

May 23, 2022

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 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.

APPROVAL OF MINUTES

Upon motion by Mrs. Diglio, seconded by Mrs. Teets and carried, the minutes for the May 9, 2022 Regular meeting were approved as presented. Mr. Couce abstained.

PRESENTATION

Mayor Schlaffer presented Newton High School Senior Alexa Dodd a certificate and \$1,000 check as the New Jersey League of Municipalities winner of the 2022 Louis Bay II Future Municipal Leaders Scholarship. Alexa wrote an essay on her experience with municipal government. Also present was Newton High School Principal Jeff Waldron.

Alexa said thank you, she is honored to receive the scholarship.

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.

With no one coming forth in person, Mayor Schlaffer opened the meeting up to those on Zoom.

Dr. Ludmilla Mecaj, 9 Madison Street came forth and first offered congratulations

to the winner. She then went on to say the winner's parent works for the Town. She hopes the process for selecting a winner was fair. She wants to know who did the selecting, what was required, how it was decided.

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

COUNCIL & MANAGER REPORTS

Town Manager Russo – started off by clarifying the Louis Bay II scholarship is offered through the New Jersey State League of Municipalities. Several dozens of applicants from all over the State submitted essays and Alexa's was one of three winners. No one from the Town was involved in the process.

He went on to say Town Hall will be closed Monday, for Memorial Day. He thanked all those who have made the ultimate sacrifice for our freedom. There will be a parade on Memorial Day starting at 10am and a ceremony will be held at 11am at Memory Park. Summer hours start on June 3rd. The municipal building will be open to the public Monday – Friday 9am to 4pm and on Friday from 9am to 1:30pm. Neighbors Helping Neighbors will be on June 6th in two shifts: 9am – Noon and 1pm to 4pm. Newton Day is coming up on June 11th.

Councilman Couce – started by thanking Mr. Russo on the clarification on the scholarship. He went on to offer his congratulations to Alexa. She is the youth face of Newton as the reigning Miss Newton. Last night he attended the Board of Education meeting where there was a presentation of the search for a new Superintendent. They expect to make an announcement in late July. Also, the BOE mentioned 2 retirements coming up. Mr. Yeager, a math teacher and Mr. Hofmann, the technology teacher. He wished them both a long and happy retirement. The next BOE meeting is tomorrow.

Councilman Dickson – started by offering congratulations to Alexa Dodd, her passion for Newton shines through in everything she does.

On May 10th I attended the EDC meeting and have a few updates: Water St Holdings - Starbucks has its approvals, Chipolte has submitted and has pending approvals, Panera has not yet submitted. Also, the footing inspection for building #1 has been completed. The new Thorlabs building has had operations from the Sparta Avenue building moved over as they plan to renovate the building. Sizzle BBQ is moving along with interior demolition. Newton Day is June 11th and were still looking for vendors. Taste

May 23, 2022

of Newton is Sept 12th with a rain date of the 19th. This year there will be a total of 400 tickets for sale, last year we sold out with 300 tickets. Captains of Leisure will be the music. Did you know that the Town of Newton is on Tiktok? Be sure to follow them at go newtonnj and let us know if you have any suggestions of future content.

On Saturday I took my boys down to Memory Park for the meet and greet with the Newton First Aid Squad and the Newton Police. It was a great community building event and I want to thank both departments for putting this event together. All the kids seemed to really enjoy themselves. I always want to recognize that last week was national police week and EMS week, and I just want to take a moment to thank all our police and EMS professionals for all that they do for our community.

Councilwoman Diglio – on May 12th she attended the Sheriff's reception with Kimberly Williams supporting the Sheriff. On May 14th she attended a ceremony honoring civil war soldiers at the Newton Cemetery. On May 19th she attended the "Coffee with a Cop" with the Newton Police at Hayek's Market. She attended Newton Police and Rescue Squad's meet and greet at Memory Park on Saturday. Adults as well as children enjoyed the event. The Memorial Day Parade is this Monday starting at 10am, a service will be held at 11am at Memory Park. Lastly, she offered her congratulations to Alexa Dodd.

Deputy Mayor Teets – she officially congratulated Alexa, she asked her to encourage her underclassmen to apply for the scholarship in future years. Also, as Miss Newton she hopes she encourages her classmates to enter the contest. Congratulations to Town Engineer, Harold E. Pellow for receiving the 2022 NJSPE Distinguished Engineering Service Award. She is sorry she missed the police and EMS meet and greet, she has heard good things about the event. She also welcomed our new hires which are starting on June 6th.

Mayor Schlaffer – Congratulations to Alexa! He attended the first Entrepreneur Zone Summit via telephone with Tom among others including representatives of Thorlabs. This is a great opportunity for small businesses and startups. The private sector has been growing in Town and this will really help to foster the growth offering help in the way of coaching and advise to small business owners. He is very happy to hear Newton has a TikTok, he encourages everyone to check it out.

UNFINISHED BUSINESS – None.

ORDINANCES

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

ORDINANCE NO. 2022-12

AN ORDINANCE PROVIDING FUNDING FOR VARIOUS WATER/SEWER IMPROVEMENTS FOR THE TOWN OF NEWTON AND APPROPRIATING \$1,010,108 FOR SUCH PURPOSE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Town of Newton, in the County of Sussex, New Jersey, authorizes various water/sewer improvements to be undertaken, including (a) acquisition of crew cab pick-ups; (b) acquisition of a SCADA treatment system and PALL computer interface system; (c) reconstruction of Bridge-06; (d) acquisition and installation of a Lower Glen Lake blow off valve by Morris Lake Dam; (e) installation of a fence along Morris Lake Dam roadway; (f) Mitigation Testing; (g) Fire Hydrant and valve replacement throughout the Town; and (h) Repair and replacement of Rotating Biological Contactors, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$150,000 is hereby appropriated for the purpose stated in Section 1(a) and \$50,000 is hereby appropriated for the purpose stated in Section 1(b) of the Ordinance and which amounts were funded from the water/sewer capital improvement fund and the amount of \$810,108 is hereby appropriated for the purposes stated in Section 1(b) through (h) of the Ordinance and which amount was funded from the reserve that was established for each of said projects.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Town determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Town of Newton may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due 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. Dickson, 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 adoption.

ORDINANCE NO. 2022-13

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$420,000 FOR THE INSTALLATION OF SIDEWALKS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$57,000 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$420,000, such sum includes (a) \$360,000 expected to be received as a Community Development Block Grant (the "Grant") and (b) \$3,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment and the Grant, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$57,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Town are hereby authorized to be issued in the principal amount not exceeding \$57,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the installation of sidewalks along Route 206/Water Street and reconstruction of sidewalks in areas where sidewalks are deficient, including all work and materials necessary therefor and incidental thereto, and as shown on and in accordance with the plans and specifications on file with the Town Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$57,000.

(c) The estimated cost of the Improvement is \$420,000 which amount represents the initial appropriation made by the Town.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Town (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Town Council of the Town at the meeting next

succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Town is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Town Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited, and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense and is a capital improvement or property that the Town may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Town, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$57,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Town authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Town as funds applicable only to the payment of obligations of the Town authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure

document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Town reasonably expects to pay expenditures with respect to the Improvement prior to the date that Town incurs debt obligations under this Bond Ordinance. The Town reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Town under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$57,000.

SECTION 11:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 Mrs. Diglio, who moved its adoption, seconded by Mr. Couce 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 NO. 2022-14

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$927,450.50 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$664,593 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 12:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$927,450.50, consisting of (a) \$190,500 grant from the New Jersey Department of Transportation in connection with the

improvement described in Section 3(a)(4), (b) \$10,000 from the Reserve for road improvements, (c) \$17,150 from the Reserve for Demolition 4A Barrett and (d) \$45,207.50 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 13:

In order to finance the additional cost of the Improvement and the Grant not covered by application of the Down Payment, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$664,593 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Town are hereby authorized to be issued in the principal amount not exceeding \$664,593 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 14:

(a) The Improvements authorized and the purposes for which obligations are to be issued are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
(1) Acquisition of Police Sport Utility Vehicle, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	\$39,450.50	\$27,203	5 Years
(2) Improvements to Dunn Place, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering.	10,000	0	10 Years
(3) Demolition Barrett Avenue (house), including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering	20,000	0	15 Years
(4) Road improvements to E. Clinton Street, Lawnwood Avenue and Nelson Street, including sidewalk, curbing, milling, paving, drainage, sewer, and other miscellaneous improvements and including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering.	240,000	49,500	10 Years

<p>(5) Road improvements to Smith Street and Grand Avenue, including sidewalk, curbing, milling, paving, drainage, sewer, and other miscellaneous improvements and including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering.</p>	100,000	95,000	10 Years
<p>Improvements</p>	<p>Appropriation and Estimated Cost</p>	<p>Estimated Maximum Amount of Bonds or Notes</p>	<p>Period of Useful Life</p>
<p>(6) Acquisition of a Field Groomer for the Department of Public Works, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.</p>	38,000	36,190	15 Years
<p>(7) Acquisition of a Slope Mower for the Department of Public Works, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.</p>	40,000	38,000	15 Years
<p>(8) Acquisition of single axle dump truck for the Department of Public Works, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.</p>	210,000	200,000	5 Years
<p>(9) Improvements to Town Hall Wall, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering.</p>	100,000	95,000	15 Years
<p>(10) Acquisition of Fire Gear, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.</p>	35,000	33,300	5 Years

(11) Acquisition of Senior Shuttle Bus with wheelchair lift, all as shown on and in accordance with the plans and specifications thereon on file in the office of the Clerk and hereby approved.	95,000	90,400	5 Years
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TOTAL ALL PURPOSES	\$927,450.50	\$664,593	
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(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$664,593.

(c) The estimated cost of the Improvement is \$927,450.50 which amount represents the initial appropriation made by the Town.

SECTION 15:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Town (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Town Council of the Town at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 16:

The capital budget of the Town is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Town Clerk and is available for public inspection.

SECTION 17:

The following additional matters are hereby determined, declared, recited, and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense and is a capital improvement or property that the Town may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 8.63 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local

Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Town, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$664,593 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 18:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Town authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Town as funds applicable only to the payment of obligations of the Town authorized by this Bond Ordinance.

SECTION 19:

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 20:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Town reasonably expects to pay expenditures with respect to the Improvement prior to the date that Town incurs debt obligations under this Bond Ordinance. The Town reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Town under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$664,593.

SECTION 21:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 Mrs. Teets, who moved its adoption, seconded by Mrs. 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.

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 #141-2022*

“Accept as Final and Complete the Repairs to the Final Clarifier at the Wastewater Treatment Plant Project”

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

WHEREAS, on December 14, 2020, by adoption of Resolution #273-2020, the Town Council authorized Change Order No. 1, for the Repairs to the Final Clarifier at the Wastewater Treatment Plant Project for a sixty-four (64) day extension for completion; and

WHEREAS, on February 28, 2022, by adoption of Resolution #77-2022, the Town Council authorized Change Order No. 2, for the Repairs to the Final Clarifier at the Wastewater Treatment Plant Project for a two hundred and seventy-four (274) day extension for completion and an increase in the amount of \$23,765.53; and

WHEREAS, the Town of Newton Sewer Engineer, Frederick J. Margron, of Professional Consulting, Inc., recommends in his letter dated May 12, 2022, the project be accepted as final and complete by the Town Council so the final payment can be made;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that it hereby accepts the Repairs to the Final Clarifier at the Wastewater Treatment Plant Project as final and complete based on the recommendation of the Sewer Engineer, so the final paperwork and payment can be completed.

RESOLUTION #142-2022*

“Insertion of Special Items of Revenue in the 2022 Town of Newton Budget Pursuant to N.J.S.A. 40A:4-87 (C. 159, PL 1948)”

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue and also approve the insertion of an item of appropriation of equal amount in the Budget of any

Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, the Town of Newton has received a payment in the amount of \$1,456.00 from the State of New Jersey, Division of Criminal Justice Body Armor Grant-State Body Armor Replacement Fund Program. The Town of Newton has also received a payment in the amount of \$1,750.00 from the Federal Assistance Grant for Bullet Proof Vest Partnership Grant;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton hereby requests the Director of the Division of Local Government Services approve the insertion of the following items in the 2022 Budget of the Town of Newton which is now available as revenue from:

Miscellaneous Revenues:	
Section F: Special Items of Revenue	
Public and Private Revenues Off-set with Appropriations:	
Body Armor Grant	\$3,206.00
General Appropriations:	
(A) Operations - Excluded from CAPS	
Public and Private Programs Off-Set by Revenues:	
Body Armor Grant	\$3,206.00

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

RESOLUTION #143-2022*

“Authorize the Award of a Required Disclosure Contract for Airmatic Compressor Systems, Inc.”

WHEREAS, the Town of Newton has a need for a replacement of the GA11 compressor GAFF FM at the Water Treatment Plant, Morris Lake, through Airmatic Compressor Systems, Inc., 700 Washington Ave., Carlstadt, NJ 07072, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Sean Canning, Q.P.A., of the Canning Group, LLC, the Town of Newton's Qualified Purchasing Agent, has determined and certified Airmatic Compressor Systems, Inc., in the aggregate will exceed the amount of \$17,500.00 in a contract year; and

WHEREAS, Airmatic Compressor Systems, Inc., has submitted a proposal indicating they will provide the replacement of the GA11 compressor GAFF FM for \$12,940.00, which when combined with the existing maintenance contract, in the aggregate exceeds the pay-to-play threshold of \$17,500.00; and

WHEREAS, Airmatic Compressor Systems, Inc., has completed and submitted a Business Entity Disclosure Certification and Political Disclosure Contribution form, which certifies Airmatic Compressor Systems, 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 Airmatic Compressor Systems, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer as required by N.J.S.A. 40A:4-5, N.J.A.C. 5:34-5.1 et seq., hereby certifies funds NOT TO EXCEED \$12,940.00 will be encumbered as follows:

2022 WATER SEWER BUDGET – Capital Outlay

#6089293

“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 Airmatic Compressor Systems, Inc., 700 Washington Ave., Carlstadt, NJ 07072 not to exceed \$12,940.00 for replacement of the GA11 compressor GAFF FM at the Water Treatment Plant, Morris Lake; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification, Political Contribution Disclosure, and the Determination of Value be placed on file in the office of the Municipal Clerk.

RESOLUTION #144-2022*

“Refund of Redemption Monies to Outside Lien Holder for Block 21.08, Lot 13, also known as 15 Kory Road”

WHEREAS, at the Municipal Tax Sale held on October 23, 2019 a lien was sold on Block 21.08, Lot 13, also known as 15 Kory Road, for 2018 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #2019-012 was sold to Christiana Trust cust for GSRAN-Z, LLC for a 0% redemption fee and a premium in the amount of \$22,400.00; and

WHEREAS, Title Agency of New Jersey, Inc., has affected the redemption of Certificate #2019-012 in the amount of \$19,689.55;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges Christiana Trust cust for GSRAN-Z, LLC is entitled to a redemption in the amount of \$19,689.55 as well as the return of the premium in the amount of \$22,400.00; 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 \$19,689.55 for the redemption and a check in the amount of \$22,400.00 for the return of the premium for Certificate #2019-012 to Christiana Trust cust for GSRAN-Z, LLC, PO Box 71276, Philadelphia, PA 19176.

RESOLUTION #145-2022*

“To Cancel a NJ DOT Grant Receivable Balance in The General Capital Fund”

WHEREAS, the Town of Newton received an award in 2021 in the amount of \$177,000.00 from the State of New Jersey Department of Transportation for Elm Street, Hampton Street, and Upper Union Place; and

WHEREAS, the Town Engineer had stated in a Final Paperwork memorandum to the Town Manager in February 2022 the project has been completed and accepted by the Town officials and the Town Engineer certifies there are no additional costs for this project; and

WHEREAS, there is a grant receivable balance of \$76,123.53 due from State of New Jersey Department of Transportation for Elm Street, Hampton Street, and Upper Union Place on the General Capital balance sheet; and

WHEREAS, it is necessary to formally cancel the receivable balance against the Unexpended Improvement Authorization;

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Town Council of the Town of Newton, we hereby cancel the following grant receivable:

General Capital Fund

NJ DOT Grant Receivable (Ord #2021-7)

#3001530 Elm, Hampton, & Upper Union Place.....\$76,123.53

RESOLUTION #146-2022*

“Resolution Designating June as “LGBTQIA+ Pride Month” in the Town of Newton”

WHEREAS, persons who are lesbian, gay, bisexual, transgender, queer, or members of other communities (LGBTQIA+) have been subject to violence, harassment, and other forms of discrimination based solely on their sexual orientation, gender expression, and gender identity; and

WHEREAS, the Stonewall Uprising occurred on June 28, 1969 and was a form of unjust discrimination against LGBTQIA+ citizens of New York City and representative of such historical Injustice across America and the world; and

WHEREAS, the massacre at the Pulse Nightclub, an LGBTQIA+ bar in Orlando, FL, on June 12, 2016, claimed the lives of 50 people and was the deadliest shooting in American history at that time; and

WHEREAS, according to the U.S. Centers for Disease Control, LGBTQIA+ youth have an increased risk for suicide, depression, and substance abuse due to higher rates of bullying, harassment, and violence; and

WHEREAS, the American Psychological Association has declared that LGBTQIA+ relationships are part of the normal forms of human experience and advocates for civil rights protections for the same; and

WHEREAS, the Supreme Court of the United States has ruled, in the matter of OBERGEFELL v. HODGES, that the Fourteenth Amendment to the Constitution of the United States requires states to recognize the marriage of individuals of the same sex due to its guarantee of "equal protection of the laws" for all citizens born or naturalized; and

WHEREAS, the "New Jersey Law Against Discrimination" (N.J.S.A. 10:5-12), which prohibits discrimination or harassment in employment, housing, places of public accommodation, credit, and business contracts, was amended by the New Jersey Legislature in the administration of former Governor Jon Corzine to extend these protections to the categories of sexual orientation, gender identity, or expression; and

WHEREAS, New Jersey P.L. 2013, Ch. 150, passed by the New Jersey Legislature in the administration of former Governor Chris Christie, prohibits licensed professionals from "seeking to change a person's sexual orientation, including, but not limited to, efforts to change behaviors, gender identity, or gender expressions" for residents who are 18 years of age or younger; and

WHEREAS, the Town of Newton is a diverse community that is committed to supporting visibility, dignity, and equality for all citizens in our community; and

WHEREAS, many of the residents, students, and visitors within the Town of Newton who contribute to the enrichment of our community are a part of the LGBTQIA+ community, including parents who adopt children, who would otherwise remain

orphans, into loving and nurturing homes; and

WHEREAS, June has been declared "LGBTQIA+ Pride Month" by Presidents William J. Clinton, Barack H. Obama, Donald J. Trump, and Joseph R. Biden, Jr., in the United States of America; and

WHEREAS, events are held annually in the month of June across America to recognize and celebrate the lives and contributions of LGBTQIA+ citizens;

NOW, BE IT THEREFORE RESOLVED, that the Mayor and the Council of the Town of Newton proclaim June 2022 as "LGBTQIA+ Pride Month" in the Town of Newton and encourage residents to join in celebrating the inherent human dignity and equality of all persons, regardless of sexual orientation, gender identity, or expression, under the law.

RESOLUTION #147-2022*

“Resolution Authorizing the Town Manager to Execute an Amended and Restated Deed of Drainage Easement with Brookside Realty Urban Renewal, LLC”

WHEREAS, Brookside Realty Urban Renewal, LLC (“Brookside”) is the owner of real property identified as Block 5.05, Lot 23 on the Official Tax Map of the Town of Newton (“Town”); and

WHEREAS, by deeds of easement, dated in or about 1944, granted by various property owners in favor of the Town, the Town was granted a ten foot (10') wide drainage easement under a series of contiguous or semi-contiguous parcels of real property, which easements permit the Town to install and maintain an underground storm water drainage pipe; and

WHEREAS, one (1) such easement was granted by Brookside's predecessor in interest permitting the installation and maintenance of a drainage pipe under a ten foot (10') wide portion of Brookside's property running between Mill Street and the eastern edge of Brookside's property (“Drainage Easement”); and

WHEREAS, the Drainage Easement was not located in either the records of the Sussex County Register of Deeds and/or the Town's records; and

WHEREAS, the Town and Brookside have agreed to restate and to further define the Town's rights and obligations relating to the Drainage Easement, as set forth in an Amended and Restated Deed of Drainage Easement, a copy of which is annexed hereto and incorporated herein;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Mayor and Town Council of the Town of Newton do hereby authorize the Town Manager and Town Clerk to execute an Amended and Restated Deed of Drainage Easement, a copy of which is annexed hereto and incorporated herein, as to the property mentioned above with Brookside Realty Urban Renewal, LLC.

RESOLUTION #148-2022*

“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

Check#	Vendor	Check Total
5996	AFLAC.....	1,863.18
5997	AIRMATIC COMPRESSOR SYSTEMS, INC.	4,647.73
5998	AMERICAN FIDELITY ASSURANCE	562.22
5999	AMERICAN FIDELITY ASSURANCE COMPANY	654.16
6000	APPLE, INC.	1,599.00
6001	BEN SHAFFER & RECREATION INC.	3,451.89
6002	BENNETT SAND & GRAVEL LLC	649.85
6003	BIS DIGITAL, INC.	898.13
6004	BLUE DIAMOND DISPOSAL INC.	6,247.20
6005	BOONTON TIRE SUPPLY INC.	157.60
6006	BR WELDING INC	10,777.27
6007	BSN SPORTS CO., INC.	139.99
6008	C W A LOCAL 1032	243.64
6009	CAMPBELL'S SMALL ENGINE INC.	269.76
6010	CENTURYLINK COMMUNICATIONS, INC.	125.40
6011	CENTURYLINK COMMUNICATIONS, INC	41.24
6012	CENTURYLINK COMMUNICATIONS, INC	3,866.09
6013	CERBO'S HAMPTON NURSERY INC.....	240.00
6014	CINTAS	542.44
6015	COUNTY OF SUSSEX	8,511.33
6016	CRYSTAL MOUNTAIN SPRINGS	315.00
6017	DECOTIIS, FITZPATRICK, COLE& GIBLIN, LLP	7,219.30
6018	ELIZABETHTOWN GAS	2,944.45
6019	EMERGENCY MEDICAL PRODUCTS	26.00
6020	ERIC M. BERNSTEIN & ASSOCIATES, LLC.	6,214.00
6021	ERIC M. BERNSTEIN & ASSOCIATES, LLC.	5,186.43
6022	ERIC M. BERNSTEIN & ASSOCIATES, LLC.	130.00
6023	EXCEL ENVIRONMENTAL RESOURCES, INC.	1,265.00
6024	FIRE FIGHTERS EQUIPMENT CO. INC.	1,055.00
6025	GARY W. CRIFT	375.00
6026	GLENN C KIENZ	700.00
6027	GLOBAL RECYCLING SOLUTIONS LLC	408.35
6028	GOLD TYPE BUSINESS	2,100.00
6029	HAYEK'S MARKET INC.	649.60
6030	HOLLAND COMPANY, INC.	6,636.30
6031	IDS AUTOSHRED	675.00
6032	J. CALDWELL & ASSOCIATES, LLC.	9,528.75
6033	JCP&L	11,314.25
6034	Jesco Inc.	65.80
6035	JMC ENVIRONMENTAL CONSULTANTS, INC.	7,225.00
6036	JOHNNY ON THE SPOT, LLC.	541.25
6037	JP MONZO MUNIC CONSULTING, LLC	50.00
6038	KIMBALL MIDWEST	3,653.44
6039	KKPR MARKETING & PUBLIC RELATIONS,	1,264.00
6040	LADDEY, CLARK & RYAN, LLP	2,875.00
6041	LAW OFFICE OF DANIEL P. AGATINO, LLC.	1,333.33
6042	MAIN POOL & CHEMICAL COMPANY, INC.	3,600.50
6043	MINISINK PRESS INC	1,381.00
6044	NEW JERSEY JUVENILE OFFICERS ASSOC, INC.	250.00
6045	NEWTON BOARD OF EDUCATION	1,110,506.41
6046	NEWTON PATROLMANS ASSOCIATION	810.00
6047	NEWTON SUPERIOR OFFICERS	420.00
6048	NJMEBF	186,842.00
6049	NJMVC	46.50
6050	ONE CALL CONCEPTS, INC.	129.05
6051	OPTIMUM	115.65
6052	PALL CORPORATION.....	15,416.64
6053	PASSAIC VALLEY SEWERAGE COMM.	9,302.42
6054	PELLOW, HAROLD & ASSO, INC.	3,817.94
6055	PENTELEDATA	319.90
6056	PETRO-MECHANICS, INC.	332.06
6057	PRIME LUBE, INC.	409.00

6058	PROFESSIONAL CONSULTING INC.	19,433.50
6059	QUALITY FACILITY SOLUTIONS CORP	2,255.97
6060	QUILL CORPORATION	69.98
6061	READY REFRESH BY NESTLE	84.34
6062	Reliance Standard Life Insurance Co	202.16
6063	REVCORD	4,128.00
6064	RIMAGE CORPORATION	186.68
6065	SASSE GLASS LLC	580.00
6066	SCHENCK, PRICE, SMITH, & KING, LLP	5,061.43
6067	Schlosser, Theresa	3.81
6068	SCMUA	300.00
6069	SERFILCO, LTD	1,163.71
6070	SHOP RITE, INC.	13.98
6071	SLOAN, JAMES P.	3,573.83
6072	SMALLEY, JOHN H	1,437.50
6073	STAPLES	487.71
6074	STAPLES CREDIT PLAN, INC.	141.92
6075	STATEWIDE INSURANCE FUND	130,200.00
6076	SUNLIGHT GENERAL	1,605.69
6077	SUSSEX CAR WASH INC	144.00
6078	SUSSEX COUNTY SHERIFF'S CRIMESTOPPE	420.01
6079	SYNCHRONY BANK	217.79
6080	SYNCHRONY BANK	1,199.48
6081	TEXAS LIFE INSURANCE COMPANY	35.45
6082	THE CANNING GROUP, LLC.....	541.67
6083	THE EQUITABLE	15,335.00
6084	TRANS WORLD ASSURANCE CO.....	400.00
6085	TRANSUNION ALTERNATIVE RISK & DATA,	900.00
6086	TRIMBOLI & PRUSINOWSKI, LLC.	476.00
6087	UGI ENERGY SERVICES LLC	2,450.08
6088	UNITED SITE SERVICES,INC	11,412.45
6089	UNUM LIFE/DISABILITY INSUR	1,352.28
6090	UPSEU LOCAL 424J	630.00
6091	VERIZON WIRELESS, INC.	1,536.91
6092	VISION SERVICE PLAN	2,329.76
6093	W.B. MASON, INC.	844.36
6094	WALMART	78.11
6095	WATER & SEWER CAPITAL ACCOUNT	20,000.00
6096	WEINER LESNIAK	378.00
6097	WIELKOTZ & COMPANY, LLC.	7,400.00
6098	WILDFLOWERS WITH TAMI	100.00
6099	ZOOM VIDEO COMMUNICATIONS,INC	149.90
TOTAL		1,692,198.90

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

for discussion.

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

Mr. Couce (Abstain on #142-2022)	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets (Abstain on #142-2022)	Yes
	Mayor Schlaffer	Yes	

OPEN TO THE PUBLIC

Mayor Schlaffer opened the meeting to the public.

Margaret Baldini, 10 Barry Lane questioned a resolution from the last meeting.

Resolution #134-2022 was pushed through and it amended the employment contract for the Town Manager. Why weren't the documents made available prior to the meeting? Why did they raise the pay for the Town Manager? In the past when she questioned why the pay level was raised, she was told it was for the Police Chief's salary. This is going to hit us on the back end on his pension.

There being no one else from the public to be heard in person, the Mayor opened the meeting up to Zoom attendees.

Dr. Mecaj, 9 Madison Street, thanked the Town Manager for clarification on the scholarship. She then went on to question if there is anymore information on a scholarship by the Town which was mentioned in previous meetings. Is it still in the process?

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

DISCUSSION – None.

COUNCIL MANAGER COMMENTS

Mayor Schlaffer responded to Ms. Baldini's questions stating there were excessive discussions on the Town Manager's contract over several weeks' time. He feels this is a fantastic deal for the Town, especially locking Tom in for five (5) years. The previous raises didn't apply to the Town Manager. It is hard to argue with the results Tom brings to the Town. Some came to light to him today with the Entrepreneur Zone discussion, this is something Tom brought to the Town. Just to see how far the Town has come in the time he has lived here, has been under Tom's leadership. Tom has been a powerful leader for the Town and challenges anyone to say otherwise. Mayor Schlaffer also asked Ms. Mecaj to provide more information on the scholarship she inquired about so they can look into it further.

Mr. Couce offered clarification on the BOE meeting announcement he mentioned earlier. The Board is looking to make an announcement on the new Superintendent at the end of August, right before the school year starts. Also, he wanted to announce two police retiree "walk-outs" coming up. Lt. Scott King's will be on Wednesday, May 25th at 4pm and Sgt. Tosti's will be on May 31st at 4pm.

EXECUTIVE SESSION – None.

May 23, 2022

ADJOURMENT

There being no further business to be conducted, upon motion of Mrs. Teets seconded by Mrs. Diglio and unanimously carried, the regular meeting was adjourned at 7:30 pm.

Respectfully submitted,



Teresa A. Oswin, RMC
Municipal Clerk