as the Town Council liaison member for calendar year 2021.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #25-2021

January 5, 2021

### “Resolution Affirming the Current Fund Balance Policy”

**WHEREAS**, The Town of Newton adopted Resolution 101-2014 establishing a Fund Balance Policy on June 9, 2014 and renewed and amended it by the adoption of Resolution 222-2018 on November 26, 2018; and

**WHEREAS**, the Fund Balance Policy has been reviewed by the Town Manager and Town Auditor of the Town of Newton and it is recommended it is an appropriate Policy;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that it hereby resolves and agrees to affirm the Current Fund Balance Policy with the following guidelines:

1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 12%.
2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.
5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.
6. This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #26-2021

January 5, 2021

### “Resolution Affirming the Water Sewer Utility Fund Balance Policy”

**WHEREAS**, The Town of Newton adopted Resolution 101-2014 establishing a Fund Balance Policy on June 9, 2014 and renewed and amended it by the adoption of Resolution 222-2018 on November 26, 2018; and

**WHEREAS**, the Fund Balance Policy has been reviewed by the Town Manager and Town Auditor of the Town of Newton and it is recommended it is an appropriate Policy;

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton that it hereby resolves and agrees to affirm the Water Sewer Utility Fund Balance Policy with the following guidelines:

1. The Town of Newton shall establish or maintain fund balance, whereby the percentage of fund balance anticipated to the total budget will not exceed 12%.
2. The Town of Newton hereby establishes the policy of maintaining an end of the calendar year fund balance, which is between 3%-10% of the prior year tax levy.
3. The Governing Body will not anticipate more fund balance than the statutory excess of fund balance of the prior year (amount collected). If the fund balance anticipated will exceed the statutory excess of the prior year, a reason must be stated at an open budget meeting. A plan shall be developed to restore fund balance within a three-year period.
4. Amounts appropriated in the ensuing budget, which reduce the fund balance below the policy guidelines for the purpose of reducing the ensuing year's property tax levy, may be made only upon a specific vote of the Governing Body.
5. The Governing Body, by vote, can declare a fiscal emergency and withdraw any amount of General Fund balance for purposes of addressing the fiscal emergency. Any such action must also provide a plan to restore fund balance to the Target policy level within a five-year period.
6. This policy will be reviewed by the Governing Body every three years following adoption or sooner at the direction of the Governing Body.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #27-2021

January 5, 2021

**“Appointment of Virginia Rafferty as Clean Communities Coordinator for the Town of Newton for 2021”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that Virginia Rafferty be and is hereby appointed as the Clean Communities Coordinator for the Town of Newton during calendar year 2021.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #28-2021

January 5, 2021

### “Concur with the Town Manager’s Appointment of Special Police Officers”

**WHEREAS**, within Chapter Thirty, Police Department, of the Code of Town of Newton, NJ, it indicates the Town Manager may appoint Special Police Officers for a term not to exceed one year;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager’s appointment of the following individuals as Special Police Officers for calendar year 2021:

#### Class II

Raul Couce

Donald Donofrio

Stephen Moran

#### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #29-2021

January 5, 2021

### “Appointment of the Municipal Auditor for the Town of Newton for Calendar Year 2021”

**WHEREAS**, the Town of Newton has a need to acquire auditing services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, the anticipated term of this contract is for calendar year 2021; and

**WHEREAS**, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, Wielkotz & Company, LLC has submitted a proposal dated October 22, 2020 indicating they will provide the 2021 auditing services for \$29,600.00; additional services, should they be required, would be billed at amounts set forth in the contract with hourly rates not to exceed \$175.00 per hour; and

**WHEREAS**, Wielkotz & Company, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Wielkotz & Company, LLC has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit the Wielkotz & Company, LLC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified, subject to the availability and appropriation of sufficient funds in the 2021 budgets, funds will be provided in the 2021 Municipal Current Budget – Audit Services #1054300 \$14,800.00 and in the 2021 Water Sewer Utility Budget – Audit Services #6051205 \$14,800.00 to support an agreement with Wielkotz & Company, LLC in the total amount of \$29,600.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Wielkotz & Company, LLC as described herein; and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be filed in the Municipal Clerk's office; and

**BE IT FURTHER RESOLVED**, that notice of this action shall be published once in the New Jersey Herald.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #30-2021

January 5, 2021

### **“Authorize the Execution of an Agreement for Auditing Services for Review of Statement of Assets Available for Benefits for LOSAP with Wielkocz & Company, LLC”**

**WHEREAS**, the Town of Newton will require the services of a qualified Auditor to examine the Statement of Net Assets Available for Benefits for the Town of Newton's Emergency Services Volunteer Length of Service Award Program (LOSAP) as of December 31, 2020; and

**WHEREAS**, auditing service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, Mr. Thomas M. Ferry, RMA of the accounting firm Wielkocz & Company, LLC, PA has furnished an appropriate contract for said services for a maximum contract amount of \$1,500.00; and

**WHEREAS**, Wielkocz & Company, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that said firm has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit the firm from making any reportable contributions through the term on the contract; and

**WHEREAS**, the anticipated term of this contract is for calendar year 2021; and

**WHEREAS**, the Chief Financial Officer has certified that funds will be provided in the 2021 Municipal Current Budget – Audit Services #1054300 to support this agreement with Wielkocz & Company, LLC in the amount not to exceed \$1,500.00;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Town Manager is hereby authorized to execute a contract on behalf of the municipality for review of their LOSAP Statement of Net Assets Available for Benefit and said contract will remain on file in the Municipal Clerk's office; and

**BE IT FURTHER RESOLVED**, that a copy of the fully executed contract be forwarded to Mr. Thomas Ferry, and that notice of this award be published in accordance with the Local Public Contracts Law.

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #31-2021

January 5, 2021

**“Authorize and Direct the Tax Collector to Sell Municipal Liens in Accordance with New Jersey Law in 2021”**

**WHEREAS**, the Governing Body of the Town of Newton in the County of Sussex, New Jersey, desires to collect all taxes, assessments and other municipal charges that are now delinquent; and

**WHEREAS**, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2020 in a manner prescribed by NJSA 54:5-19 and amended by Chapter 99, Public Laws of 1998;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with the New Jersey Statutes, as described above, and that said sale shall take place in 2021.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #32-2021

January 5, 2021

**“Authorize the Award of a Required Disclosure Contract for David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., as Water Engineer for the Town of Newton for Calendar Year 2021”**

**WHEREAS**, the Town of Newton requires the services of a qualified Water Engineer for the Town of Newton on an annual basis; through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the services will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for the 2021 calendar year(s); and

**WHEREAS**, David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

**WHEREAS**, David B. Simmons, Jr., has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies David B. Simmons, Jr. of Harold E. Pellow & Associates, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer hereby certifies that subject to the Governing Body appropriating sufficient funds in the 2021 Temporary and Permanent budgets, funds NOT TO EXCEED \$30,000.00 will be encumbered as follows:

#### **2021 Water Sewer Utility Budget – Engineer Contractual #6051217**

*“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”*

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with David B. Simmons, Jr., of Harold E. Pellow & Associates, Inc., not to exceed \$30,000 for the 2021 calendar year; and

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

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



# TOWN OF NEWTON

## RESOLUTION #33-2021

January 5, 2021

### “Adoption of the Temporary Current Operating Budget and Temporary Water and Sewer Budget for 2021”

**WHEREAS**, funds are needed to operate the Municipal Government and the Water and Sewer Utility for the first ninety (90) days of calendar year 2021; and

**WHEREAS**, N.J.S.A. 40A:4-19 provides for adoption of a Temporary Budget, not to exceed twenty-six and one-quarter percent (26.25%) of the total of the appropriations made for all purposes in the budget for the preceding year excluding, in both instances, appropriations made for interest and debt redemption charges, capital improvement fund and public assistance;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the 2021 Temporary Operating Budget and the 2021 Temporary Water and Sewer Utility Budget be and are hereby approved, pending adoption of the 2021 Annual Municipal Budget and the 2021 Water and Sewer Utility Budget.

#### **2021 TEMPORARY CURRENT BUDGET CALCULATION**

\$13,253,537.	Total 2020 Budget
2,323,807.	Less: Debt (principal & interest)
-0.	Less: Public Assistance
<u>291,000.</u>	Less: Capital Improvements
\$10,638,730.	Amount on which % is applied
x <u>.2625</u>	Percentage increase allowed by state
\$2,792,666.	Allowable 2021 Temporary Budget

#### **APPROPRIATIONS NOT SUBJECT TO 26.25% MAXIMUM**

Capital Improvements	OE	1095200	\$100,000
Debt Service	OE	1096200	\$600,000

**2021 TEMPORARY WATER AND SEWER BUDGET**

	<b><u>2020 BUDGET</u></b>	<b><u>2021 TEMPORARY BUDGET</u></b>
Salaries and Wages	\$1,042,715.	\$273,713.
Other Expenses	2,182,256.	572,842.
DCRP	1,373.	360.
PE R S	18,500.	4,856.
Unemployment	4,300.	1,129.
Social Security System	<u>77,130.</u>	<u>20,246.</u>
	3,326,274.	\$873,147.
	<u>x.2625</u>	
	\$873,147	
<b>TOTAL 2021 TEMPORARY WATER &amp; SEWER BUDGET</b>		\$873,147
<b>TOTAL 2021 TEMPORARY W&amp;S CAPITAL IMPR BUDGET</b>		\$450,000
<b>TOTAL 2021 TEMPORARY W&amp;S DEBT SERVICE BUDGET</b>		\$200,000

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, January 5, 2021.



## TOWN OF NEWTON

### RESOLUTION #34-2021

January 5, 2021

### “Appointment of Various Attorneys for Calendar Year 2021”

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

**WHEREAS**, said professional services will be needed by the Town of Newton during calendar year 2021, and appropriate agreements for the appointment of each attorney have been prepared and executed by said attorneys; and

**WHEREAS**, the below named professionals have completed and submitted a Business Entity Disclosure Certification which certifies that each professional has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and that the contract will prohibit the professional from making any reportable contributions through the term of the contract; and

**WHEREAS**, the anticipated term of each individual contract is one (1) year;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Mayor and Municipal Clerk to execute an agreement in duplicate with each professional listed below:

Jonathan E. McMeen, Esq., of Laddey, Clark & Ryan, LLC	Municipal Prosecutor
Robert B. McBriar, Esq., of Schenck, Price, Smith & King, LLP	Tax Appeal & Municipal Conflict Attorney
Edward J. Buzak, Esq., of The Buzak Law Group, LLC	Environmental Attorney
James T. Prusinowski, Esq., of Trimboli & Prusinowski, LLC	Labor Relations Attorney
Daniel P. Agatino, J.D., PhD Gruber, Colabella, Liuzza & Thompson	Municipal Public Defender
Martin Allen, Esq. of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.	Tax Appeal Conflict Attorney

**BE IT FURTHER RESOLVED** that a fully executed copy of each agreement be provided to each of the respective attorneys with a certified copy of this Resolution and advertised according to State Statute.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #35-2021

January 5, 2021

**“Authorize the Award of a Required Disclosure Contract for J. Caldwell & Associates, LLC as Planner for the Town of Newton for Calendar Year 2021”**

**WHEREAS**, the Town of Newton requires the services of a qualified Planner for the Town of Newton on an annual basis; through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the services will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for the 2021 calendar year (s); and

**WHEREAS**, J. Caldwell & Associates, LLC, in the aggregate is expected to exceed the pay to play threshold of \$17,500.00; and

**WHEREAS**, J. Caldwell & Associates, LLC has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies J. Caldwell & Associates, LLC has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer hereby certifies that subject to the Governing Body appropriating sufficient funds in the 2021 Temporary and Permanent budgets, funds NOT TO EXCEED \$50,000.00 will be encumbered as follows:

**2021 Current Budget – Community Devel. #1064216 & Planning Board #1062216**  
**2021 Water Sewer Utility Budget – Consultant #6051216**  
**Trust Escrow Accounts as applicable**  
**General Capital – Redevelopment**

*“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”*

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with J. Caldwell & Associates LLC, not to exceed \$50,000 for the 2021 calendar year; and

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

**CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #36-2021

January 5, 2021

### “Appointment of Keith Mitchell of the Mitchell Insurance Agency as Insurance Agent for Calendar Year 2021”

**WHEREAS**, the Town Council of the Town of Newton previously appointed local insurance agents to provide insurance coverage on behalf of the municipality; and

**WHEREAS**, said insurance services will be needed during calendar year 2021;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that Mr. Keith Mitchell, of the Mitchell Agency, 29 Trinity Street, Newton, NJ 07860, be named as agent of record effective January 1, 2021 for the following insurance policies:

- |                             |                  |
|-----------------------------|------------------|
| a) Package                  | SIF2021-07860    |
| b) Workers' Compensation    | WC2007860        |
| c) Umbrella Policy          | SIF2021-07860    |
| d) Fire Accident Insurance  | VFP-4231-3258E-4 |
| e) Fire Life AD&D Insurance | G600592-0001     |

**BE IT FURTHER RESOLVED**, that the above named insurance agent is appointed to provide insurance services without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-1(1)(a) of the Local Public Contracts Law, because the services to be provided are of a nature requiring specific professional skills and knowledge; and

**BE IT FURTHER RESOLVED**, that notice of this action shall be published once in the New Jersey Herald.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #37-2021

January 5, 2021

**“Appointment of Helen R. Le Frois as an  
Alternate Member of the Planning Board”**

**WHEREAS**, there is currently a vacancy for an Alternate member on the Town of Newton Planning Board; and

**WHEREAS**, Helen R. Le Frois has expressed an interest in serving as an Alternate Member on the Planning Board;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that Helen R. Le Frois is hereby appointed to fill an unexpired two-year term as an Alternate member on the Planning Board, effective immediately with said term continuing to December 31, 2021.

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #38-2021

January 5, 2021

“Reappointment of Certain Board and Commission Members”

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the following appointments be made:

<b><u>Board/Commission</u></b>	<b><u>Name</u></b>	<b><u>Term</u></b>	<b><u>Expiration Date</u></b>
Economic Development Advisory Commission	Richard Krasnomowitz	3 Years	December 31, 2023
Economic Development Advisory Commission	Daniel Hayek	3 Years	December 31, 2023
Economic Development Advisory Commission	Vicki Hall-Romer	3 Years	December 31, 2023
Economic Development Advisory Commission	Rachel Bucci	3 Years	December 31, 2023
Parking Authority	Alexandra Kweselait	5 Years	December 31, 2025
Planning Board	Neil Flaherty	4 Years	December 31, 2024
Planning Board	Earl Schick (Alternate)	2 Years	December 31, 2022
Planning Board	Joseph Ricciardo (Alternate)	2 Years	December 31, 2022
Recreation Commission	Alan Abramson	5 Years	December 31, 2025
Recreation Commission	Maureen Cuff	5 Years	December 31, 2025
Recreation Commission	Rachel Bucci	5 Years	December 31, 2025
Utility Advisory Board	Donald Vrahnos	5 Years	December 31, 2025

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #39-2021

January 5, 2021

**“Authorize the Award of a Required Disclosure Contract for Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., as Sewer Engineer for the Town of Newton for Calendar Year 2021”**

**WHEREAS**, the Town of Newton requires the services of a qualified Sewer Engineer for the Town of Newton on an annual basis; through a contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

**WHEREAS**, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the services will exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is for the 2021 calendar year(s); and

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

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

**WHEREAS**, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2021 Temporary and Permanent budgets, funds NOT TO EXCEED \$50,000.00 will be encumbered as follows:

#### **2021 Water Sewer Utility Budget – Engineer Contractual #6051218**

*“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”*

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., not to exceed \$50,000 for the 2021 calendar year; and

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

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #40-2021

January 5, 2021

**“Authorize an Agreement with Holzhauer & Holenstein, LLC for Appraisal Services for Defense of State Level Tax Appeals in Calendar Year 2021”**

**WHEREAS**, the Town of Newton anticipates the need for a professional appraiser and consultant in connection with emerging and ongoing tax appeals litigation within the Town of Newton; and

**WHEREAS**, Michael Holenstein of Holzhauer & Holenstein, LLC has submitted a proposal for his continued appraisal services to defend such tax appeals, which is acceptable to the Newton Governing Body; and

**WHEREAS**, appraisal service is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, the anticipated term of this contract is one (1) year, January 1, 2021 through December 31, 2021; and

**WHEREAS**, the Chief Financial Officer hereby certifies subject to the Governing Body appropriating sufficient funds in the 2021 Temporary and Permanent budgets, funds NOT TO EXCEED \$17,500.00 will be encumbered as follows:

#### **1055218 TAX ASSESS - OE - CONSULTANT SERVICES**

*“The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Town of Newton is not obligated to spend that amount.”*

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby authorizes the execution of an agreement with Holzhauer & Holenstein, LLC, for appraisal services as outlined in Mr. Holenstein's proposal dated December 9, 2020; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Holzhauer & Holenstein, LLC and that a notice of this agreement be in the newspaper of record published in accordance with the Local Public Contracts Law.

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #41-2021

January 5, 2021

**“Appointment of Clara Walters as  
Volunteer Senior Citizen Coordinator for the  
Town of Newton for 2021”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton, that Clara Walters be and is hereby appointed as the volunteer Senior Citizen Coordinator for the Town of Newton during calendar year 2021.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #42-2021

January 5, 2021

**“Authorizing the Town of Newton to Enter into an Agreement with EXCEL Environmental Resources, Inc., for Environmental Engineering Services for Calendar Year 2021”**

**WHEREAS**, the Town of Newton is in need of environmental engineering services for calendar year 2021; and

**WHEREAS**, EXCEL Environmental Resources, Inc., can provide environmental engineering services, in accordance with N.J.S.A. 40A:11-9; and

**WHEREAS**, environmental engineering services are exempt from bidding requirements per N.J.S.A. 40A:11-3, et. seq.; and

**WHEREAS**, the Town of Newton desires to enter into an agreement with EXCEL Environmental Resources, Inc., for environmental engineering services, effective January 1, 2021 through December 31, 2021, based on the proposal submitted dated November 30, 2020;

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

1. This resolution hereby serves as an Agreement between the Town of Newton and EXCEL Environmental Resources, Inc., for environmental engineering services for calendar year 2021; and
2. A copy of this resolution and EXCEL Environmental Resources, Inc., proposal dated November 30, 2020 be place on file in the Municipal Clerk's Office.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #43-2021

January 5, 2021

**“Authorize the Award of a Required Disclosure Contract for DeCotiis, FitzPatrick, Cole and Giblin, LLC for Redevelopment Counsel for 2021”**

**WHEREAS**, there exists a need for specialized legal services for the Town of Newton, in the County of Sussex, New Jersey in connection with the redevelopment program in the Town; and

**WHEREAS**, such special legal services can be provided best by a recognized Redevelopment Counsel firm, and the law firm of DeCotiis, FitzPatrick, Cole and Giblin, LLC, Paramus, New Jersey is so recognized by the financial community; and

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2021 Budgets the Chief Financial Officer will certify funds pursuant to NJAC 5:30-5.5 (b2) open-end contract:

Amounts, not to exceed \$40,000, will be encumbered when services are ordered directly against the applicable General Capital ordinances, Legal accounts, Water Sewer Capital ordinances, Trust escrow accounts, or the 2021 Current Budget – Community Development #1064217.

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, requires notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX AS FOLLOWS:**

1. The law firm of DeCotiis, FitzPatrick, Cole and Giblin, LLC, Paramus, New Jersey is hereby retained to provide the specialized legal services necessary in connection with redevelopment in accordance with an Agreement based on the proposal dated as of November 11, 2020 and submitted to the Town (the "Contract").
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. The services to be rendered by DeCotiis, FitzPatrick, Cole and Giblin, LLC, shall on an "as needed" requirement, as sought by the Town of Newton in an amount **not to exceed \$40,000.00.**
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Town and notice of this action shall be published once in the New Jersey Herald.

#### **CERTIFICATION**

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #43-2021

January 5, 2021

### “Appointment of Redevelopment Attorney for Calendar Year 2021”

**WHEREAS**, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Town of Newton advertised a Request for Proposals for the services of a qualified Redevelopment Attorney and received several responses; and

**WHEREAS**, Douglas F. Doyle, Esq., of the firm DeCotiis, Fitzpatrick, Cole & Giblin, LLC, of Paramus, NJ, has submitted a proposal outlining the services to be provided; and

**WHEREAS**, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined, the firm Douglas F. Doyle, Esq., of the firm DeCotiis, Fitzpatrick, Cole & Giblin, LLC, is the best candidate for the position; and

**WHEREAS**, the anticipated term of this contract is one (1) year ending December 31, 2021; and

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2021 Budgets the Chief Financial Officer will certify funds pursuant to N.J.A.C. 5:30-5.5 (b2) open-end contract:

Amounts, not to exceed \$30,000, will be encumbered when services are ordered directly against the applicable General Capital ordinances, Legal accounts, Water Sewer Capital ordinances, Trust escrow accounts, or the 2021 Current Budget – Community Development #1064217.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with Douglas F. Doyle, Esq., of the firm DeCotiis, Fitzpatrick, Cole & Giblin, LLC for services as Redevelopment Attorney for calendar year 2021; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to DeCotiis, Fitzpatrick, Cole & Giblin, LLC; and

**BE IT FURTHER RESOLVED** that a fully-executed copy this resolution as well as the Contract shall be placed on file with the Clerk of the Town and notice of this action shall be published once in the New Jersey Herald.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #44-2021

January 5, 2021

### “Appointment of Bond Attorney for Calendar Year 2021”

**WHEREAS**, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Town of Newton advertised a Request for Proposals for the services of a qualified Bond Attorney and received several responses; and

**WHEREAS**, John D. Draikiwicz, Esq., of the firm Gibbons P.C., of Newark, NJ, has submitted a proposal outlining the services to be provided; and

**WHEREAS**, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined that John D. Draikiwicz, Esq., of the firm Gibbons P.C., is the best candidate for the position; and

**WHEREAS**, the anticipated term of this contract is one (1) year ending December 31, 2021; and

**WHEREAS**, subject to the Governing Body appropriating sufficient funds in the 2021 Budgets the Chief Financial Officer will certify funds pursuant to N.J.A.C. 5:30-5.5 (b2) open-end contract:

Amounts, not to exceed \$25,000, will be encumbered when services are ordered directly against the applicable General Capital ordinances, Legal accounts, Water Sewer Capital ordinances, Trust escrow accounts, or the 2021 Current Budget – Community Development #1064217.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement John D. Draikiwicz, Esq., of the firm Gibbons P.C., for services as Bond Attorney for calendar year 2021; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to John D. Draikiwicz, Esq., of the firm Gibbons P.C.; and

**BE IT FURTHER RESOLVED** that a fully-executed copy this resolution as well as the Contract shall be placed on file with the Clerk of the Town and notice of this action shall be published once in the New Jersey Herald.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #45-2021

January 5, 2021

**“Appointment of Helen R. Le Frois as a Member of the Parking Authority”**

**WHEREAS**, there is currently a vacancy for a member on the Town of Newton Parking Authority; and

**WHEREAS**, Helen R. Le Frois has expressed an interest in serving as a Member of the Parking Authority;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, that Helen Le R. Frois is hereby appointed to a five-year term as a member of the Parking Authority, effective immediately with said term continuing to December 31, 2025.

#### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #46-2021

January 5, 2021

**“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 2020 and 2021 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.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #47-2021

January 5, 2021

### “Authorize Payment of Recurring Bills”

**WHEREAS**, all claims of payment by the Town of Newton, County of Sussex, State of New Jersey, are required to be first submitted to the Mayor and Town Council for consideration before payment is made; and

**WHEREAS**, due to the nature of certain claims and timing of the particular meetings involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next meeting of the Mayor and Town Council due to the nature of said bills;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Town Council of the Town of Newton that we hereby approve the payment between meetings of the following enumerated claims for payment, when the same are presented to the Mayor and Town Council and Chief Finance Officer of the Town of Newton.

- a. Town of Newton, net payroll and payroll deduction accounts
- b. Town of Newton, Board of Education
- c. County Treasurer (County taxes only)
- d. Banks for investment Purposes/Inter-fund transfers/Debt Service payments Bond/Note payments
- e. Statewide Insurance Fund, NJ Municipal Employee Benefits Fund, Vision Service Plan, and all other insurances
- f. Repair of emergency, police, and rescue vehicles; parts needed for said vehicles; and critical equipment related to the operations of the DPW/Police or emergency services
- g. Bond Releases
- h. All utility payments
- i. Employee Reimbursements
- j. Petty Cash Reimbursements
- k. Lien Redemptions
- l. Premium Redemptions

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #48-2021

January 5, 2021

“Procedure for Claimant Certification”

**WHEREAS**, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a); and

**WHEREAS**, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

**WHEREAS**, the Chief Financial Officer, Monica B. Miebach of the Town of Newton, recommends a claimant signature only be required for the following:

- Transactions above the dollar threshold of \$6,600
- Reimbursement to Town Employees
- Sole Proprietors
- Deposits in advance of work and travel

**WHEREAS**, the Chief Financial Officer and Town Manager recommend the adoption of this Claimant Signature policy;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Newton that, effective immediately, Claimant Certification be waived on the Town Purchase Orders with the exceptions noted above.

#### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #49-2021

January 5, 2021

### “Award of an Insurance Broker of Record Contract for Employee Benefits”

**WHEREAS**, the Town of Newton (the “Town”) requires the services of an insurance broker of record in order to oversee the Town’s employee benefits program including medical, prescription, dental, vision, and Cobra administration as determined by the Town; and

**WHEREAS**, the Town is presently a member of the North Jersey Municipal Employee Benefits Fund (“NJMEBF”); and

**WHEREAS**, Health Insurance Broker and/or the Town’s program administrator/representative to the NJMEBF is exempt from public bidding and may be awarded via resolution pursuant to N.J.S.A. 40A:11-5(m), in accordance with the requirements for extraordinary unspecifiable services; and

**WHEREAS**, Acrisure, LLC (“Broker”) is qualified to provide the above referenced services; and

**WHEREAS**, the Town is hereby authorized and directed to execute a Broker of Record authorization and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5.

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. This agreement is hereby authorized and approved.
3. Acrisure, LLC is hereby appointed to represent the Town as Broker of Record for employee benefits including medical, prescription, dental, vision, and Cobra administration.
4. Acrisure, LLC is here appointed and designated as the Program Administrator/Town representative to NJMEBF.
5. The Town is hereby authorized to execute to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.
6. This resolution shall be effective immediately.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #50-2021

January 5, 2021

### “Appointment of Town Attorney for Calendar Year 2021”

**WHEREAS**, legal services is a professional service as defined by the Local Public Contracts Law and is, therefore, exempt from public bidding requirements in accordance with N.J.A.C. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Town of Newton advertised a Request for Proposals for the services of a qualified Municipal Attorney and received several responses; and

**WHEREAS**, Eric M. Bernstein, Esq., of the firm Eric M. Bernstein & Associates, LLC, has submitted a proposal outlining the services to be provided; and

**WHEREAS**, after review of all submitted proposals by the RFP Review Committee, the Governing Body has determined, Eric M. Bernstein, Esq., of the firm Eric M. Bernstein & Associates, LLC, is the best candidate for the position; and

**WHEREAS**, the anticipated term of this contract is one (1) year ending December 31, 2021;

**WHEREAS**, the Town of Newton's Chief Financial Officer certifies funds will be provided in the 2021 Municipal Current Budget – 'Legal Services – Other Expenses' and the 2021 Water Sewer Operating Budget – 'Legal' for expenditures pertaining to this open-ended contract for said municipal matters at a rate of \$130.00 per hour **not to exceed \$60,000.00**;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby authorizes the Mayor and Clerk to execute an agreement with Eric M. Bernstein, Esq., of the firm Eric M. Bernstein & Associates, LLC, for services as Municipal Attorney for calendar year 2021; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to Eric M. Bernstein, Esq., of the firm Eric M. Bernstein & Associates, LLC; and

**BE IT FURTHER RESOLVED** that a fully-executed copy of the agreement be kept on file and available for public inspection in the Municipal Clerk's office.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk



## TOWN OF NEWTON

### RESOLUTION #51-2021

January 5, 2021

### “Reappointment of the Emergency Management Coordinators”

**BE IT RESOLVED** by the Town Council of the Town of Newton hereby makes the following reappointments:

- Kenneth A. Teets to a three-year term as Emergency Management Coordinator for the Town of Newton.
- Daniel Finkle to a three-year term as Deputy Emergency Management Coordinator for the Town of Newton.
- Jason Miller to a three-year term as Deputy Emergency Management Coordinator for the Town of Newton.

**BE IT FURTHER RESOLVED**, the above terms are made in accordance with State law and are effective January 1, 2021 through December 31, 2023.

### CERTIFICATION

**THIS IS TO CERTIFY** that the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at the reorganization meeting of said Governing Body conducted on Tuesday, January 5, 2021.

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Lorraine A. Read, RMC  
Municipal Clerk

**TOWN OF NEWTON**

**RESOLUTION #52-2021 AND AGREEMENT  
FOR PROFESSIONAL SERVICES**

**MUNICIPAL COURT JUDGE**

**WHEREAS**, there exists a need for a Municipal Court Judge to be appointed to represent the Town of Newton and Green Township through the shared court services agreement with respect to municipal matters, for calendar years 2021, 2022, and 2023; and

**WHEREAS**, the Town of Newton has provided funds in the Municipal Budget for expenditures pertaining to said court matters, and the funds have been certified as being available by the Chief Financial Officer; and

**WHEREAS**, James P. Sloan, Esq., has indicated all such services will be rendered to the Town of Newton for the 2021, 2022, and 2023 calendar years, which the Newton Town Council deems fair and equitable for said professional services the fees set forth below:

	<u>2021</u>	<u>2022</u>	<u>2023</u>
Newton	\$37,143.00	\$37,886.00	\$38,644.00
Green	\$5,000.00	\$5,000.00	\$5,000.00

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for “professional services” without competitive bids, and the contracts themselves, must be available for public inspection; and

**WHEREAS**, Mr. Sloan agrees to incorporate into this contract the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time and agrees to comply with the terms, provisions, and obligations of said subsection 3.4(a) provided that said subsection shall be applied subject to the terms of subsection 3.4(a) of said Regulations; and

**WHEREAS**, the Town and Mr. Sloan agree to incorporate into this contract the mandatory language of section 5.3 of the Regulations promulgated by the Treasurer pursuant to P.L 1975, c.127 as amended and supplemented from time to time and agree to comply with the terms, provisions and obligations of said section 5.3;

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

1) The Mayor and Clerk of the Town of Newton are hereby authorized and directed to execute a duplicate of this Resolution which shall act as the authorization and agreement between the Town of Newton and James P. Sloan, Esq., providing for his retention as Municipal Court Judge for the Town of Newton for calendar years 2021, 2022, and 2023.

2) The services to be rendered by Mr. Sloan shall be on a yearly basis, as sought by the Town of Newton and Green Township through the shared court services agreement at the rates set forth above.

3) This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-1(1) (a) of the Local Public Contracts Law, because Mr. Sloan is a licensed attorney of the State of New Jersey and, as such, is duly qualified as a professional to carry out the subject services which are expressly exempt from the Local Public Contracts bidding requirements.

4) Political Contribution Disclosure. This contract has been awarded to James P. Sloan, Esq., based on the merits and abilities of Mr. Sloan to provide the goods or services as described herein. This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44-20.4 *et seq.* As such, the undersigned does hereby attest that he and all those who control in excess of 10% of the law firm in which he is a member has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A., 19:44a-8 or 19:44a-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Town of Newton, County of Sussex if a member of that political party is serving an elective public office of that Town when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Town when the contract is awarded.

5) Notice of this action shall be published once in the *New Jersey Herald*.

**ATTEST:**

**TOWN OF NEWTON**

\_\_\_\_\_  
Lorraine A. Read, RMC, Municipal Clerk

\_\_\_\_\_  
Wayne F. Levante, Mayor

I hereby acknowledge executing this duplicate Resolution and agree to be bound by its terms, covenants and conditions for the years 2018, 2019 & 2020.

Date: \_\_\_\_\_

\_\_\_\_\_  
James P. Sloan, Esq.