

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, Mr. Dickson, Mrs. Diglio, Deputy Mayor Teets, Mayor Schlaffer, Teresa A. Oswin, Municipal Clerk, and Thomas S. Russo, Jr., Town Manager. Eric Bernstein, Esq., Town Attorney (via Zoom) and Monica B. Miebach, CFO, were also present.

Mayor Schlaffer then made the following declaration "in accordance with the Open Public Meetings Act, notice of this Regular meeting was given to the two newspapers of record and posted on the official bulletin board on January 3, 2022".

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

### **PRESENTATIONS**

**a.** Justin Bellis - Oath of Office

Mr. Russo read the following bio:

*"Patrolman Justin Bellis is 28 years old and was born and raised in Branchville for his entire childhood. Justin attended High Point Regional High School and stayed active all four years while playing sports such as baseball and wrestling before graduating in 2011. Justin's father is Russell Bellis Jr. and mother is Angela Bellis. Justin is the youngest of his three other siblings, his brother Russell and his twin sisters Melinda and Amanda. Justin currently resides in Frankford Township with his wife, Chelsea, and they are expecting their first child in April.*

*Justin and his family have always been involved in giving back to the community by volunteering with the Branchville Hose Company and currently with the Frankford Township Fire Department. Becoming a volunteer firefighter has always been one of Justin's goals ever since childhood due to his family history. Justin's grandfather, Russell Bellis Sr., is past chief of Branchville Hose Company #1 and has 63 years of service, Justin's father, past chief of Branchville Hose Company #1 and still an active member has 43 years of service, Justin's mother, still an active member of the fire police division has 30 years of service, and Justin's brother, still an active member, has 16 years of service. At 16 years old, Justin decided to follow in his family's footsteps and join Branchville Hose Company #1 as a junior member. To this day, Justin is a third-generation firefighter with 12 years of service and still active with the Frankford Township Fire Department.*

*Justin's passion for Law Enforcement began when he was hired by the Sussex County Sheriff's 9-1-1 Communication Center in 2017 as a part-time Public Safety Telecommunicator. During that time, Justin learned how to multitask by taking calls and dispatching multiple units throughout the county such as Police, Fire, and EMS. In 2018, Justin was hired by the County of Sussex as a Juvenile Detention Officer. During that time, Justin helped Juveniles who were placed on the Detention Alternatives program through Superior Court and helped guide and give them structure in life. In 2021, Justin was hired by the Sussex County Sheriff's Office as an Investigator. During that time, Justin provided security of the courthouse and secure transports of inmates. Justin attended the Morris County Basic Police Academy, Class 96, and graduated in May 2021. Justin was hired by Newton Police Department on January 3, 2022, where he looks forward to protecting*

*and serving the residents, businesses, and visitors in the Town of Newton for years to come."*

Mayor Schlaffer swore in Ptl. Bellis while his wife Chelsea and grandfather Russell Bellis, Sr., held the bible and pinned on his badge.

Ptl. Bellis thanked the Town Council, Mayor, Town Manager, and Chief for this opportunity. He is looking forward to serving the Town of Newton for many years to come. Since his transfer from the Sussex County Sheriff's Department everyone in the department has treated him great and been very helpful. He thanked his family and his wife, he stated he wouldn't be who he is today without their support.

Chief VanNieuwland thanked the Town Council and Town Manager for their support of the Police Department. He feels Newton is lucky to get Justin. He has long family history of public service. His mother Angela used to work here. He will be a great asset and he is looking forward to working with him.

**BREAK** – Brief break for photographs and congratulations.

### **APPROVAL OF MINUTES**

Upon motion by Mr. Dickson, seconded by Deputy Mayor Teets and unanimously carried, the minutes for the February 12, 2022 Budget and the February 28, 2022 Regular meetings were approved. Mrs. Diglio abstained from the February 28, 2022 Regular minutes.

### **OPEN TO THE PUBLIC**

At this time, Mayor Schlaffer 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. Please state your name and address for the record."*

Mayor Schlaffer opened the meeting to the public in attendance.

Peg Baldini, 10 Barry Lane questioned Resolution 99-2022 for raises in salaries. She questioned item 3, as it states the Town Manager's salary is addressed separately. She wants to know if he is getting a raise.

Diane Orenchunk, 55 Lawnwood Annex read the following statement:

*"As you may be aware, I own and operate Beyond the Walk Daycare Boarding Trainings, a small specialized innovative dog service provider. A significant portion of my clients rely on me who can't find care elsewhere. Early 2020, I requested a home occupation approval. Dog Boarding nor Kenneling is listed anywhere in the Town's zoning ordinances nor on the prohibited uses list, yet a child's daycare and professional services are completely or conditionally permitted in my zone. Shortly after the COVID 19 pandemic began I was denied the opportunity to be considered a home occupied business. Although this Town and the Country were in crisis a \$4,200 escrow was required of me to proceed with a D3 variance which soon escalated to a D1. \$4,200 demanded of a small business in the middle of an unprecedented pandemic and a devastating health crisis during which my business was severely affected. While some small businesses went bankrupt the Town of Newton showed no sympathy in offering any extension for said escrow nor legal fees, which I provided although it was my last dollar. I have an open invitation to the Town Zoning Board and Town Council for 2-years to visit my business, see how we are different from a traditional kennel and not a person has taken me up on the offer.*

*I sent an email on 9/9/21 to the Town Council requesting to meet to express my concerns and become familiar with our innovative practices. I received a response from Mr. Schlaffer apologizing for the delay on 9/15, just 6 days later, stating he would get back to me. Instead, I received a court summons on 12/1. I followed up on my email to the Town Council on 12/14 informing them of the court action. I followed up again 2 days later on 12/16. I have never received a response. Since then, I have appeared twice before Judge Sloan and will be put on trial tomorrow by this very Town that I serve through my business and many volunteer community services.*

*Is the Council aware of the vast differences in quality between innovative dog care and the traditional kenneling that leads to our type of care posing very little of the many concerns that traditional kennels poses in relation to disease, safety, odor and noise? That is why they choose only us. If not, I am happy to explain. I want to impress that this pending judgment on my business will affect the lives of over 500 people including my clients, staff, peers, shelters, and rescues, and myself. I built this business from nothing for 5 years and it is my sole source of income.*

*The Town Council is meant to represent it constituents. My neighbors, your constituents, do not have any concerns and vehemently support us. My clients, many of whom are your constituents, depend on our continuation, and I, your constituent, rely on you also representing my interest as a resident and small business owner of this town.*

There was no one else in the audience wishing to speak, the Mayor opened the meeting to anyone on Zoom.

Ludmilla Mecaj, 9 Madison Street, asked about her request at the last meeting regarding the strong odor of marijuana on Mill Street. Was it looked into, and will anything be done about it?

Michael Schnackenberg, 225 Spring Street questioned the responsibility of sidewalk repairs. He stated parts of Trinity Street are in bad shape just down from his building. He uses a motorized wheelchair, and it is difficult to maneuver in some spots. Can the Town make the property owner make the repairs because he feels it is a safety issue?

There being no one from the public on Zoom to be heard, Mayor Schlafter closed the meeting to the public.

#### **COUNCIL & MANAGER REPORTS**

**Town Manager Russo** – responded to Ms. Baldini stating the Town Manger's salary is by contract not by the resolution. Ms. Orenchunk's matter is before the court, so it is not appropriate to speak on that particular issue. The only thing he can clarify is the escrow pays for the professionals. If escrow wasn't obtained by applicants, then other taxpayers would have to pay for her professionals. In response to Dr. Mecaj, he did look into the matter and believes the odor is marijuana, but we do not have marijuana police, so it is what it is. To Mr. Schnackenberg, he will investigate the sidewalk issue, there already might be a code enforcement action against that particular property. It is the property owner's responsibility.

To be noted for the record:

**OFFICE OF THE MAYOR**

**NEWTON, NJ**

***PROCLAMATION***

**CHILD ABUSE PREVENTION MONTH**

**APRIL 2022**

**WHEREAS**, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County; and

**WHEREAS**, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse, and neglect; and

March 14, 2022

**WHEREAS**, child abuse and neglect not only directly harms children, but also increases the likelihood of criminal behavior, substance abuse, health problems, and risky behavior; and

**WHEREAS**, the effects of child abuse are felt by communities as a whole, and need to be addressed by the entire community; and

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community;

**NOW THEREFORE, WE**, the Mayor and Town Council of the Town of Newton, hereby proclaim **April 2022** as Child Abuse Prevention Month, and call upon our citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in the efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

*In witness whereof I have hereunto set my  
hand and caused this seal to be affixed.*  
/s/ Mayor Jason Schlaffer

Attest: /s/ Teresa A. Oswin, RMC

Date: March 14, 2022

Mr. Russo noted the website has been updated as Mr. Couce requested. There are FAQ's on "Why Move to Newton". The Annual Report has also been posted on the website. It has a whole new look. He thanked, KKPR, Terri, Kat, and staff for their efforts in putting this publication together. It has a much more corporate feel. He hopes everyone checks it out

**Councilman Couce** – he watched the Board of Education meeting on March 8<sup>th</sup>. It was announced there is a vacancy on the Board due to the resignation of Ed Caffrey. They are soliciting applications up until the 22<sup>nd</sup> of this month. Only one has been received so far. If anyone is interested in, please visit the Board of Education website. Dr. Greene spoke to the State of Affairs as far as school funding from the State. Governor Murphy did announce an overall increase in school funding by \$650 million. It is positive for the State, however it is based on enrollment. Sussex County's enrollment is down county-wide by about 29%; however, Newton's is in a good position and is the only municipality in the County to receive a double-digit increase in school funding to the tune of about \$1.3 million. Hopefully it will be reflected in their budget.

**Councilman Dickson** – on March 2<sup>nd</sup>, the Mayor, Town Manager Russo, Assistant DPW Supervisor Vough, and staff from RPM joined him in a walk-thru of the RPM (Newton Town Centre) building so they could get first-hand look at the facility. They saw the work being

done to restore one of the units. Hopefully things will continue to move forward, and the residents can enjoy all the amenities.

On March 8<sup>th</sup> the EDC meeting discussed some upcoming events in the Town of Newton. Some of the events are the Memorial Day Parade, Newton Day, June 11<sup>th</sup>, the outdoor concerts on July 16<sup>th</sup> and August 11<sup>th</sup>, and the movies in the park on July 29<sup>th</sup> and August 26<sup>th</sup>. Newton will also participate in National Night out on August 2<sup>nd</sup>, more information will be posted on our social media pages as the events come closer.

**Councilwoman Diglio** – on March 2<sup>nd</sup> she attended the Prime-Time Senior luncheon. They are starting to plan events and looking for more members to join. They meet the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month at the Firehouse on Mill Street. On March 4<sup>th</sup> she met with the commanders of the VFW and American Legion to plan the Memorial Day parade which will take place on May 30<sup>th</sup>. It will start at 10:00am. She is very happy with the progress being made on the parade plans.

**Deputy Mayor Teets** – nothing to report.

**Mayor Schlaffer** – Mr. Dickson covered our meeting at RPM on March 2<sup>nd</sup>. On the same day he attended the North Jersey Cannabis Regulatory Commission meeting where they discussed how to utilize fees collected to best improve our community and promote social equity.

**UNFINISHED BUSINESS** – None.

**RESOLUTIONS**

Upon motion of Mrs. Diglio, to approve **Resolution #94-2022**, seconded by Deputy Mayor Teets and roll call resulted as follows:

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

**RESOLUTION 94-2022**  
**“Amendment to the Temporary Water/Sewer Capital Budget”**

**WHEREAS**, the local Capital Budget for the year 2022 has not been adopted, and

**WHEREAS**, it is desired to introduce a Water Sewer Capital Ordinance;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, the following Temporary Water Sewer Capital Budget Amendment be made:

WATER/SEWER CAPITAL BUDGET (Current Year Action)  
2022

				Planned Funding Services for Current Year 2022					
1 Project	2 Project Num.	3 Est. Total Cost	4 Amt. Res. In Prior Years	5a 2022 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid/Ot her Fund	5f Debt Authori zed	Total Funded In Future Year
Change Order #2 to the Final Clarifier at the WWTP	2022-U7	\$ 23,765.53			\$ 23,765.53				
Total All Projects		\$ 23,765.53			\$ 23,765.53				

SIX YEAR CAPITAL PROGRAM 2022 TO 2027  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS

5. Funding Amounts Per Year

1 Project	2 Project Num.	3 Est. Total Cost	4 Estimated Completi on Time	Capital Improvem ent Fund 2022 Budget	2022	2023	2024	2025	2026	2027
Change Order #2 to the Final Clarifier at the WWTP	2022-U7	\$ 23,765.53	2022	\$ 23,765.53						
Total All Projects		\$ 23,765.53		\$ 23,765.53						

**ORDINANCES**

Mayor Schlaffer read aloud the following Ordinance relative to final adoption.

**ORDINANCE 2022-3**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO  
EMERGER PROPERTY MANAGEMENT, LLC**

**WHEREAS**, the Town of Newton ("Town") currently owns real property located between 185 and 189 Spring Street and identified as a portion of Block 8.04, Lot 6 on the Official Tax Map of the Town (the "Property") that serves as an alleyway between the properties; and

**WHEREAS**, Emerger Property Management, LLC ("Emerger") is the owner of real property located at 185 Spring Street; and

**WHEREAS**, pursuant to a Temporary Right of Entry and Access Agreement, dated September 3, 2021, entered into between the Town and Emerger, Emerger was permitted to rebuild a wall on the Town's Property adjacent to Emerger's property; and

**WHEREAS**, on July 21, 2021, Emerger was granted minor subdivision and variance approval for its property from the Town Planning Board; and

**WHEREAS**, one of the conditions of the Town Planning Board's approval was for Emerger to acquire a portion of the Property owned by the Town, measuring approximately ten (10) feet wide and one hundred and ten (110) feet deep, consisting of approximately 0.025 acres of land; and

**WHEREAS**, the Local Land and Building Law ("LLBL"), at N.J.S.A. 40A:12-13(b)(5), authorizes the private sale of municipally-owned property to the owner of contiguous real property, for not less than the fair market value, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon; and

**WHEREAS**, pursuant to the LLBL, the Town Tax Assessor has determined the fair market value of the portion of the Property to be conveyed to Emerger is approximately \$25,000.00; and

**WHEREAS**, the Town's Public Works Department has further estimated if the Town itself were to have repaired/replaced the wall Emerger repaired pursuant to the aforementioned Temporary Right of Entry and Access Agreement, the estimated cost to the Town would have been approximately \$10,000.00; and

**WHEREAS**, the Town has determined the appropriate consideration to the Town for the conveyance of the portion of the Property in question is the difference between the fair market value of the Property, as determined by the Town Tax Assessor, in the amount of \$25,000.00, and the cost to the Town if it were to have repaired the wall, in the amount of \$10,000.00, for a total consideration in the amount of \$15,000.00;

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

**Section 1.** The Town is hereby authorized to convey to Emerger Property Management, LLC the portion of the Property described by metes and bounds description prepared by Dykstra Associates, PC, as set forth on Exhibit A annexed hereto and incorporated herein, and as further depicted on the survey prepared by Dykstra Associates, PC, as set forth on Exhibit B annexed hereto and incorporated herein, for a total consideration in the amount of Fifteen Thousand (\$15,000.00) Dollars.

**Section 2.** The Town Manager, and any and all other Town officials, are hereby directed and authorized to perform all acts necessary to effectuate the purposes of this Ordinance.

**Section 3.** Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

**Section 4.** All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**Section 5.** This Ordinance will take effect after passage and publication according to law.

Mayor Schlaffer opened the meeting to the public.

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

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

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

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

Mayor Schlaffer read aloud the following Ordinance relative to final adoption.

**ORDINANCE 2022-4**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Town of Newton in the County of Sussex finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$253,756.66 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

**NOW, THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Town of Newton, in the County of Sussex, by a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Town of Newton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1%, amounting to \$101,502.67, and that the CY 2022 municipal budget for the Town of Newton be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Schlaffer opened the meeting to the public.

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

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

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

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

Mayor Schlaffer read aloud the following Ordinance relative to introduction.

**ORDINANCE 2022-5**

**AN ORDINANCE PROVIDING FUNDING FOR MAJOR REPAIRS AND PARTS REPLACEMENTS FOR THE CLARIFIER AT THE SECOND STAGE PUMP STATION FOR THE WATER/SEWER UTILITY FOR THE TOWN OF NEWTON AND APPROPRIATING \$23,765.53 FOR SUCH PURPOSE**

The aforementioned **ORDINANCE** was offered Deputy Mayor Teets, who moved its introduction, seconded by Mr. Diglio and roll call resulted as follows:

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, March 28, 2022 at 7:00 pm.

**CONSENT AGENDA**

Mayor Schlaffer 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 #91-2022\***

**“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:

**CREDIT FOR ACCOUNTS THAT SHOULD BE IN FINAL STATUS:**

<u>Account</u>	<u>Address</u>	<u>Amount</u>
10680	105 Main Street	\$75.00
1220	18 Madison Street	\$75.00

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

**RESOLUTION #92-2022\***

**“Refund of Redemption Monies to Outside Lien Holder for Block 7.08, Lot 5, also known as 18 Linwood Avenue”**

**WHEREAS**, at the Municipal Tax Sale held on October 7, 2020, a lien was sold on Block 7.08, Lot 5, also known as 18 Linwood Avenue, for 2019 delinquent Water and Sewer charges; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2020-003, was sold to Bala Partners, LLC for a 0% redemption fee and a premium of \$3,600.00; and

**WHEREAS**, Corelogic, the mortgage company on behalf of the owner, has effected the redemption of Certificate #2020-003 in the amount of \$572.02;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body acknowledges Bala Partners, LLC is entitled to a redemption in the amount of \$572.02 as well as the return of the premium in the amount of \$3,600.00; and

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$572.02 for the redemption and a check in the amount of \$3,600.00 for the return of the premium for Certificate #2020-003 to Bala Partners, LLC, PO Box 303, Pottersville, NJ 07979.

**RESOLUTION #95-2022\***

**“To Cancel Capital Appropriation Balance in the General Capital Fund”**

**WHEREAS**, a certain General Capital Improvement appropriation balance remains dedicated to projects now completed; and

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

**WHEREAS**, it is necessary to formally cancel said balance so the unexpended balance may be returned to each respective Capital Improvement Fund or credited to Fund Balance, and unused debt authorization may be cancelled;

**NOW, THEREFORE BE IT RESOLVED**, by a majority of the full membership of the Town Council of the Town of Newton that the following unexpended and dedicated balance of the General Capital appropriation totaling \$13,316.51 is cancelled:

<b>Ordinance Number</b>	<b>Date Auth.</b>	<b>Project Description</b>	<b>Amount Cancelled</b>	
			<b>Funded</b>	<b>Unfunded</b>
2017-9	6/2017	Various Capital Improvements		\$13,316.51

**RESOLUTION #96-2022\***

**“Accept as Final and Complete the Proposed Improvements and ADA Ramps on Elm Street, Hampton Street, & Upper Union Place Project and Authorize Final Paperwork Be Prepared”**

**WHEREAS**, the Town Council of the Town of Newton awarded contracts for the Proposed Improvements to Elm Street, Hampton Street, & Upper Union Place through the Morris County Co-op by the adoption of Resolution #185-2021 on September 15, 2021:

To Schifano Construction through the Morris County Co-op	\$67,877.25
To Denville Line Painting through the Morris County Co-op	\$2,017.02
To Campbell Foundry Co. through the Morris County Co-op	\$1,312.00
<b>Total Cost through Morris County Co-Op for the Project</b>	<b>\$71,206.27</b>

**WHEREAS**, the Town of Newton duly advertised and received bids in a public manner on August 4, 2021 for the Construction of ADA Ramps on Elm Street, Hampton Street, and Upper Union Place and awarded the contract to ADS Contracts, LLC by the adoption of Resolution #168-2021 on August 9, 2021 for a contract amount of \$26,804.12; and

**WHEREAS**, the Town Council approved Change Order No. 1 for Denville Line Painting for an increase in the amount of \$999.62 for a new contract total of \$3,016.64 by the adoption of Resolution #49-2022 on January 10, 2022; and

**WHEREAS**, the Town Council approved Change Order No. 1 for Schifano Construction for a final contact cost of \$72,171.81 for the paving portion by the adoption of Resolution #249-2021 on December 13, 2021; and

**WHEREAS**, the Town Council approved Change Order No. 1 for ADS Contracts, LLC for a final contract cost of \$18,644.12 for the ADA Ramps portion by the adoption of Resolution #251-2021 on December 13, 2021; and

**WHEREAS**, the Town Engineer, Harold E. Pellow, of Harold E. Pellow & Associates, Inc., recommends in his memo dated February 23, 2022, accepting the project as final and complete so the final paperwork can be prepared;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that it hereby concurs with the Town Engineer's recommendation and accepts as final and complete the Proposed Improvements and ADA Ramps on Elm Street, Hampton Street, & Upper Union Place Project; and

**BE IT FURTHER RESOLVED**, that a copy of Mr. Pellow's memo be attached to and made part of this Resolution.

**RESOLUTION #97-2022\***

**“Authorize Redemption of a Town Held Lien for Block 2.02, Lot 17, also known as 70-72 Mill Street”**

**WHEREAS**, at the Municipal Tax Sale held on October 24, 2018, a lien was struck off to the Town of Newton for Block 2.02, Lot 17, also known as 70-72 Mill Street, for delinquent 2017 Taxes; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2018-001, was recorded at the Sussex County Clerk's Office on November 7, 2018 as Book 9653 Page 514 at 18% interest; and

**WHEREAS**, Ebury RE, LLC, the owner, has effected redemption of Certificate #2018-001 in the amount of \$98,347.93;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body acknowledges Tax Sale Certificate #2018-001 has been satisfied in full to the Town of Newton; and

**BE IT FURTHER RESOLVED**, that the Tax Collector be authorized to cancel Tax Sale Certificate #2018-001 with the Sussex County Clerk's Office.

**RESOLUTION #98-2022\***

**“Refund of Redemption Monies to Outside Lien Holder for Block 22.05, Lot 13.02, Qualifier C0106, also known as 11 Giancarlo Lane”**

**WHEREAS**, at the Municipal Tax Sale held on October 7, 2020, a lien was sold on Block 22.05, Lot 13.02, Qualifier C0106, also known as 11 Giancarlo Lane, for 2019 delinquent Water and Sewer charges; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2020-007 was sold to Pro Cap 8/Pro Capital Mgt II, LLC for a 0% redemption fee and a premium of \$1,100.00; and

**WHEREAS**, on behalf of the owner, Cornerstone Title & Settlement, LLC has effected the redemption of Certificate #2020-007 in the amount of \$234.50;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body acknowledges Pro Cap 8/Pro Capital Mgt II, LLC is entitled to a redemption in the amount of \$234.50 as well as the return of the premium in the amount of \$1,100.00; and

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$234.50 for the redemption and a check in the amount of \$1,100.00 for the return of the premium for Certificate #2020-007 to Pro Cap 8/Pro Capital Mgt II, LLC, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102.

**RESOLUTION #99-2022\***

**“Authorize Compensation Adjustments for 2022 Calendar Year for Certain Town of Newton Employees Not Covered by Collective Bargaining Agreements”**

**WHEREAS**, minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton were established for calendar year 2022 by Ordinance #2021-20; and

**WHEREAS**, the Town Manager, as part of his 2022 Town of Newton Budget, has recommended a TWO PER CENT (2.0%) increase in salary for calendar year 2022 to be paid to certain Town of Newton employees, whose employment is not the subject of any bargaining agreement or individual contract; and

**WHEREAS**, the Town Council has reached the following conclusions:

1. A TWO PERCENT (2.0%) increase in salary from their 2021 base rate of pay for certain full-time and part-time Town of Newton employees, whose employment is not the subject of any bargaining agreement or individual contract, for calendar year 2022 is appropriate.
3. The salary of the Town Manager has been addressed separately by the Town Council.
4. Seasonal Employees and Summer Intern Employees are excluded from any salary increase authorized by this Resolution.
5. The following employees/titles have received adjustments for 2022, or are new hires, and are therefore **excluded** from this TWO PERCENT (2%) increase:
  - a. Deputy Municipal Court Administrator (M. Estremera)
  - b. Administrative Assistant to the Town Manager (K. Alcock)
  - c. Assistant Public Works Supervisor (A. Vough)
  - d. Land Use Administrator/Zoning Officer (K. Brown)
  - e. Community Development Director (K. Williams)
  - f. Registrar (J. Roberts)

- g. Parking Authority Enforcement Officer (J. Wood-Rosso)
  - h. Human Resource Director (J. Dodd)
  - i. Clerk (T. Oswin)
  - j. Omnibus Driver (J. Zukowski)
  - k. Administrative Assistant to Land Use (R. Nagel)
  - l. Administrative Assistant to Tax, Water/Sewer, Clerk (D. Finkle)
6. Said raises shall be retroactive to January 1, 2022.
  7. Stipends received through payroll are not salary and shall not be entitled to the TWO PERCENT (2%) increase authorized by this resolution.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the salaries and wages for the year 2022 for non-union Town of Newton employees, whose employment is not covered by bargaining agreement or individual contract, and with the aforementioned exceptions, shall be increased by TWO PERCENT (2%), retroactive to January 1, 2022.

**RESOLUTION #101-2022\***

**“Resolution Establishing a Maximum Chapter 78 Health Insurance Contribution Rate for Non-Union Employees and Retirees From a Non-Union Position Effective April 1, 2022”**

**WHEREAS**, New Jersey law requires public employees to contribute a portion of the health insurance premium costs pursuant to a formula set forth under Chapter 78 (N.J.S.A. 40A:10.21.1 and N.J.S.A. 52:14-17.28c); and

**WHEREAS**, the contribution rate may be adjusted by contract or by resolution for employees and retirees after full implementation of the four (4) years required under N.J.S.A. 40A:10.21.1; and

**WHEREAS**, the Town of Newton desires to establish a maximum Chapter 78 contribution rate for all non-union staff and applicable retirees from a non-union position, effective April 1, 2022;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that, effective April 1, 2022, the maximum Chapter 78 contribution rate for all non-union staff and applicable retirees from a non-union position shall be set at twenty-five (25%) percent regardless of the employee's salary level, the retiree's monthly retirement allowance level, or the type and level of insurance coverage; and

**BE IT FURTHER RESOLVED**, that this modification does not impact any employee who is in a collective negotiations agreement and/or retired from a position which is covered by a collective negotiations agreement.

**RESOLUTION #102-2022\***

**“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 2021 and 2022 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**

<b>Check#</b>	<b>Vendor</b>	<b>Check Total</b>
5564	ABCODE SECURITY INC. ....	180.00
5565	AFLAC.....	1,863.18

5566	AIRMATIC COMPRESSOR SYSTEMS, INC. ....	357.50
5567	ALL GAS & WELDING SUPPLY CO., INC. ....	780.81
5568	ALLIED 100 LLC .....	145.99
5569	AMANJ .....	75.00
5570	AMERICAN FIDELITY ASSURANCE .....	562.22
5571	AMERICAN FIDELITY ASSURANCE COMPANY .....	654.16
5572	ATD HIGHWAY PRODUCTS LLC.....	6,013.00
5573	BOONTON TIRE SUPPLY INC. ....	51.75
5574	C W A LOCAL 1032 .....	235.71
5575	CENTURYLINK COMMUNICATIONS, INC. ....	125.85
5576	CINTAS .....	90.00
5577	CONSTELLATION NEWENERGY -GAS DIV .....	8,298.86
5578	COPS .....	238.00
5579	COYNE CHEMICAL CORP., INC. ....	2,858.74
5580	D & E SERVICE CENTER, INC.....	1,455.34
5581	DEMPSEY UNIFORM & SUPPLY INC .....	1,501.88
5582	DOMINICK'S PIZZA LLC.....	101.70
5583	DOVER BRAKE & CLUTCH.....	325.17
5584	ELECTRONIC SYSTEMS SOLUTIONS INC. ....	320.00
5585	ERIC M. BERNSTEIN & ASSOCIATES, LLC.....	5,318.75
5586	FIRE & SAFETY SERVICES, LTD., INC. ....	5,200.00
5587	GARDEN STATE LABORATORIES INC.....	1,483.00
5588	GENERAL CODE, LLC .....	1,578.54
5589	GLOBAL RECYCLING SOLUTIONS LLC.....	75.50
5590	HARD ROCK HOTEL & CASINO ATLANTIC C .....	318.00
5591	HAYDEE BALLESTER .....	140.00
5592	HOLLAND COMPANY, INC. ....	6,600.00
5593	HOLZHAUER, SCOTT .....	115.00
5594	HOME DEPOT, INC. ....	530.75
5595	HOXHA, DUDIJE .....	254.66
5596	I-CORE SYSTEMS, INC.....	33.18
5597	J. CALDWELL & ASSOCIATES, LLC. ....	4,590.00
5598	JCP&L .....	6,549.16
5599	JK HVAC SERVICE, LLC.....	7,534.21
5600	JP MONZO MUNIC CONSULTING, .....	50.00
5601	KIMBALL MIDWEST.....	1,304.30
5602	KKPR MARKETING & PUBLIC RELATIONS,.....	2,150.00
5603	LAW OFFICE OF DANIEL P. AGATINO, LLC. ....	1,333.33
5604	LOWE'S , INC.....	63.60
5605	MGL FORMS - SYSTEMS, LLC.....	410.00
5606	MOTOROLA SOLUTIONS .....	562.20
5607	NEWTON PATROLMANS ASSOCIATION.....	720.00
5608	NEWTON SUPERIOR OFFICERS .....	420.00
5609	NJMEBF .....	182,999.00
5610	ONE CALL CONCEPTS, INC. ....	77.57
5611	OPTIMUM.....	115.65
5612	PASSAIC VALLEY SEWERAGE COMM.....	6,085.80
5613	PELLOW, HAROLD & ASSO, INC. ....	6,116.40
5614	PELLOW, HAROLD & ASSO, INC .....	292.50
5615	PLANET NETWORKS INC.....	1,519.67
5616	PROFESSIONAL CONSULTING INC.....	8,659.50
5617	QUALITY FACILITY SOLUTIONS CORP.....	2,255.97
5618	R.S. PHILLIPS STEEL LLC .....	50.80
5619	RACHLES/MICHELE'S OIL COMPANY, INC. ....	7,117.14
5620	RAPID PUMP .....	1,153.53
5621	READY REFRESH BY NESTLE .....	282.16
5622	RUTGERS URBAN FORESTRY PROGRAM .....	60.00
5623	SAFE KIDS WORLDWIDE .....	285.00
5624	SANDRA PAPAVERO.....	1,375.00
5625	SCMUA .....	817.85
5626	SEBRING AUTO PARTS, INC.....	443.58

5627	SMITH MARK .....	125.00
5628	STAPLES .....	197.85
5629	STAPLES CREDIT PLAN, INC. ....	29.60
5630	STATEWIDE INSURANCE FUND.....	118,200.00
5631	SUNLIGHT GENERAL .....	1,044.17
5632	SUSSEX & WARREN TAX COLL .....	120.00
5633	SUSSEX CAR WASH INC .....	224.00
5634	SUSSEX COUNTY ASSESSORS ASSOC.....	100.00
5635	SUSSEX COUNTY DETECTIVES ASSOC .....	175.00
5636	SUSSEX COUNTY P & H, INC. ....	544.53
5637	T.A. MOUNTFORD COMPANY, INC .....	954.00
5638	TAYLOR OIL CO., INC. ....	7,153.00
5639	TCTANJ SPRING.....	420.00
5640	TEXAS LIFE INSURANCE COMPANY .....	35.45
5641	THE EQUITABLE .....	16,890.00
5642	TRANS WORLD ASSURANCE CO.....	400.00
5643	TREASURER STATE OF NJ .....	294.25
5644	TREASURER, STATE OF NEW JERSEY .....	835.00
5645	TRI-STATE RENTALS, INC.....	118.02
5646	TRIMBOLI & PRUSINOWSKI, LLC .....	884.00
5647	UNUM LIFE/DISABILITY INSUR .....	453.11
5648	UPSEU LOCAL 424J .....	630.00
5649	VERIZON WIRELESS, INC.....	256.58
5650	VISION SERVICE PLAN.....	2,309.43
5651	VOGEL,CHAIT,COLLINS,SCHNEIDER, PC,.....	1,080.00
5652	W.B. MASON, INC. ....	388.83
5653	WEINER LESNIAK .....	1,764.00
5654	WEIS MARKETS, INC.....	272.85
5655	WELDON ASPHALT COMPANY, INC.....	974.00
<b>TOTAL</b>		<b>450,148.83</b>

Mayor Schlaffer asked if any member of the Council would like to pull a Resolution for discussion.

Mr. Couce asked for **Resolution #90-2022** be pulled for discussion.

A motion was made by Mr. Couce to approve the **COMBINED ACTION RESOLUTIONS**, excluding Resolution #90-2022, it was seconded by Mr. Dickson and roll call resulted as follows:

Mr. Couce (abstain on Check #5650)	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

Mayor Schlaffer asked Mr. Couce to start the discussion on Resolution #90-2022.

Mr. Couce stated he just found out recently Andover Township is auctioning one of their firetrucks for \$75,000 and he wonders if we should look to try and auction our firetruck to get more than the \$35,000 trade-in offer. Mr. Russo asked Ms. Miebach to weigh in on this. Ms. Miebach stated Andover may be listing their truck for \$75,000 but they may not get the amount they are seeking. She went on to say the option of

auctioning the truck was considered and the consensus was to go with the trade-in option. With the trade-in we get a guaranteed amount of \$35,000 and we can use the truck until our new one is ready. If we auctioned it privately, if we were able to sell it, which is doubtful, we would have to surrender the truck before the new truck is ready. This would leave us short one vehicle.

A discussion ensued with Mr. Couce still feeling it may be worth it if we could get more money.

Deputy Mayor Teets stated she was on the Truck Committee, and she feels confident in the decision to go with a trade-in.

Mr. Russo stated the company did come up on their original offer of \$30,000 to \$35,000 which he feels is fair.

Mrs. Oswin also stated with auctioning we would not have met the deadline to commit to purchase the truck as we would have to do a resolution to auction, advertise the auction, and then auction listed for a certain amount of time.

It was the consensus of the Council to go with the trade-in option guaranteeing a value of \$35,000 letting the Town use the truck until the new one is ready for pickup in about a year's time.

Upon motion of Mr. Couce, to approve **Resolution #90-2022**, seconded by Mrs. Diglio and roll call resulted as follows:

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

**RESOLUTION #90-2022**

**“Resolution Authorizing Trade-In of Certain Equipment to Offset Cost of New Equipment”**

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law N.J.S.A. 40A:11-36(7) the Town may authorize the trade-in of obsolete equipment to offset the cost of new equipment; and

**WHEREAS** the Town of Newton is desirous of trading-in Engine #802, a 2003 Dash Pierce Snozzle, class A pumper fire engine, with a 52ft water-way boom to FF1 Apparatus 34 Wilson Drive, Sparta, New Jersey 07871 for a trade-in value of \$35,000.00;

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

1. The Fire Department of the Town of Newton is hereby authorized to trade in Engine #802, a 2003 Dash Pierce Snozzle, class A pumper fire engine, With

a 52ft water way boom, to FF1 Apparatus 34 Wilson Drive, Sparta, New Jersey 07871 for a trade in value of \$35,000.00.

**RESOLUTIONS**

Upon motion of Deputy Mayor Teets, to approve **Resolution #100-2022**, seconded by Mr. Dickson and roll call resulted as follows:

Mr. Couce	Abstain	Mr. Dickson	Yes
Mrs. Diglio	Abstain	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

**RESOLUTION #100-2022**

**“Resolution to Accept the Certified List of Qualifying 2021 Newton First Aid Squad LOSAP Participants”**

**WHEREAS**, the Length of Service Awards Program (LOSAP) for the Newton Volunteer First Aid Squad was approved by the Mayor and Council through the passage of Ordinance 2013-3 on February 11, 2013, and approved by Newton voters as a public question at the General Election on November 5, 2013; and

**WHEREAS**, Resolution #196-2014 and Resolution #198-2014 were adopted October 27, 2014 establishing the LOSAP for the Newton First Aid Squad and awarding the contract to Lincoln Financial Advisors; and

**WHEREAS**, Ordinance 2019-11 revised sections 20-3.B and 3-50.C (2) of the Code of the Town of Newton regarding LOSAP contributions; and

**WHEREAS**, the Newton Volunteer First Aid Squad has certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 2013-3, to receive an amount as noted in Local Finance Notice 2021-01 between \$118.12 and \$1,181.22 based on points credited for volunteer services rendered in 2021 as per the 2021 LOSAP LIST attached; and

**WHEREAS**, the total number of qualifying volunteers for the First Aid Squad is 30, for a total contribution of \$20,848.53, less the state restrictive amount of \$295.31 bringing the contribution total to \$20,553.22; and

**WHEREAS**, the State of New Jersey does not permit a municipality to contribute more than the annual maximum, even if a volunteer has earned LOSAP contribution credits for both the Fire and the First Aid. Accordingly the above total payment needs to be reduced by \$295.31 for the amounts in excess of the \$1,181.22 annual maximum contribution authorized for a volunteer; and

**WHEREAS**, the Chief Financial Officer hereby certifies sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2021 to cover the cost of this contract;

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council do hereby accept the certified list from the Newton First Aid Department.

**TOWN OF NEWTON - LOSAP EMS**

Last	First	MI	2021
Abou-Jaoude	Elissar		590.61
ALBORANO	MAECHELL		118.12

AVILES	MALACHI		118.12	
Carlson	Anthony		118.12	
Casterline	Carlie		1,181.22	
CHAVARRIA	JOSEPH		295.31	
CICCIA	APRIL		1,181.22	
COUCE	JOHN PAUL		1,181.22	
COUCE	Jonathan		118.12	
COUCE	JOSHUA		118.12	
DIGLIO	SANDRA	L	1,181.22	
Dolan	Dave		295.31	
FITZPATRICK	TIM		295.31	
HASSAN	Riam		1,181.22	
HENNIGGAN	LAUREN		1,181.22	
Karlsson	Julie		118.12	
Kiefer	Matthew		590.61	
Le	Kristine		1,181.22	
LOUGHRAN	PAIGE		590.61	
MCDADE	KATELYN		1,181.22	
MURESAN	ROBERTA		1,181.22	
NANNERY	WILLIAM		1,181.22	
NANNERY	NICKOLAS		118.12	
POSEY	BRANDON	W	1,181.22	
POSEY	GARY		1,181.22	
PRICE	JOSHUA	R	1,181.22	
REIDMILLER	KATIE		118.12	
REIDMILLER	MICHAEL		590.61	
Sylvester	Matthew		118.12	
WUNDER	RACHEL		1,181.22	
			20,848.53	TOTAL SUBMITTED BY FIRST AID SQUAD
Less:				
CHAVARRIA	JOSEPH		295.31	EXCEEDS ANNUAL \$1181.22 MAXIMUM
			<b>20,553.22</b>	<b>TOTAL PERMITTED TO BE REMITTED</b>

Upon motion of Mrs. Diglio, to approve **Resolution #93-2022**, seconded by Mr. Dickson and roll call resulted as follows:

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Abstain
	Mayor Schlaffer	Yes	

**RESOLUTION #93-2022**

**“Resolution to Accept the Certified List of Qualifying 2021 Newton Fire Department LOSAP Participants”**

**WHEREAS**, the Length of Service Awards Program (LOSAP) for the Newton Volunteer Fire Department was approved by the Mayor and Council through the passage of Ordinance 2003-12 on August 11, 2003, confirmed by Resolution #104-2003, and approved by Newton voters as a public question at the General Election on November 4, 2003; and

**WHEREAS**, Ordinance 2019-11 revised Sections 20-3.B and 3-50.C(2) of the Code of

the Town of Newton regarding LOSAP contributions; and

**WHEREAS**, the Newton Volunteer Fire Department has certified a list of members who are eligible, in accordance with guidelines outlined in Ordinance 2003-12, to receive an amount as noted in Local Finance Notice 2021-01 between \$118.12 and \$1,181.22 based on points credited for volunteer services rendered in 2021 as per the 2021 LOSAP LIST attached; and

**WHEREAS**, the total number of qualifying volunteers for the Fire Department is 31, for a total contribution of \$25,927.75; and

**WHEREAS**, the Chief Financial Officer has certified sufficient funds have been appropriated in the Town of Newton Operating Budget for calendar year 2021 to cover the cost of this contribution;

**NOW, THEREFORE BE IT RESOLVED**, the Mayor and Council do hereby accept the certified list from the Newton Fire Department dated January 5, 2022.

**Newton Fire Department  
2021 LOSAP**

<b>Name</b>	<b>Contribution</b>	<b>Contribution</b>
Louis Arrazola	10%	118.12
John Ays	25%	295.30
Michael Bencivenga	75%	885.91
Chris Blakely – <b>Captain</b>	100%	1181.22
Douglas Bowne	100%	1181.22
Robert Caton	10%	118.12
Joe Chavarria	100%	1181.22
Gary Cooper	100%	1181.22
Richard Dayermanjian – <b>LT</b>	100%	1181.22
Jeff Diener - <b>President</b>	100%	1181.22
Thomas Donnelly	100%	1181.22
Brian Farence – <b>LT</b>	10%	118.12
Tim Fitzpatrick	10%	118.12
Mike Hayes	10%	118.12
Eric Humbert - <b>Treasurer</b>	100%	1181.22
Josh LeMasson – <b>LT</b>	100%	1181.22
Jason Miller – <b>Deputy Chief</b>	100%	1181.22
Peter Naumowiz	100%	1181.22
Anthony Neggars	10%	118.12
Anthony Perigo – <b>LT</b>	100%	1181.22
Jay Phlegar - <b>Engineer</b>	100%	1181.22
Antonio Razzano	10%	118.12
Anthony Michael Razzano	100%	1181.22
Jon Renzo	100%	1181.22
Jeff Schiffner	50%	590.61
Shawn Snedeker	50%	590.61
Mike Streeter – <b>Secretary</b>	100%	1181.22
Michael Teets - <b>Vice</b>	100%	1181.22
Scott Verkon - <b>Chief</b>	100%	1181.22
Charles Weber	25%	295.30
Derek Wechtler – <b>Captain</b>	100%	1181.22
<b>Total</b>		<b>\$25,927.75</b>

Submitted By: Douglas R. Bowne

1/05/22

**DISCUSSION** – None.

**OPEN TO THE PUBLIC**

Mayor Schlaffer opened the meeting to the public.

Ludmilla Mecaj, 9 Mecaj, is she understanding the Town is going to do nothing with regards to the air quality issue she raised? The Town approved this business, and she has an issue with the air quality and how it will affect her. What are the next steps she can take regarding this?

There being no one from the public to be heard either in person or on Zoom, Mayor Schlaffer closed the meeting to the public.

**COUNCIL & MANAGER COMMENTS**

Mayor Schlaffer clarified for Dr. Mecaj, this is not a business. No cannabis business has begun operating within the Town. He believes Mr. Russo was referring to a resident.

Mr. Russo also stated it could be a medical marijuana utilization. Whether it is recreational or medical we do not regulate what people are doing in their private residence as it relates to marijuana. As the Mayor stated, no business is operating in the Town. The State accepts license applications starting tomorrow. We cannot regulate if a resident is using it recreationally or for a medical purpose. Mr. Russo asked Mr. Bernstein to weigh in if a resident has an issue. Mr. Bernstein stated it has been de-criminalized. If a resident has a health concern, they should contact the Sussex County Health Department to register a complaint.

**EXECUTIVE SESSION** - None.

There being no further business to be conducted, upon motion of Deputy Mayor Teets seconded by Mrs. Diglio and unanimously carried, the regular meeting was adjourned at 7:57 pm.

Respectfully submitted,



Teresa A. Oswin, RMC  
Municipal Clerk