

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. Dickson, Mrs. Diglio, Mrs. Teets, Mayor Couce, Kathryn E. Alcock, Deputy Municipal Clerk, and Thomas S. Russo, Jr., Town Manager. Eric Bernstein, Esq., Town Attorney was also present. Deputy Mayor Le Frois attended via Zoom.

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

Mayor Couce called for a moment of silence in remembrance of the September 11, 2001 tragedy.

Mayor Couce 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 5, 2024."

PRESENTATION

At this time Special Officer Aviles was invited forward. Mayor Couce swore in Special Officer Aviles while his family held the Bible.

Special Officer Aviles addressed those in attendance and shared his extensive career. He is looking forward to working for the Town of Newton and serving this community. He thanked the Council, the Chief, and the rest of the staff.

Chief VanNieuwland thanked the Town Manager, Town Council, and his staff. He stated that Miguel's experience will provide assistance in juvenile matters. The fact that he is bilingual will also greatly assist the department.

Mayor Couce announced there will be a five (5) minute break for photos.

BREAK – Five (5) minutes.

Mayor Couce announced that at this time the Municipal Clerk's office would be presenting to the Council.

Teresa A. Oswin, RMC introduced herself and the rest of her office including Janien Roberts, Registrar, Monica Champignon, Deputy Registrar, and Kathryn Alcock, Deputy Municipal Clerk.

Mrs. Oswin proceeded to present to the Council all the functions and duties of her office.

After a few answered questions, the Council thanked Mrs. Oswin, Mrs. Roberts, and Mrs. Champignon for their hard work and the informative presentation.

APPROVAL OF MINUTES

Upon motion by Mrs. Diglio, seconded by Mrs. Teets and all those present voting yes, the minutes for the August 19, 2024 Special Meeting were approved as presented.

Upon motion by Mrs. Diglio, seconded by Mr. Dickson and all those present voting yes, the minutes for the August 19, 2024 Regular Meeting were approved as presented.

Upon motion by Mrs. Diglio, seconded by Mrs. Teets and all those present voting yes, the minutes for the August 19, 2024 Executive Session were approved as presented.

OPEN TO THE PUBLIC

At this time, Mayor Couce 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 Couce opened the meeting to the public.

Jason Schlaffer expressed his strong support for Mayor Couce and Councilwoman Teets in their run for re-election in November.

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

COUNCIL & MANAGER REPORTS

Town Manager Russo – echoed Mayor Couce's remembrance of the September 11, 2001 tragedy. He also recognized the successful GNCC Meet and Greet event as well as the Taste of Newton. He mentioned several upcoming events including the Fall Fest on October 13th, the Halloween Parade on October 31st, The Holiday Parade on November 30th, and the Tree Lighting on December 6th. Curd and Cleaver will open soon as well as another coffee shop on Spring Street.

Councilman Dickson – remembered the tragic events of September 11, 2001. He also congratulated and welcomed Special Officer Aviles to the Town of Newton.

Councilwoman Diglio – thanked Tamrin Serpico from the GNCC, DPW, and PD on an excellent job at the Taste of Newton event. She also mentioned that she attended the Liberty Towers 50th anniversary celebration on Tuesday. It was well-attended. She really appreciated Mr. Russo's speech. She welcomed and congratulated Special Officer Aviles. She also noted the Mi Rancho Steakhouse just had it's grand opening this week.

Councilwoman Teets – praised the GNCC Meet and Greet and Taste of Newton events. She attended the 9/11 Memorial event at Sussex County Community College. She was very moved by it and remembers how united everyone was on September 12th. She also participated in the Bag 4 Hunger event at Shoprite. She attended a Board of Education

meeting and watched a presentation by Vice Principal Hashway and Officer Bellis. It was very interesting and there is collaboration going on to do great work. She also noted that a new restaurant, Bite Me Delights, opened on Spring Street.

Deputy Mayor Le Frois – welcomed Miguel Aviles. Thanked the Clerk's office for their presentation. Thanked Kimberly, the Newton First Aid Squad, and DPW for the movie in the park event. She also praised the fact that we have female-owned food truck businesses on site for the event – Homer's Girls and Moo For You. She praised the Newton Theatre and mentioned they have a lot of great shows lined up. The Planning Board meeting is scheduled for September 18th. She welcomes everyone back to school and sports. She also expressed her sentiment on September 11, 2001.

Mayor Couce – stated that a comment and observation was made that although it is not our pervue, the 206/Main Street crosswalks are very faintly painted. He requests that Mr. Russo reach out to the NJDOT to hasten the painting process due to school being back in session. Mr. Russo agreed.

UNFINISHED BUSINESS – None.

ORDINANCES

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

ORDINANCE 2024-22

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE TOWN CODE OF THE TOWN OF NEWTON BY CREATING A NEW CHAPTER OF THE NEWTON TOWN CODE, ENTITLED CHAPTER 210, "PRIVATELY-OWNED SALT AND OTHER SOLID DEICING MATERIALS IN STORAGE" TO PREVENT STORED SALT AND OTHER SOLID DEICING MATERIALS FROM BEING EXPOSED TO STORMWATER

WHEREAS, the New Jersey State Department of Environmental Protection (hereafter as "NJDEP") requires that all Tier A municipalities, such as Newton, take measures to prevent the discharge of solids and floatables from private properties into municipal separate storm sewer systems. In order to comply with the requirements of the Town of Newton's Municipal Stormwater General Permit, the Town Council wishes to amend the Town Code to require all salt and other solid deicing materials be stored in a manner to prevent those materials from being exposed to stormwater that will result in runoff into the Town's municipal separate storm sewer system.

BE IT ORDAINED by the Town Council of the Town of Newton to amend, revise, and supplement the Town Code of the Town of Newton by Creating a new Chapter 210, entitled "Privately-Owned Salt Storage and Other Solid Deicing Materials" to be added to the Code of the Town of Newton, County of Sussex, State of New Jersey as follows:

SECTION 1. Chapter 210, Article I, Section 210-1, *Purpose* is created to include the following:

The purpose of this Section is to prevent stored salt and other solid deicing materials from being exposed to stormwater. This Section is meant to establish requirements for the storage of salt and other solid deicing materials on properties not owned and/or operated by the Town of Newton, including but not limited to

residences, and to protect the environment, public health, safety, and welfare and to prescribe penalties for failure to comply.

SECTION 2. Chapter 210, Article I, Section 210-2, *Definitions* is created to include the following:

For the purpose of this Section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

DEICING MATERIALS - any granular or solid material such as melting salt and/or any other granular solid that assists in the melting of snow.

IMPERVIOUS SURFACE - a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

PERMANENT STRUCTURE - a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor and is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets all of the following specifications:

1. Concrete blocks, jersey barriers, or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of deicing materials;
2. The design shall prevent stormwater run-on and run-through and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

PERSON - any individual, corporation, company, partnership, firm, association, or political subdivision of this State, subject to municipal jurisdiction.

RESIDENT - a person who resides on a residential property where deicing material is stored.

STORM DRAIN INLET - the point of entry into the storm sewer system.

SECTION 3. Chapter 210, Article II, Section 210-3, *Deicing Material Storage Requirements* is created to include the following:

A. Temporary outdoor storage of deicing materials in accordance with the requirements below is allowed between October 15th and April 15th only under the following conditions:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;

2. Loose materials shall be placed at least fifty (50) feet from surface water bodies, storm drain inlets, ditches, and/or other stormwater conveyance channels;
3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile and the storage pile shall be reshaped into a cone after use;
4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
5. Containers must be sealed when not in use; and
6. The site shall be free of all deicing materials between April 16th and October 14th.
 - B. Deicing materials shall be stored in a permanent structure if a suitable storage structure is available. For storage of loose deicing materials in a permanent structure, such storage may be permanent and thus not restricted to October 15th - April 15th.
 - C. All temporary and/or permanent structures must comply with all other local ordinances, including but not limited to, building and zoning regulations.
 - D. The property owner, or owner of the deicing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
 1. Residents who operate businesses from their homes that utilize deicing materials are required to perform weekly inspections to ensure compliance with this Chapter.

SECTION 4. Chapter 210, Article II, Section 210-4, *Exemptions* is created to include the following:

- A. Residents may store deicing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container and which prevents the deicing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of any damaged or inadequate containers shall occur within two (2) weeks.

- B. If containerized (in bags or buckets) deicing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of deicing materials are not exempt, even if stored in a permanent structure.
- C. This Chapter does not apply to facilities where the stormwater discharges from deicing material storage activities are regulated under another NJPDES permit.

SECTION 5. Chapter 210, Article II, Section 210-5, *Enforcement* is created to include the following:

The Town Manager, through the Department of Public Works Supervisor, and/or the Town Manager's designee, shall enforce the provisions of this Chapter. It shall be unlawful for any reason to violate any part of this Section adopted by the Newton Town Council.

SECTION 6. Chapter 210, Article II, Section 210-6, *Violations and Penalties* is created to include the following:

Any person(s) who are found to be in violation of the provisions of this Chapter shall have seventy-two (72) hours to complete all corrective action. Repeat violations and/or failure to complete corrective action shall be liable to a penalty not to exceed Five Hundred (\$500) Dollars for every calendar day on which the violation exists beyond the seventy-two (72) hour compliance limit.

SECTION 7. Chapter 210, Article II, Section 210-7, *Severability* is created to include the following:

Each section, subsection, sentence, clause, and phrase of this Section is declared to be an independent section, subsection, sentence, clause, and phrase and finding or holding of any such portion of this Section to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Section.

SECTION 8. Effective Date: This Ordinance will take effect after publication and passage in accordance with the law.

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

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

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

ORDINANCE 2024-23

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE TOWN CODE OF THE TOWN OF NEWTON BY CREATING A NEW CHAPTER OF THE NEWTON TOWN CODE, ENTITLED "CHAPTER 298, TREE PRESERVATION" TO CONTROL TREE REMOVAL AND REPLACEMENT IN ORDER TO REDUCE STORMWATER RUNOFF AND POLLUTANTS AND TO PROMOTE INFILTRATION OF RAINWATER INTO THE SOIL

WHEREAS, the New Jersey State Department of Environmental Protection (hereinafter referred to as "NJDEP") requires that all Tier A municipalities, such as Newton, take measures to control the removal of trees in order to reduce stormwater runoff and to promote infiltration of rainwater into the soil. In order to comply with the requirements of the Town of Newton's Municipal Stormwater General Permit, the Newton Town Council wishes to amend, revise, and supplement the Town Code to require that measures be taken to preserve trees within the Town and provide guidelines for replacement of trees when unauthorized removal occurs.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Newton that the Code of the Town of Newton is amended, revised, and supplemented as follows:

Section 1. The Town Code hereby is amended, revised, and supplemented to add a new Chapter 298 to be entitled "Tree Preservation" and to state in its entirety as follows:

298 Tree Preservation

298-1 Purpose:

The purpose of this Chapter is to protect trees and woodlands from indiscriminate destruction and damage and to further reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil and protect the environment, public health, safety, and welfare.

298-2 Definitions:

Definitions shall include the following:

For the purpose of this Chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

CLEAR CUTTING - the removal of most or all trees on a property at one time or shortly thereafter for the purpose of creating a lawn or graded areas on that property.

HAZARD TREE - a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.

1. Has an infectious disease or insect infestation; and/or,
2. Is dead or dying; and/or,
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective; and/or,
4. Is located near an existing structure and poses a threat to that structure since the structure is located in the fall zone of said tree; and/or,
5. Has a root system that is causing or has the potential to cause damage to structures (such as building foundations, sidewalks, etc.).

LOT DISTURBANCE – includes all areas disturbed for the purpose of the construction of buildings and structures as well as all graded areas and lawns. The total shall include disturbed areas, both inside and outside of the building envelope.

PERSON - any individual, resident, corporation, utility, company, partnership, firm, or association.

RESIDENT - an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this Chapter is removed or proposed to be removed.

STREET TREE - a tree planted within a municipal right-of-way strip.

TRACT DISTURBANCE - Any lot improvement including, but not limited to, construction or expansion of buildings, decks, sheds, garages, driveways, lawns, pools, septic fields, land clearing, tree removal, terracing, and other land improvements.

TREE - a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE REMOVAL - to kill and/or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

298-3 Application Process

- A. Any person planning to remove a street tree with DBH of two and one-half (2.5") inch or more or any non-street tree with DBH of six (6") inch or more on their property which is not exempted from the requirements of this Chapter shall submit a Tree Removal Application to the Department of Public Works Supervisor. No tree shall be removed, unless exempted under Section 298-6 of this Chapter and until Town officials have reviewed and approved the removal.
- B. For larger scale clearing projects over five thousand (5,000) square feet, the applicant shall submit a tree survey as part of the application to determine number, sizes, and exemptions of trees.
- C. Applicants shall be subject to a Twenty-Five (\$25) Dollar application fee.

298-4 Tree Replacement Requirements

- A. Any person who removes one or more street tree(s) with a DBH of two and one-half (2.5") inch or more, unless exempt under Section 298-6 below, shall be subject to the requirements of the Tree Replacement Requirements Table below.
- B. Any person who removes one or more tree(s), as defined as tree removal, with a DBH of six (6") inch or more per acre, unless otherwise detailed under Section 298-6 below, shall be subject to the requirements of the Tree Replacement Requirements Table.
- C. The species type and diversity of replacement trees shall be in accordance with a list of approved trees and planting requirements kept on file with the Department of Public Works Supervisor.

D. Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed **or** meet the Tree Replacement Criteria in the table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the Town;
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and,
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)
1	DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 2.5" for each tree removed
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 2.5" for each tree removed
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 2.5" for each tree removed
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 2.5" for each tree removed

E. Replacement Alternatives:

1. (1) If the Town determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the Town.
 - b. Pay a fee of Four Hundred (\$400) Dollars per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

298-5 Clear Cutting or Tree Harvesting is Prohibited

With the exceptions established in this Chapter below, no person shall cut or remove, or cause to be cut or removed, any existing trees for the purpose of clear cutting or harvesting unless the cutting and removal can be accomplished in accordance with the provisions set forth in this Chapter.

298-6 Exemptions

The following shall be exempted from the requirements of this Chapter:

- A. Commercial nurseries or fruit orchards.
- B. Christmas tree farms.
- C. Any tree which is a part of a cemetery.
- D. Trees directed to be removed by the Town, County, State, and/or Federal authority, pursuant to law.
- E. Removal of hazard trees.
- F. Pruning or removal of street trees by utility companies and/or maintenance of utility wires or pipelines and/or the pruning of trees within sight easements.
- G. Trees removed in conjunction with the Right to Farm Act on qualifying farms.
- H. Parcels of land with a Forest Management Plan and/or Woodland Management Plan that has the required approval by the NJDEP Division of Forestry and/or the appropriate State agency. These plans are on file in the Tax Assessor's office.
- I. Trees being removed on a property for the purpose of constructing a firebreak that will create a strip of ground where vegetation will be removed to stop the progress of forest fires.
- J. Street trees which are required to be removed by property owners due to said trees interfering with driver sight distances and/or are dead or dying and need to be removed to preserve the public health, safety, and general welfare.
- K. Parcels of land with preliminary site plan or subdivision approval, major or minor. Removal of trees prior to Town Land Use Board approval is prohibited, unless it is part of a required site investigation, such as percolation test for septic system suitability.
- L. Trees to be removed as necessary to permit the construction of buildings, structures, decks, pools, driveways, septic field, lawn area for recreational use for the residents of the dwelling and any other improvements approved by way of a Zoning Permit issued by the Zoning Officer.
- M. Trees removed as required to install a new and/or repair an existing septic system as approved by the Sussex County Health Department or the New Jersey State Department of Environmental Protection.

298-7 Enforcement

This Chapter shall be enforced by the Newton Town Manager or his designee during the course of ordinary enforcement duties. It shall be unlawful for any reason to violate any part of this Chapter adopted by the Town of Council of the Town of Newton.

298-8 Violations and Penalties

- A. Any removal of trees that is not part of a Zoning Permit or Land Use Board approval or are exempt as defined in Section 298-6 above will be considered not permitted and disturbed areas will need to be restored in a manner approved by the Land Use Board by Resolution.

- B. Penalty. The General Provisions of the Town Code shall apply to any violation of the tree removal regulations contained in this Chapter.

Section 2. Severability:

Each section, subsection, sentence, clause, and phrase of this Section is declared to be an independent section, subsection, sentence, clause, and phrase and finding or holding of any such portion of this Section to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Chapter.

Section 3. Inconsistency/Repealer:

All prior ordinances or parts of the same inconsistent with any provisions of this Chapter are hereby repealed to the extent of such inconsistency only.

Section 4. Effective Date:

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

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

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

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

ORDINANCE 2024-24

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT CHAPTER 307 OF THE NEWTON TOWN CODE, ENTITLED "PARKING", MOST NOTABLY SECTION 307-6, ENTITLED "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS"; SECTION 307-7 "PARKING TIME LIMITED ON STREETS" AND ARTICLE XI, ENTITLED "SCHEDULES" WITHIN CHAPTER 307, MOST NOTABLY SECTION 307-49 "SCHEDULE II: PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS"

WHEREAS, the Town of Newton wishes to expand parking opportunities on the streets of Newton under certain limited conditions.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Town Council intends to amend, revise, and supplement certain provision of Chapter 307 of the Town Code of the Town of Newton, entitled "Parking" as follows:

- Chapter 307, Section 307-6, entitled "Parking Prohibited During Certain Hours on Certain Streets" is hereby amended, revised, and supplemented as follows:

"No person shall park a vehicle between the hours specified on any day (except Saturday, Sunday, or public holidays as established by the Town) upon any of the street or parts of streets described in Schedule II attached hereto and made a part of this chapter (see §307-49). Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in §307-69) and may be subject to impoundment."

- Chapter 307, Section 307-7, entitled "Parking Time Limited on Certain Streets" is hereby amended, revised and supplemented as follows:

"No person shall park a vehicle for longer than the time shown, at anytime between the hours listed on any day (except Saturday, Sunday, and public holidays as established by the Town) upon any of the streets or parts of streets described in Schedule III attached hereto and make a part of this chapter (see §307-50). Whenever a vehicle, which has already received a summons for a parking ordinance violation, exceeds the time permitted by twice the ordinance limit, the vehicle may be issued additional summonses (with increased penalty, as set forth in §307-69) and may be subject to impoundment."

- Article XI, "Schedules" within Chapter 307, Section 307-49, entitled Schedule II: Parking Prohibited During Certain Hours on Certain Streets" shall be amended, revised, and supplemented as to the specific entry listed below only:

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
All streets	Each	4:00 am to 6:00 am <u>(except Saturday, Sunday, and public holidays designated by the Town)</u>	Newton

All other provisions of Schedule II of §307-49 of the Newton Town Code shall remain in full force and effect as currently exist in the Town Code.

NOW THEREFORE, BE IT FURTHER RESOLVED THAT:

- Severability.** If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.
- Repealer.** All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.
- Effective Date.** This Ordinance will take effect after publication and passage according to law.

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

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

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

ORDINANCE 2024-25

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,545,000 FOR VARIOUS WATER/SEWER IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,545,000 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION

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

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Town of Newton, in the County of Sussex, New Jersey (the "Town") as a general improvement. For the said Improvement there is hereby appropriated the amount of an additional \$1,545,000. No down payments is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this Bond Ordinance.

SECTION 2:

In order to finance the additional cost of the Improvement, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$1,545,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Town are hereby authorized to be issued in the principal amount not exceeding \$1,545,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

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

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Useful Life
(1) Installation of a Programmable Logic Controller at the High Street Pump Station, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering (supplements Bond Ordinance 2023-08.)	\$335,000	\$335,000	40 Years
(2) Improvements to the Drinking Water Treatment Plants, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering	1,210,000	1,210,000	40 Years

(supplements Bond Ordinance 2023-08.).

TOTAL ALL PURPOSES	\$1,545,000	\$1,545,000
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(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$1,545,000.

(c) The estimated cost of the Improvement is \$1,545,000 which amount represents the initial appropriation made by the Town.

SECTION 4:

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

SECTION 5:

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

SECTION 6:

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

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

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Town, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$1,545,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$400,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This Bond Ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 7:

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

SECTION 8:

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

SECTION 9.

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

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Town reasonably expects to pay expenditures with respect to the Improvement prior to the date that Town incurs debt obligations under this Bond Ordinance. The Town reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Town under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$1,545,000.

SECTION 11:

Bond Ordinance #2024-20 adopted July 15, 2024 is hereby cancelled.

SECTION 12:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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

ORDINANCE 2024-26

AN ORDINANCE PROVIDING FUNDING FOR THE ACQUISITION OF A FIRE TRUCK FOR THE TOWN OF NEWTON AND APPROPRIATING \$10,500 FOR SUCH PURPOSE

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

Mr. Dickson	Yes	Mrs. Diglio	Yes
Deputy Mayor Le Frois	Yes	Mrs. Teets	Yes
	Mayor Couce	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 Wednesday, October 16, 2024 at 7:00 pm.

ORDINANCE 2024-27

AN ORDINANCE PROVIDING FUNDING FOR RENOVATIONS TO FIREHOUSE #1 FOR THE TOWN OF NEWTON AND APPROPRIATING \$32,500 FOR SUCH PURPOSE

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

Mr. Dickson	Yes	Mrs. Diglio	Yes
Deputy Mayor Le Frois	Yes	Mrs. Teets	Yes
	Mayor Couce	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 Wednesday, October 16, 2024 at 7:00 pm.

CONSENT AGENDA

Mayor Couce 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 #225-2024*

“Concur with the Recommendation of the Utility Advisory Board in Allocating Water and Sewer Connection Fees for Block 9.06, Lot 12”

WHEREAS, at a regular meeting of the Newton Utility Advisory Board conducted on August 20, 2024, an application was submitted to add one (1) residential apartment to 43 Trinity Street; and

WHEREAS, David Simmons, the Town's Water Engineer, submitted a report to the Newton Utility Advisory Board dated August 7, 2024, outlining all conditions for the project and his calculations for connection fees for one residential apartment as follows:

Water Connection fees of \$5,058.00 Per Dwelling Unit

Sewer Connection fees of \$6,550.00 Per Dwelling Unit

WHEREAS, the Newton Utility Advisory Board agrees with Mr. Simmons calculations and conditions with allowing 43 Trinity Street one (1) residential apartment at a fee of \$11,608.00 due at the time of issuance of the construction permit;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body hereby concurs with the recommendations of the Newton Utility Advisory Board and conditionally approves the fees set forth above.

RESOLUTION #226-2024*

“Concur with the Recommendation of the Utility Advisory Board in Allocating Water and Sewer Connection Fees for Block 5.01, Lot 24”

WHEREAS, at a regular meeting of the Newton Utility Advisory Board conducted on August 20, 2024, an application was submitted to add nine (9) residential apartments to 59-61 High Street; and

WHEREAS, David Simmons, the Town's Water Engineer, submitted a report to the Newton Utility Advisory Board dated August 7, 2024, outlining all conditions for the project and his calculations for connection fees for nine (9) residential apartments as follows:

Water Connection fees of \$5,058.00 Per Residential Unit X 9 units totaling \$45,522.00

Sewer Connection fees of \$6,550.00 Per Residential Unit X 9 units totaling \$58,950.00

Credit for existing Water & Sewer \$17,561.60

WHEREAS, the Newton Utility Advisory Board agrees with Mr. Simmons calculations and conditions with 59-61 High Street nine (9) residential apartments at a fee of \$86,910.40 due at the time of issuance of the construction permit;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body hereby concurs with the recommendations of the Newton Utility Advisory Board and conditionally approves the fees set forth above.

RESOLUTION #227-2024*

“Authorize Refund/Cancellation of Taxes; Block 22.05, Lot 13.02 C0506, for a 100% Disabled Veteran Exemption”

WHEREAS, Kevin Mulholland owns Block 22.05, Lot 13.02 C0506, also known as 12 Gregg Court, Newton, New Jersey; and

WHEREAS, the Municipal Tax Assessor has granted a 100% Disabled Veteran Tax Exemption on August 14, 2024 for the property owner; and

WHEREAS, the Tax Collector has determined the 2024 tax amount to be refunded is \$1,259.78 and the tax amount to be cancelled is \$3,911.29;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges a refund is due to Kevin Mulholland in the total amount of \$1,259.78 which is retroactive to August 1, 2024 and the tax amount of \$3,911.29 needs to be cancelled and this is the result of a 100% Disabled Veteran Tax Exemption; and

BE IT FURTHER RESOLVED, the Treasurer be authorized to issue a check in the total amount of \$1,259.78 to Kevin Mulholland, 12 Gregg Ct., Newton, NJ 07860, and the Tax Collector be authorized to cancel a portion of the 2024 taxes in the amount of \$3,911.29.

RESOLUTION #228-2024*

“Authorizing the Award of the Bid for the Proposed Sidewalk Improvements to Water Street (Route 206 and N.J.S.H. Route 94) Project”

WHEREAS a need exists for the bid for the project known as Proposed Sidewalk Improvements to Water Street (Route U.S. 206 & N.J.S.H. Route 94); and

WHEREAS the Town advertised and received bids in a fair and open manner consistent with N.J.S.A. 19:44A-20.5 and N.J.S.A. 40A:11-1 et. Seq.; and

WHEREAS the Town received four (4) bids on August 27, 2024, at 11:00 AM to wit:

NAME OF BIDDER	Terra Ferma Contracting Corp.	Ponofino Builders, LLC	Tony's Concrete Construction Co., Inc.	Messercola Excavating Co., Inc.
TOTAL BID	\$162,706.00	\$188,002.00	\$229,392.00	\$233,154.00

WHEREAS, Terra Ferma Contracting Corp., 220 Jackson Avenue, Hackensack, New Jersey 07601, was determined to be the lowest responsible bidder in accordance with N.J.S.A. 40A:11-4a; and

WHEREAS, the Chief Municipal Financial Officer has certified funds are available to support the award as per the attached certification;

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

1. The Town Council of the Town of Newton hereby awards the Proposed Sidewalk Improvements to Water Street (Route U.S. 206 & N.J.S.H. Route 94) bid to Terra Ferma Contracting Corp., 220 Jackson Avenue, Hackensack, New Jersey 07601, in the amount of \$162,706.00.

RESOLUTION #229-2024*

“Authorize the Award of a Required Disclosure Contract for Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., for Morris Lake Water Treatment Plant Chemical Room Rehabilitation”

WHEREAS, the Town of Newton requires the services of a qualified Sewer Engineer for the Town of Newton for the "Morris Lake Water Treatment Plant Chemical Room Rehabilitation" pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the services will exceed \$17,500; and

WHEREAS, Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., has submitted a proposal for said project in the amount of \$46,840.00; and

WHEREAS, Frederick J. Margron, has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Municipal Financial Officer has certified funds are available as per the attached certification;

NOW, THEREFORE BE IT RESOLVED, the Town Council of the Town of Newton authorizes the Newton Town Manager to enter into a contract with Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., not to exceed \$46,840.00 for "Morris Lake Water Treatment Plant Chemical Room Rehabilitation"; and

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

RESOLUTION #230-2024*

"Authorize the Award of a Required Disclosure Contract for Frederick J. Margron, P.E., REM, CEA, of the Firm Professional Consulting, Inc., for Morris Lake Water Treatment Plant Clearwell and High Street Tank Cleaning"

WHEREAS, the Town of Newton requires the services of a qualified Sewer Engineer for the Town of Newton for the "Morris Lake Water Treatment Plant Clearwell and High Street Tank Cleaning" pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, Sean Canning, Q.P.A., of the Canning Group, LLC, Newton's Qualified Purchasing Agent, has determined and certified in writing the value of the services will exceed \$17,500; and

WHEREAS, Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., has submitted a proposal for said project in the amount of \$25,760.00; and

WHEREAS, Frederick J. Margron, has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form which certifies Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one (1) year, and the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Municipal Financial Officer has certified funds are available as per the attached certification;

NOW, THEREFORE BE IT RESOLVED, the Town Council of the Town of Newton authorizes the Newton Town Manager to enter into a contract with Frederick J. Margron, P.E., REM, CEA, of the firm Professional Consulting, Inc., not to exceed \$25,760.00 for "Morris Lake Water Treatment Plant Clearwell & High Street Tank Cleaning"; and

BE IT FURTHER RESOLVED, the Business Disclosure Entity Certification and the Determination of Value be placed on file in the Clerk's office.

RESOLUTION #231-2024*

“Authorize a Credit Due a Water and Sewer Utility Account”

WHEREAS, the Water and Sewer Collector has determined the following Water and Sewer Utility Account is due a credit for the reason stated;

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

CREDIT FOR AN ACCOUNT THAT SHOULD BE IN FINAL STATUS:

<u>Account</u>	<u>Address</u>	<u>Amount</u>
1092259	Main Street	\$102.69

RESOLUTION #232-2024*

“A Resolution Authorizing Reimbursement for Lead Line Replacement for the Property Located at 27 Hillside Terrace, Block 2.01, Lot 56”

WHEREAS, pursuant to amendments to the Safe Drinking Water Act, N.J.S.A. 58:12A-40 et. seq., the Town of Newton (“Town”) adopted Ordinance No. 2024-19, which amended and supplemented Chapter 228 of the Town Code with the addition of Section 228-32, entitled “Lead Service Line Replacement”; and

WHEREAS, pursuant to Ordinance No. 2024-19 and the Town Lead Service Line Replacement Program, the owner of the property located at 27 Hillside Terrace, Block 2.01, Lot 56 (“Property”) has made application to the Town for reimbursement of the funds expended in order to replace the lead service line located at the subject Property; and

WHEREAS, the Town, having reviewed the reimbursement application submitted, finds the application to be complete and in conformance with Ordinance No. 2024-19, Section 228-32 of the Town Code, and the Lead Service Line Replacement Program in that the owner of the subject Property has provided the required documentation accompanying the application to the satisfaction of the Town; and

WHEREAS, based upon the application and accompanying documentation, the Town of Newton finds the reimbursement request to be reasonable and desires to authorize same;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, State of New Jersey that it hereby finds the lead service line replacement reimbursement application submitted by the property owner of 27 Hillside Terrace, Block 2.01, Lot 56 to be complete and reasonable and hereby authorizes the reimbursement in the amount of Nine Thousand Two Hundred Seventy Five (\$9,275.00) dollars and No Cents to be issued to the property owner of 27 Hillside Terrace, Newton, New Jersey in the timeframes established for such reimbursement; and

BE IT FURTHER RESOLVED that the Town of Newton Chief Municipal Finance Officer be directed to take any and all necessary steps to issue the herein approved reimbursement in the amount of \$9,275.00.

RESOLUTION #233-2024*

“A Resolution Authorizing the Mayor and Municipal Clerk to Execute an Agreement for Purchase with the State of New Jersey, Department of Environmental Protection to Purchase Town Lands Located on the Town’s Official Tax Map as Block 23.01, Lots 1 and 3 (Sparta Avenue and Dogwood Drive-Rear)”

WHEREAS, the Town currently owns property known as Block 23.01, lots 1 and 3 (Sparta Avenue and Dogwood Drive – rear) within the Town of Newton; and

WHEREAS, pursuant to Town Ordinance 2024-15, the Town Council authorized the sale of such property set forth above to the State of New Jersey Department of Environmental Protection (NJDEP) for the sum of Twenty-Seven Thousand (\$27,000.00) Dollars; and

WHEREAS, on May 29, 2024 the Town Council adopted Ordinance No. 2024-15; and

WHEREAS, the NJDEP, through its Green Acres Program, has submitted an Agreement for Purchase Green Acres Program for Block 23.01, Lots 1 and 3, which the Town finds acceptable;

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

1. The Mayor and Municipal Clerk are hereby authorized to sign on behalf of the Town of Newton, an Agreement for Purchase Green Acres Program for Block 23.01, Lots 1 and 3, a copy of which is attached hereto; and
2. The Mayor and Town Manager are hereby authorized to sign, on behalf of the Town, any and all other documents necessary to effectuate the sale of Block 23.01, Lots 1 and 3 to NJDEP without further action of the Council; and
3. This Resolution shall take effect immediately; and

Upon adoption hereof, a fully executed Agreement shall be forwarded to Lauren J. Procida, Esq. Section Lead Legal and Transactional Operations and Public Land Administration, Legal, Regulatory and Legislative affairs, New Jersey State Department of Environmental Protection and Larry Fink, Team Builder, Green Acres State Land Acquisition Program.

RESOLUTION #234-2024*

“ Concur with the Town Manager’s Appointment of School Crossing Guards for the 2024-2025 School Year”

WHEREAS, New Jersey Statute 40A:9-154.1 states *“The governing body, or the chief executive, or the chief administrative officer, as appropriate to the form of government of any municipality, may appoint adult school crossing guards for terms not exceeding one year...”*;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager’s appointment of the following individuals as School Crossing Guards for the 2024-2025 school year.

- Cindy Bailey
- Carol Blanchard
- Peter Cannarozzi
- Angalee Decker
- Carolyn Dippel
- Pamela Fletcher
- Karl Hammerer
- Walter Hugg
- Edward Kampka
- Harry Kaplan
- Christine Lemke
- Barbara Philips
- Charles Reynolds, Jr.
- Joseph Ricciardo
- George Seyfarth
- Louis Slamer
- Ruth Stang
- Steven Stoll
- Robert Teets

RESOLUTION #235-2024*

“ A Resolution Authorizing the Release of the Performance Guarantees and Construction Payment Bond and Acceptance of Maintenance Bond and Environmental Maintenance Bond Posted by Paving Materials and Contracting, LLC for the Drainage Improvements at Babe Ruth Field at Memory Park”

WHEREAS, the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey (the “Town”) has previously awarded a contract with Paving Materials and Contracting, LLC for the project known as “Drainage Improvements at Babe Ruth Field at Memory Park” (the “Contract”); and

WHEREAS, the Town recently adopted Resolution #216-2024, which authorized Change Order No. 4 to the Contract and accepted the Contract and underlying project as final and complete, further authorizing the release of the retainage from the Contract in the amount of \$15,613.67; and

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Town of Newton to release performance guarantees posted by developer(s) when said improvements have been certified as complete by the Town Engineer; and

WHEREAS, the Town has indicated in Resolution #216-2024 that the Town Engineer has recommended accepting the Contract and underlying project as final and complete; and

WHEREAS, Paving Materials and Contracting, LLC has requested the release of the performance guarantees and construction payment bond posted for the subject Contract and has provided the Town with a maintenance bond and environmental maintenance bond; and

WHEREAS, the maintenance bond and environmental maintenance bond have been reviewed by the Town Attorney and found to be acceptable as to form and content;

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 performance guarantee and construction payment bond posted by Paving Materials and Contracting, LLC is hereby released, canceled, and discharged; and

BE IT FURTHER RESOLVED that the Town of Newton hereby accepts the maintenance bond and environmental maintenance bond posted by Paving Materials and Contracting, LLC.

RESOLUTION #236-2024*

“Approval of Extension of Contract with Firefighter One for Bid 8-2022 for Fire Apparatus Repair”

WHEREAS, there is a need for Fire Apparatus Repair in the Town of Newton; and

WHEREAS, the Town of Newton approved through Resolution #212-2022 a two (2) year contract award to Firefighter One, 34 Wilson Drive, Sparta, New Jersey, 07871; and

WHEREAS, the New Jersey Local Public Contracts Law at N.J.S.A.40A:11-15 allows for two (2), one (1) year extensions to bid contracts, or one (1), two (2) year extension to bid contracts; and

WHEREAS, it is the desire of the Town to extend the bid contract awarded through Resolution #212-2022 for an additional two (2) years under the tenets as found within Bid 8-2022; and

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

Firefighter One is authorized to enter a two (2) year contract extension from the date of this authorization to provide for Fire Apparatus Repair services in accordance with the auspices as contractually set forth within Bid 8-2022.

RESOLUTION #237-2024*

“Concur with the Town Manager’s Appointment of a Class II Officer – Miguel Aviles”

WHEREAS, within Chapter Thirty, Police Department, of the Code of the Town of Newton, NJ, it indicates the Town Manager may appoint Special Police Officers for a term not to exceed one (1) year;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body concurs with the Town Manager's appointment of the following individual as a Special Police Officer for calendar year 2024:

Class II

Miguel Aviles

RESOLUTION #238-2024*

“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

List of Bills - CLEARING/CLAIMS

Meeting Date: 09/11/2024 For bills from 08/30/2024 to 09/05/2024

Check#	Vendor	Description	Payment	Check Total
11506	4857 - ACCURATE LIFT SOLUTIONS	PO 66298 Autolift install/ inspection	2,700.00	2,700.00
11507	4805 - ADAMSON GARY	PO 65358 BAND FOR FALL FESTIVAL - OCTOBER 13TH, 2	700.00	
		PO 65358 BAND FOR FALL FESTIVAL - OCTOBER 13TH, 2	700.00	
		PO 65358 BAND FOR FALL FESTIVAL - OCTOBER 13TH, 2	1,600.00	3,000.00
11508	2799 - AFLAC	PO 66312 Aug 2024 - Vol Ben - Disability, Hospita	2,366.68	2,366.68
11509	3869 - AMERICAN FIDELITY ASSURANCE	PO 66314 AUG 2024 - Vol Benefits - LTD, Critical	669.80	669.80
11510	3868 - AMERICAN FIDELITY ASSURANCE COMPANY	PO 66313 FSA - Voluntary - AUG 2024	683.32	683.32
11511	4744 - APPRAISAL SYSTEMS INC.	PO 65999 2025 REASSESSMENT	5,000.00	5,000.00
11512	4448 - ATLANTIC URGENT CARE LLC	PO 66315 Post-Accident Screenings (Sept Invoice)	100.00	100.00
11513	3251 - BADGER METER, INC.	PO 65232 B: Agreement Beacon Mobile Hosting/ Wate	221.76	221.76
11514	4825 - BLESSING TREE SERVICE	PO 66220 Tree Removal: Hazard at WWTP	3,600.00	3,600.00
11515	3355 - BRAEN STONE SPARTA	PO 66256 DGABC/ Asphalt Disposal/ WATER MAIN/ Mas	8,946.03	8,946.03
11516	300 - BRIGHTSPEED	PO 65084 B: ALARM CIRCUITS A/C #309485585 HIGH ST	125.85	125.85
11517	2124 - BUCKMAN'S INC.	PO 65553 B: Pool Chemicals ACCT #NEWTON01	3,293.55	3,293.55
11518	702 - C W A LOCAL 1032	PO 66311 Police Dispatch Dues - AUG 2024	363.59	363.59
11519	265 - CHLORINATOR & INSTRUMENT., INC.	PO 66176 Replacement of Leaking Gas Chlorine Ejec	3,250.00	3,250.00
11520	3770 - CINTAS	PO 65075 B: FIRST AID SUPPLIES DPW/WS/TH Jan - De	246.77	
		PO 65076 B: Water Filtration/Cooler/Cleaning (J-D	270.00	
		PO 65076 B: Water Filtration/Cooler/Cleaning (J-D	90.00	606.77
11521	2697 - CIVIC PLUS LLC	PO 66322 Annual fee for Civic plus program	4,254.27	4,254.27
11522	2639 - COUNTY OF SUSSEX	PO 66284 3RD QTR & WSR TRUUP 23' 5% Pilot due to	9,710.69	9,710.69
11523	2639 - COUNTY OF SUSSEX	PO 66285 2ND QTR QTR 5% Pilot due to County	9,461.54	9,461.54
11524	155 - COYNE CHEMICAL CORP., INC.	PO 65288 B: Liq Hydroflusilic Acid (\$9500.00 @ \$2	850.84	
		PO 65385 B: CP-837 ZINC @ \$1.8344/lb - Jan 1, 202	1,344.08	
		PO 65392 B: Sodium Bisulfite 38% @ \$.5833/lb - Ja	699.96	2,894.88
11525	4827 - CTS LANGUAGE LINK	PO 66278 Interpretation Services	20.85	
		PO 66279 PD LANGUAGE SERVICES ACCT ID#32179	36.31	57.16
11526	4525 - DISA GLOBAL SOLUTIONS	PO 66310 Pre-Employment Screening - Sept 2024	216.00	216.00
11527	1707 - FINKLE, DANIEL	PO 66288 Reimburse Annual Software License Fee Ad	304.41	304.41
11528	2626 - GENERAL CODE, LLC	PO 66292 Code Book Update - Supplement No. 27	1,482.00	1,482.00
11529	4398 - GLOBAL RECYCLING SOLUTIONS LLC	PO 65080 B: Recycling Collection: Jan to Dec 2024	1,082.90	1,082.90
11530	789 - GNCC	PO 66275 Taste of Newton 2024 - 31 tickets	705.25	
		PO 66275 Taste of Newton 2024 - 31 tickets	1,309.75	2,015.00
11531	4856 - GUISEPPE SANTILLO	PO 66252 100% EXEMPT VET REFUND	724.43	724.43
11532	70 - HACH COMPANY	PO 66268 LAB SUPP'S	918.45	918.45
11533	230 - HAYEK'S MARKET INC.	PO 66286 Burgers, Dogs, and buns for BBQ	62.61	
		PO 66286 Burgers, Dogs, and buns for BBQ	116.28	178.89
11534	4859 - HOLLY JAMES	PO 66320 REFUND DOG ADOPTION FEE	300.00	300.00
11535	332 - J & D SALES & SERVICE,LLC.	PO 65024 WATER RECYLC MAINT RENEW 1/2024 - 12/202	250.00	250.00
11536	1271 - JCI JONES CHEMICALS, INC	PO 65184 B:Liq Gas Sulfer Dioxide (\$17,000 @ \$1.6	1,487.31	1,487.31
11537	113 - JCP&L	PO 65138 B: EV CHARGING STATION	1,005.77	1,005.77
11538	3029 - Jesco Inc.	PO 66158 Machine/ Equip Rental ACCT #33521	6,000.00	6,000.00
11539	3772 - JK HVAC SERVICE, LLC.	PO 66231 Townhall Rpr Air Conditioning System	5,056.71	5,056.71
11540	3644 - JOHNNY ON THE SPOT, LLC.	PO 65275 Park Porta John Rental - Jan to Dec 2024	618.78	618.78
11541	2569 - KIEFFER ELECTRIC, INC.	PO 66270 MORRIS LK / Trace Electrical for Turbidi	1,470.00	1,470.00
11542	2278 - LANGUAGE LINE SERVICES, INC.	PO 64970 B: TRANSLATION SERVICES Acct #9020910058	3.40	3.40
11543	4356 - LENOVO	PO 66246 THINKPAD #46-465534921	1,300.32	1,300.32
11544	2300 - LOWE'S , INC.	PO 66234 Supplies for Building Main/ Townhall	14.23	14.23
11545	1566 - MAIN POOL & CHEMICAL COMPANY, INC.	PO 65285 B:Liq Sodium Carbon. 15% (\$123,300 @ \$1.	5,480.00	
		PO 65287 B: Liq Sodium Hypochlorite (\$29,250 @ \$3	2,145.00	7,625.00
11546	409 - MINISINK PRESS INC	PO 66269 POSTCARDS	86.00	86.00
11547	53 - MONTAGUE TOOL & SUPPLY, INC.	PO 66297 Mason Avenue Water Main Project /Ord #20	1,079.57	1,079.57
11548	3847 - NAPA	PO 66301 Mason Avenue Water Main Project /Ord #20	425.00	
		PO 66301 Mason Avenue Water Main Project /Ord #20	2.19	427.19
11549	700 - NEWTON PATROLMANS ASSOCIATION	PO 66308 PBA DUES - AUG 2024	900.00	900.00
11550	1745 - NEWTON SUPERIOR OFFICERS	PO 66307 SOA DUES - AUG 2024	420.00	420.00
11551	213 - NEWTON VETERINARY HOSPITAL	PO 66274 ACO MEDICAL SERVICES	647.34	647.34
11552	2835 - NJMEBF	PO 66290 MEDICAL/DENTAL - AUG 2024	159,924.71	
		PO 66290 MEDICAL/DENTAL - AUG 2024	31,400.00	
		PO 66290 MEDICAL/DENTAL - AUG 2024	28,194.29	219,519.00
11553	4681 - NORTHEAST COMMUNICAITONS INC.	PO 65173 PD VEHICLE UPFITTING Quote #5141	77.96	

List of Bills - CLEARING/CLAIMS

Meeting Date: 09/11/2024 For bills from 08/30/2024 to 09/05/2024

Check#	Vendor	Description	Payment	Check Total
		PO 65173 PD VEHICLE UPFITTING Quote #5141	6,008.11	
		PO 66281 2017 DURANGO PD VEHICLE REPAIR	553.13	6,639.20
11554	4383 - OPTIMUM	PO 64956 B: DIGITAL CONVERTERS & DTA'S	79.85	79.85
11555	64 - PELLOW, HAROLD & ASSO, INC.	PO 64047 Fire House 1 Project	391.00	
		PO 64987 B: WATER ENGINEER (not to exceed \$55,000	1,963.00	
		PO 65643 GREEN ACRES ROSI SUBMISSION	71.00	
		PO 66283 ENGINEERING -JUNE	1,706.00	
		PO 66283 ENGINEERING -JUNE	12,322.52	
		PO 66283 ENGINEERING -JUNE	142.00	16,595.52
11556	64 - PELLOW, HAROLD & ASSO, INC.	PO 66316 2025 NJDOT MT VIEW PLAMER & TRINITY ST R	1,855.75	1,855.75
11557	4204 - PLANET NETWORKS INC.	PO 64910 Security Cameras/ Upper Memory Park /	35,000.00	
		PO 64951 B: PHONE SYSTEM HOSTING/INTERNET/LICENSE	2,766.05	37,766.05
11558	4737 - PMC ASSOCIATES, INC.	PO 65176 RADIO EQUIPMENT	373,554.15	373,554.15
11559	3435 - PRIME LUBE, INC.	PO 66240 Automotive Oil/ Antifreeze, Hydraulic Pu	1,582.11	1,582.11
11560	4126 - PROFESSIONAL CONSULTING INC.	PO 64963 B: SEWER ENGINEER (\$179/HR NOT TO EXCE	2,790.00	
		PO 66325 W/S ENGINEERING -AUG	6,840.00	
		PO 66325 W/S ENGINEERING -AUG	2,055.00	11,685.00
11561	4425 - Reliance Standard Life Insurance Co	PO 66293 FIRE ACC/LIFE INS - Sept 2024	261.50	261.50
11562	4830 - SEARCH GEEK SOLUTIONS LLC	PO 65682 SEO Plan - Implementation and monthly se	1,416.67	1,416.67
11563	611 - SEBRING AUTO PARTS, INC.	PO 65280 B: Auto Spls/Rprs	326.12	
		PO 65280 B: Auto Spls/Rprs	244.28	570.40
11564	3872 - SERVPRO OF NORTHERN SUSSEX COUNTY	PO 66244 RECON WTP 8/11/24 EMERGENCY	50,205.00	50,205.00
11565	718 - STAMP FULFILLMENT	PO 66287 PREPAID POSTAGE ENVELOPES	1,345.60	
		PO 66287 PREPAID POSTAGE ENVELOPES	1,321.20	2,666.80
11566	2257 - STAPLES	PO 64972 B: NPD OFFICE SUPPLIES	99.16	99.16
11567	146 - STATE OF NEW JERSEY - PWT	PO 66289 3rd QUARTER WATER TAX	437.20	437.20
11568	2310 - SUSSEX COUNTY ENGINEERING DIVISION	PO 66295 Street Signs/ WTP Signage	98.12	98.12
11569	130 - SUSSEX COUNTY P & H, INC.	PO 65100 B: PLUMBING SUPPLIES	434.17	
		PO 65100 B: PLUMBING SUPPLIES	517.02	951.19
11570	371 - T.A. MOUNTFORD COMPANY, INC.	PO 66296 DPW COPIER ANNUAL SVC CONTRACT 8/2024 to	375.00	375.00
11571	4278 - TEXAS LIFE INSURANCE COMPANY	PO 66305 AUG 2024 - Life Insurance	88.45	88.45
11572	676 - THE EQUITABLE	PO 66309 Equitable - Def Comp - Aug 15	5,895.00	5,895.00
11573	2025 - THOMSON REUTERS -WEST	PO 66271 2024 NJ Criminal/MV Law Book	363.00	363.00
11574	2675 - TIRE KING, INC.	PO 66235 4 - Tires Cooper Road & Trail/ Chiefs Tr	916.00	916.00
11575	4814 - TNS CONSTRUCTION, LLC.	PO 65394 FIRE HOUSE #1 RENOVATIONS	247,499.00	247,499.00
11576	3575 - TOYOTA WORLD OF NEWTON	PO 66260 CAMRY KEY AND SEAT TRIM	596.57	596.57
11577	2880 - TRACTOR SUPPLY	PO 65026 B: ACO EQUIP	351.46	
		PO 66294 Mason Avenue Water Main Project /Ord #20	46.97	398.43
11578	691 - TRANS WORLD ASSURANCE CO.	PO 66306 TWA - Voluntary Life - AUG 2024	400.00	400.00
11579	4013 - TRANSUNION ALTERNATIVE RISK & DATA,	PO 66317 ONLINE INVESTIGATION SERVICE acct #7971	150.00	150.00
11580	1151 - TREASURER, STATE OF NEW JERSEY	PO 66267 PERMIT TH & FIRE #1 GENERATOR PROG #836	1,770.00	1,770.00
11581	219 - TRI-STATE RENTALS, INC.	PO 66299 Kabota Parts CUST #206	43.76	43.76
11582	4767 - TROJAN TECHNOLOGIES CORP	PO 66222 WTP: Rosemount Sensor Rplment	2,803.51	2,803.51
11583	4130 - UNITED FIRE PROTECTION CORP.	PO 66152 Rpr - Batteries and Station Covers	1,345.00	
		PO 66233 F/U Visit Emergency Service Call - Syste	3,727.00	5,072.00
11584	1469 - UNIVERSAL SUPPLY GROUP INC.	PO 66300 Air Filter Rplmnt	478.08	478.08
11585	1257 - UNUM LIFE/DISABILITY INSUR	PO 66304 UNUM - Voluntary - LTD - AUG 2024	872.23	872.23
11586	2032 - UPS STORE	PO 65297 B: UPS SHIPPING	48.71	48.71
11587	2716 - UPSEU LOCAL 424J	PO 66303 DPW - Monthly Dues - AUG 2024	756.00	756.00
11588	1158 - VISION SERVICE PLAN	PO 66302 VISION - SEPT 2024	1,261.52	1,261.52
11589	2635 - W.B. MASON, INC.	PO 66272 Toner for Clerk and Registrar office CU	1,055.86	
		PO 66280 Office Supplies CUST #C1329496	277.09	1,332.95
11590	633 - WEIS MARKETS, INC.	PO 66266 Drinks and supplies for end of summer BB	17.13	
		PO 66266 Drinks and supplies for end of summer BB	31.80	48.93
11591	3726 - WITMER PUBLIC SAFTEY GROUP, iINC.	PO 66276 GLOCK 43X Quote #191216	845.70	845.70
	TOTAL			1,094,917.10

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
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Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-192-08-200-000	TOTAL G: OTHER SPECIAL ITEMS OF REVENUE			16,600.00	
01-194-08-100-000	TOTAL MISC REVENUE NOT ANTICIPATED			2,572.23	
01-201-20-100-200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	3,639.83			
01-201-20-120-200	TOWN CLERK'S OFFICE - OTHER EXPENSES	1,702.17			
01-201-20-121-200	ELECTIONS - OTHER EXPENSES	380.97			
01-201-20-150-200	ASSESSMENT OF TAXES - OTHER EXPENSES	5,000.00			
01-201-20-165-200	ENGINEERING - OTHER EXPENSES	2,920.75			
01-201-20-175-200	HISTORIC COMMISSION - OTHER EXPENSES	86.00			
01-201-23-210-200	OTHER INSURANCE PREMIUMS - OTHER EXPENSE	261.50			
01-201-23-220-300	EMPLOYEE GROUP INSURANCE - OTHER EXPENSE	161,186.23			
01-201-25-240-200	POLICE DEPARTMENT - OTHER EXPENSES	1,183.28			
01-201-25-252-200	EMERGENCY MANAGEMENT - OTHER EXPENSES	304.41			
01-201-26-290-200	ROAD REPAIR & MAINT - OTHER EXPENSES	3,361.88			
01-201-26-298-200	STORMWATER/FLOOD CONTROL - OTHER EXPENSE	142.00			
01-201-26-305-200	RECYCLING/SANITATION - OTHER EXPENSES	1,701.68			
01-201-26-310-200	BUILDINGS & GROUNDS - OTHER EXPENSES	10,981.06			
01-201-26-315-200	VEHICLE MAINTENANCE - OTHER EXPENSES	5,354.40			
01-201-27-330-200	BOARD OF HEALTH - OTHER EXPENSES	293.92			
01-201-27-331-200	OCCUPATIONAL HEALTH - OTHER EXPENSES	316.00			
01-201-27-340-200	ANIMAL CONTROL - OE	998.80			
01-201-28-370-200	RECREATION - OTHER EXPENSES	1,488.99			
01-201-28-371-200	SWIMMING POOL - OTHER EXPENSES	6,058.83			
01-201-31-460-200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	1,371.42			
01-201-43-490-200	MUNICIPAL COURT - OTHER EXPENSES	660.94			
01-201-44-900-000	CAPITAL IMPROVEMENTS - OTHER EXPENSES	499.00			
01-205-55-000-000	TAX OVERPAYMENTS			724.43	
01-260-05-100	DUE TO CLEARING			0.00	229,790.72
TOTALS FOR	CURRENT FUND	209,894.06	0.00	19,896.66	229,790.72
02-213-41-000	RESERVE FEDERAL/STATE GRANTS			374,970.82	
02-260-05-100	Due to Clearing			0.00	374,970.82
TOTALS FOR	STATE AND FEDERAL GRANTS	0.00	0.00	374,970.82	374,970.82
04-215-55-908-000	ORD 2022-13 SIDEWALKS RT 206/WATER ST			1,864.50	
04-215-55-918-000	ORD 2023-7 VAR CAP IMP.			294,714.38	
04-215-55-926-000	ORD 2024-11 VAR CAP IMP			4,641.75	
04-260-05-100	Due to Clearing			0.00	301,220.63
TOTALS FOR	GENERAL CAPITAL	0.00	0.00	301,220.63	301,220.63
08-215-55-910-000	ORD 2023-3 SPARTA AVE PS - NJIB			2,615.00	
08-215-55-912-000	ORD 2023-8 WATER IMP NJIB			2,055.00	
08-215-55-913-000	ORD 2023-11 SEWER IMP. NJIB			2,170.00	
08-215-55-915-000	ORD 2023-14 W&S MAIN IMP. NEW HAMPS.ST FF			6,000.00	
08-215-55-918-000	ORD 2024-8 VAR WS IMP.			10,497.57	
08-215-55-919-000	ORD 2024-9 VAR WS IMP. FF			142.00	
08-260-05-100	DUE TO CLEARING			0.00	23,479.57
TOTALS FOR	WATER/SEWER UTILITY CAPITAL	0.00	0.00	23,479.57	23,479.57
09-201-56-501-200	W&S OPERATING - TOTAL OTHER EXPENSES	68,014.00			
09-201-60-512-000	W&S CAP IMPROVE - CAPITAL OUTLAY	53,932.00			
09-260-05-100	DUE TO CLEARING			0.00	121,946.00
TOTALS FOR	WATER/SEWER UTILITY	121,946.00	0.00	0.00	121,946.00
20-260-05-100	Due to Clearing			0.00	41,609.36
20-291-55-075-001	UNION DUES - PBA			1,320.00	
20-291-55-075-002	UNION DUES - IUE #911			756.00	
20-291-55-075-003	UNION DUES - CWA #1032			363.59	
20-291-55-077	DEFERRED COMP - EQUITABLE			5,895.00	
20-291-55-080	TWA SAVINGS PLAN			400.00	
20-291-55-082-001	AFA LTD			303.72	
20-291-55-082-002	AFA Med FSA			266.66	

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
20-291-55-082-004	AFA Life Ins.			366.08	
20-291-55-082-005	AFA Texas Life			88.45	
20-291-55-082-006	AFA - DEPENDENT CARE FSA			416.66	
20-291-55-084	UNUM DISABILITY INS.			872.23	
20-291-55-086	HEALTH INS. EMPLOYEE			28,194.29	
20-291-55-087-001	AFLAC DISABILITY Post Tax			1,240.68	
20-291-55-087-002	AFLAC ACCIDENT Pre Tax			634.48	
20-291-55-087-003	AFLAC HOSPITAL Pre Tax			231.72	
20-291-55-087-004	AFLAC CANCER Pre Tax			259.80	
TOTALS FOR	PAYROLL	0.00	0.00	41,609.36	41,609.36
27-260-05-100	DUE TO CLEARING			0.00	300.00
27-288-56-100-000	RESERVE FOR ANIMAL CONTROL			300.00	
TOTALS FOR	ANIMAL TRUST	0.00	0.00	300.00	300.00
31-260-05-100	DUE TO CLEARING			0.00	1,600.00
31-287-56-107	RES RECREATION (ALL)			1,600.00	
TOTALS FOR	TRUST	0.00	0.00	1,600.00	1,600.00

Total to be paid from Fund 01 CURRENT FUND	229,790.72
Total to be paid from Fund 02 STATE AND FEDERAL GRANTS	374,970.82
Total to be paid from Fund 04 GENERAL CAPITAL	301,220.63
Total to be paid from Fund 08 WATER/SEWER UTILITY CAPITAL	23,479.57
Total to be paid from Fund 09 WATER/SEWER UTILITY	121,946.00
Total to be paid from Fund 20 PAYROLL	41,609.36
Total to be paid from Fund 27 ANIMAL TRUST	300.00
Total to be paid from Fund 31 TRUST	1,600.00

	1,094,917.10

Checks Previously Disbursed

240163	PAYROLL ACCOUNT	Gross Payroll	236,342.41	8/29/2024
240165	ELAVON, INC.	AUG COURT MERCHANT FEE	76.16	9/03/2024
240166	FEDERAL & STATE GRANT	PO# 66321 COVER GRANT UNTIL QTRLY MONIES COM	373,554.15	9/05/2024
240226	PAYROLL ACCOUNT	8/29 GRANT PAY	516.72	8/29/2024
240938	PAYROLL ACCOUNT	8/29 W/S PAY	52,731.05	8/29/2024
242062	POLICE & FIRE RETIREMENT SYSTEM	AUG PFRS to State	29,000.00	9/03/2024
242063	PUBLIC EMPLOYEE RETIRE SYSTEM	PERS to state -AUG	24,000.00	9/03/2024
243129	PAYROLL ACCOUNT	8/29 TRUST PAYROLL	12,544.00	8/29/2024

			728,764.49	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	609,972.72	229,790.72	839,763.44
Fund 02 STATE AND FEDERAL GRANTS	516.72	374,970.82	375,487.54
Fund 04 GENERAL CAPITAL		301,220.63	301,220.63
Fund 08 WATER/SEWER UTILITY CAPITAL		23,479.57	23,479.57
Fund 09 WATER/SEWER UTILITY	52,731.05	121,946.00	174,677.05
Fund 20 PAYROLL	53,000.00	41,609.36	94,609.36
Fund 27 ANIMAL TRUST		300.00	300.00
Fund 31 TRUST	12,544.00	1,600.00	14,144.00
BILLS LIST TOTALS	728,764.49	1,094,917.10	1,823,681.59

List of Bills - CLEARING/CLAIMS

Meeting Date: 08/29/2024 For bills from 08/16/2024 to 08/27/2024

Check#	Vendor	Description	Payment	Check Total
11467	1846 - ADVANCE AUTO PARTS	PO 66197 PD VEHICLE REPAIR	260.52	260.52
11468	3897 - AMAZON CAPITAL SERVICES	PO 65027 B: PD/DISPATCH SUPPLIES PARTICIPATING AG	99.87	
		PO 66090 B: ACO SUPPLIES	40.94	
		PO 66090 B: ACO SUPPLIES	95.03	235.84
11469	32 - B & R UNIFORM, INC.	PO 66242 PTL NAME TAG	22.95	22.95
11470	3355 - BRAEN STONE SPARTA	PO 66256 DGABC/ Asphalt Disposal/ WATER MAIN/ Mas	2,208.86	2,208.86
11471	300 - BRIGHTSPEED	PO 64953 B: LONG DISTANCE A/C #320421349 (SPLIT	58.21	
		PO 64954 B: LOCAL PHONE SVC A/C #310115975	2,001.74	
		PO 64954 B: LOCAL PHONE SVC A/C #310115975	1,246.80	3,306.75
11472	4723 - CRAFTY, KIM	PO 66254 Corn Hole Set	199.00	199.00
11473	4500 - CRYSTAL MOUNTAIN SPRINGS	PO 64938 B: WATER DELV	146.81	146.81
11474	4849 - FOX FURY LLC	PO 66134 Light System	169.99	169.99
11475	3318 - FREDON ANIMAL HOSPITAL	PO 65078 B: VETERINARY SERVICES	508.27	
		PO 65078 B: VETERINARY SERVICES	200.75	709.02
11476	4724 - GANNETT NEW YORK/NEW JERSEY LOCALIQ	PO 64958 B: ADVERTISING ACCT #704136	318.49	
		PO 64958 B: ADVERTISING ACCT #704136	16.43	334.92
11477	200 - GARDEN STATE LABORATORIES INC	PO 65554 B: Analytical Services for Pool	1,275.00	1,275.00
11478	4384 - GIBBONS P.C.	PO 66241 2024 NJIB PROJECT NOTES	7,351.63	7,351.63
11479	1608 - GOLD TYPE BUSINESS MACHINES	PO 66227 INFO-COP BACK TRACE SUBSCRIPTION	1,776.00	1,776.00
11480	230 - HAYEK'S MARKET INC.	PO 66032 GIFT BASKET	100.00	100.00
11481	1866 - HOME DEPOT, INC.	PO 66245 Roller Hockey Lumber & Supply List	9,354.10	9,354.10
11482	4620 - HQW ARCHITECTS, LLC.	PO 65387 FIRE HOUSE #1 RENOVATIONS ARCHITECTURAL	4,000.00	4,000.00
11483	113 - JCP&L	PO 64955 B: ELECTRIC	21,707.55	
		PO 64955 B: ELECTRIC	15,733.37	37,440.92
11484	1453 - JMP SECURITY LLC	PO 66237 PD LOCKS/KEYS/REPAIR	258.00	258.00
11485	4779 - KNOX ASSOCIATES INC	PO 66201 KNOX Box for Keys/ Lockbox	717.00	717.00
11486	391 - LOU'S GLASS & TRUCK ACCESSORIES LLC	PO 66147 Rpr/Broken Window	875.00	875.00
11487	62 - MGL FORMS - SYSTEMS, LLC.	PO 65876 TAX COLLECTOR SUPPLIES	66.00	66.00
11488	409 - MINISINK PRESS INC	PO 66238 Business Cards for Animal Control Office	140.00	140.00
11489	4851 - MITCHELL 1	PO 66232 PD VEHICLE REPAIR #3168301	1,500.00	
		PO 66232 PD VEHICLE REPAIR #3168301	1,236.00	2,736.00
11490	3926 - MOTOROLA SOLUTIONS, INC.	PO 64757 PORTABLE RADIO'S cust #1036830190	1,696.80	1,696.80
11491	311 - NJLM	PO 66239 2023 Annual Conference in Atlantic City	490.00	490.00
11492	4656 - PAULUS, SOKOLOWSKI & SARTOR LLC	PO 64962 B: ALTERNATE SEWER ENGINEER (NOT TO EXCE	5,712.50	
		PO 65137 B - Pump Station Consolidation	5,710.00	
		PO 65411 SAND FILTER REHAB	3,967.80	
		PO 65642 GREEN ACRES ROSI SUBMISSION	205.00	
		PO 66255 WWTP GEN & ATS REPLACEMENT -JULY	1,790.00	17,385.30
11493	2788 - PENTELEDATA	PO 64944 B: INTERNET -DPW & STP (2 modems)	159.95	
		PO 64944 B: INTERNET -DPW & STP (2 modems)	159.95	319.90
11494	4204 - PLANET NETWORKS INC.	PO 65050 B: Internet Access: Jan - Dec 2024- Wate	609.90	
		PO 65051 B: Internet Access: Jan - Dec 2024 Summi	99.95	
		PO 66257 OEM 1 year License - Aug 17 2024 - Aug 1	754.00	1,463.85
11495	61 - S K OFFICE SUPPLY INC.	PO 65007 B: SHREDDING	150.00	150.00
11496	3660 - SCHENCK, PRICE, SMITH, & KING, LLP	PO 65032 B: TAX APPEAL ATTORNEY (\$160/HR NOT TO	1,809.68	1,809.68
11497	2257 - STAPLES	PO 64972 B: NPd OFFICE SUPPLIES	225.05	225.05
11498	2257 - STAPLES	PO 65979 FINANCE OFFICE SUPP'S	255.25	255.25
11499	2257 - STAPLES	PO 66243 File Folders, Misc - HR	118.56	118.56
11500	2479 - TAYLOR OIL CO., INC.	PO 64946 B: DIESEL ACCT #01-0062714	4,822.70	4,822.70
11501	1218 - TCTANJ	PO 66048 TAX COLLECTOR WEBINAR	90.00	90.00
11502	2880 - TRACTOR SUPPLY	PO 65026 B: ACO EQUIP	40.77	
		PO 65026 B: ACO EQUIP	148.11	
		PO 65026 B: ACO EQUIP	34.57	223.45
11503	1151 - TREASURER, STATE OF NEW JERSEY	PO 66261 License Renewal - J. Carr - Program #587	50.00	
		PO 66262 License Renewal - J. Carr - Program #704	50.00	
		PO 66263 License Renewal - J. Carr - Program #606	50.00	
		PO 66264 License Renewal - J. Carr - Program #599	50.00	200.00
11504	2635 - W.B. MASON, INC.	PO 66248 Paper order - 2nd floor copier cust #c1	79.99	
		PO 66249 Toner -black and blue CUST #248607513	121.71	
		PO 66249 Toner -black and blue CUST #248607513	226.03	427.73
11505	633 - WEIS MARKETS, INC.	PO 65980 CONCESSION STAND FOOD	391.06	391.06

List of Bills - CLEARING/CLAIMS

Meeting Date: 08/29/2024 For bills from 08/16/2024 to 08/27/2024

Check#	Vendor	Description	Payment	Check Total	
TOTAL				103,753.64	
Summary By Account					
ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-200	TOWN MANAGER'S OFFICE - OTHER EXPENSES	306.03			
01-201-20-105-200	HUMAN RESOURCE - OTHER EXPENSES	138.56			
01-201-20-110-200	TOWN COUNCIL - OTHER EXPENSES	190.00			
01-201-20-120-200	TOWN CLERK'S OFFICE - OTHER EXPENSES	318.49			
01-201-20-130-200	FINANCE ADMINISTRATION - OTHER EXPENSES	19.99			
01-201-20-145-200	COLLECTION OF TAXES - OTHER EXPENSES	156.00			
01-201-20-150-200	ASSESSMENT OF TAXES - OTHER EXPENSES	60.00			
01-201-20-155-200	LEGAL SERVICES - OTHER EXPENSES	1,809.68			
01-201-21-180-200	PLANNING BOARD - OTHER EXPENSES	80.00			
01-201-21-181-200	COMMUNITY DEVELOPMENT - OTHER EXPENSES	60.00			
01-201-25-240-200	POLICE DEPARTMENT - OTHER EXPENSES	857.03			
01-201-25-250-200	COMMUNICATIONS CENTER - OTHER EXPENSES	1,998.23			
01-201-26-310-200	BUILDINGS & GROUNDS - OTHER EXPENSES	223.41			
01-201-26-315-200	VEHICLE MAINTENANCE - OTHER EXPENSES	1,760.52			
01-201-27-340-200	ANIMAL CONTROL - OE	1,138.44			
01-201-28-370-200	RECREATION - OTHER EXPENSES	199.00			
01-201-28-371-200	SWIMMING POOL - OTHER EXPENSES	1,275.00			
01-201-31-460-200	UTILITY EXP/BULK PURCH - OTHER EXPENSES	30,214.00			
01-203-25-240-200	(2023) POLICE DEPARTMENT - OTHER EXPENSES		1,696.80		
01-260-05-100	DUE TO CLEARING			0.00	42,501.18
TOTALS FOR	CURRENT FUND	40,804.38	1,696.80	0.00	42,501.18
04-215-55-918-000	ORD 2023-7 VAR CAP IMP.			9,354.10	
04-215-55-925-000	ORD 2024-4 FIRE HOUSE 1 RENOVATIONS			4,000.00	
04-260-05-100	Due to Clearing			0.00	13,354.10
TOTALS FOR	GENERAL CAPITAL	0.00	0.00	13,354.10	13,354.10
08-215-55-912-000	ORD 2023-8 WATER IMP NJIB			805.00	
08-215-55-913-000	ORD 2023-11 SEWER IMP. NJIB			10,662.80	
08-215-55-918-000	ORD 2024-8 VAR WS IMP.			2,208.86	
08-215-55-920-000	ORD 2024-10 VARIOUS WS VEHICLE ACQUISITIONS			7,351.63	
08-260-05-100	DUE TO CLEARING			0.00	21,028.29
TOTALS FOR	WATER/SEWER UTILITY CAPITAL	0.00	0.00	21,028.29	21,028.29
09-201-56-501-200	W&S OPERATING - TOTAL OTHER EXPENSES	26,479.01			
09-260-05-100	DUE TO CLEARING			0.00	26,479.01
TOTALS FOR	WATER/SEWER UTILITY	26,479.01	0.00	0.00	26,479.01
31-260-05-100	DUE TO CLEARING			0.00	391.06
31-287-56-107	RES RECREATION (ALL)			391.06	
TOTALS FOR	TRUST	0.00	0.00	391.06	391.06

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
Total to be paid from Fund 01	CURRENT FUND	42,501.18			
Total to be paid from Fund 04	GENERAL CAPITAL	13,354.10			
Total to be paid from Fund 08	WATER/SEWER UTILITY CAPITAL	21,028.29			
Total to be paid from Fund 09	WATER/SEWER UTILITY	26,479.01			
Total to be paid from Fund 31	TRUST	391.06			

		103,753.64			

Checks Previously Disbursed

240163	PAYROLL ACCOUNT	Gross Payroll	236,342.41	8/29/2024
240226	PAYROLL ACCOUNT	8/29 GRANT PAY	516.72	8/29/2024
240938	PAYROLL ACCOUNT	8/29 W/S PAY	52,731.05	8/29/2024
243129	PAYROLL ACCOUNT	8/29 TRUST PAYROLL	12,544.00	8/29/2024

			302,134.18	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	236,342.41	42,501.18	278,843.59
Fund 02 STATE AND FEDERAL GRANTS	516.72		516.72
Fund 04 GENERAL CAPITAL		13,354.10	13,354.10
Fund 08 WATER/SEWER UTILITY CAPITAL		21,028.29	21,028.29
Fund 09 WATER/SEWER UTILITY	52,731.05	26,479.01	79,210.06
Fund 31 TRUST	12,544.00	391.06	12,935.06
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BILLS LIST TOTALS	302,134.18	103,753.64	405,887.82
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RESOLUTION #239-2024*

“Approve Participation with the State of New Jersey in a Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department of Law and Public Safety”

WHEREAS, the Town of Newton wishes to apply for funding in the amount of \$19,423.00 with a match of \$58,618.00 by the Town for an approximate project total cost of \$78,041.00 for a project under the New Jersey Safe and Secure Communities Program (Grant #No. 25-1915) for the project duration of March 14, 2025 to March 13, 2026; and

WHEREAS, the Town Council of the Town of Newton has reviewed the application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Town of Newton for the purpose described in said application;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that:

- 1) As a matter of public policy, the Town of Newton wishes to participate to the fullest extent possible with the Department of Law and Public Safety; and
- 2) The Attorney General will receive funds on behalf of the applicant; and
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the application for said funds; and
- 4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

BE IT FURTHER RESOLVED, that the Town Manager of the Town of Newton is hereby authorized to accept and execute any and all documents necessary to effectuate the funding for the Safe and Secure Communities Program Grant No. 25-1915.

Application*

An Application for a Special Permit for a Social Affair from the Greater Newton Chamber of Commerce to be held on October 13, 2024, from Noon to 3:00pm in Central Plaza Lot No. 4, Newton

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

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

Mr. Dickson	Yes	Mrs. Diglio	Yes*
		(*No to Resolution #229-2024 and 230-2024)	
Deputy Mayor Le Frois	Yes	Mrs. Teets	Yes
	Mayor Couce	Yes	
	(abstain checks #11512 and 11494)		

OPEN TO THE PUBLIC

Mayor Couce opened the meeting to the public.

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

EXECUTIVE SESSION

Mayor Couce 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 5, 2024."

Mayor Couce stated he would accept a motion to enter Executive Session under a Resolution providing for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12, item 1.

Mr. Bernstein stated before the Council adopts, part of this Resolution was a carry from the August 19, 2024 Executive Session which we are going to ask continues to be carried to Monday, September 23, 2024. I have a very brief Attorney-Client privilege update before you get to the Contract Negotiations.

Upon motion by Mr. Dickson and seconded by Mrs. Diglio and unanimously carried, Council entered Executive Session at 8:10pm.

Upon motion of Mrs. Teets seconded by Mrs. Diglio and unanimously carried, Council left Executive Session at 8:43pm.

Mayor Couce asked that the record reflect that all members of the Governing Body are present for the recommencement of the open session, Deputy Mayor Le Frois is on the phone, the Town Manager and the Deputy Town Clerk are also present. The Town Attorney left before the Contract Negotiations discussion in Executive Session.

ADJOURNMENT

There being no further business to be conducted, upon a motion by Mrs. Diglio seconded by Mrs. Teets and unanimously carried, the regular meeting was adjourned at 8:44pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Kathryn Alcock". The signature is written in a cursive, flowing style.

Kathryn E. Alcock, RMC
Deputy Municipal Clerk