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The special meeting of the Town Council of the Town of Newton was held on the above date at 7:00 p.m. Present were Deputy Mayor Elvidge, Mr. Flynn, Mrs. Le Frois, Mrs. Diglio, Mayor Levante and Acting Deputy Town Manager, Chief Michael Richards. Ursula Lea, Esq., Town Attorney was also present.

Deputy Mayor Elvidge made the following declaration that "in accordance with the Open Public Meetings Act, notice of this special meeting was given to the two newspapers of record and posted on the official bulletin board on March 1, 2018."

Deputy Mayor Elvidge asked Mayor Levante to verbally confirm that he would not run the meeting. Mayor Levante stated since "you called the meeting, you can run it".

Chief Michael Richards read from a prepared statement.

"On Monday, February 26, 2018, Town Manager Thomas Russo issued a memorandum to Department Heads that, pursuant to the Town Code, he was designating me to serve as the temporary Deputy Town Manager during his upcoming absence which was scheduled to be from Sunday March 4<sup>th</sup> to Tuesday March 6<sup>th</sup> while he was out of state on pre-planned personal family matter.

During my appointment, I am responsible for performing any necessary duties of the Town Manager while he is temporarily absent.

On Thursday March 1, 2018, I was informed that a special meeting of the Town Council had been requested and was scheduled for Monday March 5<sup>th</sup>. Shortly after I learned of the special meeting being planned, Mayor Levante requested additional police officers attend and that the metal detector be used.

Though I'm unaware of there being any threats or security concerns; out of an abundance of caution, I assigned additional staff and directed the use of the metal detector. We appreciate everyone's patience and understanding; however there is no reason to be alarmed.

My role tonight, wearing two hats and that of our Officers is to help ensure that this meeting is conducted safely and in an orderly fashion. As always, the Council wants to hear and encourages public comment and participation.

With that in mind, I ask everyone to please respect the procedures to be outlined for comments and to kindly remain civil throughout the process of our governing body transacting public business tonight. Thank you."

#### **OPEN TO THE PUBLIC**

Deputy Mayor Elvidge made 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 5 minutes. The 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."

Deputy Mayor Elvidge opened the meeting to the public.

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Ray Morris, 34 Dogwood Drive, read from a prepared statement.

"I'd like to join with these people in their advocacy for freedom of speech because the Mayor absolutely has the right to speak his mind as do I.

For months many of these folks have been calling for me to resign in disgrace for questioning the merits of a county wide school system.

They have stated that I should be held to a higher standard when exercising my rights and so I have to ask Mr. Mayor...to what standards should you be held?

How about simple common decency?

Posting those videos was reprehensible.

Posting them as Mayor of Newton connected them to Newton residents like me and we are appalled and embarrassed.

And if you were honest about wanting to start a conversation you would not have taken it down.

Yes it was your personal page but you clearly state that you are the Mayor of Newton.....and let's face it.....you have spent the past 8 months starting with the Trader Joe's scam shouting from the mountain tops that you are the Mayor of Newton.....and probably have reached your stated goal that you are the most popular politician in Sussex County!!

I am outraged by anyone who questioned the genuineness of those students' pain.

I have actually been an employed educator for the past 44 years working with high school and college students as their counselor.

The most challenging days of my career were spent helping teenagers deal with the agony of losing their friends, classmates, and siblings. It ripped the heart of them, their family, the faculty and the community. So yes.....you're posting hit a nerve with me.

The day before your posting I had seen the video as part of a report about a Republican Florida Legislator who fired his Aide for sharing that same video.....he chose to immediately apologize for his terrible error in judgement.....He didn't double down and mockingly post another one asking if that one was insensitive too..

He chose common decency.

As part of that report Republican Senator Marco Rubio called people who posted those videos.

Disgusting idiots.

You had every opportunity to display some indication of having a moral compass.

Instead you chose to spend the rest of the week ranting about CNN, classroom discipline, things that you found odd about those students, the Board of Ed mafia.

In short you chose to do everything possible to prove to the people of Newton that you aren't the disgusting idiot that Senator Rubio said you are.

I have attended 5 public open meeting since the massacre in Florida.

All 5 chose to open with a reference to the shootings.....you chose to open last week's council meeting with a pathetic self-serving defensive rant about the media that you insisted be printed word for word in the Herald.

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At each of the other meetings the leader at the podium chose to exercise their freedom of speech by calling for a moment of silence. Thank you".

Karen Hardin-Kitchell, Lafayette, NJ, addressed concern with the Town Council's controversy and is "embarrassed of Newton".

Francis Kudasik, 17 Foster Street, Newton, expressed her concerns with the comments of Mayor Levante on social media surrounding the Parkland school shooting. Although Ms. Kudasik has supported Mayor Levante, she does not condone or support his recent comments or his motive to have a member of the media removed from his job.

A resident of Condit Street, feels that the Mayor "fell into a trap" regarding the school shooting narrative and should have known better.

George Lightcap, 196 Main Street, read from a prepared statement:

"Did our mayor at least Google or question or investigate the source, 'Donald Trump Commander in Chief 2020?' Does he consider *that* a legitimate news source, one more trustworthy than CNN...or even Fox? Before posting such an incendiary accusation to his Facebook page, did he at the very least Google 'Donald Trump Commander in Chief 2020?' Had he followed even this most elementary procedure of research, he'd have found the third Google listing to be a *New York Times* article, 'How Fake News Goes Viral,' from November 20, 2016, that mentioned this very same site. Does that not at least raise one of your eyebrows, Mr. Mayor? Does that not inspire even a scintilla of the doubt you place upon 'the media?' It doesn't appear to be supported by the president's re-election committee, doesn't appear to have any legitimate source. It sadly appears that the extent of our mayor's critical/analytical thinking skills is limited to clicking 'share.' Thought 'Donald Trump Commander in Chief 2020' claims it's based Orlando, Florida, who's to say if our mayor isn't himself being 'played' by some incendiary fake news generated somewhere in Russia? Funny how he can express his distrust of CNN-and even Fox! – and so readily-apparently enthusiastically-accept a stupid, cruel, insensitive, adolescently-ignorant Facebook post without the due diligence of investigating the source. Ironic. And sad."

John McGuigan, 10 Emmons Avenue, stated his disappointment with the Mayor's actions and supports the Resolution #71-2018, to censure Mayor Wayne Levante.

Rev. Todd R. Lattig, Pastor of First United Methodist Church of Newton, read from a prepared statement:

"First, my heart-felt prayers and condolences go out to the victims and residents of Parkland, FL. While empty prayers are not enough, surely prayers that lead to just actions that make our communities, our children, and our most vulnerable safer and powerful prayers indeed. I believe in the power of prayer to affect the hearts of those praying, which in turn affects the world around us.

I would also like to point out that the United Methodist Church, in its Social Principles, 'affirms the right of (all People) to live free from violence and abuse,' and the United Methodist Church also urges 'governments to enact policies that protect (all people) against all forms of violence and discrimination in any sector of society.' (The Book of Discipline of the United Methodist Church 2016, 162.F-G).

As the pastor of First United Methodist Church of Newton, serving the Town of Newton, I recognize that I am a spiritual guide and pastor of people on all sides of any given issue. My role as pastor is not to provide political opinions, but spiritual and moral

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guidance.

My concern is that we, as leaders and/or residents of Newton, be cautious in making decisions off of emotional response. Rash, knee-jerk decisions rarely lead to constructive, positive places. I believe we all ought to ask ourselves what is our end goal? What are we seeking to achieve? In the wake of the Parkland, FL shootings, I would imagine our goal is to protect all of our children from gun violence, or any violence, in our schools and in our society. If that is our end goal, we then have to ask how is this helping us accomplish that goal?

My prayer for Newton is that we all pause, be thoughtful and find ways of working together (despite differing opinions) so that we can find solutions to build a safer, stronger and more inclusive community. Thank you".

Sandy, a resident on Ashford Street, read from a prepared statement:

"Wayne Levante, the Mayor of Newton, posted a link on his personal social media page associated with a vile conspiracy theory suggesting that one of the survivors from the Parkland mass shooting is an actor. When many in our community spoke out about this, he made the decision to call concerned citizens "trolls" for condemning his choice to share such a post and attempted to redirect the conversation into something it was not.

Mr. Levante: The community takes issue with your posting a link that implies a traumatized child is an actor. We aren't concerned about your gun control stance in this conversation. You have a right to free speech and a personal social media page, but as a community leader, for the Town of Newton and for the students you teach, you should be diligent in confirming the sources you share. Your comment of "something just isn't authentic with this kid" within the first online thread would imply that you found some validity in the drivel you posted. That is an issue. Furthermore, if your post, as you claim, was merely to facilitate discussion about the media's ability to skew narrative, why out of innumerable article choices, did you choose to share the one that you did? As a mother, an educator, and a resident of Newton I demand better from my elected public officials.

Great leaders know when to admit a mistake. Mr. Levante irresponsibly shared a link that falsely accused a child that just went through a horrific event as being an actor. This child and his family are now receiving death threats after surviving a school shooting, because of people like Mr. Levante perpetuating falsities through social media. Mr. Levante has not backed down or apologized for his behavior. Rather, he has continued to be confrontational in his online postings towards citizens, reputable reporters, and the free press. This is not a partisan politics issue. This is not a school board versus community issue. It is a human decency issue. Objections to your negligent post and unbecoming behavior do not make someone a "troll". Your current choices however, do make your designation as a respectable and honorable leader questionable."

Kathy Mattia, Newton resident, noted her support of Mayor Levante and believes he should stay on as Mayor.

Sydney Reynolds, student at Newton High School, read from a prepared statement:

"Dear Mr. Mayor,

I am Sydney Reynolds, a resident of Andover and a concerned student at Newton High School. I, along with many of my classmates, look forward to voting in the next election. We will vote for people who are willing to take the steps necessary to protect our school and all children who attend without fear of being shot or killed. We are sick of watching kids die while elected officials point the finger looking for blame. We are especially sick of people creating conspiracies, calling survivors of school shootings 'crisis actors.' It was brought to my attention that you shared an article

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supporting this debunked conspiracy that David Hogg was a crisis actor.

When first asked about why you share this, you said, and I quote, 'It is my personal opinion. I put that the media is playing on us, they are pushing an agenda on this tragedy.' I agree that there is agenda-pushing, but the post you shared with your comment *claimed* that David Hogg was a crisis actor and not a student. I am not angry that you say news is biased. I am angry that you shared a post questioning the authenticity of a student who lost 17 fellow students and teachers. Mr. Mayor, I'd like to tell you what you *could* have done rather than share this post. You *could* have shared a post honoring the 17 lives who were lost. You *could* have thought of the consequences before you shared this, because as an elected official, it is your duty to share factual information, not conspiracy theories.

When you began to gain media coverage of this post, you grew angry and said the media was, and I quote, 'looking for something to take you down,' and then said, 'Can I not post anything? I also liked a potato song, I liked some other things. Can I not do that on my Facebook page?' Mr. Mayor, no one questions your liking of potatoes. We are wondering why you choose to question the authenticity of a school shooting and share it all for your followers to see.

After your sharing of this article and your response, you became a topic on social media, which makes sense, given the controversy of it all. Yet you said the article on NJ.com was too biased.

You keep making claims about fake and biased news, but did you even look into the conspiracy theory you passed along? It was quickly debunked. I find it incredibly hypocritical that you cry 'fake and biased news' and say you do not trust it when you then go on to share the same news.

Furthermore, in your response, you said, and I quote, "It's my opinion that it is too early for this. We have to come together as a society, work together on all parties to see if we can come to some type of solution that will keep our schools safe, keep our society safe, and move us forward as a society in a positive manner." I have heard these exact same words verbatim for my nearly 18 years of life. After Sandy Hook, it was "too early for this". After Virginia Tech, it was "too early for this". After the UT Tower shooting, it was "too early for this". When will the students of Newton's safety be relevant enough to you? If you not only want to protect the safety of students and the community, but also want to be re-elected, and have partisan discussion on how to make my peers feels safe, do it **now**.

Yes, you are entitled to your own opinion. So am I. I am entitled to my own opinion to criticize you and your reckless sharing on social media. Your whole argument is, "I have a right to my own opinion". But as an elected official, your opinions should be *informed*.

You are entitled to your right to free speech.

But here is a little advice from someone who was raised in social media world. Think before you post. Thank you".

Nicholas Nannery, Plainfield Avenue, student of Newton High School, defended Mayor Levante saying the mayor has made an effort to change the negative perception of Newton. He noted although he does not agree with his recent posts, he supports the Mayor and believes he should not be eliminated from his seat as Mayor.

Patricia Moore, Halsted Street, supports Mayor Levante and believes he should be allowed to post on his personnel blog without being criticized. "Continue the good work in Newton", she concluded.

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Stacey Greg, Rockaway Twsp., strongly suggests the Mayor apologize to the families of Parkland, FL. She publicly read each name of the students and teachers who perished at the Parkland school shooting in Florida.

Zoey, a Vernon High School student, advised that she is organizing a march for gun control, on March 24<sup>th</sup> at noon at the Newton Green. She is appalled at the Newton Leader, Mayor Levante, and feels he should be held accountable for his actions.

Susan Murray, 154 Sparta Avenue, noted her disappointment with Mayor Levante's criticism of his fellow Council members, in a recent NJH article, due to the dire to hold a Special Meeting requesting his resignation as Mayor.

Dennis Becker, 116 Main Street, suggested there are other things to worry about besides his Facebook page. He strongly stated with the upcoming Municipal Election, the Council should "let the voters decide".

Debra Kaiser, Madison Street, stated that holding a position of authority requires acting in a responsible manner. She feels that businesses will go elsewhere due to the conduct of the Mayor.

Margaret Baldini, 10 Barry Lane, supports the Mayor and suggests that the Resolution be tabled.

Jackie Stapel, Business Owner of Re-Collectables, supports Mayor Levante but does not agree with his recent post on Facebook, stating it was "improper". She proceeded to explain the progress Newton has had because of Mayor Levante.

Maureen Snellen, 30 Plainfield Avenue, supports the Mayor. She suggested that the decision be left up the voters.

Aaron Hyndman, White Twsp. resident, thanked Mayor Levante for his hard work his has done. He believes that authority must be respectful and cautiously asked Mayor Levante to "do all that is necessary to the community and the victims" in order to move forward.

Jamie Lombardi, Sparta Twsp. resident, strongly acknowledged the lack of judgement made by Mayor Levante which is unacceptable.

Harry Dunleavy, Augusta resident, believes the Council should be more concerned with the grades at NHS instead of Mayor Levante comments. He supports Mayor Levante.

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Anwar Qarmout, 45 Woodside Avenue, stated "no one is perfect".

Steve Franzone, Newton resident, supports the Mayor and agrees he has the right to his opinion. He believes this "is a witch hunt".

Kenny Collins, Andover Twsp., supports the Mayor and feels this meeting is a "political witch hunt". The Resolution should be tabled.

Lou Slammer, previous business owner in Newton, supports the Mayor and feels the voters should decide on his re-election.

Ralph Porter, 12 Pine Street, feels this Town Council is a great group. Let the voters decide.

Wayne McCabe, 125 High Street, feels the Mayor has done good things. "However your recent postings were wrong. It affects Newton as a whole. It's unfortunate!" Mr. McCabe noted his support of the Resolution on the agenda this evening.

James Rabbitt, 93 Madison Street, NHS teacher, requested the Mayor issue an an apology for his recent postings.

Lauren Jones-Rabbitt, 93 Madison Street, advised she called the Town Manager's office with no response. She believes serving as a public servant requires accountability. "Actions have consequences". She asked the Mayor to stand up and apologize!

Melissa Costello, 16 Halsted Street, supports the Mayor and asked that the Resolution be tabled and let the voters decide in May.

Vangie Capinjola, 8 Lawnwood Avenue, questioned whether the Mayor violated a policy or procedure set by the Town? This would allow for the violation to be clearer and not a "gray" area.

John Vegas, 118 Spring Street, feels the Mayor has moved the businesses district in Newton forward and feels that his attributes out way the negative comments.

Ryan Stapel, owner of Re-Collectables, feels the Resolution should be tabled.

Brenna Tekley, 19 Mt. View Street, supports the Mayor.

There being no one else from the public to be heard, Deputy Mayor Elvidge closed this portion of the meeting.

#### **COUNCIL & MANAGER COMMENTS**

Ursula Leo, Esq. advised Mayor Levante was served a rice notice on March 1,

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2018 and he chose to have this Special meeting open to the public.

Councilman Flynn read from a prepared statement:

"Mr. Levante's behavior over the past week has drawn statewide attention and his supporters have criticized the Town Council for violating Mr. Levante's right to free speech. I would like to offer clarification on both of those matters.

I want to point out that this meeting regarding the Mayor's behavior was not scheduled or even discussed prior to this email which I am about to read.

There are printed copies on the back table for your reference.

On February 28, 2018 at 8:06 am. Two days after the February 26th regularly scheduled town council meeting, in which a reporter wrote an article that Mr. Levante's did not agree with, Mr. Levante took aim at NJ Advance Media Reporter Rob Jennings.

In this email to the Star Ledger Editor and NJ Advance Media Editor, Mr. Levante made demands of the press and attempts to censure their ability cover the news in the Town of Newton.

A direct quote from Mayor Levante:

"I want this issue remedied. Rob chose to not accurately report what took place that evening. His actions were irresponsible and have reignited an issue that my opening speech helped quell. He has foolishly created safety concerns for myself, my family, and my community.

So, I will back off the firing (as previously requested) but within the next 48 hours I need confirmation of the following otherwise I will seek legal action against all parties and entities responsible for this problem I am now enduring:

1. Rob Jennings will be suspended for 2 weeks without pay
2. Rob Jennings will never cover a story in/about Newton or myself ever again.
3. [NJ.com](http://NJ.com), The Star Ledger, and any other outlet where Rob's original story was published and will publish David Danzis' article and compensate Mr. Danzis for his work.

I think all of this drama could have been avoided if Mr. Jennings had done the job he was supposed to do by reporting the facts and not exacerbating the situation with a slanted perspective.

I'll be awaiting your response and prefer it be done in writing via email.

Wayne Levante"

"Mr. Levante is proclaiming that his Freedom of speech has been violated. As you can see by his very words above, Mr. Levante wants to control what the press can and cannot write about him, who can write it, and what can be published and where.

This is not an opinion, this is a concrete fact that Mr. Levante cannot handle when he is criticized and he is using his position as Mayor to try and censure the freedom of the press.

It's not new news that the media has an agenda, or even works to promote certain party ideologies. They have a right to do this, and no elected official has the right to censure this first amendment right. What Mr. Levante is clearly missing in all of this, is that he represents the Town of Newton as its highest ranking elected official and he has made an attack on the press.

I have supported Mayor Levante's efforts to create a better Newton for the past year and prior when he was councilman. While Wayne's approach is usually direct, his dialog can be inflammatory, but the effort was always in the best interest of the tax



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payers of the Town of Newton. I supported Wayne's efforts to act against certain landlords who are diminishing the Town, I supported Wayne's effort to defeat the referendum.

At this point I draw the line. Mr. Levante has chosen to post inaccurate and an extremely controversial video on a matter that thousands of Americans continue to mourn, the extreme tragedy in Parkland, Florida. Understanding the severity of the post Levante removed it, but offered no apology, instead he moved his crosshairs onto the media who exposed his post for what it was, insensitive, contentious and dangerous coming from an elected official. Without retracting his statement or offering an apology, he fired at the press then fired again with the email that I just read above.

Wayne has chosen to take on the "media" forgetting that he is an elected official 24 hrs. a day, 7 days a week. This battle has absolutely no benefit to the town of Newton what so ever, it only damages Newton's image statewide, one provoking statement after another. Newton's name has been and continues to be disgraced by its own Mayor.

I am calling for your resignation from the position of Mayor of the Town of Newton".

At this point, Mayor Levante attempted to respond directly to Mr. Flynn's remarks but Deputy Mayor Elvidge declined for him to respond at this time. Mayor Levante demanded a rebuttal and Deputy Mayor Elvidge again refused to allow him to speak until his turn.

At this time, Councilwoman Diglio read from a prepared statement:

"While I support Wayne's right to express his opinion, that opinion should be based on facts and not be presented as if he is representing the Town in anyway. His opinion is not my opinion especially concerning the Parkland shooting and the students. Having lost a distant cousin and personally knowing a student who escaped as well as his family, I know how devastated the community is and the students are not crisis actors. Demanding that a reporter be fired for an article that Wayne feels did not represent him properly, or be put on suspension and not be allowed to attend Council meetings is not my opinion. The reporter has as much right to freedom of speech and the press as Wayne does. If you are going to post on Facebook or social media expect to have people disagree.

I have supported Wayne in his various activities, and he has done a great deal of good but he has also been warned not to use his position when expressing his personal opinions. And he has also cause issued as well and damaged relationships.

As a consequence of his own actions he has now forced the Council to take action".

Councilwoman Le Frois read from a prepared statement:

The Town of Newton operates under the Optional Municipal Charter Law of 1950 as a Council-Manager Form of government under N.J.S.A. 40:69A-1 on a nonpartisan basis. That statute specifically states that the council is "limited to legislative duties and must act in all matters as one body." It further states that "the mayor is little more than a presiding officer for the council," and in other words should not profess to be acting individually without the consent of the majority of the council. It also speaks to the fact that the mayor and deputy mayor positions, in our form of government are ceremonial appointments, they are not appointments made by the electorate.

As such, the behavior of individual Council members, particularly when representing themselves as a council member, mayor or deputy mayor is a direct reflection of the other council members and the employees, volunteers, residents, business owners, and tax payers of the Town of Newton. Fair or not, as elected, public

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officials, entrusted with the immense responsibility and confidence of the people who elected us to our positions, we are held to a higher standard. We are always "on." We are always wearing our public official hat. We are given the title of honorable, not for the sake of having that title, rather, because we are supposed to be worthy of the title of honorable in all of our actions.

The behavior we are discussing tonight goes against our form of government. But beyond that, it also violates the Town of Newton Personnel, and Policies and Procedures Manual and Handbook, Article VIII, Section 8.1 - Code of Conduct. Specifically, the section states, "Employees shall act in a manner which will inspire public trust in their integrity, impartiality, and devotion to the best interests of the Town, its customers, and citizens during both working and nonworking hours." By our own manual that the Council adopts and approves, the behavior at question, is a violation of the Code of Conduct we are all held to.

This is an unfortunate situation that we've all been placed in. We hold positions that put us in the public light. Although we are all entitled to our own lives, our positions do not always afford us the assumption of complete privacy. The bottom line is, we need to be accountable for our behavior. And in circumstances when a large group of people find your behavior publicly offensive or inappropriate, the result can be reprimand or even termination. This situation especially holds true for those of us who choose to politically serve our community, fully knowing that our private life and public actions will fall under the scrutiny of those who voted for us. We are expected to be pillars of our community, not the creators of animosity and divisiveness.

So instead of talking about all of the great things going on in Newton, like the St. Patrick's Day Parade coming up, the opening of the RPM building, the opening of new restaurants, the great shows at the Newton Theatre, the leadership and hard work of our police department on the opioid epidemic issue, the great activities our students are doing, or the great events being planned by the businesses on Spring Street, here we are talking about the bad behavior of Mr. Levante.

Warren Buffet said, "It takes 20 years to build a reputation and five minutes to ruin it. If you think about that, you'll do things differently." This is what we said to Mr. Levante when we discussed his social media behavior back in November after a formal complaint was filed. And here we are in March, again discussing the same behavior. This is a pattern of behavior. A pattern of behavior that Mr. Levante has chosen to have discussed in public, rather than in private as we have done with him before.

Mr. Elvidge will soon be reading the resolution into the record. And I concur with all of statements in the resolution.

Deputy Mayor Elvidge read from a prepared statement:

"In a vote of 1,236 to 799 on November 10, 1955, 62 years ago the voters of the Town of Newton approved the adoption of the Council-Manager form of government. Six month later the first non-partisan municipal election was held in May of 1956 and the first five persons would be elected to the new town council.

Between 1954 and 1956 what happened was unusual by today's standard when Republican and Democratic leaders joined hands to persuade voters of the town that a non-partisan council-manager form of government was better than the old charter the municipality had been operating under for 92 years.

The first official election in May of 1956 a joint committee of Republicans and Democrats worked long and hard to draft and elect a slate of candidates for council that would be of the highest quality available regardless of political affiliation and would give the new form of government a chance to succeed.

Citizens of the Town of Newton are individually elected to one governing body, given the responsibility that our actions insure the best interests of the community are administered to the best of our ability through these actions. We each are however, independently thinking representatives but responsible to coordinate our actions. And

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our actions are that more important when you serve as the beacon of our community as mayor.

Each councilperson here tonight has served as mayor and deputy mayor and should understand exactly what that means. You are the reflection of what Newton represents should represent and strive to be. That is an honor to be respected. There is in my opinion never a time when you are not a councilman or councilwomen when you serve as an elected member of the Newton Town Council. There is never a time when what you say or the actions you take should have no consequences. Acting Mayor is even that more important because your statements and conduct are the voice of the council and community.

The mayor has a powerful influence on perception, the position can convey strength, safety of the community and state of growth. It is not unreasonable to say that this influence has been wasted. Even the pursuit of some genuinely good issues and most recently unrelated town issues have become heated confrontations and verbal sparring continues at meetings, in the press and in social media.

Bringing positive attention and not negative attention to Newton is what the council and its residents have come to expect from its elected officials. As of recent unrelated national issues have been our topic of contention. To what benefit I seen none.

This councilman has lost the ability to draw distinction between what draws attention to matters of no consequence to the population and Town of Newton. To be seemingly in conflict with the voicing of how the perception of Newton is of great importance but willingly, consistently and with ambition continues to be reckless in his actions.

The ability to recognize this distinction is paramount, why, the notable and steady accomplishments gained by the efforts of many become shaded, and they no longer stay illuminated but are dimmed by incidents of this nature.

I do not believe that we as a council have seen the proven assurances that this Mayor can guide the Town of Newton. His continual and unchecked independent actions, weighing in on controversial issues that damage the reputation of the town continue.

The negative attention and independent nature of the Mayor has progressively become to outweigh the positive results and can no longer be tolerated and allowed to continue".

Mayor Levante read from a prepared statement:

"First off, despite the poor legal advice we continue to receive, I am not an employee, I am an elected representative with rights and protections.

I work for the people and I answer to the people of Newton. I act and speak on their behalf. I am free to speak as I so please. This is all decided case law.

The voters elected me to do exactly what I am doing and I will continue until they no longer want me to represent them. We shall find out on May 8th.

So let's revisit the statement that started this all... "the media is playing us." Ironically, the media is now playing the four of you and many members of the public with this fake news article reported by one individual with a political agenda.

I explained myself last meeting and squashed any rebellion... that was until one "Fake News" reporter drove up here looking for chaos to report on, but when he did not find it, he decided to create some controversy instead.

We all know that this is an attempt by the BOE supporters in and out of town, the unions, the Democratic Party and operatives, and those who wish to continue doing business as usual at the expense of the taxpayer. Plain and simple. And sadly the four of you

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know about the retaliation and retribution I and my family have faced by being an outspoken advocate for change.

I don't consider this mayoral position to be a hot potato that we rotate year to year. I took the position and take the problems we have in Newton very seriously. I'm not going to let my name go down in the history books as a man who continued to ignore major issues in this town. I chose to take a stand on every single controversial issue that is important to this and future generations in Newton.

- I stood alone and took a hard stance to address the boarding homes and absentee landlords, something that has been ongoing for 30 years.
- After consulting the public on the school referendum I stood alone to publicly come out and speak out against the cost only to be vindicated by a 4 to 1 vote.
- To claim that I have not been working with the BOE is just not accurate. After being jilted by Trenton for 8 years at the cost of \$30+ million dollars with no one willing to do anything, I stood alone at the Capital Building in Trenton to issue the lawsuit against the state department of education and was the only council member to go down to Trenton and stand up for the taxpayer 3 times. A week after doing so I began being retaliated against by the Newark Public Schools. I have not attended a BOE meeting since the referendum failed. Additionally, two Newton BOE members continue to harass and file complaints every opportunity they get.
- With ever increasing salaries and health benefits, I lead us through fixing some of the worst negotiated contracts I have ever seen. Trying to help fix the mistakes of previous councils.

Newton has needed strong leadership for quite some time and I have provided that. I've stood alone on many occasions (some by choice), but tonight I am confident that the people of Newton are standing with me and can clearly see through this matter. This is a witch hunt.

I am disappointed, after all the hard work I've been a part of, that the 4 of you are reacting to outsiders' concerns because of "fake news" twisted by someone with a political agenda. The people of Newton, the ones who we are here to serve, want strong leadership, not individuals who will abandon a comrade and neighbor and easily cave to artificial bogus pressure like what we are seeing over the last few days. They see through what is going on and they will not forget the gullibility of those who fall for it.

I will not resign the Office of the Mayor. The resolution presented tonight is filled with inaccuracies drafted by someone trying to make a strong case where one simply does not exist.

We've worked extremely well as a unit the last few years.... It's time for the 5 of us to stand tall against the operatives trying to cause dissent and then continue the work we started which benefits the people of our great town."

At this time, Councilman Flynn read Resolution #71-2018 into the minutes.

### **RESOLUTION #71-2018**

#### **RESOLUTION OF THE TOWN OF NEWTON TO CENSURE MAYOR WAYNE LEVANTE**

**WHEREAS**, the Town of Newton is a Council-Manager form of government, per NJS A 40:69A-81, et seq. and Wayne Levante is the current Mayor until his term of office expires on June 30, 2018; and

**WHEREAS**, Mayor Levante has exhibited inappropriate and unprofessional behavior in the opinion of the majority of the Council, by engaging in conduct unbecoming of a mayor is his interaction with the public and at Council meetings that reflects negatively on the Town of Newton as a whole; and

**WHEREAS**, Mayor Levante has engaged in aggressive and adversarial behavior with Newton's Board of Education, which deteriorated a previously good working

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relationship between the office of the mayor and Board of Education and further jeopardizes future collaborations; and

**WHEREAS**, Mayor Levante previously agreed, on November 13, 2017, not to make any reference to the Town of Newton on his social media postings, yet he has continued to opine on certain matters not relevant to the Town as "Mayor at Town of Newton", including on February 28 and March 1, 2018 concerning the Parkland, Florida school shooting; and

**WHEREAS**, the Town Council appreciates and understands the Mayor's rights to free speech, yet has been embarrassed by his conduct, and its reflection on the Town of Newton; and

**WHEREAS**, Mayor Levante has created animosity with the press by his aggressive and combative conduct towards the media, including demanding the suppression of members of the press; and

**WHEREAS**, the citizens of the Town of Newton have expressed concerns about the fitness of Mayor Levante to adequately fulfill his role as Mayor; and

**WHEREAS**, the Town Council desires for the Mayor to be a positive ambassador on behalf of the Town of Newton acting for the good of the Town.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Newton hereby censures Mayor Wayne Levante for his actions in portraying the Town of Newton in a negative light and deteriorating the public's trust in the Mayor and the Town Council; and

**BE IT FURTHER RESOLVED**, due to Mayor Levante's refusal to honorably carry out the duties of Mayor as a functional member of the Town Council on appropriate Town priorities for the good of the Town of Newton, the Town Council requests that Mayor Levante resign from the office of Mayor.

The aforementioned **RESOLUTION** was offered by Mr. Flynn, who moved its adoption, seconded by Deputy Mayor Elvidge and roll call resulted as follows:

Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Yes
	Mayor Levante		Hell No

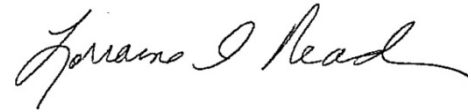
Councilman Flynn then offered a Vote of No Confidence due to Mayor Levante's inability to serve the Town of Newton, from this point forward, for the Office of Mayor. Deputy Mayor Elvidge seconded the motion and roll call resulted as follows:

Deputy Mayor Elvidge	Yes	Mr. Flynn	Yes
Mrs. Le Frois	Yes	Mrs. Diglio	Yes
	Mayor Levante		No

There being no further business to be conducted, upon motion of Mrs. Le Frois, seconded by Mr. Flynn and carried, the meeting was adjourned at 9:26 p.m.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lorraine A. Read". The signature is written in a cursive style with a prominent loop at the end.

Lorraine A. Read, RMC  
Municipal Clerk