

November 27, 2023

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. Monica B. Miebach, CFO and Eric Bernstein, Esq., Town Attorney were also present.

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."

PRESENTATIONS

a. Oath of Office – Ptl. Mark Fleming

Mr. Russo read the following bio:

"Mark Fleming, is the son of Dave and Hope Fleming. His upbringing took place in Long Valley, where he attended West Morris Central alongside his younger brother, Cory Fleming. Throughout his formative years, Mark actively participated in various sports such as Football, Rugby, and Wrestling.

Upon completing high school, Mark furthered his education at Delaware Valley University, where he not only pursued a degree in Criminal Justice but also continued his wrestling career. Graduating in 2014, he embarked on a professional journey within the realm of Public Safety, holding multiple positions.

In 2018, Mark transitioned to a new chapter in Law Enforcement, joining the Morris County Correctional Facility. His commitment to public service led him to the Town of Newton, where, in July 2023, he enthusiastically began a new phase in his career.

Beyond his professional endeavors, Mark finds joy in spending quality time with family and friends, including his girlfriend Dana."

Mayor Teets administered the oath of office to Ptl. Fleming as his girlfriend Dana held the Bible.

Officer Fleming thanked everyone. He said thank you to the Chief, Town Council, and the Town Manager for this opportunity, and said he couldn't wait to start his new career.

Chief Van Nieuwland spoke next saying it is an exciting time in the Department. The transition keeps on going. They are building the department and the ladies and gentlemen standing behind you are the future of the department. These faces are going

November 27, 2023

to be here for a long time. He thanked everyone for coming and congratulated Mark Fleming and welcomed him to the Department. He went on to say it is getting harder and harder to find higher quality police officers. There is such competition out there amongst the Departments. With all the alternate route programs and some changes in civil service, we were very fortunate to get somebody at this high caliber in our Department. He appreciates him coming onboard.

Mr. Russo stated he obviously, wanted to congratulate Mark, but also congratulate his family on supporting such a fine young man and his career ambitions. He always says one of the blessings of his position is that he gets to hire and promote staff. It is a responsibility he takes very seriously. We definitely have an exceptional Police Department, but also emergency services across the board. What he appreciates is not just the service of the men and women in emergency services and the Police Department, but the residents and the businesses in Town genuinely appreciate what all of you do on a daily basis. You don't always see that in other communities. There is a reciprocity of love and respect, especially now, when it gets harder and harder for law enforcement to do the things that they're expected to do for the community. On behalf of himself, his family, and all the residents and employees, he wanted to say congratulations to Mark and best wishes to him and all the Officers for a very happy and healthy holiday season. Thank you.

Mrs. Le Frois started by saying she wanted to congratulate Officer Fleming and welcome him to the Newton Police Department. She often says this is the best Police Department in the County, if not the State. Thank you to his family for your support of him and his chosen career. Since she has this opportunity and some of you are here actually in my comments for this evening, she wanted to acknowledge the Newton Police Department for the Positive Ticket that Officer Bellis just gave. Some of you know that her daughter works at Merriam Avenue, and she tells her first-hand how the students appreciate him and have developed a relationship with our Police Department and our School Resource Officers. Many of you are on site for various reasons at different times, mostly in a positive way. She always talks about and touts the community policing efforts. We all know that each and every day you put your lives on the line, much of which our community doesn't see, like the extra detail for all the construction projects that have been going on recently. So, when we get the opportunity for you to join us at a Council

November 27, 2023

meeting for events like tonight, she thinks it's a great opportunity for us to say an extra thank you to all of you for the work that you do day in and day out.

Mr. Dickson offered congratulations to Officer Fleming. He said he is joining a Police Department with a proud tradition, and he is confident that he will fit right in and continue that tradition and continue the trajectory that the leadership has put this Police Department on.

Mrs. Diglio wanted to congratulate Mark and welcome him to the Newton Police Department. She happens to admire all of them. They do a fabulous job. Thank you all for the job that you do. And for always being there for the public.

Deputy Mayor Couce said it seems as if we swear-in a new officer every other meeting, but as the Chief very often says, during these swearing-in ceremonies, it is exciting to see the new Department unfolding and developing right in front of our eyes. Because the vast majority of the Department has turned over in the past few years, he is sure that Officer Fleming is absolutely no exception to the bold and developing Police Department we have in front of us. I'll see you out there on those EMS calls.

Mayor Teets echoed everyone's comments. She has probably said this a few times this year because she did get to swear in quite a few officers, one of her favorite parts of being the Mayor, by far, is getting to do the swearing-in ceremony. As most of you know, she used to be a dispatcher and knows the Department is a tight family, so, congratulations.

BREAK - Five (5) minutes.

APPROVAL OF MINUTES

Upon motion by Mrs. Diglio, seconded by Deputy Mayor Couce and all those present voting yes, the minutes for the November 13, 2023 Regular meeting were approved as presented.

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

November 27, 2023

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.

Lily Atkinson came forward and asked if there could be crosswalks put in for her friends on Liberty Street. She said there is only one right now at the far end. Thank you for your time. Miss Atkinson distributed a drawing of Liberty Street to the Council.

On Zoom Mr. David Kole spoke and read the following statement:

"Tonight, I would like to raise awareness about political prisoners being taken in America. John Minadeo in West Palm Beach, FL was incarcerated for 30 days and faces a year in jail over passing out literature in America. Now, I believe we all know and understand that the American Revolution was initiated by this very act. To step back a little bit. John Minadeo, I would appreciate it if anybody interested would go look him up. You could also go to GTVFlyers.com to see the flyers that they were distributing, him and some of his friends. I've seen it all across the country now. There's a rise in censorship and even in Poway, they declared that there's hate litter, if you pass out Flyers that give a list of people's names and aren't trying to promote any kind of action being taken but just trying to raise awareness. So, I would love it if our City Council could put forward a resolution just saying we do in fact honor the Constitution and we do know that without the ability for people to pass out leaflets and Flyers, we might still be under British tyranny to this day. This isn't a popular message, but the crux of the matter is that the United States is dominated by Jewish people, 80% of Joe Biden's cabinet is Jewish people, 96% of the media is owned by 6 (six) Jewish corporations. It goes on and on. If you go to GTVFlyer.com you can see the rest of the information. I would like to read some of the stuff that is in every single synagogue across America, and this is very troubling especially when Gentiles aren't allowed to speak out against it for being deemed as hateful. But like in the Talmud, Libbre David 37, it says to communicate anything to a non-Jew about our religious relations would be equal to the killing of all Jews, for if the non-Jew knew what we teach about them, they would kill us openly. Some of the things that they teach about us is Yevamot 98a, all non-Jew children are animals; Sanhedrin 57a, when a Jew murders a non-Jew, there will be no death penalty; Kethuboth 11b, a man who engages in intercourse with a girl less than three years of age has done nothing wrong; Shabbat 116a, Jews must destroy books of the Christians i.e. The New Testament; Bavametzia 114a, the non-Jews are not human, they are beasts. This is very troubling to me, I just wanted to bring it forward to the Council so maybe some people could put some eyes on this situation and start to look into who the people are that dominate our society and our nation. Maybe we could stop sending billions of dollars over to these psychopaths over in Israel. Thank you."

November 27, 2023

Ross Burger spoke next on Zoom, stating "I've been a resident here for about 5 years, just after Christmas time. Tonight, I'd like to talk about some healthcare issues, primarily Planned Parenthood and abortion. Planned Parenthood was started and founded with Margaret Sanger and her sister Ethel Byrne, as well as with Fania Mindel. I don't know how much you guys you know about Margaret Sanger, but she says the most merciful thing that the large family does to one of its infant members is to kill it. This is from "Women in the New Race" chapter five. Margaret Sanger was also a virulent racist. In a letter to Doctor Clarence Jay Gamble on December 10th and 1939, on the second page, I quote Margaret Sanger saying, "we do not want word to go out, that we want to exterminate the negro population". In fact, Margaret Sanger actually was invited to speak at the women's branch of the Ku Klux Klan. In her autobiography that was published in 1938, I quote Margaret Sanger directly saying "I was escorted to the platform and was introduced and began to speak, in the end through simple illustrations, I believed I had accomplished my purpose. A dozen invitations to speak to similar groups were proffered." We have this racist lady who founded Planned Parenthood and her entire life motif was killing babies, along with the fathers of the abortion pill Etienne-Emile Baulieu and Gregory Goodwin Pincus, who is the father of the birth control. Both who had contact with Margaret Sanger. We've got a bunch of racist Jewish people out here doing everything they can to kill African American and European babies. So, I was just wondering why we allow such a horrid practice to go on that's founded specifically on Jewish principles and not American principles. We shouldn't be killing babies because of Jewish interests. Thank you".

Noah Steinberg raised his hand on Zoom and read a little bit about a book that he hasn't found in the libraries here but really thinks should be. It applies to pretty much every level of government across the world. It is called *The Protocols of the Learned Elders of Zion*, and it's the plan by Jews for world domination. He read some bullet points, of their 24 protocols.

1. Place our agents and helpers everywhere;
2. Take control of the media and use it in propaganda for our plans;
3. Start fights between different races, classes and religions;
4. Use bribery threats and blackmail to get our way;
5. Use Freemason just to attract potential public officials;
6. Appeal to successful people's egos;
7. Appoint puppet leaders who can be controlled by blackmail;
8. Replace royal rule with socialist rule, then communism, then despotism;
9. Abolish all rights and freedoms except the right of force by us;
10. Sacrifice people including Jews, when necessary, I mean, just look at what's going on in Israel;
11. Eliminate religion, replace it with science and materialism;
12. Control the education system to spread deception and destroy intellect;
13. Rewrite history to our benefit, Zionist New World order;
14. Create entertaining distractions;

November 27, 2023

15. *Corrupt minds with filth and perversion;*
16. *Encourage people to spy on one another;*
17. *Keep the masses in poverty and perpetual labor;*
18. *Take possession of all wealth, property and especially gold;*
19. *Use gold to manipulate the markets, cause depressions, etc.;*
20. *Introduce a progressive tax on wealth;*
21. *Replace sound investment with speculation;*
22. *Make long-term interest-bearing loans to governments;*
23. *Give bad advice to governments and everybody else; and*
24. *Blame the victim.*

For more information on those go to GT Flyers.com. Thank you.

Dylan Youngclause approached the microphone and started off asking if the Council was familiar with the Boston Tea Party. He stated it was thrown over the over taxation of the cash crop. He asked if we can all agree on that the Boston Tea Party was thrown because the over taxation of the cash crop at that time and moment? He went on to say today, the current cannabis industry is under the same circumstances. Where a product that can be produced for \$4.00, it's being sold for \$65.00. It's approximately a 1600% markup. He feels it is unjust and unconstitutional to demand that the citizens purchase a product being marked up 1600%. He would like to see something done about it. He doesn't know if there's anything the Council is able to do, but I would like to bring it to their attention so that they are aware of what's going on and why the market is being the way that it is now. There are hundreds of illegal shops in this State right now. The number of illegal shops outnumber the number of legal shops, especially in this County, and he would like to see something done so that people like himself have a better opportunity to pursue their passion, their art, and their craft.

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 – said thank you to everyone who participated in the parade and to the Chamber, and Kimberly and everyone involved. It was a great time. The next Tom Talk is this Thursday. The guest will be Keith Mitchell. So that'll be fun speaking with Keith. Don't forget the Tree Lighting here on Friday, December 1st at the Town Hall at 5:00 PM. Thank you.

November 27, 2023

Councilman Dickson – just wanted to comment on the Holiday parade this weekend. It was a great way to kick off the holiday season in Town. He thanked the Greater Newton Chamber of Commerce, the Newton PD, Newton Fire Department, Newton First Aid Squad, the Newton High School marching band, and all the Boy Scout and Girl Scout troops that marched. He also thanked all the organizations, businesses, kids that attended, high school marching bands, all the other fire departments that came. Thank you to the Newton DPW for their quick cleanup and set up. Of course, thanks to everybody who came out and celebrated and the most important thank you has to go to the big guy himself, Santa, for making a stop here.

Councilwoman Diglio – on 11/15 she attended the Prime-Time Thanksgiving lunch, it was a lovely affair. On 11/25 we had the Holiday Parade. She wanted to personally thank the Town of Newton, Planet Networks, Teyma, Lakeland Bank, and O'Reilly's for their donations to help make the parade possible. She thanked Mark Hontz for emceeding the parade and his family for providing entertainment prior to the event. She thanked all those that participated in the parade and had floats, first prize went to the Goat Express. She thanked Kimberly Williams for decorating the Santa House, and the Police and the DPW who are always there to help, to set up, and clean up. Plans for the St. Patrick's Day Parade start this week. The Prime-Time Holiday luncheon will take place on December 20th and the Senior Luncheon will be held on December 14th.

Councilwoman Le Frois – also wanted to comment on the Holiday parade on Saturday. Thanks, Sandy and the Chamber and everyone involved. She loved the floats, all the groups that performed, and all the animals that participated. It was great to see people going into our Spring Street businesses to support Small Business Saturday. Thanks to Santa and the Fire Department, who had a very long line of kids lined up to see Santa well after the parade finished. It was a beautiful day. Lots of people were out celebrating the holidays in the community.

As she mentioned, the Newton Police Department issued their first positive ticket to a 2nd grader at Merriam Ave. Thank you for that. From what she understands, that's a program the Center for Prevention and Counseling sponsored with the idea a student that receives a positive ticket is able to get something either from Starbucks or from the Nutrition Store or from Dominick's, which is great.

November 27, 2023

The November Historic Preservation Commission Advisory meeting was canceled the day of the meeting, so all the business will be carried to the December meeting.

At the New Jersey League of Municipalities Conference, the best session she attended was on liquor license reform. Mayor Brindle from Westfield is chairing a group that has been looking at liquor license reform for municipalities. The panel was made up of a couple of attorneys, one representing the Restaurant Association and then a couple others representing the municipalities. Senate Bill #3474 and Assembly Bill #5461 are both proposed bills in the legislature right now that they're hoping to make movement on during the lame duck session. However, that's to be determined. The Governor has also put forth a proposal, which doesn't sound like it's going to meet all of the needs of what we're looking for. Basically, the Governor's proposal is to reduce the population cap over five years by 10%, which would impact the number of liquor licenses that we have, so that's not something we'd be in favor of. But the other part is to allow a tax credit for existing businesses that have liquor licenses. The big push back from the restaurant industry and the liquor industry is that if all of a sudden if we allow a bunch more liquor licenses, then it's going to devalue what they paid for their liquor licenses. I did make a statement to the panel saying I was disappointed to hear there weren't any additional conversations regarding allowances for municipal governments that are the County Seats. There was a conversation at one point where they talked about making some concessions because of the number of non-ratable properties that are in our municipality. I also asked if there was an update on that to let us know. There were a number of municipalities that stood up and said they had several dozen, if not a few 100 liquor licenses that were pocketed, and they were not interested in having in their municipalities. They just didn't need any more restaurants and/or liquor stores. So, there was a conversation about being able to transfer those to other municipalities who wanted them. There was also a conversation about whether municipalities like ours would buy them from another municipality, which in her opinion is not something our taxpayers would think of as a benefit. When we need police equipment, fire equipment, or first aid equipment we shouldn't go spending tax dollar tax dollars on a liquor license. It should be put to the businesses to work out. There was also a conversation on expanding and creating new consumption licenses for breweries, wineries and distilleries. This is something she has been paying attention to for the last decade. If it were up to

November 27, 2023

her, we would have 15 more restaurants on Spring Street and throughout the Town. Restaurants do well, people then come into the Town, they go to our theater, they open up businesses, etc.

She also knows that we have one if not two licenses being currently pocketed and in the new year there are some things the legislature and some of our elected officials at the State level have encouraged municipalities to do to encourage those licenses that are being pocketed to at least put forth what their plans are to release them. If you want some more information, let her know and she will share it with you. Tom, maybe we could just talk about that off-line as well. That's all I have for this session.

Deputy Mayor Couce – the only thing that he will add is just a thanks to Miss Atkinson for her drawing and it is approaching budget time so maybe we can look at that for next year.

Mayor Teets – asked if Chief Van Nieuwland could get a copy of Lily's drawing and if we could do a follow up and let her know what action we take. She knows some people were disappointed that Santa did not make the complete loop around Town, so Councilmember Diglio, for next year can if we can make sure that we don't drop Santa off too early and he makes a full circle, because there was a large group that missed him.

Councilmember Diglio responded it was at the request of the Police, because of the situation that exists at the present time in the world. Next year she does plan on having him do the same thing we do every year.

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

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 recreational park improvements, including but not limited to picnic tables, benches,

November 27, 2023

trash/recycling enclosures, and scoreboard, to be undertaken, including all work and materials necessary therefor and incidental thereto, for the Town of Newton to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$25,759.97 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Reserve for Recreation Improvements in the amount of \$25,759.97.

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 hereby cancels Ordinance #2023-5.

Section 6. This Ordinance shall take effect immediately upon due passage and publication according to law.

Mayor Teets 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. Le Frois who moved its adoption, seconded by Mr. Dickson, and roll call resulted as follows:

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

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

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) replacement of PR

November 27, 2023

water chamber on Lime Crest Road; (b) replacement of raw water pump; (c) replacement of sub-trash pumps at Merriam Avenue School; and (d) replacement flight – second stage pump, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$247,300 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Water Sewer Capital Improvement Fund Improvements in the amount of \$247,300.

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 Teets 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. Le Frois, and roll call resulted as follows:

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

Mayor Teets read aloud the following Ordinance relative to adoption.

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

November 27, 2023

WHEREAS, the Mayor and Town Council have reviewed various fees charged by the Town to the various persons/businesses doing business with the Town and wish to amend, revise, and supplement various provisions of 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;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Town Code of the Town of Newton, County of Sussex, State of New Jersey, most notably Chapter 100 of the Town Code, entitled "Fees and Costs" and other related Town Code provisions, is hereby amended, revised, and supplemented as to the Sections of Chapters 49, 100, and 213 (and related Town Code provisions) set forth below as follows:

A. §49-15 Licenses.

D. License fees; ~~maximum number.~~

(1) The annual license fees for Plenary Retail Consumption, Plenary Retail Distribution, and Club Licenses shall be as set forth in § **100-12**. ~~and the maximum number of licenses for the sale or distribution of alcoholic beverages in the Town shall be as follows:~~

Class of License	No. of Licenses
Plenary retail consumption license	3
Plenary retail distribution license	1
Club license	3

(2) ~~The provisions of this subsection with respect to the limitation on the number of licenses shall not apply to the renewal or transfer of licenses presently issued. The permit fees for Catering, Extension of Premises, and Limited Brewery Off-Premise Event permits shall be as set forth in §100-12.~~

B. §100-12 Alcoholic beverage control (Chapter 49, Article III)

D. Catering Permit [§ 49-15D(2)]: \$25 per occurrence

E. Extension of Premises [§ 49-15D(2)]: \$25 per occurrence

F. Limited Brewery Off-Premises [§ 49-15D(2)]: \$25 per occurrence

C. §100-13 Animals (Chapter 57)

November 27, 2023

- A. License and registration
 - (2) Non-neutered dog: ~~\$20~~ 19 per dog

D. Additional fees and/or charges:

- (3) Adoption fees:
 - ~~(a) Kittens (under 12 months of age): \$125.~~
 - ~~(b) Cats (over 12 months of age): \$150.~~
 - (a) Felines: \$125.
 - ~~(c) (b) Dogs: \$300.~~

D. §100-24 Miscellaneous fees and charges

A. Swimming pool:

(3) Swim lessons:

- (a) Residents: \$175 for eight thirty-minute lessons.

[1] Multi-child discount of \$25 off for each additional child.

- (b) Nonresidents: \$200 for eight thirty-minute lessons.

[1] Multi-child discount of \$25 off for each additional child.

C. Miscellaneous charges

(4) Fishing permits, Morris Lake:

- (a) All day: ~~\$20.~~ \$25.

- (b) All day (senior citizen 62 or more years old): ~~\$15.~~ \$20.

D. Certified copies of licenses and certificates issued by the Bureau of Vital Statistics:

- (4) Correction to birth certificates, marriage certificates, or death certificates ~~\$30~~ \$50.

J. Police escrow accounts (relating to Chapter **30**)

- (1) Rate of compensation shall be \$98 per hour. ~~based on the time and ½ rate of top step of Newton's patrolmen contract currently in effect.~~

- (2) Administrative fee: ~~\$7.50~~ \$9.00 per hour.

E. §213-3 Violations and penalties

- A. ~~Daily fine. For each day a violation persists on a violating property beyond the deadline properly noticed by an enforcement officer pursuant to §213-2 above, there shall be imposed a daily fine in an amount not to exceed \$100 per day until the violation is remedied by any party. Any~~

November 27, 2023

person or entity who shall violate any of the provisions of this chapter shall, upon conviction, be punished as follows:

(1) For the first offense, by a fine not to exceed \$750 or \$150 per day.

(2) For a second offense, by a fine not to exceed \$1,500 or \$150 per day.

(3) For a third offense or any subsequent offenses, by a fine not to exceed what is permitted by law.

(4) Each day that a violation occurs may be considered a multiple violation and it will not be necessary to issue subsequent summons for each violation.

~~B. Remediation costs. The daily fine is independent of an separate from the costs of remediation borne by the Town, which shall be a lien on the violating property as set forth in §213-2 above.~~

BE IT FURTHER ORDAINED, any provision of Chapter 49, 100, or 213 and its Sections of the Newton Town Code which are not enumerated herein shall remain in their current form.

BE IT FURTHER ORDAINED, should any part or portions of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereto other than the part held invalid. All ordinances or parts of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

This Ordinance shall take effect on January 1, 2024.

Mayor Teets 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:

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

Mayor Teets read aloud the following Ordinance relative to adoption.

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

November 27, 2023

WHEREAS, N.J.S.A. 40A:9-165 permits a municipality to determine salaries, wages, or compensation to be paid to the officers and employees of the municipality; and

WHEREAS, the Town Council and Town Manager have made a careful examination of the salaries, wages, and compensation appropriate to compensate said Town employees and officers;

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

Section 1. The minimum and maximum hourly and annual salary ranges for each officer and employee of the Town of Newton are hereby fixed for calendar year 2024 as shown in Schedules "A" and "B" attached hereto in accordance with §25-3 of the Code of the Town of Newton.

Section 2. Any officer or employee of the Town of Newton who is at any time receiving less than the maximum compensation or salary as hereinabove provided may be given a single increment of salary increase during the calendar year by the Town Manager at his discretion.

Section 3. The Town Manager of the Town of Newton may hire any new employee at any hourly or annual rate between the minimum and maximum salary provided for such office or position.

Section 4. Those employees at wage Level 9 serving in the position of Deputy Municipal Court Administrator may be compensated with a stipend of \$55.00 in lieu of 2 hours compensatory time for each court related call-out with written certification.

Section 5. Those officers and employees at wage Level 17 shall be paid their annual salary in equal quarterly payments during the last pay period of each quarter.

Section 6. All ordinances or parts of ordinances which may be inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Section 7. If any chapter, article, division, section, subsection, paragraph, sentence, clause, or provision of the Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect all remaining portions of the Ordinance.

Section 8. This Ordinance shall take effect twenty (20) days after final passage, approval, and publication after adoption by the Town Council and shall be effective January 1, 2024.

**TOWN OF NEWTON
ORDINANCE 2023-29
SCHEDULE "A"**

IRREGULAR

November 27, 2023

<u>LEVEL</u>	<u>HOURLY</u>		<u>35 HRS / WK</u>		<u>40 HRS / WK</u>		<u>HOURS ANNUALIZED</u>
	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	<u>MIN</u>	<u>MAX</u>	
1	\$15.25	\$22.00	\$27,755	\$40,040	\$31,720	\$45,760	
2	\$15.50	\$23.00	\$28,210	\$41,860	\$32,240	\$47,840	
3	\$16.00	\$28.00	\$29,120	\$50,960	\$33,280	\$58,240	
4	\$16.50	\$33.00	\$30,030	\$60,060	\$34,320	\$68,640	
5	\$17.00	\$36.00	\$30,940	\$65,520	\$35,360	\$74,880	
6	\$17.50	\$38.00	\$31,850	\$69,160	\$36,400	\$79,040	
7	\$18.00	\$39.00	\$32,760	\$70,980	\$37,440	\$81,120	
8	\$18.50	\$45.00	\$33,670	\$81,900	\$38,480	\$93,600	
9	\$19.00	\$50.00	\$34,580	\$91,000	\$39,520	\$104,000	
10	\$20.00	\$55.00	\$36,400	\$100,100	\$41,600	\$114,400	
11			\$38,000	\$105,000	\$43,000	\$145,000	
12			\$45,000	\$110,000	\$55,000	\$160,000	
13			\$50,000	\$115,000	\$60,000	\$175,000	
14			\$65,000	\$140,000	\$75,000	\$185,000	
15			\$70,000	\$165,000	\$80,000	\$195,000	
16							\$500 - \$9,000
17							\$2,500 - \$10,000
18							\$3,000 - \$45,000
19							\$10,000 - \$75,000

- LEVEL 1**
Intern
Recreation Assistant
- LEVEL 2**
Lifeguard
Swim Instructor
- LEVEL 3**
Clerk Typist
Custodian
Keyboarding Clerk I
School Traffic Guard
Secretary
- LEVEL 4**
Assistant Pool Manager
Code Enforcement Officer Trainee
Keyboarding Clerk II
Public Safety Telecommunicator Trainee
Recreation Leader
Senior Clerk Typist
- LEVEL 5**
Assessing Clerk
Building Grounds Maintenance Worker
Fire Prevention Inspector
Laborer
Police Clerk
Pool Manager
Records Support Technician
Recreation Enforcement Officer
Sewer Laborer
Water Laborer
Water Meter Reader
Water/Sewer Collector
- LEVEL 6**
Account Supervisor/Treasurer
Equipment Operator
Omnibus Operator
Public Safety Telecommunicator
Public Works Repairer
Recreation Coordinator
Recycling Foreman
Road Repairer
Sewer Repairer
Sewer Repairer 1/Water Repairer 1
Truck Driver
Water Repairer
- LEVEL 7**
Animal Control Officer
Code Enforcement Officer
Park Caretaker
Parking Meter Enforcer
Payroll Clerk
Recreation Supervisor
Senior Public Safety Telecommunicator
Senior Sewer Repairer
Senior Water Repairer
Sewer Repairer 2
Sewer Repairer 2/Water Repairer 2
Special Police Officer
Water Repairer 2
- LEVEL 8**
Administrative Assistant
Court Attendant
Road Foreman
Sewer Foreman
Sewer Repairer Supervisor/Water Repairer Supervisor
Street Foreman

- Supervising Public Safety Telecommunicator
Violations Clerk
Water Foreman
- LEVEL 9**
Assistant Director of Public Works
Assistant Public Works Supervisor
Assistant Water/Sewer Supervisor
Certified Tax Collector/Tax Search Officer
Deputy Municipal Court Administrator
Planning/Zoning Administrator
Sewer Plant Operator
Sewer Plant Operator/Water Plant Operator
Water Plant Operator
- LEVEL 10**
Code Enforcement Director
Director of Public Works
Finance Director
Human Resources Director
Municipal Clerk
Municipal Court Administrator
Municipal Department Head
Public Works Supervisor
Water/Sewer Supervisor
- LEVEL 11**
Police Patrolman
- LEVEL 12**
Police Sergeant
- LEVEL 13**
Police Lieutenant
Water/Sewer Superintendent
- LEVEL 14**
Chief Financial Officer
- LEVEL 15**
Police Chief
Town Manager
- LEVEL 16**
Assistant Right-to-Know Coordinator
Deputy Animal Control Officer
Deputy Municipal Clerk
Deputy Registrar
Deputy Right-to-Know Coordinator
Right-to-Know Coordinator
- LEVEL 17**
Council Member
Deputy Mayor
Mayor
- LEVEL 18**
Building Subcode Official/Inspector
Deputy Code Enforcement Officer
Deputy Emergency Management Coordinator
Electrical Subcode Official/Inspector
Emergency Management Coordinator
Fire Subcode Official
Plumbing Subcode Official/Inspector
Registrar of Vital Statistics
Zoning Officer
- LEVEL 19**
Community Development Director
Deputy Town Manager
Municipal Department Head
Tax Assessor

Mayor Teets 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. Le Frois who moved its adoption, seconded by Mr. Dickson, and roll call resulted as follows:

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

Mayor Teets read aloud the following Ordinance relative to adoption.

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"

WHEREAS, the Town of Newton ("Town") has determined that there is a need to amend, revise, and supplement both 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", as it pertains to the parking of tractor trailers, box trucks, single-axle trucks, and dual-axle trucks within the Town of Newton;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Mayor and Town Council wish to amend, revise, and supplement Chapter 100 of the Newton Town Code, entitled "Fees and Costs", Section 100-15, entitled "Vehicles and Traffic", most notably, Subsection (C) to read as follows:

§ 100-15. Vehicles and traffic (Chapter 307).

C. Parking passes may be purchased at the Municipal Building for the above metered lots at the following rates:

(2) Overnight parking pass:

~~(b) Tractor trailer/box truck parking: \$25 monthly; \$50 quarterly; \$100 semiannually; \$200 annually.~~

~~(b) (c) Park and ride: Free.~~

NOW, THEREFORE BE IT FURTHER ORDAINED by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Mayor and Town Council wish to amend, revise, and supplement Chapter 307 of the Newton Town Code, entitled "Vehicles and Traffic", Section 307-27, entitled "General parking", most notably, Subsection (B) to read as follows:

§ 307-27. General parking.

B. Overnight parking prohibition. No person shall park a vehicle at the park and ride parking lot overnight between the hours of 10:00 p.m. and 5:00 a.m., except for:

(1) Passenger vehicles may be parked in ~~twenty-three~~ (23) spaces located at the easterly side of the park and ride lot, specifically, from the southeast corner toward the northeast corner as signed and/or marked and must display an overnight parking pass obtained from the Municipal Building displayed in the window.

(2) Box trucks, single-axle trucks, dual-axle trucks, tractor trailers, landscape trailers, box trailers, and excavation equipment are not permitted to be parked in the park and ride lot.

~~(2) Box trucks, single-axle trucks, dual-axle trucks, tractor trailers and other trucks that are not permitted to be parked in the residential districts within the Town but not including landscape trailers, box trailers that are not~~

~~attached to trucks, and excavation equipment, may be parked in an area located in the northeast corner of the park and ride lot as signed and/or marked;~~

~~(3) No person shall park a truck in the designated area of the park and ride lot without first obtaining a permit, for which application shall be made to the Town Clerk annually on or before January 1 of each year on forms provided by the Town Clerk, and paying the required fee per § 100-15. Such permit shall be displayed prominently inside of the parked truck's driver's side of the windshield.~~

D. Dog Park Parking. The parking spots immediately in front of the Dog Park shall be designated by the Town Manager as parking for patrons of the Dog Park only, as signed and/or marked by the Newton Department of Public Works.

BE IT FURTHER ORDAINED that:

(1) All ordinances or parts of ordinance which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistencies.

(2) This Ordinance shall take effect on January 1, 2024 upon due passage and publication in accordance with law.

Mayor Teets opened the meeting to the public.

Mr. George Miller came forth and stated he is concerned with eliminating the parking of tractor trailers and trucks at the Park-n-Ride. He has been paying for the last year or so, and to his knowledge, they're trying to eliminate it, which would be a hardship for him. He thinks something should be done with reference to all the other vehicles that are parked there, which he doesn't think have permits or are paying a fee. He went on to say there are other ordinances Mr. Martin has brought to his attention, but he will let him address them. Since all the other parking areas in the Town and are being squeezed out more or less, where can we park our trucks? That is what he would like you to know. Thank you.

Next, Mr. Steve Martin of 15 Hampton House Rd came forward and stated. he saw the ordinance printed in the paper and the way it was written was eliminating tractor trailer parking altogether at the Park-n-Ride. He remembers back back around 2013 the Town adopted an ordinance 320-23, amending the parking on residential properties or off-street parking areas. At that time people were asking where they could park. It was decided they could park down at the Park-n-Ride as stated in Section 307-27. It appealed them at the time. Of course, they had to have the permits and to pay. He knows George's parks there; occasionally other people will come to him and ask where they can park. He directs them to the Town Hall to get a permit. He thinks maybe the Town may want to think through eliminating just the tractor trailers. Or, come up with a different solution, than eliminating tractor trailers being able to park in the Park-n-Ride. Mr. Martin offered to give his input to rewriting the ordinance.

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

Mr. Russo stated this was reviewed by the Clerk's office and his office. The Park-n-Ride primarily is for commuters to be able to park vehicles to take the bus. It was never intended for tractor trailers and box trucks, but we allowed that because we knew there were limitations elsewhere. We're investing a lot of money into the roller hockey facility and we're looking to expand its utilization for the public. We also have a dog park that we didn't have previously, and we do have incidents where people and dogs are running around in the parking area, which makes it unsafe. There are tractor trailers traversing in and out. I believe the Clerk had communicated to George it maybe there would be accommodation directly since that business is adjacent to the Park-n-Ride. But our recommendation is to follow through on this ordinance, understanding the greater safety implications for the public using that area.

Mr. Couce asked if there have been any conversations regarding such accommodation.

Mr. Russo asked the Clerk to speak to that.

Mrs. Oswin explained the request to eliminate the tractor trailer parking came from the Chief of Police. She asked Chief Van Nieuwland to speak.

Chief Van Nieuwland stated we have had issues out down at Park-n-ride. We've had tandem trucks. They start dropping their plows down there. We've had people changing oil on their trucks. It has really become almost like a truck stop. They're parked on both sides of the parking lot. You can't navigate through the parking lot. Where Mr. Miller parks his trucks off to the side, there's no problem. But where all the other trucks park, it really has become a problem. He has received numerous complaints from citizens and from the Clerk's office regarding parking issues. He feels the best and easiest way to address it was to eliminate the tractor trailers parking.

Mr. Couce stated he has had some discussions with the Mayor as well as Mr. Russo regarding some of the more derelict vehicles that were parked there. Particularly concentrated near the dog park itself. In light of what Mr. Miller has to say and with what the Chief has reported, is there a potential for offering some kind of accommodation? Is it possible to go back and revisit this and maybe carve out something that meets the needs of everyone concerned?

Mr. Russo brought up the need to designate spots for the dog park and for the public so they may be safe, and then have a separate conversation with Mr. Miller which was supposed to be communicated through the Clerk's office. He apologizes if that didn't happen. We can still have a separate conversation with Mr. Miller to accommodate his specific vehicles, coming up with a reasonable quantity and a location while implementing this change so we can address some of the problem vehicles.

Mrs. Oswin stated she spoke to Mike Miller and communicated a possible accommodation. He told her he would be away and couldn't attend tonight's meeting.

A lengthy discussion ensued amongst all the Council members. The Clerk stated most the permits issued were not for Newton residents for business. The recommendation of the Town attorney Mr. Bernstein is to move forward with the ordinance tonight and he will work with the Chief on an accommodation with Mr. Miller. All Council members agreed.

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. Le Frois, and roll call resulted as follows:

Deputy Mayor Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio (based on Mr. Bernstein's recommendation)	Yes	Mrs. Le Frois	Yes
	Mayor Teets	Yes	

Mayor Teets read aloud the following Ordinance relative to adoption.

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"

WHEREAS, the Town of Newton ("Town") has determined there is a need to amend, revise, and supplement Chapter 213, entitled "Property Maintenance", section 213-28, entitled "Annual Registration of Businesses and Residential Rental Units", as it pertains to the annual registration to be paid to the Town of Newton by applicable parties;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Mayor and Town Council wish to amend, revise, and supplement Chapter 213 of the Newton Town Code, entitled "Property Maintenance", Section 213-28, entitled "Annual Registration of Businesses and Residential Rental Units", to read as follows:

§ 213-28. Annual Registration of Businesses and Residential Rental Units.

All persons who own, possess, or control any business or residential rental unit or units located within the Town of Newton shall annually register each and every said business or residential unit or units with the Municipal Clerk of the Town of Newton in such form as may be required by the Town of Newton from time to time.

- A. All businesses or residential units shall be registered with the Municipal Clerk no later than February 25th of the first full Calendar Year after this Ordinance shall become effective. Thereafter, all businesses or residential units shall be registered with the Municipal Clerk no later than January 30th of each Calendar Year.
- B. The annual fee for registering as a business or as a residential rental unit owner with the Town of Newton is Two Hundred Dollars (\$200.00) per business or residential rental unit per year for the first (1st) year and One Hundred Dollars (\$100.00) for each subsequent year thereafter. ~~provided however, that the registration fee for a new business or new residential rental unit which is registered after July 1st of its first Calendar Year registration shall be One Hundred Dollars (\$100.00) for the first part of a year.~~

- C. A residential rental unit owner shall be required to register all residential units owned by that owner every year when registering as a residential unit owner with the Municipal Clerk.
- D. There shall be a late fee of Twenty-Five Dollars (\$25.00) for every registration which is submitted after January 30th of each Calendar Year.
- E. All residential rental units located in any residential setting which is regulated, registered, or otherwise subject to the jurisdiction of the New Jersey Department of Community Affairs, Bureau of Housing Inspections, are exempt from this requirement.

NOW, THEREFORE BE IT FURTHER ORDAINED, that:

(3) All ordinances or parts of ordinance which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistencies.

(4) This Ordinance shall take effect immediately upon due passage and publication in accordance with law.

Mayor Teets 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. Le Frois who moved its adoption, 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	

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 #260-2023*

“Authorizing the Sale of Brine Solution to Municipalities for Calendar Year 2024”

WHEREAS, the Town of Newton has the equipment necessary to make a brine solution which is used on roadways in preparation for inclement weather; and

WHEREAS, in the past, other municipalities have purchased the brine solution from the Town of Newton; and

WHEREAS, the Newton Town Council desires to authorize the sale of brine solution to other municipalities to the extent it is available, subject to the terms and conditions of this Resolution; and

WHEREAS, the New Jersey Local Public Contracts Law authorizes the sale of items such as the brine solution to a local government agency in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-36(2), without the need for bids or public auctions;

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

1. The Town of Newton may sell to other municipalities brine solution to the extent that the Town of Newton has the solution available.
2. The DPW Supervisor or his designee shall be responsible for monitoring the quantities of brine solution sold and provide the information to the Town of Newton CFO or his/her designee for invoicing purposes.
3. The sale price of the brine solution at the time of this Resolution is \$0.75 per gallon; however, the Town of Newton reserves the right to adjust the sale price in the event the costs to the Town of Newton increase during the term of this Resolution. Upon receipt of the invoice, the purchasing municipality shall submit a purchase order or voucher to the Town of Newton. Payment of the invoice is expected within thirty (30) days of the invoice date.
4. A copy of this Resolution shall be placed on file with the Clerk of the Town of Newton.
5. This Resolution shall take effect immediately and shall remain in effect January 1, 2024 through December 31, 2024, or as such time as the Town Council modifies or repeals this Resolution.

RESOLUTION #261-2023*

“Appointment of Adam Vough as Municipal Representative to the Sussex County Solid Waste Advisory Committee for 2024”

BE IT RESOLVED by the Town Council of the Town of Newton the Assistant Public Works Supervisor, Adam Vough, is hereby appointed as the municipality’s representative to the Sussex County Solid Waste Advisory Committee (SWAC) to attend regular meetings of said Committee conducted on the second Tuesday evening of each month at 7:00pm (or as otherwise scheduled) at the Sussex County Administrative Center at One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED, if required, the Assistant Public Works Supervisor or his designee, may also attend workshop meetings of the Sussex County Solid Waste Advisory Committee; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chairman of the Sussex County SWAC.

RESOLUTION #262-2023*

“Appointment of Michael Awertschenko as Municipal Representative to the Sussex County Water Quality Policy Advisory Committee for 2024”

BE IT RESOLVED, by the Town Council of the Town of Newton that Licensed Water Operator, Michael Awertschenko, is hereby appointed as the municipality’s representative to the Sussex County Water Quality Policy Advisory Committee for 2024 and will attend regular meetings of said Committee conducted on the first Thursday evening of each month at 7:30pm (or as otherwise scheduled) at the Sussex County Administrative Center on One Spring Street, Newton, New Jersey; and

BE IT FURTHER RESOLVED, that, if required, Newton’s Licensed Water Operator or his designee may also attend workshop meetings of the Sussex County Water Quality Policy Advisory Committee; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chairman of the Sussex Water Quality PAC.

RESOLUTION #263-2023*

“Designation of Public Agency Compliance Officer for Calendar Year 2024”

BE IT RESOLVED, by the Town Council of the Town of Newton that Monica B. Miebach, Chief Financial Officer for the Town of Newton, is hereby designated as the Public Agency Compliance Officer for the Town of Newton for 2024; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the NJ Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity, as requested by said agency.

RESOLUTION #264-2023*

“Designate the Town Manager as the National Organization on Disability Representative for Calendar Year 2024”

WHEREAS, the Town Manager has historically been appointed as the National Organization of Disability representative for the Town of Newton;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Newton Town Manager, Thomas S. Russo, Jr., is hereby appointed as the National Organization on Disability representative for the Town of Newton; and

BE IT FURTHER RESOLVED, that the Mayor and the Town Manager are authorized to sign any documents that may be required by the National Organization on Disability to confirm this appointment.

RESOLUTION #265-2023*

“Appointment of Keith Mitchell as Risk Management Consultant for the Town of Newton for Calendar Year 2024”

WHEREAS, the Town of Newton (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund;” and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk Management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of “Local Unit,” in the County of Sussex and State of New Jersey, as follows:

1. The Town of Newton hereby appoints Keith Mitchell as its local Risk Management Consultant.
2. The Town Manager, Municipal Clerk, and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2024 in the form attached hereto.

Name of Entity: Town of Newton

Attest:

Teresa A. Oswin, Municipal Clerk

Michelle J. Teets, Mayor

RESOLUTION #266-2023*

“Appointment of Fund Commissioner for the Statewide Insurance Fund for Calendar Year 2024”

WHEREAS, the Town of Newton (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Newton that Thomas S. Russo, Jr. is hereby appointed as the Fund Commissioner for the Local Unit for the year 2024; and

BE IT FURTHER RESOLVED, Jennifer A. Dodd is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2024; and

BE IT FURTHER RESOLVED, the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Name of Entity: Town of Newton

By: _____
Michelle J. Teets, Mayor

RESOLUTION #267-2023*

“Approval of Extension of Contract Rapid Pump and Meter Service Company Inc. per Bid 9R-2021”

WHEREAS, there is a need for Equipment Pump Maintenance Services contractor in the Town of Newton; and

WHEREAS, the Town of Newton received bids for Equipment Pump Maintenance Services under Bid 9R-2021 duly advertised and received in a public manner on January 5, 2022; and

WHEREAS, Rapid Pump and Meter Service Company Inc., 285 Straight Street, Paterson, NJ 07509 was awarded a two (2) year contract through Resolution #62-2022 on January 24, 2022; and

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-15), allows for a two (2) year extension of contract by resolution of the Governing Body; and

WHEREAS, the contract terms and conditions will be the same as awarded under authorizing resolution for Bid 9R-2021, ending January 31, 2023; and

WHEREAS, subject to the Governing Body appropriating sufficient funds in the 2024, 2025, and 2026 Water/Sewer Fund Budgets, the Chief Financial Officer will certify funds pursuant to N.J.A.C. 5:30-5.5(b2) open-end contract through the budgetary accounting encumbrance process set forth in N.J.A.C. 5:30-5.3(c) and 5:30-5.4(b);

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, in the County of Sussex as follows:

Rapid Pump and Meter Service Company Inc., 285 Straight Street, Paterson, NJ 07509 is authorized to enter a two (2) year contract extension, commencing February 1, 2024, through January 31, 2026, for Equipment Pump Maintenance Services in the following rates:

Year 1 of extension - \$117,000.00

Year 2 of extension - \$117,000.00

RESOLUTION #268-2023*

“Authorization to Apply for Department of Community Affairs American Rescue Plan Grant”

WHEREAS, the Town of Newton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for \$60,000 to carry out a project to purchase ten (10) new sets of protective gear, which will replace the current outdated gear, and in turn, protect the entire Newton Fire Department;

NOW, THEREFORE BE IT RESOLVED, the Town of Newton does hereby authorize the application for such a grant; and, recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Town of Newton and the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

_____ Signature	_____ Signature
_____ Thomas S. Russo, Jr. Print Name	_____ Michelle, J. Teets Print Name
_____ Town Manager Title	_____ Mayor Title

RESOLUTION #269-2023*

“Refund of Redemption Monies to Outside Lien Holder for Block 22.02, Lot 15, Also Known As 18-20 Sussex Street”

WHEREAS, at the Municipal Tax Sale held on October 5, 2022, a lien was sold on Block 22.02, Lot 15, also known as 18-20 Sussex Street for 2021 delinquent taxes and utilities; and

WHEREAS, this lien, known as Tax Sale Certificate #2022-015 was sold to Evolve Bank & Trust for a 0% redemption fee and a premium in the amount of \$63,500.00; and

WHEREAS, Tax Sale Certificate #2022-015 was assigned to Fundpality II, LLC on September 27, 2023; and

WHEREAS, the owner has affected the redemption of Certificate #2022-015 in the amount of \$40,650.45;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges Fundpality II, LLC is entitled to a redemption in the amount of \$40,650.45 as well as the return of the premium in the amount of \$63,500.00; 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 \$40,650.45 for the

redemption and a check in the amount of \$63,500.00 for the return of the premium for Certificate #2022-015 to Fundpality II, LLC, 100 N LaSalle, Suite 710, Chicago, IL 60602.

RESOLUTION #270-2023*

“Authorize Cancellation and Refund of Tax Overpayment; Block 19.05, Lot 5, for a 100% Disabled Veteran Exemption”

WHEREAS, David Martin owns Block 19.05, Lot 5, also known as 2 Howard Street, Newton, New Jersey; and

WHEREAS, the Municipal Tax Assessor has granted a 100% Disabled Veteran Tax Exemption on October 18, 2023, for the property owned by David Martin; and

WHEREAS, Mr. Martin's mortgage company paid the 4th quarter property taxes for Block 19.05, Lot 5, therefore, a refund is due to Mr. Martin and a portion of the 4th quarter taxes needs to be cancelled; and

WHEREAS, the Tax Collector has determined the amount to be refunded is \$1,545.45 and the amount to be cancelled for the 4th quarter is \$1,545.45;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that the Governing Body acknowledges a refund is due to David Martin in the total amount of \$1,545.45 which is retroactive to October 12, 2023, and this refund is the result of a 100% Disabled Veteran Tax Exemption and that a portion of the 4th quarter taxes needs to be cancelled; and

BE IT FURTHER RESOLVED, the Treasurer be authorized to issue a check in the total amount of \$1,545.45 to David Martin, 2 Howard Street, Newton, NJ 07860.

RESOLUTION #271-2023*

“Authorize Remittance (Cancellation) of 2023 Taxes; Block 4.02, Lot 20”

WHEREAS, the Municipal Tax Assessor has indicated that during the remapping of the Town Block 4.02, Lot 20 also known as High Street Rear and assessed to “Unknown Owner” represents a “void” in the tax map; and

WHEREAS, this property currently has unpaid taxes for the year 2023 for the total amount of \$44.94; and

WHEREAS, the Tax Collector has determined the taxes in the amount of \$44.94 for the tax year 2023 are uncollectible and are unable to be sold in the annual tax sale and the amount must be remitted (cancelled);

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges the taxes for the year 2023 for Block 4.02, Lot 20 are uncollectible and must be remitted (cancelled); and

BE IT FURTHER RESOLVED, the Tax Collector be authorized to remit (cancel) taxes for the year 2023 for Block 4.02, Lot 20 in the total amount of \$44.94.

RESOLUTION #272-2023*

“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

Check#	Vendor#	Name	Check Total
9629	3006 -	AG CHOICE, LLC.	730.00
9630	3753 -	ALCOCK KATHERINE	10.02
9631	3897 -	AMAZON CAPITAL SERVICES	626.35
9632	3508 -	AMERICAN AQUATIC TESTING, INC.	2,400.00
9633	4544 -	ARMSTRONG, KENNETH W.	989.40
9634	4596 -	ATLANTIC COMFORT SYSTEMS	2,975.00
9635	3793 -	ATLANTIC PLUMBING SUPPLY INC.	245.00
9636	4448 -	ATLANTIC URGENT CARE LLC	50.00
9637	2685 -	B & H INC.	2,292.85
9638	2518 -	BABCOCK, DAWN	989.40
9639	4214 -	BESHADA, LEO	1,978.80
9640	190 -	BOND, CHRISTOPHER	989.40
9641	1132 -	BOONTON TIRE SUPPLY INC.	144.40
9642	300 -	BRIGHTSPEED	3,571.85
9643	4496 -	BROWN KERRY	128.63
9644	3893 -	CAMPBELL SUPPLY OF SUSSEX CTY LLC	687.22
9645	4706 -	CARLUCCI, MICHAEL	3,636.99
9646	4306 -	CGP&H LLC	356.50
9647	3770 -	CINTAS	399.29
9648	2353 -	CITTERBART, KATHERINE	1,978.80
9649	2551 -	CLOUSE RONALD	1,978.80
9650	4420 -	COOPER DARLENE	1,978.80
9651	2639 -	COUNTY OF SUSSEX	9,152.23
9652	4500 -	CRYSTAL MOUNTAIN SPRINGS	130.49
9653	2290 -	CUMMINS DOUGLAS	989.40
9654	286 -	CURRENT ACCOUNT	243.63
9655	4738 -	D.S. MEYER ENTERPRISES LLC.	321,447.58
9656	4069 -	DELL MARKETING L.P.	2,693.19
9657	4430 -	DURABLE DOOR COMPANY	475.00
9658	106 -	ELIZABETHTOWN GAS	2,629.43
9659	4355 -	FAIRLEIGH DICKINSON UNIVERSITY	4,124.00
9660	4039 -	FARMSIDE LANDSCAPE & DESIGN INC	590.00
9661	4653 -	FATHER JOHNS	100.00
9662	4747 -	FF1 APPARATUS LLC	361.45
9663	4650 -	FINKLE DANIELLE	115.00
9664	2525 -	FIREFIGHTER ONE, LLC.	57,169.40
9665	3318 -	FREDON ANIMAL HOSPITAL	194.50
9666	172 -	FRISBIE, ARTHUR & RITA	989.40
9667	109 -	FURGIUELE, CAMILLE	989.40
9668	4724 -	GANNETT NEW YORK/NEW JERSEY LOCALIQ	277.86
9669	4506 -	GLENN C KIENZ	800.00
9670	490 -	GRENNILLE, WILLIAM	1,978.80
9671	4419 -	HAVENS DEBORAH	989.40
9672	3804 -	HAYDEE BALLESTER	140.00
9673	4337 -	HFE SERVICES LLC	2,721.39
9674	4337 -	HFE SERVICES LLC	873.00
9675	272 -	HOLZHAUER, SCOTT	115.00
9676	1866 -	HOME DEPOT, INC.	576.51
9677	4620 -	HQW ARCHITECTS, LLC.	36,140.00
9678	4480 -	HUNTON, BARBARA	47.99
9679	173 -	ILIFF, JOHN AND TERRY	1,978.80
9680	3235 -	J. CALDWELL & ASSOCIATES, LLC.	3,897.50
9681	113 -	JCP&L	6,323.44
9682	4173 -	JORRITSMAN, BRUCE	4,334.40
9683	1774 -	KAY PRINTING & ENVELOPE CO.INC.	1,154.00
9684	276 -	KAYS, PETER J.	989.40
9685	2569 -	KIEFFER ELECTRIC, INC.	1,064.00
9686	2767 -	KILDUFF JAMES	989.40
9687	1442 -	KITHCART, EILEEN	1,458.00
9688	3711 -	KKPR MARKETING & PUBLIC RELATIONS,	800.00
9689	1011 -	LASSO, ERVIN	989.40

9690	4227 -	LAW OFFICE OF DANIEL P. AGATINO, LLC.	1,333.33
9691	4765 -	LEG UP EQUINE VETERINARY SERVICES LLC.	640.00
9692	4012 -	LEXIPOL	5,662.30
9693	1566 -	MAIN POOL & CHEMICAL COMPANY, INC.	2,354.00
9694	4763 -	MILLER, DAVID	349.98
9695	1231 -	MILLER, JASON	200.00
9696	2865 -	MILLS STEVE	989.40
9697	4377 -	MODERN GROUP LTD.	1,759.29
9698	4768 -	MONIKA DARRON	160.00
9699	1884 -	MORRIS, THOMAS & BULAH	1,978.80
9700	3014 -	NATIONAL BUSINESS FURNITURE, LLC.	1,450.84
9701	4284 -	NEWTON AUTO BODY & RESTORATION, LLC	1,737.65
9702	170 -	NEWTON BOARD OF EDUCATION	1,132,716.67
9703	2201 -	NEWTON FIRE DEPARTMENT	12,850.00
9704	240 -	NEWTON FIRST AID SQUAD	6,250.00
9705	1751 -	OSWIN TERESA ANN	20.04
9706	3047 -	PANDISCIA MICHAEL	1,978.80
9707	4656 -	PAULUS, SOKOLOWSKI & SARTOR LLC	3,626.25
9708	2788 -	PENTELEDATA	319.90
9709	4220 -	Peter Bond.....	300.00
9710	3587 -	PHOENIX ADVISORS, LLC.	2,100.00
9711	4204 -	PLANET NETWORKS INC.	2,319.35
9712	39 -	QUILL CORPORATION	216.27
9713	1274 -	RANSNORTH, NANCY	989.40
9714	1112 -	RICHARDS, JEAN	989.40
9715	1883 -	ROMYNS, LARRY E.	1,978.80
9716	3615 -	ROSELLEN ANN M	989.40
9717	3656 -	RUFUS COWARD	26.98
9718	3660 -	SCHENCK, PRICE, SMITH, & KING, LLP	1,386.00
9719	611 -	SEBRING AUTO PARTS, INC.	227.78
9720	2145 -	SEELY BROTHERS, INC.	54.00
9721	4644 -	SIEGEL, STEVEN M.....	2,875.00
9722	1489 -	SMALLEY, JOHN H	3,416.30
9723	338 -	SMITH, WILLIAM F	1,978.80
9724	2257 -	STAPLES	846.91
9725	4144 -	SUBURBAN CONSULTING ENGINEERS, INC.	10,608.00
9726	1029 -	SUSSEX COUNTY CLERK'S ASSN	50.00
9727	3851 -	THE CANNING GROUP, LLC.	541.66
9728	1601 -	TILCON NEW YORK, INC.....	1,239.06
9729	4767 -	TROJAN TECHNOLOGIES CORP	4,640.00
9730	4130 -	UNITED FIRE PROTECTION CORP.	989.50
9731	4579 -	USPS	3,000.00
9732	1280 -	VERIZON WIRELESS, INC.	1,714.01
9733	4258 -	VIRGA, ANTHONY	989.40
9734	2635 -	W.B. MASON, INC.	2,799.00
9735	366 -	WAGNER, WILLIAM	1,978.80
9736	1500 -	WALMART	51.01
9737	382 -	WELDON ASPHALT COMPANY, INC.	290.57
9738	1656 -	WILDFLOWERS WITH TAMI	105.00
9739	3726 -	WITMER PUBLIC SAFETY GROUP, INC.	1,635.80
9740	136 -	ZENES, NANCY	989.40
<hr/>			
TOTAL			1,728,862.74

The Clerk presented one (1) application for consideration:

A membership application from Matthew Whitesell, 15 Hillside Terrace, Newton, NJ for regular membership into the Newton Fire Department.

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

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 Cks 9636,9711, & 9704)	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Mrs. Le Frois	Yes
	Mayor Teets	Yes	

OPEN TO THE PUBLIC

Mayor Teets opened the meeting to the public.

Dylan Youngclause, asked if the Council would be open to being the first Township in New Jersey to allow home cultivation for cannabis? He feels that it is a violation of the 14th amendment that states you can't abridge your citizens. By basically requiring that you have \$1,000,000 to enter an industry, he feels you're abridging citizens, right. He would like to discuss if that can be changed.

Mr. Bernstein made the following statement:

"Madam Mayor, members of the Council let me make it very simple. The Governing Body does not set the rules and regulations for the entry of an individual or business into the cannabis industry. That was a creation of the State legislature, implemented through the Cannabis Regulatory Commission. If the individual in question is unhappy with the ground rules the legislation adopted, there are avenues available of which this Governing Body has no jurisdiction whatsoever on it, and as your attorney, I recommend you not take any action as to say anything."

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

COUNCIL MANAGER COMMENTS

Mr. Russo stated the crosswalks issue should go through the municipal engineer. So he'll send that to Harold, be one of his last acts. He thing asked the Chief to speak to Harold about that recommendation. He will have Adam reach out to Mr. Miller and also talk to Terri about the specific needs for your location so we can start working on that tomorrow. Thank you.

Mrs. Le Frois thanked Lily for bringing this up to the Governing Body, as the Town Manager said he'll pass it on to the Towns Engineer. She does live in that neighborhood, so she has seen people try to cross across Liberty. She gets what Lily is trying to accomplish.

Mr. Dickson thanked Lily and said it shows great initiative to come here and speak to us and, you know, try to get something done to improve your community.

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 January 6, 2023."

Mr. Bernstein stated the item to be discussed in the Executive Session is Personnel

– Town Manager's Annual Review. Official action may or may not be taken once the meeting is concluded back in public session.

Upon motion of Mrs. Diglio seconded by Mrs. LeFrois and unanimously carried, Council entered Executive Session at 8:19pm.

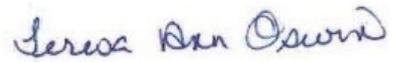
Upon motion of Mrs. Le Frois seconded by Mrs. Diglio and unanimously carried, Council exited Executive Session at 8:47pm.

Mr. Bernstein stated all members of the Council present at the commencement of the Executive Session are present at the re-commencement of the open session 8:47 pm as well as the Municipal Clerk Teresa A. Oswin, and Town Attorney Eric Bernstein. No formal action needs to be taken at this time.

ADJOURNMENT

There being no further business to be conducted, upon a motion by Mrs. Le Frois seconded by Deputy Mayor Couce and unanimously carried, the Regular meeting was adjourned at 8:48pm.

Respectfully submitted,



Teresa A. Oswin, RMC
Municipal Clerk