

April 11, 2022

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

Deputy Mayor Teets then made the following declaration "in accordance with the Open Public Meetings Act, notice of this Regular meeting was given to the two newspapers of record and posted on the official bulletin board on January 3, 2022".

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

APPROVAL OF MINUTES

Upon motion by Mrs. Diglio, seconded by Mayor Schlaffer and unanimously carried, the minutes for the March 28, 2022 Regular meeting were approved.

OPEN TO THE PUBLIC

At this time, Deputy Mayor Teets read the following statement:

"At this point in the meeting, the Town Council welcomes comments from any member of the public on any topic. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to take one turn at the microphone and please limit their comments to 3 minutes. The Municipal Clerk will keep time. If reading from a prepared statement, please provide a copy and email a copy to the Clerk's Office after making your comments so it may be properly reflected in the minutes. Council may choose to comment after the entire public portion has concluded. Please state your name and address for the record."

Deputy Mayor Teets opened the meeting to the public in attendance.

Walter Theis, 1 Trinity Street, commented on Ordinance 2022-8, Duty to Remove Snow and Ice from Sidewalks. He feels this is an important issue in Town. Pedestrians in Town use the sidewalks and sometimes there are issues with removal. Noting the sidewalk off Water Street that is adjacent to the County Seat parking lot had unresolved issues last year. The area of Water Street and Mill Street, snow was placed in the curb cut forcing pedestrians to climb over or go in the street.

There being no one else from the public to be heard either in person or on Zoom,

Deputy Mayor Teets closed the meeting to the public.

COUNCIL & MANAGER REPORTS

Town Manager Russo – reminded everyone Municipal Offices are closed Friday, April 15th in observance of the Good Friday holiday. Today is Newton's birthday. It's been 158 years since we were incorporated. He wished Councilwoman Diglio a Happy Birthday next week.

A letter is being drafted to be sent to the County asking them to revisit the traffic signal, road improvements, and road widening at the intersection of Hicks and Sparta Avenue. They are receiving ARP funds, and this may be a good project to put those monies toward. He completed his DEI training this week. Members of his staff have begun their training. Terri already started and Chief VanNieuwland and Jenn Dodd are starting today. A reminder Neighbors Helping Neighbors will be held on May 7th with a whole list of activities from tire recycling, document shredding, to the traditional neighbors helping neighbors. The Town of Newton will be the lead agency for Sparta, Hardyston, and Andover to apply for a grant through Congressman Gottheimer's office for funding for improvements to our 9-1-1 Communication Center. He has reached out to Bob Adams, president of Atlantic Health-Newton Medical Center-Hackettstown to establish some community programs for our residents at various Newton events during the calendar year. A meeting has been set for Thursday.

Councilman Couce – he attended a webinar on the grant Mr. Russo mentioned through Gottheimer's office. Chief VanNieuwland and Deputy OEM Coordinator Finkle also attended. He looks forward to a successful application process. The Board of Education's next meeting will be held on April 26th at 6pm at Merriam Avenue School, it will start with a tour of the school. One item he failed to mention at the last meeting was the Town of Newton through the Shade Tree Commission received the Tree City USA designation. We have received this for six or seven years now, the signs have been placed at the entrances to Town. The submission the New Jersey State Urban and Community Forestry accreditation has been completed, but the Town has not heard back yet. At the Neighbors Helping Neighbors on May 7th in conjunction with Arbor Day the Shade Tree Commission will be at the end of the event will doing their annual tree planting at Memory Park. The Shade Tree Commission is in the beginning stages of holding a tree sale in the fall to help replace some of the trees lost in recent storms.

Councilman Dickson – the Economic Development Commission's next meeting will be held on May 10th at 6:30pm. The Easter Egg Hunt will be held on Saturday, April 16th at 10am – Rain or Shine. The Spring Newsletter is out, it looks great, and he has heard a lot of positive feedback on it. This week is National Public Safety Telecommunicators week, and he wanted to thank them for all that they do.

Councilwoman Diglio – on March 31st she attended the Sussex County Chamber dinner with Kimberly Williams. The 2022 officers were announced; Lidia Zdunek, was named Chairwoman of the Board of Trustees. On April 6th she attended the meeting of the Prime Time Seniors. They are planning events throughout the year. Anyone who is over the age of 55 is welcome to join. They will participate in the Memorial Day parade, and she thanked Mr. Russo for letting them use the bus so they may do the judging of the Memorial Day decorations for businesses and residences. On April 8th she attended the Sussex County Chamber of Commerce State of Affairs. She offered congratulations to Jim Hofmann and the Newton Robotics Team for placing again and going to the World Championship in Texas.

Mayor Schlaffer – offered congratulations to Mr. Russo on his Diversity Equity and Inclusion training and he is looking forward to more department heads completing the course as well as more policies and programs that promote the representation and inclusion of different groups. He attended the tour on Spring Street with Mr. Russo, Deputy Mayor Teets, some staff and representatives of the College to look for ways to appropriate our Neighborhood Preservation grant monies. He attend the County Health Department's monthly Mayor's meeting where they stated COVID cases are on the rise. The pandemic is something we still need to be mindful of.

Deputy Mayor Teets – yesterday she participated in the Cram the Cruiser event. The community was very generous in giving food, pet supplies, and money. On April 9th she attended the craft fair fundraiser at Newton High School. It was great event, very well attended. She also had heard very good comments on the new Spring Newsletter.

UNFINISHED BUSINESS – None.

ORDINANCES

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

ORDINANCE 2022-6

AN ORDINANCE PROVIDING FUNDING FOR ACQUISITION OF AN ANIMAL CONTROL VAN FOR THE TOWN OF NEWTON AND APPROPRIATING \$50,000 FOR SUCH PURPOSE

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

Section 1. The Town of Newton, in the County of Sussex, New Jersey, authorizes the acquisition of an animal control van to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$50,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the General Capital Fund Balance.

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

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

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

Deputy Mayor Teets opened the meeting to the public.

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

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

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

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

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

ORDINANCE 2022-7

A RESTATED AND AMENDED ORDINANCE PROVIDING FUNDING FOR PHASE I OF SEWER LINE RENOVATIONS FOR THE TOWN OF NEWTON AND APPROPRIATING \$485,000 FOR SUCH PURPOSE

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

The Town Council of the Town of Newton has ascertained and determined to restate and amend Ordinance 2021-15 and accordingly Ordinance 2021-15 is restated and amended as follows:

Section 1. The Town of Newton, in the County of Sussex, New Jersey authorizes Phase I of Sewer Line Renovations, including all work and materials necessary therefor and incidental thereto, for the Town of Newton to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$485,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Reserve for LFRF (Local Fiscal Recovery Fund) - ARP (American Recovery Plan) 2021 in the amount of \$419,668.57 and Water/Sewer Capital Improvement Fund in the amount of \$65,331.43.

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

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

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

The restated bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Deputy Mayor Teets opened the meeting to the public.

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

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

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

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

Deputy Mayor Teets read aloud the following Ordinance relative to introduction.

ORDINANCE NO. 2022-8

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE TOWN CODE OF THE TOWN OF NEWTON, CHAPTER 266, ENTITLED "STREETS AND SIDEWALKS", ARTICLE I "SNOW AND ICE REMOVAL", MOST NOTABLY SECTION 266-1, ENTITLED "DUTY TO REMOVE"

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

April 11, 2022

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, April 25, 2022 at 7:00 pm.

Deputy Mayor Teets read aloud the following Ordinance relative to introduction.

ORDINANCE NO. 2022-9

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE TOWN CODE OF THE TOWN OF NEWTON, CHAPTER 307, ENTITLED "VEHICLES AND TRAFFIC", ARTICLE V "PARKING METERS", MOST NOTABLY SECTION 307-26, ENTITLED "ADDITIONAL RULES AND REGULATIONS"

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

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, April 25, 2022 at 7:00 pm.

Deputy Mayor Teets read aloud the following Ordinance relative to introduction.

ORDINANCE NO. 2022-10

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN ACCESS EASEMENT OVER CERTAIN REAL PROPERTY OWNED BY THE TOWN OF NEWTON TO TRINITY PROFESSIONAL OFFICE BUILDING, LLC

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

Mr. Couce	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

BE IT RESOLVED by the Town Council of the Town of Newton that the above Ordinance be introduced for the first reading, with hearing on the same to be held on Monday, April 25, 2022 at 7:00 pm.

CONSENT AGENDA

Deputy Mayor Teets read the following statement:

"All items listed with an asterisk () are considered to be routine and non-controversial by the Town Council and will be approved by one motion. There will be no*

separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda."

Mr. Russo reviewed the consent agenda items.

RESOLUTION #109-2022*

"Resolution Urging the Swift Passage of S-330/A3804, Which Shall Restore the Energy Tax Receipts to Municipalities"

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton in the County of Sussex, New Jersey urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

RESOLUTION #110-2022*

"Resolution of the Town of Newton, in the County of Sussex, State of New Jersey in Support of Amending Title 35 of the New Jersey Revised Statutes to Permit the Publication of Legal Notices by Government Agencies on Official Government Websites Instead of Newspapers"

WHEREAS, Title 35 of the New Jersey Revised Statutes establishes that, wherever publication of a legal notice of any kind is authorized by or required of a governmental entity, said notice must be published in the 'official newspaper' of the governmental entity; and

WHEREAS, permitting the publication of legal notices on the Internet instead of in newspapers will make these notices more easily accessible to the public, thereby promoting transparency and increased public participation in government; and

WHEREAS, permitting the publication of legal notices on the Internet instead of in newspapers will save government entities significant sums of money; and

WHEREAS, the Town is aware of legislative efforts to amend Title 35 of the New Jersey Revised Statutes to permit governmental entities to publish legal notices on official government notice websites instead of in newspapers; and

WHEREAS, the Town of Newton fully supports these legislative efforts and wishes to formally express this support;

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

1. The Town of Newton hereby urges members of the New Jersey Assembly and Senate to support, co-sponsor, and adopt legislation that would permit governmental entities to publish legal notices on official government notice websites instead of in newspapers.

2. The Town of Newton hereby urges the Governor of the State of New Jersey to sign any legislation adopted by the State Assembly and Senate which legislation would permit governmental entities to publish legal notices on official government notice websites instead of in newspapers.

3. A certified true copy of this Resolution upon its adoption shall be furnished to State Senator Steven V. Oroho, State Assemblyman Parker Space, and State Assemblyman Harold J. Wirths.

4. A certified true copy of this Resolution upon its adoption shall be furnished to the Governor of the State of New Jersey.

RESOLUTION #111-2022*

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

WHEREAS, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue and also approve the insertion of an item of appropriation of equal amount in the Budget of any Municipality, when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, the Town of Newton received a payment in the amount of \$34,160.43 from the State of New Jersey Hazardous Waste for a FY2019 Recycling Tonnage Grant;

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

Miscellaneous Revenues:

Section F: Special Items of Revenue

Public and Private Revenues Off-set with Appropriations:

State of New Jersey Recycling Tonnage Grant \$34,160.43

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

State of New Jersey Recycling Tonnage Grant \$34,160.43

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

RESOLUTION #112-2022*

“Authorize the Award of a Required Disclosure Contract to EarthPlanter, LLC for Floral Containers for Public Areas of the Town of Newton”

WHEREAS, the Town of Newton has a need to provide in the public areas of the business district containers for floral containers through EarthPlanter, LLC, 13 Pulaski St. Auburn, NY 13021, as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town has sought three (3) quotes consistent with N.J.S.A. 40A:11-6.; and

WHEREAS, EarthPlanter, LLC, 13 Pulaski St. Auburn, NY 13021 has proposed a quote of \$33,762.00 acceptable to the Town and in excess of the pay to play threshold of \$17,500.00; and

WHEREAS, EarthPlanter, LLC has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies EarthPlanter, LLC has not made any reportable contributions to a political or candidate committee in the Town of Newton in the previous one year, and the contract will prohibit EarthPlanter, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer hereby certifies funds NOT TO EXCEED \$33,762.00 are available as follows;

Neighborhood Preservation Grant

Account# 1112541

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton authorizes the Town Manager to enter into a contract with EarthPlanter, LLC to provide various containers and planters for the public square not to exceed \$33,762.00; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and Personal Contribution Disclosure form, Determination of Value be placed on file with this resolution.

RESOLUTION #113-2022*

“Resolution of the Town of Newton, County of Sussex, State of New Jersey, Canceling a Certain Funded Appropriation Balance Previously Adopted by the Town of Newton for a Water Utility Project in the Amount of \$4,054.70”

WHEREAS, the Town of Newton, Sussex County, New Jersey (the "Town") previously adopted Ordinance No. 2020-15 ("**Ordinance No. 15**") for the purpose of funding a water utility project of the Town as more fully specified in Ordinance No. 15 (the "**FIRE ALARM REPLACEMENT AND UPGRADE AT MORRIS LAKE TREATMENT PLANT**"); and

WHEREAS, as of the date hereof, the Town has completed the Water Utility Project and a portion of the funded appropriation in the amount of **\$4,054.70** was not needed to pay the cost of the Water Utility Project and remains unexpended as of the date hereof; and

WHEREAS, the Town now desires to cancel such appropriation and transfer the funded balance under Ordinance No. 2020-15 to the Utility Capital Fund's Capital Outlay Account of the Town;

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

Section 1. The funded appropriation under Ordinance No. 2020-15 in the amount of **\$4,054.70** is hereby cancelled and such funded balance shall be and hereby is transferred to the Utility Capital Fund's Capital Outlay Account of the Town as such funds are no longer needed for the completed project of the Water Utility Project authorized under Ordinance No. 2020-15.

Section 2. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.

Section 3. This Resolution shall take effect immediately.

RESOLUTION #114-2022*

“Refund of Redemption Monies to Outside Lien Holder for Block 7.12, Lot 17, also Known as 2 Williams Street”

WHEREAS, at the Municipal Tax Sale held on October 13, 2021, a lien was sold on Block 7.12, Lot 17, also known as 2 Williams Street, Newton, NJ for 2020 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #2021-001 was sold to Fig cust Fig NJ 19, LLC & Sec Pty for a 0% redemption fee and a premium in the amount of \$59,200.00; and

WHEREAS, Evident Title Agency, LLC, on behalf of the owner, has effected the redemption of Certificate #2021-001 in the amount of \$19,763.98;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges Fig cust Fig NJ 19, LLC & Sec Pty is entitled to a redemption in the amount of \$19,763.98 as well as the return of the premium in the amount of \$59,200.00; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$19,763.98 for the redemption and a check in the amount of \$59,200.00 for the return of the premium for Certificate #2021-001 to Fig cust Fig NJ 19, LLC & Sec Pty, PO Box 54226, New Orleans, LA 70154.

RESOLUTION #115-2022*

“Refund of Redemption Monies to Outside Lien Holder for Block 7.05, Lot 1, also Known as 72 High Street”

WHEREAS, at the Municipal Tax Sale held on October 23, 2019, a lien was sold on Block 7.05, Lot 1, also known as 72 High Street, for 2018 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #2019-005 was sold to FNA DZ, LLC FBO WSFS for a 0% redemption fee and a premium in the amount of \$10,200.00; and

WHEREAS, Alpha Loan Servicing, LLC has effected the redemption of Certificate #2019-005 in the amount of \$27,581.65;

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton that this Governing Body acknowledges FNA DZ, LLC FBO WSFS is entitled to a redemption in the amount of \$27,581.65 as well as the return of the premium in the amount of \$10,200.00; and

BE IT FURTHER RESOLVED, that the Town Council of the Town of Newton confirms and acknowledges the Tax Collector shall issue a check, in the amount of \$27,581.65 for the redemption and a check in the amount of \$10,200.00 for the return of the premium for Certificate #2019-005 to FNA DZ, LLC FBO WSFS, 120 N Lasalle St, Suite 1220, Chicago, IL 60602.

RESOLUTION #116-2022*

**"Person-to-Person and Place-to-Place Transfer of Plenary Retail Consumption License
No. 1915-33-011-009"**

WHEREAS, an application has been filed for a Person-to-Person and Place-to-Place Transfer of Plenary Retail Consumption License Number 1915-33-011-009, heretofore issued to The County Seat Restaurant, LLC for premises located at 64 Water Street, Newton, New Jersey; and

WHEREAS, The County Seat, LLC has agreed to transfer Plenary Retail Consumption Liquor License #1915-33-011-009 to Spring Alley Café, LLC, leasing premises located at 185 Spring Street, Newton, New Jersey; and

WHEREAS, Spring Alley Café, LLC has submitted a complete application form for Person-to-Person and Place-to-Place Transfer of a Plenary Retail Consumption Liquor License bearing the State-assigned license number of 1915-33-011-009; and

WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes and regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Newton does hereby approve the Person-to-Person and Place-to-Place transfer of the aforesaid Plenary Retail Consumption License as follows:

- (a) Person-to-Person to Spring Alley Café, LLC from The County Seat Restaurant, LLC;
 - (b) Place-to-Place to 185 Spring Street, Newton from 64 Water Street, Newton;
- and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby directed to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 64 Water Street, Newton, New Jersey," NUNC PRO TUNC, effective April 11, 2022."

RESOLUTION #117-2022*

"Resolution Granting Authority for Approval of Certain Purchases in Excess of the Bid Threshold Through New Jersey State Contract T2007"

WHEREAS a need exists for the acquisition of vehicles with animal control accessories through the New Jersey Department of Purchase and Property State Contracts; and

WHEREAS the Town of Newton may, without advertising for bids, purchase such materials through the New Jersey State Purchase and Property State Contracts, pursuant to N.J.S.A. 40A:11-12, and N.J.A.C. 5:34-7.29 et. Seq.; and

WHEREAS, under the State Cooperative Contract, Award T2007 held by Flemington Ford, 215 US Highway 202, Flemington, New Jersey; and

WHEREAS the Town is in receipt of a proposed vehicle/ animal control solution pursuant to T2007 of a 2022 Ford T150 Low Cargo Van with animal control accessories at a quoted price of \$49,728.00; and

WHEREAS the Chief Financial Officer certifies funding is available in the amount of \$49,728.00 for a 2022 Ford T150 Low Cargo Van with animal control accessories from:

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 Manager is authorized to procure a 2022 Ford T150 Low Cargo Van with animal control accessories from Flemington Ford under the authority of State Contract T2007 in the amount of \$49,728.00.

RESOLUTION #118-2022*

“Approve Bills and Vouchers for Payment”

BE IT RESOLVED by the Town Council of the Town of Newton that payment is hereby approved for all vouchers that have been properly authenticated and presented for payment, representing expenditures for which appropriations were duly made in the 2021 and 2022 Budgets adopted by this local Governing Body, including any emergency appropriations, and where unexpended balances exist in said appropriation accounts for the payment of such vouchers.

List of Bills - CLEARING/CLAIMS

Check#	Vendor	Check Total
5748	AFLAC.....	1,863.18
5749	ALL GAS & WELDING SUPPLY CO., INC.	56.78
5750	AMERICAN FIDELITY ASSURANCE.....	562.22
5751	AMERICAN FIDELITY ASSURANCE COMPANY.....	654.16
5752	ATD HIGHWAY PRODUCTS LLC.....	1,852.00
5753	B & R UNIFORM, INC.....	53.85
5754	BIS DIGITAL, INC.	1,045.00
5755	BOONTON TIRE SUPPLY INC.	38.00
5756	C W A LOCAL 1032	264.20
5757	CAMPBELL'S SMALL ENGINE INC.....	853.67
5758	CAPITAL ACCOUNT.....	100,759.97
5759	CENTURYLINK COMMUNICATIONS, INC.	125.85
5760	CHLORINATOR & INSTRUMENT., INC.	450.00
5761	CINTAS	90.00
5762	CLAUDIA ANDRADE FORSTER.....	180.00
5763	CLIFFSIDE BODY CORP.	65.84
5764	CONSTELLATION NEWENERGY -GAS DIV.....	8,250.45
5765	COUNTY OF SUSSEX	8,511.33
5766	CURRENT ACCOUNT.....	93,275.00
5767	CURRENT ACCOUNT.....	12,000.00
5768	D & E SERVICE CENTER, INC.....	265.16
5769	DAVE HEINER ASSOCIATES, INC.	926.49
5770	DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP.....	630.00
5771	DEMPSEY UNIFORM & SUPPLY INC	1,501.88
5772	DOWNTOWN NEW JERSEY	300.00
5773	DRAEGER, INC.	179.00
5774	ELECTRONIC SYSTEMS SOLUTIONS INC.	4,560.00
5775	ENFORSYS POLICE SYSTEM, INC.....	16,912.00
5776	FEDERAL & STATE GRANT	35,000.00
5777	GALLS, LLC	162.49
5778	GARDEN STATE LABORATORIES INC.....	2,152.00
5779	GLOBAL HR RESEARCH	261.20
5780	GNCC.....	195.00
5781	HACH COMPANY	447.31
5782	HAMBURG PLUMBING SUPPLY CO INC.....	243.75
5783	HAYEK'S MARKET INC.	32.50
5784	HFE SERVICES LLC	2,039.96
5785	HOLLAND COMPANY, INC.	6,633.00
5786	HOME DEPOT, INC.....	1,414.05
5787	J. CALDWELL & ASSOCIATES, LLC.	7,085.00
5788	J.KRAMER LANDSCAPING & SNOWPLOWING LLC.....	275.00

5789	JCP&L	370.40
5790	JOHNNY ON THE SPOT, LLC.	258.75
5791	KML TECHNOLOGY INC	6,250.00
5792	LOWE'S , INC.....	60.68
5793	LUBRICATION ENGINEERS INC	612.57
5794	LYNN CLEANERS.....	80.00
5795	MGL FORMS - SYSTEMS, LLC.....	424.00
5796	MID-AMERICAN ELEVATOR CO., INC.	970.00
5797	MONTAGUE TOOL & SUPPLY, INC.	114.88
5798	MUSKY TROUT HATCHERIES, LLC.	1,700.70
5799	NEWTON PATROLMANS ASSOCIATION.....	720.00
5800	NEWTON SUPERIOR OFFICERS	420.00
5801	NEWTON VETERINARY HOSPITAL	220.00
5802	NEXGEN POWER EQUIPMENT INC.	190.00
5803	NJMMA.....	25.00
5804	ONE CALL CONCEPTS, INC.	69.71
5805	PELLOW, HAROLD & ASSO, INC.	3,048.25
5806	PETRO-MECHANICS, INC.....	205.00
5807	PLANET NETWORKS INC.....	1,519.67
5808	RACHLES/MICHELE'S OIL COMPANY, INC.	11,836.69
5809	RAPID PUMP	40,649.53
5810	Reliance Standard Life Insurance Co	405.42
5811	RR DONNELLEY	257.70
5812	RULLO & JUILET ASSOCIATES, INC.	2,893.00
5813	RUTGERS LIFELONG LEARNING CENTER.....	1,726.00
5814	SCMUA	866.92
5815	SEBRING AUTO PARTS, INC.....	38.40
5816	SHOP RITE, INC.	23.52
5817	SPECTROTEL.....	589.16
5818	STAPLES.....	146.13
5819	STATEWIDE INSURANCE FUND.....	130,200.00
5820	SUBURBAN PROPANE, LP.....	3,710.36
5821	SUNLIGHT GENERAL	1,283.42
5822	SUSSEX CAR WASH INC	248.00
5823	SUSSEX COUNTY CHAMBER OF COMMERCE	275.00
5824	SYNCHRONY BANK	194.89
5825	SYNCHRONY BANK.....	465.98
5826	TAYLOR OIL CO., INC.	4,531.91
5827	THE EQUITABLE	4,920.00
5828	THE NJ SHADE TREE FEDERATION.....	195.00
5829	TIRE KING, INC.....	2,150.00
5830	TREASURER, STATE OF NEW JERSEY.....	13,103.95
5831	TREASURER, STATE OF NEW JERSEY.....	2,000.00
5832	UNITED SITE SERVICES, INC	9,328.74
5833	VERIZON WIRELESS, INC.....	256.85
5834	W.B. MASON, INC.	46.24
5835	WASAK INC.	1,532.00
5836	WATER & SEWER OPERATING ACCT.....	13,500.00
5837	WEIS MARKETS, INC.	68.74
5838	WHIBCO OF NEW JERSEY INC.	2,018.15
5839	WINGLE SUPPLY COMPANY INC.	115.43
5840	WITMER PUBLIC SAFETY GROUP, iINC.	1,973.00
5841	WITMER PUBLIC SAFETY GROUP, iINC.	88.75
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TOTAL		581,065.78

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

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

April 11, 2022

Mr. Couce (abstain on Check 5807)	Yes	Mr. Dickson	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets	Yes
	Mayor Schlaffer	Yes	

OPEN TO THE PUBLIC

Deputy Mayor Teets opened the meeting to the public.

Dr. Ludmilla Mecaj, 9 Madison Street stated her concern on the stipulation in Ordinance 2022-8 in which the landlord would have to provide a copy of the lease relative to who is responsible for snow removal. She feels this is an invasion of privacy and thinks we could ask for a notarized letter instead.

Margaret Baldini, 10 Barry Lane stated her concern regarding Ordinance 2022-8 with the responsibility of clearing the sidewalk being placed on the first-floor tenant. She stated that frequently occupants of the first floor might be handicapped and feels the Town should reconsider this.

Helen Le Frois, 132 Main Street, Parking Authority Chairperson updated the Council on the Parking Authority. They joined the NCC Co-op this past meeting to give them better buying power for new kiosks. The new kiosks will give better service to the public, a better user experience with an app, and will help with enforcement. This will help to save money in the long run. She is excited and is looking forward to even more advancements in the future.

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

DISCUSSION – None.

COUNCIL MANAGER COMMENTS

Mr. Russo advised Ms. Baldini, the section she referred to is in brackets which means it is being deleted from the code.

Mr. Couce thanked Mrs. Le Frois for the update.

EXECUTIVE SESSION - None.

ADJOURMENT

There being no further business to be conducted, upon motion of Mrs. Diglio seconded by Mr. Couce and unanimously carried, the regular meeting was adjourned at 7:31 pm.

April 11, 2022

Respectfully submitted,

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

Teresa A. Oswin, RMC
Municipal Clerk