

The regular meeting of the Town Council of the Town of Newton was held in person and via Zoom on the above date at 7:00pm. Present were Mr. Couce, Mr. Dickson, Mrs. Diglio, Mrs. Le Frois, Mayor Teets, Teresa A. Oswin, Municipal Clerk, and Thomas S. Russo, Jr., Town Manager. Eric Bernstein, Esq., Town Attorney was also present. Monica B. Miebach, CFO attended via Zoom.

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

Mayor Teets 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 6, 2023."

**APPROVAL OF MINUTES**

Upon motion by Mrs. Diglio, seconded by Mrs. Le Frois and all those present voting yes, the minutes for the October 23, 2023 Regular meeting were approved as presented.

Upon motion by Mrs. Diglio, seconded by Mrs. Le Frois and all those present voting yes, the minutes for the November 3, 2023 Special meeting were approved as presented. Deputy Mayor Couce and Mr. Dickson abstained.

**OPEN TO THE PUBLIC**

At this time, Mayor Teets 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 identify yourself and spell your last name."*

Mayor Teets opened the meeting to the public.

Joseph Atkinson, asked about the two ordinances in Town that seem to not really be paid much attention to, and it's actually causing kind of a nuisance on the road. He lives on Division and the overnight parking is definitely a big problem on the street. Cars park overnight so the trash company in the morning cannot get down the road. Also, they have not swept the road in a couple of years, so with the dust it almost feels like you're in the Wild West when the cars drive down the road. It's getting very bad. The biggest problem is there's an ordinance on the road for two-hour parking and it seems like the cars are just there for days on end. So, if that's an ordinance that we're going to keep, it should probably be enforced. Thank you.

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

**COUNCIL & MANAGER REPORTS**

**Town Manager Russo** – stated he will forward the gentleman's comments and inquiry to the Chief for his review for the parking and the overnight parking. Just to note, we have two (2) proclamations for the record, one for Brianna Brady and one for Avery Frank. Congratulations to them.

November 13, 2023

*Office of the Mayor*  
**Newton, New Jersey**

# Proclamation

## Brianna Brady

### **Eagle Rank**

**WHEREAS**, Brianna Brady has earned the status of Eagle Rank; and

**WHEREAS**, Brianna Brady completed her Eagle Project on July 6, 2023. Her Eagle Project benefitted Benny's Bodega in Newton by creating comfort bags for children who are brought into the Child Care System; and

**WHEREAS**, we, the Town Council of the Town of Newton, recognize the many hours Brianna devoted to attaining the Eagle Rank, working with diligence, and making sacrifices in order to achieve this highly coveted position;

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

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

/s/ Michelle J. Teets

Attest: /s/ Teresa A. Oswin

Date: November 13, 2023

*Office of the Mayor*  
**Newton, New Jersey**

# Proclamation

## Avery Frank

### **Eagle Rank**

**WHEREAS**, Avery Frank has earned the status of Eagle Rank; and

**WHEREAS**, Avery Frank completed her Eagle Project on September 11, 2023. Her Eagle Project beneficiary was the Waterloo United Methodist Church in Byram. She completed a restoration of the front doors as well as cleaning and replanting of shrubbery and plants at the front entrance; and

**WHEREAS**, we, the Town Council of the Town of Newton, recognize the many hours Avery devoted to attaining the Eagle Rank, working with diligence, and making sacrifices in order to achieve this highly coveted position;

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

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

/s/ Michelle J. Teets

Attest: /s/ Teresa A. Oswin

Date: November 13, 2023

Mr. Russo also stated: He wanted to thank those of you that participated, attended, or volunteered for Flags of Honor. It was a great event, very well attended. I think we did a nice job honoring our Veterans. A few more items: we will close at 3:00pm on Wednesday, November 22<sup>nd</sup>, and we are closed Thursday and Friday, November 23<sup>rd</sup> and November 24<sup>th</sup>. Happy Thanksgiving to everyone. Sandy will mention the parade on the 25<sup>th</sup> at 10:00am, hope to see everyone there. Thank you.

**Councilman Dickson** – stated on Halloween, we had our annual parade and trunk or treat. He just wanted to thank Kimberly Williams of Community Development, the Newton Fire Department, as well as the DPW, and Newton Police Department for all they did to make that event possible. It was a great turnout with some really creative costumes. It made it hard for the judges to make their choices on the winners. He did want to take the time right now to kind of encourage residents and local businesses to start thinking ahead for next year, to take part in the trunk decorating portion. We could use a couple of extra trunks there for the kids to visit. There's a prize if you have the most creatively decorated trunk. Lastly, with Veterans' Day just passing, he wanted to take a moment to thank all those who have served both in the past and who continued to serve to this day. Thank you.

**Councilwoman Diglio** – stated she also participated at the Halloween parade, except she actually was working for the Chamber and decorated their trunk. To her shock, they actually won first place. She was very happy for the Chamber, and they'll be enjoying pizza tomorrow at their meeting. On Saturday, she attended the Flags of Honor event, and she would like to thank all those that are responsible for making the event possible. It was a beautiful event, and she was given the privilege of actually reading her own sons' names. She has two (2) sons who served in the Army National Guard. She thanked Tom for allowing her to do that. Lastly, she did want to mention the Holiday parade is coming up. It's the Saturday after Thanksgiving. It kicks off at exactly 10:00am and she invites everyone to come. It's a beautiful parade and there will be prizes for the best floats.

**Councilwoman Le Frois** – addressed Mr. Atkinson and thanked him for his comments, as Tom mentioned, he'll follow up with the Chief. On October 26<sup>th</sup> she attended the Open House at the Water St. Lofts. They are beautiful apartments and have great amenities.

She mentioned at our last meeting, the whole project, including Panera, Chipotle and Starbucks, represents a \$36,000,000 investment in the Town of Newton. The apartments are already filling up with people and she is really excited about it. On October 31<sup>st</sup> as has been mentioned, we had a great Halloween in Town. Lots of people participated in the parade and trick or treating throughout the Town. She wanted to recognize the Hapatsha family at 140 Main St. for their awesome display. She knows several people from surrounding Towns that came to see the display. They keep adding to it every year and all the kids' faces light up when they see all the various displays. She went on to thank our Newton Police Department and all of those who participated in the annual Fall Walk to School Day last week. It's always well attended, and it is another wonderful community policing event. Thank you to our great Police Department for doing that in the fall and in the spring. Also, on the agenda, she is really excited to see we're approving a number of shared service agreements. This is something the five of us have campaigned about over the years, and Tom and the team are making it happen. Of note, are the new shared service agreements for animal control services. Having these shared service agreements, are all tax saving initiatives, helping us to offset those department expenses, but also providing additional revenues to the Town. So, thanks for making that happen, Tom, and thank you also for the updates on the 519 projects. Hopefully, weather permitting, we're looking forward to these infrastructure improvement projects to be completed, next week. Lastly, she knows we're going to recognize at our December meeting the retirement of long time Town Engineer Harold Pellow, she just wanted to make mention he has been our engineer for 56 years, obviously we're no stranger to Cory, but it will be great to celebrate Harold.

**Deputy Mayor Couce** – read an email he received from Helen Heckman and Wendy Whipple regarding the Dennis Library.

*“Good news, Friends of the Dennis Library!*

*We are optimistic that long-overdue renovations to the Dennis Library in Newton, including all-important handicapped access, as well an upgraded HVAC system, and a new roof, will finally happen!*

*At their meeting of November 8, the County Commissioners voted to modify the Dennis Library's original matching grant award of \$3M to \$1.9M, and agreed that our County attorney, Mr. Steinhardt, would submit the required substantial change form outlining the modifications to the State Librarian for her approval.*

*We share this welcome news with appreciation to our Commissioners, who have done their due diligence and will honor their original commitment to the historic Dennis Library, and the thousands of citizens it serves. We are especially grateful to individuals who have sent letters and emails, **to the municipalities who passed resolutions of support to the Commissioners**, and to those who have attended meetings to advocate in person.*

*We promise to continue to monitor ongoing progress as our County Library staff and Commissioners take the Dennis Library through this process.*

*Thank you,*

*Helen Heckman and Wendy Whipple”*

**Mayor Teets** – stated she did have the opportunity to attend the kickoff for Project Self-Sufficiency's Season of Hope Toy Drive for this year. She said in Sussex County alone, they need close to 3,000 toys, and between Morris County and Sussex County, she knows the Marines are hoping to get upwards of 28,000 toys. So, if you have it in your heart and in your pocket to possibly donate a toy or two, it would be appreciated. Also, Project Self-Sufficiency has an online donation option. If you go to their website you can make an online donation and they'll do the shopping for you and wrap the presents. She is very thankful for all the people who volunteer and run it every year including our own Police Department. They help out every year with traffic and it's a pretty fine-tuned operation, even Santa and his elves would be proud of. The Director for Project Self-Sufficiency had mentioned how excited and thankful she was there would be sidewalks soon from Mill Street up to the Project Self-Sufficiency building. She gave a lot of compliments to Tom, the County, and Council for working together. It was nice to hear during the ceremony. Lastly, she wanted to mention the Annual Tree Lighting is Friday, December 1<sup>st</sup> at 5:00pm.

**UNFINISHED BUSINESS** – None.

### **ORDINANCES**

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

#### **ORDINANCE 2023-26**

**AN ORDINANCE PROVIDING FUNDING FOR RECREATIONAL PARK IMPROVEMENTS FOR THE TOWN OF NEWTON AND APPROPRIATING \$25,759.97 FOR SUCH PURPOSE**

Mayor Teets announced the public hearing on this ordinance is being carried to the November 27, 2023 meeting.

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

#### **ORDINANCE 2023-27**

**AN ORDINANCE PROVIDING FUNDING FOR VARIOUS WATER/SEWER IMPROVEMENTS FOR THE TOWN OF NEWTON AND APPROPRIATING \$247,300 FOR SUCH PURPOSE**

Mayor Teets announced the public hearing on this ordinance is being carried to the November 27, 2023 meeting.

Mayor Teets read aloud the following Ordinance relative to Introduction.

#### **ORDINANCE 2023-28**

**AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT CHAPTERS 49, 100, AND 213 OF THE TOWN CODE OF THE TOWN OF NEWTON, ENTITLED "ALCOHOLIC BEVERAGES", "FEES AND COSTS", AND "PROPERTY MAINTENANCE"; MOST NOTABLY SECTION 49-15 "LICENSES"; SECTION 100-12 "ALCOHOLIC BEVERAGE CONTROL"; SECTION 100-13 "ANIMALS"; SECTION 100-24 "MISCELLANEOUS FEES AND CHARGES"; AND SECTION 213-3 "VIOLATIONS AND PENALTIES"; AND OTHER RELATED TOWN CODE PROVISIONS**

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

Deputy Mayor Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
	Mayor Teets	Yes	

**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with a hearing on the same to be held on Monday, November 27, 2023 at 7:00 pm.

Mayor Teets read aloud the following Ordinance relative to Introduction.

**ORDINANCE 2023-29**

**AN ORDINANCE TO ESTABLISH MINIMUM AND MAXIMUM SALARIES AND WAGES FOR OFFICERS AND EMPLOYEES OF THE TOWN OF NEWTON FOR CALENDAR YEAR 2024**

The aforementioned **ORDINANCE** was offered by Mrs. Le Frois who moved its introduction, seconded by Deputy Mayor Couce, and roll call resulted as follows:

Deputy Mayor Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
	Mayor Teets	Yes	

**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with a hearing on the same to be held on Monday, November 27, 2023 at 7:00 pm.

Mayor Teets read aloud the following Ordinance relative to Introduction.

**ORDINANCE 2023-30**

**AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE TOWN CODE OF THE TOWN OF NEWTON, MOST NOTABLY CHAPTER 100, ENTITLED "FEES AND COSTS", SECTION 100-15, ENTITLED "VEHICLES AND TRAFFIC" AND CHAPTER 307, ENTITLED "VEHICLES AND TRAFFIC", SECTION 307-27, ENTITLED "GENERAL PARKING"**

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

Deputy Mayor Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
	Mayor Teets	Yes	

**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with a hearing on the same to be held on Monday, November 27, 2023 at 7:00 pm.

Mayor Teets read aloud the following Ordinance relative to Introduction.

**ORDINANCE 2023-31**

**AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE TOWN CODE OF THE TOWN OF NEWTON, MOST NOTABLY CHAPTER 213, ENTITLED "PROPERTY MAINTENANCE", SECTION**

**213-28, ENTITLED “ANNUAL REGISTRATION OF BUSINESSES AND RESIDENTIAL RENTAL UNITS”**

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

Deputy Mayor Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
	Mayor Teets	Yes	

**BE IT RESOLVED** by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with a hearing on the same to be held on Monday, November 27, 2023 at 7:00 pm.

**CONSENT AGENDA**

Mayor Teets 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 then reviewed the consent agenda items.

**RESOLUTION #243-2023\***

**“Approval of the Execution of a Shared Services Agreement with Montague Township to Provide Certified Tax Collection Services for the period of January 1, 2024 through December 31, 2026”**

**WHEREAS**, the Township of Montague (“Montague”) wishes to obtain the services of one or more Certified Tax Collector’s on a limited basis; and

**WHEREAS**, the Town of Newton (“Newton”) is willing to enter into a Shared Services Agreement with Montague to provide the services of both of its Certified Tax Collectors on a limited basis to Montague; and

**WHEREAS**, Newton has forwarded to Montague a Shared Services Agreement, a copy of which is attached, which sets forth the terms and conditions of the shared tax collection services on a limited basis for the period of January 1, 2024 through December 31, 2026; and

**WHEREAS**, these types of shared services are just what the State of New Jersey envisioned when it seeks to encourage the same;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Town Manager and Municipal Clerk are hereby authorized, on behalf of the Town of Newton, to execute a Shared Services Agreement with the Township of Montague to provide certified tax collection services to Montague.

**RESOLUTION #244-2023\***

**“A Resolution of the Town of Newton Supporting RevolutionNJ”**

**WHEREAS**, Governor Philip Murphy and the New Jersey State Legislature created RevolutionNJ in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States, New Jersey’s pivotal role in the American Revolution, and the contributions of its diverse peoples to the Nation’s past, present, and future; and

**WHEREAS**, the New Jersey Historical Commission, under the leadership of Lt. Governor/Secretary of State Tahesha Way, with its non-profit partner Crossroads of the American Revolution, established RevolutionNJ to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and

**WHEREAS**, RevolutionNJ will engage New Jerseyans in all 21 counties and 564 municipalities through its officially recognized programs, initiatives, and events over the next ten years; and

**WHEREAS**, it is fitting and desirable that we commemorate the beginning of the Nation and the role New Jersey played over the past 250 years as well as its present and future role as part of the United States, with particular focus on the individuals, ideas, and events that shaped our Country, State, County, and Town; and

**WHEREAS**, RevolutionNJ will consider the role New Jersey played during the American Revolution when it saw more battles and skirmishes than any other state and was truly the Crossroads of the American Revolution; and

**WHEREAS**, RevolutionNJ will highlight the role New Jerseyans played beyond the battlefield during the American Revolution when people of diverse backgrounds contributed to the development of the State and the Nation in various ways and fought for the right to life, liberty, and the pursuit of happiness; and

**WHEREAS**, preserving, studying, and enjoying state history strengthens communities and builds bonds between New Jersey residents as we work together toward the goals of justice and equality embedded in the United States Constitution;

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Newton hereby endorses RevolutionNJ and its mission to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and

**BE IT FURTHER RESOLVED:**

1. The Town Council of the Town of Newton commemorates the 250<sup>th</sup> anniversary of the establishment of the United States as an independent Nation.
2. The Town Council of the Town of Newton authorizes the appointment of an ad hoc committee by the Town Manager of the Town of Newton to develop a plan for this commemoration that will promote the maximum involvement of our residents, neighborhoods, businesses, schools, civic organizations, and institutions in the commemorations.
3. The Town Council of the Town of Newton further urges all its residents to reflect upon the significance of this event and the role that our State and its diverse people have played in the history and development of our Nation and to participate in this important commemoration, endeavoring to include the stories of all those whose lives are part of the history of what we now know as New Jersey, and understanding that the revolution continues today as we uphold the revolutionary ideals articulated in our founding documents.

**RESOLUTION #245-2023\***

**“Consideration for Waiver of Health Benefits by Employees”**

**WHEREAS**, the Town of Newton provides healthcare benefits to its eligible employees pursuant to Article IV (Group Health Insurance/Pension/Workers' Compensation) of the Town's Personnel Policies and Procedures Manual; and

**WHEREAS**, pursuant to N.J.S.A. 40A:10-17.1, the Town of Newton is permitted to offer monetary consideration to an employee for waiving the provision of

healthcare benefits by the Town of Newton, provided that said employee is eligible for healthcare coverage through an entity other than the Town of Newton; and

**WHEREAS**, each waiver of the provision of health care benefits by an eligible employee provides the Town of Newton with a cost savings by removing the Town's obligation of paying health benefit premium expenses for said employee; and

**WHEREAS**, pursuant to N.J.S.A. 40A:10-17.1, the amount paid, if any, as consideration to an eligible employee for waiver of health benefits is within the sole discretion of the Town of Newton, provided that the consideration does not exceed the limits imposed by said statute; and

**WHEREAS**, pursuant to N.J.S.A. 40A:10-17.1, the decisions of the Town of Newton regarding (a) allowing eligible employees to waive healthcare benefits; and, (b) the amount of consideration paid for such waiver are not subject to the collective negotiations process; and

**WHEREAS**, the Town of Newton has, from time to time, amended the amount of consideration paid to eligible employees for the waiver of healthcare benefits by eligible employees, with the last such amendment set forth in Resolution #71-2011, dated April 25, 2011; and

**WHEREAS**, the Town of Newton desires to amend its policy for consideration paid to employees who waive healthcare benefits so as to (a) conform to the statutory requirements of N.J.S.A. 40A:10-17.1; (b) maintain a level of consideration for waiver of healthcare benefits that incentivizes eligible employees to waive healthcare benefits; (c) ensure that such amendment does not result in a diminution of consideration for those eligible employees who made the decision to waive healthcare benefits based upon Resolution #71-2011; and (d) seek cost savings for the Town of Newton;

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

1. Effective January 1, 2024, the Town of Newton shall offer as monetary consideration to every eligible employee who waives health insurance coverage the annual sum that is lesser of (a) Five Thousand Dollar (\$5,000); or (b) fifteen (15%) percent of the amount saved by the Town of Newton as calculated below.
2. Effective January 1, 2025, the Town of Newton shall offer as monetary consideration to every eligible employee who waives health insurance coverage the annual sum that is lesser of: (a) Five Thousand Dollar (\$5,000); or (b) seventeen point five (17.50%) percent of the amount saved by the Town of Newton as calculated below.
3. Effective January 1, 2026, the Town of Newton shall offer as monetary consideration to every eligible employee who waives health insurance coverage the annual sum that is lesser of (a) Five Thousand Dollars (\$5,000); or (b) twenty (20%) percent of the amount saved by the Town of Newton as calculated below.
4. An employee's waiver payment is calculated by taking the employee's total premium amount for single/individual coverage of the base plan and deducting the amount the employee would have been obligated to pay under Ch. 78, P.L. 2011 for the insurance coverage, then multiplying the difference by the appropriate percentage, depending on the year. The employee will then receive either the calculated amount or Five Thousand Dollars (\$5,000), whichever is less.

5. Employees who wish to waive their healthcare benefits shall submit a written executed waiver at the time of the open enrollment period determined by the Town of Newton.

6. Employees who lose their healthcare coverage with another entity shall be entitled to gain coverage from the Town of Newton under the same terms and conditions as if the employee was initially covered; however, they shall cease to be eligible for the stipend set forth in this Resolution. Employees who initially waived coverage and subsequently obtain coverage through the Town of Newton due to a change in circumstance shall repay, on a pro rata basis, any amount received which represents an advanced payment for a period of time during which the employee has coverage.

7. All other provisions of Town policy regarding the offering of an incentive in lieu of healthcare coverage remain unchanged.

**RESOLUTION #246-2023\***

**“Amend Resolution #35-2023 Required Disclosure Contract for J. Caldwell & Associates, LLC as Planner for the Town of Newton for Calendar Year 2023”**

**WHEREAS**, the Town of Newton authorized through Resolution #35-2023 the services of a qualified Planner for the Town of Newton on an annual basis in the amount of \$100,000.00; and

**WHEREAS** the amount expended through the end of 2023, is estimated to be \$150,000.00; and

**WHEREAS**, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., the Chief Financial Officer hereby certifies funds not to exceed \$150,000.00 will be encumbered as follows:

- 2023 Current Budget – Community Development Consultant, Planning Board Consultant**
- 2023 Water Sewer Utility Budget – Consultant**
- Trust Escrow Accounts as applicable**
- General Capital – Redevelopment**
- Grants – Neighborhood Preservation and Historic**

*“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**, the Town Council of the Town of Newton amends Resolution #35-2023 for services from J. Caldwell & Associates not to exceed \$150,000.00 for the 2023 calendar year.

**RESOLUTION #247-2023\***

**“North Jersey Municipal Employee Benefits Fund Resolution to Renew for the Town of Newton”**

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **North Jersey Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date; and

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND; and

**WHEREAS**, the Governing Body of the Town of Newton hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT;

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Dental and/or Prescription as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED**, the Governing Body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

**RESOLUTION #248-2023\***

**“Authorizing Disbursement of \$25,000 from the Affordable Housing Trust Fund to Katie’s House, Inc. to Purchase a Residence Located at 18 Donald Avenue for Use as a Group Home”**

**WHEREAS**, Katie's House, Inc. (Katie's House") is seeking to purchase a 3-bedroom supportive and special needs group home on property located at 18 Donald Avenue, Newton, NJ, identified on the Town's Official Tax Maps as Block 16.02, Lot 20 ("Project"); and

**WHEREAS**, the Town Council has determined there is a need for the Project, and proposes to provide a payment of \$25,000 from its Affordable Housing Trust Fund towards the Project which will further the important mission of providing permanent supportive and special needs housing within the community; and

**WHEREAS**, the Town's payment is contingent on Katie's House providing a deed restriction on the proposed house and obtaining a license from the State of New Jersey; and

**WHEREAS**, the Town now desires to provide the payment to Katie's House subject to the requirement that Katie's House execute a mandatory 30-year deed restriction on the property requiring the residence be operated as a supportive and special needs group home solely for low-income individuals;

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

1. The Town Council hereby approves and authorizes disbursement of \$25,000 from its Affordable Housing Trust Fund to Katie's House subject to the Town receiving a fully executed copy of the Deed Restriction, and subject to providing a copy of the license from the State to operate the group home once received.
2. The Mayor and Clerk are hereby authorized to execute the Deed Restriction on behalf of the Town.

**RESOLUTION #249-2023\***

**"To Cancel the Balance of the Trust Reserve for Disposal of Forfeited Property to the Current Fund in the amount of \$243.63"**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services ("DLGS") for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and the Town of Newton received this authorization from the DLGS for the Disposal of Forfeited Property, pursuant to N.J.S.A. 40A:14-157, on or about November 19, 2009; and

**WHEREAS**, pursuant to N.J.S.A. 40A:14-157, after six (6) months, all unclaimed monies received into the Forfeited Property trust account ("Account") shall be paid into the general municipal treasury; and

**WHEREAS**, there currently exists a balance of \$243.63 in the Account, which the Town of Newton wishes to cancel from the Account and transfer same into the Town of Newton's Current Fund-Fund Balance pursuant to N.J.S.A. 40A:14-157;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that it hereby authorizes the cancellation of \$243.63 from the Forfeited Property trust account and further authorizes the transfer of same to the Town of Newton Current Fund-Fund Balance pursuant to N.J.S.A. 40A:14-157; and;

**BE IT FURTHER RESOLVED**, the Dedication by Rider resolution shall continue to remain in effect to permit the accounting of Forfeited Property, should the need arise.

\_\_\_\_\_  
Teresa A. Oswin, RMC  
Municipal Clerk

\_\_\_\_\_  
Michelle J. Teets, Mayor  
Town of Newton

**RESOLUTION #250-2023\***

**"Authorize Entering into an Interlocal Shared Services Agreement with the Township of Hardyston for Construction Code Administration and Enforcement Services"**

**WHEREAS**, the Town of Newton desires to enter into a shared services agreement with the Township of Hardyston for the period of January 1, 2024 through December 31, 2028 to furnish the Town of Newton with Construction Code Administration and Enforcement services under the Uniform Construction Code, N.J.A.C. 5:23-1 et seq. and its subcodes; and

**WHEREAS**, the parties desire to enter into an Agreement pursuant to the "Uniform Shared Services and Consolidation Act," N.J.S.A. 40A:65-1, et seq., for the furnishing of such services;

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

1. The Town Manager and Town Clerk are hereby authorized and directed to execute the Shared Services Agreement, a copy of which is attached hereto, with the Township of Hardyston for the provision of Construction Code Administration and Enforcement services under the Uniform Construction Code, N.J.A.C. 5:23-1 et seq. and its subcodes.
2. The Town Manager and Town Clerk are hereby authorized to execute any additional non-substantial amendments and/or modifications to the Agreement without the consent of the Town Council.
3. This Resolution shall take effect immediately.

**RESOLUTION #251-2023\***

**“Authorize the Execution of an Agreement Between the Town of Newton and the Newton Parking Authority”**

**WHEREAS**, on January 15, 1982, the Town Council of the Town of Newton adopted an Ordinance authorizing the execution of an agreement with the Newton Parking Authority for the purpose of dedicating revenue from certain parking meters to said Parking Authority; and

**WHEREAS**, such agreements between governmental agencies and authorities may be extended each year by adoption of a Resolution of the Governing Body; and

**WHEREAS**, at a regular meeting of the Newton Parking Authority conducted on November 2, 2023, the members of the Authority approved an appropriate agreement for calendar year 2024 and authorized the Chairman and the Secretary to execute said agreement;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that the Mayor and the Municipal Clerk are hereby authorized to execute said agreement with the Newton Parking Authority, dedicating revenue from certain parking meters to said Authority and describing certain services to be performed on behalf of the Authority by the Town of Newton during calendar year 2024.

**RESOLUTION #252-2023\***

**“Resolution in Support of the Issuance of a Class 5 Cannabis Retailer License to Curiosity Cannabis, LLC”**

**WHEREAS**, with the adoption on June 28, 2021 of Ordinance No. 2021-12 and, on July 12, 2021, of Ordinance No. 2021-13, the Town of Newton did, pursuant to Section 31a of P.L. 2021, c. 16 (known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” – “the Act”), amend its zoning code (“Town Zoning Code”) to permit adult-use cannabis establishments to operate within its municipal boundaries; and

**WHEREAS**, the Town Zoning Code was amended, revised, and supplemented to allow for Class 5 Cannabis Retailer Licensees (“Cannabis Retailers”), as defined by the Act; and

**WHEREAS**, the Town Zoning Code does restrict Cannabis Retailers to certain zoning districts within the Town of Newton and, subject to specific conditions and standards, the Town Zoning Code does permit Cannabis Retailers as a conditional use in the Town; and

**WHEREAS**, Curiosity Cannabis, LLC is registered to do business in the State of New Jersey; and

**WHEREAS**, Curiosity Cannabis, LLC applied to the State of New Jersey, Cannabis Regulatory Commission (the “Cannabis Regulatory Commission”) for a Class 5 Cannabis

Retailer License, which is a type of cannabis business license that the Town of Newton has specifically authorized to operate within its jurisdiction; and

**WHEREAS**, the application of Curiosity Cannabis, LLC, for conditional use approval, site plan approval and waiver/exception for the proposed Class 5 Retailer location was heard by the Town of Newton Planning Board on May 17, 2023 and Resolution No. PB-3-2023 granting conditional use approval, site plan approval, and waiver/exception for the proposed Class 5 Cannabis Retailer location was duly adopted on June 21, 2023, upon stated terms and conditions; and

**WHEREAS**, the Town Manager, Town Planner, and Town Attorney of the Town of Newton have reviewed the application of Curiosity Cannabis, LLC for the issuance of a Class 5 Cannabis Retailer License to Curiosity Cannabis, LLC for operation at 70-72 Mill Street, the Town of Newton Planning Board Resolution PB-3-2023 and considered the proposed operation by Curiosity Cannabis, LLC, with regard to safety, security, odor control, and other factors as required by the regulations of the Cannabis Regulatory Commission;

**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 Cannabis Regulatory Commission may deem this Resolution to be both proof of local support and evidence of municipal preference by the Town of Newton for the issuance of a Cannabis Class 5 Retailer License to Curiosity Cannabis, LLC, or its corporate successor in interest, pursuant to the Commission's Rules and Final Notice of Application Acceptance; and

**BE IT FURTHER RESOLVED**, that such licenses are subject to compliance with all of the terms and conditions as set forth in Town of Newton Planning Board Resolution PB-3-2023, the rules and regulations of the Cannabis Regulatory Commission, and such Ordinances as are made and provided in and for the Town of Newton regarding operation of a Class 5 Cannabis Retailer License including the hours of operation set forth in Ordinance 2021-13.

**RESOLUTION #253-2023\***

**“Approval of the Execution of a Shared Services Agreement with Frankford Township to Provide Animal Control Services for Calendar Year 2024”**

**WHEREAS**, the Township of Frankford (“Frankford”) wishes to obtain animal control services from the Town of Newton (“Newton”); and

**WHEREAS**, the Town of Newton (“Newton”) is willing to enter into a Shared Services Agreement with Frankford to provide the requested animal control services to Frankford; and

**WHEREAS**, the parties desire to enter into a Shared Services Agreement, a copy of which is attached, which sets forth the terms and conditions of the shared animal control services for the period commencing January 1, 2024 through and including December 31, 2024; and

**WHEREAS**, these types of shared services are just what the State of New Jersey envisioned when it seeks to encourage same through the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.;

**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 Clerk are hereby authorized, on behalf of the Town of Newton, to execute a Shared Services Agreement with the Township of Frankford to provide animal control services to Frankford for the Period of January 1, 2024 through December 31, 2024.

**RESOLUTION #254-2023\***

**“Approval of the Execution of a Shared Services Agreement with Sussex Borough to Provide Animal Control Services for Calendar Year 2024”**

**WHEREAS**, the Borough of Sussex (“Sussex”) wishes to obtain animal control services from the Town of Newton (“Newton”); and

**WHEREAS**, the Town of Newton (“Newton”) is willing to enter into a Shared Services Agreement with Sussex to provide the requested animal control services to Sussex; and

**WHEREAS**, the parties desire to enter into a Shared Services Agreement, a copy of which is attached, which sets forth the terms and conditions of the shared animal control services for the period commencing January 1, 2024 through and including December 31, 2024; and

**WHEREAS**, these types of shared services are just what the State of New Jersey envisioned when it seeks to encourage same through the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.;

**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 Clerk are hereby authorized, on behalf of the Town of Newton, to execute a Shared Services Agreement with the Borough of Sussex to provide animal control services to Sussex for the Period of January 1, 2024 through December 31, 2024.

**RESOLUTION #255-2023\***

**“Approval of the Execution of a Shared Services Agreement with Hardwick Township to Provide Animal Control Services from November 1, 2023 through and including January 31, 2024”**

**WHEREAS**, the Township of Hardwick (“Hardwick”) wishes to obtain animal control services from the Town of Newton (“Newton”); and

**WHEREAS**, the Town of Newton (“Newton”) is willing to enter into a Shared Services Agreement with Hardwick to provide the requested animal control services to Hardwick; and

**WHEREAS**, the parties desire to enter into a Shared Services Agreement, a copy of which is attached, which sets forth the terms and conditions of the shared animal control services for the period commencing November 1, 2023 through and including January 31, 2024; and

**WHEREAS**, these types of shared services are just what the State of New Jersey envisioned when it seeks to encourage same through the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.;

**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 Clerk are hereby authorized, on behalf of the Town of Newton, to execute a Shared Services Agreement with the Township of Hardwick to provide animal control services to Hardwick for the Period of November 1, 2023 through and including January 31, 2024.

**RESOLUTION #256-2023\***

**“Refund of Redemption Monies to Outside Lien Holder for Block 9.03, Lot 2, also known as 67 Water Street”**

**WHEREAS**, at the Municipal Tax Sale held on October 18, 2023 a lien was sold on Block 9.03, Lot 2, also known as 67 Water Street for 2022 delinquent utilities; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2023-002 was sold to NJSL 301, LLC for a 3% redemption fee; and

**WHEREAS**, the owner has affected the redemption of Certificate #2023-002 in the amount of \$268.32;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Newton that this Governing Body acknowledges NJSL 301, LLC is entitled to a redemption in the amount of \$268.32; and

**BE IT FURTHER RESOLVED**, the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check in the amount of \$268.32 for the redemption of Certificate #2023-002 to NJSL 301 LLC, 650 E. Palisades Ave., Ste. 2 #258, Englewood Cliffs, NJ 07632.

**RESOLUTION #257-2023\***

**“Approve 2023 Appropriation Transfers”**

**BE IT RESOLVED**, by the Town Council of the Town of Newton that the following 2023 appropriation transfers be approved effective this date:

<u>From</u>		<u>To</u>	<u>Amount</u>
<b>CURRENT</b>	<b>AMOUNT</b>		
Manager S&W	4,000.00	Human Resources S&W	3,000.00
Town Council S&W	2,000.00	LOSAP	5,000.00
Clerk S&W	4,000.00	Clerk OE	4,125.00
Elections OE	4,125.00	Road S&W	6,750.00
Finance S&W	1,000.00	Snow Removal S&W	10,000.00
Code Enforcement S&W	4,000.00	Shade Tree OE	1,300.00
Police S&W	43,650.00	Omnibus Drivers S&W	1,000.00
Court S&W	3,000.00	Parks & Playgrounds S&W	600.00
		Parks & Playgrounds OE	4,000.00
		PFRS	18,000.00
		Utility OE	10,000.00
		Animal Control OE	2,000.00
<b>TOTAL CURRENT TRANSFERS</b>	<u><b>\$65,775.00</b></u>		<u><b>\$65,775.00</b></u>

**RESOLUTION #258-2023\***

**“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 2022 and 2023 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>Name</b>	<b>Check Total</b>
9536	2799 -	AFLAC .....	2,288.16
9537	3006 -	AG CHOICE, LLC. ....	145.00
9538	3897 -	AMAZON CAPITAL SERVICES .....	820.99
9539	3869 -	AMERICAN FIDELITY ASSURANCE .....	562.22
9540	3868 -	AMERICAN FIDELITY ASSURANCE COMPANY .....	670.82
9541	3793 -	ATLANTIC PLUMBING SUPPLY INC. ....	748.38
9542	2757 -	ATLANTIC TACTICAL INC. ....	1,304.98
9543	4230 -	BEACON ATHLETICS LLC .....	1,515.00
9544	1132 -	BOONTON TIRE SUPPLY INC. ....	1,445.69
9545	3355 -	BRAEN STONE SPARTA .....	938.94
9546	4764 -	BREN-BUZIL, VALENTINA .....	170.00
9547	702 -	C W A LOCAL 1032 .....	290.10
9548	3893 -	CAMPBELL SUPPLY OF SUSSEX CTY LLC .....	2,229.74
9549	192 -	CAMPBELL'S SMALL ENGINE INC. ....	98.50
9550	3770 -	CINTAS .....	180.00
9551	4138 -	CONSTELLATION NEWENERGY -GAS DIV .....	20,130.87
9552	1632 -	COOPER ELECTRIC SUPPLY CO. ....	516.00
9553	155 -	COYNE CHEMICAL CORP., INC. ....	905.13
9554	286 -	CURRENT ACCOUNT .....	1.83
9555	4610 -	DATAMARS, INC. ....	377.94
9556	4701 -	EFFECTIVE FITNESS COMBATIVES LLC .....	1,120.00
9557	4385 -	ERIC M. BERNSTEIN & ASSOCIATES, LLC. ....	5,443.22
9558	1707 -	FINKLE, DANIEL .....	24.00
9559	4635 -	FRANKLIN SUSSEX AUTO MALL, INC. ....	1,113.79
9560	3318 -	FREDON ANIMAL HOSPITAL .....	356.75
9561	373 -	GALLS, LLC .....	284.51
9562	4755 -	GATES FLAG & BANNER COMPANY INC. ....	100.00
9563	230 -	HAYEK'S MARKET INC. ....	1,137.96
9564	3876 -	HOLLAND COMPANY, INC. ....	11,494.23
9565	1866 -	HOME DEPOT, INC. ....	793.16
9566	4620 -	HQW ARCHITECTS, LLC. ....	8,910.00
9567	332 -	J & D SALES & SERVICE, LLC. ....	225.00
9568	113 -	JCP&L .....	6,723.04
9569	3067 -	JERSEY SHIRTS & DESIGNS .....	375.00
9570	3644 -	JOHNNY ON THE SPOT, LLC. ....	1,766.98
9571	3644 -	JOHNNY ON THE SPOT, LLC. ....	87.50
9572	4211 -	JOSEPH D CALABRESE .....	125.00
9573	4211 -	JOSEPH D CALABRESE .....	100.00
9574	4211 -	JOSEPH D CALABRESE .....	125.00
9575	4556 -	LOGAN, ERIN .....	750.00
9576	2300 -	LOWE'S, INC. ....	153.84
9577	1566 -	MAIN POOL & CHEMICAL COMPANY, INC. ....	2,145.00
9578	3895 -	MI RANCHO MEXICAN GRILL .....	75.00
9579	4381 -	MID-AMERICAN ELEVATOR CO., INC. ....	500.00
9580	1290 -	MUNIDEX, INC. ....	3,550.00
9581	700 -	NEWTON PATROLMANS ASSOCIATION .....	720.00
9582	3979 -	NEWTON PIZZA .....	88.50
9583	1745 -	NEWTON SUPERIOR OFFICERS .....	420.00
9584	2882 -	ONE CALL CONCEPTS, INC. ....	113.70
9585	4383 -	OPTIMUM .....	187.30
9586	1407 -	PASSAIC VALLEY SEWERAGE COMM. ....	6,804.00
9587	64 -	PELLOW, HAROLD & ASSO, INC. ....	19,643.32
9588	64 -	PELLOW, HAROLD & ASSO, INC. ....	3,281.38
9589	4204 -	PLANET NETWORKS INC. ....	5,725.49
9590	4126 -	PROFESSIONAL CONSULTING INC. ....	16,219.00
9591	4273 -	QUADIENT INC. ....	200.45
9592	39 -	QUILL CORPORATION .....	134.26
9593	3679 -	REISINGER OXYGEN SERVICE, INC. ....	48.18
9594	4399 -	Rileighs Outdoor LLC .....	330.00
9596	126 -	SCMUA .....	1,376.40
9597	2145 -	SEELY BROTHERS, INC. ....	459.25
9598	4761 -	SMARSH INC. ....	2,580.00

9599	718 -	STAMP FULFILLMENT .....	1,029.88
9601	4759 -	SUMMIT DRILLING .....	616.50
9602	3442 -	SUNLIGHT GENERAL .....	1,299.95
9603	102 -	SUSSEX CAR WASH INC .....	192.00
9604	1214 -	SUSSEX CO.ASSOC.-CHIEFS-POLICE .....	1,100.00
9605	3603 -	SUSSEX COUNTY COMMUNITY COLLEGE .....	1,800.00
9606	371 -	T.A. MOUNTFORD COMPANY, INC. ....	625.00
9607	4278 -	TEXAS LIFE INSURANCE COMPANY .....	35.45
9608	676 -	THE EQUITABLE .....	12,470.00
9609	2675 -	TIRE KING, INC. ....	1,527.92
9610	2880 -	TRACTOR SUPPLY .....	183.76
9611	691 -	TRANS WORLD ASSURANCE CO. ....	400.00
9612	2781 -	TRIMBOLI & PRUSINOWSKI, LLC. ....	2,907.00
9613	4152 -	UNITED SITE SERVICES, INC .....	12,896.73
9614	1469 -	UNIVERSAL SUPPLY GROUP INC. ....	469.03
9615	1257 -	UNUM LIFE/DISABILITY INSUR .....	746.12
9616	2716 -	UPSEU LOCAL 424J .....	672.00
9617	1739 -	VERIZON CONNECT .....	113.70
9618	1500 -	WALMART .....	22.32
9619	2657 -	WEATHER WORKS, INC. ....	325.00
9620	633 -	WEIS MARKETS, INC. ....	44.16
9621	4271 -	WEIS MARKETS, INC. ....	3,068.92
9622	382 -	WELDON ASPHALT COMPANY, INC. ....	1,244.45
9623	4606 -	WINOWSKI RICHARD .....	200.00
9624	3726 -	WITMER PUBLIC SAFETY GROUP, INC. ....	77.18
<b>TOTAL</b>			<b>194,129.57</b>

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

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

Deputy Mayor Couce (abstain Ck 9589)	Yes	Mr. Dickson	Yes
Mrs. Diglio (abstain Res #235)	Yes	Mrs. Le Frois	Yes
	Mayor Teets	Yes	

**DISCUSSION**

a. Best Practices Inventory/Parking Authority – Mr. Russo stated annually we have our CFO come in as part of our Best Practices to talk about our annual checklist we submit to the State along with the Parking Authority.

Monica Miebach, CFO stated the inventory has a couple of categories, they're core competencies, which is the requirement that we follow State law and Best Practices. We apply this all to our personnel manual and our policies and procedures within the offices. They also have some unscored questions, which basically will become future questions for future best practices. Of the total score of 42, Newton came in exactly at 42, so we're in very good shape. Last year we received a full score also. Great work by everyone.

As for the Parking Authority, the introduced budget for 2024 has increased to \$129,000. Last year's was just under \$100,000. Basically, the revenues have increased because of the fees and permit increases we did for 2023. Also, last year we installed credit card processing for both meters and the kiosks. We are also increasing the amount of our interlocal agreement between the Parking Authority and the Town of Newton. The basis of the increase is costs have gone up, contractual, salary and wages, and materials,

black top, etc. that we use for the parking authority. DPW uses supplies and then the interlocal covers the costs.

Mr. Russo thanked Mrs. Miebach for her time.

Mayor Teets also thanked Mrs. Miebach and stated she did a good job on the Best Practices. She knows she runs a tight ship. So, her efforts are coming through.

### **OPEN TO THE PUBLIC**

Mayor Teets opened the meeting to the public.

There being no one else wishing to speak either in-person or on Zoom, Mayor Teets closed the hearing.

### **COUNCIL MANAGER COMMENTS**

Mr. Dickson stated with the Fall sports season winding down, he wanted to congratulate all the teams.

### **EXECUTIVE SESSION**

Mayor Teets read the following statement "in accordance with the Open Public Meetings Act, notice of this Special Closed Session meeting was given to the two newspapers of record and posted on the official bulletin board on November 12, 2023."

Mr. Bernstein stated the items to be discussed in the Executive Session are Attorney Client Privilege with regards to Hicks and Paterson Avenue Redevelopment, official action may or may not be taken once the meeting is concluded back in public session.

Mr. Russo stated Douglas Doyle, Esq, the Town's Redevelopment Counsel and Michael Caruso of CRB, Redeveloper, will be joining the session.

Upon motion of Mrs. Le Frois seconded by Mrs. Diglio and unanimously carried, Council entered Executive Session at 7:30pm.

Upon motion of Mrs. Le Frois seconded by Mrs. Diglio and unanimously carried, Council left Executive Session at 8:25pm.

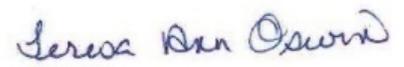
Mr. Bernstein asked that the record reflect that all members of the Governing Body, except Deputy Mayor Couce are present for the recommencement of the open session, as well as the Town Manager, the Town Clerk, and the Town Attorney. During the Executive Session there was a discussion regarding two (2) areas of designated redevelopment in the Town with Redevelopment attorney Douglas Doyle of DeCotiis and Michael Caruso from CRB, who is the conditional redeveloper. Deputy Mayor Couce was present for the discussion as to Paterson Ave., but not in attendance due to a conflict on the Hicks Avenue area. The Governing Body had a frank discussion with the Redeveloper and the attorney and Council direction was provided to both. No formal action time needs to be taken.

### **ADJOURNMENT**

There being no further business to be conducted, upon a motion by Mrs. Le Frois seconded by Mr. Dickson and unanimously carried, the Regular meeting was adjourned at 8:26pm.

November 13, 2023

Respectfully submitted,

A handwritten signature in blue ink that reads "Teresa A. Oswin". The signature is written in a cursive style.

Teresa A. Oswin, RMC  
Municipal Clerk