

The regular meeting of the Town Council of the Town of Newton was held in person and via Zoom on the above date at 7:00 pm. Present were Mr. Couce, Mrs. Diglio, Mrs. Teets, Deputy Mayor Schlaffer, Mayor Dickson, Municipal Clerk Teresa A. Oswin, and Thomas S. Russo, Jr., Town Manager. Phil LaPorta, Esq., was also present representing the Town Attorney's office.

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

Mayor Dickson led the Pledge of Allegiance to the flag and the Clerk called the roll.

PRESENTATIONS

- a. Thomas Muller - Lieutenant – Mr. Russo read the following bio:

"Thomas Muller grew up in the Town of Newton where he attended and graduated from the Newton Public School system. After graduating from Newton High School, he attended Montclair State University where he played four years of college football and graduated with a Bachelor of Arts Degree in History with a minor in Criminal Justice.

Thomas Muller was hired by the Newton Police Department in November of 1998 and graduated from 198th Basic Course for Municipal Police Officers at the New Jersey State Police Academy in Sea Girt, NJ. Upon graduation, he was assigned to the Patrol Division where he handled the duties and responsibilities of a Patrol Officer.

In July of 2007, Thomas Muller was assigned to the Detective Bureau where he remained for the next 10 years. While assigned to the Detective Bureau, he was involved in hundreds of criminal investigations, was the Evidence custodian and the Domestic Preparedness Officer, and conducted Alcohol Beverage Control investigations and inspections. Thomas Muller is a former President of the Sussex County Detectives' Association and was awarded the Detective of the Year in 2010 by the association. He worked cooperatively with Detectives from various law enforcement agencies throughout the county as well as the State of NJ, PA, and NY.

Some of the major criminal investigations that Thomas Muller was a part of were:

- the Murder of Angela Bellifemini in 2009
- lead Detective in the investigation of the Kidnapping of Jeffrey Muller in 2010
- lead Detective in the investigation of the Attempted Murder of the Novoa family in 2011
- supervised the Attempted Murder/Shooting investigation on Madison Street in 2013
- assisted in the FBI's "Murder for Hire" investigation in 2016
- numerous Major Crime Investigations such as Robbery, Sexual Assault, and Missing Persons
- numerous cooperative undercover investigations involving the distribution of narcotics, most recently:

- “Operation Shutdown” in 2020 which was conducted during the pandemic and resulted in the arrest of 19 people
- Last weeks' investigation in which Detectives from the Newton Police Department and Sussex County Narcotics Task Force located a handgun that was stolen out of GA

In 2017, Thomas Muller was promoted to Sergeant and was reassigned to the Patrol Division. As a Patrol Sergeant, he was responsible for supervising, training, and mentoring the Patrol Officers on his squad. During his time as a Patrol Sergeant, Thomas Muller served as a Field Training Officer and was responsible for the overall review of all Domestic Violence investigations for the Department.

In 2020, Thomas Muller was reassigned to the Detective Bureau where he served as the Detective Sergeant. He was responsible for supervising, training, and mentoring the Detectives assigned to the Detective Bureau as well as the supervision and overall review of all criminal investigations for the Department.”

Mayor Dickson swore in Thomas Muller as Lieutenant in the Police Department, as his daughter, Arabella held the bible, his wife Kerri pinned on his badge.

Lt. Muller thanked the Town Council, Town Manager, and Chief for this opportunity. He also thanked the officers he has worked with in the past as well as the officers he currently works with, stating they each have had an impact on his career. Lastly, he thanked his family for their unwavering support, for their understanding of the missed holidays, dinners, and last minute calls to say he would be late but could not explain why, and for always standing by him and believing in him.

b. Kenneth Teets - Sergeant – Mr. Russo read the following bio:

“Kenneth Teets has been a lifelong resident of Newton. His father retired as a Lieutenant from the Newton Police Department in 1988. He always knew from a very young age, he wanted to be a police officer and a firefighter, just like his father.

He still resides in Newton with his wife Michelle and nephew Robert.

He went through the Newton School System from kindergarten through graduating from Newton High School in 1990.

He joined the Newton First Aid Squad from 1986 – 1988.

He joined the Newton Fire Department in 1988 serving 28 years before taking his life membership in 2016.

In 1991 he became a full-time firefighter with the Department of Defense at Picatinny Arsenal. During that time, he became an Emergency Medical Technician, Hazmat Technician and eventually a hazmat specialist.

In July of 1997 he became a part-time 911 operator for the Newton Police Department, and later was hired as a full time 911 Operator in 1998.

In December 1999, he was hired as a full time police officer, and attended the 201st Municipal Class at the New Jersey State Police Academy in Seagirt, New Jersey, graduating April 20, 2000.

In 2003 he became the Newton Emergency Management Coordinator, a position he still holds.

He was inducted into the Newton High School Hall of Fame in 2018.

Outside of emergency services, he is involved with the Newton High School Basketball Team and the Newton High School Football Team. He is also part of the Newton High School Booster Club.

One of the greatest ways he has found to give back to not just his community but to others is to give speeches on Anti-Bullying and overcoming diversity. He has provided speeches at various Middle Schools, High Schools and colleges in the Tri-State area."

Mayor Dickson swore in Kenneth Teets as Sergeant in the Police Department, as his nephew Robert held the bible, his wife Michelle pinned on his badge.

Sergeant Teets read the following:

"I want to thank everyone for attending tonight and I owe a lot of people my thanks and appreciation for being on this journey with me.

I would like to thank the Town Manager Tom Russo for having the faith and confidence in me to appoint me to the position of sergeant. As the oath states, I will perform the job to the best of my ability.

I would also like to thank Chief VanNieuwland and the Town Council for this opportunity.

Thank you Michelle for your continued support and always being by my side and encouraging me every step of the way.

Lastly, I want to thank my nephew and best friend Robert, for putting up with missed holidays, birthdays and other special occasions to do the job I always dreamt of doing. You know my life story better than most people ever will and I hope I have taught you that hard work, dedication and commitment will pay off as you move forward in your high school career, especially as a kicker, winning in the state playoffs and hopefully beyond.

I know I did not mention everyone individually but please know that you are all important to me.

Go Braves!"

BREAK

A five (5) minute break was taken for pictures and congratulations.

APPROVAL OF MINUTES

Upon motion of Mrs. Diglio, seconded by Deputy Mayor Schlaffer and unanimously carried, the minutes for the September 15, Regular meeting were approved.

OPEN TO THE PUBLIC

At this time, Mayor Dickson read the following statement:

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

reflected in the minutes. Council may choose to comment after the entire public portion has concluded."

Mayor Dickson stated this is our first in-person/Zoom meeting. Those in attendance will be given first priority at the microphone. Those on Zoom can use the raise hand or chat option to notify us you wish to speak.

There was no one in the audience wishing to be heard.

On Zoom, Peg Baldini, 10 Barry Lane asked why the list of payments was not included with the online agenda. She would also like the police promotion process explained.

On Zoom, Dr. Ludmilla Mecaj, offered thanks for the opportunity to attend the meeting online. She offered congratulations to Lt. Muller and Sgt. Teets.

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

COUNCIL & MANAGER REPORTS

Town Manager Russo – in response to Ms. Baldini, Mr. Russo stated he will check on the why the bills list was missing from the agenda. As for the police promotions, Mr. Russo stated the Town of Newton must abide by the NJ Civil Service Commission's rule of three. He then chooses who should be promoted from the three.

He noted the following Proclamation will be presented by members of the Town Council.

Office of the Mayor

PROCLAMATION

Nathan Brottman

Eagle Scout

WHEREAS, Nathan Brottman, a member of Boy Scout Troop 180, has earned the status of Eagle Scout; and

WHEREAS, We, the Town Council of the Town of Newton, recognize the many hours Nathan devoted to attaining the status of Eagle Scout, working with diligence and making sacrifices in order to achieve this highly coveted position; and

WHEREAS, Nathan Brottman has served the Boy Scouts in an exemplary manner and is deserving of the honor bestowed upon him; and

WHEREAS, for Nathan's Eagle Scout Leadership Project he organized and created the Sussex Branch Trail Gateway project including planting trees, installing a bench and identification sign for the trail; and

WHEREAS, his project involved many hours of volunteer service; and

WHEREAS, Nathan Brottman serves as an example to youth through his high level of personal achievement, leadership, and community service, and we are very proud Nathan is a member of our community.

September 27, 2021

NOW, THEREFORE BE IT PROCLAIMED, that we, the Mayor and Town Council of the Town of Newton, do hereby recognize and extend our sincere congratulations to Nathan Brottman for having achieved the status of Eagle Scout, an honor for both him and for those who have guided him, with best wishes for a bright and successful future.

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

_____ s/ Matthew Dickson

Attest: _____ s/Teresa A. Oswin, RMC

Date: _____ September 27, 2021

Mr. Russo stated the Town of Newton has an advertisement in Edible New Jersey. The publication is available in many local restaurants and available online. The ad is on page 79. He encourages everyone to check it out. The Town will be doing another ad in the Spring.

Upcoming events include the Fall Festival on October 10th from 11 am to 4 pm. On the same day at 10 am there will be the grand opening of the Rail Trail. Budget planning for 2022 is beginning October 1st. Memos will be sent to all departments for spending for the upcoming year, and are due back by the end of October. On this Thursday's Live Stream at 10:30 am the guest will be Terri Oswin. Please check it out on Facebook Live and send in your questions.

Lastly, we have two new employees. Danielle Finkle, who is a part-time floater helping all departments. Aubury Durnell started today as the Planning and Zoning Administrative Assistant.

Councilwoman Teets – stated the Halloween Trunk or Treat will be held on Halloween (October 31st) this year.

Councilwoman Diglio – offered congratulations to Lt. Muller and Sgt. Teets. She reminded the public, in order to remove a tree you must first obtain a permit through the DPW. There is no cost for the permit. She has begun plans for the annual Holiday Parade to take place this November.

Councilman Couce – attended the rescheduled Board of Education meeting last week. Routine business occurred. The Advisory Shade Tree Commission is working on the Community Forestry Plan which expires next year. They also had a local arborist, Paul Cowie, attend the meeting to speak with members on the importance of Newton doing a tree inventory. With the recent storms the Town has seen a lot of tree damage. There is rain garden being installed at the college with help of DPW. On October 22nd through grant funding there will be a cleanup of the Paulinskill Trail.

Deputy Mayor Schlaffer – nothing to report at this time.

Mayor Dickson – read the following statement: “With the rise in COVID cases the County has gone back to daily reporting during the week. From September 24th to September 27th, 2021 the Sussex County Division of Health reports 113 additional cases of COVID-19 among County residents, for a total number of 16,532 confirmed cases. Of the 16,532 cases, 15,622 cases have been classified as recovered. Additionally, the Sussex County Division of Health reports 1 new death for a total of 320 deaths. The County announced that there will be 8 clinics this fall, throughout the county that will be offering flu vaccines by appointment and walk-in COVID vaccines. For information on vaccine or COVID testing locations you can visit Sussex.nj.us and click on the COVID-19 link.

Congratulations to Lt. Muller and Sgt. Teets on your well-deserved promotions.

I read an interesting article on NJ.com about the fastest growing town in each county. Newton was the fastest growing in Sussex County at 4.7%, according to census data. This just confirms what we all know already - that Newton is a great place to live, work, and play.

The annual Halloween Parade and Trunk or Treat is Sunday Oct 31st, line up starts at 245. Prizes will be awarded for best costumes and best decorated trunks.

Save the date for our Annual Tree Lighting on Dec 3rd at 5pm."

UNFINISHED BUSINESS – None.

ORDINANCES – None.

CONSENT AGENDA

Mayor Dickson read the following statement:

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

Mr. Russo reviewed the consent agenda items.

RESOLUTION #192-2021*

"Amend 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 -20.5; and

WHEREAS the Town Council appointed Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., as Sewer Engineer for the calendar year 2021 by the adoption of Resolution #39-2021 at their meeting January 5, 2021; and

WHEREAS, said contract stipulated that the amount expended during the term of the contract is not to exceed \$50,000.00; and

WHEREAS, due to circumstances beyond the Town's control the costs for sewer engineering will exceed the \$50,000.00 allocated; and

WHEREAS, the Town Manager has agreed to increase the amount of the original contract to be increased by \$25,000.00 to a new amount not to exceed \$75,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2021 Water Sewer Budget – Consulting account # 6051216;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Mayor and Municipal clerk to amend the agreement with Frederick J. Margron, of Professional Consulting, Inc., as the Town of Newton's Sewer Engineer for the remainder of the calendar year 2021 for an amount not to exceed \$75,000.00; and

BE IT FURTHER RESOLVED, that this resolution serves as an amendment to the original agreement and will be provided to Frederick J. Margron and filed in the Office of the Municipal Clerk.

RESOLUTION #193-2021*

“Authorize Credits Due Water and Sewer Utility Accounts”

WHEREAS, the Water and Sewer Collector has determined the following Water and Sewer Utility Accounts are due credits for the reasons stated;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Water and Sewer Collector is hereby authorized to credit the following accounts for amounts billed incorrectly due to the reason(s) stated:

CREDIT FOR ACCOUNTS THAT SHOULD BE INACTIVE:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
7824	41 West End Avenue	\$189.60

RESOLUTION #194-2021*

“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.

List of Bills - CLEARING/CLAIMS

Check#	Vendor	Check Total
4479	AFLAC	1,979.78
4480	AIRMATIC COMPRESSOR SYSTEMS, INC.	282.00
4481	AMERICAN FIDELITY ASSURANCE	659.56
4482	AMERICAN FIDELITY ASSURANCE COMPANY	786.66
4483	ASAP MARKETING, LLC.	1,065.00
4484	B & R UNIFORM, INC.	530.00
4485	BANK OF NEW YORK MELLON	1,650.00
4486	C W A LOCAL 1032	500.08
4487	CAESARS ATLANTIC CITY	3,611.00
4488	CAMPBELL'S SMALL ENGINE INC.	356.84
4489	CENTURYLINK COMMUNICATIONS, INC.	42.25
4490	CENTURYLINK COMMUNICATIONS, INC.	3,894.32
4491	CINTAS	90.00
4492	CSS INC.	96.00
4493	CURRENT ACCOUNT	15,575.00
4494	D & E SERVICE CENTER, INC.	681.29
4495	DECOTIIS, FITZPATRICK, COLE& GIBLIN, LLP	1,753.50
4496	DELL MARKETING L.P.	293.74
4497	DOMINICK'S PIZZA LLC	76.25
4498	ELIZABETHTOWN GAS	1,220.89
4499	ERIC M. BERNSTEIN & ASSOCIATES, LLC.	2,990.00
4500	FASTENAL COMPANY, INC.	3.50
4501	FERRIERO ENGINEERING INC.	105.00
4502	FINKLE, DANIEL	160.64
4503	FRANK SEMERARO CONSTRUCTION, INC.,	900.00
4504	GALLS, LLC	541.11
4505	GENERAL CODE, LLC	3,605.78
4506	GIBBONS P.C.	950.00
4507	GLOBAL RECYCLING SOLUTIONS LLC	411.30
4508	HAMPTON RV SALES, INC.	395.90
4509	HAYDEE BALLESTER	140.00
4510	HFE SERVICES LLC	1,590.92
4511	HOLZHAUER & HOLENSTEIN, LLC	10,875.00
4512	HOLZHAUER, SCOTT	115.00
4513	HOME DEPOT, INC.	498.56

4514	HYDRO TECHNOLOGY, LLC.	700.00
4515	J. CALDWELL & ASSOCIATES, LLC.	9,878.75
4516	JCP&L	6,443.40
4517	Jesco Inc.	50.53
4518	JK HVAC SERVICE, LLC.	509.00
4519	JMC ENVIRONMENTAL CONSULTANTS, INC.	4,220.00
4520	JOHN MALAY	800.00
4521	JOSEPH D CALABRESE	75.00
4522	JP MONZO MUNIC CONSULTING, LLC	50.00
4523	KAYLANI, SHERRI	115.00
4524	KIMBALL MIDWEST	768.29
4525	KKPR MARKETING & PUBLIC RELATIONS,	800.00
4526	LADDEY, CLARK & RYAN, LLP	2,874.99
4527	LAFAYETTE AUTO PARTS	145.64
4528	LAW OFFICE OF DANIEL P. AGATINO, LLC.	1,333.33
4529	LOWE'S , INC.	92.56
4530	MCGUIRE, INC.	181.42
4531	MCKIRDY RISKIN OLSON & DELLA PELLE PC ATTY TRUST A	28,317.61
4532	MILLER, JASON	200.00
4533	MODERN GROUP LTD.	121.14
4534	MONTAGUE TOOL & SUPPLY, INC.	466.82
4535	MORRIS COUNTY POLICE ACADEMY	1,050.00
4536	NEWTON BOARD OF EDUCATION	1,110,506.41
4537	NEWTON FIRST AID SQUAD	6,250.00
4538	NEWTON PATROLMANS ASSOCIATION	1,440.00
4539	NEWTON SUPERIOR OFFICERS	840.00
4540	NIELSEN FORD	4.80
4541	NJLM	25.00
4542	NJMEBF	172,598.00
4543	NJSACOP	475.00
4544	PELLOW, HAROLD & ASSO, INC.	974.25
4545	PENTELEDATA	319.90
4546	PLANET NETWORKS INC.	949.80
4547	PROFESSIONAL CONSULTING INC.	18,310.00
4548	QUALITY FACILITY SOLUTIONS CORP	10,864.88
4549	QUILL CORPORATION	69.98
4550	R.S. PHILLIPS STEEL LLC	61.50
4551	RACHLES/MICHELE'S OIL COMPANY, INC.	2,557.07
4552	SCHENCK, PRICE, SMITH, & KING, LLP	721.35
4554	SCMUA	1,803.88
4555	SHERWIN-WILLIAMS, INC.	82.70
4556	SKYLANDS AREA FIRE EQUIP & TRAINING	610.00
4557	SLOAN, JAMES P.	3,511.91
4558	SMALLEY, JOHN H	1,437.50
4559	STAPLES	339.69
4560	STATE OF NEW JERSEY - PWT	449.65
4561	SUBURBAN CONSULTING ENGINEERS, INC.	4,266.00
4562	SUBURBAN PROPANE, LP.	2,844.08
4563	SUMMIT SUPPLY LLC	632.00
4564	SUNLIGHT GENERAL	1,423.81
4565	SUSSEX CAR WASH INC	128.00
4566	SYNCHRONY BANK	266.89
4567	T.A. MOUNTFORD COMPANY, INC.	250.00
4568	TEXAS LIFE INSURANCE COMPANY	70.90
4570	THE EQUITABLE	18,810.00
4571	TIRE KING, INC.	1,012.00
4572	TRANS WORLD ASSURANCE CO.	903.00
4573	TRIMBOLI & PRUSINOWSKI, LLC.	595.00
4574	UGI ENERGY SERVICES LLC	296.99
4575	UNIVERSAL SUPPLY GROUP INC.	181.21
4576	UNUM LIFE/DISABILITY INSUR	824.38
4577	UPSEU LOCAL 424J	1,344.00
4578	VERIZON WIRELESS, INC.	1,395.89
4579	VISION SERVICE PLAN	1,177.80

4580	W.B. MASON, INC.	134.84
4581	WALMART	85.70
4582	WANTAGE TOWNSHIP	1,487.54
4583	WATER & SEWER CAPITAL ACCOUNT	82,455.00
Total	1,574,695.32

The Clerk presented three (3) applications for membership into the Newton Fire Department

1. An Application for Membership into the Newton Fire Department from Kevin Rojas, 39 Kory Road, Newton, NJ
2. An Application for Membership into the Newton Fire Department from William J. Craig-Conrad, 37 Clinton Street, Newton, NJ
3. An Application for Membership into the Newton Fire Department from Luis Arrazola, 43 Clinton Street, Newton, NJ

It was noted the applications were in order and signed by the Fire Chief.

The Clerk also presented an application for a Social Affair permit.

1. An Application for a Special Permit for Social Affair from the Sussex County Community College Foundation to be held on October 16, 2021 from 12:00 pm to 5:00 pm at One College Hill Road, Newton, NJ

It was noted the application was in order and signed off on by the Chief of Police.

A motion was made by Mrs. Diglio to approve the **COMBINED ACTION RESOLUTIONS**, seconded by Mr. Couce and roll call resulted as follows:

Mr. Couce	Yes(Abstain on Checks 4537, 4546)	Mrs. Diglio	Yes
Mrs. Teets	Yes	Deputy Mayor Schlaffer	Yes
	Mayor Dickson	Yes(Abstain on Check 4536)	

DISCUSSION – None.

OPEN TO THE PUBLIC

Mayor Dickson opened the meeting to the public.

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

COUNCIL & MANAGER COMMENTS – None.

EXECUTIVE SESSION – None.

There being no further business to be conducted, upon motion of Mrs. Diglio seconded by Mrs. Teets and unanimously carried, the regular meeting was adjourned at 7:37pm.

Respectfully submitted,



Teresa A. Oswin, RMC
Municipal Clerk