

May 9, 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. Dickson, Mrs. Diglio, Deputy Mayor Teets, Mayor Schlaffer, Teresa A. Oswin, Municipal Clerk, and Thomas S. Russo, Jr., Town Manager. Eric Bernstein, Esq., Town Attorney and Monica B. Miebach, CFO, were also present. Mr. Couce was excused.

Mayor Schlaffer 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."

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

**APPROVAL OF MINUTES**

Upon motion by Mrs. Diglio, seconded by Mrs. Teets and unanimously carried, the minutes for the April 25, 2022 Regular and Executive meetings were approved as presented.

**OPEN TO THE PUBLIC**

At this time, Mayor Schlaffer 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."*

Mayor Schlaffer opened the meeting to the public in attendance.

Ralph Porter, 12 Pine Street came forth to say he was very happy with what the Council said you were going to do as far as snow shoveling is concerned this year. He was very disappointed in what happened after we had the storms. It was very difficult to get around Town. When he called the police department they would say they were out enforcing, but they never asked him for addresses. One property he has been complaining about for eight (8) years is still doing the same thing, the guy plows his driveway and puts the snow right across the sidewalk. He does it every time. He shouldn't be given warnings anymore. While walking with his wife on Main Street near Merriam

House the snow was not cleared enough so its wide enough for someone with a cane to walk on. Down the street just past the Le Frois house some of the sidewalks weren't clear so he had to crawl across the sidewalk. This is not right. He doesn't understand why we only assign one person to enforce the snow shoveling rules, why can't the Town have the Water/Sewer, DPW, and Police Department do enforcement? How can he be expected to call when he sees a violation when he is trying to walk, he would wind up falling. He supports our Fire Department but \$750,000 for a new truck is too much. There are not that many hours on our current truck, why can't you take the body of the existing truck and put a new body on it? You could save a third of the money this way, the Council should do their homework.

Margaret Baldini, 10 Barry Lane, questioned what the addendum to the employment agreement with Mr. Russo was? It is not very clear or transparent in the resolution.

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

### **COUNCIL & MANAGER REPORTS**

**Town Manager Russo** – started off by wishing a belated Happy Mother's Day to all those that celebrated this weekend. He went on to say we are in the final stages of interviews to fill three (3) vacancies for the Department of Public Works. He will keep the Council posted on his hiring decisions in the next week or two. We had a successful Zoom meeting today regarding the Armory with our friends in Trenton. He will keep the Council posted; we are making some progress on the timeline. Our hope is to complete the transfer of the property by the end of the calendar year. Grant applications were submitted for EV Charging Stations for Western Plaza, Central Plaza, and Memory Park to NJDEP and Board of Public Utilities. He offered thanks to Kat for her help. I hired a new Code Enforcement Director, Mike Monaco. Many of you should be familiar with Mike's work with the Police Department. I will have Mike circle back with Mr. Porter so he can address the problem properties when the time is right later in the year.

**Councilman Couce** – Excused.

**Councilman Dickson** – read the following statement: *"On May 2<sup>nd</sup> I participated in a webinar: Getting Ready for the Safe Streets and Roads for All grant program. This was an informative session on the upcoming grants to keep in mind for upcoming and potential future projects. We as a Council, as well as Mr Russo and his staff have been diligent in*

*exploring grant opportunities like this to help fund projects and reduce the impact to the taxpayer.*

*This morning, the Senate Community and Urban Affairs Committee voted favorably to release S468 to the Senate. S648 is this Senate sessions version of prior bills that would revise the definition of "landlord" to include rooming and boarding house owners and operators with regard to ordinances holding landlords to certain standards and responsibility. I want to thank Senator Oroho, who is a primary sponsor of this bill, for his continued support on this issue.*

*Today I had the opportunity to represent the Town and take part in a surprise birthday party for Liberty Tower resident Jennie Switzer, who will be celebrating her 105th birthday on May 17th. Jennie is a very active and involved resident and even helps in the office at Liberty Towers. Glad to be able to help commemorate this milestone with Jennie, her family and friends. Happy Birthday Jennie!*

*The next EDC meeting is tomorrow night at 6:30."*

**Councilwoman Diglio** – reminded everyone the Memorial Day parade will be on May 30<sup>th</sup> beginning at 10:00am. Also, she would also like to wish Jennie Switzer a very Happy Birthday!

**Deputy Mayor Teets** – On May 7<sup>th</sup> she presented a proclamation during the annual tree planting for Arbor Day at Memory Park held by the Shade Tree Commission. Neighbors Helping Neighbors has been rescheduled to Monday, June 6<sup>th</sup>.

**Mayor Schlaffer** – addressed Mr. Porter's comments stating we recently finalized changes in the snow removal regulations, so you should see a little different level of enforcement this upcoming season. Also, for the Fire Truck we received a grant in the amount of \$419,000, plus are able to trade-in the existing truck for approximately \$50,000. This will help to offset the total cost. We did our homework, there was an entire committee assigned to this and we found the best possible deal. Deputy Mayor Teets stated the committee met repeatedly, with a minimum of six (6) members at each meeting. The committee looked at different vendors and visited different locations. Mayor Schlaffer stated the Council discussed the matter and are confident in their decision. He also address Ms. Baldini's inquiry regarding Mr. Russo's employment contract. The Mayor stated Mr. Russo is going from a 35 hour per week to a 40 hour per week employee (Level 15), with that comes a slight salary bump but he will no longer received the performance stipend. Essentially it is a net neutral on the cost.

**UNFINISHED BUSINESS** – None.

**RESOLUTIONS**

Upon motion of Mrs. Diglio, to approve **Resolution #130-2022**, seconded by Mr. Dickson and roll call resulted as follows:

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

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**Resolution 130-2022  
Amendment to the Water/Sewer Capital Budget**

WHEREAS, the local Water/Sewer capital budget for the year 2022 was adopted on the 28th day of March, 2022; and WHEREAS, it is desired to amend said capital budget section; NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, the following amendment(s) to the adopted capital budget section of Water/Sewer Capital Fund be made.

Recorded Vote (Insert Names)

(	(	(
(	(	Abstain (
(	(	(
Ayes (	Nays (	(
(	(	Absent (
(	(	(

WATER/SEWER CAPITAL BUDGET (Current Year Action)

1 Project	2 Project Num.	3 Est. Total Cost	4 Amt. Res. In Prior Years	2022 Planned Funding Services for Current Year 2022						Total Funded In Future Year
				5a 2022 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid/Other Fund	5f Debt Authorized		
PALL	U-7	\$75,000.00	\$75,000.00							
SCADA	U-8	\$200,000.00	\$150,000.00		\$50,000.00					
BRIDGE Q-06	U-9	\$85,000.00	\$85,000.00							
LOWER GLEN LK BO VALVE PH 2	U-10	\$75,000.00	\$75,000.00							
MORRIS LAKE FENCE	U-11	\$40,108.00	\$40,108.00							
TTHM & HAA5 MITIGATION	U-12	\$100,000.00	\$100,000.00							
FIRE HYDRANT VALVE REPLACEMENT	U-13	\$125,000.00	\$125,000.00							
RBC REPAIR & REPLACEMENT	U-14	\$160,000.00	\$160,000.00							
Total All Projects		\$860,108.00	\$810,108.00		\$50,000.00					

SIX YEAR CAPITAL PROGRAM 2022 - 2027  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	2 Estimated Total Cost	3 Budget Appropriation		4 Capital Improv. Fund	5 Capital Surplus	6 Grants In Aid-Other Funds	7 Bonds and Notes			
		Current Year	Future Years							
							General	Self-Liquid.	Assessment	School
PALL	\$75,000.00					\$75,000.00				
SCADA	\$200,000.00			\$50,000.00		\$150,000.00				
BRIDGE Q-06	\$85,000.00					\$85,000.00				
LOWER GLEN LK BO VALVE	\$75,000.00					\$75,000.00				
MORRIS LAKE FENCE	\$40,108.00					\$40,108.00				
TTHM & HAA5 MITIGATION	\$100,000.00					\$100,000.00				
FIRE HYDRANT VALVE REP.	\$125,000.00					\$125,000.00				
RBC REPAIR & REPLACEM.	\$160,000.00					\$160,000.00				
Total All Projects	\$860,108.00			\$50,000.00		\$810,108.00				

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

Upon motion of Mrs. Teets, to approve **Resolution #131-2022**, seconded by Mrs. Diglio and roll call resulted as follows:

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

**Resolution 131-2022  
Amendment to the Capital Budget**

WHEREAS, the local capital budget for the year 2022 was adopted on the 28th day of March, 2022; and  
 WHEREAS, it is desired to amend said capital budget section;  
 NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, the following  
 amendment(s) to the adopted capital budget section of Capital Fund be made.

Recorded Vote (Insert Names)

(	(	(
(	(	Abstain (
(	(	(
Ayes (	Nays (	(
(	(	Absent (
(	(	(

CAPITAL BUDGET (Current Year Action)  
2022

1 Project	2 Project Num.	3 Est. Total Cost	4 Amt. Res. In Prior Years	Planned Funding Services for Current Year 2022						Total Funded In Future Year
				5a 2022 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid/Other Fund	5f Debt Authorized		
Installation of Sidewalks along US 206/Water St	2022-19	\$ 420,000.00	\$ -		\$ 3,000.00		\$ 360,000.00	\$ 57,000.00		
Total All Projects		\$ 420,000.00	\$ -	\$ -	\$ 3,000.00	\$ -	\$ 360,000.00	\$ 57,000.00	\$ -	

SIX YEAR CAPITAL PROGRAM 2022 TO 2027  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS

1 Project	2 Project Num.	3 Est. Total Cost	4 Estimated Completion Time	5 Capital Improvement Fund 2022 Budget	Funding Amounts Per Year					
					2022	2023	2024	2025	2026	2027
Installation of Sidewalks Rt 206	2022-19	\$ 420,000.00	2022/2023	\$ 3,000.00	\$ 417,000.00					
Total All Projects		\$ 420,000.00		\$ 3,000.00	\$ 417,000.00					

SIX YEAR CAPITAL PROGRAM 2022 - 2027  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project	2 Estimated Total Cost	3 Budget Appropriation		4 Capital Improv. Fund	5 Capital Surplus	6 Grants In Aid-Other Funds	7 Bonds and Notes			
		Current Year	Future Years							
							General	Self-Liquid.	Assessment	School
Installation of Sidewalks Rt 206	\$ 420,000.00			\$ 3,000.00		\$ 360,000.00	\$ 57,000.00			
Total All Projects	\$ 420,000.00			\$ 3,000.00		\$ 360,000.00	\$ 57,000.00			

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

Upon motion of Mr. Dickson, to approve **Resolution #140-2022**, seconded by Mrs. Diglio and roll call resulted as follows:

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

**Resolution #140-2022  
Amendment to the Capital Budget**

WHEREAS, the local capital budget for the year 2022 was adopted on the 28th day of March, 2022; and  
WHEREAS, it is desired to amend said capital budget section;  
NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Newton, County of Sussex, the following amendment(s) to the adopted capital budget section of Capital Fund be made.

Recorded Vote (Insert Names)

(	(	(
(	(	Abstain (
(	(	(
Ayes (	Nays (	(
(	(	Absent (
(	(	(

**CAPITAL BUDGET (Current Year Action)  
2022**

1 Project	2 Project Num.	3 Est. Total Cost	4 Amt. Res. In Prior Years	Planned Funding Services for Current Year 2022					Total Funded In Future Year
				5a 2022 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid/Other Fund	5f Debt Authorized	
Police SUV	2022-20	\$ 39,451.00					\$ 12,247.00	\$ 27,204.00	
Demo 4a Barret Ave. (house)	2022-21	\$ 20,000.00	\$ 17,150.00		\$ 2,850.00				
Road Imp: Smith St, Grand Ave.	2022-22	\$ 100,000.00			\$ 5,000.00			\$ 95,000.00	
<b>Total All Projects</b>		<b>\$ 159,451.00</b>	<b>\$ 17,150.00</b>		<b>\$ 7,850.00</b>		<b>\$ 12,247.00</b>	<b>\$ 122,204.00</b>	

**SIX YEAR CAPITAL PROGRAM 2022 TO 2027  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS**

1 Project	2 Project Num.	3 Est. Total Cost	4 Estimated Completion Time	5 Capital Improvement Fund 2022 Budget	Funding Amounts Per Year					
					2022	2023	2024	2025	2026	2027
Police SUV	2022-20	39,451.00	2022		\$ 39,451.00					
Demo 4a Barret Ave (house)	2022-21	20,000.00	2022	\$2,850.00	\$ 17,150.00					
Road Imp: Smith St, Grand Ave	2022-22	100,000.00	2022	\$ 5,000.00	\$ 95,000.00					
<b>Total All Projects</b>		<b>159,451.00</b>		<b>\$ 7,850.00</b>	<b>\$ 151,601.00</b>					

**SIX YEAR CAPITAL PROGRAM 2022 - 2027  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Project	2 Estimated Total Cost	3 Budget Appropriation		4 Capital Improv. Fund	5 Capital Surplus	6 Grants In Aid-Other Funds	7 Bonds and Notes			
		Current Year	Future Years							
							General	Self-Liquid.	Assessment	School
Police SUV	\$ 39,451.00					\$ 12,247.00	\$ 27,204.00			
Demo 4a Barret Ave (house)	\$ 20,000.00			\$ 2,850.00		\$ 17,150.00				
Road Imp: Smith St, Grand Ave	\$ 100,000.00			\$ 5,000.00			\$ 95,000.00			
<b>Total All Projects</b>	<b>\$ 159,451.00</b>			<b>\$ 7,850.00</b>		<b>\$ 29,397.00</b>	<b>\$ 122,204.00</b>			

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

**ORDINANCES**

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

**ORDINANCE NO. 2022-11**

**AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT THE TOWN CODE OF THE TOWN OF NEWTON, MOST NOTABLY CHAPTER 307, ENTITLED "VEHICLES AND TRAFFIC"; MOST NOTABLY PROVISIONS OF ARTICLE V "PARKING METERS", AND ARTICLE VIII "METERED PARKING LOTS", AS WELL AS CHAPTER 100 "FEES AND COSTS", MOST NOTABLY SECTION 100-15, ENTITLED "VEHICLES AND TRAFFIC"**

**WHEREAS**, the Town of Newton ("Town") upon the advice of the Newton Parking Authority periodically amends, revises, and supplements provisions of the Town Code as to parking issues, including, but not limited to fees; and

**WHEREAS**, the Newton Parking Authority has provided advice and guidance as to the amending, revising, and supplementing provisions of Chapter 307 and Chapter 150 of the Newton Town Code and the Mayor and Town Council wish to carry out said advice/guidance;

[Brackets] mean deletions; Underlines mean additions.

**NOW, THEREFORE BE IT ORDAINED**, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey does hereby amend, revise, and supplement Chapter 307 of the Town Code, entitled "Vehicles and Traffic", most notably

provisions of Article II, entitled "Parking and Vehicles"; and Article VIII, entitled "Metered Parking Lots", as follows:

- (1) Amend, revise, and supplement Article II, "Parking," Section 307-10.1, entitled "Free Parking on Saturdays in paid municipal parking lots" as follows:

"Free parking shall be permitted all day on Saturdays in the paid municipal parking lots identified as Lot No. 1, Adams Street Plaza, located on Adams Street; Lot No. 2, Main Street Lot, located on Main Street; Lot No. 3, Western Plaza, located on Trinity Street; [,] and, Lot No. 4, Central Plaza, located on Trinity Street; [,] and Lot No. 5, Eastern Plaza North, located at the corner of Union Place and Spring Street.]"

- (2) Amend, revise, and supplement Article VIII, "Metered Parking Lots" as to the following Sections:

- (a) Amend, revise, and supplement Section 307-344, entitled "Defendants" as follows:

"As used in this article, the following terms shall have the meanings indicated:

ADAMS STREET PLAZA – The parking lot now located between Adams Street and the J.R. Roof alley, running parallel with Spring Street, and located to the rear of the store buildings facing on Spring Street and designed on the official Tax Maps of the Town of Newton at Block 711, Lots 26 A, 27A, 29A, 30A, and 31A.

CENTRAL PLAZA – The parking lot located on Trinity Street opposite the present Municipal Building and designed on the official Tax Maps of the Town of Newton as Block 717, Lots 27, and 28.

[EASTERN PLAZA – The parking lot now located on the corner of the intersection of Union Place and Spring Street.]

[EASTERN PLAZA SOUTH – The parking lot now located on Spring Street immediately adjoining the Newton Theater.]

MAIN STREET PLAZA – The parking lot located on Main Street directly to the rear of the Kymer Building and the Newton Trust Company Building.

WESTERN PLAZA – The parking lot located on Trinity Street between Moran Street and Water Street (U.S. Highway No. 206)."

- (b) Amend, revise, and supplement Section 307-38, entitled "Additional rules and regulations as follows:

"A. No owner or operator shall stand or park a vehicle in any of the aforementioned parking lots at any time on any weekday between the hours specified in §307-35 of the Town Code without depositing sufficient coin, coins, credit card/debit card, or paper currency in the designated meter to cover the period during which the vehicle shall remain standing or parked. All-day parking passes may be used in lieu of depositing coin, coins, credit card/debit card, or paper currency. The provisions for this chapter shall not be applicable on Saturdays, Sundays, or any legal holiday or the day designated for the observance of any holiday, except as otherwise provided in §307-40 of the Town Code.

B. See §307-26C of this chapter.

C. See §307-26B of this chapter.

D. See §307-26E of this chapter.

E. An annual merchant pass will be available for [the Lot No. 5 Eastern Plaza,] Lot No. 4 Central Plaza and Lot No. 3 Western Plaza parking lots only, for business owners on Spring Street who have a ground floor business located on Spring Street from Union Place to Main Street. The cost for such passes is set forth in §100-15C of

the Town Code. There will be a maximum allotment for four (4) passes per business per year. Annual passes will be valid from January 1 to December 31, semi-annual passes are valid from January 1 to June 30, or July 1 to December 31, and all passes will need to be renewed upon expiration. Parking passes are valid from 8:00 a.m. to 6:00 p.m., Monday to Friday.

F. An annual parking pass is available for up to six (6) parking spaces in the Municipal Building parking lot. The Municipal Building parking pass permits vehicles to be parked for a twelve (12) hour period, either 8:00 a.m. to 8:00 p.m., or 8:00 p.m. to 8:00 a.m. Each twelve (12) hour period requires a separate pass to permit parking in the Municipal Building parking lot. The cost for such Municipal Building parking lot pass is as set forth in §100-15C of the Town Code. There is a maximum allotment of six (6) passes for the Municipal Building lot per year. The annual pass is valid from January 1 to December 31 only and all passes shall be renewed upon expiration. The Town Manager or his designee shall be authorized to limit the purchase of said Municipal Building parking lot passes based on the parking needs of municipal staff and visitors."

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey does hereby amend, revise, and supplement Chapter 100 of the Town Code, entitled "Fees and Costs", most notably provisions of §100-15, entitled "Vehicles and Traffic" (Chapter 307) as follows:

A. Parking meter fees (§307-24):

(1) Each ½ hour: [~~\$0.25~~] 0.50

B. Parking lot meter fees (§307-35):

[(1) Lot No. 1 Adams Street Plaza and Lot No. 4 Central Plaza.]

[(a) Two hours free parking with purchase of paid ½ hour for \$0.25.]

[(b) Each additional 12 hour thereafter: \$0.25.]

[(2) Lot No. 2 main Street Plaza and Lot No. 3 Western Plaza and Lot No. 5 Eastern Plaza.]

(a) Each ½ hour: [~~\$0.25~~] \$0.50

(b) Ten hour maximum.

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

(1) Lot No. 1 Adams Street Plaza, Lot No. 2 Main Street Plaza, Lot No. 3 Western Plaza, and Lot No. 4 Central Plaza, [ , and Lot No. 5 Eastern Plaza]:

(a) Monthly: [~~\$30~~] \$45, plus tax if applicable.\*

(b) Quarterly: [~~\$90~~], \$135, plus tax if applicable.\*

(c) Annual: [~~\$300~~], \$450, plus tax if applicable.\*

(d) Merchant, annual: two (2) for [~~\$300~~] \$500, plus tax if applicable.\*

(e) Merchant, semiannual: two (2) for [~~\$150~~] \$250, plus tax if applicable.\*

(2) Overnight parking pass:

(a) Central Plaza (Lot No. 4), Western Plaza (Lot No. 3), and the Adams Street lot (Lot No. 1) (residents and business night shift employees): [~~\$15~~] \$25 monthly\*; [~~\$180~~] \$300 annually\*

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

(c) Park and ride: Free

All asterisks apply to the following: Plus applicable New Jersey sales tax.

**BE IT FURTHER ORDAINED**, that any and all other provisions of the various sections set forth herein which are not addressed in this Ordinance shall remain as currently exist in the Town Code; and

**BE IT FURTHER ORDAINED**, that any portion of the Town Code of the Town of Newton which is inconsistent with this Ordinance shall be repealed as to their inconsistencies only; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall become effective after

introduction of this Ordinance by the Mayor and Town Council, public hearing and second (2<sup>nd</sup>) reading/hearing and adoption by the Mayor and Town Council and publication in accordance with law.

Mayor Schlaffer opened the meeting to the public.

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

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

Mr. Couce	Excused	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.

Mayor Schlaffer read aloud the following Ordinance relative to introduction.

**ORDINANCE NO. 2022-12**

**AN ORDINANCE PROVIDING FUNDING FOR VARIOUS WATER/SEWER IMPROVEMENTS FOR THE TOWN OF NEWTON AND APPROPRIATING \$1,010,108 FOR SUCH PURPOSE**

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

Mr. Couce	Excused	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, May 23, 2022 at 7:00 pm.

Mayor Schlaffer read aloud the following Ordinance relative to introduction.

**ORDINANCE NO. 2022-13**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$420,000 FOR THE INSTALLATION OF SIDEWALKS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$57,000 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION**

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

Mr. Couce	Excused	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, May 23, 2022 at 7:00 pm.

Mayor Schlaffer read aloud the following Ordinance relative to introduction.

**ORDINANCE NO. 2022-14**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$927,450.50 FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$664,593 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION**

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

Mr. Couce	Excused	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, May 23, 2022 at 7:00 pm.

**CONSENT AGENDA**

Mayor Schlaffer 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 #132-2022\***

**“Authorize Submission of a Strategic Plan for the Municipal Alliance for Grant Cycle July 2022-June 2023, Amending Resolution #59-2022”**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government, law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Town Council of the Town of Newton, County of Sussex, State of New Jersey, recognizes the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

**WHEREAS**, the Town Council further recognizes it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Town Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex;

**NOW, THEREFORE BE IT RESOLVED**, by the Town of Newton, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the **Action Municipal Alliance** grant for fiscal year 2023 in the amount of:

DEDR	\$6,037.00
Cash Match	\$1,509.25
In-Kind	<u>\$4,527.75</u>
Total Alliance Budget	\$12,074.00

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

APPROVED: /s/ Jason J. Schlaffer  
*Jason J. Schlaffer, Mayor*

**RESOLUTION #133-2022\***

**“Approval of Cooperative Purchasing Contract for the Repair of Shafts and Bearing Replacements on RBC’S 1C and 1D Through North Jersey Wastewater Cooperative Pricing System Contract B279”**

**WHEREAS**, there is a need for the repair of shafts and bearing replacements on RBC’S 1C and 1D through Rapid Pump and Meter Service Co. Inc., the holder of Contract B279 under the North Jersey Wastewater Cooperative Pricing System; and

**WHEREAS**, the Town of Newton can procure goods and services such as those above, without competitive bidding, through the North Jersey Wastewater Cooperative Pricing System under the authority of N.J.S.A. 40A:11-11; and

**WHEREAS**, the Town of Newton joined the North Jersey Wastewater Cooperative Pricing System on May 13, 2019, through Resolution R126-2019; and

**WHEREAS**, this service has been awarded through North Jersey Wastewater Cooperative Pricing System Cooperative Contract B279 to Rapid Pump and Meter Co. Inc., 285 Straight Street, Paterson, NJ 07509; and

**WHEREAS**, Rapid Pump and Meter Co. Inc., has proposed to repair the equipment at a five (5%) percent discount reflecting the cooperative contract award for a total of One Hundred Thirty-Six Thousand Seven Hundred Forty-One Dollars and Eighty Cents (\$136,741.80); and

**WHEREAS**, the Town’s Chief Financial Officer, as required by N.J.S.A. 40A:4-5, N.J.A.C. 5:34-5.1 et seq., certifies funds are available after the adoption of Water Sewer Capital Fund Ordinance #2022-12 which includes an estoppel period.

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Newton, in the County of Sussex, State of New Jersey that as follows: the Town Manager is authorized to enter into a contract with Rapid Pump and Meter Co. Inc., 285 Straight Street, Paterson, NJ 07509, under the authority of the North Jersey Wastewater Cooperative Pricing System Contract B279, in an amount not to exceed \$136,741.80 for all of the terms and conditions expressed in Contract B279 and such services as required by the Town.

**RESOLUTION #134-2022\***

**“Authorize the Addendum to the Employment Agreement of Thomas S. Russo, Jr. as Town Manager”**

**WHEREAS**, the Town of Newton and Thomas S. Russo, Jr., desire to continue the employment of Thomas S. Russo, Jr. as Town Manager for the Town of Newton; and

May 9, 2022

**WHEREAS**, the Town of Newton has prepared a written Addendum to the Employment Agreement of Thomas S. Russo, Jr. that was entered into between the Town of Newton and Thomas S. Russo, Jr. on November 25, 2019. Said written Addendum to the Employment Agreement shall be effective from May 9, 2022 through December 31, 2027 and has been reviewed and accepted by Thomas S. Russo, Jr.;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Mayor and Town Clerk are hereby authorized to execute said Addendum to the Employment Agreement with Thomas S. Russo, Jr., as Town Manager, dated May 9, 2022, on behalf of the Town of Newton, with said Addendum to the Employment Agreement to be attached to and made part of this Resolution.

### **ADDENDUM TO EMPLOYMENT AGREEMENT**

**THIS ADDENDUM TO EMPLOYMENT AGREEMENT** ("Addendum") entered into this 9<sup>th</sup> day of May, 2022, by and between the TOWN OF NEWTON, a municipal corporation of the State of New Jersey, having its principal offices at 39 Trinity Street, Newton, New Jersey 07860 (hereinafter referred to as "TOWN") and THOMAS S. RUSSO, JR., MPA, CPM, PLC, whose home address is 21 Harcourt Lane, Basking Ridge, New Jersey 07920 (hereinafter referred to as "RUSSO") (both are hereinafter referred to as "Parties").

#### **WITNESSETH:**

**WHEREAS**, the Town of Newton, by the way of Resolution #128-2008, hired Thomas S. Russo, Jr., to be the Acting Town Manager, effective August 18, 2008 and Town Manager, effective September 13, 2008; and

**WHEREAS**, an Employment Agreement with RUSSO was executed and memorialized, effective February 8, 2010; and

**WHEREAS**, an Addendum to Employment Agreement with RUSSO was executed and memorialized, effective July 1, 2013; and

**WHEREAS**, a subsequent Employment Agreement with RUSSO was executed and made effective on January 9, 2017; and

**WHEREAS**, a subsequent Employment Agreement with RUSSO was executed and made effective on November 25, 2019; and

**WHEREAS**, the TOWN and RUSSO wish to revise RUSSO'S Employment Agreement with the TOWN as both Parties wish to extend their mutual positive employment relationship and continue RUSSO'S employment as Town Manager for the TOWN; and

**WHEREAS**, RUSSO desires to extend his employment as Town Manager for the TOWN; and

**WHEREAS**, the Parties hereto desire to memorialize the terms of this extension via an Addendum to the Employment Agreement, dated November 25, 2019, entered into by the TOWN and RUSSO to memorialize the modifications to the November 25, 2019 Employment Agreement;

**NOW, THEREFORE**, and in consideration of the mutual covenant, promises, duties, and consideration hereinafter set forth, the TOWN and RUSSO so now hereby agree to the following amendments to RUSSO'S November 25, 2019 Employment Agreement (hereinafter referred to as "Employment Agreement")

1. Section 1 "Employment and Duties" of the Employment Agreement shall be amended by last unnumbered paragraph of the Section as follows:

"RUSSO'S appointment to the position of Town Manager shall be, pursuant to N.J.S.A. 40:69A-93, for the period of May 9, 2022 through December 31, 2027 inclusive. RUSSO may be renewed by a majority of the entire membership of the

Newton Town Council in accordance with all of the provisions of N.J.S.A. 40:69A-93."

2. Section 2 "Compensation" of the Employment Agreement shall be amended by the deletion of the first (1<sup>st</sup>) unnumbered paragraph and the replacement of same with the following:

"For his services as Town Manager for the full duration of the Employment Agreement, effective May 9, 2022 through and including December 31, 2027, RUSSO shall be paid the annual salary at a rate of One Hundred Seventy-Five Thousand Dollars and No Cents (\$175,000.00). Said salary shall be payable in installments at the same time as other employees of the TOWN are paid."

3. Section 8, "Performance Evaluation" shall hereby be amended by the deletion of the final sentence of Section 8, which states that:

"The Council reserves the option to grant RUSSO a performance bonus each calendar year, following his performance evaluation."

4. Section 9, "Hours of Work" shall hereby be amended by revising the first (1<sup>st</sup>) unnumbered paragraph as follows:

"The Town Manager does not have set hours of work; however, effective May 9, 2022, he shall be expected to work at least (on an average basis) forty (40) hours per week, thereby making him a LEVEL 15 (40 HRS/WK) employee with the TOWN. RUSSO is expected to be available during normal municipal office business hours. RUSSO shall, within reason, endeavor to make himself available on a twenty-four (24) hour, seven (7) calendar days a week basis, either by cellular telephone and/or email."

5. Section 12, "General Provisions" shall be amended by adding a new Section G, which shall read:

"G. RUSSO, during the term of this Agreement, shall not be eligible for any annual salary increases, or performance bonuses from the TOWN'S budget."

6. The remaining provisions of the November 25, 2019 Employment Agreement between the TOWN and RUSSO shall remain in full effect and binding upon both Parties.

**IN WITNESS WHEREOF**, the TOWN OF NEWTON has caused this Addendum to Employment Agreement to be signed and executed, on its behalf, by the Mayor and duly attested to by the Municipal Clerk and RUSSO has signed and executed this Addendum to the Employment Agreement. Both Parties shall have executed same on this day, month, and year established above and below.

**RESOLUTION #135-2022\***

**"Concur with the Recommendation of the Utility Advisory Board in Allocating Water and Sewer Connection Fees for Block 7.09, Lots 3 & 5"**

**WHEREAS**, at a regular meeting of the Newton Utility Advisory Board conducted on April 19, 2022 Mark Gimigliano, P.E. of Dykstra-Walker Design Group, PC submitted plans to convert 122 & 124 Main Street to residential apartments; and

**WHEREAS**, Mr. Gimigliano presented plans previously submitted to the Newton Planning Board; and

**WHEREAS**, Mr. Simmons, the Town's Water Engineer submitted a revised report to the Utility Board dated April 20, 2022, outlining all conditions for the project and his calculations for water and sewer connection fees; and

**WHEREAS**, the Utility Advisory Board agrees with Mr. Simmons calculations and conditions with phasing 124 Main Street first at a fee of \$35,052.00 due at the time of issuance of the construction permit and 122 Main Street no longer than two years later at a fee of \$30,130.47 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 Utility Advisory Board and conditionally approves the fees set forth above.

**RESOLUTION #136-2022\***

**“Issuance of Estimated 3<sup>rd</sup> Quarter Tax Bills”**

**WHEREAS**, due to the late adoption of the 2022 County of Sussex Budget, the Sussex County Board of Taxation is unable to certify tax rates for the year 2022 at this point in time; and

**WHEREAS**, without a 2022 certified tax rate the Tax Collector of the Town of Newton will be unable to issue 2022 tax bills on a timely basis; and

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Mayor and Town Council requests the Director of the Division of Local Government Services to approve the 2022 estimated tax levy exceeding 105% of the previous year's tax levy. Approval will enable the Town of Newton to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments, and save the necessary cost of interest expense on borrowing;

**NOW, THEREFORE BE IT RESOLVED**, the Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3. The entire estimated tax levy for 2022 is hereby set at \$27,837,934.95. The estimated tax rate for 2022 is hereby set at \$4.6473; and

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Newton confirms and acknowledges that the Tax Collector of the Town of Newton is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Newton for the 3<sup>rd</sup> installment of 2022.

**RESOLUTION #137-2022\***

**“Authorize the Award of a Required Disclosure Contract with Planet Networks for Telephonic Communications Services”**

**WHEREAS**, the Town of Newton has a need for telephone communications in its operations as a required disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Planet Networks, 4 Park Pl., Newton, N.J. in the aggregate is expected to be in excess of the play threshold of \$17,500.00 as well as bid threshold over the 36-month contract; and

**WHEREAS**, Planet Networks, 4 Park Pl., Newton, N.J. is exempt from the bid threshold mandate as the service is regulated by the Federal Communications Commission in accordance with N.J.S.A.40A:11-5(f); and

**WHEREAS**, Planet Networks, has completed and submitted a Business Entity Disclosure Certification and a Personal Contribution Disclosure form which certifies that Planet Networks, 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 Planet Networks, from making any reportable contributions through the term of the contract; and

**WHEREAS**, subject to the future approving of the municipal budget by the Governing Body of the Town of Newton, the Chief Financial Officer hereby certifies funds NOT TO EXCEED an aggregate over 36-months of \$106,871.28 are available as follows:

2022 Utility - Telephone	amount	\$32,742.93
2023 Utility - Telephone	amount	\$30,673.80
2024 Utility - Telephone	amount	\$30,673.80
2025 Utility - Telephone	amount	\$12,780.75

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Town of Newton authorizes the Town Manager to enter into a contract with Planet Networks, 4 Park Pl., Newton, N.J. not to exceed \$106,871.28 over a 36-month period for telephone communications services; 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 #138-2022\***

**“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 has received a payment in the amount of \$2,500.00 from the Newton Medical Center Community Advisory Board for a FY 2022 CAB 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:

CAB (Community Advisory Board) Grant .....\$2,500.00

General Appropriations:

(A) Operations - Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

CAB (Community Advisory Board) Grant .....\$2,500.00

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

**RESOLUTION #139-2022\***

**“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**

<b>Check#</b>	<b>Vendor</b>	<b>Check Total</b>
5915	ADVANCE AUTO PARTS .....	12.99

5916	ALL STATE TECHNOLOGY INC.....	1,285.00
5917	ATD HIGHWAY PRODUCTS LLC .....	330.00
5918	ATLANTIC PLUMBING SUPPLY INC. ....	804.00
5919	ATLANTIC TACTICAL INC.....	2,082.80
5920	B & R UNIFORM, INC. ....	149.95
5921	BEN SHAFFER & RECREATION INC. ....	5,322.60
5922	BOONTON TIRE SUPPLY INC. ....	1,470.66
5923	BRAEN STONE SPARTA .....	1,062.04
5924	CAMPBELL'S SMALL ENGINE INC.....	385.00
5925	CENTURYLINK COMMUNICATIONS, INC. ....	125.85
5926	CINTAS .....	253.18
5927	CONSTELLATION NEWENERGY -GAS DIV .....	20,253.44
5928	COYNE CHEMICAL CORP., INC. ....	1,758.00
5929	DEMPSEY UNIFORM & SUPPLY INC .....	1,675.67
5930	DITSCHMAN FLEMINGTON FORD .....	41,814.75
5931	DOMINICK'S PIZZA LLC.....	79.00
5932	ENVIRONMENTAL RESOURCE ASSO. ....	276.04
5933	ERIC M. BERNSTEIN & ASSOCIATES, LLC. ....	572.00
5934	FARMSIDE LANDSCAPE & DESIGN INC .....	675.00
5935	FEDERAL EXPRESS.....	33.86
5936	FIREFIGHTER ONE, LLC. ....	220.00
5937	FOVEONICS DOCUMENT SOLUTIONS .....	3,600.00
5938	FRANK SEMERARO CONSTRUCTION, INC., .....	900.00
5939	GALLS, LLC .....	86.99
5940	GARDEN STATE LABORATORIES INC .....	4,330.00
5941	GIBBONS P.C. ....	1,425.00
5942	GINA MARIA JONES .....	200.00
5943	HAMBURG PLUMBING SUPPLY CO INC .....	11.87
5944	HOME DEPOT, INC.....	1,788.22
5945	J. CALDWELL & ASSOCIATES, LLC. ....	255.00
5946	JCP&L .....	210.45
5947	JK HVAC SERVICE, LLC. ....	576.43
5948	KAYLANI, SHERRI .....	57.88
5949	KIEFFER ELECTRIC, INC.....	1,114.84
5950	KKPR MARKETING & PUBLIC RELATIONS, .....	800.00
5951	MAIN POOL & CHEMICAL COMPANY, INC. ....	929.25
5952	MID-AMERICAN ELEVATOR CO., INC. ....	485.00
5953	MONTAGUE TOOL & SUPPLY, INC. ....	241.98
5954	MOTOROLA SOLUTIONS .....	1,544.25
5955	NEWTON HIGH SCHOOL .....	135.00
5956	NEXGEN POWER EQUIPMENT INC. ....	190.00
5957	OSWIN TERESA ANN.....	20.50
5958	PALL CORPORATION.....	4,480.00
5959	PASSAIC COUNTY POLICE ACADEMY .....	350.00
5960	PELLOW, HAROLD & ASSO, INC. ....	8,493.75
5961	PELLOW, HAROLD & ASSO, INC. ....	5,559.90
5962	PLANET NETWORKS INC. ....	10,797.47
5963	PROCESS TECH SALES AND SERVICE .....	2,492.50
5964	QUADIENT INC. ....	129.05
5965	QUILL CORPORATION .....	123.65
5966	R & J CONTROL INC. ....	2,888.98
5967	RACHLES/MICHELE'S OIL COMPANY, INC .....	5,059.81
5968	ROUTE 23 PATIO, LLC.....	792.00
5969	S K OFFICE SUPPLY INC.....	190.00
5970	SCMUA .....	703.60
5971	SEBRING AUTO PARTS, INC. ....	69.21
5972	SIERRAZULU LLC aka SZ LLC .....	1,800.00
5973	SPATIAL DATA LOGIC .....	2,850.00
5974	SPECTROTEL .....	595.21
5975	STAPLES .....	308.55
5976	State of NJ, DCA ELSA .....	258.00
5977	SUBURBAN PROPANE, LP.....	4,428.00
5978	SUPPLYLINE INDUSTRIAL LLC .....	2,864.00
5979	SUSSEX COUNTY P & H, INC. ....	797.91

5980	SWANK MOTION PICTURES.....	655.00
5981	SYNCHRONY BANK .....	298.26
5982	T.A. MOUNTFORD COMPANY, INC. ....	340.00
5983	TAYLOR OIL CO., INC. ....	7,633.33
5984	TEETS, KENNETH A. ....	35.00
5985	THE FARMER'S DAUGHTER.....	61.50
5986	TIRE KING, INC. ....	30.00
5987	TOPOLOGY NJ, LLC.....	185.00
5988	TRACTOR SUPPLY .....	74.99
5989	TREASURER, STATE OF NEW JERSEY .....	2,300.00
5990	TREE KING INC.....	500.00
5991	UGI ENERGY SERVICES LLC .....	2,706.69
5992	VERIZON WIRELESS, INC.....	256.75
5993	WALMART.....	70.82
5994	WATER & SEWER OPERATING ACCT.....	20,000.00
5995	WEINER LESNIAK .....	252.00
<hr/> <b>TOTAL</b>		<b>190,975.42</b>

Mayor Schlaffer 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. Dickson and roll call resulted as follows:

Mr. Couce	Excused	Mr. Dickson (Abstain on #138-2022)	Yes
Mrs. Diglio	Yes	Deputy Mayor Teets (Abstain on Check 5984)	Yes
	Mayor Schlaffer	Yes	

**OPEN TO THE PUBLIC**

Mayor Schlaffer opened the meeting to the public.

Ralph Porter, 12 Pine Street came forth and stated the trees on property from the neighboring Thorlabs on Pine Street are dead or dying. You can see all their vehicles. They said they would have a tree canopy. Secondly, he doesn't know if the Town realized when the County repaved Woodside Avenue the pads at the crosswalks were moved because they were incorrect. He brought it to the Town's attention previously, he doesn't know why it took them having to move them to fix the problem. He wants to know with the Elm Street project he brought some ADA issues to the Council and also asked who the ADA liaison is for the Town. Where does this stand? The liaison required by law. You can see for your self at [ada.gov/smtown.htm#anchor23530](http://ada.gov/smtown.htm#anchor23530). Lastly, he walks around Town all the time, there are cars parked blocking the Spring Street crosswalks it is against the law. Something needs to be done to stop this.

There being no one else from the public to be heard in person, the Mayor opened

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the meeting up to Zoom attendees.

Helen Le Frois, 132 Main Street stated on behalf of the Parking Authority she wanted to thank the Council for passing Ordinance 2022-11. They are excited to move forward with the changes coming with the new kiosks. She hopes to do a demonstration at a future meeting. Also, she was excited to hear of the EV Charging grant. This will increase user-friendliness. This will help to welcome visitors to the Town to support our small businesses. Lastly, as a regular citizen she wanted to congratulate Mr. Dickson for continuing to carry the flag on what is now S468 rooming board and landlord definitions. It has been many years in the making.

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

**DISCUSSION** – None.

**COUNCIL MANAGER COMMENTS**

Mr. Russo advised Mr. Porter he will send his concerns to Dave Simmons to see if we can get the trees addressed. We are long past the point typically required for compliance, but it doesn't mean we can't ask. He will check Pellow's office on the Elm Street matter. Mr. Russo asked Mr. Porter for clarification on the crosswalk issue on Spring Street. Mr. Porter stated half of them are blocked, the biggest offender is at the intersection at Moran Street, the liquor store gets deliveries.

**EXECUTIVE SESSION** – None.

**ADJOURMENT**

There being no further business to be conducted, upon motion of Mrs. Diglio seconded by Mrs. Teets and unanimously carried, the regular meeting was adjourned at 7:28 pm.

Respectfully submitted,



Teresa A. Oswin, RMC  
Municipal Clerk